



BUILDING AND STANDARDS COMMISSION

REGULAR MEETING MINUTES
Wednesday, February 24, 2010

The Building and Standards Commission convened in a regular meeting on Wednesday, February 24, 2010 at 301 West 2nd Street.

Chair David Brown called the Commission Meeting to order at 6:32 p.m.

Commission Members in Attendance:

David Brown, Chair; Ethelynn Beebe, Vice Chair; Tim Hill, Stacy Kaplowitz, Daniel Gonzalez, and Ricardo Trevino.

Staff in Attendance:

Sonja Prevo, Commission Coordinator; Viola Ruiz, Scribe/Commission Staff Liaison; Steve Ramirez, Assistant Division Manager; Terry Hurd, Supervisor; Charles Boas, Investigator; John McTier, Investigator; Lyle Adair, Investigator; Brent McDonald, Investigator; Jonathan Josephson, Supervisor; Kesha Moore, Investigator.

1. CITIZEN COMMUNICATION: GENERAL

a. None

2. OLD BUSINESS

a. 1725 Bunche Road – Update given to Commission on status of property. Permits have been pulled for repairs. Steve Ramirez, Assistant Division Manager spoke to the neighbor who came before the Commission about the lack of progress being made on the property, at that time. Neighbor is very satisfied with the progression of work. *The Commission requested update at next meeting.*

3. APPROVAL OF MINUTES

a. A motion for the approval of January 27, 2009 hearing minutes was made by Commissioner Hill, Commissioner Kaplowitz seconded. Minutes approved on a 6-0-0 vote.

4. PUBLIC HEARINGS

Commission Coordinator Sonja Prevo presented the following cases:

a. CL 2010-010953

11706 Barrington Way

John P. Sutton
Appeal

11706 Barrington Way is a Residential Structure. Travis Central Appraisal District shows that John P. Sutton is the title owner. This case was represented by John P. Sutton, property owner. City of Austin/Code Compliance found that this property is dangerous with substandard conditions. Staff recommends that the Commission deny the appeal. Staff recommends that the Findings of Fact and Conclusions of Law for this property be adopted. Staff recommends that the Commission Order necessary permits be secured. That the Commission Order the Residential Structure located on the property be repaired with final inspections passed within 30 days from the date this Order is mailed to the owner. That all repairs or modifications shall meet or exceed the requirements of the Uniform Housing Code and all applicable codes. That the owner or owner's representative shall request inspection(s) to verify compliance; and that after the 30 days, a penalty of \$10.00 per day per violation be assessed until work is completed with final inspections passed.

A motion was made to deny the appeal by Commission Vice Chair Dr. Beebe, Commissioner Hill seconded. Denial of appeal passed on a 6-0-0 vote.

A further motion was made to accept staff's recommended Order by Commission Vice Chair – Dr. Beebe, Commissioner Hill seconded. Motion passed on a 6-0-0 vote.

- b. CL 2010-010846 5705 Gloucester Lane, Unit 2 Richard Poccia

5705 Gloucester Lane, Unit 2 is a Residential Duplex. Travis Central Appraisal District shows that Richard Poccia is the title owner. This case was represented by Susan Bockholt, Austin Property Management Team; Mary King, Renter. City of Austin/Code Compliance found that this property is therefore a public nuisance and dangerous with substandard conditions. Staff recommends that the Commission Order that the Residential Duplex located on the property be repaired with final inspections passed within 15 days from the date this Order is mailed to the owner; that all repairs or modifications shall meet or exceed the requirements of the Uniform Housing Code and all applicable codes. That the owner or owner's representative shall request inspection(s) to verify compliance; and that after 15 days, a penalty of \$500.00 per week be assessed until work is completed with final inspections passed.

A motion was made to accept staff's recommended Order by Commissioner Kaplowitz, Commissioner Hill seconded. Motion passed on a 6-0-0 vote.

- c. CL 2010-010949 1152 Webberville Road Chioma Okoro % Safeplace

1152 Webberville Road is a Residential Structure. Travis Central Appraisal District shows that Chioma Okoro % Safeplace is the owner of this property. This case was not represented. City of Austin/Code Compliance found this structure to be dangerous and substandard due to owner neglect. Staff recommends that the Commission Order the Residential Structure located on the property be demolished and the lot left in a clean and raked condition within 30 days from the date this Order is mailed to the owner. That the Commission Order all portions of the Residential Structure be removed and that the Commission require the owner or owner's representative to request inspection(s) to verify compliance; if compliance is not achieved within the 30 days, the Building Official may proceed with the demolition. After the 30 days, all portions of the Residential Structure, including items in the structure and on the property, will be considered debris and disposed of as such. A lien for all expenses incurred by the City of Austin will be filed with the Travis County Deed Records.

A motion was made to accept staff's recommended Order by Commissioner Hill, Commission Vice Chair Dr. Beebe e seconded. Motion passed on a 6-0-0 vote.

- d. CL 2010-010829 4701 Avenue H Jon Drake
CASE WITHDRAWN

- e. CL 2010-010703 8300 North Interstate Highway 35 SVRD SB Mann Inn Inc., Austin Suites Hotel

8300 North Interstate Highway 35 SVRD SB is a Commercial Hotel/Motel Structure(s). Travis Central Appraisal District records show that Mann Inn Inc., Austin Suites Hotel, Attn: Jit Mann is the title owner. The property was represented by property manager, Paula Rodriguez. City of Austin/Code Compliance found the property a public nuisance and dangerous with substandard conditions. Staff recommends that the Commission Order the Commercial Hotel/Motel Structure(s) located on the property to stabilize the substandard conditions of all columns, elevated walkways and stairways throughout the property within 30 days from the date the order is mailed to the owner(s) and to provide an engineer's certification letter stating that all columns, elevated walkways and stairways throughout the property are structurally sound and that after the 30 days, a penalty of \$1,000.00 per week be assessed until specified certification is received by the Code Compliance Department of the City of Austin.

In addition, Staff asks the Commission to Order the remainder of the violations of the Commercial Hotel/Motel Structure(s) be repaired with final inspection passed within 120 days of the date this order is mailed to the owner(s). That a final engineer's letter be provided to certify the safety of the completed project. That all repairs or modifications shall meet or exceed the requirements of the Uniform Housing Code and all applicable codes. That the Commission Order the owner or owner's representative to request inspection(s) to verify compliance; and that after the 120 days, a penalty of \$1,000.00 per week be assessed until work is completed with final inspections passed and

engineer's final letter is received by the Code Compliance Department of the City of Austin. In addition, if compliance is not achieved within the stated timeframes above the Commercial Hotel/Motel Structure(s) Annual Operating License may be the subject of suspension.

A motion was made to accept Staff's recommended Order by Commissioner Hill, Commissioner Kaplowitz, seconded. Order final engineer's letter be provided for certification of completed project. Order was amended to reflect 120 days instead of 90 days IF the first part of the Order is complied with. A motion to amend the Order was made to include the following; if the 30 day portion of the Order is not met, staff will bring the case back to the Building and Standards Commission for a new Order the following month. Motion passed on a 6-0-0 vote.

- f. CL2010-010610 2106 Pennsylvania Avenue Olivia Mayfield
CASE WITHDRAWN
- g. CL 2010-010670 7100 Bethune Avenue Saint John's Community Association
CC 2009-060210

7100 Bethune Ave. is a Commercial Structure located on this property. Travis Central Appraisal District records show that St. Johns Community Association is the title owner. The property was represented by Bill Beare – Treasurer, Virginia Brown Action Committee – a successor of St. John's Community Association; Sharlene Perkins – Vice President, Virginia Brown Action Committee – a successor of St. John's Community Association. The City of Austin/Code Compliance found the property to be a public nuisance and dangerous with substandard conditions. Staff recommends that the Commission Order the Commercial Structure located on this property to be demolished and the lot left in a clean and raked condition within 30 days from the date this Order is mailed to the owner. That the Commission order all portions of the Commercial Structure to be removed and that the Commission require the owner or owner's representative to request inspection(s) to verify compliance. If compliance is not achieved within 30 days, the Building Official may proceed with the demolition. After the 30 days, all portions of the Commercial Structure, including items in the structure and on the property, will be considered debris and disposed of as such. A lien for all expenses incurred by the City of Austin will be filed with the Travis County Deed Records.

A motion was made by Commission Vice Chair Dr. Beebe to place property in abeyance for 30 days, Commissioner Kaplowitz seconded. Motion passed on a 6-0-0 vote

Steve Ramirez, Assistant Division Manager – Legal Operations, asked for all the Virginia Brown Action Committee member's names and addresses for notification purposes.

A motion to adjourn the meeting was made by Commissioner Hill, Commissioner Kaplowitz seconded. Chair David Brown adjourned the Commission Meeting at 8:47 p.m. without objection.