



BUILDING AND STANDARDS COMMISSION
MINUTES

REGULAR MEETING
Wednesday, December 08, 2010

The Building and Standards Commission convened in a regular meeting on Wednesday, December 08, 2010 at One Texas Center, 3rd Floor Conference Room, 505 Barton Springs Road, Austin, Texas.

Chair David Brown called the Commission Meeting to order at 6:35 pm.

Commission Members in Attendance:

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

Staff in Attendance:

Sonja Prevo, Commission Coordinator; Viola Ruiz, Scribe/Commission Coordinator; Dennis Vaughn, Investigator; Chris Maldonado, Investigator; Jonathan Josephson, Investigator Supervisor; Steve Ramirez, Assistant Division Manager; Kathleen Buchanan, Assistant City Attorney; Willie Rhodes, Code Compliance Director; Dan Cardenas, Assistant Director; Reggie Jackson, Trainer; Matthew Noriega, Investigator; Jeffery Solomon, Fire Captain; Julie Long, Detective-Austin Police Department; Larry Biegert, Detective-Austin Police Department

1. CITIZEN COMMUNICATION:GENERAL

- a. None

2. APPROVAL OF MINUTES

- a. The minutes from the meeting of 10/27/10 were approved on Commission Member Ethelynn Beebe's motion, Commission Member Tim Hill second on a 5-0-0 vote.

3. PUBLIC HEARINGS

The Commission will hear the following cases and may issue an order to vacate, repair, demolish, secure, and/or issue penalties:

Commission Coordinator Sonja Prevo presented the following cases:

- a. CL 2010-096805 3302 Werner Avenue James Thomas Deens
3302 Werner Avenue is a homestead Residential Single Family Structure. Travis County Appraisal District shows James Thomas Deens as the owner of this property. This case was not represented. City of Austin Code Compliance found that this property is in violation of the

Uniform Housing Code and the Uniform Code for the Abatement of Dangerous Buildings adopted by reference in sections 25-12-211 and 25-12-213 and 25-12-231, and 25-12-233 of the Austin City Code and therefore is a public nuisance and dangerous with substandard conditions. The Staff recommended that the Commission deny the appeal of the emergency board and secure and Order the Residential Single Family Structure to be repaired with final inspections passed within 60 days of 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 60 days, a penalty of \$10.00 per day per violation be assessed until work is completed with final inspections passed.

A motion to deny the appeal was made by Commission Member Tim Hill, Commission Member Daniel Gonzalez second on a 5-0-0 vote.

A motion to accept staff's recommended Order for repair was made by Commission Member Daniel Gonzalez, Commission Member Ethelynn Beebe second motion on a 5-0-0 vote.

b. CL 2010-097039 2504 East 6th Street Miriana S. & Frank Gevara
1511 Redd Street is a Residential Single Family Structure. Travis County Appraisal District shows Anselmo L. Alvarez as the owner of this property. This case was represented Alex Arrieta, son of the occupant. City of Austin Code Compliance found that this property is in violation of the Uniform Housing Code and the Uniform Code for the Abatement of Dangerous Buildings adopted by reference in sections 25-12-211 and 25-12-213 and 25-12-231, and 25-12-233 of the Austin City Code and is therefore a public nuisance and dangerous with substandard conditions. The staff recommended that the Commission order the owner of the Residential Single Family Structure to secure any necessary permits and that the owner provides access for an interior inspection within 30 days of the date the Order is mailed to the owner. That you require Residential Single Family Structure be repaired with final inspections passed within 60 days of the date the 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 60 days, a penalty of \$500.00 per week be assessed until work is completed with final inspections passed.

A motion to amend staff's recommended Order for repair was made by Commission Member Ethelynn Beebe to only include an interior inspection within 30 days of that date the order is mailed to the owner and for this case to be placed on February's 2011 BSC agenda in order for property owner or owner's representative to bring bids from contractor/programs showing what it will cost to make these repairs; proof that the owner have the money to make these repairs; and how long it will take to make these repairs, Commission Member Tim Hill second motion on a 5-0-0- vote.

c. CL 2010-097550 2315 (aka 2305) Town Lake Circle Calbow Living Trust
Terrence R. & Melinda Calbow
2315 (aka 2305) Town Lake Circle is a three story apartment complex. Travis County Appraisal District show that Calbow Living Trust Terrence R. & Melinda Calbow as the owner(s) of this property. This case was represented by Shaun Calbow, son of property owner and by Scott Myer, attorney representing Citibank. City of Austin Code Compliance found that this property is in violation of the Uniform Housing Code and the Uniform Code for the Abatement of

Dangerous Buildings adopted by reference in sections 25-12-211 and 25-12-213 and 25-12-231, and 25-12-233 of the Austin City Code and therefore is a public nuisance with dangerous conditions. The staff recommended that the Commission order any necessary permits be secured, that the three story apartment complex be repaired with final inspections passed within 30 days of the date the Order is mailed to the owner(s). That all repairs or modifications shall meet or exceed the requirements of 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 \$500.00 per week be assessed until work is completed with final inspections passed. That you order the owner to provide an engineer's certification certifying the safety of the walking surface of the isles, passageways, stairways or other means of exit within 30 days of the date the Order is mailed to the owner; and that after the 30 days, a penalty of \$500.00 per week shall be assessed until engineer's certification letter is in receipt to the Code Compliance Department of the City of Austin. That you order the owner to have the affected units remain vacant until permit(s) have been final.

A motion to amend staff's recommended Order was made by Commission Member Tim Hill with the addition of having a fence installed and that the property be secured and maintained and also to note which affected unit numbers are to be maintained vacant until permits have been final, the units are 101, 103, 201, 203, 301, 303, Commission Member Stacy Kaplowitz second motion on a 5-0-0 vote. The motion was approved with the following friendly amendment on motion by Commission Member Daniel Gonzalez, second by Commission Member Tim Hill on a 5-0-0 vote. The friendly amendment from Commission Member Daniel Gonzalez was to add that the fence is to be installed within 7 days of the date the Order is mailed to the Owner. This was accepted by the maker of the motion and Commission Member Tim Hill, who seconded the motion. The motion was approved with the following friendly amendment on motion by Commission Member Tim Hill, second by Commission Member Stacy Kaplowitz on a 5-0-0 vote. The friendly amendment from Commission Member Tim Hill was to Order the City to secure fencing of affected units and file a lien for such cost if owner failed to meet the seven day deadline. This was accepted by the maker of the motion and Commission Member Stacy Kaplowitz, who seconded the motion.

d. CL 2010-097437 1702 Forest Hill Drive Zelma Louise Martinets Knapp
1702 Forest Hill Drive is vacant Residential Single Family Structure. Travis County Appraisal District shows Zelma Louise Martinets Knapp as the owner of this property. This case was not represented. City of Austin Code Compliance found that this property is in violation of the Uniform Housing Code and the Uniform Code for the Abatement of Dangerous Buildings adopted by reference in sections 25-12-211 and 25-12-213 and 25-12-231, and 25-12-233 of the Austin City Code and is therefore a public nuisance and dangerous with substandard conditions. The staff recommended that the Commission order the Residential Single Family Structure and all Accessory Structures to have a demolition permit secured and said structures to be demolished and the lot left in a cleaned and raked condition within 30 days of the date this Order is mailed to the owner, that the Commission require the owner or owner's representative to request inspection(s) to verify compliance; that if compliance is not achieved within 30 days, the Building Official may proceed with the demolition and that after the 30 days, the vacant Residential Single Family Structure and all Accessory Structures, including items in the structure(s) 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 Travis County Deed Records.

A motion to accept staff's recommended Order was made by Commission Member Daniel Gonzalez, Commission Member Tim Hill second on a 5-0-0 vote.

4. ADJOURNMENT

Chair David Brown adjourned the Commission Meeting at 8:06 pm without objection.