



**BUILDING AND STANDARDS COMMISSION
MINUTES**

**REGULAR MEETING
Wednesday, February 22, 2012**

The Building and Standards Commission convened in a regular meeting on Wednesday, February 22, 2012 at City Hall, in the Boards and Commission Room, 301 West 2nd Street, Austin, Texas.

Vice-Chair David Brown called the Commission Meeting to order at 6:35 p.m.

Commission Members in Attendance:

David Brown, Vice Chair; Charles Cloutman, Tim Hill, Stacy Kaplowitz, and Steven Alloway.

Staff in Attendance:

Sonja Prevo, Commission Coordinator; Chris Moore, Commission Coordinator/Scribe; Steve Ramirez, Assistant Division Manager; Audrey Arnold, Investigator; Matthew Noriega, Investigator; Ira Frisinger, Investigator; Keith Leach, Manager; Robert Alvarado; Supervisor, Jerry Reynolds, Supervisor; Cherlynn Wadley, Facilities Coordinator, AAR; Kathleen, Buchanan, Assistant City Attorney; Robbin Harris, Assistant City Attorney; George Smith, Environmental Compliance Specialist, AWU; Daniel Balboa, Environmental Inspection Specialist, AWU; and Don Birkner, Assistant Director, PDRD.

1. CITIZEN COMMUNICATION: GENERAL

a. None

2. APPROVAL OF MINUTES

The minutes from the regular hearing of January 25, 2012 was approved on Commission Member Tim Hill's motion, Commission Member Cloutman second on a 5-0-0 vote.

3. PUBLIC HEARINGS

Commission Coordinator Sonja Prevo presented the following cases:

a. 2012-011169	2406 Mission Hill Drive	Kensington Peavy LLC, Attn: Robert Grunnah
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2406 Mission Hill Drive is a Fourplex. Travis Central Appraisal District shows that Kensington Peavy LLC, Attn: Robert Grunnah is the title owner. This case was represented by Justin Don Juan, Adrienne Laosa, agent and Robert Kensington. The City of Austin Code Compliance Department found that this property is in violation of the International Property Maintenance Code adopted by reference in Sections 25-12-211 and 25-12-213 of the Austin City Code and is therefore a public nuisance. The staff recommended that the Commission adopt the findings of fact and recommended order that any necessary permits be secured. That the Fourplex located on the property be demolished and the lot left in a clean and raked condition within 30 days of the date the Order is mailed to the owner. That all portions of the Fourplex be removed and it is required that the owner or owner's representative request inspection(s) to verify compliance. If

compliance is not achieved within 30 days, the Code Official may proceed with the demolition. After the 30 days, all portions of the Fourplex 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.

Staff made a recommendation that if the Commission chose to place this case in abeyance that a 10 foot security fence be installed within seven days of the date the Order is mailed to the property owner.

A motion to amend staff's recommended Order and accept staff's recommendation to place this case in abeyance until the next BSC hearing was made by Commission Member Stacy Kaplowitz, Commission Member Tim Hill amended motion to include that the property be fenced within ten days, Stacy Kaplowitz second motion on a 5-0-0 vote.

b. 2012-011165 2500 (aka 2612) Edgewater Drive David Arthur Rodewald

2500 (aka 2612) Edgewater Drive is a Residential Single Family Structure. Travis Central Appraisal District shows that David Arthur Rodewald is the title owner. The City of Austin Code Compliance Department found that this property is in violation of the International Property Maintenance Code adopted by reference in Sections 25-12-211 and 25-12-213 of the Austin City Code and is therefore a public nuisance. The staff recommended that the Commission adopt the recommended order that any necessary permits be secured. That the Residential Single Family Structure located on the property be vacated within seven days of the date this order is mailed to the owner and remain vacated until repairs are completed with final inspections passed. If compliance with this Order has not been achieved within seven days, this Order hereby authorizes any Peace Officer of the state, including a Sheriff or Constable or designee of the Austin Chief of Police to enforce and carry out this Order. That the Residential Single Family Structure, located on the property be repaired with final inspections passed within 30 days of the date the Order is mailed to the owner. 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 30 days, a penalty of \$250.00 per week shall be assessed until work is completed with final inspections passed.

Staff made an amendment to the Findings of Fact that it be added to include that this property is substandard and to change the 60 day timeframe to a 30 day timeframe and also change the penalty amount from \$250.00 per week to \$70.00 per week.

A motion to accept staff's recommended Order and amendments was made by Commission Member Tim Hill , Commission Member Steven Alloway second motion on a 4-0-0 vote. Commission Member Charles Cloutman abstained.

4. STAFF UPDATE

- a. Steve Ramirez initiated discussion on possible dates for a Building and Standards Commission retreat.

5. EXECUTIVE SESSION

- a. Kathleen Buchanan initiated discussion on legal issues related to various orders pronounced by the Supreme Court of Texas on January 27, 2012: City of Dallas v. Stewart and Jayanti Patel v. City of Everman (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code)

Vice-Chair David Brown adjourned the commission hearing at 9:40 p.m. without objection.