



BUILDING AND STANDARDS COMMISSION

REGULAR MEETING MINUTES

Date: September 22, 2021

The Building and Standards Commission (BSC) convened at City Hall and via video conference for a regular meeting on Wednesday, September 22, 2021. The meeting was available for viewing live at <http://www.austintexas.gov/page/watch-atxn-live>.

Commission Members in Attendance:

Chair Andrea Freiburger; Vice Chair Pablo Avila; Commissioners Sade Ogunbode, Wordy Thompson, John Green, Elizabeth Mueller, Timothy Stostad, Edgar Farrera and Edward Selig; and Ex Officio Commissioner Chief Thomas Vocke. Note: Commissioners Green and Stostad attended remotely.

Staff in Attendance:

Melanie Alley, Code Review Analyst/BSC Coordinator; Robert Moore, Austin Code Division Manager; Marlayna Wright, Supervisor; James Candelas, Program Specialist; Farah Presley, Investigator; Micheal Ezimako, Code Inspector; Lisa DeRoche, Administrative Manager; Justin Brummer, Supervisor; Moses Rodriguez, Supervisor; Johnny Serna, Inspector; Eric Gardner, Inspector; Willis Adams, Inspector; Lauren Khoury, Assistant City Attorney; Patricia Link, Assistant City Attorney; and Daniel Murphy, CTM A/V Technician.

CALL TO ORDER

Chair Freiburger called the Commission Meeting to order at 6:47 p.m.

APPROVAL OF MINUTES

A motion was made by Commissioner Selig for approval of the revised minutes from the June 23, 2021 regular meeting and minutes from the August 25, 2021 regular meeting. The motion was seconded by Commissioner Thompson. The motion carried on an 8-0 vote. Commissioner Green was off dais.

CITIZEN COMMUNICATION

Charley Dorsaneo provided an update regarding the progress made towards compliance of the BSC orders for 907, 909 and 911 Congress Avenue, including the outcome of an appeal of the decision made by the Historic Landmark Commission regarding the façade of 909 Congress Avenue, approval for site plan exemption and demolition permit, as well as next steps.

Chris Riley appeared before the Commission as an owner representative for the property located at 707 W. 14th Street to report that the property is now in compliance and to request that the property be placed on the next available agenda for penalty relief.

PUBLIC HEARINGS

Appeals:

| <u>Case Number(s)</u> | <u>Street Address</u> | <u>Owner/Appellant</u> |
|--------------------------|--------------------------------|------------------------------|
| 1. OL 2021-108357 | 2122 Barton Hills Drive | Michelle <u>Eades</u> |

An appeal was heard in this case regarding denial of a Type-1 short term rental license application. The property was represented at the hearing by owner/ appellant Michelle Eades. Commissioner Thompson made a motion to grant the appeal, seconded by Commissioner Farerra. The motion failed on a 5-4 vote, and as a result, the appeal was effectively denied. Vice Chair Avila, and Commissioners Ogunbode, Mueller and Stostad voted against the motion.

| | | |
|--------------------------|----------------------------|----------------------|
| 2. OL 2019-038863 | 3021 E. 13th Street | Blayne Tucker |
|--------------------------|----------------------------|----------------------|

The Commission heard an appeal of Code's suspension of the owner's Type-1 short term rental license. The appellant was represented at the hearing by Valerie Gray and Matt Williams. Neighbors Andrea Giannotta and Erika Csasar also testified in support of the suspension. Commissioner Stostad motioned to adopt staff's recommendation to uphold the license suspension, which was seconded by Commissioner Green. The motion carried on an 9-0 vote and the appeal was denied.

Returning Cases:

| <u>Case Number(s)</u> | <u>Street Address</u> | <u>Owner</u> |
|--------------------------|----------------------------|----------------------------------|
| 3. CL 2021-085126 | 3004 E. 12th Street | Magnolia Christian Church |

This case was moved to the October agenda and was not heard.

| | | |
|--------------------------|----------------------------|---|
| 4. CL 2021-104822 | 7202 Bethune Avenue | Church of Christ St Johns Addn |
| 5. CL 2021-104824 | 7204 Bethune Avenue | St Johns Church of Christ Trustees |

Items 4 and 5 on the agenda were heard concurrently. The cases were represented at the hearing by self-reported property owner Luke Wingwood. Chair Freiburger admitted staff exhibits 6A-6E and 8A-8D. Commissioner Ogunbode moved to close the public hearing, adopt the findings of fact and conclusions of law, and made the following motions: For 7202 Bethune Avenue, adopt staff's recommendation for repair within 60 days from the date the order is mailed, with penalties of \$250 per week to be assessed on the 61st day if compliance has not been achieved; and for 7204 Bethune Avenue – amend staff's recommendation for repair by extending the timeframe from 60 to 90 days from the date the order is mailed, with penalties of \$250 per week to be assessed on the 91st day if compliance has not been met. The motion was seconded by Commissioner Mueller. The motion passed on a vote of 9-0.

| | | |
|--------------------------|-----------------------------------|--|
| 6. CL 2021-139471 | 9608 Middle Fiskville Road | Unknown Heirs and/or Devisees of Earlie Hargrove, Deceased and R C P Holdings |
|--------------------------|-----------------------------------|--|

The property was not represented at the hearing. Chair Freiburger admitted Staff Exhibits 1, 2 and 3A-3E. Commissioner Ogunbode moved to close the public hearing and adopt staff's recommendation for demolition within 45 days, and on the 46th day, if compliance has not been achieved, the code official is authorized to proceed with demolition and, to assess all expenses incurred and file a lien for those expenses with Travis County Deed records. Commissioner Stostad seconded, and the motion carried on a 9-0 vote.

DISCUSSION AND POSSIBLE ACTION ITEMS

7. Discussion regarding Building and Standards Commission retreat.

A Building and Standards Commission (BSC) retreat was discussed by the members. Possible dates in November, meeting time, format, location and were also discussed. Staff is to report back regarding retreat date(s) and other logistics at the October meeting.

FUTURE AGENDA ITEMS

The next regular meeting is set for October 27, 2021. The following items will be added to the October agenda.

1200 E. 6th Street/ CL 2021-068641 returning from the May 26, 2021 meeting per the Commission's order.

3004 E. 12th Street/ CL 2021-085126 was moved to the October meeting.

707 W. 14th Street/ CL 2019-051025 is returning in October regarding penalty relief.

Discussion regarding the Building and Standards Commission retreat

ADJOURNMENT

Chair Freiburger adjourned the meeting at 9:51 p.m.