

BOARD OF CODE STANDARDS AND APPEALS MINUTES

August 1, 2011

Members: Francisco Banuelos, Randy Coonrod, Daryl Crotts, Randy Harder, Richard Hartwell, Bernie Hentzen, Ed Murabito, Warren Willenberg, John Youle

Present: Banuelos, Coonrod, Crotts, Hartwell, Hentzen, Willenberg, Youle

Staff Members Present: Kurt Schroeder, Deb Legge, Penny Bohannon, Elaine Hammons (Central Inspection); Jeff Van Zandt (Law Dept.)

The regular meeting of the Board of Code Standards and Appeals was called to order by Chairman Hentzen on Monday, August 1, 2011, at 1:31 p.m. in the 1st floor Board Room, City Hall, 455 N. Main, Wichita, Kansas.

Approval of the July 11, 2011, minutes.

Board Member Hartwell made a motion to approve the July 11, 2011, minutes. Board Member Banuelos seconded the motion. The motion was approved. (Board Member Crotts was not present for this vote.)

Chairman Hentzen requested that the Board and City Staff introduce themselves to the public in attendance.

Approval of the August 2011 license applications as follows:

<u>Applicant Name</u>	<u>Company Name</u>	<u>Class</u>
William J. Breaker	Gerald H. Phipps, Inc. dba G H Phipps Construction Companies	Class A
David Dixon	Lifetime Construction Services, Inc.	Roofing & Siding
David Goodwin	Dave's Improvements, Inc.	Roofing
Rhett Mallon	Armour Restoration & Roofing Services, LLC	Roofing & Siding
Curtis Warren	Warren Homes, LLC	Class B

Board Member Youle made a motion to approve the request for license for all applicants except Mr. David Dixon's application, which would be approved upon verification by Central Inspection staff of a passing test score. Board Member Banuelos seconded the motion. The motion carried. (Board Member Crotts was not present for this vote.)

Danny R. Warren dba Warren Brothers Construction (Class B) – Request for change of company name to Warren Brothers Quality Homes, LLC, and change of qualified person from Curtis Warren to Danny R. Warren.

Mr. Danny Warren requested permission to become the qualified person for Warren Brothers Construction and to change the company name to Warren Brothers Quality Homes, LLC. Mr. Danny Warren stated that he would complete any open permits issued under the old company name of Warren Brothers Construction, with the exception of 13910 Watson, which will be transferred to Mr. Curt Warren's new company, Warren Homes, LLC.

Mr. Van Zandt suggested that the business entity registered with the State of Kansas as Warren Brothers Construction either be dissolved or transferred to Mr. Danny Warren's new company.

Board Member Coonrod made a motion to approve the request for the change of qualified person and the change of name for the company. Board Member Hartwell seconded the motion. The motion passed.

Condemnation Hearings:

Review Cases:

1. 802 S. Fern

The owner of the property, Mario Hernandez, was present. Mr. Daniel Dominguez accompanied Mr. Hernandez as his interpreter.

This is a one- and one-half story frame dwelling about 24 x 36 feet in size. Vacant for at least four months, this structure has been damaged by fire. It has broken, missing and fire damaged siding shingles; badly worn and fire damaged composition roof; deteriorated, rotted front porch; and the 10 x 15 foot accessory structure is deteriorated.

The property has been before the Board at the March 7, 2011, hearing and the June 6, 2011, hearing. At the June hearing, the Board granted the previous owner an additional sixty days to complete the exterior repairs and to pay the delinquent taxes, maintaining the property in a clean and secure condition in the interim, and then report back to the Board with an update on the property.

The 2008, 2009, and 2010 taxes were delinquent in the amount of \$2,023.86; however, Mr. Hernandez has paid \$350.00 toward the total of the delinquent taxes. There are 2011 Special Assessments against the property for lot clean up in the amount of \$1,632.20, and a board-up in the amount of \$390.74. The premise conditions had inoperable vehicles, bulky waste, vehicle parts, concrete, tires, flat bed trailers, box truck, and miscellaneous debris; Mr. Hernandez has been working toward cleaning up the site and removing the debris. Mr. Hernandez provided current pictures of the property showing the extent of the work done. A "stop work" order was posted at the site due to interior work being done without the required permits. The necessary permits have since been obtained. No exterior repairs have been made; however, the structure is secure.

Speaking on behalf of Mr. Hernandez, Mr. Dominguez explained that Mr. Hernandez had been unaware of the permitting requirements. The purchase of the property was Mr. Hernandez's first experience in buying a property. Since buying the property, Mr. Hernandez learned of the delinquent taxes, the violations, and the requirement for permits. He is making every effort to meet all requirements and bring the property into compliance.

Board Member Banuelos asked when Mr. Hernandez purchased the property. Mr. Dominguez responded that Mr. Hernandez had bought the property in July 2011 and received the title to the property on July 28, 2011.

Board Member Banuelos made a motion to allow ninety days for Mr. Hernandez to bring the exterior of the property into compliance, maintaining the site in a clean and secure condition in the interim. If the violations are corrected within ninety days, there will be no need for Mr. Hernandez to reappear before the Board. Board Member Coonrod seconded the motion. The motion was approved.

Presentation by R. Tom Compton, AIA, Chair of the Task Force Technical Subcommittee, of the proposed recommended Residential Slab-on-grade Construction Standards as developed by the Residential Slab-on-grade Task Force.

Prior to Mr. Compton's presentation, Mr. Schroeder briefly explained that the Residential Slab-on-grade Task Force was developed due to serious issues discovered with slab-on-grade construction in the southeast area of Wichita the previous year. The Task Force was created to review the current slab-on-grade standards and determine whether improved standards, or new standards, should be considered as a measure to prevent similar issues in the future. Some of the items considered and reviewed were soil analysis and testing, as well as the actual design and construction of slabs and the foundations and footings that support one- and two-family homes. Included in the committee were structural engineers, soils experts, foundation contractors, architects, Sedgwick County Building Inspection staff, City of Wichita Building Inspection staff, and members of the Wichita Area Home Builders Association. A technical subcommittee was formed with Mr. Compton, an architect, agreeing to chair the subcommittee. Mr. Schroeder introduced Mr. Compton and requested that he share the subcommittee's recommendations with the Board.

Providing a PowerPoint presentation in addition to copies of the proposed Residential Slab-on-grade Construction Standards, a summary of the standards, and a supplemental document, Mr. Compton addressed the Board. He began by explaining that the presentation was outlined in four parts:

Goals

- 1. Identify and establish foundation assembly variations necessary as a result of site specific environmental conditions.**

Determine the existing soil conditions on the site and what assembly will best suit that soil condition. Additionally, it takes in the conditions of the surrounding area, such as drainage, that may affect that site.

- 2. Define minimum construction practices for slab and foundation assemblies.**

This included input from structural engineers, soils engineers, architects, and builders in order to come up with a workable solution.

- 3. Establish verification and inspection criteria for insuring proper implementation of standards.**

Determine what steps will be required of the inspectors in order to insure that the assembly used is adequate for the specific soil conditions.

Site Variables

- 1. Native Soil Characteristics**
 - a. Soil properties specific to site (Plasticity Index or PI classifies expansive qualities of soil types).**

This was one of the key factors in the subcommittee's research. Wichita has varying types of clay soils, which impacts the type of foundation assembly that should be used.

- 2. Imported Soil Characteristics**
 - a. Site fill material and compaction.**
 - b. Building backfill and drainage material and methods.**

This pertains to backfill materials and fill materials that may have been used prior to when structures were built on the site.

- 3. Drainage Planning and Maintenance**
 - a. Development drainage planning.**
 - b. Building site drainage planning.**
 - c. On-going perimeter drainage maintenance.**

Drainage planning is critical to the overall integrity of the slab/foundation. The shallower the foundation assembly, the closer it is to the surface. This increases the impact of poor drainage.

The possible site variables were identified in order to propose the best solution for each type of soil and its specific properties (PI). A testing program requiring builders to identify the type of soil and its PI was strongly advocated.

Summary of Standards

After the title page, the first page contains General Notes, and the second page contains the Common Notes. The document addresses four or five types of systems. The foundation type designation corresponds with the sheet number (i.e., Mono Pour Foundation is designated as Foundation Type 1.0, and the sheet number is 1.0). A detail table breaking down the criteria to which each type of foundation must be built in order to meet the various types of

plasticity is also on each page. Specific details and notes are designated by symbols (circle –detail notes, triangle – common notes, square – soils). The basement criteria was not greatly altered; the Basement Standards were included in Slab-on-grade Standards with the major change being the required backfill materials.

Compliance

1. Basement Foundations

Both the City of Wichita and Sedgwick County enforce the One- and Two-Family Basement Standards document.

2. Site Soils Analysis

There is currently no standard or requirement for site soils analysis for one- and two-family construction.

3. Slab-on-grade Foundations

There is no current standard, only a required inspection for footings and foundations (no slabe pre-pour inspection).

4. Walkout Basment Slab Edge and Foundation

There is currently no specific standard.

5. Walkout Basement Slab Foundation Construction

No specific standard currently exists.

Mr. Compton explained that the subcommittee concluded that the best practice will be for the contractor intending to use a slab-on-grade solution to take a minimum of two soil samples of the site from twelve to eighteen inches below grade. The samples must be submitted to a soils engineer or certified testing company, which will determine the soil characteristics and plasticity index of the soil. The testing must be done prior to a permit being issued to the contractor. Reinforcing for the slab will also require reinforcing steel bars and/or wire mesh; fiber mesh will not be considered an alternative to the reinforcing steel bars and/or wire mesh, but can be used in addition to wire mesh.

Board Member Hartwell inquired whether the proposed Slab-on-grade Standards will be enforced for commerical construction. Mr. Schroeder responded that there is already a requirement that plans must be sealed by a licensed architect or engineer for commercial construction.

Board Member Banuelos suggested that the City determine the soil types in all areas of Wichita and then inform the contractors what type of slab specifications will be required according to those soil types. That would alleviate the additional cost to builders, who will have to pay for the soil analyses.

Mr. Compton said that soil map already exists with lines of demarcation of soil types. The issue with going strictly by that map is that soil conditions may vary widely even on one site. That variations of plasticity that may occur on a single location makes it important to have the soil analyzed in the area where the construction will be done.

In the event that a contractor does not want to go to the expense of soil analysis, Board Member Banuelos wanted to know what other option might be available. If the current proposed Slab-on-grade Standards are approved and adopted, Mr. Schroeder said, the other option would probably be for the contractor to have a structural engineer design the foundation for submittal prior to receiving a permit. The projected cost for having the soil samples analyzed is approximately \$150 to \$300, depending upon the size of the pad.

Board Member Coonrod asked if an actual calculation as to what costs were actually being added to the cost of new homes had been determined. Mr. Compton replied that a dollar amount had not been calculated by the subcommittee because the costs involved would be determined by the size of the slab being built.

Wess Galyon, President/CEO of the Wichita Area Builders' Association, introduced himself and asked to address the Board. He reiterated that a soils engineer would not have to be hired to do a profile on the building site, but rather the builder could simply obtain the two necessary soil samples and take them to be tested at one of the certified testing companies or to a soils engineer. If the builder prefers to have a soils engineer come to the site and collect the soil samples for testing, the cost for having the engineer come out to the site and obtain the soil samples will be higher than if the contractor obtains them and takes the samples to the testing facility. The specifications in the proposed standards are steps that most contractors would perform already. The adoption of the standards would make the requirements more explicit, eliminating confusion.

Chairman Hentzen asked if the standards would apply to all new houses built since there would likely be a patio or garage that is considered a slab-on-grade. Mr. Compton said that normal basement construction would not require a plasticity report on the soil. Board Member Banuelos inquired whether a room addition built on a slab would require the plasticity test. Mr. Compton replied that it would if it were a slab solution. Mr. Schroeder confirmed that room additions built on slabs would require the soil testing. Board Member Hartwell asked if the testing would also be required for garages built on slabs. Mr. Schroeder expressed the opinion that the intent of the proposed standards was to include slabs for garages as well. Mr. Galyon stated that slabs for detached garages would not require the soil testing and subsequent use of the appropriate design from the proposed standards, and that attached garages included as part of new construction would be subject to the new standards, but not to soil tests under the garage slab.

Basements for one-and two-family homes were not intended to be a part of the testing requirement, Mr. Galyon added. In the case of a true walk-out basement where the edge of the basement is at grade, or slightly above grade, the slab edge is exposed in that circumstance. That situation is the reason for the additional detail that has been added for the footing underneath the slab. The majority of builders were already installing footings beneath walk-out basement slabs; the adoption of the proposed standards will ensure that it is done by all builders. Mr. Compton noted that the foundation contractors who were on the subcommittee had expressed awareness of poor soil conditions in some instances and had provided needed support.

Concluding his presentation, Mr. Compton told the Board that issues can also be created when the grade has been changed by landscaping. He emphasized that it is essential that homeowners be educated about maintaining the grade around their foundations in order to prevent water drainage around the foundation walls.

Board Member Crotts asked how many facilities were available for soil testing within the City of Wichita. Mr. Galyon explained that although no agency does testing for residential projects at this time, Allied and Terracon have agreed to the plasticity tests for approximately \$75. There were additional testing facilities mentioned by Board Members as well. In the event that a contractor prefers not to have the testing done, the option would be to build to the most restrictive design standards.

Board Member Coonrod made a motion to recommend that the proposed Slab-on-Grade Standards be adopted by the City Council. Board Member Youle seconded the motion. The motion was approved.

Board Member Coonrod suggested that in approximately one year from adoption, if adopted by the City Council, the home builders report back to the Board with feedback on use of the standards and soil testing prices.

With no other business to conduct, Board Member Hartwell made a motion to adjourn the meeting. Board Member Willenberg seconded the motion. The motion passed.

The meeting adjourned at 2:48 p.m.