

BOARD OF CODE STANDARDS AND APPEALS MINUTES

May 2, 2011

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

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

Staff Members Present: Kurt Schroeder, Deb Legge, Penny Bohannon, Elaine Hammons (Central Inspection)

The regular meeting of the Board of Code Standards and Appeals was called to order by Chairman Hentzen on Monday, May 2, 2011, at 1:30 p.m. in the 1st floor Board Room, City Hall, 455 N. Main, Wichita, Kansas.

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

Approval of the April 4, 2011, minutes.

Board Member Willenberg made a motion to approve the April 4, 2011, minutes. Board Member Harder seconded the motion. The motion was approved. (Board Member Crotts was not present for this vote.)

Approval of the May 2011 license applications as follows:

| <u>Applicant Name</u> | <u>Company Name</u> | <u>Class</u> |
|-----------------------|--|------------------|
| Jody D. Anderson | Paradigm Roofing Solutions, LLC | Class B |
| Wayne Bentley | Bentley Roofing & Home Improve | Roofing & Siding |
| Davy E. Chan | SunDroid World, Inc. | Class B |
| Richard Harris | Richard Harris | Class C |
| John Hess | Excel Construction, Inc. | Class A |
| Benny James | Roofing Services Co., Inc. | Roofing |
| David McLean | Guarantee Roofing, Inc. | Roofing |
| Ronald Reichert | TCI Architects/Engineers/Contractors, Inc. | Class A |
| James Short | Shelter Roofing & Construction, LLC | Roofing |
| Robert Wittler | Ayars & Ayars, Inc. | Class A |

Mr. Davy Chan was present for the Board's consideration of his request for a Class B Contractor's License. Finding his application packet in order, Board Member Coonrod made a motion to approve Mr. Chan's request for a Class B Contractor's License. Board Member Banuelos seconded the motion. The motion carried. (Board Member Crotts was not present for this vote.)

With the exception of Roofing Services Co., Inc., the remainder of the license applications met with the required documentation required to obtain the requested licenses. Board Member Coonrod made a motion to approve all applicants except Mr. Benny James (Roofing Services Co., Inc.). Upon providing the necessary insurance documentation, Mr. James would also be granted approval. Board Member Harder seconded the motion. The motion carried.

1. Request for Change in Qualified Person – Glynn Jones dba Jones Construction (Class B)

Mr. Glynn Jones requested that he be permitted to take over the position as qualified person for his company, Jones Construction (Class B). The partnership between Mr. Shannon McCracken, formerly Mr. Jones' business partner and the qualified person for Jones Construction, has been dissolved. After reviewing the paperwork and credentials

provided by Mr. Jones, Board Member Youle made a motion to approve the request made by Mr. Jones to become the qualified person for Jones Construction. Board Member Harder seconded the motion. The motion passed.

2. Request for Change of Company Name – Mike Leatherbury dba Anderson Roofing (Roofing)

Mr. Mike Leatherbury requested that he be permitted to change his current company name, Anderson Roofing (Roofing), to On Top Roofing & Remodeling (Roofing). Determining that the required documentation was provided, Board Member Youle made a motion to approve the request for change of company name. Board Member Harder seconded the motion. The motion carried.

3. Request for Change of Company Name – Robert D. Smith formerly dba Brooks & Sons Installations (Class C)

Mr. Robert D. Smith requested that he be permitted to change his company name to Robert D. Smith dba Robert D. Smith Construction. Noting that the applicant's packet was in order, Board Member Coonrod made a motion to approve the request to change the company name to Robert D. Smith dba Robert D. Smith Construction. Board Member Banuelos seconded the motion. The motion carried without opposition.

4. Condemnation Hearings:

Review Cases:

1. 1821 E. 23rd N.

Mr. Alfred Yates, property owner, was present.

This one-story frame dwelling is about 23 x 41 feet in size. Vacant for at least four years, this structure has a shifting and cracking concrete foundation; missing vinyl siding; badly deteriorated composition roof with holes and missing shingles; and rotted soffit, fascia, wood trim and framing members.

On March 7, 2011, this property was first brought before the Board. At that time, a motion was approved to allow sixty days for significant progress to be made on the repairs and pay the delinquent taxes, maintaining the property in a clean and secure condition in the interim, and then reappear before the Board to update the status of the property.

The 2008, 2009, and 2010 taxes are still delinquent in the amount of \$767.19; there are no Special Assessments. At the last site inspection there was tree waste and bagged trash on the premises. No repairs had been made; however, the structure is secure.

Mr. Yates extended his apologies for the current condition of the property. He explained that until very recently he had been incarcerated and unable to make repairs on the structure. Mrs. Yates also told the Board that she had paid one year, 2007, of the delinquent taxes after the March 7 hearing. Mr. Yates said that he had cleaned the yard and bagged the trash. He had been under the impression that there would be a neighborhood clean-up that would allow him to dispose of the trash. Since the photos of the property were taken, Mr. Yates said he had disposed of most of the bags of garbage. When asked by Board Member Harder what time frame he was anticipating, Mr. Yates said he would like as much time as the Board could allow.

Board Member Youle inquired whether Mr. Yates had an estimated cost for the exterior repairs. Mr. Yates said he did not have any estimates.

Board Member Harder made a motion that Mr. Yates be allowed until the June meeting to determine the costs involved in making the necessary repairs and then reappear to update the Board, maintaining the property in a clean and secure condition in the meantime. Board Member Youle seconded the motion. The motion carried.

2. 1106 N. Chautauqua

Lonny Bedeski, owner, appeared on behalf of the property.

A one-story frame dwelling about 22 x 32 feet in size, it is vacant and open. This structure has a severely shifting concrete block foundation; exposed, rotted sill plate; rotted and missing wood lap siding; dilapidated, rotted rear porch; rotted and missing wood trim and framing members; and the 8 x 8 foot metal accessory shed is deteriorated.

At the March 7, 2011, hearing, a motion was made and approved to allow sixty days for the new owner to repair the exterior, maintaining the site in a clean and secure condition. The taxes are current; there is a 2010 Special Assessment for emergency board-up in the amount of \$594.18; a 2010 Special Assessment for weed mowing in the amount of \$124.23; and a 2011 Special Assessment for lot clean-up in the amount of \$1,098.62. At the last site visit, Central Inspection staff noted some tree limbs, tires, and construction debris on the premises. Some foundation work was in progress; however, no permit had been issued for the foundation work. The cellar entrance was open.

Mr. Bedeski explained that he had bought the property in February 2011, unaware that it was under consideration for condemnation at the time of the purchase. While he was working on the property, a Neighborhood Inspector stopped at the site and told him that the property had been submitted to the Board for consideration for condemnation. The foundation work had been started prior to his purchase of the property, Mr. Bedeski said.

Board Member Harder asked how much time Mr. Bedeski would need to get the exterior repairs completed. Mr. Bedeski said he estimated four months since he was uncertain as to the process for getting the necessary permits. Board Member Crotts made a motion to allow until the July meeting for Mr. Bedeski to make some progress on the repairs, formulate a plan of action, and reappear before the Board with an update, keeping the site in a clean and secure condition in the meantime. Board Member Willenberg seconded the motion. The motion was approved.

3. 1546 N. Grove

The property owner, Mr. James Fairly, was present at the hearing.

Vacant and open, this is a one- and one-half story frame dwelling about 44 x 24 feet in size. This structure has shifting and cracking concrete block basement walls; sagging composition roof; deteriorated front porch; and the wood trim and framing members are deteriorated.

At the April 4, 2011, meeting, this property was presented to the Board for the first time. At that hearing, the Board approved a motion to allow until the May meeting for Mr. Fairly to obtain estimates for the repairs to the foundation, roof, and other exterior violations, and to report his findings at the May meeting. In the interim, Mr. Fairly was to maintain the property in a clean and secure condition.

The 2007, 2008, 2009, and 2010 taxes are still delinquent in the amount of \$1,929.54. There are no Special Assessments against the property. There was some bulky waste and construction debris on the premises; no repairs had been made by the last site inspection; there were two open windows noted.

Mr. Fairly said the house was no longer open; and the building materials were being organized more neatly. Although there was still some trash on the site, Mr. Fairly said he would get it cleared from the premises. He provided copies of estimates for the needed repairs to the Board Members. Mr. Fairly told the Board that he was still waiting on a promised estimate for the siding. The previous owner of the property told him that the roof has a fifteen-year guarantee, and it is only seven years old, Mr. Fairly explained. He said he will talk with the area inspector about what is specifically needed on the roof repairs. He said he would pay one year of the delinquent taxes within the next two weeks, and make payment arrangements for the remaining amount. The first item scheduled for repair will be the foundation, Mr. Fairly said. It will take approximately sixty days to have the foundation repairs completed, and then he will have the roof repaired, and then the siding will be repaired. Board Member Harder emphasized that all exterior work needed to be complete within 180 days or less; that would include the thirty days since Mr. Fairly's appearance before the Board at the April meeting.

Board Member Harder made a motion to allow until the July meeting to work on the repairs, reporting back to the Board on the progress at that meeting, maintaining the property in a clean and secure condition in the interim. Board Member Youle seconded the motion. The motion was approved.

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

The meeting adjourned at 2:08 p.m.