

BOARD OF CODE STANDARDS AND APPEALS MINUTES

June 2, 2008

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

Present: Banuelos, Coonrod, Harder, Hartwell, Hentzen, Murabito, Willenberg, Youle

Staff Members Present: Kurt Schroeder, Deb Legge, Penny Bohannon, Elaine Hammons (Central Inspection); Sharon Dickgrafe (Law Department)

The regular meeting of the Board of Code Standards and Appeals was called to order by Chairman Murabito on Monday, June 2, 2008, at 1:32 p.m. in the Board Room, 1st floor, City Hall, 455 N. Main, Wichita, Kansas.

1. Approval of the Minutes of the May 5, 2008, meeting.

A motion was made by Board Member Coonrod to approve the May minutes as submitted. Board Member Harder seconded the motion. The motion carried. (Board Member Banuelos was not present for this vote.)

2. Approval of the June 2008 license examination applications.

<u>NAME</u>	<u>CLASS</u>	<u>TEST DATE</u>
Frederick C. Hadley, Jr.	Class D	June 2008

Board Member Hentzen made a motion to approve the license examination applicant for testing. Board Member Willenberg seconded the motion. Board Member Hentzen inquired whether an applicant was required to have any kind of construction experience in order to be approved to take the Class D Contractor's License Examination. Mr. Schroeder replied that there were no requirements on that type of license since its purpose is to allow for maintenance construction/repair (not including trades) by one- and two-family property owners. Chairman Murabito asked for a vote on the motion to approve the license examination applicant for testing. The motion was approved. (Board Member Banuelos was not present for this vote.)

3. Condemnation Hearings

Chairman Murabito requested that the Board Members and City staff introduce themselves to the citizens in attendance.

Review Cases:

1. 1312 N. Wabash

This property was represented by Ivan Ray, owner.

A one-story frame dwelling about 70x25 feet in size, this structure has been vacant for at least fourteen years. This structure has a cracking block foundation; cracking and shifting concrete block walls; cracking and shifting front and rear porches; and rotted and missing wood trim and framing members.

Originally before the Board at the March 3, 2008, hearing, Mr. Ray was present when a motion was made and approved by the Board to allow ninety days to allow the exterior repairs to be completed, meanwhile maintaining the site in a clean and secure condition in the interim.

The taxes are current on this property, and there are no cost assessments. At the last site visit, there was scattered debris present, and there were tall grass and weeds. No repairs have been made; the structure is secure.

At Chairman Murabito's request, Mr. Ray provided an update on the property. Mr. Ray said that he was trying to get the property sold within the next sixty to ninety days. He explained that he had gotten behind in mowing the property and had not been able to make repairs because he had been trying to repair his other properties.

Board Member Coonrod made a motion to refer the property to the City Council with a recommendation of condemnation with ten days to start demolition and ten days to complete the removal of the structure. Board Member Willenberg seconded the motion. The motion carried unanimously.

At Chairman Murabito's request, Ms. Legge explained the process once a property has been referred to the City Council for condemnation, and that if the City Council decided to approve condemnation of the property, Mr. Ray would have ten days to begin wrecking the structure and ten days to complete it. Should Mr. Ray fail to begin wrecking the structure in the allotted time, Central Inspection would notify him by certified letter that the demolition would then be let for bids by Central Inspection.

2. 1132 N. Ash

Edmond Brown, owner of the property, was present at the meeting.

Vacant for at least six months, this one-story frame dwelling is about 24x50 feet in size. This structure has a shifting block foundation; missing asbestos siding; sagging and badly worn composition roof, with missing shingles; collapsing front porch; rotted and missing wood trim and framing members; and the 20x16 foot accessory structure is deteriorating.

This property was first presented to the Board at the March 3, 2008, hearing. The status was reviewed at the May 5, 2008, hearing at which time Mr. Brown told the Board that he felt that all violations had been corrected. After viewing pictures of the site, the Board noted some repairs that had not been completed and gave Mr. Brown additional time to finish the remainder of the repairs.

The Neighborhood Inspector for the area met Mr. Brown at the property to go over the remainder of the violations that needed to be addressed. The inspector noted that progress had been made with painting and that the roof repair had been started; the shifting block foundation had not been repaired, and none of the violations listed on the notice could be approved as complete.

Earlier in the day of the Board meeting, Mr. Brown met with Central Inspection staff at the property to assess what progress had been made. Most of the required repairs were near completion, the inspector suggested that Mr. Brown be granted an additional thirty days to finish the work.

Board Member Youle made a motion to allow an additional thirty days for the repairs to be completed, maintaining the site in a clean and secure condition in the interim. Board Member Hartwell seconded the motion. The motion was approved.

3. 2717 E. 10th N. (garage)

There was no one present as a representative for this property.

A one-story frame accessory structure about 20x20 feet in size, this structure has a deteriorated roof; and rotted and missing soffits and fascia.

At the March 2008 hearing, Mr. Bob Allen, representative of the mortgage company for this property, was present on behalf of this property. At that time, Mr. Allen explained that the property was in a "redemption period" due to foreclosure action, and the mortgage company was unable to do anything to the property during

that period. He stated that he anticipated the "redemption period" to end after ninety days. The Board approved a motion to allow ninety days for the property to be repaired or demolished, maintaining the site in a clean and secure condition in the interim.

At the last site inspection, there was still bulky waste and scattered debris on the property. There are tall weeds and grass on the site as well.

Board Member Harder made a motion to refer the property to the City Council with a recommendation of condemnation, with ten days to begin demolition and ten days to complete removal of the structure. Board Member Willenberg seconded the motion. The motion was approved.

4. 2676 S. Jewett

The owner, Rob Snyder, was out of town and unable to attend the meeting.

This one-story frame dwelling is about 24x65 feet in size. Vacant and open, this structure has a shifting block foundation; rotted and missing asbestos siding; sagging composition roof, with holes; and rotted wood trim and framing members.

Although out of town, Mr. Snyder did contact Central Inspection by telephone and told staff that he thought the required work had been done. Ms. Legge said that he may have made more repairs since the inspection photos were taken. At the last site inspection, work had started; however, all the doors and windows were open. The 2005 and 2007 taxes are delinquent in the amount of \$1,450.56, which includes special assessment costs. There are some building materials on site, and there are tall grass and weeds.

Board Member Willenberg made a motion to refer the property to the City Council with a recommendation of condemnation, with ten days to begin wrecking the structure, and ten days to complete the demolition. Board Member Hartwell seconded the motion. The motion carried.

5. 3429 Roseberry Court

The owner, Rob Snyder, was out of town and unable to attend the meeting.

A one story frame dwelling about 24x84 feet in size. Vacant and open, this structure has a deteriorated and fire damaged foundation; fire damaged and cracking asbestos siding; sagging composition roof, with holes and missing shingles; rotted wood trim; and fire damaged framing members.

Before the Board at the March 2008 and May 2008 meetings, the Board approved an extension at the May hearing for an additional thirty days to allow the repairs to be completed and the site cleared of debris and maintained in a clean and secure condition in the meantime. Since then, the siding has been installed; the burned unit has been removed; and the structure is secure.

Board Member Banuelos made a motion to allow thirty days to complete the repairs, maintaining the site in a clean and secure condition. Board Member Hentzen seconded the motion. The motion passed.

6. 1351 N. Poplar

The property owner, Quyen Ninh, attended the hearing on behalf of this property.

A one-story frame dwelling approximately 20x50 feet in size, this vacant and open structure has a shifting and cracking concrete foundation; rotted and cracking stucco siding; badly worn composition roof, with missing shingles; deteriorating front porch; and the wood trim and fascia are rotted.

At the April 7, 2008, hearing, this property was presented to the Board. At that time, the Board made and approved a motion to allow sixty days to complete the repairs to the exterior, maintaining the site in a clean and secure condition in the meantime, or reappear before the Board to report the status of the repairs.

A new roof and new wood trim have been installed; the painting has been done and windows have been repaired. The staff recommendation was that the property be returned to regular code enforcement.

Mr. Ninh told the Board that he had completed the remainder of the repairs since the last site visit by Central Inspection staff, and provided pictures of the finished work.

Board Member Coonrod made a motion that the property be returned to regular code enforcement. Board Member Youle seconded the motion. The motion carried unanimously.

4. Overview of Proposed Amended OCI Neighborhood Code Enforcement Policies and Procedures Manual.

Ms. Legge briefly explained that the changes made to the OCI Neighborhood Code Enforcement Policies and Procedures Manual was due to the recent merging of some environmental functions from Environmental Services into the Neighborhood Inspection Section of Central Inspection. Most of the changes reflect the additional functions added by the merge and the Neglected Building Ordinance, as well as some clarification and streamlining of existing procedures.

Some of the changes were as follows:

- Clarification of the code enforcement responsibilities of the Neighborhood Section of Central Inspection.
- Recheck schedule for vacant and boarded structures.
- Board-up procedures.
- Zoning Code enforcement.
- Summer use policy (RV's, boats, trailers permitted to be parked in the driveway during a specified timeframe for seasonal use).
- Enforcement of neighborhood nuisances.
- Towing procedures for inoperable vehicles.
- Graffiti inspection and work order procedures.
- Vacant and neglected buildings procedures and policies, and the definition of a vacant and neglected building.

Board Member Youle made a motion to approve the proposed amended changes. Board Member Willenberg seconded the motion. The motion was carried.

Ms. Dickgrafe addressed the Board regarding proposed changes to the scrap metal ordinance. She explained that she was working on the revisions, including a proposed change that would require that payments for scrap metal be made by check and not cash. Additionally, certain metals such as copper would be treated as a specially regulated metal. Any individuals selling any metal would be required to provide a valid driver's license or identification. She encouraged the Board Members to contact her with any questions or comments.

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

The meeting adjourned at 2:00 p.m.