

# BOARD OF BUILDING CODE STANDARDS AND APPEALS MINUTES

January 7, 2019

**Location:** Ronald Reagan Building, 271 W. 3<sup>rd</sup>, 3<sup>rd</sup> Floor, Room 318

**Members:** Francisco Banuelos, Randy Coonrod, Brad Doeden, Randy Harder, Miles Millspaugh, Eric Purkey, Russ Redford, Gregg Wilhite, Taylor Zimbelman

**Present:** Banuelos, Coonrod, Doeden, Harder, Millspaugh, Purkey, Redford, Wilhite, Zimbelman

**Staff Members Present:** Chris Labrum, Kortney Capello, KaLyn Nethercot, Penny Bohannon, Bret Johnston, Elaine Hammons (MABCD); Deputy Chief Stuart Bevis (WFD); Jeff Van Zandt (City Legal Dept.); Justin Waggoner (County Legal Dept.)

The regular meeting of the Board of Building Code Standards and Appeals was called to order by Chairman Redford on Monday, January 7, 2019, at the Ronald Reagan Building, Metropolitan Area Building and Construction Department, 271 W. 3<sup>rd</sup>, 3<sup>rd</sup> Floor, Room 318 – Training Room, Wichita, Kansas.

**Approval of the October 1, 2018, Minutes (The November 5, 2018, and December 3, 2018, meetings were cancelled).**

A motion was made by Board Member Doeden to approve the October 1, 2018, minutes. Vice Chairman Harder seconded the motion. The motion was approved. (9– 0)

## Public Agenda

There was no one present to speak on the Public Agenda.

## New Business

### 1. Condemnations:

#### Review Cases:

#### 1. 356 N. Indiana Ave

John P. Smith, owner, was present for this hearing.

This is a one- and one-half story frame dwelling, approximately 59 x 31 feet in size. Vacant for an unknown length of time, this structure has a shifting and cracking block foundation, with missing blocks; missing siding; sagging and badly worn composition roof; deteriorated porches; deteriorated wood trim and framing members; and the 35 x 20 accessory structure is dilapidated.

After considering a neighboring business owner's statement regarding the property, and reviewing the recommendation of MABCD staff, Board Member Coonrod made a motion that the exterior of the property be brought into compliance within 90 days, the delinquent taxes be paid, and the site be maintained in a clean and secure condition in the interim; otherwise the property will be referred to the City Council for condemnation, with ten days to begin razing the building and ten days to complete it. Vice Chairman Harder seconded the motion. The motion passed. (9 – 0)

#### 2. 714 N. Minneapolis Ave (duplex)

There was no one present to represent this property,

Vacant and open, this is a one-story frame dwelling about 30 x 54 feet in size. This structure has a badly worn and sagging composition roof with holes; and rotted wood trim, soffits and fascia.

With consideration given to the initiation of the active case file in January 2017, and the condition of the structure and the premise, Vice Chairman Harder made a motion to refer the property to the City Council, recommending condemnation, with ten days to begin demolition and ten days to complete the removal of the building. Board Member Wilhite seconded the motion. The motion carried. (9 – 0)

**3. 1202 N. Mathewson Ave**

There was no one present on behalf of this property.

A one- and one-half story frame dwelling, this dwelling is about 25 x 46 feet in size. Vacant and open, this structure has a shifting and cracking concrete block foundation; rotted and missing wood lap siding; and the composition roof is sagging and badly worn, with holes.

Considering the condition of the property, and in agreement with the MABCD staff recommendation, Board Member Coonrod made a motion to refer the property to the City Council for condemnation, with ten days to begin wrecking the structure and ten days to complete the removal. Vice Chairman Harder seconded the motion. The motion passed. (9 – 0)

**3. 1304 N. Grove Ave**

The owner was not present at the meeting.

Vacant for at least nine years, this one story frame dwelling is about 24 x 30 feet in size. This structure has a shifting and cracking foundation; and rear porch has missing steps.

The property was sold to a new owner in October of 2018. Since that time, a permit was issued for work to be done on the property. The new owner has initiated repairs and has made significant progress.

As recommended by MABCD staff, Vice Chairman Harder made a motion to return the property to MABCD Neighborhood Code Enforcement. Board Member Coonrod seconded the motion. The motion was approved. (9 – 0)

**5. 2310 E. Aloma St**

There was no one present on behalf of this property.

Approximately 38 x 48 feet in size, this one-story frame dwelling has been vacant for at least one year. This structure has been badly damaged by fire. It has a fire damaged and sagging composition roof, with holes.

As recommended by MABCD staff, Board Member Wilhite made a motion to submit the property to the City Council with a recommendation of condemnation, with ten days to begin demolition and ten days to finish the removal of the structure. Board Member Coonrod seconded the motion. The motion was approved. (9 – 0)

**6. 1602 E. Alta St**

Brian L. Burdick, owner of the property, was present.

This is a one-story frame dwelling about 38 x 32 feet in size. Vacant for at least two years, this structure has been damaged by fire. It has fire damaged and missing siding; sagging and badly worn composition roof, with holes and fire damaged; fire damaged wood trim and framing members; and the 34 x 34 and 24 x 16 accessory structures are in good condition.

Mr. Burdick addressed the Board, explaining that he had encountered difficulties with the repairs of the property due to his serious illness. He stated that he planned to have the exterior brought into compliance in approximately 90 days.

Vice Chairman Harder made a motion to allow until April 1, 2019, for the exterior of the property to be brought into compliance, the taxes to be paid current, and the premise to be cleared of inoperable vehicles, maintaining the site in a clean and secure condition in the interim. Board Member Coonrod seconded the motion. The motion carried. (9 – 0)

**7. 1320 S. Glenn Ave**

Withdrawn from the agenda by MABCD staff.

**8. 2107 W. Irving St**

Ky Christman and Victoria Christman, property owners, were present.

This one-story frame dwelling is approximately 24 x 31 feet in size. Vacant and open, this structure has a shifting and cracking block foundation; deteriorating wood lap siding; broken concrete pad on rear porch; and the windows and wood trim are deteriorated.

The taxes are delinquent, no repairs have been made on the property, and no permits have been obtained. At the last site inspection, there was tree waste and miscellaneous debris on the site.

Mr. Christman stated that he had experienced health issues which prevented him from working on the property. He told the Board that the debris had been cleared from the premise, and he intended to move forward on the repairs.

Vice Chairman Harder made a motion to allow until April 1, 2019, for the taxes to be brought current and the exterior to be brought into compliance with minimum housing code, maintaining the site in a clean and secure condition in the interim. Board Member Coonrod seconded the motion. The motion passed. (9 – 0)

**9. 734 N. Country Acres (Building 1)**

There was no one present on behalf of this property.

A two-story apartment building about 40 x 190 feet in size, this structure has been vacant for at least one year. The structure has been badly damaged by fire. It has missing and fire damaged siding; sagging and badly worn composition roof, with holes and fire damaged; fire damaged balconies; and the framing members, soffits, fascia and wood trim have extensive fire damage.

MABCD staff reported that a demolition contract had been signed for the razing of the structure, with the expectation that the wrecking would begin at the end of January.

Board Member Wilhite made a motion that the Board receive an update at the next meeting convened by the Board. Vice Chairman Harder seconded the motion. The motion was approved. (9 – 0)

**New Cases:**

There were no new cases for January.

**MABCD Updates**

Kortney Capello, MABCD Assistant Director, told the Board that updates on the 2018 International Building Code (IBC) and the 2018 International Existing Building Code (IEBC) were being deferred pending additional reviews by industry professionals.

Deputy Chief Stuart Bevis, Wichita Fire Department, reported that staff from the Wichita Fire Department and staff from the Sedgwick County Fire Department were reviewing the 2018 International Fire Code (IFC), with plans to take the results of the joint review to the City Council and Board of County Commissioners for approval later in 2019.

**Adjournment**

With no other business to conduct, Vice Chairman Harder made a motion to adjourn the meeting. Board Member Coonrod seconded the motion. The motion carried. (9 - 0)

The meeting adjourned at 1:33 p.m.