

# BOARD OF BUILDING CODE STANDARDS AND APPEALS MINUTES

**November 1, 2021**

**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:** Coonrod, Doeden, Millspaugh, Purkey, Wilhite, Zimbelman

**Staff Members Present:** Chris Labrum, Kortney Capello, Chris Nordick, Penny Bohannon, Elaine Hammons, Bret Johnston (MABCD); Jose Ocadiz (WFD), virtual attendance; Jeff Van Zandt (City Law Department), virtual attendance.

Vice Chairman Doeden called the regular meeting of the Board of Building Code Standards and Appeals to order at 1:00 p.m. on Monday, November 1, 2021, 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 4, 2021, minutes.**

Board Member Millspaugh made a motion to approve the October 4, 2021, minutes. Board Member Zimbelman seconded the motion. The motion carried. (6– 0)

Vice Chairman Doeden asked the Board Members and staff to introduce themselves for any public in attendance.

## **Public Agenda.**

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

## **Condemnations:**

### **New Cases:**

#### **1. 939 N. Terrace Dr**

The owner, Syed Akhter, and his son were present.

A one-story frame dwelling about 24 x 34 feet in size, this building has been vacant for at least two years and has been damaged by fire. It has rotted and missing wood siding; badly worn composition roof with holes; fire and water damaged trim and framing members; and the 12 x 20 foot accessory structure is deteriorated.

Mr. Akhter has received estimates for repairs from contractors, and a structural engineer needs to assess the structure.

Although the house is secure, the accessory structure is open.

Board Member Millspaugh made a motion to allow sixty days to secure all structures, get a structural engineer's assessment of the house, arrange for the inspection of the house by either the Assistant Director or Chief Building Inspector, pay delinquent taxes, and return to the Board to provide a plan of action for repairing the property, maintaining the site in a secure and clean condition in the interim. Board Member Coonrod seconded the motion. The motion was approved. (6 – 0)

**2. 1417 N. Ash Ave**

There was no one present on behalf of this property.

This one-story frame dwelling is about 44 x 24 feet in size. Vacant and open, this structure has cracking basement walls; rotted and missing composition siding; sagging and badly worn composition roof; and the front and rear porches are deteriorated.

In agreement with MABCD staff recommendation, Board Member Millspaugh made a motion to refer the property to the City Council for condemnation, with ten days to begin demolition and ten days to complete the removal of the structure. Board Member Coonrod seconded the motion. The motion carried. (6 – 0)

**3. 1521 N. Green Ave**

There was no one present on behalf of this property.

Vacant and open, this one-story frame dwelling is about 38 x 32 feet in size. This structure has a cracking concrete foundation; rotted and missing composition siding; badly worn composition roof; deteriorated front porch; and the wood trim and framing members are rotted and missing.

In agreement with MABCD staff recommendation, Board Member Millspaugh made a motion to submit the property to the City Council for condemnation, with ten days to begin razing the building and ten days to complete the demolition. Board Member Wilhite seconded the motion. The motion carried. (6 – 0)

**4. 1614 E. 15<sup>th</sup> St N.**

There was no one in attendance on behalf of this property.

Approximately 35 x 38 feet in size, this one-story frame dwelling is vacant and open. This structure has a shifting, cracking concrete foundation with missing areas; rotted and missing composition siding; badly worn composition roof; deteriorated front porch; and the wood trim and framing members are rotted and deteriorated.

In agreement with 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 and ten days to complete the removal of the structure. Board Member Wilhite seconded the motion. The motion carried. (6 – 0)

**5. 1703 N. Green St**

The owner did not attend the meeting on behalf of the property.

A one-story frame dwelling about 53 x 24 feet in size, this structure is vacant and open. This structure has a cracking concrete foundation; rotted and missing wood siding; sagging and badly worn composition roof, with holes; and the front porch is deteriorated.

In agreement with MABCD staff recommendation, Board Member Millspaugh made a motion to refer the property to the City Council for condemnation, with ten days to begin removal of the building and ten days to complete the razing of the structure. Board Member Zimbelman seconded the motion. The motion carried. (6 – 0)

**6. 2649 N. Poplar St**

Lawrence Kirkendoll, owner, was present at the meeting.

Vacant for at least a year, this one-story frame dwelling is about 39 x 35 feet in size. This structure has been damaged by fire. It has rotted and missing wood siding; sagging and badly worn composition roof, with holes; deteriorated front and rear porches; fire damaged and missing wood trim and framing members; and the 4 x 10 foot accessory structure is fire damaged.

**(2649 Poplar St - con't)**

Mr. Kirkendoll said he intends to hire a contractor to do the repairs. The contractor advised him to wait until the prices of building materials decrease before moving forward with the project. Mr. Kirkendoll said he would pay the delinquent taxes within the upcoming weeks.

Board Member Coonrod made a motion to allow sixty days for Mr. Kirkendoll to pay the delinquent taxes, get the structure assessed by a structural engineer, arrange an inspection by the Assistant Director or Chief Building Inspector, and maintain the site in a clean and secure condition in the interim. Board Member Zimbelman seconded the motion. The motion passed. (6 – 0)

**7. 707 S. Edwards Ave**

There was no property owner present on behalf of this property.

Approximately 32 x 24 feet in size, this is a one-story frame dwelling. Vacant and open, this structure has rotted and missing composition siding; deteriorated side porch; and the wood trim and framing members are missing and deteriorated.

In agreement with MABCD staff recommendation, Board Member Coonrod made a motion to submit the property to the City Council for condemnation, with ten days to begin removal of the building and ten days to complete the demolition. Board Member Millspaugh seconded the motion. The motion carried. (6 – 0)

**8. 9120 W. Westport St**

Sarah Briley, Attorney for MERS, the lienholder, was present.

This is a one story-frame dwelling about 54 x 32 feet in size. Vacant for at least six months, this structure has been badly damaged by fire. It has holes in the siding and a sagging, badly worn composition roof, with holes.

Staff has been informed that the boards used to secure the building had been removed by the owner in order to gain access to the structure. There is no evidence of repairs being made.

Ms. Briley stated that the property had been insured and the first portion of the funds had been dispersed. She said the borrower had indicated that there was difficulty obtaining a contractor to begin work, but it was Ms. Briley's understanding that a contractor has since been hired and work should begin soon. She said that she understood the intent of the borrower was to repair the structure.

Jason Peterson, a neighbor to the property, also addressed the Board. Mr. Peterson said the boards securing the structure had been removed, Since the fire in November of 2020, the roof has had large holes that allowed rain and snow into the building. He expressed concern about the potential for mold growing in the interior of the house.

Board Member Wilhite made a motion to allow thirty days for a structural engineer to assess the structure, the structure to be boarded and maintained in a clean and secure condition, and the owner report to the Board with a plan of action or the property would automatically go to the City Council for condemnation, with ten days to begin demolition and ten days to complete removal of the structure. Board Member Millspaugh seconded the motion. The motion carried. (6 – 0)

**9. 1300 N. Waco Ave (duplex)**

There was no one present on behalf of this property.

This is a one- and one-half story frame dwelling about 48 x 27 feet in size. Vacant and open, this structure has been damaged by fire. It has a shifting, cracking and missing concrete foundation; deteriorated siding; badly worn and sagging composition roof; and the wood trim and framing members are deteriorated.

**(1300 N. Waco Ave (duplex) – con't)**

At the last site inspection, it was noted that roof repair was in progress, and a check of the MABCD permitting database showed a roofing permit had been issued. MABCD staff received a structural engineer's report, although no building permit has been issued for the repairs.

Board Member Coonrod made a motion to allow sixty days for the owner to report to the Board with the structural engineer's report and a plan of action for the repairs, maintaining the site in a clean and secure condition in the interim, or the property will be referred to the City Council for condemnation, with ten days to initiate wrecking of the structure and ten days to complete it. Board Member Wilhite seconded the motion. The motion carried. (6 – 0)

**10. 1304 N. Waco Ave (duplex)**

No one was present on behalf of this property.

A one-story frame dwelling about 26 x 52 feet in size, this structure is vacant and open. The structure has a shifting and cracking concrete foundation, with some concrete missing; rotted and missing siding; trees growing up and into roof line; front and rear porches are poor condition; and the wood trim and framing members are deteriorated.

In agreement with MABCD staff recommendation, Board Member Millspaugh made a motion to submit the property to the City Council for condemnation, with ten days to begin wrecking the building and ten days to complete the demolition. Board Member Coonrod seconded the motion. The motion carried. (6 – 0)

**Review Cases:**

There were no review cases for November.

**Request by William "Will" White, Qualified Person/Owner of Top Tier Roofing and Restoration, LLC, to start a new company with a new name due to previous legal issues.**

Mr. William "Will" White addressed the Board regarding his request for a new license. He brought legal documentation regarding an embezzlement by a previous employee and the ensuing bankruptcy of Top Tier Roofing and Restoration, LLC, caused by the theft of business funds.

The Board was made aware of a number of permits issued to Top Tier Roofing and Restoration, LLC, that had not been resolved.

Board Member Coonrod made a motion that before any action is taken on Mr. White's request for a new license, Mr. White should pay the necessary fees to reopen the permits and bring the outstanding permits into compliance. Once the fees have been paid, Mr. White should then appear before the Board with his request to obtain a new license. Board Member Millspaugh seconded the motion. The motion carried. (6 – 0)

**MABCD Updates.**

Chris Labrum, MABCD Director, advised the Board that the 2021 Editions of the International Mechanical Code and the Uniform Plumbing Code would be presented to the Board of County Commissioners and the City Council for adoption.

**Adjournment.**

With no other business to conduct, Board Member Coonrod made a motion to adjourn. Board Member Wilhite seconded the motion. The motion passed. (6 – 0)

The meeting adjourned at 2:04 p.m.