

# BOARD OF BUILDING CODE STANDARDS AND APPEALS MINUTES

**April 4, 2022**

**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, Redford, Zimbelman

**Staff Members Present:** Chris Labrum, Kortney Capello, KaLyn Nethercot, Penny Bohannon, Chris Nordick, Elaine Hammons (MABCD), Jeff Van Zandt (City Law Department); Jose Ocadiz (WFD); Brad Crisp (SCFD1)

Chairman Redford called the regular meeting of the Board of Building Code Standards and Appeals to order at 1:00 p.m. on Monday, April 4, 2022, 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 March 7, 2021, Minutes**

Board Member Millspaugh made a motion to approve the March 7, 2022, minutes. Board Member Harder seconded the motion. The motion carried. (7 – 0)

## **Public Agenda.**

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

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

## **Condemnations:**

### **New Cases:**

#### **1. 541 N. New York Ave**

There was no one present on behalf of this property.

A one- and one-half story frame dwelling about 27 x 38 feet in size, this structure is vacant and open, The structure has shifting and cracking block basement walls; rotted and missing wood siding; sagging and badly worn composition roof, with holes; stairs to balcony are in danger of collapsing; rotted wood trim and framing members; and the 8 x 10 foot accessory structure is diapidated.

In agreement with MABCD staff recommendation, Board Member Harder made a motion to refer the property to the City Council for condemnation, with ten days to begin demolition and ten days to complete removal of the structures. Board Member Coonrod seconded the motion. The motion carried. (7 – 0)

#### **2. 647 N. Oliver Ave**

Jerod Cox, property owner, was present at the hearing.

This is a one-story frame dwelling about 24 x 40 feet in size. Vacant and open, this structure has been damaged by fire. It has missing vinyl siding, with a large hole on north side; and the composition roof is badly worn with holes.

Mr. Cox said that he had the property under contract to sell and was supposed to close on the sale the previous week, but he has not been able to get in touch with the buyer. He told the Board that he would clean up the site and board up the structure if necessary. He said he would like to sell it, but if that is not possible, he will remove the structure.

Board Member Harder made a motion to allow until the May 2, 2022, BCSA meeting for Mr. Cox to sell the property or have a plan to repair or demolish it, maintaining the site in a clean and secure condition in the interim.

**(Condemnations – 647 N. Oliver Ave, con't)**

Board Member Banuelos seconded the motion. The motion was approved. (7 – 0)

**3. 1203 N. Grove Ave**

Calvin Fomby, son of the deceased owner, was present on behalf of the property.

About 22 x 49 feet in size, this is a one- and one-half story frame dwelling. Vacant for at least a year, this structure has shifting block basement walls; missing vinyl siding; badly worn composition roof; and the front porch is deteriorated.

This vacant property is across the street from an elementary school.

Mr. Fomby told the Board that he was trying to sell the property.

Board Member Harder made a motion that Mr. Fomby be allowed until the May 2, 2022, hearing to sell the property or present a plan of action to the Board, maintaining the site in a clean and secure condition in the interim. Board Member Coonrod seconded the motion. The motion passed. (7 – 0)

**4. 1233 S. Ida Ave**

There was no one present on behalf of this property.

Vacant and open, this is a one- and one-half story frame dwelling about 33 x 24 feet in size. This structure is on cinder blocks, with no foundation in place; missing siding; and the front porch is dilapidated and collapsing.

There was a change in ownership in February 2022, and the new owner has contracted with a contractor to make repairs. A detailed engineer's report will be required prior to the repairs being made.

Board Member Harder made a motion to allow until the May 2, 2022, hearing for the new owner to complete the exterior repairs or appear before the Board to present a plan of action. Board Member Millsbaugh seconded the motion. The motion passed. (7 – 0)

**5. 1312 N. Wabash Ave (fourplex)**

Ivan Ray, owner, was present on behalf of the property.

This one-story frame dwelling is about 25 x 70 feet in size. Vacant and open, this structure has a cracking block foundation; badly worn composition roof, with holes; and the door and window frames are rotted.

Mr. Ray said that he planned to remodel the structure. He said the debris had been removed, and he plans to have the trees removed. He assured the Board that he would secure the rear units.

Board Member Harder made a motion to allow until the June 6, 2022, hearing to have the exterior repairs completed while maintaining the site in a clean and secure condition or the property will automatically be referred to the City Council for condemnation, with ten days to begin wrecking the structure and ten days to complete the removal. Board Member Banuelos seconded the motion. The motion was approved. (7 – 0)

**6. 1345 S. Ida Ave**

There was no one present to represent this property.

Approximately 27 x 44 feet in size, this one-story frame dwelling has been vacant for at least three years. This structure has a sagging and badly worn composition roof, with holes; deteriorated front porch; rotted and missing wood trim and framing members; and the 10 x 10 and 7 x 8 foot accessory structures are deteriorated.

**(Condemnations – 1345 S. Ida Ave, con't)**

In agreement with MABCD staff recommendation, Board Member Millspaugh made a motion to refer the property to the City Council with a recommendation of condemnation, with ten days to begin removal and ten days to complete demolition. Board Member Harder seconded the motion. The motion carried. (7 – 0)

**7. 1430 N. Green St**

Norman Carter, property owner, was present on behalf of this property.

This one-story frame dwelling is about 28 x 24 feet in size. Vacant for at least a year, this structure has a cracking block foundation; missing vinyl siding; badly worn composition roof; deteriorated window trim; and the 20 x 20 foot accessory structure is deteriorated.

The taxes are delinquent, there is trash and debris on the premises, and a truck filled with trash and tires is on site. Some repairs were done to the siding.

Mr. Carter said he had inherited the property from an uncle and planned to make the necessary repairs.

Board Member Coonrod made a motion to allow until the May 2, 2022, BCSA hearing for the exterior repairs to be completed and the delinquent taxes paid, meanwhile maintaining the site in a clean and secure condition. Board Member Millspaugh seconded the motion. The motion passed. (7 – 0)

**8. 1601 N. Green St**

There was no one present on behalf of this property.

Approximately 28 x 36 feet in size, this one-story-frame dwelling has been vacant for an unknown length of time. This structure has a shifting and cracking concrete foundation with missing areas; missing vinyl siding; sagging and badly worn composition roof, with holes; dilapidated front porch; and the 24 x 20 foot accessory structure 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 demolition and ten days to complete the wrecking. Board Member Banuelos seconded the motion. The motion was approved. (7 – 0)

**9. 1656 N. Poplar Ave**

There was no one present on behalf of this property.

Vacant for at least six months, this one-story frame dwelling is about 37 x 25 feet in size. This structure has a shifting and cracking concrete foundation, with missing concrete; rotted and missing combination siding; sagging and badly worn composition roof; and the front and rear porches are 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 initiate removal of the structure and ten days to complete the demolition. Board Member Harder seconded the motion. The motion carried. (7 – 0)

**10. 1809 S. Ellis Ave**

This property was withdrawn from the agenda prior to the meeting.

**11. 2405 E. Murdock Ave (duplex)**

There was no one present on behalf of this property.

**(Condemnations – 2405 E. Murdock Ave (duplex), con't)**

About 32 x 34 feet in size, this one-story frame dwelling has been vacant for at least 15 years, this structure has cracking and shifting concrete basement walls; rotted and missing wood siding; and some studs are rotted.

In agreement with MABCD staff recommendation, Board Member Harder made a motion to refer the property to the City Council for condemnation, with ten days to begin razing the structure and ten days to finish the removal. Vice Chairman Doeden seconded the motion. The motion was approved. (7 – 0)

**~~12. 3400 E. Sunnybrook Ln~~**

This property was withdrawn from the agenda prior to the meeting.

**13. 147 N. Edwards Ave**

Frank Ojile, attorney representing Fidelity Bank, was present at the hearing.

A one-story frame dwelling about 31 x 35 feet in size, it is vacant and open. This structure has fire damaged vinyl siding; missing composition shingles; and the front porch is fire damaged.

Mr. Ojile informed the Board that the bank was taking bids from contractors to perform the necessary repairs.

Board Member Harder made a motion to return the property to Neighborhood Inspection to monitor the status of repairs. Board Member Banuelos seconded the motion. The motion passed. (7 – 0)

**14. 424 W.9th St N.**

There was no one present on behalf of this property.

A one- and one-half story frame dwelling about 25 x 45 feet in size. Vacant for at least a year, this structure has a shifting, cracking concrete block foundation, with missing blocks; broken composition siding; sagging and badly worn composition roof; dilapidated front and rear porches; and the wood trim is deteriorated.

This property now has a new owner with whom Neighborhood staff has been in contact. The new owner has begun making repairs to the property.

Board Member Harder made a motion to allow until the May 2, 2022, meeting for Neighborhood Inspection staff to consult with the new owner and monitor repairs. Board Member Millspaugh seconded the motion. The motion passed. (7 – 0)

**Request by Rodney VanMeter, VanMeter Construction, LLC, BUS2016-09509 (expired 12/31/2018) that the Board waive or reduce penalty fees for renewing his Class B Contractor's License.**

The Board considered Mr. VanMeter's request to waive or reduce penalty fees for renewing his license. Vice Chairman Doeden made a motion to deny the request to waive or reduce the penalty fees. Board Member Millspaugh seconded the motion. The motion carried. (7 – 0)

**MABCD Updates**

Chris Labrum, MABCD Director, reminded the Board of expiring terms for both County and City appointed positions. He encouraged anyone who was eligible for another term and interested in continuing to serve on the Board to submit an application.

**Adjournment**

With no other business to conduct, Board Member Coonrod made a motion to adjourn the meeting. Board Member Harder seconded the motion. The motion carried. (7 – 0)

The meeting adjourned at 1:37 pm.