

BOARD OF BUILDING CODE STANDARDS AND APPEALS MINUTES

May 2, 2022

Location: Ronald Reagan Building, 271 W. 3rd, 3rd Floor, Room 318

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

Present: Banuelos, Doeden, Harder, Millspaugh, Purkey, Redford, Zimbelman

Staff Members Present: Chris Labrum, Kortney Capello, KaLyn Nethercot, Penny Bohannon, Chris Nordick, Elaine Hammons (MABCD); 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, May 2, 2022, at the Ronald Reagan Building, Metropolitan Area Building and Construction Department, 271 W. 3rd, 3rd Floor, Room 318 – Training Room, Wichita, Kansas.

Approval of the April 4, 2022, Minutes

Board Member Millspaugh made a motion to approve the April 4, 2022, minutes. Board Member Harder seconded the motion. The motion carried. (7 – 0)

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

Public Agenda.

John Todd, retired real estate broker, expressed his opinion regarding the need to attempt rehabilitation versus condemnation of some of the properties that have been presented to the Board for condemnation consideration. He showed the Board a photo of 2034 N Jackson, a property that had gone through the condemnation process, but was saved from demolition by the rehabilitation of the structure.

Condemnations:

Review Cases:

1. 647 N. Oliver Ave

The owner of the property was not present at the meeting.

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.

The City has abated the nuisance issue and boarded up the structure to secure it.

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

2. 1203 N. Grove Ave

Steven Brooks, the son of the owner, was present to speak on behalf of his father.

This one- and one-half story frame dwelling is about 22 x 49 feet in size. 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.

Mr. Brooks told the Board that his father had a buyer for the house and the sale was supposed to be transacted that same day.

(Condemnations – 1203 N. Grove Ave con't)

Board Member Harder made a motion to allow until the June 6, 2022, hearing for the owner to sell the property and complete the transaction, Board Member Millspaugh seconded the motion. The motion passed. (7 – 0)

3. 1233 S. Ida Ave

There was no one present on behalf of this property.

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

There has been little progress on this property. Five permits were issued since 2020, however, no inspections have been requested or performed. The engineering report submitted to MABCD was very generic, lacking the specific information required to allow the repairs to proceed. MABCD Assistant Director, Kortney Capello, inspected the site and placed a 'Stop Work' notice on the property. Work has continued in spite of the order to cease construction activity.

Board Member Harder 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 removal. Board Member Purkey seconded the motion. The motion was approved. (7 – 0)

4. 1430 N. Green St

Norman Carter, owner, was present.

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

Mr. Carter told the Board that the siding has been completed, the truck that had been on site has been removed along with the tree debris.

Board Member Millspaugh made a motion to allow until the June 6, 2022, meeting for the exterior repairs to be completed, maintaining the site in a clean and secure condition in the interim. Board Member Harder seconded the motion. The motion was approved. (7 – 0)

5. 424 W. 9th St N.

Brandon Vu Lam, owner, was present.

The new owner has obtained required permits and has met inspectors on site. He is in the process of getting the engineer's report.

Board Member Harder made a motion to return the property to regular Neighborhood Inspection to monitor the progress. Board Member Banuelos seconded the motion. The motion carried. (7 – 0)

New Cases:

1. 1421 N. Madison Ave

There was no one present on behalf of this property.

This is a one- and one-half story frame dwelling about 32 x 28 feet in size. Vacant and open, this structure has a shifting and cracking block concrete foundation, with missing blocks; missing vinyl siding; sagging and badly worn composition roof, with holes; and the front porch is dilapidated.

(Condemnations – 1421 N. Madison Ave con't)

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

2. 1512 N. Piatt Ave

No one was present on behalf of this property.

Vacant for at least two years, this one-story framed dwelling is about 64 x 42 feet in size. This structure has a shifting and cracking concrete foundation; missing vinyl siding; sagging and badly worn composition roof, with holes; deteriorated front and rear porches; deteriorated carport; and the south wall is bowing outward.

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

3. 1523 N. Green St

No one was present on behalf of this property.

This one-story framed dwelling is about 50 x 22 feet in size. Vacant for at least six months, this structure has a shifting and cracking concrete block foundation; rotted wood siding; sagging and badly worn composition roof, with holes; 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 City Council with a recommendation of condemnation, with ten days to begin razing the structure and ten days to complete removal. Board Member Banuelos seconded the motion. The motion passed. (7 – 0)

4. 1642 N. Spruce Ave

There was no one present on behalf of this property.

A one-story frame dwelling about 34 x 24 feet in size, it has been vacant for at least two years. This structure has a shifting and cracking concrete foundation, with missing concrete; missing vinyl siding; sagging and badly worn composition roof, with holes; deteriorated front and rear porches; and the wood trim and framing members are deteriorated.

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

5. 1737 N. Madison Ave

There was no one present on behalf of this property.

This one-story frame dwelling is approximately 45 x 28 feet in size. Vacant for at least six months, this structure has a shifting and cracking concrete brick foundation, with missing bricks; paint chipped wood siding; sagging and badly worn composition roof; deteriorated front porch; and the wood trim is deteriorated.

There is an individual living in the inoperable car in the driveway. An electrical powerstrip that was connected to a neighboring property was removed. Officers from the Wichita Police Department have expressed serious concerns over potentially illegal activity being conducted at the property. MABCD Neighborhood staff requested that the property be escalated to emergency demolition status.

(Condemnations – 1737 N. Madison Ave con't)

In agreement with MABCD staff recommendation, Board Member Harder made a motion to escalate the property to emergency demolition status. Board Member Millspaugh seconded the motion. The motion carried (6 –1)

6. 1819 S. Market St

No one was in attendance on behalf of this property.

Vacant and open, this one-story frame dwelling is about 42 x 26 feet in size. This structure has a shifting and cracking concrete block foundation, with missing blocks; rotted and missing wood siding; sagging and badly worn composition roof; deteriorated front porch and the 18 x 12 accessory structure is dilapidated.

In agreement with MABCD staff recommendation, Vice Chairman Doeden made a motion to refer the property to City Council with a recommendation of condemnation, with ten days to initiate demolition of the structure and ten days to complete the removal.. Board Member Harder seconded the motion. The motion passed. (7 – 0)

7. 4810 E. Gilbert St (Duplex)

The property owner, Brad Hershberger, was present on behalf of this property.

A one-story frame dwelling about 56 x 24 feet in size, it is vacant and open; this structure has been damaged by fire. It has cracking concrete basement walls; fire damaged and missing vinyl siding; incorrectly repaired ventilation holes in roof; and the front and rear porches are deteriorated.

There have been two fires in the basement. The basement has a large number of tires and other debris in it.

Speaking to the Board, the owner disputes the authority of MABCD staff to take any type of action against the property. He informed the Board that he has filed a brief with the appellate court challenging the authority of a number of local government agencies to access the site.

Board Member Harder made a motion to table further discussion about the property until the June 6, 2022, meeting. Board Millspaugh seconded the motion. The motion carried. (7 – 0)

8. 1303 N. Jackson Ave

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

9. 1416 N. Park Pl (Duplex)

No one was present on behalf of this property.

Approximately 73 x 37 feet in size, this is a two-story frame dwelling. Vacant for at least two years, this structure has shifting and cracking concrete basement walls, with missing concrete; rotted and missing stucco; deteriorated front and rear porches; deteriorated wood trim and fascia; framing members are exposed to elements; and the two 10 x14 accessory structures are deteriorated.

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

MABCD Updates

Chris Labrum, MABCD Director, reminded the Board of expiring terms for both County and City appointed positions. He

(MABCD Updates – con't)

told the Board that he and the Assistant Director were working with the respective Council and Commission to finalize Board appointments.

Adjournment

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

The meeting adjourned at 1:39 pm.