

Item #2a

Approval of Minutes

BUILDING AND STANDARDS COMMISSION
February 8, 2007
6:30 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Art Ruff at 7:34 p.m., with the following members present: Art Ruff, David Marlett, Larry Ewing, Carol Crow, Steve Markee, Earl Milner, and Ken Szolosi.

II. CONSENT ITEM

Approval of the minutes from the meeting held on November 9, 2006.

Steve Markee made a motion to approve the minutes of the November 9, 2006 meeting. Earl Milner seconded the motion. The motion was voted on and passed by a vote of 7 to 0.

III. PUBLIC HEARING AGENDA

Chairman Ruff declared the public hearing opened.

The following case was heard:
BSC-2006-01 for 301 Renfro

a. BSC-2006-01
301 Renfro

David Gonzales approached and gave a brief history on the property. He stated that the previous ruling by the Commission gave the owner six months to remove personal effects, and determine exactly what course of action should be taken. Donna and Joe Rushing, both of 9414 Shearer St. in Rowlett approached and stated that they've been working on the house for the past year. Interior walls have been exposed down to the wood, exterior siding has been removed from the house, three porches have been removed from the house, and the smokehouse has been emptied. Also, they are currently in the process of determining the feasibility of repairing or demolishing the structure. Chairman Ruff asked if there were questions from Staff. Steve Markee asked what the owner's long term objectives were. Mrs. Rushing stated that even if they chose not to reside in the house themselves, they would allow a family member to live there. Ken Szolosi asked if the barn would still be removed. Mr. Rushing stated that they have run into a problem of where to relocate memorabilia that they remove from the barn. The process has become quite overwhelming and quite time consuming. Mrs. Rushing stated that they still have to determine if they will demolish or rebuild, but at any rate, it will be a lengthy process. Chairman Ruff stated that the Commission is concerned about the fact that there does not seem to be a target date in place. Steve Markee asked the owners if

they had a completion date in mind. Mr. Rushing stated that he would like to see the work completed within six months. Crow asked the owners how much time they would need to make a decision and how much more time it would take to actually have the repairs completed. Chairman Ruff asked if anyone in the audience would like to speak on this case. The public hearing was closed.

Chairman Ruff closed the public hearing and asked for comments from the Commission.

The Commission entered into a brief discussion.

Steve Markee made the following motion:

The property owners are to come back to the next BSC meeting on April 12, 2007 with a final plan in place, whether it is to demolish the property or begin repairs.

Ken Szolosi seconded the motion. The motion was voted on and passed unanimously with a vote of 7 to 0.

The following case was heard:
BSC-2006-07 for 3610 Lakeside Dr.

b. BSC-2006-07
3610 Lakeside Dr.

Mr. Wysinger approached and stated that this case is a continuation from the Nov 9, 2006 meeting. He briefly reiterated the previous orders of the Commission. He stated that although Ms. King did not attend the November meeting, he did speak with her and also informed her of the Commission's orders. The property was inspected, and the engineer's report was provided, although neither was done in a timely manner. He stated that Staff does not have a recommendation at this time regarding whether or not civil penalties should actually be levied. Theresa King stated that the situation has been quite frightening and overwhelming for her. She stated that she does not live at the property all of the time. She stated that once Mr. Wysinger provided her with a copy of the orders, she immediately began to satisfy them. She read excerpts of the engineer's report. Chairman Ruff interjected that the Commission's main concern was in determining what were the plans for the property. Ms. King answered that she would like to have the penalties waived, and would need at least six months to bring the structure up to code. Chairman Ruff asked if there were questions from the Commission. Earl Milner stated that the Commission had asked back in January if there was a completion date in mind. The six months that were requested previously had been granted, and he did not feel that the Commission could waive the penalties without having a definite completion date noted. Ken Szolosi asked if approval from the HOA had been granted. Ms. King answered that approval had not yet been granted. Carol Crow stated that a decision has to be made immediately. After speaking with the Architectural Review Committee, she will know what actions they will allow. Michelle Granger, of Augusta Blvd., approached and

stated that she is a member of the Architectural Review Committee. She briefly outlined the requirements of the committee. Rick Sherer detailed the various other repairs that need to be addressed. Chairman Ruff asked if others wished to speak. There were none. The public hearing was closed. David Marlett motioned that permits be in place by the next meeting on April 12, 2007; a contractor has been obtained, and that construction is underway; otherwise, civil penalties will become retroactive. Also, the contractor is required to meet with Rick Sherer prior to beginning any repairs. Steve Markee seconded the motion. The motion was voted on and passed unanimously with a vote of 7 to 0. Earl Milner verified the correct mailing address which is **7726 Village Trail Drive; Dallas, TX 75254.**

The following case was heard:
BSC-2007-02 5702 Ranger Dr.

c. BSC-2007-02
5702 Ranger Dr.

Cliff Griffin approached and gave a brief history of the property in question. He stated that the original permit was issued in March of 2004. The present condition of the house has become a nuisance and a concern to neighbors. There are safety issues with the rebar being exposed. Building materials need to be removed from the property. David Marlett asked if taxes were current. Cliff Griffin answered that according to the RCAD, taxes have not been paid since 2003. The Board entered into a brief discussion about the property in question. Chairman Ruff asked if there were questions from the Commission. Staiko George Staiv, contractor residing at 121N. Greenville; Allen TX 75002, approached and begin to speak. He stated that the website was incorrect. The taxes are in fact current. He stated that he will apply for the permit immediately. The reason construction ceased was because his health failed and he was diagnosed with cancer. He stated that Frances Wells Dean of 604 Heartland Drive in Allen TX 75002 is the owner and trustee of the estate. Cliff Griffin stated that in the future, Mr. Staiv will need to provide a notarized letter from the owner stating that he will be representing her in this matter. Chairman Ruff asked if there were others to speak. There were none. The public hearing was closed. The Commission entered into a brief discussion regarding ownership, and a date to have all repairs completed was discussed.

Larry Ewing motioned that by 2-15-07, all permits are obtained and by April 15, 2007 all work is completed to the exterior of the property, and if not, then civil penalties of \$200.00 a day are levied for noncompliance. David Marlett seconded the motion. The motion was voted on and passed unanimously with a vote of 7 to 0.

The following case was heard:
BSC-2007-03 103 N. Fannin St.

d. BSC-2007-03
103 N. Fannin St.

David Gonzales approached and gave a brief history on the property. He noted that there have been some repairs to the property, although they are not complete. Dewayne Cain approached and spoke on behalf of his Dad, Ted Cain, the owner of the property who is seriously ill. Dewayne Cain described the repairs that have been done. He acknowledged that the building is not pleasing to eye, but stated that hopefully he and the Commission could come to an agreement. David Marlett asked what the plans for the building were. Mr. Cain answered that he would just leave it there. He offered to tear down the building if he could do so and replace it with a plain metal building if he were released from all parking restrictions etc. Chairman Ruff stated that that suggestion would have to go before Planning and Zoning and the Commission has no say with that regards. David Gonzales stated that although this structure is not a part of the historical district at this time, it may be may be at some point in the future. Cliff Griffin interjected that if P&Z had no objections to tearing down the structure and putting up a new one, Staff would be willing to work with him as far as a time line is concerned; and perhaps then he would go before the HPAB for their input at that time. Chairman Ruff asked if there were other questions. There were none. The public hearing was closed. Earl Milner recommended that we table this case for a period of 90 days, to give Mr. Cain the opportunity to speak with P&Z. He would report back to the Commission at the next meeting. David Marlette seconded the motion.

IV. ADJOURNMENT

There being no other business, Ken Szolosi motioned to adjourn. Carol Crow seconded the motion. The motion was voted on and passed unanimously with a vote of 7 to 0.

The meeting adjourned at: 9:43 p.m.

Commission Chairman

Commission Recorder

Date

Date

Item #2a

Approval of Minutes

BUILDING AND STANDARDS COMMISSION

April 12, 2007

6:30 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Art Ruff at 7:33 p.m., with the following members present: Art Ruff, Ken Szolosi, Larry Ewing, and Steve Markee. David Marlett and Carol Crow were absent. There is currently one vacant seat on the Commission.

II. CONSENT ITEM

Approval of the minutes from the meeting held on February 8, 2007:

A motion was made and seconded to approve the minutes of the February 8, 2007 meeting.

The motion was voted on and passed by a vote of 4 to 0.

III. PUBLIC HEARING AGENDA

Chairman Ruff declared the public hearing opened.

The following case was heard:

BSC-2006-07 3610 Lakeside Dr.

a. BSC-2006-07

3610 Lakeside Dr.

Cliff Griffin approached and stated that this case is a continuation from the February 8, 2007 meeting. He briefly reiterated the previous orders of the Commission. Clark Crawford, a local contractor, approached and addressed the Commission. The Commission acknowledged that they had received the documents he had provided. Mr. Crawford went on to say that the subcontractors would be in the office within the next several days to register with the city, as is required before the building permit is issued. Chairman Art Ruff asked if there were additional questions. There were none. The Public hearing was closed. David Marlett motioned to table this item until the May 10, 2007 meeting. Carol Crow seconded the motion. Ken Szolosi amended the motion and moved to return this item to Staff so that the owners do not have to return before the Commission and the penalties would not be assessed. David Marlett seconded the motion. The motion passed 4 to 0. The public hearing was closed.

The following case was heard:

BSC-2007-04 413 Yacht Club Dr.

b. BSC-2007-04
413 Yacht Club Dr.

Anna Ankrum approached and briefly described the violations which exist at the location in question. Chairman Art Ruff asked if staff had questions. There were none. George Yongo of 413 Yacht Club approached and stated that after having lost his business, he is just now getting back on his feet. He is requesting some time to get his finances in order, and states that he does plan to have the necessary repairs done. He stated that at this point, time is the main factor. Carol Crow asked if the homeowner felt as if he could get the repairs completed by the end of the summer. Mr. Yongo stated that he hopes to have the work completed in that amount of time. The Board discussed in detail with Mr. Yongo the extent of the repairs to be made. David Marlett asked Mr. Yongo, if he could come up with a date of completion. Mr. Yongo stated that October 1, 2007 would be feasible, and made it clear that he would like to do all the repairs right the first time, rather than doing a partial repair for cosmetic purposes now, only to have to redo the repairs again in the future at an additional cost. Mr. Griffin stated that it is the position of Staff to have all the repairs completed at the same time, and preferably up to code, rather than some of the repairs made now, and the remaining repairs completed at a later date. It would also be more cost effective for the homeowner. Carol Crow motioned to give the homeowner until the end of October 2007 to have the repairs completed. Carol Crow withdrew her motion. David Marlett motioned to extend the deadline to have repairs completed 'til September 13, and if not completed then to assess penalties of 50.00 a day. Motion passes 4 to 0.

The following case was heard:
BSC-2007-05 1600 Ridge Rd.

c. BSC-2007-05
1600 Ridge Rd.

David Gonzales approached and stated that the homeowner has undergone surgery and he received a letter from the owner's attorney asking for a 30 day continuance until May 10, 2007. Ken Szolosi motioned to postpone any further action and discussion until the May 10, 2007 meeting. David Marlett seconded the motion.

2007-01 302 Columbia Dr.

Ken Szolosi motioned to close the case. David Marlett seconded the motion. Motion passes 4 to 0.

III. ADJOURNMENT

There being no other business, Ken Szolosi motioned to adjourn. Carol Crow seconded the motion. The motion was voted on and passed unanimously with a vote of 4 to 0.

The meeting adjourned at: 8:21 p.m.

Commission Chairman

Commission Recorder

Date

Date

Item #2a

Approval of Minutes

BUILDING AND STANDARDS COMMISSION
May 10, 2007
6:30 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Art Ruff at 7:33 p.m., with the following members present: Art Ruff, Ken Szolosi, Larry Ewing, and Steve Markee. David Marlett and Carol Crow were absent. There is currently one vacant seat on the Commission.

II. PUBLIC HEARING AGENDA

Chairman Ruff declared the public hearing opened.

The following case was heard:
BSC-2007-05 1600 Ridge Rd.

a. BSC-2007-05
1600 Ridge Rd.

David Gonzales approached and stated that this is a continuation of the April 12, 2007 meeting. A thirty day continuance had been requested by the property owner's attorney, Mr. Harrison, and that request was granted by the Commission. David Gonzales stated that Mr. McAnally and Mr. Harrison are present. He proceeded to give a brief history of the case. The case is currently before the Commission because there have been several complaints by neighbors in the area. The property fails to meet the minimum standards as outlined in the Property Maintenance Code. He went on to present Staff's recommendation that the owners be ordered to, no later than May 20, 2007, provide city Staff with a scope and schedule of the repairs to be completed. The owners must begin activity on the structure by May 20, 2007. All work is to be completed no later than November 30, 2008. The owners would be required to be present at the Building and Standards Commission meetings both on July 12, 2007 and September 13, 2007 to provide a status report to Staff. Chairman Ruff asked if the Commission had any questions or comments. There were none.

John McAnally, of 1600 Ridge Rd. approached and began by stating that the original building permit has been issued in December 2005. He went on to give a detailed summary of the past and present construction efforts at the location in question.

Chairman Ruff asked if the Commission had any questions. There were none.

Clark Staggs of 1601 Seascapes, Rockwall TX approached and stated that he is present as a sympathetic voice for Mr. McAnally's cause, because he too has had to deal with construction frustrations. He went on to say that he is confident Mr. McAnally will be able to comply with the scope and schedule as presented.

Mr. Brad Harrison, 8318 Trail Lake Drive, approached that he too is anxious to get the project completed. He addressed Staff's request for updates in July and September 2007, and asked the Commission to deny that request, as well as the request for a scope of work. He stated that the site would be maintained with consistent progress working towards a completion date within eighteen months.

Chairman Ruff asked if others wished to speak. There were none. The public hearing was closed.

The Board entered into a brief discussion.

Larry Ewing motioned for City Staff to follow up every two months with Mr. McAnally and report their findings back to the Commission. In the event that the Commission is not satisfied with the report, they may at any time require Mr. McAnally to report back to the Commission. Ken Szolosi seconded the motion.

III. ADJOURNMENT

There being no other business, Steve Markee motioned to adjourn. Larry Ewing seconded the motion. The motion was voted on and passed unanimously with a vote of 4 to 0.

The meeting adjourned at: 8:39 p.m.

Commission Chairman

Commission Recorder

Date

Date

BUILDING AND STANDARDS COMMISSION MEETING NOTES

DATE: June 14, 2007

Attendance: ___Marlett ___x_Ewing x_Ruff _xCrow ___Markee ___Milner xSzolosi

Meeting Called to Order: 7:33 p.m.

Consent Item: Approval of minutes from meeting held on April 12 and May 10 2007, Ken Szolosi motioned to approve. Ewing seconded the motion. Motion approved 3 to 0. Carol Crow abstained from voting...

Carol motioned to move Augusta c to (a) position. Ken seconded. Carried 4 to 0.

BSC-2007-07 3304 Augusta .

PRESENTING OFFICER: David G.

Owners Present: _____

Notes: David G approached and gave a brief history on the property in question. The code enforcement dept went out on several occasions to inspection the premises for possible violations. He gave a brief summarization of apparent violations and recommended that the commission order the owners allow staff to make interior and exterior inspections of the property,see Staff Recommendations item II... in the event that the owner has not fully complied with the terms of the July 14 ordersee item III.

Mr. Frank Nerkowski, owner (purchased the house in 1993) approached and stated that the home was previously licensed for two mentally challenged individuals to reside in the home. He continued to give an emotional account of events that occurred while the residence was occupied. He stated that in January 2007, a pipe burst upstairs, which caused major damage in the home. To date Farmers Insurance has yet to issue a check for repairs that are estimated at about \$30,000. He apologized for the current condition of the house but states that they do to restore and eventually sell it.

Chairman ruff asked if the Commission had questions. Ken S. asked how Mr. Nerkowski felt about the schedule outlined by Staff. Mr. N answered that it would be no problem to meet the August 9, 2007 deadline to complete repairs. David G. answered that a building permit has been applied for, but the city is just waiting for the subcontractors to register before the permit is actually issued.

entetered into a brief discussion with Mr. Nerkowski.

Larry Christiansen of 3308 Augusta blvd. approached and stated that he moved into the neighborhood back in 1998. His house is approximately 15 feet from the proerty in question. He stated that he and Mr. Nerkowski have never seen eye to eye regarding the

condition of the property in question. He stated hat he is infested with spiders and various other varmint due to the foliage, firewood etc. that is on the property of 3304 Augusta. Mr. Christiansen stated that he's even gone to the HOA board to seek compliance from Mr. Nerkowski, and gave a detailed account of the history of the owner and the property in question from his perspective.

Bennie Daniels of 3312 Augusta approached and stated that in his opinion, the property in question is not economically salvageable. It is also a safety hazard and a health for the neighbord. His house is 35 feet away, and this property is demeaning and devaluing the property of the neighborhood.

Charlie Pratt of 3324 lakeside Dr. – President of Lakeside HOA. He's in the neighborhood for 2 years, but he had not seen the house until recently when Cliff Griffin and he responded to complaints that young children were going in and out of the structure. He stated that house is a safety hazard to the children in the community, as well as an eyesore.

Connie Christiansen of 3308 Augusta...served on the board of Lakeside Village for some time. She stated that is has been a continuous fight for the past 9 years, trying to persuade Mr. Nerkowski to comply with the bylaws of the community. She stated that anything the city could do to remedy the situation would be greatly appreciated.

Michele Granger of 3301 Augusta Blfd (Board of Direcctors) – says she had shown the house several times before the ceiling caved in. She said that her investors would have nothing to do with the property due to its condition.

Public hearing closed.

Ken asked if it was possible for the Health Inspector to give an assessment of the property. Cliff Griffin stated that if the commission orders it, the Inspector will go out and provide a report of her findings. The board entered into a brief discussion about the property.

CONDITIONS: Carol Crow motioned to have the owners provide a structural engineer's report by June 30, 2007 and provided to Staff ...(see Staff recommendations items II and III).

Motion: ___Marlett ___Ewing ___Ruff xCrow ___Markee ___Milner ___Szolosi
2nd ___Marlett xEwing ___Ruff ___Crow ___Markee ___Milner ___Szolosi

4 **FOR** 0 **AGAINST** ___ **ABSTAIN** ___ **ABSENT**

MOTION PASSED BY A VOTE OF 4 TO 0

BSC-2007-06 2580 Wagonwheel DR.

PRESENTING OFFICER: **Anna A**

Owners Present: _____

Notes: Anna A approached and stated that the case will not be presented due to compliance by the property owner. **The case has been closed**

CONDITIONS: _____

Motion: ___Marlett___Ewing___Ruff___Crow___Markee___Milner___Szolosi
2nd ___Marlett___Ewing___Ruff___Crow___Markee___Milner___Szolosi

___**FOR** ___**AGAINST** ___**ABSTAIN** ___**ABSENT**

MOTION PASSED BY A VOTE OF _____ TO _____

BSC-2006-07 3610 Lakeside Dr

PRESENTING OFFICER: Robert w.

Owners Present: _____

Notes: This case is being continued from the BSC meeting held on April 12, 2007 when the case was returned back to staff. An inspection was made in May 2007, and at that time, no repairs had been completed. Therefore a notice was mailed to Ms. King requiring her to appear at tonight’s BSC meeting. A permit was pulled in June 2007, but it did not address any of the needed repairs previously require by the Commission. The Staff has no recommendations at this time and civil penalties were rescinded at the April 12, 2007 meeting, so the commission will be making a new assessment tonight.

Theresa King 3610 Lakeside Dr. Rockwall TX – Ms. King stated that the list that was provided to staff was a list prepared by a contractor who is no longer employed by her. She read the previous orders of the commission and briefly outlined actions that she has taken with regards to achieving compliance. Chairman ruff interjected that the Commission has been waiting 22 months for compliance, and to date the repairs are still not completed. Rick Sherer clarified that the list was provided by the Building

inspections department and 3 different contractors, and it detailed need repairs that were noted when a thorough inspection was made.

Carol Crow asked if Ms. King resided at the property. Ms. King answered that She does not resided at the property. Carol Crow asked several questions to make the point that she has an obligation to the neighbors to make sure that the structure is safe and is not a fire hazard or a nuisance.

The board entered into a brief discussion w/ Mrs. King in which they ad of monished her to have a dependable, reliable individual assist her with the overseeing the completion of the property in question.

Robert Celedonia of 3612 Lakeside Dr approached...says that he is upset over the current condition of the property. He stated that it has been in this state of disrepair for an extended period of time and still has not complied with previous order of the Commission. He would like for the Commission to set a timeline for Ms. King to get the proper permits, order her to retain a contractor, secure financing, and go through a step by process and finally hire someone to complete all repairs. He reiterated that he is interested in purchasing the property.

The public hearing was closed. The Commission entered into a brief discussion regarding permits, repairs, penalties, and a compliance date. Rry

Larry Ewing motioned that by June 25 , 2007 all permits required be obtained and that work be under way. By July 12, 2007 75 percent of the work is to be completed. , otherwise, penalties in the amount of \$200 a day will be retroactive from today's date, June 14, 2007. At the July 12, 2007 meeting Ms. King will be required to attend. Ken seconded the motion. Carried 4 to 0

Motion: ___Marlett xEwing ___Ruff ___Crow ___Markee ___Milner ___Szolosi
2nd ___Marlett ___Ewing ___Ruff ___Crow ___Markee ___Milner xSzolosi

4FOR 0AGAINST ___ABSTAIN ___ABSENT

MOTION PASSED BY A VOTE OF 4 to 0 ___

Adjournment:

Motion: ___Marlett ___Ewing ___Ruff ___Crow ___Markee ___Milner xSzolosi
2nd ___Marlett xEwing ___Ruff ___Crow ___Markee ___Milner ___Szolosi

PASSED UNANIMOUSLY

Meeting adjourned at 9:41 p.m.

Item #2a

Approval of Minutes

BUILDING AND STANDARDS COMMISSION
June 14, 2007
6:30 P.M.

I. CALL TO ORDER

The meeting was called to order by Chairman Art Ruff at 7:33 p.m., with the following members present: Art Ruff, Ken Szolosi, Larry Ewing, and Carol Crow. Steve Markee and David Marlett were absent. There is currently one vacant seat on the Commission.

II. PUBLIC HEARING AGENDA

Chairman Ruff declared the public hearing opened.

III. ADJOURNMENT

There being no other business, Steve Markee motioned to adjourn. Larry Ewing seconded the motion. The motion was voted on and passed unanimously with a vote of 4 to 0.

The meeting adjourned at: 8:39 p.m.

Commission Chairman

Commission Recorder

Date

Date