

**Building Standards Commission**  
**February 21, 2006**

Present:

Jeff Bulla  
Thomas Izbicki  
Jhn Bellair  
Jim Degnan  
Tina Ross

Present, but not seated

Jeff Weeks, Alternate  
James Carpenter, Alternate  
Brian Eisenrich, Alternate

Absent:

Reed Snyder, Alternate

Staff:

Keith Schmidt, Assistant Building Official  
Kent McIlyar, Assistant City Attorney III  
Kathryn May, Sr. Property Standards Specialist  
Diana Gallegos, Sr. Administrative Assistant

The Building Standards Commission was called to order at 4:15 P.M. in the Building Inspections Training Room, 1520 Ave K, Plano, Texas. A quorum was present and notice of the meeting had been posted at the time and in the manner required by law.

1. Public Comments: **There were no public comments.**
2. Approval of Minutes: December 20, 2005

**Commission member Jim Degnan made the motion to approve the minutes as written for December 20, 2005. Commission member Tina Ross seconded the motion. The Commission voted 5/0 in favor of the motion to approve the minutes.**

3. Platinum Pools. Request for reinstatement of canceled contractor registration. Requested by Chuck Duff.

**Keith Schmidt, Assistant Building Official, testified that Platinum Pools had two expired permits, they have since been renewed and all inspections have been approved. Since 2001, the Building Inspections Department has sent ten letters warning Platinum Pools permits were about to expire, they have been placed on hold eight times during that time period. There is a third permit that has expired since this meeting has been posted at 6605 Basalt Dr. Platinum Pools was advised February 6, 2006, this permit is still on hold. Staff recommends one year probation commencing after the permit at 6605 Basalt has passed inspection.**

**Chuck Duff, Platinum Pools, testified that he took over the job of General Superintendent in January 06, he did not know of the permit on Basalt, but he will take care of that immediately. The gentleman that had this job**

previously is no longer with the company for this exact reason. He now has a schedule board and everything needs to be checked off before being removed from the board.

After hearing testimony and discussion, Commission member, Tina Ross made the motion to reinstate Platinum Pools with a one year probation period beginning after the permit at 6605 Basalt passes final inspection. Commission Member Jim Degan seconded the motion. The Commission voted 5/0 in favor of the motion.

4. Olshan Foundation. Request for reinstatement of canceled contractor registration. Requested by Blane Bartley

**Keith Schmidt, Assistant Building Official, testified that Olshan Foundation had two expired permits. They have since been renewed and final inspections have been approved. Since November 2001 the Building Inspections Department has sent Olshan Foundation twenty-one warning letters for permits about to expire. Olshan's registration was placed on hold for each one of those letters for a short time. In April of 2002 they appeared before the Building Standards Commission and were reinstated with no probation. Staff recommends reinstatement of Olshan Foundation with two year probation.**

**Blane Bartley, of Olshan Foundation, testified he has been with Olshan since June 05 and they doubled the office staff in August 05. He has been working closely with City Staff to learn the whole process of permits and inspections. They get the completion letter from the engineer, but they just couldn't seem to get the letter to the City. They now have a log in place to alleviate any future problems with these permits. The log shows steps to the City, to the engineer, and back to the City.**

After hearing testimony and discussion, Commission member John Bellair made the motion to reinstate Olshan Foundation, with two years probation. Commission member Tina Ross seconded the motion. The Commission voted 5/0 in favor of reinstatement with two year probation.

5. Discussion and consideration of request for approval of alternate material for construction of fence. Ordinance No. 97-4-12 Section 6-168 of Chapter 6, Building and Building Regulations, of the Code of Ordinances of the City of Plano, Texas. This item was requested by Ilya Furman, 809 Matilda Dr., Plano, Texas.

**Keith Schmidt, Assistant Building Official, testified that the homeowner, Mr. Furman, asked that the Building Standards Commission look at approving this material that has not previously been approved, nor manufactured as fence material. This material is used in printed circuit boards. The Building Inspections Department feels, the ordinance clearly states that you cannot use any other product that is manufactured for any other use unless it is designed to be fence material.**

**Ilya Furman, 809 Matilda Dr., Plano, Texas, testified that he works in production of circuit boards and used this material for many years. He feels this material would last longer than more expensive materials. This is a**

**very safe material. Mr. Furman brought a sample of the material with him and passed it around to show the Commission. He further testified that this material is flame resistant, and will pose no greater health risk than PVC piping and siding.**

**Commission Chairman, Jeff Bulla made known that a letter was received from the Chase Oaks/ Cross Creek Homeowners Association asking that Mr. Furman's request for alternate materials be denied.**

**Among comments from the Commission member Jim Degnan stated that he has had experience with circuit board material, from experience he knows it will take the temperature, but he cannot prove it. Because of this Mr. Degnan would be in favor of using the material. He felt that he should not base his vote on the aesthetics of the fence because of a letter from the neighbors.**

**Tina Ross commented that this product does not appear to be an adequate alternative material for outdoor fencing. The material has never been used for fencing, not sure if it would stand up to heat or cold, she had concerns about it being a unique material, and how the Fire Department could react to this material smoldering or burning.**

**John Bellair commented that he agreed with Commission member Tina Ross. If Mr. Furman would like to get a testing lab to supply the commission with further information about the alternative material they could consider. He felt the City of Plano did not have guidelines for what you could build a fence with. Mr. Bulla asked Mr. Schmidt if that was correct. Mr. Schmidt confirmed that the City of Plano does not tell you what materials are approved, it only states which ones are not approved. Mr. Bulla stated that this material is manufactured for another use (circuit boards) and, therefore, not allowed as fence material.**

**After hearing testimony and discussion, Commission member, Tina Ross made the motion to deny this request for alternate material. Commission member Tom Izbicki seconded the motion. The Commission voted 4/1 in favor of the motion. Commission member Jim Degnan cast the dissenting vote.**

6. Discussion and possible action regarding the following property's non-Compliance with the minimum standards required by Chapter 6, Building and Building Regulations, of the City of Plano Code of Ordinances, and consideration of whether to provide further opportunity for the property to come into compliance or to execute final orders for the property.

2701 Deep Valley Trail, Plano, Texas, 75023, Owner, Loretta Owen.

**Kathryn May, Property Standards Specialist, gave a presentation on the property at 2701 Deep Valley Trail. Ms. May noted the unsafe and unsanitary conditions existing on the property are due to a lack of property maintenance, which affects the health, safety and welfare of citizens and occupants. Ms. May provided evidence of the following code violations:**

- **All garbage/trash and debris must be removed from inside the structure. The interior must be kept in a sanitary state.**

- **Back yard must be kept in a clean, safe and sanitary state. All open storage must be removed or property stored. All trash, debris, and rubbish properly disposed of.**
- **A continuous, safe unobstructed path of travel must be present to all exits. All miscellaneous storage must be removed from egress pathways.**
- **All plumbing lines must be kept free of any leaks, defects or obstructions at all times.**
- **Any or all items placed in front of windows must be removed to allow means of egress.**
- **Any or all items causing unsanitary odors must be removed from the structure**
- **All fire-damaged drywall shall be repaired or removed.**
- **Smoke alarms must be provided at all of the following locations:**
  - **On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.**
  - **In each room used for sleeping purposes**

**Ms. May recommended that due to the unsafe, unsanitary and substandard conditions existing at the property posing immediate danger to the owner, occupants and other in regard to life, health, welfare and safety, staff recommends that the property be vacated on February 22, 2006 at 8:00 a.m., and be allowed access only between 8:00 a.m. and 8:00 p.m., to abate all unsanitary conditions of filth and debris; repair or replace inoperable toilets; install smoke alarms in each sleeping room used for sleeping purposes; install a smoke alarm in the vicinity of sleeping areas and repair or replace fire-damaged drywall within 30 days or by March 23, 2006. In the event the property owner or responsible party fails to comply with this order, then allow city staff to take necessary steps to abate all interior and exterior unsanitary conditions by removal of all filth and contaminants of the property and recover all incurred expenses by filing lien (s) against the property.**

**Sara Owen, Daughter of Loretta Owen, testified that her mother suffers from advanced dementia, she has moved her mother in with her brother and he has not been involved in assisting with this problem, he owns a contracting company and has now agreed to come in and do the repairs. Ms. Owen testified that she and her mother will abide by the recommendation of Ms. May.**

**After hearing testimony, Commission member Jeff Bulla made the following motion: The Owner of the property and/or all other occupants of the property immediately vacate the property and that the property remains vacant and uninhabited until all violations and deficiencies are repaired by the deadline set forth in the final order, the deficiencies are as follows:**

- **All garbage/trash and debris must be removed from inside the structure. The interior must be kept in a sanitary state.**
- **Back yard must be kept in a clean, safe and sanitary state. All open storage must be removed or property stored. All trash, debris, and rubbish properly disposed of.**

- **A continuous, safe unobstructed path of travel must be present to all exits. All miscellaneous storage must be removed from egress pathways.**
- **All plumbing lines must be kept free of any leaks, defects or obstructions at all times.**
- **Any or all items placed in front of windows must be removed to allow means of egress.**
- **Any or all items causing unsanitary odors must be removed from the structure**
- **All fire-damaged drywall shall be repaired or removed.**
- **Smoke alarms must be provided at all of the following locations:**
  - **On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.**
  - **In each room used for sleeping purposes**

**It is further ordered that if the owner or other responsible party fails to abate the nuisance and make all necessary repairs and comply with the final order, the Property Standards Department is authorized to abate the unsanitary conditions by removal of all filth and contaminants on the interior and exterior of the property and to recover all incurred expenses by placing liens against the property as necessary.**

**Commission member Jim Degnan seconded the motion. The Commission voted 5/0 in favor of the motion.**

7. Items for future agenda

**No future agenda items at this time .**

The Public Hearing adjourned at 5:40 P.M.

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Jeff Bulla, Chairman