

Minutes
Building Board of Appeals
Ground Floor Conference Room
February 21, 2017, 8 a.m.

Members Present

Dave VanNieuwenhuyzen, Jarrod Smart, Terry Kelley, Liz Squyer, Allison Dvorak

Members Absent

None

Guests Present

Richard Ikeh, Mike Terveen, Butch Warrington, and Paul Bengford

New Business

1. **Appeal No. 1-2017.** The Chair, Mr. VanNieuwenhuizen, called the meeting to order. The secretary was asked to provide a background for the appeal. The secretary specified that Mr. Ikeh, the homeowner located at 4701 S Deerfield Avenue contracted with Terveen Concrete in March of 2015 to complete exterior flatwork consisting of a driveway and approach, a parking pad, sidewalk, along with extensive concrete work in the rear yard consisting of patio flatwork, a basketball court and modifications to existing stairs. After the work was completed, Mr. Ikeh contacted Building Services to express his concerns about the completed work. In February of 2016 a Notice of Building Code Violation-Order to Abate was sent to MJ Terveen Construction ordering the issuance of a building permit and the repairs of specific code violations such as requiring the removal of the concrete to provide a minimum 2 inches of separation between the wood based siding and the poured concrete, the replacement of the stairs to provide a conforming riser height and tread depth, modifications to the stair handrails etc. A building permit was obtained by MJ Terveen Construction in April, but to date, Mr. Ikeh and Mr. Terveen have not agreed to the scope of the work that needs to be completed. The compliance bond for MJ Terveen Construction has since been accessed and the City is awaiting for a contractor to complete the abatement of the code violations in order to forward the \$20,000 bond payment to Mr. Ikeh. Mr. Terveen has submitted a new bond and continues to do work as MJ Terveen Construction. It was explained that Mr. Ikeh is requesting that the Board censure, suspend or revoke Mr. Terveen's license because the work that was completed has not been repaired and completed at Mr. Terveen's expense.

Mr. Ikeh specified that the concrete work completed by Terveen Concrete started with the basketball court at an elevation that did not take into consideration of the drainage necessary as it related to the patio that extended to the house. He noted that the concrete was poured against the house without the required 2 inch separation from the wood to the patio flat work. Other issues such as a crushed drain tile, removed downspouts resulting in water intrusion into the house; the reimbursement process for the water damage; the cut cable line etc. was presented by Mr. Ikeh. Mr. Ikeh said that Mr. Terveen was responded but the partial solution presented for the fixes from Mr. Terveen were not considered acceptable by Mr. Ikeh. Mr. Ikeh requested that the Board hold Mr. Terveen accountable and take responsibility replace the noncompliant concrete work.

Mr. Terveen specified that he wants to resolve the issues and has bids from a contractor to replace those issues that are out of compliance.

A motion was made by Mr. Kelley and a second was made by Mr. Smart to require an agreement to determine the scope of work to abate the code violations which is required to be completed and submitted to Building Services by April 1, 2017. The work to abate the code violations must be commenced by May 15th, 2017, and the work must be completed by June 15th, 2017.

Failure to meet any three of the above referenced deadlines will result in the revocation of the Residential Contractor's license held by MJ Terveen Construction.

Yeses, 5. Noes, 0.

Secretary