



The City Of

San Angelo, Texas

52 W. College Avenue
San Angelo, TX 76903

**Construction Board of Adjustments and Appeals
Regular Meeting Minutes
Thursday, July 06, 2017
McNease Convention Center
501 Rio Concho Dr., South Meeting Room – Room C**

(To listen to an audio recording of this meeting in its entirety, submit your request in writing to Alfonso Torres, Building Official)

I. CALL MEETING TO ORDER AND ROLL CALL.

The meeting was called to order at approximately 3:00 pm by Chairman Kevin Bond. The following board members were present: Kevin Bond, Bill Ford, Richard Hanby, David Jacobo, Rodney Mayberry, and Brooks Wehner. Lyndon Butler and Jerry Carrillo were absent from the meeting. Also attending the meeting were Building Official Alfonso Torres, Assistant City Attorney Brandon Dyson, Dangerous Buildings Inspector Joanna Jackson, Fire Marshal Ross Coleman, City Engineer Russel Pehl, Assistant City Engineer Lance Overstreet, and Administrative Assistant Yvonne Bartz. Audience members were Jamilee Tabor, Kristin Lasiter, Jeff Earnshaw, and Sandra Jones.

II. CONSIDERATION OF REVIEW & APPROVAL OF MINUTES FROM JUNE 6th, 2017 REGULAR MEETING.

Bill Ford made a motion to approve the meeting minutes. David Jacoby seconded the motion. The vote was 6 in favor and 0 against. The motion passed.

III. PUBLIC HEARINGS, CONSIDERATION AND POSSIBLE ACTION REGARDING DANGEROUS BUILDINGS FOR ORDERS TO SECURE, REPAIR, REMOVE OR DEMOLISH STRUCTURES AT THE FOLLOWING LOCATIONS. (Presentation by Joanna Jackson, Dangerous Building Inspector) The board members were given a compact disc with pictures of the properties to review prior to the meeting.

A. 112 W. 9th St. – 2 accessory structures – Adam aka Adan Castillo; Norma Castillo; Occupants; Elida Falcon. Joanna Jackson, Dangerous Buildings Inspector showed pictures and gave a presentation regarding **112 W. 9th St.** The initial notice was sent on 4/10/17. The building value is \$27,960 / \$8,500. Joanna informed the board that the owner wants to have both buildings demolished and would like the city to do so.

Joanna's recommendation is to "remove or demolish" within 60 days.

Brooks Wehner made a motion that based on information provided by staff, the accessory structures are found to be a public nuisance and based on that finding, moves to "remove or demolish" within 60 days. Richard Hanby seconded the motion. The vote was 6 in favor and 0 against. The motion passed.

B. 1014 E. 42nd St. – residential structure – Victor Samaniego, Sr.; Occupants; City of San Angelo (City Clerk); Rusty Dean (Attorney-at-Law). Joanna Jackson, Dangerous Buildings Inspector showed pictures and gave a presentation regarding **1014 E. 42nd St.** The initial notice was sent on 2/28/17. The building value is \$50,350 / \$6,040.

Joanna noted that Mr. Samaniego was told in April that he had to have water utilities connected. He said that it was connected, but verification with the Water Utilities Dept. show that it's not. Joanna stated that last night someone was out front working on a car, evidence that someone is still living at the residence. Kevin asked if the electricity was on and how long they've been without water. The electricity is on but there has been no water service since Feb 23rd.

Joanna's recommendation is to "clean out and secure or activate water utilities" within 60 days.

Richard Hanby made a motion that based on information provided by staff, the residential structure is found to be a public nuisance and based on that finding, moves to "clean out and secure or activate water utilities" within 60 days. David Jacobo seconded the motion. The vote was 6 in favor and 0 against. The motion passed.

C. 705 Jones St. – all accessory structures – Joe R. Ramirez; Victoria San Juan; Rusty Dean (Attorney-at-Law). Joanna Jackson, Dangerous Buildings Inspector showed pictures and gave a presentation regarding **705 Jones St.** The initial notice was sent on 4/10/17. The building value is \$12,840 / \$4,250.

Joanna stated that she's had no contact at all with the owners. This item was on the agenda last month but had to be pushed because of a wording issue on the agenda. She stated that she is not addressing the carport because it's attached to the house. The house itself seems to be secure so the only issues are the accessory structures. Kevin asked if anyone is living there and Joanna said it doesn't appear so. Brooks asked if any of the windows/doors were broken or unsecured on the home and Joanna answered no. She stated that the home is in good condition on the outside. Joanna showed a final slide with each of the seven accessory buildings in question in case the board wanted to address them individually.

Joanna's recommendation is to "Remove or Demolish" all seven accessory buildings within 60 days. Brooks Wehner made a motion that based on information provided by staff, the accessory structures are found to be a public nuisance and based on that finding, moves to "Remove or Demolish" all seven accessory buildings within 60 days. David Jacobo seconded the motion. The vote was 6 in favor and 0 against. The motion passed.

D. 803 N. Van Buren St. – residential structure – Ethele Barron; Occupants. Joanna Jackson, Dangerous Buildings Inspector showed pictures and gave a presentation regarding **803 N. Van Buren St.** The initial notice was sent on 4/10/17. The building value is \$49,800 / \$10,050.

Joanna stated that she had talked to the tenant of this structure, but that now there is a new tenant occupying it. She has worked this structure three times now and it has deteriorated further each time. Bill noted that he went by on Friday afternoon and it was full of occupants. He also noted that the front is deceptive in that it looks okay, but that the sides and back of the building are in bad condition. Joanna noted that she's never talked to the owner and doesn't even know if the owner knows who's staying in the building.

Richard asked if 805 is attached. Joanna answered that yes, this is a duplex and the order in question is only for 803. Kevin asked if water utilities were connected and Joanna said that neither side currently has water service. Joanna added that the 805 side already has a board order in place.

Joanna's recommendation is to "clean out and secure or activate water utilities" within 60 days. David Jacobo made a motion that based on information provided by staff, the residential structure is found to be a public nuisance and based on that finding, moves to "clean out and secure or activate water utilities" within 60 days. Bill Ford seconded the motion. The vote was 6 in favor and 0 against. The motion passed.

IV. UPDATE OF THE DANGEROUS BUILDING LIST STATUS. (Presentation by Joanna Jackson, Dangerous Building Inspector)

Joanna stated:

- 18 properties have been demolished.
- 53 properties were removed from the list.
- 4 properties have orders for demolition.
- 5 properties have orders to be cleaned out and secured.
- 48 properties working with the Fire Prevention Office.
- 5 commercial properties on the list.

V. REQUEST FOR APPEAL FROM BUILDING OFFICIAL DECISION (Presentation by Al Torres).

A. 3901 High Meadow Dr.

Al Torres showed pictures and gave a presentation regarding 3901 High Meadow Dr. He outlined the requirements for a curb cut and why the cases are brought to the Construction Board. The basic issue at this location is that the applicant is asking for two approaches on a lot for which only one approach would typically be allowed. Al explained that the denial is not because the intent is for a circular drive. Pavement and driveways on private residential property have no restrictions. The application is for the two approaches (street edge to the property line) and the applicant can then connect the two approaches in any way they deem fit. Al then explained that approaches are the purview of the Engineering Department, with permits being issued by the Permits and Inspections department. Assistant City Engineer Lance Overstreet then came forward to discuss the reasoning for the initial denial. In addition to the policy of one approach per about 50' of frontage, they also look at whether the request is the minimum that can be done to alleviate the situation. In this case, there is room for the applicant to add more driveway on their property (which would not require a permit) to allow them to turn their vehicles around and head out onto Southwest Dr. safely. He also noted that the driveway as submitted is too close to the street intersection. There was some discussion on whether multiple approaches should be allowed in general. There was also discussion about the safety

aspects of a driveway out onto Southwest. Traffic on Southwest is very heavy and approaches onto that street can be dangerous. Bill Ford noted that he turned into the driveway and then couldn't back out for some time because of the traffic. The applicant spoke and added that although the approach onto Southwest can be difficult, her reasons for the circular drive are simply to allow her children and their friends a place to park. She is also very concerned with placement of the drives and felt that the additional drive extensions on the Southwest side would devalue the property.

Richard Hanby made a motion to approve the two approaches on High Meadow Dr, but that the first approach be moved to at least 25' from the corner and that there be 15' between approaches at the property line. David Jacobo seconded the motion. The vote was 6 in favor and 0 against. The motion passed.

B. 5245 North Bentwood Dr.

Al Torres showed pictures and gave a presentation regarding 3901 High Meadow Dr. He outlined the requirements for a curb cut and why the cases are brought to the Construction Board. The basic issue at this location is that the applicant is asking for three approaches on a lot for which only two approaches would typically be allowed. Al stated that the same standards and arguments as in the previous case applied in this one as well, except that the existing drive doesn't feed onto a busy street. There was an option to tie one additional approach to the existing drive, but the applicant came forward and stated that this would mean bringing down a large existing tree. The applicant would prefer to keep the large trees in the yard and have carefully planned the drives around the trees. The applicant also stated that although they have a long existing driveway, it is not wide enough for two vehicles and therefore the actual parking area at the end is very limited and they need more room for their children to park. There was then discussion among the board members regarding circular drives in general and in this neighborhood in particular. Al added that the applicant submitted examples of other circular drives in the neighborhood and some of them had been constructed without a permit, some were on a private drive, and one was done but within the standards that are typically allowed.

Richard Hanby made a motion to approve the two new approaches on North Bentwood Dr. David Jacobo seconded the motion. The vote was 6 in favor and 0 against. The motion passed.

VI. PRESENTATION OF INTERNATIONAL RESIDENTIAL CODE – Adoption and possible recommendation to City Council (Presentation by Al Torres).

Al Torres gave a presentation regarding proposed amendments to 2015 International Residential Code. He handed out to each member a list of all the significant changes to the 2012 and 2015 International Residential Codes. He then went through the proposed changes and amendments based on meetings with builders and developers. He added that he will try to get the codes presented at the first city council meeting in August. After some discussion, Brooks moved to approve the recommendations presented. Rodney seconded the motion and it passed 6-0.


VII. PUBLIC COMMENTS (ON MATTERS OF INTEREST FOR FUTURE CONSIDERATION).

Jamie Lee Tabor came forward to make general comments. She questioned why it is so difficult for someone to place a circular drive on their home. She also talked about having a property owner that refuses to make repairs in the home she rents. She asked what she can do other than what her attorney has advised to make the property owner make repairs. Brandon stated that this is a civil dispute and that this board doesn't have the authority to take any action on unless it arises into a dangerous building condition in which case Joanna could then take a look at it. Ms. Tabor stated that she has talked to Joanna about the issue. She said then that her attorney advised her not to do anything but take photos and not to go through Joanna's process. Brandon suggested that she follow her attorney's instructions. Brandon also reminded everyone that this item is not on the agenda for discussion. This is for topics that could be brought forward as future agenda items.

VIII. CONSIDERATION FOR FUTURE AGENDA ITEMS AND ANNOUNCEMENTS.

IX. ADJOURNMENT.

David Jacobo made a motion to adjourn the meeting at 4:15_p.m. Richard Hanby seconded the motion. The vote was 6 in favor and 0 against.


Chairman Construction Board of Adjustments & Appeals