



The City Of

San Angelo, Texas

52 W. College Avenue
San Angelo, TX 76903

**Construction Board of Adjustments and Appeals
Regular Meeting Minutes
Thursday, March 01, 2018
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.

Meeting was called to order at approximately 3p.m. by Chairman Kevin Bond. Following board members were present: Kevin Bond, Lyndon Butler, Jerry Carrillo, David Jacobo, Rodney Mayberry, and Brooks Wehner. Bill Ford and Richard Hanby were absent from meeting. Also attending meeting were Building Official Alfonso Torres, Permits Clerk Debbie McCleery, Assistant City Attorney Brandon Dyson, Dangerous Buildings Inspector Joanna Jackson, Fire Marshal Ross Coleman (3:15p.m.), and Administrative Assistant Yvonne Bartz (3:15p.m.). Audience members were Barney Baumann, Cynthia Baumann, Jesse Dominguez, Juan Gutierrez, Debora Hensley, Tonya Hensley, Diana Hernandez, Josie Hernandez, Kally Jelensperger, Tina Kolster, David Moore, Geneva Muniz, Betty Orsak, and Gracie Salas.

II. CONSIDERATION OF REVIEW & APPROVAL OF MINUTES FROM FEBRUARY 1ST, 2017 REGULAR MEETING.

Jerry Carrillo made a motion to approve meeting minutes. Rodney Mayberry seconded motion. Vote was 6 in favor and 0 against. 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) Board members were given a compact disc with pictures of properties to review prior to meeting.

A. 20 E. 14th St. – accessory structure – Miguel Angel Rivero; Rusty Dean (Attorney-at-Law). Joanna Jackson, Dangerous Buildings Inspector showed pictures and gave a presentation regarding **20 E. 14th St.** Initial notice was sent on 04/10/2017. Building value is \$0/\$4,250.

Accessory structure is travel trailer. Taxes are behind 2 years. Not in livable form. Major amounts of trash inside and outside. Jerry Carrillo asked about issues with primary structure. Joanna Jackson stated no issues. Kevin Bond asked about tires. Joanna Jackson stated there were none. Brooks Wehner asked if there was a gate in fence. Joanna Jackson stated yes.

Joanna Jackson's recommendation is to Remove or Demolish Accessory Structure within 60 days. Brooks Wehner made a motion that based on information provided by staff, the accessory structure is found to be a public nuisance and based on that finding, moves to Remove or Demolish Accessory Structure within 60 days. Jerry Carrillo seconded motion. Vote was 6 in favor and 0 against. Motion passed.

B. 323/325 W. Avenue V – residential structure – Geneva Muniz; Jesus M. Dominguez; W. Hampton Beesley (Attorney-at-Law); Brandon S. Archer (Shannon Porter & Johnson); Rae Leifeste (Attorney-at-Law); Paul Millican (Attorney-at-Law); Patricia Z. Alba; Imelda Flowers; Angelina D. Sepeda. Joanna Jackson, Dangerous Buildings Inspector showed pictures and gave a presentation regarding **323/325 W. Avenue V**. Initial notice was sent on 09/19/2017. Building value is \$18,820/\$5,000.

Taxes current. 10/04/2017 – Owner (Geneva Muniz) stated will cover open windows. 02/20/2018 – Patricia Alba thought property still belonged to family. House is unsafe. Brooks Wehner asked if house currently inhabited. Joanna Jackson stated no. No utilities. House has been vandalized. Geneva Muniz spoke. Father gave property to Geneva Muniz. States no excuse for state of property. Possibly located in

commercial zone. Kevin Bond asked if Geneva Muniz could hire someone to clean out and secure property. Geneva Muniz stated yes.

Joanna Jackson's recommendation is to Clean Out and Secure Residential Structure within 60 days. Jerry Carrillo 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 Residential Structure within 60 days. Brooks Wehner seconded motion. Vote was 6 in favor and 0 against. Motion passed.

C. 506 N. Browning St. – accessory structure – Wally Hernandez; Yolanda Hernandez (deceased); Rusty Dean (Attorney-at-Law); City of San Angelo (City Clerk). Joanna Jackson, Dangerous Buildings Inspector showed pictures and gave a presentation regarding **506 N. Browning St.** Initial notice was sent on 12/12/2017. Building value is \$0/\$4,250.

Taxes behind 3 years. 02/20/2018 – Family trying to sell property. Sister refuses to leave. Probate issue. Eviction suit has been started. Brooks Wehner asked about former ruling on main house. Joanna Jackson stated it was Clean Out and Secure within 60 days. Extension cord from house to building only source of electricity. Josie Hernandez claims taxes are now current and thinks people are living in house and garage. Kevin Bond asked Josie Hernandez if she is capable of demolishing building. She stated no. David Jacobo stated that he knows Josie Hernandez and asked if he needs to recuse himself on this matter. Brandon Dyson explained conditions for recusal. David Jacobo did not meet any of conditions, so did not recuse himself. Josie Hernandez ok with demolishing building. Joanna Jackson stated that it was ok for Josie Hernandez to remove personal items from building during 60 day time frame. Kevin Bond asked about structural integrity and lean-to attached to garage. Joanna stated that lean-to was considered part of building. Juan Gutierrez having to put lock boxes on his water and electrical boxes to stop people on Hernandez property from stealing from Gutierrez. Josie Hernandez asked if she could secure property herself. Brandon Dyson told her to get advice from her own lawyer on that matter due to probate issue. Brooks Wehner concerned about resale value. Asked if Board could do Clean Out and Secure Order instead. Kevin Bond not sure about structure. Stated Board needed to also protect public. Joanna Jackson stated she could bring property back to Board if she found building to be in worse shape than expected during Clean Out Order.

Joanna Jackson's recommendation is to Remove or Demolish Accessory Structure within 60 days. David Jacobo made a motion that based on information provided by staff, the accessory structure is found to be a public nuisance and based on that finding, moves to Clean Out and Secure Accessory Structure within 60 days. Jerry Carrillo seconded motion. Vote was 6 in favor and 0 against. Motion passed.

D. 429 Montague Ave. – residential and accessory structures – M.A. Henry (deceased); Roy D. Henry; Lyman Brigham; Emma Brigham; Mary Z. Henry; Betty Orsak. Joanna Jackson, Dangerous Buildings Inspector showed pictures and gave a presentation regarding **429 Montague Ave.** Initial notice was sent on 08/22/2017. Building value is \$20,180/\$9,400.

Taxes are current. Roy Henry (08/2017) working on getting some to tear down structure. Hopes to have it down by 04/01/2018. All buildings have multiple structural defects – including cellar. Joanna Jackson will collapse walls and fill in cellar. Betty Orsak spoke. Working on removing personal items. Brother (Roy Henry) sold property. Brandon Dyson told her to contact her own attorney on that matter. Joanna Jackson stated that if property has been sold, then Board order will attach to property.

Joanna Jackson's recommendation is to Remove or Demolish all 5 structures on property within 60 days. Jerry Carrillo made a motion that based on information provided by staff, the residential and accessory structures are found to be a public nuisance and based on that finding, moves to Remove or Demolish all 5 structures on property within 60 days. Lyndon Butler seconded motion. Vote was 6 in favor and 0 against. Motion passed.

E. 1715 N. Pope St. – residential and accessory structures – Erik Adrian Martinez; Rusty Dean (Attorney-at-Law). Joanna Jackson, Dangerous Buildings Inspector showed pictures and gave a presentation regarding **1715 N. Pope St.** Initial notice was sent on 07/25/2017. Building value is \$19,660/\$4,680.

Taxes are current. No contact with owner. Multiple structural problems. No utilities. Brooks Wehner asked if Clean Out and Secure Order also involved yard. Joanna Jackson stated yes. Gracie Salas spoke. Has power-of-attorney for sister (owner) in prison. Occupant refuses to move out – has had problems with

Police. Gracie Salas requesting help with eviction. David Moore spoke. Handed copy of police reports and photos to David Jacobo (see attachment). David Moore had City disconnect this property's water from his meter. Debora Hensley lives catty-corner to this property. Property always has trash on it. Gracie Salas lives in structure over cellar on property. Tenants only visible at night. Constant noise and music. Tonya Hensley (1417 E. 17th St.) spoke. Constant noise. More tarps added to accessory structure. Tenant hides when Police show up. Barriers now around cellar.

Joanna Jackson's recommendation is to Vacate, Clean Out and Secure Residential and Accessory Structures within 60 days. Rodney Mayberry made a motion that based on information provided by staff, the residential and accessory structures are found to be a public nuisance and based on that finding, moves to Vacate, Clean Out and Secure Residential and Accessory Structures within 60 days. Jerry Carrillo seconded motion. Vote was 6 in favor and 0 against. Motion passed.

F. 2325 Waco St. – residential and accessory structures – Mary E. Hopkins; Meshia Arebalo; City of San Angelo (City Clerk); Rusty Dean (Attorney-at-Law). Joanna Jackson, Dangerous Buildings Inspector showed pictures and gave a presentation regarding **2325 Waco St.**

No action necessary. Owner has complied. Broken window and shed secured.

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

Joanna stated:

- 2 properties have been demolished.
- 27 properties were removed from list.
- 12 properties have orders for demolition.
- 11 properties have orders to be cleaned out and secured.
- 52 properties working with Fire Prevention Office.
- 13 commercial properties on list.

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

-- Joanna Jackson stated that she will be in a school during last two weeks of March, so there will be no Board meeting in April.

-- Joanna Jackson stated that week of March 12, 2018, crews are going to go thru and do all demos at that time.

-- Kally Jelensperger (2465 Vista Del Arroyo) spoke. Extremely upset about City not cleaning out property at 2668 Vista Del Arroyo. Property shown to Board in October 2017. Owner not cleaning out property. Kevin Bond asked about Clean Out and Secure Order. Joanna Jackson stated she is trying to get a crew to work on property, but City needs to hire a few more people first. As soon as enough people are hired, should be able to do this clean out. This property is first on list to be done.

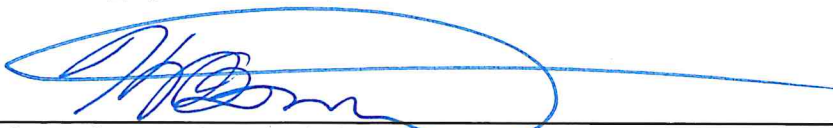
VI. CONSIDERATION FOR FUTURE AGENDA ITEMS AND ANNOUNCEMENTS.

-- Al Torres stated he forgot to put elections on this month's agenda, so officer elections for Board will be held in May.

-- Al Torres thanked Jerry Carrillo for his service on Board of Construction. Jerry Carrillo's term ended in February.

VII. ADJOURNMENT.

Brooks Wehner made a motion to adjourn meeting at 3:58p.m. David Jacobo seconded motion. Vote was 6 in favor and 0 against. Motion passed.



Chairman Construction Board of Adjustments & Appeals