



The City Of

San Angelo, Texas

52 W. College Avenue
San Angelo, TX 76903

**Construction Board of Adjustments and Appeals
Regular Meeting Minutes
Thursday, December 06, 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 Charlie Kemp, Building Official)

I. CALL MEETING TO ORDER AND ROLL CALL.

Meeting was called to order at approximately 3:02 p.m. by Vice-Chairman Brooks Wehner. Following board members were present: Lyndon Butler, Roger Julien, Bill Ford, Richard Hanby, David Jacobo, and Brooks Wehner. Kevin Bond and Rodney Mayberry were absent from meeting. Also attending meeting were Building Official Charlie Kemp, Permits Clerk Debbie McCleery, Assistant City Attorney Brandon Dyson, Dangerous Buildings Inspector Samantha Schwartz, and Administrative Assistant Yvonne Bartz. Audience members were Alma Hernandez, George Moore, Nance Moore, Jesus Soliz, and Gena Mae Ybarra.

II. CONSIDERATION OF REVIEW & APPROVAL OF MINUTES FROM NOVEMBER 8TH, 2018 REGULAR MEETING.

Richard Hanby made a motion to approve meeting minutes. David Jacobo 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 Samantha Schwartz, Dangerous Building Inspector)
Board members were given a compact disc with pictures of properties to review prior to meeting.

A. 2505 Ben Ficklin Rd. – residential and accessory structures – Viola H. Ybarra (deceased); Occupants; Rusty Dean (Attorney-at-Law); Mercedes Gomez c/o Alma Hernandez. Samantha Schwartz, Dangerous Buildings Inspector showed pictures and gave a presentation regarding **2505 Ben Ficklin Rd.** Initial notice was sent on 10/26/2018. Building value is \$13,590/\$7,500.

Owner deceased. Some wood rot on front, open electrical through-out, garbage in yard. Several different agencies went with Samantha Schwartz to residence. Broken windows, unsanitary structure, open with no floor. Accessory Building #2 open, windows broken, used as storage. Large fire load in yard. Accessory Building #3 open, used as storage, at back of property. Trash being burned in backyard. Transients in house. No water service. Richard Hanby asked number of accessory structures. Samantha Schwartz replied 1 attached, 2 detached. Electric is active. Lyndon Butler asked if attached accessory building is part of house. Gena Mae Ybarra spoke. Lives in San Antonio. Claims she didn't know house was in this shape. Working on clean-up. Wants to save house. David Jacobo asked if 60 days enough time to get house cleaned out. Charlie Kemp stated looks like structure on back can be easily removed without damaging residence. Brooks Wehner asked questions to Brandon Dyson about how to word motion. Gena Mae Ybarra willing to do what necessary to save house.

Samantha Schwartz's recommendation is to Vacate, Clean Out and Secure Residential Structure and Backyard and Remove or Demolish all Three Accessory Structures within 60 days. Richard Hanby 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 Structure and Attached Accessory Structure and Remove or Demolish Two Detached Accessory Structures within 60 days. Bill Ford seconded motion. Vote was 6 in favor and 0 against. Motion passed.

B. 705 Jones St. – residential and accessory structures – Victoria San Juan; Joe R. Ramirez (deceased); City of San Angelo (City Clerk); Rusty Dean (Attorney-at-Law). Samantha Schwartz, Dangerous Buildings Inspector showed pictures and gave a presentation regarding **705 Jones St.** Initial

notice was sent on 10/24/2018. Building value is \$9,530/\$4,250.

Front dilapidated, porch roof sinking, different front door, front steps collapsing, front porch propped up, broken windows, open electrical and exposed wiring, transients living in house, wiring stripped, under house accessible, rear dilapidated, cardboard over windows, foundation deteriorating. Two accessory structures open and accessible, deteriorating. No electricity or water to house. Richard Hanby asked about foundation issues – pictures presented are deceiving. Mostly structure is sound. Brooks Wehner asked about front porch. Bill Ford talked to two neighbors – son doesn't care about property. Multiple Board comments to each other.

Samantha Schwartz's recommendation is to Vacate, Clean Out and Secure Residential Structure and Remove or Demolish two Accessory Structures within 60 days. Lyndon Butler 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 Structure and Remove or Demolish two Accessory Structures and Front Porch within 60 days. Roger Julien seconded motion. Vote was 6 in favor and 0 against. Motion passed.

C. 1738 Magnolia St. – residential structure – Jesus Soliz; City of San Angelo (City Clerk). Samantha Schwartz, Dangerous Buildings Inspector showed pictures and gave a presentation regarding **1738 Magnolia St.** Initial notice was sent on 10/26/2018. Building value is \$9,350/\$4,130.

Wood is falling down, deteriorating, wide open, door unsecured, no interior walls – studs only, open to elements. Richard Hanby asked about permits. No electricity to house. Brooks Wehner asked to go back to interior picture. Samantha Schwartz stated there was some floor splitting. Bill Ford thinks stone walls are load bearing. Walls are collapsing. Jesus Soliz spoke. Started work on remodeling. Pulled permit for demo. Was sick in hospital for 1 month, 2 months recovery afterwards. Bill Ford questioned Jesus Soliz about intent. Samantha ok if structure is secured while being repaired/remodeled.

Samantha Schwartz's recommendation is to Remove or Demolish Residential Structure 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 Residential Structure within 60 days. Roger Julien seconded motion. Vote was 6 in favor and 0 against. Motion passed.

D. 118 Medina St. – residential structure – Maria Florencia Rodriguez; Rusty Dean (Attorney-at-Law); City of San Angelo (City Clerk). Samantha Schwartz, Dangerous Buildings Inspector showed pictures and gave a presentation regarding **118 Medina St.** Initial notice was sent on 10/01/2018. Building value is \$7,590/\$2,500.

Steps dilapidated – huge danger, open and accessible under residence, siding open and falling off, rear is boarded up, extension cords and wire running everywhere, shingles missing, siding deteriorated. March 2017, Board ordered Clean Out and Secure Order. No water service. Electricity active. Richard Hanby asked if Clean Out and Secure Order was issued, why bring back to Board now. Clean Out and Secure was not done. First time back to Board. George Moore spoke. No one stays at house, vehicles have been moved. Parents in process of repairing house. Requesting help from city with repairs. David Jacobo asked George Moore if he could get porch repaired in 60 days. George Moore stated yes.

Samantha Schwartz's recommendation is to Vacate, Clean Out and Secure Residential Structure 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 Vacate, Clean Out and Secure Residential Structure within 60 days. Lyndon Butler seconded motion. Vote was 6 in favor and 0 against. Motion passed.

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

Samantha Schwartz stated:

- 12 Complaints
- 12 Working with Owners
- 3 Re-secured Buildings
- 16 Waiting on response from first letter of violation
- 15 Closed

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

None.

VI. CONSIDERATION FOR FUTURE AGENDA ITEMS AND ANNOUNCEMENTS.

Brandon Dyson spoke. 803 & 805 N. Van Buren. Each property had a Clean Out and Secure Order. Lawsuit to evict persons. Court order granted default to evict.

VII. ADJOURNMENT.

Roger Julien made a motion to adjourn meeting at 3:56p.m. Richard Hanby seconded motion. Vote was 6 in favor and 0 against. Motion passed.



Chairman Construction Board of Adjustments & Appeals