



The City Of

San Angelo, Texas

52 W. College Avenue
San Angelo, TX 76903

**Construction Board of Adjustments and Appeals
Regular Meeting Minutes
Thursday, April 04, 2019
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 3:05p.m. by Chairman Rodney Mayberry. Following board members were present: Lyndon Butler, Roger Julien, Bill Ford, David Jacobo, John Rodgers, and Brooks Wehner. Richard Hanby 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, Fire Inspector Ross Coleman and Administrative Assistant Yvonne Bartz. Audience members were Rosanna Martinez, Leandra Nowlin, and Nelda Nowlin.

II. CONSIDERATION OF REVIEW & APPROVAL OF MINUTES FROM MARCH 7TH, 2019 REGULAR MEETING.

David Jacobo made a motion to approve meeting minutes. Roger Julien 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)

A. 235 E. 4th St. – residential and accessory structures – Fred Setser (Deceased); Ruth Setser (Deceased); Bobbie Evans. Samantha Schwartz, Dangerous Buildings Inspector showed pictures and gave a presentation regarding **235 E. 4th St.** Initial notice was sent on 02/15/2019. Building value is \$16,700/\$5,250.

Wood paneling coming off sides. Ross Coleman stated house has been added on – lean-to style. Samantha Schwartz stated interior walls splitting away. Buckling of siding. Attached carport is rotting and collapsing. Back wall is open and accessible with wood rot and caving. Accessory buildings have heavy fire load. #1: ceiling is collapsing. Brooks Wehner asked if active electrical in picture. Ross Coleman stated weather head is disabled. Running water is from old well. Samantha Schwartz stated all utilities disabled. #2: collapsing/paneling coming off/open and accessible. Ross Coleman stated accessory buildings were being inhabited at one point. Transients and animals going in and out. Samantha Schwartz stated family (Owner's sisters and kids) was overwhelmed by hoarding and ready for structures to be demolished. Rosanna Martinez (neighbor) constantly cleaning up after transients. Wants property demolished. Would like to buy property when it comes available.

Samantha Schwartz's recommendation is to Remove or Demolish Residence and both 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 Remove or Demolish Residence and both Accessory Structures within 60 days. Bill Ford seconded motion. Vote was 6 in favor and 0 against. Motion passed.

B. 2000 Marx St. – residential structure – Sally Caudill; City of San Angelo (City Clerk); Rusty Dean (Attorney-at-Law). Samantha Schwartz, Dangerous Buildings Inspector showed pictures and gave a presentation regarding **2000 Marx St.** Initial notice was sent on 12/11/2018. Building value is \$30,700/\$20,160.

Taxes are behind. Fire damaged house. Multiple fire-damage pictures shown. Transients living in house creating fire load. Ross Coleman claims structural members are burned thru. Brooks Wehner asked when fire happened. Ross Coleman stated fire was approximately 1 year ago. Lots of water damage. No integrity left. Roger Julien asked about value of house. Value is per TGCAD. No public comments.

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

C. 1008 Shiloh – residential structure – Leandra Nowlin; Bob A. Nowlin (Deceased); City of San Angelo (City Clerk). Samantha Schwartz, Dangerous Buildings Inspector showed pictures and gave a presentation regarding **1008 Shiloh**. Initial notice was sent on 01/17/2019. Building value is \$13,400/\$9,800.

Taxes are current. House open and accessible. Windows broken out. Ceiling collapsing due to water damage. Transients in house. Holes in floor. Open and accessible for transients and varmints. Brooks Wehner asked about water damage creating further damage if house secured. Ross Coleman stated it is possible since don't know exactly where leak located. David Jacobo stated he drove by structure and saw multiple transients going thru back. Samantha Schwartz stated no utilities. Leandra Nowlin and Nelda Nowlin (owners) spoke. Leandra Nowlin wants to rehabilitate house. Nelda Nowlin had house secured, then transients broke in. Has a plan of action. Thinks house is structurally sound. Electrical is up to code. Yard has been cleaned and mowed. Has secured house.

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

IV. CONSIDERATION AND POSSIBLE ACTION TO ASSESS CIVIL PENALTIES FOR VIOLATIONS AT 2668 VISTA DEL ARROYO IN ACCORDANCE WITH CHAPTER 214 OF TEXAS LOCAL GOVERNMENT CODE AND CITY CODE OF ORDINANCES.

Since March when Clean Out and Secure order issued, there was a legal contract with a legal dispute. All clean out has halted by company shortly after last meeting. Mrs. Socha supposed to call Samantha Schwartz when clean out is finished by her. Cleaners never made it to 2nd floor. Police have issued a report of some kind related to property. Samantha Schwartz requesting civil penalties be assessed. Brandon Dyson explained civil penalties. Ross Coleman reminded Board of multiple times house has been before Board. Brooks Wehner asked questions about Police report and whether it affected what the Board could do. Ross Coleman stated Police report issue unrelated to building. Brooks Wehner asked questions about procedure. Board nervous about issuing penalties. Brandon Dyson stated Board issues order for penalties and Legal enforces Order. Board needs to consider amount. Board asked multiple questions to Brandon Dyson. Ross Coleman stated that this was a Public Safety issue. Brandon Dyson stated that Board could revisit order at next meeting to increase amount of penalties if need be. Explained more about process involved. Findings: owner has been notified of violations.

Bill Ford made a motion of amount of \$200 per day penalties starting on effective date of signing of order. Roger Julien seconded motion. Vote was 6 in favor and 0 against. Motion passed.

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

Samantha Schwartz stated:

- 1 Secure, Clean Out and Vacate with Demolition of Back Porch
- 34 Complaints
- 5 Working with Owners
- 20 Waiting on response from first letter of violation
- 9 Closed

VI. DISCUSS PROPOSED FEE INCREASES.

Charlie Kemp spoke. Fees have not increased in last 4 years. Trying to do small increases over several years. Example: Electric, Mechanical permits will have \$6 Base Fee increase and \$0.01 increase per foot for residential properties. Commercial properties revamp. Changing from value to footage. Bill in legislature to be heard in 2020. Lyndon Butler asked when these changes will be taken before City Council. Charlie Kemp replied May 7, 2019 meeting. Again stated fees have not increase in last 4 years. Bill Ford stated permit fees are pass-thru fees. Charlie Kemp encouraged Contractors (especially Commercial) to take advantage of Consultation meetings so that all departments can advise contractor of possible costs that will be associated with permit. John Rodgers stated need for various permit fees based on size of project vs cost of project instead of same permit fee regardless. Charlie Kemp offered Board option to contact her in future for more information on permit fees.

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

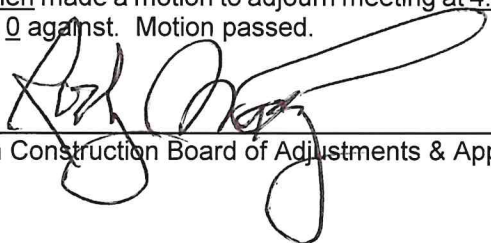
None.

VIII. CONSIDERATION FOR FUTURE AGENDA ITEMS AND ANNOUNCEMENTS.

None.

IX. ADJOURNMENT.

Roger Julien made a motion to adjourn meeting at 4:22p.m. David Jacobo seconded motion. Vote was 6 in favor and 0 against. Motion passed.



Chairman Construction Board of Adjustments & Appeals