



The City Of

San Angelo, Texas

52 W. College Avenue
San Angelo, TX 76903

**Construction Board of Adjustments and Appeals
Regular Meeting Minutes
Thursday, May 06, 2021
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 3:03 p.m. by Chairman Brooks Wehner. Following board members were present: Lyndon Butler, David Jacobo, Roger Julien, John Rodgers, and Brooks Wehner. Scott Allison was absent from meeting. Also attending meeting were Building Official Charlie Kemp, Permits Clerk Debbie McCleery, Assistant City Attorney Brandon Dyson, and Dangerous Buildings Inspectors Ross Coleman and Samantha Schwartz.

II. CONSIDERATION OF REVIEW & APPROVAL OF MINUTES FROM MARCH 4TH, 2021 REGULAR MEETING.

Lyndon Butler made a motion to approve meeting minutes. David Jacobo seconded motion. Vote was 5 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 and Ross Coleman, Dangerous Building Inspectors)

A. 603 N. Archer St. – residential structure – James Edward Clark; Dorothy Clark (Deceased). Samantha Schwartz, Dangerous Buildings Inspector, showed pictures and gave a presentation regarding **603 N. Archer St.** Initial notice was sent on 03/08/2021. Building value is \$41,620.

Taxes are current. Samantha Schwartz gave short history of property. Electric fire smoldering in box caused part of house to burn. Multiple vagrants. Wants a Clean-out/Vacate/Secure order so can board residence. Brooks Wehner asked about debris on side of property against fence. Carport area has been cleaned out multiple times with trash stacked against side fence. No public comments.

Samantha Schwartz's recommendation is to Clean Out/Vacate/Secure Residence 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/Vacate/Secure Residence within 60 days. David Jacobo seconded motion. Vote was 5 in favor and 0 against. Motion passed.

B. 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 03/08/2021. Building value is \$16,230.

Taxes are current. Property has been brought before Construction Board before. Façade is cracked and falling off. Generally dilapidated. Rotting from ground up. Structure is buckling and falling down. Roger Julien asked about inside. Empty and has been demolished. Holes in floor and ceiling. Brooks Wehner stated masonry does not appear to have backing. Correct. No public comment.

Samantha Schwartz's recommendation is to Remove/Demolish Residence 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/Demolish Residence within 60 days. Lyndon Butler seconded motion. Vote was 5 in favor and 0 against. Motion passed.

C. 118 Medina St. – residential structure & travel trailer – 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 01/22/2021. Building value is \$12,120.

Taxes behind \$6,097.55. Stairway has been removed. Vagrants in/out. Not secure. Wood rotting throughout house. Trailer has someone living inside. House foundation collapsing – not level. Property has attention of City Council & Fire Department (safety hazard). Armando Rodriguez (son of owner) spoke. Currently trying to find contractor. He and parents have all been in hospital. He can move trailer. No one living in house. Wants to fix house. Brooks Wehner asked Armando Rodriguez if he really wanted to sink money into house. John Rodgers asked type of loan and time since taxes were paid. Mom paid \$300 towards taxes approximately 2 months ago, otherwise no taxes paid since 2006. David Jacobo stated concerns for Fire Department safety. Asked if Armando Rodriguez can realistically get repairs done in 60 days. Brooks Wehner expressed concern about interior fire load – tires being stored. Trailer belongs to Mom. Samantha Schwartz has spoken to Armando Rodriguez about Remove & Demolish within 60 days order. She is willing to work with him. Lyndon Butler asked if tabling property is an option. Fire Department wants residence demolished. Samantha Schwartz stated there had been no contact until she sent out letters. No other public comments. Multiple Board comments.

Samantha Schwartz's recommendation is to Remove or Demolish Residence within 60 days. John Rodgers 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 Residence within 60 days. Roger Julien seconded motion. Vote was 5 in favor and 0 against. Motion passed.

Samantha Schwartz's recommendation is to Remove Travel Trailer from Property within 60 days. Lyndon Butler made a motion that based on information provided by staff, the travel trailer is found to be a public nuisance and based on that finding, moves to Remove Travel Trailer from Property within 60 days. David Jacobo seconded motion. Vote was 5 in favor and 0 against. Motion passed.

IV. 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 and Ross Coleman, Dangerous Building Inspectors)

A. 402 W. Beauregard Ave. – commercial structure – SAP Hospitality; Kamlesh Patel; Capital One National Association (Specialty Finance Lending Group); FGMS Holdings, LLC; First Citizens Bank & Trust Company; Ovation Services, LLC; Safe Texas Instruments, LTD; State National Bank of West Texas; Tom Green County Appraisal District (c/o Linebarger). Ross Coleman, Dangerous Buildings Inspector, showed pictures and gave a presentation regarding **402 W. Beauregard Ave.** Initial notice was sent on 2016. Building value is \$205,720.

Known as Knights Inn. Unsprinkled outside corridor is 114' with dead end. Owner states property is owned by bank. Ross Coleman stated no. Title search shows property still in owner's name. Stairways must be placed at end of dead end corridor. John Rodgers asked what changed to trigger this requirement. Ross Coleman stated this has been in Fire Code since at least 2000. John Rodgers asked why it was not built to code. Yearly inspection found violation triggered by Fire Code. Unknown if rooms along corridor are being rented. Ross Coleman read section from Fire Code on Egress. Stated same situation occurred in San Marcos, TX, with 5 deaths. Brooks Wehner asked Ross Coleman what exactly is being asked of Board. Ross Coleman replied vacate rooms until stairs are installed within 60 days. Brooks Wehner asked how to verify rooms are vacant. Brandon Dyson explained requested order for Board to approve. Board members asked if example on their desks are appropriate. Multiple comments and questions to Brandon Dyson about wording and clarifications on request. Kamesh Patel stated stairs are being installed as he was speaking to Board. Charlie Kemp stated it is required that plans must be submitted and a permit issued before stairs can be installed. John Rodgers agrees situation is dangerous. Asked what triggered this problem and how to enforce requirements. Ross Coleman stated mostly on an inspection basis. Several apartment complexes in town are currently in process of correcting same situation. Ross Coleman explained current process and stated they try for voluntary compliance. Have not received voluntary compliance in this situation, so that is reason he brought request to Board. Roger Julien made a motion to table this property. No second received. Brooks Wehner thinks only 7 rooms must be vacant while stairs are being installed within 60 days. Brandon Dyson explained Board orders again. John Rodgers asked Roger Julien why he wanted to table this property. Roger Julien stated he didn't see a reason or understand why it was before Board. John

Rodgers asked about permit process and ADA standards. Charlie Kemp explained process. No plans have yet to be submitted. Multiple Board comments. John Rodgers stated he trusts Ross Coleman, but still questioned trigger for this decision. John Rodgers stated it is harder to get older buildings into compliance.

Ross Coleman's recommendation is to Vacate second floor rooms (#201-#207) serviced by corridor and install a stairwell at end of dead end corridor with a permit within 60 days. David Jacobo made a motion that based on information provided by staff, the commercial structure is found to be a public nuisance and based on that finding, moves to Vacate second floor rooms (#201-#207) serviced by corridor and install a stairwell at end of dead end corridor with a permit within 60 days. Roger Julien seconded motion. Vote was 5 in favor and 0 against. Motion passed.

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

Ross Coleman stated:

12 Board Ordered Demolitions
21 Clean Out and Secure Orders
74 Removed from List
56 Active Properties
22 Working with owners/other agencies
6 Closed

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


None.

VII. CONSIDERATION FOR FUTURE AGENDA ITEMS AND ANNOUNCEMENTS.

None.

VIII. ADJOURNMENT.

Lyndon Butler made a motion to adjourn meeting at 4:06 p.m. Roger Julien seconded motion. Vote was 5 in favor and 0 against. Motion passed.



Chairman Construction Board of Adjustments & Appeals

Lyndon Butler