

MINUTES

HEARINGS BOARD

January 19, 2016

CALL TO ORDER

Chairman White called the meeting to order at 5:30PM.

ROLL CALL

PRESENT BOARD MEMBERS: Cotton, Dobbs, Odell, Pinkerton, Roach, Weast, White

PRESENT ALTERNATES: none

PRESENT COUNCIL LIAISON: Watkins

ABSENT BOARD MEMBERS: none

ABSENT ALTERNATES: Hemphill

ADMINISTRATIVE STAFF PRESENT:

Glenna Batchelor, Building Official

Darla Sulecki, Code Enforcement Officer

APPROVAL OF MINUTES

Mr. Weast, seconded by Mr. Dobbs, made the motion to approve the minutes of the Hearings Board meeting held on October 20, 2015 as presented. Motion pass 7-0.

ABSENCE

None

Chairman White briefly went over the meeting format. Participants were sworn in.

PUBLIC HEARING

HB001-2016. Conduct a public hearing regarding whether the structure or structures located at or near 3020 Fincher, are in violation of the minimum standards for the continued use and occupancy of buildings adopted by the City of Haltom City pursuant to Section 214.001 of the Texas Local Government Code. At the conclusion of the public hearing, the Hearings Board may issue any order authorized by Chapter 214 of the Texas Local Government Code, including, but not limited to, securing the buildings from entry or the repair, vacation, removal or demolition of the buildings.

LOCATION

3020 Fincher, Lot 2, Block 3, Meadow Oaks Addition. The site is located on the east side of Fincher, north of Walthall and south of Fossil.

EXISTING ZONING/LAND USE

“SF-2” – One Family Residential District

TAD INFORMATION

Certified value for tax year 2015 – land \$20,000 – improvements \$89,700
Year Built – 1947
Building size – 2,528sf
Land in acres – 0.9519
Land in sq ft – 41,469
Deed Date – 08-30-2014

NOTIFICATIONS

Property was posted with “Notice of Hearing” on January 5, 2016.

Property owner received “Notice of Hearing” on January 5, 2016 at City Hall in Inspections office.

The legal notice regarding the public hearing was published in the January 9, 2016 and January 16, 2016 Fort Worth Star Telegram.

COMMENTS

This property has a two-story frame and concrete block house and wooden accessory building.

01-30-2014 AM; faulty weather protection, broken windows

02-05-2014 spoke to Joe Delgado; informed him he would need to obtain a permit in order to install new windows and to come in and talk to us before he does any work he said when it warms up he will be in to apply for a windows permit

08-15-2014 walked the house with owner went over what needed to be done let him know he needed a full scope of work with the trades to come in and place everything they are going to do

09-18-2014 Owner came in and said he is working on getting bids for the work and wanted an extension of another week to get everything in

10-24-2014 no progress

11-25-2014 new owners Bankers; construction debris inside, reposted for substandard. fence needs replaced, rotted wood exterior, no paint and brush piles . Pool in back needs removed. Cats and kitten inside, broken windows. Beer bottles inside with food containers, construction materials like sheetrock and insulation inside.

12-01-2014 Bankers called and the house was sold back in August. He will provide that info for contact.

12-18-2014 plumbing permit issued PM14-111654 but not building permit yet that I can find.

08-14-2015 neighbor says Hispanic male is using the house; no water service; go to back yard, sometimes burn in barrels, parties on weekends; suspicious activity all day and night; people coming and going with trucks and trailers; behind gates looks like “landfill”; there are horses

(Shetlands or miniatures) in the back yard and nobody lives here; report to ACO; sent e-mail to PD dsulecki

09-02-2015 reposted house for substandard, no water account, JTD and piles of asphalt and roofing in backyard. Back doors of south building open. Evidence of dumping, tools in backyard. Two mini horses and chickens. Sent email pics to Josh Howard with ACO advising no water at house and nobody living there, not big enough for 2 head of livestock. Sign posted for faulty weather protection, no water, JTD and rotted wood. Left red tag for windows installed without permits. Permit Tech found only a plumbing permit app. Received phone complaints of all night parties. dsulecki

deed dated August 30, 2014 is for Crescencio Lujan Llanas and Irma Lucia Granados-Ruacho giving 3020 Fincher as address. Irma has another address at 716 Karnes Street, Fort Worth, Texas, 76111 with 12 other people living there. Mailed letter to Irma at Fort Worth address. copied to files dsulecki

11-02-2015 AM; went by with Building Official to property to go over; the property owners have had no contact with City in regards to bringing property into compliance send "final notice" letter before citations will be issued

11-02-2015 PM; Chris Rozanc sent letter to owner on record

11-16-2015 letter returned "return to sender - not deliverable as addressed - unable to forward"

water off since 11-21-2013

12-03-2015 1:40PM; Crescencio Lujan Llanas came in to office; Beverly/Court translated; advised that substandard letter was returned that was sent to 716 Karnes Street, Fort Worth, Texas, 76111; Mr. Llanas gave a different address of 5033 Melissa, Haltom City, Texas, 76117, cell 817/406-6733; made copy of substandard letter dated November 2, 2015, gave him one copy and had him sign dated copy for our files; advised that building permit with full scope of work to include electrical, mechanical, plumbing must be submitted or else case will be scheduled for Hearings Board in January; Mr. Llanas said he would be in on Monday with documentation

12-04-2015 10:15AM; Laci Electrical Design faxed over electrical permit for service 200-1000 AMP and I spoke with Jesse and let him know that no permits can be issued to this property until property owner submits a building permit and I also had Hernan Hernandez Electrical and Plumbing submit a permit for a gas line test and email Hernan that he needs to submit a bid/quote on company letterhead to Crescencio Lujan Llanas so he include along with building permit.

12-07-2015 9:45AM; Crescencio Lujan Llanas came in to office with female translator; submitted application for building permit with bids/estimates from electrical, mechanical and plumbing; advised that this property will be scheduled for Hearings Board meeting on Tuesday, January 19th at 5:30PM; advised to submit proof of financial responsibility on Friday or Monday before meeting so it is the most current documentation available; will also need detailed timeline for work to be completed within thirty (30), sixty (60) or ninety (90) days

12-08-2015 3:15PM; posted stop work order and reposted substandard sign; pictures for file

12-11-2015 Crescencio Lujan Llanas came in to office; Beverly/Court translated; advised of building scope of work needing windows, masonry on exterior and detailed timeline for work to submit to Hearings Board; Mr. Llanas told Beverly he is still getting information together, but may decide to demolish and build new; will come back in on Monday to discuss; advised that trucks and trailers cannot be at property since this is a vacant house and posted substandard

12-14-2015 8:15AM; Crescencio Lujan Llanas came in to office; Beverly/Court translated; brought in list of items to be completed for building permit with ninety (90) day timeline; advised that prices must be on scope of work; also told him that masonry must be on exterior of house; if going to park in back yard, must have proper maneuvering surface (concrete or asphalt) through drive gate into back yard; will get numbers together and come back

12-14-2015 9:00AM; Mr. Llanas came back into office; Beverly/Court translated; decided to pursue demolition; gave copy of demolition procedures and advised that it must be a vacant mowable lot; advised to contact utility companies for disconnects and complete sewer line cap to be able to schedule predemolition inspection; he will try to get everything done so he can get demolition permit on Monday, January 4, 2016

01-05-2016 AM; no further contact from Mr. Llanas; mailed Notice of Hearing via certified and regular mail to Crescencio Lujan Llanas and Irma Lucia Granados-Ruacho, 5033 Melissa, Haltom City, Texas, 76117 for Hearings Board meeting scheduled on Tuesday, January 19, 2016

01-05-2016 2:35PM; Mr. Llanas caught me at 3270 Fincher while posting Notice of Hearing on that property; went together to 3020 Fincher; posted Notice of Hearing and reposted substandard notice on inside of window; pictures for file; went over utility disconnects for predemolition inspection; water meter already gone; gas meter at north side of house will require gas meter removal as well as total kill to street; cleanout at north side yard will need to be dug around and line cut; electric meters need removed and service line disconnected; Mr. Llanas followed me to City Hall and Beverly/Court translated to make sure he understood that he will need to appear at meeting on the 19th with a translator

01-05-2016 4:39PM; e-mail to Christine Lopez/FWST to run ad on Saturday, January 9th and January 16th

01-06-2016 9:36AM; e-mail from Christine Lopez/FWST advising ad cost is \$105.80

Taxes owed as of 01-13-2016 are \$0.00

Code violations have been: Nineteen (19) from 1995 to 2007 to 2014

GRASS – 01-23-1995 – high grass at side yard
GRASS – 09-14-2007 – high grass at front and back yards
GRASS – 06-10-2008 – high grass at front and back yards
GRASS – 09-08-2008 – high grass at back yard
GRASS – 08-31-2010 – high grass
GRASS – 04-28-2011 – high grass and weeds in back lot
GRASS – 06-18-2014 – high grass and weeds
JTD – 09-17-1996 – junk trash debris at big back field
JTD – 09-14-2007 – brush pile and broken window
JTD – 08-31-2010 – brush pile at curb

JTD – 01-31-2014 – old pool, trash, fence pickets and brush
JV – 09-14-2007 – RV parked on driveway
JV – 08-31-2010 – Ford Mustang on driveway
MISC – 06-10-2008 – stagnant pool water
MISC – 04-28-2011 – gazebo in disrepair and pool collecting water
PARKING – 09-14-2007 – parking on grass south of driveway
PARKING – 06-10-2008 – parking on unapproved surface in front and back yards
PARKING – 10-31-2008 – motorcycle and car on south side – yellow tow truck on driveway
SUBSTANDARD – 01-31-2014 – substandard residential

Based on Chapter 10 of the 1997 Uniform Housing Code adopted by the City of Haltom City, it has been determined the property located at 3020 Fincher is substandard due to inspection findings. Specific items from the 1997 Uniform Housing Code that relate to this property states that buildings or portions thereof shall be deemed substandard when they include, but not be limited to, the following:

Inadequate Sanitation
Structural Hazards
Nuisance
Hazardous Electrical Wiring
Hazardous Plumbing
Hazardous Mechanical Equipment
Faulty Weather Protection
Fire Hazard
Faulty Materials of Construction
Hazardous or Insanitary Premises
Inadequate Exits
Inadequate Fire-protection or Firefighting Equipment
Improper Occupancy

DESCRIPTION OF CONDITIONS FOR 3020 FINCHER

HOUSE:

BUILDING:

Ceiling not at property clearance inside house
Faulty weather protection – lack of paint
JTD through interior of house
Rotted wood at windows
Siding on house – masonry required
Windows installed without permit
Zoning – single family residence – two (2) electric meters indicates duplex

ELECTRICAL:

Electrical not to code

MECHANICAL:

heating source?

PLUMBING:

Improper drain outside

Improper vent outside
Plumbing not to code
water off since 11-21-2013

PROPERTY:

Accessory building in back yard
Fence in disrepair
JTD throughout back yard
Trucks and trailers parked on grass in back yard

STAFF COMMENTS:

If a comprehensive cost proposal and itemized time line is provided, this structure could be restored, otherwise demolition would be recommended.

Chairman White opened the floor for questions of Staff.

Mr. Cotton asked if back on August 14, 2015 if the horses were reported to Animal Control. Mrs. Batchelor reported yes.

Chairman White asked the applicant to present their case.

Crescencio Lujan Llanas represented by translator/owner. Chairman White advised the translator to advise the owner this is his time to present his plans, his financial status to perform repairs and request the amount of time he needs. Mr. Llanas stated (through his translator) he has purchased windows, sheetrock, fencing and light fixtures and materials to do the repairs but has been busy doing work on other properties to earn a living. He just wants to be given the time to complete the repairs on Fincher. He believes he has everything he needs purchased but he ran out of time to get his building permit bids for tradesmen together before the hearing came around. He has proof by picture of the materials he already has purchased and stored at the house.

Ms. Kaywana "Kay" Emerson presented photos of the materials as well as had photos of the work Mr. Llanas has done at her home and her mother's.

Chairman White opened the floor for questions of the applicant.

Chairman White stated the owner was informed in writing twice that he would need to provide a timeline and building plans for his repairs but pictures of materials are not a guarantee those materials will be used on this house. Did Mr. Llanas bring any proof of financial ability to rebuild the house and do the needed repairs? Via the translator Mr. Llanas responded that he is doing the repairs himself and already has materials. He does construction work for a living. Chairman White asked how long Mr. Llanas has owned the property. He responded approximately 3 years and 5 months and he spent a lot of money already on the property doing cleanup of an old above ground pool, dead trees and trash.

Mr. Dobbs asked if Mr. Llanas had a timeline in mind for repairs since he has had over 18 months already. He responded about 4 months to complete.

CHAIRMAN WHITE OPENED THE PUBLIC HEARING

Ms. Kay Emerson stated Mr. Llanas has been working for her in Roanoke for about 2 years on her home and her mother's. He did a kitchen remodel and added outdoor kitchen space also. She believes Mr. Llanas has done a good job for them and would improve this house for his own family. He quotes reasonable prices and she has recommended him to friends. She believes she would not have been able to afford her remodel had another person done the work. She said they have become friends and he is currently working for her so he will have more income after finishing those projects in about four weeks. She believes he is trustworthy. She was with him when purchasing the materials for his house as he was getting the materials for her mother's home at the same time.

None to speak against.

CHAIRMAN WHITE CLOSED THE PUBLIC HEARING

FURTHER DISCUSSION BY THE BOARD

Chairman White opened discussion by stating he believes Mr. Llanas has purchased the materials but he is a home builder for a living and no way of knowing if those materials in photos are for this property. Mr. Llanas presented no financial viability and has owned it for 3 years and only managed to replace four windows. Given that he has owned the home for a length of time and been advised several times of what he needs for a building permit; Chairman White repeated the statute requirements for the Board to allow repairs over demolition. He also mentioned the lower portion of the home used to be a garage area and living space was on top. Chairman White felt the properties age and lack of presentation by owner lead him to believe the structures should be demolished.

Mr. Weast stated that on the 14th owner came in on the same day to provide building plans and said he had a timeline and then came back in the office stating he would consider demolition. Mrs. Batchelor stated that the garage portion of the home that is downstairs has a low ceiling that would not meet current building code so the upstairs remodel would require an Engineer's report to move the upstairs flooring. Chairman White stated that impacts the costs as well as a timeline to get any type of Engineer report for the building permit to be issued.

ACTION OF THE BOARD

Chairman White made the following motion: the structure is to be demolished within thirty (30) days with work to commence no later than January 20, 2016 and completed no later than February 18, 2016 performed according to and in compliance with this hearing following the inspection schedule submitted by Mrs. Batchelor. The buildings must be secured within twenty-four (24) hours. If the owner defaults on this order in the time allotted, the City can order the demolition and place a lien on the property for costs incurred, should that be necessary. The property owner is to procure all permits for repairs and observe all instructions by the Inspections department.

Mr. Weast seconded the motion.

Chairman White called for a vote on the motion. The vote was recorded as follows:

Chairman White – Yes
Mr. Cotton – Yes
Mr. Dobbs – Yes
Mr. Odell – Yes
Mr. Pinkerton – Yes
Mrs. Roach - Yes
Mr. Weast - Yes

Chairman White stated the motion passed unanimously.

Mr. Llanas translator asked if he could have any additional time to demolish the building. Chairman White responded the board had already voted to demolition within 30 days.

PUBLIC HEARING

HB002-2016. Conduct a public hearing regarding whether the structure or structures located at or near 3270 Fincher, are in violation of the minimum standards for the continued use and occupancy of buildings adopted by the City of Haltom City pursuant to Section 214.001 of the Texas Local Government Code. At the conclusion of the public hearing, the Hearings Board may issue any order authorized by Chapter 214 of the Texas Local Government Code, including, but not limited to, securing the buildings from entry or the repair, vacation, removal or demolition of the buildings.

LOCATION

3270 Fincher, Lot 2, Hendry Subdivision. The site is located on the east side of Fincher, north of Hires and south of Broadway.

EXISTING ZONING/LAND USE

“C-1” – Commercial District

TAD INFORMATION

Certified value for tax year 2015 – land \$16,875 – improvements \$62,025

Year Built – 1971

Building size – 2,000sf

Land in acres – 0.3099

Land in sq ft – 13,500

Deed Date – 08-23-2005

NOTIFICATIONS

Property was posted with “Notice of Hearing” on January 5, 2016.

Property owner was mailed “Notice of Hearing” on January 5, 2016 via certified and regular mail.

The legal notice regarding the public hearing was published in the January 9, 2016 and January 16, 2016 Fort Worth Star Telegram.

COMMENTS

This property has a one-story concrete block building.

04-01-2013 1:16PM; faulty weather protection on the siding, glass missing from windows; ceiling tiles falling down on the interior; high grass and weeds in the parking lot; posted property; pictures for file

04-04-2013 spoke to owner; he said he had siding that originally came off and he is going to put that back up; let him know any new work needs permit and also if he's reinstalling old siding he needs to dry in plywood

05-10-2013 AM; sent "final notice" letter before citations are issued

05-30-2013 9:29AM; reposted property with five (5) day notice will place in substandard conditions if the items are not corrected.

05-31-2013 spoke to Jack/owner; he said he has contractors coming out to bid and will have an answer on time frame this week

06-05-2013 note citations issued if permit has not been applied for by 06-17-2013

06-13-2013 owner called and let me know he is working on it; just got approval from insurance company

07-26-2013 posted property substandard; left voicemail for the owner letting him know that property is posted and cannot legally be occupied. pictures for file

09-09-2013 spoke to Jack/owner on the phone about the property he said should see a big difference this week

11-04-2013 back of building painted; holes filled in; glass installed throughout building; siding is still not repaired and neither is interior; will recheck in two (2) weeks

01-09-2014 still not 100% but building is closed until work is completed

06-25-2014 they painted and filled holes in concrete wall; siding has not been replaced on side; spoke to Jack who told me they are going to sell the property

10-24-2014 property is boarded up due to vandals breaking windows constantly; owner is looking to sell the property

04-28-2015 putting the property on the market next week and trying to sell the property

11-16-2015 resent letter to address in Arlington; owner says address is correct

11-23-2015 3:40PM; Jacques Dao called and advised that he had received letter; told him that building had been vacant for a while and even though it is "for sale" it needs to be brought back up to occupy able condition; he will start getting bids/estimates from trades to submit for

building permit; told him if this is not received, case will be submitted to Hearings Board in January

12-28-2015 owner came in to office; handed him building permit application; informed him he needed a full scope of work and licensed trade people to submit bids/estimates or letters stating building is in compliance or what needs to be there to get it done

01-05-2015 AM; mailed Notice of Hearing via certified and regular mail to property owner listed on TAD, Jacques and Cindy Dao, for Hearings Board meeting scheduled on Tuesday, January 19, 2016

01-05-2016 2:15PM; posted Notice of Hearing on building; pictures for file

01-05-2016 4:40PM; e-mail to Christine Lopez/FWST to run ad on Saturday, January 9th and January 16th

01-06-2016 9:38AM; e-mail from Christine Lopez/FWST advising ad cost is \$108.68

Taxes owed as of 01-13-2016 are \$2,205.49 for current tax year of 2015

Code violations have been: Twenty-two (22) from 2004 to 2015

GRAFFITI – 10-29-2007 – back wall
GRAFFITI – 01-31-2008 – south wall
GRAFFITI – 06-04-2008 – south wall
GRAFFITI – 07-17-2008 – south wall
GRAFFITI – 09-18-2009 – south side of building
GRAFFITI – 12-28-2010 – side wall of business
GRAFFITI – 08-20-2012 – east and south sides
GRAFFITI – 07-08-2015 – back/east side of building
GRASS – 09-12-2006 – high grass around business
GRASS – 09-14-2009 – high grass around property
GRASS – 10-07-2010 – high grass
GRASS – 09-21-2012 – high grass and weeds
GRASS – 04-01-2013 – high grass and weeds
JTD – 09-12-2006 – old sign behind business
JTD – 10-29-2007 – old sign and chair
MISC – 07-13-2004 – male sleeping on tables at night
MISC – 11-07-2006 – broken window
MISC – 01-24-2007 – ruts in parking lot
MISC – 01-05-2009 – parking lot in disrepair
MISC – 08-12-2009 – two boarded windows on front of building
MISC – 01-21-2010 – abandoned sign
SUBSTANDARD – 04-01-2013 – commercial building

Based on Chapter 3 of the 1997 Uniform Code for the Abatement of Dangerous Buildings adopted by the City of Haltom City, it has been determined the property located at 3270 Fincher is substandard due to inspection findings. Specific items from the 1997 Uniform Code for the Abatement of Dangerous Buildings that relate to this property states that any building or structure which is dilapidated, substandard or unfit for human habitation because it has any or all of the

conditions or defects hereinafter described shall be deemed to be a dangerous building, provided that such conditions or defects exist to the extent that life, health, property, safety or welfare of the public (including the building occupants) is endangered.

1. Whenever any door, aisle, passageway, stairway, or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
2. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
3. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location.
4. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.
5. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
6. Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new buildings of similar structure, purpose or location, without exceeding the working stresses permitted in the Building Code for such buildings.
7. Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
8. Whenever the building or structure, or any portion thereof, because of (i) dilapidation, deterioration or decay; (ii) faulty construction; (iii) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse.
9. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
10. Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.
11. Whenever the building or structure, exclusive of the foundation, show 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its nonsupporting members, enclosing or outside walls or coverings.

12. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become (i) an attractive nuisance to children; (ii) a harbor for vagrants, criminals or immoral persons; or as to (iii) enable persons to resort thereto for the purpose of committing unlawful or immoral acts.

13. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in the Building Code or Housing Code, and amendments thereto as adopted, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.

14. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any nonsupporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (i) strength, (ii) fire-resisting qualities or characteristics, or (iii) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.

15. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

16. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connection or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.

17. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.

18. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

DESCRIPTION OF CONDITIONS FOR 3270 FINCHER

BUILDING:

BUILDING

Cracks and holes in exterior walls – CMU block
Mansard roof in disrepair
Roof leak – stained and missing ceiling tiles
Roof signs not permitted
Windows boarded

ELECTRICAL

Hazardous electrical

MECHANICAL

Heating source?

PLUMBING

Plumbing not to code

Water off since 08-26-2013

PROPERTY:

Fixtures inside building vandalized

Graffiti

overgrown vegetation

STAFF COMMENTS:

If a comprehensive cost proposal and itemized time line is provided, this structure could be restored, otherwise demolition would be recommended.

Chairman White opened the floor for questions of Staff.

None

Chairman White asked the applicant to present their case.

Jacques Dao stated he bought it for investment and there had been too much vandalism from kids and others around the property. He just wanted to sell it and it was more liability after storm damage on one side. He said the roof leaks so he just shut the doors and boarded it up. He thought he could come in and just get an okay for cleaning it up again. After speaking with inspector Rozanc about licensed contractors needed for repairs he tried to get bids. He had called an electrician recently but then it was scheduled for this hearing. He knows a roofer who can do the work in 60-90 days to fix and resell it. He said some people want it for a laundry mat and other interest for a food place. He had a list of his plans for remodeling and has in mind who he will hire. He tries to keep it boarded up safely and grass cut.

Chairman White opened the floor for questions of the applicant.

Chairman White stated this is a large scale remodel work and owner was advised of the need to provide quotes for financial ability and bids from contractors with a timeline. Mr. Dao stated he has that list of items to be done in hand but no bids to support the timeline for work. Chairman White asked if he had spoken to any tradesmen or received bids. Mr. Dao said he had spoken to an electrician.

CHAIRMAN WHITE OPENED THE PUBLIC HEARING

None

CHAIRMAN WHITE CLOSED THE PUBLIC HEARING

FURTHER DISCUSSION BY THE BOARD

Mr. Weast stated he again believes this owner was advised of the need to provide quotes from tradesmen for the repairs.

Mr. Odell stated he heard nothing in the presentation to indicate the ability to repair the structure.

Chairman White stated the building has been in disrepair for a long time and a city landmark for a long time. However, there is nothing presented tonight to indicate the owner's ability to complete the repairs as required by statute.

ACTION OF THE BOARD

Chairman White made the following motion: the structure is to be demolished within thirty (30) days with work to commence no later than January 20, 2016 and completed no later than February 18, 2016 performed according to and in compliance with this hearing following the inspection schedule submitted by Mrs. Batchelor. The buildings must be secured within twenty-four (24) hours. If the owner defaults on this order in the time allotted, the City can order the demolition and place a lien on the property for costs incurred, should that be necessary. The property owner is to procure all permits for repairs and observe all instructions by the Inspections department.

Mr. Pinkerton seconded the motion.

Chairman White called for a vote on the motion. The vote was recorded as follows:

Chairman White – Yes
Mr. Cotton – Yes
Mr. Dobbs – Yes
Mr. Odell – Yes
Mr. Pinkerton – Yes
Mrs. Roach - Yes
Mr. Weast - Yes

Chairman White stated the motion passed unanimously.

PUBLIC HEARING

HB003-2016. Conduct a public hearing regarding whether the structure or structures located at or near 3411 Sunday, are in violation of the minimum standards for the continued use and occupancy of buildings adopted by the City of Haltom City pursuant to Section 214.001 of the Texas Local Government Code. At the conclusion of the public hearing, the Hearings Board may issue any order authorized by Chapter 214 of the Texas Local Government Code, including, but not limited to, securing the buildings from entry or the repair, vacation, removal or demolition of the buildings.

LOCATION

3411 Sunday, Lot G, McNay Subdivision. The site is located on the west side of Sunday, north of Fossil and south of Menn.

EXISTING ZONING/LAND USE

“SF-2” – One Family Residential District

TAD INFORMATION

Certified value for tax year 2015 – land \$14,880 – improvements \$31,420

Year Built – 1960

Building size – 875sf

Land in acres – 0.625

Land in sq ft – 27,225

Deed Date – 10-29-2003

NOTIFICATIONS

Property was posted with “Notice of Hearing” on January 5, 2016.

Property owner was mailed “Notice of Hearing” on January 5, 2016 via certified and regular mail.

The legal notice regarding the public hearing was published in the January 9, 2016 and January 16, 2016 Fort Worth Star Telegram.

COMMENTS

This property has a single-story brick house.

01-31-2014 AM; posted property substandard, no active water account, house open, rotten fascia on eaves, front and back of home damage to bricks, windows broken, rotted wood, trash and debris; mailed substandard letter via regular mail to property owner listed on TAD, Tony M etux Jenifer O'Rourke

01-31-2014 went back to property with HCPD and noticed trailer was tagged to Mr Rourke and motorcycle to a Mr Brandon Thomison

03-03-2014 reposted property; told future residents they had to have water before the property could be occupied and informed them of getting property cleaned up or there would be future citations

03-26-2014 PM, blue truck parked at property in driveway; did not talk to anybody on site but appeared to be occupied; pictures for file/ds

04-21-2014 sent citation to owner on TAD for JTD, Tony M O'Rourke

05-01-2014 citation came back "return to sender"

05-19-2014 high grass and weeds front and rear yard trash throughout property

09-17-2014 2:30PM; while doing inspection next door at new house, noticed debris throughout back yard, by house where garage was demolished and on trailer at driveway; posted sign for debris and no active water account; pictures for file; issued citation to female occupant, Tiffany L Miller, for "junk trash debris #0060"; gave verbal that she could not stay at property until was is reinstated, but there is a hold on water account until property is cleaned up; she said Tony O'Rourke is her uncle and Jonathan O'Rourke is her cousin

09-17-2014 2:35PM; per Janan/water, account is in the name of Kaitlyn C Joyner (1st) and Joshua N Setayesh (2nd); she said this address is on the cutoff for today; advised to hold on turning back on until debris is cleaned up; she said water account was established 05-27-2014 and owes \$177.80 for today

09-19-2014 Denia/UB said there is still no active water on account address we told them they have to clean up the property before the water will be turned back on.....Note to water account

09-29-2014 Tiffany Miller opened water account

10-27-2014 1:20PM; working on debris cleanup; pictures for file

court set for 11-04-2014 at 2:00PM

11-04-2014 11:10AM; pictures for file of JTD

11-04-2014 2:00PM; reset thirty (30) days

12-11-2014 same, pics for file; bricks damaged north side door entry and southside windows. JTD all over back yard, mattresses outside, north fascia and eaves damaged. People ARE living there, two females left the house today.

12-18-2014 9:30AM; Chris Rozanc posted sign for "substandard - do not occupy"; went to lunch came back for recheck and it was removed; Darla reposted at 12:39PM and advised PD of no occupancy with posting; 3:45PM PD arrested two on warrants and 8 citations issued T.Myers Advised UB to hold water account until structure inspected and permit to repair. Verified TAD owner is still Tony ORourke

01-09-2015 same; SIV; JTD in back yard behind fence; signs still posted

03-06-2015 owner does not live at 4316 McLean, owned by Tiny Martinez, could be a sister. Tony has several water accounts around the City but nothing active. Old water accounts have Box 14484 as mailing; possible business mailing

03-17-2015 letter to post office box came back "undeliverable"; residence on Sunday has been vandalized, broken window, side door open, JTD in back thrown about yard and fence gate is down

03-18-2015 5:00PM; emailed PD with status of vandalism and broken windows

03-31-2015 back door has been boarded but debris remains

06-24-2015 grass mowed by contractor, jtd remains outside, same conditions on house dsulecki

08-26-2015 same, front still posted, gates at fence open or removed, JTD behind north side of property fence; may have been left open after mowers. dsulecki

10-13-2015 walked property with Sgt Myers and door was not secured. Inside has damages to sheetrock, flooring and fixtures. Mostly lots of trash and debris. dsulecki

Tony O'Rourke comes up as Springlake Pkwy, Haltom City, Texas, 76117
asked Sgt Myers to verify with apt complex.
Per Myers sent notice letter dsulecki
Confirmed in unit by complex office

11-04-2015 citation for JTD and maintaining substandard, mailed to Springlake Pkwy, Haltom City 76117 dsulecki

11-16-2015 Mr. Alanis from Sunday inquired about contacting this owner because he is interested in purchase of the lot

12-02-2015 side doors open and door is on ground. Trash and debris behind fence still. Inside is same, some graffiti, wall damaged and trash. Sent notice to PD patrol for open vacant.

12-10-2015 AM; Chris Rozanc and Tom Meyers/HCPD went to Springlake Parkway and hand delivered violation notice and Notice of Hearing to female at apartment who stated Tony O'Rourke was already at work

01-05-2016 AM; mailed Notice of Hearing via certified and regular mail to Tony O'Rourke, Springlake Parkway, Haltom City, Texas, 76117 for Hearings Board meeting scheduled on Tuesday, January 19, 2016

01-05-2016 PM; posted Notice of Hearing on house; pictures for file

01-05-2016 PM; SIV; JTD behind fence and boat in back of lot on ground; ticket for JTD and maintaining substandard residence. Set for hearings board on January 19. dsulecki

01-05-2016 4:15PM; received e-mail from Tom Myers/HCPD for this address of call for service report (58 entries and 36 calls)

01-05-2016 4:41PM; e-mail to Christine Lopez/FWST to run ad on Saturday, January 9th and January 16th

01-06-2016 9:39AM; e-mail from Christine Lopez/FWST advising ad cost is \$105.80

Taxes owed as of 01-13-2016 are \$23,149.50

Code violations have been: Twenty-nine (29) from 2000 to 2015

FENCE – 12-30-2009 – disrepair on north side
GRASS – 04-30-2001 – back yard
GRASS – 08-23-2001 – front and back yards
GRASS – 10-16-2002 – back yard

GRASS – 04-22-2003 – back yard
GRASS – 10-01-2003 – back yard
GRASS – 04-30-2004 – back yard
GRASS – 07-12-2004 – back yard
GRASS – 06-03-2008 – back yard
GRASS – 05-07-2009 – back yard
GRASS – 07-27-2009 – back yard
GRASS – 04-28-2010 – back yard
GRASS – 08-06-2013 – back yard
GRASS – 05-19-2014 – front and back yards
GRASS – 03-31-2015 – front and back yards
GRASS – 06-17-2015 – front and back yards
JTD – 12-27-2000 – brush and building material next to driveway
JTD – 04-30-2001 – plywood and tires
JTD – 12-08-2006 – junk trash debris on driveway
JTD – 03-02-2007 – junk trash debris at back yard
JTD – 04-25-2008 – brush pile on curb
JTD – 04-08-2013 – junk trash debris at curb
JTD – 08-06-2013 – back and side yards
JTD – 01-31-2014 – junk trash debris in back yard
JV – 10-02-2003 – blue/silver Dodge Ram on grass south of driveway
PARKING – 12-07-2002 – parking on unapproved surface - Ford Thunderbird
PARKING – 10-02-2003 – parking on unapproved surface – Dodge Ram
SUBSTANDARD – 08-06-2013 – no active water account
SUBSTANDARD – 01-31-2014 - residence

Based on Chapter 10 of the 1997 Uniform Housing Code adopted by the City of Haltom City, it has been determined the property located at 3411 Sunday is substandard due to inspection findings. Specific items from the 1997 Uniform Housing Code that relate to this property states that buildings or portions thereof shall be deemed substandard when they include, but not be limited to, the following:

Inadequate Sanitation
Structural Hazards
Nuisance
Hazardous Electrical Wiring
Hazardous Plumbing
Hazardous Mechanical Equipment
Faulty Weather Protection
Fire Hazard
Faulty Materials of Construction
Hazardous or Insanitary Premises
Inadequate Exits
Inadequate Fire-protection or Firefighting Equipment
Improper Occupancy

DESCRIPTION OF CONDITIONS FOR 3411 SUNDAY

HOUSE:

BUILDING:

Brick damage - dislodged
Faulty weather protection – lack of paint
JTD throughout inside of house
Open and vacant – back door off house
Rotted fascia boards
Sheetrock burnt by kitchen
Sheetrock damage/ – interior exposed to studs
Sheetrock damage – holes in ceiling
Windows broken

ELECTRICAL:

Electrical not to code

MECHANICAL:

heating source?

PLUMBING:

water off since 12-12-2014

PROPERTY:

JTD throughout back yard

STAFF COMMENTS:

If a comprehensive cost proposal and itemized time line is provided, this structure could be restored, otherwise demolition would be recommended.

Chairman White opened the floor for questions of Staff.

Mr. Dobbs asked if Ms. Batchelor was sure the structure could be restored. Ms. Batchelor replied she had seen worse and believed the property could be saved if somebody wanted to put the money into it.

Chairman White asked the applicant to present their case.

The owner was not present.

Chairman White opened the floor for questions of the applicant.

CHAIRMAN WHITE OPENED THE PUBLIC HEARING

None

CHAIRMAN WHITE CLOSED THE PUBLIC HEARING

FURTHER DISCUSSION BY THE BOARD

Chairman White believed the neighborhood would appreciate the demolition of this residence.

ACTION OF THE BOARD

Mr. Weast made the following motion: the structure is to be demolished within thirty (30) days with work to commence no later than January 20, 2016 and completed no later than February 18, 2016 performed according to and in compliance with this hearing following the inspection schedule submitted by Mrs. Batchelor. The buildings must be secured within twenty-four (24) hours. If the owner defaults on this order in the time allotted, the City can order the demolition and place a lien on the property for costs incurred, should that be necessary. The property owner is to procure all permits for repairs and observe all instructions by the Inspections department.

Mr. Dobbs seconded the motion.

Chairman White called for a vote on the motion. The vote was recorded as follows:

Chairman White – Yes

Mr. Cotton – Yes

Mr. Dobbs – Yes

Mr. Odell – Yes

Mr. Pinkerton – Yes

Mrs. Roach - Yes

Mr. Weast - Yes

Chairman White stated the motion passed unanimously.

Chairman White asked about status on 4104 Haltom. Advised that owner had obtained building permit but no inspections had been scheduled. Mrs. Batchelor stated she had left message for owner to contact the City.

ADJOURN

There being no further business to discuss, Chairman White adjourned the meeting at 6:43PM.

Respectfully submitted,

Darla Sulecki, Code Enforcement Officer

James White, Chairman