

MINUTES

HEARINGS BOARD

March 29, 2016

CALL TO ORDER

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

ROLL CALL

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

PRESENT ALTERNATES: none

PRESENT COUNCIL LIAISON: Watkins

ABSENT BOARD MEMBERS: Pinkerton

ABSENT ALTERNATES: none

ADMINISTRATIVE STAFF PRESENT:

Glenna Batchelor, Building Official

Darla Sulecki, Code Enforcement Officer

APPROVAL OF MINUTES

Mr. Cotton, seconded by Mr. Dobbs, made the motion to approve the minutes of the Hearings Board meeting held on January 19, 2016 as corrected. Motion passed 7-0.

ABSENCE

Chairman White, seconded by Mr. Weast, made the motion to approve the absence of Mr. Pinkerton. Motion passed 7-0.

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

PUBLIC HEARING

HB004-2016. Conduct a public hearing regarding whether the structure or structures located at or near 6024 Lark, 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

6024 Lark, Lot 81, Garden of Eden Addition. The site is located on the west side of Lark, north of Garden.

EXISTING ZONING/LAND USE

“M-1” – Industrial District

TAD INFORMATION

Certified value for tax year 2015 – land \$9,775 – improvements \$44,872
Year Built – 1950
Building size – 1,312sf
Land in acres – 0.3719
Land in sq ft – 16,200
Deed Date – 05-08-2006

NOTIFICATIONS

Property was posted with “Notice of Hearing” on March 15, 2016.

Property owner received “Notice of Hearing” on March 15, 2016 at City Hall in Inspections office.

The legal notice regarding the public hearing was published in the March 19, 2016 and March 26, 2016 Fort Worth Star Telegram.

COMMENTS

This property has a single-story frame house with accessory building behind garage and dismantled accessory building in back yard by chain link fence at Garden.

03-02-2015 11:15AM; walking tour of property with Mr. Kendricks/occupant; fire pit hole in backyard remains and full of fence debris and trash; truck bed and car chassis frame SIV in back yard; trash on side of house; he says they are making arrangements to move and will move all car parts, mud trucks and his garage shop to father's location; son and his family are moving separately; advised them to discontinue parking on City owned lot across the street

faulty weather protection, flooring damaged, holes in ceiling, separation at windows, exterior siding missing, doors damaged, garage foundation cracked, former water heater vent hole is plugged with a towel, no venthood for oven/stove, gas dearborn heater only heat in house, window units for A/C, inadequate heating for size of residence, daylight visible from interior around multiple additions to house at foundation near walls and windows, spaces sealed with silicone caulk or bath towels, flooring slopes and plywood subfloor is coming up in locations they cover with carpets and rugs, exterior examination shows cinder blocks supporting foundation pier and beams, siding falling off and damaged or rotted wood

posted substandard faulty weather, hazardous structures and inadequate heating. Occupy at your own risk. No occupancy after 3-25-15. Verbal with Christi, mother Nelle and Jimmy Kendricks advising of conditions for substandard posting. Advising they occupy at their own risk. Two trucks remain parked on City lot, Verbal again to Jimmy about parking on the City lot. Public Works engineering employees drove by witnessing same.

posted substandard for repairs -- Should not be occupied after 10 day notice due to inadequate heat, faulty weather protection and structure hazards. Posted to occupy and enter at own risk.

03-03-2015 letter to owner advising of posting

03-06-2015 Mr. Davis came in to office to discuss needed repairs. Advised him he could schedule a consultation with Rozanc to talk repairs. He mentioned he would maybe need time to get tenants moved somewhere while he did repairs. Advised him we did not condemn the house but gave him a copy of the letter that was mailed on 3-4. He'll call Rozanc next week to figure out a timeline.

Inspection of property today shows old boat and trailer will removed, multiple boxes on porch for packing and junk Jeep was gone. Not parking on City lot.

04-06-2015 Water shut off 60 days past due and they've moved out. Chris Rozanc had Janan Huffaker lock meter.

04-08-2015 final notice letters mailed

04-13-2015 Mr. Davis wanted to turn water on but I did not allow it until he has done the walk through with Chief Inspector to be advised of all needed repairs. he's concerned tenants continue to come take things from property so advised to contact PD patrol requesting evening and weekend monitoring.

04-17-2015 walk through with Mr. Davis and Building Official. Provided list of required repairs, letters of guarantee from electrical, mechanical, plumbing or scope of work with permits pulled 3) letter and repair from structural engineer for foundation 4) remove shed attached to garage at north side 5) invoice or proof of service for pest control 6) invoice or proof of service for professional cleaning service 7) heat source for residential tenant 8) remove chain link fence in front yard setback 9) repair garage doors 10) building permit application 11) contact engineering for flood certificate Contact Building inspection in 30 days

05-12-2015 Mr. Davis came in to office and picked up application for building permit

05-13-2015 11:35AM; called Arnold Davis; no answer

05-13-2015 11:40AM; Arnold Davis called and requested one week extension; change week from May 18, 2015 to May 26, 2015 and advised Mr. Davis

05-13-2015 3:14PM; Arnold Davis come into office to provide building application with two trades bids but still pending plumbing bid due to the urgency of his plumbers call away to another job. Mr. Davis asked to make note of his visit in office and review his application. Trespassing signs has been posted.

08-11-2015 building permit issued to Arnold Davis

09-11-1025 no further permits or inspections

10-12-2015 no further permits or inspections

11-12-2015 no further permits or inspections

01-27-2016 1:45PM; Dan Harris/2nd Opinion requested contact information for property owner

building permit expires 02-11-2016

02-24-2016 2:06PM; pictures for file of exterior

03-02-2016 while driving down Lark, witnessed the front door of the property open at vacant property. No persons present. Front door will not secure (door frame broken). PC

03-03-2016 AM; Called owner Arnold Davis, no response, left message advising front door needed to be secured. PC.

03-03-2016 PM; received a voicemail from Davis. He advised the property has been secured and has screwed the door from the inside. PC

03-14-2016 2:22PM; called Arnold Davis/owner and left voice message advising of substandard Hearings Board scheduled for Tuesday, March 29th starting at 5:30PM

03-15-2016 12:05PM; Arnold Davis came in to office; gave copy of Notice of Hearing and Check List for the Abatement of Substandard Buildings; advised to bring in full scope of work, proof of financial responsibility and timeline to complete; told Mr. Davis that Board is bound by State guidelines and that if rehab is approved, timeline would not be the same as a building permit of six (6) months (180 days)

03-15-2016 2:29PM; e-mail to Christine Lopez/FWST to run ad on Saturday, March 19th and March 26th

03-17-2016 8:37AM; e-mail from Christine Lopez/FWST advising ad cost is \$55.40

03-17-2016 9:23AM; e-mail from Christine Lopez/FWST advising sorry ad cost is \$105.80 not \$55.40

Taxes owed as of 03-21-2016 are \$763.77 (2015 taxes only)

Code violations have been: Twenty-five (25) from 2003 to 2015

FENCE – 05-20-2011 – fence in disrepair

FENCE – 12-19-2013 – fence in disrepair

FENCE – 07-10-2014 – fence in disrepair

GRASS – 07-11-2003 – high grass on right-of-way of Garden and Lark

GRASS – 06-06-2007 – high grass on right-of-way of Garden and Lark

JTD – 07-11-2003 – junk trash debris

JTD -05-04-2006 – junk trash debris

JTD – 10-23-2008 – JTD at property stacked around garage

JTD – 06-01-2009 – overgrown vegetation on Garden and Lark

JTD – 12-19-2013 – junk trash debris throughout property

JTD – 07-10-2014 – trailer full of brush and large tree trunks piled in back yard

JV – 07-11-2003 – primer Dodge Charger

JV – 09-19-2007 – Chevy truck l/n 31VVS3

JV – 09-19-2007 – Chevy truck l/n 49HYD3

PARKING – 07-11-2003 – parking on unapproved surface

PARKING – 10-23-2008 – parking on unapproved surface

PARKING – 06-12-2009 – parking on unapproved surface in back yard

PARKING – 05-20-2011 – parking on unapproved surface
PARKING – 12-19-2013 – parking on unapproved surface
PARKING – 07-10-2014 – parking several junk vehicles at front and back yards
PARKING – 08-25-2014 – using City property across the street
SUBSTANDARD – 05-20-2011 – accessory building
SUBSTANDARD – 03-03-2015 – house and accessory buildings
ZONING – 05-20-2011 – major auto repair
ZONING – 12-19-2013 – operating a junk yard

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 6024 Lark 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 6024 LARK

HOUSE:

BUILDING:

Concrete cracked at garage
Faulty weather protection – lack of paint
Foundation report from structural engineer
Holes in sheetrock (ceiling and walls)
Roof not sealed at garage top plate
Rotted wood around windows
Siding broken and missing
Walk door in disrepair
Windows – Plexiglas not allowed

ELECTRICAL:

Bid/estimate from master electrician to bring up to code
Illegal use of extension cords
Outlet covers missing

MECHANICAL:

Bid/estimate from master HVAC to bring up to code

PLUMBING:

Bid/estimate from master plumber to bring up to code
Dearborn heater not allowed
Gas line test

PROPERTY:

Carport in disrepair
Flood plain development permit required from Engineering (Tom Ice or Will Wiegand) – structure is in floodplain
Invoice or proof of service from pest control company
Invoice or proof of service from professional cleaning company
Proper drive approach required – concrete
Remove chain link fence from front yard setback
Remove shed attached to garage in rear
Repair garage doors

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.

Chairman White asked is the debris and junk vehicles in the backyard constitutes a junk yard or is this place a house. Ms. Batchelor stated the previous renters were cited for the violations of junk vehicles and debris in the back yard. They were dismantled or wrecked autos personally owned.

Mr. Dobbs asked if the property was in the flood plain. Ms. Batchelor stated yes and a Flood Plain certificate might be needed from engineering to obtain building permits.

Chairman White asked the applicant to present their case.

Arnold Davis, property owner, stated he has had two (2) cancer surgeries in 2015. December 18, 2015 was his second cancer treatment; started interior demolition October 2015. Misunderstood and thought receipt for contractor registration of July 30, 2016 was expiration of building permit. Presented to the Board a copy of financial statement from Bank of America with \$17K available. Also presented timeline for work to be completed in ninety (90) days and he was ready to start immediately this spring to avoid hot weather. Mr. Davis stated he was an Engineer and has done numerous homes in Southlake, Keller, etc. This was his mother's home and was nice in 2002. Tenants tore up the property since it was rental the last 5-6 years.

Chairman White opened the floor for questions of the applicant.

Chairman White stated he did not think \$8,000 was sufficient to bring up to code, but more like \$30,000. He further stated the Board needed the contractors proposed scope of work and bids written for the same work within the timeline. Mr. Davis stated he had provided all that in his packet. He also had the engineers report stating the foundation was in sound condition to support the existing structure and proposed repairs. He mentioned he also had a personal line of credit beyond the bank statement shown. Chairman White asked what the land was zoned. Ms. Batchelor stated M-1 Light Industrial. Mr. Dobbs asked what the proposed schedule would be. Ms. Batchelor reminded the board the previous issued building permits would have been 180

days but because of the state guidelines the maximum allowed for this proposed remodel would be 90 days. Chairman White confirmed there had been no work started as yet. Mr. Davis stated the flooring had been demo'd with carpets and old tile removed and he had removed the debris and car parts from the backyard. Mr. Davis also said in 2002 he had installed a new electric panel so believed it to be a minimal repairs.

Chairman White asked if it would be another rental or a homestead. Mr. Davis stated he might sell it but would prefer to keep in the family and rent. He understands there could be more unexpected repairs and is willing to invest what is necessary. Chairman White asked what type of heating source would be used. Mr. Davis stated he would have 3-4 window units.

CHAIRMAN WHITE OPENED THE PUBLIC HEARING

Mr. Dennis Keith Brooks stated he knew Mr. Davis to be of good character and had known his mother since 1985. Mr. Brooks helps maintain a nearby property and said the previous tenants were bad stewards of the house and grounds. He believed Mr. Davis could restore the property.

None to speak against.

CHAIRMAN WHITE CLOSED THE PUBLIC HEARING

FURTHER DISCUSSION BY THE BOARD

Chairman White opened discussion by stating he believes the property is too far gone. He can relate to medical problems. Not enough itemized bids from the building trades.

Mr. Dobbs said since Staff said it is repairable and owner has provided financial proof and a timeline asking for three (3) months. He should be given the opportunity to remodel and improve the property value. Mr. Dobbs stated it was not for him to judge how much an owner is willing to invest into the property beyond the estimated worth. This is a citizen board that is to vote in favor of the city and he believes the property can be saved with values increased.

Mr. Cotton said owner has had health issues that slowed down his progress and building permit expired.

Mrs. Roach believed the bids are too low and that may cause problems if the owner is not prepared financially. However, she agrees with Mr. Dobbs and Cotton regarding the opportunity to be granted if the owner understands the risks. She was concerned another renter could potentially revert the property back to its former condition.

Mr. Davis said decline of property has been over the past six (6) years because of those tenants and he would be more cautious in the future.

ACTION OF THE BOARD

Mr. Weast made the following motion: the structure is to be repaired within ninety (90) days with work to commence no later than March 30, 2016 and completed no later than June 27, 2016 performed according to and in compliance with this hearing. 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 – No

Mr. Cotton – Yes

Mr. Dobbs – Yes

Mrs. Eckhart - Yes

Mr. Odell – Yes

Mrs. Roach - Yes

Mr. Weast - Yes

Chairman White stated the motion passed 6-1.

PUBLIC HEARING

HB005-2016. Conduct a public hearing regarding whether the structure or structures located at or near 6020-6024 Garden, 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

6020-6024 Garden, Lots 65 & 66, Garden of Eden Addition. The site is located on the south side of Garden, east of Lark.

EXISTING ZONING/LAND USE

“M-1” – Industrial District

TAD INFORMATION

Certified value for tax year 2015 – land \$\$13,500 (6020) \$12,975 (6024) – improvements \$12,874

Year Built – 1950

Building size – 576sf

Land in acres – 0.4132 (6020) 0.3971 (6024)

Land in sq ft – 18,000 (6020) 17,300 (6024)

Deed Date – 03-03-2015

NOTIFICATIONS

Property was posted with “Notice of Hearing” on March 16, 2016.

Property owner was mailed "Notice of Hearing" on March 16, 2016 via certified and regular mail.

The legal notice regarding the public hearing was published in the March 19, 2016 and March 26, 2016 Fort Worth Star Telegram.

COMMENTS

This property has a one-story wood frame house.

04-08-2014 multiple violations; JTD in adjacent lot 6024, sofa on porch at 6020; construction debris in rear lot and high grass, fence in disrepair also.

04-18-2014 received call from Amanda Martinez needing more time. Returned call and told her if there was progress made since notice then I could allow this week for dumpster week cleanup by Saturday 4/25. Left voicemail; will check on progress being made

04-21-2014 Amanda picked up building permit for general repair. Cleaning up property. Will post substandard to get total scope of work; no water account; current needs is to clean up area. Wants a commercial grade fence around both 6020 and 6024.

04-22-2014 Posted sub-standard DO NOT ENTER, DO NOT OCCUPY, no water, open and vacant insanitary conditions. Called Amanda to advise her workers need to stop all work but the cleanup of debris in the back. Noticed new fence posts and metal braces along 6024 by creek. Advised her the fence work MUST stop until she gets permits; pictures for file

05-22-2014 RV parked in back of lot, not screened and visible from adjacent lots on Lark. Car and flatbed parked behind building. No further progress on fence. No permits issued. Engineering required flood plain permit application to be completed.

06-20--2014 RV still in back, no further action on fence, car parked behind fence line. No activity at house.

06-27-2014 large boat and trailer now stored on lot plus RV and a vehicle.

07-10-2014 Phone xxx-xxx-xxxx now not reachable, not even voicemail. Sending letter requesting updates on progress and need to abate violations for vehicle storage in back of lot.

07-15-2014 12:54PM; voicemail from xxx-xxx-xxxx Amanda Martinez, no longer in service August

09-08-2014 Sent final notice to make contact on fence and other plans.

09-17-2014 no further contact; Glenna inspected; no contact since letter sent; need to repost as substandard commercial

09-18-2014 Reposted front doors for Substandard Commercial; vehicles still parked in back, windows boarded and pipe fence half complete; citations after 10-10

10-09-2014 SIV major dumping on back on lot; 2 junk vehicles in back; posted red Stop Work Order sticker on fence gates; mobile xxx-xxx-xxxx on building permit not a good # either, recording as no longer in service

10-15-2014 Requested good TXDL from court clerk for citations; no ID or TXDL found; same address on Riverside in Fort Worth

10-27-2014 9:38AM; called John McNary, previous owner at xxx-xxx-xxxx; he sold to Martinez but might have contact info in his office. He'll check and call back

11-06-2014 citation for illegal dumping, RV & boat in commercial zone and maintaining substandard commercial building sent to Riverside Drive address using ID # from Court

11-21-2014 removed boat and cars from west side, RV remains and more dumping of dirt; pictures for file; red tag still on gate and sign still posted

12--11-2014 Mailed final letter to so called property owner

01-07-2015 12:35PM; Dennis called; he said property was foreclosed on yesterday from Martinez; wanted to know about getting fence permit; advised building permit for fence would not be issued until full scope of work was submitted to bring property up to commercial standards or he pursues demolition to maintain as vacant land; he said he was moving motor home and would be getting rid of JTD; advised that substandard letter would be mailed to him since he is again in possession of property

02-02-2015 Letters returned re-mailed to a different address

02-05-2015 female on site looking at RV that is listed for sale on Craigslist. Number posted for contact 817-262-0024 /dsulecki pics for file

02-18-2015 1:39PM; dsulecki 817-262-0024 no longer working number. Craigslist has listing for RV with this number but located in Hurst, somebody named Dennis. but get recording as non-working number. Called Mr. John McNary and he said he is responsible for property, will get vehicles and trailer removed from property and he has it for sale again.

03-02-2015 RV removed, all vehicles removed. Mr. Keith Brooks on site and will have tow dolly and car hauler removed this week. Dumped dirt and telephone poles will be leveled and poles hauled away within ten (10) days. he has sold the property and should close by March 10, 2015.

03-24-2015 8:31AM; called for status on new owner. He'll fax something today from the closing; Keith Brooks didn't receive anything yet in office.

04-02-2015 black Ford sedan on site registered to Keith Brooks KC Investments previous owners. Keith Brooks at xxx Walter Bedford TX 76021. Registration expired Dec 2014.

04-02-2015 1:45PM; called McNary about the car hauler and black Ford parked at property. Reports of somebody sleeping at house, there at 6:30am working on bicycles. McNary said Keith Brooks, who owns the black Ford per Publicdata, was his contact for who bought the property. John doesn't know their name but was headed to office to fax the paperwork. John said Brooks # is the xxx-xxx-xxxx. Tried it again and got voicemail. left msg to make contact.

04-02-2015 2:05PM; Brooks called back; said new owner closed at Trinity Title but is in New York currently. He will send paperwork. car is Mr. Brooks and he will take care of that this weekend. Told him the car hauler needed to be removed also. Without a C/O nothing should be on the property. He was not aware of anybody staying there.

04-08-2015 Warranty deed on Tarrant site for McNary selling March 3, 2015 to Noe Rene Navejar at 6020 Garden but that is not occupied. Letters of notice on substandard violation, commercial vehicles parked on lot sent to McNary properties at xxxx Brown Trl #xxx in Bedford which is on Deed

04-17-2015 Car hauler remains in back. high grass, sign still posted. hauler removed from west drive.

04-22-2015 A male called permit tech advising receipt of notices in error. Wouldn't leave msg but came from xxx-xxx-xxxx. I returned a call and only got vml. Left msg advising existing violations and warranty deed dated March 3, 2015 for Noe Rene Navejar.

05-11-2015 car hauler remains. Left vml at xxx-xxx-xxxx again to make contact.

05-29-2015 Noe Rene Navejar, xxxx Ambercrest Drive, Arlington, Texas, 76002; Trinity title had the same dl info on file with #xxx-xxx-xxxx. Sending letters to new owner at the above.

06-03-2015 will get grass mowed Dennis Brooks 6020 Garden Spoke to him at length about needing repairs to the building as primary concern. Mr. McNary told Brooks if new owner didn't bring in the plans in the thirty (30) days, he would take back the property and not accept more payments on the owner financing. Have not heard from Mr. Navejar/new owner as of today.

06-18-2015 1:58PM; xxx-xxx-xxxx trailer moved 6020 Garden Dennis Brooks New owner wants to use as office with parking

06-19-2015 car hauler was only moved from back of house on grass to gravel on west side of house behind screened fence. signs remain posted on property. Chain link cyclone fence in front yard was removed entirely. pics for file

06-22-2015 Dennis Brooks left vml advising they had received letters and new owner wants to bring in development plans. Been saying that for months.

06-30-2015 same, no plans, no contact from supposed new owner after multiple letters. Mr. Brooks continues to state he is in touch with Mr. Navejar but that owner has not made contact with City. Car hauler remains behind fence on driveway. Neighbors across street and RR tracks continue to complain of homeless using back of lot and house

07-09-2015 same

07-27-2015 same

07-30-2015 Mr. Navejar called to say he will come to get building permit; he later came in to discuss what needs to be done; asked to mow and clean JTD per Justin it was ok. tlozano

08-10-2015 building same, no permits

08-17-2015 citation #xxxxxx to Noe Rene Navejar, xxxx Ambercrest Drive, Arlington, Texas, 76002, TXDL#xxxxxxxxx, DOB xx-xx-xxxx for "maintaining substandard commercial property #0011" ID#xxxxxxxxx xxxx Barcus Cir FW 76134 SSxxx-xx-xxxx he also has relatives who live at Barcus and vehs registered there

09-08-2015 same, sign still posted, car hauler remains parked behind west gates.
Per Court clerk he has until 9-16 to respond to citation.

10-15-2015 8:59AM; Robert Ramirez called xxx-xxx-xxxx and left voice message about pulling permit

10-28-2015 4:10PM; Noe Rene Navejar came in to office; advised what would be required for this property:

- 1) site plan showing development of exterior, parking lot, handicap space, dumpster enclosure, landscaping
- 2) permits for structural remodel to include full scope of work to bring up to code, ADA accessibility, ADA restroom, masonry requirements for commercial (80% of exterior), bids/estimates from all trades (electrical, mechanical, plumbing)
- 3) asbestos survey for building permit due to structure being commercial use

Mr. Navejar stated he is a truck driver and gone for extended periods of time; advised to remove any trucks and/or trailers from property until development work has been completed and a current certificate of occupancy is obtained

12-01-2015 FTA for court dsulecki

12-14-2015 2:46PM; Leon/Bison Electric called and left voice message

12-22-2015 three (3) car haulers on property today. Neighbors report people there welding cut torches at night and weekend break down cars. Red Freightliner truck licensed to Nguyen Transport LogisticsDOT2020936 Boynton Beach FL. tags 1H26187 Texas. not found in Public data. Trailer Oregon HR 69346 not found. Freightliner trailer YARD680 Oregon plates not found. Bill of Sale from Road Runner Motor Sales found in cab 956-686-2000 from Mcallen, TX signed 10-12-2015 in Austin. pics for file Could not identify trailers by tags or license. VINS 1FVXTWEB3XHA89052 AND 1FQXTWEB3XHA89052 neither found in Public Data. Forwarded to PD Sgt Myers for assistance with VINs identification.

Citation #xxxxxx to Noe Rene Navejar for JV #060A, #0009 Parking on Grass and 0011 Maintaining substandard commercial d.sulecki

12-29-2015 9:49AM; male called and left voice message regarding 6020 and 6024 Garden; getting drawings together; met with City yesterday with Will (Tom Ice not in); floodplain development permit first; wants to comply to take care of everything; working on a couple of other projects over there also

01-21-2016 HCPD Officer Cagle at property . Jamie Johnson 3J Investments 4736-4740 NE 28th at site to collect his cars and trailers; he said Navejar worked for him and he was there to collect

his trailers. Gave Cagle his card and said he was looking for Navejar also. ID check shows Navejar has addresses in Arlington and Barcus St in FW with several relatives. Research shows he has been employed by Solar Concepts offices out of McAllen Texas 301 N. MCColl Rd Ste H
Also has vehicles registered at 4008 N. Story Rd #1213 Irving TX 75038-8803

02-24-2016 2:09PM; pictures for file of exterior and electrical

03-14-2016 1:57PM; called xxx-xxx-xxxx and left voice message for Noe Rene Navejar advising of need to schedule substandard Hearings Board meeting

03-14-2016 2:02PM; called xxx-xxx-xxxx and advised Keith Brooks that substandard Hearings Board will be on Tuesday, March 29th starting at 5:30PM

03-16-2016 AM; mailed letters via certified and regular mail to the following:

Noe Rene Navejar
McNary Properties - John W McNary
Dennis Keith Brooks

03-16-2016 1:15PM; e-mail to Christine Lopez/FWST to run ad on Saturday, March 19th and March 26th

03-17-2016 8:42AM; e-mail from Christine Lopez/FWST advising ad cost is \$108.68

Taxes owed as of 03-21-2016 are \$803.58 (6020) and \$395.33 (6024) for current tax year of 2015

Code violations have been: Twenty-one (21) from 2000 to 2015

GRAFFITI – 06-15-2005 – graffiti on boat

GRASS – 07-18-2001 – high grass

GRASS – 06-07-2005 – high grass

GRASS – 05-29-2007 – high grass

GRASS – 05-19-2010 – high grass

GRASS – 04-08-2014 – high grass

GRASS – 05-18-2015 – high grass

JTD – 12-11-2000 – 3 refrigerators, paint cans, AC units

JTD – 07-18-2001 – pile of fence panels and trash

JTD – 05-06-2003 – tires, old furniture, garbage and trash in front and side yards

JTD – 04-08-2014 – trash, debris, construction material

JTD – 10-09-2014 – illegal dumping on rear of lot, dirt and construction debris

JV – 11-24-2003 – junk vehicles

JV – 06-15-2005 – red White semi-tractor

JV – 10-09-2014 – junk vehicles on property parked in back dismantled

MISC – 03-02-2007 – no active water account

MISC – 02-08-2008 – no active water account – person living at residence

MISC – 02-13-2008 – no current C/O for storage of equipment on vacant lot

PARKING – 06-20-2014 – RV and boat with trailer on unapproved surface

PARKING – 12-22-2015 – three (3) car haulers parking in rear of property

SUBSTANDARD – 04-08-2014 – commercial property

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 6020-6024 Garden 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 6020-6024 GARDEN

BUILDING:

BUILDING

Accessibility through walk doors – must have proper ramps, landings and handrails
Restroom must meet ADA requirements (clear space, fixtures, door opening, grab bars, etc.)
Sheetrock – holes in walls
Windows boarded – must be replaced or properly enclosed with framing, insulation, sheetrock and siding
Window glass broken and/or missing

ELECTRICAL

Bid/estimate from master electrician
Hazardous electrical at breaker box
Outlet on outside under breaker box not to code

MECHANICAL

Bid/estimate from master HVAC contractor
Heating source?

PLUMBING

Bid/estimate from master plumber
Cap washer drain line
Gas line test
Hose bibs in kitchen instead of proper sink fixture
Water heater not to code in restroom
Water off since 10-07-2008

ACCESSORY BUILDINGS

Remove from property, not allowed at commercial

PROPERTY:

Fencing – chain link not permitted in front yard setback, wooden privacy fence in disrepair, corrugated metal fencing not permitted, fencing started without building permit, fence posts in floodway along creek at east side of property
Junk/trash/debris throughout property
Flood plain development permit required from Engineering due to property in flood plain
Parking – area must be concrete or asphalt, property drive approach (concrete) and maneuvering surface (concrete or asphalt), provide one (1) handicap space and designate customer parking spaces
Provide dumpster enclosure or proof of hand pickup from Progressive Waste
Remove storage trailer and/or 18-wheeler
Outdoor storage – boat, trailers, vehicles

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 who actually owns the property. Ms. Batchelor explained Mr. McNary holds the note for Mr. Navejar who is on the county records. Mr. Cotton asked if there had been any plans submitted. Ms. Batchelor stated none to date.

Chairman White asked the applicant to present their case.

Dennis Keith Brooks stated he worked for John McNary for over 35 years. John McNary carries note for owner Noe Renee Navejar listed on Tarrant Appraisal District. He said Mr. McNary fully intends to take back control of the property and provide needed repairs.

Chairman White opened the floor for questions of the applicant.

Chairman White asked about development plans for property. Mr. Brooks said he has been working with City Engineering on trying to get Flood Plain Permit for fence that was started without a building permit by a different person they were attempting to sell to this same way. He said obtaining the Flood permit had several delays but he believed it would improve the value of the property and increase city taxes. He has licensed HVAC and plumbing contractors ready to do what is needed. He also has the property surveys to obtain the fence permit.

Chairman White asked again if Mr. Brooks had scope of work and financial information to submit to the Board from Mr. McNary. Mr. Brooks told the Board that the owner, John McNary, is a billionaire and can do whatever needs to be done if given the time but he had no documentation. He did not know he needed any this evening.

Chairman White said it appeared from Staff's report that all the parties involved with the property were notified.

Mrs. Batchelor passed paperwork to the Board showing certified mailings signed for by Noe Rene Navejar and John McNary and copies of certificate of occupancies since 2008 and prior. Mr. Brooks had talked with Ms. Batchelor on the phone. He also said he did have property surveys to submit for the flood permits on the fence. Chairman White asked about the plans for the building itself. Mr. Brooks said they would bring everything up to necessary code but had no bids to present. Chairman White stated these did not sound like minor repairs from the reports and photos. Mr. Brooks said he believed the previous tenants across the street at 6024 Lark had vandalized the property. He stated he had hauled away dozens of tires and debris dumped on the property. Mr. Brooks stated he was sent the notice letter but didn't realize he needed the documents this evening. Chairman White asked about the asbestos abatement if needed. Mr. Brooks said he didn't believe there was any.

Mr. Roach stated she had the same questions about why no documentation being presented when three parties were notified. .

Mrs. Eckhart asked if the car haulers were still here. Darla Sulecki advised that they had been removed as well as the other vehicles. There is some remaining construction debris and wood fence panels in the backyard as well as the piles of dirt & subsequent debris that was dumped on the back of the lot.

CHAIRMAN WHITE OPENED THE PUBLIC HEARING

None for or against.

CHAIRMAN WHITE CLOSED THE PUBLIC HEARING

FURTHER DISCUSSION BY THE BOARD

Chairman White said there was nothing submitted to the Board from property owner or owner's representative.

Mr. Weast stated the Board has no choice without documentation and the required paperwork

submitted. Mr. Dobbs thanked Mr. Brooks for trying to help but he had no documentation to help the case.

ACTION OF THE BOARD

Mr. Weast made the following motion: the structure and fencing is to be demolished within thirty (30) days with work to commence no later than March 30, 2016 and completed no later than April 28, 2016 performed according to and in compliance with this hearing. 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.

Mrs. Roach 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
Mrs. Eckhart – Yes
Mr. Odell – Yes
Mrs. Roach - Yes
Mr. Weast - Yes

Chairman White stated the motion passed unanimously.

Mrs. Batchelor updated the Board that 3020 Fincher has been demolished by owner, 3411 Sunday waiting on Atmos to remove gas for City demolition and 3270 Fincher has had two (2) citations issued to owner.

ADJOURN

There being no further business to discuss, Chairman White adjourned the meeting at 7:10PM.

Respectfully submitted,

Darla Sulecki, Code Enforcement Officer

James White, Chairman