

MINUTES
BOARD OF APPEALS OF THE CITY OF UNIVERSAL CITY, TEXAS
Regular Meeting, Monday Evening, 26 February 2018

1. CALL TO ORDER: Vice Chairman Cheryl Maxwell at 6:00 p.m.

2. QUORUM CHECK: Jacob Jenkins, Code Enforcement Officer

Members Present:

Michael Murray, Member
John Hudson, Member
Mary Andrews, Member
Cheryl Maxwell, Vice-Chairman
James Vinci, Member
Dolly Breithaupt, Member
Lori Putt, Member

Members Absent:

Mat Matecko, Chairman

Present:

Ken Taylor- City Manager
Kim Turner- Assistant City Manager
Jaclyn Redmon- Building Official
Lewis and Lavern Jones- 321 E Aviation, Property Owner
Aurora Mancillas- 702 Bowie, Property Owner
Anthony Silva- 702 Bowie, Representative
Patricia and John Martinez- 145 Winn, Property Owner
Larry Orsak- 506 W Wright, Property Owner
Will Soto- 506 W Wright, Contractor

3. MINUTES OF PREVIOUS MEETING:

Regular Meeting – 22 January 2018

Ms. Putt moved to approve the minutes as presented. Mr. Hudson seconded the motion. The minutes were unanimously approved without correction on a 7/0 vote.

4. NEW BUSINESS:

- A. Re-Consider:** Purpose of the hearing is to determine whether the owner(s), lien holder, or mortgagee of 125 Oakside, Universal City Texas has complied with the Order Requiring Abatement of Public Nuisance and Dangerous Structure which was issued by the Board of Appeals on August 28, 2017.

City staff gave an update concerning the property.

The property owner was not present.

Member Putt made a motion stating, " I find that the property owner(s) or general contractor 125 Oakside, Universal City Texas has complied, or working on complying with the Board of Appeals Order Requiring Abatement of Public Nuisance and Structure.

Based on the report(s) provided, I move that the Board of Appeals grant an extension to the property owner and general contractor of 125 Oakside to continue with repairs at the subject property and come back before the Board of Appeals on April 23, 2018 with the following inspections to be performed and passed per the timeline that was approved by the City."

The motion was seconded by Member Hudson and the vote was unanimously approved on a 7-0 vote.

- B. Public Hearing:** Purpose of the public hearing is to determine whether the structure at 321 E Aviation Blvd, Universal City, Texas [CB 5768 BLK 37 LOT 15] complies with the standards set out in the City's International Property Maintenance Code adopted by Ordinance 370-N-2015.

City staff gave the Board an update on the property. Vice Chairman Maxwell opened the public hearing at 6:04PM. The property owners Lewis and Lavern Jones were present and spoke to the Board concerning the various issues and answered questions. There were no further comments for or against the property. The public hearing was closed at 6:13PM.

- C. Consider:** Outcome of the Public Hearing to determine whether the property owner (s), lienholder, or mortgagee at 321 E Aviation Blvd, Universal City, Texas [CB 5768 BLK 37 LOT 15] has complied with the Order Requiring Abatement of Public Nuisances and Dangerous Structures.

Member Putt made a motion stating, "I make the following findings of fact and motion regarding the primary structure and accessory structures/ fence at 321 E Aviation Blvd: "That the conditions of the property commonly described as 321 E Aviation Blvd, legally described as [CB 5768 Block 37 LOT 15 Old Rose Garden (SC)] Universal City, Bexar County, Texas 78148, Bexar County Appraisal District ID# 354642 constitutes a public nuisance in need of abatement, specifically:

- 1. The primary structure is damaged due to years of neglect. The foundation is damaged and in need of a structural engineer's report to be submitted and proper repairs made as required by the engineer. There are multiple electrical, plumbing, and mechanical issues that will also need to be addressed. The structure either needs to be properly repaired or demolished.**
- 2. The fence line is in substandard condition due to deterioration.**
- 3. If the house is demolished, then any fences or accessory structures will be in violation of Zoning Ordinance 581 and will also need to be removed.**
- 4. If the house is demolished, then all plumbing and electrical will need to be properly capped off by a State Approved Plumber/Electrician. The foundation and all flatwork will also need to be removed if the house is demolished.**
- 5. The structure, as it continues to exist, is a fire hazard, nuisance to adjacent properties, a danger to the surrounding neighborhood, and it violates City Ordinances 581 and 370-N-2015 as amended.**

Based on the findings of fact, I move that the Board of Appeals order that by April 23, 2018 the property will be secured, all siding and foundation repairs will be made, and an approved timeline will be submitted and approved by the City."

The motion was seconded by Member Andrews and the vote passed by 7-0.

- D. Public Hearing:** Purpose of the public hearing is to determine whether the structure at 702 Bowie, Universal City, Texas [CB 5768 BLK 36 LOT 1] complies with the standards set out in the City's International Property Maintenance Code adopted by Ordinance 370-N-2015.

City staff gave an update to the Board on the property. Vice Chairman Maxwell opened the public hearing at 6:30PM. Ms. Aurora Mancilla and her representative Anthony Silva spoke to the Board concerning the various issues on the property and answered questions. There were no further comments for or against the property. The public hearing was closed at 6:38PM.

- E. Consider:** Outcome of the Public Hearing to determine whether the property owner (s), lienholder, or mortgagee at 702 Bowie, Universal City, Texas [CB 5768 BLK 36 LOT 1] has complied with the Order Requiring Abatement of Public Nuisances and Dangerous Structures.

Member Putt made a motion stating, "I make the following findings of fact and motion regarding the primary structure and accessory structures/ fence at 702 Bowie: "That the conditions of the property commonly described as 702 Bowie, legally described as [CB 5768 Block 36 LOT 1 Old Rose Garden (SC)] Universal City, Bexar County, Texas 78148, Bexar County Appraisal District ID# 354615 constitutes a public nuisance in need of

abatement, specifically:

1. The primary structure is damaged due to years of neglect. The foundation is damaged and in need of a structural engineer's report to be submitted and proper repairs made as required by the engineer. There are also multiple electrical, plumbing, and mechanical issues that will also need to be addressed by an approved State Licensed trade. The structure either needs to be properly repaired or demolished.
2. The fence line is in substandard condition due to deterioration and in violation of the zoning ordinance.
3. If the house is demolished, then all plumbing and electrical will need to be properly capped off by a State Approved Plumber/Electrician. The foundation and all flatwork will also need to be removed if the house is demolished.
4. If the house is demolished, then the fence and all accessory structures will be in violation of Zoning Ordinance 581 and will also need to be removed.
5. Garbage/ Brush needs to be cleaned up from the property and properly disposed of.
6. All grass on the property and along the street curb needs to be trimmed to approved height and kept maintained always.
7. The structure, as it continues to exist, is a fire hazard, nuisance to adjacent properties, a danger to the surrounding neighborhood, and it violates City Ordinances 581 and 370-N-2015 as amended.

Based on the findings of fact, I move that the Board of Appeals order that on March 26, 2018 the new owner or current owner re-appears before the Board with an approved timeline submitted to the City and that within 48 hours a letter of intent be submitted to the City of the prospected buyer."

Member Vinci seconded the motion and the vote was passed by 7-0.

- F. **Public Hearing:** Purpose of the public hearing is to determine whether the structure at 145 Winn, Universal City, Texas [CB 5054B BLK 1 LOT 22] complies with the standards set out in the City's International Property Maintenance Code adopted by Ordinance 370-N-2015.

City staff gave an update on the property. Vice Chairman Maxwell opened the public hearing at 6:52PM. The property owner's Patricia and John Martinez were present and spoke to the issues on the property and answered questions. There were no further comments for or against the property. The public hearing was closed at 6:59PM.

- G. **Consider:** Outcome of the Public Hearing to determine whether the property owner (s), lienholder, or mortgagee at 145 Winn, Universal City, Texas [CB 5054B BLK 1 LOT 22] has complied with the Order Requiring Abatement of Public Nuisances and Dangerous Structures.

Member Putt made a motion stating' "I make the following findings of fact and motion regarding the primary structure and accessory structures/ fence at 145 Winn:

"That the conditions of the property commonly described as 145 Winn Avenue, legally described as [CB 5054B Block 1 LOT 22 Old Rose Garden (SC)] Universal City, Bexar County, Texas 78148, Bexar County Appraisal District ID# 308670 constitutes a public nuisance in need of abatement, specifically:

1. The primary structure is damaged due to years of neglect. The foundation is damaged and
2. in need of a structural engineer's report to be submitted and proper repairs made as required by the engineer. There are multiple electrical, plumbing, and mechanical issues that will also need to be addressed, by an approved State Licensed trade. The structure either needs to be properly repaired or demolished.
3. The rear patio and front wall flower bed (Retaining Wall) is in dilapidated condition and on verge of collapsing.
4. If the house is demolished, then the fence and all accessory structures will be in
5. violation of Zoning Ordinance 581 and will also need to be removed.
6. If the house is demolished, then all plumbing and electrical will need to be properly capped off by a State Approved Plumber/Electrician. The foundation and all flatwork will also need to be removed if the house is demolished.
7. Garbage/ Brush needs to be cleaned up from the property and in the alley way, and properly disposed of.

8. Tree's on property and in alley way needs to be trimmed, and any dead trees on the property, removed, as it is a safety issue.
9. The structure, as it continues to exist, is a fire hazard, nuisance to adjacent properties, a danger to the surrounding neighborhood, and it violates City Ordinances 581 and 370-N-2015 as amended.

Based on the findings of fact, I move that the Board of Appeals order that the property owner will be required to return on March 26, 2018 with an approved timeline and the Residential Checklist submitted to the City for approval by March 19, 2018.

Member Hudson seconded the motion and the vote passed 7-0.

- H. Public Hearing:** Purpose of the public hearing is to determine whether the structure at 506 W Wright, Universal City, Texas [CB 5768 BLK 27 LOT 9] complies with the standards set out in the City's International Property Maintenance Code adopted by Ordinance 370-N-2015.

City staff gave an update on the property. Vice Chairman Maxwell opened the public hearing at 7:09PM. The property owner, Larry Orsak, and contractor, Will Soto, made comments on the property and answered questions. There were no further comments for or against the property. The public hearing was closed at 7:19PM.

- I. Consider:** Outcome of the Public Hearing to determine whether the property owner (s), lienholder, or mortgagee at 506 W Wright, Universal City, Texas [CB 5768 BLK 27 LOT 9] has complied with the Order Requiring Abatement of Public Nuisances and Dangerous Structures.

Member Putt made a motion stating, "I make the following findings of fact and motion regarding the primary structure and accessory structures/ fence at 506 W Wright:

"That the conditions of the property commonly described as 506 W Wright, legally described as [CB 5768 Block 27 LOT 9 Parkview/Northview (SC)] Universal City, Bexar County, Texas 78148, Bexar County Appraisal District ID# 354572 constitutes a public nuisance in need of abatement, specifically:

1. The primary structure is substantially damaged due to years of neglect. The foundation is damaged and in need of a structural engineer's report to be submitted and proper repairs made as required by the engineer. There are multiple electrical, plumbing, and mechanical issues that will also need to be addressed, by a State Licensed trade. The structure either needs to be properly repaired or demolished.
2. The structure, as it continues to exist, is a fire hazard, nuisance to adjacent properties, a danger to the surrounding neighborhood, and it violates City Ordinances 581 and 370-N-2015 as amended.
3. If the house is demolished, then any fences or accessory structures will be in violation of Zoning Ordinance 581 and will also need to be removed.
4. If the house is demolished, then all plumbing and electrical will need to be properly capped off by a State Approved Plumber/Electrician. The foundation and all flatwork will also need to be removed if the house is demolished.

Based on the findings of fact, I move that the Board of Appeals order that the property owner comes before the Board on March 26, 2018 and by March 19, 2018 submits an approved timeline, an engineer's report, and a Residential Checklist to be reviewed and approved by the City."

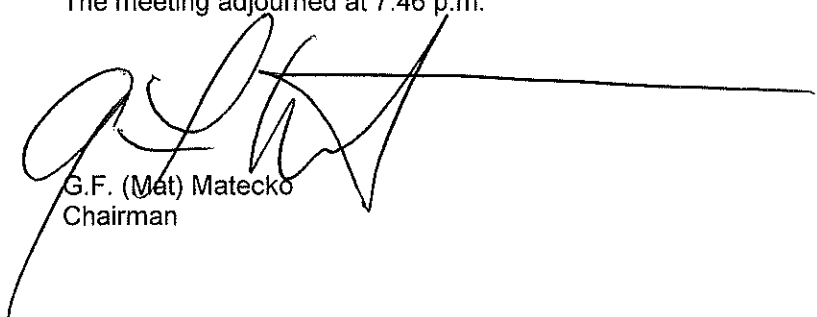
Member Hudson seconded the motion and the vote passed 7-0.

5. UPDATE ON CASES:
- a. 91 Plaza-Explained Project is close to being finished
 - b. 610 Meadow Arbor- Explained Project is close to being finished
 - c. 622 Meadow Arbor- Explained Project is close to being finished
 - d. 238 Guilford Forge- Explained City is reaching out to Contractor concerning inspections

6. CITY MANAGER COMMENTS:
- Assistant City Manager Kim Turner gave a short presentation to the Board concerning Building Safety Inspections and discussed the new Board of Appeals checklists that property owners will be receiving and required to have fill out before the meetings.

7. ADJOURNMENT:

The meeting adjourned at 7:46 p.m.

A handwritten signature in black ink, appearing to read 'G.F. Matecko', is written over a horizontal line. The signature is stylized and extends across the line.

G.F. (Met) Matecko
Chairman