

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

1. CALL TO ORDER: Chairman Mat Matecko at 6:00 p.m.
2. QUORUM CHECK: Jacob Jenkins, Code Enforcement Officer

Members Present:  
Mat Matecko, Chairman  
John Hudson, Member  
Mary Andrews, Member  
Cheryl Maxwell, Vice-Chairman  
James Vinci, Member  
Michael Murray, Member  
Lori Putt, Member

Present:  
Ken Taylor - City Manager  
Kim Turner- Assistant City Manager  
Jaclyn Redmon- Building Official  
Tom Dirk- Representative, General Contractor  
John and Patricia Martinez – 145 Winn, Property Owner  
Aurora Mancillas- 702 Bowie, Property Owner  
Viola Garcez- 702 Bowie, Representative  
Fidencio Martinez- 305 Pat Booker Rd, Property Owner  
Fernando Leon- 305 Pat Booker Rd, Representative  
Carlos Lozano- 315 Pat Booker Rd, Property Owner  
George Mercano- 315 Pat Booker Rd, Representative  
Juan Martinez Jr- 209 Hillview, Person of Interest  
Luis Carrillo- 317 W Wright, Property Owner  
Javier Garcia- 433 W Wright, Potential Buyer  
Latham Llyod- 437 W Wright, Property Owner

3. MINUTES OF PREVIOUS MEETING:

Regular Meeting – 26 February 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), of 238 Guilford Forge, Universal City, Texas complied with the Order Requiring Abatement of Public Nuisance and Dangerous Structure.

The City reported to the Board of the status of the project and recommended an extension.

**Member Putt made a motion stating, "I find that the property owner(s) or general contractor 238 Guilford Forge, 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 238 Guilford Forge to continue with repairs at the subject property and come back before the Board of Appeals on May 21, 2018 with inspections to be performed and passed."**

**Member Hudson seconded the motion; the motion was approved on a 7/0 vote.**

- B. Re-Consider:** Purpose of the hearing is to determine whether the owner(s), of 91 Plaza, Universal City, Texas complied with the Order Requiring Abatement of Public Nuisance and Dangerous Structure.

The City reported to the Board of the status of the project and recommended an extension. The property owner's representative was present and made comments concerning the project.

**Member Maxwell made a motion stating, "I find that the property owner(s) or general contractor 91 Plaza, 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 91 Plaza to continue with repairs at the subject property and come back before the Board of Appeals on May 21, 2018 with inspections to be performed and passed."**

**Member Andrews seconded the motion; the motion was approved on a 7/0 vote.**

- C. Re-Consider:** Purpose of the hearing is to determine whether the owner(s), of 610 Meadow Arbor, Universal City, Texas complied with the Order Requiring Abatement of Public Nuisance and Dangerous Structure.

The City reported to the Board of the status of the project and recommended an extension. The property owner's representative was present and made comments concerning the project.

**Member Putt made a motion stating, "I find that the property owner(s) or general contractor 610 Meadow Arbor, 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 610 Meadow Arbor to continue with repairs at the subject property and come back before the Board of Appeals on May 21, 2018 with inspections to be performed and passed."**

**Member Hudson seconded the motion; the motion was approved on a 7/0 vote.**

- D. Re-Consider:** Purpose of the hearing is to determine whether the owner(s), of 622 Meadow Arbor, Universal City, Texas complied with the Order Requiring Abatement of Public Nuisance and Dangerous Structure.

The City reported to the Board of the status of the project and recommended an extension. The property owner's representative was present and made comments concerning the project.

**Member Hudson made a motion stating, "I find that the property owner(s) or general contractor 622 Meadow Arbor, 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 622 Meadow Arbor to continue with repairs at the subject property and come back before the Board of Appeals on May 21, 2018 with inspections to be performed and passed."**

**Member Andrews seconded the motion; the motion was approved on a 7/0 vote.**

- E. Re-Consider:** Purpose of the hearing is to determine whether the owner(s), of 506 W Wright, Universal City, Texas complied with the Order Requiring Abatement of Public Nuisance and Dangerous Structure.

**Consideration was removed from agenda.**

- F. Re-Consider:** Purpose of the hearing is to determine whether the owner(s), of 145 Winn, Universal City, Texas complied with the Order Requiring Abatement of Public Nuisance and Dangerous Structure.

The City reported to the Board of the status of the project and that all requirements had not been met from the Residential Checklist. The property owners were present and made comments concerning the project and answered questions from the Board.

**Member Putt made a motion stating, "I find that the property owner(s), lienholder, or mortgagee of 145 Winn, Universal City Texas is working on complying with the Board of Appeals Order Requiring Abatement of Public Nuisance and Dangerous Structure."**

**Based on the report from City staff, I move that the Board of Appeals grant an extension to the property owner of 145 Winn to have a completed Residential Checklist completed and turned into the City for review by April 16, 2018 and the property owner is required to appear at the Board meeting on April 26, 2018."**

**Member Hudson seconded the motion with Members Matecko, Hudson, Andrews, Vinci, Murray, and Putt voting "Aye" and Member Maxwell voting "Nay".**

- G. Re-Consider:** Purpose of the hearing is to determine whether the owner(s), of 702 Bowie, Universal City, Texas complied with the Order Requiring Abatement of Public Nuisance and Dangerous Structure.

The City reported to the Board of the status of the project and that all requirements had not been met from the Residential Checklist. The property owner and their representative were present and made comments concerning the project and answered questions from the Board.

**Member Maxwell made a motion stating, "I find that the property owner(s), lienholder, or mortgagee of 702 Bowie, Universal City Texas has not complied with the Board of Appeals Order Requiring Abatement of Public Nuisance and Dangerous Structure. Because the dangerous structure and public nuisance still exist, along with the accessory structure and fence, I move to authorize the City of Universal City to proceed with abatement of the dangerous structure and public nuisance."**

**Additionally, as provided by law, the dangerous structure and public nuisance may not be abated by the City any earlier than 23 April 2018. Upon completion of the abatement by the City, the City is further authorized to assess a lien against the property to recover its expenses associated with the abatement in accordance with applicable law."**

**Member Hudson seconded the motion with Members Matecko, Hudson, Andrews, Maxwell, Vinci, and Putt voting "Aye" and Member Murray voting "Nay".**

- H. Public Hearing:** Purpose of the public hearing is to determine whether the structure at 305 Pat Booker, Universal City, Texas [CB 5768 BLK 23 LOTS 14,15,16,17, & 18] complies with the standards set out in the City's International Property Maintenance Code adopted by Ordinance 370-N-2015.

That the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

The City reported to the Board of the status of the project and what paperwork was not submitted to the City. Chairman Matecko opened the public hearing at 7:27PM.

The property owner was present but did not speak on the matter. The property owner's representative, Fernando Leon, spoke and answered questions from the Board. The public hearing was closed at 7:38PM.

- I. **Consider:** Outcome of the Public Hearing to determine whether the property owner (s), lienholder, or mortgagee at 305 Pat Booker, Universal City, Texas [CB 5768 BLK 23 LOTS 14,15,16,17, & 18] 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 305 Pat Booker Road: "That the conditions of the property commonly described as 305 Pat Booker Road, legally described as [CB 5068 BLOCK 23 LOT 14,15,16,17, & 18] Universal City, Bexar County, Texas 78148, Bexar County Appraisal District ID# 354515 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 by an approved State Licensed trade. The structure either needs to be properly repaired or demolished.**
2. **If the building 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 building is demolished.**
3. **Garbage/Debris needs to be cleaned up from the property and properly disposed.**
4. **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 Commercial Checklist be submitted to the City by April 16, 2018 for review and that the property owner appears before the Board on April 23, 2018."**

**Member Maxwell seconded the motion; the motion was approved on a 7/0 vote.**

- J. **Public Hearing:** Purpose of the public hearing is to determine whether the structure at 315 Pat Booker, Universal City, Texas [CB 5768 BLK 23 LOT 9,10,11,12, &13] complies with the standards set out in the City's International Property Maintenance Code adopted by Ordinance 370-N-2015.

That the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

The City reported to the Board of the status of the project and what paperwork was not submitted to the City. Chairman Matecko opened the public hearing at 7:56PM.

The property owner was present but did not speak on the matter. The property owner's representative, George Mercano, spoke and answered questions from the Board. The public hearing was closed at 8:06PM.

- K. **Consider:** Outcome of the Public Hearing to determine whether the property owner (s), lienholder, or mortgagee at 315 Pat Booker, Universal City, Texas [CB 5768 BLK 23 LOT 9,10,11,12, &13] has complied with the Order Requiring Abatement of Public Nuisances and Dangerous Structures.

**Member Maxwell made a motion stating, "I make the following findings of fact and motion regarding the primary structure and accessory structures/ fence at 315 Pat Booker Road: "That the conditions of the property commonly described as 315 Pat Booker Road, legally described as [CB 5768 Block 23 LOT 9, 10,11,12, & 13] Universal City, Bexar County, Texas 78148, Bexar County Appraisal District ID# 354514 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 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.**
2. **The existing non-conforming zoning status of the automotive repair is no longer applicable due to the business being closed for 120 days. The property now falls under**

- the current zoning status of C-2 Retail.
3. If the building is demolished, then all accessory structures will be in violation of Zoning Ordinance 581 and will also need to be removed.
  4. If the building 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 building 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 all the structures at the subject property be properly repaired or demolished and the completed checklist submitted to the City by April 16, 2018 and the property owner return to the Board on April 23, 2018."

Member Hudson seconded the motion; the motion was approved on a 7/0 vote.

- L. **Public Hearing:** Purpose of the public hearing is to determine whether the structure at 209 Hillview, Universal City, Texas [CB 5053B BLK 1 LOT 31] complies with the standards set out in the City's International Property Maintenance Code adopted by Ordinance 370-N-2015.

That the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

The City reported to the Board of the status of the project and what paperwork was not submitted to the City. Chairman Matecko opened the public hearing at 8:17PM.

The property owner was not present but did not speak on the matter. A person of interest for the property spoke and answered questions from the Board. The public hearing was closed at 8:24PM.

- M. **Consider:** Outcome of the Public Hearing to determine whether the property owner (s), lienholder, or mortgagee at 209 Hillview, Universal City, Texas [CB 5053B BLK 1 LOT 31] 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 209 Hillview:

"That the conditions of the property commonly described as 209 Hillview, legally described as [CB 5053B Block 1 LOT 31 Parkview/Northview (SC)] Universal City, Bexar County, Texas 78148, Bexar County Appraisal District ID# 307168 constitutes a public nuisance in need of abatement, specifically:

1. The primary structure is damaged due to years of neglect. The roof is damaged and in need of replacement and proper repair. All electrical, plumbing, and mechanical issues that will also need to be addressed by an approved State Licensed trade. The structure needs to be brought to code demolished.
2. Water, sewer, and electric have been turned off to the property which deems the house uninhabitable.
3. The sheds are in disrepair and need to be removed from the property.
4. The accumulation of garbage on the property is a health/safety issue and needs to be removed and all garbage/debris properly disposed.
5. The City has issued multiple court citations for junk vehicles on the property, and there is currently still a junk vehicle on the property.
6. 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.
7. If the building 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.
8. The structure and property, 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 all the structures at the subject property be properly repaired or demolished no later than April 23, 2018."**

**Member Hudson seconded the motion; the motion was approved on a 7/0 vote.**

- N. Public Hearing:** Purpose of the public hearing is to determine whether the structure at 317 W Wright, Universal City, Texas [CB 5768 BLK 12 LOT 14 & 15] complies with the standards set out in the City's International Property Maintenance Code adopted by Ordinance 370-N-2015.

That the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

The City reported to the Board of the status of the project and what paperwork was not submitted to the City. Chairman Matecko opened the public hearing at 8:30PM.

The property, Luis Carrillo owner was present, spoke on the matter and answered questions from the Board. The public hearing was closed at 8:34PM.

- O. Consider:** Outcome of the Public Hearing to determine whether the property owner (s), lienholder, or mortgagee at 317 W Wright, Universal City, Texas [CB 5768 BLK 12 LOT 14 & 15] has complied with the Order Requiring Abatement of Public Nuisances and Dangerous Structures.

**Member Maxwell made a motion stating," I make the following findings of fact and motion regarding the primary structure and accessory structures/ fence at 317 W Wright:**

**"That the conditions of the property commonly described as 317 W Wright, legally described as [CB 5768 Block 12 LOT 14 and 15 Parkview/Northview (SC)] Universal City, Bexar County, Texas 78148, Bexar County Appraisal District ID# 354433 constitutes a public nuisance in need of abatement, specifically:**

- 1. The primary structure is damaged due to years of neglect. The foundation is potentially damaged and in need of a structural engineer's report and proper repairs made as required by the engineer. The roof and siding are damaged and in need of replacement. All 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 shed is in disrepair and needs to be removed from the property.**
- 3. 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.**
- 4. If the building 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 all the structures at the subject property be properly repaired or demolished and the completed Residential Checklist submitted to the City by April 16, 2018 and that the property owner return to the Board on April 23, 2018."**

**Member Vinci seconded the motion; the motion was approved on a 7/0 vote.**

- P. Public Hearing:** Purpose of the public hearing is to determine whether the structure at 433 W Wright, Universal City, Texas [CB 5768 BLK 11 LOT 19] complies with the standards set out in the City's International Property Maintenance Code adopted by Ordinance 370-N-2015.

That the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

The City reported to the Board of the status of the project and what paperwork was not submitted to the City. Chairman Matecko opened the public hearing at 8:40PM.

The property owner was not present to speak on the matter. A potential buyer, Javier Garcia, spoke and answered questions from the Board. The public hearing was closed at 8:45PM.

- Q. Consider:** Outcome of the Public Hearing to determine whether the property owner (s), lienholder, or mortgagee at 433 W Wright, Universal City, Texas [CB 5768 BLK 11 LOT 19] 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 433 W Wright:**

**"That the conditions of the property commonly described as 433 W Wright, legally described as [CB 5768 Block 11 LOT 19 Parkview/Northview (SC)] Universal City, Bexar County, Texas 78148, Bexar County Appraisal District ID# 354420 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 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.**
- 2. 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.**
- 3. If the building 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. 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 all the structures at the subject property be properly repaired or demolished and the Residential Checklist submitted to the City by April 16, 2018 and the legal owner return to the Board on April 23, 2018."**

**Member Hudson seconded the motion; the motion was approved on a 7/0 vote.**

- R. Public Hearing:** Purpose of the public hearing is to determine whether the structure at 437 W Wright, Universal City, Texas [CB 5768 BLK 11 LOT 20] complies with the standards set out in the City's International Property Maintenance Code adopted by Ordinance 370-N-2015.

That the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

The reported to the Board of the status of the project and what paperwork was not submitted to the City. Chairman Matecko opened the public hearing at 8:54PM.

The property owner, Latham Llyod, was present and spoke on the matter. The public hearing was closed at 9:01PM.

- S. Consider:** Outcome of the Public Hearing to determine whether the property owner (s), lienholder, or mortgagee at 437 W Wright, Universal City, Texas [CB 5768 BLK 11 LOT 20] has complied with the Order Requiring Abatement of Public Nuisances and Dangerous Structures.

**Member Maxwell made a motion stating, "I make the following findings of fact and motion regarding the primary structure and accessory structures/ fence at 437 W Wright: "That the conditions of the property commonly described as 437 W Wright Blvd, legally described as [CB 5768 Block 11 LOT 20 Parkview/Northview (SC)] Universal City, Bexar County, Texas 78148, Bexar County Appraisal District ID# 354421 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 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.**
- 2. 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.**
- 3. If the building 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. 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.**

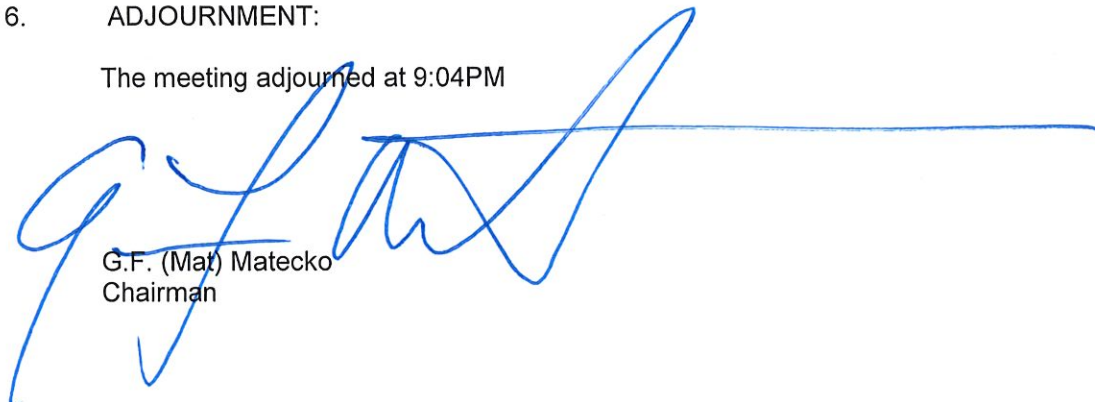
**Based on the findings of fact, I move that the Board of Appeals order that all the structures at the subject property be properly repaired or demolished, that a Structural Engineer report be submitted to the City by April 16, 2018. If the report states the house is uninhabitable, then the City will proceed and require all tenants to vacate the property, and post the property as condemned. If habitable the property owner will need to submit a Residential Checklist and appear before the Board on April 23, 2018.**

**Member Hudson seconded the motion; the motion was approved on a 7/0 vote.**

5. UPDATE ON CASES:  
No report

6. ADJOURNMENT:

The meeting adjourned at 9:04PM



G.F. (Mat) Matecko  
Chairman