

MINUTES  
BOARD OF APPEALS OF THE CITY OF UNIVERSAL CITY, TEXAS  
Regular Meeting, Monday Evening, 23 April 2018

1. CALL TO ORDER: Chairman Mat Matecko at 6:12 PM.
2. QUORUM CHECK: Jacob Jenkins, Code Enforcement Officer

Members Present:  
Mat Matecko, Chairman  
John Hudson, Member  
Mary Andrews, Member  
James Vinci, Member  
Ronald Jackson, Member  
Dolly Breithaupt, Member  
Lori Putt, Member

Present:  
Kim Turner- Assistant City Manager  
Jaclyn Redmon- Building Official  
Richard Pozos- 125 Oakside, Property Owner  
John Martinez Jr- 209 Hillview, Interested Party  
Lewis Jones- 321 E. Aviation, Property Owner  
Lloyd Latham- 437 W Wright, Property Owner  
Carlos Lozano, 315 Pat Booker, Property Owner  
Leandro Ordonez, 218 W Lindbergh, Property Owner  
Laura Oliden, 218 W Lindbergh, Interested Party  
Martha Kuzara, 406 W Aviation, Former Owner  
Oscar Rodriguez, 406 W Aviation, Property Owner  
Yogesh Bhatt, 925 Pat Booker, Property Owner  
Steven Redgate, 315 Pat Booker, Interested Party  
Ken Lott, 425 W Wright, Property Owner  
Patricia Martinez, 145 Winn, Property Owner  
Jesse James Anguiano III, 702 Bowie, Property Owner  
Fidencio Martinez, 305 Pat Booker Rd, Property Owner

3. MINUTES OF PREVIOUS MEETING:

Regular Meeting – 26 March 2018

**Mr. Vinci moved to approve the minutes as presented. Ms. Andrews 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 125 Oakside, Universal City, Texas complied with the Order Requiring Abatement of Public Nuisance and Dangerous Structure.

The City reported to the Board on the status of the project.

The property owner was present and answered questions from the Board.

The Board discussed the matter and the City answered questions from the Board.

**Member Hudson made a motion stating: "I find that the property owner(s) or general contractor of 125 Oakside, Universal City Texas has not complied with the Board of Appeals Order Requiring Abatement of Public Nuisance /Structure. Because the property owner and general contractor has failed to comply with the orders of this Board, and the structure and public nuisance still exist, I move to that the City proceed with abatement of the structure as required, but the property owner will be allowed to work with the City and have a 90-day timeline submitted to the City and approved by May 21, 2018.**

**Additionally, the property owner and/or general contractor will need to come before the Board of Appeals on May 21, 2018."**

**Member Jackson seconded the motion and the motion passed in favor by 7-0.**

- B. Re-Consider:** Purpose of the hearing is to determine whether the owner(s), of 209 Hillview, Universal City, Texas complied with the Order Requiring Abatement of Public Nuisance and Dangerous Structure.

The City reported to the Board on the status of the project.

A person of interest was present and spoke to the Board and answered questions on the matter.

The Board discussed the matter and the City answered questions from the Board.

**Member Vinci made a motion stating, "I find that the property owner(s), lienholder, or mortgagee of 209 Hillview, 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 28 May 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 Putt seconded the motion and the motion passed in favor by 7-0.**

- C. 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 on the status of the project.

The property owner was present and answered questions from the Board.

The Board discussed the matter and the City answered questions from the Board.

**Member Vince made a motion stating, "I order the March 23, 2018 order for Demolition be rescinded by the Board. I find that the property owner(s), lienholder, or mortgagee of 702 Bowie, Universal City Texas has complied, or 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 a 90-day extension to the property owner of 702 Bowie to have all the repairs or demolition at the subject property be completed later than July 16, 2018.**

**Member Putt seconded the motion and the motion passed in favor by 7-0.**

- D. 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.

This item was removed from the agenda by the City, as the property owner is working with Randolph Air Base.

- E. **Re-Consider:** Purpose of the hearing is to determine whether the owner(s), of 321 E Aviation, Universal City, Texas complied with the Order Requiring Abatement of Public Nuisance and Dangerous Structure.

The City reported to the Board on the status of the project.

The property owner was present and answered questions from the Board.

The Board discussed the matter and the City answered questions from the Board.

**Member Breithaupt made a motion stating, "I find that the property owner(s), lienholder, or mortgagee of 321 E Aviation, 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 28 May 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. The current and/or proposed property owner(s) can still be allowed to work with the City to submit all required paperwork before May 14, 2018 to make corrections to the violations. If it is shown that sufficient progress has been made by the May 21, 2018 Board of Appeals meeting, the Board will reconsider the case and may rescind the demolition order and grant a 90-day timeline for the repairs to be completed. If no progress has been made, the Board will make the render a final decision to demolish the structure."**

**Member Hudson seconded the motion and the motion passed in favor 7-0.**

- 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 on the status of the project.

The property owner was present and answered questions from the Board.

The Board discussed the matter and the City answered questions from the Board.

**Member Jackson made a motion stating," I find that the property owner(s), lienholder, or mortgagee of 145 Winn, Universal City Texas has complied, or 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 a 90-day extension to the property owner of 145 Winn to have all the repairs or demolition at the subject property be completed later than July 16, 2018.**

**Member Putt seconded the motion and the motion passed in favor 7-0.**

- G. **Re-Consider:** Purpose of the hearing is to determine whether the owner(s), of 317 W Wright, Universal City, Texas complied with the Order Requiring Abatement of Public Nuisance and Dangerous Structure.

This item was removed by the City, as the property owner pulled a demolition permit and the property has been demolished.

- H. **Re-Consider:** Purpose of the hearing is to determine whether the owner(s), of 433 W Wright, Universal City, Texas complied with the Order Requiring Abatement of Public Nuisance and Dangerous Structure.

The City reported to the Board on the status of the project.

The property owner was not present to speak to the Board.

The Board discussed the matter and the City answered questions from the Board.

**Member Jackson made a motion stating, "I find that the property owner(s), lienholder, or mortgagee of 433 W Wright, Universal City Texas has complied, or 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 a 90-day extension to the property owner of 433 W Wright to have all the repairs or demolition at the subject property be completed later than July 16, 2018.**

**Member Hudson seconded the motion and the motion passed in favor 7-0.**

- I. **Re-Consider:** Purpose of the hearing is to determine whether the owner(s), of 437 W Wright, Universal City, Texas complied with the Order Requiring Abatement of Public Nuisance and Dangerous Structure.

The City reported to the Board on the status of the project.

The property owner was present and answered questions from the Board.

The Board discussed the matter and the City answered questions from the Board.

**Member Andrews made a motion stating, "I find that the property owner(s), lienholder, or mortgagee of 437 W Wright, 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 28 May 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.**

**Within 30 days t the contractor is to submit stamped plans and pull a foundation permit and within 90-days the repairs are to be completed. The property owner is order to re-appear before the Board on May 21, 2018."**

**Member Vinci seconded the motion and the motion passed in favor 7-0.**

- J. Re-Consider:** Purpose of the hearing is to determine whether the owner(s), of 305 Pat Booker Road, Universal City, Texas complied with the Order Requiring Abatement of Public Nuisance and Dangerous Structure.

The City reported to the Board on the status of the project.

The property owner was present and answered questions from the Board.

The Board discussed the matter and the City answered questions from the Board.

**Member Putt made motion stating, "I find that the property owner(s), lienholder, or mortgagee of 305 Pat Booker Road Universal City Texas has complied or 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 305 Pat Booker Road to have all the repairs or demolition at the subject property be completed later than July 16, 2018."**

**Member Hudson seconded the motion and the motion passed in favor 7-0.**

- K. Re-Consider:** Purpose of the hearing is to determine whether the owner(s), of 315 Pat Booker Road, Universal City, Texas complied with the Order Requiring Abatement of Public Nuisance and Dangerous Structure.

The City reported to the Board on the status of the project.

The property owner was present and answered questions from the Board.

The Board discussed the matter and the City answered questions from the Board.

**Member Jackson made a motion stating, "I find that the property owner(s), lienholder, or mortgagee of 315 Pat Booker Road, Universal City Texas has complied, or 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 315 Pat Booker Road to have all the outstanding documents at the subject property be completed later than May 14, 2018 and the property owner return to the Board on May 21, 2018."**

**Member Hudson seconded the motion and the motion passed in favor 7-0.**

- L. Public Hearing:** Purpose of the public hearing is to determine whether the structure at 445 E Wright, Universal City, Texas [CB 5768A BLK 57 LOT 14] complies with the standards set out in the City's International Property Maintenance Code adopted by Ordinance 370-N-2015.

This item was removed from the agenda by the City, as the contractor has pulled a 90-day permit to perform repairs on the property.

- M. Consider:** Outcome of the Public Hearing to determine whether the property owner (s), lienholder, or mortgagee at 445 E Wright, Universal City, Texas [CB 5768A BLK 57 LOT 14] has complied with the Order Requiring Abatement of Public Nuisances and Dangerous Structures.

This item was removed from the agenda by the City, as the contractor has pulled a 90-day permit to perform repairs on the property.

- N. Public Hearing:** Purpose of the public hearing is to determine whether the structure at 218 W Lindbergh, Universal City, Texas [CB 5768 BLK 33 LOT 1] complies with the standards set out in the City's International Property Maintenance Code adopted by Ordinance 370-N-2015.

The City reported to the Board on the status of the project.

Chairman Matecko opened the public hearing at 8:03 PM. The property owner was present and answered questions from the Board. The property owner's daughter was also present and answered questions from the Board. There was no further public comment for or against the property. The public hearing was closed at 8:13PM.

- O. Consider:** Outcome of the Public Hearing to determine whether the property owner (s), lienholder, or mortgagee at 218 W Lindbergh, Universal City, Texas [CB 5768 BLK 33 LOT 1] has complied with the Order Requiring Abatement of Public Nuisances and Dangerous Structures.

The Board discussed the matter and the City answered questions from the Board.

**Member Putt made a motion stating, "I make the following findings of fact and motion regarding the primary structure and accessory structures/ fence at 218 W Lindbergh: "That the conditions of the property commonly described as 218 W Lindbergh, legally described as [CB 5768 Block 33 LOT 1 Parkview/Northview (SC)] Universal City, Bexar County, Texas 78148, Bexar County Appraisal District ID# 354587 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. 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 finding of fact and the reports presented, I move that the Board of Appeals order that all the structures at the subject property be demolished. The current and/or proposed property owner(s) can still be allowed to work with the City to submit all required paperwork before May 14, 2018 to make corrections to the violations. If it is shown that sufficient progress has been made by the May 21, 2018 Board of Appeals meeting, the Board will reconsider the case and may rescind the demolition order and grant a 90-day timeline for the repairs to be completed. If no progress has been made, the Board will make the render a final decision to demolish the structure. The Board further authorizes the City to condemn the house and all occupants are required to vacate by Thursday May 3, 2018.**

**The motion was seconded by Member Hudson and the vote passed 7-0 in favor.**

- P. Public Hearing:** Purpose of the public hearing is to determine whether the structure at 425 W Wright, Universal City, Texas [CB 5768 BLK 11 LOT 17] complies with the standards set out in the City's International Property Maintenance Code adopted by Ordinance 370-N-2015.

The City reported to the Board on the status of the project.

Chairman Matecko opened the public hearing at 8:24 PM. The property owner was present and answered questions from the Board. There was no further comment for or against the property and the public hearing was closed at 8:27PM.

- Q. Consider:** Outcome of the Public Hearing to determine whether the property owner (s), lienholder, or mortgagee at 425 W Wright, Universal City, Texas [CB 5768 BLK 11 LOT 17] 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 425 W Wright:**

**"That the conditions of the property commonly described as 425 W Wright, legally described as [CB 5768 Block 11 LOT 17 Parkview/Northview (SC)] Universal City, Bexar County, Texas 78148, Bexar County Appraisal District ID# 354418 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, 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. 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 and the reports presented, I move that the Board of Appeals order that the property owner provide the required Board of Appeals Checklist by May 14, 2018 for approval by City and re-appear before the Board on May 21, 2018."**

**Member Andrews seconded the motion and the motion passed in favor 7-0.**

- R. Public Hearing:** Purpose of the public hearing is to determine whether the structure at 406 W Aviation, Universal City, Texas [CB 5768 BLK 66 LOT 7 #4146518] complies with the standards set out in the City's International Property Maintenance Code adopted by Ordinance 370-N-2015.

The City reported to the Board on the status of the project.

Chairman Matecko opened the public hearing at 8:36PM. The current property owner and former property owner were present and answered questions from the Board. There was no further comment for or against the property and the public hearing was closed at 8:47PM.

- S. Consider:** Outcome of the Public Hearing to determine whether the property owner (s), lienholder, or mortgagee at 406 W Aviation, Universal City, Texas [CB 5768 BLK 66 LOT 7 #4146518] has complied with the Order Requiring Abatement of Public Nuisances and Dangerous Structures.

**Member Hudson made a motion stating, " I make the following findings of fact and motion regarding the primary structure and accessory structures/ fence at 406 W Aviation:**

**"That the conditions of the property commonly described as 406 W Aviation, legally described as [CB 5768 Block 66 LOT 7 #4146518, Parkview/Northview (SC)] Universal City, Bexar County, Texas 78148, Bexar County Appraisal District ID# 354768 constitutes a public nuisance in need of abatement, specifically:**

- 1. The primary structure is damaged due to years of neglect. The roof and siding are damaged and in need of replacement or repair. 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 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 finding of fact and the reports presented, I move that the Board of Appeals order that all the structures at the subject property be demolished. The current and/or proposed property owner(s) can still be allowed to work with the City to submit all required paperwork before May 14, 2018 to make corrections to the violations. If it is shown that sufficient progress has been made by the May 21, 2018 Board of Appeals meeting, the Board will reconsider the case and may rescind the demolition order and grant a 90-day timeline for the repairs to be completed. If no progress has been made, the Board will make the render a final decision to demolish the structure."**

**Member Andrews seconded the motion and the motion passed in favor 7-0.**



- T. Public Hearing:** Purpose of the public hearing is to determine whether the structure at 925 Pat Booker Road, Universal City, Texas [CB 5054L BLK LOT 11 /C/] complies with the standards set out in the City's International Property Maintenance Code adopted by Ordinance 370-N-2015.

The City reported to the Board on the status of the project.

Chairman Matecko opened the public hearing at 8:39PM. The property owner was present and answered questions from the Board. There were no further comments for or against the property and the public hearing was closed at 9:01PM.

- U. Consider:** Outcome of the Public Hearing to determine whether the property owner (s), lienholder, or mortgagee at 925 Pat Booker Road, Universal City, Texas [CB 5054L BLK LOT 11 /C/] 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 925 Pat Booker Road: "That the conditions of the property commonly described as 925 Pat Booker Road, legally described as [CB 575054L Block LOT 11/C/, NBHD Code 15530] Universal City, Bexar County, Texas 78148, Bexar County Appraisal District ID# 309326 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 repairs made as required by the engineer. The roof and siding are damaged and in need of replacement or repair. 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. If the building 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 and the reports presented, I move that the Board of Appeals order that all the structures at the subject property be properly repaired within the 90-day timeline submitted. If not completed within the 90 days, the property owner will be required to reappear before the Board on July 23, 2018."**

**Member Hudson seconded the motion, and the motion passed in favor 7-0.**

- V. Public Hearing:** Purpose of the public hearing is to determine whether the structure at 418 W Wright Blvd, Universal City, Texas [CB 5768 BLK 26 LOT 6] complies with the standards set out in the City's International Property Maintenance Code adopted by Ordinance 370-N-2015.

The City reported to the Board on the status of the project.

Chairman Matecko opened the public hearing at 9:06PM. The property owner was not present to speak to the board or answer questions. There was no further comment for or against the property. The public hearing was closed at 9:06PM.

- W. Consider:** Outcome of the Public Hearing to determine whether the property owner (s), lienholder, or mortgagee at 418 W Wright Blvd, Universal City, Texas [CB 5768 BLK 26 LOT 6] has complied with the Order Requiring Abatement of Public Nuisances and Dangerous Structures.

**Member Hudson made a motion stating, " I make the following findings of fact and motion regarding the primary structure and accessory structures/ fence at 418 W Wright: "That the conditions of the property commonly described as 418 W Wright, legally described as [CB 5768 Block 26 LOT 6, Parkview/Northview (SC)] Universal City, Bexar County, Texas 78148, Bexar County Appraisal District ID# 354550 constitutes a public nuisance in need of abatement, specifically:**

1. The primary structure is damaged due to years of neglect. The foundation/structure is potentially damaged and in need of a structural engineer's report and repairs made as required by the engineer. The roof and siding are damaged and in need of replacement or repair. 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 accumulation of garbage on the property is a health/safety issue and needs to be removed and all garbage/debris properly disposed.
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 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 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.

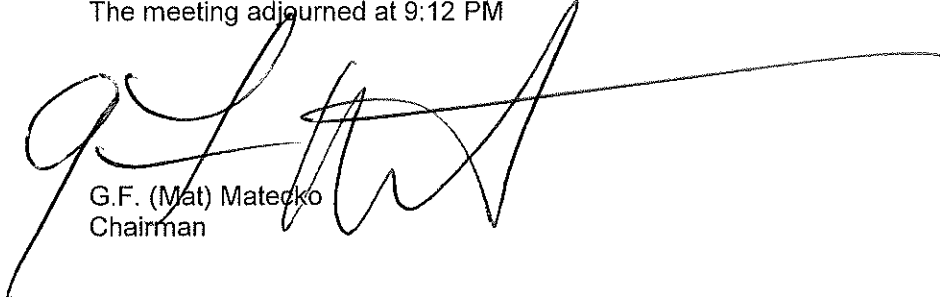
Based on the finding of fact and the reports presented, I move that the Board of Appeals order that all the structures at the subject property be demolished. The current and/or proposed property owner(s) can still be allowed to work with the City to submit all required paperwork before May 14, 2018 to make corrections to the violations. The owner of the property will also show Right of Possession; either by a deed for the property, or lease agreement.

If it is shown that sufficient progress has been made by the May 21, 2018 Board of Appeals meeting, the Board will reconsider the case and may rescind the demolition order and grant a 90-day timeline for the repairs to be completed. If no progress has been made, the Board will make the render a final decision to demolish the structure."

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

6. ADJOURNMENT:

The meeting adjourned at 9:12 PM

  
G.F. (Mat) Matecko  
Chairman