

STATE OF TEXAS  
COUNTIES OF POTTER & RANDALL  
CITY OF AMARILLO

MINUTES

On November 1, 2018, the Condemnation Appeals Commission met at 4:00 p.m. for a Regular meeting at City Hall, 509 E 7<sup>th</sup> Ave, in City Council Chambers.

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD SINCE APPOINTMENT	NO. OF MEETINGS ATTENDED
Jeff Bryant	Yes	19	17
Richard Constancio	No	19	15
Tom Roller	Yes	19	17
Joel Favela	Yes	19	16
Frank Willburn	Yes	15	10
<b>Alternate Members</b>			
George Cumming	No	19	12

Also in attendance were:

Randy Schuster  
Bryan McWilliams  
Gwen Gonzales

BUILDING OFFICAL, CITY OF AMARILLO  
CITY ATTORNEY, CITY OF AMARILLO  
BUILDING SAFETY MANAGER, CITY OF AMARILLO

This meeting of the Condemnation Appeals Commission was called to order by Mr. Jeff Bryant, established a quorum at 4:00 p.m.

**ITEM 1: Minutes.** Mr. Tom Roller made a motion to approve the minutes, seconded by Mr. Frank Willburn, the motion passed with a 4:0 vote.

**ITEM 2: Resolution-Calling a Public Hearing to determine whether certain conditions described herein constitute a Public Nuisance at the locations stated:**

This resolution sets the date and time for a public hearing on December 6, 2018, at 4:00 p.m. to determine if the properties at 2017 NW 19<sup>th</sup> Avenue, 84 N Bryan Street, 606 S Vernon Street and 2407 S Wilson Street constitute public nuisances and thereby declare as dangerous structures and order the removal of such. A copy of this resolution will be mailed to all interested parties providing ten (10) days notice of public hearing. Mr. Tom Roller made a motion to approve the resolution, seconded by Mr. Joel Favela, the motion passed with a 4:0 vote.

**ITEM 3: Resolution – Public Hearing.**

This resolution conducts a public hearing on and considers ordering the removal of a substandard structure located at 2112 SW 2<sup>nd</sup> Avenue.

Mr. Randy Schuster, Building Official, presented the case. The property has been without water service since July 1, 2003. Building Safety has worked 11 various cases including weeds, junk, debris and this Dangerous Structure case. There has been minimal attempt by the owner to repair, abate or remove the structure. Mr. Schuster said that in December of 2017, the owner requested a roofing permit only. Since this structure was on the Dangerous Structure list, it was advised that more than a roofing permit would be required to bring the structure into service. That would be a Provisional Permit to correct all the deficiencies. The property is a nuisance and represents a hazard to the area. Mr. Schuster's recommendation was to demolish the structure, Option II. Mr. Schuster stated the property does not have any delinquent taxes, however, there was money owed to the City for mowing and cleanup. The Commissioners then had the opportunity to ask Mr. Schuster any questions. The Chairman then asked if there was anyone present with a legal interest in the property. Mr. Edgar Del Real, 402 S Virginia, owner, stated he wanted to renovate it however, now wants to demolish it and put a nice trailer home there. He has paperwork from the City to get help financially. The Chairman then asked if there was anyone else who wished to speak concerning the property. No one was present. Mr. Frank Willburn made a motion for Option II,

seconded by Mr. Tom Roller, the motion passed with a 4:0 vote.

**ITEM 4: Resolution – Public Hearing.**

This resolution conducts a public hearing on and considers ordering the removal of a substandard structure located at 1423 NW 12<sup>th</sup> Avenue.

Mr. Randy Schuster, Building Official, presented the case. The property has been without water service since September 2018 however and a fire on June 22, 2018. Building Safety has worked 7 cases including weeds, junk, debris and this Dangerous Structure case since the property became vacant. There has been no attempt by the owner to abate the hazard. The property is a nuisance and represents a hazard to the area. Mr. Schuster's recommendation was to demolish the structure and remove the solid waste accumulations, Options II and V. Mr. Schuster stated the property was delinquent in taxes and there was money owed to the City for mowing and cleanup. The Commissioners then had the opportunity to ask Mr. Schuster any questions. The Chairman then asked if there was anyone present with a legal interest in the property. No one was present. The Chairman then asked if there was anyone else who wished to speak concerning the property. No one was present. Mr. Joel Favela made a motion for Options II and V, seconded by Mr. Frank Willburn, the motion passed with a 4:0 vote.

**ITEM 5: Resolution – Public Hearing.**

This resolution conducts a public hearing on and considers ordering the removal of a substandard structure located at 302 S Austin Street.

Mr. Randy Schuster, Building Official, presented the case. The property has been without water service since September 17, 2018; however, there has been no usage recorded since September 2010. The Amarillo Police Department has been called out to this location 1 time since it has become vacant and there is evidence of vagrant activity. Building Safety has worked 6 cases including weeds, junk, debris and this Dangerous Structure case since the property became vacant. There has been no attempt by the owner to repair or abate these hazards. The property is a nuisance and represents a hazard to the area. Mr. Schuster's recommendation was to demolish the structure and site cleanup, Option II and V. Mr. Schuster stated the property had no delinquent taxes and there was money owed to the City for mowing and cleanup. The Commissioners then had the opportunity to ask Mr. Schuster any questions. The Chairman then asked if there was anyone present with a legal interest in the property. Mr. Clay Dodson, owner, said he was using the property for storage. There are 2 cars in the garage and tires and items on the cars have been stolen. Tires are appearing on his property. People keep tearing up the fence to go back into the property. He would fix up the property if he was given time. The Chairman then asked if there was anyone else who wished to speak concerning the property. No one was present. Mr. Frank Willburn made a motion for Option II & V, seconded by Mr. Joel Favela, the motion passed with a 4:0 vote.

**ITEM 6: Resolution – Public Hearing.**

This resolution conducts a public hearing on and considers ordering the removal of a substandard structure located at 905 N Jefferson Street.

Mr. Randy Schuster, Building Official, presented the case. The property has been without water service for an unknown length of time. Building Safety has worked numerous cases including weeds, junk, debris, a zoning violation and this Dangerous Structure case since the property became vacant. There has been no attempt by the owner to abate the hazard. The property is a nuisance and represents a hazard to the area. Mr. Schuster's recommendation was to demolish the structure, Option II. Mr. Schuster stated the property had no delinquent in taxes and there were no fees owed to the City for mowing and cleanup. The Commissioners then had the opportunity to ask Mr. Schuster any questions. The Chairman then asked if there was anyone present with a legal interest in the property. No one was present. The Chairman then asked if there was anyone else who wished to speak concerning the property. No one was present. Mr. Tom Roller made a motion for Options II, seconded by Mr. Frank Willburn, the motion passed with a 4:0 vote.

**ITEM 7: Adjournment:**

The Chairman, Mr. Jeff Bryant concluded the hearing. He opened the floor for any public comments. There being no public comment or further business, the meeting adjourned at 5:05 p.m. This meeting was recorded and all comments are on file with the Department of Building Safety.

*for* *Richard Calaway J.* *vice chair*  
Jeff Bryant, Chairman

ATTEST:

*Gwen Gonzales*  
Gwen Gonzales, Building Safety Manager