

MINUTES

On December 16, 2021, the Condemnation Appeals Commission met at 4:00 p.m. for a Regular meeting at City Hall, 601 S Buchanan St., in the City Council Chambers.

VOTING MEMBERS	PRESENT	NO. MEETINGS HELD SINCE APPOINTMENT	NO. OF MEETINGS ATTENDED
Tom Roller, Chairman	Yes	51	46
Frank Willburn, Vice Chair	No	46	28
Richard Constancio Jr.	Yes	51	36
Joel Favela	No	51	36
Jim Banes	Yes	30	22
ALTERNATE MEMBER			
George Cumming	Yes	51	25

Also in attendance were:

Justin Oppel
 Courtney White
 Gwen Gonzales

DEPUTY BUILDING OFFICIAL, CITY OF AMARILLO
 ASSISTANT CITY ATTORNEY I, CITY OF AMARILLO
 BUILDING SAFETY MANAGER, CITY OF AMARILLO

This meeting of the Condemnation Appeals Commission was called to order by Mr. Tom Roller, established a quorum at 4:06 p.m.

ITEM 1: Public Comments:

The Chairman, Mr. Tom Roller opened the floor for any public comments to speak to any item on the agenda that does not have a public hearing.

ITEM 2: Minutes:

Commissioner Banes made a motion to approve the minutes of the November 4, 2021, meeting, seconded by Commissioner Constancio, the motion passed with a 3:0 vote.

ITEM 3: 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 February 3, 2022, at 4:00 p.m. to determine whether certain conditions of the properties located 1508 SE 5th Avenue, 710 Browning Street, and 106 S Florida Street constitute dangerous structures and/or a public nuisance, and whether to 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. Commissioner Constancio made a motion to approve the resolution, seconded by Commissioner Banes, the motion passed with a 3:0 vote.

ITEM 4: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures located at 802 S Georgia Street.

Mr. Justin Oppel, Deputy Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residential structure, an accessory structure, and an accumulation of solid waste. The property has been without water service since September 18, 2013. The Amarillo Police Department has been called out to this location 51 times since the property became vacant. Building Safety has worked 7 cases; weeds, junk and debris, open structure, zoning violations and this dangerous structure case since this property became vacant. This property is located 9 blocks from a private school, 10 blocks from an elementary school and 11 blocks from another elementary school. There is evidence of vagrant activity. Building Safety has had no recent permit activity. This property is an attractive nuisance, represents a hazard to the neighborhood, blight on the area and an unsafe environment. The Deputy Building Official’s recommendation is demolition; Item II and V. Mr. Oppel listed the notification information. There are taxes due and there is nothing owed to the City for any prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Oppel any questions. Commissioner Constancio asked about the zoning violations Mr. Oppel mentioned. Ms. Gonzales said that they were for allowing occupancy without city facilities (water and sewer). Mr. Oppel said he would verify. Commissioner

Constancio asked if the owner received any Notices sent. Mr. Oppel said that some of the notices were delivered, and that Ms. Gonzales spoke with Petra Quirino. Ms. Gonzales said that she spoke with Petra Quirino a couple times and she came into the office yesterday. Ms. Quirino wrote something to be read at the hearing because she would be out of town during the time of the meeting. Ms. Gonzales read the letter to the Commission. 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. Oppel said that he was receiving confirmation on what the zoning violations were. Commissioner Constancio asked Ms. Gonzales that Ms. Quirino was aware she had to have permits to get the repairs done pretty quickly. Ms. Gonzales said that when she spoke with Ms. Quirino yesterday, she said that she didn't have title to the property and that the owner had died. She reached out to the owner's brother who came and got all the owner's papers which she felt included the will. He had not replied to her yet. At one point she said she had dual ownership, however, she was taken off the title. Ms. Gonzales asked her how long did Ms. Quirino think it would take to get the title and Ms. Quirino was unsure. Ms. Gonzales also asked her if she understood what a provisional permit was and the requirements. Ms. Quirino then wrote the note. Commissioner Constancio asked who do we think the owner is. Arnulfo Garcia is the owner. Mr. Oppel spoke and said that he received confirmation that the zoning violations were: living without water, also living in a travel trailer, which are zoning violations, as well as, a notice concerning the porch collapsing. The Chairman closed the hearing. The Commissioners discussed the options. Commissioner Banes made a motion to approve the resolution for Option II and V, seconded by Commissioner Constancio, the motion passed with a 3:0 vote.

ITEM 5: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of a substandard structure located at 736 N Mirror Street.

Mr. Justin Oppel, Deputy Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residential structure and a fire damaged accessory structure. Only the accessory structure is being considered. The rear accessory structure was involved in a fire on April 4, 2021. The main residential structure is occupied. The Amarillo Police Department has been called out to this location 3 times since the fire date. Building Safety has worked 3 cases: open structure and this dangerous structure case since the fire date. This property is located 3 blocks from two different elementary schools, 8 blocks from a 3rd elementary school, 9 blocks from a middle school and 8 blocks from a high school. This property is also located ½ block from a major thoroughfare, Amarillo Boulevard. A portion of this dangerous burned structure is being used for storage by the property owner. This property is an attractive nuisance, represents a hazard to the neighborhood, blight on the area and an unsafe environment. The Deputy Building Official's recommendation is demolition; Item II is recommended. Mr. Oppel listed the notification information. There are taxes due, and nothing is owed to the City for any prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Oppel any questions. The Chairman then asked if there was anyone present with a legal interest in the property. Shellie Hardwick, 736 N Mirror Street, approached the podium. Mr. Aaron Parker, contractor, 2901 Ridgemere, approached with Ms. Hardwick. Ms. Hardwick said that she let the inspector in and she has recent pictures showing cleanup and the condition of the structure. Mr. Parker said he has been boarding up the structure and that the integrity of the structure is good. A few rafters need to be replaced but that building is not going to fall. He presented the pictures to the Commissioners. Ms. Hardwick continued to describe the structure. Commissioner Roller asked if a permit had been applied for yet. Not yet. Commissioner Constancio asked if Mr. Parker was a contractor. He replied that he works for Steve Roberts Rentals and he fixes up the rentals when people move out. He's done that for 20 years. Commissioner Roller asked how long will it take to fix it up. Mr. Parker said that he had people to help. Commissioner Constancio asked if they knew what caused the fire. Ms. Hardwick was unsure but might have been from some activity next door which is worse than her property. Commissioner Roller asked what the project scope on this. Mr. Parker said he going to tear the burnt wood out and replace and replace part of roof that needed it. Ms. Hardwick talked about 5 rafters needed to be replaced. Commissioner Roller asked if she had the resources to what needs to be done. Ms. Hardwick said she had most of the rafters right now we are getting what else is needed and then work on the permit. Commissioner Roller asked Mr. Parker if knew the process of getting a permit. Mr. Parker said he was a maintenance manager at a trailer park and has pulled many permits with the City. Commissioner Roller asked Mr. Oppel if he thought a structural evaluation needed to be submitted because of the fire or something from Mr. Parker saying what he is going to repair. Mr. Oppel asked Mr. Parker if he was a registered contractor with the City. Mr. Parker said: "not with the City. I work for many individuals and rental properties that I remodel." Mr. Oppel asked Ms. Gonzales to explain the requirements for a permit and you have to be a registered contractor to obtain the permit. Mr. Oppel then said to answer the question, not having personally seen the structures interior, he was concerned and would like to see an engineer to see what might need to be done. And the property next door is being worked. The Chairman admitted her information into the record. The Chairman closed the hearing. Commissioner Constancio made a motion to approve the resolution for Option III, seconded by Commissioner Banes, the motion passed with a 3:0 vote.

ITEM 6: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures and an accumulation of solid waste located at 2100 S Mirror Street.

Mr. Justin Oppel, Deputy Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a manufactured home, 2 accessory structures and an accumulation of solid waste. The property has been without water service since February 2020. The Amarillo Police Department has been called out to this location 20 times since this property became vacant. Building Safety has worked 6 cases; weeds, junk and debris, zoning violation, and this dangerous structure case since the property became vacant. This property is located 2 blocks from an elementary school and park and 1 block from a major thoroughfare, Interstate 40. Building Safety has had no recent permit activity. This property is an attractive nuisance, represents a hazard to the neighborhood, blight on the area and an unsafe environment. The Deputy Building Official's recommendation is demolition; Item II and V. Mr. Oppel listed the notification information. There are current taxes due, and there is money owed to the City for prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Oppel 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. The Chairman closed the hearing. Commissioner Banes made a motion to approve the resolution for Option II and V, seconded by Commissioner Constancio, the motion passed with a 3:0 vote.

ITEM 7: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of substandard structures located at 3812 S Ong Street.

Mr. Justin Oppel, Deputy Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a residential structure and a detached accessory structure. The property has been without water service since May 16, 2016. The Amarillo Police Department has been called out to this location 23 times since the property became vacant. Building Safety has worked 13 cases; weeds, junk and debris, open structure, zoning violation and this dangerous structure case since the property became vacant. This property is located 1/2 block from an elementary school, 5 and 7 blocks, respectively, from 2 different private schools. This property recently sold to a new owner. All fees owed to the City that were accrued prior to the sale have been paid. The new owner has been in contact with Building Safety and is working towards obtaining a Provisional Permit to rehabilitate the structures. Cleanup of the interior has started. This property is an attractive nuisance, represents a hazard to the neighborhood, blight on the area and an unsafe environment. The Deputy Building Official's recommendation is demolition however, since there is a new owner Item III, is recommended allowing the new owner an opportunity to obtain a Provisional Permit to rehabilitate the structures. Mr. Oppel listed the notification information. There are taxes due and there is nothing owed to the City for any prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Oppel any questions. Commissioner Constancio asked for the PowerPoint pictures to be shown again. Commissioner Constancio feels the pictures show structure is no longer a danger. The Chairman then asked if there was anyone present with a legal interest in the property. Almir Ibrahimovic, 6904 Apollo Trail, approached the podium. Mr. Abrahamovic stated he has been working with the City to get a Provisional Permit. He stated the interior is now down to the studs. It should take about a month to get everything up to code. The Chairman admitted his information into the record. The Chairman then asked if there was anyone else who wished to speak concerning the property. Beverly Armstrong and Denise Wilson, 3810 S Ong Street, approached the podium. They have lived next to the for years and it has been a drug house. She could not move a family in the house since it has been a meth house and would feel guilty allowing a family to live there. She talked about the original owner. She is for demolition and rebuilding. Ms. Wilson spoke. She also said she felt a family shouldn't live there with it being a drug house. The Chairman admitted their information into the record. The Chairman closed the hearing. Commissioner Banes made a motion to approve the resolution for Option III, seconded by Commissioner Constancio, the motion passed with a 3:0 vote.

Adjournment:

The Chairman, Mr. Tom Roller asked if there was any further business. There was none. Mr. Roller concluded the meeting. The meeting adjourned at 5:30 p.m. This meeting was recorded, and all comments are on file with the Department of Building Safety.

Tom Roller, Chairman

ATTEST:

Gwen Gonzales, Building Safety Manager