

MINUTES

On March 17, 2022, 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	55	50
Richard Constancio Jr., Vice Chair	Yes	55	39
George Cumming	Yes	55	30
Frank Willburn	Yes	50	32
Jim Banes	No	34	25
ALTERNATE MEMBER			
Ryan Huseman	Yes	4	2

Also in attendance were:

Johnny Scholl
 Leslie Schmidt
 Gwen Gonzales
 Guadalupe Campos Jr.

BUILDING OFFICIAL, CITY OF AMARILLO
 SR. ASST. CITY ATTORNEY, CITY OF AMARILLO
 BUILDING SAFETY MANAGER, CITY OF AMARILLO
 CHIEF PLANS EXAMINER, CITY OF AMARILLO

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

ITEM 1: Public Comments:

The Chairman, Commissioner 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 Willburn made a motion to approve the minutes of the March 3, 2022, meeting, seconded by Commissioner Cumming, the motion passed with a 5:0 vote.

ITEM 3: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of a substandard structure located at 1508 SE 5th Avenue.

Mr. Johnny Scholl, Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a fire damaged manufactured home. This structure has been involved in two fires: October 27, 2019, and August 23, 2020. The manufactured home was occupied when the fires occurred. The August 2020 fire spread to the adjacent property and the neighbor's house sustained some fire damage. The property has been without water service since October 18, 2021. The Amarillo Police Department has been called out to this location 3 times since the start of this case. Building Safety has worked 2 cases; a zoning violation and this dangerous structure case since the date of the fire. This property is located 1 1/2 blocks from an elementary school and 2 blocks from a park. Building Safety has had no recent permit activity, however, there is evidence of work being done without permits. The work being done does not appear to be up to code. This property is an attractive nuisance, represents a hazard to the neighborhood, blight on the area and an unsafe environment. The Building Official's recommendation is demolition; Item II and would like to add Item V because there is an accumulation of trash outside now. Mr. Scholl listed the notification information. There are taxes due and there is money owed to the City for any prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Scholl any questions. The Chairman 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 Willburn made a motion to approve the resolution for Option II & V, seconded by Commissioner Cumming, the motion passed with a 5:0 vote.

ITEM 4: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of a substandard structure located at 710 Browning Street.

Mr. Johnny Scholl, Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a fire damaged residential structure. This structure was involved in a fire on June 20, 2021. The property has been without water service since August 11, 2017. The Amarillo Police Department has been called out to this location 15 times since the property became vacant. Building Safety has worked 12 cases since the property became vacant; junk vehicle, weeds/junk and debris, zoning violation, open structure and this dangerous structure case. This property is located 2 blocks from a private elementary school, 5 blocks from an elementary and 6th grade campus, and 4 blocks from the Tri-State Fair Grounds. There is evidence of vagrant activity and the property has been tagged with graffiti. 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 Building Official's recommendation is demolition, Item II. Mr. Scholl listed the notification information. There are no 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. Scholl any questions. The Chairman asked if there was anyone present with a legal interest in the property. Antonio Leon, 1409 Tenant Street, approached the podium. Guadalupe Campos Jr. also approached to translate for Mr. Leon. Mr. Leon spoke, and Mr. Campos translated: Mr. Leon bought the property and wants to demolish the house so he can have the lot. Commissioner asked Mr. Leon if the process to demolish the house has started. Mr. Leon said that he has not started the demolition. Chairman Roller asked if he was prepared to start the process immediately? Mr. Leon said yes, all he has to do is get the permits and he can demolish. Commissioner Willburn asked how long has he owned the property. Mr. Leon said he purchased at the beginning of this year, 2022. Commissioner Willburn asked if that has been recorded at the county? Mr. Leon replied, no. Chairman Roller asked if he understood the Provisional Permit process and doing the demolition? Mr. Leon does not understand. Chairman Roller asked Mr. Scholl if he had to be the legal owner to do that? Mr. Scholl said yes. Commissioner Willburn stated that he's not the legal owner if it isn't recorded at the county. Mr. Scholl said that was correct. Mr. Leon said he has proof of purchase papers but he is not certain if it is registered in his name yet. Chairman Roller said that he needs to understand in order to get permits, he's going to have to have proof of ownership. Mr. Leon said ok, he will speak with the previous owner to see what needs to be done so that he can move forward with the demolition. Commissioner Willburn asked Mr. Scholl if Mr. Leon could get the permit to demolish. Mr. Scholl said he would have 10 days to go through the process where he can take it over and then yes. Commissioner Constancio stated a demolition contractor could pull the permit. Mr. Leon said he understood. Commissioner Constancio asked Mr. Leon if he intended to demolish the house as the owner or hire a contractor to do it. Mr. Leon said he knows people who are contractors. Chairman Roller admitted Mr. Leon's information into the record. The Chairman then asked if there was anyone else who wished to speak concerning the property. There was no one. The Chairman closed the hearing. Commissioner Willburn made a motion to approve the resolution for Option II, seconded by Commissioner Huseman, the motion passed with a 5:0 vote.

ITEM 5: Resolution - Public Hearing:

This resolution conducts a public hearing on and considers ordering the removal of a substandard structure and an accumulation of solid waste located at 106 S Florida Street.

Mr. Johnny Scholl, Building Official, presented the case with a PowerPoint presentation describing the conditions of the property. This property consists of a fire damaged residential structure and an accumulation of solid waste. This structure was involved in a fire on April 4, 2021. The property has been without water service since November 4, 2005. The Amarillo Police Department has been called out to this location 10 times since the property became vacant. Building Safety has worked 1 case since the fire date. This property is located 6 blocks from an elementary school, 10 blocks from a private school, and 4 blocks from a park. There is evidence of vagrant activity and harborage of stray cats. The property is being used as an illegal dumping site. 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 Building Official's recommendation is demolition, Item II and V. Mr. Scholl listed the notification information. There are taxes due and there is no money owed to the City for any prior mowing and cleanup jobs. The Commissioners then had the opportunity to ask Mr. Scholl any questions. The Chairman asked if there was anyone present with a legal interest in the property. Jerry Parker, 1506 S Monroe, approached the podium. Mr. Parker said he has the house sold and I spoke with the title company today. The contract is supposed to close tomorrow, but the buyer is out of the country until the 22nd. I've spoken with him and he's fully aware of condemnation. He intends to take it down from what the title company told me. I have an appointment on the 23rd with the title company to close on it. The buyer is fully aware of the damage and said he would have been here today because he is out of the country. Chairman Roller asked Mr. Parker if the buyer is prepared to get the provisional permit? Mr. Parker said he, the buyer, will go to Building Safety, and I've told him it has a lot of damage and we've started this almost a month ago and he's aware of what is going on. Chairman Roller admitted Mr. Parker's information into the record. Commissioner Constancio

asked if there was any information on the buyer. Ms. Gonzales said she has spoken with someone who called who said he was the buyer, Caleb Suarez. He said he was buying the property and said he was going to demolish the structure. Ms. Gonzales said she also spoke with Texas Legacy Land Title Company. They were asking about how much was due against the property, I told Holly, with the title company, there was a hearing and she said she would make sure the buyer knows that. I also told Caleb Suarez, when I spoke to him, about the hearing and stated there was also a sign on the property with the date and time of the hearing. Mr. Suarez said he said he understood, and he just wanted to tear the house down. Chairman Roller admitted the information into the record. The Chairman then asked if there was anyone else who wished to speak concerning the property. There was no one. The Chairman closed the hearing. Commissioner Cumming made a motion to approve the resolution for Option III, seconded by Commissioner Constancio, the motion passed with a 5:0 vote.

Adjournment:

The Chairman, Commissioner Roller asked if there was any further business. There was none. Commissioner Roller concluded the meeting. The meeting adjourned at 4:51 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