

CITY OF EL PASO
BUILDING & STANDARDS COMMISSION BOARD PANEL "A"
2ND FLOOR, CITY COUNCIL CHAMBERS
July 26, 2006
5:30 P.M.

MINUTES

The Building & Standards Commission Panel "A" held a public hearing in City Council Chambers, 2nd floor of the City Hall Building on Wednesday, July 26, 2006, at 5:30 p.m. with the following members present:

Board Members Present:

Ted Richardson (Chair)
Frederic Dalbin
Carl L. Robinson
Michael Bray
Carlos Bombach

Others Present:

Larry F. Nichols, Building Official
Cindy Crosby, Assistant City Attorney
Tom Maguire, Chief Inspector
Bill Stern, Residential Inspector Supervisor
Leo Casso-Lopez, Residential Inspector
Zully Davila, Residential Inspector
Nancy M. Spencer, Recording Secretary

Absent Members

Carlos Cordova (Vice-chair)
Margie Aguilar-Desrosiers
Jimmy Stevens

AGENDA

I. Call to Order

The Building & Standards Commission meeting, Panel "A" was called to order by Chair Ted Richardson at 5:40 p.m.

II. Approval of minutes for the meetings held March 29, 2006.

There was discussion on 3805 Bliss Avenue. Bill Stern advised that the property owner has obtained most of the required permits and has done most of the corrections. There are still some minor items which need to be taken care which did not need to be on the agenda. Assistant City Attorney Cindy Crosby advised that this item will be posted on the next Panel A agenda and properly postponed or deleted.

Motion was made by Mr. Michael Bray, seconded by Mr. Frederic Dalbin and unanimously carried to accept the approval of the minutes.

Regular Items:

- III. Public hearing to determine if the property located at 10225 Fertell Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated March 30, 2006. The owner of this property, David D. Ludwick

and Joanne M. Ludwick and Joanne M. Ludwick, 10225 Fertell Drive, El Paso, Texas 79924-3527, have been notified of the violations at this property.

Mr. Sam Jarvis, Health Department was present to discuss the item.

Mr. Jarvis advised that they concurred with staff recommendations. The commission was advised that the structure was open to the public and is harboring vagrants.

Motion was made by Mr. Frederic Dalbin , seconded by Mr. Carl Robinson, and carried to accept the staff recommendations and make the following findings:

1. That the main structure and accessory building be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
 2. That the buildings are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 3. That the structure's certificate of occupancy be revoked; and
 4. That the structure can be repaired; and
 5. That the main structure and accessory structure be secured within 30 days, and maintained secured until rehabilitated; and
 6. That the premises be cleaned of all weeds, trash, and debris within 30 days; and
 7. That upon failure by the owner or any other interested party to comply with the order of the Building and Standards Commission the City may take whatever action is necessary to bring the property into compliance, and place a lien on the property for the work which will be done by the City.
- IV. Public hearing to determine if the property located at 8329 Vance Place, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated March 28, 2006. The owner of this property, Lucia Hamilton, 8329 Vance Place, El Paso, Texas 79907, has been notified of the violations at this property.

Mr. Carlton Hamilton, son of property owner Lucia Hamilton was present to discuss the item.

Mr. Hamilton advised that at this time there is no will to probate. The commission was advised that Mr. Hamilton was looking into a special warranty deed and a low interest loan to rehabilitate the property.

Mr. Hamilton was asked by the commission if he would agree to have a structural engineer look at the property and make a recommendation as to what needs to be done to which he agreed to.

Motion was made by Mr. Frederic Dalbin, seconded by Mr. Michael Bray, and carried unanimously to accept the staff recommendations and make the following findings:

1. That the building be secured and maintained secured within 30 days

2. **That the premises be cleaned of all weeds, trash, and debris within 30 days; and**
3. **Provide an engineer's report within 60 days to determine how to proceed with case.**
4. **That the owner(s), lien holders, mortgages, or any other person having an interest in the property shall appear before the Building and Standards Commission on September 27, 2006 to determine if the order of July 26, 2006 has been brought into compliance.**

V. Public hearing to determine if the property located at 5608 Saluki Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated August 1, 2005. The owner of this property, Emma S. Chaparro, 5608 Saluki, El Paso, Texas 79924, has been notified of the violations at this property.

Mr. Bill Stern advised that he has met with the property owner on July 24, 2006 and July 25, 2006 and was advised on how she could proceed. The property owner has agreed to have all structures demolished and has obtained a demolition permit.

Motion was made by Mr. Frederic Dalbin, seconded by Mr. Carlos Bombach, and carried to accept the staff recommendations and make the following findings:

1. **That the main structure and accessory buildings be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and**
2. **That the buildings are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and**
3. **That the structures can not be repaired; and**
4. **That all of the structures be demolished within 30 days; and**
5. **That the premises be cleaned of all weeds, trash, junk vehicles and debris within 30 days; and**
6. **That upon failure by the owner or any other interested party to comply with the order of the Building and Standards Commission the City may take whatever action is necessary to bring the property into compliance, and place a lien on the property for the work which will be done by the City.**

VI. Public hearing to determine if the property located at **117-119 W. Overland**, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated April 16, 2006. The owner of this property, Franklin Group C/O William Abraham (the "**Owner**"), has been notified of the violations at this property.

Mr. William Abraham was present to discuss the item.

Mr. Abraham advised that he was in agreement with staff recommendations, however requested an extension of 30 days to hire an engineer to assess what needed to be done and a total of 60 days to submit a plan for repairs and rehabilitation of the structure.

Motion was made by Mr. Carl Robinson, seconded by Mr. Frederic Dalbin, and carried to accept the staff recommendations and make the following findings:

- 1. That the main structure be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and**
 - 2. That the buildings are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and**
 - 3. That the structure's certificate of occupancy be revoked; and**
 - 4. That the structure can be repaired; and**
 - 5. That the structure be secured from unwanted entry within 30 days and maintained secured until rehabilitated; and**
 - 6. That all overhand extensions be removed within 30 days; and**
 - 7. That a design professional be hired to submit a plan for the repair, removal and stabilization of all exterior surfaces and wall facings to prevent further deterioration, within 30 days; and**
 - 8. That all required permits be obtained within 30 days; and**
 - 9. That all required repairs be made within 60 days; and**
 - 10. Scheduled for September 27, 2006 to determine if the property is in compliance with the Building and Standards Commission order of July 26, 2006 and if not, establish a penalty schedule for continued noncompliance.**
- VII. Public hearing to determine if the property located at 9961 Sidewinder Street, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated April 26, 2006. The owner of this property, Nebran Enterprises, 2315 Grant Avenue, El Paso, Texas 79930-1022, has been notified of the violations at this property.

Mr. Herbert Ehrlich was present to discuss the item.

Motion was made by Mr. Frederic Dalbin, seconded by Mr. Carlos Bombach, and carried to accept the staff recommendations and make the following findings:

- 1. That the structure be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and**
- 2. That the building is not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and**
- 3. That the structure's certificate of occupancy be revoked; and**
- 4. That the structure can be repaired; and**
- 5. That the structure be secured within 30 days; and**

- 6. That the premises be cleaned of all weeds, trash, and debris within 30 days; and**
- 7. That upon failure by the owner or any other interested party to comply with the order of the Building and Standards Commission the City may take whatever action is necessary to bring the property into compliance, and place a lien on the property for the work which will be done by the City.**

Adjournment

Motion was unanimously carried to adjourn this meeting at 6:50 p.m.

Tedd Richardson, Chairman

Bill Stern, C.B.O., Residential Inspector Supervisor
Development Services Department