

**RICHLAND HILLS BUILDING BOARD OF APPEALS
REGULAR MEETING
JUNE 27, 2022
MINUTES**

Roll Call:

Board present:

Edward Lopez, Chair
Douglas Knowlton, Place 1
Travis Malone, Place 2
Curtis A Bergthold, Vice Chair
Javier Alvarez, Place 4
GW Estep, Place 5

Board Absent:

Staff

Candice Edmondson, City Manager
Lindsay Wells, City Secretary
Larry Collister, City Attorney

- 1. CALL TO ORDER – Chairman Edward Lopez Called to Order – Time 5:30 p.m.**
- 2. EXECUTIVE SESSION:** Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Section 551.071. Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the Building Board of Appeals to seek advice from the City Attorney as to the posted subject matter of this Building Board of Appeals meeting.

None.

3. PUBLIC COMMENTS

None.

REGULAR AGENDA

- 4. Approval of minutes from the June 13, 2022 Building Board of Appeals meeting.**

Motion: Motion was made by Board Member Knowlton and seconded by Board Member Malone to approve the June 13, 2022 Building Board of Appeals meeting minutes.

Motion carried by a vote of 5-0.

5. Reviewed and received an update on Case #2022-001 a substandard property described as Block D, Lot 2, Richland Hills Addition, City of Richland Hills, Tarrant County, Texas, otherwise known as 3415 Crites Street, Richland Hills, Texas and consideration of an order to cause the repair, vacation, relocation of occupants, removal, demolition or securing of the building.

City Manager Candice Edmondson presented the case to the Board and advised that on February 17, 2022, the City was made aware of multiple issues at 3415 Crites Street.

Code Compliance Officer Melissa Schuettig provided the following background information:

On February 17, 2022, the City of Richland Hills Code Compliance Division initiated a case against 3415 Crites Street for discharge of raw sewage, trash and debris, dilapidated screening and fencing, and multiple property maintenance violations. This was the most recent case against this property, with twelve additional cases, including three separate citations, dating back to April 2016.

Due to the nature of the violations and health and life safety concerns, the property owner, Max Perry, was given 48 hours to have the raw sewage eradicated from the property by an environmental hazardous waste company and the plumbing issues permitted and repaired. He did eradicate the issue as directed.

Water service to the premises was temporarily shut off to prevent further discharge of human waste. The tenants staying in the house at the time were also advised that the issues needed to be resolved within 48 hours. Tenants have since vacated the premises.

As of February 23, 2022, there had not been any attempts to have the problems repaired and the sewage eradicated. An Administrative Search Warrant was served on the property at 3415 Crites Street the afternoon of February 23, 2022. An inspection of the property determined that there are multiple code violations, including health and safety hazards, resulting in the property being deemed a public nuisance and safety hazard.

As part of the Administrative Search Warrant, the City had the property abated and an environmental cleaning company, CG Environmental, was hired to remove the raw sewage and sanitize the property at a cost of \$4,040.72. A lien was filed against the property for these charges and is still outstanding.

A trust owns the property and were not aware of the issues until notified by the City. The trust wants to foreclose on the property.

Attorney Alex Tandy, 5409 Davis Boulevard, North Richland Hills, representing owner Max Perry spoke on behalf of his client and advised that Mr. Perry is aware of the issues and has money available to make the necessary repairs and pay off the remainder of the mortgage. He advised that an informal, verbal agreement between Mr. Perry and the

previous tenants existed for the tenants to make repairs. He additionally stated that Mr. Perry would like to make repairs on the property and become a resident of Richland Hills.

Motion: Motion was made by Board Member Estep as follows:

Based on evidence presented at the hearing, I move that the Building Board of Appeals find that the following facts exist:

- a) That the building located at 3415 Crites Street, Lot 2, Block D, Richland Hills Addition, an addition to the City of Fort Worth, now a part of the City of Richland Hills, Tarrant County, Texas, is substandard and a public nuisance; and
- b) That the conditions set forth in the building official's report exist to the extent that the life, health, property or safety of the public are endangered; and
- c) That the owner has presented a plan of repair and schedule of work to be completed; and
- d) That 90 days is a reasonable period of time to complete the needed repairs taking into account the owner's interests and the interests of public safety; and
- e) That if the building is not repaired within said time period, that there is no reasonable probability that the building will be repaired within a reasonable period of time if additional time is given; and
- f) That the building is unfit for human habitation, and the life, health, property, and safety of the occupants are endangered, and that the building should be secured until the work can be completed.
- g) That the building be repaired in conformance with the requirements of Article VIII of Chapter 14 of the City Code or demolished and the debris removed within 90 days; and
- h) If the building is not repaired or the building is not demolished and the debris removed within said time period to full conformance with Article VIII of Chapter 14 of the City Code, the City shall demolish the building at its expense and place a lien on the property to recover its costs.

Discussion ensued regarding Mr. Perry's intent to make repairs on the property and plans to make repairs.

Mr. Tandy advised that Mr. Perry does not yet have a plan of action.

City Attorney James Donovan advised of the options available to the Board, including the option to table the item to a future agenda, create a timetable for submission of a plan by the property owner, and/or issue a substandard order for the major issues on the property.

Motion: Board Member Estep amended his original motion that was seconded by Board Member Malone as follows:

-Item c as listed in the original motion is revised to require a submitted plan of repair and schedule of work by the next Building Board of Appeals meeting scheduled to be held Monday, June 27, 2022; and

- Item d as listed in the original motion is revised to 30 days; and
- Property owner must also by June 27, 2022, submit a financial plan, a list of contractors who will make repairs, and a list of tasks to be completed; and
- The remainder of the motion remained the same.

Motion carried by a vote of 5-0.

6. ADJOURNMENT

Motion: A motion was made by Board Member Knowlton and seconded by Vice Chair Bergthold to adjourn.

Motion carried by a vote of 5-0.

There being no further business to come before the Building Board of Appeals, Chair Lopez declared the meeting adjourned at 6:37 p.m.

ATTEST:

APPROVED:

Lindsay Wells, City Secretary

Edward Lopez, Chair