

AGENDA

BUILDING AND STANDARDS COMMISSION REGULAR MEETING

Tuesday, February 3, 2009 – 6:00 P.M.
CITY HALL
209 South Washington Street, Kaufman, Texas 75142

CHAIRMAN	JOHN ELZNER
VICE CHAIRMAN	DIANE CHILES
COMMISSIONER	JIMMY REED
COMMISSIONER	STEVE HULME
COMMISSIONER	TIM THOMPSON
ALT. COMMISSIONER	CLAYTON KELLY

CALL TO ORDER

Chairman states time and date; declares a quorum present.

INVOCATION

PLEDGE OF ALLEGIANCE

- a. U.S. Flag
- b. Texas Flag – “Honor the Texas Flag - I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

EXECUTIVE SESSION

THE BUILDING STANDARDS COMMISSION WILL HOLD A CLOSED EXECUTIVE SESSION PURSUANT TO CHAPTER 551, GOVERNMENT CODE V.T.C.A. (OPEN MEETINGS LAW), IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN SECTION 551.071 LEGAL

1. LEGAL – Under TEX. GOV'T. CODE Sec. 551.071
 - a. To Consult with City Attorney

ANY FINAL ACTION, DECISION, OR VOTE ON A MATTER DELIBERATED IN EXECUTIVE SESSION MEETING OR ON INFORMATION RECEIVED IN A CONFERENCE WITH EMPLOYEES WILL ONLY BE TAKEN IN AN OPEN MEETING THAT IS HELD IN COMPLIANCE WITH TEX. GOV'T CODE CH. 551. THE CITY COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AS AUTHORIZED BY TEX. GOV'T CODE

SEC. 551.001, ET SEQ. (TEXAS OPEN MEETINGS ACT) ON ANY ITEM ON ITS OPEN MEETING AGENDA OR TO RECONVENE IN A CONTINUATION OF EXECUTIVE SESSION ON THE EXECUTIVE SESSION MEETING ITEMS NOTED ABOVE, IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT, INCLUDING, WITHOUT LIMITATION, SECTIONS 551.071-551.086 OF THE OPEN MEETINGS ACT.

END OF EXECUTIVE SESSION

PUBLIC HEARINGS

1. The residential structure located at **401 West Chestnut Street** in Kaufman, Texas (Part of Block 48 of the Kaufman Original), that was significantly damaged by a fire and has been declared UNSAFE and a hazard to the public health, safety and welfare. Matthew Muncrief, PO Box 646, Crandall, Texas 75114, as the owner(s) of record, according to the real property records of Kaufman County, are hereby requested to appear before the City of Kaufman Building and Standards Commission, on Tuesday, February 3, 2009 at 6:00 p.m. to testify regarding the above property. (Kaufman PID 28624) BSC Case 01-09.
 - a. Open Public Hearing (Chairman states time)
 - b. Close Public Hearing (Chairman states time)
 - c. Panel Discussion
 - d. Take action or declare order
 - e. Chairman/Vice Chairman signs order

2. The residential structure located at **403 West Chestnut Street** in Kaufman, Texas (Part of Block 48 of the Kaufman Original), that was significantly damaged by a fire and has been declared UNSAFE and a hazard to the public health, safety and welfare. Wells Fargo Bank NA, c/o Option One Mortgage, 3 Ada Building D1, Irvine, CA 92618-2304 and/or American Home Mortgage Servicing, Inc. c/o Linda Tanner-Flores, 4600 Regent Blvd., Suite 200, Irving, Texas, 75063, as the owner(s) of record, according to the real property records of Kaufman County, are hereby requested to appear before the City of Kaufman Building and Standards Commission, on Tuesday, February 3, 2009 at 6:00 p.m. to testify regarding the above property. (Kaufman PID 28625) BSC Case 02-09.
 - a. Open Public Hearing (Chairman states time)
 - b. Close Public Hearing (Chairman states time)
 - c. Panel Discussion
 - d. Take action or declare order
 - e. Chairman/Vice Chairman signs order

3. The two (2) residential structures located at **401 S. Nash Street** in Kaufman, Texas (Nash Addition, Block 23 PT), have been declared SUBSTANDARD and are in violation of Section 22, Article XI of the City of Kaufman Code of Ordinances and is a hazard to the public health, safety and welfare. Pedro Lopez, 406 South Clay, Kaufman, Texas 75142, as the owner(s) of record, according to the real property

records of Kaufman County; are hereby requested to appear before the City of Kaufman Building and Standards Commission, on Tuesday, February 3, 2009 at 6:00 p.m. to testify regarding the above property. (Kaufman PID 32154) BSC Case 03-09.

- a. Open Public Hearing (Chairman states time)
- b. Close Public Hearing (Chairman states time)
- c. Panel Discussion
- d. Take action or declare order
- e. Chairman/Vice Chairman signs order

CONSENT AGENDA

Consider and act upon approval of the Building and Standards Commission Minutes from the May 29, 2007 Regular Meetings.

UPDATES FROM PREVIOUS CASES

1. **Commission's Order from 01-30-07:** No action and no orders were signed since the owner of the property did not attend the hearing for the residential structure located at **206 W. 7th Street** in Kaufman, Texas (Snow 2, part of Block I), that was significantly damaged by a fire occurring on October 15, 2006.

The structure located at 206 W. 7th Street was demolished and the lot cleaned of debris.

2. **Commission's Order from 05-29-07:** That the owner of record, Lelan M. White, shall cause the unsafe substandard structure, located at **205 W. South Street**, to be repaired so as to mitigate all hazards associated with said property according to the City Codes and Ordinances of the City of Kaufman within ninety (90) days of this order and to call for a final inspection of said premises by the Code Enforcement Officer, Building Inspector and Fire Marshall to insure compliance and authorize the City of Kaufman to repair the structure and to recover all costs associated with the mitigation of the hazards posed by the aforementioned property in the event the owner fails to comply with the above order.

The structure located at 205 W. South Street was brought into compliance. On December 12, 2006, David Butler pulled an electrical permit to repair the services.

3. **Commission's Findings from 05-29-07:** Upon examination of evidence and the testimony of witnesses, the subject residential structure located at **401 S. Nash Street** has been found to be substandard and a hazard to public safety, health and welfare and in violation of Chapter 22, Article XI of the City of Kaufman Code of Ordinances. The structure is to be demolished and all debris, rubbish and materials to be removed so as to mitigate all hazards associated with said property according to the City Codes and Ordinances of the City of Kaufman within thirty (30) days of this order and to authorize the City of Kaufman to demolish the structure and clean up the lot and to

recover all costs associated with the mitigation of the hazards posed by the aforementioned property in the event the owner fails to comply with the above order.

The two structures located on one platted lot, at 401 S. Nash Street, belonged to the same owner. One structure was removed the other structure is being discussed on this agenda.

- 4. Commission's Findings from 06-26-07:** Upon examination of evidence and the testimony of witnesses, the subject commercial structure located at **101 West Mulberry** has been found to be substandard and a hazard to public safety, health and welfare and in violation of Chapter 22, Article XI of the City of Kaufman Code of Ordinances. Repairs shall be made to bring the building up to code. If substantial work is completed the permit can be extended for six months at a time. Owner will turn in a monthly report on work completed.

The interior of the structure has been cleaned and the construction plans are at Bureau Veritas for review.

- 5. Commission's Findings from 06-26-07:** Upon examination of evidence and the testimony of witnesses, the subject residential structure located at **1105 and 1107 S. Washington Street** have been found to be substandard and a hazard to public safety, health and welfare and in violation of Chapter 22, Article XI of the City of Kaufman Code of Ordinances. Repair within 60 days or demolish the structures.

The structures, located at 1105 and 1107 S. Washington Street were demolished and the lots cleaned of debris.

- 6. Commission's Findings from 06-26-07:** Upon examination of evidence and the testimony of witnesses, the subject residential structure located at **111 North Jackson Street** has been found to be substandard and a hazard to public safety, health and welfare and in violation of Chapter 22, Article XI of the City of Kaufman Code of Ordinances. Clean up the property within 30 days.

The structure located at 111 North Jackson Street was cleaned up and secured. There has not been any additional information regarding the future plans for the structure.

QUESTIONS OR COMMENTS

ADJOURNMENT

I, Joy Henderson, Planning Technician of Development Services, do hereby certify that this notice of meeting was posted on the window at Kaufman City Hall, 209 S. Washington, Kaufman, Texas, a place convenient and readily accessible to the general public at all times and said notice was posted at the Kaufman City Hall, 209 S. Washington, Kaufman, Texas at 4:30 p.m. on Friday, January 30, 2009 and remained so posted continuously for at least 72 hours preceding the schedule time of said meeting.

Joy Henderson
Planning Technician

THE BUILDING STANDARDS COMMISSION RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE. SECTION 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATIONS ABOUT REAL PROPERTY),.

THE BUILDING IN WHICH THE ABOVE MEETING WILL BE CONDUCTED IS WHEELCHAIR ACCESSIBLE AND PARKING SPACES FOR THE MOBILITY IMPAIRED ARE AVAILABLE. PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, OR LARGE PRINT ARE REQUESTED TO CONTACT THE CITY SECRETARY'S OFFICE AT 972-932-2216 AT LEAST TWO (2) WORKING DAYS PRIOR TO THE TIME OF THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.