

MINUTES

§ STATE OF TEXAS
§ COUNTY OF CALDWELL
§ CITY OF LULING

The BOARD OF ADJUSTMENTS of the City of Luling, Texas, in a called meeting, met in the City Council Chamber, City Hall, 509 E. Crockett Street, Luling, Texas, on Thursday, October 1, 2015, at 9:00 a.m. to consider the following items: Those present were: Todd French, Billy Roberts, Karen Cochran and Bill Hathaway. Staff Members present were Ryan DeCamp and Martha C. Velasquez.

1. **Call to order:** Welcome all present.

Ryan DeCamp called meeting to order at 9:06.

2. **Approve** the minutes of March 12, 2015.

Todd French made a motion seconded by Billy Roberts to approve the minutes of the March 12, 2015 Board of Adjustment meeting. The motion carried with all members present voting unanimously in favor of the motion.

3. **Public Comment:**

Statement of Rules for Proceedings:

"The rules for conduct of today's meeting are to ensure fairness to all persons interested in speaking either about general planning matters or a specific application. Please limit your comments to new and relevant factual information. Persons wishing to make general comments not addressing a particular agenda item are invited to do so at this time." (Time limit of 3 to 5 minutes, please.)

Mercy Cabiness Holley appeared before the Board of Adjustment and stated she didn't feel that there was enough time given to citizens to appear before the Board and that she didn't feel that they (BOA) were being considerate.

4. A. **Public Hearing** to determine whether a structure is a unsafe and/or public nuisance within the terms of the City of Luling Code of Ordinances Chapter 22 Buildings and Building Regulations, Article II Unsafe and/or Public Nuisance Building Abatement Sections 22-36 through 22-55. The property to be determined whether a structure is unsafe and/or a public nuisance are at the following location: 1497 N. Hackberry Ave. Luling, TX 78648 with a property ID of 25670 and a legal description of BRIDGES, BLOCK 3, LOT PT 1. The request is in reference to City of Luling Code of Ordinances section 22-48 and section 22-49.

Karen Cochran opened the Public Hearing. Mercy Cabiness Holley appeared before the Board of Adjustment and gave Ryan DeCamp a list of materials that she will be using to repair the unsafe structure she stated that she was going to use any material that she could salvage from the property. She stated that she has tried for years to get someone to work on it from Luling but has never found anyone. She has a contractor that will be coming in from Houston that will be doing all the work on the house. She stated that the cost to repair the house that her contractor gave her is for a total of \$21,000. The members of the Board of Adjustment tried to explain to Ms. Holley that that price was too low, that there was no way that repairs could be done for that price. Ms. Holley stated that she would pay whatever price to have the house repaired.

The house has been vacant for 9 years. Ms. Holley stated that she does not want the house demolished. That she is going to work to fix it up. Billy Roberts asked her if she understood that the permit had to be pulled and start working on the house within 30 days, to which she answered yes she understood.

B. Close Public Hearing.

There was no other comments and the Public Hearing was closed.

5. **Consider and determine** that if a structure is found to be an unsafe and/or public nuisance, that structure be vacated, secured, repaired, removed, or demolished within the terms of the City of Luling Code of Ordinances Chapter 22 Buildings and Building Regulations, Article II Unsafe and/or Public Nuisance Building Abatement Sections 22-36 through 22-55. The property to be determined whether a structure is unsafe and/or a public nuisance are at the following location: 1497 N. Hackberry Ave. Luling, TX 78648 TX 78648 with a property ID of 25670 and a legal description of BRIDGES, BLOCK 3, LOT PT 1. The request is in reference to City of Luling Code of Ordinances section 22-46.

Following discussion, Bill Hathaway made a motion seconded by Billy Roberts to allow her 30 days to pull permit, 90 days to frame and dry by January 30th and have it finished by April 30th. The motion carried with all members present voting unanimously in favor of the motion.

6. **Public Comment:**

Statement of Rules for Proceedings:

"The rules for conduct of today's meeting are to ensure fairness to all persons interested in speaking either about general planning matters or a specific application. Please limit your comments to new and relevant factual information. Persons wishing to make general comments not addressing a particular agenda item are invited to do so at this time." (Time limit of 3 to 5 minutes, please.)

There were no public comments at this time.

7. A. **Public Hearing** to determine whether a structure is a unsafe and/or public nuisance within the terms of the City of Luling Code of Ordinances Chapter 22 Buildings and Building Regulations, Article II Unsafe and/or Public Nuisance Building Abatement Sections 22-36 through 22-55. The property to be determined whether a structure is unsafe and/or a public nuisance are at the following location: 120 Cosey St. Luling, TX 78648, TX 78648 with a property ID of 25675 and a legal description of BRIDGES, BLOCK 1, LOT 5. The request is in reference to City of Luling Code of Ordinances section 22-48 and section 22-49.

Ryan DeCamp stated that this property has been cleared twice by the City of Luling. No one was present for this property. The mailing receipt for certified mail was signed.

B. Close Public Hearing.

The Public Hearing was closed.

8. **Consider and determine** that if a structure is found to be an unsafe and/or public nuisance, that structure be vacated, secured, repaired, removed, or demolished within the terms of the City of Luling Code of Ordinances Chapter 22 Buildings and Building Regulations, Article II Unsafe and/or Public Nuisance Building Abatement Sections 22-36 through 22-55. The property to be determined whether a structure is unsafe and/or a public nuisance are at the following location: 120 Cosey St. Luling, TX 78648 with a property ID of 25675 and a legal description of BRIDGES, BLOCK 1, LOT 5. The request is in reference to City of Luling Code of Ordinances section 22-46.

Bill Hathaway made a motion seconded by Todd French to demolish this property within 30 days. The motion carried with all members present voting unanimously in favor of the motion.

9. Public Comment:

Statement of Rules for Proceedings:

"The rules for conduct of today's meeting are to ensure fairness to all persons interested in speaking either about general planning matters or a specific application. Please limit your comments to new and relevant factual information. Persons wishing to make general comments not addressing a particular agenda item are invited to do so at this time." (Time limit of 3 to 5 minutes, please.)

There were no public comments.

- 10. A. Public Hearing** to determine whether a structure is a unsafe and/or public nuisance within the terms of the City of Luling Code of Ordinances Chapter 22 Buildings and Building Regulations, Article II Unsafe and/or Public Nuisance Building Abatement Sections 22-36 through 22-55. The property to be determined whether a structure is unsafe and/or a public nuisance are at the following location: 123 Blanco Ave. Luling, TX 78648 with a property ID of 24767 and a legal description of TAYLOR, J.E., BLOCK 7, LOT 3-6. The request is in reference to City of Luling Code of Ordinances section 22-48 and section 22-49.

Elvia Castanon and Angela Alvarez appeared before the Board of Adjustment and stated that the property has been demolished. They stated that later on they would like to rebuild. They stated that they have left the foundation but have cleaned the rest of the property.

Ryan DeCamp told them to come by and check with him before they start to rebuild to check and see if the foundation is solid for them to build on.

B. Close Public Hearing.

Public Hearing was closed.

- 11. Consider and determine** that if a structure is found to be an unsafe and/or public nuisance, that structure be vacated, secured, repaired, removed, or demolished within the terms of the City of Luling Code of Ordinances Chapter 22 Buildings and Building Regulations, Article II Unsafe and/or Public Nuisance Building Abatement Sections 22-36 through 22-55. The property to be determined whether a structure is unsafe and/or a public nuisance are at the following location: 123 Blanco Ave. Luling, TX 78648 with a property ID of 24767 and a legal description of TAYLOR, J.E., BLOCK 7, LOT 3-6. The request is in reference to City of Luling Code of Ordinances section 22-46.

Bill Hathaway made a motion seconded by Todd French that no further action was needed to be taken. The motion carried with all members present voting unanimously in favor of the motion.

12. Public Comment:

Statement of Rules for Proceedings:

"The rules for conduct of today's meeting are to ensure fairness to all persons interested in speaking either about general planning matters or a specific application. Please limit your comments to new and relevant factual information. Persons wishing to make general comments not addressing a particular agenda item are invited to do so at this time." (Time limit of 3 to 5 minutes, please.)

There were no public comments at this time.

13. A. Public Hearing to determine whether a structure is a unsafe and/or public nuisance within the terms of the City of Luling Code of Ordinances Chapter 22 Buildings and Building Regulations, Article II Unsafe and/or Public Nuisance Building Abatement Sections 22-36 through 22-55. The property to be determined whether a structure is unsafe and/or a public nuisance are at the following location: 124 Cosey St. Luling, TX 78648 with a property ID of 25676 and a legal description of BRIDGES, BLOCK 1, LOT 6. The request is in reference to City of Luling Code of Ordinances section 22-48 and section 22-49.

Ryan DeCamp stated that he had not received any comments or anything for this location.

The question was asked if the City of Luling demolishes property do we record any of the property that is there so that the customers won't come in and stated that they had some property there and the City took it or anything.

Ryan DeCamp stated that they video tape and record when they are cleaning the property so that everyone can see what is there.

B. Close Public Hearing.

Public Hearing was closed.

14. Consider and determine that if a structure is found to be an unsafe and/or public nuisance, that structure be vacated, secured, repaired, removed, or demolished within the terms of the City of Luling Code of Ordinances Chapter 22 Buildings and Building Regulations, Article II Unsafe and/or Public Nuisance Building Abatement Sections 22-36 through 22-55. The property to be determined whether a structure is unsafe and/or a public nuisance are at the following location: 124 Cosey St. Luling, TX 78648 with a property ID of 25676 and a legal description of BRIDGES, BLOCK 1, LOT 6. The request is in reference to City of Luling Code of Ordinances section 22-46.

Billy Roberts made a motion seconded by Bill Hathaway to demolish this property. The motion carried with all members present voting unanimously in favor of the motion.

15. Public Comment:

Statement of Rules for Proceedings:

"The rules for conduct of today's meeting are to ensure fairness to all persons interested in speaking either about general planning matters or a specific application. Please limit your comments to new and relevant factual information. Persons wishing to make general comments not addressing a particular agenda item are invited to do so at this time." (Time limit of 3 to 5 minutes, please.)

No Public Comments.

16. A. Public Hearing to determine whether a structure is a unsafe and/or public nuisance within the terms of the City of Luling Code of Ordinances Chapter 22 Buildings and Building Regulations, Article II Unsafe and/or Public Nuisance Building Abatement Sections 22-36 through 22-55. The property to be determined whether a structure is unsafe and/or a public nuisance are at the following location: 207 Jones St. Luling, TX 78648 with a property ID of 25867 and a legal description of JOSEY'S NORTH, BLOCK 4, LOT PT 1, TR F. The request is in reference to City of Luling Code of Ordinances section 22-48 and section 22-49.

Public Hearing was opened. Ryan DeCamp stated that no one had signed for the letter, so it was returned. He also stated that there is a sewer line that is busted north of the building. There has been some vandalism at the property.

B. Close Public Hearing.

Closed Public Hearing.

17. Consider and determine that if a structure is found to be an unsafe and/or public nuisance, that structure be vacated, secured, repaired, removed, or demolished within the terms of the City of Luling Code of Ordinances Chapter 22 Buildings and Building Regulations, Article II Unsafe and/or Public Nuisance Building Abatement Sections 22-36 through 22-55. The property to be determined whether a structure is unsafe and/or a public nuisance are at the following location: 207 Jones St. Luling, TX 78648 with a property ID of 25867 and a legal description of JOSEY'S NORTH, BLOCK 4, LOT PT 1, TR F. The request is in reference to City of Luling Code of Ordinances section 22-46.

Bill Hathaway made a motion seconded by Billy Roberts to demolish this property. The motion carried with all members present voting unanimously in favor of the motion.

18. Public Comment:

Statement of Rules for Proceedings:

"The rules for conduct of today's meeting are to ensure fairness to all persons interested in speaking either about general planning matters or a specific application. Please limit your comments to new and relevant factual information. Persons wishing to make general comments not addressing a particular agenda item are invited to do so at this time." (Time limit of 3 to 5 minutes, please.)

No Public Comment.

19. A. Public Hearing to determine whether a structure is a unsafe and/or public nuisance within the terms of the City of Luling Code of Ordinances Chapter 22 Buildings and Building Regulations, Article II Unsafe and/or Public Nuisance Building Abatement Sections 22-36 through 22-55. The property to be determined whether a structure is unsafe and/or a public nuisance are at the following location: 407 W. Austin St. Luling, TX 78648 with a property ID of 24687 and a legal description of REED, H.N., BLOCK 2, LOT 5,6. The request is in reference to City of Luling Code of Ordinances section 22-48 and section 22-49.

Eualia Sanchez stated that she would like to tear down the house themselves. What would they need to do? Ryan DeCamp explained the procedure to her.

B. Close Public Hearing.

Close Public Hearing.

20. Consider and determine that if a structure is found to be an unsafe and/or public nuisance, that structure be vacated, secured, repaired, removed, or demolished within the terms of the City of Luling Code of Ordinances Chapter 22 Buildings and Building Regulations, Article II Unsafe and/or Public Nuisance Building Abatement Sections 22-36 through 22-55. The property to be determined whether a structure is unsafe and/or a public nuisance are at the following location: 407 W. Austin St. Luling, TX 78648 with a property ID of 24687 and a legal description of REED, H.N., BLOCK 2, LOT 5,6. The request is in reference to City of Luling Code of Ordinances section 22-46.

Bill Hathaway made a motion seconded by Todd French to allow them to demolish the property themselves and to pull a permit and that they had 90 days to complete the demolition.

21. Adjournment

There was no other business and the meeting was adjourned.

Approved: _____

Karen Cochran, Chairmen
City of Luling

Martha C. Velasquez
City