

**MINUTES**  
FOR THE  
**SEAGOVILLE BOARD OF ADJUSTMENTS,**  
ACTING IN THE CAPACITY OF THE  
**HOUSING STANDARDS COMMISSION**

**Meeting scheduled to begin at 7:00 p.m.,  
Tuesday, June 3, 2008**

in the Council Chambers of City Hall,  
located at 702 N. Highway 175 – Seagoville, Texas

<b>CHAIRPERSON</b>	<b>SANDRA ROGERS</b>
<b>VICE-CHAIRPERSON</b>	<b>BILL CHAMBLISS</b>
<b>BOARD MEMBER</b>	<b>MIKE FRUIN</b>
<b>BOARD MEMBER</b>	<b>MELVIN SANTIAGO</b>
<b>BOARD MEMBER</b>	<b>JERRY YEAROUT</b>
<b>ALTERNATE #1</b>	<b>MILDRED THOMPSON</b>
<b>ALTERNATE #2</b>	<b>RANDY DAUGHERTY</b>

Alternate #1 Mildred Thompson took her place on the Board in the absence of Board Member Jerry Yearout.

I. CALL TO ORDER

Chairperson Rogers declared a quorum present and called the meeting to order at 7:05 p.m. Board Members present were Sandra Rogers, Mike Fruin, Bill Chambliss and Melvin Santiago. Board Member Jerry Yearout was absent. Alternates present were Mildred Thompson and Randy Daugherty. Also present were Building Official Ron Harness and Planning Technician/BOA Liaison Cindy Kintz.

II. INVOCATION & PLEDGE OF ALLEGIANCE

Vice-Chairperson Chambliss gave the invocation and the Board led in the Pledge of Allegiance.

III. APPROVAL OF MINUTES

Approval of the Minutes for the Board of Adjustments meeting held on April 22, 2008.

Vice-Chairperson Chambliss made a motion, seconded by Board Member Fruin, to approve the minutes for the Board of Adjustments meeting held on April 22, 2008. Chairperson Rogers called for a vote with all Board Members present voting AYE. The motion carried (4-0).

#### IV. PUBLIC HEARINGS

- A. Case #SH2008-01: Conduct a public hearing over violations to the City's adopted property standards codes on the property located at 103 Bowers Street (property legal description: Lot 6, Block 1 in the Adolph Bowers Addition, as recorded in VOL97015/0187 DD012097 CO-DALLAS of the Records of Dallas County, Texas; acreage: .25± acres; property zoning: Single-Family Residential-5).  
Applicant: *City of Seagoville, Texas.*

1. Open public hearing and receive staff report and public comments;

Chairperson Rogers opened the public hearing at 7:09 p.m. Building Official Ron Harness reminded the Board of the 4/5s vote requirement of the Board by law on each of the cases before them that evening. Mr. Harness gave his Power Point overview over the substandard structure(s) located at 103 Bowers Street.

Will Eberhardt – 603 South Kaufman Street, Seagoville, Texas 75159 – stated the structure had been an eye sore for twelve years. He stated that, as a city, all would be better off if the structure(s) were leveled and grass was growing there. He also stated it was total chaos when people did live there and how the police would be continually contacted. When people did live there, they would be living there without water and using the restroom in the backyard.

2. Close public hearing;

Without anyone else present from the public wishing to speak, Chairperson Rogers closed the public hearing at 7:19 p.m.

3. Discuss and take action on the City's property standards codes violations as presented in Case #SH2008-01.

Board Member Fruin inquired as to any compliance from the owner. Mr. Harness explained how the City had attempted to work with the property owner for the past two years and how a remodel permit was obtained by the property owner in April 2007 but it had since expired. He stated that the City had received numerous complaints from the neighbors. He informed the Board that, during the evidentiary search warrant he executed on May 13, 2008, he found the back door of the main structure

standing wide open and unsecure. He also stated that he found a multi-layer roof and added that the roof was at least four layers.

Vice-Chairperson Chambliss made a motion, seconded by Board Member Santiago, to demolish the structure(s) referenced in Case #SH2008-01 located at 103 Bowers Street. Chairperson Rogers called for a vote with all present Board Members voting AYE. The motion carried (4-0).

- B. Case #SH2008-02: Conduct a public hearing over violations to the City's adopted property standards codes on the property located at 504 Dice Street (property legal description: Lot 2, Block 2 of the G. T. Sullivan 3 Addition, as recorded in VOL97028/4269 DD021097 CO-DALLAS of the Records of Dallas County, Texas; acreage: .24± acres; property zoning: Single-Family Residential-5).

Applicant: City of Seagoville, Texas.

1. Open public hearing and receive staff report and public comments;

Chairperson Rogers opened the public hearing at 7:21 p.m. Mr. Harness gave his Power Point overview over the substandard structure(s) located at 504 Dice Street.

2. Close public hearing;

Without anyone present from the public wishing to speak, Chairperson Rogers closed the public hearing at 7:25 p.m.

3. Discuss and take action on the City's property standards codes violations as presented in Case #SH2008-02.

Board Member Santiago inquired as to how long it would take the City to demolish the substandard structures. Mr. Harness explained the legalities after the Board makes their decisions on all of the cases before them that evening and informed the Board that the demolitions could begin occurring as soon as the end of July 2008.

Board Member Santiago inquired as to how the City recouped the cost for the demolitions. Mr. Harness explained that, after the demolitions occur, liens would be filed on the properties for the actual cost of the demolitions plus interest accrued.

Vice-Chairperson Chambliss made a motion, seconded by Alternate #1 Thompson, to demolish the substandard structure referenced in Case #SH2008-02 located at 504 Dice Street. Chairperson Rogers called for a vote with all present Board Members voting AYE. The motion carried (4-0).

- C. Case #SH2008-03: Conduct a public hearing over violations to the City's adopted property standards codes on the property located at 712 Elmo Drive (property legal description: Tract 13 of the James Donaldson Abstract No. 427, Page 270, CO-DALLAS as recorded in the Records of Dallas County, Texas; acreage: .37± acres; property zoning: Single-Family Residential-5).  
Applicant: *City of Seagoville, Texas.*

1. Open public hearing and receive staff report and public comments;

Chairperson Rogers opened the public hearing at 7:30 p.m. Mr. Harness gave his Power Point overview over the substandard structure located at 712 Elmo Drive.

2. Close public hearing;

Without anyone present from the public wishing to speak, Chairperson Rogers closed the public hearing at 7:37 p.m.

3. Discuss and take action on the City's property standards codes violations as presented in Case #SH2008-03.

Vice-Chairperson Chambliss made a motion, seconded by Board Member Santiago, to demolish the substandard structure referenced in Case #SH2008-03 located at 712 Elmo Drive. Chairperson Rogers called for a vote with all present Board Members voting AYE. The motion carried (4-0).

- D. Case #SH2008-04: Conduct a public hearing over violations to the City's adopted property standards codes on the property located at 802 Elmo Drive (property legal description: Tract 4 of the James Donaldson Abstract No. 427, Page 270, as recorded in VOL90114/0584 EX052590 CO-DALLAS of the Records of Dallas County, Texas; acreage: .44± acres; property zoning: Single-Family Residential-5).  
Applicant: *City of Seagoville, Texas.*

1. Open public hearing and receive staff report and public comments;

Chairperson Rogers opened the public hearing at 7:39 p.m. Mr. Harness gave his Power Point overview over the substandard structure located at 802 Elmo Drive.

2. Close public hearing;

Without anyone present from the public wishing to speak, Chairperson Rogers closed the public hearing at 7:45 p.m.

3. Discuss and take action on the City's property standards codes violations as presented in Case #SH2008-04.

Chairperson Rogers inquired as to if Mr. Harness had discovered any evidence of drug paraphernalia during his evidentiary search on the substandard structure. Mr. Harness explained how he did find some drug paraphernalia along with evidence of partying like beer cans, cigarettes, etc., children using the structure as a hang out and a burn pattern. He stated how he was attempting to prevent vagrants from moving into the structure.

Vice-Chairperson Chambliss made a motion, seconded by Board Member Fruin, to demolish the substandard structure referenced in Case #SH2008-04 located at 802 Elmo Drive. Chairperson Rogers called for a vote with all present Board Members voting AYE. The motion carried (4-0).

- E. Case #SH2008-05: Conduct a public hearing over violations to the City's adopted property standards codes on the property located at 204 Johnson Street (property legal description: East ½ Lot 7, Block 2 of the B. H. Hatton Addition, as recorded in VOL86109/4752 CO-DALLAS of the Records of Dallas County, Texas; acreage: .38± acres; property zoning: Single-Family Residential-5).

Applicant: City of Seagoville, Texas.

1. Open public hearing and receive staff report and public comments;

Chairperson Rogers opened the public hearing at 7:46 p.m. Mr. Harness gave his Power Point overview over the substandard structure located at 204 Johnson Street.

2. Close public hearing;

Without anyone present from the public wishing to speak, Chairperson Rogers closed the public hearing at 7:56 p.m.

3. Discuss and take action on the City's property standards codes violations as presented in Case #SH2008-05.

Board Member Santiago referred to the blue drum located in the picture of the rear of the structure and inquired as to what type of liquid the drum could have held. Mr. Harness did not know and guessed at some type of oil. He added the cost of proper disposal of the drum would be included in the total lien on the property.

Mr. Harness reported that the property owner was cited for high grass and weeds and had obtained a demolition permit in 2007 but it had since expired. He reported that, during his evidentiary search, he observed how it appeared someone was living in one of the rooms by evidence of the one room being completely clean compared to the remainder of the structure and the door to the room was closed. He also reported on the City receiving numerous complaints on the property.

Alternate #1 Thompson made a motion, seconded by Board Member Santiago, to demolish upon Staff recommendation the substandard structure referenced in Case #SH2008-05 located at 204 Johnson Street. Chairperson Rogers called for a vote with all present Board Members voting AYE. The motion carried (4-0).

- F. Case #SH2008-06: Conduct a public hearing over violations to the City's adopted property standards codes on the property located at 406 South Kaufman Street (property legal description: Tract 35 of the Henry D. Bohannon Abstract No. 178, Page 130, Old Town Seagoville, Sheet 9, as recorded in VOL94015/1698 DD101293 CO-DALLAS of the Records of Dallas County, Texas; acreage: .33± acres; property zoning: Sing-Family Residential-5).

Applicant: *City of Seagoville, Texas.*

1. Open public hearing and receive staff report and public comments;

Chairperson Rogers opened the public hearing at 7:58 p.m. Mr. Harness gave his Power Point overview over the substandard structure(s) located at 406 South Kaufman Street.

2. Close public hearing;

Without anyone present from the public wishing to speak, Chairperson Rogers closed the public hearing at 8:02 p.m.

3. Discuss and take action on the City's property standards codes violations as presented in Case #SH2008-06.

Mr. Harness reported on a house and detached garage located on this property that he deemed to be substandard and recommended demolition of both structures. During his evidentiary search, he reported finding bird and rat nests; beer cans and bottles; and one clean room in the entire house.

Vice-Chairperson Chambliss made a motion, seconded by Board Member Santiago, to demolish the substandard structure(s) referenced in Case #SH2008-06 located at 406 South Kaufman Street. Chairperson Rogers

called for a vote with all present Board Members voting AYE. The motion carried (4-0).

- G. Case #SH2008-07: Conduct a public hearing over violations to the City's adopted property standards codes on the property located at 1415 La Fonda Circle (property legal description: Lot 12, Block 4 of the Revised Case Grande 1 Addition, as recorded in INT200600197382 DD05242006 CO-DC of the Records of Dallas County, Texas; acreage: .15± acres; property zoning: Single-Family Residential-5).  
Applicant: *City of Seagoville, Texas*.

1. Open public hearing and receive staff report and public comments;

Chairperson Rogers opened the public hearing at 8:06 p.m. Mr. Harness gave his Power Point overview over the substandard structure(s) located at 1415 La Fonda Circle.

2. Close public hearing;

Without anyone present from the public wishing to speak, Chairperson Rogers closed the public hearing at 8:14 p.m.

3. Discuss and take action on the City's property standards codes violations as presented in Case #SH2008-07.

Mr. Harness reported on a house and detached garage located on this property that he deemed to be substandard and recommended demolition of both structures. He reported on the City receiving numerous complaints on this property and on the previous owner being tied up in Bankruptcy Court over the past two years.

Board Member Fruin commented that maybe the house had possibly caught fire in the past for the reason being why the house was gutted. Mr. Harness explained he did not see evidence of any fire during his evidentiary search. He speculated on the house was possibly going to be remodeled at one point in time and that was the reason for the house being gutted. Board Member Fruin inquired as to the structure being a house or duplex. Mr. Harness reported that the structure was a house.

Alternate #2 Randy Daugherty – 1617 Makayla Lane, Seagoville, Texas 75159 – addressed the Board. He stated to make sure the City was in the right by demolishing the structures and to first see if the Bankruptcy Court had custody of the property before demolishing the structures.

Vice-Chairperson Chambliss stated he had heard numerous complaints on the property from citizens in the community.

Board Member Fruin made a motion, seconded by Vice-Chairperson Chambliss, to demolish the substandard structure(s) referenced in Case #SH2008-07 located at 1415 La Fonda Circle. Chairperson Rogers called for a vote with Vice-Chairperson Chambliss, Board Member Fruin and Alternate #1 Thompson voting AYE. Board Member Santiago voted NAY. The motion was denied (3-1).

Board Member Fruin requested clarification on Chairperson Rogers voting on this particular case. Mr. Harness explained Chairperson Rogers would be required to vote on this particular case only to achieve the 4/5s majority vote required by law. Board Member Fruin stated he had faith in City Staff and the City Attorney.

Board Member Fruin made a motion, seconded by Alternate #1 Thompson, to proceed with demolishing the substandard structures referenced in Case #SH2008-07 located at 1415 LaFonda Circle. Chairperson Rogers called for a vote with Chairperson Rogers, Vice-Chairperson Chambliss, Board Member Fruin and Alternate #1 Thompson voting AYE. Board Member Santiago voted NAY. The motion carried (4-1).

Mr. Harness was directed by the Board to seek the City Attorney's legal opinion on the issue of the property being tied up in Bankruptcy Court before commencing on the demolition of the substandard structures.

- H. Case #SH2008-08: Conduct a public hearing over violations to the City's adopted property standards codes on the property located at 309 East Malloy Bridge Road (property legal description: Tract 5 of the M. L. Swing Abstract No. 1420, PT 115, Old Town Seagoville, Sheet 7B, as recorded in VOL95216/5449 DD101895 CO-DALLAS of the Records of Dallas County, Texas; acreage: .264± acres; property zoning: Single-Family Residential-5). Applicant: *City of Seagoville, Texas*.

1. Open public hearing and receive staff report and public comments;

Chairperson Rogers opened the public hearing at 8:25 p.m. Mr. Harness gave his Power Point overview over the substandard structure(s) located at 309 East Malloy Bridge Road.

2. Close public hearing;

Without anyone present from the public wishing to speak, Chairperson Rogers closed the public hearing at 8:32 p.m.

3. Discuss and take action on the City's property standards codes violations as presented in Case #SH2008-08.

Vice-Chairperson Chambliss made a motion, seconded by Board Member Santiago, to demolish the substandard structure(s) referenced in Case #SH2008-08 located at 309 East Malloy Bridge Road after the current demolition permit expired on September 27, 2008. Chairperson Rogers called for a vote with all present Board Members voting AYE. The motion carried (4-0).

- I. Case #SH2008-09: Conduct a public hearing over violations to the City's adopted property standards codes on the property located at 902 Netherland Drive (property legal description: Lot 6, Block B of the Phillip Pirozzo Unrec as recorded in VOL3927/0334 EX100153 CO-DALLAS of the Records of Dallas County, Texas; acreage: .28± acres; property zoning: Single-Family Residential-5).

Applicant: City of Seagoville, Texas.

1. Open public hearing and receive staff report and public comments;

Chairperson Rogers opened the public hearing at 8:34 p.m. Mr. Harness gave his Power Point overview over the substandard structure(s) located at 902 Netherland Drive.

2. Close public hearing;

Without anyone present from the public wishing to speak, Chairperson Rogers closed the public hearing at 8:38 p.m.

3. Discuss and take action on the City's property standards codes violations as presented in Case #SH2008-09.

Vice-Chairperson Chambliss made a motion, seconded by Board Member Santiago, to demolish the substandard structure(s) referenced in Case #SH2008-09 located at 902 Netherland Drive. Chairperson Rogers called for a vote with all present Board Members voting AYE. The motion carried (4-0).

- J. Case #SH2008-10: Conduct a public hearing over violations to the City's adopted property standards codes on the property located at 1003 Netherland Drive (property legal description: Lot 7, Block D of the Phillip Pirozzo Unrec as recorded in VOL2000219/3434 DD11012000 CO-DC of the Records of Dallas County, Texas; acreage: .52± acres; property zoning: Single-Family Residential-5).

Applicant: City of Seagoville, Texas.

1. Open public hearing and receive staff report and public comments;

Chairperson Rogers opened the public hearing at 8:39 p.m. Mr. Harness gave his Power Point overview over the substandard structure(s) located at 1003 Netherland Drive.

2. Close public hearing;

Without anyone present from the public wishing to speak, Chairperson Rogers closed the public hearing at 8:42 p.m.

3. Discuss and take action on the City's property standards codes violations as presented in Case #SH2008-10.

Board Member Fruin made a motion, seconded by Board Member Santiago, to demolish upon Staff recommendation the substandard structure(s) referenced in Case #SH2008-10 located at 1003 Netherland Drive. Chairperson Rogers called for a vote with all present Board Members voting AYE. The motion carried (4-0).

- K. Case #SH2008-11: Conduct a public hearing over violations to the City's adopted property standards codes on the property located at 418 Willis Drive (property legal description: 1984 14 ft. x 70 ft. Western Mobile Home (Serial #TW1ALAS15783) located on Lot 5, Block F of the Briar Creek Village Addition, as recorded in VOL96225/2284 DD092795 CO-DALLAS of the Records of Dallas County, Texas; acreage: .10± acres; property zoning: Mobile Home Park/Special Use Permit).

Applicant: City of Seagoville, Texas.

1. Open public hearing and receive staff report and public comments;

Chairperson Rogers opened the public hearing at 8:44 p.m. Mr. Harness gave his Power Point overview over the substandard structure(s) located at 418 Willis Drive.

2. Close public hearing;

Without anyone present from the public wishing to speak, Chairperson Rogers closed the public hearing at 8:51 p.m.

3. Discuss and take action on the City's property standards codes violations as presented in Case #SH2008-11.

Vice-Chairperson Chambliss made a motion, seconded by Board Member Fruin, to demolish the substandard structure(s) referenced in Case #SH2008-11 located at 418 Willis Drive. Chairperson Rogers called for a

vote with all present Board Members voting AYE. The motion carried (4-0).

V. FUTURE AGENDA ITEMS

None.

VI. ADJOURNMENT

Without any further business to discuss, Vice-Chairperson Chambliss made a motion, seconded by Board Member Fruin, to adjourn the meeting at 8:52 p.m. Chairperson Rogers called for a vote with all present Board Members voting AYE. The motion carried (4-0).

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**SANDRA ROGERS**  
**CHAIRPERSON**

**ATTEST:**

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**CINDY KINTZ, PLANNING TECHNICIAN**  
**BOARD OF ADJUSTMENTS LIAISON**