

HEWITT TEXAS

MINUTES OF THE BOARD OF ADJUSTMENT September 19th, 2019 – 6:00PM

Members Present: Chairman Jim Winton, Doug Bergen, Chuck Howard, Brad Turner, Don Vardeman

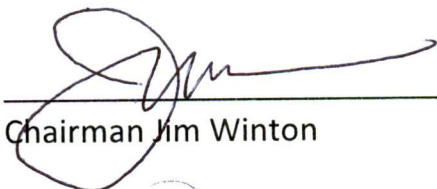
Members Absent: Scott Hedges

Staff Present: Tracy Lankford, Community Development Director
Mike Dixon, City Attorney
Brittney Cantu, Zoning Secretary

- 1) **Call Board of Adjustment Meeting to order.** *Chairman Jim Winton called the meeting to order at 6:01PM.*
- 2) **Consider approval of minutes for the February 21, 2019 Board of Adjustment regular meeting.** *A motion was made by Brad Turner, seconded by Doug Bergen, to approve the minutes as submitted but allow for corrections. All five in favor, motion passed.*
- 3) **Public Hearing: violation of an unsafe building located at 104 Saddle Horn Dr. Hewitt, Texas also known as Lot 24 Block B of the Hewitt Mobile Home Park, case number 2019 – 001.** *Public Hearing opened at 6:02PM. Mike Dixon, City Attorney, addressed the Board regarding this property stating that this property is in violation of the City of Hewitt Code of Ordinances Chapter 14 – 300, with a regard to dangerous buildings. This property has been in disrepair for at least 10 years, and the owners Mr. & Mrs. Valderrama have passed. A friend who had Power of Attorney of one of the owners kept up with the property after their passing, but since decided he no longer wants any ownership, according to the police who spoke with him. Mr. Dixon searched for any family of the owners, and found a Valderrama, Jr., who lives in Arizona, and thought this could potentially be a son of the owners. There has been both regular mail and certified mail to both the friend who had Power of Attorney as well as the potential family member who live in Arizona. A notice was also published in the newspaper regarding this meeting and invited them to show up if they were wanting. Mr. Dixon handed out a notice of the violation that was sent out, to be referred as Exhibit #1; a printout of the tracking history of the certified letter via USPS tracking for*

the potential son in Arizona, to be referred as Exhibit #2; a printout of the tracking history of the certified letter via USPS tracking for the friend was paying the taxes, Mr. Lavane, which we have not received any notification of being picked up, to be referred as Exhibit #3; and Notice of Publication in the Waco Tribune Harold, to be referred as Exhibit #4. Since this property has been vacant for so long and it is becoming a public nuisance, the City is having to go through all the proper legal steps in order to ensure everything is done legally. The issues surrounding this property have been going on since around 2003. Tracy Lankford, Community Development Director, went over the checklists that he and Code Enforcement Officer Amador Zapata did on July 31, 2019. Both checklists state that there was extensive deterioration and collapsing of walls, floors, and the roof. This structure would be a hazard for anyone who tried to enter it. There is no water or electrical, and the structure is also infested with vermin and insects. Both checklists state that this structure is uninhabitable, and that this structure could not be salvaged and remodeled. Both Mr. Lankford and Mr. Zapata recommend that the Board find this structure uninhabitable and a public nuisance, and that the owners be ordered to remove the structure within 30 days. Chairman Jim Winton called if there was anyone to come forward to speak for or against the decision to demolish and remove this property. No one is present for the meeting; therefore no one came forward to speak. Public hearing closed at 6:19PM. A motion was made by Doug Bergen, seconded by Chuck Howard, to accept the recommendation and find the structure and premises to be a public nuisance and the owners be ordered to remove the structure within 30 days. All five in favor, motion passed. Mr. Dixon handed the Board a typed-up order to read over to ensure all five agreed to what was written so that he can continue the legal process to get the property demolished and cleaned up. Chairman Jim Winton signed the order as per the instructions given.

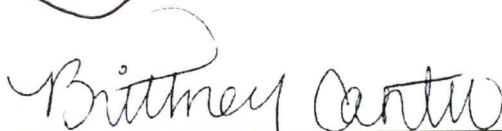
4) **Adjourn.** A motion was made by Doug Bergen, seconded by Chuck Howard, to adjourn the meeting. All five in favor, meeting adjourned at 6:27PM.



Chairman Jim Winton

5/21/2020

Date Approved



Brittney Cantu, City of Hewitt Zoning Secretary