

**RICHLAND HILLS BUILDING BOARD OF APPEALS
REGULAR MEETING
JUNE 24, 2024
MINUTES**

Roll Call:

Board present:

Curtis Bergthold, Chair
Douglas Knowlton, Place 1
Travis Malone, Place 2
Theresa Bledsoe, Place 3
John Skier, Place 4
GW Estep, Place 5
Roland Goveas, Place 6

Board Absent:

Staff

Candice Edmondson, City Manager
Lindsay Rawlinson, City Secretary
James Donovan, City Attorney

- 1. CALL TO ORDER – Chairman Curtis Bergthold Called to Order – Time 6:30 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 May 13, 2024 Building Board of Appeals meeting.**

Motion: Motion was made by Board Member Malone and seconded by Board Member Knowlton to approve the May 13, 2024 Building Board of Appeals meeting minutes.

Motion carried by a vote of 7-0.

- 5. Review and receive update on Case #2024-001 a substandard property described as Lot 10, Block 2, of a Revision of Matthews Subdivision, an addition to Tarrant County, Texas, according to the map or plat thereof recorded under Volume 388-M, Page 327, of the Plat Records of Tarrant County, Texas. A.K.A. 3224 Mimosa Park Drive, Richland Hills, Texas 76118 and consideration of an order to cause the repair, vacation, relocation of occupants, removal, demolition or securing of the building.**

Director of Planning and Development Services JP Ducay advised that on April 17, 2024, the Building Official of the City of Richland Hills determined that the building located 3224 Mimosa Park Drive is substandard and 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.

The Building Board of Appeals held a public hearing regarding the subject property on May 13, 2024. The Board ordered the owner/representative to provide a plan of repair for the Property, addressing all issues listed in the Notice of Substandard Building, to the Board by June 24, 2024. The Plan was ordered to include a list of all contractors to be utilized, all financial considerations, a list of all tasks to be performed in order to bring the property into compliance, and a timeframe for completion.

City Staff met with Property Representative and Contractor Heavyn-Symone Jones on June 3, 2024, to discuss the remaining permitting material needed and Ms. Jones ensured City Staff that most of the requested documents were already completed and should be submitted prior to the next BBA meeting scheduled on June 24, 2024. The following day, staff followed up with an email to Ms. Jones containing a breakdown of all the items that would need to be submitted.

Staff continued to reach out via phone and email several times over the ensuing weeks and received no response. Multiple voicemails left and emails sent with no response. It appears the applicant is actively avoiding contact and has not indicated any intention to submit the required documentation. Mr. Ducay advised that he received an email from Ms. Jones about five minutes before this meeting but was unable to review the contents of the email prior to providing the Board with an update.

Discussion ensued regarding inspections and the need for a plumber.

Mr. Ducay confirmed that no inspections have been done on the property as no permits have been requested. Additionally, he confirmed that a plumber is a necessary part of the process who must submit a plan for installing a new plumbing system.

Property Representative and Contractor Heavyn-Symone Jones was present to address questions from the Board.

The Board asked Ms. Jones why she has been unresponsive to staff.

Heavyn-Symone Jones, expressed frustration at the process and stated that unforeseen health and family matters occurred that made her unwilling to return phone calls or emails.

The Board inquired about the previously ordered plans submittal.

Ms. Jones advised that she needs to hire a plumber and intends to see the project through to completion.

The Board asked Ms. Jones if the property owner would be willing to attend a meeting to speak with them directly and Ms. Jones advised that he would not attend any meetings.

City Attorney James Donovan discussed the Board's option to demolish the property as stated in their original order dated May 13, 2024 if the Board felt that repairs would not be made.

Discussion ensued regarding the overall safety of the property and the property owner's ability to continue working on the property even with a demolition order in place.

Mr. Ducay confirmed that he has not been in the property but has been advised by the Building Official that it is unsafe.

Mr. Donovan advised that the property owner has 30 days from the date of a demolition order to continue to make improvements and the Board has the discretion to change their order in that time if they see improvements being made to the property.

Motion: Motion was made by Board Member Estep and seconded by Board Member Goveas the following:

- 1) Sir Cotton Estate Properties LLC, Owner, "Owner" of the Property located at 3224 Mimosa Park in Richland Hills, Texas 76118, Lot 10, Block 2, of a Revision of Matthews Subdivision, an addition to Tarrant County, Texas, according to the map or plat thereof recorded under Volume 388-M, Page 327, of the Plat Records of Tarrant County, Texas, is given thirty (30) days to demolish and remove the building(s) and all debris located on Property.
- 2) The work to demolish and remove the building(s) and all debris must be completed within thirty (30) days from the date of this order, June 25, 2024.
- 3) If the work to repair, demolish, or remove the building(s) is not completed within the period of time referenced in the preceding paragraph, the City of Richland Hills will demolish the building(s) and charge all expenses incurred by the City to the Owner. If the Owner does not reimburse the City for its expenses, the City will place a lien upon the Property for the amount owed. The costs, together with interest accruing at 10% per

annum will be assessed as a charge against the land and will be a personal obligation of the Owner.

Motion carried by a vote of 7-0.

6. ADJOURNMENT

There being no further business to come before the Building Board of Appeals, Chair Bergthold declared the meeting adjourned at 7:00 p.m.

ATTEST:

APPROVED:

Lindsay Rawlinson, City Secretary

Curtis Bergthold, Chair