

Quasi-Judicial Hearing

March 24, 2022

Magistrate Libby called the meeting to order at 8am.

Jim Talley Code Enforcement, Mark Hodges Building Inspector, Attorney Tim Sloan present, Melissa Correia

All parties sworn in prior to each address.

5711 E Hwy 98 La Brisa Inn – Rudra P Inc, Jay Patel of Nashbuilt Construction, Rudra Patel owner

2/8/21 came to council, hearing gave 60 days to obtain permit to demo or repair. Owner in contract with Nashbuilt Construction now to rebuild hotel. Partial demo completed, grass and property not maintained, pool covered but now black and not secured. In violation of code of ordinances for condition of property. City asks for 31 days to pull permit for demo/repair and 90 days to complete. Requests \$7500 fine, \$500 attorney fee, \$39 mailings for a total of \$8039.00. Building inspector states walls are unsupported without roof. Development order submitted and city engineer requested further information in December, no response from owner. Owner working on financials now, structural report from MK Weber, CE designs by Robert Carroll with owner. Finalizing plans with lender now. 60 days to submit plans requested. Choice Hotel or Clarion Point Flag hotel will be built. Had delays due to covid and death in family. Had over a year to move forward but neglected the property per code enforcement, requested 15 days to mow grass. Request they submit engineering report in 30 days, development order in 60 days, begin construction in 90 days if not city may abate the property. Patel in agreement with fines, magistrate requests order that shows phases of permitting and rebuilding.

105 Blackshear Dr- Deborah Ann Sasser

Initial hearing on property, roof damage to storage building, car with cover and rocks on top, unsheltered storage on site. Building inspector concurred that building is unsafe/unfit due to roof damage. Owner stated roof did not leak. City requests 31 days to pull permit to demo/repair and 90 days to start permit or city may abate the property. Owner stated that a phone call instead of formal letter would have been better, this is a scary process for her. Magistrate gave 31 days to pull permit. Owner stated this is costing her money for no reason. Magistrate ruled for the city after a preponderance of competent and substantial evidence presented, 31 days to pull permit to begin demo or repair.

109 Blackshear Dr – Target GC LLC not in attendance at this time

Property has had numerous code violations more than \$9,000 at this time. City asks for 31 days to pull permit or letter to pull permit or city can abate and lien or foreclosure. Building inspector agrees that it is unfit but can be repaired. Grass and garbage on site. Magistrate ruled for the city after a preponderance of competent and substantial evidence presented, 31 days to pull permit to begin demo or repair.

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112 Parker Village Circle – Michael Burton

Extensive roof damage, building inspector agrees unfit/unsafe but can be repaired. Unpermitted work was being done on home. Plywood placed on open ends and painted. Plan to stucco later, not wanting to put money into home since he is divorcing. Permit would be needed to see if safe, had roof permit for new roof previously. Will continue the hearing and code inspector or contractor will need to come out to see if structurally safe.

312 Blackshear Dr – not in attendance

Extensive roof damage, building inspector states it can be repaired. City asks for 31 days to pull permit or letter to pull permit or city can abate. Magistrate ruled for the city after a preponderance of competent and substantial evidence presented, 31 days to pull permit to begin demo or repair.

339 Shadecrest Dr – Thomas Freeman, son of owner in attendance

Only issue is the roof has blue tarp that is deteriorated, had roof permit in 2019 but has expired. Building inspector concurs, can be repaired. Car on property with expired tags, POD without permit. Dealing with insurance fraud, insurance company giving them a hard time with settlement. Car needs battery, sticker for plate did not come in the mail. Told to apply for POD permit and register car within 30 days. May reach out to Catholic Charities for help with reroofing home. Thomas Freeman states that back wall may not be able to support roof, advised to get a structural engineer to look at home. City asks for 31 days to pull permit or letter to pull permit or city can abate. Magistrate ruled for the city after a preponderance of competent and substantial evidence presented, 31 days to pull permit to begin demo or repair \$250 fine and \$250 per day fine may start after 31 days.

4902 E Bus 98 – Gwendolyn Guidry

Roof needing repaired, bricks holding down tarping currently. Permit has been obtained. City asks for 90 days to repair on permit pulled. Magistrate agreed, 90 days to complete the roof repair.

4933 E Hwy 98 – Parker Inn – Shree Bhavani owner

3 houses on property, #2 and #3 ready to collapse due to roof damage, #1 block structure but roof falling in as well. City asks for 31 days to pull permit or letter to pull permit or city can abate. Will need engineer to look at homes and determine cost of repair or demo, request 60 days to pull permit. Magistrate ruled for the city after a preponderance of competent and substantial evidence presented, 31 days to pull permit to begin demo or repair and may call Mr. Talley if more time is needed.

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5018 E 3rd St – Faircloth, not in attendance

Fallen down structure; notice given to Donna and Gregory, posted properly per code enforcement. Attorney questioned if notice was given properly. City asks for 31 days to pull permit or letter to pull permit and 15 days to attend to the grass or city can abate. Magistrate ruled for the city after a preponderance of competent and substantial evidence presented, 31 days to pull permit to begin demo or repair \$250 fine and \$250 per day fine may start after 31 days.

109 Blackshear – Owner Edward Ammon of Target GC LLC in attendance

Blueprints drawn for repair of home, may demo depending on partners decision. Sold home to Janine Livermore, he will stay on to help with repairs and move forward.



Jami Hinrichs, City Clerk