



MINUTES
PROPERTY STANDARDS BOARD
APRIL 25, 2019

Council Chambers

6:30 p.m.

1945 E. Jackson Road

DINNER AND BRIEFING SESSION: 6:00 PM

No public testimony allowed at the briefing.

Board members present: Chair Rick Pfeil, Vice Chair Andy Folmer, Mike Whitley, Dave Hermon, Les Folse, Jim Pipkin, Liz Fannin and Maggie Vera. Jack Fan was absent.

Staff members present: Asst. City Attorney Susan Keller and Rachael Carrico; Building Official Brett King; Community Services Manager Brian Passwaters; Inspection Services Coordinator Billy McMahon; Senior Building Inspector Ray Davis and Rey Guerrero; and Administrative Support Specialist Lydia Tormos.

CALL MEETING TO ORDER:

Chair Pfeil called the meeting to order at 6:30 pm.

1. Approval of **minutes of the March 28, 2019 meeting.**

Hermon moved approval of the minutes; second by Whitley and the motion was approved with a unanimous 8-0 vote (Fan absent).

PUBLIC HEARING

2. **Case 2019-06.** City of Carrollton Staff inspected the structure at 1912 Air Park Lane, Abs A0897, M A Taylor Survey, Tract 3, 3.5 Acres in Collin County, and found it to be a safety hazard and a public nuisance. Staff has requested a hearing before the board to issue a Notice and Order to repair or demolish the structure within a certain period of time.

Chair Pfeil resumed the public hearing that was left open and continued from the March meeting; Case 2019-06. Brian Passwaters reported that property owner, Henry Billingsley, advised that he would not be in attendance. Chair Pfeil advised Passwaters that he was still under oath and invited him to present the case.

Passwaters noted that the public hearing of March 28 was continued due to a court hearing in the 219 District Court in Collin County between Crow Billingsley Airpark Ltd., the owner of the subject property and the homeowners who live in the Dallas Airpark scheduled on April 4, 2019. He advised that the court date was canceled by both parties due to an agreement reached on the clubhouse structure. He referred to the copy of the Rule 11 Agreement distributed to the Board members stipulating that the homeowners would no longer obstruct Crow Billingsley Airpark Ltd. from demolishing the Dallas Airpark Clubhouse. Although an agreement has been reached, Passwaters proceeded with presenting the case to insure compliance is obtained. Passwaters advised that staff last inspected the property on February 4, 2019 and he listed the violations and deterioration

found on the property in detail for both the interior and exterior of the property. He stated the property has deteriorated and become dilapidated; and it is considered an attractive nuisance to children and is a site enabling persons to perform unlawful and immoral acts. Also Staff was informed and observed conditions where the clubhouse and commercial mowing equipment on the property had been broken into and vandalized by unknown parties. He stated that the neglect to provide maintenance to the structure has caused the structure to become deteriorated and considered to be a risk to the health and safety of the public and is blight upon the community. He further advised that the structure has been vacant for over six months and does not have any non-conforming rights. The building does not have a current certificate of occupancy as required under City code and the property is required to be zoned in order to determine the allowed uses for the property and before an application for a Certificate of Occupancy could be submitted. Staff requests that the Property Standards Board declare the structure at 1912 Air Park Lane, Carrollton, TX to be dangerous, substandard, dilapidated and a hazard to the public health, safety and welfare; staff seeks a Notice and Order for the property owner to bring the property into compliance with City codes by either repairing the property or demolishing the structure within 30 days. If the owner fails to comply in the specified time, staff requests the Board to authorize the City of Carrollton to demolish the structure, abate all Code violations, and attach the costs as a lien against the property.

Chair Pfeil asked if any of the violations noted have worsened or if there were any new violations since the last inspection on February 4. Passwaters stated he made a cursory look this date and did not see any improvements made but did not find any further damage to the structure but the basement is flooded again.

Folmer moved to close the public hearing and in the matter of PSB 2019-06, moved that upon review of the evidence and testimony given that the structure at 1912 Air Park Lane, Carrollton, Collin County, Texas 75010 be declared dangerous, substandard, dilapidated and a hazard to the public health, safety and welfare; and that a Notice and Order be issued for the property owner to repair or demolish the structure by making all corrections to bring the property in compliance with City codes within 30 days. If the owner fails to comply in the specified time, the City of Carrollton is authorized to demolish the structure, abate all Code violations and attach the costs as a lien against the property. Second by Whitley and the motion was approved with a unanimous 8-0 vote (Fan absent).

3. BOA Case 2019-02. Circle L Solar on behalf of Mr. Charles Vochatzer is requesting a Special Exception for the installation of roof mounted solar panels located at Mr. Vochatzer's single-family residence at 4527 Blackfoot St., Lot 14 Block A, Estates of Indian Creek Phase 7A. The Special Exception request is to allow solar panels on an architectural elevation that faces an arterial thoroughfare.

Chair Pfeil announced that because it is a Board of Adjustment case, it would take a concurring vote of a minimum of seven members to decide on behalf of the applicant's request. Chair Pfeil administered the Oath to those testifying on the case.

Josh Tabor, Circle C Solar, 9314 Sandshell Drive, Ft. Worth, explained that all solar companies in this area want to place panels on the south facing side of roofs because if the panels do not face the south, there is an approximate 30% decrease in return. The decrease would mean that the panels would not hit the points they are trying to obtain with the solar system and he added that even with adding more panels on the east and west, it would not obtain the desired result.

Folmer asked Mr. Tabor to summarize the math or the results of the study Circle L conducted. Mr. Tabor stated that according to the kWh calculator, the system would give a range between 9131 and 9589 kWh per year. If it is moved or taken off, the range would be between 6210 and 6512 kWh per year which is a 31.98% loss. He clarified that the south facing roof faces SH 121 which is the arterial thoroughfare. Building Official Brett King added that the exhibit did not include the North arrow but the north would be the right side of the page.

Whitley asked about the number of panels and Mr. Tabor replied that they submitted the plans to the City and the plans include the layout, but he did not have it with him to be able to count the panels. He stated the plans were submitted to the HOA as well and was approved. He added that they would be putting panels on the roof facing other directions in order to meet the requirements on the south facing roof.

Fannin asked for confirmation that the HOA has approved all of the panels for all roof lines and Mr. Tabor replied affirmatively. He stated they submitted the same package to the City and the HOA, and he stated the package shows the whole system, layout, and structural and electrical engineering stamps. He confirmed that the HOA approved the plans.

There were no speakers regarding the request.

Brett King stated that all of the information was provided in the Board packet and he was available to answer any questions.

Folmer moved to close the public hearing in the matter of BOA Case 2019-02 located at 4527 Blackfoot St., and move that the special exemption to allow solar panels to be mounted on the rear side of the roof facing SH 121, that upon review of the evidence presented, that this request for a special exemption be granted; second by Fannin and the motion was approved with a unanimous 8-0 vote (Fan absent).

CHAIR/BOARD/STAFF REPORTS

King announced that Billy McMahon had resigned from the City to return to private business. Chair Pfeil thanked Mr. McMahon for his service and the Board wished him well. Brian Passwaters advised that there would be no Property Standards cases for the May 2019 agenda.

ADJOURNMENT

Hermon moved to adjourn; second by Folmer and the motion was approved with a unanimous 8-0 vote (Fan absent).

The meeting was adjourned at 6:52 p.m.

Chairperson

Secretary