



Board of Adjustment

Agenda Packet

October 22, 2020

Development Services



AGENDA
PROPERTY STANDARDS BOARD
October 22, 2020

Council Chambers	6:30 p.m.	1945 E. Jackson Road
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CALL MEETING TO ORDER: 6:30 PM

1. Approval of minutes of the February 27, 2020 and August 27, 2020 meetings.

PUBLIC HEARING

2. **Case PSB 2020-02.** Carrollton Environmental Services Department staff inspected the residential structure at 1749 Hartford Dr, Rosemeade Addn 2 Block 15 Lot 25 and found it to be a safety hazard. Staff initiated a hearing before the Board to issue a Notice and Order to repair the interior and exterior of the residential structure and clean, sanitize and declutter the interior within a specified period of time.
3. **Case BOA 2020-03.** City of Carrollton Staff inspected the Sandy Lake Amusement Park pole sign located at approximately 2055 North Interstate Highway 35 East, Dallas County, on the Texas Department of Transportation right-of-way, and situated on the west side of North Interstate Highway 35 East, approximately 430 feet north of Sandy Lake Road. Carrollton staff found the pole sign to be damaged and obsolete, and further determined the sign must be removed in order to comply with the Carrollton Sign Regulations. Staff has requested a public hearing to seek an Order by the Board affirming the Building Official's decision that the sign is obsolete and must be removed at the property owner's expense.
4. **Case BOA 2020-04.** Freedom Forever Solar on behalf of Mary Grice is requesting a Special Exception for the installation of roof mounted solar panels located at Mary Grice's single-family residence 2124 Tiburon Block A Lot 35, Mill Valley Phase 2. The Special Exception request is to allow solar panels on an architectural elevation that faces an arterial thoroughfare as required by City of Carrollton zoning ordinance Article XXVII Section (N) (1) (d) (ii).
5. **Case BOA 2020-05.** Public hearing to consider and take action on a request pursuant to Article XXXII Section (E) (2) (e) and Article XXII Section (D) (2) (b) of the Comprehensive Zoning Ordinance by Mr. Chris Tola, Tola Construction, on behalf of Belinda Reyna to enlarge a nonconforming single-family structure located at 1202 N. Main Street, Lots 3 & 4 of AW Perry One 1st Addition in excess of 50% of its current value.

OTHER BUSINESS

- a. Staff Reports

ADJOURNMENT

INFORMATION FOR APPLICANTS AND THE PUBLIC

The meeting is being recorded; if you have testimony, please step forward to the podium and give your name and address prior to your remarks.

Pursuant to State Open Meetings Law, the Board is restricted in discussing or taking action on items not posted on the Agenda.

Pursuant to Section 551.071 of the Texas Government Code, the Property Standards Board reserves the right to consult in a closed meeting with its attorney and to receive legal advice regarding any item listed on this agenda.

I certify that this agenda giving notice of meeting was posted on the bulletin board at the City Hall of Carrollton, Texas on _____, 2020 at _____.

Board Coordinator

I certify that this agenda was removed from the bulletin board at the City Hall of Carrollton, Texas on _____, 2020 at _____.

Board Coordinator



MINUTES
PROPERTY STANDARDS BOARD
FEBRUARY 27, 2020

Council Chambers	6:30 p.m.	1945 E. Jackson Road
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ORIENTATION SESSION: 4:00 pm – COUNCIL BRIEFING ROOM

The Members will receive training concerning their roles and responsibilities for the Property Standards Board and Board of Adjustment.

Board members present: Chair Rick Pfeil, Mike Whitley, Dave Hermon, Les Folse, Jim Pipkin, Matt McCombs, Maggie Vera, Liz Fanin and Carol Sue Muravez.

Staff members present: Building Official Brett King; Asst. City Attorney Susan Keller; Asst. City Attorney LaMarr Stevenson; Senior Plans Examiner Ray Hopkins; Code Enforcement Officer Ray Davis; and Administrative Support Specialist Lydia Tormos.

CALL MEETING TO ORDER: 6:32 PM

Chair Pfeil welcomed new members Carol Sue Muravez and Matt McCombs.

1. Approval of minutes of the **September 26, 2019 meeting**.

Pipkin moved approval of the minutes; second by Hermon and the motion was approved with a unanimous 9-0 vote.

PUBLIC HEARING

2. **Case BOA 2020 – 01.** Sunrun Solar on behalf of Mr. Michael McCown is requesting a Special Exception for the installation of roof mounted solar panels located at Mr. McCown’s single family residence at 1922 Kentwood Ln, Lot 7 Block A, High Country Estates # 1. The Special Exception request is to allow solar panels on an architectural elevation that faces an arterial thoroughfare as required by City of Carrollton zoning ordinance Article XXVII Section (N) (1) (d) (ii).

Chair Pfeil administered the Oath to Mariah Ruffin, applicant.

Mariah Ruffin stated she was present on behalf of Sunrun Solar and its customer Michael McCown. She acknowledged that the permit was approved by mistake and stated that the solar panels have already been installed. She stated that the removing of the panels would require them to do roof work and there would be holes in the roof from where the panels were mounted. She stated that the current layout of the panels produces about 7,756 kW a year which is 19.3% greater than the energy production of the new layout if

NOTE: Board minutes are informational only and are not official until approved by Board.

they are required to remove the street-facing panels. She stated that the main concern with removing the panels would be holes in the roof as well as the time and costs to remove the street-facing panels. She requested approval of the special exception.

Chair Pfeil asked if there were any comments from the audience or staff and no comments were made.

Muravez asked about the permit and Ms. Ruffin stated the plans were submitted and approved. She stated it was during inspection that the job was disapproved. She explained that they use a system called PV Watts to determine the efficiency of the system that is certified by the State and spoke in detail about the efficiency of the panels. She stated that this was one that she submitted without seeing the street-facing solar; it was approved and they went forward with the job.

Vera asked what work was remaining and Ms. Ruffin replied that there is no work remaining to be done. She explained that their inspector performs an inspection with the City inspector once the work is completed. She stated the inspection was disapproved only because of the street-facing panels.

Chair Pfeil administered the Oath to Ray Hopkins, Senior Plans Examiner.

Hopkins stated the plans were submitted with the panels on the rear and were inadvertently approved. He acknowledged his error in not recognizing the arterial street behind the house and explained that they caught the mistake when the panels were installed. He stated the project meets the Code as Ms. Ruffin presented to the Board.

Vera moved to approve the Special Exception for the installation of roof mounted solar panels located at Mr. McCown’s single family residence located at 1922 Kentwood Ln. in Case BOA 2020-01; second by Whitley and the motion was approved with a unanimous 9-0 vote.

OTHER BUSINESS

a. Election of Vice-Chair – **Folse nominated Dave Hermon; second by Whitley and the nomination were approved with a unanimous 9-0 vote.**

b. Staff Reports – Bldg. Official Brett King reported there were no cases for the next few months at this point. He explained that due to the cyber-attack, records were lost and would have to restart their process again.

Liz Fannin requested a review of past cases and Mr. King replied that staff would work on getting something put together for the Board.

ADJOURNMENT

The meeting was adjourned at 6:48 p.m.

Chairperson

Secretary



MINUTES PROPERTY STANDARDS BOARD

AUGUST 27, 2020
Telephonic Meeting

A meeting of the City of Carrollton Property Standards Board was held on Thursday, August 24, 2020 at 6:30 p.m. by means of a telephonic meeting on Zoom.

Board members present: Chair Rick Pfeil, Mike Whitley, Dave Hermon, Les Folse, Jim Pipkin, Matt McCombs, Maggie Vera, Liz Fannin and Carol Sue Muravez.

Staff members present: Building Official Brett King; Asst. City Attorney Susan Keller; Asst. City Attorney Kanika Juneja; Code Enforcement Officer Darwin Ortega; Planner Molly J. Coryell and Administrative Support Specialist Lydia Tormos.

CALL MEETING TO ORDER: 6:32 PM

1. Approval of minutes of the **September 26, 2019 meeting**.

Chair Pfeil stated that the September 26, 2019 minutes had already been approved and the February 27, 2020 minutes would be included on next month's agenda for approval.

PUBLIC HEARING

2. BOA 2020-02: Ric & Rachel Renteria, property owners, are requesting a zoning variance to allow a storage shed to remain in a non-authorized position on their property. Property is located at 1504 Sunflower Circle, Lot 15 Block A, Moore Farm Phase Three Addition. The variance would allow the storage shed to stay within the 3' setback requirement stated in the City of Carrollton Comprehensive Zoning Ordinance (CZO) Article VII Section (L) (b) (i).

Chair Pfeil administered the Oath to all individuals testifying on the case.

Rachel Renteria, 1504 Sunflower Circle, Carrollton, stated that the shed was purchased six and a-half years ago and is located on the northwest corner of the house and is not visible from Standridge Dr. At the time of purchase, she inquired if she would need a permit to install the storage unit and was told it was small enough to not require a permit. She feels there is no other location for the shed to be relocated to. The HOA will not allow her to move it to the other side of the house since it would be facing Standridge, there is a pool in the back yard, and she has planted landscaping around the shed.

Sue Parrish, 1500 Sunflower Circle, said she wasn't in agreement to allow the storage shed in the current location. She stated that the shed is so close to her property line and when it rains the runoff floods her yard.

Dane Foley, 1516 Palomino Ct., spoke next stating his opinion was that the owner takes pride in ownership. He stated that the shed's roof is barely visible above the fence line and believes this is just a dispute between property owners. He said Mrs. Parrish mentioned a problem with water run off and Mr. Renteria installed a French drain in response. He believes the Renterias have done whatever they could to mitigate the issues.

Ric Renteria stated the issue of the water results from his property sitting higher than 1500 Sunflower Circle. They no longer use the sprinkler system on that side of the house to avoid excess water running into the neighbor's yard.

Bill Parrish, 1500 Sunflower Circle, said he believed the shed was blocking a bedroom window.

Matt McCombs, PSB Board member, asked the applicant to review the purchase and installation process. Mrs. Renteria said she had contacted a storage shed company to purchase, the shed was not built on site but delivered and dropped off in the current location.

Liz Fannin, PSB Board member, asked what started this process since the shed has been in this location for more than six years. Brett King, Carrollton Building Official, stated that this started as a code violation for a storage shed built without a permit. It was determined the shed did not meet the size requirement for requiring a permit and that complaint was closed. However, it did raise questions that the shed did not meet the three-foot setback from the property line.

Les Folse, PSB Board member, asked Mr. King if the shed was three feet away from the property line would there be an issue. Mr. King stated if it was three feet away, it would meet the zoning ordinance and building code. Folse asked how far away the shed was from the fence. Mr. King stated he was not sure since he had not been on property to take measurements but if the fence was on the property line then it appears that the shed is only approximately one foot away.

Dave Hermon, PSB Board member, asked if the roof of the shed could overhang the property line. Mr. King stated Carrollton does not allow structures to overhang property lines.

Liz Fannin asked if the shed's roof currently overhangs the fence. Mr. King said looking at code enforcement pictures, it appears to not overhang the fence, but he doesn't have accurate measurements.

Carol Sue Muravez, PSB Board member, asked if the shed was bolted to a foundation. Mr. Renteria said it was not bolted but it is on a concrete slab. She also asked if the HOA had issues with its current location and was told they did not.

Maggie Vera, PSB Board member, inquired about the landscaping around the shed and if it would require its removal to move the storage shed. Mrs. Renteria the tree would have to be removed.

After numerous suggestions from Folse about relocation sites, Pfeil reminded the Members they were not planners, architects nor engineers. Their job was to make a ruling on whether the shed could remain in its current location. Monetary value also cannot be considered a hardship.

McCombs inquired if Carrollton had any regulations that hold contractors to following the local regulations. Mr. King stated that the State of Texas does not regulate general contractors so ultimately it falls to the property owner to ensure compliance.

Pfeil asked staff if there were any final comments. Mr. King reminded everyone this was a request for a variance from the ordinance and must meet all requirements in order for the storage shed to remain in its current location.

Mr. Pipkin stated he knew the thought that it had been there for years and has not been an issue. But there has been a complaint, and it does not meet the building code, and feels they need to follow the code.

McCombs stated after hearing all that was presented, he felt that the Board didn't really have a choice but to deny the request.

Pfeil moved, Whitley seconded to close the public hearing.

Fannin moved to approve the request for the variance, seconded by Whitley. Motion failed 5-4 (Folse, Pfeil, Fannin, Whitley and Hermon for; McCombs, Pipkin, Muravez and Cruz opposed).

OTHER BUSINESS

a. King stated it is expected to have a meeting next month. Terms are ending for several members and reminded them to reapply if they wish.

ADJOURNMENT

Motion to Adjourn made by Hermon, second by Muravez.

The meeting was adjourned at 7:28 p.m.

Chairperson

Secretary

PSB 2020-02
PROPERTY STANDARDS BOARD
OCTOBER 22, 2020

Owner and lien holder: Jimmy W. Hooks

City of Carrollton staff inspected the residential structure at:

1749 HARTFORD DRIVE
ROSEMEADE ADDN 2 BLK 15 LOT 25
PROPERTY ID # 49840
DENTON COUNTY

and found it to be dangerous, substandard, dilapidated and a hazard to public health, safety and welfare. Staff has sought a hearing before the Board to request a Notice and Order be issued requiring all code violations to be abated and to bring the structure into compliance with city codes within a specified period of time.

Chapter 3, Section 302 of the 1994 Uniform Code for the Abatement of Dangerous Buildings, as adopted by Carrollton Ordinance 2233, defines a Dangerous Building as any building or structure deemed to have “conditions or defects [that] exist to the extent that the life, health, property or safety of the public or its occupants are endangered.”

The occupied single-family dwelling at 1749 Hartford Drive has become dilapidated, unsanitary, dangerous, substandard and a hazard to the public’s health, safety and welfare. An inspection was conducted by staff on June 15, 2020 after receiving a report from Captain J. Huggins with the Carrollton Fire Department. Captain Huggins reported the following: “We respond to this address on a regular basis for medical calls or lift assists. Over the course of the last 6 months, this home has deteriorated to an unsafe environment. The patient’s condition has deteriorated as well. The outside is overgrown, a large bush blocks the front door. The inside is full of clutter, rat feces, and live rodents. There are narrow pathways we have to use to help the patient. The rest of the home is stacked with various piles of clutter. It would be extremely difficult if not impossible to navigate our stretcher. The patient lives with his wife and adult son. They have been of no assistance. We have had several conversations with them of the need to clean, for their safety as well as ours. This always leads to them getting upset and them not wanting to communicate about it any further. We submitted a request to adult protective services last week. We would greatly appreciate any assistance you could offer in helping them live in a safer environment.”

Staff conducted an in-person inspection at the location later that day. The front walkway was obscured with overgrown bushes along with excessive amounts of trash and debris lying on the ground near the front porch and front yard. Staff made contact with the homeowner’s spouse, Gerry Ann Hooks. Ms. Hooks was advised that Environmental Services received a complaint from the Fire Department regarding the conditions of the interior and exterior of the home. Ms. Hooks immediately demanded that staff leave her property and stated they were not allowed to see the interior of the home. Staff attempted to explain the reason for the inspection was to make sure there was unobstructed egress to all entries/exits to the home for their safety. When Ms.

Hooks was asked about the rats and feces inside the home, she admitted that “mice come inside during the winter”. Ms. Hooks also confirmed that the Fire Department is called to assist her husband, who frequently falls, at least once (1) per week. During the conversation, Ms. Hooks also admitted that she needed to get her husband an automatic lift and she advised she would need to clean to make room for the new device.

An interior inspection was conducted by staff on June 19, 2020. An administrative search warrant was signed by Judge Hayden to allow entry onto the property and into the structure to document the conditions in and around the home. Upon entry, staff found the interior was extremely dirty and cluttered with fast food trash, piles of canned foods, containers, boxes, clothing, mounds of opened/unopened mail, piles of empty beer cans, etc. While speaking with the owner, multiple rats (vermin) were seen climbing on mounds of debris inside the living room and dining room. Mouse traps were seen on the ground in multiple rooms. The smell of urine was present along with rat feces on the ground. Staff also observed vertical and horizontal cracks in the drywall and ceiling throughout the house. Staff observed parts of the ceiling detached and hanging down in the hallway. Upon inspecting the exterior, multiple cracks were found on the bricks from foundation to soffit. Gaps were seen around the kitchen bay windows along with peeling paint and rotted wood on the trim and siding. The backyard had extremely tall grass and weeds growing approximately 6-7 feet tall, and large amounts of trash and debris piled up on the rear patio and backyard. Photos were taken of the conditions inside and outside. Staff reached out to Texas Hoarding @ 972-850-8246 and requested assistance. They advised they would reach out to Mr. and Mrs. Hooks to see if they would agree to their assistance with cleaning. Staff provided Ms. Hooks 30 days to improve the conditions of the home.

A re-inspection was conducted on July 22, 2020. Multiple nuisance violations on the exterior had been abated. All tree branches over the sidewalk had been removed. Bushes had been trimmed away from the front door path. Trash had been removed from the front porch area. Staff spoke with Mr. James Hooks, the owner’s adult son, who advised he had rented a large dumpster (which was sitting next to the rear-entry driveway) but it was currently empty. Mr. Hooks advised they had not started cleaning the inside of the home yet and requested an extension. Mr. Hooks was granted an extension but was notified the cleaning of the interior of the home must begin, with significant improvement completed, upon the next inspection. Photos were taken of the current progress.

A second re-inspection was conducted on August 24, 2020. Multiple violations remained on the exterior of the structure. All interior violations remained as well. Five citations were issued to Ms. Hooks for some of the remaining violations. The large dumpster that was delivered in July remained almost empty.

Due to the severe nature of the health and safety conditions on the interior and exterior of the residential dwelling, a notice for violations of the 1994 Uniform Code for the Abatement of Dangerous Buildings was issued on June 18, 2020. The owner was initially provided 30 days to abate the following violations:

1994 Uniform Code for the Abatement of Dangerous Buildings

I. Section 302.1

Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.

- Foyer, hallway, bedrooms, patio door and windows have excessive amounts of trash and debris on all sides and most are blocked/inaccessible by debris.

II. Section 302.2

Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.

- Excessive amounts of trash, debris, boxes and cans that have narrowed the hallways and doorway paths, the foyer, the back door, front walkway and hallways inside.
- Carrollton Fire Department states that entering and exiting the home is extremely difficult due to the amounts of debris blocking their paths and inability to reach their patient when administering medical assistance.
- Carrollton Fire Department also stated it would be near impossible to access the patient with a stretcher during an emergency call.

III. Section 302.5

Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

- Drywall (interior walls and ceilings) have extensive cracking throughout the home along with sections of the ceiling that have detached and fallen.
- Brick walls (exterior) have cracks and large gaps from foundation to soffit on the north side of the house.
- Brick wall (exterior) has become detached and is leaning away from the structure on the right corner of the garage.

IV. Section 302.8

Whenever the building or structure, or any portion thereof, because of (i) dilapidation, deterioration or decay; (ii) faulty construction; (iii) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse.

- Brick wall on the exterior has become detached and is leaning away from the structure on the right corner of the garage.
- Gaps around the kitchen bay window between brick and window frame.
- Drywall on the ceiling has fallen around the attic access ladder.

V. Section 302.9

Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

- Drywall (interior walls and ceilings) have extensive cracking throughout the home along with sections of the ceiling that have detached and fallen.
- Exterior walls have cracks from the ground to the soffit on the north side of the house.
- Bricks at the exterior walls have become detached and are leaning.
- Gaps around the kitchen bay window between brick and window frame.
- Foyer, hallway, bedrooms, patio door and windows are mostly blocked by excessive amounts of trash and debris.
- High weeds and grass on the property as high as six to seven feet.
- Live vermin seen inside the structure along with large amounts of feces and urine.

VI. Section 302.13

Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in the Building Code or Housing Code, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.

Carrollton Code of Ordinances

Chapter 95.02: Weeds and vegetation; height limitation

(A) It shall be unlawful for any owner or occupant of any property or a portion thereof, occupied or unoccupied, within the city to permit grass, weeds, brush or unsightly vegetation to grow thereon to a height greater than ten inches.

- Weeds and grass in back yard approximately 6-7 feet tall.

Chapter 95.04: Refuse, trash and debris, and unsanitary conditions prohibited.

(A) It shall be unlawful for any owner or occupant of any property or a portion thereof, occupied or unoccupied, within the city, to keep, store, suffer or permit the accumulation upon the property of refuse, trash and debris that is visible from a public street.

- Piles of empty cans on the front porch.
- Large amounts of dead brush, metal barrels, trash in the back yard and porch.

(B) It shall be unlawful for any owner or occupant of any property or a portion thereof, occupied or unoccupied, within the city to keep, store, suffer or permit the accumulation upon the property of refuse, trash and debris that creates an unsanitary condition likely to attract or harbor mosquitoes, rodents, vermin or disease carrying pests.

- Rodents, vermin and other pests visible on interior of home.

**Carrollton Code of Ordinances- Single Family and Multi-Family Housing Code
Chapter 96.05: General Requirements**

(B) Inadequate Sanitation. Buildings or portions thereof shall be deemed substandard when they are unsanitary. Inadequate sanitation shall include, but not be limited to, the following:

(12) Infestation of insects, vermin or rodents as determined by the Health Officer.

- Live rats/mice were observed in the living room.
- Rat/mice droppings (feces and urine) were found on the floors throughout the house.

(13) General dilapidation or improper maintenance.

- Excessive amounts of trash and debris in all rooms.
- Inaccessible sinks in the kitchen and hallway bathroom.
- Drywall (walls and ceilings) have extensive cracking throughout the home's interior, along with sections of ceiling that have detached and fallen.
- Exterior bricks have cracked on the north side of the house.
- An exterior brick wall has become detached.
- Gaps around the kitchen bay window between brick and window frame.
- Foyer, hallway, bedrooms, patio door and windows are mostly obstructed by debris.
- High weeds and grass on the property.

(C) Structural hazards. Buildings or portions thereof shall be deemed substandard when they are or contain structural hazards. Structural hazards shall include, but not be limited to, the following:

(4) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.

- Drywall cracked from the door frame to the ceiling in the hallway.
- Drywall cracked from the door frame to the ceiling in the kitchen.
- Cracks in exterior bricks.
- Brick wall has become detached and is leaning on the right side of garage door.
- Gaps between some of the window frames and bricks.

(6) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members, that sag, split or buckle due to defective material or deterioration.

- Ceiling in the hallway has detached and fallen.
- Cracks in the ceiling around the attic access door in the hallway.

(D) Nuisances. Buildings or portions thereof in which there exists any nuisance as defined in this code are deemed substandard buildings.

(3) Whatever is dangerous to human life or detrimental to health, as determined by the Code Official.

- High weeds and grass in the back yard.
- Excessive amounts of trash and debris on the front porch, back patio and back yard.
- Rats/mice seen on the interior of the home.
- Rodent droppings (feces and urine) on the floor throughout the house.

(H) Faulty weather protection. Buildings or portions thereof shall be considered substandard when they have faulty weather protection, which shall include, but not be limited to, the following:

(2) Deteriorated or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors.

- Detached exterior brick wall.
- Exposed wood and gaps around the kitchen bay window frame.

(3) Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering.

- Exposed wood at the kitchen bay window frame

(4) Broken, rotted, split or buckled exterior wall coverings or roof coverings.

- Brick wall has become detached and is leaning.
- Gaps between the bricks and kitchen bay window frame.

(I) Fire Hazard. Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the Chief of the Fire Department, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause shall be considered substandard.

- Excessive amounts of paper, clothing, trash and boxes stored inside the home.
- Opinion from Fire Chief Gregg Salmi stating: *"In my opinion, the property at 1749 Hartford Dr. meets the definition of a fire hazard according to city ordinance section 96.05(I)."*

(K) Hazardous or unsanitary premises. The accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rat harborage, stagnant water, combustible materials, and similar materials or conditions on a premises constitutes fire, health or safety hazards that shall be abated in accordance with the procedures specified in this code.

- High weeds and grass on the property.
- Trash and debris on the interior and exterior.
- Damaged and cracked drywall throughout the house.
- Detached and leaning exterior brick walls.
- Gaps around the kitchen bay window.
- Live vermin seen inside the home during the inspection.
- Rat feces and urine throughout the home.

(L) Inadequate exits. Except for those buildings or portions thereof that have been provided with adequate exit facilities conforming to the provisions of this code, buildings or portions thereof whose exit facilities were installed in violation of code requirements in effect at the time of their construction or whose exit facilities have not been increased in number or width in relation to any increase in occupant load due to alterations, additions or change in use or occupancy subsequent to the time of construction shall be considered substandard.

Notwithstanding compliance with code requirements in effect at the time of their construction, buildings or portions thereof shall be considered substandard when the Building Official finds that an unsafe condition exists through an improper location of exits, a lack of an adequate number or width of exits, or when other conditions exist that are dangerous to human life.

- Excessive amounts of trash, debris, boxes and cans which have narrowed the hallways and doorways.
- Report from the Carrollton Fire Department that states their ability to enter and exit the home was extremely difficult due to the amounts of debris blocking their path. This could result in their inability to reach their patient to administer medical assistance.

VII. Section 302.15

Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

- There is an infestation of insects, vermin or rodents inside the home.
- Excessive amounts of trash/debris, papers, clothing, and boxes are scattered in all rooms.
- Cracked interior walls and exterior wall covering.
- Detached exterior brick wall.
- Gaps around the kitchen bay window.
- Sections of the hallway ceiling have cracked, detached and/or fallen.
- Nuisance violations on the exterior grounds, to include very high weeds/grass and trash/debris.

VIII. Section 302.17

Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.

- High weeds and grass, along with trash and debris on the exterior grounds.

STAFF RECOMMENDATION

Staff requests the Board, upon review of the evidence and testimony given, to declare the residential structure at 1749 Hartford Drive, Carrollton, Texas 75007 as dangerous, substandard, dilapidated and a hazard to public health, safety and welfare.

Staff further seeks a Notice and Order for the property owner to repair the interior and exterior of the residential structure by making all corrections to bring the structure into compliance with city codes within 30 days.

If the property owner fails to complete all repairs and bring the property into compliance with city code within the specified time, staff requests the Board to authorize the City of Carrollton to make repairs to bring the property into compliance with city code and attach the costs as a lien against the property.

Attachments

- a. Location map
- b. Copy of Photographs
- c. Denton Central Appraisal District
- d. Case History Summary
- e. Initial Dangerous Building letter
- f. Notice of Public Hearing sent to owner and lien holders
- g. Notice of Public Hearing posted in newspaper
- h. Ordinance Excerpts



1749 HARTFORD DR



ATTACHMENT B-1

1749 HARTFORD DR



ATTACHMENT B-2

1749 HARTFORD DR



ATTACHMENT B-3

1749 HARTFORD DR



ATTACHMENT B-4

1749 HARTFORD DR



ATTACHMENT B-5

1749 HARTFORD DR



ATTACHMENT B-6

1749 HARTFORD DR



ATTACHMENT B-7

1749 HARTFORD DR



ATTACHMENT B-8

1749 HARTFORD DR



ATTACHMENT B-9

1749 HARTFORD DR



ATTACHMENT B-10

1749 HARTFORD DR



ATTACHMENT B-11

1749 HARTFORD DR



ATTACHMENT B-12

Details for Property 49840

Values are 2020 Preliminary ▼ **Values and data reflected on the website at this time are preliminary**

General Information

1749 HARTFORD DR 75007-2610

\$278,451.00

Owner Name	HOOKS, JIMMY W. ^Q - 100%
Owner ID	387803
Owner Mailing Address	1749 HARTFORD DR CARROLLTON, TX 75007-2610
Property Type	Real Property
Area	1,989ft ²
Class	8
Legal Description	ROSEMEADE ADDN 2 BLK 15 LOT 25
Geographic ID	SC0017A-000015-0000-0025-0000
Subdivision	ROSEMEADE ADDN 2 - SC0017A ^Q
Neighborhood	ROSEMEADE PH 1,2,3,4,10,11,12 - DC02104 ^Q
Taxing Jurisdictions	C02 (CARROLLTON CITY OF) G01 (DENTON COUNTY) S03 (CARROLLTON-FB ISD)

- [Direct Link to this property](#)
- [View on map](#)
- [View plat](#)

Exemptions

Exemptions applied to this property

	OTHER OTHER
	HS Homestead Exemption



2020 Values ▼

Total Improvement Value	\$229,265.00
Land Homesite Value	\$49,186.00
Land Non-Homesite Value	\$0.00
Agricultural Market Value	\$0.00
Timber Market Value	\$0.00
Total Market Value	\$278,451.00
Agricultural Use Reduction	\$0.00
Timber Use Reduction	\$0.00
Homestead Cap	\$0.00
Appraised Value	\$278,451.00
Assessed Value	\$278,451.00

Value History Export

Improvements

Class	Description	Square Feet	Number Of Units	Effective Year Built	Year Built	2020 Improvement Value
8	MAIN AREA	1989		2000	1977	
8	ATTACHED GARAGE	441		2000	1977	
Improvement Total		2430	N/A			\$229,265.00

Land Segments

Type	Acres	Area
8 - RESIDENT LOT	0.1848	8050 ft ²



Subdivision Stats for ROSEMEADE ADDN 2

Minimum Market	\$189,351.00
Median Market	\$277,741.00
Maximum Market	\$354,414.00
Median Living Area	1,916 ft ²
Median Square Footage	2,449 ft ²

This Property

Percent Difference From Median Market	0.26% (rounded)
Percent Difference From Median Living Area	3.74% (rounded)

Stats Per Class for ROSEMEADE ADDN 2

8

Property Count	231
Median Market	\$277,741.00
Median Living Area	1,916
Median Square Footage	2,449

2020 Estimated Taxes

Owner ID: 387803

Entity	Tax Rate Per \$100	Taxable Value	Estimated Taxes	Tax Ceiling Amount
CARROLLTON CITY OF - C02	0.58997%	\$162,761	\$960.24	\$0.00
DENTON COUNTY - G01	0.225278%	\$218,451	\$492.12	\$492.98
CARROLLTON-FB ISD - S03	1.26835%	\$243,451	\$1,520.72	\$1,520.72
Estimated Total Taxes				\$2,973.08

DO NOT PAY BASED ON THESE ESTIMATED TAXES. You will receive an official tax bill from the appropriate agency when they are prepared. Taxes are collected by the agency sending you the official tax bill. To see a listing of agencies that collect taxes for your property, [click here](#)

The estimated taxes are provided as a courtesy and should not be relied upon in making financial or other decisions. The Denton Central Appraisal District (DCAD) does not control the tax rate nor the amount of the taxes, as that is the responsibility of each Taxing Jurisdiction. Questions about your taxes should be directed to the appropriate taxing jurisdiction. These tax estimates are calculated by using the taxable value as of 6:00AM multiplied by the most current tax rate. It does not take into account other special or unique tax scenarios.

Prior Taxing Unit Tax Rates



Real Estate Sales

By Neighborhood: ROSEMEADE PH 1,2,3,4,10,11,12

Sales within ▾

By Abstract/Subdivision: SC0017A

Sales within ▾

By City: CARROLLTON CITY OF

Sales within ▾

By School: CARROLLTON-FB ISD

Sales within ▾

Select Language ▾



CASE HISTORY REPORT
 CASE NUMBER CEBDGC202003908

PREPARED BY - STaylor

PREPARED ON - 8/27/2020 4:25:17 PM

Page: 1

ADDRESS - 1749 HARTFORD DR, CARROLLTON, TX 75007

PARCEL ID - 49840

CASE TYPE - CS Dangerous Building

CASE STATUS - Open

ASSIGNED TO - Steven Taylor

DATE CREATED - June 15, 2020

VIOLATION DATA

Detailed Description	House in poor condition reported by the FD
Case Origin	Fire Dept
Violation	Title 9, Section 95.04 Refuse, trash and debris, and unsanitary conditions prohibited
Violation Comments	The trash and debris, to wit: Pile of dead tree branches under the tree in the front yard, Containers in the driveway, Beer cans, Stake sign, tree branches, trash bags near the front door, must be removed and disposed of properly to comply with city code.
Violation	Title 9, Section 95.02 Weeds and vegetation; height limitation
Violation Comments	The tree branches that are hanging over the SIDEWALK, must be cut/trimmed to a height no less than 7 ft over the sidewalk to comply with city code.
Violation	Title 9, Section 92.40 Parking regulations and maintenance
Violation Comments	The utility trailer that is parked on the grass, next to the driveway, must be removed and parked on an improved surface to comply with city code.
Violation	Title 9, Section 95.02 Weeds and vegetation; height limitation
Violation Comments	The tree branches that are hanging over the WALKWAY near the front door, must be cut/trimmed back away from the concrete to allow safe passage while walking up to the front door per city code.
Violation	Section 302 UCADB Section 302
Violation Comments	Please clear and clean all paths inside the home to allow entry + exiting without hindrance to include: Foyer, Hallways, Patio door and windows.
Violation	Section 302 UCADB Section 302
Violation Comments	The brick wall (exterior) has become detached and is leaning (right side of garage door), the siding and trim in the back yard (left side of the garage) is rotted and is crumbling and there are gaps around kitchen bay window between bricks and window frame. All items must be repaired.
Violation	Section 302 UCADB Section 302
Violation Comments	Due to the excessive amounts of trash, debris, boxes and cans that have narrowed the hallways and doorway paths, the foyer, the back door, front walkway and hallways inside, must be cleared. Carrollton Fire Dept states that entering and exiting the home is extremely difficult due to the amounts of debris blocking their paths and inability to reach their patient when administering medical assistance.
Violation	Section 302 UCADB Section 302
Violation Comments	The drywall (walls and ceilings) have extensive cracking throughout the home along with sections of ceiling that have detached and fallen. The bricks have cracks from ground to soffit on the north side of the house, the brick wall (exterior) has become detached and is leaning (right side of garage door).
Violation	Section 302 UCADB Section 302
Violation Comments	Carrollton Code of Ordinances: Chapter 96: Single Family and Multi-Family Housing Code

ATTACHMENT D-1

CASE HISTORY REPORT

PREPARED BY - STaylor

CASE NUMBER CEBDGC202003908

PREPARED ON - 8/27/2020 4:25:17 PM

Page: 2

ADDRESS - 1749 HARTFORD DR, CARROLLTON, TX 75007

PARCEL ID - 49840

CASE TYPE - CS Dangerous Building

CASE STATUS - Open

ASSIGNED TO - Steven Taylor

DATE CREATED - June 15, 2020

(B) Inadequate Sanitation. Building or portions thereof shall be deemed substandard when they are unsanitary. Inadequate sanitation shall include, but not be limited to the following:

(12) Infestation of insects, vermin or rodents as determined by the Health Officer

- Rats/Mice seen walking around on mounds of debris in living room
- Rat/Mice droppings (feces) on the floor throughout the house

(13) General dilapidation or improper maintenance

- Excessive amounts of trash/debris in all rooms scattered on the ground & counters
- Inability to use the sink in the kitchen and bath in the hallway

(C) Structural hazards. Buildings or portions thereof shall be deemed substandard when they are or contain structural hazards. Structural hazards shall include, but not be limited to, the following:

(4) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.

- Drywall cracked from door frame to ceiling in the hallway
- Drywall cracked from door frame to ceiling in the kitchen
- Cracks in brick from ground to soffit on the north side of the house
- Brick wall (exterior) has become detached and is leaning (right side of garage door).
- Rotted siding and trim in the back yard (left side of the garage).
- Gaps around kitchen bay window between bricks and window frame

(6) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members, that sag, split or buckle due to defective material or deterioration.

- Ceiling in hallway (next to attic access ladder) has detached and has fallen
- Cracks in ceiling around the attic access door in the hallway

(D) Nuisances. Buildings or portions thereof in

which there exists any nuisance as defined in this code are deemed substandard buildings.

- High weeds and grass in the back yard (6-7 ft tall)
- Excessive amounts of trash and debris on the front porch, back patio and back yard.

(H) Faulty weather protection. Buildings or portions thereof shall be considered substandard when they have faulty weather protection, which shall include, but not be limited to, the following:

(2) Deteriorated or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors.

- Brick wall (exterior) has become detached and is leaning (right side of garage door).
- Peeling paint on siding and trim in the back yard (left side of the garage).
- Exposed wood around kitchen bay window frame

- Gaps around kitchen bay window between bricks and window frame

(3) Defective or lack of weather protection for exterior walls coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering.

- Peeling paint on siding and trim in the back yard (left side of the garage).
- Exposed wood around kitchen bay window frame

(4) Broken, rotted, split or buckled exterior wall coverings or roof coverings.

- Brick wall (exterior) has become detached and is leaning (right side of garage door).
- Rotted siding and trim in the back yard (left side of the garage).
- Gaps around kitchen bay window between bricks and window frame

(I) Fire Hazard. Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the Chief of the Fire Department, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of the fire or explosion arising from any cause shall be considered substandard.

- Excessive amounts of paper, clothing, trash and boxes stored on the inside the home

(K) Hazardous or unsanitary premises. The accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rat harborages, stagnant water, combustible materials, and similar materials or conditions on a premises constitutes fire, health or safety hazards that shall be abated in accordance with the procedures specified in this code.

- High weeds and grass around the home (6-7 ft tall)
- Trash and debris scattered around the entire house (inside and outside)
- Damaged and cracked drywall throughout the house.
- Brick walls detached and leaning on the house
- Gaps around kitchen bay window
- Rotted and exposed wood on the siding and around the windows
- Flatbed trailer with trash and debris inside (visible to the public)
- Live vermin (rats) seen inside the home during inspection
- Rat feces and urine throughout the home

(L) Inadequate exits. Except for those buildings or portions thereof that have been provided with adequate exit facilities conforming to the provisions of this code, buildings or portions thereof whose exit facilities were installed in violation of this code or whose exit facilities have not been altered, additions or alterations shall be

ATTACHMENT D-2

CASE HISTORY REPORT

Where Connections Matter

PREPARED BY - STaylor

CASE NUMBER CEBDGC202003908

PREPARED ON - 8/27/2020 4:25:17 PM

Page: 3

ADDRESS - 1749 HARTFORD DR, CARROLLTON, TX 75007

PARCEL ID - 49840

CASE TYPE - CS Dangerous Building

CASE STATUS - Open

ASSIGNED TO - Steven Taylor

DATE CREATED - June 15, 2020

considered substandard. Not withstanding compliance with code requirements in effect at the time of their construction, buildings or portions thereof shall be considered substandard when the Building Official finds that an unsafe condition exists through an improper location of exits, a lack of an adequate number or width of exits, or when other conditions exist that are dangerous to human life.

- Excessive amounts of trash, debris, boxes and cans which have narrowed the hallways and doorways.
- Shrubs that have covered the walkway path to the front door
- Report from the Carrollton Fire Dept who states the entry and exiting of the home is extremely difficult due to the amounts of debris blocking their path and inability to reach their patient when administering medical assistance.

Violation Section 302
UCADB Section 302

Violation Comments The infestation of insects, vermin or rodents must be treated, Rat droppings (feces) on the floor throughout the house, Excessive amounts of trash/debris in all rooms scattered on the ground & counters, Drywall cracked from door frame to ceiling in the hallway and kitchen, Cracks in brick from ground to soffit on the north side of the house, Brick wall (exterior) has become detached and is leaning (right side of garage door), Rotted siding and trim in the back yard (left side of the garage), Gaps around kitchen bay window between bricks and window frame, Ceiling in hallway (next to attic access ladder) has detached and fallen, Cracks in ceiling around the attic access door in the hallway, High weeds and grass in the back yard (6-7 ft tall), Excessive amounts of trash and debris on the front porch, back patio and back yard, Peeling paint on siding and trim in the back yard (left side of the garage), Exposed wood around kitchen bay window frame, Excessive amounts of paper, clothing, trash and boxes stored on the inside the home.

Violation Section 302
UCADB Section 302

Violation Comments The brick wall on the north side of the home has cracks in it from ground to soffit on the north side of the house, the brick wall has become detached and is leaning (right side of garage door).

Violation Section 302
UCADB Section 302

Violation Comments There is extremely high weeds and grass in the back yard (6-7 ft tall) along with excessive amounts of trash and debris on the front porch, back patio and back yard.

Violation Section 302
UCADB Section 302

Violation Comments The infestation of insects, vermin or rodents must be treated, Rat droppings (feces) on the floor throughout the house, Excessive amounts of trash/debris in all rooms scattered on the ground & counters, Drywall cracked from door frame to ceiling in the hallway and kitchen, Cracks in brick from ground to soffit on the north side of the house, Brick wall (exterior) has become detached and is leaning (right side of garage door), Rotted siding and trim in the back yard (left side of the garage), Gaps around kitchen bay window between bricks and window frame, Ceiling in hallway (next to attic access ladder) has detached and fallen, Cracks in ceiling around the attic access door in the hallway, High weeds and grass in the back yard (6-7 ft tall), Excessive amounts of trash and debris on the front porch, back patio and back yard, Peeling paint on siding and trim in the back yard (left side of the garage), Exposed wood around kitchen bay window frame, Excessive amounts of paper, clothing, trash and boxes stored on the inside the home.

Violation Title 9, Section 95.02
Weeds and vegetation; height limitation

Violation Comments Please mow/cut/trim/edge the high weeds and grass in the FRONT, SIDES, BACK and ALLEY yards to comply with city code.

Case Contact(s) HOOKS, JIMMY W. Property Owner

INSPECTION(S)

CASE HISTORY REPORT
CASE NUMBER CEBDGC202003908

PREPARED BY - STaylor

PREPARED ON - 8/27/2020 4:25:17 PM

Page: 4

ADDRESS - 1749 HARTFORD DR, CARROLLTON, TX 75007

PARCEL ID - 49840

CASE TYPE - CS Dangerous Building

CASE STATUS - Open

ASSIGNED TO - Steven Taylor

DATE CREATED - June 15, 2020

Inspection Type	Initial Inspection/Record Violations		
Inspector	Steven Taylor	Scheduled	June 16, 2020
Outcome	Work in Progress/Follow-up	Resulted	June 15, 2020
Comments			

Inspection Type	Reinspection		
Inspector	Steven Taylor	Scheduled	June 18, 2020
Outcome	Send Letter	Resulted	June 21, 2020
Comments			

Inspection Type	Reinspection		
Inspector	Steven Taylor	Scheduled	July 22, 2020
Outcome	Work in Progress/Follow-up	Resulted	July 23, 2020
Comments			

Inspection Type	Reinspection		
Inspector	Steven Taylor	Scheduled	August 24, 2020
Outcome	Issue Citation (Add letter)	Resulted	August 24, 2020
Comments			

Inspection Type	Reinspection		
Inspector	Steven Taylor	Scheduled	October 22, 2020
Outcome	Pending	Resulted	
Comments			

CASE COMMENT(S)

Entered By	STaylor	Entered On	June 8, 2020
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We respond to this address on a regular basis for medical calls or lift assists. Over the course of the last 6 months this home has deteriorated to an unsafe environment. The patient's condition has deteriorated as well. The outside is overgrown, a large bush blocks the front door. The inside is full of clutter, rat feces, and live rodents. There are narrow pathways we have to use to help the patient. The rest of the home is stacked with various piles of clutter. It would be extremely difficult if not impossible to navigate our stretcher. The patient lives with his wife and adult son. They have been of no assistance. We have had several conversations with them of the need to clean, for their safety as well as ours. This always leads to them getting upset and them not wanting to communicate about it any further. We submitted a request to adult protective services last week. We would greatly appreciate any assistance you could offer in helping them live in a safer environment.

Josh Huggins
 Captain
 Station 6 B

Entered By	STaylor	Entered On	June 15, 2020
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CASE HISTORY REPORT
 CASE NUMBER CEBDGC202003908

PREPARED BY - STaylor

PREPARED ON - 8/27/2020 4:25:17 PM

Page: 5

ADDRESS - 1749 HARTFORD DR, CARROLLTON, TX 75007

PARCEL ID - 49840

CASE TYPE - CS Dangerous Building

CASE STATUS - Open

ASSIGNED TO - Steven Taylor

DATE CREATED - June 15, 2020

On June 15, 2020, I drove by the location and found the front walkway to be obscured with overgrown bushes, along with other exterior code violations (trash and debris in the front yard and driveway, Off street parking, High weeds and grass, etc). Officer T. Caperton and I made contact with the owner of the home (Mrs. Hooks). I told Mrs. Hooks that I was there to investigate a complaint that was filed by the Carrollton Fire Dept regarding her family's health and safety. Mrs. Hooks immediately denied entry to the home and said "you're not coming in my house". I attempted to explain the reason for the inspection (to make sure there was egress to all entry/exits to the home). Mrs. Hooks was concerned about anyone seeing the conditions inside and she described that she had food, cans, misc. items stored in the house because of the "pandemic". I asked about the rats and feces inside the home and she admitted that "mice come inside during the winter". Mrs. Hooks advised that the Fire Department is called to assist her husband, who falls frequently, at least once (1) per week. Mrs. Hooks also admitted that she will need to get her husband an automatic lift bed and she advised she will "need to clean to make room for the new device". Mrs. Hooks continuously refused a voluntary inspection and stated, "go get your warrant, cuz you're not coming in my house!"

Entered By STaylor Entered On June 15, 2020

Exterior violations:

TB hanging lower than 7 ft over sidewalk

TB (bushes) hanging/blocking the front walkway into the front door

TD-Pile of tree branches piled underneath the front tree + Containers, Oil cans, etc in the driveway

OSP-Trailer parked on the grass near the driveway.

Entered By STaylor Entered On June 19, 2020

Administrative search warrant was signed by Judge Hayden and served. Upon entry, the interior was extremely dirty and was extremely cluttered with food, containers, boxes, clothing, etc. While speaking with the owner, multiple rats (vermin) were seen climbing on mounds of debris inside the living room and dining room. Mouse traps were seen on the ground in multiple rooms. The smell of urine was present along with rat droppings (feces) on the ground. Photos were taken of the conditions inside and outside. The owner was advised of the letter that will be arriving in the mail giving her 30 days to improve the conditions of the home.

Entered By STaylor Entered On June 22, 2020

Reached out to Texas Hoarding @ 972-850-8246 and requested some assistance. They advised they would reach out to Mr. & Mrs. Hooks to see if they would be in favor with their assistance with cleaning. Also reached out to the City of Dallas Hoarding Compliance @ 214-998-8673 and spoke with Mr. MacAvoy who advised he will reach out to the contact person and have them reach out to me once they are located.

Entered By STaylor Entered On July 1, 2020

Contact is JAMES HOOKS @ 972-338-0128

Entered By STaylor Entered On July 22, 2020

Conducted a 30 day inspection. Multiple violations on the exterior had been abated. All tree branches over the sidewalk had been removed. Bushes had been trimmed away from the front door path. The utility trailer had been removed from the grass. Trash had been removed from the front porch area. Upon speaking with Mr. Hooks, he had rented a large dumpster (which was sitting next to the driveway) but it was currently empty. Mr. Hooks advised the inside of the home has not been started yet and requested an extension. The dumpster was just delivered yesterday. Mr. Hooks will be granted an extension but he was warned that the interior of the home MUST be started and almost completed upon next inspection which will be on Aug 24. Photos were taken of the current progress.

Entered By staylor Entered On August 24, 2020

Conducted a 60 day inspection. Multiple violations still remain on exterior of the structure. All interior violations still remain and have not been corrected. Citations (5) were issued to Gerry Hooks-W/F-10/30/48 (owner's wife) for some of the remaining violations. The large dumpster that was delivered last month was checked and it remains almost empty. Ofc. D. Ortega was present during the inspection and issuing of the citations. PSB hearing will be requested for Oct. 22, 2020 to present to the board. Photos taken and attached to report.



HOOKS, JIMMY W.
1749 HARTFORD DR
CARROLLTON, TX 75007

Date: June 21, 2020
Case Number: 202003908

NOTICE AND ORDER

Notice is hereby given that the building, structure and/or premises located and situated at:

**1749 HARTFORD DR
ROSEMEADE ADDN 2
15 25
49840
ROSEMEADE ADDN 2 BLK 15 LOT 25**

was inspected by city staff and has been found to be a dangerous structure under provisions of the city's Dangerous Building Code, as adopted and amended by the city. Property conditions and code violations render the building, structure and premises as a "Dangerous Building". The following violations were observed:

1994 Uniform Code for the Abatement of Dangerous Buildings

Tree Limbs & vegetation -12 feet-street & alley, 7 feet-sidewalk (95.02.C)

(C) It shall be unlawful for any owner or occupant of any property within the city to suffer or permit limbs, brush or other vegetation existing above a public street or alley to hang lower than 12 feet above the alley or street pavement or seven feet above the sidewalk or other rights-of-way.

- The tree branches that are hanging over the SIDEWALK, must be cut/trimmed to a height no less than 7 ft over the sidewalk to comply with city code.

ENVIRONMENTAL SERVICES DEPARTMENT
1945 E. Jackson Rd, Carrollton, TX 75006 | Fax: 972.466.3175
P.O. Box 110535, Carrollton, TX 75011-0535 | cityofcarrollton.com

ATTACHMENT E-1

OSP - side & rear yards -Parking Surface, Screening Regulations (92.40.A.4)

(A)(4) It shall be unlawful for any person to park or store or allow another to park or store a vehicle in the side yard or in the rear yard of any lot, upon any surface other than an improved surface measuring a minimum of nine feet by 18 feet, unless such vehicle is concealed from view from all points along public streets and alleys by: A solid, opaque fence or wall providing full screening from the ground to a minimum height of six feet; or Vegetation consisting of a solid hedgerow of evergreen shrubs, or trees and shrubs, providing full screening from the ground to a minimum height of six feet; or Any combination of the above that effectively conceals the vehicle from view and provides full screening from the ground to a minimum height of six feet.

- The utility trailer that is parked on the grass, next to the driveway, must be removed and parked on an improved surface to comply with city code.

Tree Limbs and Other Vegetation - obstructing doors and gates (95.02.D)

(D) It shall be unlawful for any owner or occupant of any property within the city to suffer or permit limbs, brush or other vegetation to obstruct any gate, garage door, or any doorway on private property.

- The tree branches that are hanging over the WALKWAY near the front door, must be cut/trimmed back away from the concrete to allow safe passage while walking up to the front door per city code.

UCADB Section 302.1 - Insufficient exit ways

Whenever any door, aisle, passageway, stairway or other means of exit is not sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.

- Please clear and clean all paths inside the home to allow entry + exiting without hindrance to include: Foyer, Hallways, Patio door and windows.

UCADB Section 302.8 - Likely to partially or completely collapse

Whenever the building or structure, or any portion thereof, because of (i) dilapidation, deterioration or decay; (ii) faulty construction; (iii) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse.

- The brick wall (exterior) has become detached and is leaning (right side of garage door), the siding and trim in the back yard (left side of the garage) is rotted and is crumbling and there are gaps around kitchen bay window between bricks and window frame. All items must be repaired.

UCADB Section 302.5 - Members likely to fail, detach, dislodge or collapse

Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

- The drywall (walls and ceilings) have extensive cracking throughout the home along with sections of ceiling that have detached and fallen. The bricks have cracks from ground to soffit on the north side of the house, the brick wall (exterior) has become detached and is leaning (right side of garage door).

UCADB Section 302.10 - Vertical structural members list, lean or buckle

Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center gravity does not fall inside the middle one third of the base.

- The brick wall on the north side of the home has cracks in it from ground to soffit on the north side of the house, the brick wall has become detached and is leaning (right side of garage door).

UCADB Section 302.2 - Unsafe exit ways

Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.

- Due to the excessive amounts of trash, debris, boxes and cans that have narrowed the hallways and doorway paths, the foyer, the back door, front walkway and hallways inside, must be cleared. Carrollton Fire Dept states that entering and exiting the home is extremely difficult due to the amounts of debris blocking their paths and inability to reach their patient when administering medical assistance.

UCADB Section 302.17 - Public Nuisance

Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.

- There is extremely high weeds and grass in the back yard (6-7 ft tall) along with excessive amounts of trash and debris on the front porch, back patio and back yard.

UCADB Section 302.9 - Unsafe for the purpose for which it is being used

Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

- The infestation of insects, vermin or rodents must be treated, Rat droppings (feces) on the floor throughout the house, Excessive amounts of trash/debris in all rooms scattered on the ground & counters, Drywall cracked from door frame to ceiling in the hallway and kitchen, Cracks in brick from ground to soffit on the north side of the house, Brick wall (exterior) has become detached and is leaning (right side of garage door), Rotted siding and trim in the back yard (left side of the garage), Gaps around kitchen bay window between bricks and window frame, Ceiling in hallway (next to attic access ladder) has detached and fallen, Cracks in ceiling around the attic access door in the hallway, High weeds and grass in the back yard (6-7 ft tall), Excessive amounts of trash and debris on the front porch, back patio and back yard, Peeling paint on siding and trim in the back yard (left side of the garage), Exposed wood around kitchen bay window frame, Excessive amounts of paper, clothing, trash and boxes stored on the inside the home.

High Grass and Weeds - Greater than ten inches (95.02.A)

(A) It shall be unlawful for any owner or occupant of any property or a portion thereof, occupied or unoccupied, within the City to permit grass, weeds, brush or unsightly vegetation to grow thereon to a height greater than ten (10") inches.

- Please mow/cut/trim/edge the high weeds and grass in the FRONT, SIDES, BACK and ALLEY yards to comply with city code.

Trash and Debris - Visible from a public street (95.04.A)

(A) It shall be unlawful for any owner or occupant of any property or a portion thereof, occupied or unoccupied, within the city, to keep, store, suffer or permit the accumulation upon the property of refuse, trash and debris that is visible from a public street.

- The trash and debris, to wit: Pile of dead tree branches under the tree in the front yard, Containers in the driveway, Beer cans, Stake sign, tree branches, trash bags near the front door, must be removed and disposed of properly to comply with city code.

UCADB Section 302.13 - Violations of other laws and ordinances

Whenever any buildings or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in the Building Code or Housing Code, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.

Carrollton Code of Ordinances
Chapter 96: Single Family and Multi-Family Housing Code

(B) Inadequate Sanitation. Building or portions thereof shall be deemed substandard when they are unsanitary. Inadequate sanitation shall include, but not be limited to the following:

(12) Infestation of insects, vermin or rodents as determined by the Health Officer

- Rats/Mice seen walking around on mounds of debris in living room
- Rat/Mice droppings (feces) on the floor throughout the house

(13) General dilapidation or improper maintenance

- Excessive amounts of trash/debris in all rooms scattered on the ground & counters
- Inability to use the sink in the kitchen and bath in the hallway

(C) Structural hazards. Buildings or portions thereof shall be deemed substandard when they are or contain structural hazards. Structural hazards shall include, but not be limited to, the following:

(4) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.

- Drywall cracked from door frame to ceiling in the hallway
- Drywall cracked from door frame to ceiling in the kitchen
- Cracks in brick from ground to soffit on the north side of the house
- Brick wall has become detached and is leaning (right side of garage door).
- Rotted siding and trim in the back yard (left side of the garage).
- Gaps around kitchen bay window between bricks and window frame

(6) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members, that sag, split or buckle due to defective material or deterioration.

- Ceiling in hallway (next to attic access ladder) has detached and has fallen
- Cracks in ceiling around the attic access door in the hallway

(D) Nuisances. Buildings or portions thereof in which there exists any nuisance as defined in this code are deemed substandard buildings.

- High weeds and grass in the back yard (6-7 ft tall)
- Excessive amounts of trash & debris on the front porch, back patio and back yard.

(H) Faulty weather protection. Buildings or portions thereof shall be considered substandard when they have faulty weather protection, which shall include, but not be limited to, the following:

(2) Deteriorated or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors.

- Brick wall has become detached and is leaning (right side of garage door).
- Peeling paint on siding and trim in the back yard (left side of the garage).
- Exposed wood around kitchen bay window frame
- Gaps around kitchen bay window between bricks and window frame

(3) Defective or lack of weather protection for exterior walls coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering.

- Peeling paint on siding and trim in the back yard (left side of the garage).
- Exposed wood around kitchen bay window frame

(4) Broken, rotted, split or buckled exterior wall coverings or roof coverings.

- Brick wall has become detached and is leaning (right side of garage door).
- Rotted siding and trim in the back yard (left side of the garage).
- Gaps around kitchen bay window between bricks and window frame

(I) Fire Hazard. Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the Chief of the Fire Department, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of the fire or explosion arising from any cause shall be considered substandard.

- Excessive amounts of paper, clothing, trash and boxes stored inside the home

(K) Hazardous or unsanitary premises. The accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rat harborages, stagnant water, combustible materials, and similar materials or conditions on a premises constitutes fire, health or safety hazards that shall be abated in accordance with the procedures specified in this code.

- High weeds and grass around the home (6-7 ft tall)
- Trash and debris scattered around the entire house (inside and outside)
- Damaged and cracked drywall throughout the house.
- Brick walls detached and leaning on the house
- Gaps around kitchen bay window
- Rotted and exposed wood on the siding and around the windows
- Flatbed trailer with trash and debris inside (visible to the public)
- Live vermin (rats) seen inside the home during inspection
- Rat feces and urine throughout the home

ENVIRONMENTAL SERVICES DEPARTMENT

1945 E. Jackson Rd, Carrollton, TX 75006 | Fax: 972.466.3175
P.O. Box 110535, Carrollton, TX 75011-0535 | cityofcarrollton.com

ATTACHMENT E-6

(L) Inadequate exits. Except for those buildings or portions thereof that have been provided with adequate exit facilities conforming to the provisions of this code, buildings or portions thereof whose exit facilities were installed in violation of code requirements in effect at the time of their construction or whose exit facilities have not been increased in number or width in relation to any increase in occupant load due to alterations, additions or change in use or occupancy subsequent to the time of construction shall be considered substandard. Notwithstanding compliance with code requirements in effect at the time of their construction, buildings or portions thereof shall be considered substandard when the Building Official finds that an unsafe condition exists through an improper location of exits, a lack of an adequate number or width of exits, or when other conditions exist that are dangerous to human life.

- Excessive amounts of trash, debris, boxes and cans which have narrowed the hallways and doorways.
- Shrubs that have covered the walkway path to the front door
- Report from the Carrollton Fire Dept who states the entry and exiting of the home is extremely difficult due to the amounts of debris blocking their path and inability to reach their patient when administering medical assistance.

UCADB Section 302.15 - Unsafe, unfit for human habitation

Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

- The infestation of insects, vermin or rodents must be treated, Rat droppings (feces) on the floor throughout the house, Excessive amounts of trash/debris in all rooms scattered on the ground & counters, Drywall cracked from door frame to ceiling in the hallway and kitchen, Cracks in brick from ground to soffit on the north side of the house, Brick wall (exterior) has become detached and is leaning (right side of garage door), Rotted siding and trim in the back yard (left side of the garage), Gaps around kitchen bay window between bricks and window frame, Ceiling in hallway (next to attic access ladder) has detached and fallen, Cracks in ceiling around the attic access door in the hallway, High weeds and grass in the back yard (6-7 ft tall), Excessive amounts of trash and debris on the front porch, back patio and back yard, Peeling paint on siding and trim in the back yard (left side of the garage), Exposed wood around kitchen bay window frame, Excessive amounts of paper, clothing, trash and boxes stored on the inside the home.

ENVIRONMENTAL SERVICES DEPARTMENT

1945 E. Jackson Rd, Carrollton, TX 75006 | Fax: 972.466.3175
P.O. Box 110535, Carrollton, TX 75011-0535 | cityofcarrollton.com

ATTACHMENT E-7

If this structure is vacant it must be secured from entry at all times. You may then choose to make repairs to bring the structure into compliance with city codes or demolish the structure, You must either:

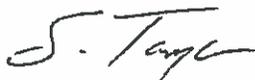
- (1) Submit a detailed plan to our offices for the repairs; or
- (2) Begin the demolition process
not later than **July 22, 2020**

Any repair plan must detail the shortest schedule feasible to achieve full compliance with city codes. Schedules are subject to city staff approval. Any required permits must be obtained from the Building Inspections Department for either repair or demolition of the building.

If the repair plan has not been submitted or demolition has not begun within the specified time, the city will present a case to the Property Standards Board to seek an order to either repair or demolish the structure. The property owner will be responsible for all costs incurred by the city for either repair or demolition of the structure. Any violation(s) of city codes found on the property are subject to court citations carrying a maximum penalty of \$2,000 per violation for every day each violation continues to exist.

If you feel this violation was sent to you in error, or if you have questions regarding the violation, please contact our office at env.services@cityofcarrollton.com or by calling (972) 466-9130.

Sincerely,



Steven Taylor
Code Enforcement Officer



September 17, 2020

Jimmy & Gerry Hooks
1749 Hartford Dr
Carrollton, TX 75007

RE: NOTICE OF HEARING

Dear Mr. & Mrs. Hooks,

The City of Carrollton has determined the residential structure located at 1749 Hartford Drive has become dangerous in accordance with city code, and therefore is a public nuisance. The Property Standards Board will conduct a public hearing in the City Hall Council Chambers located at 1945 E. Jackson Road in Carrollton, TX on **October 22, 2020 at 6:30 p.m.**

The Property Standards Board received a request from the City of Carrollton for a finding of a Dangerous Building and a Notice and Order to repair the interior and exterior of the residential structure to bring the property into compliance at:

**1749 HARTFORD DRIVE
ROSEMEADE ADDN 2 BLK 15 LOT 25
PROPERTY ID # 49840
DENTON COUNTY**

All owners, lien holders or mortgagees will be required to submit proof at this hearing of the scope of work that may be required to comply with the ordinances of the City and time it will take to reasonably perform the work, in accordance with city code.

If you have any questions regarding the case, you may contact me by email at Steven.Taylor@cityofcarrollton.com or you may call me at 972-466-9130.

Sincerely,

Steven Taylor
Code Enforcement Officer
Environmental Services Department
City of Carrollton

NOTICE OF A PUBLIC HEARING

A Public Hearing will be conducted by the Property Standards Board in the City Hall Council Chambers, 1945 E. Jackson Road at 6:30 p.m. on October 22, 2020.

The Property Standards Board has received a request from the City of Carrollton for a finding of a Dangerous Building and a Notice and Order to repair the interior and exterior of the residential structure to bring the property into compliance at:

**1749 HARTFORD DRIVE
ROSEMEADE ADDN 2 BLK 15 LOT 25
PROPERTY ID # 49840
DENTON COUNTY**

City of Carrollton staff have determined that the residential structure located at 1749 Hartford Drive is a safety hazard and public nuisance.

All owners, lien holders or mortgagees will be required to submit proof at this hearing of the scope of work that may be required to comply with the ordinances of the city and the time it will take to reasonably perform the work.

CITY OF CARROLLTON, TEXAS
Steven Taylor, Code Enforcement Officer

**PROPERTY STANDARDS BOARD
ORDINANCE EXCERPTS**

DATE: October 22, 2020
CASE#: 2020-02
ADDRESS: 1749 Hartford Drive
Carrollton, TX 75007

Section 150.080 adopting U.C.A.D.B:
Section 202, 203, 302
Carrollton Code of Ordinances, Title 9:
Section 95.02 (A)
Section 95.04 (A)(B)
Section 96.05 (A)(B)(C)(D)(H)(I)(K)(L)

Section 202 --- ABATEMENT OF DANGEROUS BUILDINGS

All buildings or portions thereof which are determined after inspection by the building official to be dangerous as defined in this code are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in Section 150.100 of this code.

Section 203 --- VIOLATIONS

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this code.

Section 302 --- DANGEROUS BUILDING

For the purpose of this code, any building or structure which has any or all of the conditions or defects hereinafter described shall be deemed to be a dangerous building, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public or its occupants are endangered:

Section 302.1

Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.

Section 302.2

Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.

Section 302.5

Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

Section 302.8

Whenever the building or structure, or any portion thereof, because of (i) dilapidation, deterioration or decay; (ii) faulty construction; (iii) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse.

Section 302.9

Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

Section 302.13

Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in the Building Code or Housing Code, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.

Section 302.15

Whenever any building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

Section 302.17

Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.

CARROLLTON CODE OF ORDINANCES

Chapter 95

Section 95.02: Weeds and vegetation; height limitation

(A) It shall be unlawful for any owner or occupant of any property or a portion thereof, occupied or unoccupied, within the city to permit grass, weeds, brush or unsightly vegetation to grow thereon to a height greater than ten inches.

Section 95.04: Refuse, trash and debris, and unsanitary conditions prohibited

(A) It shall be unlawful for any owner or occupant of any property or a portion thereof, occupied or unoccupied, within the city, to keep, store, suffer or permit the accumulation upon the property of refuse, trash and debris that is visible from a public street.

(B) It shall be unlawful for any owner or occupant of any property or a portion thereof, occupied or unoccupied, within the city to keep, store, suffer or permit the accumulation upon the property of refuse, trash and debris that creates an unsanitary condition likely to attract or harbor mosquitoes, rodents, vermin or disease carrying pests.

CARROLLTON CODE OF ORDINANCES
Chapter 96: Single and Multi-family housing code
Section 96.05

(B) Inadequate Sanitation. Buildings or portions thereof shall be deemed substandard when they are unsanitary. Inadequate sanitation shall include, but not be limited to:

- (12) Infestation of insects, vermin or rodents as determined by the Health Officer.
- (13) General dilapidation or improper maintenance.

(C) Structural hazards. Buildings or portions thereof shall be deemed substandard when they are or contain structural hazards. Structural hazards shall include, but not be limited to, the following:

- (4) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.
- (6) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members, that sag, split or buckle due to defective material or deterioration

(D) Nuisances. Buildings or portions thereof in which there exists any nuisance as defined in this code are deemed substandard buildings.

- (3) Whatever is dangerous to human life or detrimental to health, as determined by the Code Official.

(H) Faulty weather protection. Buildings or portions thereof shall be considered substandard when they have faulty weather protection, which shall include, but not be limited to, the following:

- (2) Deteriorated or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors.
- (3) Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering.
- (4) Broken, rotted, split or buckled exterior wall coverings or roof coverings.

(I) Fire Hazard. Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the Chief of the Fire Department, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause shall be considered substandard.

(K) Hazardous or unsanitary premises. The accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rat harborages, stagnant water, combustible materials, and similar materials or conditions on a premises constitutes fire, health or safety hazards that shall be abated in accordance with the procedures specified in this code.

(L) Inadequate exits. Except for those buildings or portions thereof that have been provided with adequate exit facilities conforming to the provisions of this code, buildings or portions thereof whose exit facilities were installed in violation of code requirements in effect at the time of their construction or whose exit facilities have not been increased in number or width in relation to any increase in occupant load due to alterations, additions or change in use or occupancy subsequent to the time of construction shall be considered substandard.

Notwithstanding compliance with code requirements in effect at the time of their construction, buildings or portions thereof shall be considered substandard when the Building Official finds that an unsafe condition exists through an improper location of exits, a lack of an adequate number or width of exits, or when other conditions exist that are dangerous to human life.

BOARD OF ADJUSTMENT

Case BOA-2020-03

October 22, 2020

Case BOA 2020-03 – Sandy Lake Amusement Park Pole Sign

City of Carrollton staff inspected the Sandy Lake Amusement Park pole sign at approximately 2055 North Interstate Highway 35 East and adjacent to 2001 North Interstate Highway 35 East, Carrollton, Dallas County. The sign is located on the Texas Department of Transportation right-of-way and situated on the west side of North Interstate Highway 35 East, approximately 430 feet north of Sandy Lake Road and 26 feet west of the North Interstate Highway 35 East service road. The pole sign was found to be damaged and obsolete. Carrollton Code of Ordinances, Sections 151.20 and 151.22 require the removal of signs determined by the Building Official to be in disrepair and/or obsolete.

A certified letter was mailed through the United States Post Office on June 16, 2020, addressed to the Texas Department of Transportation describing the requirements for removal of the Sandy Lake Amusement Park pole sign within fifteen days. However, the sign remains on the property.

Sandy Lake Amusement Park, previously located at 1800 Sandy Lake Road, ceased operations and the land was subsequently sold on October 16, 2018. This off-site pole sign advertising the now-closed park serves no bona fide use or purpose. Additionally, the sign has sustained extensive weathering and has a partially detached section that could become a public safety concern.

Staff requests the Board of Adjustment, upon review of the evidence and testimony given, to wholly affirm, by Order, the Building Official's determination that the Sandy Lake Amusement Park pole sign denoted above, is obsolete and to wholly affirm the requirement for such sign, including its support structure, to be removed within 30 days. If the property owner fails to comply in the specified time, staff requests the Board to authorize the City of Carrollton to remove the sign and direct bill all costs to the property owner in conformance with the Carrollton Code of Ordinances.

Attachments:

- A. Location Map
- B. Photographs
- C. Ordinance Excerpts
- D. Notice of Violation to Property Owner
- E. Dallas County Appraisal District information for Sandy Lake Amusement Park
- F. Notices of the Public Hearing
- G. Deed filed with the Dallas County Property Records

BOARD OF ADJUSTMENT

Case BOA-2020-03

October 22, 2020

Attachment A-1

Current Location of Sign:



BOARD OF ADJUSTMENT

Case BOA-2020-03

October 22, 2020

Attachment B-1

Photographs



BOARD OF ADJUSTMENT

Case BOA-2020-03

October 22, 2020

Attachment B-2

Photographs



BOARD OF ADJUSTMENT

Case BOA-2020-03

October 22, 2020

Attachment C-1

Ordinance Excerpts

Carrollton Code Ordinances, Chapter 151: Sign Regulations –

Section 151.05 Definitions

Building Official: City Manager or designee charged with the administration and enforcement of this code, or the Building Official's duly authorized representative.

Obsolete: Any sign which no longer serves a bona fide use or purpose on a lot with or without a structure.

Section 151.20 Removal of Obsolete Signs

Any sign which the Building Official determines no longer serves a bona fide use conforming to this code or an abandoned use, shall be removed by the owner, agent or person having the beneficial use of the land, buildings or structure upon which such sign is located within 15 days after written notification to do so from the Building Official. Upon failure to comply with such notice, the Building Official is hereby authorized to cause the removal of such sign, and any expense incident thereto shall be paid by the owner of the land, building or structure to which such sign is attached or upon which it is erected. Abandoned use shall be the voluntary act of the user and/or owner to discontinue a use for a period of one hundred eighty (180) consecutive days or more.

Section 151.22 Maintenance and Removal of Signs

All signs and sign support structures, together with all of their supports, braces, guys and anchors, shall be kept in good repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. The Building Official may order the removal of any sign that is not maintained in accordance with this section.

Signs posted in the right-of-way, in violation of this Code, unlawfully on City property, or signs posing a traffic or other safety hazard, may be removed by the City without prior notice. All costs associated with sign removal will be paid by the sign owner.

BOARD OF ADJUSTMENT

Case BOA-2020-03

October 22, 2020

Attachment C-2

Ordinance Excerpts

Section 151.82 Operational Procedure

(C) Appeals to the Board can be taken by any person aggrieved, or by any officer, department or board of the city affected by any decision of the Building Official relative to the enforcement of this ordinance. Such appeal shall be taken within fifteen (15) days' time after the decision has been rendered by the Building Official, by filing with the Building Official and with the Board a notice of appeal specifying the grounds thereof, and upon payment of a fee in an amount determined by the City Council. The Building Official shall forthwith transmit to the Board all of the papers constituting the records upon which the action appealed from was taken.

Section 151.83 (A) Action of the Board of Adjustment

(A) In exercising its powers, the Board may, in conformity with the provisions of the state of Texas as existing or hereafter amended, reverse or affirm, wholly or in part, or may modify the order, requirements, decision or determination appealed from and make such order, requirement, decision of determination in the Board's opinion as ought to be made and have all powers of the Building Official. The Board shall have the power to impose reasonable conditions in order to assure compliance and protect adjacent property.

Section 151.84 Notice of Hearing Before the Board of Adjustment Required

The Board shall hold a public hearing on all applications and appeals made thereto. Such notice under this chapter shall be given not less than ten (10) days before the date set for the hearing to all parties in interest. Such notice may be served by depositing the same, properly addressed and postage paid, in the United States Post Office. Notice shall be given by publishing the same at least one (1) time in a newspaper of general circulation in the city of Carrollton at least ten (10) days prior to the date of such hearing, which notice shall state the time and place of such hearing.

BOARD OF ADJUSTMENT

Case BOA-2020-03

October 22, 2020

Attachment D-1

Notice of Violation to Property Owner



TEXAS DEPARTMENT OF TRANSPORTATION
TEXAS DEPT OF TRANS 125 E 11TH ST
AUSTIN, TX 78701

COURTESY LETTER

Address: TX DOT Right of Way – Southbound IH35E, north of Sandy Lake Road

Date: June 16, 2020

Case Number: 202003575

Dear Resident/Tenant/Property Owner:

This letter is intended to inform you of a concern on your property and to request your continued assistance in complying with the City of Carrollton Code of Ordinances. The item(s) listed on this letter should be addressed **as soon as reasonably possible**. Code Enforcement staff will follow up in 10 days to check the progress of the listed item(s).

The entire obsolete Sandy Lake Park pole sign located in the TXDOT right-of-way must be removed within 15 days to comply with city code. Sandy Lake Park no longer exists, the sign is in disrepair and no longer serves a bona fide use.

City Ordinance: Section 151.20 Removal of Obsolete Signs

Any sign which the Building Official determines no longer serves a bona fide use conforming to this code or an abandoned use, shall be removed by the owner, agent or person having the beneficial use of the land, buildings or structure upon which such sign is located within 15 days after written notification to do so from the Building Official. Upon failure to comply with such notice, the Building Official is hereby authorized to cause the removal of such sign, and any expense incident thereto shall be paid by the owner of the land, building or structure to which such sign is attached or upon which it is erected. Abandoned use shall be the voluntary act of the user and/or owner to discontinue a use for a period of 180 consecutive days or more.

If you have questions or if you need a reasonable extension beyond 10 days to correct the issue(s) noted above, please contact the code enforcement officer listed on this letter at (972) 466-3033 or by email at cathy.enloe@cityofcarrollton.com.

Sincerely,

A handwritten signature in cursive script that reads "Cathy Enloe".

Cathy Enloe
Code Enforcement Officer

ENVIRONMENTAL SERVICES DEPARTMENT
1945 E. Jackson Rd, Carrollton, TX 75006 | Fax: 972.466.3175
P.O. Box 110535, Carrollton, TX 75011-0535 | cityofcarrollton.com

BOARD OF ADJUSTMENT

Case BOA-2020-03

October 22, 2020

Attachment D-2

Notice of Violation to Property Owner – Returned Receipt

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
<ul style="list-style-type: none">■ Complete items 1, 2, and 3. <i>C.E</i>■ Print your name and address on the reverse so that we can return the card to you. <i>261001</i>■ Attach this card to the back of the mailpiece, or on the front if space permits.	<p>A. Signature <i>[Signature]</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>RANDY JON</i> JUN 22 2020 Date of Delivery</p>																
<p>1. Article Addressed to: <i>Texas Department of Transportation Texas Dept of Trans 125E 11th St Austin, TX 78701</i></p> <p>9590 9402 4678 8323 1475 26</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes if YES, enter delivery address below: <input type="checkbox"/> No</p> <p>2020 JUN 25 AM 10:32</p>																
<p>2. Article Number (Transfer from service label) <i>7015 1520 0002 5577 9147</i></p>	<p>3. Service Type</p> <table border="0"><tr><td><input type="checkbox"/> Adult Signature</td><td><input type="checkbox"/> Priority Mail Express®</td></tr><tr><td><input type="checkbox"/> Adult Signature Restricted Delivery</td><td><input type="checkbox"/> Registered Mail™</td></tr><tr><td><input checked="" type="checkbox"/> Certified Mail®</td><td><input type="checkbox"/> Registered Mail Restricted Delivery</td></tr><tr><td><input type="checkbox"/> Certified Mail Restricted Delivery</td><td><input checked="" type="checkbox"/> Return Receipt for Merchandise</td></tr><tr><td><input type="checkbox"/> Collect on Delivery</td><td><input type="checkbox"/> Signature Confirmation™</td></tr><tr><td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td><td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td></tr><tr><td><input type="checkbox"/> Insured Mail</td><td></td></tr><tr><td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td><td></td></tr></table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®																
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™																
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery																
<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise																
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™																
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery																
<input type="checkbox"/> Insured Mail																	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)																	

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

BOARD OF ADJUSTMENT

Case BOA-2020-03

October 22, 2020

Attachment E

Dallas Central Appraisal District

Information for the previous Sandy Lake Amusement Park property showing the ownership change in October 2018 and supporting the determination that the sign is obsolete because it advertises a business that no longer exists

Dallas Central Appraisal District [Home](#) | [Find Property](#) | [Contact Us](#)

Commercial Account #65016623510020000

Location Owner Legal Desc Value Improvements Land Exemptions Estimated Taxes Building Footprint History

Location (Current 2020)	Legal Desc (Current 2020)	Value
Address: 1500 SANDY LAKE RD Market Area: 0 Mapscot: 2-S (DALLAS)	1: JOHN C BEVERS ABST 166 PG 235 2: TR 2 & ABST 1151 PG 560 TR 27 3: ACS 60.50 4: INT201800276323 DD10152018 CO-DC 5: 0166235100200 9CC01662351 Deed Transfer Date: 10/16/2018	2020 Proposed Values Improvement: \$60,000 Land: + \$8,380,270 Market Value: = \$4,420,270 Tax Agent: SOUTHLAND PROPERTY TAX CONSULTANTS Revaluation Year: 2019 Previous Revaluation Year: 2017

DCAD Property Map
[View Photo](#)
[2020 Current Appraisal Notice](#)
[Electronic Documents \(ENS\)](#)
[Print Homestead Exemption Form](#)

Owner (Current 2020)	Multi-Owner (Current 2020)				
SW TABER 2018 LP 2220 SANDY LAKE RD CARROLLTON, TEXAS 750063407	<table border="1"> <thead> <tr> <th>Owner Name</th> <th>Ownership %</th> </tr> </thead> <tbody> <tr> <td>SW TABER 2018 LP</td> <td>100%</td> </tr> </tbody> </table>	Owner Name	Ownership %	SW TABER 2018 LP	100%
Owner Name	Ownership %				
SW TABER 2018 LP	100%				

41.461
Enter PIN From Hearing Notice
[LMA Review](#) [Cost Method](#)
[View VSS](#)

AR
Hearing Info: 2020 8:00 AM

Dallas Central Appraisal District

This website is for informational purposes only. Title research should be performed at the appropriate County Clerks office. This is not deemed a warranty.

Account History #65016623510020000

Owner Legal Desc Market Value Taxable Value Exemptions

Year	Owner	Legal Description
2019	SW TABER 2018 LP 2220 SANDY LAKE RD CARROLLTON, TEXAS 750063407	1: JOHN C BEVERS ABST 166 PG 235 2: TR 2 & ABST 1151 PG 560 TR 27 3: ACS 60.50 4: INT201800276323 DD10152018 CO-DC 5: 0166235100200 9CC01662351 Deed Transfer Date: 10/16/2018
2018	R, R & S PROPERTIES INC PO BOX 810536 DALLAS, TEXAS 753810536	1: JOHN C BEVERS ABST 166 PG 235 2: TR 2 ACS 39.5976 3: & ABST 698 PG 690 TR 4 4: 5: 5902350100200 11465016623 Deed Transfer Date: 11/11/1900
2017	R, R & S PROPERTIES INC PO BOX 810536 DALLAS, TEXAS 753810536	1: JOHN C BEVERS ABST 166 PG 235 2: TR 2 ACS 39.5976 3: & ABST 698 PG 690 TR 4 4: 5: 5902350100200 11465016623 Deed Transfer Date: 11/11/1900
2016	R, R & S PROPERTIES INC PO BOX 810536 DALLAS, TEXAS 753810536	1: JOHN C BEVERS ABST 166 PG 235 2: TR 2 ACS 39.5976 3: & ABST 698 PG 690 TR 4 4: 5: 5902350100200 11465016623 Deed Transfer Date: 11/11/1900
2015	R, R & S PROPERTIES INC PO BOX 810536 DALLAS, TEXAS 753810536	1: JOHN C BEVERS ABST 166 PG 235 2: TR 2 ACS 39.5976 3: & ABST 698 PG 690 TR 4 4: 5: 5902350100200 11465016623 Deed Transfer Date: 11/11/1900

BOARD OF ADJUSTMENT

Case BOA-2020-03

October 22, 2020

Attachment F-1

Notice of Hearing - Mailed to Property Owner



September 28, 2020

Texas Department of Transportation
125 E 11th St.
Austin, TX 78701

SUBJECT: NOTICE OF PUBLIC HEARING – Sandy Lake Amusement Park pole sign, located in the Texas Department of Transportation Right-of-Way at or near 2055 North Interstate Highway 35 East and adjacent to 2001 North Interstate Highway 35 East, Carrollton, Dallas County, TX 75006

City of Carrollton staff have determined the Sandy Lake Amusement Park pole sign located in the Texas Department of Transportation Right-of-Way at or near 2055 North Interstate Highway 35 East and adjacent to 2001 North Interstate Highway 35 East, Carrollton, Dallas County, TX is obsolete and must be removed in its entirety at the property owner's expense to comply with city code.

The Board of Adjustment will conduct a public hearing at the City Council Chambers located at 1945 E. Jackson Road at 6:30 p.m. on October 22, 2020.

The packet of information that will be provided to the Board is attached to this letter. If you have any questions or concerns, please contact me by email at cathy.enloe@cityofcarrollton.com or at 972-466-3033.

Sincerely,

Cathy Enloe
Sr. Code Enforcement Officer
City of Carrollton

BOARD OF ADJUSTMENT

Case BOA-2020-03

October 22, 2020

Attachment F-2

Notice of Hearing – Newspaper Posting

NOTICE OF PUBLIC HEARING

A Public Hearing will be conducted by the Board of Adjustment in the City Council Chambers located at 1945 E. Jackson Road at 6:30 p.m. on October 22, 2020.

The Board of Adjustment received a request from the City of Carrollton for an Order that affirms the Sandy Lake Amusement Park pole sign located at or near 2055 North Interstate Highway 35 East and adjacent to 2001 North Interstate Highway 35 East, approximately 430 feet north of Sandy Lake Road and 26 feet west of the North Interstate Highway 35 East service road, is obsolete and must be removed in its entirety.

CITY OF CARROLLTON, TEXAS, ENVIRONMENTAL SERVICES DEPARTMENT
Cathy Enloe, Sr. Code Enforcement Officer

BOARD OF ADJUSTMENT

Case BOA-2020-03

October 22, 2020

Attachment G-1

Deed for the property for which the sign is located showing ownership by the Texas Department of Transportation

Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your Social Security Number or your Driver's License Number.



**ELECTRONICALLY RECORDED 201500014822
01/20/2015 03:35:38 PM DEED 1/10**

DEED

TxDOT ROW CSJ: 0196-03-247

TxDOT Parcel No.: 3 Pts 1&2

Grantor(s), whether one or more:

Mary L. Ardinger, Independent Executrix of the Estate of Horace Thompson Ardinger, Jr., Deceased.

Grantor's Mailing Address (including county):

1990 Lakepoint Dr.
Lewisville, TX 75057
Denton County

Grantee:

The State of Texas, acting by and through the Texas Transportation Commission

Grantee's Authority:

The Texas Transportation Commission is authorized under the Texas Transportation Code to purchase land and such other property rights (including requesting that counties and municipalities acquire highway right of way) deemed necessary or convenient to a state highway or turnpike project to be constructed, reconstructed, maintained, widened, straightened, or extended, or to accomplish any purpose related to the location, construction, improvement, maintenance, beautification, preservation, or operation of a state highway or turnpike project.

The Texas Transportation Commission is also authorized under the Texas Transportation Code, Chapter 203 to acquire or request to be acquired such other property rights deemed necessary or convenient for the purposes of operating a state highway or turnpike project, with control of access as necessary to facilitate the flow of traffic and promote the public safety and welfare on both non-controlled facilities and designated controlled access highways and turnpike projects.

Grantee's Mailing Address (including county):

Texas Department of Transportation
125 E. 11th Street
Austin, TX 78701
Travis County

Consideration:

The sum of Two Million Seven Hundred Seventy Six Thousand One Hundred Sixty Three and no/100 Dollars (\$2,776,163.00) to Grantor in hand paid by Grantee, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied.



BOARD OF ADJUSTMENT

Case BOA-2020-03

October 22, 2020

Attachment G-2

Form ROW-N-14
(Rev. 07/13)
Page 2 of 3

The consideration recited herein represents a settlement and compromise by all parties as to the value of the property herein conveyed in order to avoid formal ED proceedings and the added expenses of litigation.

Property:

All of that certain tract or parcel of land in Denton County, Texas, being more particularly described in the attached Exhibit A (the "**Property**").

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is made by Grantor and accepted by Grantee subject to the following:

1. Visible and apparent easements not appearing of record.
2. Any discrepancies, conflicts, or shortages in area or boundary lines or any encroachments or any overlapping of improvements which a current survey would show.
3. Easements, restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and encumbrances for taxes and assessments (other than liens and conveyances) presently of record in the Official Public Records of Denton County, Texas, that affect the property, but only to the extent that said items are still valid and in force and effect at this time.

Grantor reserves all of the oil, gas, sulfur in and under the Property but waives all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; however, nothing in this reservation shall affect the title and rights of the Grantee, its successors and assigns, to take and use all other minerals and materials thereon, therein and thereunder.

Grantor is retaining title to the following improvements ("**Retained Improvements**") located on the Property, to wit: None

Grantor covenants and agrees to remove the Retained Improvements from the Property by XX day of XXXX, 20XX, subject to such extensions of time as may be granted by Grantee in writing. In the event Grantor fails, for any reason, to remove the Retained Improvements within the time prescribed, then, without further consideration, title to all or part of such Retained Improvements not so removed shall pass to and vest in Grantee, its successors and assigns, forever.

Access on and off Grantor's remaining property to and from the State highway facility shall be permitted except to the extent that such access is expressly prohibited by the provisions set out in Exhibit "A". Grantor acknowledges that such access on and off the State highway facility is subject to regulation as may be determined by the Texas Department of Transportation to be necessary in the interest of public safety or by applicable local municipal or county zoning, platting or permitting requirements.

GRANTOR, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, to have and to hold it to Grantee and Grantee's successors and assigns forever. Grantor binds Grantor and Grantor's heirs, successors and assigns to Warrant and Forever Defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to the claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

BOARD OF ADJUSTMENT

Case BOA-2020-03

October 22, 2020

Attachment G-3

Form ROW-N-14
(Rev. 07/13)
Page 3 of 3

EXECUTED on the date(s) of acknowledgement indicated below.

GRANTOR:

Mary L. Ardinger

Mary L. Ardinger, Independent Executrix of the
Estate of Horace Thompson Ardinger, Jr.,
Deceased.

Acknowledgement

State of Texas
County of Denton

This instrument was acknowledged before me on November 12, 2014
_____ by Mary L. Ardinger, Independent Executrix of the Estate of Horace Thompson Ardinger, Jr., Deceased.

Paula Jo Acevedo

Notary Public's Signature



BOARD OF ADJUSTMENT

Case BOA-2020-03

October 22, 2020

Attachment G-4

Page 1 of 6
August 12, 2010
Revised December 15, 2010
Revised August 01, 2012
Revised November 13, 2013



EXHIBIT "A"

County: Dallas
Highway: Interstate Highway 35E
Parcel No.: 3
R.O.W. CSJ: 0196-03-247

Description for Parcel 3

PART 1

BEING 3.941 acres of land in the Weston Perry Survey, Abstract Number 1151, City of Carrollton, Dallas County, Texas, being part of a called 9.770 acre tract of land described as Tract 1 in deed to Horace Thompson Ardinger, Jr., as recorded in Volume 95064, Page 4721, Deed Records of Dallas County, Texas (DRDCT); and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2-inch iron rod found for the northwest corner of Lot 1, Block 1, Wildes Addition, an addition to the City of Carrollton as recorded in Volume 88216, Page 3853, Plat Records Dallas County, Texas (PRDCT) said corner being on the east line of that tract described in a deed to Sandy Lake Amusement Park, as recorded in County Clerk's File No. 20070420673, Official Public Records Dallas County Texas (OPRDCT) and on the south line a called 4.37 acre Tract 4 as described in a deed to the City of Dallas as recorded in Volume 3343, Page 406, DRDCT;

THENCE North 89°49'43" East, with the line common to said Lot 1 and said Tract 4, a distance of 189.71 feet to a set 5/8-inch iron rod with a standard Texas Department of Transportation 3" aluminum cap (set TXDOT cap);

THENCE South 26°44'34" East, across said Lot 1, a distance of 266.56 feet to a set TXDOT cap on the common south line of said Lot 1 and the north line of said Ardinger tract for the POINT OF BEGINNING;

1) THENCE North 89°48'43" East, with said common line, a distance of 239.20 feet to a 1/2-inch iron rod found for the common east corner of said Lot 1 and said Ardinger tract, same being on the existing west right-of-way for Interstate Highway 35 East (variable width right-of-way) as described in a deed to the State of Texas as recorded in Volume 4091, Page 508 DRDCT;

THENCE southerly with said west right-of-way as follows:

- 2) South 25°52'17" East, a distance of 587.75 feet to a point for the intersection of said west right-of-way and the northwest line of a called 0.16 acre parcel described as Tract 1 in a deed to the City of Dallas as recorded in Volume 3343, Page 406, DRDCT;

BOARD OF ADJUSTMENT

Case BOA-2020-03

October 22, 2020

Attachment G-5

Page 2 of 6
August 12, 2010
Revised December 15, 2010
Revised August 01, 2012
Revised November 13, 2013



EXHIBIT "A"

County: Dallas
Highway: Interstate Highway 35E
Parcel No.: 3
R.O.W. CSJ: 0196-03-247

Description for Parcel 3

PART 1

- 3) South 32°44'17" West, with said northwest line, a distance of 226.84 feet to a point for corner on the existing north right-of-way for Sandy Lake Road (variable width right-of-way);
- 4) North 89°56'17" West, with said north right-of-way line, a distance of 625.21 feet to a set TXDOT cap, the intersection of said existing right-of-way and the proposed west right-of-way of Interstate Highway 35 East;**
- 5) THENCE North 85°53'53" East, with said proposed right-of-way, a distance of 504.74 feet to a TXDOT cap set for corner;**

THENCE northerly with the proposed west right-of-way and DENIAL of ACCESS LINE for Interstate Highway 35 East as follows:

- 6) North 31°54'19" East, a distance of 70.34 feet to a set TXDOT cap for corner;**
- 7) North 25°12'03" West, a distance of 315.12 feet to a set TXDOT cap for corner;**
- 8) North 24°23'46" West, passing at a distance of 202.56 feet a 5/8 inch iron rod with TXDOT DENIAL OF ACCESS (D.O.A.) cap set on line for the beginning of a DENIAL OF ACCESS LINE, continuing a total distance of 342.56 feet to a TXDOT cap set for corner;**
- 9) North 26°44'34" West, a distance of 28.29 feet to the POINT OF BEGINNING and the end of a DENIAL of ACCESS LINE and containing 3.941 acres (171,649 square feet) of land.

PART 2

Being 0.364 acre of land in the Weston Perry Survey, Abstract Number 1151, City of Carrollton, Dallas County, Texas, being part of a called 0.290 acre tract of land described as Tract 2 in deed to Horace Thompson Ardinger, Jr., as recorded in Volume 95064, Page 4721, Deed Records of Dallas County, Texas; and being more particularly described by metes and bounds as follows:

BOARD OF ADJUSTMENT

Case BOA-2020-03

October 22, 2020

Attachment G-6

Page 3 of 6
August 12, 2010
Revised December 15, 2010
Revised August 01, 2012
Revised November 13, 2013



EXHIBIT "A"

County: Dallas
Highway: Interstate Highway 35E
Parcel No.: 3
R.O.W. CSJ: 0196-03-247

Description for Parcel 3

PART 2

Beginning at the south southeast corner of said Tract 2 a 1/2-inch iron rod found on the north right-of-way line of Sandy Lake Road (a variable width right-of-way) and being the west corner of a tract of land as described in a deed to the State of Texas as recorded in Volume 4230, Page 147, DRDCT;

1) THENCE North 89°56'17" West, along the south line of said Tract 2 and said north right-of-way line of Sandy Lake Road, a distance of 161.36 feet to a point for the southwest corner of said Tract 2 and the south southeast corner of a called 0.16 acre tract of land as described as Tract No. 1 in a deed to the City of Dallas as recorded in Volume 3343, Page 406, DRDCT;

2) THENCE North 32°44'17" East, along the common line of said Tract 2 and Tract No. 1, a distance of 201.81 feet to a point for the north corner of said Tract 2 and the north southeast corner of said Tract No. 1 and being on the existing west right-of-way of Interstate Highway 35 East as described in a deed to the State of Texas as recorded in Volume 4091, Page 510, DRDCT;

3) THENCE South 25°52'17" East, along the east line of said Tract 2 and said existing west right-of-way line of Interstate Highway 35 East, a distance of 158.89 feet to a 1/2-inch iron rod found for the north southeast corner of said Tract 2 and the north corner of said tract of land as described in a deed to the State of Texas as recorded in Volume 4230, Page 147, DRDCT;

4) THENCE South 32°24'06" West, along the common line of said Tract 2 and said State of Texas tract, a distance of 32.05 feet to the POINT OF BEGINNING and containing 0.364 acre of land (15,879 square feet)

Summary:

Part 1 = 3.941 Acres (171,649 square feet)

Part 2 = 0.364 Acre (15,879 square feet)

Total = 4.305 Acres (187,528 square feet)

BOARD OF ADJUSTMENT

Case BOA-2020-03

October 22, 2020

Attachment G-7

Page 4 of 6
August 12, 2010
Revised December 15, 2010
Revised August 01, 2012
Revised November 13, 2013



EXHIBIT "A"

County: Dallas
Highway: Interstate Highway 35E
Parcel No.: 3
R.O.W. CSJ: 0196-03-247

Description for Parcel 3

This property description is accompanied by a separate plat of even date.

All bearings are based on the Texas State Plane Coordinate System, North Central Zone (4202), NAD 83(CORS 2002) GEOID 03.

All distances and coordinates shown are surface and may be converted to grid by dividing by a combined scale factor of 1.000136506 (0.99986351263).

Access is prohibited across the "denial of access line" to the highway facility from the remainder of the abutting property.

**The monument described and set in this call, if destroyed during construction, may be replaced with a TXDOT Type II Right-of-way Marker upon completion on the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TXDOT.

I hereby declare that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.


John F. Pierce 11-13-2013
Registered Professional Land Surveyor
Texas Registration Number 2011

SURVEYING AND MAPPING, Inc.
7101 Envoy Court
Dallas, Texas 75247
Texas Firm No. 10064300



BOARD OF ADJUSTMENT

BOA Case -2020 – 04

October 22, 2020

BOA Case 2020 – 04

Freedom Forever Solar on behalf of Mary Grice is requesting a Special Exception for the installation of roof mounted solar panels located at Mary Grice's single-family residence 2124 Tiburon Block A Lot 35, Mill Valley Phase 2. The Special Exception request is to allow solar panels on an architectural elevation that faces an arterial thoroughfare as required by City of Carrollton zoning ordinance Article XXVII Section (N) (1) (d) (ii).

STAFF OBSERVATIONS/COMMENTS

- Application 20 – 2835 is on Hold pending the decision of the Board.
- The Board of Adjustment may authorize the placement of solar panels on the roof of homes that are adjacent to arterial thoroughfares , as designated by the adopted Transportation Plans and which are not in accordance with the provisions of Article XXVII Section (N) (1) (d) (ii)

ATTACHMENTS

- A. Board of Adjustment Application
- B. Letter of Request to Board
- C. Site Plan



BOA-2020-04

This section office use only		
Application #	20-4911	Receipt #
Cash <input type="checkbox"/>	CC <input type="checkbox"/>	Phone order <input type="checkbox"/>
Check #	Balance due	
Permit type	Plan #	TIFF #

Board of Adjustment - Zoning

Date 06/22/2020

● Fee is \$200.00 and is paid at the time the request is submitted for placement on the agenda ● All application fees are non-refundable ● All credit card transactions include a 2% convenience fee ● Application must be completed in its entirety prior to submittal

Property Address	2124 Tiburon, Carrollton, TX			Zip	75006
Lot	35	Block	A	Addition	Mill Valley Ph. 2
Applicant name	Monica Johnson			Phone	281-728-8916
<input checked="" type="checkbox"/> Check if owner is giving applicant authority to represent the case before the board					
Owner name	Mary Grice			Phone	214-923-6521
Owner signature	<i>M. Alice Grice</i>				
Request from the Carrollton Comprehensive Zoning Ordinance, Article	27	Section	N. 1. d. i.		
Appeal <input type="checkbox"/>	Variance <input type="checkbox"/>	Special exception	<input checked="" type="checkbox"/>		
Describe request	We are requesting to mount 20 panels of a 34 panel PV solar system on 2 south facing planes of the home at the address listed. The roof line is 44' from the rear property line that is adjacent to the street that is in question.				
Describe hardship (variance only)					

Mail notification of the board's determination to the name and address listed below

Name	Monica Johnson
Address	1330 Post & Paddock #110, Grand Prairie, TX 75050

Applicant hereby appeals this case to the Board of Adjustment for review and a decision and certifies that the statements on this application are true and correct.

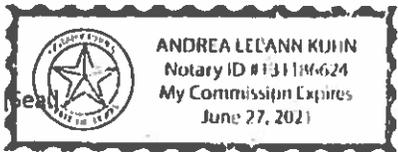
Signed and entered this 12th day of August, 20 20.

M. Johnson
Applicant Signature

STATE OF TEXAS
County of Denton

SWORN TO and Subscribed before me by Monica Johnson, on this 12th day of August, 20 20.

[Signature]
Notary Public



Additional information is on reverse side of application

ATTACHMENT A



Freedom Forever

43445 Business Park Dr., Suite 110, Temecula, CA 92590

Phone Number: (888) 557-6431

Master Electrician: #465757

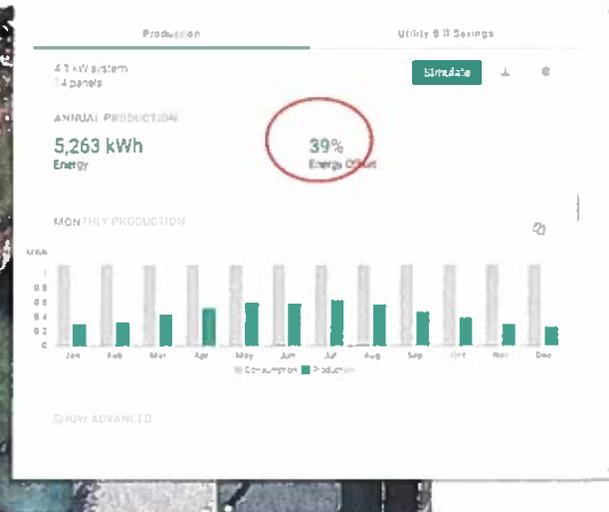
To whom it may concern,

We are writing this letter to ask for an exception on the solar layout on behalf of Mary Grice located at 2124 Tiburon, Carrollton, TX 75006. The request has been made to have no solar modules facing the arterial thoroughfares. Panels being located on an alternate area of the roof location increases the estimated annual energy production of the device, as determined by using a publicly available modeling tool, by more than 10 percent (increases by 69%) the energy production of the device in the most efficient non-alternate location.

Initial Request:



Current Request:



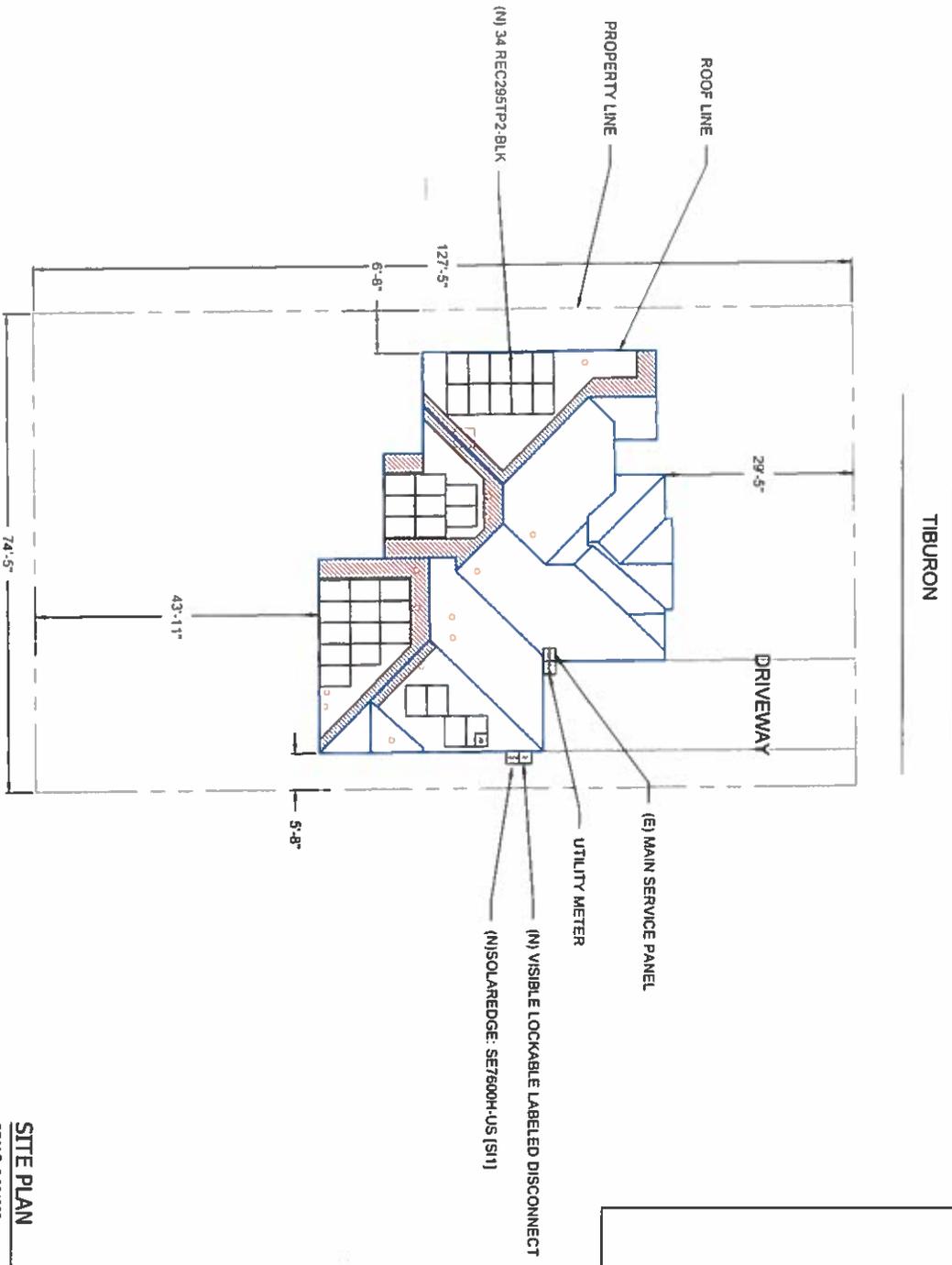
Thank you in advance for your consideration of this request.

Kevin Arbuckle - Design Lead

ATTACHMENT B

ROOF AREA 3048.95 SQ. FT

The Visible, Lockable, Labeled AC Disconnect is located within 10 ft. of Oncor Meter.



TIBURON

DRIVEWAY

SITE PLAN
SCALE: 0.004885



freedom
FOREVER
L.L.C.
43447 Business Park Dr Suite 110, Frensham, CA 92326
Tel: (800) 365-1015

34467
3/21/2020
GREG GREG

CLIENT:
GRICE, MARY
2124 TIBURON
CARROLLTON, TX, 75006
(214) 923-6521
ESI ID # 10443720001146258

REVISIONS:		
DESCRIPTION	DATE	REVISION

DATE: 5/28/20
DESIGN BY: GREG
JOB NO: F051174

TITLE:
SITE PLAN

SHEET:
PV-2

1

BOARD OF ADJUSTMENT

Case BOA-2020-03

October 22, 2020

Attachment G-10

Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
01/20/2015 03:35:38 PM
\$62.00
201500014822



BOARD OF ADJUSTMENT

BOA Case -2020 – 05

October 22, 2020

BOA Case 2020-05. Public hearing to consider & take action on a request pursuant to Article XXXII Section (E) (2) (e) & Article XXII Section (D) (2) (b) of the Comprehensive Zoning Ordinance by Mr. Chris Tola, Tola Construction, on behalf of Belinda Reyna to enlarge a nonconforming single-family structure located at 1202 N. Main Street, Lots 3 & 4 of AW Perry One 1st Addition in excess of 50% of its current value.

STAFF OBSERVATIONS/COMMENTS

- Per City of Carrollton Ordinance Article XXXII Section (E) (2) (e) The Board of Adjustment may authorize the enlargement, expansion, or repair of a nonconforming structure in excess of 50 percent of its current reasonable value. In such instance, current reasonable value shall be established at the time of application for a hearing before the Board.
- If such expansion or enlargement is approved by the Board, all provisions of the district in which such structure is located shall apply to the new construction on the lot or parcel.
- Application # 20 – 4228 has passed review and is on Hold pending BOA approval.

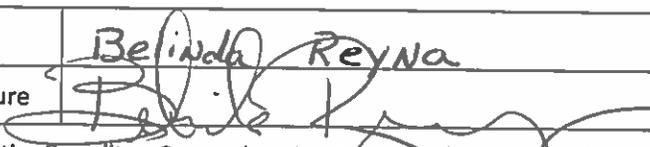
ATTACHMENTS

- A. Board of Adjustment Application
- B. Letter of Request to Board
- C. Site Plan as is today
- D. Site plan with addition
- E. Construction Contract – 2 Pages
- F. Dallas Central Appraisal – 3 Pages

This section office use only			RECEIVED AUG 17 2020 Building Inspection Department City of Carrollton
Application # <u>204850</u>	Receipt #		
Cash <input type="checkbox"/>	CC <input type="checkbox"/>	Phone order <input type="checkbox"/>	
Check #	Balance due		
Permit type	Plan #	TIFF #	

Board of Adjustment - Zoning

Date	
● Fee is \$200.00 and is paid at the time the request is submitted for placement on the agenda ● All application fees are non-refundable ● All credit card transactions include a 3% convenience fee ● Application must be completed in its entirety prior to submittal	

Property Address	<u>1202 N Main Street</u>			Zip	<u>75006</u>
Lot	<u>334</u>	Block	<u>10</u>	Addition	
Applicant name	<u>Chris Tola</u>			Phone	<u>972-537-7857</u>
<input checked="" type="checkbox"/> Check if owner is giving applicant authority to represent the case before the board					
Owner name	<u>Belinda Reyna</u>			Phone	<u>2149072850</u>
Owner signature					
Request from the Carrollton Comprehensive Zoning Ordinance, Article _____, Section _____ Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Special exception <input type="checkbox"/>					
Describe request	<u>Build 667 SQFT Addition</u>				
Describe hardship (variance only)					

Mail notification of the board's determination to the name and address listed below	
Name	<u>CHRIS TOLA</u>
Address	<u>5308 FT Couch Dr FT Worth Texas 76137</u>

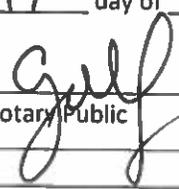
Applicant hereby appeals this case to the Board of Adjustment for review and a decision and certifies that the statements on this application are true and correct.

Signed and entered this 17 day of August, 2020.


 Applicant Signature

STATE OF TEXAS
 County of Tarrant

SWORN TO and Subscribed before me by Chris Tola, on this 17 day of August, 2020.


 Notary Public


GERALD WHIPPLE
 Notary Public, State of Texas
 Comm. Expires 05-21-2022
 Notary ID 125416897

Additional information is on reverse side of application



5308 Ft Concho Dr
Ft Worth Texas 76137
972-537-7857

August 28, 2020

City of Carrollton, Board of Adjustment
1945 E Jackson Road
Carrollton Texas 75006

Greetings

I have been contracted to build an addition at 1202 N Main St, Carrollton Texas 75006, for Belinda Reyna. During the course of the plans review we were informed due to this property being located in the transit district we would need the approval of the Board of Adjustment to proceed with the project due to the cost of the addition being greater than fifty percent of the cost of the value of the property.

At this time we have provided Mr Ray Hopkins, senior plans examiner for the City of Carrollton, a full set of plans, survey and energy compliance for this project. These items are in good order.

Mrs Reyna is looking to build this addition which she has been preparing for for many years. We are asking the Board of Adjustment to permission to proceed with her addition.

Respectfully
Chris Tola
Tola and Son Construction
972-537-7857
Christola90@gmail.com

ATTACHMENT B

Tola and Son Construction
(Formerly Super Siding and Remodeling Company)
5308 Ft Concho Dr
Ft Worth Texas 76137
972-537-7857

Construction Contract

This agreement is made by Tola and Son Construction (Contractor) and Belinda Reyna (Owner) on the date written beside our signatures.

Contractor

Tola and Son Construction
5308 Ft Concho Dr
Ft Worth Texas 76137

Owner

Belinda Reyna is/are the owner(s) of the project residence and will be referred to as Owner throughout this agreement.

The Construction Site

The project shall take place at the property of the Owner, which is located at:

1202 N Main St

Address

Carrollton

City

Texas

State

75006

ZipCode

Phone Number

Project Description

Project described as follows:

Approximately 600 sqft addition over garage and approximately 100 sqft stair case

Plans and Permits:

- All plans, and engineers specs completed and approved by owner
- Permits through city of Grand Prairie

Foundation

- Foundation per engineered plans, including breeze way
- Beams minimum 24" depth reinforced rebar
- Slab rebar 12"OC
- Concrete 3000 psi minimum

Framing

- all framing per plans
- exterior sheathing, ½ osb
- roof to match existing
- tyveck exterior house wrap

Exterior

- new James Hardie siding for addition
- paint to match existing house
- 6 New windows included

Electrical

- Per plans, new separate service included with new meter base and breaker box
- can light, ceiling fans in bedrooms, additional lighting above vanity bath light fixtures not to exceed \$35.00
- bathroom gfi, 11 outlets minimum
- all electric for kitchenette included

Plumbing

- Shower, walk-in, bath tub optional

Tola and Son Construction
(Formerly Super Siding and Remodeling Company)
5308 Ft Concho Dr
Ft Worth Texas 76137
972-537-7857

Construction Contract

- vanity per plans
- toilet included
- kitchen sink and washer hookup
- 40 gallon water heater

HVAC

- by owner

Kitchenette

- Includes stove, microwave hookups.
- Cabinets, builder grade
- countertops included at builder grade

Insulation

- per plans, blow in for attic, fiberglass in walls

Drywall

- Hang all drywall, in bath use hardie backer in wet areas
- tape bed texture and paint(2 colors)

Trim and Tile

- bath tile on floors, wainscot on walls, and shower tile cost not to exceed \$2.50 sqft
- Trim per owner choice, not to exceed \$0.69 linear foot
- interior doors to match existing house doors as close as possible
- paint all trim

Floors

- floors up to \$6.00 sqft

All clean up included.

Approximately 8-12 weeks for completion

Contract Price

In addition to any other changes specified in the agreement, Owner agrees to pay Contractor: \$78,475.00
This price is subject to change based on final plans

Owner will pay to Contractor the contract price as follows:

- Draw 1: plans cost on acceptance \$4000.00 (1/2 on acceptance, 1/2 permit complete)
- Draw 2: on foundation start 1/4 balance (\$18,618.75)
- Draw 3: Framing in start 1/4 balance(\$18,618.75)
- Draw 4: trades start 1/4 Balance(\$18,618.75)
- Draw 5: Final draw, all remaining balance(\$18,618.75)

Contractor will submit a request for final payment to Owner when the work has been completed in compliance with the Contract Documents. Payments due and not paid under the Contract documents shall bear interest from the payment date is due at the rate of 1.5% per month

Scheduled start of construction

Work under the agreement will begin on or about to be determined based on plan and permit process. Completion to be no later than _____.

Scheduled Completion of construction Work under this agreement will be completed in a reasonable time consistent with the schedule of the contractor and Owner. If completion of the work is delayed unreasonably at no fault of the Contractor, Contractor



Residential Account #14081500100030000

Location Owner Legal Desc Value Main Improvement Additional Improvements Land Exemptions
Estimated Taxes History

Property Location (Current 2020)

Address: 1202 N MAIN ST
Neighborhood: 5ASE01
Mapsc0: 12-C (DALLAS)

Board of Adjustment

DCAD Property Map

2020 Current Appraisal Notice

20-4850

Electronic Documents (ENS)

Owner (Current 2020)

REYNA BELINDA
1202 N MAIN ST
CARROLLTON, TEXAS 750066210

Multi-Owner (Current 2020)

Owner Name	Ownership %
REYNA BELINDA	100%

Legal Desc (Current 2020)

- 1: NEW CARROLLTON
- 2: BLK 10 LTS 3 & 4
- 3: AKA A W PERRY 1 LOC ON OT SH 5
- 4: INT201300080158 DD11192012 CO-DC
- 5: 0815001000300 2CC08150010

Deed Transfer Date: 3/15/2013

Value

2020 Proposed Values	
Improvement:	\$18,570
Land:	+ \$23,750
Market Value:	= \$42,320
Revaluation Year:	2019
Previous Revaluation Year:	2016

ATTACHMENT F

Main Improvement (Current 2020)

Building Class	02	Construction Type	FRAME	# Baths (Full/Half)	1/ 0
Year Built	1929	Foundation	POST	# Kitchens	1
Effective Year Built	1929	Roof Type	GABLE	# Bedrooms	2
Actual Age	91 years	Roof Material	COMP SHINGLES	# Wet Bars	0
Desirability	FAIR	Fence Type	WOOD	# Fireplaces	0
Living Area	688 sqft	Ext. Wall Material	FRAME, ASBESTOS SHINGLES	Sprinkler (Y/N)	N
Total Area	688 sqft	Basement	NONE	Deck (Y/N)	N
% Complete	100%	Heating	GAS HEATERS	Spa (Y/N)	N
# Stories	ONE STORY	Air Condition	WINDOW	Pool (Y/N)	N
Depreciation	60%			Sauna (Y/N)	N

ATTACHMENT F

Additional Improvements (Current 2020)

No Additional Improvements.

Land (2020 Proposed Values)

#	State Code	Zoning	Frontage (ft)	Depth (ft)	Area	Pricing Method	Unit Price	Market Adjustment	Adjusted Price	Ag Land
1	SINGLE FAMILY RESIDENCES	HEAVY COMMERCIAL	0	0	5,000.0000 SQUARE FEET	STANDARD	\$4.75	0%	\$23,750	N

* All Exemption information reflects 2020 Proposed Values. *

Exemptions (2020 Proposed Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	CARROLLTON	CARROLLTON-FARMERS BRANCH ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
HOMESTEAD EXEMPTION	\$8,464	\$25,000	\$8,464	\$8,464	\$8,464	\$0
Taxable Value	\$33,856	\$17,320	\$33,856	\$33,856	\$33,856	\$0

Exemption Details

Estimated Taxes (2020 Proposed Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	CARROLLTON	CARROLLTON-FARMERS BRANCH ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
Tax Rate per \$100	\$0.58997	\$1.26835	\$0.2531	\$0.124	\$0.2695	N/A
Taxable Value	\$33,856	\$17,320	\$33,856	\$33,856	\$33,856	\$0
Estimated Taxes	\$199.74	\$219.68	\$85.69	\$41.98	\$91.24	N/A
Tax Ceiling	N/A	N/A	N/A	N/A	N/A	N/A
Total Estimated Taxes:						\$638.33

DO NOT PAY TAXES BASED ON THESE ESTIMATED TAXES. You will receive an **official tax bill** from the appropriate agency when they are prepared. Please note that if there is an Over65 or Disabled Person **Tax Ceiling** displayed above, **it is NOT reflected** in the Total Estimated Taxes calculation provided. Taxes are collected by the agency sending you the **official** tax bill. To see a listing of agencies that collect taxes for your property. [Click Here](#)

The estimated taxes are provided as a courtesy and should not be relied upon in making financial or other decisions. The Dallas Central Appraisal District (DCAD) does not control the tax rate nor the amount of the taxes, as that is the responsibility of each Taxing Jurisdiction. Questions about your taxes should be directed to the appropriate taxing jurisdiction. We cannot assist you in these matters. These tax estimates are calculated by using the most current certified taxable value multiplied by the most current tax rate. **It does not take into account other special or unique tax scenarios, like a tax ceiling, etc.** If you wish to calculate taxes yourself, you may use the Tax Calculator to assist you.

History

History

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ATTACHMENT F