



MINUTES
BUILDING AND STANDARDS COMMISSION
SEPTEMBER 10, 1998
4:00

Members Present: Thomas Robinson, Donna Doty, Jim Goldsworthy, Van Knight
Members Absent: Jan Russell, Lee Birkhead, Bill Sullivant
Staff Present: Roy Lewis,
Visitors: List

Jan Russell did not attend this meeting so she will have to be sworn in at one of the up coming meetings.
Call the public hearing to order at 4:15 p.m.

Approval of the minutes: Mr. Robinson stated that we now have a quorum and after reviewing the minutes, do we have a motion to accept them as they are?

Jim Glodsworthy made a motion that we accept the minutes. Second was made by Van Knight.

Approved: YES **Rejected:** _____

The Chairman, Thomas Robinson stated we would like to welcome all guest that are here to represent the properties, and to have you testify we need to have you sworn in, so, please raise your right and I will swear you in at this time. We also need to have you sign in when you come up front to testify. Do you swear to tell the truth the whole truth and nothing but the truth so help you God? All replied Yes. Moving right along.

The first item of business was the consideration and to vote on the determination of the Building Official regarding the Substandard condition of a structure located at 1406 Anthony.

After being sworn in Roy Lewis will give testimony regarding the case before the Board. I have some pictures that I would like to enter in as evidence. As you can see the main structure is in good shape but in the rear of the house there is an old shed or patio or something that was added on to it that has clasped and we are wanting an order to either remove it or repair it. Mr. Bennett is here to speak for himself.

The owner of the property, Mrs. Robinett Bennett, after being sworn in at the beginning of the meeting approached the Board to testify. She commented as follows. I do own the property at 1406 Anthony, that shed was built on when the building was built and we do have plans to fix the place up. It has been mainly used for storage, my son keeps most of his equipment stored there.

Mr. Robinson asked Mr. Lewis, the main thing your interested in, is the shed out back? The main structure is in good condition is that correct?

Mr. Bennett stated that he would have to take down the whole shed and re-build it and that would take quit a bit of time.

Mr. Robinson asked Mr. Bennett what would be adequate time for you to get the place taken care of?

Mr. Bennett replied that he had talked with the Judge and since I had been given 30 days he would give me another 30 days until the meeting and then he would give me a year after that.

Ms. Bennett stated that he has been working on it just as long as he can and then it would get to hot for him.

Mr. Robinson stated that he has noticed that the place has been cleaned up some. Also just to let the other Board Members know that if the gate was repaired it would then be secured and we might be able to give him more time to work on the place.

Mr. Goldsworthy asked how long do you think it would take you to get the gates built? Do you have any idea?

Mr. Bennett replied it would probably take me at least two weeks to get the stuff together and to get the gates put up, but it would take a lot longer than that to get the rest of it cleaned up.

Mr. Goldsworthy asked does he have to get a permit to do this?

Mr. Lewis replied he will have to get a demolition permit.

Mr. Goldsworthy asked how long are those good for?

Mr. Lewis replied what ever the Board determines.

Mr. Robinson stated the demolition is not really the problem as much as putting it back will be.

Mr. Bennett stated that once I get the gates up that will keep the people from seeing it and keep them out of the building.

Ms. Williams stated you do understand that is completely different from what is done here? He is talking about Judge Mannis and there are two enforcement methods with this kind of case. One is to file criminal charges in the courts for violation of the ordinance and that is when the police Officers would be in charge of the clean up, which they have done. Now the Judge does have some authority in that. Now that is not about the building it's self that is only about the area. The building it's self has nothing to do with the nuisance ordinance. So this building is really separate.

Mr. Robinson stated so all we are interested in is the building out back. So what we would request is that with in 60 days that the shed be removed.

Mr. Goldsworthy made a motion to give him 30 days to get the gates and the fence up and secured 90 days to remove the shed. Second was made by Mr. Knight. Ayes: Doty, Knight, Goldsworthy and Robinson. Nays: None. Absent: Jan Russell, Bill Sullivant, Lee Birkhead. Abstentions: None.

The Second item of business is to consider and to vote on the determination of the Building Official regarding the Substandard condition of a structure located at 503 N. Commerce.

Mr. Robinson stated with this property we have been contacted by Mr. Mac Barnheart and the gentleman that owns this property a Mr. Morris, and Mr. Barnheart advised him to not come to this meeting. They plan to as soon as possible to do the repairs and Mr. Barnheart asked for a 60 day contentious so they will have time to get funds and do the repairs to the property.

Mr. Knight made a motion to give them the 60 days to start something on the repairs.

Mr. Robinson stated basically Roy said it was mainly the front porch.

Mr. Lewis replied that is correct, it is braced up by two-by-fours and we have received two or three complaints on this property, so I had to bring it to you.

Mr. Robinson stated Mr. Burnheart contacted him and stated that they were trying to get the funds so the work could be done. Mr. Morris is on a pretty tight budget and he does plan on making the repairs to the porch.

Ms. Williams stated I believe the standard 90 days would be probably be the best thing.

Mr. Lewis stated that he had talked to Mr. Morris and he had stated that he was on some kind of fixed income.

Mr. Lewis stated the complaints that he has received have only been about the front porch.

Mr. Goldsworthy made motion for 90 days for substantial improvements on the front porch and with the option for the owner to come back before the Board prior to the 90 days expiring if need be. Second was made by Van Knight. Ayes: Doty, Knight, Robinson and Goldsworthy. Nays: None. Absent: Sullivant, Birkhead and Russell. Abstentions: None.

The Third item of business is to consider and to vote on the determination of the Building Official regarding the Substandard condition of a structure located at 501 N. Dixon st.

Mr. Lewis stated they came and got a permit for that, so you can go on to the next case.

The Fourth item of business was consideration and vote on the determination of the Building Official regarding the Substandard condition of a structure located at 913 Field St.

Mr. Robinson stated that it shows 915 on the mail box. Do you have any input on this property Roy.

Mr. Lewis replied yes I do. I received a complaint on this while I was investigate a another property so I went over to look at it. I'll pass some pictures around. Part of the foundation is deteriorated and some of the windows are knocked out and one of the upstairs windows and gables is gone where water can get in the house and it has just started to deteriorate. The basic structure is probably sound but someone would have to put some money into it. One of the rooms the ceiling is falling in, I didn't go through the whole house. It was secured except for one door.

Mr. Robinson asked is there anyone here to represent this property? You came in after the start of the meeting so you will have to sworn in. So, please raise your right hand. Do you swear to tell the truth the whole truth and nothing but the truth so help you God. Also, please sign the visitors list. If you would state your name for the record, my name is Jon Needham.

Mr. Robinson stated after looking at the pictures what would be your intentions regarding this house. What kind of improvements would you like to make to the property? Keeping it secure and not letting it totally disintegrate.

Mr. Needham replied will the City come in a demolish it for me?

Mr. Robinson replied yes they will but there is a charge for them doing that for you. Right now the estimate coast for the City to do that is around \$ 5,000.00 dollars. The actual coast would be determined by how many hours they put in and how many trips they would have to make to haul off the debris.

Mr. Needham replied would they let me pay so much a month on that.

Mr. Robinson stated that property may be one that someone would want to buy. Now I'm not sure as to how much is owed in back taxes. Now the main structure looks like it might be saved, someone might want to buy this and fix it up as a rent house. We want to keep property in Gainesville clean and safe and at the same time we don't want to destroy it if we don't have to.

Mr. Needham replied my mother used to live there and she is now in the Gainesville Convalescent Center now.

Mr. Goldsworthy stated if you could get rid of that property for a value, you don't have and desire to fix it up as a rent house?

Mr. Needham replied no because I don't have the money and I don't know if the bank would loan me enough on that property. It would probably take anywhere from 10 to 15 thousand to fix it up.

Ms. Doty made motion that we could do just the regular 90 day order, which is to repair or demolish within 90 days and to have a Les Pendens filed on the property in case it does sell. That should give you time to contact some of the real-estate companies here in town and see if anyone would be interested in buying the property. You can always come back to us with a progress report on the property within that time limit. Second was made by Mr. Knight. Ayes: Robinson, Goldsworthy, Doty, and Knight. Nays: None. Absent: Russell, Birkhead, Sullivant. Abstentions: None.

The Fifth item of business consider and vote on the determination of the Building Official regarding the Substandard condition of a structure located at 1416 Lanus St.

Mr. Lewis stated this property sold and the new owners are remodeling it so we can go on to the next case.

The Sixth item of business Consider and vote on the determination of the Building Official regarding the Substandard condition of a structure located at 814 Myrtle St.

Mr. Lewis stated this property was involved in a structure fire a couple of months ago I guess. I had talked to the owner one day and she said at that time she wanted it demolished and move in another house or build one or something.

Mr. Robinson asked, is there anyone here to represent this property? It is pretty evident that this is a totaled house.

Mr. Goldsworthy made the motion of item one, the owner to remove, demolish or repair within 30 days from the receipt of this order. Second was made by Mr. Knight. Ayes: Doty, Robinson, Goldsworthy and Knight. Nays: None. Absent: Russell, Birkhead, Sullivant. Abstentions: None.

The Seventh item of business Consider and vote on the determination of the Building Official regarding the Substandard condition of a structure located at 408 W. Scott.

Mr. Lewis stated it has turned up that there are two property owners, so I am requesting this one to be put off until I can get the correct information.

Mr. Robinson stated that will be okay.

The Eighth item of business Consider and vote on the determination of the Building Official regarding the Substandard condition of a structure located at 404 N. Weaver St.

Mr. Lewis stated let me show these pictures to Nancy right quick and then I will pass them around for the Board members to look at. The structure was secured so I did not go inside, but from the outside it looks like it needs a roof and painting and some windows and maybe some foundation work done on the place.

Mr. Robinson asked do we have anyone here to represent this property? The property of record shows to be G. H. Jones, Jr. Do we have any indication that the owner was notified.

Mr. Lewis replied no as I do not have the card back yet.

Mr. Robinson stated that we do not show at this time that the owner has received the notice or not.

Mr. Lewis stated we have been sending out 5 or 7 day returns on those and maybe the post office did not notice it or something.

Mr. Robinson asked, do we need to table this one for thirty days or until the next meeting, until we can verify the owner has been notified.

Mr. Robinson made motion that this case should be tabled for thirty days or until the next meeting. Second was made by Mr. Glodsworthy. Ayes: Doty, Robinson, Goldsworthy and Knight. Nays: None. Absent: Russell, Birkhead, Sullivant. Abstentions: None.

The Ninth item of business Consider and vote on the determination of the Building Official regarding the Substandard condition of a structure located at 706 Hall St.

Mr. Lewis stated this place has been known as 606 Hall for years and years, however by the City plat there is some error there, because it should be in the 700 block. This was before the Board a couple of meetings back and there had been a death in the family or some considerations that had it tabled it for a certain amount of time. Since then they have secured the building and cleaned up around the

place.

Mr. Robinson stated that evidently your intentions are to do repairs and clean up.

Ms. Harrison replied that is correct.

Mr. Robinson asked, are you Deloris Harrison?

Ms. Harrison replied that is correct.

Mr. Robinson asked what would be a fair time for you to do all this work?

Ms. Harrison replied what kind of time do you allow?

Mr. Robinson asked, what kind of recommendation would the Board make at this time?

Mr. Lewis stated you can either dismiss the case or set a time limit.

Ms. Williams stated, in the past you have set it for review in three months and that way you can be kept up to date on the progress of the work being done on the property. It can be brought back up at the next meeting, if you would like.

Ms. Doty made motion that a permit should be pulled within 30 days and repair, demolish or removal be done within 6 months. Second was made by Mr. Goldsworthy. Ayes: Goldsworthy, Doty, Knight, Robinson. Nays: None. Absent: Russell, Birkhead, Sullivant. Abstentions: None.

The Tenth item of business Consider and vote on the determination of the Building Official regarding the Substandard condition of a structure located at 911 Field ST.

Mr. Lewis stated that this one had been on the last meeting and I knew it had been sold and I could not locate the new owner at that time, and Mr. Milam is here to represent it now he is the new owner. He wants to finish the repairs that where started on the place.

Mr. Milam stated what I really want to do is change it over from a home into a storage shed.

Mr. Lewis stated this property is zoned commercial by the way.

Mr. Milam stated is there not any way to let the new owners of property know that there might be a judgement filed against a property.

Mr. Goldsworthy replied yes there is if a Les Pendens has been filed against a property.

Mr. Lewis stated that someone must have over looked the one on this property over in the

courthouse. These kind of things are kept in the basement of the courthouse.

Mr. Milam stated that he had gone over to the appraisal office to check on the back taxes that might have been owed on the property before I bought the place.

Ms. Doty stated that the previous owner had been told the last time he was here that if he needed more time that he could come back and talk to us about it if need be.

Ms. Williams stated the thing about the Les Pendens is that it is a formal document that is filed in the deed records of this county. Unless you have a title search done or you search through the records it is not going to show up in the tax office. But that is the only legal way for us to inform the someone or giving them notice that there is this.

Mr. Goldsworthy stated that it is not our intent to demolish houses by any means but to see that there are repaired and kept in good condition.

Mr. Milam asked, by what authority do you have to set time limits on people to do repairs or demolition on there on property?

Ms. Williams replied, the State Law. It's the local government code. Yes there are other people out there that fills the way you do, but the obligation of this groups is to protect the other Citizens of the Community. I think this group has been very fair to all as long as the property is not so dangerous that someone could get hurt.

Ms. Doty stated that if someone has things to come up all the owner has to do is come to us and let us know that they need more time. We do give people more time, because we do want them to fix up the property, we don't want the buildings demolished.

Mr. Goldsworthy made motion to get permit and finish repairs within 6 months. Second was made by Mr. Knight. Ayes: Doty, Robinson, Goldsworthy, Knight. Nays: None. Absent: Russell, Birkhead, Sullivant. Abstentions: None.

The Eleventh item of business Consider and vote on the determination of the Building Official regarding the Substandard condition of a structure located at 524 N. Weaver St.

Mr. Lewis stated that this is a case from the last meeting and I don't know if you recall it or not it is a rent house that Rev. Tucker wanted demolished and we discovered that there was a an error in notification so we wanted to bring it back and make sure that we had it right.

Mr. Robinson stated, yes this is the house that we talked with him, that it was fairly deteriorated on the inside.

Mr. Lewis stated it has a lot rotted wood on the inside, I did walk through it with him. In fact when

you get up close to it the window seals are rotted out and everything.

Ms. Waner stated that she is a member of the Rev.'s church.

Mr. Robinson asked is the church the ones that is wanting to help get something done and try to do some repairs.

Mr. Goldsworthy stated the last time that Rev. Tucker was here he wanted the building taken down.

Mr. Robinson asked does the church own the property and if so can you bring proof of that fact at the next meeting?

Mr. Knight stated what we would need is, that at your next church meeting have the deacons sign a document stating that they want us to give them 6 months to repair, and a copy of the minutes stating that the church does not want the house demolished.

Ms. Williams stated we could go a head and give them 6 months order to complete the repairs on the house.

Ms. Doty asked, Roy it was my understanding that there is a family still living what can we do about that? If anything?

Mr. Lewis replied we could give them 60 days to have the floors repaired for safety reasons. The floors in the front or maybe it was the back room, but it was pretty weak, I'm not sure at this time. All the other stuff is mainly weather proofing, window frames, door frames and replacing rotted wood on the porch, that sort of thing.

Mr. Robinson stated what we are talking about there is giving you less time to repair the floors and a remaining time of 6 months to complete the rest of the house.

Ms. Doty asked should we give them 30 or 60 days to repair the floors? How bad are the floors?

Mr. Lewis replied the rooms I went through, the floors didn't try to give way they were just getting soft. I would think 60 days should be enough time.

Ms. Doty asked, do you think 60 days would give you enough time to get the floors fixed and 6 months to get the rest of the house completed? Our most concern is for the safety of the people that live there at this time.

Ms. Doty made motion # 3 that they repair and obtain all the required permits and repair the unsafe floors with in 60 days and then complete all repairs or demolish within 6 months. Second was made by Mr. Knight. Ayes: Doty, Knight, Robinson and Goldsworthy. Nays: None. Absent: Russell,

Birkhead, Sullivant. Abstentions: None.

Twelfth item of business Consider and vote on the determination of the Building Official on the Substandard structure located at 528 N. Weaver.

Mr. Lewis stated this structure was involved in a structure fire, probably close to a year ago. Rev. Tucker had a permit on it to repair and it expired and that is why we are considering the case.

Mr. Robinson stated this property may not belong to the church.

Mr. Goldsworthy stated the property of record is Rev. C. Tucker old Mt. Olive Baptist church.

Mr. Lewis stated you can table this until the next meeting if you would like to do so, we can check further if you would like?

Ms. Doty asked, the last time Rev. Tucker was here what did he want to do with the property at that time?

Mr. Lewis replied back in January or February he got a remodel permit for it, right after or soon after the fire. They did clean up some but did not do the remodel and this permit expired.

Ms. Doty asked is it still open like it is here.

Mr. Lewis replied pretty much. This one has never been before the Board. It has never even made it to the agenda since last January.

Mr. Knight made a motion that he be given 30 days to pull permit and 90 days to complete the job. Second was made by Ms. Doty. Ayes: Goldsworthy, Robinson, Knight and Doty. Nays: None. Absent: Russell, Sullivant and Birkhead. Abstentions: None.

The Thirteenth item of business Consider and vote on the determination of the Building Official on the Substandard structure located at Whispering Hills, Moss Lake.

Mr. Lewis stated this property is the one that belongs to the City of Gainesville.

Ms. Doty asked, can you testify against your self or what?

Mr. Lewis stated if you look at the pictures you will understand I'm pretty sure that kids are going in there and doing drugs of some kind. The house is standing wide open.

Ms. Doty made a motion that we table this until the next meeting and at that time have a City Rep. to make proposal at that time. Second was made by Mr. Knight. Ayes: Knight, Doty, Robinson, Goldsworthy. Nays: None. Absent: Russell, Sullivant, Birkhead. Abstentions: None.

Meeting adjourned: 5:40 p.m.