



AGENDA
BOARD OF APPEALS
REGULAR MEETING
7105 WHITLEY ROAD, WATAUGA, TEXAS 76148
THURSDAY, JANUARY 23, 2025
6:00 PM

CALL TO ORDER

ROLL CALL

ANNOUNCEMENTS

PRESENTATIONS

1. Oath of Office - Statement of Officer

REPORTS

1. Staff update regarding the implementation of the Building Standards Commission.
2. Staff update regarding substandard structures.

PUBLIC COMMENT This is an opportunity for citizens to address the Council on items not posted on the current meeting agenda. Only those who have submitted a proper "Request to Speak Form" shall be permitted to speak. Citizens should provide their name and address for the record and will have no more than 3 minutes to speak. If representing an organization or group, the speaker should identify who they represent. Those wishing to speak are reminded 1). All comments are to be directed to the Council. 2) Be respectful of others. 3) No profanity permitted. 4) Violators will be removed from the premises. No discussion by the Council or Staff is allowed except to correct factual inaccuracies or request that the item be placed on a future agenda.

PUBLIC TESTIMONY FOR ACTION ITEMS This is an opportunity for citizens to address the Council on current agenda action items (excludes presentations and reports). Only those persons who have submitted a proper "Request to Speak Form" will be allowed to speak. Citizens will be required to state their name and address for the record. They have up to 3 minutes to speak, and their comments must be germane to the item. If speaking for an organization or group, the speaker should identify the group represented. Council members may ask questions or discuss the item with the citizens directly.

PUBLIC HEARINGS

1. **BSC.24-02645:** Conduct a Public Hearing for consideration of a request of the Environmental Services Sergeant to declare structures on the following property to be unsafe and to order the same to be vacated, repaired, secured, demolished, and/or shut off utilities:

Record Owner: Estate of Jack W Knight and Martha Knight
Legal Description: Block 11 Lot 1 Browning Heights North
Jeannette Garcia, Planner I

ACTION ITEMS

1. Consider action to approve the meeting minutes of the September 28, 2021 meeting of the Board of Appeals.
Jeannette Garcia, Planner I
2. Discussion and action on selection of Chairperson, Vice-Chairperson and Secretary.
Jeannette Garcia, Planner I
3. **BSC.24-02645:** Consideration of a request of the Environmental Services Sergeant to declare structures on the following property to be unsafe and to order the same to be vacated, repaired, secured, demolished, and/or shut off utilities:

Address: 5900 Dunson Drive, Watauga TX 76148
Record Owner: Estate of Jack W Knight
Legal Description: Block 11 Lot 1 Browning Heights North
Jeannette Garcia, Planner I

ADJOURNMENT

NOTICE

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (817) 514-5825, OR FAX (817) 514-3625 FOR FURTHER INFORMATION.

I, Linda Proskey, City Secretary for the City of Watauga, hereby certify that this agenda was posted on the bulletin boards at City Hall, 7105 Whitley Road, Watauga, Texas, on January 20, 2025, before 6:00 p.m., in accordance with Chapter 551 of the Texas Government Code.

/S/ Linda Proskey
City Secretary





AGENDA MEMORANDUM

DATE: January 6, 2025
TO: Board of Appeals Members
FROM: Jeannette Garcia, Planner I
SUBJECT: Oath of Office - Statement of Officer

BACKGROUND/INFORMATION:

The Oath of Office will be given to the members of the Board of Appeals/Building Standards Commission that have been appointed to serve.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

This item does not require a recommendation as it is a presentation/report.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

None

REVIEWED BY:

Randy Richards, CFM, Assistant Director of Public Works	Approved - 1/15/2025
Paul Hackleman, Director of Public Works	Approved - 1/15/2025
Sandra Gibson, Interim City Manager and Director of Finance	Approved - 1/15/2025
Linda Proskey, City Secretary	Final Approval - 1/17/2025

Approved as to form for inclusion on Agenda



AGENDA MEMORANDUM

DATE: January 6, 2025
TO: Board of Appeals Members
FROM: Jeannette Garcia, Planner I
SUBJECT: Staff update regarding the implementation of the Building Standards Commission.

BACKGROUND/INFORMATION:

The City Council of the City of Watauga adopted Ordinance No. 2024-023 amending the Code of Ordinances, City of Watauga, Texas, by amending Division 4 ("Board of Appeals") of Chapter 2 ("Administration") to amend Section 2.101 and adopt a new section 2.106, authorizing the Board of Appeals to serve as a Building Standards Commission.

The Board of Appeals is established for the purpose of providing a review process for determination of certain city officials made pursuant to the technical codes adopted and amended by the city. The Board of Appeals shall have the power to hear and decide appeals of orders, decisions or determinations made by the city's building official and fire code official regarding the application or interpretation of the technical codes adopted and amended in chapters 14 and 103 of the City of Watauga Code of Ordinances.

Members of the Board of Appeals are not required to be residents of the City of Watauga. To the extent reasonably possible, members appointed to this board shall have training or experience in matters relating to building construction, fire hazards, explosions, hazardous conditions and fire protection systems. The Council has appointed members to serve on the BOA/Building Standards Commission to decide matters by State law regarding substandard structures and other matters, in the best interest of the public health, safety and welfare, and of the citizens of the City.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

This item does not require a recommendation as it is a presentation/report.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Subpart A - Chapter 2 - Administration; Division 4 - Board of Appeals
2. Amending Ordinance 2024-023 - Board of Appeals-Rules and Regulations

REVIEWED BY:



AGENDA MEMORANDUM

Danielle Bannick, Sergeant	Approved - 1/15/2025
Randy Richards, CFM, Assistant Director of Public Works	Approved - 1/18/2025
Paul Hackleman, Director of Public Works	Approved - 1/20/2025
Robert Parker, Police Chief	Approved - 1/20/2025
Sandra Gibson, Interim City Manager and Director of Finance	Approved - 1/20/2025
Linda Proskey, City Secretary	Final Approval - 1/20/2025
<i>Approved as to form for inclusion on Agenda</i>	

DIVISION 4. BOARD OF APPEALS

Sec. 2-101. Creation; purposes; powers; duties.

There is hereby created for the city the "board of appeals." The board of appeals is established for the purpose of providing a review process for determinations of certain city officials made pursuant to the technical codes adopted and amended by the city. The board of appeals shall have the power to hear and decide appeals of orders, decisions or determinations made by the city's building official and fire code official regarding the application or interpretation of the technical codes adopted and amended in chapters 14 and 103 of this Code.

(Ord. No. 2021-030, § II(Exh. A), 8-23-2021; Ord. No. 2021-038, § II(Exh. A), 8-23-2021)

Sec. 2-102. Composition; appointment of members; terms of office.

- (a) The board of appeals shall consist of five voting members. The mayor, subject to the approval and consent of the city council, shall appoint members to the board of appeals. All vacancies occurring in the membership of the board of appeals shall be filled by appointment of the mayor, with approval and consent of the city council, for the length of the unexpired term.
- (b) Members of the board of appeals are not required to be residents of the City of Watauga.
- (c) To the extent reasonably possible, members appointed to the board of appeals shall have sufficient training or experience in matters relating to building construction, fire hazards, explosions, hazardous conditions and fire protection systems.
- (d) Places 1, 3 and 5 on the board of appeals shall have two-year terms that expire on August 31 of odd-numbered years. Places 2 and 4 on the board of appeals shall have two-year terms that expire on August 31 of even-numbered years.
- (e) The city's building official and fire code official shall be ex officio members of the board of appeals and shall not vote on any matters before the board of appeals.

(Ord. No. 2021-030, § II(Exh. A), 8-23-2021; Ord. No. 2021-038, § II(Exh. A), 8-23-2021)

Sec. 2-103. Officers.

- (a) The officers of the board of appeals shall be a chairperson, vice-chairperson and a secretary. The officers shall be selected from the voting members of the board of appeals; however, the city secretary may be appointed as the secretary. The chairperson shall be permitted to vote on all issues coming before the board of appeals.
- (b) At its first meeting occurring in or after September of each year, the membership of the board of appeals shall determine by a majority vote the chairperson, vice-chairperson and secretary. Officers shall serve until the first meeting on or after September 1 of the following year.
- (c) Vacancies that occur in office are to be filled as follows:

-
- (1) In the event of a vacancy of the chairperson, the vice-chairperson shall become the chair for the unexpired portion of the term, provided the vice-chairperson position is filled. If the vice-chairperson position is not filled at the time of a vacancy or incapacity of the chairperson, then the chairperson position shall be filled in accordance with subsection 2-103(c)(2).
 - (2) Vacancies that occur in the other offices shall be filled for the unexpired term by majority vote of the remaining board of appeals members.
- (d) Duties of the officers shall be as follows:
- (1) Chairperson.
 - a. Preside at all meetings.
 - b. Schedule meetings.
 - c. Provide an agenda for each meeting to the city secretary no less than 14 days prior to any meeting.
 - (2) Vice-chairperson.
 - a. Assist the chairperson in directing the affairs of the board of appeals.
 - b. Act in the chairperson's absence.
 - (3) Secretary.
 - a. Ensure the accuracy of the minutes of the board of appeal's meetings.
 - b. Create, sign and maintain the minutes of the board of appeals' meetings.
 - c. Provide a copy of the minutes to the city secretary within three working days following any meeting, reflecting the vote, abstention or absence of each member.
 - d. Provide notifications of hearings, as described herein.

(Ord. No. 2021-030, § II(Exh. A), 8-23-2021; Ord. No. 2021-038, § II(Exh. A), 8-23-2021)

Sec. 2-104. Meetings.

The chairperson shall establish the date and time for each meeting upon notification of an appeal to the board of appeals. A quorum shall consist of three voting members of the board of appeals and shall be required to conduct official business. All meetings shall be open to the public and shall be conducted in accordance with V.T.C.A., Government Code ch. 551, the Open Meetings Act, as amended.

(Ord. No. 2021-030, § II(Exh. A), 8-23-2021; Ord. No. 2021-038, § II(Exh. A), 8-23-2021)

Sec. 2-105. Appeals.

- (a) Any person who is affected by a decision of the building official or fire code official may appeal an application or interpretation of the substantive provisions of the applicable technical codes or the denial of a permit by the building official or fire code official. An appeal must be based on a claim that the applicable code was improperly interpreted, the provisions of the applicable code do not fully apply, or an equivalent method of construction or protection exists.
- (b) An appeal must be filed in writing with the city secretary. The notice of appeal shall be filed within ten business days after any decision or interpretation is made or a permit is denied. A nonrefundable fee in the

amount set forth in the schedule of fees in chapter 12 of this Code shall be delivered to the city secretary at the time of filing the appeal.

- (c) Appeals shall be placed on an agenda of the board of appeals for a hearing. The secretary shall notify all necessary parties of the date, time and location of the hearing. Parties may appear before the board of appeals in person or through counsel.
- (d) A decision by the building official or fire code official shall remain in full effect pending the final decision of the board of appeals.
- (e) The building official and fire code official shall transmit to the board of appeals all records and data in the city's possession that is relevant to the appeal. The board of appeals may require such additional data, tests or expert professionals as it deems necessary to render a decision.
- (f) A majority vote of a quorum of the board of appeals is required to overturn or modify a decision of the building official or fire code official. The board of appeals shall have no authority to waive any provisions contained in the codes but may determine that a provision contained in the codes does not apply or that an equivalent method of construction or protection is suitable. The building official and fire code official shall enforce and execute all decisions and orders of the board of appeals.
- (g) Each decision of the board of appeals shall be in writing, signed by the members rendering the decision and maintained in the office of the city secretary.

(Ord. No. 2021-030, § II(Exh. A), 8-23-2021; Ord. No. 2021-038, § II(Exh. A), 8-23-2021)

Secs. 2-106—2-130. Reserved.

ORDINANCE NO. 2024_023

AN ORDINANCE OF THE CITY OF WATAUGA, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF WATAUGA, TEXAS, BY AMENDING DIVISION 4 (“BOARD OF APPEALS”) OF ARTICLE III (“BOARDS AND COMMISSIONS”) OF CHAPTER 2 (“ADMINISTRATION”) TO AMEND SECTION 2-101 AND ADOPT A NEW SECTION 2-106, AUTHORIZING THE BOARD OF APPEALS TO SERVE AS A BUILDING STANDARDS COMMISSION; PROVIDING FOR POWERS AND DUTIES OF THE BOARD WHEN SITTING AS THE BUILDING STANDARDS COMMISSION; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of Appeals (“Board”) of the City of Watauga has been delegated responsibilities to provide a review process for determinations of decisions and orders of the City’s building official and fire code official pursuant to technical codes adopted by the City; and

WHEREAS, the City Council finds and determines that the members of the Board have the qualifications and expertise needed to serve as members of the Building Standards Commission created herein; and

WHEREAS, the Council finds that a building standards commission should be established as provided for in state law and that the Board of Appeals is best suited to serve as the building and standards commission; and

WHEREAS, the Council finds that the designation of the Board of Appeals as a Building Standards Commission, to hear and decide matters authorized by State law regarding substandard structures and other matters, is in the best interest of the public health, safety and welfare, and of the citizens of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS:

I.

That Division 4 (“Board of Appeals”) of Article III (“Boards and Commissions”) of Chapter 2 (“Administration”) of the Code of Ordinances, City of Watauga, Texas, be and is hereby amended by repealing and replacing Section 2-101 and Section 2-105, such that Sections 2-101 and 2-105 shall read in their entirety as follows:

**“CHAPTER 2
ADMINISTRATION**

...

**ARTICLE II
BOARDS, COMMITTEES, COMMISSIONS**

...

DIVISION 4. BOARD OF APPEALS

Sec. 2-101. - Creation; purposes; powers; duties.

There is hereby created for the city the "board of appeals." The board of appeals is established for the purpose of providing a review process for determinations of certain city officials made pursuant to the technical codes adopted and amended by the city. The board of appeals shall have the power to hear and decide appeals of orders, decisions or determinations made by the city's building official and fire code official regarding the application or interpretation of the technical codes adopted and amended in chapters 14 and 103 of this Code. The board of appeals shall also serve as the building standards commission of the City, which shall exercise the powers and duties set forth in this division. In this division, the term "building standards commission" is synonymous with the term "board of appeals."

...

2.106 – The Building Standards Commission.

- (a) The city hereby implements subchapter C of chapter 54, and subchapter A of chapter 214, as amended, of the Texas Local Government Code by designating the board of appeals to serve as a building standards commission to hear and determine cases involving the alleged violation of city ordinances:
 - (1) for the preservation of public safety, relating to the materials or methods used to construct a building or improvement, including the foundation, structural elements, electrical wiring or apparatus, plumbing and fixtures, entrances, or exits;
 - (2) relating to the fire safety of a building or improvement, including provisions relating to materials, types of construction or design, warning devices, sprinklers or other fire suppression devices, availability of water supply for extinguishing fires, or location, design, or width of entrances or exits;
 - (3) relating to dangerously damaged or deteriorated buildings or improvements;
 - (4) relating to conditions caused by accumulations of refuse, vegetation, or other matter that creates breeding and living places for insects and rodents; and,
 - (5) relating to a building code or to the condition, use, or appearance of property in the city.

- (b) The building standards commission shall have quasi-judicial authority as authorized by the Texas Local Government Code to enforce the health and safety ordinances of the city. The commission may:
 - (1) order the repair, within a fixed period, of buildings found to be in violation of city ordinance;
 - (2) declare a building substandard in accordance with the powers granted by state law;

- (3) order, in an appropriate case, the immediate removal of persons or property found on private property, enter on private property to secure the removal if it is determined that conditions exist on the property that constitute a violation of a city ordinance, and order action to be taken as necessary to remedy, alleviate, or remove any substandard building found to exist;
- (4) issue orders or directives to any peace officer of the state, including a sheriff or constable or the chief of police of the city, to enforce and carry out the lawful orders or directives of the commission; and
- (5) determine the amount and duration of the civil penalty the city may recover against the owner or owner's representative with control over the premises on proof that such party was actually notified of the provisions of the ordinance, and after receiving notice of the ordinance provisions, said party committed acts in violation of the ordinance or failed to take action necessary for compliance with the ordinance, such civil penalty not to exceed \$1,000.00 a day for violation of such ordinance.

(c) Notice.

- (1) Notice of all proceedings before the commission must be given:
 - (i) by personal delivery, by certified mail with return receipt requested, or by delivery by the United States Postal Service using signature confirmation service, to the record owners of the affected property, and each holder of a recorded lien against the affected property, as shown by the records in the office of the county clerk of the county in which the affected property is located if the address of the lienholder can be ascertained from the deed of trust establishing the lien or other applicable instruments on file in the office of the county clerk; and
 - (ii) to all unknown owners, by posting a copy of the notice on the front door of each improvement situated on the affected property or as close to the front door as practicable.
- (2) The notice must be posted and either personally delivered or mailed on or before the 10th day before the date of the hearing before the commission and must state the date, time, and place of the hearing.
- (3) The notice must be published in a newspaper of general circulation or the City's official newspaper on one occasion on or before the 10th day before the date fixed for the hearing.
- (4) The city must exercise due diligence to determine the identity and address of a property owner, lienholder, or registered agent to whom notice must be given. Due diligence includes a search of the following records as applicable:
 - a. real property records of Tarrant County;
 - b. appraisal district records of the Tarrant Appraisal District;
 - c. records of the secretary of state, if the property owner, lienholder, or registered agent is a corporation, partnership, or other business association;
 - d. Tarrant County assumed name records; and
 - e. The city's tax records and utility department records.

- (5) When any notice has been sent according to this section to a property owner, lienholder, or registered agent and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered.
- (d) The commission shall keep minutes of its proceedings showing the vote of each member on each question or the fact that a member is absent or fails to vote. The commission shall keep records of its examinations and other official actions. The minutes and records shall be filed immediately in the office of the commission or city secretary as public records.
- (e) A copy of the final decision of the commission must be mailed by first class mail, certified, return receipt requested, to all persons to whom notice is required to be sent. The commission shall mail such copy promptly after the decision becomes final. In addition, an abbreviated copy shall be published one time in a newspaper of general circulation in the city within ten calendar days after the date of the delivery or mailing of the copy as herein provided, including the street address or legal description of the property; the date of the hearing, a brief statement indicating the results of the order, and an instruction stating where a complete copy of the order may be obtained, and a copy shall be filed in the office of the city secretary.
- (f) A determination by the commission imposing a civil penalty shall be final and binding and constitute prima facie evidence of the penalty in any court of competent jurisdiction in a civil suit brought by the city for final judgment in accordance with the established penalty. The city secretary shall file with the district clerk of the county in which the affected property is situated a certified copy of the order of the commission establishing the amount and duration of the penalty. No other proof is required for a district court to enter final judgment on the penalty.
- (g) Any owner, lienholder, or mortgagee of record jointly or severally aggrieved by any decision of the commission may appeal the decision within 30 days after the board mails its order in accordance with the procedures and rules established by state law by filing in district court a verified petition setting forth that the decision is illegal, in whole or in part, and specifying the grounds of the illegality. If no appeals are taken from the decision of the commission within the required period, the decision of the commission shall, in all things, be final and binding.
- (h) Action taken by the city under this section shall not affect the ability of the city to proceed under the jurisdiction of the city's municipal court.

II.

That all ordinances of the City of Watauga, Texas, in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City of Watauga not in conflict with the provisions of this ordinance shall remain in full force and effect.

III.

That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

IV.

This Ordinance shall become effective and be in full force and effect from and after the date of passage and adoption by the City Council and upon approval thereof by the Mayor of the City of Watauga, Texas and the publication of the hereof as prescribed by law and Charter.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas, the 9 day of Sept, 2024.


APPROVED:

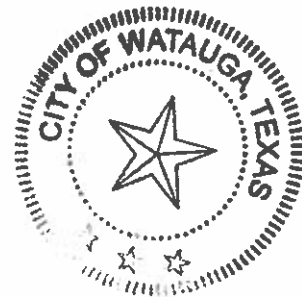

ARTHUR L. MINER, MAYOR

ATTEST:


LINDA PROSKEY, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:


DAVID M. BERMAN, CITY ATTORNEY





AGENDA MEMORANDUM

DATE: January 6, 2025
TO: Board of Appeals Members
FROM: Jeannette Garcia, Planner I
SUBJECT: Staff update regarding substandard structures.

BACKGROUND/INFORMATION:

In June 2024, the Property Maintenance Committee was formed to allow for discussions impacting the community due to health and safety concerns, such as properties that have been involved in fire or other incident that leaves them uninhabitable. The team, comprised of staff members from Administration, Fire, Police-Code Enforcement and the Development Services division, work together to better assist residents who have suffered fire loss or other incidents in hopes that the affected residents can rebuild their home.

At times, substandard properties have been identified in the city, condemned by code enforcement and building inspectors, with demolition orders issued. As some owners have failed to comply with the order, the enforcement steps necessary to carry out the demolition were not taken. City officials have hopes that all property owners will continue ownership protecting their property rights.

The building standards commission will discuss and consider action of the demolition or repair of a structure upon review of the following items: recorded deed or documentation showing interest in the property; building permits or receipt from the City of Watauga showing payment for a permit; a plan of repair specifically detailing the work to be completed and a timeline for completion of the work; a contractor checklist and cost estimate of the repairs, resources available to complete repairs; and photographs of progress of any repair or demolition work being done.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

This item does not require a recommendation as it is a presentation/report.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. COW BOA-BSC Overview presentation

REVIEWED BY:

Danielle Bannick, Sergeant

Approved - 1/15/2025



AGENDA MEMORANDUM

Randy Richards, CFM, Assistant Director of Public Works	Approved - 1/18/2025
Paul Hackleman, Director of Public Works	Approved - 1/20/2025
Robert Parker, Police Chief	Approved - 1/20/2025
Sandra Gibson, Interim City Manager and Director of Finance	Approved - 1/20/2025
Linda Proskey, City Secretary	Final Approval - 1/20/2025
<i>Approved as to form for inclusion on Agenda</i>	

CITY OF WATAUGA

BUILDING STANDARDS COMMISSION OVERVIEW

JANUARY 23, 2025

***DANIELLE BANNICK
ENVIRONMENTAL SERVICES SERGEANT***



INTRODUCTION

Authority

Creation

Purpose & Duties



AUTHORITY

- **Local Gov't Code Ch. 54, Subchapter A, Sec. 54.004.** PRESERVATION OF HEALTH, PROPERTY, GOOD GOVERNMENT, AND ORDER IN HOME-RULE MUNICIPALITY. A home-rule municipality may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants.
- **Local Gov't Code Ch. 54, Subchapter C,** allows for the quasi-judicial enforcement of ordinances related to health and safety through the creation of a Building Standards Commission.
- **Local Gov't Code Ch. 214, Subchapter A,** grants authority to municipalities regarding substandard buildings by allowing the creation of an ordinance establishing minimum building standards, requirements for proper notice to the owner(s), and affording the owner(s) a public hearing to determine if the building complies with the ordinance.
- These sections also lay out how notice shall be given for hearings, how the hearing will be conducted, what orders the Commission may issue, what notices are required after a hearing, and consequences of non-compliance with an order.

CREATION

- For several years, substandard properties in the community have been identified, condemned by code enforcement and building inspectors, and demolition orders had been issued. However, when the owner(s) failed to comply with the order by the deadline, the steps necessary to carry out the demolitions were never taken.
- After conducting some research and meeting with the city attorney about the proper and legal way to address demolitions in our city, we determined a Building Standards Commission needed to be established.
- On 9/9/24, ordinance 2024-023, authorizing the Board of Appeals to serve as a Building Standards Commission, was presented and approved by the Watauga City Council.

PURPOSE & DUTIES

- Conduct public hearings to determine whether structures comply with the minimum standards established by [City of Watauga Code of Ordinances](#).
- City officials and any interested parties will present evidence to the Commission at the hearing.
- Upon consideration of the evidence presented and a majority vote of members, a structure is determined to be substandard. The Commission will consider reasonable means to correct the violations, and issue an order including vacation, securing, repair, removal, or demolition to the interested parties or city as the situation dictates.



THANK YOU

Danielle Bannick

Environmental Service Sergeant

817.514.5879

dbannick@cowtx.org



AGENDA MEMORANDUM

DATE: January 6, 2025

TO: Board of Appeals Members

FROM: Jeannette Garcia, Planner I

SUBJECT: **BSC.24-02645:** Conduct a Public Hearing for consideration of a request of the Environmental Services Sergeant to declare structures on the following property to be unsafe and to order the same to be vacated, repaired, secured, demolished, and/or shut off utilities:

Address: 5900 Dunson Drive, Watauga TX 76148
 Record Owner: Estate of Jack W Knight and Martha Knight
 Legal Description: Block 11 Lot 1 Browning Heights North

BACKGROUND/INFORMATION:

A public hearing will be held to receive comments for or against a request from the Environmental Services Sergeant to declare structures on the subject property to be unsafe and to order the same to be vacated, repaired, secured, demolished, and/or shut off utilities.

Presentation of arguments and any previously submitted evidence may be heard that structure(s) is/are not dangerous or can be made safe. The property owner or authorized representative will be allowed the opportunity to present an argument and any previously submitted evidence, and to rebut and test the city's evidence and argument by cross-examination or other appropriate means.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

Environmental Services respectfully recommends consideration of comments received during the public hearing.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Publishers Affidavit - 010820252_7
2. 5900 Dunson Dr - Sub Standard Checklist
3. COW Staff Report- 5900 Dunson
4. Pre-demolition Asbestos Survey - 5900 Dunson Dr

REVIEWED BY:

Danielle Bannick, Sergeant

Approved - 1/15/2025



AGENDA MEMORANDUM

Randy Richards, CFM, Assistant Director of Public Works	Approved - 1/16/2025
Paul Hackleman, Director of Public Works	Approved - 1/20/2025
Robert Parker, Police Chief	Approved - 1/20/2025
David Berman, City Attorney	Approved - 1/20/2025
Sandra Gibson, Interim City Manager and Director of Finance	Approved - 1/20/2025
Linda Proskey, City Secretary	Final Approval - 1/20/2025
<i>Approved as to form for inclusion on Agenda</i>	



The Beaufort Gazette
 The Belleville News-Democrat
 Bellingham Herald
 Centre Daily Times
 Sun Herald
 Idaho Statesman
 Bradenton Herald
 The Charlotte Observer
 The State
 Ledger-Enquirer

Durham | The Herald-Sun
 Fort Worth Star-Telegram
 The Fresno Bee
 The Island Packet
 The Kansas City Star
 Lexington Herald-Leader
 The Telegraph - Macon
 Merced Sun-Star
 Miami Herald
 El Nuevo Herald

The Modesto Bee
 The Sun News - Myrtle Beach
 Raleigh News & Observer
 Rock Hill | The Herald
 The Sacramento Bee
 San Luis Obispo Tribune
 Tacoma | The News Tribune
 Tri-City Herald
 The Wichita Eagle
 The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
18806	625502	Print Legal Ad-IPL02112950 - IPL0211295		\$107.72	1	62L

Attention: Jeannette Garcia

CITY OF WATAUGA
 7105 WHITLEY RD
 FORT WORTH, TX 761482024

CSO@wataugatx.org

NOTICE OF PUBLIC HEARING

Notice is hereby given that there will be a public hearing before the City of Watauga Board of Appeals-Building Standards Commission on January 23, 2025, beginning at 6:00 p.m. in the City Council Chambers at 7105 Whitley Road, Watauga, TX to receive comments for or against the following item:

BSC.24-02645: Conduct a Public Hearing for consideration of a request of the Environmental Services Sergeant to declare structures on the following property to be unsafe and to order the same to be vacated, repaired, secured, demolished, and/or shut off utilities:

Address: 5900 Dunson Drive, Watauga TX 76148
 Record Owner: Estate of Jack W Knight and Estate of Martha A Knight
 Legal Description: Block 11 Lot 1 Browning Heights North

A complete copy of the Notice to Appear Order, Substandard Building Checklist, and/or Repair Estimate Checklist may be obtained at the City of Watauga City Hall.

If you are interested, you are invited to attend these meetings. If you wish to provide written comments or documentation to the Board, please provide such comments or documentation by email to: jgarcia@wataugatx.org, or you may also complete the request to speak form to address the board members during public testimony for action items or during public hearing. If you have any other questions, please contact me at 817-514-5827 or email: jgarcia@wataugatx.org.

Published on January 8, 2025, in the Star Telegram, Legal Notices Section.

I, Linda Proskey, City Secretary for the City of Watauga, Texas, hereby certify that this notice was posted on the official bulletin board at City Hall, 7105 Whitley Road, Watauga, Texas, on January 8, 2025, before 6:30 p.m., in accordance with Chapter 551 of the Texas Government Code.

_____/s/_____
 Linda Proskey, City Secretary
 IPL0211295
 Jan 8 2025

**THE STATE OF TEXAS
 COUNTY OF TARRANT**

Before me, a Notary Public in and for said County and State, this day personally appeared Mary Castro, Bid and Legal Coordinator for the Star-Telegram, published by the Star-Telegram, Inc. at Fort Worth, in Tarrant County, Texas; and who, after being duly sworn, did depose and say that the attached clipping of an advertisement was published in the above named paper on the listed dates:

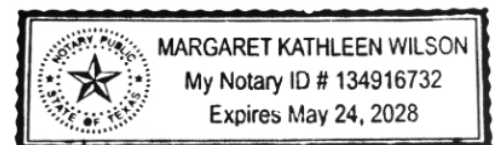
1 insertion(s) published on:
 01/08/25

Mary Castro

Sworn to and subscribed before me this 8th day of January in the year of 2025

Margaret K. Wilson

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
 Legal document please do not destroy!

CITY OF WATAUGA
SUB-STANDARD BUILDING CHECKLIST

Address: 5900 Dunson Date: 7-3-24 Inspector: J. Roblez

(a) **General.** Any building or portion thereof including any dwelling unit, quest room or suite of rooms, or the premises on which the same is located, in which there exists any of the following listed conditions to extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a substandard building.

(b) **Inadequate Sanitation.** Inadequate sanitation shall include but not be limited to the following:

- 1. Lack of, damaged or improper water closet(s), lavatory, bathtub or shower in a building or dwelling unit.
- 2. Lack of, damaged, or improper sink(s).
- 3. Lack of hot or cold running water to plumbing fixtures within the unit.
- 4. Lack of adequate heating facilities.
- 5. Lack of, damaged or improper operation of required ventilating equipment.
- 6. Lack of minimum amounts of natural light and ventilation required by the building code.
- 7. Room and space dimensions less than required by the building code.
- 8. Lack of required electrical and or lighting.
- 9. Dampness of habitable rooms or areas.
- 10. Infestation of insects, vermin, or rodents.
- 11. General dilapidation or improper maintenance.
- 12. Lack of connection to required sewage disposal system.
- 13. Lack of adequate garbage and rubbish storage and removal facilities.

(c) **Structural Hazards.** Structural hazards shall include but not be limited to the following:

- 1. Deteriorated, damaged or inadequate foundation.
- 2. Defective, damaged or deteriorated flooring or floor supports.
- 3. Flooring or floor supports of insufficient size to carry imposed loads with safety.
- 4. Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration.
- 5. Members of walls, partitions, or other vertical supports that are of insufficient size to carry imposed loads with safety.
- 6. Members of ceilings, roofs, ceiling or roof supports, or other horizontal members which sag, split, or buckle due to defective material or deterioration..
- 7. Members of ceilings, roofs, ceiling or roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.
- 8. Fireplaces or chimneys which list, bulge, or settle due to defective material or deterioration.
- 9. Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.

(d) **Nuisance.** Any nuisance as defined by the Building Code or City of Watauga Code of Ordinances.

(e) **Hazardous Wiring.** All wiring except that which conformed to all applicable laws in effect at the time of installation and which has been maintained in good condition and is being used in a safe manner.

(f) **Hazardous Plumbing.** All plumbing except that which conformed to all applicable laws in effect at

the time of installation and which has been maintained in good condition and which is free of cross connections and siphonage between fixtures.

- (g) **Hazardous Mechanical Equipment.** All mechanical equipment, including vents, except that which conformed to all applicable laws in effect at the time of installation and which has been maintained in a good and safe condition.
- (h) **Faulty Weather Protection.** Which shall include but not be limited to the following:
1. Deteriorated, crumbling, damaged or loose plaster or brick.
 2. Deteriorated or ineffective waterproofing of exterior walls, roof, foundation 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 which, in the opinion of the Chief of the Fire Department or his duly appointed personnel, 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.
- (j) **Faulty Materials of Construction.** All materials of construction except those which are specifically allowed or approved by the Building Code, and which have been adequately maintained in good and safe condition.
- (k) **Hazardous or Unsanitary Premises.** Those premises on which an accumulation of weeds, vegetation, junk, or dead organic matter, debris, garbage, vermin harborages, stagnant water, combustible materials, and similar materials or conditions constitute fire, health, or safety hazards.
- (l) **Inadequate Maintenance.** Any building or portion thereof which is determined to be an unsafe building in accordance with the International Code for the Abatement of Dangerous Buildings.
- (m) **Inadequate exits.** All buildings or portions thereof not provided with adequate exit facilities as required by the Building Code except those buildings or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction and which have been adequately maintained and increased in relation to any increase in occupant load, alteration or addition, or any change in occupancy. When an unsafe condition exists through lack of, or improper location of exits, additional exits may be required to be installed.
- (n) **Inadequate Fire Protection or Fire Fighting Equipment.** All buildings or portions thereof which are not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by the Building Code, except those buildings or portions thereof which conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy.
- (o) **Improper Occupancy.** All buildings or portions thereof occupied for living, sleeping, cooking or dining purposes which were not designed or intended to be used for such occupancies.

Revised 10/15/2014



BUILDING STANDARDS COMMISSION

STAFF REPORT

January 23, 2025

5900 Dunson Dr., Case #: 24-02645

LEGAL DESCRIPTION: Browning Heights North, Block 11, Lot 1, Watauga, Tarrant County, Texas

STRUCTURE(S): single-family residence, one accessory structure

PROPERTY OWNER(S): Estates of Jack Knight Sr. and Martha Knight

Jack Knight III

Kim Townsend

LIENHOLDER(S)/MORTGAGEE(S): none

ACTIVE UTILITIES: NO DISCONNECTED ON: Water 8/20/19, Electric 5/1/24

TARRANT COUNTY APPRAISAL DISTRICT/TAX OFFICE INFORMATION:

ACCOUNT NUMBER: 00349771

IMPROVEMENT VALUE: \$168,085

YEAR BUILT: 1962

SF OF LIVING AREA: 1,064

CURRENT OWNER SINCE: 2005

PROPERTY TAXES OWED: \$25,977.77

BACKGROUND:

1. Owners of record, Jack Knight Sr. and Martha Knight are both deceased, as of 4/27/17 and 11/17/16, respectively. According to police records, his adopted son, Jack Knight III had voluntarily vacated the property prior to Jack Knight Sr.'s death and took over effective ownership upon his death. There were multiple calls for family disturbances stemming from the dispute over ownership of the property between Jack Knight III and the decedent's other two daughters. Records obtained from the Tarrant County Probate Clerk indicated the decedent's daughter, Kim Townsend, began the probate process in 2018, since there was no will, but abandoned the suit in 2022 due to refusal to cooperate from other heirs. Therefore,

the proper documentation to determine heirship and confer ownership rights to said heirs was never filed with the county.

2. After Jack Knight III moved back into residence in 4/2017, it became a breeding ground for a multitude of unsavory characters. There were frequent complaints of criminal and narcotics-related activity associated with the address requiring almost constant resources from police. Over the years, occupants of 5900 Dunson Dr. were suspected of stealing water, sewer, and trash services estimated to be over \$2000.00, in addition to damaging water meters or locking devices applied by the city, avoiding rental and construction permitting fees, and countless man hours required over various departments within the city to deal with the continuous issues generated by this property and its occupants.
3. Failure to maintain the property also became evident shortly after Jack Knight III moved in. Despite the best efforts of various code enforcement officers to address the violations and take enforcement action over the years, there are at least 28 unanswered citations, and the violations not only remain unresolved, but worsened to the point where the city was forced to abate and condemn the property.
4. On 6/4/24, building inspectors and code enforcement officers sought and executed a warrant to inspect and abate the property. Staff concluded the property no longer met the safety and sanitary standards established by ordinance, making it unfit for human occupancy. (attachment) One occupant was located inside with five dogs. One was in such poor health, Animal Services had to euthanize it. The occupant was ordered to vacate the property since he had no right of possession.
5. Upon stepping into the entryway of the house, the odor of urine and feces was overwhelming. Feces littered available floor space, making it difficult to conduct the inspection without stepping in it. The occupants had most of the windows open for ventilation due to not having any power, which had allowed copious amounts of mosquitoes, flies, and vermin to infest the residence. This was evidenced by droppings observed throughout the house. Several of the rooms were barely accessible due to the amount of junk piled inside or blocking the doorways. The condition of the house was deplorable. Holes in the roof were visible from inside the house and large cracks in the exterior masonry exhibited structural deterioration and damage.
6. The front yard had a large pile of junk near the curb, and the backyard contained so much junk it made access difficult. In some areas junk was piled to the top of the fence and to the bottom of the windows of the house. An accessory building in the backyard had been outfitted with various pieces of furniture, giving the appearance a person was likely residing there.
7. The abatement crew hired by the city to haul away the junk located numerous hypodermic needles during the clean-up and two deceased dogs that were in such a state of decomposition a shovel had to be used to remove the remains for disposal.

8. Upon completion of the abatement, a condemnation sign was erected, and the city exercised the authority to secure the structure to prevent unauthorized entry or use of the structure by vagrants, uninvited persons or children because of the hazard to public health, safety, and welfare the substandard conditions created. Since that time, code enforcement and police officers have monitored the property for signs of trespassing.
9. Photos were taken before and after the abatement. (attachment) The cost for junk and yard abatement was over \$5,000. A lien was filed after the owner failed to pay the invoice by the deadline.
10. Required notices ordering the demolition of the property and informing owners of their right to appeal with stated deadlines for each were sent to Jack Knight III at his last known address (5900 Dunson Dr.) via certified mail and posted on the door for any unknown interested parties. (attachment) Photos were taken of these postings. (attachment) Jack was also provided with personal notification via phone when he spoke to a code enforcement officer the afternoon of the condemnation. He refused to provide an alternate address at that time and additional requests since. He was informed of the notices posted at the property. Jack Knight III has spoken to code officers several times about his options where he was directed to obtain legal advice. He scheduled a meeting with the Environmental Services Sergeant and then failed to show or call.
11. TAD has been contacted regarding the situation with this property, resulting in the removal of an over 65 property tax exemption and recalculation of delinquent taxes back to 12/30/2020. An ad valorem tax suit has also been filed against the property for the delinquent taxes as of 9/17/24.
12. In order to satisfy the requirements set out in Local Gov't Code Sec. 54.035(d & e) and Sec. 214.001(q), to make a diligent effort, to use best efforts, or to make a reasonable effort to determine the identity and address of an owner, a lienholder, or a mortgagee, searches of the following records were conducted:
 - (1) Tarrant County real property records ;
 - (2) Tarrant County Appraisal District records;
 - (3) Tarrant County Assumed Name records; and
 - (4) Tarrant County Tax Assessor tax records.

Records of the Texas Secretary of State were not searched since a corporation or business did not have an ownership interest. Utility records were not searched due to water and electric service being disconnected since 8/20/19 and 5/1/24, respectively. Screenshots of the results from these searches have been attached to this report.
13. On 10/9/24, a pre-demolition asbestos survey and estimate inspection were conducted. Test results indicated the presence of asbestos in multiple materials within the structure, requiring asbestos abatement prior to demolition. The total cost for the services detailed in the estimate is \$64,800.00. (attachments)

14. Due to Jack Knight III failing to file an appeal by the deadline of 6/23/24 set forth in the order, and failing to comply with the order by the deadline of 8/2/24, code officers met with Kim Townsend on 10/28/24 to discuss the matter and her desire to be involved. Kim informed code officers her sister listed as an heir had recently passed away, so she and Jack Knight III were the only two remaining. After being presented with the information amassed from this case, including the demolition order, she made verbal and written statements that she did not possess the physical or financial means to comply with the demolition order, nor would she contest the city carrying out the demolition. A copy of her signed statement is attached.

ATTACHMENTS:

Pre/post abatement photos & demo notice posting- 5900 Dunson Summary PP Presentation

Substandard structure checklist

Demolition order

Screenshots from records searches to identify interested parties

Pre-Demo asbestos survey results

Asbestos abatement and demo estimate

Townsend statement



ENVIRONMENTAL CONSULTANTS AND MANAGERS

October 10, 2024

Belfor Property Restoration
15600 Trinity Blvd. Suite 106
Fort Worth, Texas 76152

Attn: Brian Eustace

**RE: PRE-DEMOLITION ASBESTOS SURVEY
SINGLE-FAMILY RESIDENCE
5900 DUNSON DRIVE
WATAUGA, TEXAS
DTECH PROJECT NO. 100724-01**

DTECH Services (DTECH) conducted a pre-demolition asbestos survey at the referenced single-family residence in Watauga, Texas. DTECH's scope of work was limited to assessing available and accessible building materials for suspected asbestos-containing materials and collecting representative samples for laboratory analysis.

Survey

On October 9, 2024, Mr. Cameron Pomerantz, Texas Department of State Health Services (DSHS) Licensed Asbestos Inspector, and Mary Barton, DSHS Licensed Asbestos Management Planner, both with DTECH, conducted a pre-demolition asbestos survey at 5900 Dunson Drive in Watauga, Texas.

The survey protocol was in general accordance with the EPA NESHAP and OSHA requirements for rebutting the presumption of asbestos. A visual assessment was conducted for suspected asbestos-containing materials (ACM). Representative bulk samples of suspected ACM were collected and submitted to a National Voluntary Laboratory Accreditation Program (NVLAP)-approved and DSHS-licensed laboratory for analysis.

The sampling protocol focused on suspected ACM in the available and accessible building materials. Suspected asbestos-containing materials observed included

1218D W. ARKANSAS LANE, ARLINGTON, TEXAS 76013 TEL: - (817)-695 - 6519

ceiling texture, drywall, wall texture, joint compound, multi-layer floors with mastic, ceramic wall tile grout (2 types), caulking (2 types), brick mortar, roofing materials, and insulation.

Suspected asbestos-containing materials that were identified and sampled during the survey are presented in the following table:

TABLE 1: SUMMARY OF BULK SAMPLE RESULTS				
Sample Number	Material/Homogenous Group #	Material Description	Location	Asbestos Type & Content
01	1	Ceiling texture (popcorn)	Throughout	None Detected
02	2	Drywall, wall texture (crowsfoot), joint compound	Throughout	2% Chrysotile (texture) 2% Chrysotile (joint compound)
03	3	Multilayer flooring	Throughout	5% Chrysotile (floor tile) 7% Chrysotile (mastic)
04	4	Ceramic wall tile grout	Kitchen	None Detected
05	5	Ceramic wall tile grout	Bathroom	None Detected
06	6	Caulking	Bathroom	None Detected
07	7	Brick mortar	Exterior	None Detected

TABLE 1: SUMMARY OF BULK SAMPLE RESULTS				
Sample Number	Material/ Homogenous Group #	Material Description	Location	Asbestos Type & Content
08	8	Caulking	Exterior (doors)	None Detected
09	9	Roofing materials	Roof	None Detected
10	10	White putty on Insulation	Exterior	3% Chrysotile

The number and location of samples collected were based on the type of material, the manner of application, and the homogeneity of the ACM (similarity of color, texture, and type). Each sample was collected and placed in an individual sample container. The sample location was noted on the field survey form and assigned an individual identification number. This number was affixed to the sample container as the sample was collected. The survey form was also used to note the material type.

Laboratory Analysis Method

QUEST MicroAnalytics, Inc., of Dallas, Texas, an NVLAP certified, and DSHS-licensed laboratory, analyzed the samples for asbestos content. Ten (10) samples were collected and submitted for laboratory analysis. The samples were analyzed using Polarized Light Microscopy (PLM), in conjunction with dispersion staining techniques as outlined in EPA AHERA Method 40 CFR, Chapter 1, Part 763, Subpart F, Appendix A. The bulk asbestos laboratory analysis report provided the percentage of asbestos, asbestos type and identification of other non-asbestos fibers and associated percentages.

Analytical Results

The Texas Asbestos Hazard Protection Act (TAHPA) defines asbestos-containing materials as materials containing 1% or greater asbestos. Laboratory analysis indicated the following materials contain 1% asbestos or greater:

TABLE 2: SUMMARY OF IDENTIFIED ACM			
Material	Location	Friable Y/N	% Asbestos
Wall texture	Throughout	N	2% Chrysotile
Joint compound	Walls and ceilings Throughout	N	2% Chrysotile
Floor tile	Throughout	N	5% Chrysotile
Black floor mastic	Throughout	N	7% Chrysotile
White putty on exterior insulation	Exterior	N	3% Chrysotile

The joint compound contains 2% Chysotile, so the drywall ceilings and walls throughout the residence are assumed as having asbestos-containing joint compound.

The laboratory report and chain-of-custody are attached.

If, during demolition activities, suspected building materials not addressed in this report are uncovered or observed, stop work and contact DTECH Services to sample these materials before they are disturbed.

We appreciate this opportunity to provide environmental services to you. If you have any questions, please call us at your convenience.

Respectfully submitted,



David Pomerantz
Individual Asbestos Consultant
DSHS License No. 105412

Representative Site Photographs



5900 Dunson Drive, Watauga, Texas



Ceiling texture (joint compound 2% Chrysotile)



Drywall, wall texture (2% Chrysotile), and joint compound (2% Chrysotile)



Vinyl flooring (5% Chrysotile) with mastic (7% Chrysotile)



Ceramic wall tile grout (dark pink)



Ceramic wall tile grout (light pink)



Caulking around tub



Brick mortar



Caulking around exterior doors



Roofing materials



White putty (3% Chrysotile) on insulation behind aluminum siding



11052 Shady Trail, Suite 217, Dallas, Texas 75229
 214-351-4441 questmicro@gmail.com

PLM REPORT

TDSHS License No. 30-0218



Asbestos Fiber Analysis
 Lab No. 200249-0

Client: DTECH Services **Request No.:** 36858
Project: 5900 Dunson Drive, Watauga, Texas **Report Date:** 10/10/24
Project No.: **Sample Date:** 10/9/24

Identification: Polarized Light Microscopy/Dispersion Staining (PLM/DS)
Test Method: 40 CFR, Part 763, Appendix E to Subpart E

On 10/9/24, 10 bulk material samples were submitted by Mary Barton of Dtech Services for PLM/DS analysis. The results are outlined below:

Client No.	Sample Description	Fibrous Components	Asbestos Content
1	White Popcorn Ceiling Texture, Living Room	None	None Detected
2	Wallboard: Taupe Paint (A), White Texture (B), White Tape (C), White Joint Compound (D), Tan Paper (E) and Pink Drywall (F), Kitchen	C) 98% Cellulose E) 98% Cellulose F) 40% Gypsum 10% Fiberglass	A) None Detected B) 2% Chrysotile C) None Detected D) 2% Chrysotile E) None Detected F) None Detected
3	Gray/White Floor Tile (A) with Yellow Mastic (B) and Brown Floor Tile (C) with Black Mastic (D), Living Room	None	A) None Detected B) None Detected C) 5% Chrysotile D) 7% Chrysotile
4	3x3 Dark Pink Ceramic Wall Tile (A) with White Joint Grout (B) and White Base Grout (C), Kitchen	None	A) None Detected B) None Detected C) None Detected
5	3x3 Light Pink Ceramic Wall Tile (A) with White Joint Grout (B) and White Base Grout (C), Bathroom	None	A) None Detected B) None Detected C) None Detected
6	White Caulking around Tub, Bathroom	None	None Detected
7	Gray Brick Mortar	None	None Detected
8	White Exterior Door Caulking	None	None Detected
9	Black Roofing Shingle	20% Fiberglass	None Detected
10	Brown Insulation (A) and White Putty (B), behind Exterior Siding	A) 99% Cellulose	A) None Detected B) 3% Chrysotile

The EPA test method for bulk analysis (EPA/600/R-93/116) states in paragraph 2.2.2. that "the detection limit for visual estimation is a function of the quantity of the sample analyzed, the nature of matrix interference, sample preparation, and fiber size and distribution. Asbestos may be detected in concentrations of less than one percent by area if sufficient material is analyzed. Samples may contain fibers too small to be resolved by PLM (<0.25 micrometers in diameter) so detection of those fibers by this method may not be possible."
Samples are analyzed by layers, and percentages estimated visually during microscopic examination. Individual analysis sheets available upon request. Results may not be reproduced except in full. This test report relates only to the samples tested, and results must not be used to claim product endorsement by NVLAP or any agency of the U.S. Government. Materials containing >1% asbestos are considered by the EPA to be asbestos containing materials, and must be handled as such.

Analyst: Jennifer Jaber

Lab Director: Jennifer D. Jaber

Approved Signatory :





Texas Department of State Health Services

Asbestos Individual Management Pla

MARY W BARTON

License No. 205618

Control No. 96613

Expiration Date: 12-Aug-2025



Texas Department of State Health Services

Asbestos Individual Consultant

DAVID A POMERANTZ

License No. 105412

Control No. 98200

Expiration Date: 23-Mar-2025





Texas Department of State Health Services

DTECH SERVICES

is certified to perform as an

Asbestos Consultant Agency

in the State of Texas and is hereby governed by the rights, privileges and responsibilities set forth in Texas Occupations Code, Chapter 1954 and Title 12, Texas Administrative Code, Chapter 295 relating to Texas Asbestos Health Protection, as long as this license is not suspended or revoked.



License Number: 100310

Expiration Date: 04/25/2025

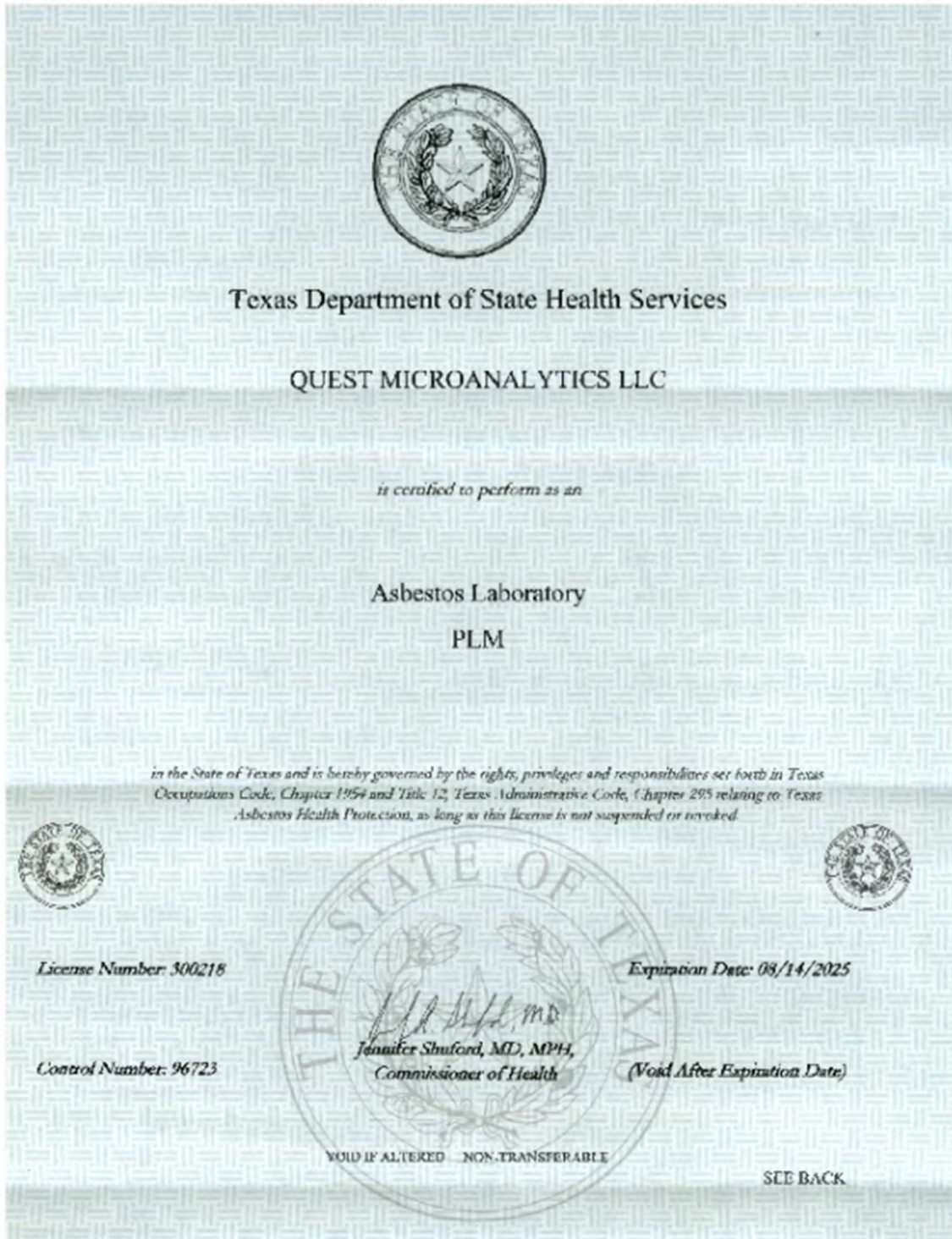
Control Number: 97385

(Void After Expiration Date)





VOID IF ALTERED NON-TRANSFERABLE

SEE BACK



United States Department of Commerce
National Institute of Standards and Technology



Certificate of Accreditation to ISO/IEC 17025:2017

NVLAP LAB CODE: 200249-0

Quest MicroAnalytics
Dallas, TX

*is accredited by the National Voluntary Laboratory Accreditation Program for specific services,
listed on the Scope of Accreditation, for:*

Asbestos Fiber Analysis

*This laboratory is accredited in accordance with the recognized International Standard ISO/IEC 17025:2017.
This accreditation demonstrates technical competence for a defined scope and the operation of a laboratory quality
management system (refer to joint ISO-ILAC-IAF Communiqué dated January 2009).*

2023-07-01 through 2024-06-30
Effective Dates



For the National Voluntary Laboratory Accreditation Program



AGENDA MEMORANDUM

DATE: January 6, 2025

TO: Board of Appeals Members

FROM: Jeannette Garcia, Planner I

SUBJECT: Consider action to approve the meeting minutes of the September 28, 2021 meeting of the Board of Appeals.

BACKGROUND/INFORMATION:

This item contains meeting minutes from September 28, 2021 for Board of Appeals review and approval.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

Staff recommends the Board of Appeals review and approve the meeting minutes as presented.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. BOA092821 - Meeting Minutes DRAFT

REVIEWED BY:

Randy Richards, CFM, Assistant Director of Public Works	Approved - 1/15/2025
Paul Hackleman, Director of Public Works	Approved - 1/15/2025
Sandra Gibson, Interim City Manager and Director of Finance	Approved - 1/15/2025
Linda Proskey, City Secretary	Final Approval - 1/17/2025

Approved as to form for inclusion on Agenda

**MINUTES
BOARD OF APPEALS
REGULAR MEETING
SEPTEMBER 28, 2021
CITY COUNCIL CHAMBER, 7105 WHITLEY ROAD
5:00 P.M.**

Members present:

David Villafuerte	Chairperson, Place 1
Vacant	Place 2
Glenn Knight	Vice-Chairperson, Place 3
Roy Stults	Member, Place 4
Leah Chauvin	Member, Place 5
and	
Randy Richards	Building Official
Jeannette Garcia	Planning and Zoning Coordinator

CALL TO ORDER:

Chairperson Villafuerte called the meeting to order at 5:00 p.m.

PRESENTATIONS

REPORTS

1. Provide update of appeals filed

Randy Richards, Building Official, advised there were none to report.

NEW BUSINESS

1. Discussion and action on Selection of Officers

Randy Richards addressed the board members reminding all that the office of Chairperson shall be permitted to vote on all issues coming before the Board of Appeals.

- a) Chairperson

Member Villafuerte nominated Member Villafuerte as Chairperson. Member Knight seconded the motion. Nomination was unanimously approved.

- b) Vice-Chairperson

Member Chauvin nominated Member Knight as Vice-Chairperson. Member Stults seconded the motion. Nomination was unanimously approved.

c) Secretary

Member Chauvin nominated Member Stults to serve as Secretary. Member Knight seconded the motion. Nomination was unanimously approved.

APPROVAL OF MINUTES

1. Approval of minutes from July 26, 2021 Regular Meeting and hearing

Member Chauvin made a motion to approve the meeting minutes from July 26, 2021. Member Knight seconded the motion, which was approved unanimously.

PUBLIC COMMENT

Chairperson Villafuerte called for Public Comment, and there were no participants requesting to speak.

PUBLIC TESTIMONY FOR ACTION ITEMS

Chairperson Villafuerte called for Public Testimony for action items. and there were no participants requesting to speak.

ADJOURNMENT

With there being no further business to discuss, Chairperson Villafuerte adjourned the meeting at 5:09 p.m.

APPROVED: this the _____ day of _____, _____.

SIGNED: this the _____ day of _____, _____.

APPROVED: _____
Chairperson

ATTEST: _____
Secretary

NOTE: Original Audio Recording of this meeting is preserved and maintained by the City Secretary's Office.



AGENDA MEMORANDUM

DATE: January 6, 2025
TO: Board of Appeals Members
FROM: Jeannette Garcia, Planner I
SUBJECT: Discussion and action on selection of Chairperson, Vice-Chairperson and Secretary.

BACKGROUND/INFORMATION:

The officers of the board of appeals shall be a chairperson, vice-chairperson and a secretary. The officers shall be selected from the voting members of the board of appeals, and shall serve for a period of one year. The chairperson shall be permitted to vote on all issues coming before the board of appeals.

Sec. 2-103. Officers. (d) Duties of the officers shall be as follows:

- (1) Chairperson.
 - a. Preside at all meetings.
 - b. Schedule meetings.
 - c. Provide an agenda for each meeting to the city secretary no less than 14 days prior to any meeting.
- (2) Vice-chairperson.
 - a. Assist the chairperson in directing the affairs of the board of appeals.
 - b. Act in the chairperson's absence.
- (3) Secretary.
 - a. Ensure the accuracy of the minutes of the board of appeal's meetings.
 - b. Create, sign and maintain the minutes of the board of appeals' meetings.
 - c. Provide a copy of the minutes to the city secretary within three working days following any meeting, reflecting the vote, abstention or absence of each member.
 - d. Provide notifications of hearings, as described herein.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

Respectfully recommend selection of officers.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Division 4. - Board of Appeals

REVIEWED BY:



AGENDA MEMORANDUM

Randy Richards, CFM, Assistant Director of Public Works	Approved - 1/15/2025
Paul Hackleman, Director of Public Works	Approved - 1/15/2025
Sandra Gibson, Interim City Manager and Director of Finance	Approved - 1/15/2025
Linda Proskey, City Secretary	Final Approval - 1/17/2025
<i>Approved as to form for inclusion on Agenda</i>	

DIVISION 4. BOARD OF APPEALS

Sec. 2-101. Creation; purposes; powers; duties.

There is hereby created for the city the "board of appeals." The board of appeals is established for the purpose of providing a review process for determinations of certain city officials made pursuant to the technical codes adopted and amended by the city. The board of appeals shall have the power to hear and decide appeals of orders, decisions or determinations made by the city's building official and fire code official regarding the application or interpretation of the technical codes adopted and amended in chapters 14 and 103 of this Code.

(Ord. No. 2021-030, § II(Exh. A), 8-23-2021; Ord. No. 2021-038, § II(Exh. A), 8-23-2021)

Sec. 2-102. Composition; appointment of members; terms of office.

- (a) The board of appeals shall consist of five voting members. The mayor, subject to the approval and consent of the city council, shall appoint members to the board of appeals. All vacancies occurring in the membership of the board of appeals shall be filled by appointment of the mayor, with approval and consent of the city council, for the length of the unexpired term.
- (b) Members of the board of appeals are not required to be residents of the City of Watauga.
- (c) To the extent reasonably possible, members appointed to the board of appeals shall have sufficient training or experience in matters relating to building construction, fire hazards, explosions, hazardous conditions and fire protection systems.
- (d) Places 1, 3 and 5 on the board of appeals shall have two-year terms that expire on August 31 of odd-numbered years. Places 2 and 4 on the board of appeals shall have two-year terms that expire on August 31 of even-numbered years.
- (e) The city's building official and fire code official shall be ex officio members of the board of appeals and shall not vote on any matters before the board of appeals.

(Ord. No. 2021-030, § II(Exh. A), 8-23-2021; Ord. No. 2021-038, § II(Exh. A), 8-23-2021)

Sec. 2-103. Officers.

- (a) The officers of the board of appeals shall be a chairperson, vice-chairperson and a secretary. The officers shall be selected from the voting members of the board of appeals; however, the city secretary may be appointed as the secretary. The chairperson shall be permitted to vote on all issues coming before the board of appeals.
- (b) At its first meeting occurring in or after September of each year, the membership of the board of appeals shall determine by a majority vote the chairperson, vice-chairperson and secretary. Officers shall serve until the first meeting on or after September 1 of the following year.
- (c) Vacancies that occur in office are to be filled as follows:

-
- (1) In the event of a vacancy of the chairperson, the vice-chairperson shall become the chair for the unexpired portion of the term, provided the vice-chairperson position is filled. If the vice-chairperson position is not filled at the time of a vacancy or incapacity of the chairperson, then the chairperson position shall be filled in accordance with subsection 2-103(c)(2).
 - (2) Vacancies that occur in the other offices shall be filled for the unexpired term by majority vote of the remaining board of appeals members.
- (d) Duties of the officers shall be as follows:
- (1) Chairperson.
 - a. Preside at all meetings.
 - b. Schedule meetings.
 - c. Provide an agenda for each meeting to the city secretary no less than 14 days prior to any meeting.
 - (2) Vice-chairperson.
 - a. Assist the chairperson in directing the affairs of the board of appeals.
 - b. Act in the chairperson's absence.
 - (3) Secretary.
 - a. Ensure the accuracy of the minutes of the board of appeal's meetings.
 - b. Create, sign and maintain the minutes of the board of appeals' meetings.
 - c. Provide a copy of the minutes to the city secretary within three working days following any meeting, reflecting the vote, abstention or absence of each member.
 - d. Provide notifications of hearings, as described herein.

(Ord. No. 2021-030, § II(Exh. A), 8-23-2021; Ord. No. 2021-038, § II(Exh. A), 8-23-2021)

Sec. 2-104. Meetings.

The chairperson shall establish the date and time for each meeting upon notification of an appeal to the board of appeals. A quorum shall consist of three voting members of the board of appeals and shall be required to conduct official business. All meetings shall be open to the public and shall be conducted in accordance with V.T.C.A., Government Code ch. 551, the Open Meetings Act, as amended.

(Ord. No. 2021-030, § II(Exh. A), 8-23-2021; Ord. No. 2021-038, § II(Exh. A), 8-23-2021)

Sec. 2-105. Appeals.

- (a) Any person who is affected by a decision of the building official or fire code official may appeal an application or interpretation of the substantive provisions of the applicable technical codes or the denial of a permit by the building official or fire code official. An appeal must be based on a claim that the applicable code was improperly interpreted, the provisions of the applicable code do not fully apply, or an equivalent method of construction or protection exists.
- (b) An appeal must be filed in writing with the city secretary. The notice of appeal shall be filed within ten business days after any decision or interpretation is made or a permit is denied. A nonrefundable fee in the

amount set forth in the schedule of fees in chapter 12 of this Code shall be delivered to the city secretary at the time of filing the appeal.

- (c) Appeals shall be placed on an agenda of the board of appeals for a hearing. The secretary shall notify all necessary parties of the date, time and location of the hearing. Parties may appear before the board of appeals in person or through counsel.
- (d) A decision by the building official or fire code official shall remain in full effect pending the final decision of the board of appeals.
- (e) The building official and fire code official shall transmit to the board of appeals all records and data in the city's possession that is relevant to the appeal. The board of appeals may require such additional data, tests or expert professionals as it deems necessary to render a decision.
- (f) A majority vote of a quorum of the board of appeals is required to overturn or modify a decision of the building official or fire code official. The board of appeals shall have no authority to waive any provisions contained in the codes but may determine that a provision contained in the codes does not apply or that an equivalent method of construction or protection is suitable. The building official and fire code official shall enforce and execute all decisions and orders of the board of appeals.
- (g) Each decision of the board of appeals shall be in writing, signed by the members rendering the decision and maintained in the office of the city secretary.

(Ord. No. 2021-030, § II(Exh. A), 8-23-2021; Ord. No. 2021-038, § II(Exh. A), 8-23-2021)

Secs. 2-106—2-130. Reserved.



AGENDA MEMORANDUM

DATE: January 6, 2025

TO: Board of Appeals Members

FROM: Jeannette Garcia, Planner I

SUBJECT: **BSC.24-02645:** Consideration of a request of the Environmental Services Sergeant to declare structures on the following property to be unsafe and to order the same to be vacated, repaired, secured, demolished, and/or shut off utilities:

Address: 5900 Dunson Drive, Watauga TX 76148
Record Owner: Estate of Jack W Knight
Legal Description: Block 11 Lot 1 Browning Heights North

BACKGROUND/INFORMATION:

On June 3, 2024, the property was inspected by the City of Watauga Building Inspector of the Public Works Department and was declared unsafe for human occupation. All public and private utilities serving the house have been terminated. The property and the remains of the house are in a substandard condition, are a public nuisance, and do not meet the minimum requirements imposed by City Code.

The inspection conducted on June 3, 2024, established that the property is in violation of the following provisions of the Code of Ordinances of Watauga, Texas:

- The vacant structure is not maintained in a clean, safe, secure and sanitary condition (sec. 26.96(c));
- The exterior areas of the property are not maintained in a clean, safe and sanitary condition (sec. 26.97(a));
- The structure and exterior property are not kept free from rodent harborage and infestation (sec. 26.97(d));
- None of the required landscaping is maintained in a neat and orderly manner at any time (sec. 26.97(i));
- The exterior of the structure is not maintained in good repair, structurally sound and sanitary so as not to pose a threat to public health, safety or welfare (sec. 26.98(a));
- Violations exist regarding all fourteen (14) of the Code's requirements pertaining to the maintenance of the exterior of the structure (sec. 26-98);
- The interior of the structure and equipment therein is not maintained in good repair, structurally sound and in a sanitary condition (sec. 26.99(a));
- Violations exist regarding all six (6) of the Code's requirements pertaining to the



AGENDA MEMORANDUM

maintenance of the interior of the structure
(sec. 26.99);

- There is a substantial accumulation of trash, debris and garbage within and around the structure (sec. 26.100);
- The remaining requirements imposed in Division 3 of article II of chapter 26 of the Code have not been met and are not satisfied regarding rodent/insect harborage, mechanical systems, electrical systems, heating, mechanical appliances, electrical systems and wiring, and duct systems (secs. 26.101, 26.102, 26.103, 26.104, 26.105 and 26.106).

The structure is determined to be dilapidated and so out of repair as to be dangerous, unsafe, unsanitary, and otherwise unfit for human habitation or occupancy, such that it is unreasonable to repair the structure. The extent of damage renders it unreasonable to repair the structure or make it safe by repairs. The following orders are issued:

- The premises are declared dangerous, unsanitary, and unfit for human occupancy. The structure and the premises surrounding the structure are hereby ordered to be vacated. No person may use or occupy the premises.
- All structures on the premises must be demolished.
- A permit for the demolition of the structure by the owner or agent acting on the owner's behalf must be submitted within thirty (30) days of the issuance of this Notice.
- The structure must be demolished on or before the sixtieth (60th) day of the issuance of this Notice.

FINANCIAL IMPLICATIONS:

The demolition bid received was in the amount of \$64,800. A funding source will be determined upon successful approval of a demolition order.

RECOMMENDATION/ACTION DESIRED:

Environmental Services recommends the Board uphold the orders issued June 3, 2024.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. COW Staff Recommendation-5900 Dunson
2. WATAUGADUNSON_FINAL_DRAFT_CAR
3. Statutory Notice- Estates- COW BSC Hearing- 1-23-25
4. Statutory Notice- Jack Knight III- COW BSC Hearing- 1-23-25
5. Statutory Notice- Kim Townsend- COW BSC Hearing- 1-23-25
6. Statutory Notice- Unknown Owners- COW BSC Hearing- 1-23-25
7. 5900 Dunson Dr - Statutory Notice Enclosures
8. Townsend statement

REVIEWED BY:



AGENDA MEMORANDUM

Danielle Bannick, Sergeant	Approved - 1/15/2025
Randy Richards, CFM, Assistant Director of Public Works	Approved - 1/16/2025
Paul Hackleman, Director of Public Works	Approved - 1/20/2025
Robert Parker, Police Chief	Approved - 1/20/2025
David Berman, City Attorney	Approved - 1/20/2025
Sandra Gibson, Interim City Manager and Director of Finance	Approved - 1/20/2025
Linda Proskey, City Secretary	Final Approval - 1/20/2025
<i>Approved as to form for inclusion on Agenda</i>	



BUILDING AND STANDARDS COMMISSION

STAFF RECOMMENDATION

January 25, 2025

Building Address: **5900 Dunson Dr., Case #: 24-02645**

Record Owner(s): Estates of Jack Knight Sr. and Martha Knight

Jack Knight III

Kim Townsend

The City of Watauga's Environmental Services Sergeant has requested this Commission hearing to discuss the alleged unsafe structure(s) and violations of one or more of the minimum building standards specified in the City of Watauga's Code of Ordinances Division 3 of Article II of Chapter 26, on the above-referenced property.

All legal notices of the hearing were provided to record owners, lienholders, and mortgagees. Interested parties were informed that attendance at this hearing is compulsory to present arguments and evidence to rebut and test evidence presented by city staff. Any documentation intended to be presented at the hearing, including but not limited to, a detailed plan addressing the scope of work required to repair structure(s) to minimum building standards, cost estimates, and reasonable timelines to complete such work, must be submitted to the city's Public Works Department no later than 5pm on 1/10/25.

Based on the surveys, reports, photographs, and other evidence provided to the Commission, city staff recommend that the Commission find the building unsafe based on the standards set forth in the City of Watauga's Code of Ordinances Division 3 of Article II of Chapter 26:

- The vacant structure is not maintained in a clean, safe, secure and sanitary condition (sec. 26.96(c));
- The exterior areas of the property are not maintained in a clean, safe and sanitary condition (sec. 26.97(a));
- The structure and exterior property are not kept free from rodent harborage and infestation (sec. 26.97(d));
- None of the required landscaping is maintained in a neat and orderly manner at any time (sec. 26.97(i));
- The exterior of the structure is not maintained in good repair, structurally sound and sanitary so as not to pose a threat to public health, safety or welfare (sec. 26.98(a));

- Violations exist regarding all fourteen (14) of the Code's requirements pertaining to the maintenance of the exterior of the structure (sec. 26-98);
- The interior of the structure and equipment therein is not maintained in good repair, structurally sound and in a sanitary condition (sec. 26.99(a));
- Violations exist regarding all six (6) of the Code's requirements pertaining to the maintenance of the interior of the structure (sec. 26.99);
- There is a substantial accumulation of trash, debris and garbage within and around the structure (sec. 26.100);
- The remaining requirements imposed in Division 3 of article II of chapter 26 of the Code have not been met and are not satisfied regarding rodent/insect harborage, mechanical systems, electrical systems, heating, mechanical appliances, electrical systems and wiring, and duct systems (secs. 26.101, 26.102, 26.103, 26.104, 26.105, and 26.106).

In consideration of the length of time these issues have existed, the numerous notices, warnings, citations and extensions granted to Mr. Knight III to gain compliance over the years, that have been met with continued refusal to cooperate or bring the property into compliance, most recently failing to appeal or comply with the demolition order issued over 150 days ago, it is unlikely an additional compliance order issued by the Commission will elicit a different response.

Further, based on the existence of the above-referenced conditions, the structure(s) is determined to be so dilapidated and out of repair as to be dangerous, unsafe, unsanitary, and otherwise unfit for human habitation or occupancy. It is the opinion of city staff that the extent of the damage renders it unreasonable to repair the structure(s) or make it safe by repairs.

The City of Watauga's Environmental Services Sergeant and city staff respectfully requests the Commission confirm these findings and issue an order authorizing the city to immediately complete the demolition of the structure(s) at 5900 Dunson Dr. Upon completion, interested parties shall be invoiced for the costs, and the city will file a lien against the property.



BELFOR Property Restoration

15600 Trinity Blvd., Suite 106 - Grand Prairie, TX 76155
(972) 975-1600 Tel. - (972) 988-0564 Fax.
TX License # 18271 - Fed ID # 84-1309171

Insured: Watauga Demo Dunson Omnia #R200101
Property: 5900 dunson
Watauga, TX 76148

Estimator: Brian Eustace

Business: (214) 317-7508
E-mail: brian.eustace@us.belfor.com

Claim Number:

Policy Number:

Type of Loss:

Date Contacted: 10/9/2024 11:43 AM

Date of Loss: 10/9/2024 11:43 AM

Date Inspected: 10/9/2024 11:43 AM

Date Received: 10/9/2024 11:43 AM

Date Entered: 10/14/2024 11:42 AM

Price List: R_N_M22_JAN22_C3
Restoration/Service/Remodel

Estimate: WATAUGADUNSON

We would like to thank you for the opportunity to provide you with this estimate. The total cost for the repairs detailed in the following estimate is **\$64,800.00**.

The attached estimate details the specific work to be completed. Additional work outside of that specified in this estimate will be through separate proposal(s) and/or change order(s) detailing the additional/changed scope of work as well as the terms and pricing of those changes. Repairs will be scheduled after a signed copy of this estimate is received.

Progress payments may be billed at 25%, 50%, 75%, and 90% of completion with the balance due upon substantial completion of this scope of work. Change orders will be billed as completed and credits will be applied to the final contract billing.

Unless noted otherwise, the customer is required to provide heat, water and electricity on-site for the duration of this project. The customer is responsible for providing continuous access to the project area during normal business hours, Monday - Friday, 8:00 am - 5:00 pm. Where an item is being replaced, we will be matching the existing item's quality, color, finish, texture or material as close as possible where applicable unless noted otherwise, there is no guaranty either specified or implied on exact matches. This estimate does not include hazardous material testing or abatement unless specifically detailed in the following estimate.

This estimate is valid for 30 days from 10/15/2024. If you have any questions about this estimate, please contact Brian Eustace to discuss those questions.

I/we agree to the terms and conditions of this proposal.

_____ Date _____
Owner/Authorized signature

_____ Date _____
BELFOR Representative



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WATAUGADUNSON

Asbestos Testing, Labs and Report

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
1. Asbestos Testing, Labs, Report	1.00 EA	0.00	1,500.00	0.00	300.00	1,800.00
Totals: Asbestos Testing, Labs and Report				0.00	300.00	1,800.00

Plumbing

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
2. Plumber to dig, cut and cap main line	1.00 EA	0.00	1,000.00	0.00	200.00	1,200.00
Totals: Plumbing				0.00	200.00	1,200.00

HVAC

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
3. Remove freon	1.00 EA	0.00	500.00	0.00	100.00	600.00
Totals: HVAC				0.00	100.00	600.00

Abatement

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
4. Asbestos Abatement and Haul off/disposal	1.00 EA	0.00	24,000.00	0.00	4,800.00	28,800.00

Scope of Work to be Completed: The following items and quantities are included as part of HP's proposal as identified upon a site walk made available on 10/09/2024 and having suspect material confirmed by the Dtech Environmental survey.

- 1) The removal and disposal of ~ 3,608 SF of interior sheetrock from the walls and ceilings of the entire property.
- 2) The removal and disposal of ~ 880 SF of vinyl sheeting with black mastic under wood plank flooring from the entire home.
- 3) The removal and disposal of ~ Insulation under aluminum siding from the exterior of the property.
- 4) Tree trimming may be required and will be included along with disposal.
- 5) Removal of driveway up to approach.
- 6) Remove all contents and dispose.

Water, power and temp toilet will bi included and brought on site.

Totals: Abatement				0.00	4,800.00	28,800.00
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 TX License # 18271 - Fed ID # 84-1309171

Air monitoring and Clearance testing

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
5. Air monitoring, air clearance	1.00 EA	0.00	6,000.00	0.00	1,200.00	7,200.00
Totals: Air monitoring and Clearance testing				0.00	1,200.00	7,200.00

Knock Down Demo

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
6. Demo of house, haul off.	1.00 EA	0.00	21,000.00	0.00	4,200.00	25,200.00
1. Demolish and haul away noted house and foundation 2' below adjacent grade. 2. Demolish and haul away noted driveway, leaving drive approach. 3. Backfill voids left by foundation and driveway removal with common fill dirt. 4. Demolish and haul away noted fencing, leaving chain link fence along the rear of the property next to the drainage ditch and privacy fencing/chainlink belonging to the neighboring house at 5904 Dunson. 5. Please note that in order to gain access to the property, BELFOR will have to trim some limbs on the red oak in the front yard. Any limbs trimmed will be disposed of with the house. 6. Provide demolition permit. This price assumes the City will waive all fees.						
Totals: Knock Down Demo				0.00	4,200.00	25,200.00
Line Item Totals: WATAUGADUNSON				0.00	10,800.00	64,800.00

Coverage	Item Total	%	ACV Total	%
Dwelling	3,600.00	5.56%	3,600.00	5.56%
Other Structures	0.00	0.00%	0.00	0.00%
Contents	61,200.00	94.44%	61,200.00	94.44%
Total	64,800.00	100.00%	64,800.00	100.00%



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Summary for Dwelling

Line Item Total	3,000.00
Overhead	300.00
Profit	300.00
Replacement Cost Value	\$3,600.00
Net Claim	\$3,600.00

Brian Eustace



BELFOR Property Restoration

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Summary for Contents

Line Item Total	51,000.00
Overhead	5,100.00
Profit	5,100.00
Replacement Cost Value	\$61,200.00
Net Claim	\$61,200.00

Brian Eustace



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Recap of Taxes, Overhead and Profit

	Overhead (10%)	Profit (10%)
Line Items	5,400.00	5,400.00
Total	5,400.00	5,400.00



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Recap by Room

Estimate: WATAUGADUNSON

Asbestos Testing, Labs and Report		1,500.00	2.78%
Coverage: Dwelling	100.00% =	1,500.00	
Plumbing		1,000.00	1.85%
Coverage: Dwelling	100.00% =	1,000.00	
HVAC		500.00	0.93%
Coverage: Dwelling	100.00% =	500.00	
Abatement		24,000.00	44.44%
Coverage: Contents	100.00% =	24,000.00	
Air monitoring and Clearance testing		6,000.00	11.11%
Coverage: Contents	100.00% =	6,000.00	
Knock Down Demo		21,000.00	38.89%
Coverage: Contents	100.00% =	21,000.00	
<hr/>			
Subtotal of Areas		54,000.00	100.00%
Coverage: Dwelling	5.56% =	3,000.00	
Coverage: Contents	94.44% =	51,000.00	
<hr/>			
Total		54,000.00	100.00%



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Recap by Category

O&P Items			Total	%
VENDER			3,000.00	4.63%
Coverage: Dwelling	@	100.00% =	3,000.00	
USER DEFINED ITEMS			51,000.00	78.70%
Coverage: Contents	@	100.00% =	51,000.00	
O&P Items Subtotal			54,000.00	83.33%
Overhead			5,400.00	8.33%
Coverage: Dwelling	@	5.56% =	300.00	
Coverage: Contents	@	94.44% =	5,100.00	
Profit			5,400.00	8.33%
Coverage: Dwelling	@	5.56% =	300.00	
Coverage: Contents	@	94.44% =	5,100.00	
Total			64,800.00	100.00%



City of Watauga Code Enforcement

VIA FIRST CLASS AND CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Case# 24-02645

January 7, 2025

Estates of Jack Knight Sr. and Martha Knight

5900 Dunson Dr.

Watauga, TX 76148

RE: NOTICE OF PUBLIC HEARING REGARDING YOUR PROPERTY

Dear Property Owner(s):

According to records of the Tarrant County, Texas Appraisal District, you are the responsible owner(s) of property located at 5900 Dunson Dr.; Browning Heights North, Block 11, Lot 1 in Watauga, Tarrant County, Texas.

On June 3, 2024, City of Watauga staff became aware of and inspected one or more dilapidated structures located on the above-referenced property. Staff found that one or more of said structures appear to be unsafe and believe said structure(s) to be in violation of one or more of the minimum building standards specified in the City of Watauga's Code of Ordinances Division 3 of Article II of Chapter 26.

The City of Watauga's Building Standards Commission is composed of five citizens appointed by the City Council to hear and make determinations regarding unsafe structures. Consideration of the allegedly unsafe structure(s) on the above-referenced property by that Commission has been scheduled for a public hearing on Thursday, January 23, 2025, at 6:00 pm. The meeting will be held in the City Council Chambers at the Watauga City Hall located at 7105 Whitley Rd. At the hearing, the Commission will decide whether the structure(s) on the above-referenced property is/are unsafe and, if found unsafe, consider any and all available remedies, including, but not limited to, ordering repair or demolition, vacation of the property, securing the property, shutting off public utilities, and/or the assessment of civil penalties.

You must attend this public hearing to present argument and any previously submitted evidence that your structure(s) is/are not dangerous or can be made safe. You may appear in person or through an authorized representative. You will be allowed the opportunity to present your argument and any previously submitted evidence, and to rebut and test the city's evidence and argument by cross-examination or other appropriate means.

Representatives from the city's Building Inspection and Code Enforcement departments will present their inspection reports detailing specific building standard violations, to the Commission. Copies of these inspection reports are enclosed with this notice.

Any bids, plan of repair, timeline or supporting documentation you wish to present to the Commission must be received by the city's Public Works Department at least ten (10) business days prior to the meeting, by 5pm on Monday, January 13, 2025. You must provide ten (10) copies of any documentation submitted. At the hearing, you must be prepared to present the Commission with any previously submitted proof of the scope of any work required to repair your structure(s) to minimum building standards, including a written plan for the repairs and reasonable timeframe needed to complete such work.

If the Commission finds that a structure on the subject property is unsafe, the Commissioners may give you the opportunity to repair the structure based on the repair plan that you provide prior to the hearing. Please be advised that if there is too much damage, if the structure cannot be safely repaired, or if you fail to provide the required plan for repairs, the Commission will order the structure demolished. Please also note that if you fail to demolish the structure within the timeframe ordered by the Commission, the city may complete the demolition and bill you for the cost. If payment arrangements are not made for the invoice, then a lien will be filed on the subject property.

Any documentation that you would like to present to the Commission may be delivered in person to the Public Works Building at 7800 Virgil Anthony Blvd., Code Enforcement at 7101 Whitley Rd., or via mail to the following address:

City of Watauga

Public Works

ATTN: Building & Standards Commission- Jeanette Garcia

7800 Virgil Anthony Blvd.

Watauga, TX 76148

If you have any questions regarding this notice, please contact Jeanette Garcia by phone at (817) 514-5827 or by email at jgarcia@cowtx.org.

Sincerely,



Danielle Bannick

Environmental Services Sergeant

Enclosures:

Substandard checklist- Building Inspections

"What to Submit Prior to the Meeting" Form

Repair Checklist



City of Watauga Code Enforcement

VIA FIRST CLASS AND CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Case# 24-02645

January 7, 2025

Jack Knight III

5900 Dunson Dr.

Watauga, TX 76148

RE: NOTICE OF PUBLIC HEARING REGARDING YOUR PROPERTY

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According to records of the Tarrant County, Texas Appraisal District, you are the responsible owner(s) of property located at 5900 Dunson Dr.; Browning Heights North, Block 11, Lot 1 in Watauga, Tarrant County, Texas.

On June 3, 2024, City of Watauga staff became aware of and inspected one or more dilapidated structures located on the above-referenced property. Staff found that one or more of said structures appear to be unsafe and believe said structure(s) to be in violation of one or more of the minimum building standards specified in the City of Watauga's Code of Ordinances Division 3 of Article II of Chapter 26.

The City of Watauga's Building Standards Commission is composed of five citizens appointed by the City Council to hear and make determinations regarding unsafe structures. Consideration of the allegedly unsafe structure(s) on the above-referenced property by that Commission has been scheduled for a public hearing on Thursday, January 23, 2025, at 6:00 pm. The meeting will be held in the City Council Chambers at the Watauga City Hall located at 7105 Whitley Rd. At the hearing, the Commission will decide whether the structure(s) on the above-referenced property is/are unsafe and, if found unsafe, consider any and all available remedies, including, but not limited to, ordering repair or demolition, vacation of the property, securing the property, shutting off public utilities, and/or the assessment of civil penalties.

You must attend this public hearing to present argument and any previously submitted evidence that your structure(s) is/are not dangerous or can be made safe. You may appear in person or through an authorized representative. You will be allowed the opportunity to present your argument and any previously submitted evidence, and to rebut and test the city's evidence and argument by cross-examination or other appropriate means.

Representatives from the city's Building Inspection and Code Enforcement departments will present their inspection reports detailing specific building standard violations, to the Commission. Copies of these inspection reports are enclosed with this notice.

Any bids, plan of repair, timeline or supporting documentation you wish to present to the Commission must be received by the city's Public Works Department at least ten (10) business days prior to the meeting, by 5pm on Monday, January 13, 2025. You must provide ten (10) copies of any documentation submitted. At the hearing, you must be prepared to present the Commission with any previously submitted proof of the scope of any work required to repair your structure(s) to minimum building standards, including a written plan for the repairs and reasonable timeframe needed to complete such work.

If the Commission finds that a structure on the subject property is unsafe, the Commissioners may give you the opportunity to repair the structure based on the repair plan that you provide prior to the hearing. Please be advised that if there is too much damage, if the structure cannot be safely repaired, or if you fail to provide the required plan for repairs, the Commission will order the structure demolished. Please also note that if you fail to demolish the structure within the timeframe ordered by the Commission, the city may complete the demolition and bill you for the cost. If payment arrangements are not made for the invoice, then a lien will be filed on the subject property.

Any documentation that you would like to present to the Commission may be delivered in person to the Public Works Building at 7800 Virgil Anthony Blvd., Code Enforcement at 7101 Whitley Rd., or via mail to the following address:

City of Watauga

Public Works

ATTN: Building & Standards Commission- Jeanette Garcia

7800 Virgil Anthony Blvd.

Watauga, TX 76148

If you have any questions regarding this notice, please contact Jeanette Garcia by phone at (817) 514-5827 or by email at jgarcia@cowtx.org.

Sincerely,



Danielle Bannick

Environmental Services Sergeant

Enclosures:

Substandard checklist- Building Inspections

"What to Submit Prior to the Meeting" Form

Repair Checklist



City of Watauga Code Enforcement

VIA FIRST CLASS AND CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Case# 24-02645

January 7, 2025

Kim Townsend

5737 Starling Circle

Haltom City, TX 76117

RE: NOTICE OF PUBLIC HEARING REGARDING YOUR PROPERTY

Dear Property Owner(s):

According to records of the Tarrant County, Texas Appraisal District, you are the responsible owner(s) of property located at 5900 Dunson Dr.; Browning Heights North, Block 11, Lot 1 in Watauga, Tarrant County, Texas.

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Watauga, TX 76148

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Sincerely,

 #2580

Danielle Bannick

Environmental Services Sergeant

Enclosures:

Substandard checklist- Building Inspections

"What to Submit Prior to the Meeting" Form

Repair Checklist



City of Watauga Code Enforcement

VIA FIRST CLASS AND CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Case# 24-02645

January 7, 2025

Unknown Owners

RE: NOTICE OF PUBLIC HEARING REGARDING YOUR PROPERTY

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Sincerely,



Danielle Bannick

Environmental Services Sergeant

Enclosures:

Substandard checklist- Building Inspections

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Repair Checklist

CITY OF WATAUGA
SUB-STANDARD BUILDING CHECKLIST

Address: 5900 Dunson Date: 7-3-24 Inspector: J. Roblez

(a) **General.** Any building or portion thereof including any dwelling unit, quest room or suite of rooms, or the premises on which the same is located, in which there exists any of the following listed conditions to extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a substandard building.

(b) **Inadequate Sanitation.** Inadequate sanitation shall include but not be limited to the following:

- 1. Lack of, damaged or improper water closet(s), lavatory, bathtub or shower in a building or dwelling unit.
- 2. Lack of, damaged, or improper sink(s).
- 3. Lack of hot or cold running water to plumbing fixtures within the unit.
- 4. Lack of adequate heating facilities.
- 5. Lack of, damaged or improper operation of required ventilating equipment.
- 6. Lack of minimum amounts of natural light and ventilation required by the building code.
- 7. Room and space dimensions less than required by the building code.
- 8. Lack of required electrical and or lighting.
- 9. Dampness of habitable rooms or areas.
- 10. Infestation of insects, vermin, or rodents.
- 11. General dilapidation or improper maintenance.
- 12. Lack of connection to required sewage disposal system.
- 13. Lack of adequate garbage and rubbish storage and removal facilities.

(c) **Structural Hazards.** Structural hazards shall include but not be limited to the following:

- 1. Deteriorated, damaged or inadequate foundation.
- 2. Defective, damaged or deteriorated flooring or floor supports.
- 3. Flooring or floor supports of insufficient size to carry imposed loads with safety.
- 4. Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration.
- 5. Members of walls, partitions, or other vertical supports that are of insufficient size to carry imposed loads with safety.
- 6. Members of ceilings, roofs, ceiling or roof supports, or other horizontal members which sag, split, or buckle due to defective material or deterioration..
- 7. Members of ceilings, roofs, ceiling or roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.
- 8. Fireplaces or chimneys which list, bulge, or settle due to defective material or deterioration.
- 9. Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.

(d) **Nuisance.** Any nuisance as defined by the Building Code or City of Watauga Code of Ordinances.

(e) **Hazardous Wiring.** All wiring except that which conformed to all applicable laws in effect at the time of installation and which has been maintained in good condition and is being used in a safe manner.

(f) **Hazardous Plumbing.** All plumbing except that which conformed to all applicable laws in effect at

the time of installation and which has been maintained in good condition and which is free of cross connections and siphonage between fixtures.

- (g) **Hazardous Mechanical Equipment.** All mechanical equipment, including vents, except that which conformed to all applicable laws in effect at the time of installation and which has been maintained in a good and safe condition.
- (h) **Faulty Weather Protection.** Which shall include but not be limited to the following:
1. Deteriorated, crumbling, damaged or loose plaster or brick.
 2. Deteriorated or ineffective waterproofing of exterior walls, roof, foundation 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 which, in the opinion of the Chief of the Fire Department or his duly appointed personnel, 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.
- (j) **Faulty Materials of Construction.** All materials of construction except those which are specifically allowed or approved by the Building Code, and which have been adequately maintained in good and safe condition.
- (k) **Hazardous or Unsanitary Premises.** Those premises on which an accumulation of weeds, vegetation, junk, or dead organic matter, debris, garbage, vermin harborages, stagnant water, combustible materials, and similar materials or conditions constitute fire, health, or safety hazards.
- (l) **Inadequate Maintenance.** Any building or portion thereof which is determined to be an unsafe building in accordance with the International Code for the Abatement of Dangerous Buildings.
- (m) **Inadequate exits.** All buildings or portions thereof not provided with adequate exit facilities as required by the Building Code except those buildings or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction and which have been adequately maintained and increased in relation to any increase in occupant load, alteration or addition, or any change in occupancy. When an unsafe condition exists through lack of, or improper location of exits, additional exits may be required to be installed.
- (n) **Inadequate Fire Protection or Fire Fighting Equipment.** All buildings or portions thereof which are not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by the Building Code, except those buildings or portions thereof which conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy.
- (o) **Improper Occupancy.** All buildings or portions thereof occupied for living, sleeping, cooking or dining purposes which were not designed or intended to be used for such occupancies.

Revised 10/15/2014



Building Standards Commission

What to Submit Prior to the Meeting

You have received a notice about a meeting of the City of Watauga's Building Standards Commission. At the meeting, the Commission will discuss the demolition or repair of a structure(s), in which you appear to have an ownership interest.

If you wish to protect your property rights, it is recommended that you appear at the meeting. It is also recommended that you submit the following items prior to the meeting according to the timeline established in your meeting notification letter so that your evidence may be provided to the Commission.

The following are some items you may wish to include:

- If you own the property but do not have a recorded deed, any documentation that shows that you have an interest in the property.
- Building permits from the City of Watauga, or a receipt showing payment for a permit.
- A plan of repair specifically detailing work that must be performed and a schedule of when you expect to complete different stages of the work.
- An estimate of the cost of repairs, including a Contractor Checklist.
- Documentation showing what financial resources you have to complete the work, and what financial resources you are still trying to obtain.
- Photographs of the progress of any repair or demolition work being done.

Please refer to your meeting notification letter for specific due dates for submittal deadlines. You must provide ten (10) copies of any documentation submitted. Any documentation that you would like to present to the Commission may be delivered in person to the Public Works Building at 7800 Virgil Anthony Blvd., Code Enforcement at 7101 Whitley Rd., or via mail to the following address:

City of Watauga

Public Works

ATTN: Building & Standards Commission- Jeanette Garcia

7800 Virgil Anthony Blvd.

Watauga, TX 76148

If you have any questions regarding this notice, please contact Jeanette Garcia by phone at (817)

511-5827 or by email at jgarcia@cowtx.org.



Building and Standards Commission

Repair Estimate Checklist Address: **5900 Dunson Dr.**

This checklist is meant to be a guide and is not necessarily everything you need to prove that you are ready, willing, and able to complete repairs to your property.

Please contact the Public Works Department if you have any questions. Please fill out this checklist and attach copies of any written estimates, receipts, plans or other evidence you wish to submit to the Commission to the Public Works Department in accordance with the timeframe established in your Meeting Notification Letter.

A. Electrical

1. Licensed electrical contractor's company name: _____
2. Bid for electrical work: \$ _____
3. Estimated date for electrical work to start: _____
4. Estimated date for electrical work to be complete: _____

B. Plumbing

1. Licensed plumbing contractor's company name: _____
2. Bid for plumbing work: \$ _____
3. Estimated date for plumbing work to start: _____
4. Estimated date for plumbing work to be complete: _____

C. Heating, Ventilation, and Air Conditioning (HVAC)

1. Licensed HVAC contractor's company name: _____
2. Bid for HVAC work: \$ _____
3. Estimated date for HVAC work to start: _____
4. Estimated date for HVAC work to be complete: _____

D. Other Professionals (e.g. foundation repair, engineer, etc.)

1. Licensed professional's company name: _____
2. Bid for professional's work: \$ _____

3. Estimated date for work to start: _____

4. Estimated date for work to be complete: _____

E. Carpentry/Other

1. General contractor's company name: _____

2. Bid for work (if you are doing the repairs, list cost of materials: \$ _____)

3. Estimated date for work to start: _____

4. Estimated date for work to be complete: _____

Signature

Date

WATAUGA POLICE DEPARTMENT
WITNESS STATEMENT

Witness' Name: Kim Townsend DOB: 12/13/56
 DL or ID #: 05398809 Other ID information: _____
 Home Address: _____ City: _____ State: _____ Zip: _____
 Home Phone: _____ Cell Phone: _____
 Business Phone: _____ Social Security: _____
 Employer's Name: _____
 Employer's Address: _____ City: _____ State: _____ Zip: _____
 Name of someone who can always locate you? (Not from the same home address.)
 Name: _____ Phone: _____ Relationship: _____
 Address: _____ City: _____ State: _____ Zip: _____

My name is Kim Townsend and I have 12 years of formal education and do read, write, and understand the English Language. I am giving this statement to Sgt. Bannick; of the Watauga Police Department of my own free will, for whatever purposes it may serve. I am not under arrest, nor am I being forced in any manner to make these statements. They are and will be the same statement I would make during the presentation of this case in a court of law.

Based on the information provided,
I do not intend to contest the
demolition order provided. I am not
financially or physically able to take
on this responsibility.

I, Melissa A. Clark, assisted Kim Townsend
in the above statement.
Melissa A. Clark
10/28/24

I have read this statement consisting of _____ pages before signing it.

Kim Townsend
 Signature of Victim/Witness _____ Printed name of Victim/Witness _____

Signature of Officer: [Signature] #280 Others Present: _____

Date: 10/28/24 Time: 11:10 Location: 5737 Starling Circle H.C
 Page _____ of _____ 76/17