7202-7204 North Loop

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CITY CLERK DEPARTMENT
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COUNCIL AGENDA ITEM # ___ FOR
TUESDAY, APRIL 27TH , 2004

BUILDING PERMITS AND INSPECTIONS

MEMORANDUM
April 21, 2004

TO: The Honorable Mayor and City Council

THROUGH: R. Alan Shubert, P. E. - Building Permits and Inspections Director

FROM: Tom Maguire, Housing Compliance Supervisor

SUBJECT: 7202-7204 North Loop Drive (Rep. District #3)

The following is a brief chronology of the investigation of the referenced location:

1) First investigated December 8th , 2003. The building was found to be in an advanced state of disrepair. The building has been used as a harborage by unwanted persons.
2) A certified condemnation letter was mailed to Jose L. Gonzalez, 7221 North Loop Drive, El Paso, Texas 79915-2413.
3) Certified notices of the public hearing scheduled April 27th , 2004 were mailed to the owners and all interested parties on April 1st , 2004.
4) As of April 21st , 2004, there are no taxes owed.
5) Representatives from this Department have been in communication with the owner.

The Department recommends that it be found:

1) That the main structure and accessory building be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
2) That the buildings are not in substantial compliance with the municipal ordinances regulating structural integrity, and disposal of refuse; and
3) That the structure's certificate of occupancy be revoked; and
4) That no documentation having been submitted to prove otherwise, this Department finds that the structure cannot be repaired; and
5) That the main structure and accessory building be demolished within 30 days; and
6) That the premises be cleaned of all weeds, trash, and debris within 30 days.

NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 27th day of April, 2004 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 7202-7204 North Loop Drive, in El Paso, Texas, which property is more particularly described as:

Lots: 2 and 3, Block 6, Stiles Gardens

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Gonzalo Gonzalez (Owner), 7202-7204 North Loop Drive, El Paso, Texas 79915 and Gonzalo Gonzalez, 7221 North Loop Drive, El Paso, Texas 79915, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;

II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed $1000.00 a day for each violation, or $10 a day if the Owner shows that the property is the Owner's lawful homestead and;

III) the Owner may be confined in jail as permitted by state law and;

IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Adopted this 23rd day of March, 2004.

APPROVED AS TO FORM:

Teresa Garcia
Assistant City Attorney

APPROVED AS TO CONTENT:

R. Alan Shubert, P. E.
Building Permits and Inspections Director

I, RICHARDA DUFFY MOMSEN, City Clerk of the City of El Paso, hereby certify that a true and correct copy of the foregoing Notice dated March 23rd , 2004 regarding the property located at 7202-7204 North Loop Drive, was filed with the County Clerk's Office, the official public records of real property for El Paso County.

Richarda Duffy Momsen

Executed this 23rd day of March, 2004 on behalf of the City of El Paso, Texas, by Richarda Duffy Momsen in her capacity as City Clerk.

STATE OF TEXAS
COUNTY OF EL PASO

Subscribed and sworn to before me, this 24th day of March, 2004.

DIANA NUÑEZ
NOTARY PUBLIC
In and for the State of Texas
My commission expires 10-16-2005

Diana Nuñez
Notary Public

I, RICHARDA DUFFY MOMSEN, City Clerk of the City of El Paso, hereby certify that a true and correct copy of the foregoing Notice dated March 23rd, 2004 regarding the property located at 7202-7204 North Loop Drive, was PUBLISHED in the official City newspaper on the 25th day of March, 2004.

Richarda Duffy Momsen

I certify that a true and correct copy of the foregoing Notice dated March 23rd, 2004 regarding the property at 7202-7204 North Loop Drive, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Gonzalo Gonzalez, Owner
7202-7204 North Loop Dr.
El Paso, Texas 79915

Date:_____
Time:_____

Inspector

I certify that a true and correct copy of the foregoing Notice dated March 23rd, 2004 regarding the property at 7202-7204 North Loop Drive, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Gonzalo Gonzalez
7221 North Loop Dr.
El Paso, Texas 79915

Date:_____
Time:_____

Inspector

I certify that a true and correct copy of the foregoing Notice dated March 23rd, 2004 regarding the property at 7202-7204 North Loop Drive, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Gonzalo Gonzalez
C/O Jose Escobar (Attorney at Law)
5959 Gateway West, Suite 335
El Paso, Texas 79925

Date:_____
Time:_____

Inspector

I certify that a true and correct copy of the foregoing Notice dated March 23rd , 2004 regarding the property at 7202-7204 North Loop Drive, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Gonzalo Gonzalez
5536 Timberwolf Dr.
El Paso, Texas 79903

Date:_____
Time:_____

_____
Inspector

I certify that a true and correct copy of the foregoing Notice dated March 23rd , 2004 regarding the property at 7202-7204 North Loop Drive, was (HAND-DELIVERED) to:

City of El Paso
C/O City Clerk
#2 Civic Center Plaza
El Paso, TX 79901

Date:_____
Time:_____

_____
Inspector

I certify that a true and correct copy of the foregoing Notice dated March 23rd , 2004 regarding the property at 7202-7204 North Loop Drive, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Governor of the Ysleta Del Sur Pueblo Indian Tribe
AKA Tigua Indian Community
119 S. Old Pueblo Road
El Paso, Texas 79907

Date:_____
Time:_____

_____
Inspector

I certify that a true and correct copy of the foregoing Notice dated March 23rd , 2004 regarding the property at 7202-7204 North Loop Drive, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

El Paso Central Appraisal District
5801 Trowbridge Ave.
El Paso, Texas 79925

Date:_____
Time:_____

_____
Inspector

I certify that a true and correct copy of the foregoing Notice was POSTED at 7202-7204 North Loop Drive, El Paso, Texas.

Date:_____

Time:_____

_____

Inspector

UNSAFE STRUCTURES REPORT

BUILDING PERMITS AND INSPECTIONS

DATE OF EXAMINATION: 12/08/03 **REP. DISTRICT:** 3

ADDRESS: 7202-7204 North Loop Drive **ZONED:** A-2

LEGAL DESCRIPTION: Lots 2 and 3, Block 6, Stiles Gardens

OWNER: Gonzalo Gonzales **ADDRESS:** 7202-7204 North Loop Drive

BUILDING USE: Single-family residence

TYPE OF CONSTRUCTION: III

FOOTINGS: Concrete
CONDITION: Poor – must hire a structural engineer to evaluate the footings and submit documentation on necessary corrections to make building safe.

FOUNDATION WALL: N/A
CONDITION: N/A

FLOOR STRUCTURE: Concrete slab on grade
CONDITION: Poor – signs of stress and structural failure. Must hire a structural engineer to evaluate the floor structure and submit documentation on necessary corrections to make building safe.

EXTERIOR WALLS: Adobe

HEIGHT: 7' 6" **THICKNESS:** 12"

CONDITION: Poor – must hire a structural engineer to evaluate the exterior walls and submit documentation on necessary corrections to make building safe.

INTERIOR WALLS & CEILINGS: 2" x 4" wood studs with sheetrock
CONDITION: Poor

ROOF STRUCTURE: 2" x 6" wood rafters with built-up asphalt material
CONDITION: Poor – signs of roof deterioration and leaks visible through ceiling

DOORS, WINDOWS, ETC.: Wood doors, wood sash windows
CONDITION: Poor – do not open or broken

MEANS OF EGRESS: Does not meet code requirements
CONDITION: Poor

PLUMBING: No service – must hire a licensed plumbing contractor to evaluate the plumbing system and submit documentation on necessary corrections.

ELECTRICAL: No service – must hire a licensed electrical contractor to evaluate the electrical system and submit documentation on necessary corrections.

MECHANICAL: No service – must hire a licensed HVAC system and submit documentation on necessary corrections.

IF CONDEMNED, HOW MANY PERSONS WILL BE AFFECTED: None

WARNING POSTED: Yes **BARRICADED:** No **POLICE AID REQD.:** No

REMARKS: This single-family dwelling was found open and abandoned. It is being used as a place of harborage by vagrants. It is recommended that this structure be secured until demolition can take place.

Wayne Fannin

Wayne Fannin
Building Inspector

JOE WARDY
MAYOR

CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1
ROBERT A. CUSHING Jr.
DISTRICT NO. 2
JOSE ALEXANDRO LOZANO
DISTRICT NO. 3
JOHN COOK
DISTRICT NO. 4
DANIEL S. POWER
DISTRICT NO. 5
PAUL J. ESCOBAR
DISTRICT NO. 6
VIVIAN ROJAS
DISTRICT NO. 7
ANTHONY COBOS
DISTRICT NO. 8

BUILDING PERMITS AND INSPECTIONS
CODE COMPLIANCE
December 15, 2003

Jose L. Gonzalez
7221 North Loop Dr.
El Paso, Texas 79915-2413

Re: 7202-7204 North Loop Dr.
Lot: W PT OF 3 EXC (N PT)
& 2 EXC (N PTS)
Blk: 6, Stiles Gardens
Zoned: A-2
C0D03-18274
Certified Mail Receipt #
7003 1680 0000 1711 7817

To All Owners, Lienholders, and Mortgagees:

An inspection at the above referenced address has revealed that the structure is in violation of the El Paso Municipal Code, Chapter 18.52.030 - Unsafe Structures - Owner Not To Allow Condition To Continue, which states:

> It is unlawful for the owner of any building or structure, or part thereof, which has become unsafe and dangerous so as to endanger persons or property, or so as to be a fire hazard by reason of defective construction, overloaded floors, lack of guards against fire, defective condition of the foundations, walls, or parts thereof, or deterioration caused by fire or otherwise, or for any reason, to allow or permit same to remain upon any real estate within the City.

The El Paso Municipal Code Chapter 18.52.040 - unsafe structures - Remedial action by owner or City defines unsafe structure as a structure or part thereof that is:

a. Dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare; or

b. Regardless of its structural condition, unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; or

7202-7204 North Loop Dr.

c. Boarded up, fenced, or otherwise secured in any manner in if:

i. The building constitutes a danger to the public even though secured entry, or

ii. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection.

The structure located at **7202-7204 North Loop Dr.** has the following violations:

a. The foundation has not been maintained in a safe manner.

b. The floors have not been maintained in a safe manner.

c. The walls have not been maintained in a safe manner free of holes and cracks.

d. The roof structure has not been maintained free of defects that may cause leaks.

e. The means of egress is/are inadequate and do not meet minimum code requirements.

f. The plumbing system is inadequate and does not meet minimum code requirements.

g. The electrical system is inadequate and does not meet minimum code requirements.

h. The HVAC system is inadequate and does not meet minimum code requirements.

i. The structure is open and accessible to unauthorized entry.

j. The premises are full of weeds, trash, and debris.

k. In the event you fail to correct these violations within 30 days, the case will be submitted to the City Attorney's Office for unsafe structures proceedings. The City Council will decide if the structure is unsafe and if it should be vacated, secured, repaired or demolished as per Sec. 18.52.040.

7202-7204 North Loop Dr.

If you have any plans, reports or current permits which pertain to the property, you must submit them prior to this hearing to Building Permits and Inspections or bring them to Council Chambers the day of the hearing. Without these documents, no extensions of the deadlines can be granted.

Many of these corrections will require a permit. Permits for commercial or rental property must be taken out by a bonded and insured contractor who is registered with the City of El Paso.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Should you have any questions regarding this matter, please contact me at 541-4800.

FOR THE DIRECTOR FOR BUILDING PERMITS AND INSPECTIONS:

Wayne Fannin

Wayne Fannin
Building Inspector

WF/rvj

7003 1680 0000 1711 7817

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage $
Certified Fee
Return Reciept Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)

DEC 17 2003

WF

Postmark Here

Jose L. Gonzalez
7221 North Loop Dr.
El Paso, Texas 79915-2413
Re: 7202-7204 North Loop Dr.

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: WF

Jose L. Gonzalez
7221 North Loop Dr.
El Paso, Texas 79915-2413
Re: 7202-7204 North Loop Dr.

#3

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7003 1680 0000 1711 7817

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

CERTIFIED MAIL

The City of El Paso
Two Civic Center Plaza
El Paso, Texas 79901-1196
Building Permits and Inspections
Code Enforcement

7003 1680 0000 1711 7817

RETURN RECEIPT REQUESTED

Jose L. Gonzalez
7221 North Loop Dr.
El Paso, Texas 79915-2413

79915+2413 79901-1196

EL PASO CITY-COUNTY HEALTH &ENVIRONMENTAL DISTRICT

ENVIRONMENTAL HEALTH

MEMORANDUM

DATE:	**December 23, 2003**
MEMO TO:	**Tom Maguire, Housing Compliance Supervisor**
FROM:	**Jorge Ramirez, Sr. Environmental Health Inspector**
SUBJECT:	**Condemnation Report**
RE:	**7202-04 N. Loop Dr. 79915**

An inspection of the property was conducted on December 23, 2003 and the conditions checked were found in violation of Title 9 - Health and Safety, El Paso Municipal Code.

SECTION 9.04 - SOLID WASTE STORAGE AREA:
N/A

SECTION 9.04.340 – ACCUMULATIONS:
Of debris was seen.

SECTION 9.16 – NUISANCE:
N/A

SECTION 9.16.010 – DESIGNATED:
N/A

SECTION 9.28 -RAT CONTROL:
The property consists of 3 structures and mobile homes. Two of the structures are decaying and vacant. The other structure is occupied. The mobile homes are occupied. The property used to be a mobile home park with several apartments.

Note: No health hazard note.

If you require additional assistance on this matter, please call me at (915) 860-2378 or Fax (915) 860-1081.

20040212 TC8006 CITY OF EL PASO TAX OFFICE - ACCOUNT STATUS 081550

ACCOUNT S65899900600400 AMT DUE AS OF: 20040212 ROLL R ALT OWN
UNITS:01 05 06 07 08 OMIT(-)/SEL(+)
GONZALEZ, JOSE L 6 STILES GARDENS
W PT OF 3 (HOMESITE)
7202 NORTH LOOP DR (0.016 ACRE)

EL PASO TX 79915-2413
ACRES .0161 PARCEL ADDRESS 7202 -7204 N LOOP D

YEAR	GROSS VAL	HOVDFAER	RCVL LEVY	REM LEVY	FEES	PAYMENTS	TOTAL DUE
2003	16015	XX	45.48	01/06/2004		45.48	.00
2002	16015	YY	44.91	01/23/2003		44.91	.00
2001	16015	YY	44.68	01/06/2004		44.68	.00
2000	16015	YY	44.07	01/17/2001		44.07	.00
1999	16015	YY	43.00	01/20/2000		43.00	.00
1998	16015	YY	43.00	01/21/1999		43.00	.00
1997	16015	YY	43.32	01/16/1998		43.32	.00
	TOTAL		.00	.00	.00		

LAST PAYOR OWNER PAGE TOTAL .00
NOTE EXISTS CUMULATIVE TOTAL .00
ENTER NEXT ACCOUNT