



**CITY OF FARMERSVILLE
BUILDING & PROPERTY STANDARDS COMMISSION
October 24, 2019, 6:00 P.M.
Council Chambers, City Hall
205 S. Main Street**

I. PRELIMINARY MATTERS

- Call to Order, Roll call, Prayer and Pledge of Allegiance

II. REORGANIZATION OF COMMISSION

- A. Election of Chairman
- B. Election of Vice-Chairman
- C. Election of Secretary

III. CONSENT AGENDA

Items in the Consent Agenda consist of non-controversial or “housekeeping” items required by law. Commission members may request prior to a motion and vote on the Consent Agenda that one or more Items be withdrawn from the Consent Agenda and considered individually. Following approval of the Consent Agenda, excepting the items requested to be removed, the Commission will consider and act on each item so withdrawn individually.

- A. Minutes from the Building & Property Standards Commission Meeting held on October 26, 2017.

IV. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

- A. Consider, discuss, and act upon code violations located at 405 McKinney Street.

V. ADJOURNMENT

The Commission reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code, including, but not limited to, Section 551.071 (Consultation with Attorney).

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive service must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at 972/782-6151 or FAX 972/782-6604 for further information.

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the front window of the City Hall building for Farmersville, Texas, in a place and manner convenient and readily accessible to the general public at all times, and said Notice was posted on October 21, 2019, by 6:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.

Dated this the 21st day of October, 2019.




Sandra Green, City Secretary

I. PRELIMINARY MATTERS

II. REORGANIZATION OF COMMISSION

III. CONSENT AGENDA

- A. Minutes from the Building & Property Standards Commission Meeting held on October 26, 2017.



**CITY OF FARMERSVILLE
BUILDING & PROPERTY STANDARDS COMMISSION
MINUTES
for
October 26, 2017, 6:00 P.M.**

I. PRELIMINARY MATTERS

- Diane Jackson called the meeting to order at 6:00 p.m. Commissioners Chris Calverley, James Riley, and Tracy Foltz were present. Commissioner Tiffany Hesse was absent. City Staff in attendance were Karen Dixon, Paula Jackson, and City Attorney, Alan Lathrom. Also in attendance was Council Liaison, Donny Mason.
- The pledges to the United States and Texas flags was led by Diane Jackson and Chris Calverley led the prayer.

II. REORGANIZATION OF COMMISSION

A. Election of Chairman

- Motion to nominate Chris Calverley as Chairman was made by Diane Jackson
- 2nd to approve was James Riley
- All Commissioners voted in favor

B. Election of Vice-Chairman

- Motion to nominate Diane Jackson as Vice-Chairman was made by Chris Calverley
- 2nd to approve was Tracy Foltz
- All Commissioners voted in favor

C. Election of Secretary

- Motion to nominate Tracy Foltz as Secretary was made by Diane Jackson
- 2nd to approve was James Riley
- All Commissioners voted in favor

III. CONSENT AGENDA

Items in the Consent Agenda consist of non-controversial or “housekeeping” items required by law. Commission members may request prior to a motion and vote on the Consent Agenda that one or more Items be withdrawn from the Consent Agenda and considered individually. Following approval of the Consent Agenda, excepting the items requested to be removed, the Commission will consider and act on each item so withdrawn individually.

A. Minutes from the Building & Property Standards Commission Meeting on June 22, 2017.

- Minutes stand approved as submitted

IV. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

A. Consider, discuss, and act upon violations located at 508 Neathery.

- Karen Dixon addressed the Commission and asked if the Commission would give the owner time to get his inspection. She stated the Commission has already given him two other opportunities and after this the Commission can decide what they want to do.
- The Commission discussed moving the next meeting date to November 16th or 30th due to the Thanksgiving Holiday. They stated the 16th would be a better day for everyone.
- The homeowner gave an update to the Commission and requested time to get the electrical, mechanical, and plumbing inspections. He stated he has hired a licensed electrician, plumber, and HVAC company to complete the work since the last time he came before the Commission.
 - Motion to table the item until the next meeting to allow homeowner to obtain inspections made by Chris Calverley
 - 2nd to approve made by James Riley
 - All Commissioners were in favor

B. Consider, discuss and act upon code violations regarding vehicles located at 213 Hill, Block 2, Lot 4 in the Rike Addition.

- Karen Dixon addressed the Commission and stated she would be pulling this item from the agenda. She indicated she was pulling it because of the way it had been noticed to the owner. She stated a new violation will come back before the Commission after all the letters have been mailed and enough time had been given.
- Alan Lathrom stated at 6:21 p.m. the Commission would go into an Executive Session with the City Attorney for legal advice regarding the case located at 213 Hill Street.
- The Commission reconvened back into regular session at 6:40 p.m. and no action was taken.

V. **ADJOURNMENT**

- The meeting was adjourned at 6:41 p.m.
 - Motion adjourn made by Diane Jackson
 - 2nd to approve made by Tracy Foltz
 - All Commissioners were in favor

APPROVE:

Chairman

ATTEST:

Sandra Green, City Secretary

IV. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

A. Consider, discuss, and act upon code violations located at 405 McKinney St.



FARMERSVILLE

POLICE DEPARTMENT

FARMERSVILLE, TEXAS 75442
Office: (972) 782-6141 Fax: (972) 782-7693

15 MAY 2018

BEN POOL & KATHERINE LAMKIN
PO BOX 269
FARMERSVILLE TX 75442

972 345 9747

called
12.3.18
KD

RE: Notice of Violation of Farmersville City Ordinance 14, 14-307 (5) AND 14-308 (41)

Property Location: 405 MCKINNEY

You are hereby notified that you are in violation of the above referenced Farmersville City Ordinance.

NO SKIRTING ON HOUSE AND GRASS IN BACK NEEDS MOWING

Violation Description: Failure to keep property free of weeds, rubbish, brush or other objectionable, unsightly or unsanitary matter. Fences must be maintained in good repair. House must be maintained in good repair.

You must comply with the requirements of the Ordinance within ten (10) days after receiving this notice of violation. If you do not comply the city will:

7017 1070 0000 8463 9726

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none">Complete Items 1, 2, and 3.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.		<p>A. Signature <input checked="" type="checkbox"/> Adult Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>Katherine Lamkin</i></p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>	
1. Article Addressed to: Ben Pool & Katherine Lamkin PO Box 269 Farmersville TX 75442			
2. Article Number (Transfer from service label) 7017 1070 0000 8463 9726		3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery Restricted Delivery <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery	
Barcode: 9590 9402 1945 6123 2936 63		For delivery information, visit our website at www.usps.com	
PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt	



**BUREAU
VERITAS**

INSPECTION REPORT

PROJECT ADDRESS & CITY 405 McKinney St. , Farmersville, Collin County, TX 75442		PROJECT NUMBER 2019-000844
SUBDIVISION / PROJECT NAME Unknown		CLIENT City of Farmersville

Reinspection required for Partial Pass or Failed inspections

Code consultation -- Failed

In this date in performed a site inspection of the home at this location along with city of Farmersville representatives. I observed the home to have a sagging roof system, excessive rotted lumber of the wood foundation system on the exterior. While inside of the home I observed missing sections of the floor system, rotted and dilapidated floor joist, and further damage to the wood foundation system. Additionally numerous load bearing studs appeared to have been damaged by termites. In my opinion this home is unsafe to occupy in its present condition.

PERMIT NUMBER Building - W001	INSPECTOR David Alkins	INSPECTOR'S PHONE (817)372-7011	DATE 01/16/2019
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BVNA REPRESENTS THAT THE SERVICES, FINDINGS, RECOMMENDATIONS AND/OR ADVICE PROVIDED TO CLIENT WILL BE PREPARED, PERFORMED, AND RENDERED IN ACCORDANCE WITH PROCEDURES, PROTOCOLS AND PRACTICES ORDINARILY EXERCISED BY PROFESSIONALS IN BVNA'S PROFESSION FOR USE IN SIMILAR ASSIGNMENTS, AND PREPARED UNDER SIMILAR CONDITIONS AT THE SAME TIME AND LOCALITY. CLIENT ACKNOWLEDGES AND AGREES THAT BVNA HAS MADE NO OTHER IMPLIED OR EXPRESSED REPRESENTATION, WARRANTY OR CONDITION WITH RESPECT TO THE SERVICES, FINDINGS, RECOMMENDATIONS OR ADVICE TO BE PROVIDED BY BVNA PURSUANT TO THIS AGREEMENT.

THIS REPORT IS SOLELY FOR THE USE AND BENEFIT OF THE CLIENT. BVNA IS NOT LIABLE TO THE CLIENT OR ANY THIRD PARTY FOR THE THIRD PARTY'S RELIANCE ON OR USE OF THIS REPORT. INSPECTIONS ARE BASED SOLELY ON VISUAL OBSERVATION(S) AND ASSESSMENT(S) OF THE CONDITION OF THE PROPERTY OR SPECIFIED ITEMS AT THE TIME OF INSPECTION. FURTHER, BVNA IS NOT LIABLE TO THE CLIENT OR ANY THIRD PARTY FOR ANY DAMAGE OR CLAIM ARISING FROM UNDISCLOSED AND/OR UNKNOWN DANGEROUS CONDITIONS EXISTING AT THE SITE BEFORE BVNA ENTERED THE PROJECT SITE, OR ARISING OUT OF MISREPRESENTATIONS BY CLIENT CONCERNING CONDITIONS AT THE SITE OR SPECIFIED ITEM.

INSPECTION REQUEST
TOLL FREE: (877) 837-8775
FAX (877) 837-8859

FARMERSVILLE POLICE DEPARTMENT

Incident # 18-000406 (2)

DIXON, K

AN ADMINISTRATIVE SEARCH WAS PREPARED ON 15 JAN 19 AND APPROVED BY THE JUDGE. THE SEARCH WARRANT WAS EXECUTED ON 16 JAN 10. A LETTER OF NOTIFICATION WAS PREPARED ON 25 JAN 19 AND SENT CERTIFIED MAIL ON 28 JAN 19. THIS PROPERTY WILL GO BEFORE THE PROPERTY MANAGEMENT BOARD ON 28 FEB 19.

SEARCH WARRANT FOR FIRE, HEALTH, AND CODE INSPECTIONS
(ART. 18.05, C.C.P.)

2019-01

TO ANY PEACE OFFICER OF THE STATE OF TEXAS – GREETINGS:

THE STATE OF TEXAS to any Fire Marshal, Health Officer, or Code Enforcement Official (of the State of Texas) (of Collin County, Texas) (of the City of Farmersville, Collin County, Texas), who has responsibility for the inspection of any specified premises to determine the presence of a fire or health hazard or unsafe building condition or a violation of any fire, health, or building regulation, statute, or ordinance in the territorial limits of the City of Farmersville, Texas:

WHEREAS, the affiant whose signature is affixed to the affidavit supporting the issuance of this warrant is a (Fire Marshal) (Health Officer) (Code Enforcement Official) under the laws of the State of Texas and did therefore this day subscribe and swear to said affidavit before me, which affidavit is attached hereto and incorporated herein by reference for all purposes, and whereas I find that the verified facts and information contained therein and stated by affiant are sufficient to establish probable cause for the issuance of this warrant.

NOW THEREFORE, you are hereby commanded to enter upon and search the suspected place and premises described in said affidavit and to their determine the presence of fire or health hazards, unsafe building conditions or violations of any fire, health, or building regulation, statute, or ordinance of the City of Farmersville, Texas or the State of Texas, and in particular, to determine the presence of City Ordinance Violations i.e. dilapidated structure in violation of said regulation, statute, or ordinance, and if you find that for which you are directed to search you will seize the same and declare same to be held in the custody and control of the court in accordance with Article 18.05, Code of Criminal Procedure, until further notice of the court.

Herein fail not, but have you then and there execute this warrant within three (3) days, exclusive of the day of issuance and exclusive of the day of execution, with your return showing how you executed same.

ISSUED at 10:30 o'clock (a.m.) (p.m.), on this 15 day of Jan, 2019 to
certify which witness my hand and seal this day.

405 McKim Street
Farmersville, TX 75442



[Signature]
Judge, (City) Municipal Court

OFFICER'S RETURN

Came to hand the 16 day of Jan, 2019, at 1055 o'clock (a.m.) (p.m.) and executed on the 16
day of Jan, 2019, at 1055 o'clock (a.m.) (p.m.) by Karen Dixon / Dave Alkins

[Signature]
(Fire Marshal) (Health Officer) (Code Enforcement Official)
Peace Officer

FARMERSVILLE POLICE DEPARTMENT

Offense / Incident Report

GENERAL OFFENSE INFORMATION

Report Type: Supplement

Agency	FARMERSVILLE POLICE DEPT	Location	405 MCKINNEY FARMERSVILLE TEXAS 75442
Case #	18-000406 (2)		
File #	18-000406		
Description	CITY ORDINANCE VIOLATION-DILAPIDATED STRUCTURE		
Incident Status	REFERRED TO PROPERTY BOARD	From Date/Time	05/14/2018 00:00
		To Date/Time	
		Report Date	01/25/2019 00:00
Reporting Officer	DIXON, K	Initial Rep. Date	05/14/2018 00:00

Entered By DIXON, K

Officer DIXON, K

Supervisor



FARMERSVILLE POLICE DEPARTMENT

134 North Washington Street
Farmersville, Texas 75442
972-782-6141
Fax 972-782-7693
28 January 2019

SUBSTANDARD PROPERTY INSPECTION REPORT AND NOTICE OF HEARING

BEN POOL & KATHERINE LAMPKIN
PO BOX 269
FARMERSVILLE TX 75442

VIOLATION ADDRESS: 405 MCKINNEY
PROPERTY ID: 1229478
LEGAL DESCRIPTION: FARMERSVILLES
ORIGINAL DONATION
Blk F, Lot 17b
Subdivision: FARMERSVILLE ORIGINAL
DONATION

Dear Mr Pool & Ms Lampkin

On January 16, 2019, an inspection of the primary structure at 405 McKinney was conducted by the City of Farmersville's code enforcement officer Karen Dixon, and Bureau Veritas Inspector David Alkins. The following items demonstrate that the structure at 405 McKinney is a nuisance under the City of Farmersville Code of Ordinances, Chapter 14, Division 10, Section 14-269 Adoption of International Property Maintenance Code, 2006 Edition, Section 108 Unsafe Structures and Equipment 108.1.1 Unsafe Structures and Section 304 Exterior Structure, 304.4 Structural Members, 304.6 Exterior Walls. Therefore, the aforementioned structure does not meet the minimum standards for compliance with the City of Farmersville Ordinance. This situation may be cause for the Building Standards Commission of the City of Farmersville, Texas to declare the building substandard and order the building repaired and/or demolished. The following is a list of conditions in or of the structure at 405 McKinney which are in violation of the City of Farmersville Code of Ordinances, Chapter 14, Section 14-313

1. Sagging roof system
2. Excessive rotted lumber of the wood foundation system on the exterior
3. Missing sections of the floor system on the inside
4. Rotted and dilapidated floor joists
5. Damage to the wood foundation system on the inside
6. Numerous load bearing studs appear to have been damaged by termites
7. Home is unsafe to occupy in its current condition

While additional violations may be present on the Property, the above listed conditions constitute a violation of the following provisions of the International Property Maintenance Code:

Section 108 Unsafe Structures and Equipment

108.1.1 Unsafe Structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

Section 304 Exterior Structure

304.4 Structural members. All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

304.6 Exterior Walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

The City's code enforcement officer and bureau veritas inspector have determined that the building is in need of immediate repair due to the danger of collapse. Therefore, A PUBLIC HEARING HAS BEEN SCHEDULED before the Building and Standards Commission to determine if the building at 405 McKinney constitutes a nuisance and is in violation of the City's minimum standards for maintenance. The hearing is Scheduled for 28 February 2019, a date at least ten (10) days after this Notice. The hearing will be held at the City of Farmersville City Hall, 205 S. Main, Farmersville, Texas 75442 at 6:00 p.m. During the hearing, you may present evidence on issues relevant to the determination of the condition of the building at 405 McKinney

The City will vacate secure, remove, repair, or demolish the building and/or relocate the occupants of the building, at your expense, if the action ordered by the Building Standards Commission is not completed within the required time,

Failure to comply with this notice and order will result in further action by the City, including the abatement of said nuisance and the costs associated with the same, as provided for by Ordinance.

Thank you for your immediate attention to this matter. If you have any questions please contact me at (972) 782-6141.

Sincerely,



Karen Dixon
Public Service Officer
City of Farmersville



FARMERSVILLE POLICE DEPARTMENT

134 North Washington Street
Farmersville, Texas 75442
972-782-6141
Fax 972-782-7693

20 FEBRUARY 2019

Ben Pool & Katherine Lampkin
PO Box 269
Farmersville TX 75442

Mr Pool & Ms Lampkin

The Property Management Board hearing on 2/28/19 has been cancelled.

The next Property Management Board hearing to discuss 405 McKinney will be on 3/28/19 at 6 p.m. at 205 S. Main, Farmersville, Collin County, Texas. Your presence is required at the meeting to discuss the said property.

701A PLAN 0000 1080 6052

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Farmersville Police Dept
134 N Washington
Farmersville TX 75442

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FARMERSVILLE POLICE DEPARTMENT

134 North Washington Street
Farmersville, Texas 75442
972-782-6141
Fax 972-782-7693
1 October 2019

SUBSTANDARD PROPERTY INSPECTION REPORT AND NOTICE OF HEARING

BEN POOL & KATHERINE LAMPKIN
PO BOX 269
FARMERSVILLE TX 75442

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6. Numerous load bearing studs appear to have been damaged by termites
7. Home is unsafe to occupy in its current condition

While additional violations may be present on the Property, the above listed conditions constitute a violation of the following provisions of the International Property Maintenance Code:

Section 108 Unsafe Structures and Equipment

108.1.1 Unsafe Structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

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304.6 Exterior Walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

The City's code enforcement officer and bureau veritas inspector have determined that the building is in need of immediate repair due to the danger of collapse. Therefore, A PUBLIC HEARING HAS BEEN SCHEDULED before the Building and Standards Commission to determine if the building at 405 McKinney constitutes a nuisance and is in violation of the City's minimum standards for maintenance. The hearing is Scheduled for 24 October 2019, a date at least ten (10) days after this Notice. The hearing will be held at the City of Farmersville City Hall, 205 S. Main, Farmersville, Texas 75442 at 6:00 p.m. During the hearing, you may present evidence on issues relevant to the determination of the condition of the building at 405 McKinney

The City will vacate secure, remove, repair, or demolish the building and/or relocate the occupants of the building, at your expense, if the action ordered by the Building Standards Commission is not completed within the required time,

Failure to comply with this notice and order will result in further action by the City, including the abatement of said nuisance and the costs associated with the same, as provided for by Ordinance.

Thank you for your immediate attention to this matter. If you have any questions please contact me at (972) 782-6141.

Sincerely,


Karen Dixon
Public Service Officer
City of Farmersville

405 MCKINNEY

HOUSE LOOKED AT AND LETTER SENT TO OWNER ON 15 MAY 2018
CALLED OWNER ON APPROXIMATELY 1 JUN 18 OWNER STATED THEY WERE GOING TO
DEMOLISH HOUSE
CALLED OWNER AGAIN ON 3 DEC 18 AND DISCUSSED THE HOUSE AND SHE WANTED TO
DISCUSS THE SITUATION WITH HER HUSBAND
OWNER CALLED ON 1 JAN 19 AND STATED TO GO ON WITH PROCESS
PICTURES TAKEN ON 4 JAN 19
SEARCH WARRANT OBTAINED ON 15 JAN 19
SEARCH WARRANT EXECUTED ON 16 JAN 19

INSPECTION REPORT

1. SAGGING ROOF SYSTEM
2. EXCESSIVE ROTTED LUMBER OF THE WOOD FOUNDATION SYSTEM ON THE EXTERIOR
3. ON THE INSIDE I OBSERVED MISSING SECTIONS OF THE FLOOR SYSTEM
4. ROTTED AND DILAPIDATED FLOOR JOISTS AND FURTHER DAMAGE TO FOUNDATION
5. NUMEROUS LOAD BEARING STUDS APPEARED TO HAVE BEEN DAMAGED BY TERMITES
6. THIS HOME IS UNSAFE TO BE OCCUPY IN CURRENT CONDITION



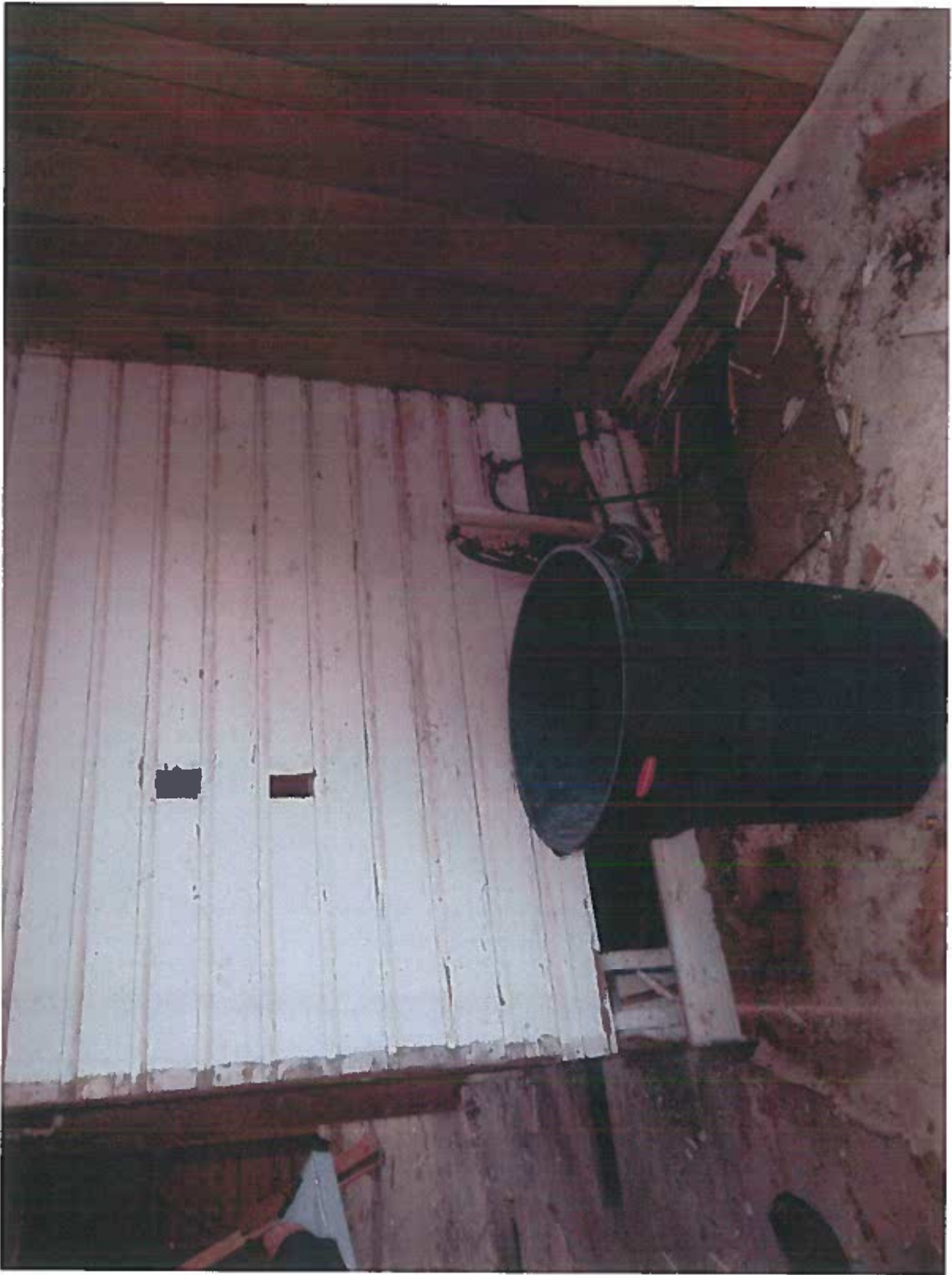




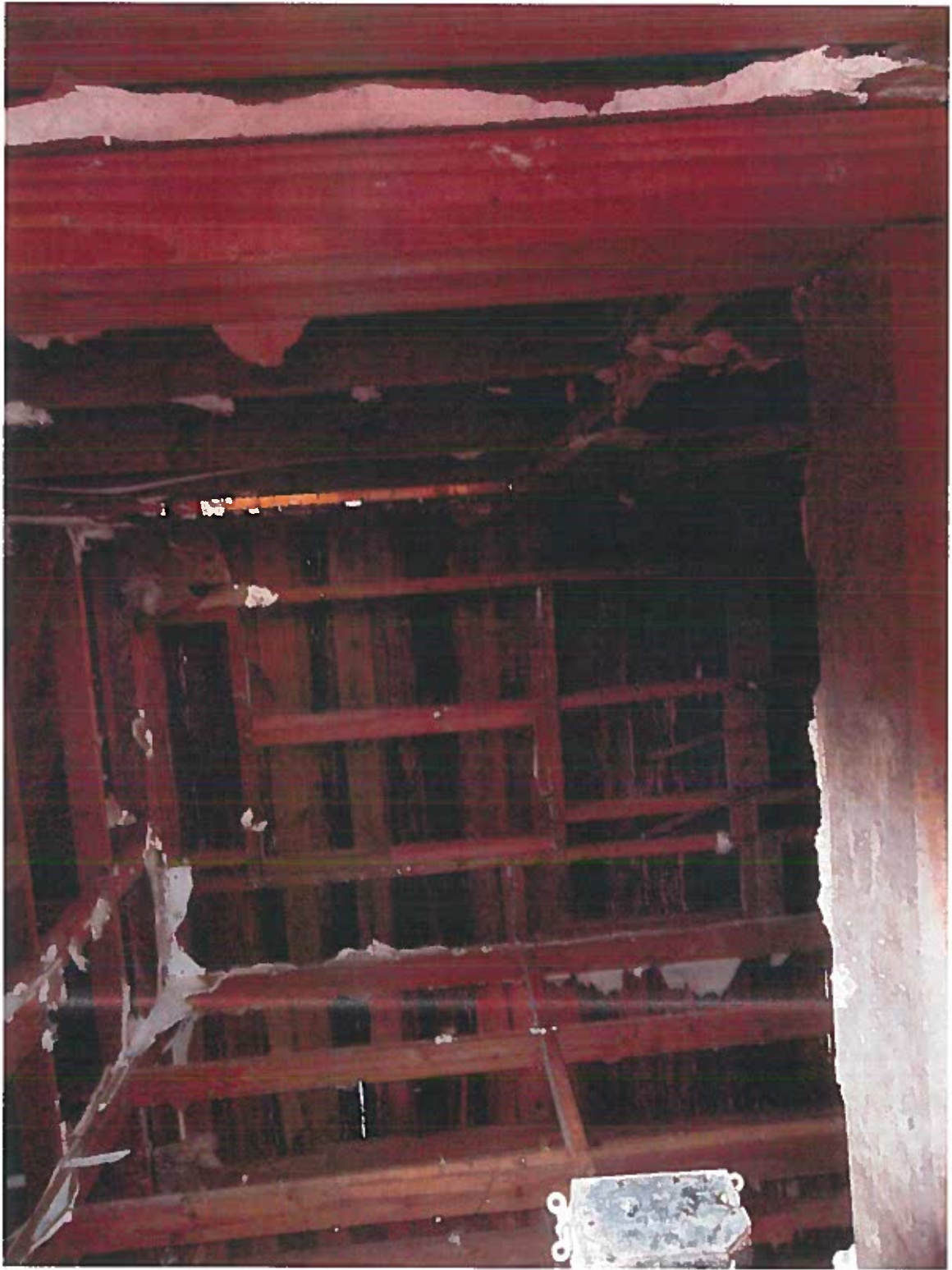




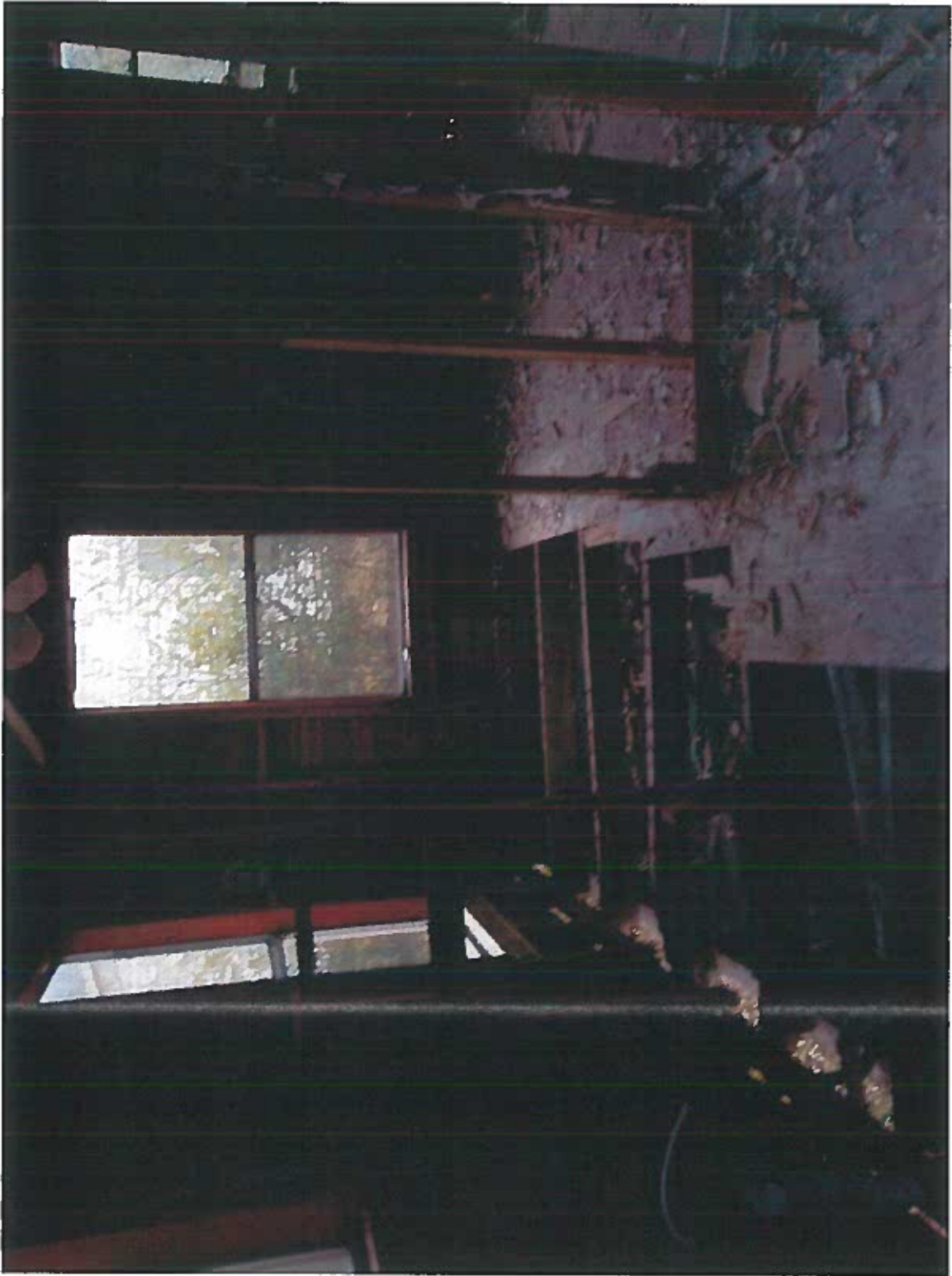












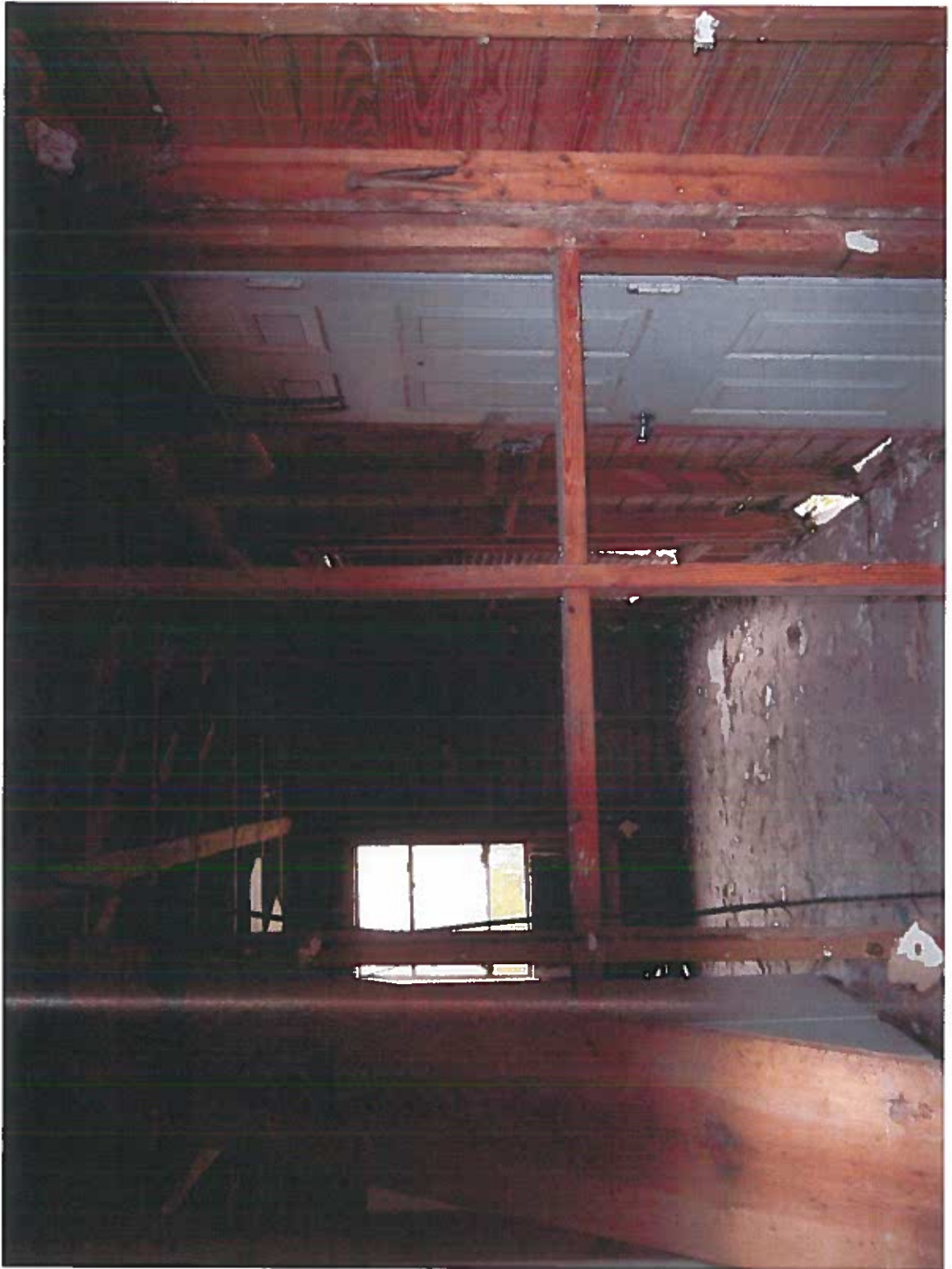


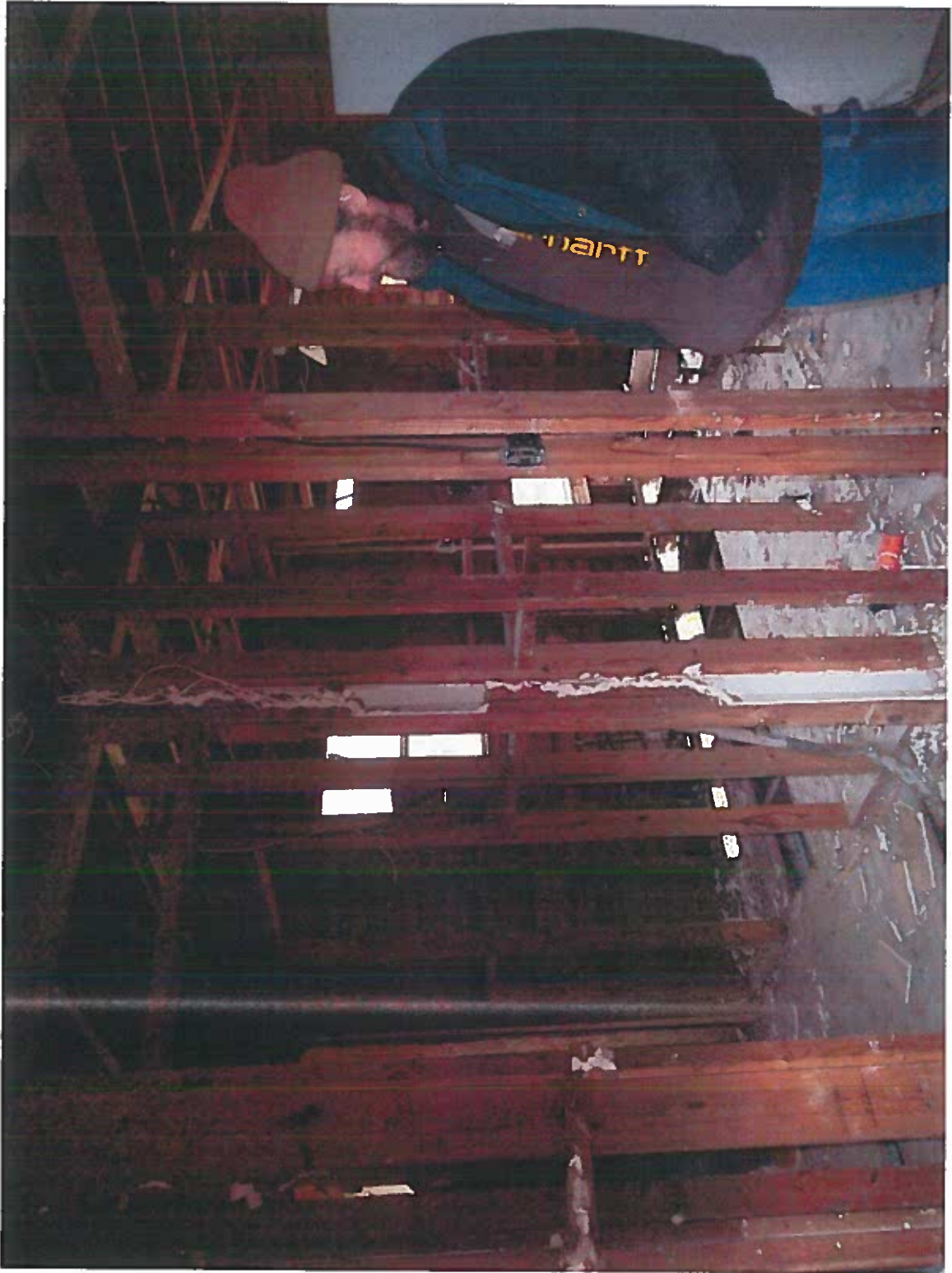


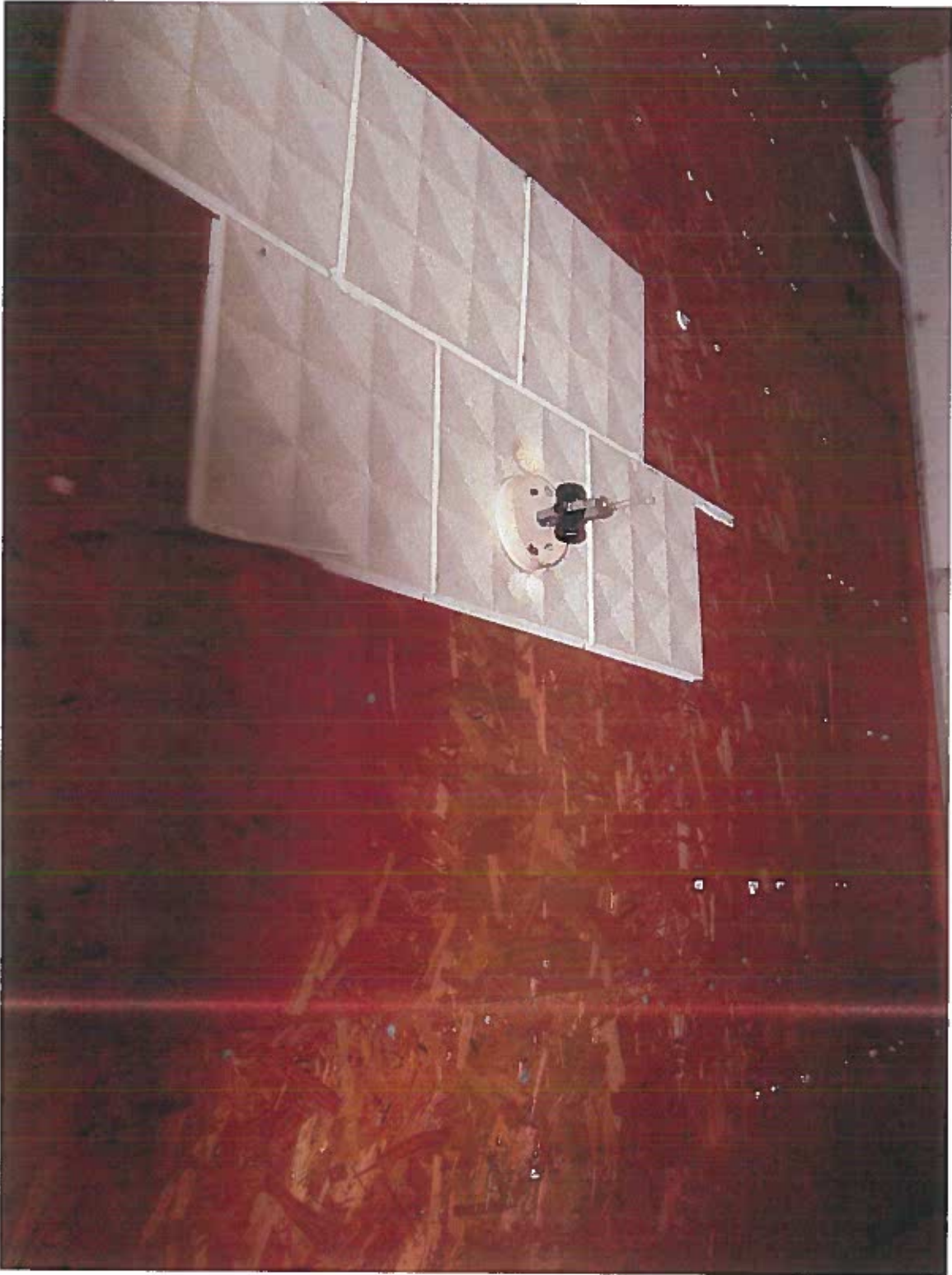












V. ADJOURNMENT