

**NOTICE OF MEETING  
CITY OF SOUTH PADRE ISLAND  
SUBSTANDARD STRUCTURE REVIEW BOARD**

NOTICE IS HEREBY GIVEN THAT THE SUBSTANDARD STRUCTURE REVIEW BOARD MEMBERS OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, WILL HOLD A MEETING ON:

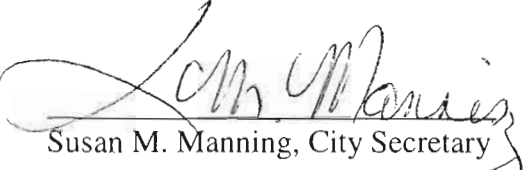
**WEDNESDAY, OCTOBER 2, 2019**

5:00 P.M. AT THE MUNICIPAL BUILDING,  
CITY COUNCIL CHAMBERS, 2<sup>ND</sup> FLOOR  
4601 PADRE BOULEVARD, SOUTH PADRE ISLAND, TEXAS

1. Call to order.
2. Pledge of Allegiance and Texas Pledge.
3. **Public Comments and Announcements:** *This is an opportunity for citizens to speak to the Substandard Structure Review Board relating to agenda or non-agenda items. Speakers are required to address the Board at the podium and give their name before addressing their concerns. [Note: State law will not permit the Board to discuss, debate or consider items that are not on the agenda. Citizen comments may be referred to City Staff or may be placed on the agenda of a future Substandard Structure Review Board meeting]*
4. Public hearing and action regarding the status, repair and/or removal of the structure(s) located at 119 East Kingfish Street, South Padre Island, Texas, 78597 (So. Padre Island – Padre Beach Section V, Lot 11, Block 63).
  - a) Public Hearing
  - b) Consideration and action declaring a substandard structure(s) and regarding the repair or removal of the structure(s) located at 119 East Kingfish Street, South Padre Island, Texas, 78597 (So. Padre Island – Padre Beach Section V, Lot 11, Block 63).
5. Public hearing and action regarding the status, repair and/or removal of the structure(s) located at 1601 Padre Boulevard, South Padre Island, Texas, 78597 (Lot 1, Block 7, Replat lots 1-6 & 32-34, Block 7, 1.0330 acres).
  - a) Public Hearing
  - b) Consideration and action declaring a substandard structure(s) and regarding the repair or removal of the structure(s) located at 1601 Padre Boulevard, South Padre Island, Texas, 78597 (Lot 1, Block 7, Replat lots 1-6 & 32-34, Block 7, 1.0330 acres).

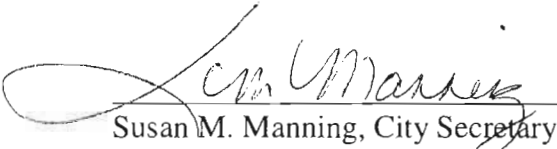
6. Public hearing and action regarding the status, repair and/or removal of the structure(s) located at 5705-A Gulf Boulevard, South Padre Island, Texas, 78597 (Replat of Lots 2-3-4, Block 189, Lot 3A, Block 189, Fiesta Isles Subdivision [Plat C1-1352B]).
  - a) Public Hearing
  - b) Consideration and action declaring a substandard structure(s) and regarding the repair or removal of the structure(s) located at 5705-A Gulf Boulevard, South Padre Island, Texas, 78597 [Replat of Lots 2-3-4, Block 189, Lot 3A, Block 189, Fiesta Isles Subdivision (Plat C1-1352B)].
  
7. Public hearing and action regarding the status, repair and/or removal of the structure(s) located at 5705-B Gulf Boulevard, South Padre Island, Texas, 78597 (Replat of Lots 2-3-4, Block 189, Lot 3B, Block 189, Fiesta Isles Subdivision (Plat C1-1352B)).
  - a) Public Hearing
  - b) Consideration and action declaring a substandard structure(s) and regarding the repair or removal of the structure(s) located at 5705-B Gulf Boulevard, South Padre Island, Texas, 78597 [Replat of Lots 2-3-4, Block 189, Lot 3A, Block 189, Fiesta Isles Subdivision (Plat C1-1352B)].
  
8. Adjourn.

DATED THIS THE 27TH DAY OF SEPTEMBER, 2019.

  
 Susan M. Manning, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF MEETING OF THE GOVERNING BODY OF THE CITY OF SOUTH PADRE ISLAND, TEXAS IS A TRUE AND CORRECT COPY OF SAID NOTICE AND THAT I POSTED A TRUE AND CORRECT COPY OF SAID NOTICE ON THE BULLETIN BOARD AT CITY HALL/MUNICIPAL BUILDING ON **SEPTEMBER 27, 2019** AT/OR BEFORE 5:00 P.M. AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.



  
 Susan M. Manning, City Secretary

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 BUILDING OFFICIAL, DAVID TRAVIS; ADA DESIGNATED RESPONSIBLE PARTY AT (956) 761-8103.

**CITY OF SOUTH PADRE ISLAND  
SUBSTANDARD STRUCTURE  
REVIEW BOARD MEETING  
AGENDA REQUEST FORM**

**MEETING DATE:** October 2, 2019

**NAME & TITLE:** David Travis, Building Official, and Aaron Hanley, Planning Director

**DEPARTMENT:** Building Inspections Division, Planning Department

**ITEM**

Public hearing and action regarding the status, repair and/or removal of the structure(s) located at 119 East Kingfish Street, South Padre Island, Texas, 78597 (So. Padre Island – Padre Beach Section V, Lot 11, Block 63).

- a) Public Hearing
- b) Consideration and action declaring a substandard structure(s) and regarding the repair or removal of the structure(s) located at 119 East Kingfish Street, South Padre Island, Texas, 78597 (So. Padre Island – Padre Beach Section V, Lot 11, Block 63).

**ITEM BACKGROUND**

**Chronology of Events**

Lot 11, Block 63, Padre Beach Subdivision, Section V (the “Property”), is zoned District B-2 as reflected on the City’s Zoning Map.

On or about September 15, 2010, the City of South Padre Island Building Inspections Division issued Building Permit number 6862 to Paradise Construction for the construction of a single family home on the Property. The last inspection of the structure during construction was for the 3rd floor bond beam, on April 21, 2011.

On or about May 15, 2012, a letter was sent to the owners, Hector Saucedo and Hortencia Garza, advising them that Building Permit 6862 had expired due no improvements being made on the structure in over 6 months. The letter also explains that Paradise Construction, the permit holder, was no longer working for Mr. Saucedo and Ms. Garza as of December 20, 2011.

On or about June 11, 2012, the City of South Padre Island Building Inspections Division issued Building Permit number 7217 to Jose Luis Diaz for the roofing, windows, doors, decking, repairing of all damaged plywood, and finish exterior wood walls with stucco on the single family home on the Property.

On or about June 26, 2012, the last inspection of the structure during construction was for the roof deck was performed.

On or about August 2, 2019, the Building Official inspected the exterior of the Property. It was observed that the structure on the property is unfinished and not suitable for habitation. The window and door openings on the first floor of the structure are boarded with plywood, the second floor window and door openings are not covered, and the third floor wood frame walls are partially covered with plywood.

On or about August 27, 2019, a Notice of Hearing Letter was mailed to the property owner.

**BUDGET/FINANCIAL SUMMARY**

N/A

**COMPREHENSIVE PLAN GOAL**

- Chapter I Land Use, GOAL 2: The City should continue to monitor, protect, and evaluate development and resource conservation.
  - Objective 2.1: City ordinances should be consistent with the Comprehensive Plan.
    - Policy 2.1.1: The City should continue to enforce ordinances and regulations consistently and equally. Strategy 2.1.1.1: Regulations and development standards should be user-friendly and serve to streamline the permitting process while “raising the bar” of standards of development quality.
- Chapter IV Economic Development, GOAL 3: The City shall support an environment that is friendly to residents, tourists, and businesses.
  - Objective 3.1: The City should support ordinances, events, and policies that enhance the Island’s economic development potential.

**LEGAL REVIEW**

Sent to Legal:	YES: _____	NO: _____
Approved by Legal:	YES: _____	NO: _____

Comments:

**RECOMMENDATIONS/COMMENTS**

Per City of South Padre Island Code of Ordinance Section 4-18, Substandard Structures Review Board, Subsections A through G:

(A) In order to conduct public hearings and to hear and decide appeals of orders, decisions or determinations made by the code official or building official relative to the application and

interpretation of this article, the city council shall serve as the Substandard Structures Review Board to pass upon matters pertaining to building standards. The Substandard Structures Review Board may adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the property owner and lien holders, with a duplicate copy to the code official. Appeals to the board shall be processed in accordance with the provisions established by this article.

(B) *Duties of the Substandard Structures Review Board.*

(1) The Substandard Structures Review Board shall:

(a) Schedule and hold a public hearing and hear testimony from the code official, and the owner, mortgagee, or lienholder of the substandard structure. Such testimony shall relate to the determination of the question of whether the building or structure in question is a Substandard Structure and the scope of any work that may be required to comply with this article and the amount of time it will take to reasonably perform the work. The owner, mortgagee, and/or lienholder shall have the burden of proof to demonstrate the scope of any work that may be required to comply with this article and the time it will take to reasonably perform the work.

(b) Upon conclusion of the hearing, the Substandard Structures Review Board shall determine by majority vote of its Board membership whether the building or structure in question is a substandard structure. Upon a determination that the building or structure in question constitutes substandard and out of conformance with the requirements of this Chapter, the Substandard Structures Review Board shall issue an order:

1. Containing an identification of the building and the property on which it is located;
2. Making written findings of the violations of the minimum standards that are present at the building;
3. Requiring the owner, mortgagee, or lienholder to repair, vacate, or demolish the building within 30 days from the issuance of such order, unless the owner or a person with an interest in the building establishes at the hearing that the work cannot reasonably be performed within 30 days, in which instance the Substandard Structures Review Board shall specify a reasonable time for the completion of the work; and
4. Containing a statement that the city will vacate, secure, repair or demolish the Substandard Structure and relocate the occupants of the structure if the ordered action is not taken within the time specified by the Board.

(C) The code official or city secretary shall deliver a copy of said order by hand delivery or certified mail to the owner and all persons having an interest in the property, as such persons appear in the official records described herein, including all identifiable mortgagees and lienholders, as soon as is practicable after the hearing, which order shall include an identification and address of the building and the property on which it is located; a description of the violation of this article that are found to be present at the building; and a statement that the municipality will vacate, secure, remove, repair, or demolish the building and relocate the occupants of the building if the ordered action is not taken within the agreed-upon reasonable time.

(D) If the Substandard Structures Review Board allows the owner, mortgagee, or lienholder of the Substandard Structure more than 30 days to repair, remove, or demolish the building, the Board in its written order shall establish specific time schedules for the commencement and performance of the work and shall require the owner or person to secure the property in a reasonable manner from unauthorized entry while the work is being performed. The securing of the property shall be in a manner found to be acceptable by the Code official.

(E) The Substandard Structures Review Board shall not allow the owner, mortgagee, or lienholder of the Substandard Structure more than 90 days to repair, remove, or demolish the building or fully perform all work required to comply with the written order unless the owner or person:

- (1) Submits a detailed plan and time schedule for the work at the hearing; and
- (2) Establishes at the hearing that the work cannot reasonably be completed within 90 days because of the scope and complexity of the work.

(F) If the value of a property subject to a Substandard Structures Review Board order exceeds \$100,000.00, the board, at its election, may require the owner, lienholder, or mortgagee to post a cash or surety bond in an amount adequate to cover the cost of repairing, removing, or demolishing a building. In lieu of a bond, the board may require the owner, lienholder, or mortgagee to provide a letter of credit from a financial institution or a guaranty from a third party approved by the city. If required by the board, the bond must be posted, or the letter of credit or third party guaranty provided not later than the 30th day after the date the Board issues its order.

(G) If the Substandard Structures Review Board allows the owner, mortgagee, or lienholder of the Substandard Structure more than 90 days to complete any part of the work required to repair, remove, or demolish the building, the Board shall require them to regularly submit progress reports to the Board to demonstrate that the owner or person has complied with the time schedules established for commencement and performance of the work. The written order may require that they appear before the code official to demonstrate compliance with the time schedules.



**SUBSTANDARD STRUCTURES REVIEW BOARD**

**SUBSTANDARD STRUCTURE NOTICE LETTER**

**NOTICE OF HEARING**

August 27, 2019

Guadalupe & Yolanda Maldonado  
1009 W Wisconsin Road  
Edinburg, Texas 78539-7933

CMRRR: 70181130000216840419

**Subject: NOTICE OF VIOLATION; NOTICE TO ABATE/REPAIR**

Repair of Structure(s) located at:

119 East Kingfish Street, South Padre Island, Texas, 78597

Legal Description: So Padre Is – Padre Beach Section V Lot 11 Blk 63

Single Family Residential Structure

**HEARING DATE: October 2, 2019, at 5:30 p.m.**

**4601 Padre Blvd., South Padre Island, Texas 78597**

Dear Guadalupe & Yolanda Maldonado:

According to the real property records of Cameron County, and appropriate records of the Secretary of State, Central Appraisal District, tax rolls, among others, Guadalupe & Yolanda Maldonado is the owner, or a lienholder or mortgagee of the real property described in this notice. If you no longer own or have an interest in the Property, you must execute an affidavit stating that you no longer own or have an interest in 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

---

*Building Department • 4601 Padre Boulevard • South Padre Island, Texas 78597*

*Office • 956.761.8104 • Fax 956.761.3898*



by certified mail, return receipt requested, to this office not 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 or have an interest in the property described in this notice, even if you do not.

### **Chronology of Events**

Lot 11, Block 63, Padre Beach Subdivision, Section V (the "Property"), is zoned District B-2 as reflected on the City's Zoning Map.

On or about September 15, 2010, the City of South Padre Island Building Inspections Division issued Building Permit number 6862 to Paradise Construction for the construction of a single family home on the Property. The last inspection of the structure during construction was for the 3<sup>rd</sup> floor bond beam, on April 21, 2011.

On or about May 15, 2012, a letter was sent to the owners, Hector Saucedo and Hortencia Garza, advising them that Building Permit 6862 had expired due no improvements being made on the structure in over 6 months. The letter also explains that Paradise Construction, the permit holder, was no longer working for Mr. Saucedo and Ms. Garza as of December 20, 2011.

On or about June 11, 2012, the City of South Padre Island Building Inspections Division issued Building Permit number 7217 to Jose Luis Diaz for the roofing, windows, doors, decking, repairing of all damaged plywood, and finish exterior wood walls with stucco on the single family home on the Property.

On or about June 26, 2012, the last inspection of the structure during construction was for the roof deck was performed.

On or about August 2, 2019, the Building Official inspected the exterior of the Property. It was observed that the structure on the property is unfinished and not suitable for habitation. The window and door openings on the first floor of the structure are boarded with plywood, the second floor window and door openings are not covered, and the third floor wood frame walls are partially covered with plywood.





## **Chapter 214 Notice of Violation and Notice to Abate**

This letter is your official notice of violation and order to abate the violations located at 119 Kingfish Street, South Padre Island, Texas 78597 (the Property).

The City's Building Official has found the structure to be substandard based upon violations of the minimum standards adopted under the City of South Padre Island Code of Ordinance as follows:

### **(1) Section 4-17(B) Substandard Structures**

1. The requirements established by the most recent edition of the International Property Maintenance Code, the 2015 International Building Code, the 2015 International Residential Code without Section R313 (deleted), the 2015 International Fire Code without Appendices L and M (deleted), the 2015 International Mechanical Code, the 2015 International Plumbing Code, the 2015 International Fuel Gas Code, the 2014 National Electrical Code, the 2015 International Energy Conservation Code, the 1997 Standard Housing Code, and the 1985 Unsafe Building Abatement Code and all other amendments thereto except as modified by the Code of Ordinances, currently adopted and locally amended by the city are hereby declared to the minimum standards for the continued use and occupancy of all buildings located within the corporate limits of the city regardless of the date of their construction.
2. A building or structure shall be deemed a Substandard Structure if:
  - a. Said building or structure fails to comply with any one or more of the requirements established by the International Codes or other Codes cited above by Section 4-17(B)(1) and any local amendments made thereto;
  - b. Said building or structure, regardless of its structural condition, is either unoccupied by its owners, lessees, or other invitees, or fails to meet the requirements for and does not currently hold a certificate of occupancy, and is:
    - i. 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;



- ii. Boarded up; fenced, or otherwise secured in any manner if the building or structure constitutes a danger to the public even though secured from entry; or the means used to secure the building or structure are inadequate to prevent unauthorized entry or use of the building; or
- iii. Remains a new but incomplete or unfinished construction for a period of time which is unreasonable under the circumstances.

(2) Section 4-17 (C) Public nuisance declared

- 1. A building or structure deemed to be a Substandard Structure under the terms of this chapter is hereby declared to be a public nuisance and is unlawful.
- 2. It shall be the responsibility of the owner(s) or occupants of Substandard Structure to abate public nuisances associated with said building by means of repair, rehabilitation, demolition, or removal in accordance with the procedures provided in this chapter.

A hearing has been set for October 2, 2019, at 5:30 p.m., at 4601 Padre Blvd., South Padre Island, Texas 78597, wherein you as the owner, lien holder, or mortgagee will be required to submit proof of the scope of any work that may be required to comply with the City's Ordinances and the time it will take to reasonably perform the work.

**FAILURE OF THE OWNER AND/OR LIENHOLDER OR MORTGAGEE TO TAKE THE ORDERED ACTION MAY RESULT IN THE CITY TAKING THE ORDERED ACTION AND FILING A LIEN AGAINST THE PROPERTY.**



We appreciate your continued cooperation and prompt attention to remedying the nuisances on the property. Please do not hesitate to contact me should you have any additional questions, comments or concerns relative to the above.

Sincerely,

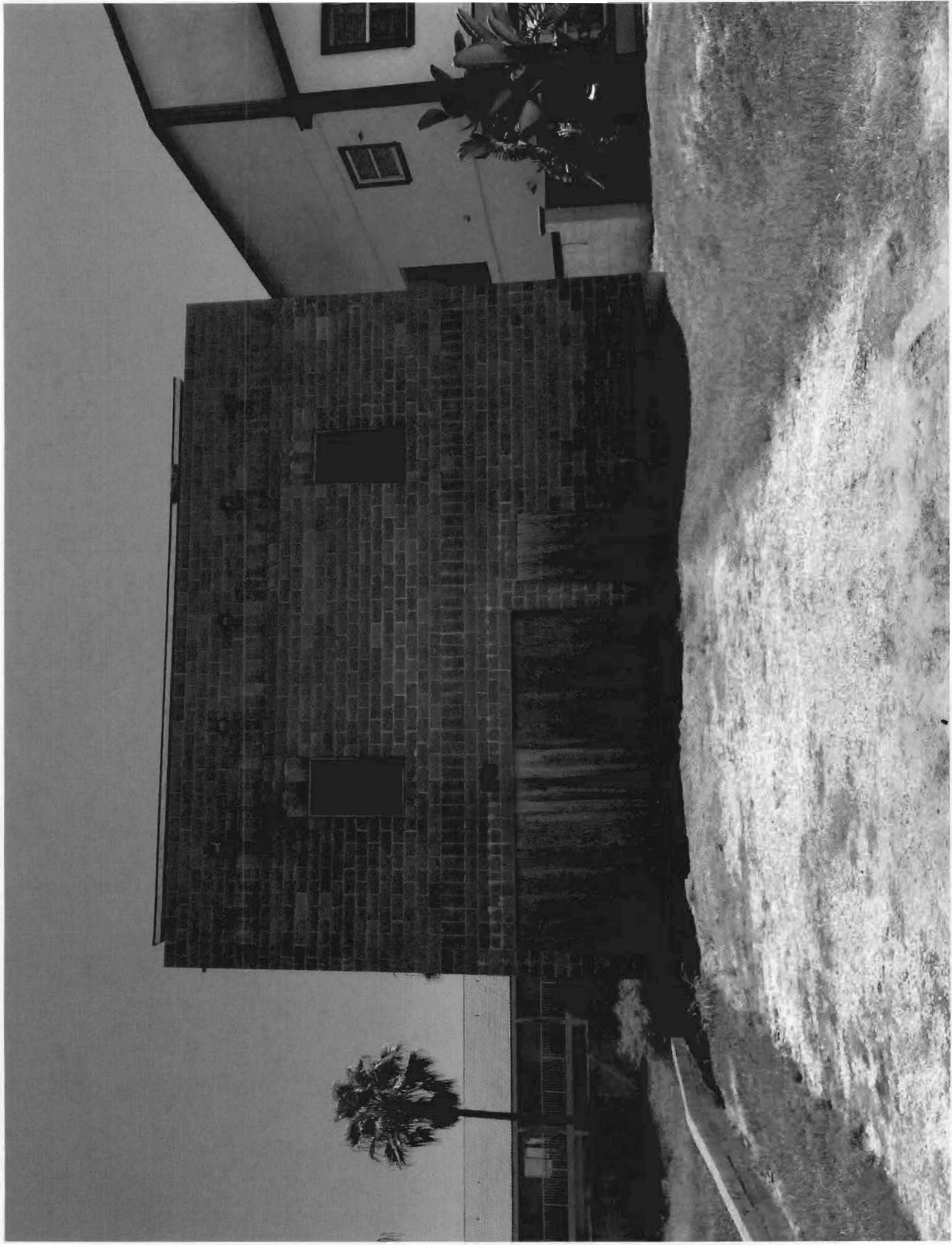
---

David Travis  
Building Official  
City of South Padre Island, Texas

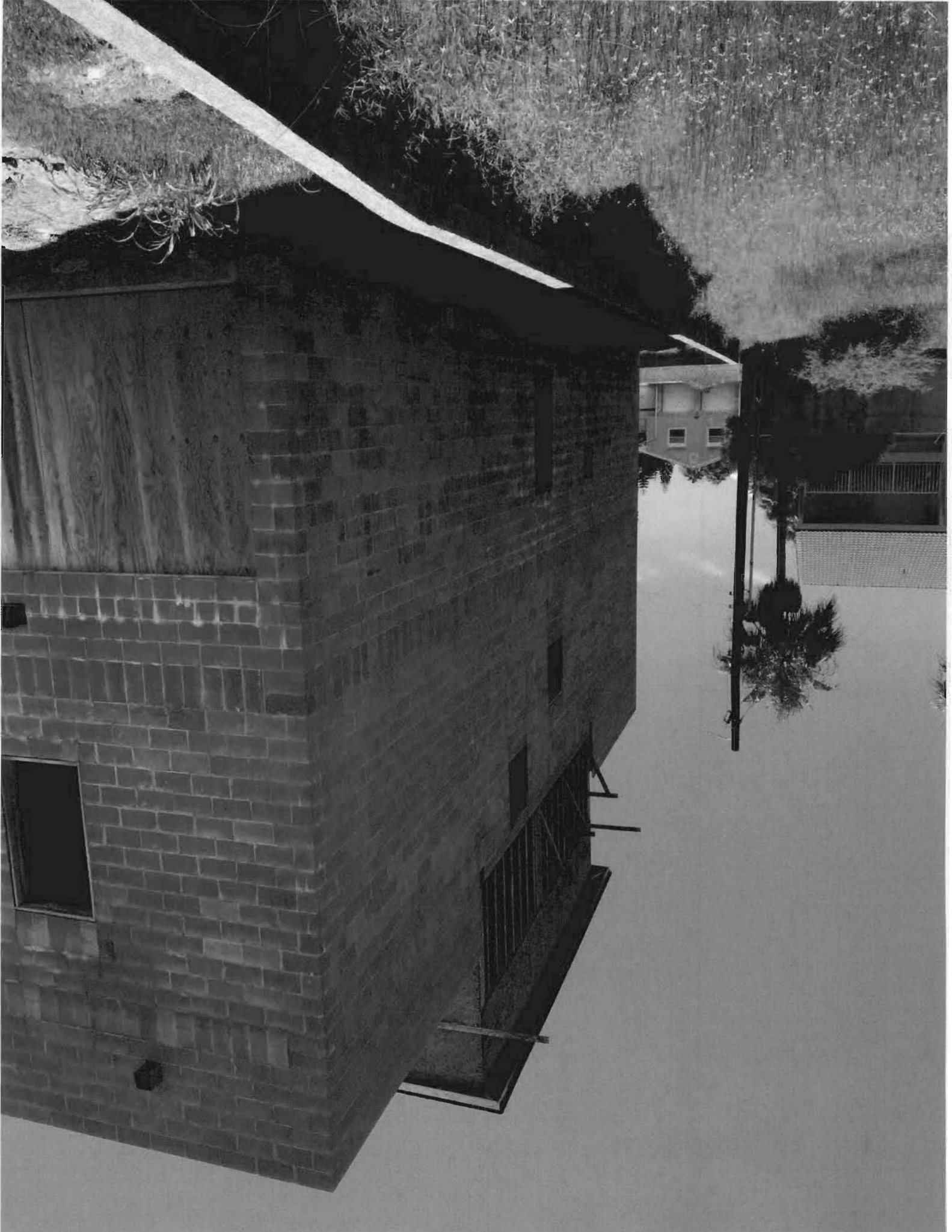
Cc:  
Randy Smith  
City Manager

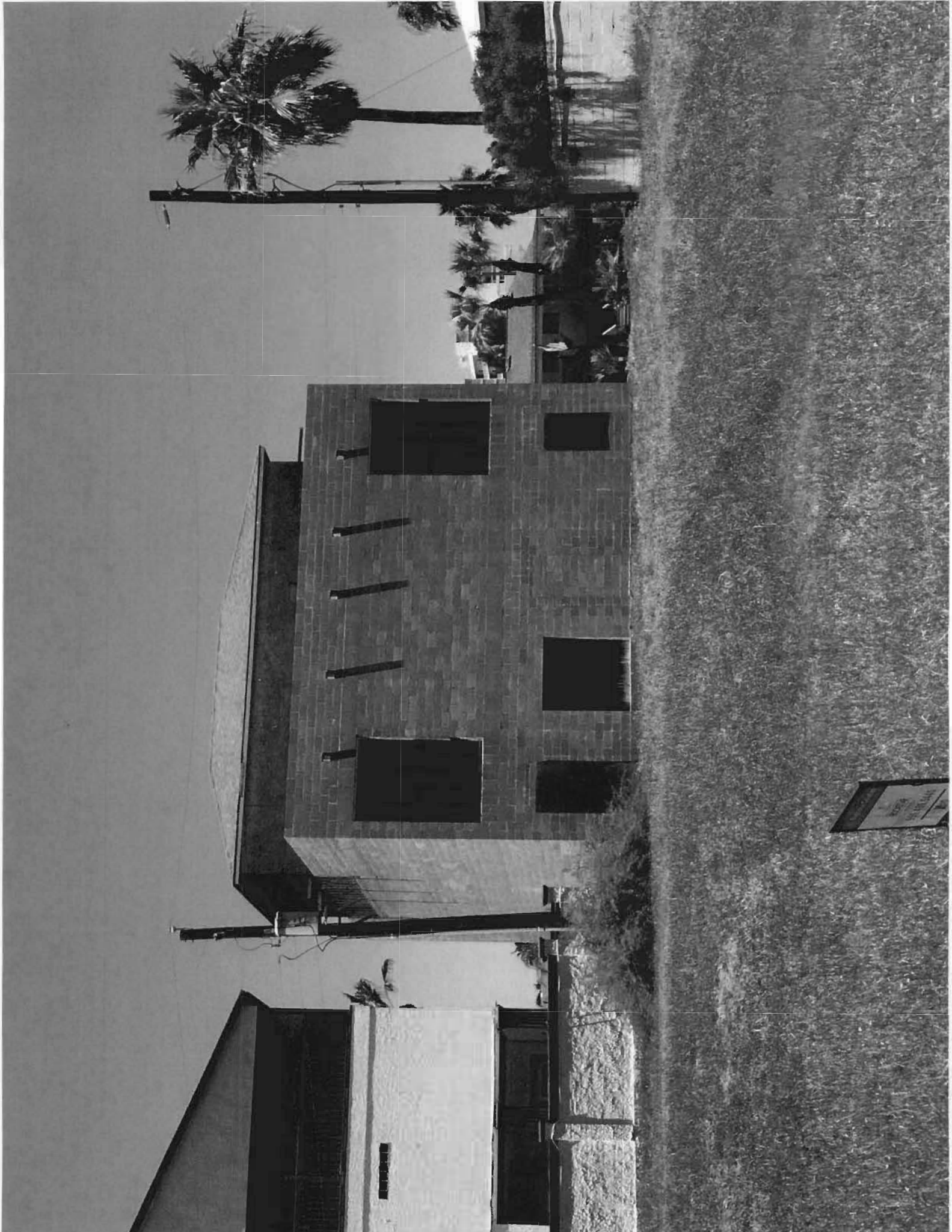
Ricardo J. Navarro  
Denton, Navarro, Rocha, Bernal, & Zech, P.C.  
City Attorney













**CITY OF SOUTH PADRE ISLAND  
SUBSTANDARD STRUCTURE  
REVIEW BOARD MEETING  
AGENDA REQUEST FORM**

**MEETING DATE:** October 2, 2019

**NAME & TITLE:** David Travis, Building Official, and Aaron Hanley, Planning Director

**DEPARTMENT:** Building Inspections Division, Planning Department

**ITEM**

Public hearing and action regarding the status, repair and/or removal of the structure(s) located at 1601 Padre Boulevard, South Padre Island, Texas, 78597 (Lot 1, Block 7, Replat lots 1-6 & 32-34, Block 7, 1.0330 acres).

- a) Public Hearing
- b) Consideration and action declaring a substandard structure(s) and regarding the repair or removal of the structure(s) located at 1601 Padre Boulevard, South Padre Island, Texas, 78597 (Lot 1, Block 7, Replat lots 1-6 & 32-34, Block 7, 1.0330 acres).

**ITEM BACKGROUND**

**Chronology of Events**

The final plat of Lot 1, Block 7, Sunny Isle Subdivision (the “Property”) was filed on or about August 13, 1984. The City’s Zoning Map indicates that the Property is zoned Padre Boulevard South. It has been used for at least the last decade as a night club, bar, and restaurant with no change.

On or about March 14, 2016, the last known Health Permit (attached) was issued to Club Chaos by the City of South Padre Island Environmental Health Services Department with an expiration date of February 21, 2017.

On or about February 10, 2018, the main electrical service to the structure on the Property was disconnected by AEP due to unsafe electrical equipment.

On or about April 19, 2018, a Commercial Demolition Permit number 20180389 was obtained from the South Padre Island Building Inspections Division in order to demolish the interior of the structure located on the Property.

On or about May 11, 2018, the request to demolish the previously existing tower and wall located along the east portion of the structure was amended to the existing Commercial Demolition Permit.

On or about September 13, 2018, a Visual Structural Observation report (attached) was submitted to the Building Inspections Division. The report contains a statement from Professional Engineer David V. Day, P.E., *“The scope was limited to a brief visual observation only, no structural analysis was performed.”*

On or about June 19, 2019, a Substandard Structure Notice Letter was mailed Certified Return Receipt Requested to 3500 Padre Boulevard, South Padre Island, Texas 78597, which is the address on file with Cameron County Appraisal District and Cameron County Tax Assessor. The letter was returned undeliverable on or about July 3, 2019.

On or about July 17, 2019, the Substandard Structure Notice Letter was hand delivered to Mr. Mennish Amoyal, at 4601 Padre Boulevard, South Padre Island, Texas 78597.

On or about August 1, 2019, written confirmation from Fire Inspector Ashley Bowen was received that the last recorded fire inspection on the Property was on January 18, 2018. Notes on the report read, “Building is not up to code for occupancy at this time. Will require a full inspection by Building and Fire before it can be occupied.”

On or about August 2, 2019, the Building Official viewed the exterior of the Property and took photos.

On or about August 16, 2019, Planning Director Aaron Hanley, Building Official David Travis, Architect Roberto Ruiz, AIA, and Mennish Amoyal (owner) met at 4601 Padre Boulevard to discuss the proposed use and design of a new hotel on the Property utilizing the existing structure.

On or about August 1, 2019, written confirmation from Fire Inspector Ashley Bowen was received that the last recorded fire inspection on the Property was on January 18, 2018. Notes on the report read, “Building is not up to code for occupancy at this time. Will require a full inspection by Building and Fire before it can be occupied.”

On or about August 20, 2019, Building Official David Travis, Architect Roberto Ruiz, AIA, Environmental Health Director Victor Baldovinos, and Councilman Joe Ricco walked throughout the interior of the structure on the Property.

On or about August 31, 2019, a Notice of Hearing Letter was mailed to the property owners.

<b>BUDGET/FINANCIAL SUMMARY</b>
---------------------------------

N/A

<b>COMPREHENSIVE PLAN GOAL</b>
--------------------------------



(b) Upon conclusion of the hearing, the Substandard Structures Review Board shall determine by majority vote of its Board membership whether the building or structure in question is a substandard structure. Upon a determination that the building or structure in question constitutes substandard and out of conformance with the requirements of this Chapter, the Substandard Structures Review Board shall issue an order:

1. Containing an identification of the building and the property on which it is located;
2. Making written findings of the violations of the minimum standards that are present at the building;
3. Requiring the owner, mortgagee, or lienholder to repair, vacate, or demolish the building within 30 days from the issuance of such order, unless the owner or a person with an interest in the building establishes at the hearing that the work cannot reasonably be performed within 30 days, in which instance the Substandard Structures Review Board shall specify a reasonable time for the completion of the work; and
4. Containing a statement that the city will vacate, secure, repair or demolish the Substandard Structure and relocate the occupants of the structure if the ordered action is not taken within the time specified by the Board.

(C) The code official or city secretary shall deliver a copy of said order by hand delivery or certified mail to the owner and all persons having an interest in the property, as such persons appear in the official records described herein, including all identifiable mortgagees and lienholders, as soon as is practicable after the hearing, which order shall include an identification and address of the building and the property on which it is located; a description of the violation of this article that are found to be present at the building; and a statement that the municipality will vacate, secure, remove, repair, or demolish the building and relocate the occupants of the building if the ordered action is not taken within the agreed-upon reasonable time.

(D) If the Substandard Structures Review Board allows the owner, mortgagee, or lienholder of the Substandard Structure more than 30 days to repair, remove, or demolish the building, the Board in its written order shall establish specific time schedules for the commencement and performance of the work and shall require the owner or person to secure the property in a reasonable manner from unauthorized entry while the work is being performed. The securing of the property shall be in a manner found to be acceptable by the Code official.

(E) The Substandard Structures Review Board shall not allow the owner, mortgagee, or lienholder of the Substandard Structure more than 90 days to repair, remove, or demolish the building or fully perform all work required to comply with the written order unless the owner or person:

- (1) Submits a detailed plan and time schedule for the work at the hearing; and
- (2) Establishes at the hearing that the work cannot reasonably be completed within 90 days because of the scope and complexity of the work.

(F) If the value of a property subject to a Substandard Structures Review Board order exceeds \$100,000.00, the board, at its election, may require the owner, lienholder, or mortgagee to post a cash or surety bond in an amount adequate to cover the cost of repairing, removing, or demolishing a building. In lieu of a bond, the board may require the owner, lienholder, or mortgagee to provide a letter of credit from a financial institution or a guaranty from a third party approved by the city. If required by the board, the bond must be posted, or the letter of credit or third party guaranty provided not later than the 30th day after the date the Board issues its order.

(G) If the Substandard Structures Review Board allows the owner, mortgagee, or lienholder of the Substandard Structure more than 90 days to complete any part of the work required to repair, remove, or demolish the building, the Board shall require them to regularly submit progress reports to the Board to demonstrate that the owner or person has complied with the time schedules established for commencement and performance of the work. The written order may require that they appear before the code official to demonstrate compliance with the time schedules.



**SUBSTANDARD STRUCTURES REVIEW BOARD**  
**SUBSTANDARD STRUCTURE NOTICE LETTER**  
**NOTICE OF HEARING**

August 30, 2019

Mennish Amoyal  
Menalon, Inc.  
3300 Padre Boulevard  
South Padre Island, Texas 78597

CMRRR: 70190700000006118457

**Subject: NOTICE OF VIOLATION; NOTICE TO ABATE/REPAIR**

Repair of Structure(s) located at:  
1601 Padre Boulevard, South Padre Island, Texas, 78597.  
Legal Description: South Padre Island – Sunny Isle, Lot 1, Block 7. Replat Lots 1-6 &  
32-34, Block 7, 1.0330 Acres  
Commercial Structure

**HEARING DATE: October 2, 2019, 5:30 p.m.**  
**4601 Padre Blvd., South Padre Island, Texas 78597**

Dear Mr. Amoyal:

According to the real property records of Cameron County, and appropriate records of the Secretary of State, Central Appraisal District, tax rolls, among others, Menalon, Inc. is the owner, or a lienholder or mortgagee of the real property described in this notice. If you no longer own or have an interest in the Property, you must execute an affidavit stating that you no longer own or have an interest in 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 this office not 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 or have an interest in the property described in this notice, even if you do not.

**Chronology of Events**

*"A Certified Retirement Community"*

---

4601 Padre Boulevard • South Padre Island, Texas 78597 • 956.761.6456 • Fax 956.761.3898



The final plat of Lot 1, Block 7, Sunny Isle Subdivision (the "Property") was filed on or about August 13, 1984. The City's Zoning Map indicates that the Property is zoned Padre Boulevard South. It has been used for at least the last decade as a night club, bar, and restaurant with no change.

On or about March 14, 2016, the last known Health Permit (attached) was issued to Club Chaos by the City of South Padre Island Environmental Health Services Department with an expiration date of February 21, 2017.

On or about February 10, 2018, the main electrical service to the structure on the Property was disconnected by AEP due to unsafe electrical equipment.

On or about April 19, 2018, a Commercial Demolition Permit number 20180389 was obtained from the South Padre Island Building Inspections Division in order to demolish the interior of the structure located on the Property.

On or about May 11, 2018, the request to demolish the previously existing tower and wall located along the east portion of the structure was amended to the existing Commercial Demolition Permit.

On or about September 13, 2018, a Visual Structural Observation report (attached) was submitted to the Building Inspections Division. The report contains a statement from Professional Engineer David V. Day, P.E., "*The scope was limited to a brief visual observation only, no structural analysis was performed.*"

On or about June 19, 2019, a Substandard Structure Notice Letter was mailed Certified Return Receipt Requested to 3500 Padre Boulevard, South Padre Island, Texas 78597, which is the address on file with Cameron County Appraisal District and Cameron County Tax Assessor. The letter was returned undeliverable on or about July 3, 2019.

On or about July 17, 2019, the Substandard Structure Notice Letter was hand delivered to Mr. Mennish Amoyal, at 4601 Padre Boulevard, South Padre Island, Texas 78597.

On or about August 1, 2019, written confirmation from Fire Inspector Ashley Bowen was received that the last recorded fire inspection on the Property was on January 18, 2018. Notes on the report read, "Building is not up to code for occupancy at this time. Will require a full inspection by Building and Fire before it can be occupied."

On or about August 2, 2019, the Building Official viewed the exterior of the Property and took photos.

On or about August 16, 2019, Planning Director Aaron Hanley, Building Official David Travis, Architect Roberto Ruiz, AIA, and Mennish Amoyal (owner) met at 4601 Padre Boulevard to discuss the proposed use and design of a new hotel on the Property utilizing the existing structure.

*"A Certified Retirement Community"*



On or about August 1, 2019, written confirmation from Fire Inspector Ashley Bowen was received that the last recorded fire inspection on the Property was on January 18, 2018. Notes on the report read, "Building is not up to code for occupancy at this time. Will require a full inspection by Building and Fire before it can be occupied."

On or about August 20, 2019, Building Official David Travis, Architect Roberto Ruiz, AIA, Environmental Health Director Victor Baldovinos, and Councilman Joe Ricco walked throughout the interior of the structure on the Property.

### **Chapter 214 Notice of Violation and Notice to Abate**

This letter is your official notice of violation and order to abate the violations located at 1601 Padre Boulevard, South Padre Island, Texas 78597 (the Property).

The City's Building Official has found the structure to be substandard based upon violations of the minimum standards adopted under the City of South Padre Island Code of Ordinance and the 2015 International Property Maintenance Code as follows:

#### **Code of Ordinance**

##### **(1) Section 4-17(B) Substandard Structures**

1. **The requirements established by the most recent edition of the International Property Maintenance Code, the 2015 International Building Code, the 2015 International Residential Code without Section R313 (deleted), the 2015 International Fire Code without Appendices L and M (deleted), the 2015 International Mechanical Code, the 2015 International Plumbing Code, the 2015 International Fuel Gas Code, the 2014 National Electrical Code, the 2015 International Energy Conservation Code, the 1997 Standard Housing Code, and the 1985 Unsafe Building Abatement Code and all other amendments thereto except as modified by the Code of Ordinances, currently adopted and locally amended by the city are hereby declared to the minimum standards for the continued use and occupancy of all buildings located within the corporate limits of the city regardless of the date of their construction.**
2. **A building or structure shall be deemed a Substandard Structure if:**
  - a. **Said building or structure fails to comply with any one or more of the requirements established by the International Codes or other Codes cited above by Section 4-17(B)(1) and any local amendments made thereto;**

*"A Certified Retirement Community"*





- b. Said building or structure, regardless of its structural condition, is either unoccupied by its owners, lessees, or other invitees, or fails to meet the requirements for and does not currently hold a certificate of occupancy, and is:
- i. 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;
  - ii. Boarded up; fenced, or otherwise secured in any manner if the building or structure constitutes a danger to the public even though secured from entry; or the means used to secure the building or structure are inadequate to prevent unauthorized entry or use of the building; or
  - iii. Remains a new but incomplete or unfinished construction for a period of time which is unreasonable under the circumstances.

(2) Section 4-17 (C) Public nuisance declared

1. A building or structure deemed to be a Substandard Structure under the terms of this chapter is hereby declared to be a public nuisance and is unlawful.
2. It shall be the responsibility of the owner(s) or occupants of Substandard Structure to abate public nuisances associated with said building by means of repair, rehabilitation, demolition, or removal in accordance with the procedures provided in this chapter.

**2015 International Property Maintenance Code**

**108.1.5 Dangerous structure or premises.** For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism

*"A Certified Retirement Community"*



or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.

4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.

5. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.

6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.

7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.

8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.

9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health.

*"A Certified Retirement Community"*



11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

A hearing has been set for October 2, 2019, at 5:30 p.m. 4601 Padre Blvd., South Padre Island, Texas 78597, wherein you as the owner, lien holder, or mortgagee will be required to submit proof of the scope of any work that may be required to comply with the City's Ordinances and the time it will take to reasonably perform the work.

**FAILURE OF THE OWNER AND/OR LIENHOLDER OR MORTGAGEE TO TAKE THE ORDERED ACTION MAY RESULT IN THE CITY TAKING THE ORDERED ACTION AND FILING A LIEN AGAINST THE PROPERTY.**

We appreciate your continued cooperation and prompt attention to remedying the nuisances on the property. Please do not hesitate to contact me should you have any additional questions, comments or concerns relative to the above.

Sincerely,

  
\_\_\_\_\_  
Building Official  
City of South Padre Island, Texas

Cc:  
Randy Smith  
City Manager

Ricardo J. Navarro  
Denton, Navarro, Rocha, Bernal, & Zech, P.C.  
City Attorney

*"A Certified Retirement Community"*

4601 Padre Boulevard • South Padre Island, Texas 78597 • 956.761.6456 • Fax 956.761.3898



**SUBSTANDARD STRUCTURES REVIEW BOARD**  
**SUBSTANDARD STRUCTURE NOTICE LETTER**  
**NOTICE OF HEARING**

August 30, 2019

Alon Carmeli  
Menalon, Inc.  
3300 Padre Boulevard  
South Padre Island, Texas 78597

CMRRR: 70041160000587709863

**Subject: NOTICE OF VIOLATION; NOTICE TO ABATE/REPAIR**

Repair of Structure(s) located at:  
1601 Padre Boulevard, South Padre Island, Texas, 78597.  
Legal Description: South Padre Island – Sunny Isle, Lot 1, Block 7, Replat Lots 1-6 &  
32-34, Block 7, 1.0330 Acres  
Commercial Structure

**HEARING DATE: October 2, 2019, 5:30 p.m.**  
**4601 Padre Blvd., South Padre Island, Texas 78597**

Dear Mr. Carmeli:

According to the real property records of Cameron County, and appropriate records of the Secretary of State, Central Appraisal District, tax rolls, among others, Menalon, Inc. is the owner, or a lienholder or mortgagee of the real property described in this notice. If you no longer own or have an interest in the Property, you must execute an affidavit stating that you no longer own or have an interest in 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 this office not 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 or have an interest in the property described in this notice, even if you do not.

**Chronology of Events**

*“A Certified Retirement Community”*



The final plat of Lot 1, Block 7, Sunny Isle Subdivision (the "Property") was filed on or about August 13, 1984. The City's Zoning Map indicates that the Property is zoned Padre Boulevard South. It has been used for at least the last decade as a night club, bar, and restaurant with no change.

On or about March 14, 2016, the last known Health Permit (attached) was issued to Club Chaos by the City of South Padre Island Environmental Health Services Department with an expiration date of February 21, 2017.

On or about February 10, 2018, the main electrical service to the structure on the Property was disconnected by AEP due to unsafe electrical equipment.

On or about April 19, 2018, a Commercial Demolition Permit number 20180389 was obtained from the South Padre Island Building Inspections Division in order to demolish the interior of the structure located on the Property.

On or about May 11, 2018, the request to demolish the previously existing tower and wall located along the east portion of the structure was amended to the existing Commercial Demolition Permit.

On or about September 13, 2018, a Visual Structural Observation report (attached) was submitted to the Building Inspections Division. The report contains a statement from Professional Engineer David V. Day, P.E., "*The scope was limited to a brief visual observation only, no structural analysis was performed.*"

On or about June 19, 2019, a Substandard Structure Notice Letter was mailed Certified Return Receipt Requested to 3500 Padre Boulevard, South Padre Island, Texas 78597, which is the address on file with Cameron County Appraisal District and Cameron County Tax Assessor. The letter was returned undeliverable on or about July 3, 2019.

On or about July 17, 2019, the Substandard Structure Notice Letter was hand delivered to Mr. Mennish Amoyal, at 4601 Padre Boulevard, South Padre Island, Texas 78597.

On or about August 1, 2019, written confirmation from Fire Inspector Ashley Bowen was received that the last recorded fire inspection on the Property was on January 18, 2018. Notes on the report read, "Building is not up to code for occupancy at this time. Will require a full inspection by Building and Fire before it can be occupied."

On or about August 2, 2019, the Building Official viewed the exterior of the Property and took photos.

On or about August 16, 2019, Planning Director Aaron Hanley, Building Official David Travis, Architect Roberto Ruiz, AIA, and Mennish Amoyal (owner) met at 4601 Padre Boulevard to discuss the proposed use and design of a new hotel on the Property utilizing the existing structure.

**"A Certified Retirement Community"**



On or about August 1, 2019, written confirmation from Fire Inspector Ashley Bowen was received that the last recorded fire inspection on the Property was on January 18, 2018. Notes on the report read, "Building is not up to code for occupancy at this time. Will require a full inspection by Building and Fire before it can be occupied."

On or about August 20, 2019, Building Official David Travis, Architect Roberto Ruiz, AIA, Environmental Health Director Victor Baldovinos, and Councilman Joe Ricco walked throughout the interior of the structure on the Property. .

### **Chapter 214 Notice of Violation and Notice to Abate**

This letter is your official notice of violation and order to abate the violations located at 1601 Padre Boulevard, South Padre Island, Texas 78597 (the Property).

The City's Building Official has found the structure to be substandard based upon violations of the minimum standards adopted under the City of South Padre Island Code of Ordinance and the 2015 International Property Maintenance Code as follows:

#### **Code of Ordinance**

##### **(1) Section 4-17(B) Substandard Structures**

1. The requirements established by the most recent edition of the International Property Maintenance Code, the 2015 International Building Code, the 2015 International Residential Code without Section R313 (deleted), the 2015 International Fire Code without Appendices L and M (deleted), the 2015 International Mechanical Code, the 2015 International Plumbing Code, the 2015 International Fuel Gas Code, the 2014 National Electrical Code, the 2015 International Energy Conservation Code, the 1997 Standard Housing Code, and the 1985 Unsafe Building Abatement Code and all other amendments thereto except as modified by the Code of Ordinances, currently adopted and locally amended by the city are hereby declared to the minimum standards for the continued use and occupancy of all buildings located within the corporate limits of the city regardless of the date of their construction.
2. A building or structure shall be deemed a Substandard Structure if:
  - a. Said building or structure fails to comply with any one or more of the requirements established by the International Codes or other Codes cited above by Section 4-17(B)(1) and any local amendments made thereto;

*"A Certified Retirement Community"*



- b. Said building or structure, regardless of its structural condition, is either unoccupied by its owners, lessees, or other invitees, or fails to meet the requirements for and does not currently hold a certificate of occupancy, and is:
- i. 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;
  - ii. Boarded up; fenced, or otherwise secured in any manner if the building or structure constitutes a danger to the public even though secured from entry; or the means used to secure the building or structure are inadequate to prevent unauthorized entry or use of the building; or
  - iii. Remains a new but incomplete or unfinished construction for a period of time which is unreasonable under the circumstances.

(2) Section 4-17 (C) Public nuisance declared

1. A building or structure deemed to be a Substandard Structure under the terms of this chapter is hereby declared to be a public nuisance and is unlawful.
2. It shall be the responsibility of the owner(s) or occupants of Substandard Structure to abate public nuisances associated with said building by means of repair, rehabilitation, demolition, or removal in accordance with the procedures provided in this chapter.

2015 International Property Maintenance Code

108.1.5 Dangerous structure or premises. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism

*"A Certified Retirement Community"*



or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.

4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.

5. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.

6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.

7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.

8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.

9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health.

*"A Certified Retirement Community"*





11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

A hearing has been set for October 2, 2019, at 5:30 p.m. 4601 Padre Blvd., South Padre Island, Texas 78597, wherein you as the owner, lien holder, or mortgagee will be required to submit proof of the scope of any work that may be required to comply with the City's Ordinances and the time it will take to reasonably perform the work.

**FAILURE OF THE OWNER AND/OR LIENHOLDER OR MORTGAGEE TO TAKE THE ORDERED ACTION MAY RESULT IN THE CITY TAKING THE ORDERED ACTION AND FILING A LIEN AGAINST THE PROPERTY.**

We appreciate your continued cooperation and prompt attention to remedying the nuisances on the property. Please do not hesitate to contact me should you have any additional questions, comments or concerns relative to the above.

Sincerely,

---

Building Official  
City of South Padre Island, Texas

Cc:  
Randy Smith  
City Manager

Ricardo J. Navarro  
Denton, Navarro, Rocha, Bernal, & Zech, P.C.  
City Attorney

*"A Certified Retirement Community"*



W PALM ST

3799



110500

14442

114442

114443

114444

114445

114446

114447

114448

115567

W MARISOL DR

W MARISOL DR

P100

PADRE BLVD

14456

114455

114454

114453

114452

114451

114450

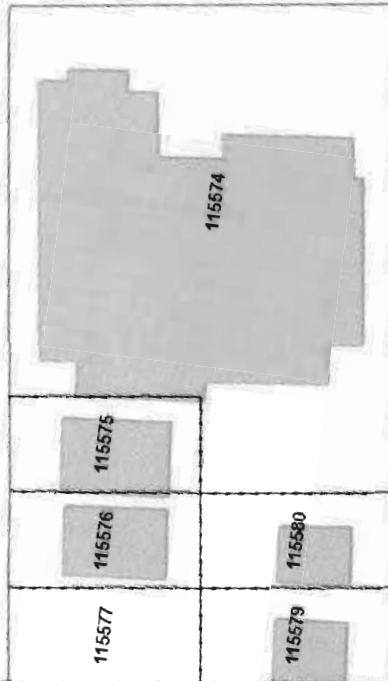
114449

115577

115576

115575

115574



1625

E MARISOL DR

110513

244182

110515

354203

115565

115564

115563

115562

354203

115565

115550

115550

115549

115548

115547

1155

115551

115551

115551

115553

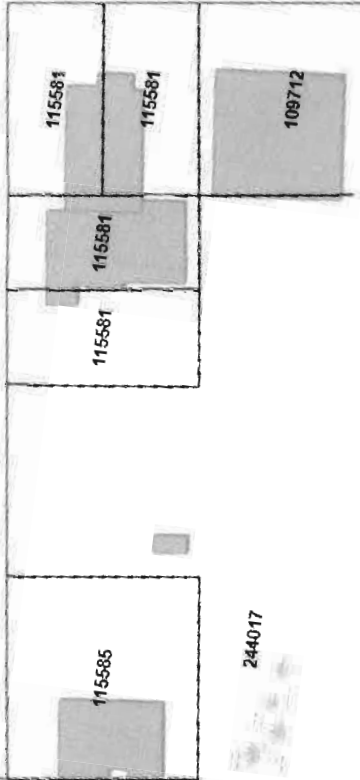
355693

W SUNNY ISLE DR

W SUNNY ISLE DR

P100

PADRE BLVD



115585

115581

115581

115581

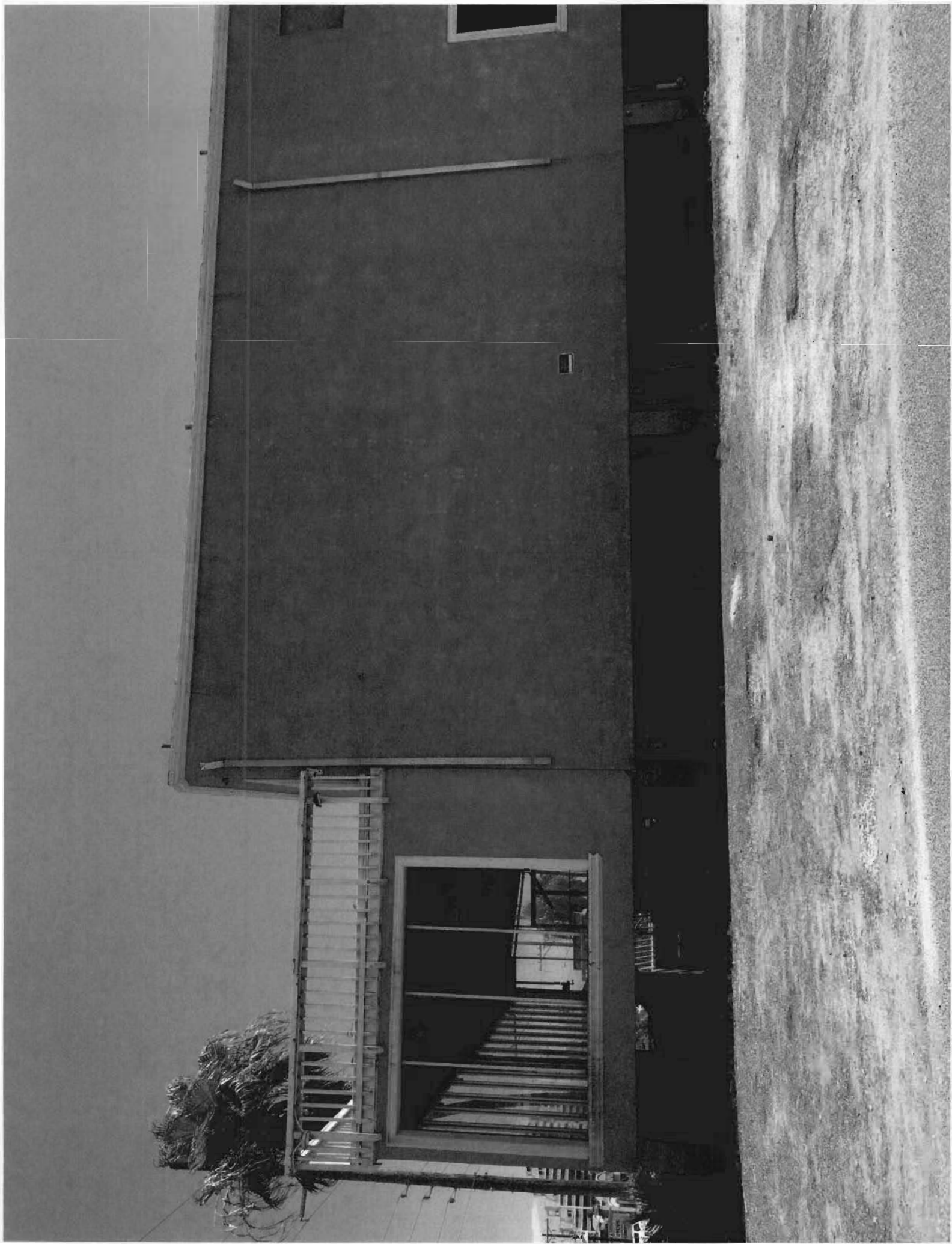
244017

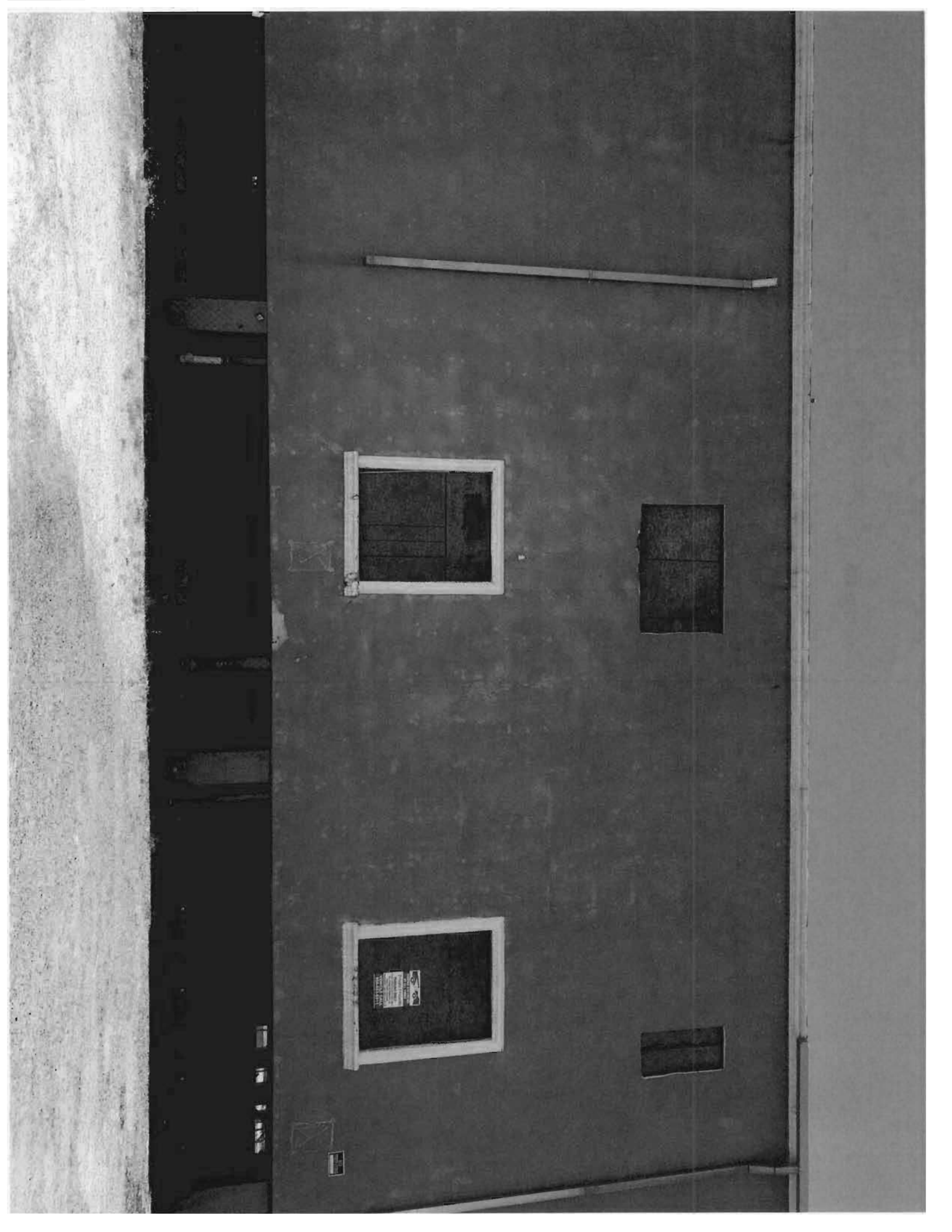
109712

E SUNNY ISLE DR

360937

Texas Pa...













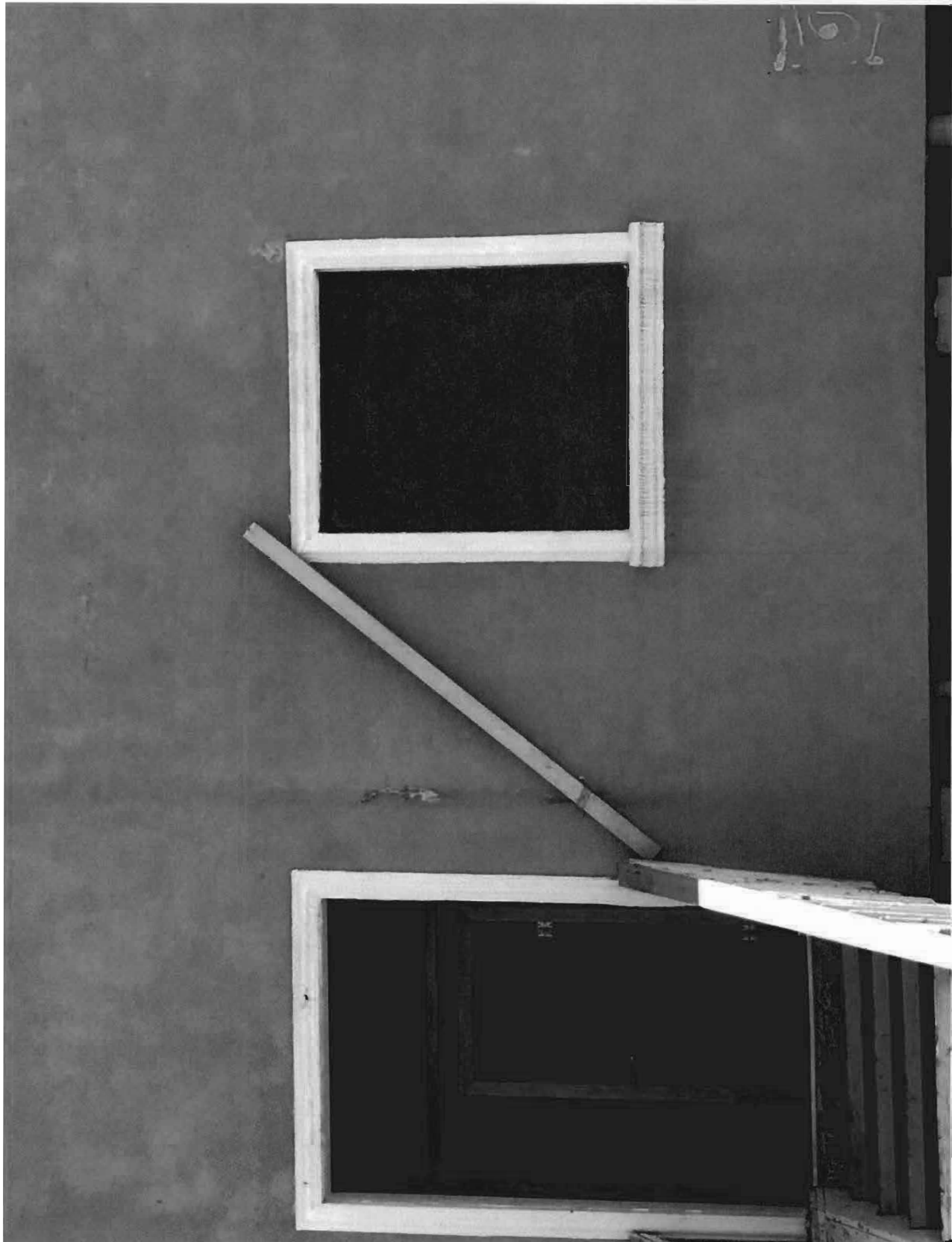


  
TOWING ENFORCED  
AT ALL TIMES  
Private Property  
PARKING ONLY  
UNLAWFUL TO PARK OR STOP  
OR STOP HERE FOR ANY REASON  
VEHICLE CALL  
956-683-6911

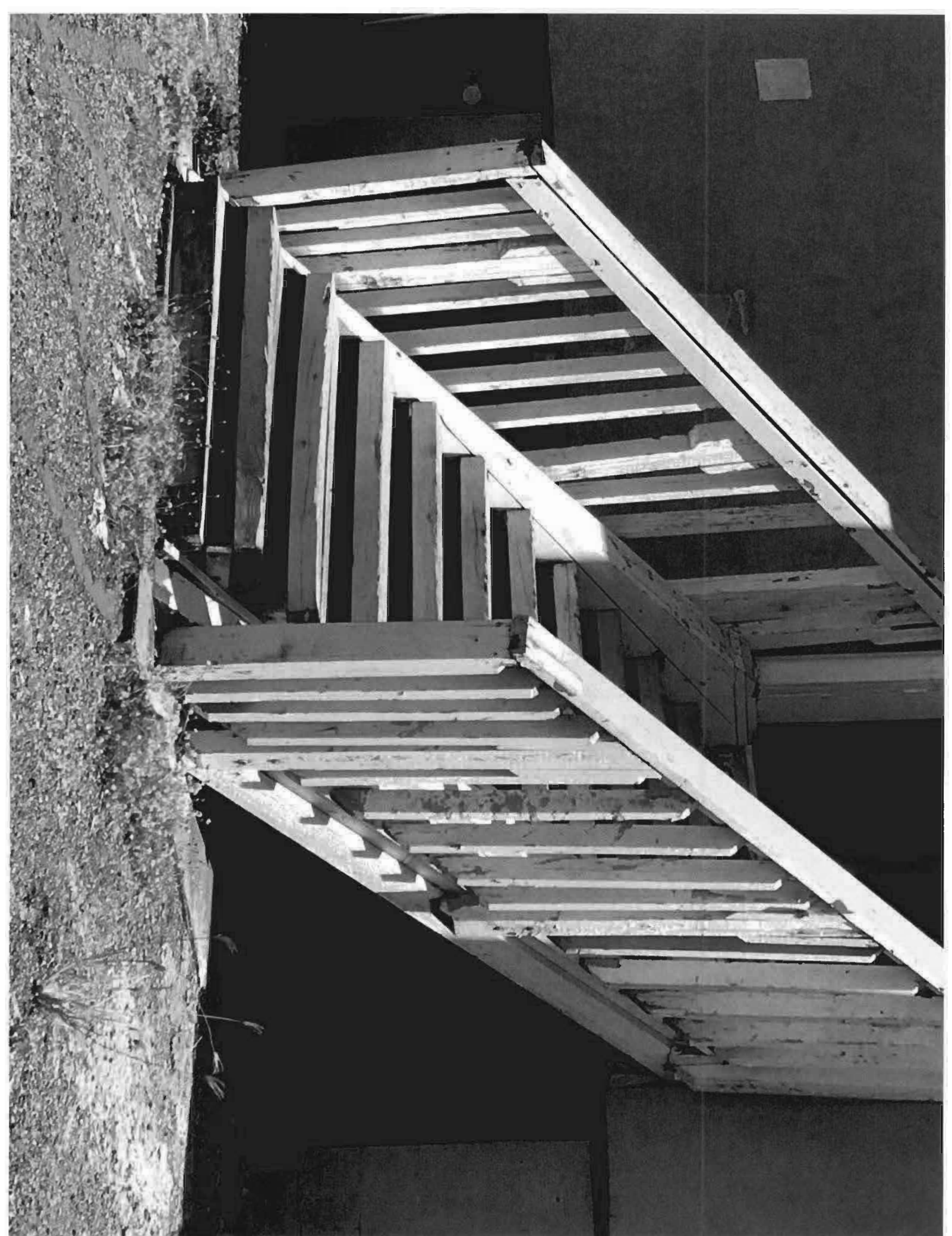
NO  
TRESPASSING













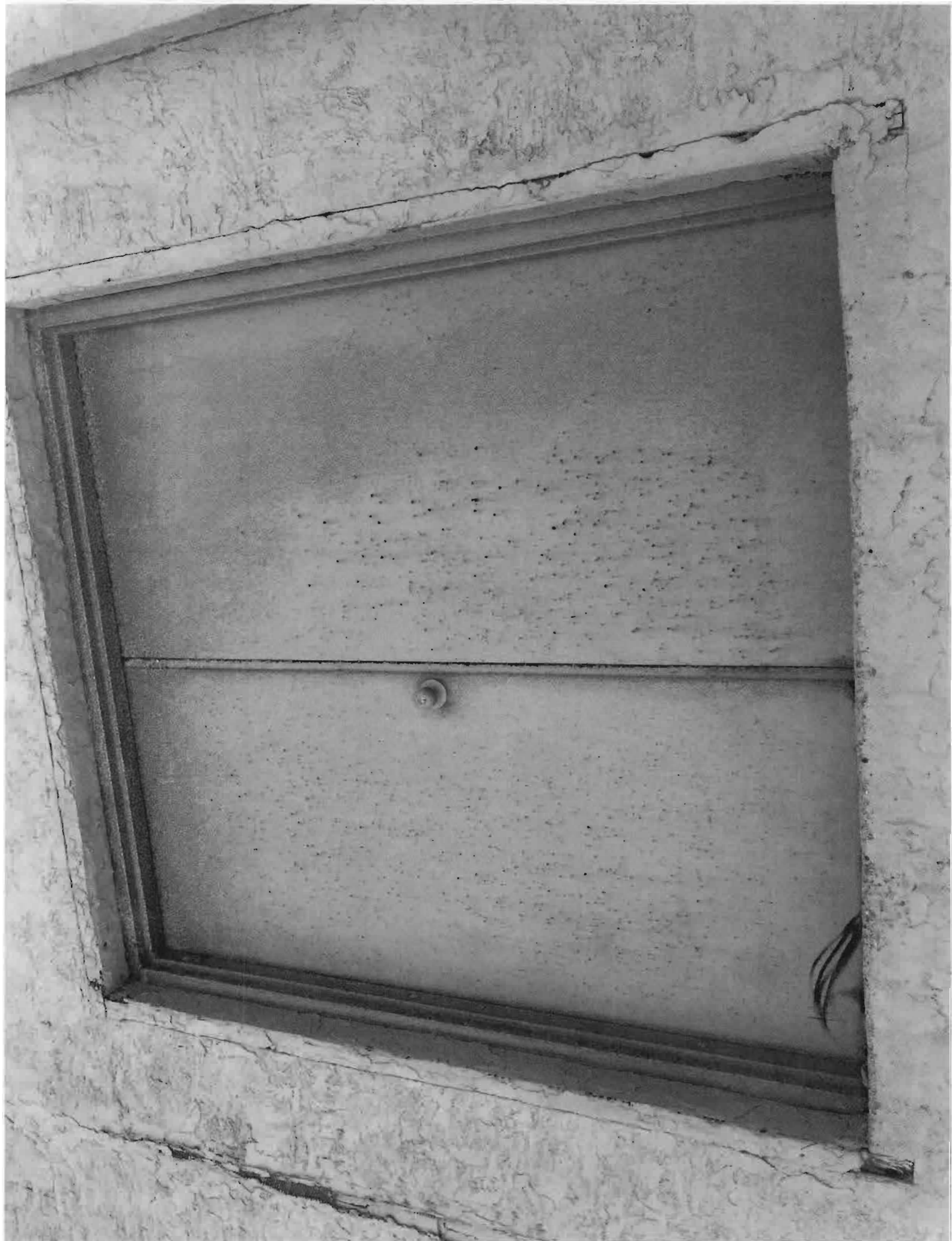




















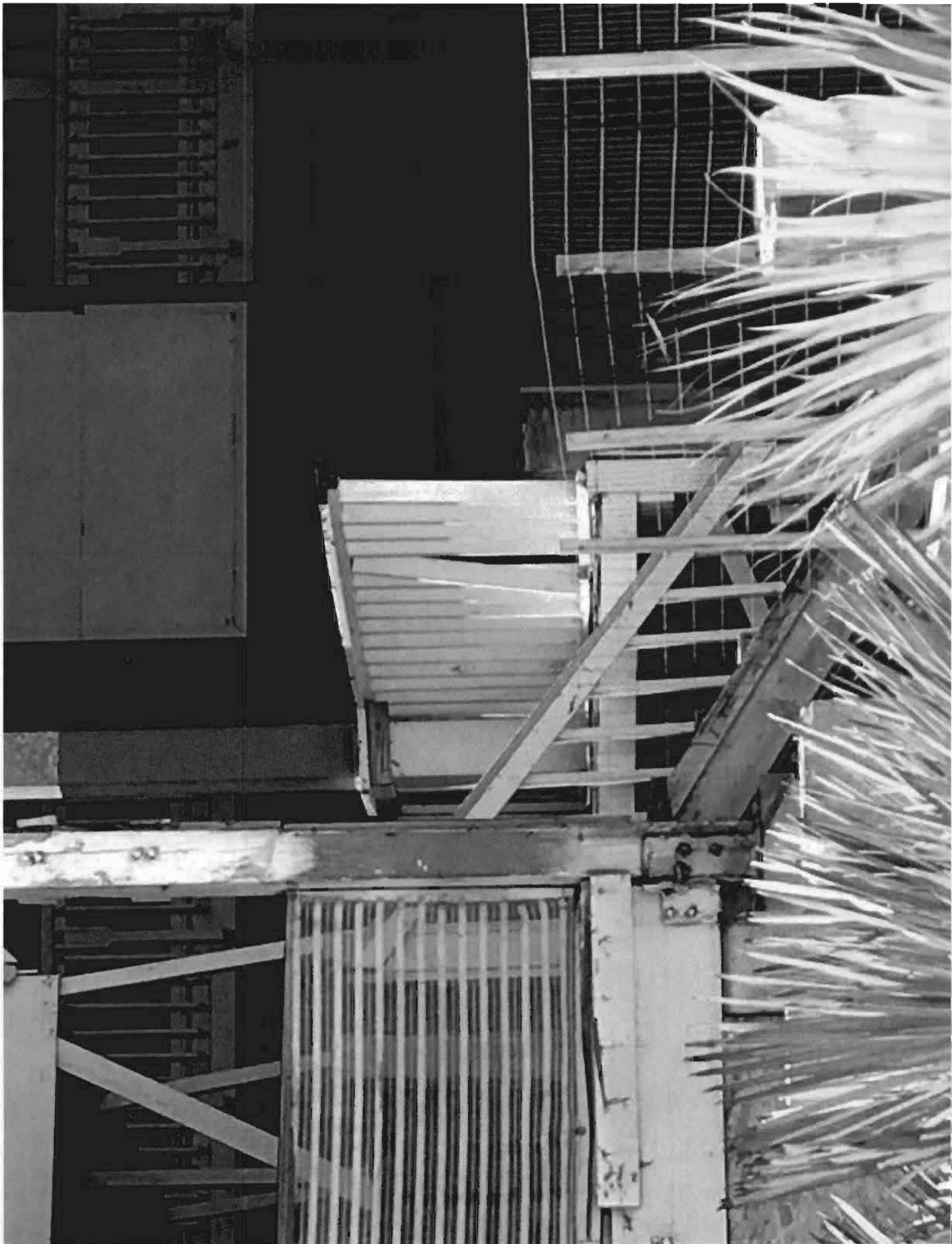






FOR  
Possible  
LANDM  
Shopping  
Realit  
Ce  
Off











**SALE**

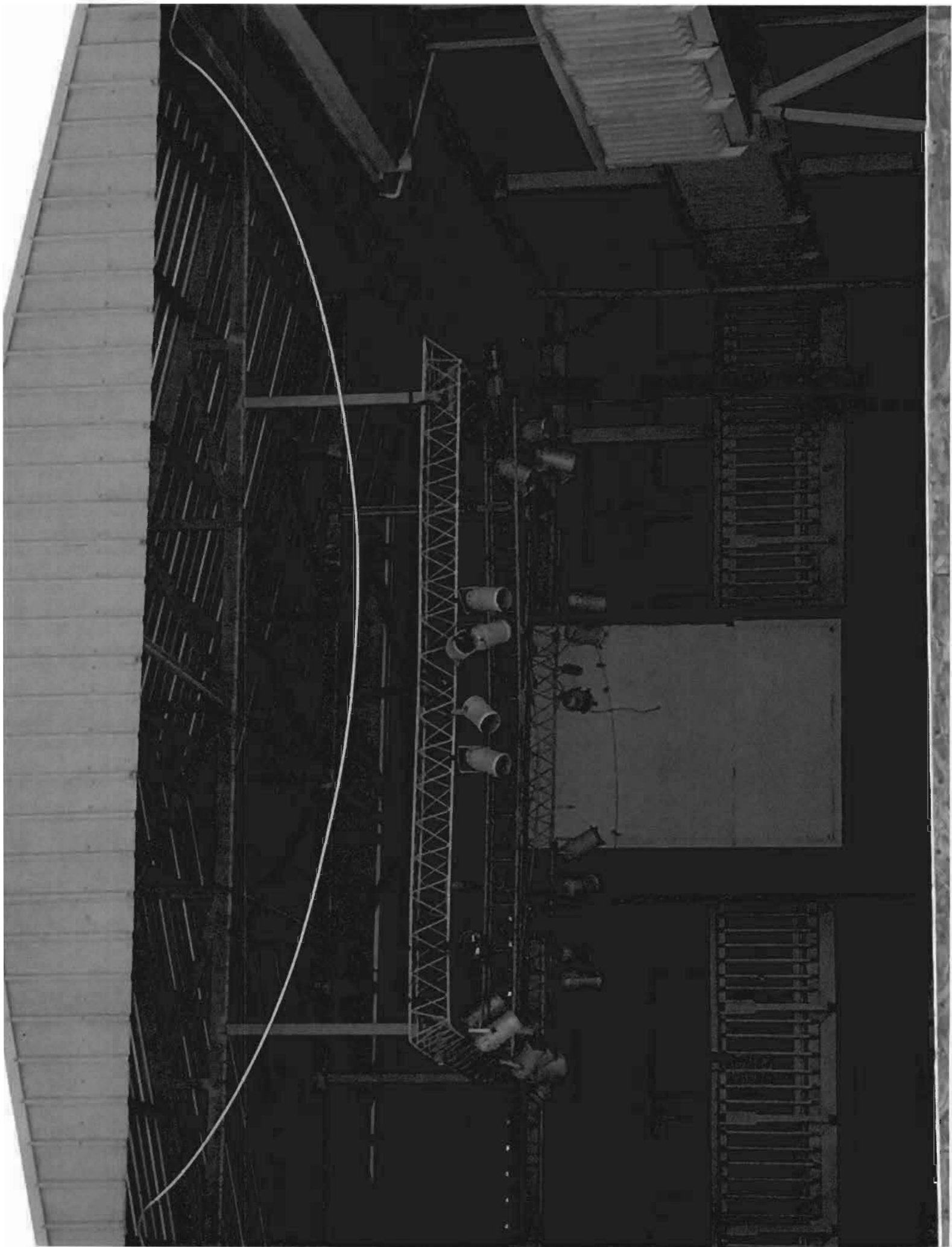
Seller Financing

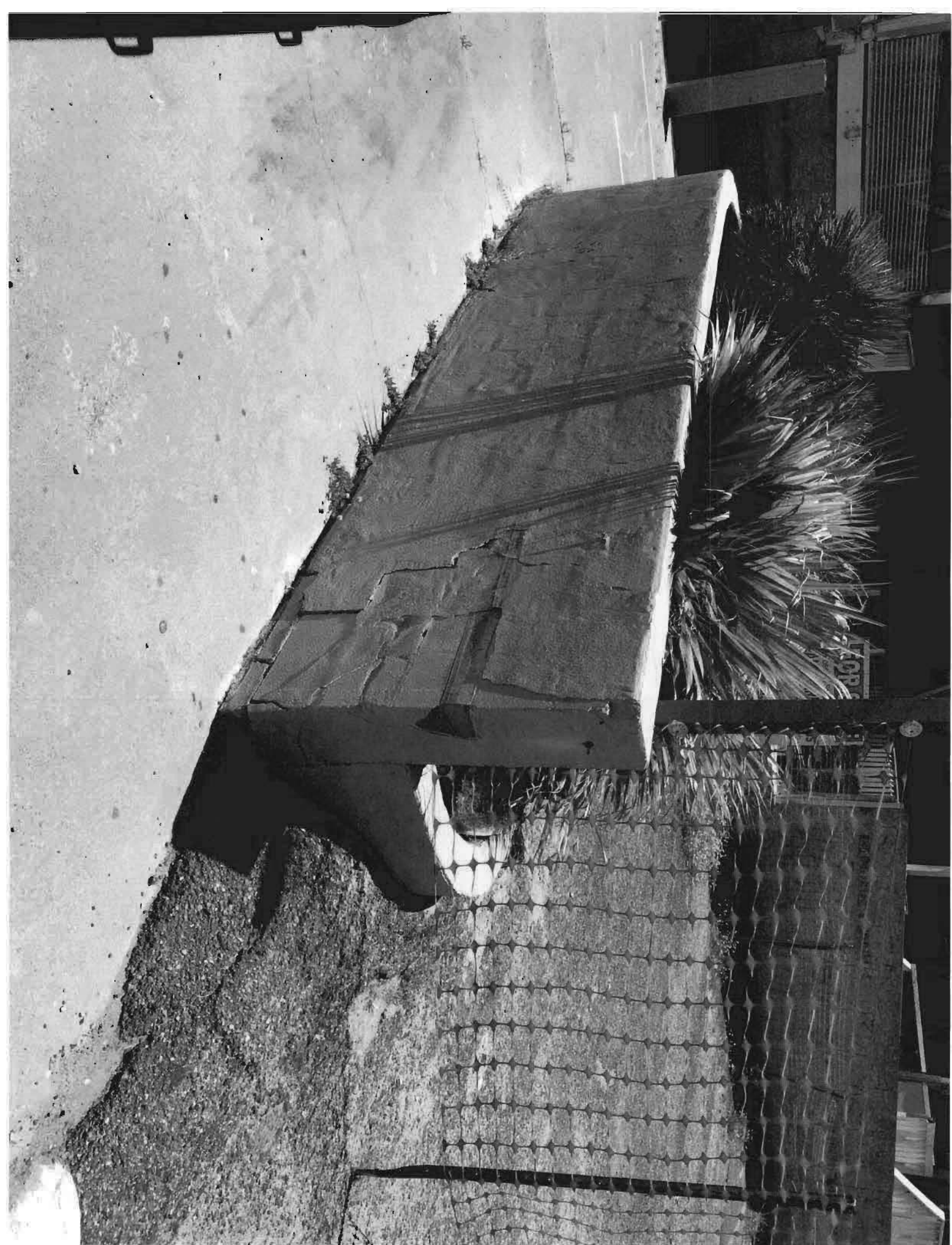
**ARK - Chaos**

Center - Night Club •

Call

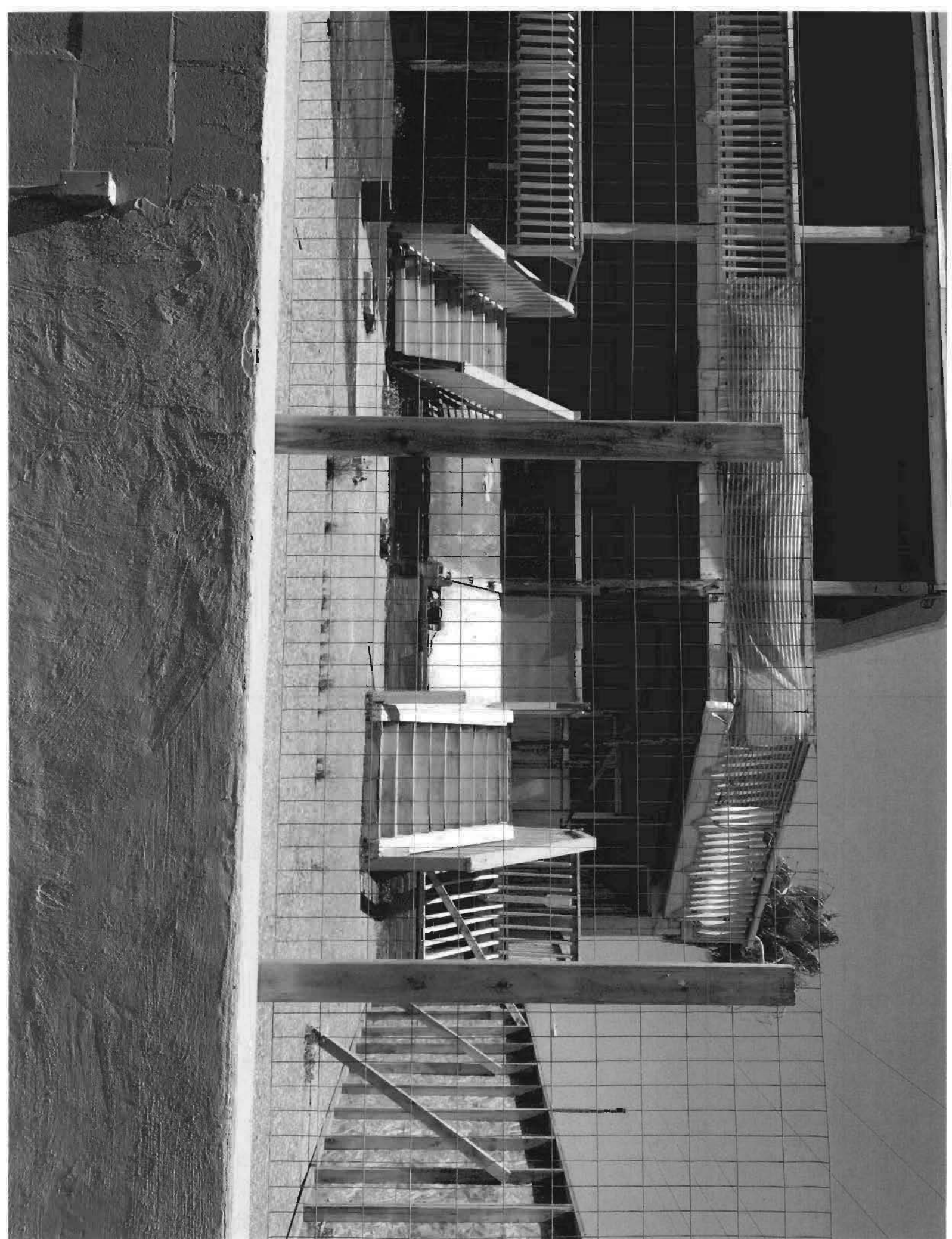
**Troy Giles**















APA  
PLYWOOD  
INSTITUTION  
OF THE  
WOOD  
INDUSTRY

JAN  
8

C1

ROOF  
STAND. BKT.  
WALL  
STAND. BKT.  
ALWAYS SPACE  
1/8" ENDS  
& EDGES

ROOF

WALL

1 1/2" ENDS  
& EDGES

JAN



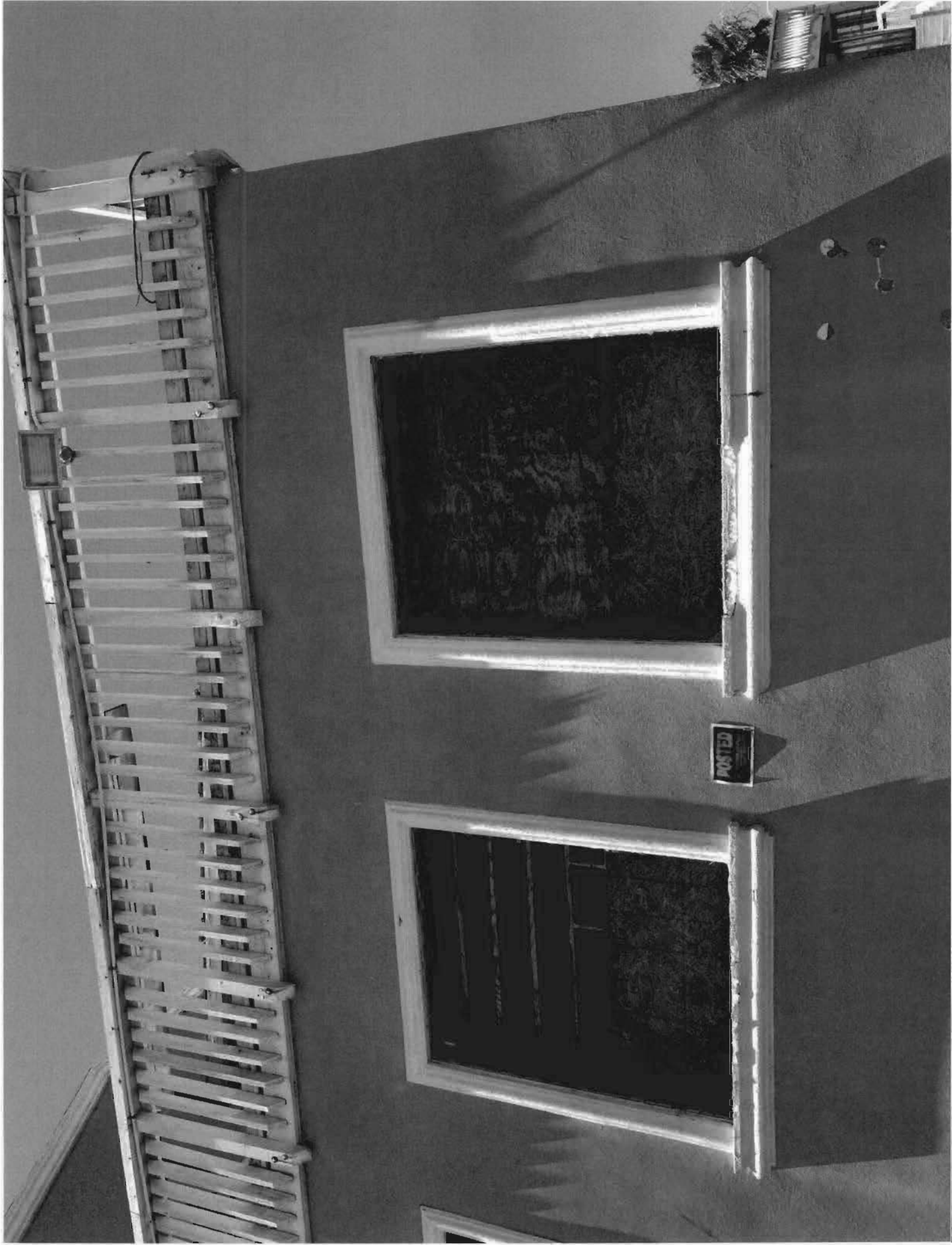




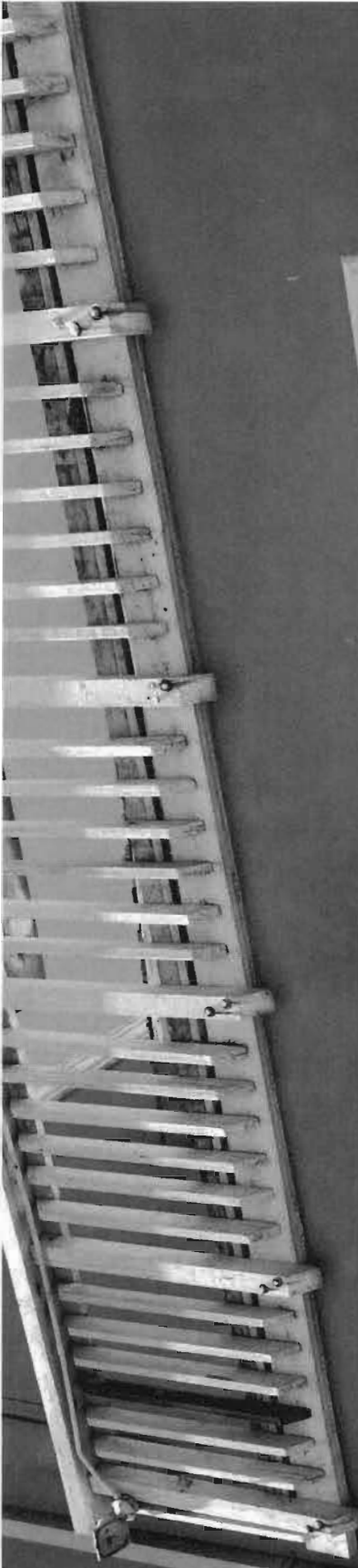






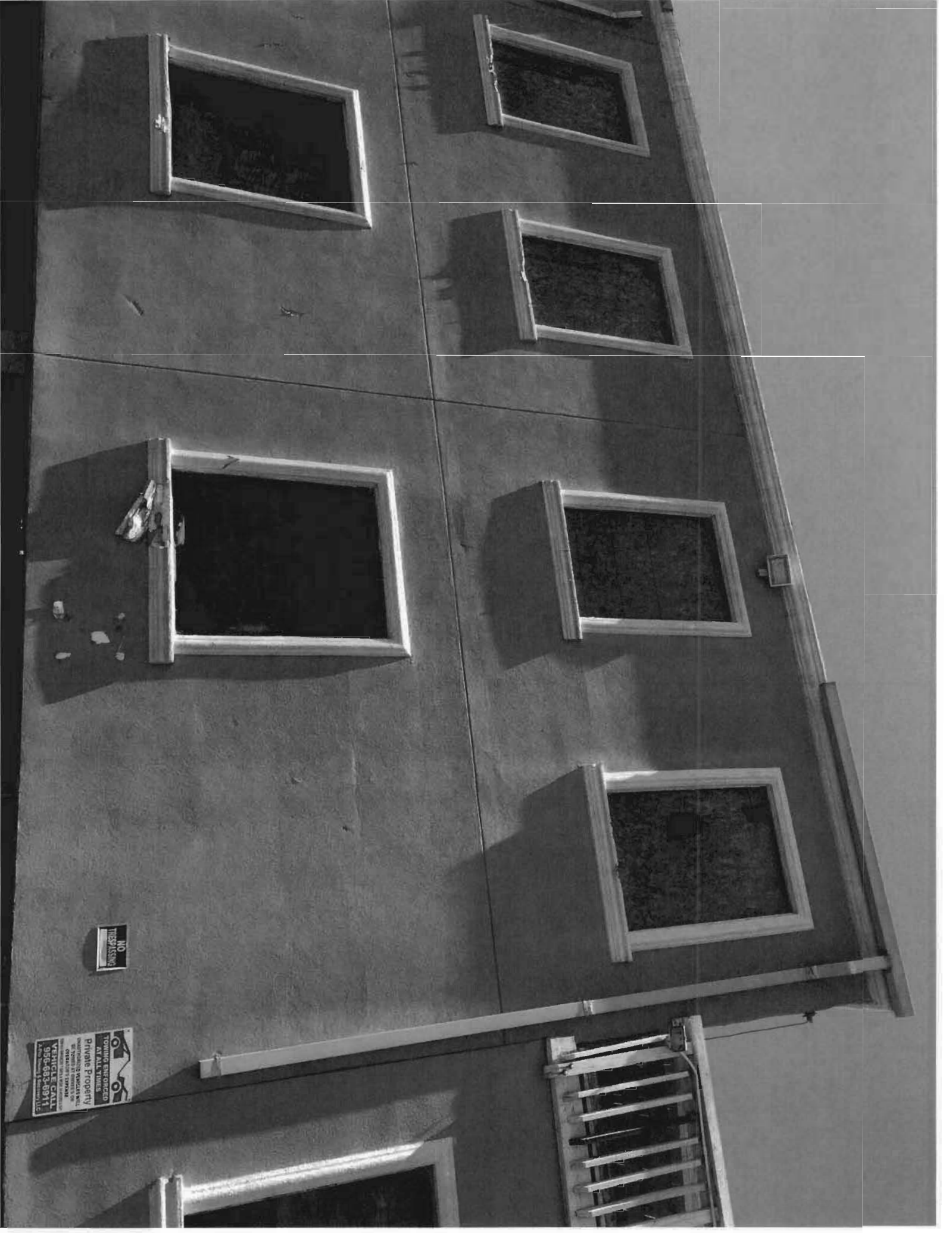


PO



  
TOWING ENFORCED  
AT ALL TIMES  
Private Property  
ALL UNLAWFUL VEHICLES WILL  
BE TOWED AT THE OWNER'S  
RISK WITHOUT LIABILITY  
APPLICABLE TO ALL  
VEHICLES. THIS SERVICE IS  
AVAILABLE 24 HOURS A DAY.  
VEHICLE CALL  
936-683-4311  
Towing & Recovery LLC





NO  
TRESPASSING

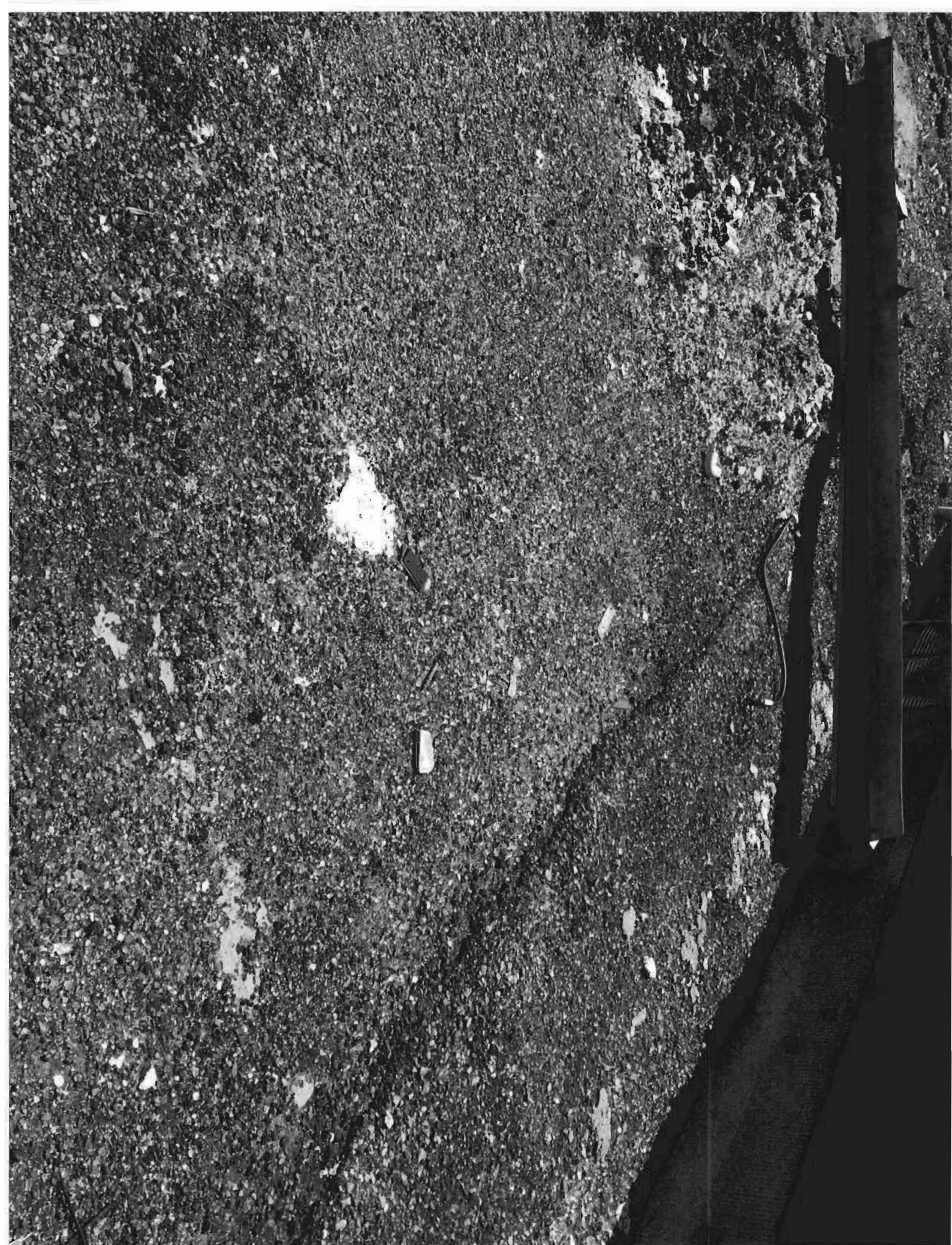
 TOWING SERVICES  
AT ALL TIMES  
Private Property  
VEHICLE CALL 956-683-6911  
INDUSTRIAL TOWING SERVICES, INC.  
10000 W. 14TH ST. SUITE 100  
DALLAS, TX 75244













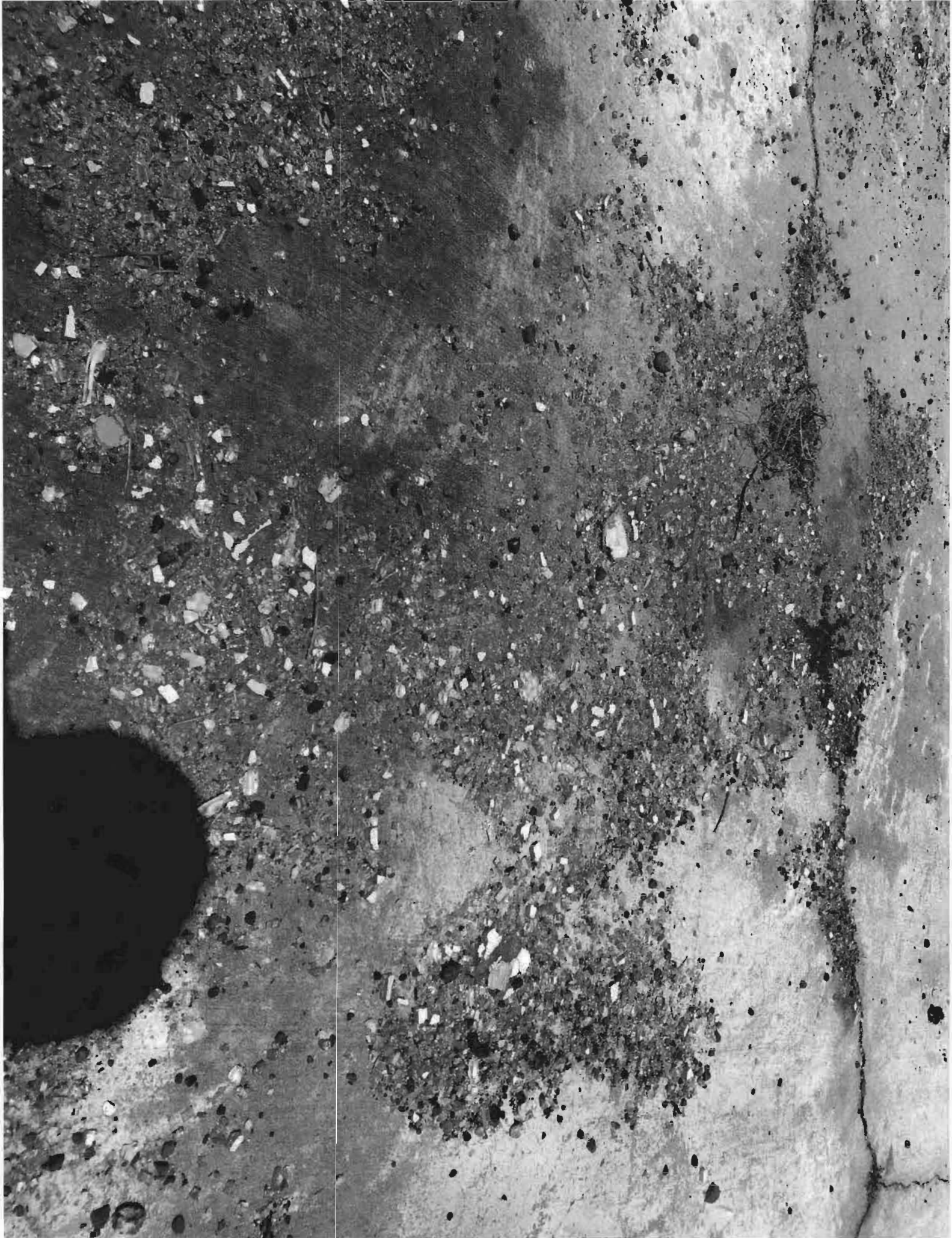








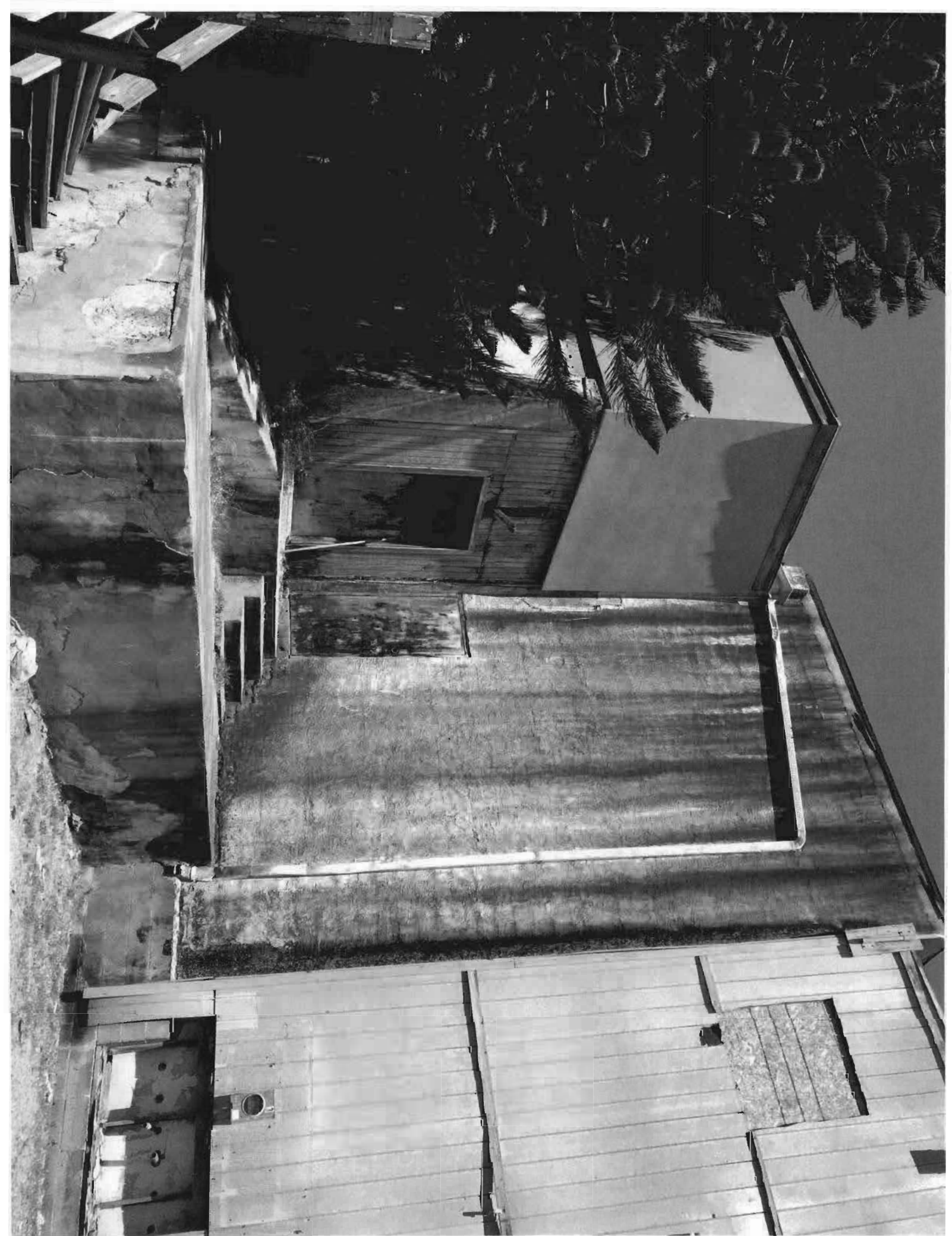


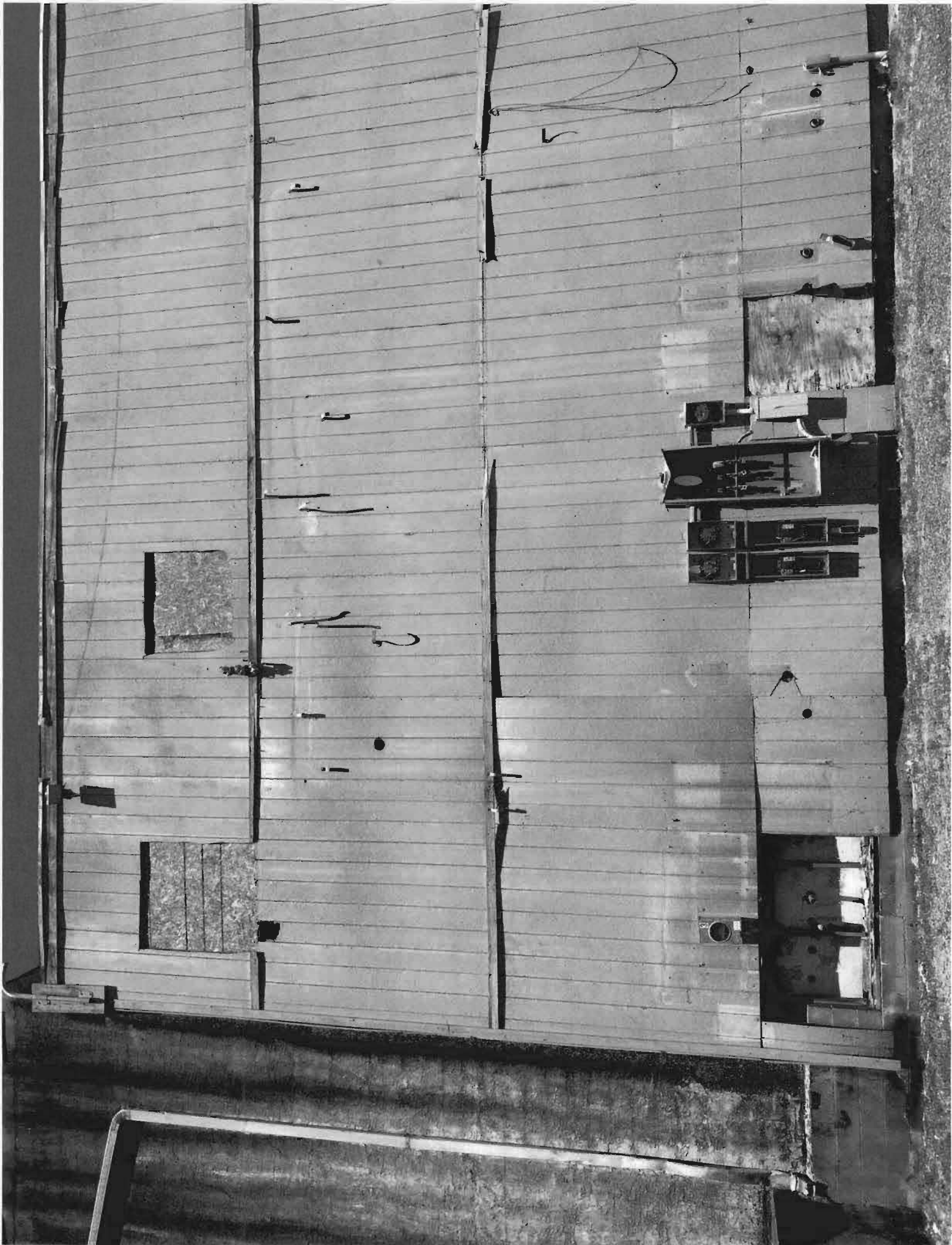






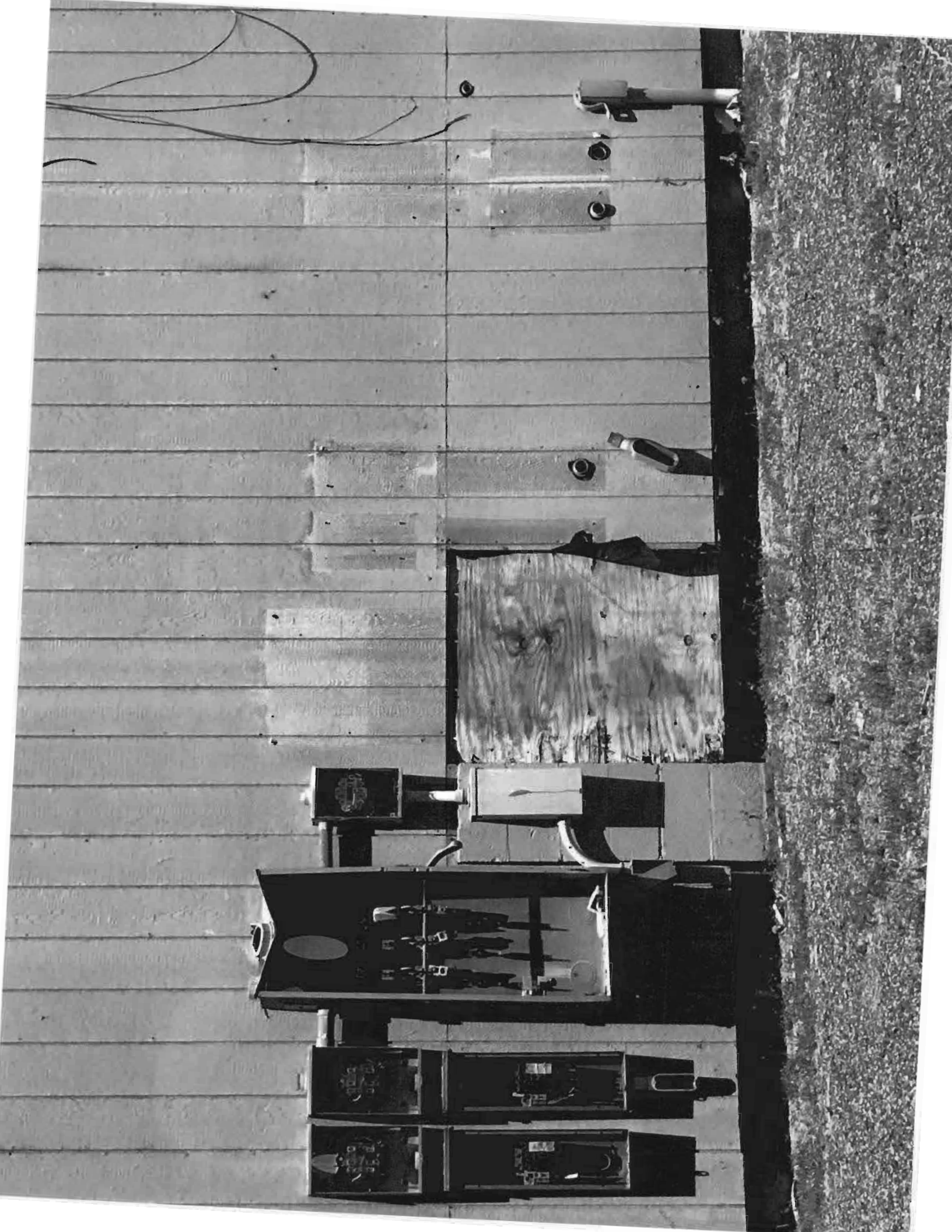
























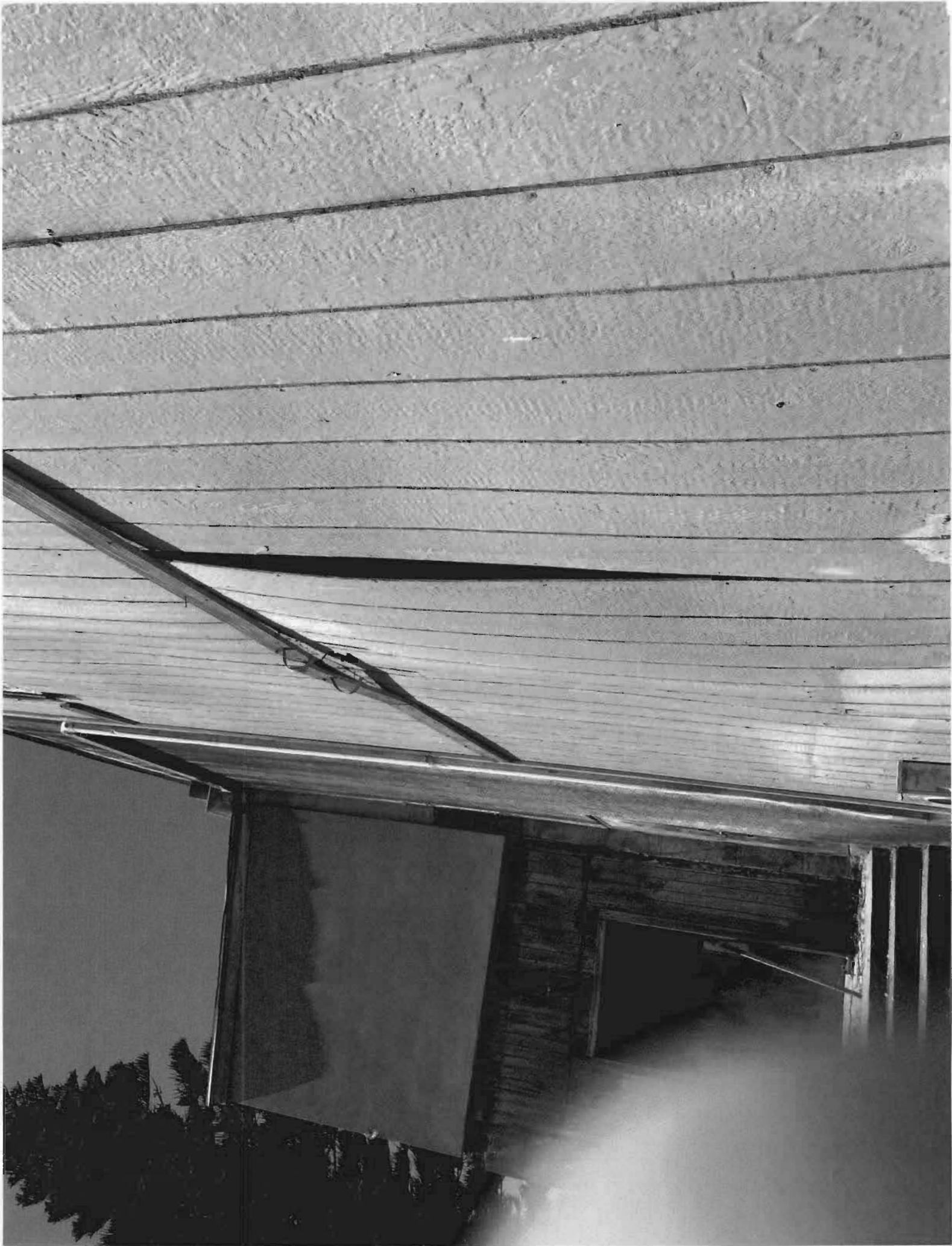


















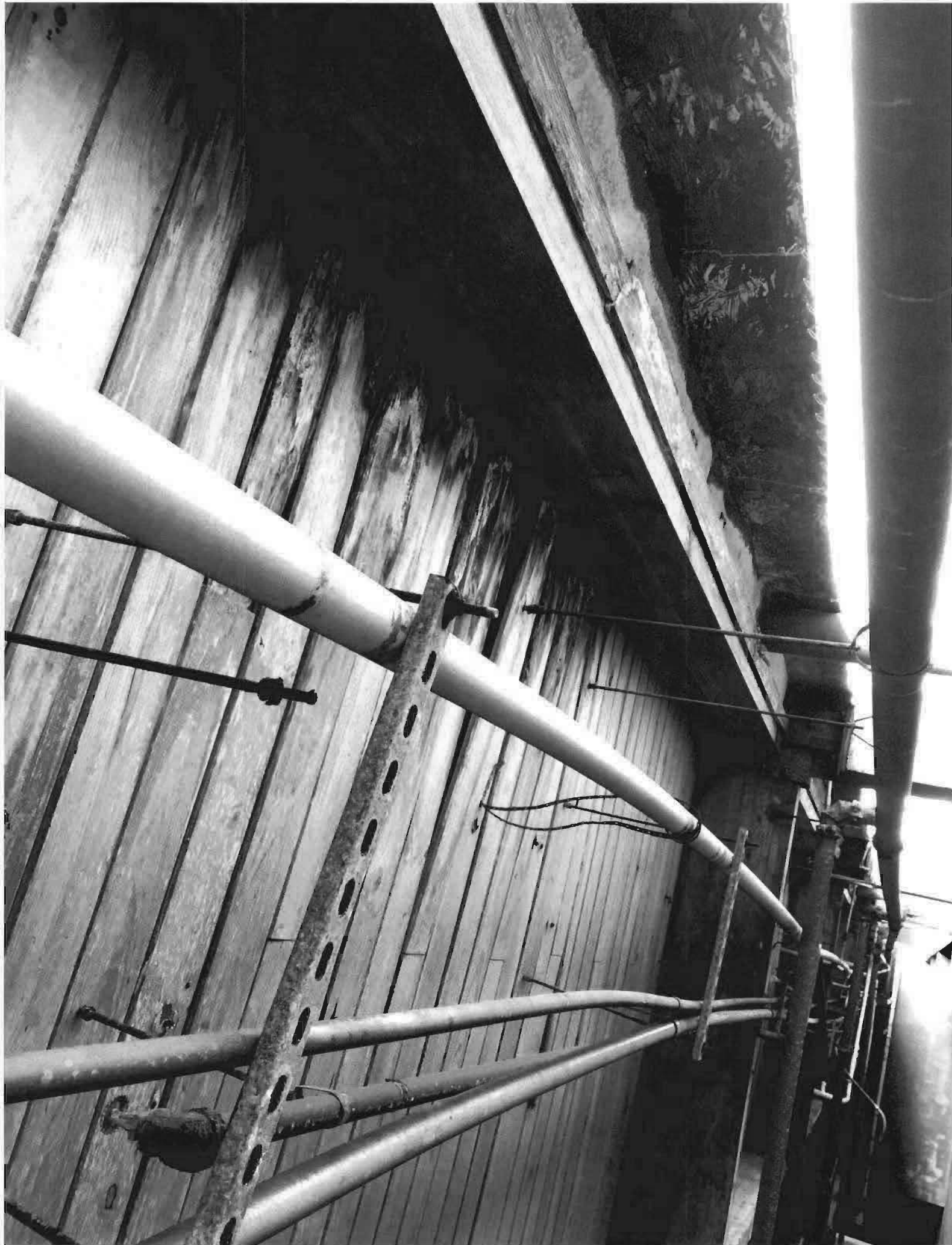




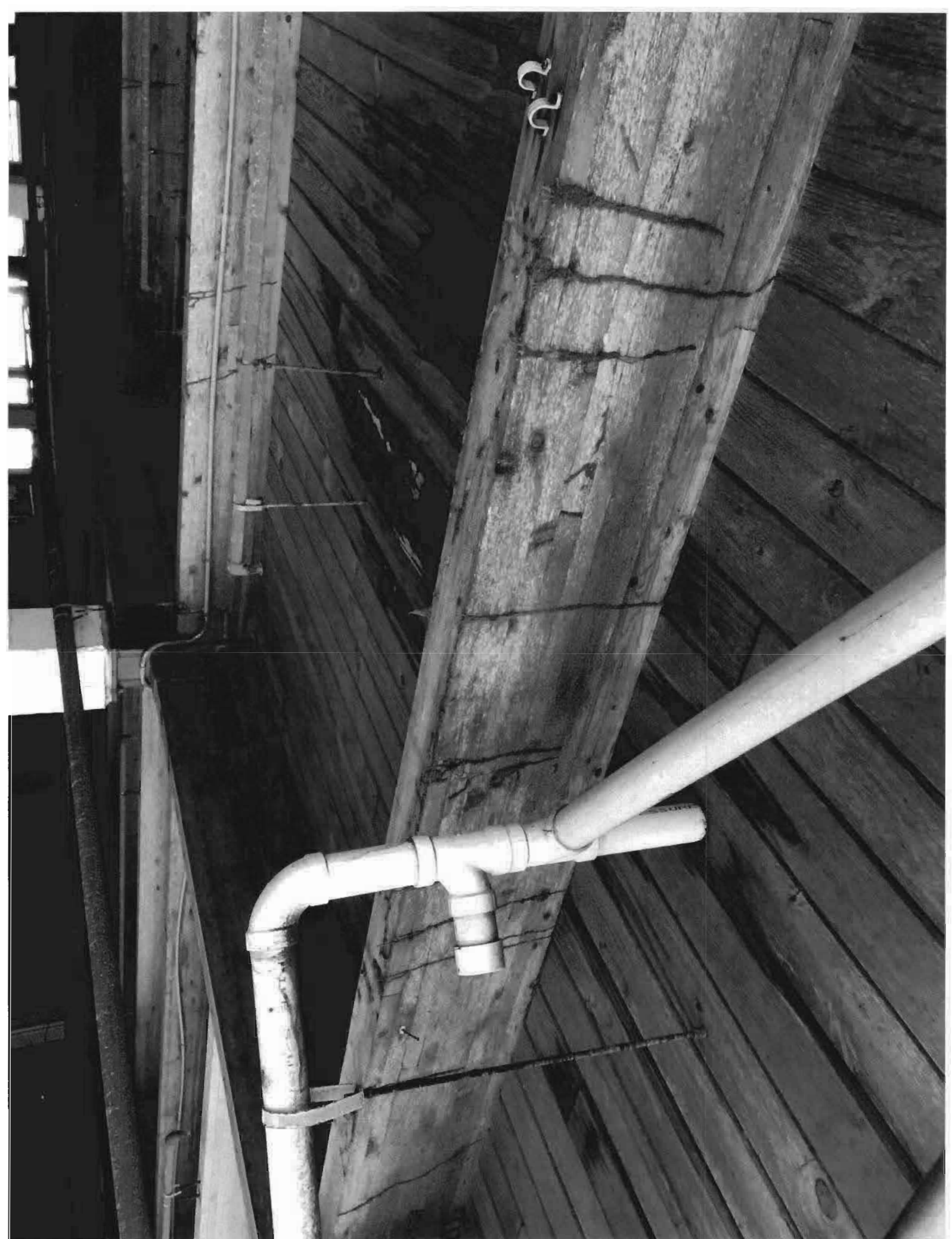


































DO NOT REMOVE BY ORDER OF  
TEXAS STATE FIRE MARSHAL

**SERVICE TAG**  
Castles Mechanical  
2110N77SunshineStp  
Barlingea, Tx78550  
(956) 440-8311  
SCR-G-1671801

**Michael Rickards**  
RME's Name  
RME-G-2013640  
RME's License No.

*Michael Rickards*  
Signature of Service Person

**TYPE OF WORK**  
 Service  
 Remodel  
 Other

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2014	2015	2016	2017	2018	2019						

With the NFPA label, attach system name, make, model, and attached hoses/connections

*2110N77Sunshine Stp  
working*

**Rafael Maldonado**  
Name of Inspector  
*Rafael Maldonado*  
Signature of Inspector

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2010	2011	2012	2013	2014	2015						

Another service tag, partially obscured, with similar fields for name, license, and work type.

**MAIN DRAIN**

**CONTROL VALVE**

















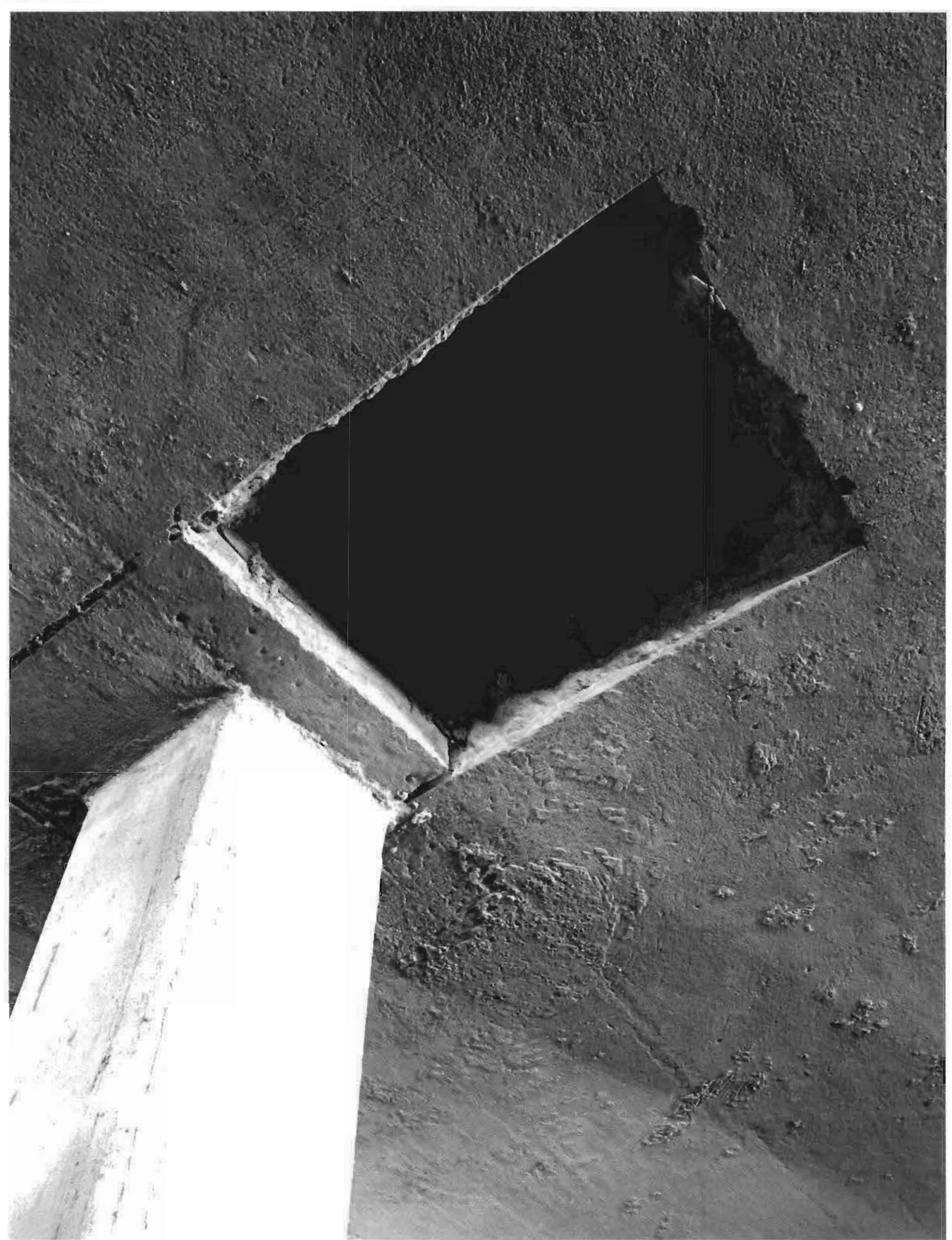








































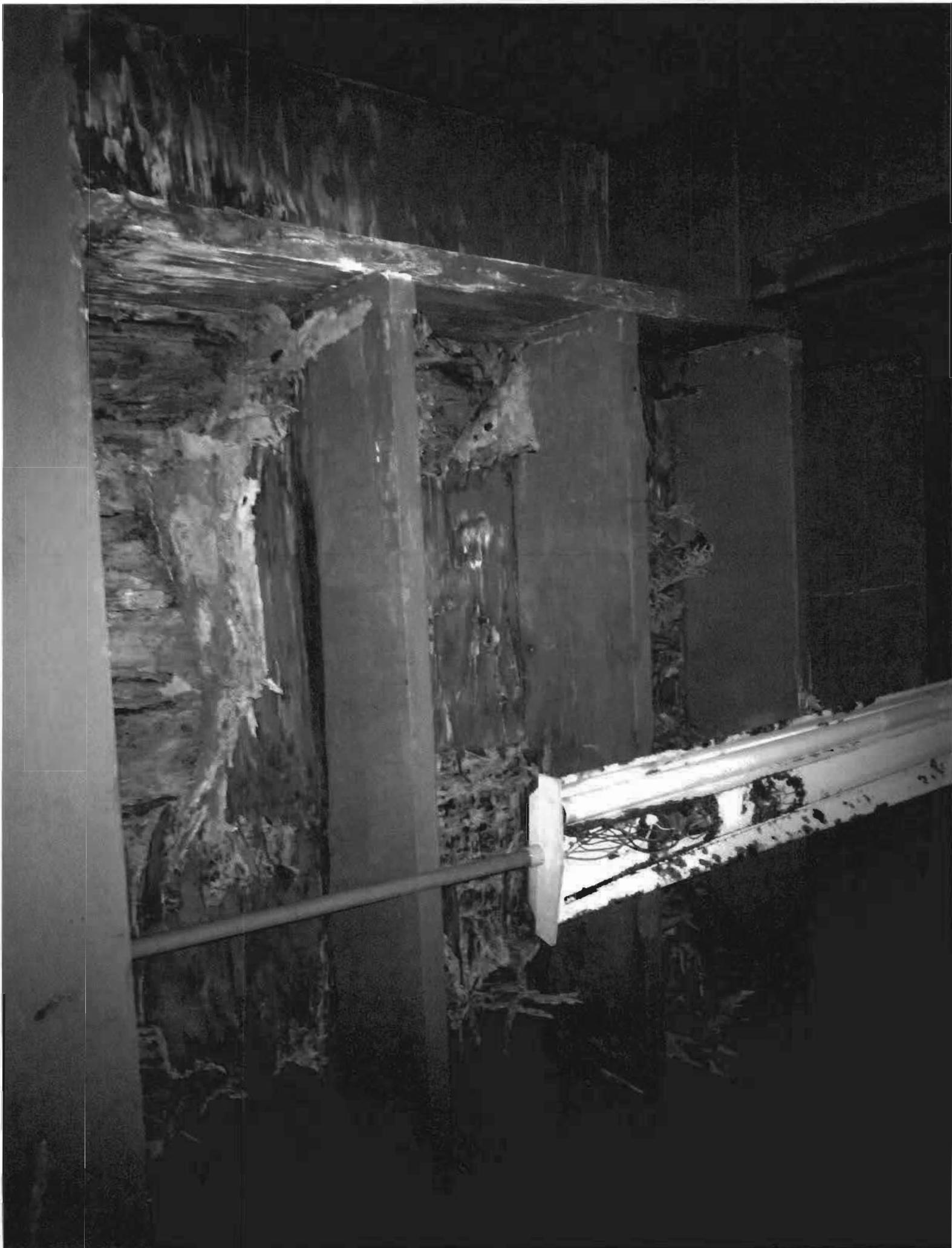














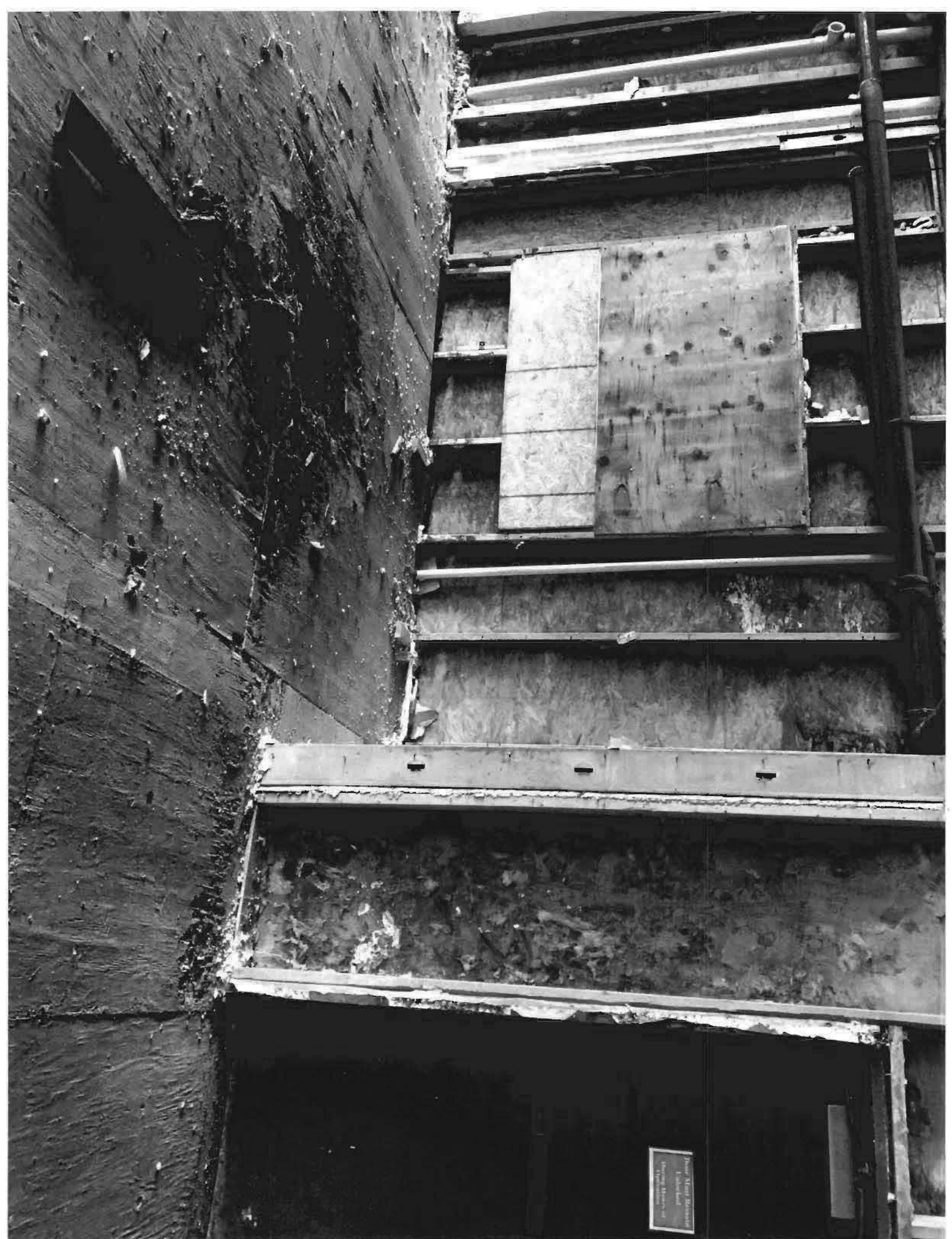










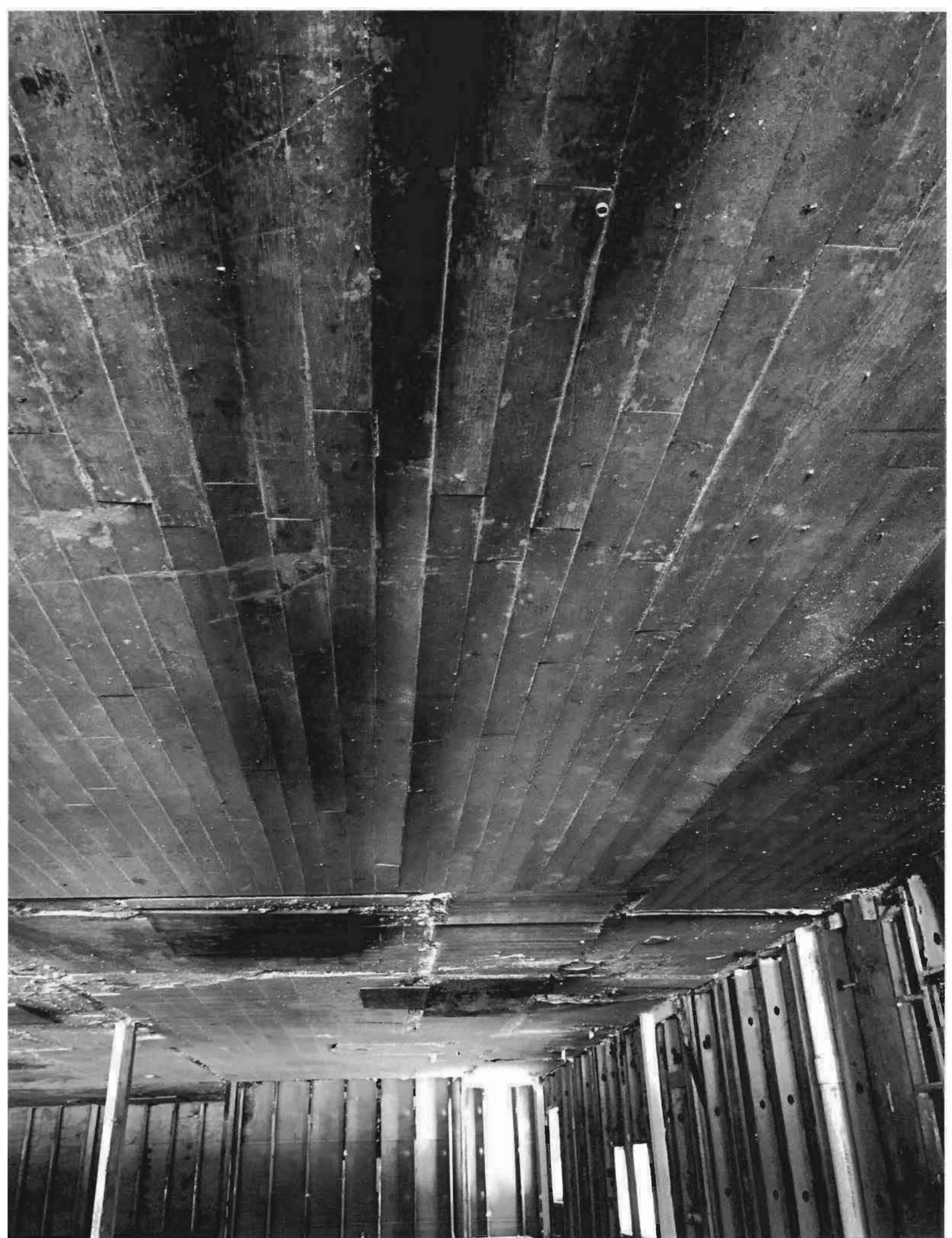


James M. King, Director  
Federal Bureau of Investigation  
Washington, D.C.











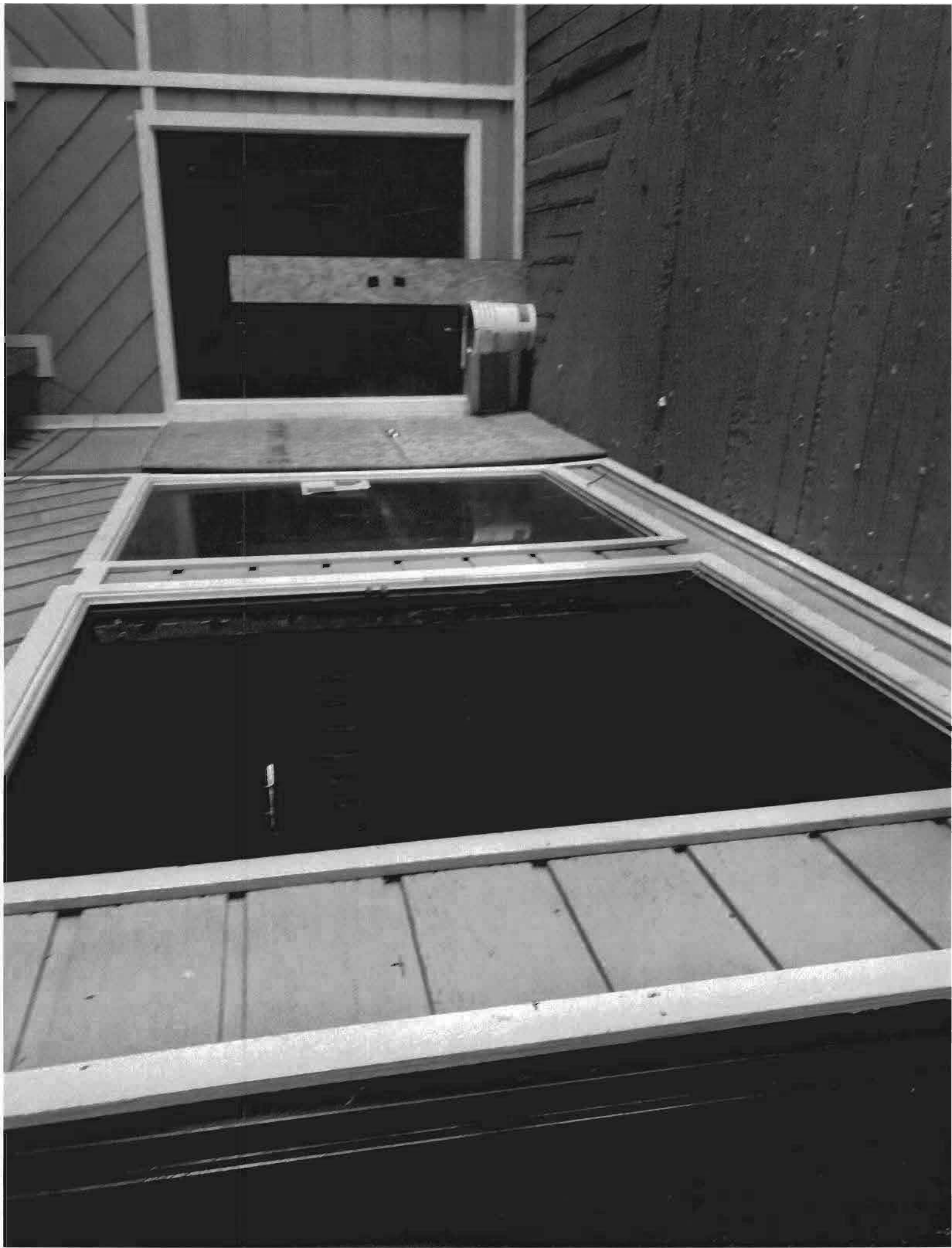














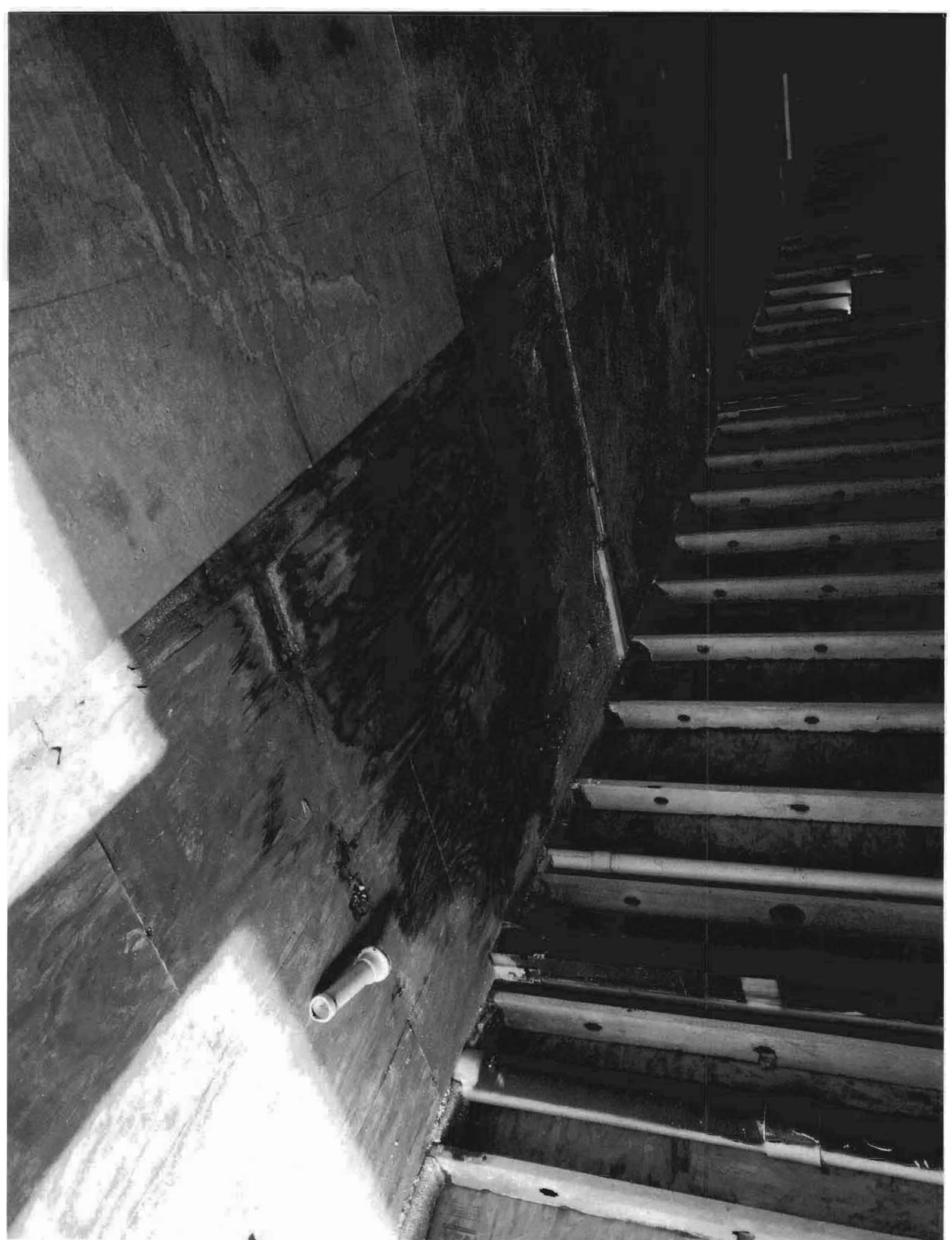




















**CITY OF SOUTH PADRE ISLAND  
SUBSTANDARD STRUCTURE  
REVIEW BOARD MEETING  
AGENDA REQUEST FORM**

**MEETING DATE:** October 2, 2019

**NAME & TITLE:** David Travis, Building Official, and Aaron Hanley, Planning Director

**DEPARTMENT:** Building Inspections Division, Planning Department

**ITEM**

Public hearing and action regarding the status, repair and/or removal of the structure(s) located at 5705-A Gulf Boulevard, South Padre Island, Texas, 78597 (Replat of Lots 2-3-4, Block 189, Lot 3A, Block 189, Fiesta Isles Subdivision [Plat C1-1352B]).

- a) Public Hearing
- b) Consideration and action declaring a substandard structure(s) and regarding the repair or removal of the structure(s) located at 5705-A Gulf Boulevard, South Padre Island, Texas, 78597 [Replat of Lots 2-3-4, Block 189, Lot 3A, Block 189, Fiesta Isles Subdivision (Plat C1-1352B)].

**ITEM BACKGROUND**

**Chronology of Events**

The final plat of the property was filed on or about July 17, 1995. The plat reflects uses of a townhouse on Lot 3A, Block 189, Fiesta Isles Subdivision (the "Property"). The City's Zoning Map indicates that the property is zoned District B-2.

On or about February 10, 2014, the City of South Padre Island Building Inspections Division issued a Building Permit to Sara Investments for the construction of a single family townhouse on the Property. The last inspection of the structure during construction was on October 9, 2014.

On or about August 24, 2017, the City of South Padre Island Building Inspections Division issued a Demolition Permit to E. B. Merit Construction for the removal of the wood, floor deck and concrete slab, and the treatment of the existing nail plates within the structure on the Property.

On or about December 12, 2017, the City of South Padre Island Building Inspections Division issued a Building Permit to E. B. Merit Construction for the construction of a single family townhouse on the Property.

On or about December 19, 2017, the City of South Padre Island Building Inspections Division issued an Electrical Permit to Matt’s Electric for the electrical improvements to the existing structure on the Property.

On or about January 3, 2018, a request for the refund of the Building Permit fee in the amount of \$2,100.00 was submitted to the Building Inspections Division.

On or about January 9, 2018, the request for the refund was processed after it was confirmed by the Building Official that no improvements were made to the structure on the Property.

On or about August 2, 2019, the Building Official inspected the exterior of the Property. It was observed that the structure on the property is unfinished and not suitable for habitation. The structure does not have a roof, and the window and door openings on the first floor are boarded with oriented strand board (OSB).

On or about August 22, 2019, a Notice of Hearing Letter was mailed to the property owner.

**BUDGET/FINANCIAL SUMMARY**

N/A

**COMPREHENSIVE PLAN GOAL**

- Chapter I Land Use, GOAL 2: The City should continue to monitor, protect, and evaluate development and resource conservation.
  - Objective 2.1: City ordinances should be consistent with the Comprehensive Plan.
    - Policy 2.1.1: The City should continue to enforce ordinances and regulations consistently and equally. Strategy 2.1.1.1: Regulations and development standards should be user-friendly and serve to streamline the permitting process while “raising the bar” of standards of development quality.
- Chapter IV Economic Development, GOAL 3: The City shall support an environment that is friendly to residents, tourists, and businesses.
  - Objective 3.1: The City should support ordinances, events, and policies that enhance the Island’s economic development potential.

**LEGAL REVIEW**

Sent to Legal: YES: \_\_\_\_\_ NO: \_\_\_\_\_  
Approved by Legal: YES: \_\_\_\_\_ NO: \_\_\_\_\_

Comments:

**RECOMMENDATIONS/COMMENTS**



Per City of South Padre Island Code of Ordinance Section 4-18, Substandard Structures Review Board, Subsections A through G:

(A) In order to conduct public hearings and to hear and decide appeals of orders, decisions or determinations made by the code official or building official relative to the application and interpretation of this article, the city council shall serve as the Substandard Structures Review Board to pass upon matters pertaining to building standards. The Substandard Structures Review Board may adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the property owner and lien holders, with a duplicate copy to the code official. Appeals to the board shall be processed in accordance with the provisions established by this article.

(B) *Duties of the Substandard Structures Review Board.*

(1) The Substandard Structures Review Board shall:

(a) Schedule and hold a public hearing and hear testimony from the code official, and the owner, mortgagee, or lienholder of the substandard structure. Such testimony shall relate to the determination of the question of whether the building or structure in question is a Substandard Structure and the scope of any work that may be required to comply with this article and the amount of time it will take to reasonably perform the work. The owner, mortgagee, and/or lienholder shall have the burden of proof to demonstrate the scope of any work that may be required to comply with this article and the time it will take to reasonably perform the work.

(b) Upon conclusion of the hearing, the Substandard Structures Review Board shall determine by majority vote of its Board membership whether the building or structure in question is a substandard structure. Upon a determination that the building or structure in question constitutes substandard and out of conformance with the requirements of this Chapter, the Substandard Structures Review Board shall issue an order:

1. Containing an identification of the building and the property on which it is located;
2. Making written findings of the violations of the minimum standards that are present at the building;
3. Requiring the owner, mortgagee, or lienholder to repair, vacate, or demolish the building within 30 days from the issuance of such order, unless the owner or a person with an interest in the building establishes at the hearing that the work cannot reasonably be performed within 30 days, in which instance the Substandard Structures Review Board shall specify a reasonable time for the completion of the work; and
4. Containing a statement that the city will vacate, secure, repair or demolish the Substandard Structure and relocate the occupants of the structure if the ordered action is not taken within the time specified by the Board.

(C) The code official or city secretary shall deliver a copy of said order by hand delivery or certified mail to the owner and all persons having an interest in the property, as such persons appear in the official records described herein, including all identifiable mortgagees and

lienholders, as soon as is practicable after the hearing, which order shall include an identification and address of the building and the property on which it is located; a description of the violation of this article that are found to be present at the building; and a statement that the municipality will vacate, secure, remove, repair, or demolish the building and relocate the occupants of the building if the ordered action is not taken within the agreed-upon reasonable time.

(D) If the Substandard Structures Review Board allows the owner, mortgagee, or lienholder of the Substandard Structure more than 30 days to repair, remove, or demolish the building, the Board in its written order shall establish specific time schedules for the commencement and performance of the work and shall require the owner or person to secure the property in a reasonable manner from unauthorized entry while the work is being performed. The securing of the property shall be in a manner found to be acceptable by the Code official.

(E) The Substandard Structures Review Board shall not allow the owner, mortgagee, or lienholder of the Substandard Structure more than 90 days to repair, remove, or demolish the building or fully perform all work required to comply with the written order unless the owner or person:

- (1) Submits a detailed plan and time schedule for the work at the hearing; and
- (2) Establishes at the hearing that the work cannot reasonably be completed within 90 days because of the scope and complexity of the work.

(F) If the value of a property subject to a Substandard Structures Review Board order exceeds \$100,000.00, the board, at its election, may require the owner, lienholder, or mortgagee to post a cash or surety bond in an amount adequate to cover the cost of repairing, removing, or demolishing a building. In lieu of a bond, the board may require the owner, lienholder, or mortgagee to provide a letter of credit from a financial institution or a guaranty from a third party approved by the city. If required by the board, the bond must be posted, or the letter of credit or third party guaranty provided not later than the 30th day after the date the Board issues its order.

(G) If the Substandard Structures Review Board allows the owner, mortgagee, or lienholder of the Substandard Structure more than 90 days to complete any part of the work required to repair, remove, or demolish the building, the Board shall require them to regularly submit progress reports to the Board to demonstrate that the owner or person has complied with the time schedules established for commencement and performance of the work. The written order may require that they appear before the code official to demonstrate compliance with the time schedules.



**SUBSTANDARD STRUCTURES REVIEW BOARD**  
**SUBSTANDARD STRUCTURE NOTICE LETTER**  
**NOTICE OF HEARING**

August 22, 2019

Mr. Enrique Garza  
BES Merit Properties, LLC  
307 E. University Dr.  
Edinburg, Texas 78539-3549

CMRRR: 70181130000216840532

**Subject: NOTICE OF VIOLATION; NOTICE TO ABATE/REPAIR**

Repair of Structure(s) located at:  
5705 A Gulf Boulevard, South Padre Island, Texas, 78597  
Legal Description: Replat of Lots 2-3-4, Block 189, Lot 3A, Block 189, Fiesta Isles  
Subdivision (Plat C1-1352 B)  
Single Family Residential Structure

**HEARING DATE: October 2, 2019, at 5:30 p.m.**  
**4601 Padre Blvd., South Padre Island, Texas 78597**

Dear Mr. Enrique Garza:

According to the real property records of Cameron County, and appropriate records of the Secretary of State, Central Appraisal District, tax rolls, among others, BES Merit Properties, LLC is the owner, or a lienholder or mortgagee of the real property described in this notice. If you no longer own or have an interest in the Property, you must execute an affidavit stating that you no

---

*Building Department • 4601 Padre Boulevard • South Padre Island, Texas 78597*

*Office • 956.761.8104 • Fax 956.761.3898*



longer own or have an interest in 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 this office not 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 or have an interest in the property described in this notice, even if you do not.

### **Chronology of Events**

The final plat of the property was filed on or about July 17, 1995. The plat reflects uses of a townhouse on Lot 3A, Block 189, Fiesta Isles Subdivision (the "Property"). The City's Zoning Map indicates that the property is zoned District B-2.

On or about February 10, 2014, the City of South Padre Island Building Inspections Division issued a Building Permit to Sara Investments for the construction of a single family townhouse on the Property. The last inspection of the structure during construction was on October 9, 2014.

On or about August 24, 2017, the City of South Padre Island Building Inspections Division issued a Demolition Permit to E. B. Merit Construction for the removal of the wood, floor deck and concrete slab, and the treatment of the existing nail plates within the structure on the Property.

On or about December 12, 2017, the City of South Padre Island Building Inspections Division issued a Building Permit to E. B. Merit Construction for the construction of a single family townhouse on the Property.

On or about December 19, 2017, the City of South Padre Island Building Inspections Division issued an Electrical Permit to Matt's Electric for the electrical improvements to the existing structure on the Property.

On or about January 3, 2018, a request for the refund of the Building Permit fee in the amount of \$2,100.00 was submitted to the Building Inspections Division.

On or about January 9, 2018, the request for the refund was processed after it was confirmed by the Building Official that no improvements were made to the structure on the Property.

On or about August 2, 2019, the Building Official inspected the exterior of the Property. It was observed that the structure on the property is unfinished and not suitable for habitation. The



structure does not have a roof, and the window and door openings on the first floor are boarded with oriented strand board (OSB).

### **Chapter 214 Notice of Violation and Notice to Abate**

This letter is your official notice of violation and order to abate the violations located at 5705 A Gulf Blvd., South Padre Island, Texas 78597 (the Property).

The City's Building Official has found the structure to be substandard based upon violations of the minimum standards adopted under the City of South Padre Island Code of Ordinance as follows:

#### **(1) Section 4-17(B) Substandard Structures**

1. The requirements established by the most recent edition of the International Property Maintenance Code, the 2015 International Building Code, the 2015 International Residential Code without Section R313 (deleted), the 2015 International Fire Code without Appendices L and M (deleted), the 2015 International Mechanical Code, the 2015 International Plumbing Code, the 2015 International Fuel Gas Code, the 2014 National Electrical Code, the 2015 International Energy Conservation Code, the 1997 Standard Housing Code, and the 1985 Unsafe Building Abatement Code and all other amendments thereto except as modified by the Code of Ordinances, currently adopted and locally amended by the city are hereby declared to the minimum standards for the continued use and occupancy of all buildings located within the corporate limits of the city regardless of the date of their construction.
2. A building or structure shall be deemed a Substandard Structure if:
  - a. Said building or structure fails to comply with any one or more of the requirements established by the International Codes or other Codes cited above by Section 4-17(B)(1) and any local amendments made thereto;
  - b. Said building or structure, regardless of its structural condition, is either unoccupied by its owners, lessees, or other invitees, or fails to meet the requirements for and does not currently hold a certificate of occupancy, and is:



- i. 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;
- ii. Boarded up; fenced, or otherwise secured in any manner if the building or structure constitutes a danger to the public even though secured from entry; or the means used to secure the building or structure are inadequate to prevent unauthorized entry or use of the building; or
- iii. Remains a new but incomplete or unfinished construction for a period of time which is unreasonable under the circumstances.

(2) Section 4-17 (C) Public nuisance declared

1. A building or structure deemed to be a Substandard Structure under the terms of this chapter is hereby declared to be a public nuisance and is unlawful.
2. It shall be the responsibility of the owner(s) or occupants of Substandard Structure to abate public nuisances associated with said building by means of repair, rehabilitation, demolition, or removal in accordance with the procedures provided in this chapter.

A hearing has been set for October 2, 2019, at 5:30 p.m., at 4601 Padre Blvd., South Padre Island, Texas 78597, wherein you as the owner, lien holder, or mortgagee will be required to submit proof of the scope of any work that may be required to comply with the City's Ordinances and the time it will take to reasonably perform the work.

**FAILURE OF THE OWNER AND/OR LIENHOLDER OR MORTGAGEE TO TAKE THE ORDERED ACTION MAY RESULT IN THE CITY TAKING THE ORDERED ACTION AND FILING A LIEN AGAINST THE PROPERTY.**



We appreciate your continued cooperation and prompt attention to remedying the nuisances on the property. Please do not hesitate to contact me should you have any additional questions, comments or concerns relative to the above.

Sincerely,

David Travis

Building Official

City of South Padre Island, Texas

Cc:

Randy Smith  
City Manager

Ricardo J. Navarro  
Denton, Navarro, Rocha, Bernal, & Zech, P.C.  
City Attorney



108930

108931

108950

108951

108947

405644

405643

107723

108968

108957

108955

108953

108952

PARADE DR

108902

108899

108897

108896

108893

108893

115586

108904

108907

108910

108912

108916

108918

113804

234203

CORONADO DR

108889

108887

108891

115469

115503

115503

115503

CORONADO DR

70 DR

LYNDA

GULF BLVD

GULF BLVD

5759

5698

108246

108719

108762











**CITY OF SOUTH PADRE ISLAND  
SUBSTANDARD STRUCTURE  
REVIEW BOARD MEETING  
AGENDA REQUEST FORM**

**MEETING DATE:** October 2, 2019

**NAME & TITLE:** David Travis, Building Official, and Aaron Hanley, Planning Director

**DEPARTMENT:** Building Inspections Division, Planning Department

**ITEM**

Public hearing and action regarding the status, repair and/or removal of the structure(s) located at 5705-B Gulf Boulevard, South Padre Island, Texas, 78597 (Replat of Lots 2-3-4, Block 189, Lot 3B, Block 189, Fiesta Isles Subdivision (Plat C1-1352B)).

- a) Public Hearing
- b) Consideration and action declaring a substandard structure(s) and regarding the repair or removal of the structure(s) located at 5705-B Gulf Boulevard, South Padre Island, Texas, 78597 [Replat of Lots 2-3-4, Block 189, Lot 3A, Block 189, Fiesta Isles Subdivision (Plat C1-1352B)].

**ITEM BACKGROUND**

**Chronology of Events**

The final plat of the property was filed on or about July 17, 1995. The plat reflects uses of a townhouse on Lot 3B, Block 189, Fiesta Isles Subdivision (the "Property"). The City's Zoning Map indicates that the property is zoned District B-2.

On or about February 10, 2014, the City of South Padre Island Building Inspections Division issued a Building Permit to Sara Investments for the construction of a single family townhouse on the Property. The last inspection of the structure during construction was on October 9, 2014.

On or about August 24, 2017, the City of South Padre Island Building Inspections Division issued a Demolition Permit to E. B. Merit Construction for the removal of the wood, floor deck and concrete slab, and the treatment of the existing nail plates within the structure on the Property.

On or about December 12, 2017, the City of South Padre Island Building Inspections Division issued a Building Permit to E. B. Merit Construction for the construction of a single family townhouse on the Property.

On or about December 19, 2017, the City of South Padre Island Building Inspections Division issued an Electrical Permit to Matt's Electric for the electrical improvements to the existing structure on the Property.

On or about January 3, 2018, a request for the refund of the Building Permit fee in the amount of \$2,100.00 was submitted to the Building Inspections Division.

On or about January 9, 2018, the request for the refund was processed after it was confirmed by the Building Official that no improvements were made to the structure on the Property.

On or about August 2, 2019, the Building Official inspected the exterior of the Property. It was observed that the structure on the property is unfinished and not suitable for habitation. The structure does not have a roof, and the window and door openings on the first floor are boarded with oriented strand board (OSB).

On or about August 22, 2019, a Notice of Hearing Letter was mailed to the property owner.

**BUDGET/FINANCIAL SUMMARY**

N/A

**COMPREHENSIVE PLAN GOAL**

- Chapter I Land Use, GOAL 2: The City should continue to monitor, protect, and evaluate development and resource conservation.
  - Objective 2.1: City ordinances should be consistent with the Comprehensive Plan.
    - Policy 2.1.1: The City should continue to enforce ordinances and regulations consistently and equally. Strategy 2.1.1.1: Regulations and development standards should be user-friendly and serve to streamline the permitting process while “raising the bar” of standards of development quality.
- Chapter IV Economic Development, GOAL 3: The City shall support an environment that is friendly to residents, tourists, and businesses.
  - Objective 3.1: The City should support ordinances, events, and policies that enhance the Island’s economic development potential.

**LEGAL REVIEW**

Sent to Legal: YES: \_\_\_\_\_ NO: \_\_\_\_\_  
Approved by Legal: YES: \_\_\_\_\_ NO: \_\_\_\_\_

Comments:

**RECOMMENDATIONS/COMMENTS**

Per City of South Padre Island Code of Ordinance Section 4-18, Substandard Structures Review Board, Subsections A through G:

(A) In order to conduct public hearings and to hear and decide appeals of orders, decisions or determinations made by the code official or building official relative to the application and interpretation of this article, the city council shall serve as the Substandard Structures Review Board to pass upon matters pertaining to building standards. The Substandard Structures Review Board may adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the property owner and lien holders, with a duplicate copy to the code official. Appeals to the board shall be processed in accordance with the provisions established by this article.

(B) *Duties of the Substandard Structures Review Board.*

(1) The Substandard Structures Review Board shall:

(a) Schedule and hold a public hearing and hear testimony from the code official, and the owner, mortgagee, or lienholder of the substandard structure. Such testimony shall relate to the determination of the question of whether the building or structure in question is a Substandard Structure and the scope of any work that may be required to comply with this article and the amount of time it will take to reasonably perform the work. The owner, mortgagee, and/or lienholder shall have the burden of proof to demonstrate the scope of any work that may be required to comply with this article and the time it will take to reasonably perform the work.

(b) Upon conclusion of the hearing, the Substandard Structures Review Board shall determine by majority vote of its Board membership whether the building or structure in question is a substandard structure. Upon a determination that the building or structure in question constitutes substandard and out of conformance with the requirements of this Chapter, the Substandard Structures Review Board shall issue an order:

1. Containing an identification of the building and the property on which it is located;
2. Making written findings of the violations of the minimum standards that are present at the building;
3. Requiring the owner, mortgagee, or lienholder to repair, vacate, or demolish the building within 30 days from the issuance of such order, unless the owner or a person with an interest in the building establishes at the hearing that the work cannot reasonably be performed within 30 days, in which instance the Substandard Structures Review Board shall specify a reasonable time for the completion of the work; and
4. Containing a statement that the city will vacate, secure, repair or demolish the Substandard Structure and relocate the occupants of the structure if the ordered action is not taken within the time specified by the Board.

(C) The code official or city secretary shall deliver a copy of said order by hand delivery or certified mail to the owner and all persons having an interest in the property, as such persons appear in the official records described herein, including all identifiable mortgagees and

lienholders, as soon as is practicable after the hearing, which order shall include an identification and address of the building and the property on which it is located; a description of the violation of this article that are found to be present at the building; and a statement that the municipality will vacate, secure, remove, repair, or demolish the building and relocate the occupants of the building if the ordered action is not taken within the agreed-upon reasonable time.

(D) If the Substandard Structures Review Board allows the owner, mortgagee, or lienholder of the Substandard Structure more than 30 days to repair, remove, or demolish the building, the Board in its written order shall establish specific time schedules for the commencement and performance of the work and shall require the owner or person to secure the property in a reasonable manner from unauthorized entry while the work is being performed. The securing of the property shall be in a manner found to be acceptable by the Code official.

(E) The Substandard Structures Review Board shall not allow the owner, mortgagee, or lienholder of the Substandard Structure more than 90 days to repair, remove, or demolish the building or fully perform all work required to comply with the written order unless the owner or person:

- (1) Submits a detailed plan and time schedule for the work at the hearing; and
- (2) Establishes at the hearing that the work cannot reasonably be completed within 90 days because of the scope and complexity of the work.

(F) If the value of a property subject to a Substandard Structures Review Board order exceeds \$100,000.00, the board, at its election, may require the owner, lienholder, or mortgagee to post a cash or surety bond in an amount adequate to cover the cost of repairing, removing, or demolishing a building. In lieu of a bond, the board may require the owner, lienholder, or mortgagee to provide a letter of credit from a financial institution or a guaranty from a third party approved by the city. If required by the board, the bond must be posted, or the letter of credit or third party guaranty provided not later than the 30th day after the date the Board issues its order.

(G) If the Substandard Structures Review Board allows the owner, mortgagee, or lienholder of the Substandard Structure more than 90 days to complete any part of the work required to repair, remove, or demolish the building, the Board shall require them to regularly submit progress reports to the Board to demonstrate that the owner or person has complied with the time schedules established for commencement and performance of the work. The written order may require that they appear before the code official to demonstrate compliance with the time schedules.





**SUBSTANDARD STRUCTURES REVIEW BOARD**

**SUBSTANDARD STRUCTURE NOTICE LETTER**

**NOTICE OF HEARING**

August 22, 2019

Mr. Brandon Fairlie  
BES Merit Properties, LLC  
307 E. University Dr.  
Edinburg, Texas 78539-3549

CMRRR: 70181130000216840549

**Subject: NOTICE OF VIOLATION; NOTICE TO ABATE/REPAIR**

Repair of Structure(s) located at:  
5705 B Gulf Boulevard, South Padre Island, Texas, 78597  
Legal Description: Replat of Lots 2-3-4, Block 189, Lot 3B, Block 189, Fiesta Isles  
Subdivision (Plat C1-1352 B)  
Single Family Residential Structure

**HEARING DATE: October 2, 2019, at 5:30 p.m.**

**4601 Padre Blvd., South Padre Island, Texas 78597**

Dear Mr. Brandon Fairlie:

According to the real property records of Cameron County, and appropriate records of the Secretary of State, Central Appraisal District, tax rolls, among others, BES Merit Properties, LLC is the owner, or a lienholder or mortgagee of the real property described in this notice. If you no longer own or have an interest in the Property, you must execute an affidavit stating that you no longer own or have an interest in 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 this office not 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 or have an interest in the property described in this notice, even if you do not.

### **Chronology of Events**

The final plat of the property was filed on or about July 17, 1995. The plat reflects uses of a townhouse on Lot 3B, Block 189, Fiesta Isles Subdivision (the "Property"). The City's Zoning Map indicates that the property is zoned District B-2.

On or about February 10, 2014, the City of South Padre Island Building Inspections Division issued a Building Permit to Sara Investments for the construction of a single family townhouse on the Property. The last inspection of the structure during construction was on October 9, 2014.

On or about August 24, 2017, the City of South Padre Island Building Inspections Division issued a Demolition Permit to E. B. Merit Construction for the removal of the wood, floor deck and concrete slab, and the treatment of the existing nail plates within the structure on the Property.

On or about December 12, 2017, the City of South Padre Island Building Inspections Division issued a Building Permit to E. B. Merit Construction for the construction of a single family townhouse on the Property.

On or about December 19, 2017, the City of South Padre Island Building Inspections Division issued an Electrical Permit to Matt's Electric for the electrical improvements to the existing structure on the Property.

On or about January 3, 2018, a request for the refund of the Building Permit fee in the amount of \$2,100.00 was submitted to the Building Inspections Division.

On or about January 9, 2018, the request for the refund was processed after it was confirmed by the Building Official that no improvements were made to the structure on the Property.

On or about August 2, 2019, the Building Official inspected the exterior of the Property. It was observed that the structure on the property is unfinished and not suitable for habitation. The



structure does not have a roof, and the window and door openings on the first floor are boarded with oriented strand board (OSB).

### **Chapter 214 Notice of Violation and Notice to Abate**

This letter is your official notice of violation and order to abate the violations located at 5705 B Gulf Blvd., South Padre Island, Texas 78597 (the Property).

The City's Building Official has found the structure to be substandard based upon violations of the minimum standards adopted under the City of South Padre Island Code of Ordinance as follows:

#### **(1) Section 4-17(B) Substandard Structures**

1. The requirements established by the most recent edition of the **International Property Maintenance Code**, the **2015 International Building Code**, the **2015 International Residential Code** without Section R313 (deleted), the **2015 International Fire Code** without Appendices L and M (deleted), the **2015 International Mechanical Code**, the **2015 International Plumbing Code**, the **2015 International Fuel Gas Code**, the **2014 National Electrical Code**, the **2015 International Energy Conservation Code**, the **1997 Standard Housing Code**, and the **1985 Unsafe Building Abatement Code** and all other amendments thereto except as modified by the Code of Ordinances, currently adopted and locally amended by the city are hereby declared to the minimum standards for the continued use and occupancy of all buildings located within the corporate limits of the city regardless of the date of their construction.
2. A building or structure shall be deemed a Substandard Structure if:
  - a. Said building or structure fails to comply with any one or more of the requirements established by the International Codes or other Codes cited above by Section 4-17(B)(1) and any local amendments made thereto;
  - b. Said building or structure, regardless of its structural condition, is either unoccupied by its owners, lessees, or other invitees, or fails to meet the requirements for and does not currently hold a certificate of occupancy, and is:



- i. 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;
- ii. Boarded up; fenced, or otherwise secured in any manner if the building or structure constitutes a danger to the public even though secured from entry; or the means used to secure the building or structure are inadequate to prevent unauthorized entry or use of the building; or
- iii. Remains a new but incomplete or unfinished construction for a period of time which is unreasonable under the circumstances.

(2) Section 4-17 (C) Public nuisance declared

1. A building or structure deemed to be a Substandard Structure under the terms of this chapter is hereby declared to be a public nuisance and is unlawful.
2. It shall be the responsibility of the owner(s) or occupants of Substandard Structure to abate public nuisances associated with said building by means of repair, rehabilitation, demolition, or removal in accordance with the procedures provided in this chapter.

A hearing has been set for October 2, 2019, at 5:30 p.m., at 4601 Padre Blvd., South Padre Island, Texas 78597, wherein you as the owner, lien holder, or mortgagee will be required to submit proof of the scope of any work that may be required to comply with the City's Ordinances and the time it will take to reasonably perform the work.

**FAILURE OF THE OWNER AND/OR LIENHOLDER OR MORTGAGEE TO TAKE THE ORDERED ACTION MAY RESULT IN THE CITY TAKING THE ORDERED ACTION AND FILING A LIEN AGAINST THE PROPERTY.**



We appreciate your continued cooperation and prompt attention to remedying the nuisances on the property. Please do not hesitate to contact me should you have any additional questions, comments or concerns relative to the above.

Sincerely,

---

David Travis  
Building Official  
City of South Padre Island, Texas

Cc:

Randy Smith  
City Manager

Ricardo J. Navarro  
Denton, Navarro, Rocha, Bernal, & Zech, P.C.  
City Attorney





