



AGENDA MEMORANDUM

Action Item for the City Council Meeting September 6, 2022

DATE: September 6, 2022

TO: Peter Zaroni, City Manager

THROUGH: Constance P. Sanchez, Chief Financial Officer
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FROM: Linda Stewart, Director of Neighborhood Services
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Appeal of Building Standards Board Order for Four Dilapidated/Substandard Structures

CAPTION:

Resolution upholding the Building Standards Board's orders to demolish four dilapidated/substandard structures located at 110 Josephine Street also known as 106 Josephine Street, 110 Josephine also known as 102 Josephine Street, 2212 Ruth Street and 1216 Martin Luther King Drive owned by Markman Brothers Investments Corpus Christi LLC.

SUMMARY:

Markman Brothers Investments Corpus Christi LLC, A Texas Limited Liability Company, has requested the City Council to hear and consider an appeal of a decision of the Building Standards Board regarding the following four (4) properties located at 110 Josephine Street also known as 106 Josephine Street; 110 Josephine Street also known as 102 Josephine Street; 221 Ruth Street and 1216 Martin Luther King Drive all owned by Markman Brothers Corpus Christi LLC.

BACKGROUND AND FINDINGS:

Address	Also Known As	Date of No Active Utilities
110 Josephine Street	106 Josephine Street	02/01/2018
110 Josephine Street	102 Josephine Street	02/01/2018
2212 Ruth Street		07/19/2018
1216 Martin Luther King Drive		04/16/2018

Due to the substandard and dilapidated condition of the structure at 110 Josephine Street aka 106 Josephine Street and 110 Josephine Street aka 102 Josephine Street on May 26, 2022; and on June 23, 2022 the structure at 2212 Ruth Street, the Building Standards Board ordered

these structures to be removed or demolished by the owner, lienholder or mortgagee within 30 days. If demolition is not started and completed as required, then the City be authorized to demolish.

Per section 13-24 of the Code, an owner or occupant may appeal a decision of the Board to the City Council. The City Charter, Article VI, Section 2, states that appeals shall be perfected by filing a sworn notice of appeal with the City Secretary within thirty (30) days from the date of the decision. Markman Brothers Investments Corpus Christi LLC submitted a notice of appeal in writing on June 16, 2022, July 11, 2022 and August 23, 2022, within the 30 days of the decision.

During an appeal, the City Council acts in a quasi-judicial capacity to determine the facts and to determine whether the structure requires demolition. After hearing presentations from staff and from the appellant, the Council can decide to uphold the Building Standards Board order or to reverse the Board's order in whole or in part. Under Section 13-24(b), the Council may vary the application of any provision of Chapter 13 of the City Code when the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this Code, the Corpus Christi Property Maintenance Code or public interest or when, in its opinion, the decision of the board should be modified or reversed. A decision of the City Council to vary the application of any provision of the Code or the Corpus Christi Property Maintenance Code, or to modify an order of the board in whole or in part shall specify in what manner such modification is made, the conditions upon which it is made and the reasons therefore. The decision of the City Council shall be final unless the aggrieved party appeals by instituting suit for that purpose in any court having jurisdiction within 15 days from date on which the decision of the City Council was rendered.

ALTERNATIVES:

1. Motion to reverse the Board's order in whole or in part.

FISCAL IMPACT:

Non-applicable

Funding Detail:

Fund: **Non-Applicable**

Organization/Activity:

Mission Element:

Project # **(CIP Only):**

Account:

RECOMMENDATION:

Uphold Building Standards Board order to demolish the property located at 110 Josephine Street aka 106 Josephine Street; 110 Josephine Street aka 102 Josephine Street, 2212 Ruth Street and 1216 Martin Luther King Drive.

LIST OF SUPPORTING DOCUMENTS:

- Resolution – Upholding Building Standards Board order to demolish the properties
- Final Order of Building Standard Board
- Minutes of Building Standards Board Meeting May 26, 2022
- Minutes of Building Standards Board Meeting June 23, 2022
- Minutes of Building Standards Board Meeting July 28, 2022
- Case Timeline

- Location Map & Aerial photo
- Photos presented to the Board
- Notice of Appeal by Markman Brothers Investments Corpus Christi LLC