



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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Building Standards Board Hearing Appeal for 625 Atlantic Street
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CAPTION:

Resolution upholding the Building Standards Board's order to demolish dilapidated/ substandard structures located at 625 Atlantic Street and owned by Armando B. De Los Santos and Amelia G. De Los Santos

SUMMARY:

Armando B. De Los Santos and Amelia G. De Los Santos, has requested the City Council to hear and consider an appeal of a decision of the Building Standards Board regarding property located at 625 Atlantic Street.

BACKGROUND AND FINDINGS:

The property at 625 Atlantic Street is owned by Armando B. De Los Santos and Amelia G. De Los Santos. The structure at 625 Atlantic Street is Fire Damage Substandard Structure.

Due to the substandard and dilapidated condition of the structure at 625 Atlantic Street, on May 26, 2022, the Building Standards Board ordered the fire damage structure at 625 Atlantic Street 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. Armando B. De Los Santos and Amelia G. De Los Santos submitted a notice of appeal in writing on June 27, 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 625 Atlantic Street.

LIST OF SUPPORTING DOCUMENTS:

- Resolution – Upholding Building Standards Board order to demolish the property located at 625 Atlantic Street within 30 days.
- Final Order of Building Standard Board Case No. V172254-011122
- Minutes of Building Standards Board Meeting May 26, 2022
- Case Timeline for 625 Atlantic Street
- Location Map & Aerial photo 625 Atlantic Street
- Photos presented to the Board
- Notice of Appeal by Armando B. De Los Santos and Amelia G. De Los Santos