

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED that the Board of Adjustments of Freeport met on Thursday, January 23rd, 2025 at 6:00 p.m. at the Freeport Police Department 430 Brazosport Blvd. Council Chambers for considering the following agenda items:

Board of Adjustments:

Barry Simmons

Margaret Bachman (Alt)

James Gossit Jr. - absent

Nicole Mireles -Chairman

Kenneth Hayes – Vice Chairman

Sammye Moore

Staff:

Shelby Araujo – Building Official

Yvette Ruiz, P/Z Coordinator

Lance Petty – City Manager

Patti Foster – Renters Inspector

Visitors:

Margaret Mathews

Joseph Gonzales

Sam Reyna

Karla Clark

Melinda Gonzales

This meeting was live streamed via YouTube Live and may be accessed on the City of Freeport Facebook page: <https://www.facebook.com/freeporttexas> or by visiting <https://www.youtube.com/@cityoffreeporttx8375/streams>.

THE MEETING IS BEING HELD FOR THE FOLLOWING PURPOSES:

CALL TO ORDER @ 6:00 pm

The Chairperson called the meeting to order, declared a quorum was present, and declared notices legally posted pursuant to Open Meetings Act.

INVOCATION AND PLEDGE OF ALLEGIANCE: Margaret Bachman

CITIZENS' COMMENTS: None

Members of the public are allowed to address the Board of Adjustments at this time and must include name and address. Note, specific factual information or a recitation of existing policy may be furnished in response to an inquiry made, but any deliberation, discussion, or decision with respect to any subject about which the inquiry was made shall be limited to a proposal to place such subject on the agenda for a subsequent meeting for which notice is provided in compliance with the Texas Open meetings Act unless said notice appears herein. The public is reminded that there is a (4) minute time limit as approved by City Council on June 21, 2010.

REGULAR SESSION:

Consider and take possible action to approve the meeting minutes for December 5, 2024.

On a motion by Margaret Bachman to approve meeting minutes, second by Kenneth Hayes with all voting "Aye" motion passes with a 4-0 vote.

OPEN PUBLIC HEARING @ 6:02 pm

Discuss and take possible action : to repair or remove the structure at 122 W 7th legal description Freeport Blk 40 Lot 18 (W/2/3)-Lot 19 (E/2/3) Property ID #209280.

DISCUSSION, Shelby the first notice was sent on July 16th, 2024 regarding hurricane Beryl damage. There have been several conversations with the owner about FEMA. She was informed that the structure was a dangerous structure and would have to be removed. On, December 16th, the owner was informed that the city was going to be moving forward to take the structure in front of the Board of Adjustments. The owner has spoken with myself, regarding the unsafe structure. On December 23rd, 2024, I declared the building a dangerous structure and we are recommending that it be demolished. We went by on the 23rd and no progress has been made in regard to, demolition.

Margaret Matthews. I am in the process of getting that taken down. I am well aware that it is dangerous. I do not live there. Okay. It is a vacant building. How many vacant buildings in Freeport Drive through that have the same tag? I bet on my house that has never been touched and never been torn down. So, come on, don't rush me, because I know what has to be done. It's not safe. It needs to come down. It's an eyesore. I have no roof. you know, the

weather's been terrible. They're not going to start a job then turn down, come and rush to my aid, because this lady says she wants it done. Like now it doesn't happen like that. How long have you been on this property? I've been here 39 years. It didn't get this way overnight. What I'm saying, because you're saying. Oh, yes, it did. Well Beryl tore everything up. Totally. Were you living there prior to Beryl? Yes, that was my major residence. Homestead has been there 39 years. Are you planning to try to fix it? Are you planning to tear down? Tear it down, it's not fixable, sir, I agree with you. There's no roof, so. I mean, it's a two-story building, but I mean, water goes down, so that means it's coming from the top to the bottom. There's nothing down there at all. I've got personal belongings out of there. I want to ask you a question. we're talking about tearing it down. So, if you need more time to tear it down. More time. I'm talking to lucky Gilbert. He has told me he will help me find the person. He's already found the person to get it done. I have to come up with the money to pay them. Nobody does anything for free.

CLOSE PUBLIC HEARING @ 6:14 pm

TAKE ACTION ON 122 West 7th St.

On a motion by Barry Simmons to secure in 10 days, 90 days to demolish, second by Margaret Bachman with all voting " Aye " motion passes with 5-0 vote.

OPEN PUBLIC HEARING @ 6:15 pm

Discuss and take possible action: to repair or remove the structure at 24 N Ave A, legal description Velasco (Freeport) Blk 502 Lot 1-2-3 Property ID # 260202.

DISCUSSION: Shelby so on 24 North Avenue A, a fire took place on July 8th, 2024 from the fire inspection report. The structure is over 50% damaged and would need an engineering report and plans for repair. The structure was declared a dangerous structure by the building official myself on 12/23/2024. The building department reached out to the owner on November 4th and indicated that they were waiting on the insurance company to settle so they could tear it down within two weeks. As of one 2120. Excuse me, that's a typo. 2025. There has been no progress. We went by again today,

and the violations are still present. The owner hasn't reached out to us in regard to a plan of action. So, I actually did speak with this on the terms of the fire marshal, and he actually did say recommendation for demolition as well.

Melinda and Joseph Gonzalez. For one, I never said it was going to be knocked down within two weeks. We are waiting for insurance. And just like she said, we agree with everything she just said. You can't rush the insurance, can't do anything. You know, we've called them, we've talked to them, and we waited for them to say something. We've yet to hear from them. I called them every day, you know, and I asked them to send me something saying that they're still working on it, and they just say, we are working and working for somebody because it's a double brick house. It's hard to knock down the house. And with them just saying, okay, let's knock it down. It's not a regular house, so it costs more to knock it down because it's, more material then. And it's a heavier structure. So, it's going to cost more than what the insurer is looking to pay. So, they've been trying to find somebody else to go and knock it down. And that's been the issue, you know. So, they've been looking for somebody. We just reached out to somebody. They said they could help us, but we're still waiting on the insurance. And so, with all the harassment. And so, it's been difficult, you know, trying to get our kids settled down, to be getting back into school, get them a house to stay in. We're homeless. But it was kind of hard to say that the city cared because all we were doing was getting harassed by the city over and over and over again. And we did call her. We did talk to her. She's right. We did talk to her. But I never said, oh, we'll be settled in two weeks. We never said that. She did say, I'll call you again in December, which she didn't. And so, that's been that. I mean, we're just waiting for the city to do something in this. She's right about the buildings that are around the area that, have need to be torn down. There was a house, a building right across the street from our house that was there, condemned forever. And some people hid there and broke into our house because of that building. So, I swear that. Yes. And it belongs to the city. And I agree with her. There's plenty of structures that should be done that they shouldn't. I understand that the house is dangerous, but we boarded up our house, you know, nobody's going to get in. And we check every day. We drive by every day, you know. So yeah, we watch that. We still go cut the grass, we throw, you know, if there's trash in the yard, we still pick up the trash. We always have, but we've always been harassed. You know, she's always come to our house even before then to harass us about this in her harass us about that. It's no HOA, you know that. That's the thing. And that's what worries us. You know, we're not trying to do anything that we all want to move on from this. You know, my kids need to move on. We need to move on. We just got ourselves a house and we're trying to. But we just need time. Just stop what we're doing because bills are not going to stop. We can't just stop. We don't.

We just got ourselves a house and we're trying to. But we just need the time. What is your time? Mind you, we are both full time workers. We both have full time jobs. Yeah, they never stop that. Just stop what we're doing because bills are not going to stop. We can't just stop. We don't. We are working on a plan. We have already reached out to a guy that said he would knock it down as soon as the insurance. We already submitted this, amount to the insurance and hoping we get a reply. So that way we can hurry up and knock the house down because we want to we just want to get just be done with it already. But it's not us. If I can snap my fingers and make it disappear, I will. have you tried contacting the Texas Insurance Board and ask them to assist you to get this claim processed a little faster? I mean, the insurers were great with us up until this point. You know, we never had any problems with them until them trying to get this. This has been the issue.

CLOSE PUBLIC HEARING @ 6:27 pm

TAKE ACTION ON 24 N AVE A:

On a motion by Kenneth Hayes to give 90 days to demo and give documentation for insurance to owner, seconded by Sammye Moore with all voting "Aye" motion passes with a 5-0 vote.

UPDATES ON REPAIR ORDERS AND DEMOS (SHELBY ARAUJO)

Power point from Shelby

Karla Clark, 411 Sailfish On 926, Commissioner Ryan Cade came to this Board of Adjustments and stated that they were going to begin demolition and restoration within 30 days. They were granted a 60-day, extension per the Board of Adjustments. They he spoke that they had a seven phase, project that they were going to bring to the city. As for my public records in request on one three, that project phase has not been submitted to the city, and this has been over 100 days since we were promised on 926, or you were promised. And the residents of Bridge Harbor or the bridge Harbor Condominiums also, that you would receive this. Nothing has been done. We have tried to get, or I have tried to get in contact with Mr. Cade, to no avail. And I believe Shelby, has had a very hard time getting in touch with him. Also, we cannot get a hold of anyone. We don't know what is going on. And this has all been since 926. At your meeting 100 days, you talk about to the other people 90 days and this type of thing. They have had 100 days and they don't even contact the city. The still safety concerns are there. They just a couple of weeks ago put a couple of orange plastic things out with cones. Those blow over, get run over. There's still a sunken boat that was there on 926, right at the

entry, and another boat still there, just sitting there. The one that's underwater has got so much green moss and mold on it. All you have to do is like, put a rope on it and then fall in the people of Bridge Harbor that are there full time. As residents, our seniors and handicapped, we would like to understand from this group what their intentions are. Mr. Ryan Cade, County Commissioner said that they have five different partners and that you would see something like you would see in Florida at the 926 meeting this summer at Bridge Harbor. There is no way that that would be done. There's still blue shredded tarping hanging from the buildings. The gate is never locked. Anyone can go in. There are supposedly only the people that are on the boats on the floating pier, but anyone can go in there. There's been no repairs made. The bulkhead is such a problem. The falling in of the tennis courts is just horrendous and it never stops. We have been given promises. commitments, agreements. None of these have come to be true. Everything has failed. It would be wonderful for the Bridge Harbor LLC to come and do what they promised us they were going to do. But at this point, after 100 days that they promised you and 100 days before that, before the storm, they started vetting people. They had people out there, they had contractors out there, and they were looking at this thing. So, if that time that they were looking they were going to buy it. If you remember before the storm and then they backed out. They had contractors out there looking before this storm, and still they haven't had time to vet these contractors. Something tells me that that is just not right. Absolutely nothing has been torn. The metal on the top of the roof over on F dock where the people were vacated. When the wind blows, it just flaps big old piece of tin. It's going to be in the water in one of the houses over in the housing community. It's not been taking care of them all. The bulkheads, the water has been so low, it would have been prime time to get in there and fix those bulkheads. It's anywhere the bulkhead doors are a serious, serious problem. The condominiums which I live in, which is now reside the owners. The residents that live there are all seniors and handicapped and we live out there and we don't know what's going on. And we've asked, and we've sent emails and we've called and done messages, but no one agrees to meet with us. So, it's been the same with the city. Nobody has met with them. After you promised these seven phases and five people that are going to come and make it great again. Would like for Ryan Cade to attend next meeting.

ADJOURNMENT @ 6:38 pm

First by Kenneth Hayes, second by Margaret Bachman.

----- *Yvette Ruiz* -----

Yvette Ruiz P/Z Coordinator
City of Freeport

Nicole Mireles

Nicole Mireles B/A Chairman
City of Freeport