



**MINUTES**  
City of Dickinson  
**BUILDING STANDARDS COMMISSION**

**August 28, 2023**

The Dickinson Board of Adjustment met in a duly called and announced Regular Meeting on **Monday, August 28, 2023 at 6:00 PM** in the Council Chamber located at 4403 Highway 3, Dickinson, Texas 77539 for the purpose of considering the following numbered items:

**ITEM 1.) CALL TO ORDER AND CERTIFICATION OF A QUORUM**

Vice-Chairperson Matt Maggiolino called the meeting to order at **6:04 P.M.**

Vice-Chairperson Matt Maggiolino called roll and a quorum was verified.

Commissioners present were as follows: Matt Maggiolino, Susan Wilcox, R.E. Davis, Travis Magliolo, Garland Copelin.

**ITEM 2.) ANNOUNCEMENTS AND PRESENTATIONS**

2.A Receive a report from City staff.

Due to the Dickinson Senior Planner not in attendance, there is no report from City staff.

**ITEM 3.) PUBLIC COMMENTS**

Members of the public are invited to give comments at this time, lasting not longer than 3 minutes. Comments may be general in nature or may address a specific agenda item, and should be directed at the entire Commission, not individual members of the Commission or staff. Any speaker making personal attacks or using vulgar or profane language shall forfeit his/her remaining time and shall be seated. In compliance with the Texas Open Meetings Act, the Commission may not deliberate.

Vice-Chairperson Matt Maggiolino read the procedures for public comments.

Mr. Joe Deese spoke concerning the determination of substandard structure(s) for property located at 1524 Deats Road, item on the agenda. He expressed concern that notification was not received regarding a fire that caused significant damage to the home and requested the Commission grant as much time as possible to address the damaged structure.

**ITEM 4.) CONSENT AGENDA**

The following items are considered routine and will be enacted by one motion. There will not be a separate discussion on these items unless a Commission member requests, in which event the item will be removed from the consent agenda and discussed after the consent agenda.

Commissioner Garland Copelin requested to remove item 4B from the consent agenda.

- 4.A Consideration and possible action on approving the minutes of the Building Standards Commission Meeting of **July 24, 2023**.

Garland Copelin motioned to Approve, and Travis Magliolo seconded the motion.

**VOTE:**

5 AYES (Matt Maggiolino, Susan Wilcox, R.E. Davis, Travis Magliolo, Garland Copelin)

0 NAYS

**MOTION PASSED**

- 4.C Receive an update concerning **Order No. 2023-0019-001** and the property and structures located at **3230 Hemlock Circle**, DICKINSON, TX 77539 and legally described as ABST 19 PERRY & AUSTIN SUR LOT 10 BLK 2 EDGEWOOD SUB.

Garland Copelin motioned to Approve, and Travis Magliolo seconded the motion.

**VOTE:**

5 AYES (Matt Maggiolino, Susan Wilcox, R.E. Davis, Travis Magliolo, Garland Copelin)

0 NAYS

**MOTION PASSED**

- 4.D Receive an update concerning **Order No. 2023-0018 -001** and the property and structures located at **2912 Avenue G**, DICKINSON, TX 77539 and legally described as ABST 19 PERRY & AUSTIN LOT 9 BLK 182 MOORES ADDN & IMPS.

Garland Copelin motioned to Approve, and Travis Magliolo seconded the motion.

**VOTE:**

5 AYES (Matt Maggolino, Susan Wilcox, R.E. Davis, Travis Magliolo, Garland Copelin)

0 NAYS

**MOTION PASSED**

- 4.B Receive an update concerning **Order No. 2022-1221-003** and the property and structures located at **406 DEATS RD**, DICKINSON, TX 77539 and legally described as ABST 19 PERRY & AUSTIN SUR PT OF LOT 103 (0-2) DICKINSON ADDN D & LOTS 1 THRU 15,20,21 & PT OF LOTS 16,17 & 18 TALL TIMBERS SUB.

Commissioner Garland Copelin discussed at length the legality of the order.

Mr. Justin Pruitt, Dickinson attorney, provided clarification of order numbers 1-3.

The orders are legally binding.

Vice-Chairperson Matt Maggolino expressed concern the Commission is introducing this is a possible problem.

Commissioner R.E. Davis left the meeting at **6:20 P.M.**

Commissioner Garland Copelin stated the order may be placing the Commission in a bad situation.

Commissioner R.E. Davis rejoined the meeting at **6:22 P.M.**

Mr. Justin Pruitt clarified the orders.

Commissioner Garland Copelin stated a memorandum was ordered and not a demolition request.

Mr. Pruitt stated a satisfaction was filed as order 3, not a memorandum of understanding (schedule).

Commissioner Garland Copelin stated requirements must be met and expressed concern his concerns are not being met.

Mr. Pruitt added staff can provide the documents in the next meeting agenda packet.

**ITEM 5.) PUBLIC HEARING (S) AND ACTION ITEMS FROM PUBLIC HEARING(S)**

Vice-Chairperson Matt Maggolino read the procedures for public hearings.

- 5.A Conduct a public hearing concerning determination of substandard structure(s) for property located at **1524 Deats Road**, DICKINSON, TX 77539 and legally described as ABST 19 PERRY & AUSTIN SUR LOT 4 PAUL LOBITS SUB.

**PUBLIC HEARING:**

- Open Public Hearing
- Staff Presentation
- Property Owners or Designee Presentation
- Public Comments
- Property Owners or Designee Rebuttal
- Staff Rebuttal
- Adjourn Public Hearing

Vice-Chairperson Matt Maggolino opened the public hearing at **6:31 P.M.**

Mrs. Michelle Killebrew, BBG Consultant for the City, summarized the item.

There being no Property Owners or Designee in attendance, there is no Property Owners or Designee Presentation.

Mr. Joe Deese requested the Commission grant time to address the damaged structure.

There being no public signed up to speak, there are no public comments.

There being no Property Owners or Designee in attendance, there is no Property Owners or Designee Rebuttal.

Mr. Todd Sukup provided the staff rebuttal stating the ordinance will not allow fence height.

Vice-Chairperson Matt Maggolino adjourned the public hearing at **6:38 P.M.**

- 5.B Consideration and possible action approving a request concerning determination of substandard structure(s) for property located at **1524 Deats Road**, DICKINSON, TX 77539 and legally described as ABST 19 PERRY & AUSTIN SUR LOT 4 PAUL LOBITS SUB.

Commissioner Travis Magliolo inquired dates of fire and notification of damage.

Mr. Joe Deese stated a fire occurred on February 22, 2022, and was made aware of the fire on August 27, 2022.

Commissioner Travis Magliolo inquired what effort have been made since being made aware of fire or circumstances prevented action to be taken previously.

Mr. Joe Deese replied he had medical issues that were more pressing.

Commissioner Travis Magliolo inquired about a timeline the property owner is requesting to complete the work and the qualifications of construction crew.

Vice-Chairperson Matt Maggiolino expressed concern with qualified professionals completing the work and assist in locating personal items.

Mr. Joe Deese replied he plans to do it.

Commissioner Travis Magliolo inquired whether the home was insured or has insurance at this time. Safety of the

Mr. Joe Deese stated the property was not covered by policy at the time of damage.

Commissioner Travis Magliolo expressed concern with the safety of individuals.

Vice-Chairperson Matt Maggiolino motioned to determine structure(s) substandard, requiring the property owner to submit a demolition plan to the City within 60 days.

Discussion pursued to determine exact details of the order and what requirements need to be met.

Vice-Chairperson Matt Maggiolino stated he would change the motion to determine structure(s) substandard, requiring the property owner to submit a demolition plan to the City within 30 days.

Mr. Justin Pruitt inquired how long the administration process to obtain a demolition permit and what additional requirements may be needed.

Mr. Todd Sukup responded it takes 1 day. If rehabilitated engineering to determine and provide a letter of natural grade would be required.

Commissioner Garland Copelin inquired what resources the property owner had to complete demolition.

Mr. Joe Deese stated he does not have resources at this time as he is unfamiliar with the requirements.

Travis Magliolo motioned to determine structure(s) substandard, requiring the property owner to submit a demolition plan to the City within 30 days, and Matt Magliolino seconded the motion.

**VOTE:**

4 AYES (Matt Magliolino, Susan Wilcox, Travis Magliolo, Garland Copelin)

1 NAYS (R.E. Davis)

**MOTION PASSED**

- 5.C Conduct a public hearing concerning determination of substandard structure(s) for property located at **1805 Deats Road**, DICKINSON, TX 77539 and legally described as ABST 19 PERRY & AUSTIN SUR LOT 19 PINE GROVE ADDN EXTN.

PUBLIC HEARING:

- Open Public Hearing
- Staff Presentation
- Property Owners or Designee Presentation
- Public Comments
- Property Owners or Designee Rebuttal
- Staff Rebuttal
- Adjourn Public Hearing

Vice-Chairperson Matt Magliolino opened the public hearing at **6:51 P.M.**

Mrs. Michelle Killebrew summarized the item.

There being no Property Owners or Designee in attendance, there is no Property Owners or Designee Presentation.

There being no public signed up to speak, there are no public comments.

There being no Property Owners or Designee in attendance, there is no Property Owners or Designee Rebuttal.

There being no Property Owners or Designee Rebuttal, there is no Staff Rebuttal.

Vice-Chairperson Matt Magliolino adjourned the public hearing at **6:52 P.M.**

- 5.D Consideration and possible action approving a request concerning determination of substandard structure(s) for property located at **1805 Deats Road**, DICKINSON, TX 77539 and legally described as ABST 19 PERRY & AUSTIN SUR LOT 19 PINE GROVE ADDN EXTN.

Vice-Chairperson Matt Magliolino inquired how long the City has been attempting to contact the owner.

Mrs. Michelle Killebrew responded the City has records going back to last year. A post hearing notice is sent as well.

Commissioner Garland Copelin inquired if the City demolishes the structure, what party retains the costs and tax liens that may already be in place.

Mr. Justin Pruitt responded the City would file a lien against the property for the cost of demolition. The demolition lien would be subsequent to the tax liens.

Commissioner Travis Magliolo stated the City is not benefiting from taxes not being paid and safety of the property is the priority.

R.E. Davis motioned to determine structure(s) substandard, requiring the property owner to be notified and if no response is received within 30 days the City is authorized to take action and demolish the structure, and Travis Magliolo seconded the motion.

**VOTE:**

5 AYES (Matt Maggiolino, Susan Wilcox, R.E. Davis, Travis Magliolo, Garland Copelin)

0 NAYS

**MOTION PASSED**

- 5.E Conduct a public hearing concerning determination of substandard structure(s) for property located at **3915 Victoria Ave**, DICKINSON, TX 77539 and legally described as ABST 19 PERRY & AUSTIN NE 30 FT LOT 3 ALL LOT 4 & SW 40 FT LOT 5 RIPKE S/D.

**PUBLIC HEARING:**

- Open Public Hearing
- Staff Presentation
- Property Owners or Designee Presentation
- Public Comments
- Property Owners or Designee Rebuttal
- Staff Rebuttal
- Adjourn Public Hearing

Vice-Chairperson Matt Maggiolino opened the public hearing at **6:57 P.M.**

Mrs. Michelle Killebrew summarized the item. The property owner has a permit application in. Staff recommends the following conditions for repair:

- 30 days for permit to be issued, and
- 90 days for work to be completed.

Mr. Martinez declined to provide the Property Owners or Designee in attendance, there is no Property Owners or Designee Presentation.

Vice-Chairperson Matt Maggiolino requested a response from Mr. Martinez regarding the plans presented and timeline for completion.

Mr. Martinez responded the plans provided is what has been submitted to the City thus far for permitting. With no scheduling issues for materials or inspections are encountered the work is expected to take 6 months to 1 year once the permit is obtained.

Vice-Chairperson Matt Maggiolino inquired what timeline the property owner is expecting to have the property secured and in a safe condition.

Mr. Martinez responded the property could be secured and in a safe condition within a week of obtaining permits.

Mrs. Michelle Killebrew added the property is gated and can be secured immediately. Allowing a full year is not a timeframe staff is comfortable with for a remodel and requests updates on a regular basis.

Vice-Chairperson Matt Maggiolino requested Staff's recommendation.

Mr. Todd Sukup responded six months should be sufficient time for repair with updates.

There being no public signed up to speak, there are no public comments.

There being no Property Owners or Designee in attendance, there is no Property Owners or Designee Rebuttal.

There being no Property Owners or Designee Rebuttal, there is no Staff Rebuttal.

Vice-Chairperson Matt Maggiolino adjourned the public hearing at **7:03 P.M.**

- 5.F Consideration and possible action approving a request concerning determination of substandard structure(s) for property located at **3915 Victoria Ave, DICKINSON, TX 77539** and legally described as **ABST 19 PERRY & AUSTIN NE 30 FT LOT 3 ALL LOT 4 & SW 40 FT LOT 5 RIPKE S/D.**

R.E. Davis motioned to require the property owner to secure the property and provide updates to the Commission within 6 months regarding remediation of the property, and Matt Maggiolino seconded the motion.

**VOTE:**

5 AYES (Matt Maggiolino, Susan Wilcox, R.E. Davis, Travis Magliolo, Garland Copelin)

0 NAYS

**MOTION PASSED**



- 5.G Conduct a public hearing concerning determination of substandard structure(s) for property located at **5103 E 39th Street**, DICKINSON, TX 77539 and legally described as ABST 78 ROBERT HALL W 150 FT OF LOT 23 TUDOR ADDN.

PUBLIC HEARING:

- Open Public Hearing
- Staff Presentation
- Property Owners or Designee Presentation
- Public Comments
- Property Owners or Designee Rebuttal
- Staff Rebuttal
- Adjourn Public Hearing

Vice-Chairperson Matt Maggiolino opened the public hearing at **7:04 P.M.**

Mrs. Michelle Killebrew summarized the item. The structure is a mobile home that is nonconforming to City zoning ordinance. The City has been in communication with the new property owner.

Mr. Justin Pruitt inquired what are the owners plans for the property. It may be able to be replaced.

Mrs. Michelle Killebrew stated the owner's plans are not known.

There being no Property Owners or Designee in attendance, there is no Property Owners or Designee Presentation.

There being no public signed up to speak, there are no public comments.

There being no Property Owners or Designee in attendance, there is no Property Owners or Designee Rebuttal.

There being no Property Owners or Designee Rebuttal, there is no Staff Rebuttal.

Vice-Chairperson Matt Maggiolino requested staff's recommendation.

Mrs. Michelle Killebrew stated staff's recommendation is 60 days to demolish the structure.

Vice-Chairperson Matt Maggiolino adjourned the public hearing at **7:08 P.M.**

- 5.H Consideration and possible action approving a request concerning determination of substandard structure(s) for property located at **5103 E 39th Street**, DICKINSON, TX 77539 and legally described as ABST 78 ROBERT HALL W 150 FT OF LOT 23 TUDOR ADDN.

Commissioner Travis Magliolo inquired if there is a requirement to relocate the property owner.

Mr. Justin Pruitt stated the property owner is not residing on the property and would not have an additional requirement.

Mrs. Michelle Killebrew confirmed the property is vacant.

Vice-Chairperson Matt Maggiolino stated the information presented indicates the structure is in dangerous condition.

R.E. Davis motioned to determine structure(s) substandard, require the property owner to demolish the structure within 60 days, if not demolished in the allowed timeframe the City is authorized to take action and demolish the structure, and Matt Maggiolino seconded the motion.

**VOTE:**

5 AYES (Matt Maggiolino, Susan Wilcox, R.E. Davis, Travis Magliolo, Garland Copelin)

0 NAYS

**MOTION PASSED**

- 5.I Conduct a public hearing concerning determination of substandard structure(s) for property located at **2801 Arkansas Ave**, DICKINSON, TX 77539 and legally described as ABST 19 PERRY & AUSTIN SUR LOT 6 & NW 10 FT OF LOT 5 BLK 153 DICKINSON TOWNSITE.

**PUBLIC HEARING:**

- Open Public Hearing
- Staff Presentation
- Property Owners or Designee Presentation
- Public Comments
- Property Owners or Designee Rebuttal
- Staff Rebuttal
- Adjourn Public Hearing

Vice-Chairperson Matt Maggiolino opened the public hearing at **7:09 P.M.**

Mrs. Michelle Killebrew summarized the item.

There being no Property Owners or Designee in attendance, there is no Property Owners or Designee Presentation.

There being no public signed up to speak, there are no public comments.

There being no Property Owners or Designee in attendance, there is no Property Owners or Designee Rebuttal.

There being no Property Owners or Designee Rebuttal, there is no Staff Rebuttal.

Vice-Chairperson Matt Maggiolino adjourned the public hearing at **7:11 P.M.**

- 5.J Consideration and possible action approving a request concerning determination of substandard structure(s) for property located at **2801 Arkansas Ave, DICKINSON, TX 77539** and legally described as ABST 19 PERRY & AUSTIN SUR LOT 6 & NW 10 FT OF LOT 5 BLK 153 DICKINSON TOWNSITE.

R.E. Davis motioned to determine structure(s) substandard, require the property owner to demolish the structure within 30 days, if not demolished in the allowed timeframe the City is authorized to take action and demolish the structure, and Matt Maggolino seconded the motion.

**VOTE:**

5 AYES (Matt Maggolino, Susan Wilcox, R.E. Davis, Travis Magliolo, Garland Copelin)

0 NAYS

**MOTION PASSED**

- 5.K Conduct a public hearing concerning determination of substandard structure(s) for property located at **1600 Hughes Road, DICKINSON, TX 77539** and legally described as ABST 11 A FARMER SUR PT OF TR C OF LOT 1 (1-10) D R BEATTY SUB.

**PUBLIC HEARING:**

- Open Public Hearing
- Staff Presentation
- Property Owners or Designee Presentation
- Public Comments
- Property Owners or Designee Rebuttal
- Staff Rebuttal
- Adjourn Public Hearing

Vice-Chairperson Matt Maggolino opened the public hearing at **7:13 P.M.**

Mrs. Michelle Killebrew summarized the item.

There being no Property Owners or Designee in attendance, there is no Property Owners or Designee Presentation.

There being no public signed up to speak, there are no public comments.

There being no Property Owners or Designee in attendance, there is no Property Owners or Designee Rebuttal.

There being no Property Owners or Designee Rebuttal, there is no Staff Rebuttal.

Vice-Chairperson Matt Maggolino adjourned the public hearing at **7:17 P.M.**

- 5.L Consideration and possible action approving a request concerning determination of substandard structure(s) for property located at **1600 Hughes Road, DICKINSON, TX 77539** and legally described as ABST 11 A FARMER SUR PT OF TR C OF LOT 1 (1-10) D R BEATTY SUB.

R.E. Davis motioned to determine structure(s) substandard, require the property owner to demolish the structure within 30 days, if not demolished in the allowed timeframe the City is authorized to take action and demolish the structure, and Travis Magliolo seconded the motion.

**VOTE:**

5 AYES (Matt Maggolino, Susan Wilcox, R.E. Davis, Travis Magliolo, Garland Copelin)

0 NAYS

**MOTION PASSED**

**ITEM 6.) ACTION ITEMS FOR CONSIDERATION**

**ITEM 7.) ADJOURNMENT**

R.E. Davis motioned to Adjourn, and Matt Maggolino seconded the motion.

**VOTE:**

5 AYES (Matt Maggolino, Susan Wilcox, R.E. Davis, Travis Magliolo, Garland Copelin)

0 NAYS

**MOTION PASSED**


Vice-Chairperson Matt Maggolino adjourned the meeting at **7:19 P.M.**

**PASSED APPROVED, AND ADOPTED this 25TH DAY OF SEPTEMBER 2023.**



\_\_\_\_\_  
BUILDING STANDARDS COMMISSION,  
Chairperson

**ATTEST:**



\_\_\_\_\_  
TODD SUKUP,  
Community Development Director