

Report to City Council for the City of Ingleside, Texas

Subject: 3110 Kelly Lane - Determination of Sub Standard Structure in violation Sec. 18-299 Ingleside City Code

Submitted By: Carey Dietrich, Code Enforcement Officer

Date Submitted To City Manager: July 17, 2014

For The Agenda Of: July 22, 2014

Attachments: Photos, Notices of Violations, Title search document, Inspection Report

Summary Statement: Abandoned structure at 3110 Kelly Lane – Unsafe Structure procedure began in November of 2013 and notice was sent to Mr. Carl Dibble. Information on the two (2) surviving heirs was received in May of 2014 and notice was sent to both parties. No response has been received from either party.

Recommended Action: Staff recommends demolition

email to Harold 4/22/14
run it paper 7/3 + 7/10
L...

NOTICE OF PUBLIC HEARING CITY OF INGLESIDE

In accordance with the provisions of the City of Ingleside Code of Ordinances and the laws of the State of Texas, all interested parties are hereby notified that the City Council will hold a public hearing at 6:30 p.m. on July 22, 2014 to make the determination if the herein listed structure or structures meet minimum standards of adopted codes or shall be demolished and removed from the property. The public hearing will be held at City Hall, 2671 San Angelo Street, Ingleside, Texas.

The following properties located in the City of Ingleside, Texas contain but are not limited to the following violations as per the *City of Ingleside Code of Ordinances Chapter 18, Article VIII, Unsafe Buildings*

Sec. 18-299. Minimum standards for buildings.

- (c) All buildings or structures that have become deteriorated through accident or lack of repair or natural causes, or by damage through exposure to the elements, especially winds, hail or rain, and damage through fire, to the extent that the roof, windows and doors or portions of the building or structure which protect from the weather will no longer protect from the weather.
- (e) All buildings or structures which are so structurally deteriorated that they are in danger of collapse or which cannot be expected to withstand winds of hurricane force.
- (g) All buildings or structures, whether in use or not, which are unsafe, unsanitary, unfit for human habitation, or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to the existing use constitute a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment are unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by the demolition in accordance with the procedures set forth in this code.

Property #1: Owner: Richard Earl Lee
 Lot 18, Block 4, Rufus Williams Subdivision
 Otherwise known as 2456 Second St

Property #2 Owners: Janet Dibble, Judy Dibble, and David Dibble
 Lot 26, Block 1, Garden Oaks #1 Subdivision
 Otherwise known as 3110 Kelly Lane

The owner or owners or lienholders of said properties are required to submit at the hearing proof of the scope of any work that may be required to comply with the Codes adopted by the City of Ingleside and the time it will take to reasonably perform the work.

Any persons having any legal interest in the property shall appear before City Council at the Public Hearing on the aforementioned date, time, and place.

Carey Dietrich
Code Enforcement Officer
City of Ingleside

Guaranty Title Services

2121 Leopard Street
Corpus Christi, Texas 78408
Phone: (361) 884-8185
Fax: (361) 882-7239

PRELIMINARY TITLE REPORT ACC# 34536

We have reviewed the records in the Office of Guaranty Title Services of Corpus Christi, as to the following described property, to-wit:

Lot Twenty-Six (26), Garden Oaks Subdivision, Unit No. 1, a subdivision to the Town of Ingleside in San Patricio County, Texas, as shown by map or plat of same of record in Volume 4, Page 74 of the Map Records of San Patricio County, Texas.

TITLE APPEARS TO BE VESTED IN:

Janet Dibble, Judy Dibble & David Dibble

VIA: Warranty Deed

Grantor: Leonard F. Barganski and wife, Juanita Barganski

Grantee: Carl J. Dibble and wife, Janet Dibble

Date Executed: 6-7-1979

Date Filed: 6-20-1979

Instrument: 280619

Probate

Re: Carl J. Dibble, Deceased

Date Filed: 7-6-2000

Cause: 11019

Heirs: Janet Dibble, Judy Dibble & David Dibble

From June 7, 1979 and continuing through the 17th day of February 2014 and

find nothing further of record affecting the title to such property except the following:

Property Documents:

Warranty Deed

Grantor: Leonard F. Barganski and wife, Juanita Barganski

Grantee: Carl J. Dibble and wife, Janet Dibble

Date Executed: 6-7-1979

Date Filed: 6-20-1979

David
9099 Leopard St.
Corpus Christi, TX
78401

Per retd mail:

Judy Dibble -
3325 Via Loma Vista
ESC, CA. 92029

Instrument: 280619

TAXES COLLECTED BY SAN PATRICIO COUNTY: \$ 24,927.34 DUE (2013)
ASSESSED VALUE (SAN PATRICIO): \$ 109,955

A ten (10) year General Index Search made with respect to the following persons or entities:

Carl J. Dibble, Janet Dibble, Judy Dibble & David Dibble

For outstanding Federal Tax Liens, State Tax Liens, Abstracts of Judgments, District Court Suits, Probate Matters and Bankruptcy Cases reveal the following:

General Index Documents

Probate

Re: Carl J. Dibble, Deceased

Date Filed: 7-6-2000

Cause: 11019

Heirs: Janet Dibble, Judy Dibble & David Dibble

Delinquent Tax Suit

City of Ingleside and San Patricio County VS Carl J. Dibble, et al

Date Filed: 10-15-2010

Cause: S-10-1315TX

**Pending

IT IS EXPRESSLY UNDERSTOOD that this Letter is delivered with the understanding, evidenced by the acceptance hereof, that (1) it is neither a guaranty, warranty nor opinion of title and (2) This information is not intended to be representative of a complete abstract of title nor should it be construed as such and (3) any liability arising hereunder shall be limited to the costs of this Letter, and is issued for the use of and shall inure to the benefit of City of Ingleside.

San Patricio County Tax Office

Tuesday, May 6, 2014

Property Tax Balance

[Begin a New Search](#) [Go to Your Portfolio](#)

A Convenience Fee will be added if you pay by credit card or e-check. The minimum fee is \$2.50 per \$100.

Unless otherwise noted, all data refers to tax information for 2013. All amounts due include penalty, interest, and attorney fees when applicable.

Account Number: 49912

Pending Credit Card or eCheck Payments:
No Payment Pending

Address:
DIBBLE CARL J
RR 1 BOX 1083-A
INGLESIDE, TX 78362-9644

[Pay by Credit Card](#)

[Pay by E-Check](#)

Property Site Address:
3110 KELLY AVE

Gross Value: \$109,955

Legal Description:
LT 26 BLK 1
INGLESIDE-GARDEN OAKS #1
0.241 ACRES

Land Value: \$15,015

Improvement Value: \$94,940

Current Tax Levy: \$2,512.55

Capped Value: \$0

Current Amount Due: \$3,265.07

Agricultural Value: \$0

Prior Year Amount Due: \$22,054.46

Exemptions: None

Total Amount Due: \$25,319.53

[Exemption and Tax Rate Information](#)

Last Payment Amount for Current Year Taxes:
Not Received

[Taxes Due Detail by Year and Jurisdiction](#)

Last Payer for Current Year Taxes:
Not Received

[Payment Information](#)

Last Payment Date for Current Year Taxes:
Not Received

[Current Tax Statement](#)

Active Lawsuits: S101315TX

[Register to Receive Electronic Tax Statements](#)

[Click Here](#) to see your estimated amount due for a different date. You can see this information by year and by both year and jurisdiction.

[Terms of Use](#)

SAN PATRICIO COUNTY TAX OFFICE
P.O. BOX 280

San Patricio County Tax Office

Friday, July 18, 2014

Taxes Due Detail by Year

[Begin a New Search](#) [Go to Your Portfolio](#)

[Return to the Previous Page](#) [Taxes Due by Jurisdiction](#)

Account No.: 49912

Delinquency Date: 02/01/2014

Active Lawsuits S101315TX

* Additional Collection Costs

Year	by end of July 2014			by end of August 2014		by end of September 2014	
	Base Tax Due	Penalty, Interest, and ACC* Due	Total Due	Penalty, Interest, and ACC* Due	Total Due	Penalty, Interest, and ACC* Due	Total Due
2006	\$1,246.82	\$1,692.28	\$2,939.10	\$1,706.83	\$2,953.65	\$1,721.38	\$2,968.20
2007	\$915.03	\$1,084.31	\$1,999.34	\$1,094.84	\$2,009.87	\$1,105.36	\$2,020.39
2008	\$1,806.76	\$1,978.37	\$3,785.13	\$1,999.64	\$3,806.40	\$2,020.91	\$3,827.67
2009	\$1,939.24	\$1,848.70	\$3,787.94	\$1,871.49	\$3,810.73	\$1,894.31	\$3,833.55
2010	\$1,952.57	\$1,584.98	\$3,537.55	\$1,607.94	\$3,560.51	\$1,630.92	\$3,583.49
2011	\$1,968.65	\$1,321.98	\$3,290.63	\$1,345.13	\$3,313.78	\$1,368.32	\$3,336.97
2012	\$1,954.78	\$1,036.66	\$2,991.44	\$1,059.67	\$3,014.45	\$1,082.66	\$3,037.44
2013	\$2,512.55	\$975.14	\$3,487.69	\$1,004.71	\$3,517.26	\$1,034.25	\$3,546.80
Total Amount Due:	\$14,296.40	\$11,522.42	\$25,818.82	\$11,690.25	\$25,986.65	\$11,858.11	\$26,154.51

[Terms of Use](#)

SAN PATRICIO COUNTY TAX OFFICE
 P.O. BOX 280
 SINTON, TEXAS 78387
 (361) 364-9373

© Appraisal & Collection Technologies. All rights reserved.



June 27, 2014

Carl J. Dibble
RR 1 Box 1083-A
Ingleside, Texas 78362

Dear Mr. Dibble;

In accordance with the provisions of the City of Ingleside Code of Ordinances and the laws of the State of Texas, all interested parties are hereby notified that the City Council will hold a public hearing at 6:30 p.m. on July 22, 2014 to make the determination if the herein listed structure or structures meet minimum standards of adopted codes or shall be demolished and removed from the property. The public hearing will be held at City Hall, 2671 San Angelo Street, Ingleside, Texas.

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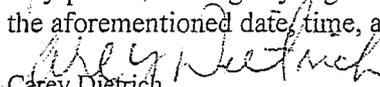
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Owners: Janet Dibble, Judy Dibble, and David Dibble
Lot 26, Block 1, Garden Oaks #1 Subdivision
Otherwise known as 3110 Kelly Lane

The owner or owners or lienholders of said properties are required to submit at the hearing proof of the scope of any work that may be required to comply with the Codes adopted by the City of Ingleside and the time it will take to reasonably perform the work.

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Carey Dietrich
Code Enforcement Officer
City of Ingleside



City of Ingleside
P. O. Drawer 400
Ingleside, Texas 78362

CORPUS CHRISTI
TX 784
27 JUN 2014 PM 2 L



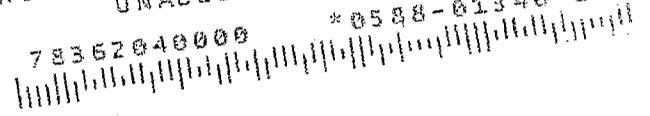
Carl J. Dibble
RR 1 Box 1083-A
Ingleside NIXIE

782 5E 1009 0005/30/14

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 7836204000

*0588-01340-27-3D



7836204000

UTR



June 27, 2014

David Dibble
7099 Leeward St
Carlsbad, Ca 92011

Dear Mr. Dibble;

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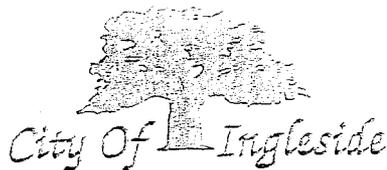
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Carey Dietrich
Code Enforcement Officer
City of Ingleside



June 27, 2014

Judy Dibble
3325 Via Loma Vista
Esc, Ca 92029

POSTED

Dear Ms. Dibble;

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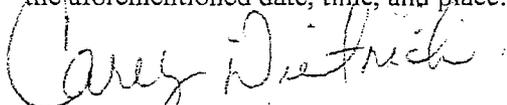
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Carey Dietrich
Code Enforcement Officer
City of Ingleside





May 8, 2014

Judy Dibble
4610 Larkspur
San Diego, Ca. 92107

Re: Code violations on the property
Located at Lots 25 & 26, Block 1, Garden Oaks #1
Otherwise known as 3110 Kelly Lane

Dear Ms. Dibble;

A notice was mailed to Carl J. Dibble on November 5, 2013 stating that the property located at Lots 25 & 26, Block 1, Garden Oaks #1 Subdivision, known as 3110 Kelly Lane, constitutes but is not limited to the following violations:

1. **City of Ingleside Codes Section 30-93**, which states that the accumulation, collection or appearance of carrion, filth, rubbish, trash, debris, or any other unsightly or unsanitary matter on the property is a violation. You are responsible for your property from the edge of the street to the centerline of the alley;
2. **City of Ingleside Codes Section 30-93**, which states that weeds or grass allowed to grow over fifteen (15) inches within one hundred (100) feet of any structure used for human habitation, or within twenty-five (25) feet of any public right-of-way or street, constitutes a violation;
3. **City of Ingleside Code of Ordinances Chapter 18, Article VIII, Unsafe Buildings: Sec. 18-299. Minimum standards for buildings.**
 - (c) All buildings or structures that have become deteriorated through accident or lack of repair or natural causes, or by damage through exposure to the elements, especially winds, hail or rain, and damage through fire, to the extent that the roof, windows and doors or portions of the building or structure which protect from the weather will no longer protect from the weather.
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4. **City of Ingleside Code of Ordinances Chapter 78, Article IV, Division 3, Sec 78-146** in that the property located at 3110 Kelly Lane is in an R1 Zone and use of the two (2) Recreational Vehicles as residential occupancy is not a permitted use in an R1 Zone;

The occupant of the Rv's, Dale Carr, removed the RV's; however, there being no response or the other violations abated, the property was mowed, cleaned of debris, and the house was boarded up to prevent further vandalism. A bill was sent and a lien has been filed against the property. Any assistance you can offer to locate Mr. Carr would be greatly appreciated.

Since the structure and all outbuildings are considered unsafe structures, they must be demolished or brought up to code. To be brought up to code, all permits must be secured within 30 days from the date of this letter and all work completed within six (6) months. If the structures are to be demolished, a permit must be secured within thirty (30) days from the date of this letter and all work completed within sixty (60) days from the date of issuance of the permit.

Failure to comply will result in the property being scheduled for a Public Hearing before the City Council of the City of Ingleside to recommend demolition of the structure(s).

Section - Abatement—Notice.

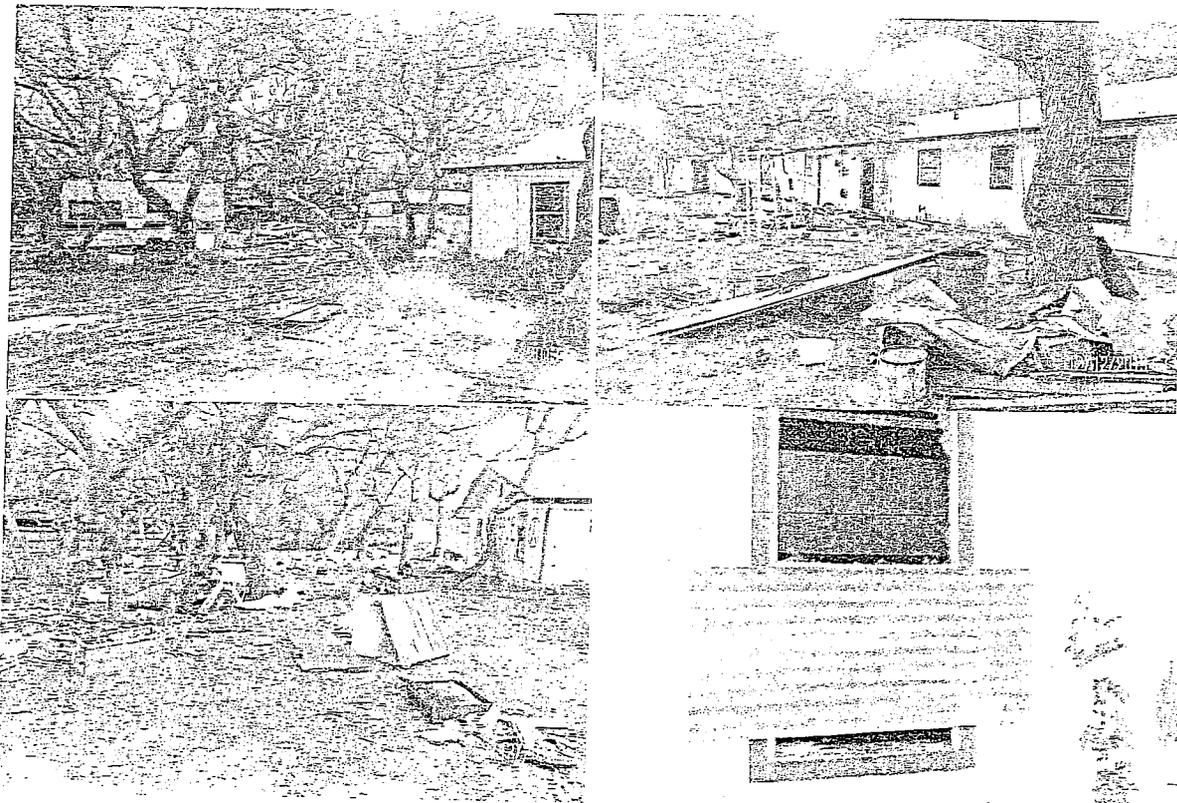
The city in the notice of a violation may inform the owner by certified mail, return receipt requested, that if the owner commits another violation of the same kind or nature that poses a danger to the public health and safety on or before the first anniversary of the date of the notice, the city without further notice may correct the violation at the owner's expense and assess the expense against the property. If a violation covered by a notice under this subsection occurs within the one-year period, and the city has not been informed in writing by the owner of an ownership change, the city without notice may take any action permitted by V.T.C.A., Health and Safety Code § 342.006(a) (1) and (2) and this article and assess its expenses as provided by V.T.C.A., Health and Safety Code § 342.007 and this article.

The most important aspect of this notification is to remedy the situation, so any communication is valuable.

Sincerely,



Carey Dietrich
Code Enforcement
City of Ingleside



SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
 Print your name and address on the reverse so that we can return the card to you.
 Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*Judy Dibble
4610 Larkspur
San Diego, Ca. 92107*

2. Article Number
(Transfer from service)

7010 3090 0000 9861 2666

PS Form 3811, July 2013

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
[Signature] Addressee

B. Received by (Printed Name) C. Date of Delivery
[Signature] *5/24/13*

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No
*3325 Via Loma Vista
ESC CA 92007*

3. Service Type Priority Mail Express™
 Certified Mail® Return Receipt for Merchandise
 Registered Collect on Delivery
 Insured Mail Yes

4. Restricted Delivery? (Extra Fee) Yes

ECI: 78362040000
 * 2508-05786-20-44
 NOT DELIVERABLE TO ADDRESSEE
 RETURN TO SENDER
 AS ADDRESSED
 UNABLE TO FORWARD
 518 DC 1
 1265/28/14

NOT HERE

~~Judy Dibble
4610 Larkspur
San Diego~~

MAY 2013 PM 10 L
 7010 3090 0000 9861 2666


CITY OF INGLESIDE
 P.O. Drawer 400
 Ingleside, Texas 78362



May 8, 2014

David Dibble
7099 Leeward St
Carlsbad, Ca. 92011

Re: Code violations on the property
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Otherwise known as 3110 Kelly Lane

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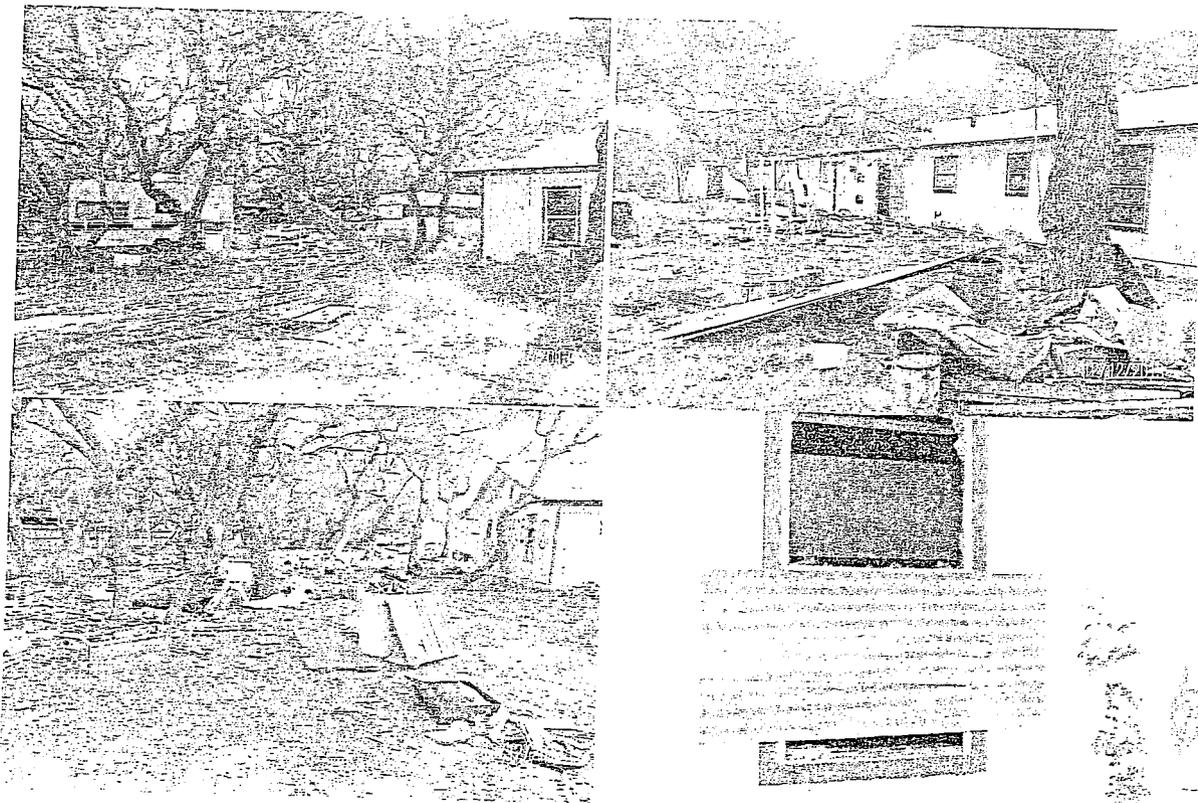
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Sincerely,

Carey Dietrich
Code Enforcement
City of Ingleside





P.O. Drawer 400
Ingleside, Texas 78362

6-16

Return
to
Sender

CERTIFIED MAIL



CO CA 920

2014 JUN 31

7010 3090 0000 9861 2659

David Dibble
7099 Leeward St
Carlsbad, Ca. 92011

← No longer at this
address... return
to sender

NO DAY RETURN
REQUIRED

NIXIE

918 DE 1

0006/11/14

RETURN TO SENDER
REFUSED
UNABLE TO FORWARD

BC: 78362040000

*2508-03113-11-14

52103E422990670



SENDER: COMPLETE THIS SECTION

- 1. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 2. Print your name and address on the reverse so that we can return the card to you.
- 3. Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CW

David Dibble
 7099 Leeward St.
 Carlsbad, Ca. 92011

2. Article Number
 (Transfer from service label): 7010 3090 0000 9861 2659

PS Form 3811, July 2013

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 Agent
 Addressee

L. Dibble

B. Received by (Printed Name) C. Date of Delivery

L. DIBBLE 5-23-14

D. Is delivery address different from item 1? Yes
 No

If YES, enter delivery address below:

PO Box 2674
 RANCHO SANTA FE CA
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3. Service Type

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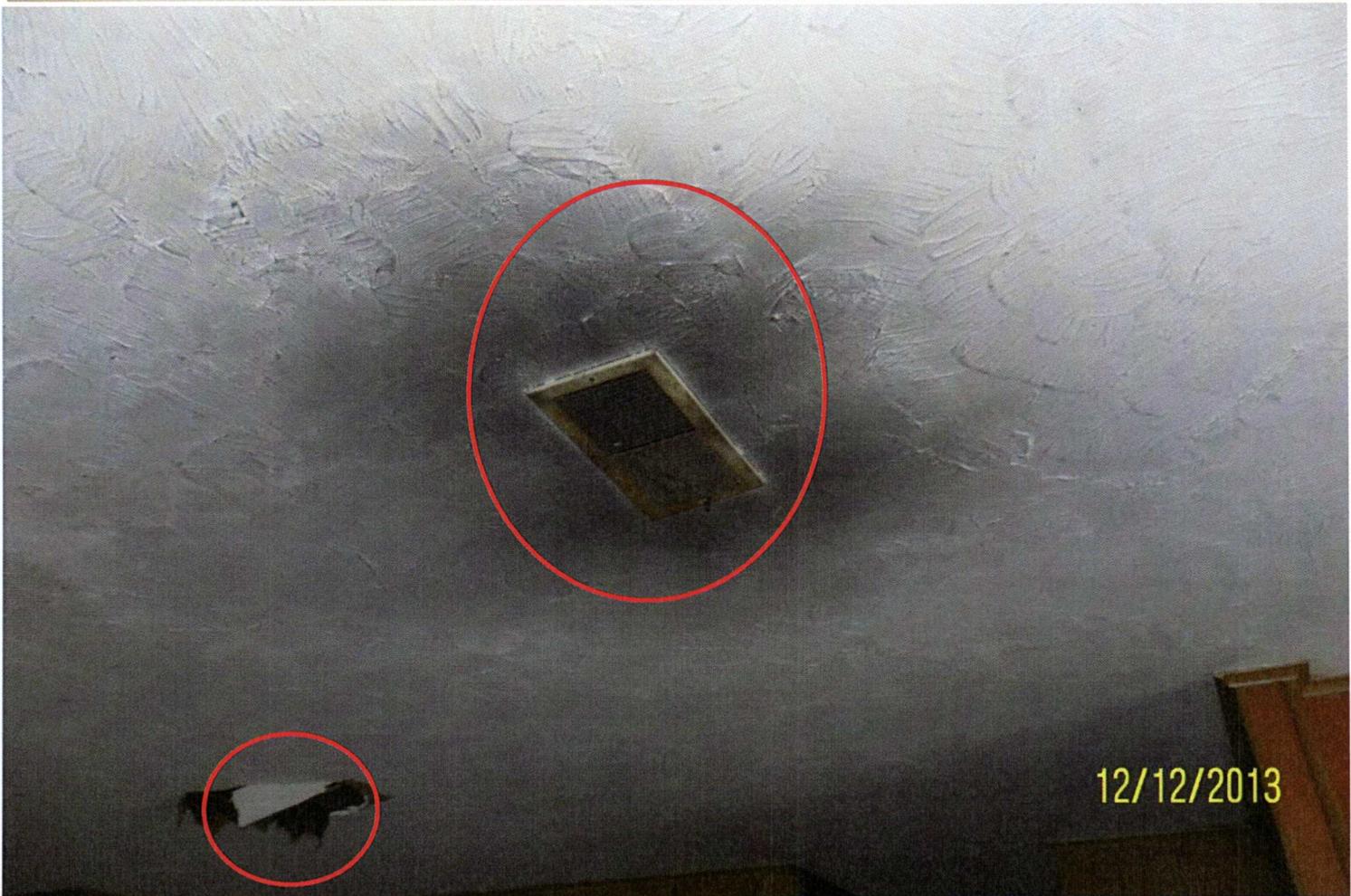
4. Restricted Delivery? (Extra Fee) Yes

Domestic Return Receipt















November 5, 2013

Carl J. Dibble
RR 1 Box 1083 - A
Ingleside, Texas 78362

Re: Code violations on your property
Located at Lot 26, Block 1, Garden Oaks #1
Otherwise known as 3110 Kelly Lane

Dear Mr. Dibble;

It has come to the attention of this office that the property belonging to you, located at Lot 26, Block 1, Garden Oaks #1 Subdivision, known as 3110 Kelly Lane, constitutes but is not limited to the following violations:

1. **City of Ingleside Codes Section 30-93**, which states that the accumulation, collection or appearance of carrion, filth, rubbish, trash, debris, or any other unsightly or unsanitary matter on the property is a violation. You are responsible for your property from the edge of the street to the centerline of the alley;
2. **City of Ingleside Codes Section 30-93**, which states that weeds or grass allowed to grow over fifteen (15) inches within one hundred (100) feet of any structure used for human habitation, or within twenty-five (25) feet of any public right-of-way or street, constitutes a violation;
3. **City of Ingleside Code of Ordinances Chapter 18, Article VIII, Unsafe Buildings: Sec. 18-299. Minimum standards for buildings.**
 - (c) All buildings or structures that have become deteriorated through accident or lack of repair or natural causes, or by damage through exposure to the elements, especially winds, hail or rain, and damage through fire, to the extent that the roof, windows and doors or portions of the building or structure which protect from the weather will no longer protect from the weather.
 - (g) All buildings or structures, whether in use or not, which are unsafe, unsanitary, unfit for human habitation, or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to the existing use constitute a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment are unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by the demolition in accordance with the procedures set forth in this code.
4. **City of Ingleside Code of Ordinances Chapter 78, Article IV, Division 3, Sec 78-146** in that the property located at 3110 Kelly Lane is in an R1 Zone and use of the two (2) Recreational Vehicles as residential occupancy is not a permitted use in an R1 Zone;

Since these violations cannot be allowed to remain it is required that within ten (10) days from the date of this notice all rubbish and debris must be removed and properly disposed of, the weeds must be cut, mowed and maintained, and the RV trailers must be removed from the property. Your cooperation in eliminating the condition will prevent the City from having to do so at a cost to you of \$75.00 per hour. If the City takes such action, an additional fee of fifty dollars (\$50.00) for inspection and administration fee shall be charged. In all cases where the City takes such action, the minimum fee or charge shall be **ONE HUNDRED TWENTY-FIVE DOLLARS (\$125.00) and a complaint will be filed in Municipal Court.**

Since the structure and all outbuildings are considered unsafe structures, they must be demolished or brought up to code. To be brought up to code, all permits must be secured within 30 days from the date of this letter and all work completed within six (6) months. If the structures are to be demolished, a permit must be secured within thirty (30) days from the date of this letter and all work completed within sixty (60) days from the date of issuance of the permit.

Failure to comply will result in the property being scheduled for a Public Hearing before the City Council of the City of Ingleside to recommend demolition of the structure(s).

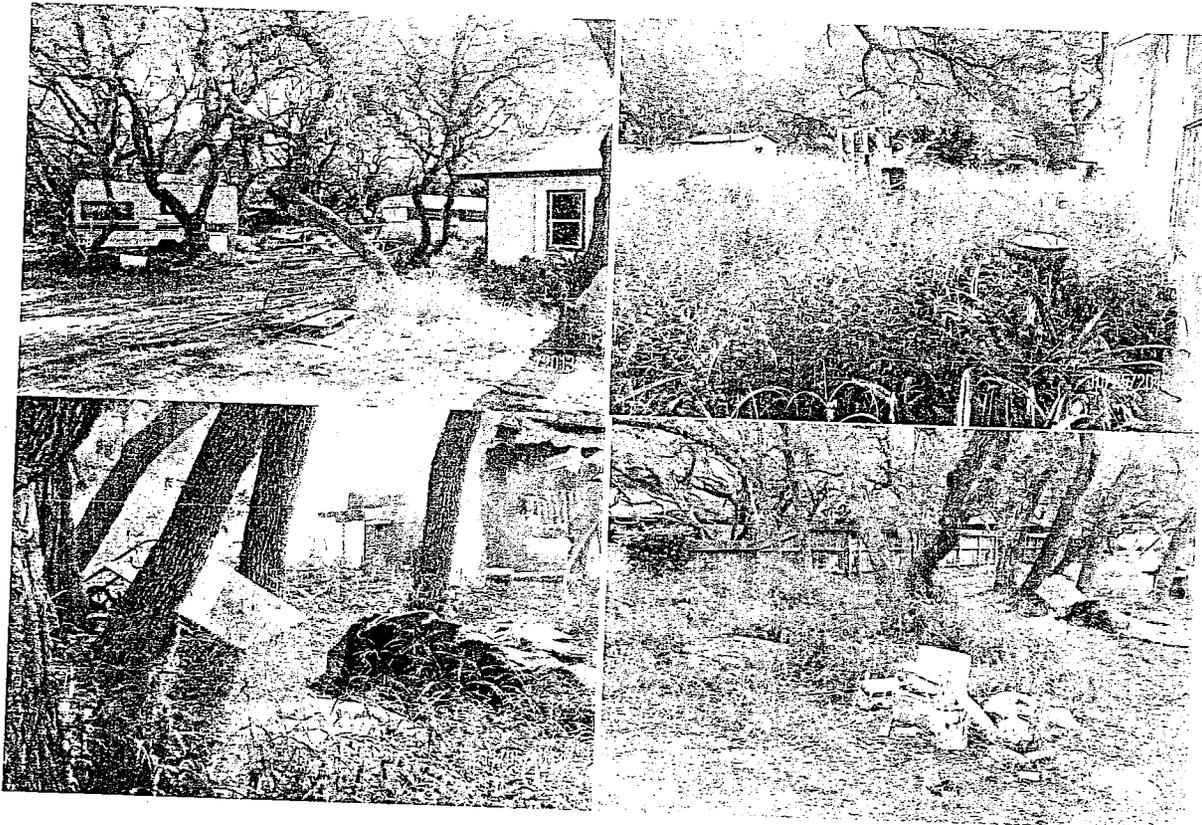
- Abatement—Notice.

The city in the notice of a violation may inform the owner by certified mail, return receipt requested, that if the owner commits another violation of the same kind or nature that poses a danger to the public health and safety on or before the first anniversary of the date of the notice, the city without further notice may correct the violation at the owner's expense and assess the expense against the property. If a violation covered by a notice under this subsection occurs within the one-year period, and the city has not been informed in writing by the owner of an ownership change, the city without notice may take any action permitted by V.T.C.A., Health and Safety Code § 342.006(a) (1) and (2) and this article and assess its expenses as provided by V.T.C.A., Health and Safety Code § 342.007 and this article.

The most important aspect of this notification is to remedy the situation, so any communication is valuable.

Sincerely,


Carey Dietrich
Code Enforcement
City of Ingleside





P.O. Drawer 400
Ingleside, Texas 78362

REGISTERED MAIL
CERTIFIED MAIL



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78362

Carl J. Dibble
RR 1 Box 1083 - A
Ingleside, Texas 78362

11-14
11-16

5 DAY RETURN
REQUESTED

