



BUILDING BOARD OF APPEALS AGENDA
REGULAR MEETING | JUNE 12, 2025 AT 5:30 PM
CITY COUNCIL CHAMBERS | 405 MUNICIPAL DRIVE , KENNEDALE, TX 76060

I. CALL TO ORDER

A. ROLL CALL

II. REGULAR SESSION

A. SWEARING IN OF SPEAKERS

B. ITEMS FOR INDIVIDUAL CONSIDERATION, DISCUSSION AND/OR ACTION

1. Approval of the minutes from the April 10, 2025 Regular Building Board of Appeals Meeting.
2. **BBA CASE #25-01**, to consider action on a city-initiated request for demolition of a single-family dwelling, previously deemed sub-standard by the Building Boards of Appeals, located at 6713 Lindale Rd, Oak Crest Addition, Block 9, Lot 24, City of Kennedale, Tarrant County, Texas.

III. ADJOURNMENT

CERTIFICATION

I DO HEREBY CERTIFY THAT THE JUNE 12, 2025 BUILDING BOARD OF APPEALS AGENDA WAS POSTED INSIDE THE MAIN ENTRANCE OF CITY HALL (405 MUNICIPAL DRIVE), IN A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES; AND THAT SAID AGENDA WAS POSTED AT LEAST SEVENTY-TWO (72) HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING, IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOVERNMENT CODE.

BOARD OR COMMISSION SECRETARY

In compliance with the Americans with Disabilities Act (ADA), the City of Kennedale will provide for reasonable accommodations for persons attending meetings. This facility is wheelchair accessible and accessible parking spaces are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meeting by calling 817-985-2104 or (TTY) 1-800-735-2989.



STAFF REPORT TO THE BUILDING BOARD OF APPEALS

MEETING DATE: JUNE 12, 2025

AGENDA ITEM NUMBER: INDIVIDUAL CONSIDERATION ITEM II.B.

SUBJECT

ITEMS FOR INDIVIDUAL CONSIDERATION, DISCUSSION AND/OR ACTION

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS



**BUILDING BOARD OF APPEALS
REGULAR MEETING | APRIL 10, 2025 AT 6:00 PM
CITY HALL COUNCIL CHAMBERS | 405 MUNICIPALS DRIVE, KENNEDALE, TX 76060**

MEETING MINUTES

I. CALL TO ORDER

Board Chair Kelli Rod called the meeting to order at 6:00 p.m.

A. ROLL CALL

Board Chair Kelli Rod, Vice Chair Pat Vader, Place 2 Kelly Turner, and Place 4 Amanda Hollins were in attendance, thus constituting a quorum.

Place 1 Theodore Krum was absent.

The Community Development Director and Board Secretary were also present.

II. REGULAR SESSION

A. SWEARING IN OF SPEAKERS

Nathan Gonzales
Amber Hardee
James Hardee

B. ITEMS FOR INDIVIDUAL CONSIDERATION, DISCUSSION AND/OR ACTION

1. Approval of the minutes from the March 6, 2025 Specially Called Building Board of Appeals Meeting.

Place 2 Turner motioned to approve meeting minutes.

Place 4 Hollins seconded the motion.

No oppositions, No abstentions

Vote: The motion carried unanimously: 4-0

2. **BBA CASE #25-01** to consider a city-initiated request for demolition or repair of a single-family dwelling located at 6713 Lindale Rd, Oak Crest Addition, Block 9, Lot 24, City of Kennedale, Tarrant County, Texas.

Community Development Director Nathan Gonzales updated the Building Board of Appeals by reminding the Board that the substandard building case was brought before them after all previous attempts to bring the property into

compliance was exhausted. At the previous meeting, the property owner, Amber Hardee who is also the niece of the occupant, James Hardee, offered an opportunity for the city to perform an inspection of the interior. Since the last meeting, city staff made two visits to the location.

On Monday, March 17, 2025, Building Inspector Todd Ellerbrook visited the property and met with Amber and James Hardee. He later reported his finding to Mr. Gonzales as he was out of office during Mr. Ellerbrook's site visit. The inspector advised that he encountered substandard living conditions inside the home and rubbish throughout the property. Mr. Ellerbrook stated that he observed damaged and disconnected electrical wiring and light fixtures inside the home as well as unfinished foundation work. He also mentioned that he had difficulty navigating the home due to the number of items stored inside. Mr. Ellerbrook's inspection lasted about 20 to 30 minutes.

On April 2, 2025, Mr. Gonzales coordinated with Ms. Hardee on a follow-up inspection where he would be present. He was attended by Building Inspector, Todd Ellerbrook, and Police Corporal, J. Damore #035. The three met with Ms. Hardee near the front gate of the residence. Ms. Hardee was accompanied by Derick Hall, the neighbor who spoke on behalf of defendants at the previous public hearing. James Hardee was not present. Ms. Hardee stated that she sent him to her house to cut her grass and noted it would be best if he was not present as he tended to get emotional. Director Gonzales then asked Ms. Hardee if they could perform their inspection. She stated yes, giving the director and building inspector her verbal effective consent. It should be noted that on many previous visits, Mr. James Hardee granted and often allowed his niece to lead staff through the property both when he was present and when he was working. Director Gonzales then asked Ms. Hardee if he could take photographs during the inspection and she answered in the affirmative, providing her verbal effective consent.

As the gentlemen entered through the front gate, Director Gonzales noticed the large amount of accumulation of rubbish, discarded materials, equipment, and furnishings occupying space that had been previously cleared. The same was true for all exterior areas. It was evident that the property had reverted back to its original condition.

Ms. Hardee led the officials through the front door which was wide open. In fact, the front door was leaning up against the sidewall completely off its hinges. Mr. Gonzales observed what appeared to be a junction box of sorts with the ceiling and roof assembly near the front door that was zipped tied, with damaged Type NM cable running through it. The box did not appear to be functional or secured properly.

Once inside, Mr. Gonzales entered the living room. The interior of the home was extremely difficult to navigate due to the number of items stored inside. He did not observe any working or operable light fixtures previously mentioned by James Hardee and Derrick Hall at the previous BBA hearing. Most of the flooring did not include a floorcovering and appeared to be the original subfloor decking. The subfloor was buckled in various areas. The walls were not plumb and there were

cracks throughout the ceiling. Some of the walls were pieced together with various materials. The ceiling showed signs of water damage and the little covering that remained was peeling off.

Just off the living room was the kitchen where dishes and other various items covered the counters entirely. The stove did not appear functional. The sink did not appear functional. Through the kitchen back door was an area entirely exposed to the outside. The back area was similar to a lean-to addition and in very poor condition. The roof assembly in that back room was compromised and appeared to be ready to collapse given the condition of the rafters and decking. The backroom area was the area that Ms. Hardee mentioned would be torn off the house if and when they repair it.

As Mr. Gonzales continued, south of the kitchen were two rooms. The east room was opened to the outside and was missing a large window and/or door. The subfloor in that room was pieced together with various materials, unsecured, with large gaps between the panels. The room was loaded down with an ample number of personal belongings strewn about. The door jamb studs and blockings were visible and exposed. On the west side of the home was Mr. Hardee's bedroom. That room had a bed and window air conditioning unit. The walls and ceiling showed signs of stress and disrepair. The light fixture wiring was visible and outlet housings were not flush with the wall covering.

Staff exited the home and Director Gonzales photographed the exterior of the home, including the exterior sheathing and covering, exposed foundation piers, girders, and floor joists. Several of the perimeter girders were not fastened properly to the abutting floor joists. He also observed concrete piers where the tops were damaged, preventing the resting beams from sitting flush. The service panel was located on north exterior façade which contained open blanks. Upon removal of the panel cover, there was dust, debris, and rust on the open bus bars and breakers. These conditions led Mr. Gonzales to believe the exterior service panel was not weathertight. The panel was not energized and not in service.

Director Gonzales advised Amber Hardee that he was still awaiting a plan of action and permit applications. He recommended to her to have a master electrician evaluate the home and existing system and shared with her his reservations of calling Oncor to release power in its current condition, even if the panel was replaced. Another reason for his concern was the exposed electrical wiring throughout the home as well as the general dilapidation of the structure.

As of Monday, April 7, 2025, the Community Development office has yet to receive an updated plan of action, a detailed construction schedule, or permit application for any repairs.

Community Development Director Gonzales completed his brief by requesting that given the condition of the interior of the home and exterior of premises, staff again recommends the Board deem the property substandard and unfit for human habitation, and issue an order to vacate the structure. Staff further recommends the Board issue an order to have the property demolished within 60 days if the property is not brought into full compliance. These 60 days, in addition to the

previous 30 days since the last meeting, with exhaust the 90 days city ordinance requires for the property to be brought into full compliance as noted in City Ordinance Section 15-52(3) which states:

- (3) The board may not allow the owner, lienholder or mortgagee more than ninety (90) days to repair, remove or demolish the building or fully perform all work required to comply with the order unless the owner lienholder or mortgagee:
- a. Submits a detailed plan and time schedule for the work at the hearing; and
 - b. Establishes at the hearing that the work cannot be reasonably completed within ninety (90) days because of the scope and complexity of the work.

Ms. Hardee was given an opportunity to respond and gave the Board an update by stating that she and her uncle, Mr. Hardee, have been working on the outside of the property more than the inside in order for the contractors to have room to place the materials that will be needed to repair the house. She also shared that she had been having trouble finding a contractor to fix the foundation and many of the roofing contractors were requesting a structural engineer confirmation that there would not be a problem repairing the roof because of foundation issues. As for the electrical, she stated that she had been working with an electrician, but after speaking with Mr. Gonzales in regards to the electricity needing to be rewired, the electrician backed out due to the complexity of rewiring the whole house and stated that the house did not need to be rewired. She said that 15 loads of rubbish had been taken to the dump in the last 30 days. Ms. Hardee concluded that no permits had been pulled as of yet, but was still having difficulty in contacting the original foundation company to return to the home and finish the project that they had begun over a year ago.

Chairperson Rod asked Amber Hardee if she disagreed with any reports that Mr. Gonzales presented. She responded by stating that she did not.

Vice-chair Vader had questions regarding the electrical issues in which Director Gonzales responded by explaining that he was not requesting that the whole house be rewired, however new outlets, wiring and a new exterior panel that is water tight were needed. He stated that he is concerned that unless the electrical is upgraded correctly, safety issues could arise when the panel is energized and would like to speak to the electrician in order to make sure that any electrical work would be correct and up to code.

Vice-Chair Vader posed questions to Ms. Hardee regarding what had been accomplished in the last 30 days after which Mr. Hardee spoke and said that in his opinion the house is structurally sound, though he does not have running water in the house. He stated that he is trying his best to get work done, but has been hampered by time, age, help and dealing with the homeless that he states comes onto his property at night. He acknowledged that Director Gonzales explained to him what permits were needed and when Mr. Vader asked how long had it been since the foundation work had begun in which Mr. Hardee replied it had been over a year. To which Mr. Vader made the comment that a substantial amount of time had lapsed with nothing being completed.

Place 4 Hollins recognized Ms. Hardee's attempts to rectify the situation and then asked Mr. Gonzales to repeat the city's request regarding the property in question. Director Gonzales repeat the original request to deem the property substandard and unfit for human habitation, and issue an order to vacate the structure. Staff

further recommends the Board issue an order to have the property demolished within 60 days if the property is not brought into full compliance. These 60 days, in addition to the previous 30 days since the last meeting, with exhaust the 90 days city ordinance requires for the property to be brought into full compliance. Ms. Hollins asked if the owners would have 60 days to complete the work or just have permits pulled to which Director Gonzales stated that all would need to be completed in 60 days with another meeting in 30 days so that the owner can provide an update on the case.

Chairperson Rod asked about citations to which Mr. Gonzales gave a brief explanation of the case history concluding that new fees are not being added to the already existing citations at this time with the Building Board of Appeals being the last resort. To which Chairperson Rod questioned Mr. Hardee regarding his homeless issue. Mr. Hardee replied and when questioned by Vice-Chair Vader about electricity in the home, Mr. Hardee confirmed that there was no electricity to the home other than a generator.

Place 2 Turner asked Director Gonzales for assistance with making the motion.

Place 2 Tuner made the motion on item BBA Case #25-01 that the Board deem the single-family dwelling located at 6713 Lindale Rd, Oakcrest Addition, Block 9, Lot 24, City of Kennedale, Tarrant County, Texas 76060 substandard and issue an order to vacate and to be demolished if not brought into compliance within the next 60 days.

Place 4 Hollins seconded the motion.

No oppositions, No abstentions

Vote: The motion carried unanimously: 4-0

III. ADJOURNMENT

Place 2 Turner made the motion to adjourn.

Vice-Chair Vader seconded the motion.

With there being no further business, Chairperson Rod adjourned the meeting at 6:49 PM

APPROVED:

ATTEST:

BUILDING BOARD OF APPEALS CHAIR

BOARD SECRETARY

STAFF REPORT TO THE BUILDING BOARD OF APPEALS

MEETING DATE: JUNE 12, 2025

AGENDA ITEM NUMBER: INDIVIDUAL CONSIDERATION ITEM II.B.2.

SUBJECT

BBA CASE #25-01, to consider action on a city-initiated request for demolition of a single-family dwelling, previously deemed sub-standard by the Building Boards of Appeals, located at 6713 Lindale Rd, Oak Crest Addition, Block 9, Lot 24, City of Kennedale, Tarrant County, Texas.

ORIGINATED BY NATHAN GONZALES

SUMMARY

Following the order to vacate issued by the Building Board of Appeals on April 10, 2025, city staff visited 6713 Lindale Dr on April 14, 2025, to post notice. Staff met with James Hardy on-site, who provided effective consent to enter onto the property. Staff posted yellow placards on the front and rear entrances of the structure (See Photos Below):



Notice Posted- Front Door



Notice Posted- Front Door



Notice Posted- Back of Property



Notice Posted- Fence in Front of Property

Following the postings, I, Director Nathan Gonzales, advised James that the property was unfit for human habitation, substandard, and that it could no longer be occupied until all repairs had been made. James stated he would no longer be living at the residence and would be staying across the street at his friend's house. James asked if he could still be on the property to continue the clean-up. I advised James that our office could issue a permit that would allow him to remain on the property during construction hours to continue clean-up efforts so as not to violate any orders prohibiting the occupancy of the property. Furthermore, I informed James that all repairs to the structure by contractors would need to first obtain a permit.

As of June 9, 2025, no permits have been applied for or issued, nor has the city received a detailed construction schedule outlining the timeline of expected repairs.

RECOMMENDATION

As the property owner has failed to meet the permitting and scheduling requirements of the last order issued, and whereas there has been no improvement in the condition of the property, Staff recommends that the

Board now issue an order to have the property demolished before the next scheduled Board of Building Appeals meeting date, being July 10, 2025.

ATTACHMENTS

1.	Notice to Property Owner	Notice to Property Owner.docx
2.	Notice to Property Owner - Updated	Notice to Property Owner - Updated.docx
3.	Signed BBA Order	Signed BBA Order.pdf



January 21, 2025

Amber Hardee
6720 Oak Crest Dr E
Fort Worth, TX 76140-1616

RE: Oak Crest Addition, Block 9, Lot 24, commonly known as 6713 Lindale Rd, Kennedale, Texas 76060

Dear Amber:

According to the Tarrant Appraisal District records, you are the owner of the above referenced property.

In an effort to enhance the beauty of the City of Kennedale through code compliance of the City's ordinances, the City is enforcing Article II. Dangerous and Substandard Buildings Ordinance (enclosed).

The Building Official of the City of Kennedale previously performed an inspection of the above referenced property and in accordance with Article II. Sec. 15-50, the following measures can be taken:

- (1) Issue notice to the record owner that the building is substandard and must be repaired or demolished; or**
- (2) Issue citation(s) for violation(s) of this article; or**
- (3) Secure the building if permitted by subsection 15-57(a) below; or**
- (4) Recommend to the board that abatement proceedings be commenced pursuant to section 15-51. Public hearing for abatement of substandard buildings.**

Prior action by the city has included a notice of violation requesting the property be repaired and all nuisances abated, followed by citations issued for failure to remedy the issues. On December 22, 2023, Building Permit #23-0403 was issued for foundation repair. To date, the building permit has expired with no inspections having been called in. Additionally, our office has not received any further update regarding abatement of the violations you were previous advised of nor have there by any attempts to apply or renew any additional building permits. Be advised, the building located on the above referenced property have been determined to be substandard and/or dangerous



for violating the following provisions of Article II, Section 15-49 of the Kennedale Code of Ordinances:

Sec. 15-49. - Substandard buildings declared.

For the purposes of this article, any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building:

- (1) Any building that is dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety and welfare.
- (10) Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
- (11) Whenever the building, or any portion thereof, because of (a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause, is likely to partially or completely collapse.
- (18) Whenever a building, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the building official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, the following:
 - a. Lack of, or improper water closet, lavatory, bathtub or shower in a dwelling unit or lodging house.
 - e. Lack of hot and cold running water to plumbing fixtures in a dwelling unit or lodging house.
 - f. Lack of adequate heating facilities.
 - h. Lack of minimum amounts of natural light and ventilation required by this Code.
 - j. Lack of required electrical lighting.
 - m. General dilapidation or improper maintenance.
 - o. Lack of connection to required sewage disposal system.
 - p. Lack of adequate garbage and rubbish storage and removal facilities.
- (19) Whenever any building, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.
- (20) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence.
- (22) Whenever any building is abandoned so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.



A Public hearing will be held at 405 Municipal Drive (City Hall, City Council Chambers), Kennedale, Texas 76060, on Thursday, February 6, 2025 at 6:00 P.M. The City of Kennedale Building Board of Appeals will determine whether the building complies with the standards set forth in Article II. Dangerous and Substandard Buildings Ordinance. Although a public hearing will be conducted regarding your property, you are not exempt from any of the items listed above. Therefore, each day that your property is in violation of the ordinance is considered a separate offense and can receive citations as such.

At the Public hearing, you will be required to submit proof of the scope of any work that may be required in an effort to comply with Article II. Dangerous and Substandard Buildings Ordinance. If the building(s) is found to be in violation of the above referenced article, the Building Board of Appeals may order the building(s) to be vacated, secured, repaired, removed or demolished within a reasonable amount of time.

If you have any questions concerning this matter, you may contact me at (817) 985-2135.

Sincerely,

Nathan Gonzales
Director of Community Development | Building Official
City of Kennedale

Cc: City Manager, Darrell Hull
City Attorney, Carvan Adkins
City Secretary, Bobbie Joe Taylor
Members, Kennedale Building Board of Appeals



February 13, 2025

Amber Hardee
6720 Oak Crest Dr E
Fort Worth, TX 76140-1616

RE: Oak Crest Addition, Block 9, Lot 24, commonly known as 6713 Lindale Rd, Kennedale, Texas 76060

Dear Amber:

According to the Tarrant Appraisal District records, you are the owner of the above referenced property.

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- (11) Whenever the building, or any portion thereof, because of (a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause, is likely to partially or completely collapse.
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 - f. Lack of adequate heating facilities.
 - h. Lack of minimum amounts of natural light and ventilation required by this Code.
 - j. Lack of required electrical lighting.
 - m. General dilapidation or improper maintenance.
 - o. Lack of connection to required sewage disposal system.
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- (22) Whenever any building is abandoned so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.



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If you have any questions concerning this matter, you may contact me at (817) 985-2135.

Sincerely,

Nathan Gonzales
Director of Community Development | Building Official
City of Kennedale

Cc: City Manager, Darrell Hull
City Attorney, Carvan Adkins
City Secretary, Bobbie Joe Taylor
Members, Kennedale Building Board of Appeals



ORDER OF THE KENNEDALE BUILDING BOARD OF APPEALS

Amber Hardee
6720 Oak Crest Dr. E.
Kennedale, TX 76060
April 14, 2025

WHEREAS, a public hearing was held on March 6, 2025 before the Kennedale Building Board of Appeals (“Board”) regarding structures present on Oak Crest Addition, Block 9, Lot 24 in Kennedale, Texas in which the owner of record was to submit an approved plan to address and correct all violations found and obtain permits within 30 days; and

WHEREAS, the records of the office of the county clerk indicate that Amber Hardee is the owner of record of the buildings; and

WHEREAS, the Board finds that the defects or conditions set forth on the Staff Report attached hereto as Exhibit “A” and incorporated herein for all purposes, are present in the building; and

WHEREAS, a public meeting was held on April 10, 2025 before the Kennedale Building Board of Appeals (“Board”) regarding structures present on Oak Crest Addition, Block 9, Lot 24 in Kennedale, Texas in which said owner did not comply with the submission of the required documents and permits within allotted time frame.

NOW, THEREFORE, THE BUILDING BOARD OF APPEALS HEREBY ORDERS THAT the structures described as 6713 Lindale Rd and located on property described as Oak Crest Addition, Block 9, Lot 24 in Kennedale, Texas be deemed substandard and vacated as well as to be demolished if not brought into compliance within the next 60 days.

Chairman, Kennedale Building Board of Appeals

ATTEST;

Secretary of the Building Board of Appeals

Filed in the Office of the City Secretary:

4/14/2025
Date

City Secretary

