
LANDMARKS COMMISSION

January 26, 2010

Minutes

Members Present: Rick Weatherl
Steve Butman
Dr. Michael E. McClellan
Bill Minter
Phil Miller
Robert Calk

Members Absent:
Tina Cargile - Alternate
Peebles Lee

Staff Present: Ben Bryner, Planning Services Manager
Molinda Parker, Historic Preservation Officer
James Prescott, Condemnation Officer, Community Enhancement
Kelley Messer, Assistant City Attorney

Guests: Georgia Sanders, Applicant

Mr. Weatherl called the meeting to order at 4:00 PM, declared a quorum present, and read the opening statement. Minutes of the December 8, 2009 meeting were submitted for approval. Mr. Butman made a motion to accept the minutes, as written, and Mr. Miller seconded the motion. The vote for approval was unanimous (6-0).

Agenda Item 3: CA-2010-01, Public hearing, discussion and possible approval of an application for a Certificate of Appropriateness submitted by the City of Abilene for the demolition of a single-family residence located at 750 Mesquite.

Mr. Weatherl read the above case description and asked Ms. Parker to give the staff report. Ms. Parker reviewed the staff report and introduced James Prescott, Condemnation Officer, to present the photos of the property and explain the extent of the degradation. He explained that the owner, Mrs. Sanders, had been given 30 days at the December meeting of the Board of Building Standards to prepare and present a plan of action for the property, including cost estimates from a licensed electrician and a plumber. This 30 day timeframe expires January 28, 2010, at which time the City may demolish the building if the owner does not. If the City demolishes the building the owner will receive a bill to cover the demolition costs. Mr. Minter asked to see more photos of the roof showing the bow in the middle where it is apparently collapsing. Mr. Prescott showed a binder of photos to the Commissioners and they were convinced that the structure is in extremely poor condition.

Mr. Weatherl opened the discussion to the public and asked Mrs. Sanders to address the Commission. Mrs. Sanders identified herself as the owner of the property at 750 Mesquite Street. She explained that she has owned the property since the 1970's and during that time the house has served as good rental property, but has recently been wrecked by renters. She confirmed Mr. Prescott's testimony that she had attended the Board of Building Standards hearing, but could not afford the four to five thousand dollars it would cost to bring it up to code.

At this juncture, Mrs. Sanders said that she would prefer to donate the property to a non-profit organization, as the building may not be worth repairing , but the lot would be valuable in the future due to its location close to downtown. Although the first meeting with the Board of Building Standards took place in August 2009, it did not offer her the opportunity to sell the property as it was so close to the holiday season. Mr. Prescott reiterated that the property must have a new owner by January 28, 2010, or it would have to be demolished.

Mr. Bryner reviewed the purpose and procedures of the LMC in a demolition case. He explained that if the LMC determines that the interest of preserving architectural, historic or cultural values will not be negatively impacted by the loss of the structure, it shall approve the Certificate of Appropriateness for demolition. However, if the LMC feels that demolition would have a negative effect, the Certificate of Appropriateness may be disapproved at which juncture the applicant has twelve months to present a reasonable alternative. At the expiration of that time the structure may be demolished without a Certificate of Appropriateness. If nothing is done by the end of the second twelve month period, another Certificate of Appropriateness will be required for demolition.

Mr. Calk asked Mrs. Sanders if she had ever obtained an estimate for repair work on the house. Mrs. Sanders replied that she has not and that she cannot afford the cost of demolition. Mr. Prescott added that the structure is 918 square feet, which would cost approximately three thousand dollars to demolish. Mr. Calk commented that the lot and house are listed on the county appraisal records at a value of \$13,530, with the land worth \$5,600.

Mr. Weatherl closed the public hearing. The Commissioners discussed the issue and alternatives. Mr. Calk preferred to see a cost estimate for repairs prior to finding someone to take the house, as the prospective owner should be aware of the problems. Mrs. Messer commented that the LMC cannot order any specific action within the twelve month grace period and the house cannot be a demolished without approval of a Certificate of Appropriateness. Dr. McClellan suggested tabling the case.

Mr. Weatherl re-opened the public hearing to discuss alternatives with Mrs. Sanders. Mr. Calk asked Mrs. Sanders if she is willing to quickly obtain repair estimates. She responded that she would, but insisted that the interior of the house was great and there had been no water leaks.

Mr. Weatherl closed the public hearing. Dr. McClellan suggested that the decision to approve or disapprove the Certificate of Appropriateness should be postponed until the next meeting, February 23, 2010. Mr. Calk commented that it would be good to know if the repair costs will exceed the overall value of the property. Mr. Bryner said there is no notification requirement for a Certificate of Appropriateness so it would be possible to table the item to the next LMC meeting on February 23, 2010.

Mr. Minter made a motion to table CA-2010-01 to February 23, 2010, and Mr. Calk seconded the motion. The vote was 5 in favor and one abstention from Dr. McClellan who will be unable to attend the February 23, 2010, meeting.

Adjourn

Approved: _____, Chairman

Date: _____