

Board of Building Standards Minutes

June 1, 2005

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, June 1, 2005 in the Council Chambers at City Hall, 555 Walnut, Abilene, Texas.

Board Members Present: Paige Gollihar, Chairman
Perry Haynes
Don Faulkner
Betty Bradley
Larry Holmes
Mike McLean
Dee Ann Yeilding

Visitors: Carolyn Scarborough
Gerald Lawrence
Gary Lawrence
Tommie Harendt
Marilu Corpian
Sarah Kleiner
Chris Canon
Pauline Gomez
Bill Gardner
Paul Gomez
Jeremy Grant

Staff Present: Thaddeus Iwujmi, Legal Department
Jerry Prince, Code Enforcement
David Sartor, Building Official
Van Watson, Assistant Building Official
Alice Adams, Recording Secretary
Lesli Andrews, Code Enforcement
Shawn Earl, Code Enforcement
Greg Brown, Code Enforcement
Derrick McGrew, Code Enforcement

1. The meeting was called to order by Paige Gollihar, Chairman, at approximately 8:15 a.m.
2. The next order of business was the review and approval of the minutes of the May 4, 2005 meeting. Don Faulkner made a motion to approve the minutes. Said motion was seconded by Perry Haynes, and unanimously passed.
3. The next matter to come before the Board was consideration, with possible action, to recommend adoption of the *2003 International Building Code*, with attached amendments, to

the City Council. David Sartor, Building Official, addressed the Board, advising them that because of an oversight, neither the minutes of the final meeting of the Review Committee, nor the Amendment Code Booklet, had been provided to the Review Committee members for their review. Mr. Sartor went on to say that most of the changes in the *2003 International Building Code*, compared to the *2000 International Building Code*, are editorial and rearrangements of various code sections. He did call to the Board's attention to Sec. 2902.2, Exception 4, of the 2003 IBC, wherein separate toilet facilities are not required in mercantile occupancies in which the maximum occupant load is 50 or less. The previous Code utilized by the City required separate toilet facilities in a mercantile occupancy of this size.

After discussion among the Board members, Perry Haynes made a motion to table this item until the next meeting to enable the Review Committee for the 2003 IRC to look over the minutes for their final meeting, and also review the Amendment Code Booklet. Said motion was seconded by Betty Bradley, and unanimously passed.

4. The next matter to come before the Board was consideration, with possible action, to recommend adoption of the *2003 International Residential Code*, with attached amendments, to the City Council. Mr. Sartor told the Board members that the situation was the same as the IBC, wherein the Review Committee members had not had an opportunity to review the minutes of their final meeting or to review the Amendment Code Booklet. He went on to say that like the *2003 International Building Code*, most of the changes are editorial and rearrangements of code sections. He informed the Board that one change in the *2003 International Residential Code* is that accessory buildings with 200 square feet or less do not require a permit. In the 2000 IRC, the square footage that did not require a permit was 120 or less. He also stated that the committee reviewing the electrical provisions of the 2003 IRC decided that since the *National Electrical Code* is the electrical code utilized in Abilene, there would be no benefit in making amendments to the electrical provisions and opted to delete all electrical provisions in the 2003 IRC and reference the City of Abilene Electrical Code. The committee reviewing the fuel gas provisions felt the same way and deleted the provisions dealing with fuel gas, choosing to reference the *2003 International Fuel Gas Code*. The committee reviewing the mechanical and plumbing provisions recommended making a few amendments, rather than deleting the provisions pertaining to plumbing and mechanical.

When the meeting was opened for public hearing, Carolyn Scarborough addressed the Board informing them that in 1993, she was a victim of carbon monoxide poisoning. She said this had caused her many health problems, and she would like the Code to be amended to require carbon monoxide alarms in new residential structures.

Tommie Harendt, a local building contractor, then addressed the Board regarding Figure 502.5, Truss Beam, which has been inserted in the new 2003 International Residential Code Booklet. Mr. Harendt said this is stronger and better than what is required in the IRC. He said it is not engineered approved, and is built on site and has no give. This truss would mainly be used over garages where the span is larger than in other areas of the house. Some

discussion was had among the Board members regarding this item.

Larry Holmes made a motion, which was seconded by Perry Haynes, to table this item until the next meeting, after the Review Committee members have an opportunity to look over the last set of minutes and the Amendment Code Booklet. Said motion unanimously passed.

5. The next matter to come before the Board was consideration, with possible action, regarding the request of Chris Canon, representative for The UPS Store, to use Section 2902.2, Exception 4, of the *2003 International Building Code*, as an alternate to the same section of the *2000 International Building Code*, which would allow construction of the proposed new store with one restroom, as opposed to the two restrooms required by the *2000 International Building Code*. David Sartor addressed the Board members, stating one of the changes in the new 2003 IBC is the requirement of only one toilet facility in a mercantile occupancy that has a maximum occupant load of less than 50. He said that if this project was started a couple of months from now, this would not even be a question, because the new code would be in effect, and they would only be required to have the one toilet facility, but since the Code has not yet been adopted, he felt this was a matter the Board would need to approve. He said that staff has no objection to this request. Chris Canon, representative for The UPS Store, addressed the Board stating that he felt that one toilet would be adequate, because the store consists of only approximately 600 square feet, and he feels there will be very few requests to use their restrooms. He said this is not a retail outlet, and they do not sell food, so there are hardly any requests for the use of their restroom in this type of business. After a short discussion, Don Faulkner made a motion to approve the request to utilize the provisions in the *2003 International Building Code* wherein only one restroom would be required. Said motion was seconded by Mike McLean, and unanimously passed.

Paige Gollihar, Chairman, then read the statement of policy for the record, "In all cases, except where specifically stated otherwise, and except in cases where demolition is ordered, building must be secured and the lot cleaned and mowed by the owner within 10 days of receipt of notice of this hearing. If this is not done, the City will do so and bill the owner."

6. CASES FOR REHABILITATION OR DEMOLITION:

Case No.	Address & Description	Owner	Board Action
01-072	1917 Over Lot 12, GW Murfee, Abilene, Taylor Co., TX	B & E Investments PO Box 5042 Abilene, TX 79608	Granted 30 days to repair.
Mr. Prince informed the Board that work was progressing on this property, and the owners were requesting a 30 days extension to complete repairs. Don Faulkner made a motion, which was seconded by Perry Haynes, to grant the owners a 30 day extension to complete repairs and have the repairs inspected by the City. Said motion unanimously passed.			

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02-006 and 02-011	1810 Hwy. 80 E. A0798 SUR 38, BAL SE/4, Tract 250x150, Abilene, Taylor Co., TX	Gary & Marilu Corpian 410 Victoria Abilene, TX 79603	Granted a 180 day extension.
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Mr. Prince advised the Board members that this property was purchased by the new owners in a tax sale. In January of 2005, the new owners were granted 90 days to obtain an environmental study and submit a Plan of Action, which has not been done. The owners turned in an Extension Request asking for a 180 day extension. Marilu Corpian, owner of the property, said that the Deed to this property was not filed until April, and they were not going to start repairs for 6 months, the time period allowed for the previous owner to reclaim the property. She said they would keep the grass mowed and the property secured and requested a 180 day extension. After a lengthy discussion among the Board members, Larry Holmes made a motion to grant the owners a 180 day extension. Said motion was seconded by Don Faulkner and passed, with Perry Haynes opposing.

Case No.	Address & Description	Owner	Board Action
02-024	334 Forrest Lot 5, Blk. K, Pecan Park Addn., Abilene, Taylor Co., TX	Lucha Gloria 2718 Russell Abilene, TX 79605	Granted 60 days to repair.

Mr. Prince advised that quiet a few repairs have been made on this property since the last time it was before the Board. He said they were in the process of putting in a new drive-way and a new landing and steps on the property. The owner requested a 60 day extension to complete repairs. Mike McLean made a motion, which was seconded by Betty Bradley, to grant the owner a 60 day extension to complete the repairs, and have the repairs inspected by the City. Said motion unanimously passed.

Case No.	Address & Description	Owner	Board Action
02-030	1610 Ballinger Lot 2, Blk. 9, Sec. 1 Southwest Park Addn., Abilene, Taylor Co., Texas	Jeremy Grant 1718 Ballinger Abilene, TX 79605 Lien holder: Sarah Sue Heimer PO Box 6931 Abilene, TX 79608	Granted 60 days to repair.

Mr. Prince said that this property has had lots of repairs since the last time it was before this meeting. He said the roof still needed some repairs and they were working out some issues about plumbing work being done without a permit. He said the owner was requesting a 60 day extension to complete repairs. Jeremy Grant, owner of the property, addressed the Board, advising them he thought he could be finished with repairs in 60 days. After discussion, Larry Holmes made a motion to grant the owner a 60 days extension to complete repairs, and have the repairs inspected by the City. Said motion was seconded by Perry Haynes, and unanimously passed.

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Case No.	Address & Description	Owner	Board Action
02-041	3334 E. Hwy. 80 A0681 Sur. 45, BAL NW/4, Tract 150x650, Acres 2.25, Abilene, Taylor Co., Texas	Joseph Ward 134 CR 511 Abilene, TX 79601	Granted 30 days to try to contact owner; with the condition that if owner is contacted and shows no interest in the property or if owner cannot be contacted, the City is to demolish the structure, remove debris, clean the lot and bill the owner.

Mr. Prince said there had been no permits issued to repair this property and no repairs had been made. He further stated that he had been unable to contact the owner and was told the owner had moved out of state. The property needs electrical work, weatherization, structural repairs, and the lot has high weeds. After a lengthy discussion among the Board members, Betty Bradley made a motion to grant a 30 days extension for Staff to try to locate the owner, with the condition that if owner is contacted and shows no interest in the property, or if the owner cannot be contacted, the City is to demolish the structure, remove debris, clean the lot and bill the owner. Said motion was seconded by Larry Holmes and passes, with Don Faulkner opposing.

Case No.	Address & Description	Owner	Board Action
02-044	2818 S. 2nd Lot 14, Blk. 6, Scott Highway Place, Abilene, Taylor Co., Texas	Tyler Kent Hamilton 4107 Bunker Hill San Antonio, TX 78230	Granted 60 days to repair.

Mr. Prince stated that this property was originally damaged by fire. He said the electrical and mechanical had received a final inspection in January of this year. Mr. Prince further stated that the owner had cleaned up the lot. He advised that the owner is requesting a 60 day extension to complete repairs. Larry Holmes made a motion, which was seconded by Don Faulkner, to grant the owner 60 days to complete repairs, and have the repairs inspected by the City. Said motion unanimously passed.

Case No.	Address & Description	Owner	Board Action
02-056	7115 W. Lake Rd. J0252, Sur. 17, Landant, Acres 1, Abilene, Taylor Co., Texas	Douglas Simon 7115 W. Lake Rd. Abilene, TX 79601	Granted 180 days to repair

Mr. Prince told the Board members that this property was originally damaged by fire. He said repairs are progressing, but repairs are still needed to replace the rafters and framing members burned by the fire. He said the owners are keeping in good contact with Staff on this property, and are requesting 180 days to complete repairs. After discussion, Larry Holmes made a motion, which was seconded by Perry Haynes, to grant the owner 180 days to complete repairs and have the repairs inspected by the City. Said motion unanimously passed.

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Case No.	Address & Description	Owner	Board Action
03-023	1350 Meander Blk. G, Lot 7, Highland Addn., Cont. 5, Abilene, Taylor Co., Texas	Bill Garner 125 Ruidosa Abilene, TX 79605	Granted 180 days to repair
<p>Mr. Prince said that his property has not had any repairs. He said the owner had sold the property to Bill Garner and both the new owner and the previous owner were present to answer any questions. Bill Garner, the new owner of the property, addressed the Board, advising them they had signed the papers for his purchase of the property on this date. He said they had agreed to give the previous owner 30 days to remove personal items from the property and he would then start making repairs. He said he has the ability to make the repairs and asked for a 180 days extension to complete the repairs. Mike McLean made a motion, which was seconded by Betty Bradley, to grant the owner 180 days to complete the repairs and have the repairs inspected by the City. The motion unanimously passed.</p>			

Case No.	Address & Description	Owner	Board Action
03-058	1633 Delano Lot 9, Leon Stevenson Addn., Abilene, Taylor Co., Texas	Paul Gomez 1649 Roosevelt Abilene, TX 79601	Granted 30 days to provide a Plan of Action, with cost estimates; with the condition that if this is done, owner will be granted additional 150 days to repair.
<p>Mr. Prince told the Board members that no repairs had been made on this property. He said there were open exterior walls, the electrical and plumbing systems need repairs, and the carport is in bad shape. He said the owner is requesting 180 days to complete repairs. Paul Gomez, owner of this property, spoke to the Board telling them he wants to repair this property for his son and his son's family. He said he will get bids from plumbing and electrical contractors, but he and his son will do the structural repairs. After a discussion, Larry Holmes made a motion to grant the owner 30 days to provide a Plan of Action, with cost estimates; with the condition that if this is done, the owner will be granted an additional 150 days to complete repairs. Said motion was seconded by Mike McLean, and unanimously passed.</p>			

Case No.	Address & Description	Owner	Board Action
04-037	733 Mesquite (also rear bldgs) Lot 16, 147, Lewis OT 1 ABL, TIF #1, Abilene, Taylor Co., Texas	Leatrice M. Cunningham 97 Reece Ln. Huntsville, TX 77340- 2554	Granted 90 day extension to see if property is sold at Tax Sale.
<p>Mr. Prince advised the Board there have been no repairs to this property. He said the accessory building is in poor condition, there are plumbing problems, and the sheetrock is falling in. He further advised that the Tax Office has filed suit and this property will be presented at the Tax Sale on September 6. After discussion, Don Faulkner made a motion to grant a 90 day extension to see if the property will be sold at the Tax Sale. Mike McLean seconded the motion and same unanimously passed.</p>			

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Case No.	Address & Description	Owner	Board Action
04-051	534/538 Graham (Duplex) Blk. B, Lot 5, Pecan Park Addn., Abilene, Taylor Co., Texas	Ryan Trowbridge 2434 Harvard Pl. Clyde, TX 79510-3412	Granted 60 day extension to repair or sell the property, with the condition if this is not done, the owner is granted an additional 30 days to demolish the structure, remove debris and clean the lot, with further condition if this is not done, the City will demolish the structure, remove debris, clean the lot and bill the owner.
<p>Mr. Prince advised the Board that the owner never secured the structure or mowed the lot. The City had to hire contractors to do both. He said the owner is trying to sell the property. He said the structure needs lots of repairs and the interior is full of trash and debris. After discussion, Don Faulkner made a motion to grant the owner 60 days to repair or sell the property, with the condition if this is not done, the owner is granted an additional 30 days to demolish the structure, remove debris and clean the lot, with the further condition if this is not done the City will demolish the structure, remove debris, clean the lot and bill the owner. Said motion was seconded by Larry Holmes and unanimously passed.</p>			

Case No.	Address & Description	Owner	Board Action
04-062	1838 Huckleberry A0012 SUR 83, L. Bowerman Addn., Tract S200 of 6 AC, McClary, Abilene, Taylor Co., Texas	Archer Lee Evans 141 College Dr. Abilene, TX 79601-3168	Granted 60 days to try to locate owner; if found give owner 30 days to submit a Plan of Action, with the condition that if the owner is located but expresses no interest in the property, or the owner is not located, then City shall demolish the structure, remove debris, clean the lot and bill the owner.
<p>Mr. Prince said no repairs have been made on this property. He further stated the listed owner cannot be located, and the mortgage company sent a letter expressing they have no interest in this property. He said the interior of the structure is trashed out, and the accessory building is full of junk and debris. There have been complaints received on this property. After discussion, Larry Holmes made a motion to grant 60 days to try to locate the owner, if the owner is found, he has 30 days to present a Plan of Action, with the condition that if the owner is located but expresses no interest in the property, or the owner cannot be located, then the City shall demolish the structure, remove debris, clean the lot and bill the owner. Said motion was seconded by Mike McLean, and passed, with Perry Haynes, Paige Gollihar and Don Faulkner opposing.</p>			

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Case No.	Address & Description	Owner	Board Action
04-067	3041 S. 9th (aka 909 Sunset) Blk. B, Lot 1&2, Elizabeth G. Hughes & Sayles Addn., Abilene, Taylor Co., Texas	Emiliano Valdiviez & Rosa Rodriquez 801 Pecan Abilene, TX 79602	Grant 60 days to present Plan of Action, with cost estimates.
<p>Mr. Prince advised the Board members that this property is in a flood-way and gets flooded every time there is a heavy rain. The previous owner gave the property to the present owners. The Director of Public Works for the City of Abilene has expressed a concern about this property being repaired since it is in the floodway. The owner is very interested in repairing the property and is talking about building a wall to try and keep the water out. When property is in the floodway, the owners are only allowed to spend 50% of the value of the property for repairs and the property is only valued at around \$5,000. After discussion, Larry Holmes made a motion to grant 60 days for the owner to present a Plan of Action, with cost estimates, or sell the lot. Said motion was seconded by Mike McLean and unanimously passed.</p>			

Case No.	Address & Description	Owner	Board Action
04-074	1218/1226 N. Treadaway Lots 3&4, 199, TW Daughtery Addn., S/2 of 3-2, OT, Abilene, Taylor Co., Texas	Jessie May Dawson 341 Hickory #105 Abilene, TX 79601-5713	Granted 90 day extension to work through estate issues.
<p>Mr. Prince informed the Board that the Police Department had asked him to look at this property for possible condemnation due to criminal activity at the property. He said that the owner was deceased and Mr. Wetzel, an attorney in Sweetwater is trying to get the estate settled so the property can be sold. Mr. Prince further advised that this property consists of two separate buildings. He said the roof needs repairing, the interior is in bad shape and there are some plumbing problems. Mr. Wetzel is asking for a 90 day extension to try to work through the estate issues. After discussion, Larry Holmes made a motion to grant a 90 day extension to work through the estate issues. The motion was seconded by Betty Bradley, and unanimously passed.</p>			