

Board of Building Standards Minutes

September 7, 2005

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, September 7, 2005 in the Council Chambers at City Hall, 555 Walnut, Abilene, Texas.

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

Visitors: Irene Huff
Merle Pallarez
Hope Pallarez
Lydia M. Long
Keith Justice
Bob Hammond
General Smith

Staff Present: Thaddeus Iwuji, Legal Department
Jerry Prince, Code Enforcement
Ed Williams, Fire Marshal
David Sartor, Building Official
Van Watson, Assistant Building Official
Alice Adams, Recording Secretary

1. The meeting was called to order by Paige Gollihar, at 8:15 a.m. The first order of business was the review and approval of the minutes of the August 3, 2005 meeting. Don Faulkner called the Board's attention to Case No. 00-081, which needed to reflect that the motion was seconded and unanimously passed, and with this correction made a motion to approve the minutes. Said motion was seconded by Perry Haynes, and unanimously passed.
2. Mr. Gollihar 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."
3. CASES FOR REHABILITATION OR DEMOLITION:

The first three cases to be heard by the Board were tabled at the August 3, 2005 Meeting.

Board of Building Standards

Minutes September 7, 2005

Page 2

Case No.	Address & Description	Owner	Board Action
04-069	2789 Orange Blk. 16, Lot 9 & 10, Montgomery of North Park Addn., Abilene, Taylor Co., Texas	Fred O Martin, Deceased Terry Martin, Connie Gansiein, Tommy Munic 2789 Orange Abilene, TX 79601-1334	City to immediately demolish structure, remove debris, clean lot and bill owner.
Mr. Prince informed the Board members that no repairs have been made to this property, and the property is in bad condition. He said the owners are deceased and he has been unable to locate the heirs. He went on to say Central Appraisal District will be filing a suit for back taxes. The City has hired contractors to secure the building and mow the lot. After discussion, Larry Holmes made a motion to have the City demolish the structure, remove debris, clean the lot and bill the owners. Betty Bradley seconded the motion, and the motion passed with Paige Gollihar opposing.			

Case No.	Address & Description	Owner	Board Action
04-077	2949 S. 3rd St. Blk. 1, N87.5' of Lot 6, Kirk & Sammons Addn., Abilene, Taylor Co., Texas	Issac Vuittonet, Sr. & Issac Vuittonet, Jr. 759 Monica St. Donna, TX 78537	Granted 30 days to submit Plan of Action, with cost estimates and a time frame for repairs, with the condition that if this is done within the 30 days, the owner will be granted an additional 90 days to complete repairs, with the further condition that if the Plan of Action is not submitted within 30 days, the City will demolish the structure, remove debris, clean the lot and bill the owner.
Mr. Prince advised the Board members that this property had been damaged by fire. Since the fire, the ownership has changed several times. The interior is gutted and a new electrical systems needs to be installed. Mr. Prince said the City had secured this property on two separate occasions and it is currently unsecured. After discussion, Betty Bradley made a motion to grant the owners 30 days to submit a Plan of Action, with cost estimates and a time frame for repairs, with the condition that if this is done within the 30 days period of time, the owners will be granted an additional 90 days to complete repairs, with the further condition that the Plan of Action is not submitted within the 30 days, the City is to demolish the structure, remove debris, clean the lot and bill the owners. Said motion was seconded by Larry Holmes and passed, with Don Fulkner opposing.			

Board of Building Standards

Minutes September 7, 2005

Page 3

Case No.	Address & Description	Owner	Board Action
04-078	730 N. 13th St. E35', S100', W140', 201 W/2 C McNairy OT Abilene, Taylor Co., Texas	Otto Vest TR 1602 Rosewood Dr. Abilene, TX 79603	Granted 30 days to submit Plan of Action, with cost estimates and a time frame for repairs, with the condition that if this is done within the 30 days, the owner will be granted an additional 90 days to complete repairs, with the further condition that if the Plan of Action is not submitted within 30 days, the City will demolish the structure, remove debris, clean the lot and bill the owner.
Mr. Prince advised the Board that this structure had been damaged by fire. He said the house needs new plumbing and electrical systems and lots of interior repairs. The owner, who is confined to a wheelchair, is requesting a one year extension to complete repairs. After discussion, Larry Holmes made a motion to grant the owners 30 days to submit a Plan of Action, with cost estimates and a time frame for repairs, with the condition that if this is done within the 30 days period of time, the owners will be granted an additional 90 days to complete repairs, with the further condition that the Plan of Action is not submitted within the 30 days, the City is to demolish the structure, remove debris, clean the lot and bill the owners. Said motion was seconded by Don Faulkner and unanimously passed.			

Case No.	Address & Description	Owner	Board Action
00-027	1725 State and apartment Lot 7, EN Kirby Sub. WG Cannon Addition, Abilene, Taylor County, Texas	Paul A. Lewis PO Box 5042 Abilene, TX 79608	Granted 30 days to submit Plan of Action with costs estimates and time frame for repairs, with condition if this is done, the owners have additional 30 days to complete exterior weatherization, with further condition that if this is done, the owners will have an additional 60 days to complete repairs. If any of these items are not completed in the time frames given, the case will come back before the Board.
Mr. Prince advised the Board members that no repairs had been done since the last extension. He said the owner has an agreement with B&E Investments for them to complete the rehab of the structure. B&E Investments are currently working on repairing another condemned property and when they finish repairing it, they plan on completing repairs to this structure. This property needs electrical and plumbing repairs and the exterior needs weatherization. The lot was cleaned by the City. Irene Huff, who resides at 1733 State, addressed the Board, advising them this property has been in bad condition for a long time, and when someone works there, they leave trash and debris on the property. She expressed her desire for something to be done about this property. After discussion, Betty Bradley made a motion to grant the owners 30 days to submit a Plan of Action, with cost estimates and a time frame for repairs, with the condition that if this is done, the owners will be granted an additional 30 days to complete the exterior weatherization, with the further condition that if this is done, the owners will have another 60 day extension to complete all repairs. If any of the above stated items are not completed in the time frames given, the case will be brought back before the Board. Said motion was seconded by Larry Holmes and unanimously passed.			

Board of Building Standards

Minutes September 7, 2005

Page 4

Case No.	Address & Description	Owner	Board Action
00-079	925 Nelson Lot 24, Block 2, Meadowbrook Addn., Abilene, Taylor Co., Texas	Otto Vest Tr. 1602 Rosewood Dr. Abilene, TX 79603	Granted 30 days to submit Plan of Action, with cost estimates and a time frame for repairs, with the condition that if this done, the owner will be granted an additional 90 days to complete repairs, with the further condition that if this is not done, the City is to demolish the structure, remove debris, clean lot and bill owner.

Mr. Prince advised the Board members that no progress has been made to this property since the last two extensions. The property needs exterior weatherization and completion of electrical and plumbing repairs. The owner is requesting a 180 day extension to complete repairs. After discussion, Larry Holmes made a motion to grant the owner 30 days to submit Plan of Action, with cost estimates and a time frame for repairs, with the condition that if this is done within 30 days, the owner is granted an additional 90 days to complete repairs, with the further condition that if this is not done at the end of the 30 days the City is to demolish the structure, remove debris, clean the lot and bill the owner. Said motion was seconded by Don Faulkner and passed, with Betty Bradley opposing.

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	Tabled until October Meeting.

Mr. Prince advised that the plumbing and mechanical final inspections were called in for final inspections today, and that the building final should be requested within the next couple of days. After discussion, Perry Haynes made a motion to table this case until the October meeting. Said motion was seconded by Larry Holmes, and unanimously passed.

Case No.	Address & Description	Owner	Board Action
02-055	1425 Westmoreland Blk. F, Lot 8 & N2.5' of Lot 9, Crescent Heights Addition, Abilene, Taylor Co., Texas	Guadalupe Salazar 1417 Green St. Abilene, TX 79603-4827	Granted 60 days to complete repairs and have repairs inspected by the City.

Mr. Prince advised that this property sold in May of 2005, and the new owner is requesting 60 days to complete repairs. The new owner is making progress on repairs. Betty Bradley 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 Don Faulkner and unanimously passed.

Board of Building Standards

Minutes September 7, 2005

Page 5

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 60 days to demolish structure, remove debris and clean lot, with the condition that if this is not done at the end of the 60 days, the City is to demolish the structure, remove debris, clean lot and bill the owner.

Mr. Prince advised that this owner had originally planned on repairing this property, but after getting cost estimates from various contractors, had decided instead to demolish the structure. The owner requested a 60 day extension to demolish the structure. After discussion among the Board members, Larry Holmes made a motion, which was seconded by Betty Bradley, to grant the owner a 60 days extension to demolish the structure, remove debris and clean the lot, with the condition that if this is not done at the end of the 60 day period of time, the City is to demolish the structure, remove debris, clean the lot and bill the owner. Said motion unanimously passed.

Case No.	Address & Description	Owner	Board Action
04-040	1934 Victoria S40' of Lot 4, George McDaniel Addn., Abilene, Taylor Co., Texas	Ambassadors for Christ Tabernacle Ministries 1934 Victoria Abilene, TX 79603-3614	Granted 30 days to submit Plan of Action, with cost estimates and a time frame for repairs, with the condition that if this is done, the owners are granted an additional 90 days to complete repairs, with further condition that if the Plan of Action is not submitted within the 30 day period of time, the City is to demolish the structure, remove debris, clean the lot and bill the owner.

Mr. Prince advised the Board members that this property had been damaged by fire. He said the Pastor of the Church has been trying to find funds to rehab the property. No Plan of Action has been submitted. After a discussion among the Board members, Larry Holmes made a motion to grant the owners 30 days to submit a Plan of Action, with cost estimates and a time frame for repairs, with the condition that if this is done, the owners are granted an additional 90 days to complete repairs and have repairs inspected by the City, with the further condition that if the Plan of Action is not submitted within the 30 day period of time, the City is to demolish the structure, remove debris, clean the lot and bill the owner.

Board of Building Standards

Minutes September 7, 2005

Page 6

Case No.	Address & Description	Owner	Board Action
04-048	1933 S. 15th St. Blk. 3, Lot 4, McMurry Park Addn., Abilene, Taylor Co., Texas	Ruben Jimenez III & Dorothy Elrod 1933 S. 15 th St. Abilene, TX 79602-4603	Granted 30 days to submit a Plan of Action, with cost estimates and a time frame for repairs, with the condition that if this is not done, City is to demolish the structure, remove debris, clean the lot and bill the owners.

Mr. Prince said the interior of this structure had been gutted. The electrical and plumbing systems need repairs. The listed owners cannot be located. Central Appraisal District is starting foreclosure proceedings for back taxes. After discussion among the Board members, Betty Bradley made a motion to grant the owners a 30 day extensions to submit a Plan of Action, with cost estimates and a time frame for repairs, with the condition that if this is not done at the end of the 30 days, City is to demolish the structure, remove debris, clean the lot and bill the owners. Said motion was seconded by Larry Holmes and passed, with Perry Haynes opposing.

Case No.	Address & Description	Owner	Board Action
04-070	2326 Beech Blk. A, S60' of Lot 1, Darby of North Park Addn., Abilene, Taylor Co., Texas	John Keith & Vera Brough Justice 1450 Overland Tr. Abilene, TX 79601-2117 <u>Purchaser:</u> Nassau & Rekita Wilson 1110 S. LaSalle Abilene, TX 79605	Granted 90 days to submit a Plan of Action, with cost estimates and a time frame for repairs.

Mr. Prince informed the Board that no repairs had been made to this property since condemnation. The exterior rock siding is cracking and the plumbing and electrical systems need repairs. The lot is not being maintained. Mr. Prince said that the lien holder, Keith Justice, has signed a contract to sell the property to Nassau Wilson. Keith Justice, the lien holder of the property, said that Mr. Wilson was not current with his payments to purchase this property and although Mr. Justice really did not want the property back, he might have to foreclose on the contract. After discussion, Betty Bradley made a motion, which was seconded by Dee Ann Yeilding, to grant the owner 90 days to submit a Plan of Action, with cost estimates and a time frame for repairs. Said motion unanimously passed.

Board of Building Standards

Minutes September 7, 2005

Page 7

Case No.	Address & Description	Owner	Board Action
04-081	1942 Grape (all bldgs) Blk. 36, Lot 1 & N/2 of Lot 2 & E/10' of Adj. Alley, College Heights, Abilene, Taylor Co., Texas	Jodean Johnson, Conservator Of Barbara G. Johnson Estate 236 Dewey Lane Roseburg, OR 97470	Discussion on the garage was tabled. Granted 30 days to submit a Plan of Action, including cost estimates and a time frame for repairs for the front structure, and to demolish the rear structure, with the condition that if the owner does not demolish the rear structure within the 30 days, the City is to demolish the structure, remove debris, clean the lot and bill the owners.

Mr. Prince said no repairs had been made on this property since condemnation. Mr. Prince said he spoke to the owner and the owner's son was supposed to come to Abilene to do some repairs but this has not happened. The City had to secure the property. This property consists of the main house, and rear house and a garage, which sets on the property line of this property and the neighbor's property. Half of the garage belongs to this property and the other half belongs to the neighbor, who lives at 1926 Grape. The rear structure is in bad condition, has cracks in the brick and the wall is starting to lean out. The front structure is repairable. Hope Pallarez, owner of the house at 1926 Grape, then addressed the Board, complaining about the trash on the condemned property. The half of the garage at 1942 Grape is completely full of trash and the rear house on that lot is full of trash. She said she didn't really want the garage demolished, but doesn't know if she has a choice because the ceiling on her side starting falling when they started to demolish the roof on the other side of the garage. She also expressed concern about the cost to her if the garage is demolished. Discussion was had about severing the case concerning the garage from the other condemned property. After a lengthy discussion, Larry Holmes made a motion to table the discussion on the garage until it can be presented showing both owners and both property descriptions. Said motion was seconded by Betty Bradley and unanimously passed. Larry Holmes then made a motion to grant owners 30 days to submit a Plan of Action, including cost estimates and a time frame for repairs for the front structure, and to demolish the rear structure, with the condition that if the rear structure is not demolished within the 30 day, the City is to demolish the rear structure, remove debris, clean lot and bill the owner. Said motion was seconded by Betty Bradley and unanimously passed.

Case No.	Address & Description	Owner	Board Action
05-006	1231 S. 8th St. Blk. A, E40' of Lot 16, Sunnyside Addn., Abilene, Taylor Co., Texas	Roy & Nancy Jane Roberts 833 Sycamore Abilene, TX 79602-2628	City to demolish structure, remove debris, clean the lot and bill the owner.

Mr. Prince advised the Board that this structure is in very poor condition. The people who lived here were relocated by Love & Care Ministries to a house a couple of blocks away. The listed owners are both deceased. Lydia Long then addressed the Board, advising them that she is President of Old Town Abilene Neighborhood Association, and she is familiar with this property. She said even after the house was condemned people are still going in and out of the building by pulling the securement boards off the windows. She said she would really like to see something done about this property. After discussion, Betty Bradley made a motion to have the City demolish the structure, remove debris, clean the lot and bill the owner. Said motion was seconded by Larry Holmes and unanimously passed.

4. The next matter to come before the Board was consideration, with possible action, regarding a request from the City Council to review Section [F]903.2.7 of the *2003 International Building Code*, for possible amendment to add an exception to the required sprinkler system for single story buildings with more than one means of egress from each dwelling unit. David Sartor, Building Official, addressed the Board advising them that when the Codes were presented to the City Council for approval, during public hearing, a question was raised regarding the code change to this section. In the *2000 International Building Code*, there were exceptions to the required automatic Sprinkler system in all buildings with a Group R fire area. These exceptions were deleted from the *2003 International Building Code*, making this a significant change for residential occupancies that are above a one or two family dwelling. Now the Code requires that any residential occupancy, except for one or two family dwellings, is required to have a fire sprinkler system. A residential type sprinkler system can be used in these residential occupancies, which is not as stringent as a sprinkler system required in a commercial building. At the City Council meeting public hearing for adoption of these Codes, a group proposing to build a new apartment type retirement project in Abilene, had questions as to why they would have to install sprinkler systems in this building, when, if they had taken the permit out under the *2000 International Building Code*, the sprinklers would not be required. The Council asked this be brought back to the Board of Building Standards for their consideration and review.

Ed Williams, Fire Marshal, addressed the Board, advising them that the Fire Department would be opposed to any change of the Code as it is written. He said this was reviewed by the Building Code Review Panel, and he had noted to them this was a significant change from previous building codes. The Review Panel chose not to make any amendments to this section, and forwarded it on to the Board of Buildings Standards, as written. Mr. Williams informed the Board that most fire deaths occur in residential occupancies and most fire deaths occur when people are sleeping. These sprinkler systems will help to eliminate some of these deaths. After discussion, Larry Holmes made a motion, which was seconded by Lee Ann Yeilding, to send this matter back to the City Council, with no modifications or exceptions to Section [F]903.2.7 of the *2003 International Building Code*. Said motion unanimously passed.