

Board of Building Standards Minutes

October 5, 2005

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, October 5, 2005 in the Council Chambers at City Hall, 555 Walnut, Abilene, Texas.

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

Visitors: Elizabeth Torres
Gary Corpian
Marilu Corpian
Roy Martinez
Nancy Weems
Arasu Rajaratnam
Marlin Daniel
Lloyd Turner
Hope Pallarez
Claudia Anderson

Staff Present: Thaddeus Iwuji, Legal Department
Jerry Prince, Code Enforcement
David Sartor, Building Official
Alice Adams, Recording Secretary

1. The meeting was called to order by Paige Gollihar, at approximately 8:15 a.m. The first order of business was the review and approval of the minutes of the September 7, 2005 meeting. Don Faulkner said that on Case No. 05006, the minutes did not reflect that Paige Gollihar opposed the motion on that item. With that correction, Mr. Faulkner made a motion to approve the minutes. Mike McLean seconded the motion and the motion 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:

Mr. Prince requested the Board first hear the cases that had owners present. The cases were not heard in the same order as listed on the agenda, but, to simplify matters, the minutes on these cases are going to be set out in the same order they were listed on the agenda.

Board of Building Standards

Minutes October 5, 2005

Page 2

The following two cases were tabled at the September 7, 2005 Meeting.

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 complete repairs and have the repairs inspected by the City.
Mr. Prince said the owners of this property had called for their utility finals the day before this meeting and the mechanical and plumbing inspections failed, but were back on for inspection today. He said the owners should be requesting the final inspection within the next couple of days. After discussion, Mike McLean made a motion to grant the owners 30 days to complete repairs and have the repairs inspected by the City. Said motion was seconded by Don Faulkner, and unanimously passed.			

Case No.	Address & Description	Owner	Board Action
05-041	1926 Grape (garage only) Blk. 36, Lot 3, S/2 of 2 & E10' of ADJ Alley, College Heights Addn., Abilene, Taylor Co., Texas	Manual M. Pallaraz 1926 Grape Abilene, TX 79601-2244	Granted 30 days to complete repairs and have the repairs inspected by the City.
Mr. Prince advised the Board this case was tabled from last month so the case could be separated from the property located next door. He explained the two properties had a garage that was built on the property line (half on one property and half on the other), and the owner of the property next door to this property demolished his side of the garage. The owner of this property has decided to save her half of the garage and make the necessary repairs. The repairs are presently being made. Mrs. Pallarez addressed the Board, giving them a paper from her contractor stating how the repairs were being made. Larry Holmes made a motion, which was seconded by Mike McLean, to grant the owner 30 days to complete repairs and have the repairs inspected by the City. Said motion unanimously passed.			

Case No.	Address & Description	Owner	Board Action
00-021	1030 S. 14th St. E66 2/3 W166 2/3 S128 Lots 5 & 6, Blk. D & E Northington & Hughes Addn. Abilene, Taylor County, Texas	Robert Jeff King c/o Molly Luster 1205 Grand Av. Abilene, TX 79605-4224 First National Accep. Corp. 241 E. Saginaw E. Lansing, MI 48823	Granted 180 days to see if the property sells in a Tax Sale.
Mr. Prince advised the Board there has been no progress on repairs at this property, and no one seems to be interested in the property. He said the City has been mowing and cleaning the lot. The property is deteriorating since it is just sitting there without any repairs being made. After discussion, Don Faulkner made a motion to grant a 180 day extension to see if the Tax Office files a suit for back taxes. Said motion was seconded by Larry Holmes, and unanimously passed.			

Board of Building Standards

Minutes October 5, 2005

Page 3

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 complete repairs and have repairs inspected by the City.

Mr. Prince said repairs are progressing on this property. He said the owner has made exterior repairs and cleared out lots of brush around the house. The structure has a new roof and the exterior weatherization has been done. The owner is requesting 60 days to complete repairs. After discussion, Mike McLean made a motion to grant the owner 60 days to complete repairs and have the repairs inspected by the City. The motion was seconded by Larry Holmes, and unanimously passed.

Case No.	Address & Description	Owner	Board Action
02-067	1117 N. 15th St. (AKA 1133 & 1149 N 15th) N1, 100 F, W213', 202, 2 E 2/3, OT Abilene Taylor Co., TX	GA Rentals, Inc. 1517 Wishbone Dr. Abilene, TX 79603-4036	Granted 90 days to complete repairs and have repairs inspected by the City.

This property consists of two structures that are duplexes. The second structure has a bad roof, which the owner is working on. The first structure still needs to get its electrical final. The owner has requested a 90 day extension to complete all repairs. After discussion, Don Faulkner made a motion to grant 90 days to complete repairs and have the repairs inspected by the City. The motion was seconded by Mike McLean, and unanimously passed.

Case No.	Address & Description	Owner	Board Action
03-025	2060 Anson Ave. Blk. 26, Lot W50', E153' S170', N. Park Addn., of Killiam, Abilene, Taylor Co., Texas	Danny Lynn Cooper 1957 Jameson St. Abilene, TX 79603	Granted 30 days to weatherize the exterior and obtain the utility permits, with the condition if this is not done at the end of 30 days, owner is to demolish the structure, remove debris and clean the lot, with the further condition if owner fails to do this, City is to demolish the structure, remove debris, clean the lot and bill the owner.

Mr. Prince said the owner has made no progress in the last couple of extensions given. The weatherization is still not done and there are gaps under the door. The owner did not respond to the notice of this meeting, and Mr. Prince has not been able to get in touch with him. After discussion, Larry Holmes made a motion to grant the owner 30 days to weatherize the exterior and obtain the utility permits, with the condition if this is not done at the end of the 30 day period of time, owner is to demolish the structure, remove debris and clean the lot, with the further condition if owner fails to do this, City is to demolish the structure, remove debris, clean the lot and bill the owner. The motion was seconded by Mike McLean, and unanimously passed.

Board of Building Standards

Minutes October 5, 2005

Page 4

Case No.	Address & Description	Owner	Board Action
03-031	1456 Beechwood Blk. 17, Lot 22, Green Acres Addn., Sec. 1, Abilene, Taylor Co., TX	Gerald & Sandra Beasley 11 Augusta Dr. Abilene, TX 79606-5035	Granted 10 days to complete repairs and have the repairs inspected by the City.
Mr. Prince advised the Board members the owner has made progress on repairing this property. Some repairs need to be made on the roof and some corrections need to be made on the mechanical unit. The owner is requesting 10 days to complete repairs on this property. After discussion, Larry Holmes made a motion to grant owner 10 days to complete repairs and have the repairs inspected by the City. The motion was seconded by Mike McLean, and unanimously passed.			

Case No.	Address & Description	Owner	Board Action
03-041	2925 Beech TR Rhodes of Blk. 15 of N. Park Addn., Blk. C, Lot 15, Outlot #1, Abilene, Taylor Co., TX	Elizabeth Torres 2909 Beech Abilene, TX 79601-1430	Granted 30 days to complete the roof, with the condition that if the roof is repaired at the end of the 30 days, the owner is granted an additional 60 days to complete the exterior weatherization, with the condition that if this is done at the end of the additional 60 days, owner is granted another 90 days to complete all repairs, with the further condition that if the roof is not finished within the 30 days or the exterior weatherization is not completed within the additional 60 days, the owner is to demolish the structure, remove debris and clean the lot. If the owner fails to do this, the City is to demolish the structure, remove debris, clean the lot and bill the owner.
Mr. Prince advised the Board that this property needs exterior weatherization, and has open walls and open windows. The addition which is being added on has not been completed and the wood is starting to weather, and the addition is unsecured. The lot has debris that needs to be removed. Elizabeth Torres, owner of this property, addressed the Board, advising them she has purchased the materials for the roof, the sheet rock, and the materials to finish enclosing the add-on, but has not been able to get anyone to work on the property. After discussion of the Board members, Larry Holmes made a motion to grant the owner 30 days to complete the roof, with the condition that if the roof is repaired at the end of the 30 days, the owner is granted an additional 60 days to complete the exterior weatherization, with the condition that if this is done at the end of the additional 60 days, the owner is granted another 90 days to complete all repairs, with the further condition that if the roof is not finished within the 30 days or the exterior weatherization is not completed within the additional 60 days, the owner is to demolish the structure, remove debris and clean the lot. If the owner fails to do this, the City is to demolish the structure, remove debris, clean the lot and bill the owner. Said motion was seconded by Dee Ann Yielding, and passed, with Paige Gollihar opposing.			

Board of Building Standards

Minutes October 5, 2005

Page 5

Case No.	Address & Description	Owner	Board Action
03-044	517 Westmoreland Blk. J, Lot 14 & S20' of 13, & N10' of 15, Pecan Park Addn., Abilene, Taylor Co., TX	Glendora Perales 517 Westmoreland Abilene, TX 79603	Granted 90 days to complete repairs and have the repairs inspected by the City.
Mr. Prince advised the Board the owner is making progress on repairing this property. The rough-in inspections on the utilities have passed. There needs to be some clean-up on the lot. The owner is requesting 90 days to complete repairs. After discussion, Don Faulkner made a motion to grant the owner 90 days to complete repairs and have the repairs inspected by the City. The motion was seconded by Mike McLean, and unanimously passed.			

Case No.	Address & Description	Owner	Board Action
03-047	2065 Sayles W140' Lot 3, GW Murfee, Abilene, Taylor Co., Texas	Gary & Marilu Corpian 410 Victoria Abilene, TX 79603-7436	Granted 60 days to complete repairs and have repairs inspected by the City.
Mr. Prince advised the Board that repairs are progressing on this property. The exterior weatherization is almost completed, the plumbing retest passed inspection and an electrical rough-in inspection has been made. Repairs have been made to the interior. Mr. Prince said there is an accessory building on the lot that needs some repairs. The owners are requesting 60 days to complete the project. Gary Corpian, owner of this property, addressed the Board, and said the electrical should be completed soon, and a final inspection would be requested on the building sometime next week. He said he didn't think the storage building looked that bad, but might need a little repair to it. He said they were requesting 60 days to complete repairs. Don Faulkner made a motion, which was seconded by Mike McLean, to grant the owner a 60 day extension to complete repairs and have the repairs inspected by the City. Said motion unanimously passed.			

Case No.	Address & Description	Owner	Board Action
03-062	1641 Cottonwood Blk. 3, Lot 7, College Dr. Replat Addn., Abilene, Taylor Co., TX	James Tavarez 5220 Hartford #113 Abilene, TX 79605	Granted 180 days to complete repairs and have the repairs inspected by the City.
Mr. Prince said this structure has a new roof, new windows and new siding. The owner has also made progress on repairing the interior. The two accessory buildings need to be removed or repaired. The owner is requesting 180 days to complete repairs. After discussion, Mike McLean made a motion to grant the owner 180 days to complete repairs and have the repairs inspected by the City. The motion was seconded by Larry Holmes, and unanimously passed.			

Case No.	Address & Description	Owner	Board Action
03-070	5261 Durango Blk. F, Lot 11, Alameda Addn., Sec. 1, Abilene, Taylor Co., Texas	Robert & Claudia Anderson 214 Mariah Abilene, TX 79602	Granted 180 days to complete repairs and have repairs inspected by the City.
Mr. Prince said this property was purchased at a tax sale, and that some repairs have begun on the interior and exterior. Some weatherization needs to be done and the electrical system needs some repairs. The owner is asking for 365 days to complete repairs. Claudia Anderson, owner of the property, addressed the Board advising them they are working on the repairs to this house, and they plan on completing repairs as soon as they can. After discussion, Larry Holmes made a motion to grant the owner 180 days to complete repairs and have the repairs inspected by the City. Said motion was seconded by Mike McLean, and unanimously passed.			

Board of Building Standards

Minutes October 5, 2005

Page 6

Case No.	Address & Description	Owner	Board Action
03-074	5481 Durango Blk. K, Lot 11, Alameda Addn., Sec. 2, Abilene, Taylor County, TX	Ruben Hernandez 3450 S. 4 th Abilene, TX 79605	Granted 30 days to provide a Plan of Action, with cost estimates, with condition that if this is done, owner granted 120 days to complete repairs and have repairs inspected by the City, with the further condition if this is not done, owner is to demolish the structure, remove debris and clean the lot, with further condition if owner fails to do this, City is to demolish the structure, remove debris, clean the lot and bill the owner.
This property was extensively damaged by fire. The electrical service will have to go through major re-wire, the eaves are damaged on the exterior, and grass and weeds are growing up through the walls. No repairs have been made. The owner has made no recent response to Staff. After discussion, Don Faulkner made a motion to grant owner 30 days to provide Staff a Plan of Action, with cost estimates, with the condition that if this is done, the owner will have an additional 120 days to complete repairs, with the further condition if owner does not supply the Plan of Action, owner is to demolish the structure, remove debris, and clean lot, with the further condition if owner fails to do this, the City is to demolish the structure, remove debris, clean the lot and bill the owner. Said motion was seconded by Larry Holmes, and unanimously passed.			

Case No.	Address & Description	Owner	Board Action
04-002	1034 Plum Lt. 5, 2000, Gilmacher Addition, 2-6, OT Abilene, Taylor County, Texas	Gary Lee & Marilu Corpian 410 Victoria Abilene, TX 79603-7436	Granted 180 days to repair property, and have repairs inspected by the City.
Mr. Prince said that this property was purchased in a tax sale, and has had no repairs since the condemnation. The last time the case was before the Board, the Board requested the owners submit a Plan of Action, with cost estimates, which was not done. There are two accessory buildings and a rear apartment on this lot which need repairs. Gary Corpian, owner of this property, addressed the Board, advising them they were going to start repairs on 10/12/05, when the redemption date is up. Owner is requesting a year to complete repairs. After discussion, Larry Holmes made a motion to grant the owner 180 days to complete repairs and have the repairs inspected by the City. Said motion was seconded by Mike McLean, and unanimously passed.			

Board of Building Standards

Minutes October 5, 2005

Page 7

Case No.	Address & Description	Owner	Board Action
04-008	1433 Mesquite N50', W150' Lot H, 201 2, H. McNairy Addn., OT Abilene, Taylor Co., TX	Elma Jean Johnson & Rodney Brooks c/o Vera Austin 5533 Congress Ave. Abilene, TX 79603-5329	Granted 90 days to resolve legality problems and provide a Plan of Action, with cost estimates, and if this is done, the owner is granted an additional 90 days to complete repairs and have the repairs inspected by the City.

No progress has been made on this property. The exterior needs repairing and the electrical and plumbing need to be upgraded. There are open walls, which allow animals access to the interior of the house. The City has mowed the lot and secured the property. The listed owner is deceased and the executor of the estate, Mrs. Austin, is home-bound. Mrs. Austin had more or less given the property to Rodney Brooks, and she was unaware that nothing has been done toward repairs. Doug Sims then addressed the Board, stating that his grandmother was the owner of this property and Rodney Brooks is a cousin. He said he is waiting to get the property in his name before he starts repairs, and needs Rodney Brooks to take a day off work to take care of this matter, which Rodney Brooks said he would do. After discussion among the Board members, Larry Holmes made a motion to grant the owner 90 days to resolve legality problems and provide a Plan of Action, with cost estimates, and if this is done, the owner is granted an additional 90 days to complete repairs and have the repairs inspected by the City. Said motion was seconded by Don Faulkner, and unanimously passed.

Case No.	Address & Description	Owner	Board Action
04-010	702 S. 14th St. Lot 6 & S10' of Lot 5, 208-3/4 E. John Touhy OT Abilene, Taylor Co., Texas	Gary & Marilu Corpian 410 Victoria Abilene, TX 79603	Granted 180 days to complete repairs, and have repairs inspected by the City.

This property was purchased by the owners in a tax sale. There have been no repairs made since the condemnation. The electrical service needs updating, there is rotten wood around the windows and the storage building in the rear needs to be demolished. The rock siding is separating from the structure. Mr. Prince said the owner requested 365 days to repair this property. Gary Corpian, owner of the property, addressed the Board members, advising them they would be able to start repairs on October 12th. He said they had contacted a rock man regarding the rock pulling away from the structure and would decide what to do about that after they got a report from him. Larry Holmes made a motion, which was seconded by Mike McLean, to grant the owner 180 days to complete repairs and have the repairs inspected by the City. Said motion unanimously passed.

Case No.	Address & Description	Owner	Board Action
04-027	909 Hickory 25, 179, 2-Wise Addn., OT, Abilene, Taylor Co., Texas	Mary Taylor c/o Belinda Hardin 4049 Waldemar St. Abilene, TX 79605-3815	Owner is to demolish the structure, remove debris and clean the lot, with condition if owner fails to do this, City is to demolish structure, remove debris, clean the lot and bill the owner.

Mr. Prince advised the Board there has been no progress on repairs. The interior is totally trashed, the accessory building in the back is in bad condition, the roof needs repairs, and there are electrical hazards on the property. The roof has been leaking and the interior ceiling has fallen in. The owner is deceased and the property was willed to Belinda Hardin, who has no interest in the property. After discussion, Larry Holmes made a motion for owner to demolish the structure, remove debris and clean the lot, with the condition if owner fails to do this, City is to demolish the structure, remove debris, clean the lot and bill the owner. Said motion was seconded by Mike McLean, and unanimously passed.

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Board of Building Standards

Minutes October 5, 2005

Page 8

Case No.	Address & Description	Owner	Board Action
04-061	5403 S. 1st St. Blk. 1, Lot 1, Posada Addn., Acres 7.75, Abilene, Taylor Co., Texas	Rehoboth Hospitality LP c/o A.A. Rajaratnam 5403 S. 1 st St. Abilene, TX 79605	Granted owners 120 days to complete the atrium building and will allow that building to be released from condemnation when repairs are completed, and within the same 120 day period, to provide Staff with a schedule of a proposed completion time frame for the other three buildings, not to exceed 120 days on any one building, and to allow the release of each building as it passes city inspection, and to secure the stairs on the units that have not been repaired with a gate as high as the banisters, which can be unlocked from either side, during the renovations.

Mr. Prince advised the Board that this property was previously the Kiva Inn, and now Howard Johnson has expressed an interest in making this motel a Howard Johnson Motel. Mr. Prince said there were four separate buildings on this property and the owners are requesting the Board to allow them to release the buildings separately from condemnation when a building is brought up to Code, rather than having to complete all repairs on all four buildings before releasing condemnation. He said they have been working on the main atrium building, which houses the reservation office, meeting rooms, restaurant, and some guest rooms. He said the owners are planning on completing this around December, and would like the condemnation to be released on this building when the repairs are complete, and then let them release the other three buildings separately, when they are repaired. Mr. Prince went on to say that if the Board grants the owners permission to release the atrium building prior to the other buildings being repaired, Staff would request that some means be put into place where the general public would not have access to this other buildings while they were being repaired. He said there were numerous stairs that are unsecured and there were some unsecured doors going into the rooms, but when he made an inspection a few days earlier, the owner had hired a contractor who was in the process of securing the doors. Mr. Rajaratnam, owner of the property, then addressed the Board requesting the Board allow them to release the main atrium building from condemnation before they finished repairs of the other three buildings. He went on to explain some of the repairs they had made with the mechanical and electrical systems. He said that other than putting up a fence around the stairs and the other buildings to be repaired, he would like to hire security guards to be on duty in the evening hours. Mr. Rajaratnam went on to say that he had some staff working out of the condemned atrium building and wanted permission for them to be able to continue working out of this building. David Sartor, Building Official, then addressed the Board, expressing his concern about the safety of the public being around the other buildings, if the atrium building is released from condemnation. He said he felt the stairs needed to be secured, and did not feel a "security watch" would be a satisfactory method to keep people off the stairs. He suggested a gate at the front of each stairs would limit access to the stairs. He also said that on a condemned property, occupancy is not allowed until the property is brought out of condemnation, and that the owners can get a temporary job trailer, as contractors do on other construction jobs. Lloyd Turner with WTA Engineers, addressed the Board, stating he had been doing the mechanical and electrical design for renovation of this property, and feels that Mr. Rajaratnam has made a major commitment on this property and is anxious to get the property brought out of condemnation. After discussion, Larry Holmes made a motion to grant 120 days for the owner to complete the atrium building, and allow that building to be released from condemnation when repairs are completed, and within that same 120 day period of time, to provide Staff with a schedule of a proposed completion time frame for the other three buildings, not to exceed 120 days on any one building, and to secure the stairs on the units that have not been repaired with a gate as high as the banisters, which can be unlocked from either side, during the period of renovations. Dee Ann Yielding seconded the motion, and the motion unanimously passed.

Board of Building Standards

Minutes October 5, 2005

Page 9

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	Granted 30 days to demolish structure, remove debris and clean the lot, with the condition that if the owner fails to do this, the City is to demolish the structure, remove debris, clean the lot and bill the owner.

Mr. Prince said there has been no progress on repairs. This property is in a floodway, and repairs to the property cannot exceed more than half the value of the property. The property is deteriorating and the owner is hard to get in touch with. After discussion, Mike McLean made a motion to grant the owner 30 days to demolish the structure, remove debris and clean the lot, with the condition if the owner does not do this, City is to demolish the structure, remove debris, clean the lot and bill the owner. Said motion was seconded by Larry Holmes, and unanimously passed.