

Board of Building Standards Minutes

April 5, 2006

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, April 5, 2006 in the Council Chambers at City Hall, 555 Walnut, Abilene, Texas.

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

Visitors: Tom Choate
Charles Shepard
Sylvia Kesley
Petty Hunter
Sherry More
Nancy Weems
Ray Twiggs
Arasu Rujaratram
Roy Martinez
Odis Dalton
Marlin Daniel
Steve McManaway
Lloyd Turner
Wanda Durham
Gary & Marilu Corpian
Mike Landers
Christi Price
Carol Lowe

Staff Present: Megan Santee, Legal Department
Jerry Prince, Code Enforcement Officer
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 March 1, 2006 meeting. Larry Holmes made a motion to approve the minutes. Betty Bradley seconded the motion and the motion unanimously passed.
2. The next matter to come before the Board was the election of a Vice-Chairman. Larry Holmes made a motion to nominate Perry Haynes to be Vice-Chairman. Betty Bradley seconded the motion, and the motion unanimously passed.

3. 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."
4. CASES FOR REHABILITATION OR DEMOLITION:

Case No.	Address & Description	Owner	Board Action
01-092	2214 S. 7th Lot 10, Block 11, Highland Addn., Abilene, Taylor Co., TX	Edward A & Christie Price 2834 Canton Place Abilene, TX 79605	Granted 90 day extension.
Jerry Prince, Code Enforcement Officer, addressed the Board advising them the exterior weatherization and roof have been repaired; however, there has been no work on the utilities. He further advised that the owners had been maintaining the lot. Mr. Prince said that staff recommends allowing 90 days for the owners to obtain the utility permits. Betty Bradley made a motion to grant the owners a 90 day extension. The motion was seconded by Larry Holmes, and unanimously passed.			

Case No.	Address & Description	Owner	Board Action
04-016	2150 N. Mockingbird Blk. 7, Lot 21, Woodland Addn., 2 nd Filing, Abilene, Taylor Co., Texas	Tony Ortiz 1473 Park Abilene, TX 79603	Granted owner 60 days to get utility rough-ins and weatherize the exterior, and if this is done, the owner be granted an additional 120 days to complete repairs and have the repairs inspected by the City
Mr. Prince advised the Board that the owner had installed the wrong kind of windows in the bedroom, and he has changed those out. He said there is still some weatherization that needs to be done, and there is some construction debris on the lot. Mr. Prince said that staff reviewed this case and recommends the owner be allowed 90 days to get all the utility rough-ins and weatherize the exterior. He said the owner turned in an extension request, asking for 180 days to complete repairs. After discussion, Larry Holmes made a motion to grant the owner 60 days to get the utility rough-ins and weatherize the exterior, and if this is done, the owner be granted an additional 120 days to complete repairs and have the repairs inspected by the City. The motion was seconded by Perry Haynes, and unanimously passed.			

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	Taylor County In Trust 1534 S. Treadaway Blvd. Abilene, TX 79602-4927	Granted time to allow for the June tax sale, and if the property does not sell at that time, the property is to be demolished.
Mr. Prince said there has been no progress on repairs to this property. The property is now in the name of Taylor County In Trust, due to the delinquent taxes. He said the property did not sell at the tax sale in March and will be presented again in June. He said the structure needs weatherization and electrical repairs need to be done. He said that staff recommended granting time to allow for the June tax sale to see if the property sold, and if it does not sell at that sale, staff recommends demolition be ordered. Petty Hunter, representative for Abilene Neighborhoods in Progress and the I Can Organization, who have shown an interest in saving this property. He said meetings of these organizations are forthcoming and he feels like someone from one of these organizations will make a bid to purchase the property and start repairs. He went on to say that if neither of these entities purchase the property, his family is intending to purchase the property. Larry Holmes made a motion to grant time to allow for the June tax sale, and if the property does not sell at that time, the property is to be demolished. Perry Haynes seconded the motion and it unanimously passed.			

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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	The owner was denied the partial release of condemnation and granted 120 days to complete the atrium area and an additional 120 days to complete work on each additional building.

Mr. Prince advised the Board that the reason this was back before the Board was that the project has fallen off the original schedule granted the last time the case was before the Board. He said they have started repairs to the front of the structure and also interior repairs have started. He said the pool area has been filled in and leveled with cement. He said the owner is asking for a partial release of the main building. He said that after reviewing the case, staff recommends not allowing release of partial condemnation, and feels that all repairs should be made before any portion is released from condemnation. Mr. Prince said staff further recommends granting 90 days to complete the main atrium building, then an additional 90 days for each additional building. Arasu Rujaratram, owner of the property, then addressed the Board, passing out information to each Board member, which contained a letter addressed to Jerry Prince, outlining work that had been done, and setting out their request to the Board which includes a May 1, 2006 opening of the atrium and 63 guest rooms in the atrium building; a July 2006 opening of an additional 44 rooms in the atrium building; a September 30, 2006 opening of the banquet areas and meeting facilities; and opening all outside buildings by September 30, 2007. Lloyd Turner, with WTA Engineers, addressed the Board and stated he was with WTA Engineers, and has been providing mechanical and electrical design services for this project. He had them look at a floor plan that was in existence when the hotel had previously been operating, and pointed out the area around the atrium that they are requesting the condemnation be removed when repairs are completed in that area. Sherry More, a former employee of Mr. Rujaratram, addressed the Board stating she was released from her duties as Director of Sales of this property in January because of a lack of work. She further stated she didn't think the guest rooms in the atrium could be separated safely. She had further complaints about the property and said she and Nancy Weems would be sending a letter to the Building Inspection Department with detailed information about work not being performed properly at the site, including electrical, mechanical and plumbing not being performed by licensed professionals. She further stated she was opposed to a partial opening of the facility. Roy Martinez, Operations Manager for the property, addressed the Board members, advising them that all work done at the facility has been done by licensed professionals. After more questions, Mr. Rujaratram addressed a question about the air conditioning and heating duct work, informing the Board there was no duct work connecting the rooms. Mr. Turner said they would be installing a system wherein refrigerant lines would be running into the rooms, and there would be no duct work. He said there would be a condensing unit on the exterior that would service approximately 8 rooms with refrigerant lines. Marlin Daniel, with Galbraith Electric, addressed the Board stating they had been on this project since day one. He explained what work they had left to do, and stated he did not know of any unlicensed person doing work at the project. After a lengthy discussion, Larry Holmes made a motion to deny the request for partial release of condemnation and to grant the owner 120 days to complete the main atrium building and an additional 120 days for each additional building. The motion was seconded by Betty Bradley and unanimously passed.

Case No.	Address & Description	Owner	Board Action
05-025	1601 Cottonwood Blk. 31, N65', W250' of Lot 11, College Dr. Replat, Abilene, Taylor Co., Texas	Nannie Beasley Walton, L F EST c/o Charles Walton & Betty Neal, et al 1250 Kirkwood Abilene, TX 79603-4938	Owner granted 30 days to demolish structure, remove debris & clear the lot, with the stipulation if owner fails to do this, the City is to demolish the structure, remove debris, clean the lot & bill the owner.

Mr. Prince advised the Board that no repairs had been made to this property. He stated the property was found unsecured and abandoned. He said there were plumbing, electrical and structural problems. The property is in an estate, and no interested heirs have been located. Staff reviewed the property and recommended demolition by the City. Betty Bradley made a motion to grant the owner 30 days to demolish the structure, remove debris, and clean the lot, with the stipulation if the owner fails to do this, the City will demolish the structure, remove debris, clean the lot and bill the owner. The motion was seconded by Perry Haynes and unanimously passed.

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Case No.	Address & Description	Owner	Board Action
05-038	802 Sycamore & rear bldg. 1-2, 188, 2-B, Wise, OT, Abilene, Taylor Co., Texas	Michael E. Wills 3950 Concord Dr. Abilene, TX 79603-4102	Granted 90 days to complete repairs and have the repairs inspected by the City.
Mr. Prince said the owner has started repairs. He said it will need electrical upgrades, heat installed, exterior and interior repairs. The representative for the owner is requesting 90 days to complete repairs. Staff has no objection to that time frame. Perry Haynes 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 Larry Holmes, and unanimously passed.			

Case No.	Address & Description	Owner	Board Action
05-042	5198 E. Overland Tr. Abstract A0924, Sur. 44 BAL NE/4, Acres 88.57, Abilene, Taylor Co., Texas	W.H. Blackburn c/o Laverne Landers 1845 Elmdale Rd. Abilene, TX 79601	Owner granted 120 days to complete repairs, and have the repairs inspected by the City.
Mr. Prince said this property has had no repairs since the condemnation. He said this was an abandoned service station with transients going in and out. He said that he posted the notice of this meeting on the building and the owner's son called him and said he had done some cleanup and securement. Mr. Prince went out to the site again and confirmed that the building was secured and a barbed wire fence was put up in front of the building to keep vehicles out. He said the lot had been mowed and trash had been removed. Mr. Prince further said he visited with Mike Landers, the owner's son, explaining his options and Mr. Landers stated he would like to keep the building since it adjoins some acres they own. Mr. Landers said they might like to use the building for storage only, with minimum electrical service for perhaps a light. Staff recommended granting the owner 90 days to repair the property, or demolish the structure and clear the lot. Mike Landers, then addressed the Board advising them this service station had been in the family for years and they want to repair the property for storage for their farm operations. He said they would clean it up and make it look better. He said they would like 120 days to complete repairs for storage. Betty Bradley made a motion to grant the owners 120 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
05-048	4350 and 4358 Caldwell Rd. Blk. A, Lot 141, Pleasant Hill Est., Sec. 4, Abilene, Taylor Co., Texas and Blk. A, Lot 140, Replat, Pleasant Hill Est., Sec. 4, Abilene, Taylor Co., Texas	Clinton & Wanda Durham 42 Poverty Point Circle Abilene, TX 79601	Owner granted 90 days to complete repairs, and have the repairs inspected by the City.
Mr. Prince advised the Board that the property recently sold and the new owners have cleaned up the property. The add-on at the back of building has been removed. He said the trailer needs electrical repairs, window replacements and weatherization. Also some plumbing repairs are needed. He further advised that the owner is requesting 90 days to repair the property and staff has no objection to granting the 90 day extension. Wanda Durham, owner of the property, then addressed the Board, advising them they purchased the property by paying the back taxes. They have decided to repair the trailer. She said she feels they can complete repairs in 90 days. Larry Holmes made a motion, which was seconded by Perry Haynes, to grant 90 days for the owner to complete repairs and have the repairs inspected by the City. The motion unanimously passed.			

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Case No.	Address & Description	Owner	Board Action
05-055	309 Oxford Blk. 5, Lot 19 & N12.5' of Lot 20, Elmwood West Sec. H, Abilene, Taylor Co., Texas	John D. King, Trustee of The Barbara Sharon King Testamentary Trust PO Box 2158 Abilene, TX 79604	Granted 120 days to obtain the utility rough-ins and framing inspection, with the condition that if this is done, the owner is granted an addition 60 days to complete repairs, and have the repairs inspected by the City.

Mr. Prince advised the Board that this property was originally damaged by fire. He said the damage was substantial. He said the property has sold since the condemnation, and the new owner has obtained a building permit and started repairs. There is still an open roof, which the owner claims he is going to repair. The owner turned in an extension request, requesting 210 days to complete repairs. Staff reviewed this case and recommends granting owner 120 days to obtain the utility rough-ins and framing inspection, and if this is done, the owner would be granted an additional 90 days to complete the project. After discussion, Larry Holmes made a motion to grant the owner 120 days to obtain the utility rough-ins and framing inspection, with the condition that if this is done, the owner is granted an addition 60 days to complete repairs and have the repairs inspected by the City. The motion was seconded by Perry Haynes, and unanimously passed.

Case No.	Address & Description	Owner	Board Action
05-063	2121 N. 8th (aka 2123 N. 8th) Blk. N 1/3, Lot 35, Preston of Harris Addn., Abilene, Taylor County, Texas	Latisha Lahoud 5207 Durango Abilene, TX 79605	Granted 30 days to demolish the structure, remove debris and clear the lot, with the condition if 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 this property has had no repairs since the condemnation, and a large portion of the exterior is covered with sheetrock. The lot is covered with trash. Mr. Prince further advised that there is an owner and lien holder involved with this property. The owner told Mr. Prince that she will not do any repairs and is walking away from the property. Mr. Prince called the lien holders, Gary and Marilu Corpian, to let them know what the owner had told him. He said staff reviewed the property and recommended allowing 30 days for a Plan of Action, with cost estimates and time frames, and if this was done, the owner would have an additional 60 days to repair the property to Code, and if the Plan of Action was not done within the 30 days, then the owner should be granted 30 days to demolish the structure, and if that is not done, the City should demolish the structure. Charles Shepherd, who lives close to this property, then addressed the Board advising them that this property had been in this condition for the last 2 or 3 years and had not been fixed up so why give the owners additional time when nothing had been done to this point. He said he felt the house should be torn down. Carol Lowe, who lives across the street from this property, addressed the Board, stating she has owned her house since 1989 and this property had looked just like it does now the entire time. She said they have dealt with drug dealers, with the DEA kicking in the door of the house and arresting every one there, and also dealt with the rats coming from this property. She said everyone was trying to keep the neighborhood clean, and this property was destroying their property. Sylvia Kesley, who also lives across the street from this property, addressed the Board, stating her husband is 95 and she is 81 and they are tired of looking across the street at this house. She said she is asking the Board to please destroy this house. Gary Corpian, the owner of this property, addressed the Board stating he had bought this house at a tax sale, and stated he is not interested in fixing the house, but he has a potential buyer who wants to fix the property up. After discussion, Larry Holmes made a motion to grant the owner 30 days to demolish the structure, remove debris and clear the lot, with the condition if owner fails to do this, the City is to demolish the structure, remove debris, clean the lot and bill the owner. The motion was seconded by Betty Bradley and unanimously passed.

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Case No.	Address & Description	Owner	Board Action
05-064	1134-1/2 Mulberry (rear bldg) 5 204 3 I Steffens * Lowden OT, Abilene, Taylor County, Texas	Frank A. Reddell c/o Dorene Smith PO Box 1206 Kernersville, NC 27285-1206	Granted time to allow this property to be presented at the June tax sale, and if it does not sell, the City is to demolish the structure, remove debris, clear the lot and bill the owner.
Mr. Prince advised the Board this structure has plumbing and electrical issues. The main structure had been previously demolished by the City of Abilene. The property was unsecured and the City contractor had to do the securement. At the time of condemnation, the back structure was occupied and was not condemned. Since then, the back structure has been vacated and due to its condition, it was condemned. He said the property is going to a tax sale in June and staff recommends demolishing the structure if it does not sell at the June tax sale. Betty Bradley made a motion to allow the property to be presented at the June tax sale, and if it does not sell at that time, the City is to demolish the structure, remove debris, clear the lot and bill the owner.			

Case No.	Address & Description	Owner	Board Action
05-065	1742 Bridge Blk. 6, Lot 38, Westwood Addn., Abilene, Taylor Co., Texas	Ramon Rodriquez 1110 Burger St. Abilene, TX 79603	Granted 30 days to provide a precise and complete Plan of Action, and if done, he will be granted an additional 90 days to complete the project, with the condition that if he does not provide the Plan of Action, the owner is to demolish the property, with the condition that if the owner fails to do this, the City is to demolish the structure, remove debris, clear the lot and bill the owner
Mr. Prince stated that this property recently sold. He said the previous owners went in and removed the loose brick that were in danger of falling. Rodents were going in and out of the building. There are foundation problems on the structure, and the electrical system has been removed. Mr. Prince said that at the time of closing, the new owner was told by Mark Bradshaw that he needed to contact Mr. Prince to find out requirements for a condemned house. The owner turned in an extension request, asking for 548 days to repair the structure. Staff recommends asking for a precise Plan of Action, with cost estimates and time frames, within 30 days, and if this is done then an additional 60 days to complete the project, with the condition that if a Plan of Action is not provided, then the owner should have 30 days to demolish the structure, and if this is not done, the City should demolish. After discussion, Larry Holmes made a motion to grant the owner 30 days to provide a precise and complete Plan of Action, and if done, he will be granted an additional 90 days to complete the project, with the condition that if he does not provide the Plan of Action, the owner is to demolish the property, with the condition that if the owner fails to do this, the City is to demolish the structure, remove debris, clear the lot and bill the owner. The motion was seconded by Perry Haynes and unanimously passed.			

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Case No.	Address & Description	Owner	Board Action
05-066	1381 Sycamore Blk. D&E, Lot 1, Sayles & Hughes Outlot 5, Northington, Abilene, Taylor Co., Texas	Trinidad Cruz Charo c/o Alfredo Solis Charo 1381 Sycamore Abilene, TX 79602-3826	Granted 30 days to Submit a Plan of Action, with cost estimates and time frames, or demolish the structure, remove debris and clean the lot, with the condition if owner fails to do this, the City is to demolish the structure, remove debris, clear the lot and bill the owner.

Mr. Prince stated this property was originally unsecured, abandoned, had trash, rotted wood, open sewer line and the eaves were open into the attic. Mr. Prince was unable to locate the owner, but when Mr. Prince was taking these pictures, Mr. Charo was on the site and said he wanted to repair this house to live in. Staff recommends granting 30 days for a Plan of Action, with costs estimates and time frames, and if this is provided, the owner be granted an additional 60 days to repair, with the condition that if the Plan of Action is not provided the owner is to demolish the structure, and if owner failed to do this, the City would demolish. The tax office is working on a judgment regarding back taxes. Betty Bradley made a motion to grant the owner 30 days to submit a Plan of Action, with cost estimates and time frames, or to demolish the structure, with the 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 Pamela Yungblut and passed, with Paige Gollihar opposing.

Case No.	Address & Description	Owner	Board Action
05-068	1117 Park Blk. 29, Lot 12, Lakeside Addn., Abilene, Taylor Co., Texas	Robert L. King 2518 Cloverleaf Ln. Abilene, TX 79601	Granted 180 days to complete repairs and have the repairs inspected by the City.

Mr. Prince said this property recently sold and the new owner has obtained permits, is putting on a new roof and has started interior repairs. He said the owner is requesting 180 days to complete repairs, and the staff has no objection to this. Larry Holmes made a motion, which was seconded by Betty Bradley, to grant the owner 180 days to complete repairs and have the repairs inspected by the City. The motion unanimously passed.

Case No.	Address & Description	Owner	Board Action
05-069	1126 Ash St. N40' Lot 3, 199 4-4 Sharp, OT Abilene, Taylor Co., Texas	George Robinson 1127 Ash Abilene, TX 79601-4308	Granted 30 days to provide a precise Plan of Action, with cost estimates, and if this is done, the owner be granted an additional 120 days to complete repairs.

Mr. Prince said this property was a victim of a fire, and has had no repairs since condemnation. There is poor plumbing, rotted wood, weatherization issues, and an electrical service that needs repairs. He said the owner turned in an extension request, asking for 90 days to repair the structure. Staff recommends allowing 30 days for a precise Plan of Action, and if this is done, they be granted an additional 60 days to complete repairs, with the condition that if this is not done, the owner be granted 30 days to demolish the structure, with the further condition that if owner fails to do that the City should demolish the structure. Petty Hunter, representative for the I Can organization, addressed the Board stating they had recently been in touch with the owner about this property being a nuisance. He said he feels the property has an opportunity to be a positive asset and feels that if they grant 30 days to provide a Plan of Action, they will see that work is underway to repair the property. Ray Twiggs then addressed the Board, stating they had obtained a building permit to repair the property, and had removed some trash from the building. He said they plan to invest money into the repair of the building. Larry Holmes made a motion to grant 30 days for a precise Plan of Action, and if that is done, the owner be granted an additional 120 days to complete repairs. Pamela Yungblut seconded the motion and the motion passed, with Paige Gollihar opposing.

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Case No.	Address & Description	Owner	Board Action
06-001	1141 Oak St. 33 208 1 C Anderson OT, Abilene, Taylor Co., Texas	Joe Delacruz 1141 Oak Abilene, TX 79602-3839	Granted permission for the City to complete demolition, remove debris, clean the lot and bill the owner.
Mr. Prince said this property was the victim of a fire, and was damaged substantially. Mr. Prince said the owner died in the fire. The building was demolished by the City to make it safe and the case is being brought before the Board so approval can be given to complete the demolition process. Betty Bradley made a motion to allow the City to proceed with demolition and clean the lot. The motion was seconded by Larry Holmes, and unanimously passed.			

Case No.	Address & Description	Owner	Board Action
06-002	542 Cherry Blk. 91, Lot 6, OT, Abilene, Taylor Co., Texas	Steve McManaway 542 Cherry Abilene, TX 79602	Granted 30 days to present a precise Plan of Action, with cost estimates and time frames, and if that is done the owner be granted an additional 60 days to repair.
Mr. Prince said there had been no repairs to this property since the condemnation. He said the structure has an open roof. He said there had been a lot of electrical wiring done without the proper procedures and the start of roof repairs without permits. He said the property had been like this since December, and maybe even before that. He said the electrical work that had been illegally done would not meet Code. Staff recommended the owner provide a precise Plan of Action within 30 days, and if this is done the owner be allowed 60 days to complete the project, and if not done, the owner would be allowed 30 days to demolish the structure and if that did not happened, the City should demolish the structure. Steve McManaway, owner of the property, addressed the Board, advising them the sale of his other property did not go through and he was broke. He said he had filed suit against the City because the property should have never been condemned. He said Mr. Prince had called the police because he (Mr. McManaway) was simply lying down in his house because he was sick and had no money to go to a motel. He said he was written a citation for living in the house and he wasn't living there, he was just lying down. He said Mr. Prince had been over to his property every day harassing him. He said he wanted 6 months to complete repairs and if Mr. Prince got in his way again, Mr. Prince was going to "get it". After a lengthy discussion among the Board members, Perry Haynes made a motion to go with staff's recommendation to allow 30 days to provide a precise Plan of Action, and if this is done the owner be allowed 60 days to complete the project, and if not done, the owner would be allowed 30 days to demolish the structure and if that did not happened, the City should demolish the structure. The motion was seconded by Betty Bradley and failed, with Paige Gollihar and Pamela Yungblut opposing. After further discussion, Betty Bradley made a motion to grant the owner 30 days to present a precise Plan of Action, and if that is done the owner be granted an additional 60 days to repair. The motion was seconded by Perry Haynes and unanimously passed.			