

Board of Building Standards Minutes

December 6, 2006

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, December 6, 2006 in the Council Chambers at City Hall, 555 Walnut, Abilene, Texas.

Board Members Present: Paige Gollihar
Michael Bowers
Larry Holmes
Perry Haynes
David Beard
Betty Bradley
Pamela Yungblut

Visitors: Joe & Mary Berumen
Jack Harkins
Fred Aycock
Craig Manawes
Hub Phipps
Christie Price
Quin Gregory

Staff Present: Megan Santee, Legal Department
Ed Williams, Fire Marshal
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 November 1, 2006 meeting. Larry Holmes made a motion to approve the minutes. Perry Haynes 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. The next matter to come before the Board was consideration, with possible action, regarding a request from Tittle Luther Partnership for approval of an alternate method of construction for compliance with NFPA-72, regarding the fire alarm system at Pioneer Drive Baptist Church. David Sartor, Building Official, addressed the Board, advising them the Board of Building Standards is charged with hearing any issues relating to the Fire Code, as adopted by the City of Abilene. He said the issue before the Board is for a proposed alternate method of construction for a project in the City.

Ed Williams, Fire Marshal for the City, then addressed the Board explaining that Pioneer Drive Baptist Church is currently doing a construction project wherein there are additions to two different buildings. The existing area in one of the buildings is used for child care purposes and a multi-purpose room will be added to this building, and a multi-purpose room will also be added to the second floor of the activity building, which is about 30' away from the first building. The two buildings are connected by a covered walkway on the second floor. Mr. Williams said that the child care area already has a fire alarm system, and initially when they were talking about installing a new fire alarm system in the newly constructed rooms, he had a concern about if the alarm went off in the new system, the people in the old system would be notified and vice versa. As a possible solution, Mr. Williams suggested that the two alarm systems be interconnected so if one fire alarm system activated, it would send a signal to the other system, causing the other system to activate. This would end up with each alarm sending the other alarm a signal, and unless they were reset at the very same time, one alarm would keep activating the other alarm. Mr. Williams felt this would be a problem that might cause the system to become more of a nuisance to the occupants. He said the NFPA says the system must function as one system and he interprets that to mean it should be controlled from one area. Mr. Williams explained this is where they were initially when this matter was submitted to the Board of Building Standards. Mr. Williams went on to say that since the request by Tittle Luther and his (Mr. Williams') response to their initial request, they have come up with another proposal. Mr. Williams said that he was opposed to the first request, but is not opposed to the new request, and turned the floor over to Jack Harkins, representative for Tittle Luther Partnership to explain the new request.

Jack Harkins then addressed the Board, stating the new proposal would be to be able to reset both alarm systems from the same location. A remote enunciator panel, which was located right inside the door of the old activity building, will be moved to where it will be adjacent to the fire alarm panel in the daycare. This will provide the church staff to be able to reset both fire alarms at the same location.

Fred Aycock, Business Administrator of Pioneer Drive Baptist Church, then addressed the Board, advising them that the staff would have the proper training to understand what needs to be done and how it needs to be done, when the alarm trips. Ed Williams addressed the Board again, stating signage will be placed on site, making it very clear how the systems should be reset. He further said he was in support of this new proposal.

After some discussion, Larry Holmes made a motion to approve the alternate method of construction, as proposed and expressed verbally at this meeting. The motion was seconded by David Beard and passed, with Paige Gollihar abstaining due to a conflict of interest.

4. CASES FOR REHABILITATION OR DEMOLITION:

| Case No. | Address & Description | Owner | Board Action |
|--|---|---|---|
| 01-092 | 2214 S. 7 th Lot 10, Block 11, Highland Addn., Abilene, Taylor Co., TX | Edward A & Christie Price 2834 Canton Place Abilene, TX 79605 | Granted 30 days to complete repairs and have repairs inspected by the City. |
| Mr. Prince, Code Enforcement Officer, addressed the Board, advising them the exterior repairs on the building have been completed, and the contractors are working on the utilities. He said the owner is requesting 30 days to complete all necessary repairs and staff has no objection to this request. Christie Price addressed the Board, stating they are getting the repairs done, and would like 30 days to complete them. After discussion, Larry Holmes made a motion, which was | | | |

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seconded by David Beard, to grant the owners 30 days to complete repairs and have the repairs inspected by the City. The motion unanimously passed.

| Case No. | Address & Description | Owner | Board Action |
|---------------|---|--|---|
| 03-038 | 1625/1627 N. 21st St. Blk. 6, Lot 4, College Heights Addn., Abilene, Taylor Co., Texas | Quin Gregory 1265 Westview Abilene, TX 79603 | Granted 60 days to complete repairs and have repairs inspected by the City. |

Mr. Prince said the owner was making progress on repairs. He said the roof was about 95% repaired, and the owner has requested a 60 day extension to complete repairs. Staff reviewed the case and recommends granting the 60 days to complete repairs. Quin Gregory, owner of the property, addressed the Board stating he established a bank loan to complete the project. He said he would need 60 days to complete the project. After discussion, Larry Holmes made a motion to grant 60 days to complete repairs and have repairs inspected by the City. The motion was seconded by David Beard and unanimously passed.

| Case No. | Address & Description | Owner | Board Action |
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| 04-037 | 733 Mesquite (also rear bldgs) Lot 16, 147, Lewis OT 1 ABL, TIF #1, Abilene, Taylor Co., Texas | Keith L. Williams 4831 Farlin St. Louis, Missouri 63115 | Granted 30 days to provide a plan of action, sell the property or demolish the property, with the condition that if the owner fails to do this the City will demolish the structure, remove debris, clean the lot and bill the owner. |

Mr. Prince said there had been no repairs on this house since condemnation. The exterior weatherization is poor, the foundation needs repairs, the rafters have split on the carport and the utilities need to be repaired. Mr. Prince further stated that Mr. Williams had bought this property at the tax sale and has since listed and sold the property on E-Bay, but the documentation backing this up has not been filed. Mr. Prince talked to the buyer who is purchasing the property from Mr. Williams and this buyer stated he is planning on selling the property, and is requesting 60 days to sell the property. Staff recommends granting the owner 30 days to submit a Plan of Action, sell the property or demolish the property. After discussion, Perry Haynes made a motion to grant the owner 30 days to provide a plan of action, sell the property or demolish the property, with the condition if the owner fails to do this the City will demolish the property, remove debris, clean the lot and bill the owner. The motion was seconded by David Beard and unanimously passed.

| Case No. | Address & Description | Owner | Board Action |
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| 05-002 | 734 Sycamore N139', S320', E150', 162 2 W- 2/3 OT Abilene, Taylor Co., Texas | Kenneth D. & Betty Deaver 734-1/2 Sycamore Abilene, TX 79602 | Granted 60 days to pass a framing inspection, and if this is not done owner to demolish the structure, with the further condition that if owner fails to do this, the City is to demolish the structure, remove debris, clean the lot and bill the owner. |

Mr. Prince said the last time this property came before the Board, the owner was requested to get a framing inspection, which has not been done. The inspector has been on site for three framing inspections, all of which failed. The owner has made some utility and foundations repairs. The owner did not turn in a plan of action. Staff recommends granting owner 30 days to pass the framing inspection, and if this is not done the owner should demolish the structure. After discussion, Betty Bradley made a motion to grant the owner 60 days to pass a framing inspection, and if this is not done, the owner is to demolish the structure, with the further condition that if owner fails to do this, the City is to demolish the

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structure, remove debris, clean the lot and bill the owner. The motion was seconded by Larry Holmes, and unanimously passed.

| 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 60 days to obtain the necessary permits and obtain rough-in inspections, and if this is done grant an additional 60 days to complete repairs and have the repairs inspected by the City. |

Mr. Prince said the owner is making progress on repairs and has put up some siding. The house still needs some weatherization and roof repairs. The electrical system needs some repairs. The owner did not turn in an extension request. Staff recommends granting 60 days to obtain the necessary permits and obtain the rough-in inspections, and if this is done, granting an additional 60 days to complete. After discussion, Betty Bradley made a motion to grant the owner 60 days to obtain the necessary permits and obtain rough-in inspections, and if this is done grant an additional 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 |
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| 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 90 days to complete repairs and have repairs inspected by the City. |

Mr. Prince said this property was originally damaged by fire. The property has undergone repairs and many inspections have been made. All rough-in inspections on the utilities have been made. The owner turned in an extension request asking for an additional 90 days to complete repairs and staff has no objection. After discussion, David Beard made a motion to grant the owners 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 |
|---------------|--|---|--|
| 05-061 | 1502 Pine (aka 1016 N. 15th) Apts. 1, 2, 3 Blk. 14, Lot 6 & S10' of Lot 5, CE Wood of Central Park, Abilene, Taylor County, Texas | L.D. & Peggy Jean Walker 3990 N. 9 th St. Abilene, TX 79603-5544 | Granted 30 days to submit plan of action and pass the framing inspection, if this is not done, the owner is granted 30 days to demolish the structure, 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. |

This property was originally damaged by fire and has not had satisfactory repairs since the last time it was before the Board. The framing which has been done does not meet code. The owner did not turn in for an extension request. Staff recommends granting the owner 30 days to submit a plan of action and pass the framing inspection, and if this is not done, the owner will be granted an additional 30 days to demolish the structure. After discussion, Larry Holmes made a motion to grant the owner 30 days to submit a plan of action and pass the framing inspection, and if this is not done, the owner is granted 30 days to demolish the structure, with the further condition if the 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 Perry Haynes, and passed, with Betty Bradley opposing.

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| Case No. | Address & Description | Owner | Board Action |
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| 06-011 | 1049 Wilson Blk. 13, Lot 14, Frank A. Miller Sub., Central Park Addn., Abilene, Taylor County, Texas | Treva Nell Ramey 1466-1/2 Grape St. Abilene, TX 79601-3408 | Grant the owner 60 days to repair, sell or demolish the property, with the condition that if the owner fails to do this, the City will demolish the structure, remove debris, clean the lot and bill the owner |

Mr. Prince said this property has had no repairs since the condemnation and no plan of action has been turned in. The roof is falling in, the exterior has poor weatherization and there is mold growing on the interior, due to the roof leaking. Mr. Prince said he has been unable to contact the owner, although she has been received the certified notices of the meetings. Staff recommends granting 30 days to sell the property or demolish the property. After discussion, Betty Bradley made a motion to grant the owner 60 days to repair, sell or demolish the property, with the condition that 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 Larry Holmes and unanimously passed.

| Case No. | Address & Description | Owner | Board Action |
|---------------|---|--|---|
| 06-017 | 718 Grape S40.4' of Lot 2 & N19.6' of Lot 3, Walsch Sub. Of Cannon Addn., Abilene, Taylor County, Texas | Jesse & Carol Rodriquez 2235 Shelton Abilene, TX 79603--2614 | Granted 60 days for foreclosure to take place and owner to sell the property. |

Mr. Prince said the property has had no repairs since the condemnation. Prior to the condemnation, the property had been occupied and there were sewer problems on the property, causing the sewer to back up into the yard. The roof is in bad condition and the front porch area will need to be repaired. The listed owners have abandoned the property, but there is a lien holder who has an interest in this property. The lien holder is going to work with a local attorney to foreclose on the property so he can sell it. Staff recommends granting 60 days for foreclosure to take place and owner to sell the property. After discussion, Larry Holmes made a motion to grant 60 days for foreclosure to take place and the owner to sell the property. The motion was seconded by Pamela Yungblut and unanimously passed.

| Case No. | Address & Description | Owner | Board Action |
|---------------|---|---|---|
| 06-018 | 218 Clyde Blk. 32, Lot 5, Nathan Morris, Scott Hwy Addn., Abilene, Taylor County, Texas | Woodridge USA Properties LP PO Box 2473 Abilene, TX 79604-2473 | Granted 60 days to complete repairs and have repairs inspected by the City. |

Mr. Prince informed the Board that repairs are progressing at this property. The exterior is being repaired, and a new electrical service is being installed. The plumbing is also being worked on. The owner did not turn in an extension request. Staff recommends granting the owner 60 days to complete repairs. After discussion, Betty Bradley 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.

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| Case No. | Address & Description | Owner | Board Action |
|---------------|---|--|--|
| 06-036 | 1104 Matador N/2 Blk. 11 BA91, Block 2, N79' E116' Lot 1, Sayles & Hughes, Abilene, Taylor County, Texas | Joe & Mary Berumen 3009 Southerland St. Abilene, Texas 79606 | Grant 60 days to complete the plan of action, if this is done grant an additional 60 days to obtain necessary permits and get rough-in inspections, and if this is done grant an additional 60 days to complete repairs and have the repairs inspected by the City |

Mr. Prince said the structure needs exterior repairs and some support to the roof. Electrical and plumbing repairs are also needed. Mr. Prince said he met the owner at the property and the owners are working to get their bids together. They have turned in the plumbing, electrical and structure estimates, but still need to get estimates on the heat. Staff recommends granting the owners 30 days to submit the rest of the plan of action, and if that is done grant an additional 60 days to obtain the necessary permits and obtain the rough-in inspections, and if that is done, grant an additional 30 days to complete repairs. Joe Berumen, owner of the property, addressed the Board stating that he would like a 10 month extension to complete the repairs. After discussion, Betty Bradley made a motion to grant the owners 60 days to complete the plan of action, if this is done grant an additional 60 days to obtain necessary permits and get rough-in inspections, and if this is done grant an additional 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 |
|---------------|---|---|--|
| 06-037 | 918 S. 11th St. Blk. B, Lot W60', E140', N60', Northington Addn., Abilene, Taylor Co., Texas | Lyle V. Evans c/o Terry Crawford 2409 E. Gowan Rd. N. Las Vegas, NV 89030- 4459 | Grant 60 days to sell or demolish the structure, with the condition that if the owner doesn't do this, the City is to demolish the structure, remove debris, clean the lot and bill the owner. |

Mr. Prince said this structure was damaged by fire. There was a considerable amount of damage on the interior. Mr. Prince said that he had some people who were interested in the property call him saying they couldn't get the owner to move on the property and let them purchase it. Staff recommends granting the owner 30 days to either sell or demolish the structure. After discussion, Betty Bradley made a motion to grant the owner 60 days to sell or demolish the structure, with the condition that if the owner doesn't do this, the City is to demolish the structure, remove debris, clean the lot and bill the owner. The motion was seconded by Larry Holmes and passed, with Pam Yungblut opposing.

| Case No. | Address & Description | Owner | Board Action |
|---------------|--|--|---|
| 06-041 | 2333 Hardy & rear apt. Blk. D, Lots 5 & 13.65' Lot 6 & W5', Sff.1' of Lot 8, Abilene, Taylor County, Texas | Kirkman Revocable Trust Juanita Gonzalez 1399 Vine St. San Jose, CA 95110 | Grant 60 days to obtain all necessary permits and obtain rough-in inspections, and if this is done, grant an additional 30 days to complete repairs and have the repairs inspected by the City. |

Mr. Prince said this was a large building that was damaged by fire. The property has a basement, first floor and second floor, but the second floor was almost burned away. The owner has taken out a permit to make repairs. The electrical and plumbing services will need repairs. Staff recommends granting 60 days for the owner to obtain all necessary permits and obtain the rough-in inspections, and if this is done, grant an additional 30 days to complete repairs. After discussion, Larry Holmes made a motion to grant 60 days to obtain all necessary permits and obtain rough-in inspections, and if this is done, grant an additional 30 days to complete repairs and have the repairs inspected by the City. The motion was seconded by Pam Yungblut and passes, with Paige Gollihar opposing.

