

Board of Building Standards Minutes

April 4, 2007

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, April 4, 2007 in the Council Chambers at City Hall, 555 Walnut, Abilene, Texas.

Board Members Present: Betty Bradley, Chairman
David Beard
Janet O'Dell
Pamela Yungblut
Steve Ellinger
Perry Haynes
Jon McDonald

Visitors: Ernest Herrera
Mary Rangel
Antonio Alsides
Elizabeth Juarez
Joe & Mary Berumen
Quin Gregory
Gary Corpian
Marilu Corpian
Michael Mellon

Staff Present: Megan Sante, Legal Department
Jerry Prince, Code Enforcement Officer
David Sartor, Building Official
Alice Adams, Recording Secretary

1. The meeting was called to order by Betty Bradley, Chairman, at approximately 8:15 a.m.
2. Betty Bradley said the next order of business was the review and approval of the minutes of the March 7, 2007 meeting. Pamela Yungblut made a motion to approve the minutes of the March 7, 2007 meeting. The motion was seconded by Janet O'Dell and unanimously passed.

Mrs. Bradley said there was a request to hear Case No. 06-032 first, because the owner of this property had just returned from dialysis and wasn't feeling well. The results of the minutes will be listed in the order it is listed on the agenda, even though this case was heard first.

Board of Building Standards

Minutes April 4, 2007

Page { PAGE }

3. The next matter to come before the Board was the request of Gary L. and Marilu Corpian to appeal the condemnation of the structure located at 541 Oak, Abilene, Texas. Mr. Prince said he received a call regarding this building and was told that the roof was falling in. He said that upon inspection he observed the building was unsecured and that the roof had fallen in and the building was full of various items. Gary Corpian, owner of this property, addressed the Board stating he has owned this building for approximately 10 years and he said he knows the building is substandard, but he usually keeps the building locked. He said apparently the wind caused a bolt to come loose, and the door fell open. After a lengthy discussion, Mr. Ellinger made a motion to let the condemnation stand. Mr. Beard seconded the motion and the motion unanimously passed.

4. CASES FOR REHABILITATION OR DEMOLITION:

Case No.	Address & Description	Owner	Board Action
03-019	2034 Shelton Blk. 21, Lot 13, Sears Park Addn., Abilene, Taylor Co., TX	Mary Rangel 2026-1/2 Sears Blvd. Abilene, TX 79603	Granted 60 days to complete exterior weatherization, and if this is done, an additional 60 days is granted to complete repairs and have the repairs inspected by the City.

Mr. Prince said repairs were progressing at this property. They are adding on a large addition to the back and have put on a pitched roof. He said there have been some interior repairs also. He said the owner turned in an extension request, asking for 180 days to complete repairs. He said Staff recommends granting owner 60 days to complete the exterior weatherization, and if this is done, grant an additional 60 days to complete repairs. Mary Rangel, owner of the property, said they have made a lot of repairs, and would request 180 days to complete repairs. She said that by the end of next week, weather permitting, the exterior repairs would be completed. After discussion by the Board members, Perry Haynes made a motion to grant the owner 60 days to complete the exterior weatherization, 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 Janet O'Dell and unanimously passed.

Case No.	Address & Description	Owner	Board Action
03-021	2102 Collins Blk. 2, Lot 40, JB Collins of N.Park Addn., Abilene, Taylor Co. Texas	Edward & Elizabeth Juarez 2101 Collins Ave. Abilene, TX 79603	Granted 60 days to complete repairs and have the repairs inspected by the City.

Mr. Prince advised the Board repairs have progressed on this property. He said the exterior of the building is completed, and the owner is demolishing the back building. He said the property has come a long way since the condemnation. He said the owners are requesting 60 days to complete repairs and that Staff has no objection. Elizabeth Juarez, owner of this property, addressed the Board and told them they need about 60 days to complete repairs. Perry Haynes 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 Pam Yungblut, and unanimously passed.

Board of Building Standards

Minutes April 4, 2007

Page { PAGE }

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 1263 Westview Abilene, TX 79603	Granted 45 days to complete repairs and have the repairs inspected by the City.
Mr. Prince said the owner has progressed on repairs on this property. He said the interior has been sheetrocked and the owner is requesting 45 days to complete repairs, and Staff has no objection to this request. Pam Yungblut made a motion to grant the owner 45 days to complete repairs and have the repairs inspected by the City. The motion was seconded by Steve Ellinger, and unanimously passed.			

Case No.	Address & Description	Owner	Board Action
05-014	1201 Beech W90' 6 204 3 F. Steffens & Lowden OT, Abilene, Taylor Co., Texas	A&M Heritage Holdings LTD 1250 NE Loop 410, #400 San Antonio, TX 78209- 1524	No action necessary by the Board. Owner signed a demolition consent form.
Mr. Prince said that the owner signed a Demolition Consent and the Board does not need to take any action.			

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 30 days to obtain 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 this property has had minimal repairs. He said owner was doing some type of framing on the interior, the exterior needs some weatherization. He said there was some problem with illegal electrical work, and a citation was written. He said the roof needs some repairs. Mr. Prince said the owner has not obtained all the necessary permits. Mr. Prince further explained that Mr. Wills is the owner of the property and Mr. Wills' brother, Tom Choate, is the one seeing to repairs. The owner turned in an extension request, asking for 120 days to complete repairs. Staff recommends granting 30 days for owner to obtain all necessary permits and obtain rough-in inspections, and if this is done, grant an additional 60 days to complete the project. Mr. Ellinger made a motion to accept Staff's recommendation and grant 30 days for owner to obtain all 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.			

Board of Building Standards

Minutes April 4, 2007

Page { PAGE }

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 30 days to foreclose and sell this property, and if this is not done, grant the owner an additional 30 days to demolish the structure, remove debris and clear the lot, with the further condition that if owner fails to do this, the City will demolish the structure, remove debris, clear the lot and bill the owner.
<p>Mr. Prince said that no progress has been made on this property since the condemnation. The property needs roof repairs, an addition has been added to the structure that was not permitted and will need to be removed since it will not meet the set-back requirements, the electrical system has been illegally tampered with and needs to be looked at, and the property was unsecured at the time of inspection and had to be secured by the City contractor. Mr. Prince went on to say that when the property was secured by the City contractor, they did have to evict a transient from the property. Mr. Prince said he has not been able to locate the listed owners, but there is a lien holder, Ben Medrano, who stated he was going to foreclose on the property the last time it went to the Board, and that was not done at that time. Mr. Prince said he received an extension request the day before this meeting and a letter from Michael B. Watson, the attorney who is handling the foreclosure, stating it may take 90 days to complete the foreclosure. The extension request turned in by the lien holder requested 6 months to sell the property. Mr. Prince said Staff reviewed this case prior to receiving the letter from Mr. Watson and the extension request from Mr. Medrano, and recommended granting 30 days to foreclose and sell this property, and if this is not done, grant the owner an additional 30 days to demolish the structure, and if this was not done, the City should demolish the structure. After discussion, David Beard made a motion to grant 30 days to foreclose and sell this property, and if this is not done, grant an additional 30 days for owner to demolish the structure, remove debris, and clear the lot, with the further condition that if owner fails to do this, the City will demolish the structure, remove debris, clear the lot and bill the owner. The motion was seconded by Perry Haynes and passed, with Jon McDonald opposing, and Betty Bradley abstaining. The motion passed.</p>			

Board of Building Standards

Minutes April 4, 2007

Page { PAGE }

Case No.	Address & Description	Owner	Board Action
06-032	1465 Ash 16 199 3 W/2 L. Morrow OT Abilene, Taylor County, Texas	Earnest Herrera 1751 N. 15 th St. Abilene, TX 79603	Granted 30 days to submit a Plan of Action with cost estimates, if this is done, owner granted additional 150 days to complete repairs, if the Plan of Action is not submitted within 30 days, the owner is granted an additional 30 days to demolish the structure, remove debris and clear the lot, with the further 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, the Code Enforcement Officer for the City of Abilene, addressed the Board advising them no repairs had been made since the condemnation of this property, but the lot has been cleaned up. He said the owner was in a nursing home and has not turned in an extension request regarding his plans for this property. He advised the Board that Staff recommends granting owner 60 days to repair, sell or demolish the property, with the condition that if this is not done, the owner be granted an additional 30 days to demolish the structure and if the owner failed to do this, the City should demolish the structure. Michael Mellon then addressed the Board and stated he was a long time friend of Mr. Herrera. He said that Mr. Herrera had initially had a stroke and after his stroke he fractured his hip and broke his pelvis and had to go to a nursing home temporarily. He read a letter Mr. Herrera had written to the City Attorney in December of 2006. After a lengthy speech by Mr. Mellon stating all the reasons the City should not have condemned Mr. Herrera's property, Megan Santee, Assistant City Attorney, told Mr. Mellon that the purpose of this meeting was to hear Mr. Herrera's intentions regarding this property and that the time to challenge the condemnation had passed. Mr. Mellon said the house was illegally condemned and Mr. Herrera was requesting the condemnation of his house and these proceedings be stopped. After several attempts by Ms. Santee and the Board Chairman, Ms. Bradley, to explain to Mr. Mellon that the purpose of this meeting was only for Mr. Herrera to tell the Board if he wanted to repair, sell or demolish this property and ask for a certain amount of time to get this done, Mr. Mellon said Mr. Herrera was asking for 6 months to complete repairs. Gary Corpian, then addressed the Board and said he was just a concerned citizen and liked the way the man presented his case and that he felt the very same way about some of his properties. After some discussion among the Board members, wherein they questioned if Mr. Prince was getting the proper notices of the meetings and other information to Mr. Herrera, Ms. Santee said that she felt they should ask Mr. Prince about this because she believed there were some discrepancies regarding what Mr. Mellon had said and Mr. Prince's attempts to contact Mr. Herrera. Mr. Prince said that notifications had been sent to the nursing home, to his previous address, and the notices were also posted on the house. Mr. Prince said he had tried to talk to Mr. Herrera, and was told not to talk to him, and to direct any questions to his attorney. Mr. Prince said Mr. Herrera was in the nursing home two years prior to the condemnation and that Mr. Herrera's daughter said Mr. Herrera would never be able to go back home and live by himself, and that Mr. Herrera's son is too busy working in Lubbock to help him. Mr. Prince said he also contacted Neighborhood Services regarding them helping Mr. Herrera with this property and they did an evaluation and said they had a maximum \$25,000 to spend on a single property, and they determined repairs would exceed that amount to bring this house into compliance. Mr. Ellinger made a motion to grant the owner 30 days to submit a plan of action, with cost estimates, and if this is done, an additional 150 days would be granted to complete the project, but after further discussion, Mr. Ellinger amended his motion to include that if, after 30 days a Plan of Action, with cost estimates, has not been received, the owner be granted 30 days to demolish the structure, remove debris, and clear the lot, with the further stipulation that if 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 Pam Yungblut, and unanimously passed.

Board of Building Standards

Minutes April 4, 2007

Page { PAGE }

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 30 days to obtain all necessary permits, if this is done, grant an additional 60 days to obtain rough-in inspections, and if this is done, grant an additional 90 days to complete repairs and have the repairs inspected by the City.

Mr. Prince said the owners have started making progress on this property. He said they demolished one of the structures that was in bad disrepair, and removed the debris. He said the structure left will need electrical repairs, exterior weatherization, window and door repairs and repairs to the landing. He said a temporary power pole has been permitted and inspected, and a new electrical service had been installed. He said there was a back building that would also need to be repaired. Mr. Prince said the owner turned in an extension request, asking for 180 days to complete repairs. Staff recommends granting the owner 30 days to obtain all the necessary permits, and if this is done, grant an additional 60 days to complete all rough-in inspections, and if this is done grant an additional 60 days to complete the project. Mary Berumen, owner of this property, addressed the Board, advising them they would like an additional 180 days to complete repairs. She said they were struggling financially and that is the reason for requesting this much time. After discussion among the Board, Pamela Yungblut made a motion to grant 30 days for the owners to obtain all necessary permits, if this is done, grant an additional 60 days to obtain rough-in inspections, and if this is done, grant an additional 90 days to complete repairs and have the repairs inspected by the City. The Motion was seconded by Jon McDonald and unanimously passed.

Case No.	Address & Description	Owner	Board Action
06-038	1466 Hope Lot 25, CE Crim of J Warfield Addn., Abilene, Taylor County, Texas	Antonio & Carmen Alsides 1473 Hope St. Abilene, TX 79603	Granted 60 days to sell the property.

Mr. Prince said this property has had no repairs since the condemnation. He said it will need electrical, plumbing and structural repairs. He said there is some foundation problems with this structure. Mr. Prince said the owner has turned in a request for 60 days to sell the property, and Staff has no objection to granting the 60 days. Antonio Alsides, owner of this property, addressed the Board stating they own the property next door to this property and want to concentrate on getting that property repaired and would like 60 days to sell this property. Perry Haynes made a motion to grant the owner 60 days to sell this property. The motion was seconded by Steve Ellinger, and the motion unanimously passed.

Case No.	Address & Description	Owner	Board Action
06-039	1488 Hope Lot 27, CE Crim of J Warfield Addn., Abilene, Taylor County, Texas	Antonio & Carmen Alsides 1473 Hope St. Abilene, TX 79603	Granted 60 days to obtain all necessary permits, complete roof repairs and complete demolition of the out-building and remove demolition debris.

Mr. Prince said the owner has taken out a permit to demolish the garage on this property that is in disrepair. He said the main structure will need all repairs, that is electrical, plumbing, mechanical, and structural repairs. Mr. Prince said the owner turned in an extension request asking for a 60 day extension to re-roof the structure and clear the way for the plumber. The Staff recommends granting 60 days to obtain all the necessary permits, complete roof repairs, and complete the demolition of said building and remove related material. Antonio Alsides, owner of the property, addressed the Board, stating they will be putting up siding and have the electrical repairs done, and they have been receiving bids regarding costs of the repairs. After discussion, Janet O'Dell made a motion to grant the owner 60 days to obtain all necessary permits, complete roof repairs and complete demolition of out-building, and remove debris. The motion was seconded by Perry Haynes, and unanimously passed.

Board of Building Standards

Minutes April 4, 2007

Page { PAGE }

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	Granted 60 days to complete framing on the 2 nd floor and get the structure in the dry, with the roof and siding, and if that is done, then grant an additional 60 days to obtain all the necessary permits and obtain rough-in inspections, and if that is done, grant 60 additional days to complete repairs and have the repairs inspected by the City.

Mr. Prince said this property was originally damaged by fire. He said the owner plans on repairing the structure, and has made some progress on the repairs. He said there was also a rear building that would have to be repaired also. Mr. Prince said the owner turned in the extension request, asking for 180 days to complete the project. Staff recommends granting 60 days to complete framing on the 2nd floor and get the structure in the dry, with the roof and siding, and if that is done, then grant an additional 60 days to obtain all the necessary permits and obtain rough-in inspections, and if that is done, grant 60 additional days to complete the project. After discussion, Pamela Yungblut made a motion to accept staff's recommendation and grant 60 days to complete framing on the 2nd floor and get the structure in the dry, with the roof and siding, and if that is done, then grant an additional 60 days to obtain all the necessary permits and obtain rough-in inspections, and if that is done, grant 60 additional days to complete repairs and have repairs inspected by the City. The motion was seconded by Janet O'Dell, and unanimously passed.

Case No.	Address & Description	Owner	Board Action
06-050	4240 Kirkwood A0187 SUR 82, John Jarmon Tract Lot 33, N100', S284', E50.02' W of Big Elm, Abilene, Taylor County, Texas	Richard Wheless 2225 Kansas Abilene, TX 79603	Granted 60 days to complete demolition, remove debris and clean the lot, with the condition that if the owner fails to do this, the City is to complete demolition, remove debris, clear the lot and bill the owner.

Mr. Prince said this property is in the process of being demolished. He said this property was sold after condemnation, and the new owner has property adjoining this property. The new owner, Richard Wheless, is planning on demolishing the structure and adjoining this lot with his property. The owner has submitted an extension request, asking for 180 days to complete the demolition. Staff recommends granting 60 days for the owner to complete the demolition, and if this is not done, the City should complete demolition. After discussion, Steve Ellinger made a motion to grant the owner 60 days to complete demolition, remove debris and clean the lot, with the condition that if the owner fails to do this, the City is to complete the demolition, remove debris, clear the lot and bill the owner. The motion was seconded by Pam Yungblut, and unanimously passed.

Case No.	Address & Description	Owner	Board Action
07-023	1817 Jameson Blk. 5, Lot 5, JB Collins of North Park Addn., Abilene, Taylor County, Texas	John Wesley Holmes 1290 Poplar Abilene, TX 79602	No action necessary by the Board. Owner signed a demolition consent form.

Mr. Prince said that no action was necessary as the owner had signed a demolition consent.