

Board of Building Standards Minutes

June 6, 2007

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, June 6, 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
Matt Loudermilk

Visitors: Bryan Mundy
Richard Santana
Jorge Portillo
Larry Neble
Primitivo A. Hernandez
Sue Laughter
Lydia Long
Diana Horton
Mary Marshall
Neil Hall
Irma Amber
Denice Acklin
Tommy Walden
James Logan
Shannon Turnbow
Shelly Logan
Randy Martinez
Helen & E.M. Hames
Bevie T. Jackson
Ophelia Mathews

Staff Present: Dan Santee, Legal Department
Patricia Aldridge, 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 first order of business was the review and approval of the minutes of the May 2, 2007 meeting. Steve Ellinger made a motion to approve the minutes of the meeting. The motion was seconded by Matt Loudermilk and unanimously passed.

3. The next matter to come before the Board was discussion, with possible action regarding the rescheduling or cancellation of the July meeting, since the meeting date falls on July 4, 2007. Pamela Yungblut made a motion to cancel the July meeting, and move the cases to the August meeting. The motion was seconded by Janet O'Dell and unanimously passed.

CASES FOR REHABILITATION OR DEMOLITION:

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 70 Castle Dr. Abilene, TX 79602	Granted 60 days to complete the gas line and sheetrock work, and if this is done, grant an additional 30 days to complete the project and have repairs inspected, with the further condition that if either of these time frames are not met, the owner will be granted 30 days to demolish the structure, remove debris, and clean the lot, with the further condition that if owner fails to do this, the City will demolish the structure, remove debris, clean the lot and bill the owner.
<p>Jerry Prince, Code Enforcement Officer, addressed the Board, advising that the exterior weatherization is almost completed. He said the owner has made some progress and is requesting 180 days to complete repairs. He said the gas line has to be replaced. Staff recommends granting the owner 60 days to complete all repairs, with the condition that if this is not done, the owner be granted 30 additional days to demolish the structure. Gary Corpian, owner of the property, addressed the Board stating they had to replace the gas service line. He said he would like 180 days to complete repairs. After discussion, Pam made a motion to grant 60 days to complete the gas line and sheetrock work, and if this is done, grant an additional 30 day to complete the project and have repairs inspected, with the further condition that if either of these time frames are not met, the owner will be granted 30 days to demolish the structure, remove debris, and clean the lot, with the further condition 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 Steve Ellinger and unanimously passed.</p>			

Case No.	Address & Description	Owner	Board Action
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 complete the sheetrock work and obtain utility finals, and if this is done an additional 30 days to complete the project and have the repairs inspected by the City.
<p>Mr. Prince said there has been some progress on repairs. The owner has requested a 90 day extension. Most of the exterior is completed, but still a few things remain to be done. Staff recommends granting 30 days to complete the sheetrock work, 30 days to obtain utility finals and 30 additional days to complete the project. After discussion, Janet O'Dell made a motion to grant the owner 60 days to complete the sheetrock work and obtain utility finals, and if this is done an additional 30 days to complete the project. The motion was seconded by Matt Loudermilk and unanimously passed.</p>			

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Case No.	Address & Description	Owner	Board Action
05-026	2057 Henson Blk. A, Lot B, Big Elm Addn., Abilene, Taylor Co., Texas	Mrs. E. A. Fillmon c/o Larry Neble 3702 Urban Ave. Dallas, TX 75227	Granted 60 days to complete the exterior weatherization and obtain all necessary permits, and if this is done, grant an additional 60 days to complete repairs and have the repairs inspected by the City.
<p>Mr. Prince said the owner was in the process of changing the roof from a flat roof to a pitched roof. He said the owner had also taken down the tree that was about to fall. He said the property still needs to be weatherized and the electrical service will need repairs. He said the owner turned in an extension request asking for 180 days to complete repairs. Staff recommends granting 30 days to complete the exterior weatherization, and if this is done, an additional 60 days to obtain all permits and obtain all rough-in inspections, and if this is done, grant an additional 30 days to complete repairs. Larry Neble, owner of the property, addressed the Board advising them he has just finished the roof. He said he lives in Dallas and is driving back and forth on the weekends to work on this project. He said he thinks he can finish the project in the time frame recommended by Staff. After discussion, Pamela Yungblut made a motion to grant the owner 60 days to complete the exterior weatherization and obtain all necessary permits and if this is done, an additional 60 days to complete repairs and have the repairs inspected by the City. The motion was seconded by Steve Ellinger, and unanimously passed.</p>			

Case No.	Address & Description	Owner	Board Action
06-053	766 Jeanette Blk. 3, Lot 9 & N/2 of 10, Victory Addn., Abilene, Taylor County, Texas	Wesley & Francis Arledge 766 Jeanette Abilene, TX 79602-2409	Granted 30 days to demolish the structure, remove debris, clean the lot, and if owner fails to do this, the City will demolish the structure, remove debris, clean the lot and bill the owner.
<p>Mr. Prince said this property has had no repairs since the condemnation. He said the back yard has not been mowed and it has been scheduled for the City Contractor to do the mowing. He said a lean-to on the back of the house has been taken down and the lumber and debris was left on the lot. Mr. Prince said the owner has not turned in an extension request and the owner and his daughter were no longer living at the address on S. Pioneer. Mr. Prince said he had been unable to locate the owner. Staff recommends granting 60 days to obtain the necessary permits or sell the property. James Logan, who lives next door to this property, addressed the Board stating that this property is not secured, there are open windows and people are coming around the property at all hours. He said the roof has a big hole in it and he has seen raccoons going in and out. Mr. Logan said he has lived next to this property for 11 years and this property has always been in disrepair. He said this property is causing the value of his property to go down. He said no one has lived in the house for about 3 years, and he would like to see the City do something about this house. Shannon Turnbow, who also lives close to the property in question, then addressed the Board, stating she was in the house recently and the roof in the kitchen was completely gone and that a family of raccoons is currently living there. She said there were holes in the floor. She said she knows the owners and she does not feel that they will do anything to repair this property. Shelly Logan, who also lives close to this property, stated that food was left in this house when the owners moved and this is creating a problem with rodents, roaches and raccoons. She wanted to know that if this house is ordered demolished, will the City do anything to prevent all the rodents, roaches and raccoons from scattering to other houses in the neighborhood. Mr. Prince said that in some cases when it is evident a building is full of roaches and rats, extermination devices are set out before the demolition. Lydia Long, President of the Old Town Abilene Neighborhood Association, addressed the Board, stating this house is not on the historical list. She said her association does not like to see homes torn down, but due to the problems at this house, she feels it needs an immediate demolition. She said there are lovely homes in this area and that this house is a health hazard and fire hazard. After discussion, Steve Ellinger made a motion to grant the owner 30 days to demolish the structure, remove debris, clean the lot, and 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.</p>			

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Case No.	Address & Description	Owner	Board Action
06-059	2010 N. 17 th Lot 2, A. J. Miller of J. Warfield, Abilene, Taylor County, Texas	Ophelia Marie Mathews 1718 Grape St. Abilene, TX 79601-2853	Granted 30 days to obtain all necessary permits, and if this is done, grant 60 days to obtain all rough-in inspections, and if this is done, grant 30 days to complete repairs, with the condition that if any of these time frames are not met, the owner is granted 30 days to demolish the structure, remove debris, and clean the lot, with the further condition that if the owner does not do this, the City will demolish the structure, remove debris, clean the lot and bill the owner.
<p>Mr. Prince said this property has had no repairs since it was damaged by fire. He said the previous occupants were operating a meth lab at this property. He said due to the hole in the roof, the interior was being exposed to the weather. He said the owner had turned in an extension request, asking for 180 days to complete repairs, and has provided some cost estimates for these repairs. Staff recommends granting owner 30 days to obtain all necessary permits, and if this is done, grant 60 days to obtain all rough-in inspections, and if this is done, grant 30 days to complete repairs, with the condition that if any of these time frames are not met, the owner is granted 30 days to demolish. Ophelia Mathews, owner of the property, addressed the Board stating they had built this house from the ground up and would repair this again and wanted the Board to give them time to make repairs. After discussion Pamela Yungblut made a motion to go with the Staff's recommendation and grant the owner 30 days to obtain all necessary permits, and if this is done, grant 60 days to obtain all rough-in inspections, and if this is done, grant 30 days to complete repairs, with the condition that if any of these time frames are not met, the owner is granted 30 days to demolish the structure, remove debris, and clean the lot, with the further condition that if the owner does not do this, the City will demolish the structure, remove debris, clean the lot and bill the owner. The motion was seconded by Janet O'Dell and unanimously passed.</p>			

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Case No.	Address & Description	Owner	Board Action
06-071	1189 Butternut Blk. 4, Lots 11 & 12, Outlot 2-3, Butternut Addn., Abilene, Taylor County, Texas	Hames Family Trust Emory M. & Helen A. Hames CO-TR 1426 Glendale Dr. Abilene, TX 79603-4234	Granted 10 days to secure the property and clean the lot, including the fenced in area, then grant owners 30 days to submit a Plan of Action, with cost estimates, and if this is done grant 60 additional days to obtain all necessary permits and obtain the 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 is a commercial property that is unsecured and there is a portion of the building in which the roof has fallen in. He said the interior was covered with debris. He said there was also some fire damage to the structure. Mr. Prince said the owners have completed an asbestos survey, and have indicated to Mr. Prince that their intentions are to remove a portion of the building and leave part of it for storage. He said the owner turned in an extension request, asking for 10 months to complete the project. Staff recommends that in the first 10 days, the lot needs to be secured and cleaned up, including everything in the fenced in area, and then grant the owner 30 days to obtain all necessary permits, and if this is done grant 60 days to complete the rough-in inspections, and if this is done, grant an additional 30 days to complete repairs. Helen Hames, one of the owners of this property, addressed the Board advising them they have been deterred waiting for the asbestos survey. She said the property consists of more than one building and not all of the property has asbestos. She said they want to try to save a portion of the buildings and demolish the rest, but will have to get an asbestos team to come in and remove the portion that has asbestos. Jack Haynes, one of the owners of this property, said he feels the only practical thing to do with this property is to demolish it. Neil Hall, who has a business on Butternut St. and is chairman of the Butternut Street Association, addressed the Board and read a letter from someone having a business on Butternut Street, urging Mr. Hall to encourage the City to have this property demolished. He said it is a disadvantage to any section of town to have a property like this just sit there because of the asbestos problem. Mary Marshall then addressed the Board, stating that she is the Neighborhood Watch Captain for the whole area that encompasses the Old Abilene Neighborhood Association. She said her organization supports the Butternut Street Association and the work they are doing to better the businesses and appearances of Butternut Street to bring business back. She said she teaches at Bowie Elementary and there is a large population of children in this area. She said that an unsecured building is an open invitation to children and vagrants to do more damage in these buildings. After discussion, Steve Ellinger made a motion to accept Staff's recommendation and grant the owners 10 days to secure the property and clean the lot, including the fenced in area, then grant owners 30 days to submit a Plan of Action, with cost estimates, and if this is done grant 60 additional days to obtain all necessary permits and obtain the 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 David Beard and unanimously passed.

Case No.	Address & Description	Owner	Board Action
06-072	1741 Jefferies Blk. 26, Lot W75' E300' S150' N2800' & W75' E125' Blk. 1, Abilene, Taylor County, Texas	C. E. & Doris Mackey c/o Christy Nicholas 4005 Scenery Hill Ct. Fort Worth, TX 76103	Granted 90 days to provide a Plan of Action with cost estimates, and bring back to the Board at the September, 2007 meeting.

Mr. Prince said this property has had no repairs since the condemnation. The structure needs weatherization, foundation issues and has an open garage with debris. There is also trash and debris on the lot. This house belonged to the grandparents of Christy Nicholas, who is presently in Iraq. She will be on leave in July and is suppose to come to Abilene to check on this property. No specific time frame has been requested. Staff recommends granting 60 days for owner to submit a Plan of Action, and if this is done, grant an additional 60 days for owner to obtain all permits and rough-in inspections, and if this is done, grant an additional 60 days to complete the project. After discussion, David Beard made a motion to grant the owner 90 days to provide a Plan of Action with cost estimates, and bring back to the Board at the September, 2007 meeting. The motion was seconded by Janet O'Dell and unanimously passed.

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Case No.	Address & Description	Owner	Board Action
07-001	846 Comanche Lot 846 & 847, Manley Heights, Lake Area, Jones County, Texas	Machelle Barrett 5127 County Road 319 Abilene, TX 79601-9113 Russell Mullins – Purchaser PO Box 351 Lueders, TX 79533	Granted 30 days to remove the mobile home, and if this is done, grant an additional 30 days to obtain all necessary permits, and if this is done, grant an additional 30 days to complete the project, provided the Board action does not contravene any of the City's leasing provisions.

Mr. Prince said this is a lake lease property, which is under the jurisdiction of the Water Department for the City of Abilene. He said the City owns the land. He said there was a mobile home plus another building on the property. There is one structure that the owner was going to demolish, but has decided to redo this building as a carport. There is also a storage building on the property that just needs some weatherization. There is also an above ground swimming pool on the lot that is going to have to be dealt with. The mobile home will have to be removed, as it does not meet the requirements of the lease. Mr. Mullins, the new purchaser of the property, has requested 120 days to complete repairs to bring this property into compliance. Staff recommends granting owner 30 days to remove the mobile home, and if this is done, grant an additional 30 days to obtain all necessary permits, and if this is done, grant an additional 30 days to complete the project. After discussion, Steve Ellinger made a motion to accept the Staff's recommendation to grant owner 30 days to remove the mobile home, and if this is done, grant an additional 30 days to obtain all necessary permits, and if this is done, grant an additional 30 days to complete the project, provided the Board actions does not contravene any of the City's leasing provisions. The motion was seconded by Matt Loudermilk, and unanimously passed.

Case No.	Address & Description	Owner	Board Action
07-002	2642 Over Blk. 1, Lot 34, RL Over of Over Place Addn., Abilene, Taylor County, Texas	Melissa & Michael Mundy 2501 Woodridge Dr. Abilene, TX 79605-5637	Granted 90 days to demolish the structure, remove debris and clean the lot, with the condition that if the owner does not 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, but the owner has secured the property and cleaned the lot. The roof is in bad condition and there are some foundations problems. There are some severe problems with the structure. The owner has indicated he wants to demolish the structure. Staff recommends granting owner 60 days to sell or demolish the property. Bryan Mundy, who is the parent of the owners of this property, addressed the Board. He said he is the agent for the owners and is responsible for the property. He said there is personal property inside the building and also some mill work he would like to take out of the property and needs time to do this. He said he will then have the property demolished and give the lot to Habitat for Humanity. He said he would like 180 days to complete this project, but could probably do it sooner. After discussion, David Beard made a motion to grant owners 90 days to demolish the structure, remove debris and clean the lot, with the condition that if the owner does not do this, the City will demolish the structure, remove debris, clean the lot and bill the owner. The motion was seconded by Steve Ellinger, and unanimously passed.

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Case No.	Address & Description	Owner	Board Action
07-003	2041 Marshall Blk. 1, Lot 36, RL Over of Over Place, Abilene, Taylor County, Texas	Jim Weldon Brooks 2806 S. 25 th St., Apt. D Abilene, TX 79605-6475	Have the City give proper public notification and then proceed with demolition of the property
<p>Mr. Prince said this property has had no repairs since the condemnation. The city had to hire a contractor to secure the structure. There is deteriorating wood on the building, there are electrical and plumbing issues on the roof has some structural problems. Mr. Prince said the owner is deceased and had no heirs. Staff recommends giving public notification and then demolishing the property. After discussion, Matt Loudermilk recommends going with the Staff's recommendation to give the proper public notification and then proceeding with demolition of the property. The motion was seconded by Pamela Yungblut and unanimously passed.</p>			

Case No.	Address & Description	Owner	Board Action
07-007	858 Ash St. Blk. 177, Lot 4, LO King Addn., 3-1 OT TIF #1, Abilene, Taylor County, Texas	Jorge A. Portillo 8825 Neptune St. El Paso, TX 79904	Granted 30 days to submit a plan of action, and if this is done grant 60 days to obtain all necessary permits and obtain rough-in inspections, and if this is done grant 30 additional days to complete the project, and have the repairs inspected by the City.
<p>Mr. Prince said the rock siding has fallen, there are foundation issues and the lot is covered with high weeds. This property sold since the condemnation and the new owner is requesting 150 days to make repairs. Staff recommends granting owner 30 days to submit a plan of action, and if this is done grant 60 days to obtain all necessary permits and obtain rough-in inspections, and if this is done grant 30 additional days to complete the project. Jorge Portillo, owner of the property, addressed the Board stating his intentions are to repair the property, and felt he could get that done in the time frame that the Staff has recommended. After discussion, Steve Ellinger made a motion to grant the owner 30 days to submit a plan of action, and if this is done grant 60 days to obtain all necessary permits and obtain rough-in inspections, and if this is done grant 30 additional days to complete the project. The motion was seconded by Janet O'Dell and unanimously passed.</p>			

Case No.	Address & Description	Owner	Board Action
07-008	1142 Amarillo Blk. B, Lot 12, Highland Addn., Cont. 5, Abilene, Taylor County, Texas	Randall R. & Sherri A. Martinez 2525 Robertson Dr. Abilene, TX 79606-2829	Granted 30 days to submit a plan of action, including cost estimates, if this is done, 60 days to obtain all necessary permits and obtain rough-in inspections, and if this is done grant 30 days to complete the project, which the condition that if any of these time frames are not met, the owner be granted 30 days to demolish the structure, remove debris and clean the lot, with the further condition that if owner fails to do this the City will demolish the structure, remove debris, clean the lot and bill the owner

Mr. Prince said the main structure is a triplex and there is another living area in the building in the back. There are foundation problems, there is termite damage, open drain lines, rotted wood all around the structure. The electrical service needs repairs. The owner is requesting 365 days to repair this property. Mr. Prince said this property was a rental and the tenants had called him to this property on several occasions regarding poor conditions and the owner would never make repairs. When the property became vacant, Mr. Prince condemned it. Staff recommends granting owner 30 days to submit a plan of action, if this is done, 60 days to obtain all necessary permits and obtain rough-in inspections, and if this is done grant 30 days to complete the project. Randall Martinez, owner of this property, addressed the Board stating that he had this as a rental unit. He has tried to sell the property, but since the property has been condemned the potential buyers are no longer interested. He said he would like to turn this property into a single family residence. He said he would like to give the house to a non-profit agency to use as a half-way house. He has talked to electricians and plumbers who have agreed to donate their services. Richard Santana, who lives next door to this property, addressed the Board advising them he bought his house about 3 years previously and at that time the house in question was rented. He said the police had to be called to the residence on many occasions due to the conduct of the renters. He said the property was roach and rodent infested. He said since he has been there he has see no effort on the part of the owners to make improvements of this house. He said he is very much against making this a half-way house because he has a 13 year old daughter and doesn't want this type of situation next door to him. He said this house is an eyesore and he wants it removed. Sue Laughter, who also lives next to this property, told the Board that Mr. Santana had pretty much said how the neighborhood feels about this property. She said this is a wonderful neighborhood and this condemned property is an eye-sore and ruins the property value of the property next door to it. She said she certainly doesn't want a half-way house there. Bevie Jackson, who also lives close to this property, addressed the Board and said that his concern is that Alta Vista School is very near this property and there are always children playing there. He is much against a half-way house being this close to the school. He feels this house is bringing the whole neighborhood down, and would appreciate the City helping rid the neighborhood of this problem. Denise Acklin, who also lives close to this property, said she had only lived in her house for a few weeks, but thought this house in question was going to be torn down when she bought her house. She said the house is an eyesore and the people in the neighborhood have to look at it every day. After discussion, Steve Ellinger made a motion to grant the owner 30 days to submit a plan of action, including cost estimates, if this is done, 60 days to obtain all necessary permits and obtain rough-in inspections, and if this is done grant 30 days to complete the project, which the condition that if any of these time frames are not met, the owner be granted 30 days to demolish the structure, remove debris and clean the lot, with the further condition 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 Pamela Yungblut and unanimously passed.

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Case No.	Address & Description	Owner	Board Action
07-010	2174 Texas St. Blk. C, Lot 11 & 12, Big Elm Addn., Abilene, Taylor County, Texas	Ramon Badillo 2174 Texas St. Abilene, TX 79603-1135	Granted owner 60 days to provide a plan of action, with cost estimates, or demolish the 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 this property has had no repairs since the condemnation. There are electrical repairs that need to be made, there is debris on the lot, the roofing material has been removed and the property is being exposed to the elements, and the shingles are on the ground. The owner did not turn in a request, but asked for 365 days to sell the property. Staff recommends granting owner 30 days to submit a plan of action, including cost estimates, if this is done, 60 days to obtain all necessary permits and obtain rough-in inspections, and if this is done grant 30 days to complete the project. Mr. Prince said the property had been vacant for at least a year. After discussion, Pamela Yungblut made a motion to grant the owner 60 days to provide a plan of action, with cost estimates, or demolish the 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. The motion was seconded by Matt Loudermilk and unanimously passed.

Case No.	Address & Description	Owner	Board Action
07-011	1409 Victoria Blk. 61, Lot 13, College Heights Addn., Abilene, Taylor County, Texas	Roger William Ribble 1003 Lamont Dr. Brownwood, TX 76801	Granted owner 60 days to sell or demolish the property, with the condition that if 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 had had no repairs since the condemnation. The roof is about to fall in, the porch is about to fall, the structure is unsecured, and there is debris and high weeds on the lot. The owner is requesting a 1 year extension to sell the property. Staff recommends granting owner 60 days to sell or demolish the property. After discussion, Steve Ellinger made a motion to accept the Staff recommendation and grant the owner 60 days to sell or demolish the property, with the condition 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 Pamela Yungblut and unanimously passed.

Case No.	Address & Description	Owner	Board Action
07-054	897 N. Treadaway Lot 7, Blk. 177, Eugene Wood OT 1 S/2, Abilene, Taylor County, Texas	Rev. Michael Most Pfeifer Diocese San Angelo PO Box 1829 San Angelo, TX 76902-1829	Granted 30 days to clear the lot, and allow the footings to remain if they are incorporated into the dance floor.

Mr. Prince said that 4 days after the condemnation of this property, the structure was demolished. Staff recommends granting 30 days for owner to clear the lot. Primitivo Hernandez, representative for the owner, addressed the Board, and, after giving a history of the Church, requested that they be allowed to keep the cement footings so a dance floor can be built there. After discussion, David Beard made a motion to grant the owner 30 days to clear the lot, and allow the footings to remain if they are incorporated into the dance floor. The motion was seconded by Pamela Yungblut, and unanimously passed.