

## **Board of Building Standards Minutes**

**September 5, 2007**

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, September 5, 2007 in the Council Chambers at City Hall, 555 Walnut, Abilene, Texas.

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

Visitors: Richard Wheless  
Eliza Valadez  
Susanna Tekut  
Danielle Delhomme  
Allison Cowling  
Michael Cowling  
Ernest Valdez  
Patrick Butt

Staff Present: Jerry Prince, Code Enforcement Officer  
Kelly Messer, Legal Department  
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. Ms. Bradley said the first order of business was the review and approval of the minutes of the August 1, 2007 meeting. Steve Ellinger made a motion to approve the minutes of the meeting. The motion was seconded by Perry Haynes and unanimously passed.
3. The next order of business was consideration, with possible action, regarding the request of Richard Wheless, owner of the property located at 4240 Kirkwood, Abilene, Texas, for permission to leave the concrete slab on the lot after demolition of the structure. Mr. Prince, Code Enforcement Officer, addressed the Board members, advising them that the building on the lot has been removed and grass has been planted. The owner wants to leave the slab, and fence the property in with the adjoining property he owns. Staff reviewed the case and has no objection. Richard Wheless, owner of this property, stated he wants to leave the slab in place to use as a picnic area for his family. He further stated he had obtained 25 signatures of people living in his neighborhood stating they do not oppose him leaving the slab in place. He says he will fence the area in within the next month if his request is approved. Mr. Ellinger made a motion, which was seconded by Pamela Yungblut, to allow the concrete slab to remain in place. The motion unanimously passed.

Ms. Bradley then rearranged the order in which the cases were to be heard by the Board to accommodate the citizens and/or owners in attendance waiting to speak about the properties they were interested in.

4. CASES FOR REHABILITATION OR DEMOLITION:

| Case No.   | Address & Description  | Owner  | Board Action  |
|--|--|--|---|
| <b>06-007</b>  | <b>1217 S. 12<sup>th</sup> St.</b><br>Blk. 5, Lot 3, JH Darnell of<br>Bellevue Outlot N 106 of 1,<br>Abilene, Taylor County, Texas | Alton H. Smith<br>3026 Woodway Cr.<br>Abilene, TX 89606-4224 | Grant 30 days to 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. |
| Mr. Prince said this property recently sold to Alton Smith. No permits have been obtained since the sale and no repairs have been started. Mr. Prince said he visited with Mr. Smith and Mr. Smith turned in a request for an extension of 90 days to complete the repairs. Staff reviewed the case and suggested granting 30 days for owner to obtain all necessary permits and if this is done grant 60 additional days to complete all repairs. Mr. Prince said this property was originally damaged by fire. Pam Yungblut made a motion to accept Staff's recommendation and grant the owner 30 days to 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. The motion was seconded by Perry Haynes and unanimously passed. |  |  |   |

| Case No.   | Address & Description  | Owner  | Board Action  |
|--|--|--|---|
| <b>06-041</b>  | <b>2333 Hardy &amp; rear apt.</b><br>Blk. D, Lots 5 & 13.65' Lot 6 &<br>W5', Sff.1' of Lot 8, Abilene,<br>Taylor County, Texas | Kirkman Revocable Trust<br>Juanita Gonzalez<br>1399 Vine St.<br>San Jose, CA 95110 | Grant 30 days to submit a plan of action, with all cost estimates, and if this is done, grant an additional 30 days to obtain a framing inspection and complete exterior weatherization, and if this is done, grant an additional 60 days to complete repairs and have the repairs inspected by the City. |
| Mr. Prince said that the owner had framed in the front porch. He said the bricks above the back door are pulling apart and this will need to be repaired. He said the past weekend, the owner has started enclosing the framing on the 2 <sup>nd</sup> floor. The electrical service will need repairs. Staff suggests granting 30 days to present a plan of action, with all cost estimates, and if this is done, grant 30 days for the owner to obtain a framing inspection and complete the weatherization of the building, and if this is done, grant 60 additional days to complete repairs. Staff said that if any of these steps are missed in the time frame given, the Staff may recommend demolition. Ernesto Valadez, owner of this property, addressed the Board and advised them they are trying to get the structure enclosed before bad weather comes. He said he had cost estimates and knew what the costs would be. He said he thought he could complete the repairs in 120 days. He said he plans to move into the house when the repairs are complete. After discussion, Pam Yungblut made a motion to accept Staff's recommendation and grant the owner 30 days to submit a plan of action, with all cost estimates, and if this is done, grant an additional 30 days to obtain a framing inspection and complete 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. |  |  |   |

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|---|--|---|---|
| <b>07-022</b>   | <b>541 Oak</b><br>Blk. 89, Lot 7 & S/2 of Lot 8,<br>TIF #1, OT, Abilene, Taylor<br>County, Texas | Gary & Marilu Corpian<br>70 Castle Dr.<br>Abilene, TX 79602 | Granted 180 days to sell or<br>demolish the structure, with the<br>condition that if this is not done<br>at the end of the 180 days, the<br>City is to demolish the structure,<br>remove debris, clean the lot and<br>bill the owner. |
| <p>Mr. Prince said no repairs have been made to this property since the condemnation. He said it looks as if some areas appear to have been pried loose to obtain entry. He said the center of the roof on the interior has collapsed. 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 rough-in inspections and if this is done, grant an additional 60 days to complete repairs. He said that after the Staff meeting, he received an extension request from the owners, requesting 365 days to sell the property. Mr. Prince said there have been junk vehicles on the lot, which have been tagged and removed. Gary Corpian, owner of the property, addressed the Board, stating he does not want to repair the property and would like time to try to sell the property. He said he thought it would be very expensive to demolish the property. He said he would put "No Parking" signs on the building to keep people from parking there. Pam Yungblut made a motion to grant the owner 180 days to sell or demolish the structure, with the condition that if this is not done, the City is to 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   |
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| <b>07-031</b>   | <b>3820 Pine</b><br>Abstract A0012, Sur. 83, L.<br>Bowerman, Tract AKA Blk. J,<br>Lot 4, Acres 1, Abilene, Taylor<br>County, Texas | Michael Brandon Cowling &<br>Allison Arthur<br>4900 Meadow Dr.<br>Abilene, TX 79606-5346 | Grant 180 days for owner to<br>clean up the lot, and to allow the<br>slab to remain. |
| <p>Mr. Prince said the structure has been demolished and the debris pushed up against the fence. This was the old pallet company and there are an excessive amount of pallets, wood and debris left on the lot. Mr. Prince said the slab appears to be in good condition. Mr. Prince said the original order of the Board is that the property is to be cleaned up 10 days after receiving the results of this meeting, but due to the excessive amount of wood and debris, the Staff recommends allowing 60 days to complete the cleanup. The City of Abilene Solid Waste Department has given an estimate for cleaning this property, but it is just an estimate and the cost could be more or less. Michael Cowling, the owner of this property, addressed the Board, advising them this excessive amount of wood has been on this property for years and he and his wife know this needs to be cleaned up, but they are trying to determine the best way to do this. He said he would like to keep the slab on the lot. He said he is requesting 180 days to clean up this lot. He said he would like to use this property for his used car business, and maybe put a repair shop there. Allison Cowling, the other owner of the property, addressed the Board advising them they have tried to think of a way to get this lot clean by giving pallets away, and that a large amount of wood has been removed, but there is still an excessive amount of wood left. Danielle Delhonne, the previous owner of this property, explained to the Board how she had acquired this property and had given it to her daughter and son-in-law. After a lengthy discussion, Steve Ellinger made a motion to allow 180 days for the owner to clean up the lot, and allow the slab to remain. The motion was seconded by Perry Haynes, and unanimously passed.</p> |  |  |  |

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|---|--|--|--|
| <b>07-038</b>   | <b>2237 Bridge</b><br>Sec. 2, Blk. 27, Lot 4, Cont.<br>Green Acres Addn., Abilene,<br>Taylor County, Texas | Sammy Lee & Lucy Mae<br>Mayes<br>1642 Bridge<br>Abilene, TX 79603-3339 | Grant 60 days to complete all rough-in inspections, 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 this property had set dormant for quite a while. He said there had been a structural fire and the owner had come in and gutted everything out and then just let it stay like that. Mr. Prince said that since the condemnation, the owner has started repairs again. All of the necessary permits have been obtained. The owners are requesting 120 days to complete repairs on the property. Staff recommends granting 60 days to complete all the rough-in inspections, and if this is done, grant an additional 60 days to complete all repairs. Susanna Tekut, who lives next door to this house, addressed the Board. She said that after the house burned, it stayed that way for about a year and then people started working on it. She said that the people working on the house were arrested and the house stayed empty and neglected for a long time afterwards. She said she lives alone and has always been worried about this house with people going in and out at all times during the day and night, even when it was first condemned. She would really like the house to be torn down. After discussion, Perry Haynes made a motion to allow 60 days to complete all 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 Steve Ellinger and unanimously passed.</p> |  |  |  |

| Case No.  | Address & Description   | Owner  | Board Action  |
|---|---|--|---|
| <b>06-036</b>   | <b>1104 Matador</b><br>N/2 Blk. 11 BA91, Block 2,<br>N79' E116' Lot 1, Sayles &<br>Hughes, Abilene, Taylor<br>County, Texas | Joe & Mary Berumen<br>3009 Southerland St.<br>Abilene, Texas 79606 | Grant 60 days for the owner to complete the exterior weatherization and obtain all rough-in inspections, and if this is done, grant 60 additional days to complete repairs. |
| <p>Mr. Prince said the owners are making progress on the main building, but have not started repairs on the rear structure. There is a new mechanical unit on the main structure, and some of the rotted boards have been replaced. Some window repairs are still needed and flashing needs to be installed on the roof. The foundation support needs to be corrected. Mr. Prince said the owner is requesting 180 days to complete the repairs on this property. Staff recommends allowing 60 days for the owner to complete the exterior weatherization and obtain all rough-in inspections, and if this is done, grant 60 additional days to complete repairs. Janet O'Dell made a motion to accept the Staff's recommendation and grant 60 days for the owner to complete the exterior weatherization and obtain all rough-in inspections, and if this is done, grant 60 additional days to complete repairs and have the repairs inspected by the City. The motion was seconded by David Beard and unanimously passed.</p> |   |  |   |

| Case No.      | Address & Description  | Owner   | Board Action   |
|---------------|--|---|--|
| <b>06-038</b> | <b>1466 Hope</b><br>Lot 25, CE Crim of J Warfield<br>Addn., Abilene, Taylor County,<br>Texas | Juan Cervantez<br>1117 Grape<br>Abilene, TX 79601 | Grant 30 days to obtain all necessary permits, if this is done, grant 60 additional days to 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 recently sold. He said the foundation needs extensive repairs. He said the structure needs repairs, and the electrical system needs repairs. Mr. Prince said the owner recently cleaned up the lot. The owner is requesting 210 days to repair the property. Staff recommends granting the owner 30 days to obtain all necessary permits, if this is done, grant 60 additional days to obtain rough-in inspections and if this is done, grant an additional 60 days to complete repairs. After discussion, Steve Ellinger made a motion to grant the owners 30 days to obtain all necessary permits, if this is done, grant 60 additional days to 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 Pam Yungblut and unanimously passed.

| Case No.      | Address & Description  | Owner   | Board Action   |
|---------------|--|---|--|
| <b>06-039</b> | <b>1488 Hope</b><br>Lot 27, CE Crim of J Warfield<br>Addn., Abilene, Taylor County,<br>Texas | Juan Cervantez<br>1117 Grape<br>Abilene, TX 79601 | Grant 30 days to obtain all necessary permits, if this is done, grant 60 additional days to 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 advised the Board this is the property next door to the previous case. This property sold to the same owner. Mr. Prince said the owner had cleaned the lot. All the utility systems need repaired and the foundation needs repairs. There is a little add-on that may need to be demolished. The owner has turned in an extension request asking for 180 days to complete repairs. Staff recommends granting the owner 30 days to obtain all necessary permits, if this is done, grant 60 additional days to obtain rough-in inspections and if this is done, grant an additional 60 days to complete repairs. After discussion, Steve Ellinger made a motion to grant the owners 30 days to obtain all necessary permits, if this is done, grant 60 additional days to 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 Janet O'Dell and unanimously passed.

| Case No.      | Address & Description  | Owner   | Board Action  |
|---------------|--|---|---|
| <b>06-072</b> | <b>1741 Jefferies</b><br>Blk. 26, Lot W75' E300' S150'<br>N2800' & W75' E125' Blk. 1,<br>Abilene, Taylor County, Texas | C. E. & Doris Mackey<br>c/o Christy Nicholas<br>4005 Scenery Hill Ct.<br>Fort Worth, TX 76103 | Grant 60 days to provide a plan of action, with cost estimates. |

Mr. Prince said the property has had no repairs since the condemnation. The roof is leaking, the ceiling has fallen in a couple of rooms, foundation repairs are needed and utilities need repairing. The owner is in the military and came into Abilene recently. Mr. Prince met her at the property and she had a friend with her who is a contractor, and the friend went through the property with her to give her a cost of repairing the property. Mr. Prince has not received a copy of this quote for the repairs. Staff recommends granting 30 days to submit a plan of action and obtain all necessary permits, and if this is done, grant 60 additional days to obtain rough-in inspections, and if this is done, grant an additional 60 days to complete repairs. After discussion, David Beard made a motion to grant the owner 60 days to provide a plan of action, with cost estimates. The motion was seconded by Pam Yungblut and unanimously passed.

| Case No.                | Address & Description   | Owner   | Board Action  |
|-------------------------|---|---|---|
| <b>06-073</b>           | <b>226 Chapel Hill Rd.</b><br>Blk. A, Lot 14, Chapel Hill<br>Road Addn., Sec. 1, Mobile<br>Home, Abilene, Taylor County,<br>Texas | Francisco Rincon<br>113 W. Willow Ln.<br>Princeton, TX 75407-6700 | Owner signed a demolition<br>consent and no action is<br>necessary. |
| No action is necessary. |   |   |   |

| Case No.  | Address & Description   | Owner   | Board Action   |
|---|---|---|--|
| <b>07-004</b>   | <b>541 W. Washington</b><br>Lot 3, 146 2-A Conrad-Menefee<br>TIF #1, Abilene, Taylor County,<br>Texas | Ameriland USA LLC<br>4831 Farlin<br>St. Louis, MO 63108 | Grant 30 days for the owner to<br>submit a plan of action, if this is<br>done, grant 60 days to obtain all<br>necessary permits and obtain<br>rough-in inspections and if this<br>is done grant an additional 60<br>days to complete repairs and<br>have the repairs inspected by the<br>City. |
| Mr. Prince said this property has had no repairs since condemnation. The foundation will need repairs and needs support for the roof. The plumbing system will need to be repaired. Ronald Kent, who lives in Dripping Spring, Texas, bought this property, but no Warranty Deed has been furnished. Staff recommends granting 30 days for the owner to submit a plan of action, if this is done, grant 60 days to obtain all necessary permits and obtain rough-in inspections and if this is done, grant an additional 60 days to complete repairs. After discussion Pam Yungblut made a motion to grant 30 days for the owner to submit a plan of action, if this is done, grant 60 days 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. The motion was seconded by Matt Loudermilk and unanimously passed. |   |   |  |