

Board of Building Standards Minutes

November 7, 2007

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, November 7, 2007 in the Council Chambers at City Hall, 555 Walnut, Abilene, Texas.

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

Visitors: Julio & Elizabeth Marines, Jr.
Lydia Long
Joe Spano, Jr.
Joel Flores
Brainerd & Claudia Borrios
Roy Martinez
Zev Shaposhnick
Israel & Erlinda Lopez
Maria Tijerina
Lynn McVey

Staff Present: James Prescott, Code Enforcement Officer
Kelley Messer, Legal Department
Van Watson, Assistant Building Official
Alice Adams, Recording Secretary
Priscilla Rayford-Templeton

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 October 3, 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. CASES FOR REHABILITATION OR DEMOLITION:

Case No.	Address & Description	Owner	Board Action
99-043	1102 Grape St. Lot 4, Blk. A, Highland Terrace Addn. ABL, Abilene, Taylor Co., Texas	Rufus B. Rodriquez Box 1472 Abilene, TX 79604	Granted 30 days to complete repairs and have repairs inspected by the City.
James Prescott, Code Enforcement Officer, informed the Board that all the utility permits have been obtained and final inspections have been made. He said the owner is near completion of repairs and just needs to get the building final. Staff recommends granting the owner 30 days to complete repairs. Steve Ellinger made a motion to accept Staff's recommendation and allow 30 days for the owner to complete repairs and have repairs inspected by the City. The motion was seconded by Perry Haynes and unanimously passed.			

Case No.	Address & Description	Owner	Board Action
04-008	1433 Mesquite N50', W150' Lot H, 201 2, H. McNairy Addn., OT Abilene, Taylor Co., TX	Doug Sims 5317 Pueblo Dr. Abilene, TX 79605	Granted 60 days to complete repairs or demolish the structure, 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. Prescott said the structure has some new siding. He said there are some electrical issues that need to be addressed, and some exterior weatherization needs to be done. Staff recommends granting owner 60 days to complete repairs and if this is not done at the end of the 60 days, the owner should demolish the structure. Mr. Prescott said Staff made this recommendation due to the time frame and the number of extensions Mr. Sims has had on this property. After discussion, Perry Haynes made a motion to grant the owner 60 days to either complete the repairs or demolish the structure, 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 Steve Ellinger and passed, with Betty Bradley opposing.			

Case No.	Address & Description	Owner	Board Action
04-061	5203 S. 1st St. Blk. 1, Lot 1, Posada Addn., Acres 7.75, Abilene, Taylor Co., Texas	Rehoboth Hospitality LP c/o A.A. Rajaratnam 5403 S. 1 st St. Abilene, TX 79605	Granted 30 days to secure the condemned building and provide a Plan of Action, with cost estimates, and if this is done, grant an additional 90 days to begin repairs.
Mr. Prescott said this is a Howard Johnson Motel. He said the atrium area has been brought out of condemnation, but there are three back buildings that still need repairing. He said at one point there was a problem with people going into the back area where the buildings are condemned and he has addressed this problem with Mr. Martinez, the Manager. Staff recommends granting 30 days for a Plan of Action, with cost estimates, and if this is done, grant an additional 30 days to start on repairs. Zev Shaposhnick, representative for Howard Johnson, addressed the Board stating they are applying for extra financing. He said he felt they could complete the securement of the building and provide a Plan of Action within 30 days, but would like 90 days to start repairs. After discussion, Steve Ellinger made a motion to grant the owner 30 days to secure the condemned building and provide a Plan of Action, with cost estimates, and if this is done, grant an additional 90 days to begin repairs. The motion was seconded by Perry Haynes and unanimously passed.			

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 30 days to obtain the electrical final and if this is done, grant an additional 30 days to complete repairs and have the repairs inspected by the City.
Mr. Prescott informed the Board there is new siding on the structure. He said there were electrical and roofing issues to be addressed. He said the owner is requesting 60 days to complete repairs. Staff recommends granting the owner 30 days to complete the electrical work and if this is done, grant an additional 60 days to complete repairs. After discussion, Perry Haynes made a motion to grant the owner 30 days to obtain the electrical final, 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 Matt Loudermilk and unanimously passed.			

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Case No.	Address & Description	Owner	Board Action
06-052	1342 Oak Blk. D&E, Lot 6, Northington, Hughes & Sayles Addn., Abilene, Taylor County, Texas	Lynn & Judy McVey 180 Avenida De Coronada Abilene, TX 79602-7502	Granted 90 days to complete repairs and have the repairs inspected by the City.
Mr. Prescott said there were weatherization issues at this property, and some electrical work needs to be completed. Staff recommends granting 60 days to complete repairs. Lynn McVey, owner of the property, addressed the Board, advising them of all the work he has done on this property, and requesting 90 days to complete repairs. After discussion, Steve Ellinger made a motion to grant 90 days to complete repairs and have the repairs inspected by the City. David Beard seconded the motion and the motion unanimously passed.			

Case No.	Address & Description	Owner	Board Action
06-068	1681 Cottonwood Lot 5, Blk. 31, College Drive Replat, Abilene, Taylor County, Texas	Julio and Elizabeth Marines 1709 Peach Abilene, TX 79602	Granted 30 days to complete the exterior weatherization and clear the lot, and if this is done, grant an additional 60 days to obtain utility finals, and if done, an additional 30 days to complete all repairs and have the repairs inspected by the City.
Mr. Prescott said there has been good communication with the owners and there has been some progress on repairs. He said there were still some issues with the electrical system that need to be completed. Staff recommends granting 30 days to complete the exterior weatherization and clear the lot of the junk and debris, if done, 60 additional days to obtain utility finals, if done, an additional 30 days to complete repairs. Julio Marines, owner of the property, addressed the Board, advising them he needs a larger dumpster to load up the debris left by the previous owners. He is asking for 180 days to complete repairs. Steve Ellinger made a motion to grant the owner 30 days to complete the exterior weatherization and clear the lot, and if this is done, grant an additional 60 days to obtain utility finals, and if done, an additional 30 days to complete all 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
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 60 days to complete all repairs, including the swimming pool, and have all repairs inspected by the City.
Mr. Prescott advised the Board that the owners have removed the mobile home which was on this lot. The owners have applied for a building permit to turn the residence into a storage building. There is also a large above-ground swimming pool on the lot that is going to have to be addressed. It currently does not meet the code requirements. Staff recommends granting 90 days to complete repairs at this property. The owner verbally requested a 60 day extension. Mr. Prescott said he has good communication with the owners. After discussion, Perry Haynes made a motion to grant the owner 60 days to complete all repairs, including the swimming pool, and have all repairs inspected by the City. Janet O'Dell seconded the motion and the motion unanimously passed.			

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Case No.	Address & Description	Owner	Board Action
07-011	1409 Victoria Blk. 61, Lot 13, College Heights Addn., Abilene, Taylor County, Texas	Joel Flores 2934 Beech Abilene, TX 79603	Granted 60 days to obtain all necessary permits and obtain rough-in inspections, and if this is done, grant an additional 120 days to complete repairs and have the repairs inspected by the City.
Mr. Prescott advised the Board that Joel Flores recently purchased this property, and has cleaned the lot. The structure needs weatherization and there are issues with the roof. Mr. Prescott said he has good communication with the owner and the owner is requesting 180 days to complete repairs. Staff recommends granting 60 days to obtain permits and obtain rough-in inspections, and if this is done, grant an additional 60 days to complete repairs. A Plan of Action has already been submitted. Joel Flores, owner of this property, addressed the Board advising them this house is in bad disrepair and the roof and siding are going to have to be replaced. He requested 180 days to complete repairs. After discussion, Perry Haynes made a motion to grant the owner 60 days to obtain all necessary permits and obtain rough-in inspections, and if this is done, grant an additional 120 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
07-035	1302 Oak Lot 1, Blk. D&E, Northington, Hughes & Sayles 7-12, Abilene, Taylor County, Texas	Dickey C. & Susan H. Graves 1150 Vine St. Abilene, TX 79602-3516	This property has been demolished so no action is necessary by the Board.
Mr. Prescott advised the Board that the owner has demolished this structure so no action is required by the Board.			

Case No.	Address & Description	Owner	Board Action
07-046	941 S. Jefferson Lot 12, Blk. 13, Elmwood W, Sec. 7, Abilene, Taylor County, Texas	Claudia (Anchondo) Barrios 1208 W. Scharbauer Hobbs, NM 88240	Granted 30 days to secure the property and an additional 60 days to sell.
Mr. Prescott said this property was originally damaged by fire. There are broken windows and Mr. Prescott has talked to the owner about securing the building. There is also some debris on the lot. Staff recommends granting 30 days for a Plan of Action, if done, grant 60 additional days to obtain permits and rough-in inspections, and if this is done, grant an additional 60 days to complete repairs. Brainerd Borris, owner of this property, advised the Board that the fire occurred on New Years Day of 2007. There was a property management company in charge of managing the property at the time of the fire. Mr. Borris said they want to sell the property and would like 90 days to do this. After discussion, Matt Loudermilk made a motion to allow the owner 30 days to secure the property and an additional 60 days to sell. The motion was seconded by Perry Haynes and unanimously passed.			

Case No.	Address & Description	Owner	Board Action
07-049	266 Ross Av. N 55' of Lot 1 and Lot 2, Blk. 9, Christian College 2 nd Addn, Abilene, Taylor County, Texas	Paul Scheller 1902 Santos St., Apt. A Abilene, TX 79605-6071	Granted 30 days to provide a Plan of Action, with cost estimates, if this is done, grant an additional 60 days to obtain all necessary permits and 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. Prescott said the structure needs roof repairs and bricks are falling off the window ledge. He said he has had no luck in contacting the owner, although the owner has signed for the certified notices mailed to him. The structure is in need of weatherization and there is debris on the lot. Staff recommends granting 30 days to provide a Plan of Action, if done, 60 days to obtain permits and rough-in inspections, and if this is done, grant an additional 60 days to complete repairs. Priscilla Rayford Templeton, of the City of Abilene Code Enhancement Office, addressed the Board stating she had an occasion to see the property this past summer while she was riding with the police. Some children had gotten into the house and one of the children had been cut with broken glass. She said the interior has been gutted, the floor was wrapped and it was obvious the property had been vacant for some time. After discussion, Steve Ellinger made a motion to grant the owner 30 days to provide a Plan of Action, with cost estimates, if this is done, grant an additional 60 days to obtain all necessary permits and 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 Perry Haynes and unanimously passed.

Case No.	Address & Description	Owner	Board Action
07-050	1450/1452 N. 18th St. Lot 9, Blk 13, College Heights Addn., Abilene, Taylor County, Texas	Isrial Lopez 3642 Swenson St. Abilene, TX 79603 <u>Lienholder</u> David Phillips 402 S. Treadaway Abilene, TX 79602-1751	Granted 30 days to provide a Plan of Action, with cost estimates, if this is done, grant an additional 60 days to obtain all necessary permits and 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. Prescott said this property was a duplex. He said the front porch area needs repairs, there are weatherization issues, the foundation has problems and the electrical system needs repairs. There is a garage in the rear that appears to be leaning. No permits have been issued to repair this property. Mr. Prescott said he has talked to Mr. Lopez about providing proof of ownership. Staff recommends granting 30 days for the owner to provide a Plan of Action, if done, 60 additional days to obtain permits and rough-in inspections and if this is done, 60 additional days to complete repairs. Isrial Lopez, owner of this property, addressed the Board advising them they want to repair the house to live in. He said he had some estimates from an electrician, plumber and someone for foundation repairs. He said they are just able to work on the property on the weekends. Mr. Lopez said he would like a year to complete repairs. After discussion, Perry Haynes made a motion to grant the owner 30 days to provide a Plan of Action, with cost estimates, if this is done, grant an additional 60 days to obtain all necessary permits and 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 David Beard and unanimously passed.

Case No.	Address & Description	Owner	Board Action
07-052	782 Palm (rear apt. only) Lot 11 & N19' of Lot 12, Blk. 186, J&M 1 OT, Abilene, Taylor County, Texas	Wesley E. Hargrove c/o Johnny L. Hargrove 782 Palm Abilene, TX 79602-2439	Granted 30 days to demolish the structure, remove debris, and clean the lot, 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. Prescott said there is an address issue at this property, the owner claims the address is 1516 S. 8th, but the Tax Office lists the property as 782 Palm. There is a large open space by the front door, there are weatherization issues, there is a busted window, foundation issues, roof issues, and the house is basically in poor condition. The owner turned in a written request for 365 days to complete repair. Staff recommends granting 30 days to provide a Plan of Action, if done, grant an additional 60 days to obtain permits and rough-in inspections, and if this is done, grant an additional 60 days to complete repairs. Mr. Prescott said the stated owner, Wesley Hargrove, is deceased, and Johnny Hargrove is in jail. Mr. Prescott said he had been visiting with James Dane, who he assumes is a brother or half-brother to Johnny Hargrove. Mr. Dane lives in the front house at 782 Palm. This is the person who requested 365 days to complete repairs. Mr. Beard, one of the Board members, said that since the condemnation, there have been 13 calls of complaints to the police department regarding this property. Lydia Long, who lives very near this property and is also President of the Neighborhood Association, addressed the Board. She said this shed is located on the alley behind her house, and has been occupied by prostitutes and drug dealers ever since she has lived in her house. She said in May, the man living there had an argument with Mr. Dane, broke all the windows, broke down the front door, and moved out. Ms. Long said she notified Community Enhancement immediately that the property was vacant and the City condemned it. She said that since the condemnation, there have been people living there, using an electrical line from the house in front. She said the people living in this shed were coming in at night and leaving in the morning before the neighbors can catch them. She said the man that lives in the front house is an alcoholic, has come to her door and threatened her and has threatened her husband, who is a deputy sheriff. Ms. Long went on to say the people in this neighborhood are proud of their homes and this property is decreasing all of their property values. She said the owner does not have the means to repair this property and she would like to see the house demolished. Joe Spano, Jr., who also lives in this neighborhood, said he believes the owner of this property is not able to make repairs and the only work being done is to further disarray this property. He said he feels the shack in back is not going to be repaired and the owner will continue to delay doing anything to the property. He also feels this property needs to be demolished. After discussion among the Board members, Perry Haynes made a motion to grant the owner 30 days to demolish the structure, remove debris and clean the lot, with the 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 Matt Loudermilk and unanimously passed.

Case No.	Address & Description	Owner	Board Action
07-053	2442 N. Mockingbird Lot 22, Blk. 6, Woodland Addn., 2 nd Filing, Abilene, Taylor County, Texas	Advance Funding Group LTD c/o Jamie & Pricilla B. Soto 1849 Anson Ave. Abilene, TX 79603-1503	The case was tabled until the January 2008 Meeting.

Mr. Prescott advised that the property was damaged by fire. He said there were some weatherization issues, some bricks were falling off the structure, the steps to one of the porches is gone, the electrical system needs repairs and there are issues with the roof. The structure is unsecured and he has talked to Ms. Tijernia about securing the property. Mr. Prescott said there are some ownership issues at this property and Ms. Tijernia is trying to get this corrected. Staff recommends granting 30 days to provide a Plan of Action, if this is done, grant 60 days to obtain all permits and rough-in inspections, and if this is done, grant an additional 60 days to complete repairs. Maria Tijernia then addressed the Board members, advising them she was living in the house when it caught on fire. She said she had purchased this house, and lived there since 2001 until the fire. She is having trouble obtaining the original deed showing she is the owner so she can get financing to fix the house. After a lengthy discussion, David Beard made a motion to table this case until the January 2008 meeting. The motion was seconded by Perry Haynes and unanimously passed.

Case No.	Address & Description	Owner	Board Action
07-055	5250 Taos Lot 20, Blk. R, Alameda Addn., Sec. 5, Abilene, Taylor County, Texas	Tony Winters PO Box 803201 Dallas, TX 75380-3201	Granted 30 days to complete repairs and have the repairs inspected by the City.
<p>Mr. Prescott said the owner was expecting to have the house out of condemnation before this meeting, but ran into some problems and was unable to do this. The plumbing and electrical finals have been made, but the mechanical final inspection failed and this problem is currently being addressed. Mr. Prescott said he has good contact with the owner. Staff recommends granting 30 days to complete repairs. After discussion, David Beard made a motion to grant the owner 30 days to complete repairs and have the repairs inspected by the City. The motion was seconded by Janet O'Dell and unanimously passed.</p>			