

**Board of Building Standards  
Minutes**

**July 2, 2008**

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, July 2, 2008 in the Council Chambers at City Hall, 555 Walnut, Abilene, Texas.

Board Members Present:      Betty Bradley, Chairman  
   Lloyd Turner  
   Matt Loudermilk  
   David Beard  
   Janet O'Dell  
   Steve Ellinger  
   Pam Yungblut

Visitors:                        Luis Rodriguez  
   Richard Espinoza  
   Christopher Gutierrez  
   Joe Berumen  
   Cindy Bowen  
   Scott Washburn  
   Paula Higgins  
   Janie Villanueva  
   Brad McMinn  
   Hannah McMinn  
   Richard Cortinaz  
   Paula Higgins  
   Joe Sotelo

Staff Present:                James Prescott, Code Enforcement Officer  
   Kelley 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 June 4, 2008 meeting. Matt Loudermilk made a motion to approve the minutes of the meeting. The motion was seconded by Janet O'Dell and unanimously passed.

3. CASES FOR REHABILITATION OR DEMOLITION:

Mrs. 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.

Case No.	Address & Description	Owner	Board Action
<b>04-057</b>	<b>522 Apache</b> Lot 522, Ft. Phantom Lake, Abilene, Jones County, Texas	Tommy Joe Higgins 1041 NW 5 <sup>th</sup> Hamlin, TX 79520	Granted 30 days to provide a plan of action, with cost estimates, and obtain the necessary permits or to demolish the structure, with the condition if the owner fails to do this the City will demolish the structure, remove debris, clean the lot and bill the owner
James Prescott, Community Enhancement Division, addressed the Board, advising them that the owners had cut back some overgrowth around the mobile home, but little has been accomplished on repairs. He said there are broken windows and missing skirting around the mobile home. The dock area seems to be in bad disrepair and will require a handrail leading out to the dock area. There is a metal hut on the lot that also needs repairs. The owner obtained a building permit on 6/19/08, but no other permits have been issued. Owner is requesting 180 days to complete repairs. Staff recommends granting the owner 30 days to provide a plan of action, with written cost estimates and obtain the necessary permits or to demolish the structure. Paula Higgins, owner of this property, addressed the Board advising them they live out of town and can only work on the property on the weekend. She said she has been in contact with plumbers and electricians, but no permit has been obtained for either. She said they are requesting 180 days to complete repairs. After discussion, Mr. Ellinger made a motion to support the Staff's decision and grant the owners 30 days to provide a plan of action, with cost estimates, and obtain the necessary permits or to demolish the structure, with the condition 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 David Beard and unanimously passed.			

Case No.	Address & Description	Owner	Board Action
<b>06-036</b>	<b>1104 Matador</b> N/2 Blk. 11 BA91, Block 2, N79' E116' Lot 1, Sayles & Hughes, Abilene, Taylor County, Texas	Joe & Mary Berumen 3009 Sutherland St. Abilene, Texas 79606	Granted 120 days to complete repairs and have the repairs inspected by the City.
Mr. Prescott said the owners have made good progress on repairing the main house, but have not done anything on the rear apartment. There is a small carport area that is missing the roof. Mr. Prescott went on to say the owners are asking for 120 days to complete repairs. He said they thought the main house would be completed in 30 days and they would have 90 additional days to complete the rear apartment. Staff felt this was a reasonable request and agreed with it. Joe Beruman, owner of this property, addressed the Board and told the Board he would like to have the main house released from condemnation and then complete the rear apartment. He said he thought he could complete repairs on the main house in 30 days and felt he could complete the rear apartment in another 90 days. After discussion, David Beard made a motion to follow Staff recommendation and allow the owners 120 days to complete repairs and have repairs inspected by the City. The motion was seconded by Pam Yungblut and unanimously passed. Ms. Bradley explained to the owner that it is really the policy of the Board not to release part of a property from condemnation and that the entire property needs to be repaired before the condemnation is lifted.			

Board of Building Standards

Minutes July 2, 2008

Page 3

Case No.	Address & Description	Owner	Board Action
<b>07-044</b>	<b>4042 Waldemar</b> Blk. P, Lot 12, Elmwood West Sec. 5, Abilene, Taylor County, Texas	CJBB Properties Carol Brashear 107 Hickory Ridge Highland Village, TX 75077	Granted 30 days to obtain rough-in inspections and if this is done grant an additional 30 days to complete repairs and have the repairs inspected by the City.

Mr. Prescott said initially he had good contact with the contractor working on this project. He said that around March of this year, the progress on repairs stopped and when Mr. Prescott finally was able to visit with the contractor he was told that the owner quit sending money so he (the contractor) stopped working. He said he thought about 85% of the work has been completed. He said the City had to send a City contractor to mow the lot. There was no request for an extension of time to complete repairs. Staff recommends granting 30 days to obtain rough-in inspections and if this is done grant an additional 30 days to complete repairs. Brad McMinn then addressed the Board advising them he was interested in buying this property and if he was able to do this what steps should he take. Mr. Sartor, Building Official, advised Mr. McMinn that if he purchased the property, he would have to hire his own contractors and that the Board's decision stayed with the property, whether it sold or not. After discussion, Steve Ellinger made a motion to accept Staff's recommendation and grant owner 30 days to obtain rough-in inspections and if this is done grant an additional 30 days to complete repairs and have the repairs inspected by the City. The motion was seconded by Pam Yungblut and unanimously passed.

Case No.	Address & Description	Owner	Board Action
<b>07-050</b>	<b>1450/1452 N. 18<sup>th</sup> St.</b> Lot 9, Blk 13, College Heights Addn., Abilene, Taylor County, Texas	Janie Villanueva 1842 Beech Abilene, TX 79601	Granted 180 days to move the house off the lot.

Mr. Prescott advised the Board that the new owner of this house wants to move the house to property outside the City. The owner is requesting 180 days to move the house. Staff recommends granting the owner 60 days to get the house moving permits and if this is done grant 120 days to complete the move. Janie Villanueva, owner of this property addressed the Board, advising them she wants to move this house to some property she owns outside the City limits. She has talked to a couple of moving companies and the lowest bid is \$8,500, and she is requesting 180 days to get the money together. She said all she was purchasing was the house and the owner of the lot will be responsible for leveling the lot. She said the movers said they were booked up for several months. After some discussion on this, Janet O'Dell made a motion to grant the owner 180 days to move the house from the lot. The motion was seconded by David Beard and unanimously passed.

Case No.	Address & Description	Owner	Board Action
<b>07-079</b>	<b>10841 Nora Rd.</b> Blk. 1, W/2 of Lot 20-21, Mobile Home Label TX 0393053/Tex 0393054, Abilene, Jones County, Texas	Scott Washburn 1641 N 17 <sup>th</sup> . St. Abilene, TX 79601	Tabled for 60 days.

Mr. Prescott advised the Board this property sold and the new owner has done major clean up of the property. New gates have been installed to limit access to the property. The owner originally planned to repair the mobile home on the lot, but then made a judgment to demolish it and move another mobile home in to live in. The owner is requesting 60 days to demolish the mobile home and staff has no objection. Scott Washburn, owner of this property, addressed the Board advising them he and his wife purchased this property to fix up and live in. He said they have picked out another mobile home to put on this property, but it is approximately 200 sq. ft. larger than the current mobile home on the lot and they are being told they can't put anything on the lot larger than what is currently there. He said he would like to take the old mobile home, move to the back of the property, remove all utilities, and use it as a storage building. He has been told by the City that he can't do that. He said he just needs some time of figure out what he can or cannot do before he makes a decision as to what he is going to do. After a lengthy discussion, David Beard made a motion to table this case for 60 days. The motion was seconded by Mr. Ellinger and unanimously passed.

Board of Building Standards

Minutes July 2, 2008

Page 4

Case No.	Address & Description	Owner	Board Action
<b>07-086</b>	<b>1842 Clinton</b> Blk. 57, Lot 1, College Heights Addn., Abilene, Taylor County, Texas	Jose Sotelo, Sr. PO Box 470043 Tulsa, OK 74146	Granted 30 days to obtain a plumbing permit and either permit or remove the patio cover, and if this is done grant 60 additional days to complete repairs and have repairs inspected by the City.
<p>Mr. Prescott said there was a patio cover built on this house without a permit, and this needs to be resolved by taking out a permit or removing the patio cover. There has been a lot of work done to the exterior. The owner still needs to get a licensed plumber to take out a plumbing permit for the illegal plumbing already done, and have the plumbing work inspected. Mr. Prescott said the owner is requesting 90 days to complete repairs. Staff recommendation was to grant 30 days to obtain a plumbing permit and obtain a permit for the patio cover or remove it, and if this is done, grant 60 additional days to complete repairs. The owner's daughter then addressed the Board advising them they are having a hard time finding a plumber. She said her father lives in Oklahoma and wants to move back to Abilene and the family is helping him finish the repairs. She said that they would do whatever they needed to do to get the house repaired. After discussion, David Beard made a motion to grant the owner 30 days to obtain a plumbing permit and either permit or remove the patio cover, and if this is done grant 60 additional days to complete repairs and have repairs inspected by the City. The motion was seconded by Matt Loudermilk and unanimously passed.</p>			

Case No.	Address & Description	Owner	Board Action
<b>07-102</b>	<b>618 N. 16<sup>th</sup></b> Lot 4, Blk 1, Rep of Blk 33, College Drive Replat, Abilene, Taylor County, Texas	Maria De Los Angeles Panuco 1638 Small St. Grand Prairie, TX 75050-6309	Granted 30 days to submit a plan of action with written cost estimates, and if this is done, grant an additional 60 days to obtain all permits and rough-in inspections, and if this is done grant an additional 60 days to complete repairs and have repairs inspected by the City.
<p>Mr. Prescott said the owner is trying to sell this property. There are exterior weatherization issues, the mechanical unit has been stolen, and the City has secured the house twice. The owner is requesting 180 days to repair/sell the property. Staff recommends granting 30 days to submit a plan of action with written cost estimates, and if this is done, grant an additional 60 days to obtain all permits and rough-in inspections, and if this is done grant an additional 60 days to complete repairs. Luis Rodriguez, owner of the property, said they are ready to make repairs. After discussion, Steve Ellinger made a motion to follow staff's recommendation and grant the owner 30 days to submit a plan of action with written cost estimates, and if this is done, grant an additional 60 days to obtain all permits and rough-in inspections, and if this is done grant an additional 60 days to complete repairs and have repairs inspected by the City. The motion was seconded by Pam Yungblut and unanimously passed.</p>			

Board of Building Standards

Minutes July 2, 2008

Page 5

Case No.	Address & Description	Owner	Board Action
<b>07-103</b>	<b>2050 N. 16<sup>th</sup> St.</b> Lot 7, Blk 2, CW Kenner of J. Warfield, Abilene, Taylor County, Texas	Richard Espinoza 2026 N. 16 <sup>th</sup> Abilene, TX 79603	Granted 30 days to secure the cellar, demolish the rear structure and submit a plan of action, with cost estimates, and if this is done grant an additional 60 days to obtain all 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.
<p>Mr. Prescott said there was a structure that was being used as a house and the owner said his intention was to use it as a storage shed. There are open windows and missing siding. The flooring is missing inside the structure. There is also a storm cellar that needs to be addressed, and an out-building that needs to be torn down. The owner is requesting 180 days to complete repairs. Staff recommends granting 30 days to submit a plan of action with written cost estimates, and if this is done, grant an additional 60 days to obtain all permits and rough-in inspections, and if this is done grant an additional 60 days to complete repairs and have repairs inspected by the City. Richard Espinoza, owner of this property, lives two houses away from this property. He said he now plans to repair this property as a single family residence. He said he originally requested an extension until January 1<sup>st</sup>, but not he would like to request two additional months. After discussion, Pam Yungblut made a motion to grant the owner 30 days to secure the cellar, demolish the rear structure and submit a plan of action, with cost estimates, and if this is done grant an additional 60 days to obtain all 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 Janet O'Dell and unanimously passed.</p>			

Case No.	Address & Description	Owner	Board Action
<b>07-107</b>	<b>3634 Swenson</b> WT McQuary of North Pk, Block C, Lot 3, Taylor County, Texas	Richard Cortinaz 2966 Beech Abilene, TX 79601	Granted 30 days to submit a plan of action with written cost estimates, and if this is done, grant an additional 60 days to obtain all permits and rough-in inspections, and if this is done grant an additional 60 days to complete repairs and have repairs inspected by the City.
<p>Mr. Prescott said this lot has building materials stacked on it. He said there are broken windows, exterior weatherization that needs to be addressed, and the building is unsecured. The rear room in the house has no floor, walls or ceiling. The electrical system needs to be repaired. The owner is requesting 180 days to complete repairs. Staff recommends granting 30 days to submit a plan of action with written cost estimates, and if this is done, grant an additional 60 days to obtain all permits and rough-in inspections, and if this is done grant an additional 60 days to complete repairs. Richard Cortinaz, owner of the property, addressed the Board advising them he has been trying to clean up the lot and is in the process of getting electrical and mechanical bids for work on this house. After discussion, Steve Ellinger made a motion to grant the owner 30 days to submit a plan of action with written cost estimates, and if this is done, grant an additional 60 days to obtain all permits and rough-in inspections, and if this is done grant an additional 60 days to complete repairs and have repairs inspected by the City. The motion was seconded by Matt Loudermilk and unanimously passed.</p>			

Board of Building Standards

Minutes July 2, 2008

Page 6

Case No.	Address & Description	Owner	Board Action
<b>07-111</b>	<b>1533 Plum</b> Blk. 34, Lots 10, 11 & N17' of 9, College Drive Replat, Abilene, Taylor County, Texas	Anita Gutierrez 1526 Plum Abilene, TX 79601	Granted 30 days to submit a plan of action with written cost estimates, and if this is done, grant an additional 60 days to obtain all permits and rough-in inspections, and if this is done grant an additional 60 days to complete repairs and have repairs inspected by the City.

Mr. Prescott said that this property has broken windows, substandard electrical service and rotted wood. This property sold after the condemnation. The owner is requesting 180 days to complete repairs. Staff recommends granting owners 30 days to submit a plan of action with written cost estimates, and if this is done, grant an additional 60 days to obtain all permits and rough-in inspections, and if this is done grant an additional 60 days to complete repairs. Christopher Gutierrez, owner of the property, addressed the Board stating he is representing his mother, who is the actual owner of this property. He said his family is going to make repairs to this property so his deceased brother's wife and children can live in it. After discussion, Matt Loudermilk made a motion to accept Staff's recommendation and grant the owners 30 days to submit a plan of action with written cost estimates, and if this is done, grant an additional 60 days to obtain all permits and rough-in inspections, and if this is done grant an additional 60 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
<b>07-011</b>	<b>1409 Victoria</b> 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, sell or demolish the structure, with the condition that if the permits are obtained, the owner is granted an additional 90 days to complete repairs, with the further condition that if one of these options is not met, the City is to demolish the structure, remove debris, clean the lot and bill the owner.

Mr. Prescott said the owner has turned in a plan of action, with cost estimates. Not much progress has been made with repairing the house. The exterior weatherization is an issue, the roof is gone from the carport and the building is not secure. The sheetrock has fallen off the ceiling on the interior. The roof on the storage shed is falling in and the shed is full of paints and chemicals. The owner is requesting 180 days to complete repairs. Staff recommends granting 30 days to obtain all necessary permits, and if this is done, grant an additional 90 days to complete repairs. After discussion, Pam Yungblut made a motion to grant owner 60 days to obtain all necessary permits, sell or demolish the structure, with the condition that if the permits are obtained, the owner is granted an additional 90 days to complete repairs, with the further condition that if one of these options is not met, 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.

## Board of Building Standards

Minutes July 2, 2008

Page 7

Case No.	Address & Description	Owner	Board Action
<b>07-026</b>	<b>1342 N. 12<sup>th</sup> St.</b> Blk. 204, W46-2/3' of Lots 5-6, 3E Steffens & Lowden Addn., OT, Abilene, Taylor County, Texas	Wanda H. Woods Estate c/o Helen Joyce Duck 138 Jefferson Heights Av. Jefferson, La 70121	Granted 30 days to sell or demolish this property, with the condition that if the owner fails to do this the City will demolish the structure, remove debris, clean the lot and bill the owner.

Mr. Prescott said there is a lot of inadequate maintenance at this property and the City continues to have to mow this property time and time again. The exterior weatherization needs to be addressed and the garage at the rear of the property is missing part of the roof. The owner requested additional time to sell the property, but did not give any certain amount of time. The potential purchaser withdrew his offer and is no longer interested in this property. Staff recommends granting owner 30 days to complete the sale or demolish. After discussion, Steve Ellinger made a motion to grant the owner 30 days to sell or demolish this property, with the condition that if the owner fails to do this the City will demolish the structure, remove debris, clean the lot and bill the owner. The motion was seconded by Matt Loudermilk and unanimously passed.

Case No.	Address & Description	Owner	Board Action
<b>07-060</b>	<b>1101 S. 5<sup>th</sup> St.</b> Blk. 86, Lot E50' of #1, TIF #1, OT, Abilene, Taylor County, Texas	Bruce Bixby PO Box 2703 Abilene, TX 79604	Granted 60 days to demolish the structure, remove debris, and clean the lot, 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 informed the Board that the owner of this property was looking for some funding to help demolish this structure and the Board granted him a 180 days extension the last time the case was before the Board. Mr. Prescott said the owner called and left a message stating he would like an additional 180 days to get the funding. Staff recommends granting the owner 60 days to demolish the structure. After discussion, Pam Yungblut made a motion to grant the owner 60 days to demolish the structure, remove debris, and clean the lot, 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 passed, with David Beard abstaining.

Case No.	Address & Description	Owner	Board Action
<b>07-104</b>	<b>1458 N. 18<sup>th</sup> St.</b> Lot 8, Blk 13, College Heights, Abilene, Taylor County, Texas	Clint Cheek & Faith Rudick 373 S. Country Club Dr. Atlantis, FL 33462	Granted 30 days to submit a plan of action with written cost estimates, if this is done, grant an additional 60 days to obtain all permits and rough-in inspections, if this is done grant an additional 60 days to complete repairs and have repairs inspected by the City.

Mr. Prescott said there has been drug activity at this house. The City secures the building and people remove the securement to obtain entry. There is rotted wood on the exterior, copper has been stolen from the mechanical unit, and the foundation needs repaired. Owner is requesting 180 days to complete repairs. Staff recommends granting owners 30 days to submit a plan of action with written cost estimates, and if this is done, grant an additional 60 days to obtain all permits and rough-in inspections, and if this is done grant an additional 60 days to complete repairs. After discussion, Pam Yungblut made a motion to accept Staff's recommendation and grant the owners 30 days to submit a plan of action with written cost estimates, and if this is done, grant an additional 60 days to obtain all permits and rough-in inspections, and if this is done grant an additional 60 days to complete repairs and have repairs inspected by the City. The motion was seconded by Matt Loudermilk and unanimously passed.

Board of Building Standards

Minutes July 2, 2008

Page 8

Case No.	Address & Description	Owner	Board Action
<b>07-106</b>	<b>380 S. 26<sup>th</sup> St.</b> W315.45 of Lot 3, Blk S200, Bowyer Subdivision, Abilene, Taylor County, Texas	Gerald & Jerilyn Smith 3234 Post Oak Rd. Abilene, TX 79606	Granted 30 days to complete the demolition of this project, with the stipulation that if owners fail to do this, the City will complete demolition, remove debris, clean the lot and bill the owner.
Mr. Prescott said the owners demolished this property without a permit. All that is left is a slab, an open septic tank and an open storm cellar. The City has given the owner an estimate for removing the slab, and filling in septic tank and storm cellar, and removing the trash and debris. Staff recommends granting 30 days to complete the demolition of this project. After discussion, Matt Loudermilk made a motion to accept Staff's recommendation of 30 days to complete the demolition of this project, with the stipulation that if owners fail to do this, the City will complete demolition, remove debris, clean the lot and bill the owner. The motion was seconded by Steve Ellinger and unanimously passed.			

Case No.	Address & Description	Owner	Board Action
<b>07-110</b>	<b>326 Ezra</b> Lot 1, Crow Subdivision, Abilene, Taylor County, Texas	Oliver Grant 2925 Simmons St. Abilene, TX 79601-1407	Granted 60 days to submit a plan of action, with cost estimates, or demolish the property, with the condition 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 door of this property is busted open, lots of rotted wood, and there are mattresses in the structure, indicating someone is staying at the property. There are no walls or insulation inside this property. The lot is covered with trash and debris. Mr. Prescott said he had not been able to locate the owner and went to the address that the Central Appraisal District has for the owner, which is 2925 Simmons St., and found a vacant lot. Staff recommends granting 60 days to submit a plan of action, with costs estimates, or demolish the structure. After discussion, David Beard made a motion to grant the owner 60 days to submit a plan of action, with cost estimates, or demolish the property, with the condition 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 Janet O'Dell and unanimously passed.			