

**Board of Building Standards
Minutes**

September 3, 2008

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, September 3, 2008 in the Council Chambers at City Hall, 555 Walnut, Abilene, Texas.

Board Members Present: Betty Bradley, Chairman
 Perry Haynes
 David Beard
 Vanessa Faz
 Steve Ellinger
 Pam Yungblut

Visitors: Dwayne White
 Patrick Batten
 Lydia Hernandez
 Manuel Aboles
 Virginia Lara
 Rene Lara
 Glen Mayes
 Antonio Devola
 Ray Martinez
 Zev Sheposhnick
 Mickel Garza
 Daniel Hernandez
 Karen Hanzley
 Francisca Rodriquez
 K. Batten
 Juan Cervantez

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 August 6, 2008 meeting. Steve Ellinger made a motion to approve the minutes of the meeting. The motion was seconded by David Beard and unanimously passed.

3. CASES FOR REHABILITATION OR DEMOLITION:

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.

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 60 days to provide a plan of action, with cost estimates.
James Prescott with the Community Enhancement Division, addressed the Board, advising them there are still five outbuildings and a swimming pool that remain under condemnation. He said the main Atrium has been brought out of condemnation and is presently being utilized. He said there was no progress on the other buildings. Mr. Prescott said he had a consultation with the owner and the owner is still unsure about what he is going to do because of financial issues. Staff recommends granting 60 days for owner to provide a plan of action, or demolish the structures. Zev Sheposhnick, representative for Howard Johnson, addressed the Board. He informed the Board that the swimming pool has been repaired. He said he is still struggling to raise the financing to complete the repairs, but is still trying. He said the buildings are secured and do not represent a danger to anyone, but he just needs more time to obtain the financing. He said he would like as much time as possible to obtain the financing. David Sartor, Building Official, asked Mr. Sheposhnick what contractor made repairs on the swimming pool, since no permit for these repairs has been obtained. Mr. Sheposhnick said he would check into this and supply the City this information. After a lengthy discussion among the Board members, David Beard made a motion to grant the owners 60 days to submit a plan of action, with cost estimates. The motion was seconded by Pamela Yungblut and unanimously passed.			

Case No.	Address & Description	Owner	Board Action
06-057	1726 Graham Outlot 3, Blk. H, Arthel Henson, Lot 2, Abilene, Taylor County, Texas	Virginia Lara 2250 Vogel, Apt. D34 Abilene, TX 79603	Granted 60 days to obtain the 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 this house has missing siding, broken windows and a tree falling on the roof. The lot is covered with trash and debris, and there are dead limbs scattered over the lot. A couple of relatives are trying to help the owner and a plan of action was submitted. The owner did sign a consent form to have the storage trailer in the back yard removed. The owner is requesting 180 days to complete repairs. Staff recommends granting the owner 60 days to obtain necessary permits and rough-in inspections, and if done, grant an additional 60 days to complete repairs. Manuel Abalos, representative for Ms. Lara, addressed the Board, advising them he will be helping her complete repairs and would like to have some additional time. After discussion, Pamela Yungblut made a motion to accept the Staff's recommendation and grant the owner 60 days to obtain the necessary permits and rough-in inspections, and if this is done, grant an additional 60 days to complete repairs. The motion was seconded by Perry Haynes and unanimously passed.			

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Case No.	Address & Description	Owner	Board Action
07-038	2237 Bridge Lot 4, Sec. 2, Blk. 37, Cont., Green Acres Addn., Abilene, Taylor County, Texas	Sammy Lee & Lucy Mae Mayes 1642 Bridge Abilene, TX 79603-3339	Granted 60 days to obtain plumbing permit and get a rough- in inspection on the plumbing, and if this is done, grant an additional 90 days to complete repairs and have the repairs inspected by the City.

Mr. Prescott said the owners have almost completed the exterior repairs, and just need to paint some unpainted wood. He said there was still some trash and debris on the lot that needs to be removed. Mr. Prescott said all repairs on the interior were at a rough-in stage, except for the plumbing. The owners are requesting 180 days to complete repairs. Staff recommends granting 30 days to obtain a plumbing permit and get a rough-in inspection on the plumbing, and if this is done, grant an additional 60 days to complete repairs. Glen Mayes addressed the Board, advising them this is his parent's house and they are planning on moving back into it when the repairs are completed. After discussion among the Board members, Pamela Yungblut made a motion to grant the owner 60 days to obtain plumbing permit and get a rough-in inspection on the plumbing, and if this is done, grant an additional 90 days to complete repairs. The motion was seconded by Steve Ellinger and unanimously passed.

Case No.	Address & Description	Owner	Board Action
07-053	2442 N. Mockingbird Blk. 6, Lot 22, Woodland Addn., 2 nd Filing, Abilene, Taylor County, Texas	Maria Tijerina 1042 Clinton Abilene, TX 79603	Granted 60 days to sell or demolish the building, remove debris and clean the lot.

Mr. Prescott said this structure was damaged by fire. He said the City has had to constantly mow the lot. No repairs have been made and there are no current permits to repair the property. He said the storage shed in the back yard is in bad condition. Mr. Prescott said he had been unable to make contact with the owner since the last meeting. Staff recommends granting 30 days to sell or demolish the structure. Mr. Prescott said he had been contacted by a person interested in purchasing this property, who was in attendance. Mickel Garza then addressed the Board, advising them he is renting a house close to this property and he is interested in purchasing this property and making repairs. He said he had visited with the owner about purchasing this property, and felt originally she was asking too much for the house, but he said he talked her down to a reasonable price. He said he worked for a plumbing contractor and the company he works for would be able to take out the plumbing permit. He said he has hired a lawyer to find out if there are any liens against the property, and to make sure Maria is the actual owner before he invests any money in the property. After discussion, David Beard made a motion to grant the owner 60 days to sell or demolish the building, remove debris and clean the lot. This motion was seconded by Vanessa Faz and unanimously passed.

Case No.	Address & Description	Owner	Board Action
08-014	6101 S. 7th St. #121 Label 0574579; Serial # 0774147552606, Abilene, Taylor County, Texas	Charles L. Titus, Deceased 6101 S. 7 th St., Lot 121 Abilene, TX 79605	Granted 30 days to sell or demolish the mobile home, remove debris and clean the lot.

Mr. Prescott said the owner of this mobile home was found deceased in the mobile home. He said prior to this, the owner had been living in the mobile home without utilities. The roof is in disrepair, the floor in the kitchen is not stable due to a water leak, and there is siding missing in various places. The mobile home park manager said the deceased owner has a brother, and she said she has the name and address and will provide it to the City. Staff recommends granting 30 days to sell or demolish the mobile home. Karen Hanzley, mobile home park manager, said she has had contact with the deceased's brother. She said the reason she wants to purchase the mobile home is to sell it or move it because she wants it off the property. After discussion, Steve Ellinger made a motion to grant 30 days to sell or demolish the mobile home, remove debris and clean the lot. The motion was seconded by Pam Yungblut and unanimously passed.

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Case No.	Address & Description	Owner	Board Action
07-097	1134 Graham (Garage only) Blk. G, Lot 24, Western Heights Rep., Abilene, Taylor County, Texas	Franscia Rodriquez 1656 Beechwood Ln. Abilene, TX 79603-4340	Granted permission for owner to keep the slab.
<p>Mr. Prescott said the condemnation was for the garage only. He said the structure was demolished and the debris has been removed. He said the owner is requesting to keep the slab and Staff has no opposition. Franscia Rodriquez, owner of the property, said when they purchased the property they spent several thousand dollars in cleaning the back yard and removing trash and debris. She said the plumbing going to the garage has been capped. She said there was a rodent problem and they have taken care of that. She said in the future they might want to put a storage building on it. She said she has a Sheriff's Deed on the house and the previous owner or bank can reclaim the property within the first two years she owns it. She doesn't want to invest any more money until she owns it one hundred percent. After discussion, Steve Ellinger made a motion to grant the owner permission to keep the slab. The motion was seconded by Pamela Yungblut and unanimously passed.</p>			

Case No.	Address & Description	Owner	Board Action
08-015	1450 Graham Lot 4, Blk. C, Arthel Henson Outlot 33, Abilene, Taylor County, Texas	James Berry & Janie Bryant c/o Charles & Sara Bryant 1450 Graham St. Abilene, TX 79603-3521	Granted 30 days to demolish the structure, remove debris and clean the lot.
<p>Mr. Prescott informed the Board that this property was severely damaged by fire, and he spoke to the owners right after the fire. He said they told him the house was not insured and they had no money to make repairs. The City contractors had to secure the structure and mow the lot. He said the owners have made no attempt to clean up the lot and it is covered with trash, debris and old tires. He said there is a little apartment in the rear which has been broken into. He said the chimney is pulling away from the house. Owner did not make a request for an extension of time. Staff recommends granting 30 days for a plan of action, with cost estimates, and 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. Dwayne White, who lives next door to this property, addressed the Board, advising them the fireplace has been leaning for several months, there is a bee hive by the fireplace in the back yard, and there is still the smell of fire when the wind comes from the south. He said this property has been trashy ever since he has lived there. He would like to see the property torn down. After discussion, Steve Ellinger made a motion to grant owner 30 days to demolish the property, remove debris and clean the lot. The motion was seconded by Pamela Yungblut and unanimously passed.</p>			

Case No.	Address & Description	Owner	Board Action
08-018	5034 Congress Lot 14, Blk. B, Sec. 1, Holiday Hills, Abilene, Taylor County, Texas	Rickey & Barbara Overhulser 5034 Congress Av. Abilene, TX 79603-5332	Tabled until the November 2008 Meeting.
<p>Mr. Prescott said this house has been vacant for a number of years. He said they get lots of complaints about high weeds. The lot is covered with trash and debris and the house is constantly broken into. He said there is illegal activity going on inside the house. There are broken windows and there is a storage building full of trash and debris. The interior of the house is also full of trash, debris, old food and there is a strong odor in the house. Mr. Prescott said the neighbors told him that the owner is in jail and Mr. Prescott has been unable to contact him. He said he had been contacted by people interested in purchasing the house but he has no current address for the owner. He said Staff recommends granting 30 days to provide a plan of action. Antonio Devola, who lives close to this property, addressed the Board, advising them he was interested in purchasing this property. He said he is trying to get information to purchase the house. He said there are a lot of homeless people staying in the house. He also has seen two possums on the lot. Daniel Hernandez, who lives close to this property, said he was also interested in purchasing this property. He said the house has a lot of potential and would like to find out how he can purchase it. After discussion, Steve Ellinger made a motion to table this case until the November meeting to enable Mr. Prescott to try to find the owner. The motion was seconded by Perry Haynes and unanimously passed.</p>			

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Case No.	Address & Description	Owner	Board Action
05-038	802 Sycamore & rear bldg. 1-2, 188, 2-B, Wise, OT, Abilene, Taylor Co., Texas	Michael E. Wills 3950 Concord Dr. Abilene, TX 79603-4102	Granted 30 days to complete repairs and have repairs inspected by the City.
Mr. Prescott said the owner was almost through with all the repairs. He said the only inspection remaining is the building final. Mr. Prescott said he had a consultation with the owner of the brother and he told Mr. Prescott he thought he would be finished by this meeting, but this did not happen. The owner did not ask for an extension of time. Staff recommends granting 30 days to complete repairs. After discussion, Perry Haynes made a motion, which was seconded by Vanessa Faz, to grant the owner 30 days to complete repairs. The motion unanimously passed.			

Case No.	Address & Description	Owner	Board Action
06-038	1466 Hope Lot 25, CE Crim of J Warfield Addn., Abilene, Taylor County, Texas	Juan Cervantez 1117 Grape Abilene, TX 79601	Granted 30 days to complete repairs and have repairs inspected by the City.
Mr. Prescott said the owner had made a lot of progress on repairs. He said the exterior had been painted, a new roof had been put on, rotted wood had been replaced, new doors had been installed, and the kitchen and bathroom had been redone. The owner thought he would be completed before this Board meeting, but did not get to that point. Staff recommends granting 30 days to complete repairs. Juan Cervantez, owner of the property, said he was just about finished, but was waiting for the contractors to come finish what they need to do. He said he thinks 30 days will be enough time to complete repairs. After discussion Steve Ellinger made a motion to grant the owner 30 days to complete the repairs. Perry Haynes seconded the motion and the motion unanimously passed.			

Case No.	Address & Description	Owner	Board Action
07-025	1450 Mesquite Blk. 201, Lot 4, E Wood F&G McNairy 2, OT Abilene, Taylor County, Texas	Danny Harris & Shamika Hill-Harris 1921 E. Nash Midland, TX 79705	Granted 30 days to complete repairs and have repairs inspected by the City.
Mr. Prescott said he had not had contact with the owner since the last time the case was before the Board. He said he did run into the contractor when he made his drive-by inspection. He said the repairs were progressing. He said the lot did need to be cleaned. Staff recommends granting 30 days to complete repairs. After discussion, Mr. Haynes made a motion to grant the owner 30 days to complete repairs. The motion was seconded by Pam Yungblut and unanimously passed.			

Case No.	Address & Description	Owner	Board Action
07-068	3741 Grape 100x153.7' Lot 26, Sidney Smith, Abilene, Taylor County, Texas	Dennis Paschal c/o Preston Placker 1941 Anderson Abilene, TX 79603-1905	Granted 60 days to obtain the necessary permits and provide an engineering report on the existing foundation and obtain rough-in inspections, and if this is not done the owner is to demolish the structures, remove debris, and clean the lot.

Mr. Prescott said the owner has obtained a permit to convert one of the structures into a storage shed. He said the siding was falling off the structure, there is a lot of inadequate maintenance, and the house is full of junk. The owner has put up a fence to block the junk vehicles from view. He said the roof also has damage. The owner is requesting 180 days to repair the property. Staff recommends granting 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, Perry Haynes made a motion to grant the owner 60 days to obtain the necessary permits, and provide an engineering report on the existing foundation, and obtain rough-in inspections, with the condition that if this is not done, the owner is to demolish the structures, remove debris and clean the lot. The motion was seconded by Steve Ellinger and unanimously passed.

Case No.	Address & Description	Owner	Board Action
07-070	2233 Henson A0187 SUR 82, TRACT Lot 21, W50' E250' N135' W Lot 10, Big Elm Addn., Abilene, Taylor County, Texas	Donald A. Williams 2926 S. 7 th St. Abilene, TX 79605-3048	Granted 15 days to clear the lot.

Mr. Prescott said this was a storage building that the owner demolished. He said the owner took all the trash and debris and piled it up on the other side of his fence, along with the tires that were inside the shed. The owner has stated he feels this is good enough because it has already cost him \$1,000. Mr. Prescott told him that the trash and debris would have to be removed before the permit could be closed out. Staff recommends granting the owner 15 days to complete demolition. Pamela Yungblut made a motion to grant the owner 15 days to clear the lot. The motion was seconded by David Beard and unanimously passed.

Case No.	Address & Description	Owner	Board Action
08-013	718 N. 12th St. W/2 Lt. 6, 200 Johnston, OT 1-ABL, Abilene, Taylor County, Texas	Delois Acosta & Andrew Anthony 1014 W. Pullen Pine Bluff, AR 71601	Granted 60 days to demolish the structure, remove debris and clean the lot.

Mr. Prescott said this house has been vacant for some time. He said people continuously break into the house and the City has to secure it. Mr. Prescott said the structure has rotted wood, inadequate maintenance and high weeds. There are dead trees and car tires in the back yard. The owner requested 180 days to demolish. Staff recommends granting 60 days to complete demolition. After discussion, Steve Ellinger made a motion to grant the owner 60 days to demolish the property. The motion was seconded by Perry Haynes and unanimously passed.

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Case No.	Address & Description	Owner	Board Action
08-016	5918 Atlantic Lot 10 & W/3 of Lot 9, Abilene, Taylor County, Texas	Gilbert & Linda Del Toro 5918 Atlantic Dr. Abilene, TX 79606	Granted 30 days to submit a plan of action, with cost estimates, sell or demolish the structure, remove debris, and clean the lot.

Mr. Prescott said this was a mobile home. He said he continues to get calls from the Abilene Police Department of people breaking into the structure. He said there are old tires and gas cans on the lot, the porch is rotted, there is a hole in the roof causing the ceiling to fall in, vandals continue to cause damage, the refrigerator door stands open and there is rotting food in it. The owner made no request for an extension of time. Staff recommends granting owner 30 days to provide a plan of action, sell or demolish the property. After discussion, Pamela Yungblut made a motion to accept Staff's recommendation and grant 30 days to provide a plan of action, with cost estimates, sell or demolish the structure. The motion was seconded by Steve Ellinger and unanimously passed.

Case No.	Address & Description	Owner	Board Action
08-017	1309 Oak Lot 2, 208 s AJJ Toombs, Riney-Hays OTAB, Abilene, Taylor County, Texas	Lawrence Tedford 1309 Oak St. Abilene, TX 79602	Tabled until the November 2008 Meeting.

Mr. Prescott said he continues to get lots of complaints about this house being unsecured. He has been unable to find out if the owner is deceased or has just moved. There is a lot of rotted wood on the house and the interior still has personal items in it. The foundation has problems. There are dead limbs and dead trees on the property. Staff recommends granting 30 days to provide a plan of action. After discussion, Pamela Yungblut made a motion to table this case until the November 2008 Meeting, to enable Mr. Prescott to do more research to find the owners or to see if the property sold at the last Tax Sale. The motion was seconded by Perry Haynes and unanimously passed.

Case No.	Address & Description	Owner	Board Action
08-019	1038 S. 10th St. Blk. A, E60' S66' W188' of Lot 16, W/2 N/3, Abilene, Taylor County, Texas	Guillermo & Francisca Izaguirre 923 Peach St., Apt 108 Arlington, TX 76011-6946	Granted 30 days to submit a plan of action, with cost estimates.

Mr. Prescott said the lot is overgrown, the house has rotted wood, there is a window opening covered with a sheet and the window is missing. The back door to the structure is gone, there is no sheetrock and the wiring is falling out of the ceiling. Staff recommends granting 30 days for a plan of action, if done, an additional 60 days to obtain all permits and rough-in inspections, if done, an additional 60 days to complete repairs. After discussion, Perry Haynes made a motion to grant the owner 30 days to submit a plan of action, with cost estimates. The motion was seconded by David Beard and unanimously passed.

Case No.	Address & Description	Owner	Board Action
08-020	2018 Texas Lot 18, Blk. D, Big Elm Addn., Abilene, Taylor County, Texas	Fidel R. Reyes 1466 N. 15 th St. Abilene, TX 79601	Ordered immediate demolition.

Mr. Prescott said this property is just a little shack that the owner said he was going to demolish. There are no doors or windows on the structure. The roof is falling in. Staff recommends granting owner 30 days to demolish. Pamela Yungblut made a motion to order immediate demolition. The motion was seconded by Vanessa Faz and unanimously passed.