

**Board of Building Standards
Minutes**

October 1, 2008

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, October 1, 2008 in the Council Chambers at City Hall, 555 Walnut, Abilene, Texas.

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

Visitors: Guadalupe Gutierrez
 Jose Martinez
 David Hedrick
 Sonia Serrato
 Lydia Long
 Kent West
 Tony Perez
 Jorge Portillo
 Deann Powers
 Kevin Batten
 Alfredo Verastegui
 Paula & Joe Higgins
 Blanca Cortez
 E. Zapata
 Martin Garcia
 Yvonne (daughter of Alvarez Nestor Lewis)

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 September 3, 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
07-026	1342 N. 12th St. Blk. 204, W46-2/3' of Lots 5-6, 3E Steffens & Lowden Addn., OT, Abilene, Taylor County, Texas	David Hedrick 2909 S. 27 th St. Abilene, TX 79605-6329	Granted 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 60 days to obtain all necessary permits and obtain rough-in inspections, and if this is done, grant an additional 90 days to complete repairs and have repairs inspected by the City.
James Prescott, Community Enhancement Division, addressed the Board, advising them this property recently sold and the new owners have removed all the bushes and shrubs around the building, put on a new roof and have started repairs on the plumbing and electrical systems. There is a garage on the lot that the owners are planning on repairing. Owner is requesting 180 days to complete repairs. Staff recommends granting 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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. David Hedrick, owner of the property, addressed the Board, advising them they are adding a new bathroom, and just need additional time to complete repairs. After discussion, Pamela Yungblut made a motion to grant the owners 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 60 days to obtain all necessary permits and obtain rough-in inspections, and if this is done, grant an additional 90 days to complete repairs. The motion was seconded by David Beard and unanimously passed.			

Case No.	Address & Description	Owner	Board Action
07-058	5126 Congress Blk. B, Lot 9, Holiday Hills, Sec. 1, Abilene, Taylor County, Texas	Jorge Portillo 8825 Neptune El Paso, TX 79904	Granted 60 days to complete repairs and have repairs inspected by the City.
Mr. Prescott said the owners are making great progress on repairs. He said there is an issue with the plumbing and this is what is holding up the final inspection. Mr. Prescott said the owner is requesting 60 days to complete repairs and Staff has no objection. Mr. Portillo, owner of the property, addressed the Board and advised them he has worked on this house for approximately 6 months and is trying to get a plumber to make repairs on the water heater so he can get his final inspection. He said it might not take 60 days but he wants to be on the safe side. David Beard made a motion, which was seconded by Steve Ellinger, to grant the owner 60 days to complete the project. The motion unanimously passed.			

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Case No.	Address & Description	Owner	Board Action
07-067	3601 Swenson Blk. B, Lot 4, WT McQuary of North Park Addn., Abilene, Taylor County, Texas	Tony Perez 1018 Fannin Abilene, TX 79603	Granted 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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 repairs inspected by the City.

Mr. Prescott said this property consists of the house and a 4-car garage. He said there has been some illegal electrical work done in the garage. The owner has excavated part of the ground that was covered with oil. Mr. Prescott said the reason this was back before the Board was because the Legal Division of the City of Abilene said it was beyond the authority of this Board to deal with environmental issues. Kelley Messer, an Attorney for the City, addressed the Board members, advising them she had listened to the tapes of this meeting and realized the environmental issues were a concern of this Board, but on reexamining the matter, the Legal Division came to the conclusion that this Board does not have the authority to address environmental issues, only the building itself. She said since there is a new owner, Staff recommends granting 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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. Tony Perez, the new owner of this property, addressed the Board advising them the owner did not make him aware of the environmental issues at this property. He said he was then approached by Mr. Prescott and was advised he only had 6 more days to take care of the environmental issues. Mr. Perez said that it took him a couple of weeks to take care of the environmental issues and when he called Mr. Prescott to let him know this matter was taken care of, he was told by Mr. Prescott that the building was going to be demolished because the deadline had not been met. He said when Mr. Prescott told him this, he has not done anything else on this property because he didn't want to spend all this time and money if the building was going to be demolished. He said he had \$2000 to pay an attorney to file an injunction and stop the demolition of this house, but he had much rather spend the \$2000 to make repairs on the house. After a lengthy discussion, Steve Ellinger made a motion to grant the owner 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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. The motion was seconded by Pamela Yungblut and unanimously passed.

Case No.	Address & Description	Owner	Board Action
07-084	8 Silo View Blk. 1, Lot 8, S9030-Silo View, Ft. Phantom, Abilene, Jones County, Texas	Carl & Deann Powers 6372 CR 324 Hawley, TX 79525-2854	Granted 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 repairs inspected by the City.

Mr. Prescott said this property was damaged by fire and the interior has been gutted. The owner had been unable to mow the lot because there was a large dog chained right on the property line and the owners could not complete mowing of the lot. The owner is requesting 180 days to complete repairs. Staff recommends granting 60 days to obtain all necessary permits and rough-in inspections, and if this is done, grant an additional 60 days to complete repairs. Deann Powers, owner of this property, addressed the Board, advising them her husband has been working out of town, but was able to come in and demolish the interior. She said the plumbing has received a rough-in inspection and they are on the waiting list for an electrician. After discussion, Janet O'Dell made a motion to grant the owners 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. The motion was seconded by Pamela Yungblut and unanimously passed.

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Case No.	Address & Description	Owner	Board Action
07-090	1555 Mimosa Blk. 4, Lot 4, Sec. 1, Green Acres, Abilene, Taylor County, Texas	Jutta Biggerstaff 60400 Alta Mara Dr. Joshua Tree, CA 92252	Granted 60 days to sell.
<p>Mr. Prescott said this property was damaged by fire. There are trash, debris and high weeds on the lot. B & E Investment is in the process of purchasing this property and feel like everything will be final in a couple of weeks. Staff recommends granting the owner 60 days to sell or demolish the property. Kevin Batten with B&E Investments then addressed the Board advising them he has been working with the owner for a couple of months to purchase this property. He said he thinks the closing will take place within two weeks. After discussion, Pamela Yungblut made a motion, which was seconded by Steve Ellinger, to grant the owner 60 days to sell. The motion unanimously passed.</p>			

Case No.	Address & Description	Owner	Board Action
08-009	1133 Houston Lot 23, Blk. 19, College Drive Replat, (JC Reese Rep), Abilene, Taylor County, Texas	Joe Van Rogers 75 Prospect Park W, Apt. 4A Brooklyn, NY 11215-3058	Granted 60 days to demolish the structure, remove debris and clean the lot.
<p>Mr. Prescott said the house needs paint, there is trash and debris on the lot, there are broken windows and overgrown shrubs and weeds, and the siding is falling off. Mr. Prescott said there had been no contact with the owners. Staff recommends granting 30 days to demolish. Ken West, who lives across the street from this property, advised the Board that the owner of this property died in 1995 or 1996. He said he was renting the house at that time and said he has been in possession of the house ever since. He said since the owner had no family or heirs, he understood there was a law of adverse possession that would kick in after 10 years. He said he has held on to the house and thought that when the 10 years was up he would be able to get the house in his name and fix it up to rent out or sell. He said that after talking with lawyers he found out this would be a lot harder and more expensive than he thought to get the house transferred to his name. He said he has been using this house as storage and would ask for 180 days to remove his property from this house. After discussion, Steve Ellinger made a motion to grant 60 days to demolish. The motion was seconded by Pamela Yungblut and unanimously passed.</p>			

Case No.	Address & Description	Owner	Board Action
08-031	501 Peach 11-12, 159 OT Abilene, Taylor County, Texas	Robert & Mary Knapp 501 Peach Abilene, TX 79602	Granted 60 days to sell or demolish the structure, remove and clean the lot.
<p>Mr. Prescott said the first time he was in this house, the Abilene Police Department was called because there was such a strong odor coming from the house they thought there might be a dead body inside. After looking all through the house, they could not determine where the odor was coming through. Mr. Prescott said the weeds were high, there is a dead tree falling on the house, and the house is in bad disrepair. Mr. Prescott said he had been unable to contact the owners. Staff recommends granting 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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. Lydia Long, who lives 2 blocks from this house, addressed the Board advising them this house has been vacant for 2 to 4 years. She said the neighbors have been trying to maintain this property by mowing and cleaning up the lot. Ms. Long said she and her neighbors have gone to great lengths to try to contact the owners of this property to see if they would be interested in selling it but have been unable to make contact with anyone. She said the house was continuously being broken into. Blanca Cortez then addressed the Board and said she is interested in buying the property if she can contact the owner. After discussion, Steve made a motion to grant 60 days to sell or demolish the structure. The motion was seconded by Pamela Yungblut and unanimously passed.</p>			

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Case No.	Address & Description	Owner	Board Action
08-022	1217 Cedar 22 203 1 E W2/3 Walsh, OT, ABL, Abilene, Taylor County, Texas	Alvarez Nestor Lewis 910 Cedar Abilene, TX 79601	Granted 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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 repairs inspected by the City.
<p>Mr. Prescott said this property recently sold. He said the new owners had cleaned up the lot, but there is still a lot of work to be done. He said the house was originally damaged by fire. Mr. Prescott said he had a consultation with the owners and advised them they need to obtain permits before doing any work. The owner is requesting 180 days to complete repairs. Staff recommends granting 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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. Yvonne, daughter of the owner, then addressed the Board advising them they had done a lot of clean up work and just need some additional time to complete repairs. After discussion, Pamela Yungblut made a motion to grant the owners 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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. The motion was seconded by Janet O'Dell and unanimously passed.</p>			

Case No.	Address & Description	Owner	Board Action
08-024	2541 S. 3rd W/2 of Lots 3-5, Blk. P, Mingus & Kenner, Abilene, Taylor County, Texas	Kenneth A. & Sharon Dennison PO Box 176 Blanchard, OK 73010-0176	Granted 60 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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 repairs inspected by the City.
<p>Mr. Prescott said this house had been damaged by fire and the kitchen area was especially damaged. He said Mrs. Cortez said they have purchased this property and she is just waiting for documentation to reflect this. Mr. Prescott said the City has had to re-secure the property after it was broken into. He said Mrs. Cortez is asking for 180 days to complete repairs. Staff recommends granting 60 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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. Blanca Cortez, the prospective purchaser, addressed the Board advising them they were in the process of getting the property ownership transferred into their names and when this is done, they will proceed with pulling permits and making repairs. After discussion, David Beard made a motion to grant the owners 60 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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. The motion was seconded by Pamela Yungblut and unanimously passed.</p>			

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Case No.	Address & Description	Owner	Board Action
08-025	1233 Park Lot 19, Blk. 4, Arthel Henson, Outlot 33, Abilene, Taylor County, Texas	Jose Martinez 2115 Parramore Abilene, TX 79603-5915	Granted 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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 repairs inspected by the City.

Mr. Prescott said this property recently changed owners. He said he spoke to the new owner about obtaining a building permit before he does any more work. He said the owner is making progress on repairs. He said there is a lot of rotted wood on the house that needs to be replaced. He said the owner is requesting 180 days to complete repairs. Staff recommends granting 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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. Jose Martinez, the new owner, addressed the Board advising them he has made several trips to the dump removing trash and debris, and he will take out a building permit after this meeting. After discussion, Steve Ellinger made a motion to grant the owner 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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. The motion was seconded by Pamela Yungblut and unanimously passed.

Case No.	Address & Description	Owner	Board Action
08-029	1617 Franklin E50 of W 178.6, Lot 23, Sidney Smith, Abilene, Taylor County, Texas	Alfredo P. Verastegui, Jr. 3772 Hickory Abilene, Texas 79601	Granted 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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 repairs inspected by the City.

Mr. Prescott said this house has rotted wood and broken windows. There is water damage to the overhang on the front porch. The owner is requesting 180 days to complete repairs. Staff recommends granting 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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. Alfredo Verastegui, owner of the property, addressed the Board stating they are trying to fix this property up and will need some additional time. After discussion, Steve Ellinger made a motion to grant the owner 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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. The motion was seconded by Pamela Yungblut and unanimously passed.

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Case No.	Address & Description	Owner	Board Action
08-030	1757 N. 8th St. N80' of Lot 2, DA Winters of Cannon, Abilene, Taylor County, Texas	Zacarias Serrato 3050 Orange Abilene, TX 79601	Granted 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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 repairs inspected by the City.

Mr. Prescott said there has been inadequate maintenance at this property, there is an illegal add-on on the second floor, and illegal substandard wiring throughout the house. Mr. Prescott said the owner has an open building permit and are requesting 180 days to complete repairs. Staff recommends granting 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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. Mrs. Serrato, one of the owners of this property addressed the Board advising them they want to repair the property and just need some additional time. After discussion, Pamela Yungblut made a motion to grant the owner 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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. The motion was seconded by Janet O'Dell and unanimously passed.

Case No.	Address & Description	Owner	Board Action
04-057	522 Apache Lot 522, Ft. Phantom Lake, Abilene, Jones County, Texas	Tommy Joe Higgins 1041 NW 5 th Hamlin, TX 79520	Granted 60 days to obtain 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 the owners are making good progress on repairs to this property. He said there were new steps on the mobile home, new plumbing work and the rotted wood has been replaced. He said the owners have done what the Board asked them to do the last time the case was before the Board. The owners are requesting 120 days to complete repairs. Staff recommends granting 60 days to obtain rough-in inspections and if this is done, grant an additional 60 days to complete repairs. Joe Higgins, owner of this property, addressed the Board stating they are committed to completing this work and just need additional time. After discussion, Pamela Yungblut made a motion to grant the owners 60 days to obtain rough-in inspections, and if this is done, grant the owner an additional 60 days to complete repairs. The motion was seconded by Janet O'Dell and unanimously passed.

Case No.	Address & Description	Owner	Board Action
07-092	1217 Pecan (garage only) N45' Lot 38, 208 1 B, Watson & Russell OT ABL, Abilene, Taylor County, Texas	Elvira Trinidad 534 Palm St. Abilene, TX 79602-1226	Tabled until November 2008 Meeting.

Mr. Prescott said that originally the owners were going to try and repair this garage and had pulled a permit to do that, but once they got started they realized they were better off demolishing the structure. The owners want to keep the slab that the garage was sitting on. He said there was a lot of trash and debris that was going to have to be removed from the lot. Staff recommends tabling this case until November 2008 to give the owners a chance to get the trash and debris removed. Elita Zapata addressed the Board advising them they would like to keep the slab so they can use it for a basketball court for their children. After discussion, David Beard made a motion to table this case until the November 2008 meeting. The motion was seconded by Janet O'Dell and unanimously passed.

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Case No.	Address & Description	Owner	Board Action
08-028	937 Pecan 1 189 Lambert & Porter OT 3, ABL, Abilene, Taylor County, Texas	Dolores Garcia 1029 S. 12 th St. Abilene, TX 79602-3814	Granted 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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 repairs inspected by the City.

Mr. Prescott said the roof is in bad condition, the floor is missing in a portion of the house, and there are broken windows. The owners are requesting 180 days to complete repairs. Staff recommends granting owners 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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. Martin Garcia, owner of the property, addressed the Board said they just need additional time to complete repairs. After discussion, Janet O'Dell made a motion to grant the owners 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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. The motion was seconded by Steve Ellinger and unanimously passed.

Case No.	Address & Description	Owner	Board Action
07-004	541 W. Washington Lot 3, 146 2-A Conrad-Menefee TIF #1, Abilene, Taylor County, Texas	Tricia Davis 22301 Hamilton Pool Rd. Dripping Springs, TX 78620	Granted 60 days to move, sell or demolish, remove debris and clean the lot.

Mr. Prescott said there has been no progress on repairs. The owner is requesting 90 days to sell or move the house. Staff recommends granting the owner 30 days to move, sell or demolish. After discussion, Steve Ellinger made a motion to grant the owner 60 days to sell, move or demolish. The motion was seconded by Pamela Yungblut and unanimously passed.

Case No.	Address & Description	Owner	Board Action
07-031	4034 Pine Abstract A0012, Sur. 83, L. Bowerman, Tract AKA Blk. J, Lot 4, Acres 1, Abilene, Taylor County, Texas	DCT Properties LLC 301 N. Treadaway Abilene, TX 79601-6020	Tabled until the December 2008 Meeting.

Mr. Prescott said he brought this case back to the Board before the time was up and Staff recommends tabling this case until the December 2008 meeting. The new owner has done a lot of clean-up on the lot and thinks he will be completed with this in a few weeks. After discussion, David Beard made a motion to table this case until the December 2008 meeting. The motion was seconded by Steve Ellinger and unanimously passed.

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Case No.	Address & Description	Owner	Board Action
08-001	1249 Locust Lot 14, 208 1 A. Watson & Russell OT ABL, Abilene, Taylor County, Texas	James D. Quinney 1249 Locust St. Abilene, TX 79602-3934	Granted 30 days to demolish structure, remove debris and clean the lot.
Mr. Prescott said this lot is completely overgrown with weeds and shrubs. There is rotted wood on the house, lots of trash and debris on the lot and the roof is in bad condition. Mr. Prescott has been unable to contact the owner and the City has continuously having to mow the lot. Staff recommends granting 30 days to demolish. After discussion, Steve Ellinger made a motion, which was seconded, to grant the owner 30 days to demolish the structure, remove debris and clean the lot. The motion unanimously passed.			

Case No.	Address & Description	Owner	Board Action
08-027	641 N. 8th St. Lot 9, 146 2B, Conrad & Menefee OT ABL TIF #1, Abilene, Taylor County, Texas	Kathryn Gray c/o Patricia Murray 941 Luzon St. Abilene, TX 79602-3019	Granted 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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 repairs inspected by the City.
Mr. Prescott said the Abilene Police Department has been called to this property on at least 2 occasions due to drug issues. The City has had to secure the property a number of times and people keep breaking into the house. There is rotted wood and the roof is in bad disrepair. Mr. Prescott said he had contact with someone right after it was condemned, and the lady told him the house had belonged to her mother and now belongs to her brother. He said he has not been able to contact them since then. Staff recommends granting 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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, Steve Ellinger made a motion to grant 30 days to submit a plan of action, with cost estimates, if this is done, grant an additional 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. The motion was seconded by Pam Yungblut and unanimously passed.			