

**Board of Building Standards
Minutes**

January 7, 2009

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, January 7, 2009, in the Council Chambers at City Hall, 555 Walnut, Abilene, Texas.

Board Members Present: Betty Bradley, Chairman
 Vanessa Faz
 David Beard
 Steve Ellinger
 Pamela Yungblut
 Lloyd Turner
 Matt Loudermilk

Visitors: Sherri McAuliffe
 Connie Jennings
 Mike Jeter
 Robert Lilly
 Deedra Frazier
 Mickel Garza
 Catarina Martinez
 Frances Cammack
 Kevin Batten
 David & Darlene Hedrick

Staff Present: James Prescott, Code Enforcement Officer
 Kelley Messer, Legal Department
 David Sartor, Building Official
 Alice Adams, Recording Secretary
 Ben Bryner

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 December 3, 2008 meeting. Steve Ellinger made a motion to approve the minutes of the meeting. The motion was seconded by Matt Loudermilk 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.

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Case No.	Address & Description	Owner	Board Action
08-058	702 Meander Lot 1 & 2, Blk. 4, Alta Vista, Abilene, Taylor County, Texas	Marvelee R. Norcross c/o Linda Rutherford 5510 Roundrock Rd. Garland, TX 75044	Granted 90 days to sell.

James Prescott, Community Enhancement Division, addressed the Board, advising them this house has been neglected for the last 10 to 15 years, and has a history of being unsecured with the City having to secure it. He said the house needs paint, some windows are broken and there is a swimming pool in the back yard with standing water, which has to be constantly treated for mosquitoes. Mr. Prescott went on to say the owner has passed away, and the daughter has inherited the house. He said there is a lot of interest in this house, but there is no "for sale" sign at the house so there is no number for anyone to call to make inquiries. The owner is requesting 180 days to sell the house and Staff recommends granting the owner 90 days to sell. Ben Bryner, with the Planning & Zoning Department, addressed the Board, advising them this property is listed on the Abilene Register of Historical Properties, and if a building or demolition permit is obtained on this property, it will have to be approved by the Landmark Commission which is the organization that oversees historical properties. He said since there have not been any permits issued for this property, they have not gone forward with a review of this site. Mr. Bryner said he just wanted the Board to be aware of the historical aspect of this property. Connie Jennings, who lives close to this property, advised the Board that this house has been vacant for 14 years. She said her concern is the swimming pool and the slide going into an empty swimming pool. She said children could get in the back yard and get hurt. She went on to say the owner has been saying she wants to sell the house for the last 5 years but has done nothing to try to get the house sold. After discussion, Steve Ellinger made a motion to grant the owner 90 days to sell the property. The motion was seconded by Pam Yungblut 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	Mickel Garza 2426 N. Mockingbird Abilene, TX 79603	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, if this is done, grant an additional 60 days to complete repairs and have the repairs inspected by the City, and also allow owner to keep the slab existing on the lot to use for non-structural purposes.

Mr. Prescott said that this is the property where the lady had problems getting a clear title, but after she was able to get the title, she sold it. He said the owner is replacing some siding on the exterior, which needs to be scrapped and painted. He said there were replacing the wall insulation on the interior. Mr. Prescott said they have demolished the back portion of the house that burned and the owner is going to request permission to keep the slab. He said the gas line going into the house is being replaced. Staff recommends granting 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, if this is done, grant an additional 60 days to complete repairs. Mickel Garza, owner of the property, addressed the Board, advising them he has done a lot of work on the house and needs additional time to complete the work. After discussion, David Beard 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, if this is done, grant an additional 60 days to complete repairs, and also allow owner to keep the slab existing on the lot to use for non-structural purposes. 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 or demolish the structure, remove debris and clean the lot.

Mr. Prescott said this property was damaged by fire. He said there is a potential buyer, but the sale has not been completed. He said he thinks the buyer is waiting for one or two signatures for the sale to be completed. Mr. Prescott said people are beginning to use this lot as a dumping ground and it is currently covered with trash and debris. Staff recommends granting 60 days to sell or demolish. Kevin Batten, the potential buyer, addressed the Board and advised them he is just lacking one signature to transfer the title of the property to him. He said he is working with Bill Bradshaw, a local attorney, to help him get the property transferred to his name. He said they are waiting for one son, who lives in California, to sign and return the papers. After discussion, Steve Ellinger made a motion to grant owner 60 days to sell or demolish the property. The motion was seconded by David Beard and unanimously passed.

Case No.	Address & Description	Owner	Board Action
08-053	5342 N. 9th St. Lot 19, Blk. H, Holiday Hills, Sec. 1, Cont., Abilene, Taylor County, Texas	Elmo Neal 5342 N. 9 th Abilene, TX 79603-5310	Granted 30 days for a plan of action, with cost estimates, if done, grant an additional 60 days to obtain all necessary permits and rough-in inspections, if done, grant an additional 60 days to complete repairs and have the repairs inspected by the City.

Mr. Prescott said this structure was damaged by fire. The ceiling has fallen in on a portion of the house and there is trash and debris on the front porch and in the back yard. Mr. Prescott said he has never had contact with the owner but he has talked to a third party asking what the owner needs to do. He suggested telling the owner to put up a "for sale" sign if owner was unable to repair the property, but to his knowledge, this has not been done. Staff recommends granting owner 30 days for a plan of action, with cost estimates, if done, grant an additional 60 days to obtain all necessary permits and rough-in inspections, if done, grant an additional 60 days to complete repairs. Deedra Frazier then addressed the Board stating this property belonged to her mother, who is currently living with her. She said her mother is bedridden. She said she and her mother are both physically unable and do not have the resources to repair this property. She said she would be willing to sell the house. Robert Lilly addressed the Board, advising them he is a community organizer and takes an interest in the North 9th community. He said that there is a basketball court very close to this house and there are illegal activities going on in this neighborhood. He said that some drug dealers stash their drugs in vacant houses and he said this is a concern since children are playing close by. He said he felt this house represented a hazard. Pamela Yungblut made a motion to accept the Staff's recommendation and grant the owner 30 days for a plan of action, with cost estimates, if done, grant an additional 60 days to obtain all necessary permits and rough-in inspections, if done, grant an additional 60 days to complete repairs. The motion was seconded by Matt Loudermilk and unanimously passed.

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Case No.	Address & Description	Owner	Board Action
08-054	2126 N. 8th St. Lot 7, Blk. 14, Lakeside Addn., Abilene, Taylor County, Texas	Paulene Kreuer and Eugene Elliott 2126 N. 8 th St. Abilene, TX 79603	Granted 30 days for a plan of action, with cost estimates.

Mr. Prescott said there is a lack of adequate maintenance at this property. He said it appears to have been vacant for a long time. He said there is illegal wiring, missing siding and the roof is in bad condition. Mr. Prescott said he has been unable to contact the owners. Staff recommends granting 30 days for a plan of action, with cost estimates, if done, grant an additional 60 days to obtain all necessary permits and rough-in inspections, if done, grant an additional 60 days to complete repairs. Sherri McAuliffe, who lives close to this property, addressed the Board advising them this house has been vacant for at least 10 years. She passed some pictures around showing the high grass and weeds located on this lot during the growing season. After a lengthy discussion, David Beard made a motion to grant the owner 30 days for a plan of action, with cost estimates. The motion was seconded by Pamela Yungblut and passed, with Betty Bradley and Steve Ellinger opposing.

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 repairs to the interior of this property are almost complete. He said the owner of this property is elderly and her brother, who is also elderly, is doing repairs so nothing progresses very quick. He said that the exterior of the house is almost complete and a consultation is scheduled with the owner's brother for Friday, Jan. 9, 2009. Staff recommends granting 30 days to complete repairs. After discussion, Matt Loudermilk made a motion to grant the owner 30 days to complete repairs. The motion was seconded by David Beard and 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 the repairs to this property were almost complete. All they are waiting on is a mechanical final and a building final. The owners asked for a 30 day extension and Staff had no objection. Pam Yungblut made a motion to grant the owners 30 days to complete repairs. The motion was seconded by Steve Ellinger 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	Janie Villanueva 1842 Beech Abilene, TX 79601	Granted 90 days to sell or demolish the property, remove debris and clean the lot.

Mr. Prescott said the owner of this property originally wanted to move the house off the lot, but decided they were not financially able to move the house. They are trying to sell the house to be moved. Someone broke into the house and the City contractor had to secure the window. Staff recommends granting 90 days to sell or demolish. After discussion, Steve Ellinger made a motion to grant the owner 90 days to sell or demolish the structure. The motion was seconded by Vanessa Faz and unanimously passed.

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Case No.	Address & Description	Owner	Board Action
07-104	1458 N. 18th St. 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 obtain all necessary permits and if this is done grant an additional 30 days to obtain rough-in inspections, if done, grant an additional 60 days to complete repairs and have the repairs inspected by the City.

Mr. Prescott said this property is plagued with transients and drug users. The City contractor secured the house and someone has already broken back into it. There is not much happening with this property other than some foundation repairs and electrical work. Siding is missing on the exterior and the lot is over-grown with grass and weeds. 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 30 days for rough-in inspections, if done, grant an additional 60 days to complete repairs. After discussion, Pamela Yungblut made a motion to grant owners 30 days to obtain all necessary permits and if this is done grant an additional 30 days to obtain rough-in inspections, if done, grant an additional 60 days to complete repairs. The motion was seconded by Matt Loudermilk and unanimously passed.

Case No.	Address & Description	Owner	Board Action
08-006	1117 Mulberry 4 204 4-G Hughes OT ABL, Abilene, Taylor County, Texas	Victor Durrington 3010 Salinas Dr. Abilene, TX 79605	Granted 30 days to complete repairs and have the repairs inspected by the City.

Mr. Prescott said the owner of this property has started repairing this property, but there are still repairs to be done. There is a broken window and rotted wood on the exterior. No written request for an extension of time was submitted, but the owner called Mr. Prescott and requested a 30 day extension. Staff has no objection to this request. After discussion Lloyd Turner made a motion to grant the owner a 30 day extension to complete repairs. The motion was seconded by Vanessa Faz and unanimously passed.

Case No.	Address & Description	Owner	Board Action
08-007	2133 Clinton (Garage Only) N34' of Lot 13 & S23.82' of Lot 14, Blk. 46, College Heights, Abilene, Taylor County, Texas	Guy Toland 2133 Clinton Abilene, TX 79603	Granted 30 days to complete repairs and have the repairs inspected by the City, or demolish the structure, remove debris and clean the lot.

Mr. Prescott said this condemned property consisted of a little garage that caught fire. The owners demolished a portion of the structure, but want to repair the remainder. The owner has not made any progress on repairs since the last time the case was before the Board. The owner is requesting 180 days to complete repairs. Staff recommends granting 90 days to complete repairs or demolish the structure. After discussion, Pamela Yungblut made a motion to grant the owner 30 days to complete repairs or demolish the garage. The motion was seconded by Steve Ellinger and unanimously passed.

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Case No.	Address & Description	Owner	Board Action
08-010	533 Peach W 95' Lot 8, 159 OT, Abilene, Taylor County, Texas	Alfredo & Bianca Cortez 2101 Redbud Odessa, TX 79761	Granted 30 days for a plan of action, with cost estimates, if done, grant an additional 60 days to obtain all necessary permits and rough-in inspections, if done, grant an additional 60 days to complete repairs and have the repairs inspected by the City.

Mr. Prescott said this property was purchased at a tax auction. He said not much has been done since the last time the case was before the Board. Previously, vagrants had been living in the front part of the house. The new owners are requesting 180 days to complete repairs. Since these are new owners, Staff recommends granting owners 30 days for a plan of action, with cost estimates, if done, grant an additional 60 days to obtain all necessary permits and rough-in inspections, if done, grant an additional 60 days to complete repairs. After discussion Steve Ellinger made a motion to allow 30 days for a plan of action, with cost estimates, if done, grant an additional 60 days to obtain all necessary permits and rough-in inspections, if done, grant an additional 60 days to complete repairs. The motion was seconded by Matt Loudermilk 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, or demolish the structure, remove debris and clean the lot.

Mr. Prescott said there has been no contact with the owner. The porch is caving in, there is a lot of rotted wood, there is illegal wiring and the City contractor had to secure the property. The lot is covered with trash and debris. Staff recommends granting 30 days to provide a plan of action or demolish. After discussion, Matt Loudermilk made a motion to grant 30 days for a plan of action, with cost estimates, or demolish the structure. The motion was seconded by Vanessa Faz and unanimously passed.

Case No.	Address & Description	Owner	Board Action
08-055	2126 Grape Lot 5, Blk. 38, College Heights, Abilene, Taylor County, Texas	A&M Heritage Holdings LDT dba A & M Investments 1250 NE Loop 410, #499 San Antonio, TX 78209	Granted 30 days to clean the lot and if done, an additional 30 days to sell or donate the property.

Mr. Prescott said this property was damaged by fire. He said the owner secured the house. Mr. Prescott said the lot is covered with old tires, trash and debris. Staff recommends granting the owner 60 days to sell or donate the property. After discussion, David Beard made a motion to grant the owners 30 days to clean the lot and if done, an additional 30 days to sell or donate the property. The motion was seconded by Lloyd Turner and unanimously passed.

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Case No.	Address & Description	Owner	Board Action
08-057	966 Nelson Lot 18, Blk 3, Meadowbrook Addn., Abilene, Taylor County, Texas	Albert & Olivera Dobbins 966 Nelson Abilene, TX 79601-4422	Granted 30 days for a plan of action, with cost estimates, if done, grant an additional 60 days to obtain all necessary permits and rough-in inspections, if done, grant an additional 60 days to complete repairs and have repairs inspected by the City.

Mr. Prescott said this property has been vacant for a number of years. The City contractor has had to secure the property on numerous occasions. There has been no contact with the owners. Mr. Prescott said Gary Corpian contacted him and said he purchased this property at the tax auction and Mr. Prescott told him he needed to provide some documentation showing this. To date, this has not been done. Staff recommends granting owner 30 days for a plan of action, with cost estimates, if done, grant an additional 60 days to obtain all necessary permits and rough-in inspections, if done, grant an additional 60 days to complete repairs. After discussion, Steve Ellinger made a motion to grant the owner 30 days for a plan of action, with cost estimates, if done, grant an additional 60 days to obtain all necessary permits and rough-in inspections, if done, grant an additional 60 days to complete repairs. The motion was seconded by Matt Loudermilk and unanimously passed.

Case No.	Address & Description	Owner	Board Action
08-059	2937 S. 2ND St. (accessory bldg. only) Lot 12, Blk. 8, Scott Highway Place, Abilene, Taylor County, Texas	Jacqueline & Socorn Ponce 1202 Beverly Dr. Garland, TX 75040-8110	Granted 30 days to complete demolition, which includes removing the slab.

Mr. Prescott said the main house at this property burned down about 20 years ago. He said the owners demolished the main house but left some rock walls to the accessory building that were 6 to 7 feet high. Some of the walls were starting to fall in. When the notice went out for this Board meeting, the owner tore the rock walls down to about 6 to 8 inches high. There is also a concrete slab on the lot. The owner obtained a demolition permit and said she had torn the walls down so the demolition was complete. Mr. Prescott explained to her that the slab had to be removed before the demolition permit could be closed out. The owner is requesting 90 days to complete the demolition and be allowed to keep the slabs. Staff recommends granting 30 days to complete the demolition. After discussion, David Beard made a motion to grant 30 days to complete the demolition, which includes removing the slab. The motion was seconded by Pamela Yungblut and unanimously passed.

Case No.	Address & Description	Owner	Board Action
08-060	1141 S. 14th St. W146.3' Lot 1, less N8', Blk. C, Ledbetter, Abilene, Taylor County, Texas	Mrs. M.L. Ellis c/o Kaye Williams 1443 CR 335 Burnett, TX 78611-4955	Granted 90 days to sell.

Mr. Prescott said this property consisted of a main house and two accessory buildings. The roof is bad and there is a lot of water damage on the interior and exterior siding. There is an opening which allows access under the house. Mr. Prescott said the owner has put out a little "for sale" sign. She is requesting 180 days to sell the property. Staff recommends granting the owner 90 days to sell. After discussion, Lloyd Turner made a motion to grant the owner 90 days to sell the property. The motion was seconded by Vanessa Faz and unanimously passed.