

**Board of Building Standards
Minutes**

March 4, 2009

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, March 4, 2009, in the Council Chambers at City Hall, 555 Walnut, Abilene, Texas.

Board Members Present: Betty Bradley, Chairman
 Vanessa Faz
 David Beard
 Steve Ellinger
 Delbert Allred
 Perry Haynes
 Matt Loudermilk

Visitors: J. Thompson
 Luis Rodriquez
 Sonia & Zack Serrato
 Joe Higgins
 Adam Abarrera
 Cherri Hillyard
 Deann Powers
 William Boyd
 Francis Commack
 Howard Moses
 Allen Frazier
 Wendy Cripps
 Janet L. Hawkins
 Paula Kirkland
 Patrick Batton
 Officer Jim Craft
 Darrin Stroup
 Pedro Lopez

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 February 4, 2009 meeting. Perry Haynes made a motion to approve the minutes of the meeting. The motion was seconded by Vanessa Faz and unanimously passed.
3. The next item to come before the Board was consideration, with possible action, regarding the request of Mark Bowdoin and Warren Goldsmith, to appeal the condemnation of the rear building located at 641 Chestnut, Abilene, Texas. James Prescott with the Community Enhancement Division addressed the Board, advising them this is the rear building on this lot. He said the roof on this building is in bad condition, there is rotted wood and the exterior needs weatherization. The owners were not present. David Beard made a motion to uphold the condemnation of the building. The motion was seconded

by Perry Haynes and unanimously passed.

4. CASES FOR REHABILITATION OR DEMOLITION:

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 90 days to complete repairs and have the repairs inspected by the City.
<p>Mr. Prescott said the owners have done lots of work on this property. He said electrical work has been done, and the hut out back has been painted and secured. The owners are requesting 90 days to complete repairs and Staff has no objection to this. Joe Higgins, the owner of the property, addressed the Board and said he feels they will be finished with repairs in a couple of months. Jimmy McDonald made a motion, which was seconded by Delbert Allred, to grant the owner 90 days to complete repairs. The motion unanimously passed.</p>			

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	Dury Giles 1115 Overland Stage Rd. Dripping Springs, TX 78620	Granted 30 days to provide a plan of action, with cost estimates.
<p>Mr. Prescott said nothing has changed at this property since the last meeting, other than some siding had fallen off the house. He said the property recently sold. He said there is rotted wood and a lack of maintenance at this property. The owner did not make a request for an extension. Staff recommends granting 30 days for a plan of action. Johnny Thompson then addressed the Board, advising them he is interested in purchasing this property but wanted to see what the Board was going to do with the property before purchasing it. Perry Haynes made a motion to grant 30 days for a plan of action, with cost estimates. The motion was seconded by David Beard and unanimously passed.</p>			

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
08-065	1041 Lillius Lot 12, Blk. 10, Lakeside Addn., Abilene, Taylor County, Texas	Soto & Maria Esparza PMB 5301 233 Paulin Ave. Calexico, CA 92231- 2615	Table until the April 1, 2009 Meeting.
<p>Mr. Prescott said this case was tabled from the March meeting. He said nothing has changed since that meeting, but there is a police officer in attendance who is going to speak about the criminal activity taking place at this residence. He said the house is bad repair, there are mattress and sleeping bags on the back patio and beer bottles on the lot. Staff recommends granting 30 days for a plan of action, sell or demolish the property. Officer Jim Craft, with the Abilene Police Department, then addressed the Board, advising them the Police Department has had trouble with this property for at least the last 2 years. He said there was drug activity and gang activity at this address. Officer Craft went on to explain some of the problems that have been going on at this property. He said one of the problems was tampering with the electrical meter, taking bare wires, stripping the ends and getting illegal electricity. Officer Craft said the owner has been informed of this criminal activity going on at this property and he has been informed that if it continues, he may have to put up a bond on this house. Paula Kirkland then addressed the Board stating she has been in contact with the owner because she and her husband are interested in purchasing the home. She said her husband is a pastor and has a church close to this property. They are trying to get the area cleaned up and they already own a couple of our houses on this street. She said she has been in touch with First Financial Bank and made an offer on the house and they have accepted the offer. She said she has an appointment for a meeting with an attorney to draw up a Contract of Sale on 3/5/09. She said the owners are in Mexico. Howard Moses, who lives across the street from this house, said the house has been nothing but a headache and there is constant criminal activity at this property. He said the grass is always high and he mows it to keep from having accidents at the stop sign. He said even though the house is condemned, there is still crime</p>			

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and drug activity at this property. David Beard made a motion to table the case April 1, 2009 meeting. The motion was seconded by Steve Ellinger and passed, with Vanessa Faz abstaining.

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 30 days to complete repairs and have the repairs inspected by the City.

Mr. Prescott said this property was originally damaged by fire. He said the property is really looking nice and the owners thought they would be completed with repairs by this meeting and didn't ask for an extension. Staff recommends granting 30 days to complete repairs. Deann Powers, owner of the property, then addressed the Board and said she felt the repairs will be completed in about a week. After discussion, Steve Ellinger made a motion to grant the owner 30 days to complete repairs. The motion was seconded by Delbert Allred and unanimously passed.

Case No.	Address & Description	Owner	Board Action
07-086	1842 Clinton Blk. 57, Lot 1, College Heights Addn., Abilene, Taylor County, Texas	Jose Sotelo, Sr. PO Box 470043 Tulsa, OK 74146	Granted 90 days to complete repairs and have repairs inspected by the City.

Mr. Prescott said the exterior of the house is almost complete. He said the work left to be done is interior work. Owner is requesting 90 days to complete repairs and Staff has no objection to this. Adam Barrera, son-in-law of the owner, addressed the Board, advising them they should be through with the house in 90 days. Delbert Allred made a motion, which was seconded by Vanessa Faz, to grant owners 90 days to complete repairs. The motion unanimously passed.

Case No.	Address & Description	Owner	Board Action
07-095	1142 Butternut Lot 6, Blk. 7, Bellevue Ridge, Davis Bros., Abilene, Taylor County, Texas	William Boyd 348 FM 126 Merkel, TX 79536-4302	Granted 30 days for a plan of action, with cost estimates, and if this is not done, allow 30 additional days to demolish the structure, remove debris and clean the lot; but if the plan of action is provided within the 30 days, the owner will be granted an additional 60 days to obtain all necessary permits and rough-in inspections, and if this is done, grant an additional 60 days to complete repairs and have repairs inspected by the City..

Mr. Prescott said the lot needs to be mowed, there is a lot of rotted wood, and there is trash on the lot. There is a mobile home behind this building which has been ordered demolished, but because of a large tree that needs to be removed before the mobile home can be removed, the City demolition service is going to wait and see what the Board determines to do with the front house. The City contractor has been called to secure this structure on numerous occasions because of people breaking into the building. Mr. Prescott said he and the new owner are supposed to meet during the next week to go over what needs to be done with this property. Staff recommends granting owner 30 days for a plan of action, with cost estimates, and if this is not done, allow 30 additional days to demolish the property; but if the plan of action is provided within the 30 days, the owner will be granted 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. William Boyd, the new owner of the

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property, addressed the Board, advising them “bums” keep breaking into the structures. He said he plans on repairing the property and renting it. He further said he plans on moving the mobile home out. After discussion, Perry Haynes made a motion to grant the owner 30 days for a plan of action, with cost estimates, and if this is not done, allow 30 additional days to demolish the structure, remove debris and clean the lot; but if the plan of action is provided within the 30 days, the owner will be granted an additional 60 days to obtain all necessary permits and rough-in inspections, and if this is done, grant an additional 60 days to complete repairs and have repairs inspected by the City. The motion was seconded by Vanessa Faz and unanimously carried.

Case No.	Address & Description	Owner	Board Action
07-102	618 N. 16th 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 obtain mechanical and plumbing permits, and if this is done, grant an additional 60 days to complete repairs and have repairs inspected by the City.
Mr. Prescott said the house is secure and there has been some electrical work done. There is a storm cellar on the lot that is secure. Staff recommends granting the owner 30 days to obtain mechanical and plumbing permits and if this is done, grant an additional 60 days to complete repairs. Luis Rodriquez, owner of this property, addressed the Board, advising them he is trying to get the repairs completed, but it is just taking him a little time. After discussion, Jimmy McDonald made a motion to grant the owner 30 days to obtain mechanical and plumbing permits, and if this is done, grant an additional 60 days to complete repairs. The motion was seconded by Perry Haynes and unanimously passed.			

Case No.	Address & Description	Owner	Board Action
08-022	1217 Cedar 22 203 1 E W2/3 Walsh, OT, ABL, Abilene, Taylor County, Texas	Lewis Alvarez 910 Cedar Abilene, TX 79601	Granted 60 days to obtain all 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 there was an electrician working on site when he took the pictures. He said the owners were making good progress with repairs. He said the owners are putting on a new metal roof. Owner requested 120 days to complete repairs. Staff recommends granting 60 days to obtain all rough-in inspections, and if done, grant another 60 days to complete. Windy Cripps, friend of the owner, addressed the Board stating Mr. Alvarez just needs additional time to complete repairs. Delbert Allred made a motion to accept Staff’s recommendation and grant the owner 60 days to obtain all rough-in inspections, and if this is done, grant an additional 60 days to complete repairs. The motion was seconded by David Beard and unanimously passed.			

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 obtain all necessary permits and if done grant an additional 90 days to complete repairs and have the repairs inspected by the City.
Mr. Prescott said the house still has some rotted wood and some additional stucco work needs to be done. He said owners have removed the dilapidated carport structure. Mr. Prescott said that lots of work has been done in the interior. The second floor structure will be kept for storage so there is still more work to be done on that. Owner is requesting 180 days to complete repairs. Staff recommends granting 30 days to obtain all necessary permits and if done, grant an additional			

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60 days to complete repairs. Zacarias Serrato, owner of the property, addressed the Board and advised them he just needs a little more time. After discussion, Jimmy McDonald made a motion to grant the owner 30 days to obtain all necessary permits and if done, grant an additional 90 days to complete repairs. The motion was seconded by Perry Haynes and unanimously carried.

Case No.	Address & Description	Owner	Board Action
08-033	1857 Sycamore Lot 9 & 10, Blk. 14, Belmont Addn., Abilene, Taylor County, Texas	James Robert Miller 1421 Ainslee St. Midland, TX 79701-3920	Granted 60 days to sell.

Mr. Prescott said that in some areas on the house the brick is pulling away. He said the owners are actively trying to sell the property. Mr. Prescott said when the house was originally condemned it was so full of furniture and other items that you could hardly walk through it. He said the owners have been working on the cleaning out the structure and have made good progress on this. The owner is requesting 60 days to sell and Staff has no objection to this. Janet Hawkins, who is related to the owner, addressed the Board, advising them that the probate of her husband's grandfather's estate has been completed. She said when they took control of the house they had to clean it out. She said she has a list of 12 people interested in purchasing the property and they just need to finish getting it emptied. David Beard made a motion to grant the owner 60 days to sell the house. The motion was seconded by Jimmy McDonald and unanimously passed.

Case No.	Address & Description	Owner	Board Action
08-035	1509 Truman E70' W609' Lot 25, Sidney Smith, Abilene, Taylor County, Texas	Cherri Donell Hillyard 1509 Truman St. Abilene, TX 79601-1217	Granted 30 days to complete the sale.

Mr. Prescott said the interior of the house was full of junk and there are broken windows and rotted wood on the exterior. The lot is full of debris. Mr. Prescott said there was a lot illegal wiring on the lot. Staff recommends granting 30 days for a plan of action, sell or demolish the property. Cherri Hillyard, owner of the property, addressed the Board and advised them she has sold the property and is in the process of getting the paper work completed. She said she feels this can be done within the next 30 days. Darrin Stroup then addressed the Board, stating he is going to purchase the property, but it will take him some time to complete repairs. After discussion, Perry Haynes made a motion to grant the owner 30 days to complete the sale. The motion was seconded by Vanessa Faz and unanimously passed.

Case No.	Address & Description	Owner	Board Action
08-068	1225 Cherry 9 209 1 T, JS Johnston OT ABL, Abilene, Taylor County, Texas	Daisy Marlene Lopez 1318 Cherry Abilene, TX 79602	Granted 60 days to sell.

Mr. Prescott said the exterior needs weatherization, there is rotted wood throughout the property, and inadequate maintenance. He said the owner has been cleaning the lot but there is still a lot of trash and debris. There is a storm cellar on the lot that was secured by the City contractor. Owner is requesting 180 days to complete repairs. Staff recommends granting 30 days to provide a plan of action, and if done, grant 60 days to obtain permits and rough-in inspections and if this is done, grant an additional 60 days to complete repairs. Pedro Lopez, owner of the property, addressed the Board advising them he has been working out of town a lot and is just not going to have time to do repairs. He said maybe he would just give the property to the City, and was told he needed to talk to the City land agent. After discussion regarding the owner's possibility of selling the property, David Beard made a motion to grant the owner 60 days to sell. The motion was seconded by Perry Haynes and unanimously passed.

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Case No.	Address & Description	Owner	Board Action
08-072	1741 S. 4th St. Lot 7, 185 2, Haynes ABL OT Abilene, Taylor County, Texas	David Dalzell TR 809 US Highway 80 E Abilene, TX 79601	Granted 90 days to complete repairs and have repairs inspected by the City.

Mr. Prescott said when the property was originally condemned, there was an over-hang on the porch that was about to fall down, and it has been removed. He said there were a lot of shrubs on the side of the house and these have been removed. He said the owner thought this would be completed before this meeting so did not request an extension. Staff recommends granting the owner 30 days to complete repairs. Allen Frazier, Chief of Maintenance for Dalzell Realtors, addressed the Board and said they have found more damage than they originally thought. He said they have had to do foundation work and would like to request a 90 day extension. After discussion, Jimmy McDonald made a motion, which was seconded by David Beard, to grant the owner 90 days to complete repairs. The motion passed, with Delbert Allred abstaining because he works for Dalzell Realtors.

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 complete repairs and have the repairs inspected by the City.

Mr. Prescott has had no luck in contacting the owners or the owners' representatives. He said he has left a business card at the house where the owners live, but has not received any reply. He said there has been no progress on repairs since the last time it was before the Board. Mr. Prescott said he understands the contractor took the money set aside for these repairs and did not complete repairs. The owners did not make a request for an extension of time. Staff recommends granting 60 days to complete repairs. After discussion, David Beard made a motion to grant the owner 60 days to complete repairs. The motion was seconded by Vanessa Faz and unanimously passed.

Case No.	Address & Description	Owner	Board Action
08-039	1809 Highland S60' of Lot 7, Blk. 6, Frank E. Smith of Blvd. Hts, Abilene, Taylor County, Texas	Anita Whitman c/o Maryann Chavez 1017 Fannin Abilene, TX 79603-4838	Granted 30 days for a plan of action, with cost estimates, sell or demolish the structure, remove debris and clean the lot.

Mr. Prescott said the owners had originally tried to sell this property, but have not listed it with a realtor. He said there is damage on the interior ceiling due to water damage. He said there are trees rubbing the house and vines are growing into the siding. He said there just has not been any maintenance at this property in a long time. The owner has not submitted an extension request. Staff recommends granting the owner 30 days to provide a plan of action, with cost estimates, sell or demolish the structure. After discussion, Delbert Allred made a motion to accept Staff's recommendation and grant the owners 30 days for a plan of action, with cost estimates, sell or demolish the structure, remove debris and clean the lot. The motion was seconded by Jimmy McDonald and unanimously passed.

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Case No.	Address & Description	Owner	Board Action
08-067	1773 State N 85' of Lot 1, Blk EN Kirby Sub., W.G. Cannon Addn., Abilene, Taylor County, Texas	Michael Renfro 1773 State Abilene, TX 79603-6030	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 repairs inspected by the City.
<p>Mr. Prescott said this property had originally been financed by A&M Investments out of San Antonio, and they have recently foreclosed on the note. The roof has damage, there is missing wood on the exterior, the front steps are partially missing and there is a strong smell coming from the house. The lot is covered with limbs, trash and debris. Mr. Prescott said there were indications transients are staying there at night. Mr. Prescott said he has had some conversations with A&M Investments and they are making plans to come to town next week and will meet with Mr. Prescott. Owner is requesting 180 days to complete repairs. Staff recommends granting 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. After discussion, Jimmy McDonald made a motion to grant the owners 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. The motion was seconded by Delbert Allred, and unanimously passed.</p>			

Case No.	Address & Description	Owner	Board Action
08-070	1325 Fannin Lot 25, Blk. B, Cont. 1, Crescent Heights, Abilene, Taylor County, Texas	Mamie Lee Williams 1325 Fannin Abilene, TX 79603	Granted 30 days for a plan of action, with cost estimates.
<p>Mr. Prescott said the City contractor has secured the property. He said all the windows in the house have been broken out, the ceilings are falling down, and there is trash and debris on the lot. Mr. Prescott said there is a bad smell coming from the house so he called the Abilene Police Department to meet him at the house and go through it, but finally determined there was a dead animal under the house. Mr. Prescott said he has never had any contact with the owner of this property. Staff recommends granting 30 days for a plan of action. Patrick Batton then addressed the Board, advising them he might be interested in purchasing this property to repair. After discussion, David Beard made a motion to grant the owner 30 days to provide a plan of action, with cost estimates. The motion was seconded by Perry Haynes and unanimously passed.</p>			