

Board of Building Standards Minutes

August 5, 2009

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, August 5, 2009, in the Council Chambers at City Hall, 555 Walnut, Abilene, Texas.

Board Members Present: Betty Bradley, Chairman
Perry Haynes
David Beard
Wayland Schroeder
Pamela Yungblut
Matt Loudermilk
Vanessa Faz

Visitors: Rosemary Rivera
Rob Mason
Nancy Casey
James, representative for mobile home park owner
Joe Foreman
Brian McNally
Juan Tabullo
Zacarias Serrato
Nancy Lozano
Richard Cortinaz
Scott Kemp
Thomas & Glenda Crain
Ernesto Valodez
Lydia Long
Connie Jennings
Jo Jones
Alton Smith
Nellie Tillman
Scott Tillman
Rosalba Serrato
Angel Marquez
Bill Minter
Georgia Sanders
Raul Lozano
Alan Olson
James Dane

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

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 July 1, 2009 meeting. Pam Yungblut made a motion to approve the minutes of the meeting. The motion was seconded by Wayland Schroeder and unanimously passed.

3. The first case that came before the Board was consideration, with possible action, regarding the request of Glenda and Thomas Crain, to appeal the condemnation of the structure located at 2241 Melrose St., Abilene, Texas. James Prescott of the Community Enhancement Division addressed the Board, advising them the structure has missing siding, inadequate weatherization, water damage on the windows and on the interior of the house, inadequate electrical work and the lot is covered with high weeds. Glenda Crain, one of the owners of this property, told the Board that they have torn the old garage down and had someone scrap the house, getting it ready to paint. She has requested bids for making the repairs on the electrical and plumbing systems. Thomas Crain, the other owner of this property, addressed the Board stating he has started putting up insulation on the interior of the house, and has also replaced some rotted boards. He said he has also done some electrical work in the house. He said the water damage in the house has come in through the windows and that the roof does not leak. He said he knew the weeds were high, but he developed an allergy and can't mow. Alton Smith then addressed the Board, stating that he has remodeled over 200 houses in Abilene and the house just needs a paint job. He said he doesn't think these people should not be threatened with having their house torn down. After becoming very argumentative, Mr. Smith was asked to sit down.

Raul Lozano then addressed the Board, advising them he is the owner of the house next door to this property. He said he has started having trouble with rodents which are coming from this house and would just like to see the property cleaned up and brought up to code. Nancy Lozano then addressed the Board. She said she lives next door to this property and feels that if the property is not condemned, it will just stay like it is. She said the house is in poor condition and she has rodents coming from that house into her back yard. She said she doesn't have problems with her neighbors; she just wants the property cleaned up. She feels that her property value will go down with this house next door. She said the house has been vacant for at least 10 years. She also gave the Board a letter from another neighbor who couldn't be here, complaining about this property. After discussion, David Beard made a motion to uphold the condemnation of this property. The motion was seconded by Perry Haynes and unanimously passed.

4. CASES FOR REHABILITATION OR DEMOLITION:

Case No.	Address & Description	Owner	Board Action
06-041	2333 Hardy & rear apt. Blk. D, Lots 5 & 13.65' Lot 6 & W5', Sff.1' of Lot 8, Abilene, Taylor County, Texas	Kirkman Revocable Trust Juanita Gonzalez 1399 Vine St. San Jose, CA 95110	Granted 90 days to complete repairs and have the repairs inspected by the City.

Mr. Prescott advised the Board that this house was originally damaged by fire. He said the owners are making good progress on repairs, but did not turn in a written extension request form. He said the owners are about at the half-way point of completing repairs. Staff recommends granting the owners 60 days to complete repairs. Ernest Valodez addressed the Board, advising them this is his mother's house. He said they just need a little more time to complete these repairs, and would like to request 4 months to finish repairs. After discussion, Pamela Yungblut made a motion to grant the owner 90 days to complete repairs. The motion was seconded by Vanessa Faz and unanimously passed.

Case No.	Address & Description	Owner	Board Action
06-051	2442 Simmons (rear bldg only) Blk. 1, S50', E150' of Lot 18, North Park Addn. N/2, Abilene, Taylor County, Texas	Chano A. Rivera c/o Rosemary Rivera 2224 Alston Ave. Ft. Worth, TX 76110	Granted 90 days to complete repairs and have the repairs inspected by the City.

Mr. Prescott said this is a small rock structure behind the main house. A lot of work has been done at this property. He said there was still some work to be done to separate the water lines going to this house away from the main house. Staff recommends granting 60 days to complete repairs, and the owner is asking for 90 days. Alan Olson, who is married to the owner of this house, addressed the Board. He said there were some problems with the water hook-up, which has to be corrected, and said he needs 90 days to complete the repairs. After discussion, Pamela Yungblut made a motion, which was seconded by David Beard, to grant the owner 90 days to complete the repairs. The motion unanimously passed.

Case No.	Address & Description	Owner	Board Action
07-107	3634 Swenson WT McQuary of North Pk, Block C, Lot 3, Taylor County, Texas	Richard Cortinaz 2966 Beech Abilene, TX 89601	Granted 30 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 there is new siding on the structure and the porch has been removed. Staff recommends granting 30 days to obtain all rough-in inspections, and if this is done, grant an additional 60 days to complete repairs. The owner did not turn in the written extension request form. Richard Cortinaz, owner of this property, addressed the Board, asking for an additional 90 days to complete repairs. After discussion, Perry Haynes made a motion to grant the owner 30 days to obtain rough-in inspections, and if this is done, grant an additional 60 days to complete repairs. The motion was seconded by Wayland Schroeder 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 rough-in inspections, and if done, grant an additional 90 days to complete repairs and have repairs inspected by the City.

Mr. Prescott said the owners have put up a new fence and the siding is being removed and replaced by stucco. The owner is requesting 180 days to complete repairs. Staff recommends granting 30 days to obtain all rough-in inspections and if this is done, grant an additional 60 days to complete repairs. Zacarias Serrato, owner of this property, addressed the Board stating he needs more time to complete repairs. After discussion, Pamela Yungblut made a motion to grant owner 30 days to obtain rough-in inspections and if this is done, grant an additional 90 days to complete repairs. The motion was seconded by Matt Loudermilk and unanimously passed.

Case No.	Address & Description	Owner	Board Action
08-058	702 Meander Lot 1 & 2, Blk. 4, Alta Vista, Abilene, Taylor County, Texas	Scott Tillman 2209 Palm Abilene, TX 79602	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 90 days to complete repairs and have the repairs inspected by the City.

Mr. Prescott said a new owner has purchased the property and has obtained a building permit. The new owner has also started cleaning the lot. The house has broken windows, needs weatherization and has some roof problems. The owner did not turn in a request for an extension of time 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. Scott Tillman, the new owner of the property, addressed the Board telling them they have been cleaning up the lot and are pulling off rotten boards so they can be replaced. He said he has already obtained bids on the roof and the rest of the house seems to be in good condition. He said he would like 180 days to complete repairs. After discussion, Pamela Yungblut 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 90 days to complete repairs. Matt Loudermilk seconded the motion and the motion unanimously passed.

Case No.	Address & Description	Owner	Board Action
08-062	1383 Delano E100' of W200' of Lot 2, Leon Stevenson, Abilene, Taylor County, Texas	Antonio Galindo 3734 Hickory St. 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 the owners have put up new siding and new windows. The owner still needs to put some insulation on the interior walls. A storage building at the rear of the house needs to be removed. The lot has trash and debris. Owner is requesting 180 days to complete repairs. Staff recommends granting 30 days to obtain all rough-in inspections, and if this is done, grant 60 days to complete repairs. Juan Tabullo addressed the Board advising them this house belongs to his father-in-law. He said they have purchased the material and just need more time to complete repairs. After discussion, David Beard made a motion to 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 Perry Haynes and unanimously passed.

Case No.	Address & Description	Owner	Board Action
08-064	1910 N. 3rd St. E128 7-8-9 & S5.5 E123.5 of 6 205 2 B Johnston, OT ABL, Abilene, Taylor County, Texas	Abilene Preservation League PO Box 3451 Abilene, TX 79604	Granted 60 days to obtain a plan of action, with costs estimates, and if this is done, grant an additional 120 days to obtain all permits.

Mr. Prescott advised the Board that this is a very large house that was damaged by fire. He said the Abilene Preservation League purchased the property, obtained a building permit and erected a fence around the house. Staff recommends granting 30 days to obtain a plan of action, if done, 60 days to obtain all permits and rough-in inspections, and if done, 60 days to complete repairs. Bill Minter, with the Abilene Preservation League, addressed the Board, advising them plans are being drawn, by a structural engineer, to repair the roof. He said the first thing they will do is put on a new roof, to keep the house protected from the elements. He said they would be starting construction on the roof in September. After discussion, Pamela Yungblut made a motion to grant the owner 60 days to obtain a plan of action, with costs estimates, and if this is done, grant an additional 120 days to obtain all necessary permits. The motion was seconded by Vanessa Faz and unanimously passed.

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 are interested in.

Case No.	Address & Description	Owner	Board Action
09-003	1618 S. 15th St. Lot 16, Blk. 1, South Fairmont, Abilene, Taylor County, Texas	Nancy L. Casey 810 S. San Jose Abilene, TX 79605	Granted 30 days to provide a plan of action, with cost estimates, if done grant an additional 60 days to obtain all necessary permits and rough-in inspections and if done, grant an additional 90 days to complete repairs and have the repairs inspected by the City.

Mr. Prescott said this house has been vacant for a number of years. The house has rotted wood, broken windows, and the sheetrock in falling from the ceiling. The owner said her son-in-law is going to help her make repairs to the house. Staff recommends granting owner 30 days to provide a plan of action, with cost estimates, if done grant an additional 60 days to obtain all permits and rough-in inspections and if done, grant an additional 90 days to complete repairs. Nancy Casey, owner of the property, addressed the Board, advising them her son-in-law is going to help her repair this property. Brian McNally, the son-in-law of the owner, addressed the Board advising them the structure is fine, but the interior is going to need repairs. He is asking for 180 days to complete repairs. After discussion, David Beard made a motion to grant the owner 30 days to provide a plan of action, with cost estimates, if done grant an additional 60 days to obtain all necessary permits and rough-in inspections and if done, grant an additional 90 days to complete repairs. The motion was seconded by Wayland Schroeder and unanimously passed.

Case No.	Address & Description	Owner	Board Action
09-004	1025 S. 11th St. Lot E51', W172' N126' S398', Blk. B, Northington, Abilene, Taylor County, Texas	Alton Smith 3026 Woodway Cr. Abilene, TX 79606	Granted 30 days to provide a plan of action, with cost estimates, if done grant an additional 60 days to obtain all necessary permits and rough-in inspections and if done, grant an additional 90 days to complete repairs and have the repairs inspected by the City.

Mr. Prescott said this house has been damaged by fire. There is some electrical work and framing work being done. The owner is requesting 180 days to repair. Staff recommends granting 30 days to provide a plan of action, with cost estimates, if done grant an additional 60 days to obtain all necessary permits and rough-in inspections and if done, grant an additional 60 days to complete repairs. Alton Smith, owner of this property, then addressed the Board, advising them that he is repairing a lot of properties around town and would like to finish repairing them before he starts on this house. He said he needs 6 months to complete repairs. After discussion, Perry Haynes made a motion to grant the owner 30 days to provide a plan of action, with cost estimates, if done grant an additional 60 days to obtain all necessary permits and rough-in inspections and if done, grant an additional 90 days to complete repairs. The motion was seconded by Pamela Yungblut and unanimously passed.

Case No.	Address & Description	Owner	Board Action
09-007	750 Mesquite 27 147 WB Lewis OT, ABL TIF#1, Abilene, Taylor County, Texas	Georgia Sanders 888 Highland Ave. Abilene, TX 79605- 3248	Granted 90 days to repair or sell the property.

Mr. Prescott said the front porch on this house is leaning, and it needs a new roof. He said this house is on the high priority list for historical homes in the City of Abilene. He said the owner is requesting 180 days to sell. Staff recommends granting 90 days to sell. Georgia Sanders, owner of this property, addressed the Board advising them she has the property for sale, but she might decide to repair it. Molinda Parker, Historical Preservation Officer for the City of Abilene, then addressed the Board, advising them the significance of this house is the architectural style of the house. She said anyone wanting to do major repairs at this property would be required to obtain a certificate of appropriateness from the Landmarks Commission, and repair it to its original condition. After discussion, David Beard made a motion to grant the owner 90 days to repair or sell the property. The motion was seconded by Vanessa Faz and unanimously passed.

Case No.	Address & Description	Owner	Board Action
09-008	782 Palm (acc.bldg.only) 11 & N19 Lt. 12 186 J&M 1 OT ABL Abilene, Taylor County, Texas	Wesley Hargrove c/o Johnny L. Hargrove 782 Palm Abilene, TX 79603	Granted 30 days to repair the structure or demolish the structure, remove debris and clean the lot.

Mr. Prescott said this accessory building is in bad condition, and has been condemned for 6 months. He said James Dane, the brother of the owner, is living in the main house on this lot. He said no extension request form was turned in. Staff recommends granting 30 days to complete repairs or demolish the structure. Mr. Dane then addressed the Board, advising them he just needs some time to get this building repaired. He said he would like 60 days. Lydia Long, who lives close to this property, addressed the Board advising them that she and her family own 3 properties adjacent to this house. She said she feels this owner has had adequate time to repair this shed. She said someone is sleeping in this shed at night. After discussion, Perry Haynes made a motion to grant the owner 30 days to repair the structure or demolish the structure. The motion was seconded by Matt Loudermilk and unanimously passed.

Case No.	Address & Description	Owner	Board Action
09-009	3726 Trailend Lot 13, Blk. 1, Sec. 2, Pleasant Hills Estate, Abilene, Taylor County, Texas	Linda Fuller 3726 Trailend Abilene, TX 79601	Owner is to immediately demolish the structure, remove debris and clean the lot.

Mr. Prescott said this is a mobile home, which was brought to the City's attention because there had been 3 adults living in the home without any utilities. The sewer line had been disconnected and raw sewage was running under the mobile home. The owners were still trying to stay in the home after it was condemned and were hauling 5 gallon jugs of water into the house. The owners have now taken all their furniture out and put it under the carport of the neighbor's property next door. He said the condemned mobile home has been at this location for approximately 2 years, without utilities. There are also broken windows on the mobile home, and the roof needs repairs. Staff recommends granting 30 days for a plan of action or demolish. James, representative of the mobile home park owner, then addressed the Board. Stating the owner of this mobile home has never paid any rent. He said there have been complaints of the owner's son dealing drugs out of this mobile home. He said he would be glad to remove the mobile home, but he just needs permission to do this. Joe Foreman, mobile home park manager, then addressed the Board, stating this mobile home needs to be removed. Jo Jones, who lives next door to this mobile home, addressed the Board stating there have never been any utilities to this mobile home and she would like to see the mobile home removed. She said she owns her lot and doesn't want to live next door to this. Butch Chandler, Code Enforcement Officer, said he has dealt with this property for quite sometime. He said it is obvious people are still going in and out of this condemned property. He feels this is going to continue to be a problem unless something is done. After discussion, Perry Haynes made a motion that the mobile home be immediately demolished. The motion was seconded by Pamela Yungblut and unanimously passed.

Case No.	Address & Description	Owner	Board Action
09-001	624 Highland Lot 12, Blk. 11, Highland Addn., Abilene, Taylor County, Texas	Eva Ciezki and Joel G. Flores, Sr. 2302 Minter Ln. Abilene, TX 79603-2061	Granted 30 days to provide a plan of action, with cost estimates, or demolish the structure, remove debris and clean the lot.
<p>Mr. Prescott said this property sets at the back of the lot. The main house has been demolished and this is the rear apartment. The roof is in bad condition, the structure has missing siding and the ceiling is falling in. The owner did not turn in a request for an extension of time. Staff recommends granting 30 days for a plan of action or demolish. After discussion, Matt Loudermilk made a motion, which was seconded by Vanessa Faz, to grant the owner 30 days to provide a plan of action, with written cost estimates, or demolish the structure, remove debris and clean the lot. The motion unanimously passed.</p>			

Case No.	Address & Description	Owner	Board Action
09-002	3389/3391 S. 27th St. Lot 25, Blk. 15, Sec. 4, Brookhollow, Abilene, Taylor County, Texas	Donald Lewis 1650 Lakeshore Abilene, TX 79602	Granted 60 days to complete repairs and have the repairs inspected by the City.
<p>Mr. Prescott said this property was damaged by fire. This is a duplex and one side of the property did not receive as much fire damage as the other. The owner is making progress on repairs and requested 180 days to complete. Staff recommends granting a 60 day extension to complete repairs. After discussion, Perry Haynes made a motion to grant the owner 60 days to complete repairs. The motion was seconded by Wayland Schroeder and unanimously passed.</p>			

Case No.	Address & Description	Owner	Board Action
09-006	701 N. 12th St. (aka 701-1/2; 707; 709; 709-1/2) E90 LTS 1-2 200 1-B JS Johnson, OT ABL, Abilene, Taylor County, Texas	Joe Howard 60009 W. Parker Rd. #149-275 Plano, TX 75093	Granted 30 days to provide a plan of action, with cost estimates, if done grant an additional 60 days to obtain all necessary permits and rough-in inspections and if done, grant an additional 60 days to complete repairs and have the repairs inspected by the City.
<p>Mr. Prescott said this is all one structure except for one separate apartment. The owner said he is going to demolish a portion of the property and just keep the front house and the apartment. He said people continue to break into the house and the City has to secure it. There is a lot of inadequate maintenance on this property. The owner is requesting 180 days to complete repairs. Staff recommends granting 30 days to provide a plan of action, with cost estimates, if done grant an additional 60 days to obtain all necessary permits and rough-in inspections and if done, grant an additional 60 days to complete repairs. After discussion, Wayland Schroeder made a motion to accept the Staff's recommendation and grant 30 days to provide a plan of action, with cost estimates, if done grant an additional 60 days to obtain all necessary permits and rough-in inspections and if done, grant an additional 60 days to complete repairs. The motion was seconded by David Beard and unanimously passed.</p>			