

Board of Building Standards Minutes

February 23, 2011

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, February 23, 2011, in the Council Chambers at City Hall, 555 Walnut, Abilene, Texas.

Board Members:	Steve Ellinger, Chairman	Present
	Alana Fletcher Maddox	Present
	Matt Loudermilk	Present
	David Beard	Present
	Daniel Ortiz	Present
	Pamela Yungblut	Present
	Perry Haynes	Present

Visitors:	Ken Griffin	Earnie Randell	Kevin Phillips
	Wayland Schroeder	Sandra Bracy	Blake Riley
	Mary Pena	Robert Roadcap	Jesse Evans
	Tim McClarty	David Rodriguez	Cassie Hughes
	Rick Weatherl	Jack Harkins	Terry Williams
	Ida Mayorga	Aubrey Oliver	Bill Minter

Staff Present:	James Prescott, Code Enforcement Officer
	Kelley Messer, Legal Department
	David Sartor, Building Official
	Mary McMahon, Recording Secretary

1. The meeting was called to order by Steve Ellinger, Chairman, at approximately 8:15a.m.
2. Mr. Ellinger said the first order of business was the review and approval of the minutes of the January 12, 2011 meeting. Pamela Yungblut made the motion to approve the minutes as written, David Beard seconded and it unanimously passed.
3. Mr. David Sartor, the Building Official for the City of Abilene presented to the Board the 2009 International Building, Residential and Existing Building Codes with local amendments for adoption. Mr. Sartor stated these codes have been reviewed by ad hoc committees put together by the Building Inspection division. This committee was made up of architects, engineers, home builders, general contractors, suppliers, and all interested parties. There was a lengthy process of reviewing all of the changes from the current and make recommendations to be brought forward. The majority of the amendments are currently on the books, a few have section changes. David Sartor was a member of this committee and the City of Abilene, Building Inspection division sees no hardship put forth by these amendments. Kevin Phillips of Harris Acoustics addressed the board regarding the amendment that requires a registered architect be engaged on new construction for assembly occupancies over 5,000 square feet and for business, hazardous, residential R-1 and R-2 occupancies would be required on 10,000 square feet or greater construction. Mr. Phillips was a member of the ad hoc committee and believes this requirement is already addressed at the state level and the city does a fine job of addressing it. Tim McClarty,

an architect in Abilene, and the chairman of the committee addressed the board giving a bit of history regarding the committee's purpose for implementing this amendment. A number of cities have already adopted this into their code. David Beard, member of the Board of Building Standards stated he too has some concerns about this amendment as an additional layer of cost to the owner. Following discussion including Van Watson, Assistant Building Official for the City of Abilene, Mr. McClarty stated that the buildings that are typically being designed by architects fall in the categories addressed. Robert Roadcap, President of Newberry Roadcap Architects and is President of the Abilene Chapter of the American Institute of Architects this year addressed the Board stating the Chapter supports the amendment. Steve Ellinger addressed the audience giving some history and purpose of the American Institute of Architects as well as the need for review and updating of the codes. Perry Haynes made the motion to accept the revisions to the building codes as presented by the City of Abilene, including section 108 of the IRC. David Ortiz seconded and the motion carried with David Beard voting no. These recommendations must still go before the City Council before for review and adoption.

4. CASES FOR REHABILITATION OR DEMOLITION:

James Prescott, Code Enforcement Officer, 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. Mr. Prescott stated the case number 10-037, 4001 Sharon has been closed and will not need to be addressed by the Board.

Case No.	Address & Description	Owner	Board Action
08-064	1910 N. 3 rd 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	Grant owner 180 days to obtain all necessary permits or sell the property.

Mr. Prescott stated this is a historical property which has been before the board at four previous meetings. Since it was last before the board the property has been painted has had a new roof and it remains well secured. The illegal add on that was on the back of the property has been removed. There is no owner request in writing. Staff recommendation is grant owner 180 days to obtain all necessary permits or sell. Bill Minter, Executive Director of the Abilene Preservation League addressed the board stating that to date they have spent over \$200,000 in repairs and are interested in selling the property and letting the new owner take it to completion. The 180 day period is a good timeframe. After discussion, David Beard made the motion to grant owner 180 days to obtain all necessary permits or sell, Perry Haynes seconded and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
09-050	1881 Jefferies North Park Addn. of Jefferies, Blk. 26, Lot E72 W82 N100 of the A150 of N280, Abilene, Taylor County, Texas	Oliver Tennial Jr. 1618 Woodard Abilene, TX 79605	Grant owner 60 days to obtain all necessary permits or demolish the structure, remove debris and clean the lot.

Mr. Prescott stated this is the fourth time this property has been before the board. There remains a lot of rotted wood, a damaged roof and some debris on the property. Community Enhancement is working with the owner by providing them a low cost dumpster to clean out the home. There is no owner request in writing. Staff recommendation is 30 days to obtain all necessary permits or demolish the structure. Aubrey Oliver, owner of the property addressed the board stating he has gotten some rough estimates and is trying to get the inside cleaned out so that he can get someone inside for estimates. He would like to request 60-90 days. After discussion, Alana Fletcher Maddox made the motion to grant owner 60 days to obtain all necessary permits or demolish the structure, remove debris and clean the lot, Perry Haynes seconded and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
09-064	1902 Fulton Hattie M. Sayles Addn, Blk 5 & 7, Lot E50 LT 7, Abilene, Taylor County Texas	Pena Mary & Estrella Mary 1902 Fulton St. Abilene, TX 79605	Grant owner 30 days to obtain all necessary rough in inspections, if that is done, grant an additional 60 days to complete.

Mr. Prescott stated this is the third time this property has been before the board, there remains some damaged siding, some broken windows. There is some construction debris on the property as well as an old tree the owner has cut down and left on the property. The accessory building, on the back of the property, remains and is in very poor condition. There is no owner request in writing. Staff recommendation is 30 days to obtain all necessary permits and rough-in inspections, if this is done grant an additional 60 days to complete. Mary Pena, owner of the property addressed the board stating the yard has been cleaned since the photos were taken. They have hired a plumber but he is behind with the bad weather. There has been new electrical wiring a final needs to wait for the plumber. Earnie Randell, neighbor of the property addressed the board stating he is very concerned about the building in the back, it is unsafe and people are going in and out of it. There is also a concern regarding the location of the gas meter that may be a safety hazard. Mr. Sartor the building official was asked about the meter, he stated it is not covered under the building codes but rather under Atmos Energy. Atmos Energy has stated if the meter needs to be moved it is up to the owner. Mary Pena, re-addressed the board regarding the building in the back, they intend to tear it down, keep the slab and rebuild it. After discussion, Matt Loudermilk made the motion to grant owner 30 days to obtain all necessary rough in inspections, if that is done, grant an additional 60 days to complete, Pamela Yungblut seconded and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
10-002	1334 Kirkwood Arthel Henson Outlet 33, BLK 4 Lot 3, Abilene, Taylor County, Texas	Francisca Rodriguez 1656 Beechwood Ln. Abilene, TX 79603-4340	Grant owner 30 days to obtain all necessary permits and submit a plan of action with written cost estimates.
<p>Mr. Prescott stated this is the second time the property has been before the board, there are some unsecured as well as broken windows, damaged/missing siding. The accessory building needs to be secured. There is no owner request in writing; we have not received a plan of action as directed by the board from the last meeting. Staff recommendation is 30 days to obtain all necessary permits or demolish the structure. David Rodriguez, owner of the property addressed the board stating they get behind because of a cash flow problem. They have sold a couple of properties and will begin work very soon on this property and will sell it. He is requesting an additional 180 days to have the project complete, 60 days for permits. After discussion, Pamela Yungblut made the motion to grant owner 30 days to obtain all necessary permits and submit a plan of action with written cost estimates, Alana Fletcher Maddox seconded and the motion carried unanimously.</p>			

Case No.	Address & Description	Owner	Board Action
10-005	1018 Pecan LT 18 189 Lambeth & Porter 3 ABL, Abilene, Taylor County, Texas	Sandra Hilley Bracy ET AL 1642 Fannin St. Abilene, TX 79603-3430	Grant owner 60 days to provide a plan of action with written cost estimates or sell.
<p>Mr. Prescott stated this is the second time before the board, there is damaged to the roof, inadequate maintenance, the accessory building is unsecured. There is no owner request. Staff recommendation is to grant owner 30 days to obtain all necessary permits or demolish the structure. Sandra Bracy, owner of the property, addressed the board stating she would like to request at least 60 days. After discussion, David Beard made the motion to grant owner 60 days to provide a plan of action with written cost estimates or sell, Daniel Ortiz seconded and the motion carried unanimously.</p>			

Case No.	Address & Description	Owner	Board Action
10-035	2802 Hickory Montgomery of North PK, Block 16, Lot 6, Abilene, Taylor County Texas	Griffin, Ken D 741 Walnut St. Baird, TX 79604-3816	Grant owner 30 days to provide a plan of action, with written 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.

Mr. Prescott stated this is the first time this property is before the board. The roof is severely damaged, there are issues with the electrical system, and there is some rotted wood. There have been some new windows put in; some of the old siding has been removed. The condemnation sign has been moved, it is required to face the street at all times. There appears to have been a fire in one of the back rooms as the window is covered with black smoke. There is no owner request. Staff recommendation is grant owner 30 days to provide a plan of action, with written 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. Ken Griffin, the new owner of the property, addressed the board stating he purchased the property recently and owns the homes on either side of this house. Feels it will be a good home but will take time and money. 30 days to provide a plan of action is acceptable. After discussion, Matt Loudermilk made the motion to grant owner 30 days to provide a plan of action, with written 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, Perry Haynes seconded and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
10-010	2010 Burger Sears Park, Blk 23, Lot 16, Abilene, Taylor County Texas	Christina Perez % Ida Flores Mayorga 2618 O Bryan Ln. San Angelo, TX 76904	Grant owner 30 days to obtain all necessary permits.

Mr. Prescott stated this is the second time this property has been before the board. There is some new siding and trim going up as well as some new windows. There are still some issues with the electrical system. There is quite a bit of construction debris that needs to be cleaned up, there is a trailer in the back full of trash and debris. There is no owner request. Staff recommendation is to grant owner 30 days to obtain all necessary permits. Ida Mayorga, owner of the property addressed the board stating she is working on getting it fixed up family issues have slowed things. Will work on getting the outside cleaned up and the 30 days for permits is acceptable. She plans on moving into the property. After discussion, Pamela Yungblut made the motion to grant owner 30 days to obtain all necessary permits, Daniel Ortiz seconded and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
09-058	890 Cedar Lt. 19 179 2-Wise Bros. ABL OT, Abilene, Taylor County, Texas	Woodbridge USA Properties PO Box 2473 Abilene, TX 79604	Grant owner 90 days to complete all necessary repairs.
<p>Mr. Prescott stated the exterior is being painted, there are new windows being installed. The interior has new counters and countertop being installed. The owners had said they were going to remove the accessory building in the rear of the property but as of the date of the photos it was still there. This building has severe water damage, the ceiling has fallen in. The owner is requesting 90 days to complete repairs. Staff recommendation is grant owner 60 days to complete. After discussion, Pamela Yungblut made the motion to grant owner 90 days to complete, Matt Loudermilk seconded and the motion carried unanimously.</p>			

Case No.	Address & Description	Owner	Board Action
10-008	1402 Burger Crescent Heights, Blk K, Lot 11, Abilene, Taylor County Texas	Ollie Lee Sutton 5809 Anson Hwy Abilene, TX 79601	Grant owner 30 days to obtain all necessary permits.
<p>Mr. Prescott stated this is the second time this property has been before the board. There are new windows and siding going up; approximately half of this work was done at by the last board meeting. The garage remains unsecured. The owner has not submitted a plan of action, there is no request from owner. Staff recommendation is 30 days to obtain all necessary permits. After discussion, Perry Haynes made the motion to grant owner 30 days to obtain all necessary permits, Pamela Yungblut seconded and the motion carried unanimously.</p>			

Case No.	Address & Description	Owner	Board Action
10-036	1666 Mesquite LT 212 201 Blackburn 1-D ABL OT, Abilene, Taylor County Texas	Alton Smith 3026 Woodway Cr. Abilene, TX 79606-4224	Grant owner 30 days to provide a plan of action with written cost estimates, if that is done grant an additional 60 days to obtain all necessary permits and rough in inspections, if that is done grant an additional 60 days to complete.
<p>Mr. Prescott stated there many broken windows, the roof is severely damaged, lots of rotted wood, water damage. The ceiling in the back bathroom has fallen in; it has missing fixtures, lots of damage to the sheetrock in that bathroom and throughout the house. There is graffiti throughout the house as well. The city has mowed this property a number of times. There were some junk vehicles on the property when it was condemned; they were abated by the owner. There is no request in writing from the owner. Staff recommendation is 30 days to provide a plan of action with written cost estimates, if that is done grant an additional 60 days to obtain all necessary permits and rough in inspections, if that is done grant an additional 60 days to complete. After discussion, Matt Loudermilk made the motion to grant owner 30 days to provide a plan of action with written cost estimates, if that is done grant an additional 60 days to obtain all necessary permits and rough in inspections, if that is done grant an additional 60 days to complete, Pamela Yungblut seconded and the motion carried unanimously.</p>			

Case No.	Address & Description	Owner	Board Action
10-038	218 Meander LT 4 207 Wise 2 ABL OT, Abilene, Taylor County Texas	Stonehenge Investments LLC 1517 Elmwood Dr. Abilene, TX 79605-4909	Grant owner 30 days for a plan of action with written 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.
<p>Mr. Prescott stated there is a lot of rotted wood throughout the property, damaged skirting, inadequate maintenance, broken and missing windows, damage to the electrical system. The ceiling has fallen through in one area, there is a substandard water heater, exposed wiring. One of the bathrooms has no floor; the commode and bathtub are still in place however. Mr. Prescott has spoken to the realtor on this property and they indicated Stonehenge Investments has been sold to Blanca Cortez. There is no written request from the owner. Staff recommendation is 30 days for a plan of action with written 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. After discussion, Pamela Yungblut made the motion to grant owner 30 days for a plan of action with written 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, Daniel Ortiz seconded and the motion carried unanimously.</p>			

Case No.	Address & Description	Owner	Board Action
10-039	738 N 14th OT Abilene, Block 201, Lot E100 of SW 150 X 150, Outlot 2-H & 1 McNairy, Abilene, Taylor County Texas	Alrine Lee 318 Meander Abilene, TX 79602-1021	Grant owner 30 days to provide a plan of action with written 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.

Mr. Prescott stated this is the first time this property has been before the board. The city has had to secure this property. There is a lot of rotted and missing wood, lots of broken glass, trash & debris, high grass and weeds, the roof has damage and there is some water damage. One room has had the ceiling fall in. There is an out building that is unsecured but there is nothing inside that would consider this a health and safety issue. Mr. Prescott has spoken to the owner's daughter who states the brother actually has custody of the home but is unavailable to make any repairs for at least six months. The daughter has no plans to make any repairs. The city has received many complaints for high grass and weeds which have resulted in the city contractor mowing. There is no owner request in writing. Staff recommendation is grant owner 30 days to provide a plan of action with written 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. After discussion, Alana Fletcher Maddox made the motion to grant owner 30 days to provide a plan of action with written 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, Matt Loudermilk seconded and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
10-040	1638 Delano Leon Stevenson, Lot 13, Abilene, Taylor County Texas	Gloria Roofing Co. 110 Sewell Abilene, TX 79605-1912	Grant owner 30 days to provide a plan of action with written cost estimates, if this is done grant an additional 60 days to obtain all necessary permits and rough in inspections, if that is done grant an additional 60 days to complete.

Mr. Prescott stated this is the first time this property is before the board. There is a lot of rotted wood, inadequate maintenance. It is a small structure and was used as a barn; some of the animals just ate through the wood. Mr. Prescott stated he spoke to the owner when the property was initially condemned and they indicated they were going to try and repair it. There is no owner request in writing. Staff recommendation is grant owner 30 days to provide a plan of action with written cost estimates, if this is done grant an additional 60 days to obtain all necessary permits and rough in inspections, if that is done grant an additional 60 days to complete. After discussion, Pamela Yungblut made the motion to grant owner 30 days to provide a plan of action with written cost estimates, if this is done grant an additional 60 days to obtain all necessary permits and rough in inspections, if that is done grant an additional 60 days to complete, David Beard seconded and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
10-041	3 Rain Dance Cr. S9035-Lakeview Ft. Phantom, Block 1, Lot S 80 of 2, Abilene, Jones County Texas	Gary & Marilu Corpian 70 Castle Dr. Abilene, TX 79602-4242	Grant owner 30 days to provide a plan of action with written cost estimates, if this is done grant an additional 60 days to obtain all necessary permits and rough in inspections, if that is done grant an additional 60 days to complete.

Mr. Prescott stated this is the first time this property is before the board. There is a new roof on the property, some new trim. The interior has new sheetrock going up, some new flooring in the bathroom. The owner is working on leveling the house. There does remain some damaged siding. Mr. Prescott stated the Corpian's are selling this property on a note. There is no owner request in writing. Staff recommendation is grant owner 30 days to provide a plan of action with written cost estimates, if this is done grant an additional 60 days to obtain all necessary permits and rough in inspections, if that is done grant an additional 60 days to complete. After discussion, Daniel Ortiz made the motion to grant owner 30 days to provide a plan of action with written cost estimates, if this is done grant an additional 60 days to obtain all necessary permits and rough in inspections, if that is done grant an additional 60 days to complete, Perry Haynes seconded and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
10-042	733 Sycamore 568 N276 X 140 162 2 E 1/3 OT ABL, Abilene, Taylor County Texas	Miguel & Teodora Aguilar % Isabella Puentes P.O. Box 8854 Stockton, CA 95208-0854	Grant owner 60 days to sell the property

Mr. Prescott stated this is the first time this property is before the board. There is a lot of rotted wood, missing siding, inadequate maintenance; the majority of the windows on the first floor have been broken out. There is damage to the plumbing. There is a lot of graffiti throughout the property. There is one bedroom that has had the ceiling fall in. The stairs leading to the second floor are damaged presenting a hazard, there appears to be no source of heat. Mr. Prescott stated the city receives quite a number of complaints about this property. There is a for sale by owner sign on the property, she does call Mr. Prescott regularly to keep him updated. The owner has submitted a written request for 60 days to sell. Staff recommendation is also 60 days to sell. After discussion, Matt Loudermilk made the motion to grant owner 60 days to sell the property, Alana Fletcher Maddox seconded and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
10-043	1801 Lincoln Abilene Heights, Block 23, Lot 6-8, Abilene, Taylor County Texas	Abilene Christian University ACU Box 29125 Abilene, TX 79699	Grant owner 60 days to complete demolition.

Mr. Prescott stated that Abilene Christian University has purchased the property, they obtained a demolition permit and as of last week there was a small amount of rubble and debris to be removed and level the lot. Staff recommendation, due to the fact they have already begun demolition is, 60 days to complete demolition. After discussion, Pamela Yungblut made the motion to grant owner 60 days to complete demolition, Matt Loudermilk seconded, and the motion carried unanimously.

Approved: _____, Chairman Date: _____