

Board of Building Standards Minutes

February 6th, 2013

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, February 6th, 2013, in the Council Chambers at City Hall, 555 Walnut, Abilene, Texas.

Board Members:	Steve Ellinger, Chairman	Present
	Wayland Schroader	Absent
	Alana Fletcher Maddox	Present
	Gretchen Denny	Absent
	Delbert Allred	Present
	David Beard	Present
	Jeremy Kahl	Absent
	Anthony McColum	Present
	Edger Cordova	Absent
	Lloyd Turner	Absent
	David Brosig	Present

Visitors:

- Doug McFarlen
- Tyree Jones
- Dasi-Reddy Dayakar
- Stanley Redding

Staff Present:

- Michael Moffitt, Code Enforcement Officer
- Kelley Messer, Legal Department
- David Sartor, Building Official
- Meagan Baker, Recording

1. The meeting was called to order by Steve Ellinger, Chairman, at approximately 8:15 a.m.
2. Mr. Ellinger said the first order of business was the review and approval of the minutes of the August 1, 2012 meeting. Delbert Allred made the motion to accept the minutes as written, Mr. Brosig seconded and it unanimously passed.
3. Consideration, with possible action regarding the request of Mr. Samuel D. and Mrs. Kelly A. Pless to be allowed to leave the foundation of the building that was demolished at 1674 Orange St. for vehicle parking. The rear building was a combination of storage and a garage for parking. The City condemned the garage for its depilated state. The property owner obtained a demolition permit so they could demo the structure. When it got down to the removal of the concrete, it became too costly to remove. By the current building standards demolition permit, the concrete would have to be removed and the lot needs to be kept clean. Mr. Doug McFarlen is the contractor that has the demolition permit. Mr. McFarlen has stated that he has cleaned up some of the unsightly condition and some of it is new. Mr. Ellinger states that he is concerned that you cannot get vehicles on the slab without driving on the lawn, so before property owner could use this slab for parking you

would have to have an approach. Mr. Moffitt states that there are two approaches, one on the north side and one on the west side. Neither is connected directly to slab. Mr. Moffitt gives the staff recommendation of removing the slab according to the demolition permit. Mr. Moffitt also states that there is no parking in the front entrance of the house. The property is for sale, and whoever buys the property will have to put in an approved parking surface from the approaches to the existing slab. Mrs. Maddox motioned to follow the staff recommendation, the removal of the slab. Mr. McColum seconds the motion and the motion carried unanimously.

4. CASES FOR REHABILITATION OR DEMOLITION:

Michael Moffitt, 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.

Case No.	Address & Description	Owner	Board Action
05-009	3517 Grape Block 27, Lot Replot LT 101, North Park Addn, Abilene, Taylor County, Texas	AA Towing 1601 Vogel St Abilene TX 79601-1828	Table

Mr. Moffitt states at one time there was a broadcasting trailer that was located here for many years; it had burned and sat in that condition for quite some time. The city is requiring him to complete the demolition. The property owner had the trailer moved, he does not know where it went or exactly who took it. Environment Crimes is currently looking into this for illegal dumping. At this time we are not asking him to remove a concrete parking lot; we are just asking complete the demolition. Owner has received two citations from our office as a result of non compliance and is currently being reviewed by city administration. The staff recommendation is to Table.

After discussion, Mr. Allred made the motion to Table, Mr. Beard seconded and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
10-033	1519 S 4 th St W ½ of LTS 1-2 158 OT, Abilene, Taylor County, Texas	Martinez Jose Efrain 2115 Parramore St Abilene TX 79603-5915	Table

Mr. Moffitt states that the City has had to secure and mow this property several times. There have been three different owners since this property has been condemned. The new owner has purchased and rehabbed condemned houses in the past. This property has been before the board five times. The last time was in July 2012. The new owner has received a citation back in December 2012 for non compliance. Staff recommendation is to Table. After discussion, Mr. Beard motioned to Table and Mr. Allred seconded and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
10-071	1729 N 19 th St College Heights, Block 35 Lot E/2 of 11 & 12, Abilene, Taylor County, Texas	Martinez Eliseo L & Lucy PO Box 171 Middleburg FL 32050	Table

Mr. Moffitt states this property has had to be secured by the City just as of last week. People are breaking into the house and stealing the copper out of the house. This property has been before the board four times and last time it was heard was July 2012. There has been no citation issued to property owner. The property owner has communicated with Mr. Moffitt, he stated that his plan is to move back and live in the house but it will not be for another 8 to 10 months. Staff recommendation is to Table.

Mr. McColum asked if the property has submitted any plan of action or any other paperwork. Mr. Moffitt then states that the property owner has not submitted anything. The property owner gave a power of attorney to the sister for the property to repair. The sister did turn in a plan of action and did some construction but has since stopped.

Mr. Desi-Reddy states that he just took over this property. His intent for this property is to rehab and get it out of condemnation. Mr. Reddy states that it would take him more than 60 days because it needs a lot of work. Staff recommendation is to Table.

After discussion, Mrs. Maddox motioned to Table and Mr. Beard seconded and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
10-090	1626 Clinton College Heights, Block 59, Lot 3, Abilene, Taylor County, Texas	Theresa Peterson 3605 SE 158 th Ave Portland OR 97236	45 Days to Complete Demo

Mr. Moffitt states this is another case of incomplete demolition. The floor of the building and concrete porch still remains. The owner has enlisted the help of her brother in law for the demolition. The brother in law was unaware of what the City requires to complete the demolition. He called Mr. Moffitt February 5, 2013 and said that he could have the demolition complete and final inspection within 60 days. The property owner's brother in law is requesting 60 days; the staff recommendation is to Table.

After discussion, Mr. Beard motioned 45 days to complete demolition and Mrs. Maddox seconded and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
11-012	1002 Cedar (Garage Only) 1 203 2 E C&M OT ABL, Abilene, Taylor County, Texas	Vasquez Andres Vielma 733 Vanessa ST Uvalde TX 78801-6024	Considered a Nuisances & to Demolition

Mr. Moffitt states that this is another case of incomplete demolition. Mr. Moffitt has tried to get a hold of the occupants and property owner and has been unsuccessful. The time to complete the demolition has expired and this is why we are bringing it back before the board. The staff's recommendation is demolition.

After discussion, Mr. Beard motioned to declare this property a nuisance and Mrs. Maddox seconded and the motion carried unanimously. Mr. Beard motioned to order demolition and Mrs. Maddox seconded and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
11-013	833 Carver St Meadowbrook Addn, Block 1, Lot 32, Abilene, Taylor County, Texas	Tyree Jones 901 Carver Abilene TX 79601	Table

Mr. Moffitt stated this is the third time this property has been before the board, the last time it was heard was back in February 2012. There has been no citation issued at this time to the property owner. The staff is recommending to Table. Mr. Tyree Jones has been following all the requirements of Building Inspection and also following the staff timeline. Mr. Tyree Jones states that he has repaired water, lights, and gas and has had building inspections out approve the work. After discussion, Mr. Allred motioned to Table and Mr. Brosig seconded and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
11-022	871/873 Cedar LTS 6 179 3 Radford ABL OT, Abilene, Taylor County, Texas	Ortiz Antonio 1025 S Willis St Abilene TX 79605-3921	Table

This property has been mowed by the City several times. The new owner has the intention of rehabbing this property but no progress has been made at this time. The staff is recommending to Table.

After discussion, Mr. Beard motions to Table and Mr. Allred seconds and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
11-032	3410 Vogel Willow Brook Sec, Block 40, Lot 24, Abilene, Taylor County, Texas	Clark William David 3033 W Lake Rd Apt 1301 Abilene TX 79601-1666	Table
<p>Mr. Moffitt states that this property has been mowed by the city several times and also an abatement was done because of all the debris and trash in the back of the property. The gentleman that owns the property has fallen ill and is living with his son in town, and is unable to do anything with the house. There is a possible buyer that will rehab the house. The owner has been issued a citation for non compliance. Staff is recommending to Table in light of the possible new owner.</p> <p>After discussion, Mr. Allred motioned to Table and Mr. McColum seconded and the motion carried unanimously.</p>			

Case No.	Address & Description	Owner	Board Action
11-034	1033 S Danville Elmwood West Sec 8, Block 22, Lot 18, Abilene, Taylor County, Texas	Dasi Reddy Dayakar 501 Pine St Abilene TX 79601	Table
<p>Mr. Moffitt states that this property is currently undergoing renovation. Mr. Moffitt thinks that the property owner will request a final inspection soon. There have been new windows installed, the inside of the house looks as though it has been completely remodeled. The staff recommendation is to Table. Mr. Desi Redding states that he is almost done with the renovation except for roofing. Mr. Redding thinks that it should be brought out of condemnation in 30 days. After discussion, Mr. Allred motioned to table and Mr. McColum seconded and the motion carried unanimously.</p>			

Case No.	Address & Description	Owner	Board Action
11-037	1741 N 8 th St D A Winters of Cannon, Lot 3, Abilene, Taylor County, Texas	Boyd Juanita & Christal 1741 N 8 th St Abilene TX 79603-6001	Table
<p>Mr. Moffitt states the owner of the property lives out of town and is unable to take care of the property. Mr. Moffitt was contact by Taylor County Appraisal Distract that the homestead has expired and will be up for tax sale in June. The staff recommendation is to Table.</p> <p>After discussion, Mrs. Maddox motioned to table and Mr. Brosig seconded and the motion carried unanimously.</p>			

Case No.	Address & Description	Owner	Board Action
11-038	381 S 26 th ST Bowyer Subdivision, Block W75 E420 N150 of 2, Abilene, Taylor County, Texas	Bunch Mabel Mrs. %Frances Saucedo 400 Mockingbird St San Benito TX 78586-7695	Declared a Nuisance & Demolition

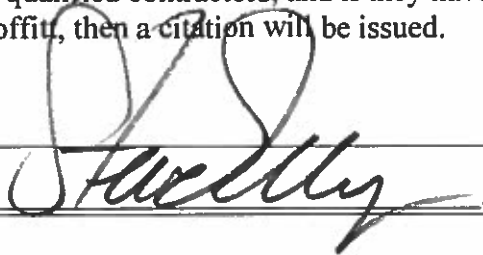
Mr. Moffitt states that no one has been living in this house for quite some time. The owner of this property lives out of state in a nursing home, she had wanted to give the property over to the City but the City does not have any interest in the property. Staff is recommending demolition. There has been no one to come forward to show interest in this property. After discussion, Mrs. Maddox motioned to declare this property a nuisance and Mr. Allred seconded and the motion carried unanimously. Mr. McColum motioned to order demolition and Mrs. Maddox seconded and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
11-039	534 Palm LT 5 Less 8 x 10 159 OT, Abilene, Taylor County, Texas	Blanca Cortez 410 W University Odessa TX 79764	Table

Mr. Moffitt states that this house was involved in a fire and was bought by Blanca Cortez. She has done some work on the interior and nothing on the exterior. Mrs. Cortez had started working on the roof about eight months ago and has not done anything with it since then. There has been one citation issued to Mrs. Cortez as a result of non compliance in September 2012. The staff is recommending to Table. After discussion, Mr. Beard motioned to table and Mr. Brosig seconded and the motion carried unanimously.

5. Update on Condemnation Rehabilitation Program.
Ed McRoy- since Dallas v Stewart we have had to change the way we do things. Instead of bringing all these case back before the board, the board is giving them for example 180 days to complete, that after 180 days, the board would see it again with no progress being made. Now we will ask the board to table these cases were the building can be potentially rehabbed. We are working more directly with property owners and we are able to be much more flexible with them. Giving them timelines, guides and more support. With addition to that The City is now issuing citations for not meeting the timelines. We have issued 75 citations since 2012. The year before that we had not issued any citations. The issuing of the citation has been a really helpful tool with getting properties out of condemnation. Owners will pay no attention to the certified mail until they get the citation. We will only recommend demolition if there is a substandard building that will not be rehab able. Michael Moffitt brings those cases to Mr. McRoy, they will then talk about the cases for issuing a citation. Basic standard is talking about if there is any progress being made, is the property owner cooperating, have they received estimates from qualified contractors, and if they have made no progress or no point to contact Mr. Moffitt, then a citation will be issued.

Approved:



, Chairman

Date: 02.06.13