

# Board of Building Standards Minutes

March 6th, 2013

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

Board Members:	Steve Ellinger, Chairman	Present
	Wayland Schroader	Absent
	Alana Fletcher Maddox	Absent
	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:	Bill Minter
	Gary & Marilu Corpain
	Stan Hamilton
	W. H. Blackburn
	Ray Landers
	Tom Benson

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 8:15a.m.
2. Mr. Ellinger said the first order of business was the review and approval of the minutes of the February 6, 2013 meeting. Delbert Allred made the motion to accept the minutes as written. Mr. McColum seconded the motion and the motion passed unanimously.

3. 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
98-008	1609 ½ Butternut St S47 OF N137 OF W135 OF 1 C E1/2 1-ANDERSON, Abilene, Taylor County, Texas	Buckner Alan 1609 Butternut St Abilene TX 79602-4839	Table

Mr. Moffitt states this building, at one time, was an upholstery shop. The status of the building has not changed since it was first condemned; apart from further dilapidation. There is a residence structure that is attached to the property which creates an issue for the City if there was a decision to demolish the building. The last time this property was brought before the board was in 1999 and this is the third time before the board. The staff recommendation is to Table. After further discussion, Mr. Beard made the motion to Table. Mr. Brosig seconded and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
99-017	349 Ambler A0856 SUR 34 B A L NW/4, ACRES 2, Abilene, Taylor County, Texas	Brunt Jeannette ET AL %Keesee Gene 1004 Hyde Park Blvd Cleburne TX 76033-6523	Table

Mr. Moffitt states that this property is east of the Budweiser building and there is a park to the west. At one time there were two structures on this property and they were demolished by the owner. There are two LP tanks that are buried under ground that have not been removed to date and that is why the case is still open. The owner of the property has passed away and the only living heir lives in El Paso. A family member of living heir is now dealing with the property and is moving forward with selling the property. Staff recommendation is to Table. After further discussion, Mr. Beard motioned to Table. Mr. Allred seconded and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
01-035	1009 & 1017 N Mockingbird WESTERN HEIGHTS REP, BLOCK J, LOT N22.5 LT 3 & S17.5 LT 4, Abilene, Taylor County, Texas	Belyue Paul 225 Arnold Blvd Trlr 70 Abilene TX 79605-1273	Table

Mr. Moffitt states to the best of his knowledge this building was a nightclub or lounge/restaurant. The roof is so dilapidated that it has fallen in at a couple of places. The structure has had numerous homeless people living inside the building before it was secured by the City. The business to the north is seeking to purchase this property at the tax sale in June, he then would like to demolish the building and make more parking for his patrons. Staff recommendation is to Table. After further discussion, Mr. Allred motioned to Table. Mr. Brosig seconded and the motion

carried unanimously.

Case No.	Address & Description	Owner	Board Action
02-006/02-011	1910 Hwy 80 East AO798 Sur 38 BAL SE/4 Tract 250 x 150, Abilene, Taylor County, Texas	White, Ray PO Box 302 Breckenridge TX 76424-0302	Table

Mr. Moffitt states this property was demolished by the city. This demolition is not complete; due to certain requirements set by Building Inspections Department. The only remaining work left for the completion of the demolition is the removal of the sign posts and the pool needs to be filled in. Mr. Ed McRoy states with this being a commercial building there was asbestos issues that needed to be taken care. This was a more costly demolition because of the asbestos abatement compared to a single family home. The cost to satisfy the requirements set forth by the Building Inspections Dept. to bring the property out of condemnation was not in the budget. The City felt that the building created such a hazard for the community, demolition of the main structure was a benefit in itself. The staff recommendation is to Table.

After further discussion, Mr. Beard motioned to Table and Mr. Allred seconded. The motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
02-044	2818 S 2 <sup>nd</sup> St SCOTT HIGHWAY PLACE, BLOCK 6, LOT 14, Abilene, Taylor County, Texas	Hamilton Tyler Kent 9202B Kempler Dr Austin TX 78748-6055	Table

Mr. Moffitt states this is a metal building. The building was condemned as a result of a structure fire. The owner was seeking to use this structure as storage. In order to gain approval for use as a storage facility, Building Inspection requires the removal of all plumbing and electrical wiring. Mr. Moffitt also states that he thinks all plumbing has been removed but the electrical wiring is still in the building. Stanley Hamilton is representing his brother, who is the owner of the property. Mr. Hamilton states his brother has hired an electrical contractor to finish the electrical work. The staff's recommendation is table.

After further discussion, Mr. Allred motioned to table and Mr. Brosig seconded the motion. The motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
04-040	1934 Victoria GEORGE MC DANIEL, LOT 2 & 3 & N10 LT 4, Abilene, Taylor County, Texas	Smith General B 1934 Victoria Abilene TX 79603-3614	Table until next BOBS meeting

Mr. Moffitt stated this was an old church that has been vacant for years. This building was subject to a fire, which did substantial damage to the roof on the south side. The roof line which was straight at one time has now dilapidated down around two feet. There are some unsightly conditions that are creating more of a nuisance in the community. The staff's recommendation is to table so that we can make contact with the owner and try to get the owner to demolish. If we are unable to make contact or the property owner cannot demolish the structure then the staff will bring this case back before the board for the next meeting and recommend demolition. After discussion, Mr. McColum motioned to Table for 30 days and Mr. Allred seconded. Mr. McColum amended his previous motion and motioned to table until the next BOBS meeting. Mr. Allred seconded the motion and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
04-061	5203 S 1 <sup>st</sup> St POSADA, BLOCK 1, LOT 1, ACRES 7.75, Abilene, Taylor County, Texas	Abilene Holdings LLC 700 Highlander Blvd Ste 400 Arlington TX 76015-4328	Table

Mr. Moffitt states this building was previously called Howard Johnson's. This hotel has had four structures in the rear of the property condemned, due to dilapidation. There have been several issues with homeless people getting into some of the rooms and further dilapidation over the years. Out of the four buildings, three of the buildings will be demolished; the other one will be rehabbed. There are buyers that are interested in this property. The staff is recommending to Table.  
 After further discussion, Mr. Allred motioned to Table. Mr. McColum seconded the motion and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
05-024	834 Grape E1/2 LT S25-26 181 2 T C ANDERSON OT ABL, Abilene, Taylor County, Texas	McManaway Steve 542 Cherry St Abilene TX 79602-1718	Declared a Nuisance & Demolition

Mr. Moffitt states this building is on the west side of Grape St. Mr. Moffitt hasn't had any contact with the owner. There is no progress being made at this time. Over the years this building has dilapidated so much that Mr. Moffitt feels it is a hazard to the general public. The overhang is wide open to the elements and some of the material from the overhang is in jeopardy of falling down. Staff is recommending Tabling; however, this could be another one that will be brought back before the board for demolition.

After further discussion, Mr. Beard motioned to declare this property a nuisance. Mr. Allred seconded the motion and the motion carried unanimously. Mr. Beard motioned to amend his initial motion to an order to demolish. Mr. Allred seconded the motion and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
05-042	5198 E. Overland Tr. A0924 SUR 44 B A L NE/4, ACRES 88.57, Abilene, Taylor County, Texas	Blackburn W H %Laverne Landers 1845 Elmdale Rd S Abilene TX 79602-4521	Table

Mr. Moffitt states the listed owner of the property has passed away and has left this property to his family. There are now three owners of the property. They have asked Mr. Moffitt for a list of demolition contractors, so the building can be demolished by the owners. Mr. Ray Lander's states that he has contact a contractor for the demolition; they have since changed their minds on demolition because the price was so high. Mr. Landers was under the impression that the property was condemned because of the asbestos; he stated that the asbestos have been removed so he thought it would brought out of condemnation. Mr. Ellinger then explains there are a number of reasons the property was condemned. W. H. Blackburn states he has cleaned up the property and had the asbestos removed. Mr. Blackburn also confirmed that the gas tanks have been removed. Staff recommendation is to Table.

After discussion, Mr. Allred motioned to table and Mr. Brosig seconded and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
07-022	541 Oak St OT ABILENE TIF #1, BLOCK 89, LOT 7&S1/2 LT 8, Abilene, Taylor County, Texas	CORPIAN GARY LEE & MARILU LEE 70 Castle Dr Abilene TX 79602-4242	Table

Mr. Moffitt states this property is known to locals as the Ice House. The ceiling has collapsed and the exterior is in a dilapidated condition as well. The property owner of the adjoining building has not been successful in leasing or selling the building because of the dilapidated Ice House. The owner of the property has stated that he would like more time in order to sell the building. Mr. Moffitt has given the owner six months to sell and now that time has expired. This property may be brought back before the board to seek a demolition order. When this building was in use they would use salt to make the ice and over the years the salt has rusted the ceiling. Mr. Corpian stated that back in 2007 he received a letter that he had 180 days to sell or the City would demolish the structure for him; therefore, Mr. Corpian did not want spend money on fixing the building when his interpretation of the letter was that the City was going to demolish after the 180 days. Mr. Corpain's intent for this property is to sell. Mr. Ed McRoy explained the language of the letter to the board. Mrs. Kelley Messer also explained the way the letter was interpreted is not a liability to the city. Mr. Tom Benson is the property owner of the adjoining building. He states that he has had several potential buyers but has been unsuccessful in selling or leasing the property because of the condemned property next door. The staff recommendation is to Table.

After further discussion, Mr. Beard motioned to table and Mr. Allred seconded the motion. The motion carried unanimously.

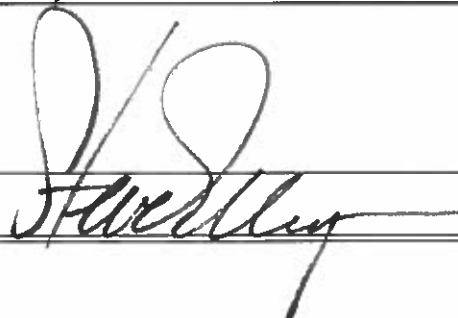
Case No.	Address & Description	Owner	Board Action
08-064	1910 N 3 <sup>rd</sup> St E128 7-8-9 & S5.5 E123.5 OF 6 205 2 B JOHNSTON OT ABL, Abilene, Taylor County, Texas	Abilene Preservation League PO Box 3451 Abilene TX 79604-3451	Table

Mr. Moffitt stated this property is under rehabilitation after it was subject to a fire. The landmark commission is in the process of selling this property. Mr. Bill Minter is the executive director of the Abilene Preservation League. Mr. Minter states this property has had several inquires but hard to sale with no electrical and no plumbing in the structure. Mr. Minter is hopefully to have the property sold by the end of the year. Mr. Minter explains that it will be the new owner to get the property out of condemnation; the Abilene Preservation League has expended its funds for this property. Staff recommendation is to table.

After discussion, Mr. Beard motioned to table and Mr. Brosig seconded and the motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
09-064	1902 Fulton HATTIE M SAYLES, BLOCK 5&7, LOT E50 LT 7, Abilene, Taylor County, Texas	Pena Mary & Estrella Mary 1902 Fulton St Abilene TX 79602-4628	Table

Mr. Moffitt states this property has been near completion for quite some time now. The owner of the property has several condemned properties in which the owners start the rehabilitation process, get near completion and then move onto another property without finishing the previous one. The property owner has been issued multiple citations for this property. Mr. Moffitt has set up a meeting with the property owner so he can point out the problem that needs to be taken care before it is brought out of condemnation. The staff is recommending to Table.  
After further discussion, Mr. Brosig motioned to table and Mr. Beard seconded the motion. The motion carried unanimously.

Approved:  , Chairman Date 03 06.13