

## **Board of Building Standards Minutes**

**July 9, 2014**

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, July 9, 2014, in the Council Chambers at City Hall, 555 Walnut, Abilene, Texas.

Board Members:	Steve Ellinger, Chairman	Present
	Wayland Schroeder	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:	Gary Corpian	Marilu Corpain
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Staff Present:	Michael Moffitt, Code Enforcement Officer
	David Sartor, Building Official
	Kelley Messer, Legal Department
	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 June 4, 2014 meeting. Mr. Allred made the motion to approve, Mr. McColum seconded and it passed with Mrs. Maddox abstaining.
3. CASE FOR CONSIDERATION OF CIVIL PENALTIES:

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	Gary Lee & Marilu Corpian 70 Castle Dr Abilene TX 79602	Civil Penalties effective November 6, 2013 in the sum of \$600.00 a day. Equals \$126,000.00

Mr. Moffitt stated that this case was heard last month but due to improper notification to the property owner, we will be rehearing this case. Over the years more than 40% of the roof has collapsed. Mr. Moffitt pointed out to the board that on February 15, 2007, Mr. Corpian was notified that 541 Oak St was condemned. On August 7, 2013 the order of the board was to demolish or appeal the boards order. Mr. Corpian received a letter from staff, back in January 2014, giving him notice of the new ordinances. The staff recommendation is to affirm or reform the findings and order from the June 4<sup>th</sup> meeting.

Mr. Corpian states he bought the property a year or two before the structure was condemned. Mr. Corpian's intention for buying the property was to lease out the building. After a potential tenant backed out, Mr. Corpian has been using the building as storage. Mr. Corpian has tried selling the property; however with the condition of the structure it has been difficult. Mr. Corpian started talking about a building across from Frontier Texas. He stated that this building has been in really bad shape for some time and the City finally condemned this building. Then Mr. Corpian notices about 10 days later the condemnation stickers were taken off the building. Mr. Corpian would like to ask to ask Mr. Moffitt "how someone can get a building un-condemned without doing anything." Mr. Ellinger states "I am not sure that a discussion about the building across Frontier Texas is germane to this property. I would prefer you and Mr. Moffitt discuss that at another time." Mr. Corpian stated about fifteen years ago he had a building on Mockingbird. The roof of this building caved in just like the Ice House. He then turned this building into open parking. Mr. Corpian would like to do the same thing to the Ice House, remove the roof and remove the parts of the concrete roof that has fallen in order to make it open parking. Mr. David Sartor instructed Mr. Corpian that an Environmental Asbestos survey would have to be made on the structure. Mr. Corpian would like to keep the building, but, also meet the requirements to make it open parking. Mr. Corpian asked the board to give him a chance to try and fix the building. Mr. Ellinger stated that the last thing the board wants to do is fine the property owner. What the board would really like to see is the properties rehabilitated and brought out of condemnation. Mrs. Maddox made an observation that Mr. Corpian is willing to fix the property but it will take some time and she thinks the time has expired because it has been seven years. Mr. Corpian explained that he never thought about fixing the structure until he finally figured out a way that would work. Mr. McColum also pointed out that over the seven years this property has been condemned, this is the first time Mr. Corpian has had any interest in the property. Mr. Corpian does not deny that fact; he was under the impression that the City was going to demolish the structure. Mr. Moffitt explained to Mr. Corpian that our new ordinances state that the board is being very lenient and could assess civil penalties up to \$1000 a day from the date that the violation was discovered; however, the board assessed the civil penalties from when the new ordinance was adopted back on November 6, 2013 and went through June 4, 2014 at \$600 a day.

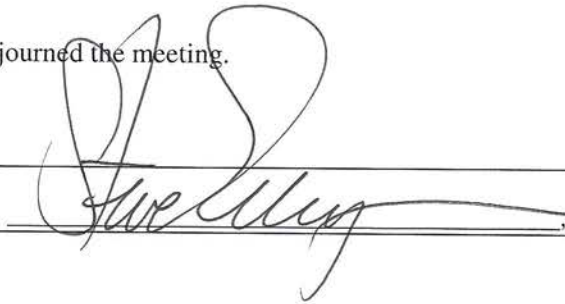
Mr. Allred asked "if the board decided to let you do the repairs on the building, what kind of a schedule would you submit to the board to get the repairs done?" Mr. Corpian responded "the asbestos survey needs to be done. Not sure how long that would take. Within two weeks I

believe I can have someone out to do the survey. As soon as the survey comes back, I would think a month or two to get the main structure down. Mr. Beard clarified that what the board is looking for is a specific date for when this project is going to get taken care of. Mr. Beard also explained that Mr. Corpian will need to get engineering studies, asbestos survey and there is a lot of stuff that needs to get done and it's not going to get done very quickly even if you work at it every day. Mr. Corpian asked Mr. Beard "how long do you think it would take for complete this project?" Mr. Beard says "if you have big crew working on this every day, it's going to take a while." Mr. Ellinger explained to Mr. Corpian that even if the board reaffirms the decision from the last meeting, you are still obligated to take care of the building.

After discussion, Mr. Beard made a motion to reaffirm the finding and order from the last meeting and Mr. McColum seconded and the motion carried with Mr. Allred opposing.

Mr. Ellinger adjourned the meeting.

Approved:

 , Chairman Date: 08.19.14