

Board of Building Standards Minutes

August 13, 2014

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, August 13, 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
	Delbert Allred	Present
	David Beard	Present
	Anthony McColum	Present
	Edger Cordova	Absent
	Lloyd Turner	Absent
	David Brosig	Present

Visitors: Brad Lilly

Staff Present: Michael Moffitt, Code Enforcement Officer
David Sartor, Building Official
Kelley Messer, Legal Department
Donna Boarts, 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 July 9, 2014 meeting. Mr. Brosig and Ms. Maddox pointed out typographical errors in the minutes. After discussion, Mr. Allred made the motion to approve as amended, Mr. Brosig seconded and it passed.
3. The next item was a request of Mr. Brad Lilley to be allowed to leave the foundation of a single family dwelling located at 1534 S 11th. Mr. Sartor addressed the board and stated the request of the owner to be allowed to leave the slab. Mr. Sartor explained the address in question is a back structure on the lot of 1041 Peach but had its own address since it faced S 11th St. He stated the structure suffered a fire several months back and the owner obtained a permit and demolished the structure but wished to keep the slab to be used as a patio and play area for the main residence. Mr. Sartor showed pictures of the foundation and noted that the owner has installed a new chain link fence around the slab and backyard. Mr. Sartor stated the slab appears to be flat and clean with no protections or trip hazards. It does have some cracks but they are not significant. At this point Mr. Ellinger opened the public hearing. Mr. Brad Lilley stated he was the owner of 1041 Peach and he had the free standing apartment in the backyard of 1041 Peach. He stated the apartment caught fire and the damage was beyond what the insurance would pay to restore it. Mr. Lilley stated he then decided to demolish the structure and obtained the permits ~~performed the demolition and left the slab clean. He then decided the slab would be nice for 1041 Peach~~ to use for the children to play on and ride bikes. He stated he has installed the new chain link fence since the side yard faces S 11th and it is a very busy street. This will give the children a nice and safe place to play which they did not have before. He further stated at some point in the future if he sold the property

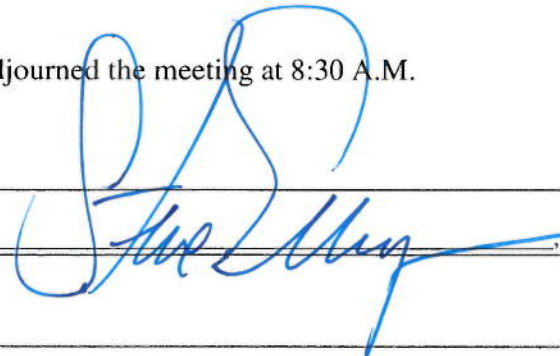
someone would have a nice slab to place a nice storage building there. At this time Mr. Ellinger closed the public hearing. Mr. Beard asked staff if there were restrictions on what can be built in the future. Mr. Sartor stated that an engineering assessment could be required before any building could be place on it. Mr. McColum asked if the house was condemned and would that be a conflict since we state on condemned properties they have to remove the slab. Mr. Sartor stated the structure was not condemned and the City Ordinance allows for the board to hear request to be allowed to leave a slab. Mr. McColum stated he just wanted to be clear on the issue. Mr. Ellinger explained his perspective on when a slab should and should not be allowed to remain. At this point, Mr. McColum made a motion to approve the request. The motion was seconded by Ms. Maddox and the motion was approved by a vote of six (6) in favor and none (0) opposed.

Mr. Ellinger then asked Ms. Messer for clarification regarding situations where a building is burned and the owner wants to leave the slab for a parking lot and there is clearly no way to get a car on the slab and we have to be careful about that. He further stated that in the case heard today, it is not a bad looking slab, it has been fenced in, there is a place for the kids to play, it is not highly visible. He stated it was a good case where we should leave it. Ms. Maddox stated the fencing helped her because it's not like it is just left, and there is a purpose. Mr. Ellinger stated he remembered one case where they stated they wanted to rebuild on a slab he told them they needed to provide a plan and timeframe and they never did this so we need to watch the excuses when these types of requests are made. Mr. Beard then stated his desire to have an agenda item added to each meeting regarding the unprecedented action taken by the board at the last meeting and wanted it added until the conclusion of the issue. Mr. Sartor asked if Mr. Beard was speaking of the Ice House issue. Mr. Beard state he was. Mr. Ellinger asked staff to work out the details of the request. Ms. Messer stated regarding items which are not on the agenda, if the board may ask staff a factual question we can give a factual answer to a question the board may have without violating the open meetings act. It is just discussion that is not allowed, and if you ever have a question on something that is not on the agenda, always feels free to contact her or Mr. Sartor. She stated we would take care of the update asked for by Mr. Beard.

Mr. Ellinger then stated he wanted to ask a factual question regarding the old West Texas Wholesale building which burned several years ago and the slab was still in place with steel structural members still setting on the slab. He asked Mr. Sartor about the status of this property. Mr. Sartor stated he would look in to it and provide an update to the board. Mr. Ellinger stated he just wants to be consistent with these issues.

Mr. Ellinger adjourned the meeting at 8:30 A.M.

Approved:



_____, Chairman Date: 09.03.14