

Board of Building Standards Minutes

February 4, 2015

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, February 4, 2015, in the Council Chambers at City Hall, 555 Walnut, Abilene, Texas.

Board Members:	Steve Ellinger, Chairman	Present
	Alana Fletcher Maddox	Absent
	Delbert Allred	Present
	David Beard	Present
	Anthony McColum	Present
	Lloyd Turner	Present

Visitors:	Terry Young	David Todd
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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 January 7, 2015 meeting. Mr. Allred made the motion to approve a correction, Mr. McColum seconded and it 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
04-040	1934 Victoria S40' Lot 4, George McDaniel Addn., Abilene, Taylor County, Texas	Darrell Jones 165 Maxwell Dr. Abilene, TX 79602-1055-65	Declared property a nuisance and ordered property owner to demolish.

Mr. Moffitt states that the reason this case is before the board is so that the property owner could provide to the board the information requested by the board at the January meeting. At the January meeting, the property owner did not do as the board requested in providing cost estimates and Plan of Action. Mr. Moffitt notes that the property owner is not in attendance. In the last meeting, the property owner stated that they were going to tear down the sanctuary portion of the building. The sanctuary part of the church was the portion that caught fire. On the north side of the property, there is some buckling of the pier and beam. In the rear of the structure, the City has had to abate bees that were attacking the neighbors. Mr. Moffitt states that there is about a two foot drop in the roof structure as a result of the fire. The property owner has attempted to support the structure with blocks, which are not approved per the City Code. Mr. Moffitt showed the board pictures of the interior for the first time. Mr. Turner asked "are there building permits open for this property?" Mr. David Sartor answered "there was a building permit obtained; however I am not sure if it's still active or expired." Mr. Ellinger expressed that this case has been condemned for over ten years, and it's been before the board several times over the years. The last time we had discussed this, the property owner was present and the board had expressed that they were tired of fooling with this case. If the owner really wanted to rehab the property, then they would have to bring in the information that the board had requested. Mr. Ellinger stated that he thought the board was clear, that if the owner did not get the information that was requested, demolition was a possibility.

The staff recommendation is demolition.

After discussion, Mr. Beard moved to find that the property is a hazard to the public, health, safety and welfare and is therefore a public nuisance. Mr. Allred seconded and the motion carried unanimously. Mr. Beard moved to order the property owner to demolish or appeal the order to District Court within 30 days or the City may demolish. Mr. McColum seconded and the motion carried unanimously.

4. Mr. David Sartor stated that there is a request to leave the foundation, after the demolition of the structure, at 1052 N 5th St. The City Ordinance, upon the demolition of a structure, requires that all footings, foundations, sidewalks, etc. be removed at the time the building is demolished. This is a request to the Board of Building Standard for approval to allow the slab to remain. There is an adjacent parking lot to the west of the demolished building. A pipe fence has already been constructed, since that part of the slab is about a foot above the grade of the alley. The property owner's intention for the slab is a parking lot. There are some concrete patchworks that will have to be preformed. Mr. Ellinger asked "are they going to code compliant approaches off the street to the parking lot?" Mr. Sartor explained "There should be code compliant approaches that already exist on the southwest of this property." Mr. Sartor states that the access is already provided from the existing parking lot that is to the west of this property. Mr. Ellinger states that this would be an expansion of the other parking lot. Mr. Ellinger asked if this was going to look

like a parking lot or will it just look like a torn down building that citizens park on? Mr. Sartor stated that he could not answer that question. Mr. McColum asked what the staff's recommendation would be. Mr. Sartor stated that staff normally does not have a recommendation on these requests.

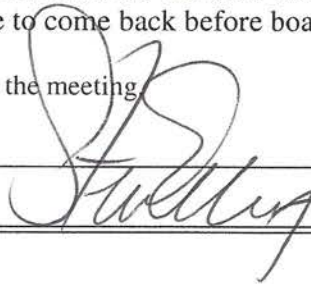
Mr. David Todd stated that he is representing First Financial Bank for this request. The bank is embarking on a long range capital needs improvement project. First Financial owns several pieces of property downtown. Mr. Todd stated that First Financial is expanding and hiring new employees and this piece of property will be in the capital needs program in the future. The bank has committed a lot of money to the demolition of the building and it was going to cost over \$100,000 to remove the slab. It did not seem feasible to take that slab out and put in another slab for employee parking. The bank does not know what they will build on this property, but at this time they would like to use it as private employee parking. Mr. Ellinger asked Mr. Todd if the bank was going to try and clean up and make it look like a parking lot and not a slab that looks like a building was demolished and now be parked on. Mr. Todd stated that yes the slab will be cleaned up and it will look like the existing parking that is to the west of this property. Mr. Beard asked if the bank owns the parking lot to the west. Mr. Todd stated "yes". Mr. Beard also asked if there was a plan to have an approach off of N 5th St. Mr. Todd stated that there is no plan for that. The approaches will be from the parking lot that already exists off of Cypress St.

After discussion, Mr. Beard made the motion that the concrete slab remains for the use of a parking lot and Mr. Allred seconded and the motion carried unanimously.

5. Mrs. Kelley Messer stated that there is a summary judgment set for February 13, 2015. This week, Mr. Corpain pulled a demolition permit. Mr. McColum asked that even though Mr. Copian pulled the demolition permit and demolishes that structure, that doesn't change the civil penalty suit. Mrs. Messer stated that was correct. Mrs. Messer stated there had been discussion of an agreement. The potential agreement would be if Mr. Corpain demolishes the structure by a certain date and the City would not seek final judgment on the civil penalties; however Mr. Corpain had not entered into such an agreement with the city. Mr. David Sartor stated this case would have to come back before the board at least one more time. An Engineer has provided an opinion that at least five foot of the slab would have to remain due to the adjoining building. This case would have to come back before board for the request to leave part of the slab.

Mr. Ellinger adjourned the meeting.

Approved:



, Chairman

Date

03-04-15