

Board of Building Standards Minutes

October 7, 2015

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, October 7, 2015, in the Council Chambers at City Hall, 555 Walnut St, Abilene, Texas.

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

Visitors:	Blanca Cortez	Jimmy Monnes
	Alex Sanchez	Tom Watson

Staff Present:

- Keenan Davis, Code Enforcement Officer
- Michael Moffitt, Code Enforcement Officer
- David Sartor, Building Official
- Chase Craig, Legal Department
- Meagan Baker, Recording

1. The meeting was called to order by Mr. Steve Ellinger, Chairman, at approximately 8:15a.m.
2. Mr. Ellinger stated the first order of business was the review and approval of the minutes from the September 2, 2015 meeting. Mr. Allred made the motion to approve, Mr. Turner seconded and it passed unanimously.
3. CASES FOR REHABILITATION OR DEMOLITION:

Mr. Michael Moffitt, Code Enforcement Officer, 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.

3. There is a request to leave the foundations after the demolition of the buildings at 5203 S. 1st St. The City Ordinance on a demolition of a structure requires that all footings, foundations, and sidewalks be removed at the time the building is demolished. There is an option for a request to the Board of Building Standards to ask that the slab remain for some purpose.

Mr. Moffitt stated that in a letter from Mr. DePalma, he is requesting to leave the slab at 5203 S 1st St for some purpose. Mr. Ellinger expressed his impression of the letter from Mr. DePalma, that they are requesting to leave the slabs in the back and screen the slab that is in front of the property. Mr. Ellinger asked when a property owner obtains a demolition permit, does it states on the permit that the slab has to be removed. Mr. Sartor stated yes, it is outlined on the document. Mr. Sartor pointed out to the board that in Mr. DePalma's proposal, they are wanting to barricade both drives on the back of the property. Mr. Sartor stated that this could be an issue with the Fire Department.

After discussion, Mrs. Maddox moved to deny the request to keep the slab and Mr. McColum seconded. The motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
11-027	1934 S. 3 rd (Rear Bldg. Only) E63 W 148 S 190 207 OT 2 ABL, Abilene, Taylor County, Texas	Blanca Cortez 410 University Odessa, TX 79764	Access civil penalties in the amount of \$5102.00
<p>Mr. Keenan Davis stated this case is going to be in reference to the garage apartment in the back of the property. Mr. Davis pointed out to the board that the patio frame is not properly installed. Mr. Davis stated there is hole on the side of the structure, possibly a window unit was there at one time.</p> <p>Staff recommendation: For findings: (1) The owner Blanca Cortez, has received notice of the requirements of the Code for the Abatement of Dangerous Buildings and the current Minimum Standards for Buildings and Structures Division and was advised of their need to comply with those requirements.</p> <p>(2) On August 5, 2015 the Board made the following order: the Board granted the owner 60 days to complete the repairs and bring the property out of condemnation. (3) Owner has failed to comply with the order of the Board and has failed to take action necessary for compliance with the ordinance.</p> <p>Staff recommendation: For Order: Staff moves that the Board assess civil penalties in the amount of \$5,102.00, being \$77.00 per day from August 5, 2015 to October 6, 2015.</p> <p>Mrs. Blanca Cortez stated to the board that the frame work for the stairs has been fixed. The post are required to be concreted three feet in the ground. Mrs. Cortez explained to the board that she is just waiting on the electrical contractor to finish his work, then this property will be out of condemnation.</p> <p>After discussion, Mr. Allred moved to follow staff's recommendation for findings and the order of civil penalties in the amount of \$5,102.00 and Mr. Turner seconded. The motion carried unanimously.</p>			

Case No.	Address & Description	Owner	Board Action
13-011	1934 S 3 rd St. E63 W148 S190 207 OT 2ABL, Abilene, Taylor County, Texas	Blanca Cortez 410 University Odessa, TX 79764	Access civil penalties in the amount of \$7,654.00

Mr. Davis stated this case is going to be the main residence for the previous case. This will be the third time the board has heard this case. On the east side of the structure, there are several gaps down around the foundation.

Staff recommendation: For findings: (1) The owner Blanca Cortez, has received notice of the requirements of the Code for the Abatement of Dangerous Buildings and the current Minimum Standards for Buildings and Structures Division and was advised of her need to comply with those requirements.

(2) On August 5, 2015 the Board made the following order: granted owner 30 days to bring property out of condemnation. (3) Owner has failed to comply with the order of the Board and has failed to take action necessary for compliance with the ordinance.

Staff recommendation: For Order: Staff moves that the Board assess civil penalties in the amount of \$7,654.00, being \$116.00 per day from August 5, 2015 to October 6, 2015.

Mrs. Blanca Cortez stated they are waiting on the electrical contractor to finish his work. Mrs. Cortez explained that the gaps are being filled with dirt. Mr. Ellinger asked Mrs. Cortez why she has failed to follow the board order to bring this property out of condemnation. Mrs. Cortez answered that she has just been waiting on the electrical contractor.

After discussion, Mrs. Maddox moved to follow staff's recommendation for findings and the order of civil penalties in the amount of \$7,654.00 and Mrs. Yeilding seconded. The motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
15-029	2930 Northshore Dr. Sunlake Village ADDN Sec 2, BLOCK A, Lot 36, Abilene, Taylor County, Texas	Shelly Maynard Crowe 2930 Northshore Dr. Abilene, TX 79601	Declared property a Nuisance and ordered Demolition
<p>Mr. Davis stated that most of the materials from the mobile home have been stolen. There is a lot of trash and on one side, the structure has been completely stripped. Mr. Davis stated to the board that one of the major concerns he has is the kids that are playing around in the neighborhood. The property owner is deceased and is now owned by the sister. Mr. Davis and Mr. Moffitt tried to locate the owner and found out she lives in Michigan.</p> <p>Staff recommendation is demolition.</p> <p>After discussion, Mr. Turner moved to declare this property a nuisance and Mr. Allred seconded. The motion carried unanimously. Mr. Allred moved to order demolition and Mr. Turner seconded. The motion carried unanimously.</p>			

Case No.	Address & Description	Owner	Board Action
15-020	1041 Kirkwood St. Lakeside ADDN Block 20, Lot 9 ACRES-1467, Abilene, Taylor County, Texas	David L. Hutton 1431 S 6 th St. Abilene, TX 79602-1215	Declared property a Nuisance and ordered Demolition
<p>Mr. Davis stated that the owner of the property was notified of the meeting by phone. There was a lot of fire damage in the rear of the structure. Staff spent quite a bit of time trying to locate the owner.</p> <p>Staff recommendation is demolition.</p> <p>After discussion, Mr. McColum moved to declare this property a nuisance and Mrs. Maddox seconded. The motion carried unanimously. Mr. McColum moved to order demolition and Mr. Allred seconded. The motion carried unanimously.</p>			

Case No.	Address & Description	Owner	Board Action
10-049	2142 Shelton Sears Park, Block 21, Lot 3, Abilene, Taylor County, Texas	Lupe G. Sanchez 2345 N 20 th St. Abilene, TX 79603-3518	Granted new owner 60/60/60.
<p>Mr. Davis stated there are new owners for this property and have never been before the board. The roof is partially sunk in on this structure. The City has had to secure this property, but owner is keeping the property mowed and clean.</p> <p>Staff recommendation is to give new property owner 60 day to submit plan of action, 60 days to obtain all permit and rough-ins, and 60 days to bring property out of condemnation.</p> <p>Mr. Sanchez explained to the board that he is having a contractor take a look at the property and give him estimates and a schedule for bringing this property out of condemnation. Mr. Ellinger asked Mr. Sanchez if 180 days, which is what the staff is recommending, is adequate to bring this property out of condemnation. Mr. Sanchez stated that he feels comfortable with that amount of time.</p> <p>After discussion, Mr. Turner moved to follow staff's recommendation to give property owner 60/60/60 and Mr. Allred seconded. The motion carried unanimously.</p>			

Case No.	Address & Description	Owner	Board Action
15-002	101 Oak St. OT Abilene TIF #1, Block 4, Lot 4-12INC, Abilene, Taylor County, Texas	Abilene Matera LLC 6510 Turner Way Dallas, TX 75230-1934	Table until January's meeting.

Mr. Davis stated the date of condemnation was January 8, 2015. The deed transfer date to current owner was January 7, 2008. The original time given to the property owner was 180 days to sell. There has been no progress made to the property. This is the first time the board is hearing this case. An onsite meeting was arranged with City staff and property owner; owner was advised that he had two months to submit a plan of action.

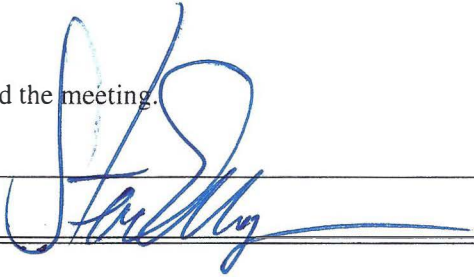
Staff recommendation is 30 days to complete demolition.

Mr. Watson stated that the property is safe, secured, and cleaned. The property has been cleaned of all the construction debris. Mr. Watson advised the board, that he has given some of the old bricks to other projects that could use them. Mr. Watson believes that only the foundation is what remains on the property. Mr. Watson expressed to the board that he has indeed submitted his plan of action. Mr. Watson is unsure what exactly his plans are for the property. Mr. Watson does believe that something could be built on the existing foundation. Mr. Ellinger stated to Mr. Watson, that he does not believe that an engineer or architect would build another structure on the existing foundation. Mr. Ellinger expressed to Mr. Watson that the least expensive plan would be to remove the slab and level the lot. Mr. Ellinger stated that if a plan of action, with dates on when certain items were going to be done, then the board would be interested in hearing those plans. Mr. Watson stated that he would like to get back with the board after the first of the year, to bring the board his plan of action. Mrs. Maddox asked Mr. Watson if he has looked into what it would cost to remove the foundation. Mr. Watson stated that he has not looked into that option but he does know that it would be expensive. Mr. Ellinger expressed that the board would not be opposed to Mr. Watson building on this site, but the board would like to see actually plans of this happening.

After discussion, Mrs. Maddox moved to table until January 2016 meeting and Mr. Allred seconded. The motion carried unanimously.

Mr. Ellinger adjourned the meeting.

Approved:

 Chairman

Date: 11.02.15