

Board of Building Standards Minutes

November 4, 2015

Public Notice having been posted, a regular meeting of the Board of Building Standards was held at 8:15 a.m., Wednesday, November 4, 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	Present
	Anthony McColum	Present
	Lloyd Turner	Present
	DeAnn Yeilding	Present

Visitors:	Bobby Duncan	Gordon Browning
	Rosa Sims	Bruce Kreidler

Staff Present:

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 October 7, 2015 meeting. Mr. Allred made the motion to approve, Mr. McColum seconded and the motion passed with Mr. Beard abstaining.
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.

Case No.	Address & Description	Owner	Board Action
01-035	1009 & 1017 N. Mockingbird Ln. Western Heights REP, Block J, Lot N22.5 LT 3 & S17.5 Lt 4, Abilene, Taylor County, Texas	Emerald Twinkle Star Roofs Inc. 505 Pine St. Abilene, TX 79601-5109	60 days to obtain permits and rough end inspections. 60 days to complete all repairs and bring property out of condemnation
<p>Mr. Allred made a motion to untable and Mr. McColum seconded. Motion passed unanimously.</p> <p>Mr. Moffitt stated the date of condemnation was April 26, 2001. The deed transfer date to new owner was October 29, 2013. The new owner was sent a timeline of 60/60/60. A plan of action was submitted on January 2, 2014. A building permit was obtained on February 24, 2012 and May 1, 2014. An electrical permit was obtained August 18, 2014. There have been no citations issued to the property owner. There was a meeting arranged by staff and property owner in July 2015, in order to find out the progress being made. This property has been before the board eight times; however, this is the first time with the new owner. The new owner is making progress and is about 75% complete.</p> <p>Staff recommendation is 60 days to obtain permits and rough-in inspections. 60 days to complete all repairs and bring property out of condemnation.</p> <p>After discussion, Mr. Beard moved to follow staff's recommendation for 60 days to obtain permits and rough end inspections and 60 days to complete all repairs and bring property out of condemnation and Mr. Turner seconded. The motion carried unanimously.</p>			

Case No.	Address & Description	Owner	Board Action
10-062	629 & 629 ½ N. 8 th St. 6 146 2B Conrad & Menefee OT ABL TIF #1, Abilene, Taylor County, Texas	Terrence Sims 5317 Pueblo Dr. Abilene, TX 79605	Declared property a Nuisance and ordered Demolition
<p>A motion was made to untangle this case, motion passed unanimously.</p> <p>Mr. Moffitt stated there is a building permit and electrical permit obtained for this property. No inspections have been made on those permits. There is no apparent progress being made on this property at this time. This will be the fourth time this property has been before the board.</p> <p>Staff recommendation: For findings: (1) The owner Terrance Sims, have 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 May 6, 2015 the Board made the following order: granted owner 60 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.</p> <p>Staff recommendation: For Order: Staff moves that the Board assess civil penalties in the amount of \$11,047.00, being \$60.70 per day from May 6, 2015 to November 4, 2015.</p> <p>Mrs. Rosa Sims stated they are having contractor issues with all of their properties. Mrs. Sims questions how fines that could be assessed, be more than the value of the property.</p> <p>After discussion, Mrs. McColum moved to declare this property a nuisance and Mr. Allred seconded. The motion carried, with Mr. Beard opposing. Mr. McColum moved to order demolition and Mr. Allred seconded. The motion carried, with Mr. Beard opposing.</p>			

Case No.	Address & Description	Owner	Board Action
12-055	858 Sunset Dr. (rear bldg. only) MABLE PHILLIPS SUB, BLOCK 1, LOT 1, Abilene, Taylor County, Texas	Valda Z. Deshazo 858 Sunset Dr. Abilene, TX 79605-2927	Allowed to keep the slab, provided the property owner remove anchor bolts.

Mr. Moffitt stated the owner is requesting to leave the slab after the demolition of a garage. There are anchor bolts that remain in the footings. The date of condemnation for the garage structure was October 19, 2012. The deed transfer date to current owner was February 2013. The original time line that was given to owner was 60 days to demolish on December 11, 2012. Demolition permit was obtained on April 1, 2013. There have been no citations issued to current owner. This is the first time this case has been before the board. It was conveyed to the property owner that the slab would need to be removed in order to close the case. Property owner stated that there is a lack of funds and manpower to complete the demolition.

Staff recommendation is to complete the demolition.

Mr. Bobby Duncan stated the property is under his wife's name. He stated this was his mother-in-laws house, and she has since moved into a nursing home. Mr. Duncan stated that after he demolished the structure, they did not have the money to remove the slab. Mr. Duncan stated that this slab is not visible from the road. The intent of the leaving the footings, is to make a garden in the spot. Mr. Duncan stated that he would be able to remove the anchor bolts with no problem. Mr. Duncan will be moving into the house within the next couple of months. Mr. Ellinger asked Mr. Moffitt if there were any complaints that were coming in for this property. Mr. Moffitt stated there were not.

After discussion, Mr. Beard moved to allow the slab, provided the property owner remove anchor bolts and Mrs. Maddox seconded. The motion carried unanimously.

Case No.	Address & Description	Owner	Board Action
15-031	1634 Kirkwood St. Arthel Henson Outlot 33, BLOCK M, LOT 4, Abilene, Taylor County, Texas	Benjamin & Norma Nino P.O. Box 213 Idalou, TX 79329-0213	Declared property a Nuisance and ordered Demolition

Mr. Moffitt stated that back in 2014, he started a City wide sweep for substandard buildings. This property was one that was found within that sweep. The substandard structure was condemned in October 2015. The owner of the property has made no contact with staff and has not made any efforts to demolish or repair the structure. The deed transfer date to current owner was October 2006. There wasn't a timeline sent to owner, no plan of action has been submitted, and no permits have been obtained. No citations have been issued. This is the first time this case has been before the board. The property has been vacant for several years. The City is having to maintain the property in regards to mowing, cleaning the unsightly conditions, and securing the property.

Staff recommendation is demolition.

After discussion, Mr. McColum moved to declare this property a nuisance and Mr. Turner seconded. The motion carried unanimously. Mr. McColum moved to order demolition and Mrs. Maddox seconded. The motion carried unanimously.

Mr. Ellinger adjourned the meeting.

Approved:  , Chairman Date: 12.02.15