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# **BOARD OF BUILDING STANDARDS**

## **MEETING MINUTES**

**May 2, 2018 8:15 a.m.**

### **BOARD OF BUILDING STANDARDS OF THE CITY OF ABILENE, TEXAS COUNCIL CHAMBERS, CITY HALL**

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**Members Present:** Mr. David Beard, Chairman  
Dr. Wayne Paris  
Mr. Delbert Allred  
Mr. Anthony McColum  
Ms. DeAnn Yeilding  
Mr. Wayland Schroeder, Alternate  
Mr. Lloyd Turner

**Staff Present:** Mr. Michael Rice, Assistant City Manager  
Mr. Clay Door, Code Enforcement Division Manager  
Mr. Odis Dolton, Assistant Director of Neighborhood Services  
Mr. Ken Flynn, Interim Director of Planning & Development Services  
Mr. Van Watson, Assistant Chief Building Official  
Mr. Chace Craig, Assistant City Attorney  
Mr. Larry Wright, City Engineer  
Ms. Stephanie Lindsay, Code Enforcement Officer  
Mr. Brandon Barr, Code Compliance Officer  
Mr. Josh Mares, Code Compliance Officer  
Mr. Chris Herd, Code Compliance Officer  
Mr. Eric Hughes, Code Compliance Officer  
Ms. Merle Vandiver, Customer Service Representative III  
Mr. Robert Norton, Office Assistant  
Ms. Melissa Farr, Administrative Secretary

**Others Present:** Mr. Walter Portlock                      Ms. Candy Wang  
Mr. Guadalupe Islas                      Ms. Mary Rivera  
Councilman Bruce Kreidler

### **CALL TO ORDER**

Mr. Beard called the meeting to order at 8:15 a.m. and Ms. Farr recorded the minutes. A quorum of members was present, and the meeting proceeded.

Mr. Clay Door formally introduced Mr. Ken Flynn, Interim Director for Planning and Development Services.

## APPROVAL OF MINUTES

The minutes of the last meeting, April 4, 2018, were provided in advance to the members and were approved with one revision. The correction must be made to Case #18-00207 to reflect the vote of five (5) in favor with two (2) in opposition of the motion.

**The Board approved the minutes with the revision to correct the vote for Case #18-00207. The vote was approved by seven (7) with none in opposition.**

**AYES: Paris, Allred, Turner, Yeilding, McColum, Schroeder, Beard**  
**NAYS: None**

## AGENDA ITEMS & PUBLIC HEARINGS

- a. Case for Rehabilitation, Demolition or Civil Penalties - Case No. 10- 039: 738 N.14TH ST (OT ABILENE, BLOCK 201, LOT E100 OF SW 150 X 150, OUTLOT 2-H & IMC NAIRY)  
Owner: Walter Portlock

Mr. Clay Door presented this case. The staff recommendation is as follows.

Mr. Beard opened the public hearing.

Mr. Walter Portlock spoke in favor of proceeding with the demolition.

There being no one else present and desiring to be heard, the public hearing was closed.

**Finding:** The property is a public nuisance in that it is a hazard to the public health, safety and welfare and repair of the structure would be unreasonable.

**Mr. Schroeder moved to accept the staff's finding and declare the property is a public nuisance in that it is a hazard to the public health, safety and welfare and repair of the structure would be unreasonable. Mr. Allred seconded the motion.**

**The vote was approved by seven (7) with none in opposition.**

**AYES: Paris, Allred, Turner, Yeilding, McColum, Schroeder, Beard**  
**NAYS: None**

**Order:** The owner is ordered to demolish or appeal the order to district court within 30 days or the City may demolish.

**Mr. Schroeder made the motion to accept the timeframe for completion as being six months from the date of permit. The Board will reconvene on this item at the meeting in November 2018. Mr. Turner seconded the motion.**

The vote was approved by seven (7) with none in opposition.

**AYES: Paris, Allred, Turner, Yeilding, McColum, Schroeder, Beard**

**NAYS: None**

- b. Case for Rehabilitation, Demolition or Civil Penalties - Case No. 17-008: 1118 ASH ST (LT4 & S10 FT; T 3 199 4-4 SHARP OT ABL) Owner: Guadalupe Islas

Mr. Clay Door presented this case. The staff recommendation is as follows:

Order owner to repair – 30 days to obtain all permits and provide plan of action including a timeframe for repair and costs estimates. If this is done, 60 days to obtain rough-in inspections and if this is done, all final inspections shall be completed by the expiration of all permits.

Mr. Beard opened the public hearing.

Ms. Mary Rivera requested an extension of six months to complete the rehabilitation of this property.

There being no one else present and desiring to be heard, the public hearing was closed.

Board and staff discussion included: 1) Timeline for permits and inspections, 2) Staff to confirm there is clear understanding of procedures and timelines, and 3) Board would like for staff to provide current interior photos.

**Mr. Allred made the motion to follow the staff recommendation granting the owner thirty (30) days to obtain all permits and provide a plan of action, etc. Mr. Schroeder seconded the motion.**

The vote was approved by seven (7) with none in opposition.

**AYES: Paris, Allred, Turner, Yeilding, McColum, Schroeder, Beard**

**NAYS: None**

**Mr. Beard made a motion to change the order of the agenda, and the Board concurred unanimously.**

Mr. Larry Wright presented the Abilene flood map and discussed the policies and benefits of the City being part of the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program, which makes flood insurance available to homeowners. Federal standards and City ordinances were discussed.

- c. Case for Rehabilitation, Demolition or Civil Penalties - Case No. 17-01732: (Tabled from April 4, 2018) 301 Sewell St (W A CURE OF H WARD, BLOCK 1, LOT 1 ACRES: 0.21574130) Owner: Candy Wang



**Mr. McCollum made the motion to remove this case from the table. Mr. Schroeder seconded the motion.**

**The vote was approved by seven (7) with none in opposition.**

**AYES: Paris, Allred, Turner, Yeilding, McColum, Schroeder, Beard**

**NAYS: None**

Mr. Clay Door presented this case. The staff recommendation is as follows:

**Findings:**

The property is a public nuisance in that it is a hazard to the public health, safety and welfare and repair of the structure would be unreasonable. Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

- (1) Inadequate Sanitation (d, e, f & l)
- (2) Structural Hazard (d, g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (4) Hazardous electrical wiring
- (5) Hazardous plumbing
- (7) Faulty weather protection (b, c, d)

**Order:**

The owner is ordered to demolish or appeal the order to district court within 30 days or the City may demolish.

Mr. Beard opened the public hearing.

Ms. Candy Wang requested time to remodel the property. She stated that she understands why she was not issued a permit.

There being no one else present and desiring to be heard, the public hearing was closed.

Board and staff discussion included: 1) Concern of condemned property in a floodway being sold, 2) The interior photos of new construction are actually for the accessory building, 3) Board would like for staff to educate community and provide more information to the Board for future cases, and 4) The property owner, Ms. Wang, still seems unclear due to communication barriers.

As a result of the complexity of this particular case and the issue of communication, Mr. Chace Craig recommended the Board consider tabling this case so the City may provide an interpreter to communication with Ms. Wang.

**Mr. Schroeder made the motion to table this case until the next meeting, June 6, 2018. Ms. Yeilding seconded the motion.**

**The vote to table this case until the next meeting was approved by seven (7) with none in opposition.**

**AYES: Paris, Allred, Turner, Yeilding, McColum, Schroeder, Beard**

**NAYS: None**

### ADJOURNMENT

Mr. Beard announced this meeting as being the last for Dr. Paris. He will be conducting research at the University of Alabama for the next year.

There being no further business to come before the meeting, the Board of Building Standards meeting was adjourned at 10:07 a.m.

Approved: David D Beard 6-6-18, Chairman