

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
December 05, 2018 8:15 a.m.
BOARD OF BUILDING STANDARDS OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL**

Members Present: Ms. Betty Bradley
Mr. Delbert Allred
Mr. Anthony McColum
Mr. Gary Webb
Mr. Lloyd Turner
Mr. Wayland Schroeder
Mr. David Beard, Chairman

Staff Present: Mr. Michael Rice, Assistant City Manager
Mr. Mike Warrix, Director of Planning and Development Services
Mr. Odis Dolton, Assistant Director of Neighborhood Services
Mr. Tim Littlejohn, Chief Building Official
Mr. Chace Craig, Assistant City Attorney
Mr. Clay Door, Community Enhancement Division Manager
Mr. Eric Hughes, Code Compliance Officer
Mr. Brandon Barr, Code Compliance Officer
Mr. Robert Norton, Office Assistant

Others Present: Mary Rivera
Manuela Sevallos
Lisa Anderson

CALL TO ORDER

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

Mr. Clay Door formally introduced Mr. Mike Warrix, Director for Planning and Development Services.

APPROVAL OF MINUTES

The minutes of the last meeting, November 07, 2018 were provided in advance to Board Members for review.

Mr. Allred made a motion to approve the minutes as written and was seconded by Mr. Schroeder, motion carried.

AYES: Mr. Allred, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

ABSTAIN: Mr. McColum, Mr. Webb

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 03-014: 11026 West Lake Road (A1349 88 T&P-14 Block N/A Lot N/A Acres: 1.44) Owner, Cecil Wright

Mr. Door presented the case, 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)
- (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.

Public Hearing:

Mr. Beard opened the public hearing.

Lisa Anderson spoke requesting the Board to grant an extension allowing her time to salvage some items from the property.

There being no other speakers, Mr. Beard closed the public hearing.

Ms. Bradley made a motion that 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 and was seconded by Mr. Allred, motion carried.

AYES: Ms. Bradley, Mr. Allred, Mr. McColum, Mr. Webb, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Ms. Bradley made a motion that the owner is ordered to demolish or appeal the order to district court within 30 days or the City may demolish and was seconded by Mr. Allred, motion carried.

AYES: Ms. Bradley, Mr. Allred, Mr. McColum, Mr. Webb, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 13-008: 2134 Parramore Street (Preston of Harris, Block N 1/3, Lot 32) Owner, Mary Rivera

Mr. Door presented the case, staff recommendation is as follows:

Order owner to repair: 30 days to obtain all permits and provide plan of action including a time frame for repair and cost estimates, and 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.

Public Hearing:

Mr. Beard opened the public hearing.

Mary Rivera spoke about her intent to move forward with repairs. Ms. Rivera stated that her electrician has pulled the electrical permit and her plumber has given her a repair estimate and is supposed to pull a plumbing permit.

There being no other speakers, Mr. Beard closed the public hearing.

The Board held discussion with Mr. Door and Mr. Craig to clarify the specifics of a 30/60 repair order and its' timeline requirements.

Mr. Schroeder made a motion to accept staff recommendation to order owner to repair, 30 days to obtain all permits and provide plan of action including a time frame for repair and cost estimates, and 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. Schroeder's motion to accept staff recommendation was seconded by Mr. Turner, motion carried.

AYES: Ms. Bradley, Mr. McColum, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: Mr. Allred

ABSTAIN: Mr. Webb

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 16-010: 1802 N 6th Street (Heyck / Cunningham, Block 2, Lot 19 & S 1/2 Lot 18)

Mr. Door presented the case, noting at the end that the property may have been sold at 1pm December 04 2018, staff recommendation is as follows:

Order owner to repair: 30 days to obtain all permits and provide plan of action including a time frame for repair and cost estimates, and 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.

Brandon Barr spoke about having made several attempts to contact the property owner and mortgage company but has not yet had successful communication.

Public Hearing:

Mr. Beard opened the public hearing.

There being no speakers, Mr. Beard closed the public hearing.

The Board inquired of Mr. Craig about the legal responsibility of a mortgage company in this case and Mr. Craig clarified those responsibilities. Mr. Craig also recommended the Board table the case to allow further investigation into the possible sale of this property the day before this meeting.

Mr. McColum made a motion to table this case until the January 02, 2019 meeting and was seconded by Mr. Allred, motion carried.

AYES: Ms. Bradley, Mr. Allred, Mr. McColum, Mr. Webb, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 17-02054: 841 Elm Street (14 188 2-B Wise OT ABL) Owners, Manuela Sevallos and Mario Calvo

Mr. Door presented the case, staff recommendation is as follows:

Order owner to repair: 30 days to obtain all permits and provide plan of action including a time frame for repair and cost estimates, and 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.

Public Hearing:

Mr. Beard opened the public hearing.

Manuela Sevallos spoke about her desire to repair the property but would not have the finances to conduct repairs by the required deadlines.

There being no other speakers, Mr. Beard closed the public hearing.

The Board further reviewed photos of the structure.

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (a, c, e, & l)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (b, h)
- (3) Nuisance, Chapter 19-15 (b & d)
- (4) Hazardous electrical wiring Chapter 8; Sec. 8-554
- (5) Hazardous plumbing Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)
- (8) Fire Hazard

Ms. Bradley made a motion that 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 and was seconded by Mr. McColum, motion carried.

AYES: Ms. Bradley, Mr. Allred, Mr. McColum, Mr. Webb, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Ms. Bradley made a motion that the owner is ordered to demolish or appeal the order to district court within 30 days or the City may demolish and was seconded by Mr. McColum, motion carried.

AYES: Ms. Bradley, Mr. Allred, Mr. McColum, Mr. Webb, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Addition Discussion:

The Board, Mr. Door, and Mr. Craig held a discussion regarding 30/60 repair recommendations as generally presented by staff. There was additional discussion whether to add another bullet point that would increase enforcement options. Mr. Craig clarified the enforcement options available to staff if an ordered 30/60 plan is not followed and the legal reasons for the current 30/60 wording.

ADJOURNMENT

There being no further business to come before the meeting, the Board of Building Standards meeting was adjourned at 9:44 a.m.

X David D Beard 1-2-19

Approved, Chairman