

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
January 02, 2019 8:15 a.m.
BOARD OF BUILDING STANDARDS OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL**

Members Present: Mr. Delbert Allred
Mr. Anthony McColum
Ms. Deanne Yeilding
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. Tim Littlejohn, Chief Building Official
Mr. Chace Craig, Assistant City Attorney
Mr. Clay Door, Community Enhancement Division Manager
Ms. Stephanie Lindsay, Code Compliance Officer
Mr. Josh Mares, Code Compliance Officer
Mr. Eric Hughes, Code Compliance Officer
Mr. Robert Marsh, Code Compliance Officer
Mr. Robert Norton, Office Assistant

Others Present: Mr. Mike Young
Mr. Shane Glantz

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.

APPROVAL OF MINUTES

The minutes of the last meeting, December 05, 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. McColum, motion carried.

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

NAYS: None

ABSENT: Ms. Yeilding had not yet arrived

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 16-010: 1802 N 6th Street (HEYCK/CUNNINGHAM, BLOCK 2, LOT 19 & S 1/2 LT 18), Owner Toby T. Deaton.

Mr. Allred made a motion to un-table this case and was seconded by Mr. McColum, motion carried

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

NAYS: None

ABSENT: Ms. Yeilding had not yet arrived

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.

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

The board had discussion about how the property was beyond repair.

Mr. Allred 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. Schroeder, motion carried.

AYES: Mr. Allred, Mr. McColum, Ms. Yeilding, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Mr. Door read staff findings into record.

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)
- (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)

Mr. Allred 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. Schroeder, motion carried.

AYES: Mr. Allred, Mr. McColum, Ms. Yeilding, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 17-02754: 191 Honey Bee Road (Lake Lot Imp Only, Lot 191), Owners Charles R. Wilson and Betty Lambert

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.

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

Mr. Schroeder made a motion 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 to include cleanup of the property, 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, as stated above, was seconded by Mr. Turner, motion carried.

AYES: Mr. Allred, Mr. McColum, Ms. Yeilding, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 18-00654: 1037 Elm Street (JALONICK 2ND BLOCK B, LOT 8), Owner Felix Perez Jr.

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 (a, c, e, f & 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

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.

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

Mr. McColum 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: Mr. Allred, Mr. McColum, Ms. Yeilding, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Mr. McColum 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: Mr. Allred, Mr. McColum, Ms. Yeilding, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 18-00658: 2009 Jameson Street (J B COLLINS OF NORTH PARK, BLOCK 2, LOT 13), Owners Johnny R. McKinnon and Patricia McKinnon.

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.

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

The Board had discussion about the lack of anyone who can take care of property.

Mr. Allred 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 failed.

AYES: Mr. Allred, Mr. McColum, Ms. Yeilding

NAYS: Mr. Turner, Mr. Schroeder, Mr. Beard

Mr. Schroeder initially made a motion to accept staff recommendation which had not been seconded. After discussion with other board members Mr. Schroeder asked to rescind his motion and table the case to allow more time to attempt contact with property owner.

Mr. Schroeder made a motion to table this case until the next meeting and was seconded by Mr. Turner, motion carried.

AYES: Mr. Allred, Mr. McColum, Ms. Yeilding, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 15-014: 1157 Plum Street (7 199 T W DAUGHERTY S1/2 3-3 OT ABL), Owner PENSCO TR CO AS CUSTODIAN FBO FAITH ANN CHEEK IRA.

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 Chapter 8; Sec. 8-554 (d, e, f & l)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (d, g)
- (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)

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.

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

Mr. McColum 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. Schroeder, motion carried.

AYES: Mr. Allred, Mr. McColum, Ms. Yeilding, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Mr. McColum 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: Mr. Allred, Mr. McColum, Ms. Yeilding, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

ADJOURNMENT

There being no further business to come before the meeting, the Board of Building Standards meeting was adjourned at 9:12 a.m.

X *Anthony McColum*

Approved, Chairman