

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
November 06, 2019 8:15 a.m.
BOARD OF BUILDING STANDARDS OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL
AMENDED**

Members Present: Mr. Delbert Allred
Mr. David Beard, Chairman
Mr. Anthony McColum
Dr. Wayne Paris
Mr. Wayland Schroeder
Mr. Lloyd Turner
Mr. Gary Webb

Staff Present:
Mr. Michael Rice, Assistant City Manager
Mr. Mike Warrix, Director of Planning and Development Services
Mr. Tim Littlejohn, Assistant Director of Planning and Development Services / Building Official
Mr. Chace Craig, Assistant City Attorney
Mr. Clay Door, Community Enhancement Division Manager
Mr. Carl Collum, Code Compliance Officer
Mr. AJ Gamez, Code Compliance Officer
Mr. Josh Mares, Code Compliance Officer
Ms. Catina Betoncur, Office Assistant

Others Present: Allen Clark
Kerri McNeil Clark
Blanca Cortez
Raul Oliva Gonzalez
Bill Minter
Luke Nelson
Dave Rankin
Mary Rivera

CALL TO ORDER

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

APPROVAL OF MINUTES

The minutes of the last meeting, October 03, 2019 were provided in advance to Board Members for review.

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

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

NAYS: None

ABSTAIN: Mr. Webb

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 13-008: 2134 Parramore St (PRESTON OF HARRIS, BLOCK N 1/3, LOT 32) Mary Rivera, (owner)

A motion was made by Mr. Allred to un-table the case from the previous meeting and was seconded by Mr. Schroeder, motion carried.

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

NAYS: None

Mr. Door presented the case and read the staff findings into the 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)

Order: The owner is to provide a plan of action within 10 days and complete the project with a final inspection within 45 days.

Mr. Door explained that the electrical rough in was rejected by the inspector.

Public Hearing:

Mr. Beard opened the public hearing. Mrs. Mary Rivera spoke about the status of the property. After hearing the staff recommendation, Mrs. Rivera agreed with the order of the staff.

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

A motion was made by Mr. Allred to provide a plan of action within 10 days and complete the project with a final inspection within 45 days and seconded by Mr. Schroeder.

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

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 14-023: 1902 Henson St (A0187 SUR 82 JOHN JARMON, TRACT LT 12 W50E75N150S300 DAVILLE) Guadalupe Islas, Owner

A motion was made by Mr. Allred to un-table the case from the previous meeting and was seconded by Mr. Schroeder, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, 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)

Order: The owner is to provide a plan of action within 10 days and complete the project with a final inspection within 45 days.

Mr. Door explained to the Board that the building inspector canceled the inspection due to the property being locked and the owner not being available, in addition, the building framing inspection failed.

Public Hearing:

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

A motion was made by Mr. Allred to provide a plan of action within 10 days and complete the project with a final inspection within 45 days and seconded by Mr. Schroeder, motion carried.

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

NAYS: Dr. Paris

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 17-009: 633 S 11th (OT ABILENE BLK 208 ANDERSON 1-A, LOT 7-12) Abilene Courts Development Corp LLC, Owner

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 (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: Owner to provide a Plan of Action with documented timeline for funding within 60 days and documented update in 90 days with specific progress

Mr. Door explained about the notifications that were given and that the property has potential historic value.

Public Hearing:

Mr. Beard opened the public hearing. Dale Rankin, owner spoke about the property status and its historic significance. He and his wife plan to renovate the property for lodging and restaurant, as well as, a green space to attract visitors to this area of town and through Abilene by way of the historic Bankhead Highway. Mr. Rankin also acquired the adjacent block for future parking. He is securing state and federal tax credits for the restoration project. Mr. Rankin provided the Board with a copy of the conceptual property plans. He explained that the projection would take 12-18 months to complete. He has done an environmental study.

Bill Minter, member of the Abilene Preservation League and Preservation Texas, read a letter from Preservation Texas that explained the significance of the Abilene Courts being listed as one of the Texas Endangered properties and how it is listed in the National Register of Historic places.

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

The Board discussed its concerns for structural hazards and security. Mr. Rankin explained that he is providing patrol security as way to deter crime and vandalism. In addition, there is a six foot locked chain linked fence.

Public Hearing:

Mr. Beard opened the public hearing for a second time. Dale Rankin, owner spoke about not having the original Plan of Action and that he was working on getting a designation on the property as a historical property. Mr. Rankin does plan to continue with or without the tax credit to complete the renovation project. There being no other speakers, Mr. Beard closed the public hearing.

Bill Minter spoke about how the City of Abilene's historic overlay designation has some ad valorem tax benefit which allows state and federal tax credits to be available.

The Board had discussion on how to get the property secured and if the property could be pulled out of condemnation. The Board suggested putting up an opaque fence to help with securement. Mr. Craig advised the board to require the owner to provide funding in writing and regular updates to the staff as part of the Board order.

The Board suggested that the owner will need to provide a timeline and specific progress to prevent continuous extensions.

Dr. Paris made a motion to have the owner provide a plan of action with documented timeline for funding within 60 days and documented update in 90 days with specific progress and was seconded by Mr. Webb, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Turner, Mr. Webb, Mr. Schroeder, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 19-01842: 501 Peach St. (11-12 159 OT ABILENE) Knapp, Robert B & Mary E % Blanca Cortez, Owners

Mr. Door read staff findings into the record.

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

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f,)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (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: 30 days to obtain all permits and provide a plan of action including a timeframe 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. Blanca Cortez spoke about the status of the property. She is currently working on paying overdue taxes, and she explained there were issues with vagrants stealing the materials from inside the home. She does not have current permits and will work on providing a Plan of Action. There being no other speakers, Mr. Beard closed the public hearing.

The staff explained that Ms. Cortez does not have her name on the warranty deed and may not be able to pull permits to work on the home. The home has been without utilities since 2005. She is listed as *In care of* in the Taylor County Appraisal District. The owner has not contacted the staff and has not been able to be reached. Mr. Littlejohn informed the Board that he could work with Ms. Cortez to get building permits.

Mr. Schroeder made a motion to order the owner to repair, 30 days to obtain all permits and provide a 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. Allred seconded the motion, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Turner, Mr. Webb, Mr. Schroeder, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 19-03574: 909 Pecan St. (30 189 J T ANDERSON 20T ABL) Gonzalez, Raul Oliva, Owner

Mr. Door read staff findings into the record.

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

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)

Order: 30 days to obtain all permits and provide a plan of action including a timeframe 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. Raul Oliva Gonzalez spoke about the status of the property. He purchased the home to remodel but due to loss of personal finances, he could not finish the project. He needs an extension. He has secured a sub-contractor but needs time to obtain another buyer. Mr. Gonzalez said that he will know an answer by November 15th. There being no other speakers, Mr. Beard closed the public hearing.

Mr. Turner made a motion to table this case until the December Board meeting and Dr. Paris seconded the motion, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Turner, Mr. Webb, Mr. Schroeder, Mr. Beard
NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 19-004718: 3025 N 12th St. (A0050 SUR 88 PATRICK E DURST, BLOCK A, TRACT N 133.5 W 129 LOT 1) McNeil, Kerri, Owner

Mr. Door read staff findings into the record.

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

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, & f.)
- (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: 30 days to obtain all permits and provide a plan of action including a timeframe 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. Mr. Allen Clark spoke about the status of the property. He explained that Kerri McNeil is his wife. Mr. Clark boarded up the home because he was informed that the house was unsecure. He began work with a contractor twice and was given a stop work order twice and all work ceased.

Mr. Luke Nelson, the contractor, discussed the work that he performed with the property prior to the stop work order. He pulled permits and attempted to extend the front part of the house but was told it was commercially zoned and no residential extension was permitted.

Mr. Clark added that a new roof and decking had been added to the property's structure and the structure was boarded up and secured before he received a stop work order. The intention for the structure is to keep it as a residence.

Mr. Littlejohn clarified that there are no current permits pulled for this property. He explained that permits were pulled previously, but they were denied because necessary documents were missing.

Mr. Webb made a motion to order the owner to repair, 30 days to obtain all permits and provide a 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. McColum seconded the motion, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Turner, Mr. Webb, 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 10:30 a.m.

X *David D Beard* 12-~~31~~-19

Approved, Chairman