

**BOARD OF BUILDING STANDARDS  
MEETING MINUTES  
December 04, 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. David Beard, Chairman  
Mr. Anthony McColum  
Dr. Wayne Paris  
Mr. Wayland Schroeder  
Mr. Lloyd Turner

**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 III

**Others Present:** Mr. Alton Smith

**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, November 06, 2019 were provided in advance to Board Members for review.

**A motion was made by Mr. McColum to approve the minutes with the correction to change November to December on page 6 of 7 and was seconded by Mr. Allred, motion carried.**

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

**NAYS:** None

## AGENDA ITEMS & PUBLIC HEARINGS

Mr. Beard asked that the inconsistency in the Statement of Policy section of the agenda be updated. The error is made on the second sentence to include "City may abate...and bill the owner."

**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. McColum made a motion to un-table this case and Mr. Turner seconded the motion, motion carried.**

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

NAYS: None

Mr. Mares read staff recommendations 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 owner to repair:** 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.

Mr. Mares informed the Board that he spoke with Mr. Oliva who signed a form giving consent to demolish.

### **Public Hearing:**

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

The Board had discussion about the owner's decision to demolish the structure, as well as, the procedure for making a motion to declare the structure a public nuisance.

Mr. Turner moved to accept the staff's recommendation to demolish the structure. He later changed his motion after conferring with Mr. Craig that the property would first need to be declared a public nuisance and then order a demolition.

**Mr. Schroeder made a motion to declare the entire property a public nuisance in that it is a hazard to the public health, safety, and welfare and repair of the structure would be unreasonable. Dr. Paris seconded the motion, motion carried.**

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

NAYS: None

**Mr. Turner made a motion that the owner is ordered to demolish or appeal the order to the district court within 30 days or the City may demolish. Mr. Allred seconded the motion, motion carried.**

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

NAYS: None

**Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 19-004517: 1050 Chestnut (NORTHINGTON, BLOCK A, LOT S40 E180) Smith, Alton, Owner**

Mr. Mares read staff recommendations 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 owner to repair:** 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.

Mr. Mares informed the Board that Mr. Smith had pulled permits and he had authorization to begin repairing the structure.

**Public Hearing:**

Mr. Beard opened the public hearing. Mr. Alton Smith spoke about the status of the property. He explained that property fire was caused by arson. He also requested a six month extension to complete the repairs. He said that his intent was to rehabilitate the structure and rent it. Mr. Smith confirmed that he had completed a plan of action and all the requirements. He also agreed with the staff recommendations.

The Board had discussion about how the motion needed to be made in light of the fact that permits were already pulled.

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

**Mr. McColum 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. Schroeder, Mr. Turner, Mr. Beard  
NAYS: None

**ADJOURNMENT**

There being no further business to come before the meeting, the Board of Building Standards meeting was adjourned at 8:40 a.m.

X *David P Beard* 1-8-20

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Approved, Chairman