

**BOARD OF BUILDING STANDARDS  
MEETING MINUTES  
November 04, 2020 8:15 a.m.  
BOARD OF BUILDING STANDARDS OF THE CITY OF ABILENE, TEXAS  
COUNCIL CHAMBERS, CITY HALL**

**Members Present:** Mr. David Beard, Chairman  
Mr. Anthony McColum  
Dr. Wayne Paris  
Mr. Delbert Allred  
Mr. Jonathan Schmutz  
Mr. Lloyd Turner

**Staff Present:** Mr. Michael Rice, Assistant City Manager  
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. Josh Mares, Code Compliance Officer  
Ms. Catina Betoncur, Office Assistant III

**Others Present:** Mr. Lewis Ash  
Mrs. Amy Ash

**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 07, 2020, were provided in advance to Board Members for review. Mr. McColum made two recommendations to change his title to Co-Chairman and list him as the Board member who opened the hearing.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Turner, Mr. Schmutz

NAYS: None

ABSTAIN: Mr. Beard

## **AGENDA ITEMS & PUBLIC HEARINGS**

**Case for Rehabilitation, Demolition, or Civil Penalties – Case# 10-074:** 860 Orange St. (LT 13 & S1/2 LT 14 180 4-B JOHN SAYLES OT ABL) Owner: Avila, Maria & Avila, Magdalila

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

**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.

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.

The Board wanted clarification as to how long the current owner had owned the house.

Mr. Mares stated the owner had owned it since 2014.

The Board also wanted clarification on the electrical rough in inspection. A question was asked if the rough in inspection was performed on the entire main structure or just the addition.

Mr. Mares stated that the inspection was on the entire structure in 2017.

The Board also asked about the last contact that was made with the owner.

Mr. Mares said he spoke with her on October 20<sup>th</sup> and the owner inquired about the status of the property. Mr. Mares also stated that the owners have received three citations.

### **Public Hearing:**

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

**Dr. Paris 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. Turner, motion carried.**

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

NAYS: None

**Dr. Paris made a motion that the owner is ordered to demolish or appeal the order to district court within thirty days or the City may demolish , and was seconded by Mr. Turner, motion carried.**

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

**Case for Rehabilitation, Demolition, or Civil Penalties- Case No. 17-033: 1233 S Crockett (ELMWOOD WEST SEC 11, BLOCK N, LOT 21) Owner: Coddington, Sharon D**

Mr. Mares presented the case, staff recommendations are as follows:

**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.

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.

Mr. and Mrs. Lewis and Amy Ash are the son and daughter-in-law of Mrs. Coddington and discussed their plans for the property. Mr. Lewis stated that he and his wife finally got permission to enter the property. They plan on repairing the property, removing the electrical pump switch for the pool, and filling in the hole where the pool once was. In addition, they plan on bringing it up to code to sell or flip the home. The cleanup should be completed in 30 days.

A question was asked by the Board about deeding the property.

The Ash's stated that Mrs. Coddington will deed the property to them.

The Board explained to the Ash's that the options available to them are to table the case until the next meeting, or they can complete a plan of action with the intention for the property and a 30/60 plan with cost estimates.

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

**Mr. McColum made a motion to table the case until the next meeting. The motion was seconded by Mr. Allred, motion carried.**

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

NAYS: None

**Case for Rehabilitation, Demolition, or Civil Penalties – Case No. 20-002282: 1517 N. 16<sup>th</sup> St. (COLLEGE HEIGHTS, BLOCK 26, LOT 3 & W/2 OF 2) Owner: Jones, Gregory ET AL % Gregorio Hernandez**

**Mr. Allred made a motion to remove the case from the table, and the motion was seconded by Mr. McColum, motion carried.**

Mr. Mares presented the case, staff recommendations are as follows:

**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.

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.

Mr. Mares explained that the property has two structures, and a fire burned the main structure. Mr. Mares stated that he received a call from Elise Hernandez that the attorney is in quarantine due to illness; so her appointment was rescheduled.

The Board asked Mr. Mares if he was able to provide assistance to the owner for support with the title.

Mr. Mares stated that he provide Mrs. Hernandez with a list of resources.

**Public Hearing:**

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

Mr. Craig advised the Board that they were under no formal obligation to allow the home owner more time to obtain an attorney.

Mr. Craig stated that the owner and her attorney are both responsible to represent their case to the Board. Additionally, adequate notice was sent to the owner, and tabling the case is also an option available for the Board to utilize.

The Board had discussion on the history of the title issues between the Jones and Hernandez's.

**Mr. Allred made a motion to table the case until the next meeting. The motion was seconded by Mr. McColum, motion carried.**

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

NAYS: None

#### **ADJOURNMENT**

There being no further business to come before the meeting, the Board of Building Standards hearing was adjourned at 8:52 a.m.

X David D Beard 12-2-20

Approved, Chairman