

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
December 02, 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. Wayland Schroeder
Mr. Lloyd Turner
Mr. Gary Webb

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

Others Present: Mr. Joel Flores
Mr. Gilbert Villarreal
Mr. Leland Kinkade
Mrs. Kay Kinkade

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 04, 2020, were provided in advance to Board Members for review.

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

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

NAYS: None

ABSTAIN: Mr. Webb, Mr. Schroeder

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition, or Civil Penalties- Case No. 11-044: 2926 Beech St. (NORTH PARK ADDN, BLOCK 15, LOT S75 N319 OF E138.5) Owner: Flores, Joel

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. Joel Flores (5726 Chachalaca Ln) spoke about the status of the property. He stated that he has made repairs to the ceiling and the back room and is working to get the problems up to code. He invested \$45,000 on the property and is currently having financial problems which is preventing him from completing the work. Mr. Flores stated that the shifted foundation was caused by a tornado last year, and he stated that he needs to move the foundation over 8 feet. Mr. Flores cannot afford the estimate he received of \$6,000 to have the primary structure professionally moved.

The Board asked Mr. Flores what the timeline goal was to remove the house out of condemnation.

Mr. Flores stated that he attempted to get the inspectors to respond to him and it was without success.

The Board had discussion about the foundation and how it was able to be moved 8 feet off the footing.

Mr. Flores explained that the original foundation was made of rocks and cinder blocks were later added and that the movement was a result of the tornado in 2019.

Dr. Paris made a motion to give the owner 60 days to move the structure within the setback lines and the Board would revisit the case during the February Board hearing and the motion was seconded by Mr. Schroeder, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Webb, Mr. Turner, Mr. Schroeder, 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. McColum made a motion to remove the case from the table, and the motion was seconded by Mr. Allred, motion carried

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

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. 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: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Webb, 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 the district court within thirty day or the City may demolish, and was seconded by Mr. Allred, motion carried.

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

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

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

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

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. 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. McColum, motion carried.

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

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

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

NAYS: None

Clay Door Staff Presentation – Condemnation Program Statistics review (FY 2019-2020)

Clay Door presented statistics on condemnation cases and demolitions within the Community Enhancement division.

The Board inquired about the dilapidated structure program.

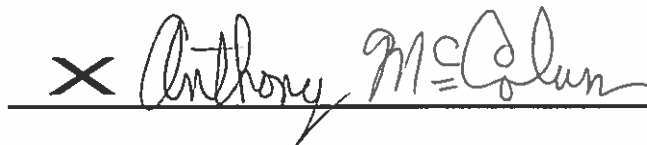
Mr. Door provided the Board with more details to explain that the program is part of the public nuisance and provides a resolution for owners to repair minor problems with their homes to avoid the condemnation process which was implemented around 2018.

A question was asked by the Board about how recent City cutbacks will influence the budget.

Mr. Door stated that the budget was already allocated so there are funds available. Mr. Door explained that the City has CDBG funding (Community Development Block Grant) which can be utilized for demolitions.

ADJOURNMENT

There being no further business to come before the meeting, the Board of Building Standards hearing was adjourned at 9:22 a.m.



Approved, Chairman