

**BOARD OF BUILDING STANDARDS  
MEETING MINUTES  
December 01, 2021 8:15 a.m.  
BOARD OF BUILDING STANDARDS OF THE CITY OF ABILENE, TEXAS  
COUNCIL CHAMBERS, CITY HALL**

**Members Present:** Mr. David Beard, Chairman  
Dr. Wayne Paris  
Mr. Delbert Allred  
Mr. Jeremy McBrayer  
Mr. Gary Webb  
Mr. David Brosig  
Mr. Wayland Schroeder

**Staff Present:** Mr. Michael Rice, Assistant City Manager  
Mr. Tim Littlejohn, Interim Director of Planning and Development  
Services / Building Official  
Mr. Van Watson, Assistant Building Official  
Mr. Stanley Smith, City Attorney  
Mr. Clay Door, Code Enforcement Division Manager  
Mr. Robert Marsh, Code Enforcement Officer  
Mr. Robert Norton, Code Enforcement Officer  
Ms. Christi Jones, Administrative Assistant III

**Others Present:** Mr. Ariel Cenicerros

**CALL TO ORDER**

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

**APPROVAL OF MINUTES**

The minutes of the last meeting, November 03, 2021, were provided in advance to Board Members for review.

**Mr. Allred made a motion to approve the November minutes with correction of Mr. McColum's vote and was seconded by Mr. Webb, motion passed.**

**AYES:** Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Brosig, Mr. Schroeder, Mr. Beard

**NAYS:** None

**ABSTAIN:** None

**AGENDA ITEMS & PUBLIC HEARINGS**

**Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-001109:** 1933 VOGEL AVE. (WEST UNIVERSITY PLACE, BLOCK 4, LOT 5), Owner: Remmers, Bobby Lee % Megan Remmers

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

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)

**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.

**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, and there being no speakers, Mr. Beard closed the public hearing.

**Board Held Discussion:** Board asked legal for clarification on staff recommendation if owner sells property after hearing.

**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 passed.**

AYES: Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Brosig, Mr. Schroeder, Mr. Beard  
NAYS: None

**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 passed.**

AYES: Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Brosig, Mr. Schroeder, Mr. Beard  
NAYS: None

**Case for Rehabilitation, Demolition or Civil Penalties - Case No. 21-001937:** 6150 HARTFORD ST. (K & A JACKSON SUB, BLOCK A, LOT 1), Owner: JACKSON, IDA ANITA

Mr. Mares informed the Board that this case must be removed from the table.

**Mr. Allred made a motion to remove this case from the table and was seconded by Mr. Webb, motion passed.**

AYES: Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Brosig, Mr. Schroeder, Mr. Beard  
NAYS: None

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

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)

**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.

**Order:** The owner is ordered to demolish or appeal the order to district court within 30 days or the City may demolish.

The board asked a question about 5<sup>th</sup> wheels located at property. Mr. Marsh informed the board 5<sup>th</sup> wheels are being handled as a separate zoning case.

**Public Hearing:** Mr. Beard opened the public hearing. Mr. Cenicerros spoke about his desire to cleanup the property.

**Public Hearing:** There being no other speakers, Mr. Beard closed the public hearing.

**Dr. Paris made a motion that 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 passed.**

AYES: Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Brosig, Mr. Schroeder, Mr. Beard  
NAYS: Mr. Webb

**Dr. Paris 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 Passed.**

AYES: Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Brosig, Mr. Schroeder, Mr. Beard  
NAYS: Mr. Webb

**Case for Rehabilitation, Demolition or Civil Penalties - Case No. 21-003190: 2141 SHELTON ST. (SEARS PARK, BLOCK 20, LOT 32), Owner: TALAVERA, ANDRES**

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

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 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.

The board discussed with Mr. Mares about legal heirs and their ability to pull permits.

**Public Hearing:** Mr. Beard opened the public hearing, and there being no speakers, Mr. Beard closed the public hearing.

**Mr. Schroeder made a motion that the owner is ordered 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, Motion failed due to lack of a second.**

The board discussed what options they could take.

**Mr. Allred made a motion to table this case until next meeting and was seconded by Dr. Paris, motion passed.**

AYES: Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Brosig, Mr. Beard

NAYS: Mr. Schroeder

**Case for Rehabilitation, Demolition or Civil Penalties - Case No. 21-003216:** 1009 S. 12th ST. (NORTHINGTON W/2, BLOCK C, LOT W54.05 E140 N101), Owner: LEGACY DWELLING, LLC

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

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 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.

**Public Hearing:** Mr. Beard opened the public hearing, and there being no speakers, Mr. Beard closed the public hearing.

**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 and was seconded by Mr. Allred, motion carried.**

AYES: Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Brosig, Mr. Beard

NAYS: Dr. Paris, Mr. Schroeder

**Case for Rehabilitation, Demolition or Civil Penalties - Case No. 21-003384: 502  
PORTLAND AVE. (PARK HEIGHTS ABL, BLOCK 13, LOT 1 & N/2 OF LT 2), Owner:  
DAVIS, JAMES**

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

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)

**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.

**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.

The board discussed utilizing the 30/60 recommendation.

The board discussed danger of property.

**Dr. Paris made a motion that 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, motion failed due to lack of second.**

**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 and was seconded by Mr. Brosig, motion carried.**

AYES: Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Brosig, Mr. Beard

NAYS: Dr. Paris, Mr. Schroeder

**Condemnation Report:** Clay Door gave a staff presentation on the Condemnation Program statistics review for fiscal year 2021

**Member Introduction:** Mr. Beard introduced a new board member Mr. McBrayer.

**ADJOURNMENT**

There being no further business to come before the hearing, the Board of Building Standards meeting was adjourned at 9:44 a.m.

**X** *David D Beard* 1-5-22

---

Approved, Chairman