

**BOARD OF BUILDING STANDARDS
MEETING MINUTES**

February 2, 2022 8:15 a.m.

**BOARD OF BUILDING STANDARDS OF THE CITY OF ABILENE, TEXAS
ABILENE PUBLIC LIBRARY, SOUTH BRANCH, MALL OF ABILENE, 4310
BUFFALO GAP ROAD, ABILENE, TEXAS, 79606**

Members Present: Mr. David Beard, Chairman
Dr. Wayne Paris
Mr. Jeremy McBrayer
Mr. Delbert Allred
Mr. Gary Webb
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
Ms. Kelley Messer, Assistant City Attorney
Mr. Clay Door, Code Enforcement Division Manager
Mr. Robert Marsh, Code Enforcement Officer
Mr. Ricky Wright, Code Enforcement Officer
Mr. Josh Mares, Code Enforcement Officer
Ms. Christi Jones, Administrative Assistant III

Others Present: Joel Villarreal
Jaime Villarreal

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, January 5, 2021, were provided in advance to Board Members for review.

Dr. Paris stated needed word change for election of acting chair in absence of regular chair.

Dr. Paris nominated Mr. Webb for acting chair.

Dr. Paris made a motion to approve the January minutes with word change and was seconded by Mr. Schroeder, motion passed.

AYES: Dr. Paris, Mr. Webb, Mr. Schroeder, Mr. Beard

NAYS: None

Mr. McBrayer and Mr. Allred arrived at this time.

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 20-004103: 1742 Victoria St. (MITCHELL & KIRBY, LOT 8, TAYLOR COUNTY, TEXAS), Owner: Villarreale, Jaime

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, & i)
(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.

Mr. Joel Villarreale spoke, owner Jaime Villarreale was present. Mr. Villarreale stated Covid 19 limited building supplies. Mr. Villarreale presented a new time line and requested a four-month extension. The board had discussion with Mr. Villarreale about the timeline of a 30/60 plan and what can be complete with the first eight weeks.

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

Board Held Discussion: Board asked legal about reissuing permits without paying the cost of them again.

Mr. Webb 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 and was seconded by Mr. Schroeder, Motion passed.
AYES Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Schroeder, Mr. Beard
NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-002723: 202 Meander St. (OT ABILENE BLK 207 WISE 2, LOT 6, TAYLOR COUNTY, TEXAS), Owner: Arevalo Samuel

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, & i)
(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. There being no speakers, Mr. Beard closed the public hearing.

Board Held Discussion: Board asked legal about being consistent / inconsistent with prior cases. Legal stated it's a case by case basis. The board does not have to agree with staff recommendation. Board members can make their own motion. Each case has to be looked at separately structurally, if the property is a public nuisance in that it is a hazard to the public health, safety and welfare to public.

Mr. Schroeder 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 passed.

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

NAYS: None

Mr. Schroeder 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. Allred, Motion Passed.

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

NAYS: None

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, TAYLOR COUNTY, TEXAS), 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.

Board Held Discussion: Board asked legal about legal boundaries. Legal stated it is about structural issues. Talked about tabling a case legal suggested if tabling a case to table it for a month for it to be back before the board.

Mr. Allred 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 all final inspections shall be completed by the expiration of all permits and was seconded by Mr. Webb, Motion passed. AYES: Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Beard
NAYS: Dr. Paris, Mr. Schroeder

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-003621: 2109 Poplar St. (BOWYER ADDN, BLOCK 1, LOT 11, TAYLOR COUNTY, TEXAS), Owner: FOCO Capital, 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, & I)
 - (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. There being no speakers, Mr. Beard closed the public hearing.

Dr. Paris 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 and was seconded by Mr. Webb, Motion passed. AYES Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Schroeder, Mr. Beard
NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-003622: 2118 Poplar St. (BOWYER ADDN, BLOCK 2, LOT 3, TAYLOR COUNTY, TEXAS), Owner: Meono Claudia Ivette Diaz ETAL % Rafael Diaz

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

Board Held Discussion: Board held discussion about 30/60 and what it entails. Mr. Mares spoke to the board about the 30/60, if owner does not contact or pull permits in 30 days it will come back to the board after a full 30 days. Legal also stated that in the 30/60 order if no contact or no pulled permits then it will come back before the board for the next step.

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, was seconded by Mr. Allred, Motion passed.

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

NAYS: Mr. McBrayer, Mr. Webb

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-003928: 1334 Poplar St. (K B LEGGETT, BLOCK 12, LOT 5, TAYLOR COUNTY, TEXAS), Owner: Logston Mike

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

Mr. Webb 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 and was seconded by Mr. McBrayer and Mr. Schroeder, Motion passed.

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

ADJOURNMENT

There being no further business to come before the hearing, the Board of Building Standards meeting was adjourned at 9:30 a.m.

X *D. D. Beard* 3-2-21

Approved, Chairman