

**BOARD OF BUILDING STANDARDS  
MEETING MINUTES**

**May 4, 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. Delbert Allred  
Mr. Jeremy McBrayer  
Mr. Gary Webb  
Mr. Lloyd Turner  
Mr. Wayland Schroeder

**Staff Present:** Mr. Michael Rice, Assistant City Manager  
Mr. Tim Littlejohn, Director of Planning and Development  
Services  
Mr. Van Watson, Building Official  
Ms. Kelley Messer, Assistant City Attorney  
Mr. Clay Door, Code Enforcement Division Manager  
Mr. Josh Mares, Code Enforcement Officer  
Mr. Robert Marsh, Code Enforcement Officer  
Mr. Ricky Wright, Code Enforcement Officer  
Ms. Christi Jones, Administrative Assistant

**Others Present:** Mr. Robert Marshall  
Mr. Mike Logston

**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, April 5, 2022, were provided in advance to Board Members for review.

**Mr. Allred made a motion to approve the April minutes with correction of Mr. Josh Mares added to staff present, and was seconded by Mr. Schroeder, motion passed.**

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

NAYS: None

ABSTAIN: Mr. Webb

**AGENDA ITEMS & PUBLIC HEARINGS**

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 20-000431: 1326 Burger St. (CRESCENT HEIGHTS, BLOCK A, LOT 4, TAYLOR COUNTY, TEXAS), Owner: Marshall, Robert Ondra

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

- (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)

**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. Robert Marshall spoke to the board about that he believes the house is solid. Mr. Marshall stated he is trying to get a loan to get the money to repair house. Mr. Marshall said he believes the house is livable if a wall is put up where the fire occurred and the electric turned back on.

The board held a discussion with Mr. Marshall about the house needs to be secured. Mr. Marshall stated he is planning on moving fence to secure the properties (1318 and 1326 Burger). The board discussed the drug paraphernalia in the house and what Mr. Marshall's plan is for the property. The board explained to Mr. Marshall that he needs to discuss with the city his plan of action and timelines for working on the property.

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. Alfred, motion passed.

AYES: Dr. Paris, Mr. Alfred, Mr. Webb, Mr. Turner  
NAYS: Mr. McBrayer, Mr. Schroeder, Mr. Beard

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. Alfred, motion passed.

AYES: Dr. Paris, Mr. Alfred, Mr. McBrayer, Mr. Webb, Mr. Turner  
NAYS: Mr. Schroeder, Mr. Beard

**Re-open Public Hearing:** The board discussed with Mr. Marshall about that he can appeal in 30 days. Mr. Marshall stated there is not a nuisance at 1326 because all the cars are at 1318. The board explained to Mr. Marshall that it is the house that is the nuisance.

Mr. Beard closed the public hearing.

**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 Et Al % 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)

**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.

**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. Turner, motion passed.**

AYES: Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Turner, Mr. Schroeder, 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. Turner, motion passed.**

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

**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:

**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.

- (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)

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

Mr. Mares presented the case, staff recommendations are as follows:  
(G W MURFEE, LOT 9, TAYLOR COUNTY, TEXAS), Owner: Rodriguez, John Robert  
Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 22-000094: 2009 Over St.

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

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

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

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

**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.

- (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:** 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. 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 Dr. Paris, motion passed.**

AYES: Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Turner, 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 Dr. Paris, motion passed.**

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

The board held a discussion with legal about having an executive session at the next board meeting. The board would like to have a review about the appeal process, demolition process, and the cost that occurs.

#### ADJOURNMENT

There being no further business to come before the hearing, the Board of Building Standards meeting was adjourned at 9:17 a.m.

 X David P Beard 6-1-22

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Approved, Chairman

