

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
August 3, 2022 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. 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
Mr. Chad Sears, Assistant Building Official
Mr. Stanley Smith, City Attorney
Mr. Clay Door, Code Enforcement Division Manager
Mr. Josh Mares, Code Enforcement Officer
Mr. Ricky Wright, Code Enforcement Officer
Ms. Christi Jones, Administrative Assistant

Others Present: Mr. Joe Moreno
Ms. Laura Gardner
Tami Ms. ~~Jami~~ Shifflett
Mr. Keith Sproles
Mr. Donald Gardner
Ms. Michelle Thurston
Mr. Ernie Heyek

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, July 6, 2022, were provided in advance to Board Members for review.

Mr. Allred made a motion to approve the July minutes with correction. Case No. 22-000384: 2829 S 2nd St. Dr. Paris made motion for public nuisance and order to demolish, and was seconded by Mr. Schroeder, motion passed.

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

NAYS: None

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

Abstain: Mr. Webb
Mr. McBrayer arrived at this time.

AGENDA ITEMS & PUBLIC HEARINGS
Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-001757: 774 E. HWY 80
(RADFORD HILLS SEC 3 CONT 1, BLOCK 4, LOT 1, TAYLOR COUNTY, TEXAS) Owner:
TRAVERS HOLDINGS 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)

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 Held Discussion: The board held a discussion with Mr. Van Watson about permits. Permits were applied for but the information needed to move forward on permits was never given to the city. The board also spoke with Mr. Mares about if the owner had reported any progress on the funding. The owner reported he is still working with the Veteran Group to acquire funding.

Public Hearing: Mr. Beard opened the public hearing. Mr. Keith Sproles (contractor) spoke to the board about he has secured the property again. The no trespassing signs had been stolen but they have been replaced and OSI Security is patrolling the property 3 times per night. Ms. Jami Shifflett (realtor) spoke to the board about marketing the sale of the property. Ms. Shifflett stated she knows the Veteran Group is still trying to acquire the federal funding. The board spoke with Ms. Shifflett about the funding she stated she cannot say how or where the Veterans Group is at on the funding.

The board discussed what was said at the meeting on April 6, 2022 by Mr. Lieberman and Mr. Meslin. It was stated in the April meeting that the Veterans Group had acquired the funding for the property and project.

Mr. Sproles spoke about the asbestos survey, there are some hot spots but not very many. Mr. Sproles stated the Veterans Group have paid earnest money and good faith monies toward the property and project. Mr. Sproles and Ms. Shifflett ask the board to postpone the decision on this until the next board meeting.

Mr. Mares read an email sent by Mr. Lieberman updating on funding. The Veteran Group is still trying to acquire funding at this time. Since funding has not come available he is still actively trying to sell the property. Mr. Lieberman stated in the email he is having trouble finding contractors at this time.

The Board Held Discussion: The board held a discussion with Mr. Mares about lack of progress.

Mr. Schroeder made a motion to table this case for 30 days and was seconded by Mr. Webb, motion passed.

AYES: Mr. McBrayer, Mr. Webb, Mr. Schroeder, Mr. Beard

NAYS: Dr. Paris, Mr. Allred, Mr. Turner

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-001873: 2925 Swenson St. (A B HOHERTZ N/2 OF 1 DELLIS & PAXTON, BLOCK 2, LOT 20, TAYLOR COUNTY, TEXAS), Owner: Garcia, Humberto Romero

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.

Mr. Turner 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. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Mr. Turner 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. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 22-000843; 1917 Swenson St. (COLLEGE HEIGHTS, BLOCK 36, LOT 9, TAYLOR COUNTY, TEXAS), Owner:
Gardner, Laura

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 all final inspections shall be completed by the expiration of all permits.

Public Hearing: Mr. Beard opened the public hearing. Ms. Laura Gardner spoke to the board about her intent for the property. Ms. Michelle Thurston also spoke to the board about the plan of action and getting permits for electric and plumbing.

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

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, 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, 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. 22-001150:
458/460 Merchant St. (1 & N35 OF LT 2 205 2 A STEFFENS OT ABL, TAYLOR COUNTY, TEXAS), Owner: Moreno, Joseph S

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)

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. Mr. Joe Moreno spoke to the board about he is in the process of selling the property. Mr. Moreno stated that if the sale falls through on the property he will be able to demo the structure.

Mr. Ernie Heyek spoke to the board he is the person trying to buy the property. Mr. Heyek also stated he is going to demo the property once he has purchased it.

Public Hearing: There being no other 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 Mr. Schroeder, 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 Mr. Schroeder, motion passed.

AYES: Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Turner, 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 9:28 a.m.

X *David D Beard*

9-7-22

Approved, Chairman

