

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
September 7, 2022 8:30 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. 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, First Assistant City Attorney
Mr. Clay Door, Code Enforcement Division Manager
Mr. Josh Mares, Code Enforcement Officer
Mr. Ricky Wright, Code Enforcement Officer
Mr. Robert Marsh, Code Enforcement Officer

Others Present: Mr. Jack Lieberman
Mr. Keith Sproles
Mr. Brian Meslin
Mr. Robert Prado
Mr. Rickey Roberts
Mr. John Felder

CALL TO ORDER

Mr. Beard called the meeting to order at 8:30 a.m. Mr. Marsh recorded the minutes. A quorum of members was present, and the meeting proceeded.

APPROVAL OF MINUTES

The minutes of the last meeting, August 3, 2022, were provided in advance to Board Members for review.

Mr. Allred made a motion to approve the August minutes with one correction. Correction is for Case No. 21-001757: 774 E. Hwy 80, to correct name of realtor to *Tami Shifflett*.

The motion was seconded by Dr. Paris, motion passed.

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

NAYS: None

ABSTAIN: None

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. Allred made a motion to untable case #21-001757, it was seconded by Mr. Schroeder. Motion passed.

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

NAYES: None

ABSTAIN: 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 Held Discussion: The Board asked whether the submitted Plan of Action was approved. Mr. Mares let the Board know that the Plan of Action would be approved once floor plans are received. The Board inquired as to how long the property has been condemned, asbestos, and cost estimates.

Public Hearing: Mr. Beard opened the Public Hearing. Jack Lieberman of Travers Holdings addressed the Board. He explained the delay was due to the requirement for an asbestos survey and he just became aware of the requirement for a floor plan for the entire complex. He explained his plan is to complete the repair process and create an extended stay facility. The Board expressed concern that every time there's a potential buyer it slows the repair process. The Board requested assurance that owner would be more aggressive at rehabilitation. The Board asked about a timeline to complete repairs. Contractor Keith Sproles stated that he has subcontractors that are ready to begin work as soon as the permit is approved and the work could take about one year to complete. The Board asked Mr. Lieberman if his mortgage company that he represents has the money to complete the work, to which Mr. Lieberman replied, "yes." The Board asked again to Mr. Lieberman, whether Travers Holdings has the funds to complete the project, even if a buyer does not come forward, to which Mr. Lieberman replied, "yes."

Rickey Roberts addressed the Board on behalf of a potential property buyer. Buyer is currently out of the country and was unable to attend the hearing. The potential buyer wanted the Board to know he wants to look into purchasing property when he returns at the end of the month.

Brian Meslin spoke about frustration with obtaining the property.

John Felder told the Board that he has been in contact with Jack Lieberman about negotiating a contract for property.

Mr. Beard closed the public hearing.

The Board Held Discussion: The Board expressed concern about delays and issuing a demolition order. Mr. Rice addressed the Board and let them know a demolition order would not require the City to demolish, but it would allow the city to follow the demolition process and complete demolition if the city chooses. A demolition order would prompt the owner to hire an attorney to appeal the demolition order. During the appeal a formal legal agreement could be reached or the city could demolish.

Mr. Beard reopened the public hearing. Mr. Lieberman addressed the Board about his expenditures on the property.

Mr. Beard closed the public hearing.

Mr. Beard reopened the Public Hearing: Keith Sproles informed the Board the required team is already in place. The only missing piece is the design plans that the city requested. He said he can get the floor plan completed in 45 days.

Mr. Beard closed the public hearing.

Mr. Schroder made a motion of 30 days to organize team, if this is done, 30 days to provide documents for city review, if this is done, 30 days to get permit and start work. Seconded by Mr. McBrayer, motion passed.

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

NAYES: Dr. Paris, Mr. Allred

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-002635: 2049 Ambler Ave. (SEARS PARK, BLOCK 36, LOT W46 OF LT 1 & 2, LESS N5 FT, TAYLOR COUNTY, TEXAS), Owner: Joel T. Loya

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. McBrayer 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 Dr. Paris, Motion passed.

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

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-004817: 4481 Maple St. (A0866 SUR 67 B A L NW/4, ACRES 1.0, TAYLOR COUNTY, TEXAS), Owner: Jonathan Dee & Penny Westra

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

NAYS: None

ABSTAIN: 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. McBrayer, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

ABSTAIN: None

**Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-004878:
309 Fannin St. (OAKWOOD ADDN, BLOCK 3, LOT S48 FT LT 11 & N11 FT LT 12,
TAYLOR COUNTY, TEXAS), Owner: Robert Garcia Prado**

Public Hearing: Mr. Beard opened the public hearing. Mr. Prado informed the Board the reason for the delay and that he is ready to get required permit and continue with the project.

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

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

NAYS: None

ABSTAIN: None

Board Held Discussion: The Board address Legal about the requirements to hold an executive session as well as the time change of the Board hearings.

ADJOURNMENT

There being no further business to come before the hearing, the Board of Building Standards meeting was adjourned at 10:30 a.m.

 11-2-22

Approved, Chairman