

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
April 5, 2023 8:30 a.m.
BOARD OF BUILDING STANDARDS OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL**

Members Present: Mr. David Beard, Chairman
Mr. Jay Wyatt
Mr. Delbert Allred
Mr. Jeremy McBrayer
Mr. Sean McNeill
Mr. Lloyd Turner
Mr. Will Dugger

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 Compliance Division Manager
Mr. Robert Marsh, Property Maintenance Inspector
Mr. Ricky Wright Jr., Property Maintenance Inspector
Mr. Kendall Cooper, Property Maintenance Inspector
Ms. Christi Jones, Administrative Assistant

Others Present: Mr. Gerardo Garza (3110 Russell Ave)
Mr. Charles Self (4474 La Hacienda)
Mr. Thomas W. Choate (4474 La Hacienda)

CALL TO ORDER

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

EXECUTIVE SESSION

Mr. Beard adjourned the meeting at 8:31 a.m. to convene an executive under Section 551.071, Consultation with Attorney.

Mr. Beard called the meeting back to order at 9:00 a.m. and stated for the record that no action was taken during the executive session.

APPROVAL OF MINUTES

The minutes of the last meeting, March 1, 2023, were provided in advance to Board Members for review.

Mr. Allred made a motion to approve the March minutes as written.

The motion was seconded by Mr. McBrayer, motion passed.

AYES: Mr. Allred, Mr. McBrayer, Mr. Turner, Mr. Dugger, Mr. Beard

NAYS: None
ABSTAIN: Mr. Wyatt and Mr. McNeill

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 22-001153: 3110 Russell Ave.
(SCOTT HIGHWAY PLACE, BLOCK 14, LOT 15), Owner: Borrego Jose

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

Pursuant to Chapter 8; Sec. 8-554, and Chapter 19, Sec. 19-15, the following conditions exist:

- (2) Structural Hazard Chapter 8; Sec. 8-554
- (3) Nuisance, Chapter 19-15
- (4) Hazardous electrical wiring Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554
- (9) Faulty materials of construction Chapter 8: Sec. 8-554
- (10) Inadequate exits Chapter 8; Sec. 8-554

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. Garza spoke to the board, he stated he is the new owner of the property. He stated he is planning on demolishing the structure and cleaning up the property, he asked for 60 to 45 days to do so.

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. Turner, motion passed.

AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Turner, Mr. Dugger, Mr. Beard

NAYS: None

ABSTAIN: 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. Turner, motion passed.

AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Turner, Mr. Dugger, Mr. Beard

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 22-001429: 757 Mesquite St.
(LT 19 147 LEWIS OT 1 ABL TIF#1), Owner: Rooted Land Company, LLC

Mr. Marsh 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
- (2) Structural Hazard Chapter 8, Sec. 8-554
- (3) Nuisance Chapter 19-15
- (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

Order: Owner is to repair – 30 days to obtain all permits and provide plan of action including a timeframe for repair and costs 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. Dugger made a motion Owner is to repair – 30 days to obtain all permits and provide plan of action including a timeframe for repair and costs 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, was seconded by Mr. Allred, motion passed
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Turner, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 22-002033: 2342 N. Treadaway Blvd (MORNINGSIDE ADDN, BLOCK D, LOT E PT LT 7-8 & LOT 9), Owner: Cherry, Carressa

Mr. Marsh 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
- (3) Nuisance Chapter 19-15
- (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

Order: Owner is to repair – 30 days to obtain all permits and provide plan of action including a timeframe for repair and costs 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. Turner made a motion Owner is to repair – 30 days to obtain all permits and provide plan of action including a timeframe for repair and costs 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, was seconded by Mr. Wyatt, motion passed
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Turner, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case #22-002791: 4474 La Hacienda Dr. (VAQUERO SUB SEC 2, BLOCK A, LOT 10, ACRES 1.281), Owner: Hirsch Victor John III & Candice Jo

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

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:
Inadequate Sanitation Chapter 8, Sec. 8-554 (1)
Nuisance, Chapter 8 Sec 8-554 (3) & Chapter 19, Sec 19-15 (4)
Faulty Weather Protection Chapter 8, Sec. 8-554 (7)

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. Self spoke to the board on the owner's behalf. He stated that he is asking for the board to give the owner the 30/60 staff recommendation. The owner's intent is to sell the property.
Mr. Choate spoke to the board on the behalf of the Home Owners Association. He stated he would like for the board to find the property as a public nuisance. That the property needs to be sold or demolished in an specific time frame.

Mr. Beard closed public hearing.

Mr. Allred made a motion Owner is to repair – 30 days to obtain all permits and provide plan of action including a timeframe for repair and costs 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, was seconded by Mr. McBrayer, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Turner, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 22-003303: 2001 Collins Ave (C L HICKMAN OF NORTH PK, BLOCK 26, LOT 1 1.3 OF BLK 26 NORTH PARK), Owner: Davis, Troy Et Al

Mr. Marsh 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
- (3) Nuisance Chapter 19-15
- (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

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. McBrayer made a motion that the owner is to repair or demolish – 30 days to provide plan of action including a timeframe for repair or demolition and costs estimates and if this is done, 30 days to obtain rough-in inspections and if this is done, all final inspections shall be completed by the expiration of all permits, was seconded by Mr. Turner, motion passed
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Turner, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-000434: 3034 S. 11th St. (FRANK E SMITH OF SAYLES & HUGHES, BLOCK 3, LOT 2), Owner: Throckmorton, Neil

Mr. Marsh 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
- (2) Structural Hazard Chapter 8; Sec. 8-554
- (3) Nuisance, Chapter 19-15
- (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

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. McNeill 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: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Turner, Mr. Dugger, Mr. Beard

NAYS: None

ABSTAIN: None

Mr. McNeill 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. Dugger, motion passed.

AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Turner, Mr. Dugger, Mr. Beard

NAYS: None

ABSTAIN: None

ADJOURNMENT

There being no further business to come before the hearing, the Board of Building Standards meeting was adjourned at 9:46 a.m.

X *David D Beard* 5-3-23

Approved, Chairman