

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
May 3, 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. Delbert Allred
Mr. Jeremy McBrayer
Mr. Sean McNeill
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. 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. Rudy Tolentino (2418 N. Treadaway Blvd)
Mr. Paul Vasquez (2418 N. Treadaway Blvd)
Mr. Chris Mercer (1317 Beech St.)
Mr. Ricky Thomas (1446 Plum St.)
Mr. Jose Martinez (1338 Orange St.)

CALL TO ORDER

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

APPROVAL OF MINUTES

The minutes of the last meeting, April 4, 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. Duggar, motion passed.

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

NAYS: None

ABSTAIN: None

AGENDA ITEMS & PUBLIC HEARINGS

**Case for Rehabilitation, Demolition, or Civil Penalties - Case# 22-001920: 2418 Treadaway Blvd. (NORTH PARK ADDN, BLOCK 6, LOT PT OF LT 3 & PT OF ALLEY W HWY)
Owner: Emilio C & Lucy G Flores**

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554
 - (2) Structural Hazard Chapter 8; Sec. 8-554
 - (3) Nuisance, Chapter 19-15
- Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

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

(7 204 2 E BALDWIN ABL OT) Owner: Christopher Mercer
Case for Rehabilitation, Demolition, or Civil Penalties - Case# 22-003066: 1317 Beech

ABSTAIN: None
NAYS: None

AYES: Mr. Alfred, Mr. McBrayer, Mr. McNeil, Mr. Dugger, Mr. Beard
motion passed.

Mr. Alfred made a motion that the 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, the motion was seconded by Mr. Dugger,

Mr. Beard closed the public hearing.

Public Hearing: Mr. Beard opened the public hearing. Mr. Tolentino spoke on behalf of the property. Mr. Tolentino stated his wife has power of attorney over the property and the family intends on completing structural repairs and cleaning with intention of selling the property. Mr. Tolentino stated that if the family decided to keep the structure they would bring all utilities up to code. The family intends to do the repairs themselves and requested a 6-month time frame for completion. Mr. Tolentino stated a rear garage door and front glass has been ordered for repairs/installation. Mr. Tolentino stated a no trespass order has been placed on his brother in law who continually brings scrap material and trash to the property. Mr. Vasquez a neighbor and family friend spoke on behalf of the family's character and good intentions.

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.

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

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

- (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. The owner of the property Mr. Mercer stated he is keeping the property secured, lot mowed, and clean. Work to be done on the property is scheduled with sub-contractors and should be underway and ready for rough in inspections in 6 months.

Mr. Beard closed the public hearing.

Mr. McBrayer 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. McNeil, motion passed

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

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 22-003068: 1338 Orange St. (11 204 2 E BALDWIN ABL OT) Owner: Jose Martinez

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. The owner of the property Mr. Martinez stated that progress on the structure stopped due to an illness and lack of funds. Mr. Martinez stated his nephew has secured a loan for \$130,000 for completion of the remodel and intends to sell or gift the structure to his nephew upon completion.

Mr. Beard closed the public hearing.

Mr. Duggar 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

ABSTAIN: None

NAYS: None

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

~~Mr. Allred 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. McNeil, motion passed.~~

Mr. Beard closed public hearing. *Mr. Allred declared a public nuisance*

Public Hearing: Mr. Beard opened the public hearing. Ricky Thomas (son of deceased owner Billy Thomas) spoke on behalf of the property. Mr. Ricky Thomas said he is in the process in getting the property in his name and has paperwork from a title company. Once he has the process complete he would like to demo the property.

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

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

Case for Rehabilitation, Demolition, or Civil Penalties - Case #22-003573: 1446 Plum St. (S50 N 100 EW150 OF LT 1 201 2 H&T MCNAIRY OT ABL) Owner: Billy Gene Thomas

ABSTAIN: None

NAYS: None

Mr. Duggar 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. Allred, Mr. McBrayer, Mr. McNeill, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-000390: 3234 S. 8th ST
(FAIR PARK ACRES OUTLOT 7, LOT E62 S50 W162 LT 3 (LT 3 OF H WARD))
Owner: RST Homes 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. Duggar 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. Allred, Mr. McBrayer, Mr. McNeill, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Board Discussion

Discussion for a possible election of an acting chairman to serve in the absence of the regular chairman. The board decided to table the decision to a later meeting.

ADJOURNMENT

There being no further business to come before the hearing, the Board of Building Standards meeting was adjourned at 9:28 a.m.

Approved, Chairman

X David D Beard 6-7-23