

**BOARD OF BUILDING STANDARDS  
MEETING MINUTES  
June 7, 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. Charles Self (4474 La Hacienda)  
Mr. Thomas W. Choate (4474 La Hacienda)  
Mr. Michael Murphy (4474 La Hacienda)  
Mr. Perry Stockard (4474 La Hacienda)  
Ms. Brenda Oladuti (2510 N. 3<sup>rd</sup>)  
Mr. Manny Soto (2324 N. 3<sup>rd</sup>)

**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, May 3, 2023, were provided in advance to Board Members for review. Mr. Beard made a correction to **Case # 22-003573: 1446 Plum** – The motion declared by Mr. Allred was to declare the property a public nuisance and it was 2<sup>nd</sup> by Mr. McNeil.

**Mr. Allred made a motion to approve the May minutes as changed.  
The motion was seconded by Mr. McBrayer, motion passed.**

AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeil, Mr. Dugger, Mr. Beard  
NAYS: None  
ABSTAIN: Mr. Turner

## AGENDA ITEMS & PUBLIC HEARINGS

**Case for Rehabilitation, Demolition, or Civil Penalties - Case# 22-002218:** 626 N. 8<sup>th</sup> St.  
(S100X160 OUTLOT 3 SW1/4 177 OT ABL TIF#1) Owner: Antioch Christian Methodist  
Episcopal

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:

- (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 (5)
- (6) Hazardous Mechanical Equipment - 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. 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 Mr. Duggar, motion passed.**

AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeil, 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. McNeil, motion passed.**

AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeil, 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:

- (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:** The case has been tabled for 30 days.

**Public Hearing:** Mr. Beard opened the public hearing. Mr. Self the attorney for John and Candice Hirsch stated that in spite of his client's best efforts to sell the property they have been unsuccessful in doing so. He stated that this was due to what action the board may take and the Home Owners Association. He did not have any new information about the status of the property. Mr. Choate attorney for the Vaquero Home Owners Association stated that his clients are extremely frustrated. He stated that there is no progress in rehabilitating the property. Mr. Choate reviewed the timeline of construction and events of the property. He requested a demolition order if Mr. Hirsch does not do something to sell or substantially comply with what the board has already ordered. Mr. Murphy a resident Vaquero Ranch Sub Division and is a member of the HOA spoke about the timeline of construction. Mr. Stockard a resident of Vaquero Ranch pleaded with the board to help them get the problem of the project solved. He stated the HOA is losing money paying for an attorney and does not have endless funds.

Mr. Beard closed public hearing.

Mr. Beard adjourned to executive session at 9:12 a.m.

Mr. Beard reconvened the board of building standards at 10:00 a.m.

Mr. Beard open the board discussion stating that there was no decision made. Mr. Beard made a recommendation to table the discussion for 30 days. He wants the defendant to come back and justify with facts that there is positive action taking place to sell the property and if that is done then maybe it can be tabled another 30 days. Mr. McNeil questioned the owners motivation and questioned if civil penalties would be appropriate to help expedite the process. Mr. Beard stated that civil penalties did not work well with past cases. Mr. Wyatt made a comment that if positive progress is not made in 30 days he would want to have an order for demolition made.

**Mr. Allred made a motion to table the discussion for 30 days and was seconded by Mr. McBrayer, motion passed.**

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

NAYS: None  
ABSTAIN: Mr. Mcneil

**Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-000084:** 2324 N. 3<sup>rd</sup> St.  
(PECAN PARK, BLOCK P, LOT 16 REP), Owner: Linda Lee Hall

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. Manny Soto – owner of Soto Construction inquired about what his timeline would be if he were successful in purchasing the property from the owner for rehabilitation. The board informed him that he would be given the same timeline that was voted on today.

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. 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# 23-000435:** 2510 N. 3<sup>rd</sup> St.  
(PECAN PARK, BLOCK M, LOT W60 OF 1 & 2) Owner: Brenda Oladuti

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 or demolish – 30 days to provide a plan of action including a timeframe for repair or demolition, costs estimates, and to obtain all permits, 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. Ms. Oladuti requested the 30/60 to see about possibly rehabilitating the property. If not successful, she stated she would demolition the property.

Mr. Beard closed the public hearing.

**Mr. Duggar made a modification to the staff recommendation to: Owner is to repair or demolish – 30 days to provide a plan of action including a timeframe for repair or demolition, costs estimates, and to obtain all permits, 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.**

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

NAYS: None

ABSTAIN: None

**Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-000550: 2518 Russell Ave. (CHRISTIAN COLLEGE 2ND ADDN, BLOCK 8, LOT 3) Owner: Stine Sarah Vernice**

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
- (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. McBrayer, motion passed**

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

NAYS: None

ABSTAIN: None

#### **Board Discussion**

Discussion for the election of an acting chair to serve in the absence of the regular chair.

**Mr. Duggar made a motion for nomination of Mr. McBrayer to be the acting chair in the event that Mr. Beard was absent, motion passed.**

AYES: Mr. Wyatt, 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 10:32 a.m.

**X** *David Beard* 7-5-23

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Approved, Chairman