

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
July 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. 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
Ms. Christi Jones, Administrative Assistant

Others Present: Mr. Charles Self (4474 La Hacienda)
Mr. Thomas W. Choate (4474 La Hacienda)
Ms. Dolores Stone (2001 Collins)
Ms. Roxann Martinez (1835 N. 6th)
Ms. Michelle Thurston (1917 Swenson)
Ms. Laura Gardner (1917 Swenson)
Mr. Gerald Gardner (1917 Swenson)

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.

APPROVAL OF MINUTES

The minutes of the last meeting, June 7, 2023, were provided in advance to Board Members for review.

Mr. McBrayer made a motion to approve the June minutes as written.

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

AYES: Mr. Wyatt, 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# 22-000843: 1917 Swenson St. (COLLEGE HEIGHTS, BLOCK 36, LOT 9, TAYLOR COUNTY, TEXAS), Owner: Gardner, Laura

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 8, SEC 8-554 (3) Chapter 19, SEC 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
- (10) Inadequate exits. 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. Ms. Laura Gardner owner of the property stated that they are still in the process of trying to finish the structure. Michelle Thurston stated that she is the one in charge of rehabilitating the structure and that she is having difficulties getting sub-contractors to come finish their work. Their plan is to hire new contractors and apply for new permits. The owner feels like the project can be completed in 6 months.

Mr. Beard closed the public hearing.

Mr. Allred made a motion to Owner is 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, 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, TAYLOR COUNTY, TEXAS), 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

The case was tabled at the last hearing.

Mr. Allred made a motion to un-table the case, was seconded by Mr. McBrayer.

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

NAYS: None

ABSTAIN: None

Order: Case has been tabled until the next hearing.

Public Hearing: Mr. Beard opened the public hearing. Mr. Charlie Self presented on behalf of the owners. He reported that the property is under contract and provided copies of the contract to the HOA and City of Abilene. The contract is for a 60 day close. Mr. Tom Choate representative of the Vaquero HOA stated that the buyer is not a legal entity in the state of Texas. He stated the contract is not complete and does not show that earnest money or option fee has been placed in escrow. As it stands as of today, the contract is not complete or enforceable. Mr. Choate is requesting that the board leave the home under a condemned status and see how it plays out. Mr. Beard made a suggestion to tabling the case.

Mr. Beard closed the public hearing.

Mr. Duggar made a motion to table the case until the next meeting, and second by Mr. Wyatt.

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# 22-003303: 2001 Collins Ave (C L HICKMAN OF NORTH PK, BLOCK 26, LOT 1 1.3 OF BLK 26 NORTH PARK, TAYLOR COUNTY, TEXAS), 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
- (2) Structural Hazard Chapter 8, Sec. 8-554
- (3) Nuisance Chapter 19-15
- (6) Hazardous Mechanical Equipment 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.

- Mr. Marsh presented the case, staff recommendations are as follows:
- (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
 - (6) Hazardous Mechanical Equipment Chapter 8, Sec. 8-554
 - (7) Faulty Weather Protection Chapter 8, Sec. 8-554

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-000230: 1835 N. 6th St. (E60 LTS 9 & 10 E60 N 12 LT 8 205 1-B FLETCHEE OT ABL, TAYLOR COUNTY, TEXAS), Owner: Martinez, Rozann

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. Dugger, 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 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. Beard closed the public hearing.
Public Hearing: Mr. Beard opened the public hearing. Doloris Stone (sister of the deceased owner) stated that she knows the house cannot be repaired. In her opinion, the home needs to be demolished.

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.

Public Hearing: Mr. Beard opened the public hearing. Ms. Roxann Martinez owner was hoping to get the property fixed but has had health issues that have prevented her from doing so. She has requested to have the time to get her property out of the structure before it is ordered to be demolished.

Mr. Beard closed the public hearing.

Mr. Dugger made a motion to Owner is 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, was seconded by Mr. Turner, motion passed.

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

NAYS: Mr. Allred

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil penalties - Case# 23-000627: 1358 Sewell St. (M E BOYKIN SUBD OF B AUSTIN, BLOCK 4, LOT 8 & N10 OF 9, TAYLOR COUNTY, TEXAS), Owner: Goen, E.R

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
- (6) Hazardous Mechanical Equipment 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 to Owner is 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, was seconded by Mr. Allred, 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# 23-000688: 3201 N. 3rd St. (OAKWOOD ADDN SEC 2, BLOCK 18, LOT E331.22 3 REP LTS 4-15&19-21,

TAYLOR COUNTY, TEXAS), Owner: Abilene Apartments, 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 Hazards, 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 to Owner is 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, was seconded by Mr. McBrayer, motion passed. AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeil, 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.

David D Beard
8-2-23

Approved, Chairman