

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
September 6, 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. 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

Others Present: Mr. Charlie Self (4474 La Hacienda)
Mr. Thomas W. Choate (4474 La Hacienda)
Mr. Michael Murphy (4474 La Hacienda)
Mr. Cesar Yepes (4474 La Hacienda)
Mr. Danjel Watson (1358 Sewell)
Ms. Roxanne Martinez (1835 N. 6th)
Ms. Florence Martinez (1835 N. 6th)
Mr. Tony Ortiz (2333 N. Mockingbird)
Mr. Roland Borland (1301 Butternut)
Ms. Brenda Oladuti (2510 N. 3rd)

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, August 2, 2023, were provided in advance to Board Members for review.

Mr. Turner made a motion to approve the July minutes as written.

The motion was seconded by Mr. Dugger, motion passed.
AYES: Mr. Wyatt, Mr. Mcneil, Mr. Turner, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: Mr. McBrayer

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition, or Civil Penalties - Case #21-003191: 2333 N. Mockingbird Ln. (WOODLAND ADDN 2ND FILING, BLOCK 5, LOT 43, TAYLOR COUNTY, TEXAS), Owner: Ortiz, Mauro Antonio

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

Order owner to repair – 60 days to obtain rough in inspections, and if this is done all final inspections shall be completed by the expiration of all permits.

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
- (8) Fire Hazard Chapter 8, Sec 8-554

Order: Order owner to repair – 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. Tony Ortiz stated that rough ins were complete but he had not yet called in for an inspection. He stated that the plumbing rough in inspection had passed so he would be closing up the ditches in the backyard. He stated that he was ok with the staff recommendation. Being that there were no other speakers, Mr. Beard closed the public hearing.

Mr. Dugger made a motion owner to repair – 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. 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

The case was tabled at the last hearing.

Mr. Turner made a motion to un-table the case, was seconded by Mr. Wyatt.

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

NAYS: None

ABSTAIN: None

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

No staff recommendation for this case.

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. Cesar Yepes from Speedy Sell Esates asked the board to remove the condemnation status because the title company would not issue a title policy under its current status. He says he has a 6 to 8 month construction timeline for finishing the project. Mr. Choate explained he had 2nd hand knowledge about the title company but just wanted to reiterate that everyone just wants the project completed. He is scared that the condemnation will be removed and nothing will be done. At 9:02 am the board started an executive session. The board reconvened at 9:19 am. The board made no decision during the executive session. They did state that the only one that could remove the condemnation status was the building official. Being that there were no other speakers, 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. Dugger, motion passed.

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

NAYS: None

ABSTAIN: None

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 FLETCHER OT ABL, TAYLOR COUNTY, TEXAS)
Owner: Roxanne Martinez

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

Findings -The property is a public nuisance in that it is a hazard to the public health, safety, and welfare. Repair of the structure would be unreasonable.

Order - The owner is ordered to demolish or appeal the order in district court within 30 days or the city may demolish.

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
- (6) Hazardous Mechanical Equipment Chapter 8, Sec 8-554
- (7) Faulty Weather Protection, Chapter 8, Sec 8-557

Order: The Owner is ordered to demolish or appeal the order to the district court within 60 days or the City may demolish.

Public Hearing: Mr. Beard opened the public hearing. Roxanne Martinez requested more time to get her belonging out of the house. She said it has been difficult due to lack of time because they are only able to work in the evenings when it is not so hot. Her sister Florence Martinez spoke about the difficulties of getting everything moved up with the heat conditions. Being that there are no other speakers, Mr. Beard closed the public hearing.

Mr. Dugger 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, was seconded by Mr. McNeil, motion passed.

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

NAYS: None

ABSTAIN: None

Mr. Dugger made a motion that the owner is ordered to demolish or appeal the order to district court within 60 days or the City may demolish, was seconded by Mr. Wyatt, motion passed.

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

NAYS: None

ABSTAIN: None

**Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-000435: 2510 N. 3rd St.
(PECAN PARK, BLOCK M, LOT W60 OF 1 & 2, TAYLOR COUNTY, TEXAS)**

Owner: Brenda Oladuti

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

Findings -The property is a public nuisance in that it is a hazard to the public health, safety, and welfare. Repair of the structure would be unreasonable.

Order - The owner is ordered to demolish or appeal the order in district court within 30 days or the city may demolish.

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
- (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 in district court within 30 days or the city may demolish.

Public Hearing: Mr. Beard opened the public hearing. Ms. Oladuit had to leave the hearing due to an illness but expressed to Mr. Marsh that she was ok with a demolition order. Being that there were no other speakers, Mr. Beard closed the public hearing.

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

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

NAYS: None

ABSTAIN: None

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

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

NAYS: None

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:

Findings -The property is a public nuisance in that it is a hazard to the public health, safety, and welfare. Repair of the structure would be unreasonable.

Order - The owner is ordered to demolish or appeal the order in district court within 30 days or the city may demolish.

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

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 in district court within 30 days or the city may demolish.

Public Hearing: Mr. Beard opened the public hearing. Mr. Watson stated that he has had interest in the property for 4-5 years but cannot get ahold of the owners. He was curious about the status of the property if he was able to purchase and make repairs. The board informed him that they could only address the issues with the owner. Being that there are no other speakers, Mr. Beard closed the public hearing.

Mr. Dugger 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, was seconded by Mr. McNeil, motion passed.

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

NAYS: None

ABSTAIN: None

Mr. Dugger 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 was seconded by Mr. McNeil, motion passed.

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

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-000982: 4366 Caldwell Rd

(PLEASANT HILL ESTATE SEC 4, BLOCK A, LOT 139 REPLAT, TAYLORY COUNTY, TEXAS),

Owner: Essex Mickey

The case was tabled at the last hearing.

Mr. Turner made a motion to un-table the case, was seconded by Mr. Dugger.

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

NAYS: None

ABSTAIN: None

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

Order owner to repair – 30 days to obtain all permits and provide a plan of action including a time frame 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.

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
- (6) Hazardous Mechanical Equipment, 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. Being that there were 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

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-002936: 1301 Butternut St. (BUTTERNUT ADDN, BLOCK 6 LOT 1,2 & N10 OF 3, SAYLES & HUGHES 2-3, TAYLOR COUNTY, TEXAS), Owner: Roland Boreland

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

Order owner to repair – 30 days to obtain all permits and provide a plan of action including a time frame 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.

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. Mr. Boreland explained that the sale of the property was closing today. The neighboring business was purchasing it from him. Being that there were no other speakers, 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. Turner, motion passed
AYES: Mr. Wyatt, 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 10:09 a.m.

 10-4-23

Approved, Chairman