

**BOARD OF BUILDING STANDARDS  
MEETING MINUTES  
October 4, 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. Sam Hatton (3201 N. 3<sup>rd</sup>)  
Ms. Amanda Rodriguez (2017 N. 18<sup>th</sup>)  
Mr. Bill Enriquez (302 N. Mockingbird)  
Mr. Gary Huddleston (909 Kirkwood)  
Mr. Albert Pittman (2858 Pine)  
Mr. Efren Villalobos (302 N. Mockingbird)  
Ms. Maxine Champion (1449 Park)  
Mr. Duane Allsup (1449 Park)  
Mr. Samuel Garza (3201 N 3<sup>rd</sup>)  
Ms. Teresa Smith (2858 Pine)  
Mr. Blake Champion (1449 Park)

**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, September 6, 2023, were provided in advance to Board Members for review.

**Mr. Turner made a motion to approve the September 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. Allred, Mr. McBrayer

### AGENDA ITEMS & PUBLIC HEARINGS

**Case for Rehabilitation, Demolition, or Civil Penalties - Case #22-003296:** 302 N. Mockingbird Ln. (OAKWOOD ADDN SEC 3, BLOCK 19, LOT S1/2 LT 12), Owner: Abilene Apartments LLC

Mr. Wright 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.

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**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

**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.

**Public Hearing:** Mr. Beard opened the public hearing. Multiple residents and/or business owners spoke to the negative affect the property was having on the neighborhood. They talked about the vagrants, unsightly conditions, and rodents affecting the neighborhood around the area. They also spoke about the safety concerns due to the close proximity of Abilene High School. The speakers requested a demolition decision by the board. Being that there were 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. Allred, motion passed.**

AYES: Mr. Wyatt, Mr. Allred, 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. 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. 3<sup>rd</sup> St. (OAKWOOD ADDN SEC 2, BLOCK 18, LOT E331.22 3 REP LTS 4-15&19-21), Owner: Abilene Apartments LLC**

Mr. Wright 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
- (7) Faulty Weather Protection Chapter 8, Sec. 8-554

**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.

**Public Hearing:** Mr. Beard opened the public hearing. Multiple residents and/or business owners spoke to the negative affect the property was having on the neighborhood. They talked about the vagrants, unsightly conditions, and rodents affecting the neighborhood around the area. They also spoke about the safety concerns due to the close proximity of Abilene High School. The speakers requested a demolition decision by the board. Being that there were no other 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, 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

**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, 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

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**Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-0001274:** 1042 Clinton St. (LAKESIDE ADDN, BLOCK 7, LOT 1-2), Owner: Patricia Serrano

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

**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 to the district court within 30 days or the City may demolish.

**Public Hearing:** Mr. Beard opened the public hearing. Being that there are 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. McNeil, motion passed.**

AYES: Mr. Wyatt, Mr. Allred, 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. 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# 23-001561: 2017 N 18th St.**  
(Mitchell & Kirby, Lot 7), Owner: Lisa Rodriguez

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
- (7) Faulty Weather Protection Chapter 8, Sec. 8-554

**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 to the district court within 30 days or the City may demolish.

**Public Hearing:** Mr. Beard opened the public hearing. Ms. Rodriguez spoke about how she understands the home is in poor condition and it would cost too much to repair. She stated how her now deceased parents moved out because the property was in such poor condition. She said they are looking into demolition. Being that there were 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. Turner, motion passed.**

AYES: Mr. Wyatt, Mr. Allred, 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. Turner, 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# 23-001564: 909 Kirkwood St. (LAKESIDE ADDN, BLOCK 21, LOT 8-9), Owner: Gary and Margie Huddleston**

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
- (10) Inadequate Exits, Chapter 8, Sec 8-554 (10)

**Public Hearing:** Mr. Beard opened the public hearing. Mr Huddleston stated that he lives and works out of town as a contractor and has not seen the property in some time. He said that he would be visiting the property after the hearing to decide if it would be worth repairing or just demolishing. Being that there are no other speakers, Mr. Beard closed the 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. McNeil, Mr. Turner, Mr. Dugger, Mr. Beard

NAYS: None

ABSTAIN: None

**Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-002568: 2858 Pine St. (NORTH PARK ADDN, BLOCK 18, LOT N105 OF S210 OF E210 LT2 & N70' X250 OF 2), Owner: Pittman Albert Burl Life Est % Reggie Pittman Etal**

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
- (7) Faulty Weather Protection Chapter 8, Sec. 8-554

**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 to the district court within 30 days or the City may demolish.

**Public Hearing:** Mr. Beard opened the public hearing. Albert Pittman spoke about how he believed the structure was in good condition. He stated that he would get the lot cleaned up and make sure the structure was secure so he could keep it as a storage building for his personal belongings. Teresa Smith spoke about how she was helping Mr. Pittman with getting the lot and building in good standing. She stated she had limited funds and time but she was doing her best. Being that there were 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, 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

**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 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

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**Case for Appeal of Condemnation - Case# 23-004097:** 1449 Park Ave.  
(ARTHEL HENSON OUTLOT 33, BLOCK K, LOT N38.3 LT 16 & S12.89 LT 17),  
Owner: Maxine Champion

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

The building or portion thereof is deemed substandard or dilapidated, and adjudged unfit for human occupancy, and is therefore condemned due to the following condition or conditions that exist to an extent that it is a hazard to the public health, safety and welfare, being faulty weather protection, hazardous electrical wiring, hazardous plumbing, inadequate sanitation, structural hazards, and nuisance conditions.

**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

**Findings:** The condemnation is not upheld.



**Public Hearing:** Mr. Beard opened the public hearing. Mr. Allsup who is the brother of the owner spoke about how he was a contractor and just getting involved with the property. He was going to get started with repairs to work towards a resolution. He stated that All Star Plumbing was coming to repair the plumbing that week. He was also going to start with getting the interior of the home cleaned out. He requested time to get things going so she could either sell it or get it repaired. Blake Champion who is the son of the owner questioned the present violations and requested a more specific list. He stated he had personally repaired the plumbing in the bathroom. He stated that his mother did sign the search warrant but did not know what she was signing. Maxine Champion spoke about how she had made repairs that dispute what was shown in the photos. She also gave an explanation as to why the property was in the condition it was. Ms. Champion stated she had nowhere to live if the home was condemned and requested the opportunity to continued making repairs to the property. Being that there were no other speakers, Mr. Beard closed the public hearing.

**Mr. Beard made a motion that the condemnation is not to be upheld, seconded by Mr. McNeil.**

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 10:30 a.m.

X *David D Beard* 11-1-23

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Approved, Chairman

