

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
November 1, 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

Staff Present: Mr. Michael Rice, Assistant City Manager
Mr. Tim Littlejohn, Director of Planning & Development Services
Mr. Chad Sears, Assistant 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
Ms. Teri Dollar, Code Compliance Officer

Others Present: Mr. Joe Soliz (1765 Oak St.)
Ms. Debra Jones (1858 Sycamore St.)
Carisma Ramirez (3042 Pine St.)
Mr. Alexander Gonzales (2116 Sears Blvd)
Mr. Guy Shaver (1858 Sycamore St)
Mr. Tony Gonzales (2116 Sears Blvd)

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, October 4, 2023, were provided in advance to Board Members for review.

**Mr. Turner made a motion to approve the October minutes as written.
The motion was seconded by Mr. Wyatt, motion passed.**

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

NAYS: None

ABSTAIN: None

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition, or Civil Penalties - Case #22-000806: 2116 Sears Blvd.
(SEARS PARK, BLOCK 32, LOT 15, TAYLOR COUNTY, TEXAS), Owner: Meza,
Christopher R & Gonzales, Alexander

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

Pursuant to Chapter 8; Sec. 8-554 and Chapter 19, Sec. 19-15 the following conditions exist:

- Inadequate Sanitation Chapter 8, Sec. 8-554 (1)
- Structural Hazard Chapter 8, Sec. 8-554 (2)
- Nuisance, Chapter 8, Sec. 8-554 (3) & Chapter 19-15 (4)
- Hazardous Electrical Wiring Chapter 8, Sec. 8-554 (4)
- Hazardous Plumbing Chapter 8, Sec. 8-554 (5)
- Hazardous Mechanical Equipment, Chapter 8, Sec. 8-554 (6)
- Faulty Weather Protection Chapter 8, Sec. 8-554 (7)

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. Mr. Alexander explained he had some medical delays and requested more time. Mr. Gonzales also reiterated Mr. Gonzales needs more time and has financial constraints. 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, and was seconded by Mr. McNeil, motion passed.

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

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case #22-001921: 3042 Pine St. (NORTH PARK ADDN, BLOCK 24, LOT N82.5 S329.25 E390, ACRES .74, TAYLOR COUNTY, TEXAS), Owner: Ramirez, Raul S.

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

Pursuant to Chapter 8; Sec. 8-554 and Chapter 19, Sec. 19-15 the following conditions exist:

- Inadequate Sanitation Chapter 8, Sec. 8-554 (1)
- Structural Hazard Chapter 8, Sec. 8-554 (2)
- Nuisance, Chapter 8, Sec. 8-554 (3) & Chapter 19-15 (4)
- Hazardous Plumbing Chapter 8, Sec. 8-554 (5)
- Hazardous Mechanical Equipment, Chapter 8, Sec. 8-554 (6)
- Faulty Weather Protection Chapter 8, Sec. 8-554 (7)

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. Ms. Ramirez, the heir to the property, told the board she currently has two quotes to demolish the structure. She asked for additional time until the end of her sale contract on January 8, 2024 to try to get the property sold. She said she has two parties interested in the property. 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, and was seconded by Mr. Turner, motion passed.

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

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

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-000801: 934 Graham St. (LAKESIDE ADDN, BLOCK 21, LOT 2, TAYLOR COUNTY, TEXAS), Owner: Joch Properties, LLC

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

Pursuant to Chapter 8; Sec. 8-554 and Chapter 19, Sec. 19-15 the following conditions exist:

Inadequate Sanitation Chapter 8, Sec. 8-554 (1)
Structural Hazard Chapter 8, Sec. 8-554 (2)
Nuisance, Chapter 8, Sec. 8-554 (3) & Chapter 19-15 (4)
Hazardous Electrical Wiring Chapter 8, Sec. 8-554 (4)
Hazardous Plumbing Chapter 8, Sec. 8-554 (5)
Faulty Weather Protection Chapter 8, Sec. 8-554 (7)

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. Being that there were no speakers, Mr. Beard closed the public hearing.

Mr. McBrayer 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. McNeil, motion passed.

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

NAYS: None

ABSTAIN: None

Mr. McBrayer 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. Beard

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-001166: 2817 Simmons Ave (NORTH PARK ADDN, BLOCK 16, LOT N72 1/2 S145 W150 LT2, TAYLOR COUNTY, TEXAS), Owner: Hickson, Bryan Douglas & Georgia

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

Pursuant to Chapter 8; Sec. 8-554 and Chapter 19, Sec. 19-15 the following conditions exist:

Inadequate Sanitation Chapter 8, Sec. 8-554 (1)
Structural Hazard Chapter 8, Sec. 8-554 (2)
Nuisance, Chapter 8, Sec. 8-554 (3) & Chapter 19-15 (4)
Hazardous Plumbing Chapter 8, Sec. 8-554 (5)
Hazardous Mechanical Equipment, Chapter 8, Sec. 8-554 (6)
Faulty Weather Protection Chapter 8, Sec. 8-554 (7)

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. There was no one wishing to speak on this case. 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, and was seconded by Mr. McBrayer, motion passed.

AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeil, Mr. Turner, 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, and was seconded by Mr. McBrayer, motion passed.

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

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-001273: 2325 Palm St. (MAC BOWYER REP OF BOWYER ADDN, BLOCK 8, LOT 7, TAYLOR COUNTY, TEXAS), Owner: Fiedler Donna Maude

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

Pursuant to Chapter 8; Sec. 8-554 and Chapter 19, Sec. 19-15 the following conditions exist:

Inadequate Sanitation Chapter 8, Sec. 8-554 (1)
Structural Hazard Chapter 8, Sec. 8-554 (2)
Nuisance, Chapter 8, Sec. 8-554 (3) & Chapter 19-15 (4)
Hazardous Electrical, Chapter 8, Sec. 8-554 (4)
Faulty Weather Protection Chapter 8, Sec. 8-554 (7)

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.

Public Hearing: Mr. Beard opened the public hearing. Being that there was no one wishing to speak on this case, 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. Beard

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-001800: 717 Clinton St. (HEYCK, BLOCK 1, LOT N40 OT LT A (LEWIS S/D OF LOTS 11-13 BLK 1, TAYLOR COUNTY, TEXAS), Owner: Gutierrez, Jesus J.

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

Pursuant to Chapter 8; Sec. 8-554 and Chapter 19, Sec. 19-15 the following conditions exist:

Inadequate Sanitation Chapter 8, Sec. 8-554 (1)

Structural Hazard Chapter 8, Sec. 8-554 (2)
Nuisance, Chapter 8, Sec. 8-554 (3) & Chapter 19-15 (4)
Hazardous Plumbing Chapter 8, Sec. 8-554 (5)
Hazardous Mechanical Equipment, Chapter 8, Sec. 8-554 (6)
Faulty Weather Protection Chapter 8, Sec. 8-554 (7)

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. There was no one wishing to speak on this case. Mr. Beard closed the public hearing.

Mr. McNeil 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. Beard

NAYS: None

ABSTAIN: None

Mr. McNeil 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. Beard

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-001915: 1765 Oak St. (WESTWAY PARK BLOCK 1, LOT 4, TAYLOR COUNTY, TEXAS), Owner: Soliz, Melanie

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

Pursuant to Chapter 8; Sec. 8-554 and Chapter 19, Sec. 19-15 the following conditions exist:

Inadequate Sanitation Chapter 8, Sec. 8-554 (1)
Structural Hazard Chapter 8, Sec. 8-554 (2)
Nuisance, Chapter 8, Sec. 8-554 (3) & Chapter 19-15 (4)
Hazardous Electrical, Chapter 8, Sec. 8-554 (4)

Hazardous Plumbing Chapter 8, Sec. 8-554 (5)
Faulty Weather Protection Chapter 8, Sec. 8-554 (7)

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.

Public Hearing: Mr. Beard opened the public hearing. The father of the owner, Mr. Joe Soliz requested a year to rehabilitate the property. The Board explained that they do not have the authority to grant that much time and they have already had a lot of time to take action. The Board asked Mr. Soliz if he is comfortable with the staff recommendation. Mr. Soliz acknowledged that he is comfortable with the staff recommendation.

Mr. Wyatt 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, and was seconded by Mr. Allred, motion passed

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

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties – Case# 23-001915: 1233 Kirkwood St. (ARTHEL HENSON OUTLOT 33, BLOCK 3, LOT 19, TAYLOR COUNTY, TEXAS),
Owner: Bonner, Roger Lee

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

Pursuant to Chapter 8; Sec. 8-554 and Chapter 19, Sec. 19-15 the following conditions exist:

Inadequate Sanitation Chapter 8, Sec. 8-554 (1)
Structural Hazard Chapter 8, Sec. 8-554 (2)
Nuisance, Chapter 8, Sec. 8-554 (3) & Chapter 19-15 (4)
Hazardous Electrical, Chapter 8, Sec. 8-554 (4)
Hazardous Mechanical Equipment, Chapter 8, Sec. 8-554 (6)
Faulty Weather Protection Chapter 8, Sec. 8-554 (7)

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.

Public Hearing: Mr. Beard opened the public hearing. Being that there was no one wishing to speak on this case, 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, and was seconded by Mr. Wyatt, motion passed

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

NAYS: None

ABSTAIN: None

**Case for Rehabilitation, Demolition, or Civil Penalties – Case# 23-004017: 1858 Sycamore St. (BELMONT ADDN, BLOCK 15, LOT 8 & S3 OF 7, TAYLOR COUNTY, TEXAS),
Owner: Legacy Dwelling, LLC**

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

Pursuant to Chapter 8; Sec. 8-554 and Chapter 19, Sec. 19-15 the following conditions exist:

- Inadequate Sanitation Chapter 8, Sec. 8-554 (1)
- Structural Hazard Chapter 8, Sec. 8-554 (2)
- Nuisance, Chapter 8, Sec. 8-554 (3) & Chapter 19-15 (4)
- Hazardous Electrical, Chapter 8, Sec. 8-554 (4)
- Hazardous Plumbing Chapter 8, Sec. 8-554 (5)
- Hazardous Mechanical Equipment, Chapter 8, Sec. 8-554 (6)
- Faulty Weather Protection Chapter 8, Sec. 8-554 (7)

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.

Public Hearing: Mr. Beard opened the public hearing. The owner, Guy Shaver addressed the Board. He started off by telling the Board the no one is living at the property. He said the property is insured and he is waiting on the insurance claim so he can rehab the house. Ms. Deborah Jones, the neighbor to this property told the board that people, possibly from this house are using the alley as a restroom since there are no utilities to the house. She said there are still people and pets at the residence. Ms. Teri Dollar addressed the Board and explained she has multiple Code Compliance cases for this residence and the owner does not respond to notices of violation. She said the house is likely occupied and when she makes contact with the residents, they come out of the house covered in soot. She said multiple neighbors said they are grateful we are working on this property. There being no other people wishing to speak to this case, Mr. Beard closed the public hearing.

Board Discussion: The Board asked legal about occupants in a condemned structure. Legal explained occupants would not be arrested for occupying the structure unless it was determined by the owner the occupants are trespassing. The Board recommended giving time for the owner to work with insurance company. The Board recommended tabling the case until the next hearing.

Mr. Allred made a motion to table this case until the next hearing, and was seconded by Mr. Wyatt, motion passed

AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeil, Mr. Turner, 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 10:03 a.m.

X David D Beard 12-6-23

Approved, Chairman