

**BOARD OF BUILDING STANDARDS
MEETING MINUTES**

January 3, 2024 - 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. 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. Stephen Garrison, Code Compliance Manager
Mr. Robert Marsh, Property Maintenance Inspector
Mr. Ricky Wright Jr., Property Maintenance Inspector
Ms. Teri Dollar, Property Maintenance Inspector
Ms. Christi Jones, Administrative Assistant

Others Present: Mr. Tony Ortiz (2333 N Mockingbird Ln)
Mr. Kevin Batten (1941 Victoria St)
Mr. Ntibashirinzingo Metoucela (1817 N 10th St)
Mr. Ulises Flores (2458 Fannin St)

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

Mr. Allred made a motion to approve the November minutes as written.

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

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

NAYS: None
ABSTAIN: None

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-003191: 2333 N. Mockingbird St. (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:
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
- (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 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. Ortiz presented that he was having financial issues. He stated that he has financing in place to continue the work at this time. He stated that he can comply with the staff recommendations.

There being no other speakers, Mr. Beard closed the public hearing.

Mr. Allred made a motion to Owner is to repair – 30 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. Turner, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 22-003068: 1338 Orange St. (11 204 2 E BALDWIN ABL OT, TAYLOR COUNTY, TEXAS), Owner: Martinez, Jose

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
- (4) Hazardous Electrical Wiring Chapter 8, Sec. 8-554
- (4) Nuisance Chapter 19, Sec. 19-15
- (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 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. 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. Allred, motion passed.

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

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

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-001560: 1941 ½ Victoria St (COLLEGE HEIGHTS, BLOCK 56, LOT 11 & 12, TAYLOR COUNTY, TEXAS), Owner: Batten, David K & Christina M

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 8, Sec. 8-554 (3), Chapter 19, Sec. 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. David Batten presented. He reported that He is waiting on a contractor to become available to assess the structure. He stated that his

goal is to fix it, but that he understands it may need demolition. He stated that he will know something this month. He stated that he can follow the staff recommendation.

There being no other speakers, Mr. Beard closed the public hearing.

Mr. Duggar 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. 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, TAYLOR COUNTY, TEXAS), Owner: Huddleston, Gary and Margie

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 8, Sec. 8-554 (3), Chapter 19, Sec. 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

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. 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. Turner, motion passed.

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

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

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-001799: 1817 N 10th St. (LAKESIDE ADDN, BLOCK 3, LOT W51 E122 LTS 1&2, TAYLOR COUNTY, TEXAS), Owner: Methoucela, Ntibashirinzigu

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 8, Sec. 8-554 (3), Chapter 19, Sec. 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. Methoucela stated that he purchased the property through an owner-finance agreement in 2019. He stated that he has had issues with financing off and on since that time. He stated that the plumbing under the house leaks and that is why the water if turned off. He stated that a contractor had taken his money and not done the work. He stated that he has managed to pay the taxes on the property until recently and still wants to fix it. He stated that he can comply with the staff recommendation.

There being no other 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. Turner, Mr. Dugger, 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 M

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 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

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. Duggar 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. Turner, Mr. Dugger, Mr. Beard

NAYS: None

ABSTAIN: None

Mr. Duggar 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. Turner, Mr. Dugger, Mr. Beard

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil penalties - Case# 23-004015: 1002 Cedar St. (1 203 2 E C&M OT ABL, TAYLOR COUNTY, TEXAS), Owner: Vasquez, Andres Vielma

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 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

- (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. Wyatt 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. Turner, Mr. Dugger, Mr. Beard

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-004688: 1502 Mulberry St. (COLLEGE HEIGHTS, BLOCK 27, LOT 7 & 8, TAYLOR COUNTY, TEXAS), Owner: Cortez, Blanca S

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

Mr. Marsh advised the Board that since 2022 the residence has had a structure fire, remained unsecured until the City intervened securing the structure twice, had multiple complaints of vagrant activity, and had an emergency demolition of a detached shed. The staff recommended the 30/60 plan to repair the structure. After some discussion, and the opportunity for public input, a revised order was voted on and passed.

Public Hearing: Mr. Beard opened the public hearing. There being no speakers, Mr. Beard closed the public hearing.

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.

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. McBrayer, motion passed.

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

NAYS: Mr. Beard

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. McBrayer, motion passed.

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

NAYS: Mr. Beard

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil penalties - Case# 23-004765: 1413 Delano St. (LEON STEVENSON, LOT W100 S132 LT 2, TAYLOR COUNTY, TEXAS), Owner: Flores, Ulises

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

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

Unlawful Structure, IPMC 2021, Sec. 111 Para 111.1.4

Nuisance Chapter 8, Sec. 8-554 (3), Chapter 19, Sec. 19-15

Structure unfit for human habitation, Chapter 19, Sec 19-15 (4)

Vehicles Not Stored on Improved Parking Surface, Chapter 19, Sec 19-15 (20)

Staff recommended 60 days to provide a Plan of Action including a timeframe for repair and cost estimates and 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.

Ms. Messer advised the board that they can only order 90 days total time. After some discussion, a revised order was voted on and passed.

Public Hearing: Mr. Beard opened the public hearing. Mr. Flores (through translator Pedro Lopez) stated that he was told by a neighbor that he did not need any permits to build on this property. He stated that he can comply with the order from the Board.

There being no other speakers, Mr. Beard closed the public hearing.

Order: Owner is to repair – 60 days to obtain all permits and provide plan of action including a timeframe for repair and costs estimates and if this is done, 30 days to obtain rough-in inspections and if this is done, all final inspections shall be completed by the expiration of all permits.

Mr. Allred made a motion to Owner is to repair – 60 days to obtain all permits and provide a plan of action including a timeframe for repair, and cost estimates and if this is done, 30 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. Turner, Mr. Beard

NAYS: Mr. Dugger

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 Feb 7, 2024*

Approved, Chairman

