



City of Abilene

Board of Building Standards Agenda

Notice is hereby given of a meeting of the Board of Building Standards of City of Abilene to be held on June 2nd, 2021 at 8:15 a.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas, for the purpose of considering the following agenda items.

CALL TO ORDER

MINUTES

- A. Board of Building Standards May 05, 2021 Minutes**
• Public Hearing

PUBLIC HEARINGS:

STATEMENT OF POLICY

In all cases, except where specifically stated otherwise, buildings must be secured and the lot clean and mowed by the owner within ten (10) days of receipt of notice of results of this hearing. If this is not done, the City may do so and bill the owner. In any case where the Board orders the owner to demolish a structure or structures, but the owner fails to demolish or appeal the Board's order, the City may demolish. Any appeal must be filed in district court within 30 calendar days after the aggrieved party receives notice of the Board's decision. At the hearing, you should be prepared to present the following information:

- 1. Specific time frame needed to complete repairs.*
- 2. Specific scope of repair work to be completed.*
- 3. Cost estimates for work to be done by licensed, bonded contractors such as electrical, plumbing or heating and air-conditioning contractors.*

You have the right to hire an attorney to represent you at the hearing, the right to inspect the file on the property at the office of Planning and Development Services prior to the hearing, and the right to request the presence of city staff for the purpose of questioning at the hearing.

- A. Case for Rehabilitation, Demolition or Civil Penalties - Case No.21-000082: 2404 N 3rd (PECAN PARK, BLOCK K, LOT 1 & 2), Owner: FOCO CAPITAL LLC**
• Public Hearing
- B. Case for Rehabilitation, Demolition or Civil Penalties - Case No.21-000224: 4026 Pine St. (A0012 SUR 83 L BOWERMAN, ACRES 5.235), Owner: Little, Phil L**
• Public Hearing

AGENDA ITEMS

ADJOURNMENT

Notice

In compliance with the Americans with Disabilities Act, the City of Abilene will provide for reasonable accommodations for persons attending meetings. To better serve you, requests should be received forty-eight (48) hours prior to scheduled meetings. Please contact the City Secretary's Office at 325-676-6208. Telecommunication device for the deaf is 325-676-6360.

CERTIFICATION

I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 28th day of May 2021, at 1:00 p.m.

*Kaitlin Richardson, Deputy City
Secretary*



**Board of Building Standards
Agenda Memo**

Meeting Date:6/2/2021

TO:

FROM:

**SUBJECT: Board of Building Standards May 05, 2021 Minutes
 • Public Hearing**

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. 05.05.2021 BOBS mins

05.05.2021 BOBS mins.docx

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
May 05, 2021 8:15 a.m.
BOARD OF BUILDING STANDARDS OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL**

Members Present: Mr. David Beard, Chairman
Mr. Anthony McColum, Co- Chairman
Mr. Delbert Allred
Mr. Gary Webb
Ms. Betty Bradley
Mr. Lloyd Turner

Staff Present: Mr. Tim Littlejohn, Assistant Director of Planning and Development
Services / Building Official
Mr. Van Watson, Assistant Building Official
Mr. Chace Craig, Assistant City Attorney
Mr. Clay Door, Community Enhancement Division Manager
Mr. Josh Mares, Code Compliance Officer
Mr. Robert Marsh, Code Compliance Officer
Ms. Catina Betoncur, Office Assistant III

Others Present: Mr. Darius Robinson
Mr. Alton Smith
Ms. Haley Napier

CALL TO ORDER

Mr. Beard called the meeting to order at 8:15 a.m. and Ms. Betoncur recorded the minutes. A quorum of members was present, and the meeting proceeded.

APPROVAL OF MINUTES

The minutes of the last meeting, April 07, 2021, were provided in advance to Board Members for review.

Mr. Allred made a motion to approve the minutes as written and was seconded by Mr. McColum, motion carried.

AYES: Mr. Allred, Mr. McColum, Mr. Webb, Mr. Turner, Mr. Beard

NAYS: None

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition, or Civil Penalties- Case No 20-003773: 1526 Park Ave.
(ARTHEL HENSON OUTLOT 33, BLOCK N, LOT 15), Owner: Robinson, Harold

Mr. Mares 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 (d, e, f, & l)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (d & g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (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 (b, c, d)

Public Hearing:

Mr. Beard opened the public hearing.

Mr. Darius Robinson (202 Miss Ellie) spoke on the status of the property. Mr. Robinson is the son of owner, Harold Robinson, and stated his father received a turnkey proposal agreement which includes extensive work to the property. The proposal did not have a start or end date, but he is willing to comply to remove the home from the condemnation status.

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

Mr. McColum made a motion to order the 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 and was seconded by Mr. Allred, motion carried.

AYES Mrs. Bradley, Mr. Allred, Mr. McColum, Mr. Webb, Mr. Turner, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties- Case No 20-004219: 535 Apache Lane (FT PHANTOM HILL SECT 2, BLOCK A, LOT 29), Owner: Rosenbaum, Elisa

Mr. Mares 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 (d, e, f, & l)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (d & g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (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 (b, c, d)

The Board asked if the owner would still be given the opportunity to demolish the structure with the staff recommendation of a 30/60.

Mr. Mares explained that in addition to the 30/60 order to repair plan, the owner still has the option to pull permits to demolish the structure.

The Board also asked if the owner was contacted.

Mr. Mares stated that he had not been in contact with the owner.

The Board asked why the 30/60 plan was utilized once again.

Mr. Mares explained that utilizing the 30/60 plan gives the owner an opportunity to make the repairs and eliminates reasons for owner not to repair. The plan gives the owner the option to make repairs or demolish the house.

Mr. Mares also informed the Board that the owner was informed about obtaining a list of bonded City contractors, however, the list must be accessed online due to the enormous volume.

Public Hearing:

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

Mr. Turner made a motion to order the 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 and was seconded by Mr. Webb, motion carried.

AYES Mrs. Bradley, Mr. Allred, Mr. McColum, Mr. Webb, Mr. Turner, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties- Case No 21-000770: 1802 Merchant (COLLEGE HEIGHTS, BLOCK 49, LOT 6 & S/2 OF 5), Owner: Lyman, Julie Lynn

Mr. Mares presented new information on the case, staff recommendations are as follows:

Mr. Mares informed the Board that there was a fire at the property on April 9th.

The Board asked when the last time there was contact with the owner.

Mr. Mares stated that he spoke with the son of the owner who has no interest and that no other relatives have an interest in the property.

Mr. Craig emphasized to the Board to consider that the owner is incarcerated and she is the last legal owner and no one has legal authorization to sign a consent to demolish. It would be helpful to have the demolition order in place but it was their discretion. The other option would be for the Board to table this case until a later hearing to allow the staff time to contact the owner for valid Consent to Demolish.

Public Hearing:

Mr. Beard opened the public hearing. There being 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 and was seconded by Mrs. Bradley, motion carried.

AYES: Mrs. Bradley, Mr. Allred, Mr. McColum, Mr. Webb, Mr. Turner, Mr. Beard

NAYS: None

Mr. Allred made a motion that the owner is ordered to demolish or appeal the order to the district court within thirty day or the City may demolish, and was seconded by Mrs. Bradley, motion carried.

AYES: Mrs. Bradley, Mr. Allred, Mr. McColum, Mr. Webb, Mr. Turner, Mr. Beard

NAYS: None

ADJOURNMENT

There being no further business to come before the hearing, the Board of Building Standards meeting was adjourned at 8:43 a.m.

X

Approved, Chairman



**Board of Building Standards
Agenda Memo**

Meeting Date: 6/2/2021

TO:

FROM:

SUBJECT: Case for Rehabilitation, Demolition or Civil Penalties - Case No.21-000082: 2404 N
3rd (PECAN PARK, BLOCK K, LOT 1 & 2), Owner: FOCO CAPITAL
LLC
• Public Hearing

GENERAL INFORMATION

Owner: FOCO CAPITAL LLC

Sq. Ft.: 1424

Structural: Poor

Foundation: P

Value: \$36,994

Total: \$40,669

Del. Tax: \$0.00

SPECIAL CONSIDERATIONS

January 21, 2021 – Property was condemned. Initial notice and 30/60 letters sent.

March 26, 2021 – Contractor attempted to pull permit. Floor plans needed to be submitted.

March 31, 2021 – Permitting placed on hold due to needing more information on the floor plan.

May 11, 2021 – Utility shut off letters sent.

May 19, 2021 – Permit still on hold.

May 20, 2021 – Phone call with Coleman County State Bank, confirming they still had a lien on the property. Explained to them the details of the case, and sent initial notices, and notice of June BOBS meeting via mail and email. Loan officer assigned to the case explained to me that he spoke to the owner, and the owner stated he was no longer going to repair the structure, but demolish it instead. He further stated the owner was going to make an appointment to meet with the City.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Order: Owner ordered to repair, 30 days to obtain all permits and provide 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.

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f, & l)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (d & g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (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 (b, c, d)

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on June 02, 2021.

ATTACHMENTS:

- 1. 20210602 21-000082 2404 N. 3rd St. 20210602 21-000082 2404 N. 3rd St..pptx

ITEM NO. 3 (a)

CASE # 21-000082

2404 N. 3rd St.



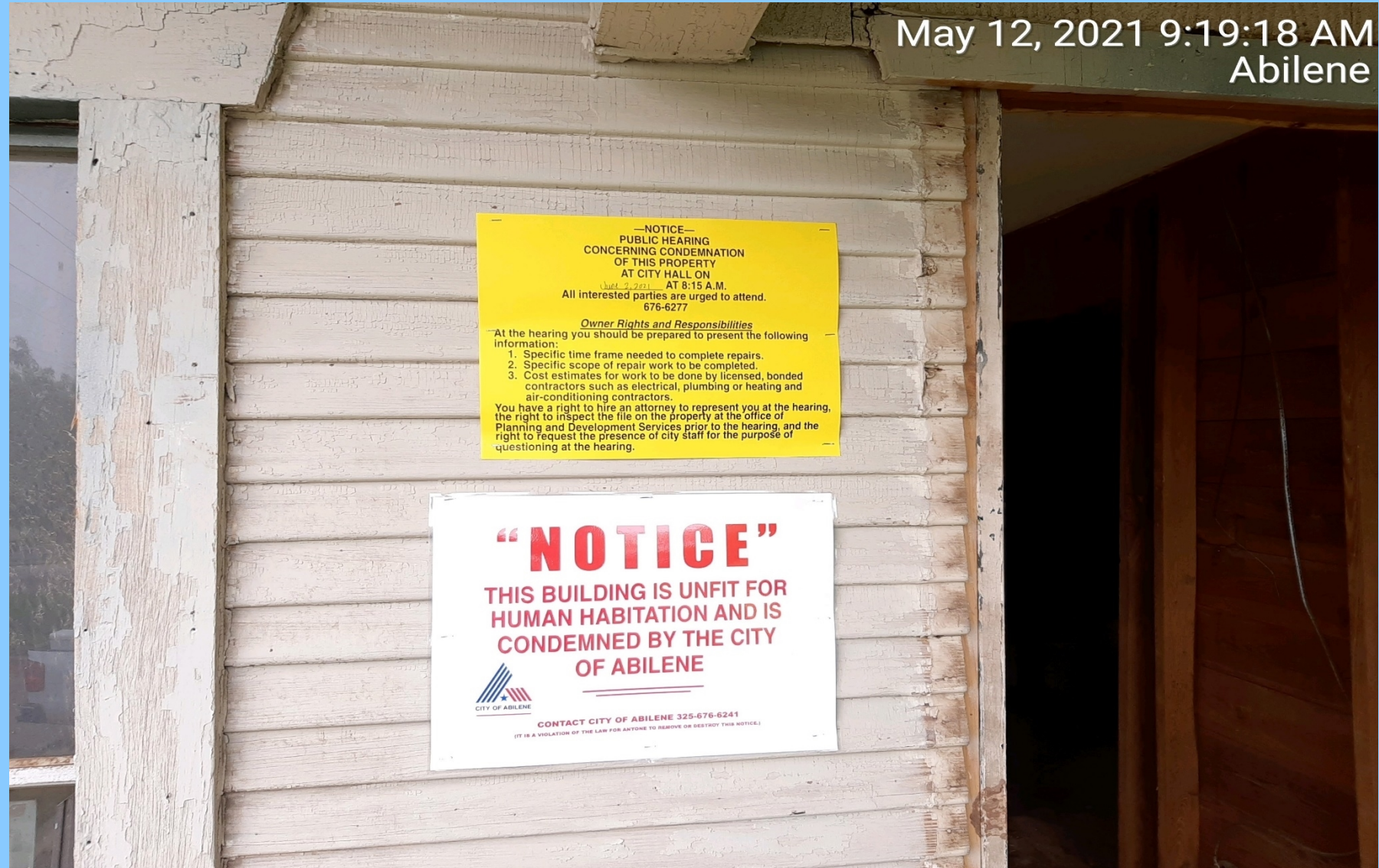
CHECKLIST FOR RECORDS SEARCH

- Searches shown below verify proof of ownership and lienholders to which all notices shall be sent.
- **COUNTY RECORDS** – Warranty Deed with vendor's lien naming **FOCO Capital LLC** as the owner and **Coleman County State Bank** as the lien holder.
- **TAYLOR COUNTY**– Shows **FOCO Capital LLC** to be the owner.
- **SECRETARY OF STATE**– Shows **Festus O. Oguhebe Jr.** to be the registered agent of the entity.
- **TAX RECORDS OF THE MUNICIPALITY**– Not applicable
- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since **March 22, 2017**.
- Search reveals **FOCO Capital LLC** to be the owner.



Public Notice

May 12, 2021 9:19:18 AM
Abilene



Front East Side



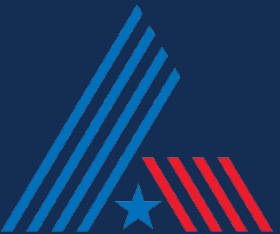
North Side



Rear West Side



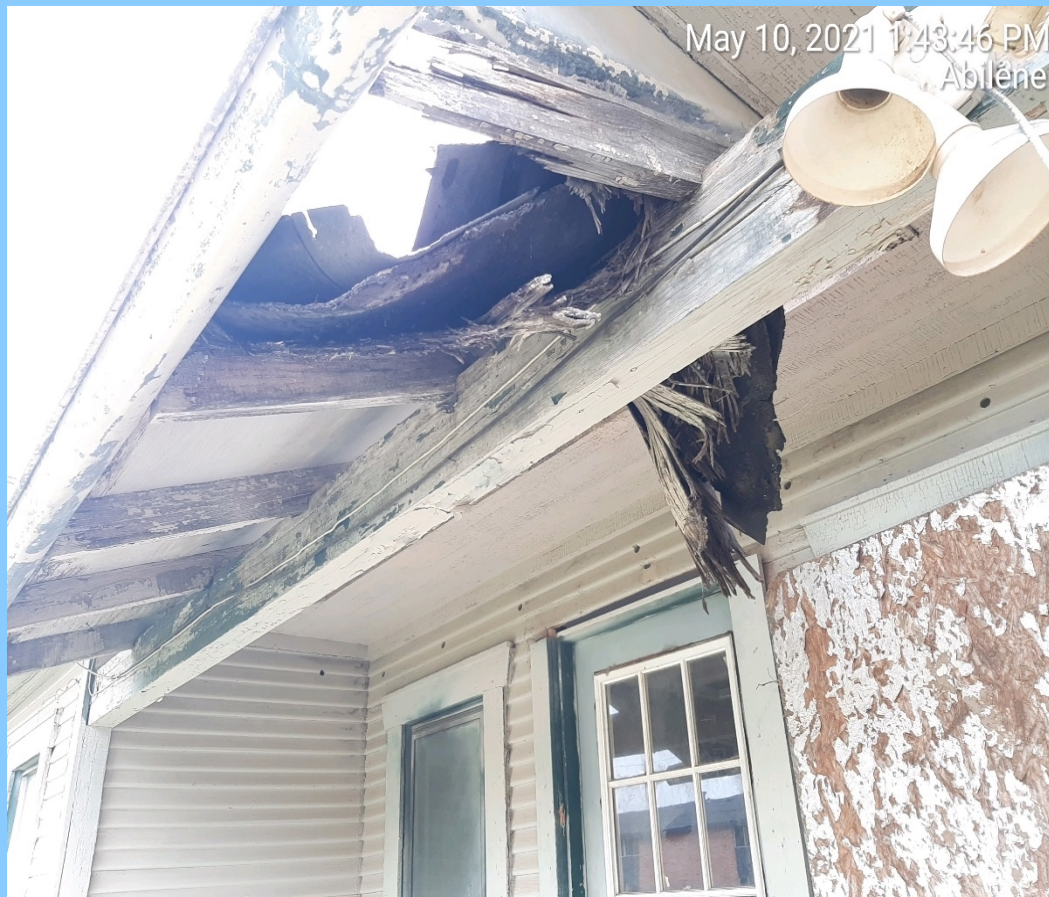
South Side



Exterior Damage



Exterior Damage



Exterior Plumbing and Mechanical Issues



Incomplete Interior Work



Interior Electrical Issues



Timeline of Events

- **January 21, 2021** – Property was condemned. Initial notice and 30/60 letters sent.
- **March 26, 2021** – Contractor attempted to pull permit. Floor plans needed to be submitted.
- **March 31, 2021** – Permitting placed on hold due to needing more information on the floor plan.
- **May 11, 2021** – Utility shut off letters sent.
- **May 19, 2021** – Permit still on hold.
- **May 20, 2021** – Phone call with Coleman County State Bank, confirming they still had a lien on the property. Explained to them the details of the case, and sent initial notices, and notice of June BOBS meeting via mail and email. Loan officer assigned to the case explained to me that he spoke to the owner, and the owner stated he was no longer going to repair the structure, but demolish it instead. He further stated the owner was going to make an appointment to meet with the City.



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

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f, & l)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (d & g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (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 (b, c, d)



Staff Recommendation

- ORDER OWNER 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.



End of 2404 N 3rd St. presentation





**Board of Building Standards
Agenda Memo**

Meeting Date:6/2/2021

TO:

FROM:

SUBJECT: Case for Rehabilitation, Demolition or Civil Penalties - Case No.21-000224: 4026
Pine St. (A0012 SUR 83 L BOWERMAN, ACRES 5.235), Owner: Little,
Phil L
• Public Hearing

GENERAL INFORMATION

Owner: Little, Phil L
Sq. Ft.: 312
Structural: Poor
Foundation: P
Value: \$15,594
Total: \$15,645
Del. Tax: \$0.00

SPECIAL CONSIDERATIONS

February 26, 2021 – Property was condemned. Notice posted on structure, initial notice and 30/60 letters sent to the owner.

March 9, 2021 – Utility shut off requests sent

March 10, 2021 – Received a letter from the owner indicating he was not aware of any property owned at the address listed in the notice of condemnation. Letter further reads that if there is a condemned structure at said property address, owner wishes for the City to “remove” the structure.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Finding:

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.

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

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f, & l)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (d & g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (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 (b, c, d)

Order: The owner is ordered to demolish or appeal the order to district court within 30 days or the City may demolish.

BOARD OR COMMISSION RECOMMENDATION

The Board will hear the case on June 02, 2021.

ATTACHMENTS:

1. 20210602 21-000224 4026 Pine St. 20210602 21-000224 4026 Pine St..pptx

ITEM NO. 3 (b)
CASE # 21-000224
4026 Pine St.



CHECKLIST FOR RECORDS SEARCH

- Searches shown below verify proof of ownership and lienholders to which all notices shall be sent.
- **COUNTY RECORDS** – No record of a property deed found, however several Notice of Lien Affidavit records found showing **Phil J Little** as the owner.
- **TAYLOR COUNTY**– Shows **Phil J Little** to be the owner.
- **SECRETARY OF STATE**– Shows no entity under this name.
- **TAX RECORDS OF THE MUNICIPALITY**– Not applicable
- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since **March 16, 2021**.
- Search reveals **Phil J Little** to be the owner.



Public Notice



Front South Side



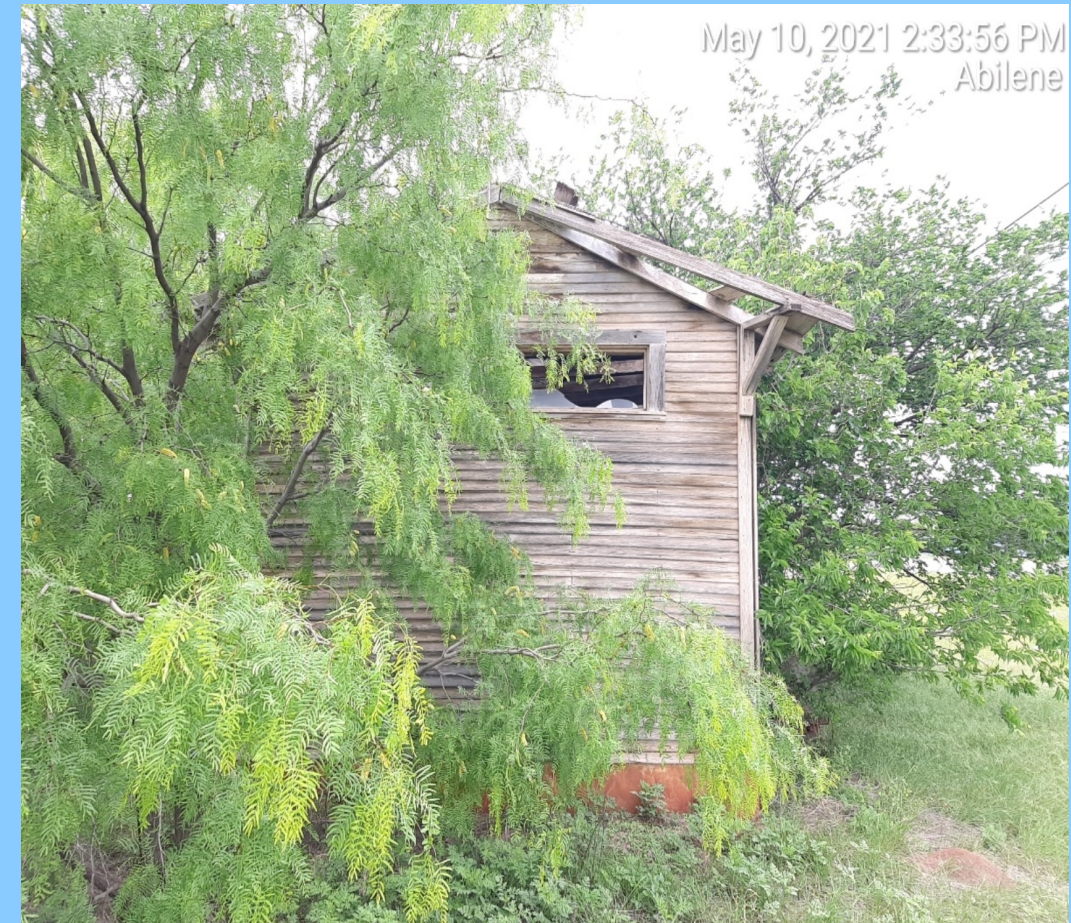
East Side



Rear North Side



West Side



Exterior Damage/Leaning



Interior Roof Damage



Interior Damage



Timeline of Events

- **February 26, 2021** – Property was condemned. Notice posted on structure, initial notice and 30/60 letters sent to the owner.
- **March 9, 2021** – Utility shut off requests sent
- **March 10, 2021** – Received a letter from the owner indicating he was not aware of any property owned at the address listed in the notice of condemnation. Letter further reads that if there is a condemned structure at said property address, owner wishes for the City to “remove” the structure.



Staff Recommendation

Findings:

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.

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

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f, & l)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (d & g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (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 (b, c, d)

Order:

The owner is ordered to demolish or appeal the order to district court within 30 days or the City may demolish.



End of 4026 Pine St. presentation

