



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 September 1, 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. **Minutes:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Minutes for August Regular Hearings
- 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.

AGENDA ITEMS

- A. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 20-003187: 342 Hawthorne St. (ELMWOOD WEST SEC H, BLOCK 5, LOT 1 & S30 OF 2), Owner: Brashear, Carole J.**
- Public Hearing
- B. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 20-003772: 1534 Park Ave. (ARTHEL HENSON OUTLOT 33, BLOCK N, LOT 14), Owner: Joan Wood Cook**
- Public Hearing
- C. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 21-000749: 1310 Hickory St. (LT 4 204 3 D STEFFENS & LOWDEN OT ABL), Owner: Blancq, Elizabeth**
- Public Hearing

- D. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 21-001059: 1734 N. 5th St. (E55 W205 S146 182 1 OT ABL N 300 L 1), Owner: Vivion, Guy & Debra K.**
• Public Hearing
- E. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 21-001108: 1725 N. Mockingbird Ln. (CRESCENT HEIGHTS CONT 2, BLOCK 7, LOT 2), Owner: Serrano, Pedro & Josefina**
• Public Hearing

EXECUTIVE SESSION

The Board of Building Standards of the City of Abilene reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by the noted Texas Government Code Sections:

- A. Consultation with Attorney 551.071

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 27th day of August, 2021, at 3:50 p.m.

Shawna Atkinson, TRMC, CMC
City Secretary

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
August 04, 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
Dr. Wayne Paris
Mr. Delbert Allred
Mr. Anthony McColum
Mr. Jonathan Schmutz
Mr. Lloyd Turner

Staff Present: Mr. Michael Rice, Assistant City Manager
Mr. Tim Littlejohn, Interim Director of Planning and Development
Services / Building Official
Mr. Van Watson, Assistant Building Official
Mr. Stanley Smith, City Attorney
Mr. Clay Door, Community Enhancement Division Manager
Mr. Josh Mares, Code Compliance Officer
Mr. Richard Dendinger, Code Compliance Officer
Mr. Robert Marsh, Code Compliance Officer
Mr. Ricky Wright, Code Compliance Officer
Ms. Catina Betoncur, Office Assistant III

Others Present: Ron Kinder
Heather Fears
Joel Flores
Colton Turman
Richard Turman

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, June 02, 2021 and July 07, were provided in advance to Board Members for review.

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

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Schmutz, Mr. Turner, Mr. Beard

NAYS: None

Mr. Allred made a motion to approve the July minutes with a correction to add Mr. Allred as seconding the motion to the case for 789 Ross Avenue, and was seconded by Mr. McColum, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Schmutz, Mr. Turner, Mr. Beard

NAYS: None

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition, or Civil Penalties- Case No. 11-044: 2926 Beech (NORTH PARK ADDN, BLOCK 15, LOT S75 N319 OF E138.5), Owner: Flores, Joel

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

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.

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.

Mr. Mares stated that there were no active permits and the owner has not been in contact with him.

Public Hearing:

Mr. Beard opened the public hearing.

Joel Flores (5726 Chachalaca) spoke on the status of the property. Mr. Flores asked the Board for an extension. He stated that he spoke with Tim Littlejohn about a two-month extension. He stated that there is a pink chemical sealant-type material on the structure that cannot be removed. He would like to salvage what he put into the structure. Mr. Flores requested an additional six months to acquire some materials to remove the material. He also stated that he is willing to comply, but he doesn't have the funds to complete the job.

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

The Board asked Van Watson to provide the timeframe that the owner is allowed after pulling a demolition permit.

Mr. Watson stated to the Board that the owner had 180 days. Mr. Watson explained that an extension is only given after an inspection. A final inspection is done after a demolition is completed.

The Board had a question about the owner receiving a 6-month permit extension if the staff recommendation is accepted to demolish the property.

Mr. Watson stated that the owner will not get a 6 month extension.

Mr. Allred made a motion to that the property is a nuisance, in that is a hazard to the public health, safety and welfare and repair of the structure would be unreasonable, and was seconded by Dr. Paris, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Schmutz, Mr. Turner, Mr. Beard

NAYS: None

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

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Schmutz, Mr. Turner, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties- Case No 21-00188: 3017 Newman Rd. (A0681 SUR 45 B A L NW/4, ACRES 2.0), Owner: Callaway, Wilma Rae Exum

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

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.

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.

Mr. Mares explained that he had been in touch with Ms. Templin on July 28th, and she stated that she cannot obtain the property deed nor does she have the financial means to repair the property.

A question was asked by the Board about the owner's familiarity with the process to obtain ownership.

Mr. Mares stated that the owner did know the process to obtain ownership after meeting with her on March 16th. The process includes obtaining legal ownership by having the deed transferred to her name.

A question was asked by the Board if the owner will be prevented from achieving ownership and then selling the property if the Board follows the staff recommendation to demolish the house.

Mr. Mares stated that the City does not take possession or obtain ownership of the property if it is demolished. The property's current owner will still be listed on the property in their name even if deceased. Ms. Templin, being the next of kin, can obtain ownership of the property even if the structure is demolished.

Stanley Smith of Legal explained that the City does not determine heirship. This Board only determines whether the property is a nuisance and should be demolished.

Public Hearing:

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

Dr. Paris made a motion to that the property is a nuisance, in that is a hazard to the public health, safety and welfare and repair of the structure would be unreasonable, and was seconded by Mr. Schmutz, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Schmutz, Mr. Turner, Mr. Beard

NAYS: None

Dr. Paris made a motion that the owner is ordered to demolish or appeal the order to district court within thirty days or the City may demolish, and was seconded by Mr. Turner, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Schmutz, Mr. Turner, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties- Case No 21-001109: 1933 Vogel (WEST UNIVERSITY PLACE, BLOCK 4, LOT 5), Owner: Remmers, Bobby Lee

Mr. Allred made a motion to un-table this case and Mr. McColum seconded the motion, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Schmutz, Mr. Turner, Mr. Beard

NAYS: None

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)

Mr. Mares presented the case with updates. Mr. Mares informed the Board that the staff recommendation was changed from a demolition to a 30/60 due to a buyer presenting a purchase agreement.

Public Hearing:

Mr. Beard opened the public hearing.

Mr. Richard Turman (809 Washington Blvd) stated that his wife contacted the heirs of the deceased owners and provided a purchase agreement. Mr. Turman said that title transfer will take a little longer to close. He stated that he is willing to clean the yard and get the home secured.

The Board explained to Mr. Turman the procedure and timeline for the 30/60 order.

Mr. Ron Kinder (1318 Sewell) also spoke about how his property has increased in value due to Mr. Turman's efforts.

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

The Board had discussion on title examination timeframes. Mr. Allred explained that due to the overwhelming title search cases, the title searches are taking at least 30 days.

Mr. Allred 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 done all final inspections shall be completed by the expiration of all permits, and was seconded by Mr. McColum, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Schmutz, Mr. Turner, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties- Case No 21-001110: 2158 Lillius St. (SEARS PARK, BLOCK 35, LOT 3), Owner: Dulaney, Alan

Mr. McColum made a motion to un-table this case and Mr. Allred seconded the motion, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Schmutz, Mr. Turner, Mr. Beard

NAYS: None

Mr. Mares presented the case and informed the Board there was no action required because the demolition has been completed.

Case for Rehabilitation, Demolition, or Civil Penalties- Case No 21-001200: 1149 Houston St. (COLLEGE DRIVE REPLAT, BLOCK 19, LOT 26 [JC REESE REP), Owner: Viles, Willis

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 a question to the staff about if the public nuisance finding requires the owner to clean the property.

Mr. Mares stated that the owner is aware that the property is required to be cleaned up and it was explained in the May 17th letter that was sent.

Public Hearing:

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

The Board asked if the property had been presented before and if the house is currently boarded up.

Mr. Mares stated that the property had not been brought before the Board and all entries are secured.

The Board asked how long the owner owned the property.

Mr. Mares stated that the owner owned the house since 2018.

Ms. Betoncur asked for the public hearing to be opened again due to a citizen entering the hearing.

Public Hearing:

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

Mr. Allred 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 done all final inspections shall be completed by the expiration of all permits, and was seconded by Mr. McColum, motion carried.

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

NAYS: None

ABSTAIN: Dr. Paris

ADJOURNMENT

There being no further business to come before the hearing, the Board of Building Standards meeting was adjourned at 9:15 a.m.

X

Approved, Chairman

BOARD OF BUILDING STANDARDS

September 1, 2021



PUBLIC NOTICE – September 1, 2021 MEETING

- A meeting of the Board of Building Standards will be held at 8:15 a.m., Wednesday, September 1, 2021 in the Council Chambers at City Hall, 555 Walnut Street, Abilene, Texas, to consider the following properties on the agenda: 342 Hawthorne St. Abilene, TX 79605, 1534 Park Ave. Abilene, TX 79603, 1310 Hickory St. Abilene, TX 79601, 1734 N. 5th St. Abilene, TX 79603, and 1725 N. Mockingbird Ln. Abilene, TX 79603. Property owners are required to submit at the hearing proof of the scope of work, including cost estimates, that may be required to comply with city ordinance and the calendar days in which it will take to perform the work. Owners have the right to hire an attorney to represent them, 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. The Board may take action, including but not limited to demolition orders and/or the assessment of civil penalties.



CASE #21-003187

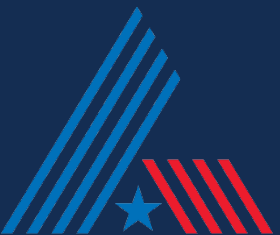
342 Hawthorne St.



**CITY OF
ABILENE
TEXAS**

CHECKLIST FOR RECORDS SEARCH

- Searches shown below verify proof of ownership and lienholders to which all notices shall be sent.
- **COUNTY RECORDS** – Quit Claim Deed naming Carole J. Brashear as the owner.
- **TAYLOR COUNTY**– Shows Carole J. Brashear 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 September 5, 2019
- Search reveals Carole J. Brashear to be the owner.



Public Notice

August 12, 2021 at 2:23 PM

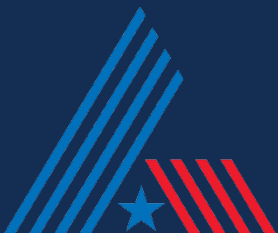


—NOTICE—
PUBLIC HEARING
CONCERNING CONDEMNATION
OF THIS PROPERTY
AT CITY HALL ON
SEP 1, 2021 AT 8:15 A.M.
All interested parties are urged to attend.
325-676-6323

Owner Rights and Responsibilities
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.

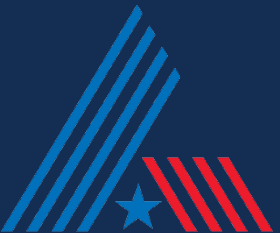
You have a right to hire an attorney to represent you at the hearing, the right to inspect the file on the property at the office of Planning and Development Services prior to the hearing, and the right to request the presence of city staff for the purpose of questioning at the hearing.



Rear West Side



Front East Side



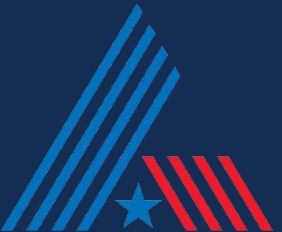
North Side



South Side



South Side



Exterior Electrical Issues



Incomplete Exterior Framing



Framing Does Not Meet Code



Framing Does Not Meet Code



Interior Ceiling Damage



TIMELINE OF EVENTS

- **February 13, 2020** – Case opened and worked for dilapidated structure.
- **June 2, 2020** – Citation issued to property owner for failure to correct dilapidated structure violation.
- **July 8, 2020** – Code officer closed dilapidated structure case and referred the property to the condemnation program.
- **September 16, 2020** – Property was condemned
- **September 22, 2020** – Initial notice and 30/60 letters sent to the owner.
- **October 22, 2020** – General building permit pulled by contractor to begin repairs.
- **November 24, 2020** – Electrical rough in passed.
- **December 21, 2020** – Plumbing permit pulled to install electric water heater.
- **December 22, 2020** – Plumbing permit inspection of electric water heater passed.
- **February 19, 2021** – Permit placed on hold due to credentials of contractor expired.
- **March 12, 2021** – Project removed from hold due to all credentials being updated.
- **August 8, 2021** – No further progress since last inspection on December 22, 2020.
- **August 11, 2021** – Sent notice of September Board of Building Standards meeting
- **August 12, 2021** – Posted notice of Board of Building Standards meeting at property



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 342 Hawthorne St. presentation



CASE #21-003772

1534 Park Ave.

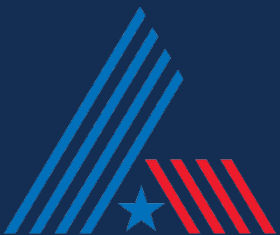


CHECKLIST FOR RECORDS SEARCH

- Searches shown below verify proof of ownership and lienholders to which all notices shall be sent.
- **COUNTY RECORDS** – General Warranty Deed naming Joan Wood Cook as owner
- **TAYLOR COUNTY**– Shows Joan Wood Cook 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 December 9, 2020
- Search reveals Joan Wood Cook to be the owner



Public Notice



Front East Side



Rear West Side



South Side



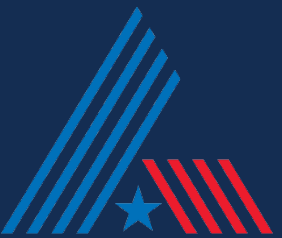
North Side



Exterior Roof Issues



Exterior Rotting and Dilapidation



Interior Ceiling Issues (Garage)



Interior Ceiling Issues



Interior Ceiling Issues



Interior Sanitation Issues



Interior Plumbing Issues



TIMELINE OF EVENTS

- November 13, 2020 – Property was condemned.
- December 1, 2020 – Initial notice of condemnation, 30/60 and utility shut off letters sent.
- December 7, 2020 – Notices returned unclaimed labeled “return to sender, deceased.”
- July 14, 2021 – Property mowed by the city.
- August 9, 2021 – No permits pulled.
- August 11, 2021 – Sent notice of September Board of Building Standards meeting
- August 12, 2021 – Posted notice of September Board of Building Standards meeting at property
- August 23, 2021 – Structure secured by 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 1534 Park Ave. presentation



CASE #21-000749

1310 Hickory St.

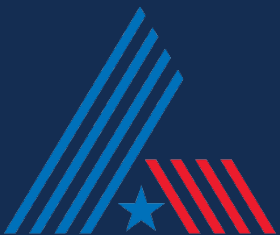


CHECKLIST FOR RECORDS SEARCH

- Searches shown below verify proof of ownership and lienholders to which all notices shall be sent.
- **COUNTY RECORDS** – Quit Claim Deed naming Elizabeth Blancq
- **TAYLOR COUNTY**– Shows Elizabeth Blancq 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 30, 2016
- Search reveals Elizabeth Blancq to be the owner



Public Notice



Front East Side



Rear West Side



North Side



South Side



Exterior Electrical Issues



Exterior Rotting and Dilapidation



Exterior Rotting and Dilapidation



Interior Plumbing Issues



TIMELINE OF EVENTS

- **April 9, 2021** – Property was condemned. Initial notice and 30/60 letters sent.
- **April 16, 2021** – Phone call from Mr. James Blancq, who claims to be the widower of the property owner. He was asking what needed to be done to comply with the condemnation notices. He did express his concern with not having the funds and the time to get the property up to code. I told him to come in and meet with me, and I can explain better in person what the process is, and also explain his options with the property. Scheduled meeting for Thursday April 22, 2021 at 1PM.
- **April 23, 2021** – Met with Mr. Blancq and Chief Building Official Tim Littlejohn regarding his case. Mr. Littlejohn instructed Mr. Blancq to get legal ownership of the property, otherwise he would not be able to legally pull permits to repair the structure. I advised Mr. Blancq to go to the County Clerk's office, and speak to someone for guidance on what step he needed to take to obtain ownership of the property. We informed Mr. Blancq that we would give him some time to get the process completed, and also instructed him to stay in contact with Code Officer Josh Mares with any updates.
- **August 7, 2021** – Property mowed by the City.
- **August 9, 2021** – No further contact from the owner.
- **August 11, 2021** – Sent notice of September Board of Building Standards meeting
- **August 12, 2021** – Posted notice of September Board of Building Standards meeting at property



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

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f, & l)
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- (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 1310 Hickory St. presentation



CASE #21-001059

1734 N. 5th 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 **Guy Vivion** and **Debra K. Vivion** as the owner, and shows **Terry McFadin dba EMC Management Company** to be the Lien Holder.
- **TAYLOR COUNTY**– Shows **Guy & Debra K. Vivion** to be the owner.
- **SECRETARY OF STATE**– Shows **Terry McFadin** to be the registered agent of **EMC Management Company** (Lien Holder).
- **TAX RECORDS OF THE MUNICIPALITY**– Not applicable
- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since **August 9, 2019**.
- Search reveals **Guy & Debra K. Vivion** to be the owner.



Public Notice



Front South Side



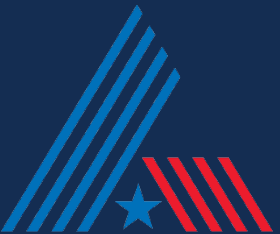
Rear North Side



West Side



East Side



Exterior Damage and Dilapidation



Exterior Damage and Dilapidation



Interior Ceiling Damage



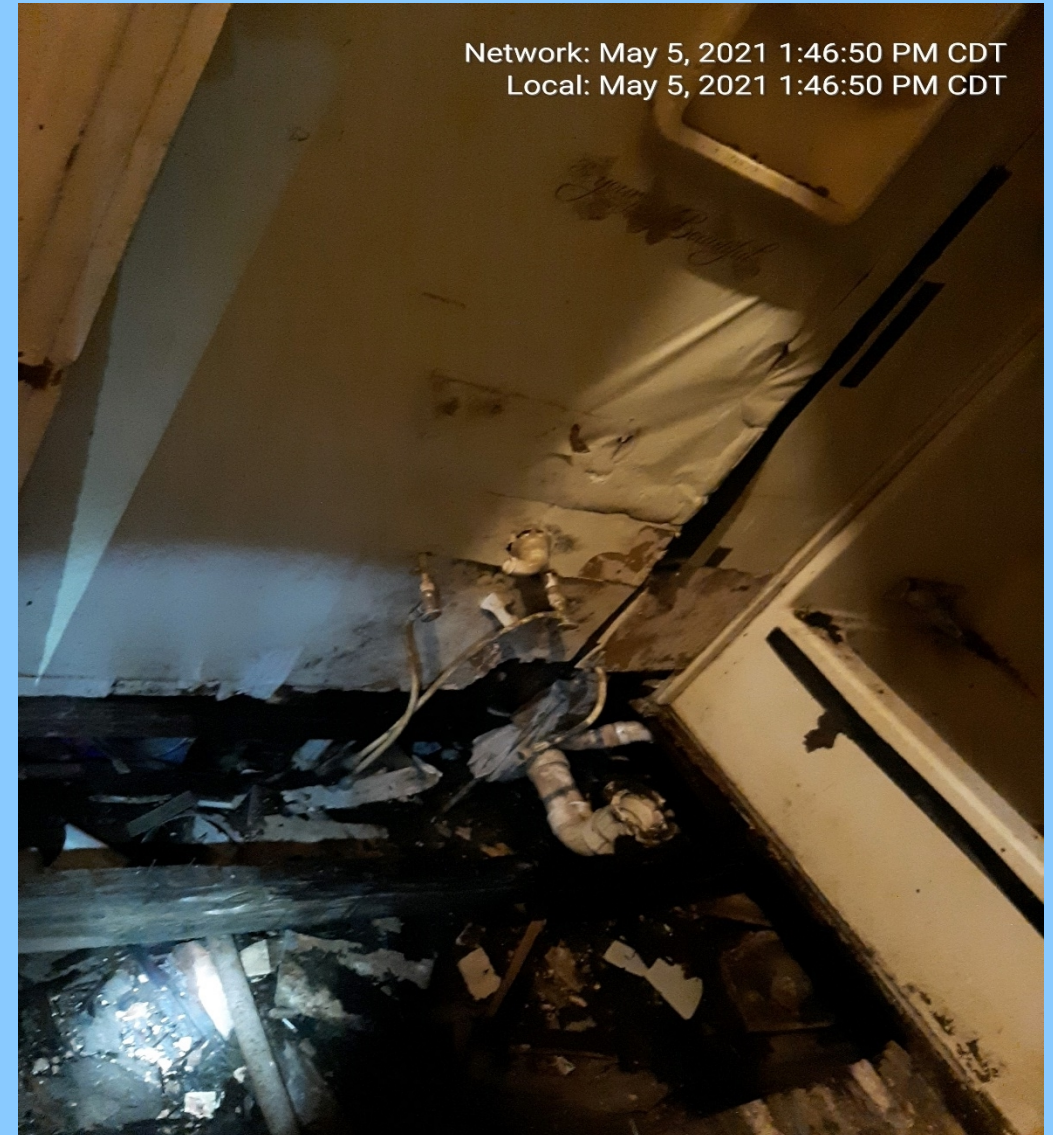
Interior Ceiling Damage



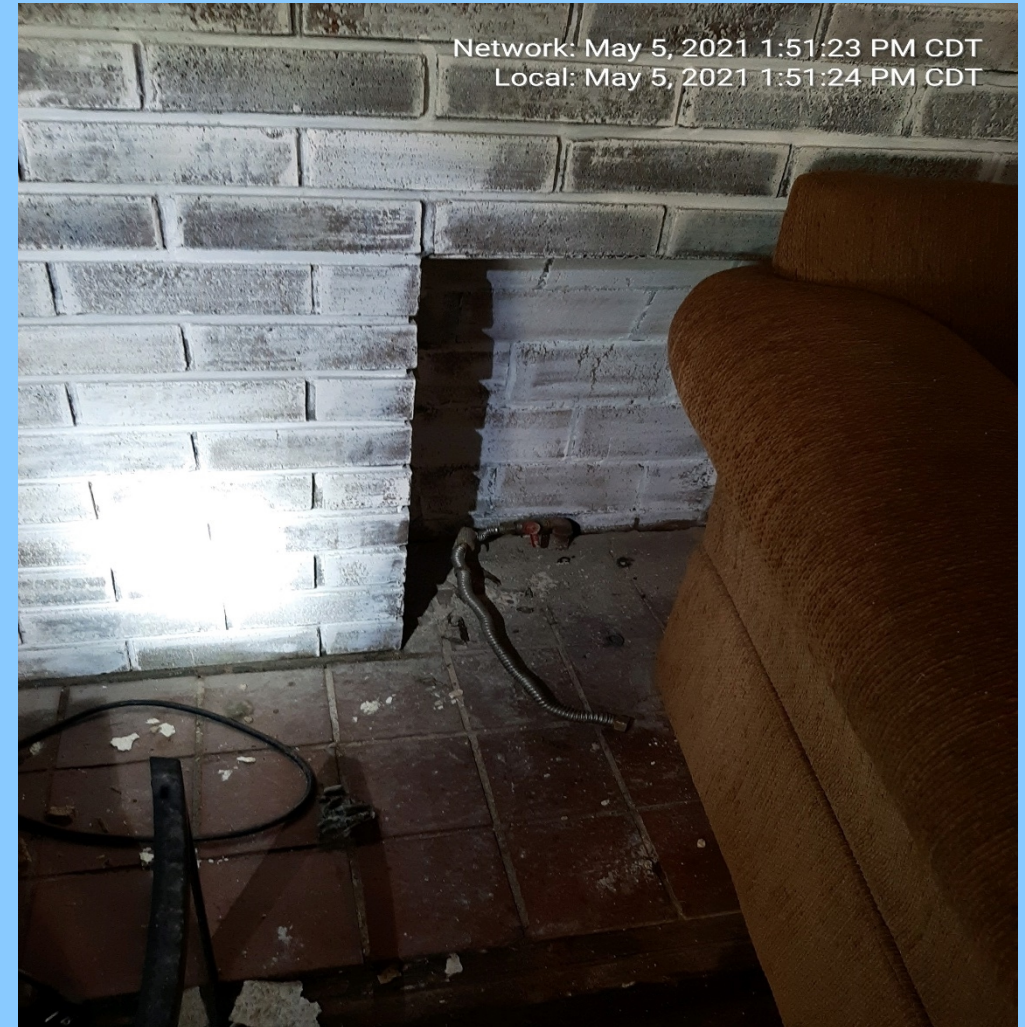
Interior Mold and Floor Damage



Interior Plumbing Issues



Interior Plumbing Issues



Timeline of Events

- **May 5, 2021** – Property was condemned.
- **May 11, 2021** – Affidavit of Condemnation filed with County Clerk.
- **May 13, 2021** – Notice of Condemnation and 30/60 sent to the owner and lien holder.
- **May 13, 2021** – Phone call with Terry McFadin, EMC Management Co., who is listed as a lien holder of the property. He stated that he still has an interest in the property, and was going to get in touch with the owner Guy Vivion. I informed Mr. McFadin that I would be sending him the notices of condemnation, and advised him to call me if he had any questions. He asked if the property was not in a state of repair, could the City demolish it and send him the bill. I explained to him that he does have the option to sign a consent to demo, however he would need to obtain full ownership of the property in order to make that decision.
- **May 14, 2021** – Utility shut off letters sent
- **June 10, 2021** – Sent notice of July Board of Building Standards meeting.
- **June 14, 2021** – Posted notice of July Board of Building Standards meeting at the property.
- **July 7, 2021** – Board of Building Standards order 30/60.
- **July 8, 2021** – Sent decision of the Board of Building Standards to owner and lien holder.
- **August 10, 2021** – No action or permits pulled by the owner.
- **August 11, 2021** – Sent notice of September Board of Building Standards meeting
- **August 12, 2021** – Posted notice of September Board of Building Standards meeting at property



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 1734 N 5th St. presentation



CASE #21-001108

1725 N. Mockingbird Ln.

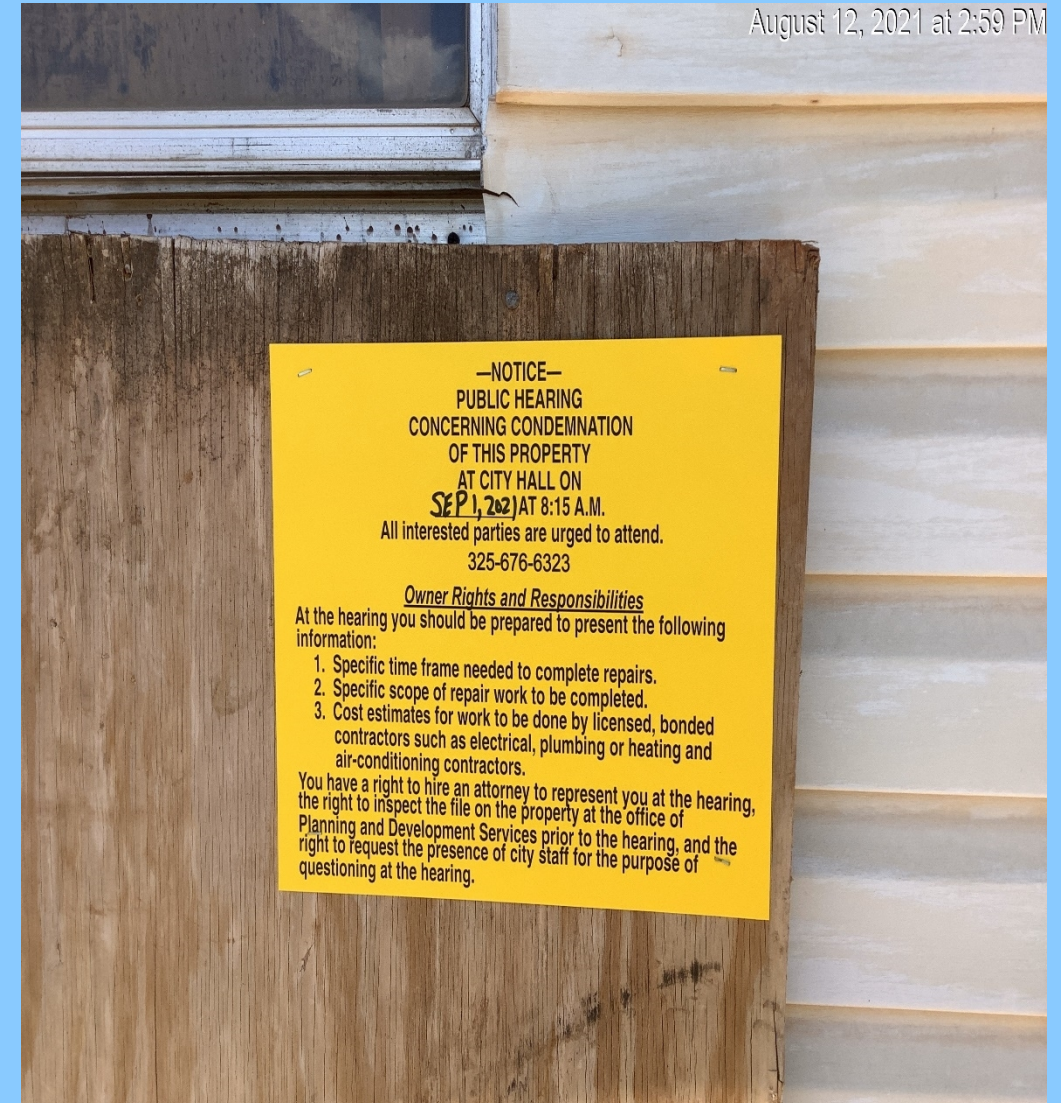


CHECKLIST FOR RECORDS SEARCH

- Searches shown below verify proof of ownership and lienholders to which all notices shall be sent.
- **COUNTY RECORDS** – Sheriff's Deed naming Pedro & Josefina Serrano as the owners
- **TAYLOR COUNTY**– Shows Pedro & Josefina Serrano to be the owners
- **SECRETARY OF STATE**– Shows no entity under either name
- **TAX RECORDS OF THE MUNICIPALITY**– Not applicable
- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since December 2017
- Search reveals Pedro & Josefina Serrano to be the owner



Public Notice



Front West Side



Rear East Side



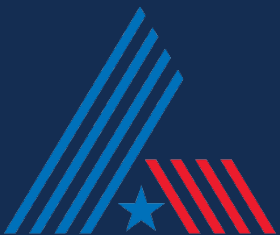
South Side



North Side



Exterior Damage and Dilapidation



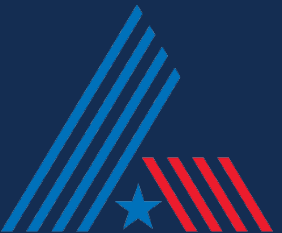
Exterior Damage and Dilapidation



Interior Damage



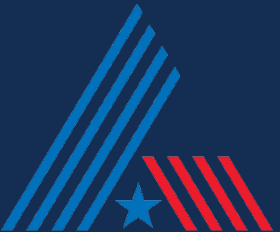
Interior Damage



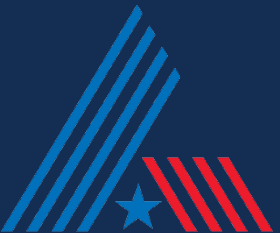
Interior Plumbing Issues



Interior Current Condition



Interior Current Condition



Timeline of Events

- **May 10, 2021** – Property was condemned
- **May 11, 2021** – Affidavit filed, and utility shut off letters sent. Initial notice and 30/60 letters sent to the owners.
- **May 22, 2021** – Roofing permit pulled to install metal roof
- **June 10, 2021** – Roofing permit placed on hold due to owner needing to submit a plan of action and obtain a general building permit
- **July 1, 2021** – Met with homeowners, explained to them the redemption period process per Taylor County Appraisal District and how they would recuperate any of funds if previous occupants try to redeem the home. Gave homeowners 30 days to obtain permit.
- **August 11, 2021** – Sent notice of September Board of Building Standards meeting
- **August 12, 2021** – Posted notice of September Board of Building Standards meeting at property
- **August 17, 2021** – No permit pulled or plan of action submitted
- **August 23, 2021** – Met with property owner at property to inspect interior of structure



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
1725 N.
Mockingbird Ln.
presentation**



**CITY OF
ABILENE
TEXAS**



**Board of Building Standards
Agenda Memo**

Meeting Date:9/1/2021

TO:

FROM:

SUBJECT: Consultation with Attorney 551.071

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

