



## 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 January 5, 2022 at 8:15 a.m. at the Abilene Public Library, South Branch, Mall of Abilene, 4310 Buffalo Gap Road, Abilene, Texas, 79606, for the purpose of considering the following agenda items.**

#### **CALL TO ORDER**

#### **MINUTES**

- A. Public hearing and possible approval of December 2021 Board of Building Standards meeting minutes

#### **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. 20-003908: 2433 Walnut St. (O C HOWELL OF NORTH PK 3, 4 & 12-14, BLOCK 2, LOT 11 & N1/2 LT 10), Owner: Estes Bernarda De Leon**  
• Public Hearing
- B. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 21-003190: 2141 Shelton St. (SEARS PARK, BLOCK 20, LOT 32), Owner: Talavera, Andres**  
• Public Hearing
- C. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 21-003265: 769 Mesquite St. (21 147 W B LEWIS OT 1 ABL TIF#1), Owner: Terrell Llaquitta**  
• Public Hearing

- D. Election of acting chair to serve in the absence of the regular chair
- 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. 551.071 (Consultation with Attorney)

## **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 30th day of December, 2021, at 3:15 p.m.*

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*Kaitlin Richardson, Deputy City  
Secretary*





**Board of Building Standards  
Agenda Memo**

**Meeting Date:1/5/2022**

**TO:**

**FROM:**

**SUBJECT:               Public hearing and possible approval of December 2021 Board of  
Building Standards meeting minutes**

**GENERAL INFORMATION**

**SPECIAL CONSIDERATIONS**

**FUNDING/FISCAL IMPACT**

**STAFF RECOMMENDATION**

**BOARD OR COMMISSION RECOMMENDATION**

**ATTACHMENTS:**

1. 12.01.2021\_BOBS mins

12.01.2021\_BOBS mins.docx

**BOARD OF BUILDING STANDARDS  
MEETING MINUTES  
December 01, 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. Jeremy McBrayer  
Mr. Gary Webb  
Mr. David Brosig  
Mr. Wayland Schroeder

**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, Code Enforcement Division Manager  
Mr. Robert Marsh, Code Enforcement Officer  
Mr. Robert Norton, Code Enforcement Officer  
Ms. Christi Jones, Administrative Assistant III

**Others Present:** Mr. Ariel Ceniceros

**CALL TO ORDER**

Mr. Beard called the meeting to order at 8:15 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, November 03, 2021, were provided in advance to Board Members for review.

**Mr. Allred made a motion to approve the November minutes with correction of Mr. McColum's vote and was seconded by Mr. Webb, motion passed.**

AYES: Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Brosig, Mr. Schroeder, Mr. Beard

NAYS: None

ABSTAIN: None

**AGENDA ITEMS & PUBLIC HEARINGS**

**Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-001109:** 1933 VOGEL AVE. (WEST UNIVERSITY PLACE, BLOCK 4, LOT 5), Owner: Remmers, Bobby Lee % Megan Remmers

Mr. Mares 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 (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)

**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, and there being no speakers, Mr. Beard closed the public hearing.

**Board Held Discussion:** Board asked legal for clarification on staff recommendation if owner sells property after 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. Schroeder, motion passed.**

AYES: Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Brosig, Mr. Schroeder, Mr. Beard  
NAYS: 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. Schroeder, motion passed.**

AYES: Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Brosig, Mr. Schroeder, Mr. Beard  
NAYS: None

**Case for Rehabilitation, Demolition or Civil Penalties - Case No. 21-001937:** 6150 HARTFORD ST. (K & A JACKSON SUB, BLOCK A, LOT 1), Owner: JACKSON, IDA ANITA

Mr. Mares informed the Board that this case must be removed from the table.

**Mr. Allred made a motion to remove this case from the table and was seconded by Mr. Webb, motion passed.**

AYES: Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Brosig, Mr. Schroeder, Mr. Beard  
NAYS: None

Mr. Mares 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 (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)

**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.

The board asked a question about 5<sup>th</sup> wheels located at property. Mr. Marsh informed the board 5<sup>th</sup> wheels are being handled as a separate zoning case.

**Public Hearing:** Mr. Beard opened the public hearing. Mr. Cenicerros spoke about his desire to cleanup the property.

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

**Dr. Paris made a motion that 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. Schroeder, motion passed.**

AYES: Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Brosig, Mr. Schroeder, Mr. Beard  
NAYS: Mr. Webb

**Dr. Paris 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. Schroeder, Motion Passed.**

AYES: Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Brosig, Mr. Schroeder, Mr. Beard  
NAYS: Mr. Webb

**Case for Rehabilitation, Demolition or Civil Penalties - Case No. 21-003190: 2141  
SHELTON ST. (SEARS PARK, BLOCK 20, LOT 32), Owner: TALAVERA, ANDRES**

Mr. Mares 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 (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:** Owner 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.

The board discussed with Mr. Mares about legal heirs and their ability to pull permits.

**Public Hearing:** Mr. Beard opened the public hearing, and there being no speakers, Mr. Beard closed the public hearing.

**Mr. Schroeder made a motion that the owner is ordered 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, Motion failed due to lack of a second.**

The board discussed what options they could take.

**Mr. Allred made a motion to table this case until next meeting and was seconded by Dr. Paris, motion passed.**

AYES: Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Brosig, Mr. Beard

NAYS: Mr. Schroeder

**Case for Rehabilitation, Demolition or Civil Penalties - Case No. 21-003216:** 1009 S. 12th ST. (NORTHINGTON W/2, BLOCK C, LOT W54.05 E140 N101), Owner: LEGACY DWELLING, LLC

Mr. Mares 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 (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:** Owner 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.

**Public Hearing:** Mr. Beard opened the public hearing, and there being no speakers, Mr. Beard closed the public hearing.

**Mr. Webb 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: Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Brosig, Mr. Beard

NAYS: Dr. Paris, Mr. Schroeder

**Case for Rehabilitation, Demolition or Civil Penalties - Case No. 21-003384: 502**

PORTLAND AVE. (PARK HEIGHTS ABL, BLOCK 13, LOT 1 & N/2 OF LT 2), Owner:  
DAVIS, JAMES

Mr. Mares 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 (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)

**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.

The board discussed utilizing the 30/60 recommendation.

The board discussed danger of property.

**Dr. Paris made a motion that 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, motion failed due to lack of second.**

**Mr. Webb 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. Brosig, motion carried.**

AYES: Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Brosig, Mr. Beard  
NAYS: Dr. Paris, Mr. Schroeder

**Condemnation Report:** Clay Door gave a staff presentation on the Condemnation Program statistics review for fiscal year 2021

**Member Introduction:** Mr. Beard introduced a new board member Mr. McBrayer.

### **ADJOURNMENT**

There being no further business to come before the hearing, the Board of Building Standards meeting was adjourned at 9:44 a.m.

**X**

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Approved, Chairman





**Board of Building Standards  
Agenda Memo**

**Meeting Date: 1/5/2022**

**TO:**

**FROM:**

**SUBJECT:** Case for Rehabilitation, Demolition or Civil Penalties - Case No. 20-003908: 2433 Walnut St. (O C HOWELL OF NORTH PK 3, 4 & 12-14, BLOCK 2, LOT 11 & N1/2 LT 10), Owner: Estes Bernarda De Leon  
• Public Hearing

**GENERAL INFORMATION**

**Owner:** Estes Bernarda DeLeon  
**Sq Ft:** 630  
**Structural:** Poor  
**Foundation:** P  
**Value:** \$14,748  
**Total Value:** \$16,717  
**Delinquent Tax:** \$16,717

**SPECIAL CONSIDERATIONS**

**November 13, 2020** – Property was condemned.  
**November 24, 2020** – Affidavit filed with the County Clerk.  
**December 1, 2020** – Mailed initial notice of condemnation and 30/60 letters.  
**April 16, 2021** – No contact from owner, and no permits on record, schedule for BOBS in May.  
**April 23, 2021** – Property removed from BOBS agenda due to discovery of possible new ownership by Hardin Simmons University.  
**June 1, 2021** – After extensive research, property was confirmed by Hardin Simmons University that they did not own the property.  
**June 10, 2021** – Sent notice of July BOBS meeting.  
**June 14, 2021** – Posted notice of July BOBS meeting at the property.  
**July 7, 2021** – Board of Building Standards meeting order 30/60  
**July 27, 2021** – Phone Call with Bernada Estes. She was calling about the condemnation notice,

and wanted to know what needed to be done. I explained to her what was required to bring the property out of condemnation, and what paperwork she would need to submit. She asked what if she did not have the money to repair the structure. I explained to her she had the option to sell, or sign a consent to demo, but also informed her that failure to take any action could result in the house being demolished indefinitely. She stated she would call me back this week to let me know of her decision.

**August 5, 2021** – Met with Bernada Estes, she requested contact information so she could sell the property to Hardin Simmons University. Information was passed on and she stated she would get in contact with them. She was instructed to inform the City if the property was sold.

**December 9, 2021** – No change of ownership. Notice posted for the January Board of Building Standards hearing.

**December 10, 2021** – Notice sent via regular and certified mail for the January Board of Building Standards meeting.

**December 22, 2021** – Verified that delivery attempt of certified mail was unsuccessful. Notice left for to owner by postal service to pick up mail at the post office

### **FUNDING/FISCAL IMPACT**

### **STAFF RECOMMENDATION**

#### **DEMO**

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)

### **BOARD OR COMMISSION RECOMMENDATION**

**The Board will hear this case on January 5, 2022.**

### **ATTACHMENTS:**

- |    |                                    |                                         |
|----|------------------------------------|-----------------------------------------|
| 1. | 01 Slides Intro                    | 01 Slides Intro.pptx                    |
| 2. | 20220105_20-003908_2433 Walnut St. | 20220105_20-003908_2433 Walnut St..pptx |

# BOARD OF BUILDING STANDARDS

*January 5, 2022*



# PUBLIC NOTICE – January 5, 2022 MEETING

- A meeting of the Board of Building Standards will be held at 8:15 a.m., Wednesday, January 5, 2022 in the South branch public library, located in the Mall of Abilene, at 4310 Buffalo Gap Rd. Abilene, Texas, to consider the following properties on the agenda: 2433 Walnut St. Abilene, TX 79601, 2141 Shelton St. Abilene, TX 79603, and 769 Mesquite St. Abilene, TX 79601. 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 # 20-003908**

**2433 Walnut 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 naming **Bernarda De Leon Estes** as the owner.
- **TAYLOR COUNTY**– Shows **Bernarda De Leon Estes** to be the owner.
- **SECRETARY OF STATE**– Shows no entity under that name.
- **TAX RECORDS OF THE MUNICIPALITY**– Not applicable
- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since **April 29, 2011**
- Search reveals **Bernarda Estes De Leon** to be the owner.





# Public Notice

December 10, 2021 at 10:14 AM





# Front West Side





# North Side





# Rear East Side





# South Side





# Exterior Damage and Dilapidation





# Exterior Plumbing and Electrical Issues





# Interior Plumbing Issues





# Interior Ceiling Damage





# Interior Ceiling Issues



# Timeline of Events

- **November 13, 2020** – Property was condemned.
- **November 24, 2020** – Affidavit filed with the County Clerk.
- **December 1, 2020** – Mailed initial notice of condemnation and 30/60 letters.
- **April 16, 2021** – No contact from owner, and no permits on record, schedule for BOBS in May.
- **April 23, 2021** – Property removed from BOBS agenda due to discovery of possible new ownership by Hardin Simmons University.
- **June 1, 2021** – After extensive research, property was confirmed by Hardin Simmons University that they did not own the property.
- **June 10, 2021** – Sent notice of July BOBS meeting.
- **June 14, 2021** – Posted notice of July BOBS meeting at the property.
- **July 7, 2021** – Board of Building Standards meeting order 30/60
- **July 27, 2021** – Phone Call with Bernada Estes. She was calling about the condemnation notice, and wanted to know what needed to be done. I explained to her what was required to bring the property out of condemnation, and what paperwork she would need to submit. She asked what if she did not have the money to repair the structure. I explained to her she had the option to sell, or sign a consent to demo, but also informed her that failure to take any action could result in the house being demolished indefinitely. She stated she would call me back this week to let me know of her decision.
- **August 5, 2021** – Met with Bernada Estes, she requested contact information so she could sell the property to Hardin Simmons University. Information was passed on and she stated she would get in contact with them. She was instructed to inform the City if the property was sold.
- **December 9, 2021** – No change of ownership.
- **December 10, 2021** – Notice posted on the structure, and sent via regular and certified mail for the January Board of Building Standards meeting.
- **December 22, 2021** – Verified that delivery attempt of certified mail was unsuccessful. Notice left for to owner by postal service to pick up mail at the post office.





# **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 2433 Walnut St. presentation







**Board of Building Standards  
Agenda Memo**

**Meeting Date: 1/5/2022**

**TO:**

**FROM:**

**SUBJECT:** Case for Rehabilitation, Demolition or Civil Penalties - Case No. 21-003190: 2141  
Shelton St. (SEARS PARK, BLOCK 20, LOT 32), Owner: Talavera, Andres  
• Public Hearing

**GENERAL INFORMATION**

**Owner:** Talavera Andres  
**Sq Ft:** 580  
**Structural:** Poor  
**Foundation:** P  
**Value:** \$8,600  
**Total Value:** \$10,910  
**Delinquent Tax:** \$104.14

**SPECIAL CONSIDERATIONS**

**November 8, 2019** – Property owner found deceased in rear of property from electrocution from illegal electric hookup

**June 9, 2020** – City contractor abated junk and debris from property

**June 10, 2020** – Code Officer had AEP confirm no power source to house remained from illegal connection

**August 9, 2021** – Property was inspected, found to be partially gutted down to framing and unpermitted addition added to rear of structure. Stop Work Order placed on structure and property was condemned.

**August 10, 2021** – Individual (not property owner) called and was angry he was not able to work on structure without permit.

**August 18, 2021** – Property was condemned.

**September 9, 2021** – Initial notice and 30/60 letters sent to the owner.

**September 3, 2021** – Received a phone call from Jose Hernandez, 232-1014, that said he is

trying to sell house to a home buying company. (He is not on deed)

**November 10, 2021** – County records show no change in ownership.

**November 16, 2021** – Mailed notice of December Board of Building Standards hearing.

**November 18, 2021** – Found house completely open/unsecured, front and back. Posted notice of December BOBS hearing and reposted condemnation sign on structure.

**December 1, 2021** – Board of Building Standards hearing ordered tabled until the next meeting.

**December 10, 2021** – Notice sent via regular and certified mail for January Board of Building Standards Hearing.

**December 14, 2021** – Notice posted on structure for January Board of Building Standards hearing.

### **FUNDING/FISCAL IMPACT**

### **STAFF RECOMMENDATION**

#### **DEMO**

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)

### **BOARD OR COMMISSION RECOMMENDATION**

**The Board will hear this case on January 5, 2022.**

### **ATTACHMENTS:**

1. 20220105\_21-003190\_2141 Shelton St. 20220105\_21-003190\_2141 Shelton St..pptx

**CASE # 21-003190**

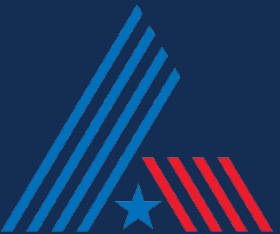
**2141 Shelton St.**





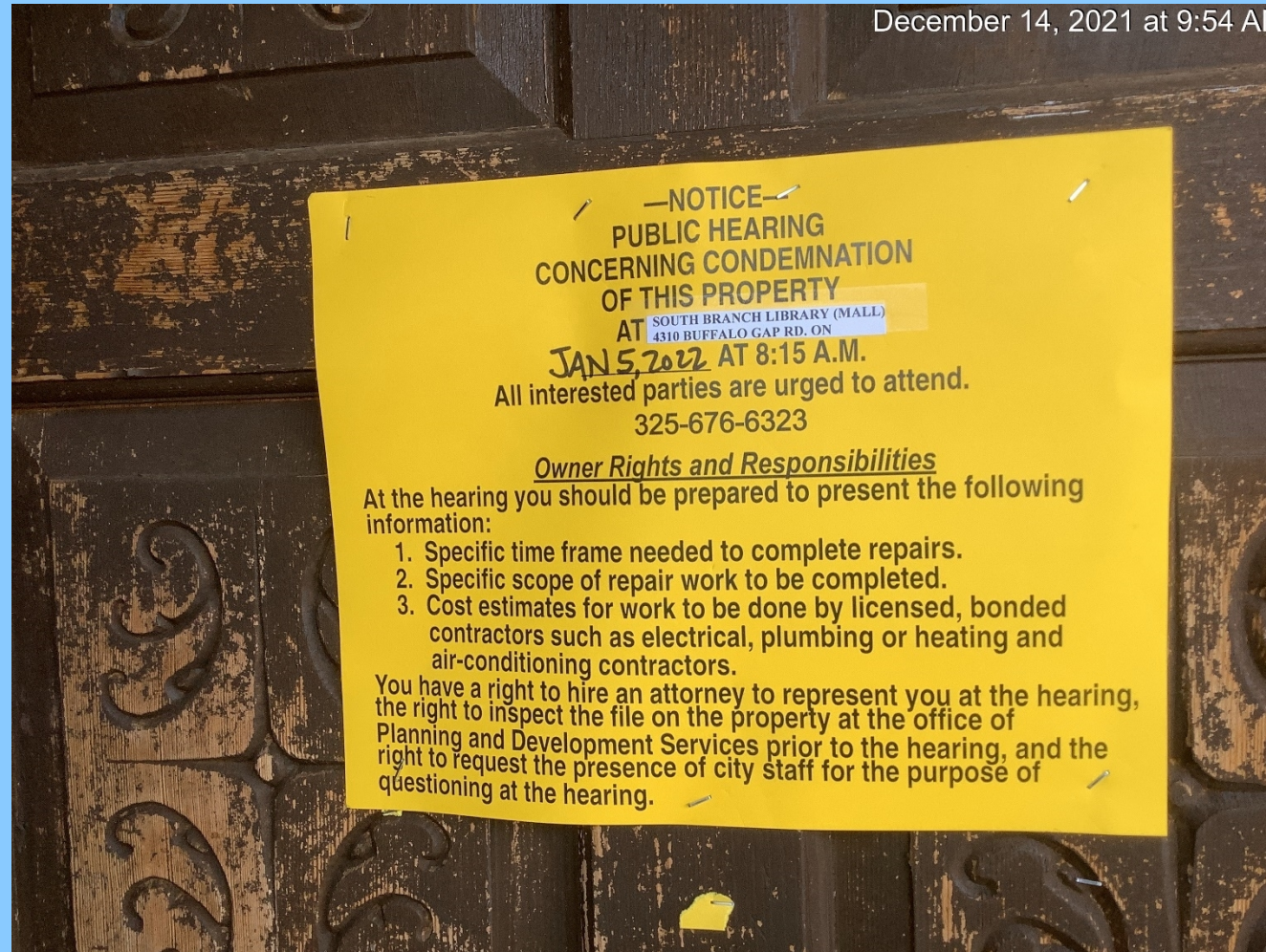
# CHECKLIST FOR RECORDS SEARCH

- Searches shown below verify proof of ownership and lienholders to which all notices shall be sent.
- **COUNTY RECORDS** – Warranty Deed naming **Andres Talavera** as the owner.
- **TAYLOR COUNTY**– Shows **Andres Talavera** 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 **August 2019**.
- Search reveals **Andres Talavera** to be the owner.



# Public Notice

December 14, 2021 at 9:54 AM





# Front West Side





# Rear East Side





# North Side





# South Side

November 18, 2021 at 8:57 AM





# Exterior Dilapidation





# Roof Issues





# Incomplete Interior Work





# Interior Electrical Issues

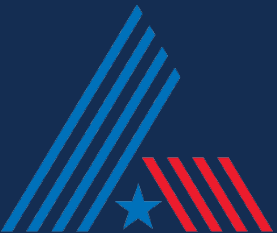




# Interior Plumbing Issues



November 18, 2021 at 8:55 AM





# Timeline of Events

- **November 8, 2019** – Property owner found deceased in rear of property from electrocution from illegal electric hookup
- **June 9, 2020** – City contractor abated junk and debris from property
- **June 10, 2020** – Code Officer had AEP confirm no power source to house remained from illegal connection
- **August 9, 2021** – Property was inspected, found to be partially gutted down to framing and unpermitted addition added to rear of structure. Stop Work Order placed on structure and property was condemned.
- **August 10, 2021** – Individual (not property owner) called and was angry he was not able to work on structure without permit.
- **August 18, 2021** – Property was condemned.
- **September 9, 2021** – Initial notice and 30/60 letters sent to the owner.
- **September 3, 2021** – Received a phone call from Jose Hernandez, 232-1014, that said he is trying to sell house to a home buying company. (He is not on deed)
- **November 10, 2021** – County records show no change in ownership.
- **November 16, 2021** – Mailed notice of December Board of Building Standards hearing.
- **November 18, 2021** – Found house completely open/unsecured, front and back. Posted notice of December BOBS hearing and reposted condemnation sign on structure.
- **December 1, 2021** – Board of Building Standards hearing ordered tabled until the next meeting.
- **December 10, 2021** – Notice sent via regular and certified mail for January Board of Building Standards Hearing.
- **December 14, 2021** – Notice posted on structure for January Board of Building Standards hearing.



# **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 2141 Shelton St. presentation





**Board of Building Standards  
Agenda Memo**

**Meeting Date: 1/5/2022**

**TO:**

**FROM:**

**SUBJECT:** Case for Rehabilitation, Demolition or Civil Penalties - Case No. 21-003265: 769  
Mesquite St. (21 147 W B LEWIS OT 1 ABL TIF#1), Owner: Terrell Llaquitta  
• Public Hearing

**GENERAL INFORMATION**

**Owner:** Terrell Llaquitta  
**Sq Ft:** 960  
**Structural:** Poor  
**Foundation:** P  
**Value:** \$13,490  
**Total Value:** \$16,290  
**Delinquent Tax:** \$431.39

**SPECIAL CONSIDERATIONS**

**August 6, 2021** – Code Enforcement found structure unsecured. Upon further inspection found structure was gutted down to framing on the inside and completely open, front back and sides. Placed stop work order and opened dilapidated structure case to ensure proper permits are obtained and structure secured.

**August 10, 2021** – Property owner called and stated that she is not currently renovating house but will in future and said she would have structure secured the upcoming weekend.

**August 16, 2021** – Property owner failed to secure structure. Property was condemned.

**September 10, 2021** – Notices sent to property owner

**September 29, 2021** – Code Officer emailed with property owner to clarify initial notice and 30/60 per her request

**October 6, 2021** – Contractor applied for permit but never furnished all required information. Permit never obtained.

**October 15, 2021** – General Contractor came in wanting to meet with Building Inspector to



discuss renovating property. Unsure if he ever met with Building Inspector. Still no permit pulled.

**November 23, 2021** – Received phone call from potential buyer to find out what needs to be done with property

**December 3, 2021** – Property was secured by city

**December 10, 2021** – Sent notice via regular and certified mail of January Board of Building Standards hearing, and posted notice on the structure.

### **FUNDING/FISCAL IMPACT**

### **STAFF RECOMMENDATION**

#### **30/60**

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)

### **BOARD OR COMMISSION RECOMMENDATION**

**The Board will hear this case on January 5, 2022.**

### **ATTACHMENTS:**

1. 20220105\_21-003265\_769 Mesquite St. 20220105\_21-003265\_769 Mesquite St..pptx

**CASE # 21-003265**

**769 Mesquite St.**





# CHECKLIST FOR RECORDS SEARCH

- Searches shown below verify proof of ownership and lienholders to which all notices shall be sent.
- **COUNTY RECORDS** – Gift Deed naming **Llaquita Terrell** as the owner.
- **TAYLOR COUNTY**– Shows **Llaquita Terrell** 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 2018**.
- Search reveals **Llaquita Terrell** to be the owner.



# Public Notice

December 10, 2021 at 10:29 AM

—NOTICE—  
PUBLIC HEARING  
CONCERNING CONDEMNATION  
OF THIS PROPERTY

AT SOUTH BRANCH LIBRARY (MALL)  
4310 BUFFALO GAP RD. ON

~~JAN 5, 2022~~ 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.

**"NOTICE"**

THIS BUILDING IS UNFIT FOR



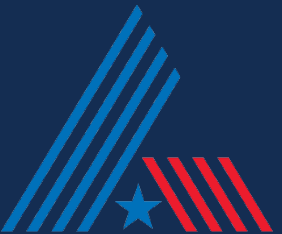


# Front West Side





# Rear East Side





# North Side





# South Side





# Exterior Dilapidation



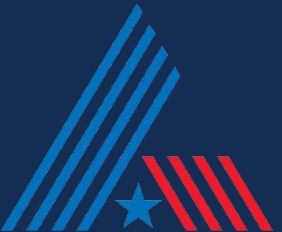


# Exterior Electrical Issues



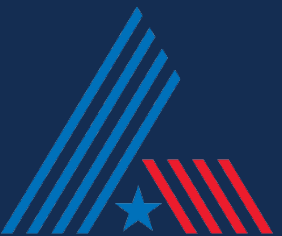


# Incomplete Interior Work





# Incomplete Interior Work





# Interior Plumbing and Electrical Issues



# Timeline of Events

- **August 6, 2021** – Code Enforcement found structure unsecured. Upon further inspection found structure was gutted down to framing on the inside and completely open, front back and sides. Placed stop work order and opened dilapidated structure case to ensure proper permits are obtained and structure secured.
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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 769 Mesquite St. presentation





**Board of Building Standards  
Agenda Memo**

**Meeting Date:1/5/2022**

**TO:**

**FROM:**

**SUBJECT:                    Election of acting chair to serve in the absence of the regular chair  
                                 • Public Hearing**

**GENERAL INFORMATION**

**SPECIAL CONSIDERATIONS**

**FUNDING/FISCAL IMPACT**

**STAFF RECOMMENDATION**

**BOARD OR COMMISSION RECOMMENDATION**

**ATTACHMENTS:**



