



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 April 6, 2022, at 8:15 a.m., at the Abilene Public Library, South Branch, Mall of Abilene, 4310 Buffalo Gap Road, Abilene, Texas, for the purpose of considering the following agenda items.

CALL TO ORDER

MINUTES

- A. Public Hearing and Approval of March 2, 2022 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. 21-001757: 774 E. Hwy 80 (RADFORD HILLS SEC 3 CONT 1, BLOCK 4, LOT 1, TAYLOR COUNTY, TEXAS), Owner: Travers Holdings, LLC**
- B. **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, TAYLOR COUNTY, TEXAS), Owner, Legacy Dwelling, LLC**
- C. **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, TAYLOR COUNTY, TEXAS), Owner: Davis, James**

- D. **Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-003621: 2109 Poplar St. (BOWYER ADDN, BLOCK 1, LOT 11, TAYLOR COUNTY, TEXAS)
Owner: FOCO CAPITAL, LLC**
- E. **Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-004567: 1509 Truman St. (E70 W609 LT 25 SIDNEY SMITH, TAYLOR COUNTY, TEXAS)
Owner: Gonzales, Joe Ozuna Jr.**

ADJOURNMENT

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)

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 1st day of April, 2022, at 4:50 p.m.

*Kaitlin Richardson, Deputy City
Secretary*



**Board of Building Standards
Agenda Memo**

Meeting Date:4/6/2022

TO:

FROM:

**SUBJECT: Public Hearing and Approval of March 2, 2022 Board Of Building
Standards Meeting Minutes**

GENERAL INFORMATION

Public hearing and possible approval of March 2022 BOBS meeting minutes

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. 03.02.2022 BOBS mins

03.02.2022 BOBS mins.docx

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
March 02, 2022 8:15 a.m.
BOARD OF BUILDING STANDARDS OF THE CITY OF ABILENE, TEXAS
ABILENE PUBLIC LIBRARY, SOUTH BRANCH, MALL OF ABILENE, 4310
BUFFALO GAP ROAD, ABILENE, TEXAS, 79606**

Members Present: Mr. David Beard, Chairman
Dr. Wayne Paris
Mr. Jeremy McBrayer
Mr. Gary Webb
Mr. Lloyd Turner
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
Ms. Kelley Messer, Assistant City Attorney
Mr. Clay Door, Code Enforcement Division Manager
Mr. Robert Marsh, Code Enforcement Officer
Mr. Ricky Wright, Code Enforcement Officer
Mr. Josh Mares, Code Enforcement Officer
Mr. Robert Norton, Code Enforcement Officer
Ms. Christi Jones, Administrative Assistant

Others Present: Sergeant John Ramirez, Police Administration
Alicia Jordan
Joe Gonzales

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, February 02, 2022, were provided in advance to Board Members for review.

Mr. Schroeder made a motion to approve the February minutes as written was seconded by Mr. Webb, motion passed.

AYES: Dr. Paris, Mr. Webb, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Mr. McBrayer arrived at this time.

AGENDA ITEMS & PUBLIC HEARINGS

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, TAYLOR COUNTY, TEXAS), 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)

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.

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

Mr. Schroeder 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: Dr. Paris, Mr. McBrayer, Mr. Webb, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

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

Mr. Schroeder 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: Dr. Paris, Mr. McBrayer, Mr. Webb, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-004456: 3902/3906 Lynwood Ln. (ELMWOOD WEST, SEC D, BLOCK 5, TAYLOR COUNTY, TEXAS), Owner Kuruvila Joe Trustee of the 610 S. Leggett Dr. Land Trust

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.

Alicia Jordan property manager spoke to the board about transforming the 3 (next 2 cases also) into storage for the property. Ms. Jordan also spoke about wanting to work with the city to get properties in question up to code for storage facilities.

Sergeant John Ramirez, Police Administration, spoke to the board about the volume of calls (medical, criminal, and any other calls) coming in for the whole complex (not this one address).

Mr. Beard closed public hearing.

Board Held Discussion: Board asked legal about properties being in one complex, hearing all the complex cases as one case instead of 3 individual cases. Legal stated cases need to be separated out each unit is a separate individual property; each unit has its own address.

Mr. Webb 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 and was seconded by Mr. McBrayer, Motion passed.

AYES: Mr. McBrayer, Mr. Webb, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: Dr. Paris

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-004459: 3933/3937 Lynwood Ln. (ELMWOOD WEST, SEC D, BLOCK N1/2 OF 4, TAYLOR COUNTY, TEXAS), Owner: Kuruvila Joe Trustee of the 610 S. Leggett Dr. Land Trust

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.

Alicia Jordan spoke again about transforming unit into storage buildings for the complex.

Mr. Beard closed public hearing.

Board Held Discussion: The board stated concerns about converting the units in question would make no difference in the criminal activity happening at the complex.

Mr. Webb 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 and was seconded by Mr. McBrayer, Motion passed.

AYES: Mr. McBrayer, Mr. Webb, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: Dr. Paris

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-004463: 410/412 S. Leggett Dr. (ELMWOOD WEST, SEC C, BLOCK 3, TAYLOR COUNTY, TEXAS), Owner: Kuruvila Joe Trustee of the 610 S. Leggett Dr. Land Trust

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

Alicia Jordan Property Manager spoke about transforming units into storage buildings, one for lawn mowers, one for maintenance, and one for miscellaneous / office supplies.

Mr. Beard closed public hearing.

Mr. Turner 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 and was seconded by Mr. Webb, Motion passed.

AYES: Mr. McBrayer, Mr. Webb, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: Dr. Paris

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-004567: 1509 Truman St. (E70 W609 LT 25 SIDNEY SMITH, TAYLOR COUNTY, TEXAS), Owner: Gonzales Joe Ozuna Jr

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. Joe Gonzales, owner of property, spoke to the board about his intent for property and structure, he is wanting to build a 1-foot wall around the structure for the flooding issue. Mr. Gonzales stated he had a misunderstanding with the person who moved the building. The mover got permits to move the structure not permits to put on property. Mr. Gonzales is in violation of building permits at this time. Mr. Gonzales stated he is cleaning the property up.

Board Held Discussion: Board talked to legal and Mr. Watson about what the board can do. Mr. Watson stated the city can't help Mr. Gonzales with moving forward until he comes in to talk about plans.

Mr. Beard closed public hearing.

Board Held Discussion: Board discussed the instability, and safety hazard of the structure. That it is an imminent danger that the property is not properly secure. The building is in violation of building permits and the documents Mr. Gonzales submitted were not sufficient. There needs to be a detailed plan of action and contractors have to bonded and certified with the city.

Reopened Public Hearing: Board asked Mr. Gonzales questions about what the inside looks like, being able to do the work in a timely manner, also having help to complete the work, and have the financial stability to comply with city standards.

Mr. Beard closed public hearing.

Mr. Mares informed the board it is up to the owner to hire contractors to do the work, get permits and make sure everything is done to get property up to code.

Board Held Discussion: Mr. Watson informed the board that Mr. Gonzales needs to have a plan of action brought into staff. He also stated it's the board's responsibility to provide a direction of what they want done so the city can assess and provide a plan to make this a safe livable structure. The board discussed the immediate hazard, the way the structure sits right now, needs to have a definite timeline for what the board does decide. The board discussed that the owner has been given a 30/60 in December from Code Enforcement and nothing has been done. Also, that the staff has gone over to the property to discuss with the owner and staff was ordered off the property. This shows that there is no intent to properly secure the property and there was testimony from Mr. Gonzales that he does not have the financial resources or time to complete the work. The board discussed different motions they could do and the timelines they can set in the motion. Legal asked board to keep in mind the jurisdiction of the board is to order repair, or plan of action. The statute says you can order certain things, the board does not have authority to give building code level of specificity to what they can or cannot do. The city has tried to work with him. If the board orders a 30/60 or any other motion if Mr. Gonzales doesn't comply it will be back before the board again.

Mr. Mares addressed the board about securing the property. Part of securing the property is fencing or boundary to prevent anyone from getting into potential danger.

Mr. Schroeder made a motion that the owner is ordered to secure the property and lower the structure within 30 days and was seconded by Mr. Webb, Motion failed.

AYES: Mr. Beard

NAYS: Dr. Paris, Mr. McBrayer, Mr. Webb, Mr. Turner, Mr. Schroeder

Board Held Discussion: Board discussed different motions and what orders could be done with specific time limits for certain portions of the order. Securing the property by lowering or adding some bracing is the most important thing to be done because of safety hazards. Mr. Gonzales needs to accelerate it cannot take 9 months to get this done.

Board went into Executive Session at 10:35 a.m.

Board reconvened at 11:03 a.m.: No action was taken during Executive Session.

Mr. Schroeder made a motion that the property is a public nuisance in that it is a hazard to the public health, safety and welfare, and was seconded by Mr. Turner, motion passed.

AYES: Dr. Paris, Mr. McBrayer, Mr. Webb, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Mr. Schroeder made a motion that the owner is to secure the property in 30 days, if that is done – 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 and was seconded by Mr. Turner, Motion passed.

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

ADJOURNMENT

There being no further business to come before the hearing, the Board of Building Standards meeting was adjourned at 11:10 a.m.

X

Approved, Chairman



**Board of Building Standards
Agenda Memo**

Meeting Date: 4/6/2022

TO:

FROM:

SUBJECT: Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-001757: 774 E. Hwy 80 (RADFORD HILLS SEC 3 CONT 1, BLOCK 4, LOT 1, TAYLOR COUNTY, TEXAS), Owner: Travers Holdings, LLC

GENERAL INFORMATION

Owner: Travers Holdings, LLC
Sq Ft: 38,108
Structural: OK
Foundation: CS
Value: \$212,850
Total Value: \$410,250
Delinquent Tax: \$10,955

SPECIAL CONSIDERATIONS

June 10, 2021 – Property was condemned
June 15, 2021 – Initial notice of condemnation, 30/60 Letter sent.
June 16, 2021 – Utility shut-off letters sent
June 18, 2021 – Phone call with property manager. Confirmed he received the notice, and stated he was in the middle of trying to sell the property.
June 21, 2021 – Email from property manager confirming he was in contact with the City, and would assure us that the property would be maintained, and they would have private security patrolling the property. Reiterated the intent to sell the property. Response sent informing him he would be allotted some time to sell the property.
March 9, 2022 – No further update from the owner regarding the sale of the property. Updated photos were taken.
March 11, 2022 – Notice of April Board of Building Standards hearing sent.

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
- (2) Structural Hazard Chapter 8; Sec. 8-554
- (3) Nuisance, Chapter 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

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on April 6, 2022.

ATTACHMENTS:

- | | | |
|----|----------------------------------|--------------------------------------|
| 1. | 01 Slides Intro | 01 Slides Intro.pptx |
| 2. | 20220406 21-001757_774 E. Hwy 80 | 20220406 21-001757_774 E. Hwy 80.pdf |

BOARD OF BUILDING STANDARDS

April 6, 2022



PUBLIC NOTICE – April 6, 2022 MEETING

- A meeting of the Board of Building Standards will be held at 8:15 a.m., Wednesday, April 6, 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: 774 E. Hwy 80 Abilene, Texas 79601, 1009 S 12th St. Abilene, Texas 79602, 502 Portland Ave. Abilene, Texas 79605, 2109 Poplar St. Abilene, Texas 79602, and 1509 Truman St. Abilene, Texas 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 # 21-001757

774 E. Hwy 80



CHECKLIST FOR RECORDS SEARCH

- Searches shown below verify proof of ownership and lienholders to which all notices shall be sent.
- **COUNTY RECORDS** – Special Warranty Deed naming **Travers Holdings LLC** as the owner.
- **TAYLOR COUNTY** – Shows **Travers Holdings LLC** to be the owner.
- **SECRETARY OF STATE** – Shows **Capitol Corporate Services Inc.** to be the registered agent.
- **TAX RECORDS OF THE MUNICIPALITY** – Not applicable.
- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since January 2020.
- Search reveals **Travers Holdings LLC** to be the owner.



Public Notice

March 11, 2022 at 1:55 PM

NOTICE"
BUILDING IS UNFIT FOR
AN HABITATION AND IS
DEMNNED BY THE CITY
OF ABILENE

CONTACT CITY OF ABILENE 325-676-6241

ION OF THE LAW FOR ANYONE TO REMOVE OR DESTROY THIS NOTICE.)

**—NOTICE—
PUBLIC HEARING
CONCERNING CONDEMNATION
OF THIS PROPERTY**

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

April 6, 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.

ARNING

Front South Side



Rear North Side



East Side

Mar 9, 2022 1:37:39 PM
Abilene



West Side

Mar 9, 2022 1:04:50 PM
Abilene



Substandard Code Violations

**PURSUANT TO CHAPTER 8, SEC. 8-554 AND CHAPTER 19, SEC 19-15
THE FOLLOWING CONDITIONS EXIST:**

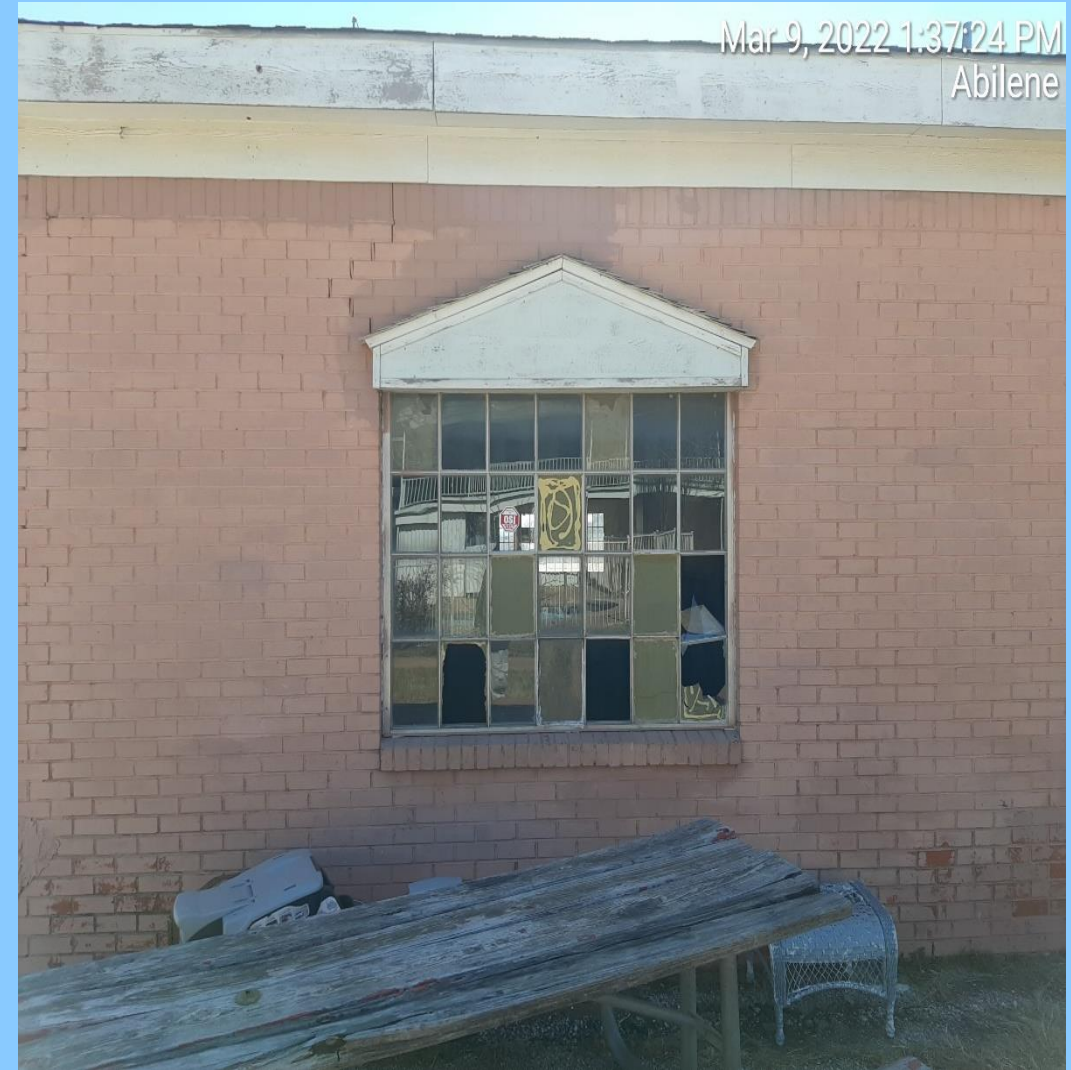
- (1) INADEQUATE SANITATION CHAPTER 8, SEC. 8-554
- (2) STRUCTURAL HAZARD CHAPTER 8, SEC. 8-554
- (3) NUISANCE CHAPTER 19-15
- (4) HAZARDOUS ELECTRICAL WIRING CHAPTER 8, SEC. 8-554
- (5) HAZARDOUS PLUMBING CHAPTER 8, SEC. 8-554
- (6) HAZARDOUS MECHANICAL EQUIPMENT CHAPTER 8, SEC. 8-554
- (7) FAULTY WEATHER PROTECTION CHAPTER 8, SEC. 8-554
- (10) INADEQUATE EXITS CHAPTER 8, SEC. 8-554



Hazardous Electrical Wiring Chapter 8, Sec. 8-554



Faulty Weather Protection Chapter 8, Sec. 8-554



Nuisance Chapter 19-15 (Exterior Dilapidation)



Inadequate Exits Chapter 8, Sec. 8-554



Hazardous Mechanical Equipment Chapter 8, Sec. 8-554



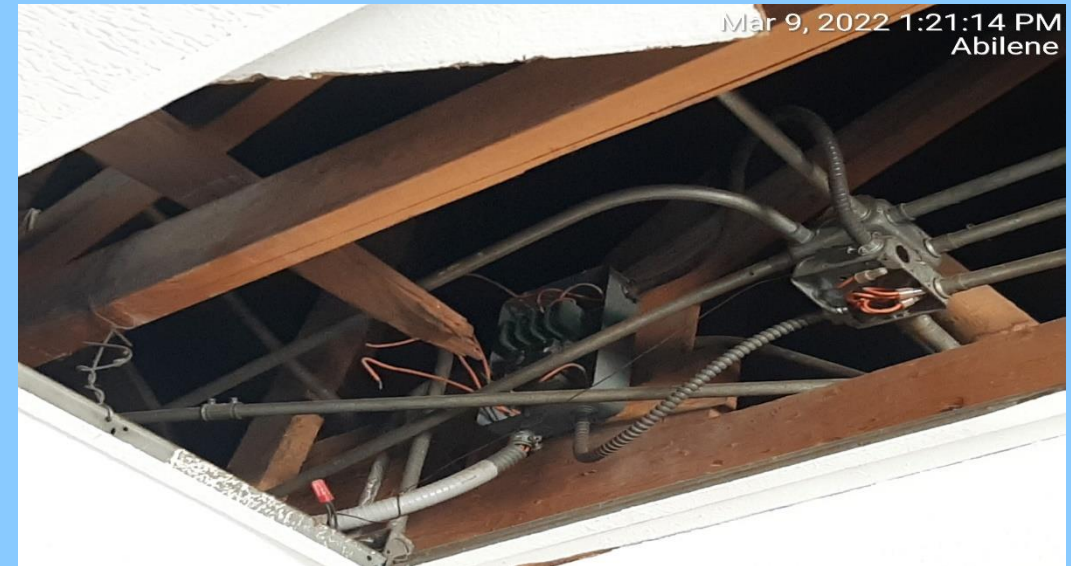
Hazardous Mechanical Equipment Chapter 8, Sec. 8-554



Inadequate Sanitation Chapter 8, Sec. 8-554



Hazardous Electrical Wiring Chapter 8, Sec. 8-554



Hazardous Plumbing Chapter 8, Sec. 8-554



Nuisance Chapter 19-15 (Interior Dilapidation)



East Side Units



Mar 9, 2022 1:46:22 PM
Abilene



Mar 9, 2022 1:46:14 PM
Abilene



Inadequate Exits Chapter 8, Sec. 8-554



Inadequate Exits Chapter 8, Sec. 8-554



Nuisance Chapter 19-15 (Exterior/Interior Dilapidation)



Hazardous Electrical Wiring Chapter 8, Sec. 8-554



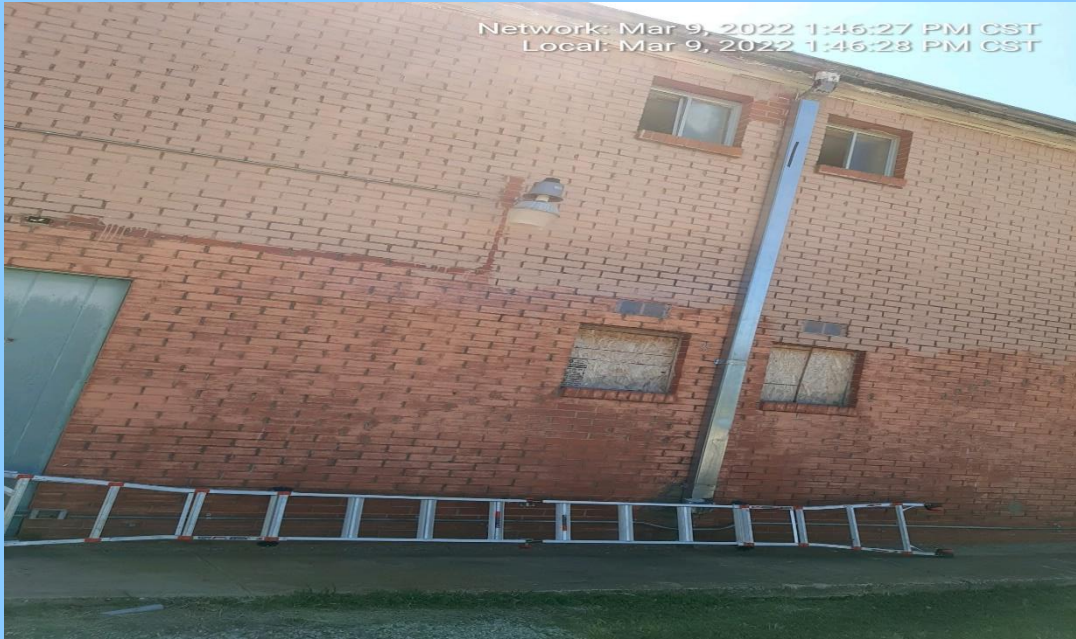
North Side Units



Inadequate Exits Chapter 8, Sec. 8-554



Faulty Weather Protection Chapter 8, Sec. 8-554



Nuisance Chapter 19-15 (Exterior/Interior Dilapidation)



Hazardous Electrical Wiring Chapter 8, Sec. 8-554



Hazardous Plumbing Chapter 8, Sec. 8-554



Structural Hazard Chapter 8, Sec. 8-554



West Side Units



Inadequate Exits Chapter 8, Sec. 8-554



Hazardous Electrical Wiring Chapter 8, Sec. 8-554



Nuisance Chapter 19-15 (Exterior/Interior Dilapidation)



Timeline of Events

- **June 10, 2021** – Property was condemned
- **June 15, 2021** – Initial notice of condemnation, 30/60 Letter sent.
- **June 16, 2021** – Utility shut-off letters sent
- **June 18, 2021** – Phone call with property manager. Confirmed he received the notice, and stated he was in the middle of trying to sell the property.
- **June 21, 2021** – Email from property manager confirming he was in contact with the City, and would assure us that the property would be maintained, and they would have private security patrolling the property. Reiterated the intent to sell the property. Response sent informing him he would be allotted some time to sell the property.
- **March 9, 2022** – No further update from the owner regarding the sale of the property. Updated photos were taken.
- **March 11, 2022** – Notice of April Board of Building Standards hearing sent.



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 774 E. Hwy 80 presentation





**Board of Building Standards
Agenda Memo**

Meeting Date: 4/6/2022

TO:

FROM:

SUBJECT: 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, TAYLOR COUNTY, TEXAS), Owner, Legacy Dwelling, LLC

GENERAL INFORMATION

Owner: Legacy Dwelling, LLC
Sq Ft: 1,033
Structural: Poor
Foundation: P
Value: \$26,202
Total Value: \$27,672
Delinquent Tax: \$0.00

SPECIAL CONSIDERATIONS

February 6, 2021 – Structure caught fire.
August 12, 2021 – Property was condemned.
August 18, 2021 – Affidavit of condemnation filed at the County Clerk's office.
September 9, 2021 – Initial notice and 30/60 letter sent to the property owner and lien holder via certified and regular mail.
September 13, 2021 – USPS tracking shows owner received the notices via certified mail.
November 10, 2021 – No response to letter or contact from the owner.
November 16, 2021 – Notice of December Board of Building Standards meeting sent to owner.
November 18, 2021 – Notice of December Board of Building Standards meeting posted on the structure.
December 1, 2021 – Board ordered 30/60
December 23, 2021 – Met with Guy Shaver at City Hall. He stated he wants to repair structure

December 24, 2021 – Text message received from Guy Shaver, he had just come into town, He said he just saw condemnation sign on the structure and was inquiring whether he can repair. CO Marsh gave him info and told him we need all documents ASAP.

December 29, 2021 – Spoke to Guy Shaver to remind him what Code needs from him.

January 7, 2022 – Sent reminder via text message to Guy Shaver to bring us required documents

January 28, 2022 – No change at property.

February 9, 2022 – No contact from owner since December 29th. No permits pulled. No documents received. Attempted to reach owner – no response.

February 10, 2022 – Sent notice of March Board of Building Standards hearing.

March 2, 2022 – Board of Building standards hearing. Board ordered demolition.

March 10, 2022 – Decision to bring case back to the board due to clerical error in the Notice of Board of Building Standards hearing.

March 11, 2022 – Notice of April board hearing mailed via regular and certified mail.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

DEMO

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

- (1) Inadequate Sanitation Chapter 8, Sec. 8-554
- (2) Structural Hazard Chapter 8, Sec. 8-554
- (3) Nuisance, Chapter 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

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on April 6, 2022.

ATTACHMENTS:

1. 20220406 21-003216_1009 S 12th St. 20220406 21-003216_1009 S 12th St..pptx

CASE # 21-003216

1009 S. 12th St.



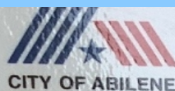
CHECKLIST FOR RECORDS SEARCH

- Searches shown below verify proof of ownership and lienholders to which all notices shall be sent.
- **COUNTY RECORDS** – Warranty Deed naming **Legacy Dwelling LLC** as the owner.
- **TAYLOR COUNTY**– Shows **Legacy Dwelling LLC** to be the owner.
- **SECRETARY OF STATE**– Shows **United States Corporation Agents Inc.** to be the registered agent.
- **TAX RECORDS OF THE MUNICIPALITY**– Not applicable.
- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since September 2019.
- Search reveals **Legacy Dwelling LLC** to be the owner.



Public Notice

March 11, 2022 at 2:20 PM



CITY OF ABILENE

CONTACT CITY OF ABILENE 325-676-6241

(IT IS A VIOLATION OF THE LAW FOR ANYONE TO REMOVE OR DESTROY THIS NOTICE.)

**—NOTICE—
PUBLIC HEARING
CONCERNING CONDEMNATION
OF THIS PROPERTY**

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

April 6, 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.

Front North Side

January 28, 2022 at 10:14 AM



Rear South Side

January 28, 2022 at 10:16 AM



East Side



West Side



Substandard Code Violations

**PURSUANT TO CHAPTER 8, SEC. 8-554 AND CHAPTER 19, SEC 19-15
THE FOLLOWING CONDITIONS EXIST:**

- (1) INADEQUATE SANITATION CHAPTER 8, SEC. 8-554
- (2) STRUCTURAL HAZARD CHAPTER 8, SEC. 8-554
- (3) NUISANCE CHAPTER 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



Hazardous Plumbing Chapter 8, Sec. 8-554



Faulty Weather Protection Chapter 8, Sec. 8-554



Nuisance Chapter 19-15 (Dilapidation)



Nuisance Chapter 19-15 (Dilapidation)



Structural Hazard Chapter 8, Sec. 8-554



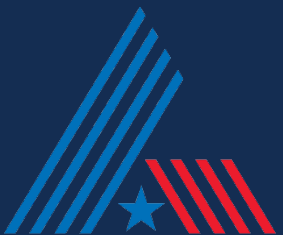
Inadequate Sanitation Chapter 8, Sec. 8-554



Hazardous Mechanical Equipment Chapter 8, Sec. 8-554



Hazardous Electrical Wiring Chapter 8, Sec. 8-554



Timeline of Events

- **February 6, 2021** – Structure caught fire.
- **August 12, 2021** – Property was condemned.
- **August 18, 2021** – Affidavit of condemnation filed at the County Clerk's office.
- **September 9, 2021** – Initial notice and 30/60 letter sent to the property owner and lien holder via certified and regular mail.
- **September 13, 2021** – USPS tracking shows owner received the notices via certified mail.
- **November 10, 2021** – No response to letter or contact from the owner.
- **November 16, 2021** – Notice of December Board of Building Standards meeting sent to owner.
- **November 18, 2021** – Notice of December Board of Building Standards meeting posted on the structure.
- **December 1, 2021** – Board ordered 30/60
- **December 23, 2021** – Met with Guy Shaver at City Hall. He stated he wants to repair structure



Timeline of Events

- **December 24, 2021** – Text message received from Guy Shaver, he had just come into town, He said he just saw condemnation sign on the structure and was inquiring whether he can repair. CO Marsh gave him info and told him we need all documents ASAP.
- **December 29, 2021** – Spoke to Guy Shaver to remind him what Code needs from him.
- **January 7, 2022** – Sent reminder via text message to Guy Shaver to bring us required documents
- **January 28, 2022** – No change at property.
- **February 9, 2022** – No contact from owner since December 29th. No permits pulled. No documents received. Attempted to reach owner – no response.
- **February 10, 2022** – Sent notice of March Board of Building Standards hearing.
- **March 2, 2022** – Board of Building standards hearing. Board ordered demolition.
- **March 10, 2022** – Decision to bring case back to the board due to clerical error in the Notice of Board of Building Standards hearing.
- **March 11, 2022** – Notice of April board hearing mailed via regular and certified mail.



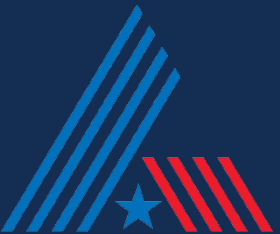
Staff Recommendation:

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.

Order:

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



End of 1009 S. 12th St. presentation





**Board of Building Standards
Agenda Memo**

Meeting Date: 4/6/2022

TO:

FROM:

SUBJECT: 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, TAYLOR COUNTY, TEXAS), Owner: Davis, James

GENERAL INFORMATION

Owner: Davis, James
Sq Ft: 2,386
Structural: Poor
Foundation: P
Value: \$146,568
Total Value: \$148,668
Delinquent Tax: \$11,902

SPECIAL CONSIDERATIONS

August 24, 2021 – Initial inspection by condemnation program code officer; found syringes all over floor in one room inside house. Found property met all criteria to be condemned.

August 25, 2021 – Property was condemned.

August 31, 2021 – Property was secured by the City.

September 8, 2021 – Property secured by the City second time due to break in.

September 9, 2021 – Initial notice and 30/60 letters sent to property owner and lien holder on record via regular and certified mail.

September 17, 2021 – Received email from Bank of America (lien holder) stating they do not have record of a loan or account open on the property. Property was also abated by the City on this date.

October 12, 2021 – USPS tracking shows initial notice and 30/60 was received via certified mail.

November 10, 2021 – No contact from any party of interest.

November 16, 2021 – Received report showing 28 calls this year alone for Police at this property. Calls included individual threatened with handgun, suicide or attempted suicide, and individual that accidentally shot himself with shotgun.

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

November 18, 2021 – Posted notice of December Board of Building Standards meeting and reposted condemnation sign on structure. Found structure unsecured in rear.

December 1, 2021 – Board of Building Standards hearing ordered 30/60

December 3, 2021 – Board decision letter sent by regular and certified mail to owner

January 11, 2022 – No plan of action submitted, and no contact from the owner.

March 10, 2022 – The tax office informed the property is going to June hearing. If taxes are still unpaid the property will be in September tax sale. Made contact with several family members of deceased owner. Let them know about tax hearing, tax sale, April board hearing, and talked about possibility of transferring ownership to sell property. Family members stated they had no interest in the property.

March 11, 2022 – Mailed notice of April Board of Building Standards hearing via regular and certified mail.

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
- (2) Structural Hazard Chapter 8; Sec. 8-554
- (3) Nuisance, Chapter 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

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on April 6, 2022.

ATTACHMENTS:

1. 20220406 21-003384_502 Portland Ave. 20220406 21-003384_502 Portland Ave..pptx

CASE # 21-003384

502 Portland Ave.



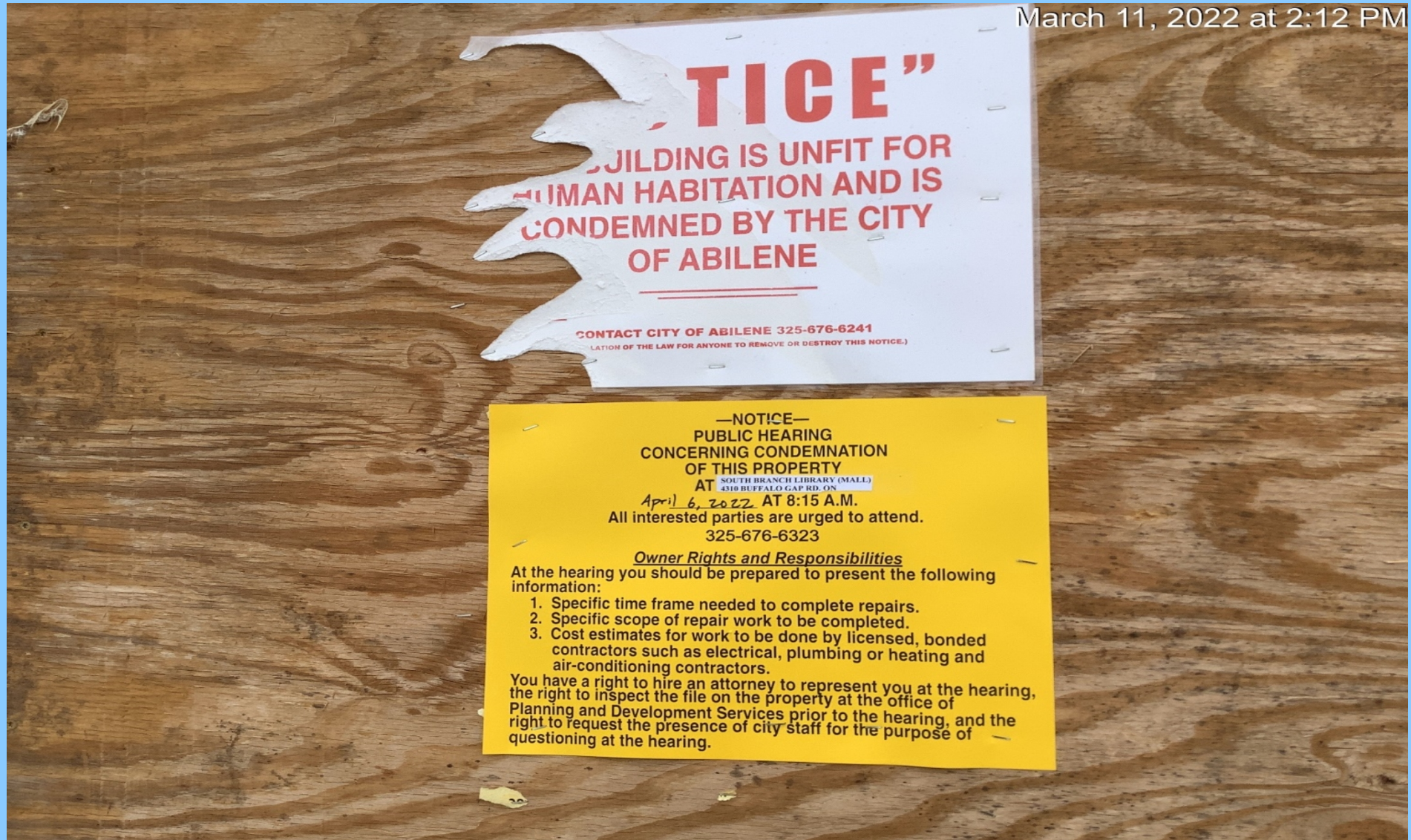
CHECKLIST FOR RECORDS SEARCH

- Searches shown below verify proof of ownership and lienholders to which all notices shall be sent.
- **COUNTY RECORDS** – Warranty Deed naming **James Davis** as the owner.
- **TAYLOR COUNTY**– Shows **James Davis** 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 January 2020.
- Search reveals **James Davis** to be the owner.



Public Notice

March 11, 2022 at 2:12 PM



Front East Side

November 18, 2021 at 9:36 AM



Rear West Side

August 31, 2021 at 10:28 AM



South Side



North Side



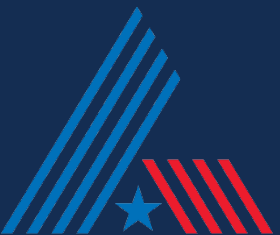
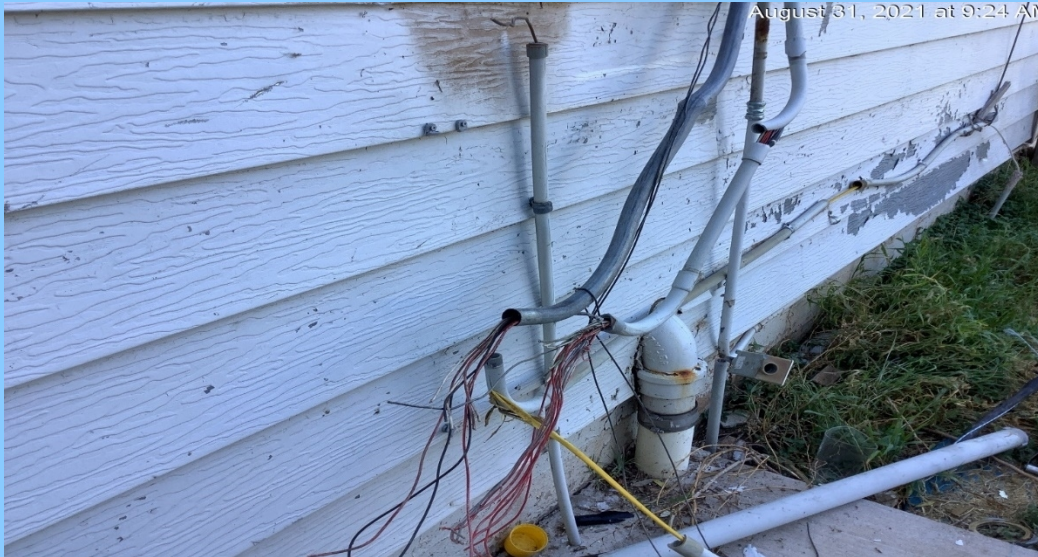
Substandard Code Violations

**PURSUANT TO CHAPTER 8, SEC. 8-554 AND CHAPTER 19, SEC 19-15
THE FOLLOWING CONDITIONS EXIST:**

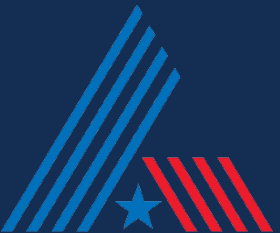
- (1) INADEQUATE SANITATION CHAPTER 8, SEC. 8-554
- (2) STRUCTURAL HAZARD CHAPTER 8, SEC. 8-554
- (3) NUISANCE CHAPTER 19-15
- (4) HAZARDOUS ELECTRICAL WIRING CHAPTER 8, SEC. 8-554
- (5) HAZARDOUS PLUMBING CHAPTER 8, SEC. 8-554
- (6) HAZARDOUS MECHANICAL EQUIPMENT CHAPTER 8, SEC. 8-554
- (7) FAULTY WEATHER PROTECTION CHAPTER 8, SEC. 8-554



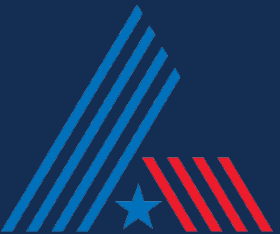
Hazardous Electrical Wiring Chapter 8, Sec. 8-554



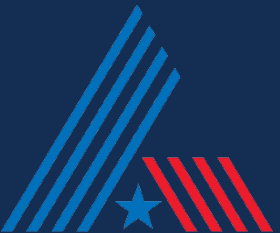
Nuisance Chapter 19-15 (Interior Dilapidation)



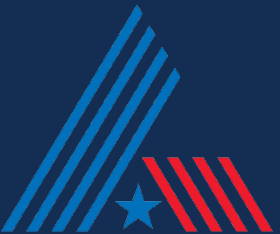
Hazardous Plumbing Chapter 8, Sec. 8-554



Inadequate Sanitation Chapter 8, Sec. 8-554



Hazardous Electrical Wiring Chapter 8, Sec. 8-554



Structural Hazard Chapter 8, Sec. 8-554



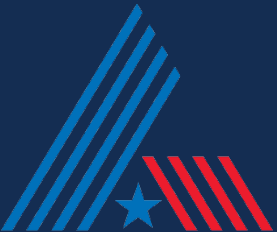
Hazardous Mechanical Equipment Chapter 8, Sec. 8-554



Faulty Weather Protection Chapter 8, Sec. 8-554



Faulty Weather Protection Chapter 8, Sec. 8-554



Timeline of Events

- **August 24, 2021** – Initial inspection by condemnation program code officer; found syringes all over floor in one room inside house. Found property met all criteria to be condemned.
- **August 25, 2021** – Property was condemned.
- **August 31, 2021** – Property was secured by the City.
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- **November 16, 2021** – Received report showing 28 calls this year alone for Police at this property. Calls included individual threatened with handgun, suicide or attempted suicide, and individual that accidentally shot himself with shotgun.



Timeline of Events

- **November 16, 2021** – Mailed notice of December Board of Building Standards meeting.
- **November 18, 2021** – Posted notice of December Board of Building Standards meeting and reposted condemnation sign on structure. Found structure unsecured in rear.
- **December 1, 2021** – Board of Building Standards hearing ordered 30/60
- **December 3, 2021** – Board decision letter sent by regular and certified mail to owner
- **January 11, 2022** – No plan of action submitted, and no contact from the owner.
- **March 10, 2022** – The tax office informed the property is going to June hearing. If taxes are still unpaid the property will be in September tax sale. Made contact with several family members of deceased owner. Let them know about tax hearing, tax sale, April board hearing, and talked about possibility of transferring ownership to sell property. Family members stated they had no interest in the property.
- **March 11, 2022** – Mailed noticed of April Board of Building Standards hearing via regular and certified mail.



Law Enforcement Calls

03/07/2021 property dispute where violence was threatened.
03/09/2021 burglary of building reported.
04/01/2021 subject arrested for warrants.
04/19/2021 assault family violence.
06/04/2021 JV towed.
06/16/2021 disturbance call.
06/28/2021 report of theft and disturbance.
07/02/2021 APD standby due to threat of violence.
08/27/2021 Self inflicted gunshot wound / illegal weapon seized.
08/28/2021 report of possible drug activity and people occupying a condemned structure.
08/29/2021 report of people occupying a condemned structure.
08/31/2021 Marshal standby while property secured by Code Enforcement.
08/31/2021 report of person trying to enter a condemned structure from the roof.
09/04/2021 report of two people entering a condemned structure.
09/08/2021 Marshal standby while Code Enforcement re-secures property.
09/20/2021 report of people breaking into a condemned property. APD advised it was contractors abating property for Code Enforcement.
10/02/2021 report of a truck parked under a tree and people possibly inside at a condemned property. APD advised property was secure.
10/28/2021 report of people in a u-haul truck broke into the property. APD cleared property. No one found.



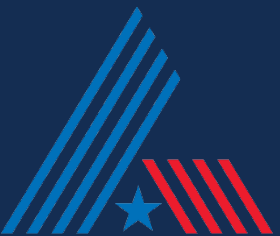
Staff Recommendation:

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.

Order:

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



End of 502 Portland Ave. presentation





**Board of Building Standards
Agenda Memo**

Meeting Date: 4/6/2022

TO:

FROM:

SUBJECT: Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-003621: 2109 Poplar St. (BOWYER ADDN, BLOCK 1, LOT 11, TAYLOR COUNTY, TEXAS) Owner: FOCO CAPITAL, LLC

GENERAL INFORMATION

Owner: FOCO CAPITAL, LLC

Sq Ft: 978

Structural: Poor

Foundation: P

Value: \$7,167

Total Value: \$9,617

Delinquent Tax: \$0.00

SPECIAL CONSIDERATIONS

September 11, 2020 – Property purchased at delinquent tax auction.

May 10, 2021 – Case opened for unsecured, dilapidated structure.

September 7, 2021 – No action taken by property owner. Property referred to condemnation program due to being unsecured with structural hazards. Condemnation program code officer spoke to property owner while at property. Let him know what was found and that the property will be condemned. Also informed him of the condemnation process. Posted condemnation sign immediately after inspection.

October 1, 2021 – Property purchased by FOCO Capital, LLC

December 6, 2021 – Condemnation notices sent to FOCO Capital, LLC at owner and registered agent addresses.

January 12, 2022 – Notice of February Board of Building Standards hearing sent via certified and regular mail. Notice of hearing also posted on the structure. Code officer also met with the property owner in person, and explained to him that the case will be going before the board next

month. He was encouraged to attend and explain what his plans are with the property. He was made aware of the date, time, and place of the hearing.

February 2, 2022 – Board of Building Standards Hearing. Board ordered 30/60.

February 8, 2022 – Board decision letters sent to property owner and registered agent.

March 10, 2022 – Owner has expressed interest in demolishing the structure, but has not contacted the City for permits.

March 11, 2022 – Notice of April Board of Building Standards hearing sent via regular and certified mail.

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
- (2) Structural Hazard Chapter 8; Sec. 8-554
- (3) Nuisance, Chapter 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

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on April 6, 2022.

ATTACHMENTS:

1. 20220406 21-003621_2109 Poplar St. 20220406 21-003621_2109 Poplar St..pptx

CASE # 21-003621

2109 Poplar St.



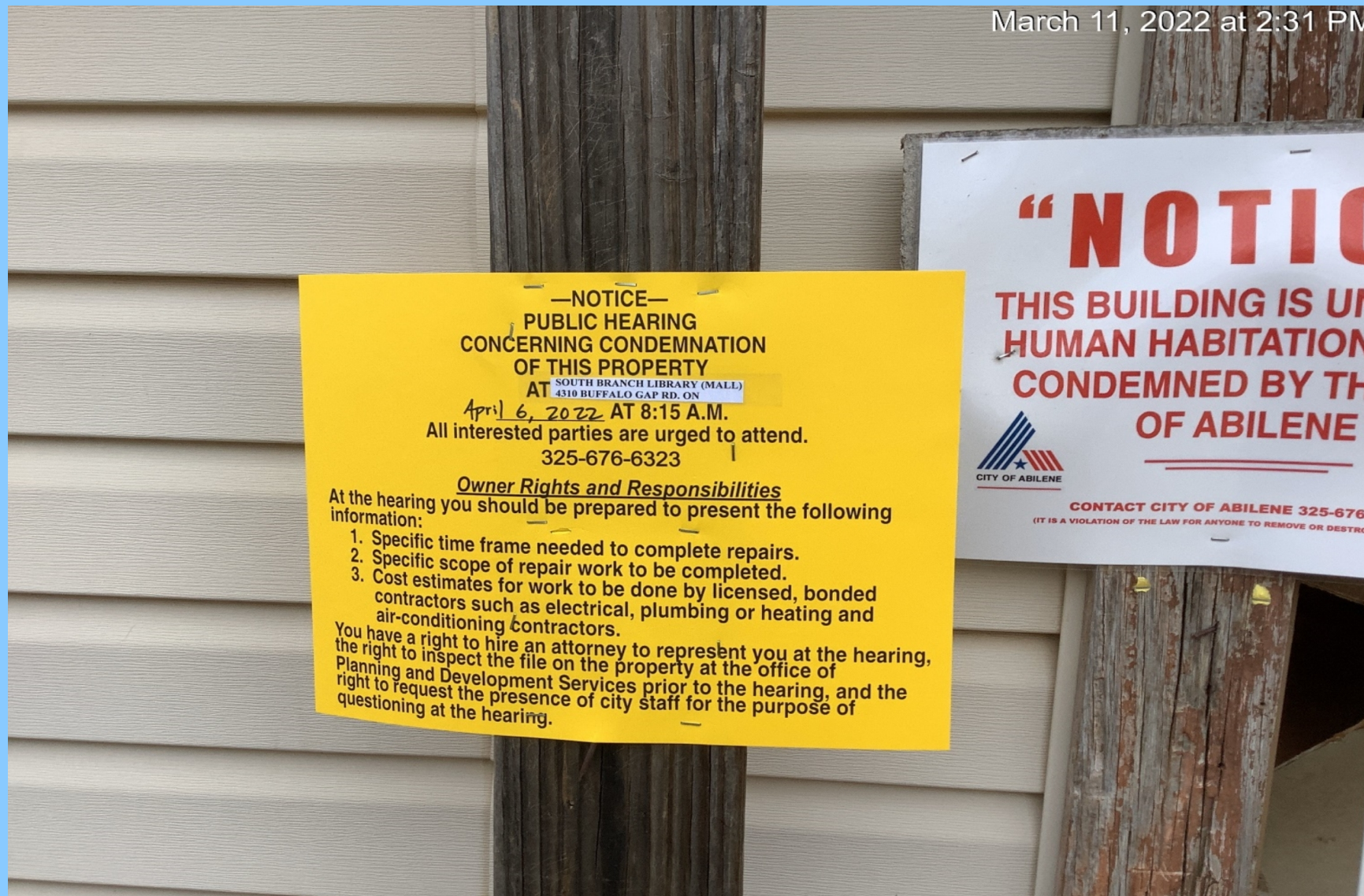
CHECKLIST FOR RECORDS SEARCH

- Searches shown below verify proof of ownership and lienholders to which all notices shall be sent.
- **COUNTY RECORDS** – Quit Claim Deed naming **FOCO Capital LLC** as the owner.
- **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 **April 2014**
- Search reveals **FOCO Capital LLC** to be the owner.



Public Notice

March 11, 2022 at 2:31 PM



—NOTICE—
PUBLIC HEARING
CONCERNING CONDEMNATION
OF THIS PROPERTY

AT SOUTH BRANCH LIBRARY (MALL)
4310 BUFFALO GAP RD. ON
April 6, 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.

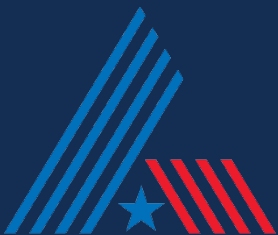
You have a right to hire an attorney to represent you at the hearing, the right to inspect the file on the property at the office of Planning and Development Services prior to the hearing, and the right to request the presence of city staff for the purpose of questioning at the hearing.

"NOTICE"

THIS BUILDING IS UNFIT FOR
HUMAN HABITATION
CONDEMNED BY THE
CITY OF ABILENE



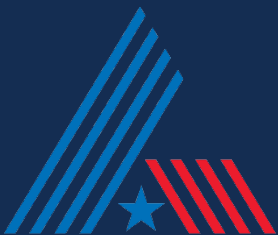
CONTACT CITY OF ABILENE 325-676-4
(IT IS A VIOLATION OF THE LAW FOR ANYONE TO REMOVE OR DESTROY)



Front West Side



Rear East Side



South Side



North Side



Substandard Code Violations

**PURSUANT TO CHAPTER 8, SEC. 8-554 AND CHAPTER 19, SEC 19-15
THE FOLLOWING CONDITIONS EXIST:**

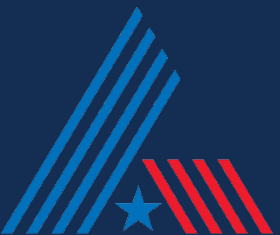
- (1) INADEQUATE SANITATION CHAPTER 8, SEC. 8-554
- (2) STRUCTURAL HAZARD CHAPTER 8, SEC. 8-554
- (3) NUISANCE CHAPTER 19-15
- (4) HAZARDOUS ELECTRICAL WIRING CHAPTER 8, SEC. 8-554
- (5) HAZARDOUS PLUMBING CHAPTER 8, SEC. 8-554
- (7) FAULTY WEATHER PROTECTION CHAPTER 8, SEC. 8-554



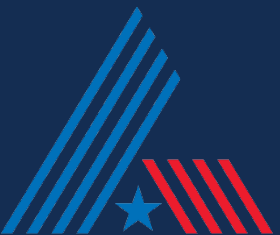
Hazardous Plumbing Chapter 8, Sec. 8-554



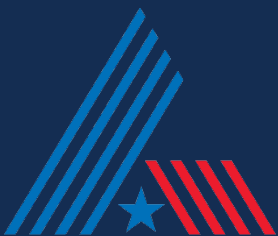
Structural Hazard Chapter 8, Sec. 8-554



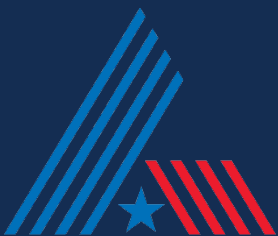
Nuisance Chapter 19-15 (Interior/Exterior Dilapidation)



Hazardous Electrical Wiring Chapter 8, Sec. 8-554



Hazardous Electrical Wiring Chapter 8, Sec. 8-554



Hazardous Plumbing Chapter 8, Sec. 8-554



Faulty Weather Protection Chapter 8, Sec. 8-554



Inadequate Sanitation Chapter 8, Sec. 8-554



Timeline of Events

- **September 11, 2020** – Property purchased at delinquent tax auction.
- **May 10, 2021** – Case opened for unsecured, dilapidated structure.
- **September 7, 2021** – No action taken by property owner. Property referred to condemnation program due to being unsecured with structural hazards. Condemnation program code officer spoke to property owner while at property. Let him know what was found and that the property will be condemned. Also informed him of the condemnation process. Posted condemnation sign immediately after inspection.
- **October 1, 2021** – Property purchased by FOCO Capital, LLC
- **December 6, 2021** – Condemnation notices sent to FOCO Capital, LLC at owner and registered agent addresses.



Timeline of Events

- **January 12, 2022** – Notice of February Board of Building Standards hearing sent via certified and regular mail. Notice of hearing also posted on the structure. Code officer also met with the property owner in person, and explained to him that the case will be going before the board next month. He was encouraged to attend and explain what his plans are with the property. He was made aware of the date, time, and place of the hearing.
- **February 2, 2022** – Board of Building Standards Hearing. Board ordered 30/60.
- **February 8, 2022** – Board decision letters sent to property owner and registered agent.
- **March 10, 2022** – Owner has expressed interest in demolishing the structure, but has not contacted the City for permits.
- **March 11, 2022** – Notice of April Board of Building Standards hearing sent via regular and certified mail.



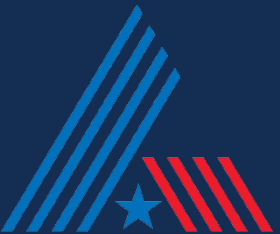
Staff Recommendation:

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.

Order:

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



End of 2109 Poplar St. presentation





**Board of Building Standards
Agenda Memo**

Meeting Date: 4/6/2022

TO:

FROM:

SUBJECT: Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-004567: 1509 Truman St. (E70 W609 LT 25 SIDNEY SMITH, TAYLOR COUNTY, TEXAS) Owner: Gonzales, Joe Ozuna Jr.

GENERAL INFORMATION

Owner: Gonzales, Joe Ozuna Jr

Sq Ft: Unknown

Structural: Poor

Foundation: No foundation

Value: Not assessed

Total Value: Not listed

Delinquent Tax: \$38.62

SPECIAL CONSIDERATIONS

April 16, 2021 – Report of a small commercial building being relocated by trailer to vacant lot. Inspection revealed the structure was elevated by cinder blocks approximately 7 feet from grade. Stop work order was posted by Building Inspector to get approval from Planning and Zoning to place building on lot that is zoned residential.

October 13, 2021 – Dilapidated structure case opened.

October 28, 2021 – Spoke to property owner. Stated he had active permit to work on structure which he did not. Told me he was going to lower building and clean lot.

November 1, 2021 – Nuisance case opened for unsightly conditions/off-street parking on lot. Citation issued Dec 7.

November 30, 2021 – No progress on building or property. Building Official approved condemnation.

December 2, 2021 – Zoning case opened due to evidence of individuals living in trailers on lot. Posted condemnation sign on structure. Recorded affidavit of condemnation at County Clerk.

December 3, 2021 – Initial notice of condemnation and 30/60 letters sent via certified and regular mail.

December 20, 2021 – Code Officer hand delivered copies of condemnation notices to Mr. Gonzales.

December 22, 2021 – Mr. Gonzales came into City Hall to get clarification of letters. Permit process was explained to him, as well as the allotted timeframe.

January 21, 2021 – The girlfriend of Mr. Gonzales came to City Hall to deliver an incomplete plan of action. She did not bring contractor quotes or floor plan. We agreed she would come back on January 28, 2022 to provide all documents.

January 28, 2022 – Girlfriend of Mr. Gonzales did not return and no contact has been made by her or property owner to Code Enforcement.

February 10, 2022 – Confirmed with Planning & Zoning that they have not approved anything or been involved with anything at this property.

February 11, 2022 – Re-posted notice of condemnation, notice of board hearing, and letter for board hearing on structure. Also tried to speak to Mr. Gonzales while at the property but he would not listen to anything we had to say and told us to get off the property. He had installed some metal skirting on building, instead of lowering it as he stated he was planning to do.

February 21, 2022 – Spoke to Mr. Gonzales, he informed me he had a hearing concerning his property on February 28th. I reminded him of the board hearing on March 2nd and encouraged him to be there.

March 2, 2022 – Board of Building Standards hearing. Board ordered property to be secured, and if that was done, ordered a 30/60.

March 11, 2022 – Notice of April Board of Building Standards hearing sent via regular and certified mail.

March 30, 2022 – Owner never came in to City hall to apply for permits: thus indicating lack of compliance to secure the property, and begin the 30/60 process.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

DEMO

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

- (2) Structural Hazard Chapter 8; Sec. 8-554
- (3) Nuisance, Chapter 19-15
- (4) Hazardous electrical wiring Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554
- (9) Faulty materials of construction Chapter 8: Sec. 8-554
- (10) Inadequate exits Chapter 8; Sec. 8-554

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on April 6, 2022.

ATTACHMENTS:

1. 20220406 21-004567_1509 Truman St. 20220406 21-004567_1509 Truman St..pptx

CASE # 21-004567

1509 Truman St.



CHECKLIST FOR RECORDS SEARCH

- Searches shown below verify proof of ownership and lienholders to which all notices shall be sent.
- **COUNTY RECORDS** – Special Warranty Deed naming **Joe Ozuna Gonzales Jr.** as the owner.
- **TAYLOR COUNTY**– Shows **Joe Ozuna Gonzales Jr.** 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 **August 2005**.
- Search reveals **Joe Ozuna Gonzales Jr.** to be the owner.



Public Notice

March 11, 2022 at 1:35 PM

—NOTICE—
PUBLIC HEARING
CONCERNING CONDEMNATION
OF THIS PROPERTY

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

April 6, 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.



Front North Side



Rear South Side



East Side



West Side



Substandard Code Violations

**PURSUANT TO CHAPTER 8, SEC. 8-554 AND CHAPTER 19, SEC 19-15
THE FOLLOWING CONDITIONS EXIST:**

- (2) STRUCTURAL HAZARD CHAPTER 8, SEC. 8-554
- (3) NUISANCE, CHAPTER 19-15
- (4) HAZARDOUS ELECTRICAL WIRING CHAPTER 8, SEC. 8-554
- (7) FAULTY WEATHER PROTECTION CHAPTER 8, SEC. 8-554
- (9) FAULTY MATERIALS OF CONSTRUCTION CHAPTER 8, SEC. 8-554
- (10) INADEQUATE EXITS CHAPTER 8, SEC. 8-554



Faulty Weather Protection Chapter 8, Sec. 8-554



Nuisance Chapter 19-15 (Dilapidation)



Structural Hazard Chapter 8, Sec. 8-554



Structural Hazard Chapter 8, Sec. 8-554



Inadequate Exits Chapter 8, Sec. 8-554



Inadequate Exits Chapter 8, Sec. 8-554



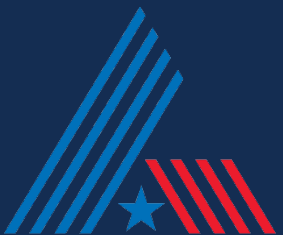
Faulty Materials Of Construction Chapter 8, Sec. 8-554



Hazardous Electrical Wiring Chapter 8, Sec. 8-554



Hazardous Electrical Wiring Chapter 8, Sec. 8-554



Timeline of Events

- **April 16, 2021** – Report of a small commercial building being relocated by trailer to vacant lot. Inspection revealed the structure was elevated by cinder blocks approximately 7 feet from grade. Stop work order was posted by Building Inspector to get approval from Planning and Zoning to place building on lot that is zoned residential.
- **October 13, 2021** – Dilapidated structure case opened.
- **October 28, 2021** – Spoke to property owner. Stated he had active permit to work on structure which he did not. Told me he was going to lower building and clean lot.
- **November 1, 2021** – Nuisance case opened for unsightly conditions/off-street parking on lot. Citation issued Dec 7.
- **November 30, 2021** – No progress on building or property. Building Official approved condemnation.
- **December 2, 2021** – Zoning case opened due to evidence of individuals living in trailers on lot. Posted condemnation sign on structure. Recorded affidavit of condemnation at County Clerk.
- has been made by her or property owner to Code Enforcement.



Timeline of Events

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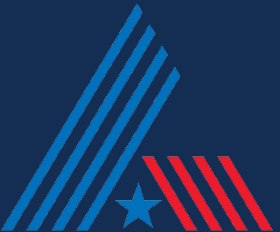
Staff Recommendation:

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.

Order:

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



End of 1509 Truman St. presentation

