



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 the 8th day of January, 2020, at 8:15 a.m., at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas, for the purpose of considering the following agenda items.

CALL TO ORDER

MINUTES

- a. Approval of the Minutes from Previous Meeting, Held on December 4, 2019

PUBLIC COMMENTS

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 is to 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. 17-00514: 617 S. 7th St. (100 163 MCKENZIE SUB REP OT ABL), Owner: Huerta, Victor**
 - Public Hearing

- b. **Staff Presentation**
Case for Rehabilitation, Demolition or Civil Penalties - Case No. 19-005291: 1810 Huckleberry Ln.
(A0012 SUR 83 L BOWERMAN, ACRES .69), Owner: Prince, J Kay
 - Public Hearing
- c. **Staff Presentation**
Community Enhancement Condemnation Program
FY2019 October 1, 2018 – September 31 2019
 - Public Hearing

ADJOURNMENT

CERTIFICATION

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 3rd day of January, 2020, at 12:20 p.m.

Shawna Atkinson, City Secretary

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
December 04, 2019 8:15 a.m.
BOARD OF BUILDING STANDARDS OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL**

Members Present: Mr. Delbert Allred
Mr. David Beard, Chairman
Mr. Anthony McColum
Dr. Wayne Paris
Mr. Wayland Schroeder
Mr. Lloyd Turner

Staff Present:
Mr. Michael Rice, Assistant City Manager
Mr. Mike Warrix, Director of Planning and Development Services
Mr. Tim Littlejohn, Assistant Director of Planning and Development Services / Building Official
Mr. Chace Craig, Assistant City Attorney
Mr. Clay Door, Community Enhancement Division Manager
Mr. Carl Collum, Code Compliance Officer
Mr. AJ Gamez, Code Compliance Officer
Mr. Josh Mares, Code Compliance Officer
Ms. Catina Betoncur, Office Assistant III

Others Present: Mr. Alton Smith

CALL TO ORDER

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

APPROVAL OF MINUTES

The minutes of the last meeting, November 06, 2019 were provided in advance to Board Members for review.

A motion was made by Mr. McColum to approve the minutes with the correction to change November to December on page 6 of 7 and was seconded by Mr. Allred, motion carried.

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

NAYS: None

AGENDA ITEMS & PUBLIC HEARINGS

Mr. Beard asked that the inconsistency in the Statement of Policy section of the agenda be updated. The error is made on the second sentence to include "City may abate...and bill the owner."

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 19-03574: 909 Pecan St. (30 189 J T ANDERSON 20T ABL) Gonzalez, Raul Oliva, Owner

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

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

NAYS: None

Mr. Mares read staff recommendations into the record.

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

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

Mr. Mares informed the Board that he spoke with Mr. Oliva who signed a form giving consent to demolish.

Public Hearing:

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

The Board had discussion about the owner's decision to demolish the structure, as well as, the procedure for making a motion to declare the structure a public nuisance.

Mr. Turner moved to accept the staff's recommendation to demolish the structure. He later changed his motion after conferring with Mr. Craig that the property would first need to be declared a public nuisance and then order a demolition.

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

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

NAYS: None

Mr. Turner made a motion that the owner is ordered to demolish or appeal the order to the district court within 30 days or the City may demolish. Mr. Allred seconded the motion, motion carried.

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

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 19-004517: 1050 Chestnut (NORTHINGTON, BLOCK A, LOT S40 E180) Smith, Alton, Owner

Mr. Mares read staff recommendations into the record.

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

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (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.

Mr. Mares informed the Board that Mr. Smith had pulled permits and he had authorization to begin repairing the structure.

Public Hearing:

Mr. Beard opened the public hearing. Mr. Alton Smith spoke about the status of the property. He explained that property fire was caused by arson. He also requested a six month extension to complete the repairs. He said that his intent was to rehabilitate the structure and rent it. Mr. Smith confirmed that he had completed a plan of action and all the requirements. He also agreed with the staff recommendations.

The Board had discussion about how the motion needed to be made in light of the fact that permits were already pulled.

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

Mr. McColum made a motion to order the owner to repair, 30 days to obtain all permits and provide a plan of action including a time frame for repair and cost estimates, and if this is done, 60 days to obtain rough-in inspections, and if this is done all final inspections shall be completed by the expiration of all permits. Mr. Allred seconded the motion, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Schroeder, Mr. Turner, Mr. Beard
NAYS: None

ADJOURNMENT

There being no further business to come before the meeting, the Board of Building Standards meeting was adjourned at 8:40 a.m.

X

Approved, Chairman

BOARD OF BUILDING STANDARDS

January 8, 2020



PUBLIC NOTICE – January 8, 2020 MEETING

A meeting of the Board of Building Standards will be held at 8:15 a.m., Wednesday, January 8, 2020 in the Council Chambers at City Hall, 555 Walnut Street, Abilene, Texas, to consider the following properties on the agenda: 617 S 7th St., Abilene TX 79602 and 1810 Huckleberry Ln., Abilene TX 79603. Property owners are required to submit at the hearing proof of the scope of work, including cost estimates, that may be required to comply with city ordinance and the calendar days in which it will take to perform the work. Owners have the right to hire an attorney to represent them, the right to inspect the file on the property at the office of Planning and Development Services prior to the hearing, and the right to request the presence of city staff for the purpose of questioning at the hearing. The Board may take action, including but not limited to demolition orders and/or the assessment of civil penalties.



ITEM NO. 3 (a)

CASE # 17-00514

617 S 7th St.



CHECKLIST FOR RECORDS SEARCH

Searches shown below verify proof of ownership and lienholders to which all notices shall be sent.

COUNTY RECORDS –Deed without warranty naming **VICTOR A. HUERTA** as the owner

TAYLOR CAD–Shows owner to be **HUERTA VICTOR**

SECRETARY OF STATE –No records for this name found

TAX RECORDS OF THE MUNICIPALITY –Not applicable

UTILITY RECORDS OF THE MUNICIPALITY–Inactive since 2017

Search reveals **VICTOR A. HUERTA** to be the owner of this property



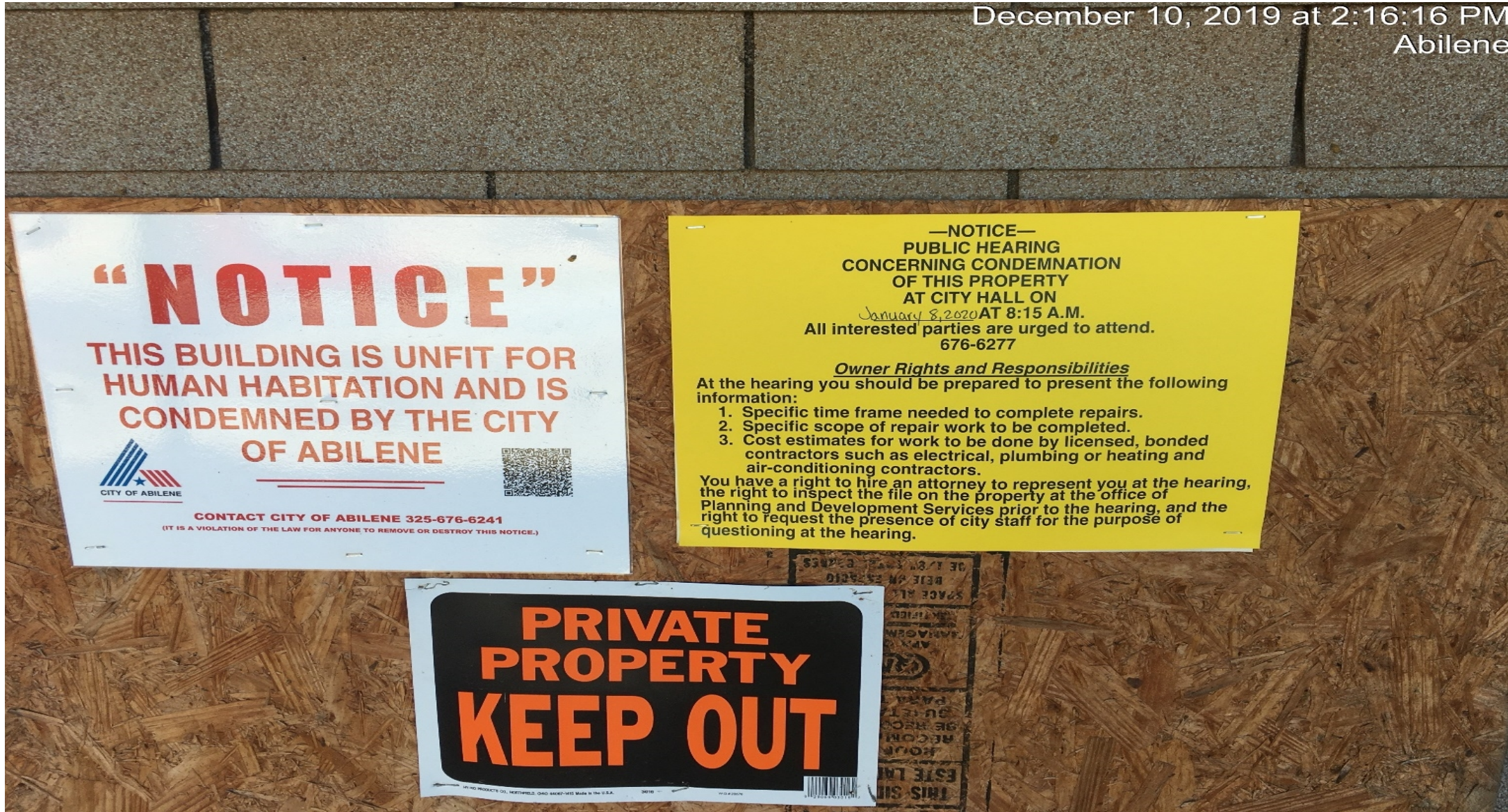
TIMELINE OF EVENTS

- **June 6, 2017** Property condemned, initial condemnation notice and utility shut off letters sent
- **June 28, 2017** 30/60 Letters sent
- **October 11, 2017** Obituary showing owners to be deceased
- **October 16, 2017** BOBS notice sent to heirs of owners
- **October 18, 2017** Sent letters to the heirs informing case was pulled from BOBS agenda, allowing them to self repair the structure.
- **March 12, 2019** Initial condemnation notice, 30/60 letter sent to new property owner Victor Huerta.
- **May 30, 2019** Plumbing rough-in passed
- **December 10, 2019** BOBS notice posted and sent to Mr. Huerta. Also informed him by phone about contractors credentials being expired, and advised him to seek guidance from building inspection division on requirements to proceed with the project.



PUBLIC NOTICE

December 10, 2019 at 2:16:16 PM
Abilene



Northside of Structure



Southside of Structure



Rear of the Structure



West Side Interior of Structure



Electrical Issues



Structural Issues



Interior of the Structure



Staff Recommendation:

- ORDER OWNER TO REPAIR – **30 DAYS TO OBTAIN ALL PERMITS AND PROVIDE 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.**



TIMELINE OF EVENTS

- **June 6, 2017** Initial condemnation notification and utility shut off letters sent
- **June 28, 2017** 30/60 Letters sent
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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
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)



End of 617 S 7th St. presentation



ITEM NO. 3 (b)

CASE # 19-005291

1810 Huckleberry Ln.



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 **J. KAY PRINCE** to be the owner

TAYLOR CAD–Shows owner to be **PRINCE J KAY**

SECRETARY OF STATE –No records for this name found

TAX RECORDS OF THE MUNICIPALITY –Not applicable

UTILITY RECORDS OF THE MUNICIPALITY–Inactive since **FEBRUARY 2013**

Search reveals **J. KAY PRINCE** to be the owner of this property

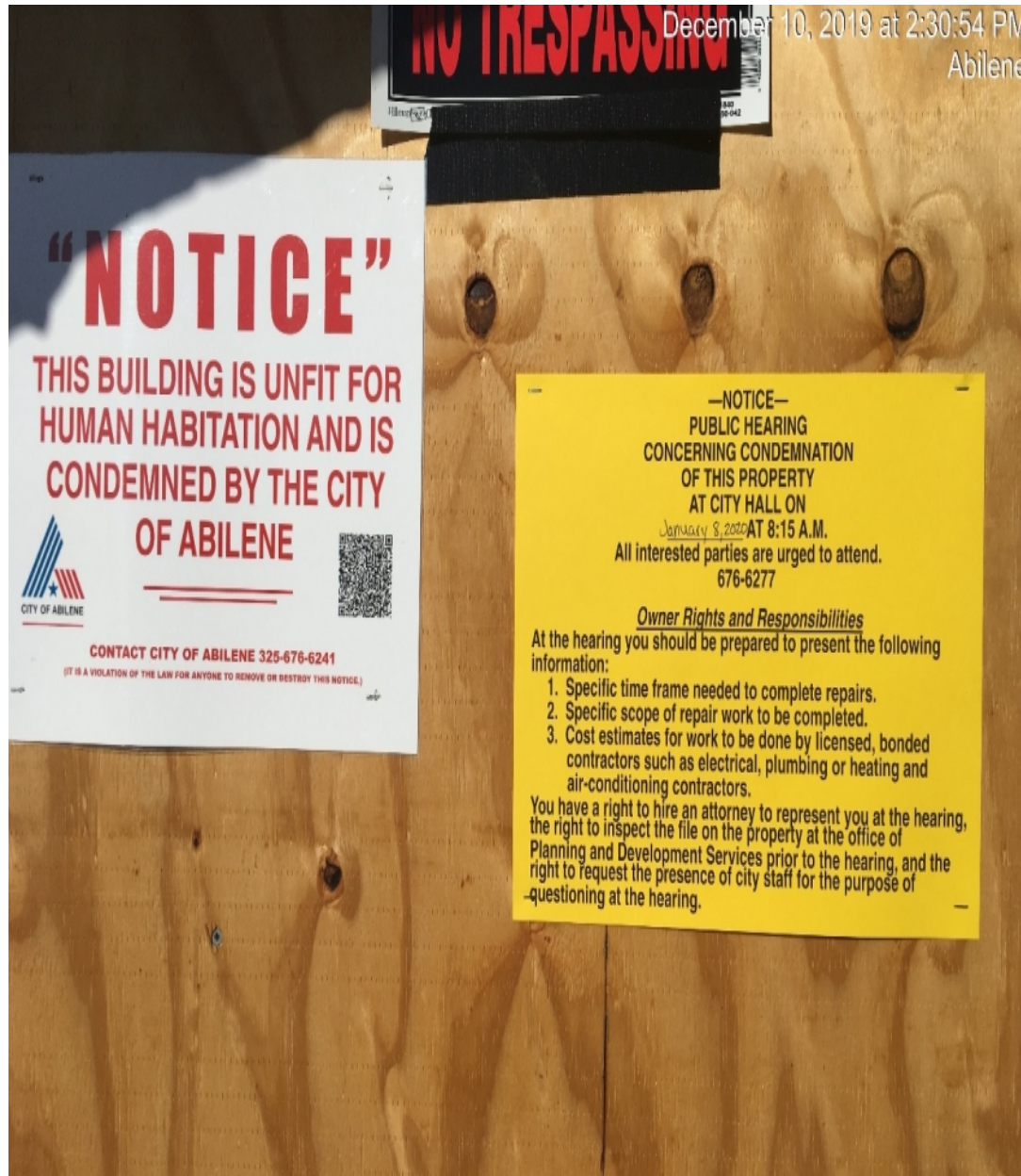


TIMELINE OF EVENTS

- **DECEMBER 6, 2019** Property was condemned, affidavit filed with County Clerk. Sent initial condemnation notice, and utility shut off letters.
- **December 10, 2019** Staff agreed to move straight to demolition due to the condition of the structure. Sent owner notice of January BOBS meeting.



PUBLIC NOTICE



Front Southside of structure



Westside of the Structure



Northside Structure



Eastside Structure



Fire Damage Outer Structure



Outer Structural Issues/Fire Damage



Dilapidated Secondary Structure



Interior Fire Damage



Plumbing and Electrical Issues



Severe Damage to Structure

Nov 8, 2019 at 10:22:13 AM



Interior Fire Damage



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 (a, c, e, & l)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (b)
- (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.



TIMELINE OF EVENTS

- **DECEMBER 6, 2019** Property was condemned, affidavit filed with County Clerk. Sent initial condemnation notice, and utility shut off letters.
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End of 1810 Huckleberry Ln. presentation



Community Enhancement Condemnation Program FY2019

October 1, 2018 – September 31 2019

76 New condemnation cases

52 Cases completed

22 Brought before Board of Building Standards

35 Resolved without going to the Board of
Building Standards

20 Demolitions, average cost \$9,000 per property

