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 November 2, 2022, at 8:30 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. A public hearing and possible approval of September 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 Appeal of Condemnation - Case# 22-002791: 4474 LA HACIENDA DR. (VAQUERO SUB SEC 2, BLOCK A, LOT 10, ACRES 1.281, TAYLOR COUNTY, TEXAS), Owner: HIRSCH, VICTOR JOHN III & CANDICE JO**

B. **Case for Rehabiliation, Demolition, or Civil Penalties - Case# 21-002635: 2049 AMBLER AVE. (SEARS PARK, BLOCK 36, LOT W46 OF LT 1 & 2, LESS N5 FT, TAYLOR COUNTY, TEXAS), Owner: LOYA, JOEL T**

C. **Case for Rehabiliation, Demolition, or Civil Penalties - Case# 22-000806: 2116 SEARS BLVD. (SEARS PARK, BLOCK 32, LOT 15, TAYLOR COUNTY, TEXAS), Owner: MEZA CHRISTOPHER R & GONZALES ALEXANDER**

D. **Case for Rehabiliation, Demolition, or Civil Penalties - Case# 22-001153: 3110 RUSSELL AVE. (SCOTT HIGHWAY PLACE, BLOCK 14, LOT 15, TAYLOR COUNTY, TEXAS), Owner: BORREGO, JOSE C**

E. **Case for Rehabiliation, Demolition, or Civil Penalties - Case# 22-001295: 741 MESQUITE ST. (17 147 LEWIS OT 1 ABL TIF#1, TAYLOR COUNTY, TEXAS), Owner: GREER, JAMES**

F. **Case for Rehabiliation, Demolition, or Civil Penalties - Case# 22-001297: 3534 GRAPE ST. (NORTH PARK ADDN, BLOCK 26, LOT S50 N100 E150 CANNON 2.3 AC TR, TAYLOR COUNTY, TEXAS), Owner: SEXTON, ROSEMARIE PERKINS**

G. **Case for Rehabiliation, Demolition, or Civil Penalties - Case# 22-001592: 790 CARVER ST. (STEVENSON PARK, BLOCK 3, LOT 2, TAYLOR COUNTY, TEXAS), Owner: PENNS, ERMA TURNERHILL**

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:
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 28th day of October, 2022, at 2:45 p.m.

_____
Shawna Atkinson, TRMC, CMC
City Secretary

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:11/2/2022

TO:

FROM:

SUBJECT: **A public hearing and possible approval of September 2022 Board of Building Standards meeting minutes.**

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. 09.07.2022 BOBS mins 09.07.2022 BOBS mins.docx

BOARD OF BUILDING STANDARDS
MEETING MINUTES
September 7, 2022 8:30 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. Lloyd Turner
Mr. Wayland Schroeder

Staff Present: Mr. Michael Rice, Assistant City Manager
Mr. Tim Littlejohn, Director of Planning and Development Services
Mr. Van Watson, Building Official
Ms. Kelley Messer, First Assistant City Attorney
Mr. Clay Door, Code Enforcement Division Manager
Mr. Josh Mares, Code Enforcement Officer
Mr. Ricky Wright, Code Enforcement Officer
Mr. Robert Marsh, Code Enforcement Officer

Others Present: Mr. Jack Lieberman
Mr. Keith Sproles
Mr. Brian Meslin
Mr. Robert Prado
Mr. Rickey Roberts
Mr. John Felder

CALL TO ORDER

Mr. Beard called the meeting to order at 8:30 a.m. Mr. Marsh recorded the minutes. A quorum of members was present, and the meeting proceeded.

APPROVAL OF MINUTES

The minutes of the last meeting, August 3, 2022, were provided in advance to Board Members for review.

Mr. Allred made a motion to approve the August minutes with one correction. Correction is for Case No. 21-001757: 774 E. Hwy 80, to correct name of realtor to *Tami* Shifflett. The motion was seconded by Dr. Paris, motion passed.
AYES: Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Turner, Mr. Schroeder, Mr. Beard
NAYS: None
ABSTAIN: None

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabiliation, 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

Mr. Allred made a motion to untable case #21-001757, it was seconded by Mr. Schroeder. Motion passed.
AYES: Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Turner, Mr. Schroeder, Mr. Beard
NAYES: None
ABSTAIN: 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 Held Discussion: The Board asked whether the submitted Plan of Action was approved. Mr. Mares let the Board know that the Plan of Action would be approved once floor plans are received. The Board inquired as to how long the property has been condemned, asbestos, and cost estimates.

Public Hearing: Mr. Beard opened the Public Hearing. Jack Lieberman of Travers Holdings addressed the Board. He explained the delay was due to the requirement for an asbestos survey and he just became aware of the requirement for a floor plan for the entire complex. He explained his plan is to complete the repair process and create an extended stay facility. The Board expressed concern that every time there's a potential buyer it slows the repair process. The Board requested assurance that owner would be more aggressive at rehabilitation. The Board asked about a timeline to complete repairs. Contractor Keith Sproles stated that he has subcontractors that are ready to begin work as soon as the permit is approved and the work could take about one year to complete. The Board asked Mr. Lieberman if his mortgage company that he represents has the money to complete the work, to which Mr. Lieberman replied, "yes." The Board asked again to Mr. Lieberman, whether Travers Holdings has the funds to complete the project, even if a buyer does not come forward, to which Mr. Lieberman replied, "yes."

Rickey Roberts addressed the Board on behalf of a potential property buyer. Buyer is currently out of the country and was unable to attend the hearing. The potential buyer wanted the Board to know he wants to look into purchasing property when he returns at the end of the month.

Brian Meslin spoke about frustration with obtaining the property.

John Felder told the Board that he has been in contact with Jack Lieberman about negotiating a contract for property.

Mr. Beard closed the public hearing.

The Board Held Discussion: The Board expressed concern about delays and issuing a demolition order. Mr. Rice addressed the Board and let them know a demolition order would not require the City to demolish, but it would allow the city to follow the demolition process and complete demolition if the city chooses. A demolition order would prompt the owner to hire an attorney to appeal the demolition order. During the appeal a formal legal agreement could be reached or the city could demolish.

Mr. Beard reopened the public hearing. Mr. Lieberman addressed the Board about his expenditures on the property.

Mr. Beard closed the public hearing.

Mr. Beard reopened the Public Hearing: Keith Sproles informed the Board the required team is already in place. The only missing piece is the design plans that the city requested. He said he can get the floor plan completed in 45 days.

Mr. Beard closed the public hearing.

Mr. Schroder made a motion of 30 days to organize team, if this is done, 30 days to provide documents for city review, if this is done, 30 days to get permit and start work. Seconded by Mr. McBrayer, motion passed.
AYES: Mr. McBrayer, Mr. Turner, Mr. Schroeder, Mr. Beard
NAYES: Dr. Paris, Mr. Allred
ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-002635: 2049 Ambler Ave. (SEARS PARK, BLOCK 36, LOT W46 OF LT 1 & 2, LESS N5 FT, TAYLOR COUNTY, TEXAS), Owner: Joel T. Loya

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

Mr. McBrayer 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 Dr. Paris, Motion passed.
AYES Dr. Paris, Mr. McBrayer, Mr. Turner, Mr. Schroeder, Mr. Beard
NAYS: None
ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-004817: 4481 Maple St. (A0866 SUR 67 B A L NW/4, ACRES 1.0, TAYLOR COUNTY, TEXAS), Owner: Jonathan Dee & Penny Westra

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.

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. Turner, Mr. Schroeder, Mr. Beard
NAYS: None
ABSTAIN: None

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. Turner, Mr. Schroeder, Mr. Beard
NAYS: None
ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 21-004878:
309 Fannin St. (OAKWOOD ADDN, BLOCK 3, LOT S48 FT LT 11 & N11 FT LT 12, TAYLOR COUNTY, TEXAS), Owner: Robert Garcia Prado

Public Hearing: Mr. Beard opened the public hearing. Mr. Prado informed the Board the reason for the delay and that he is ready to get required permit and continue with the project.

Public Hearing: There being no other speakers, Mr. Beard closed the 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. Schroeder, Motion passed.
AYES Dr. Paris, Mr. Allred, Mr. McBrayer, Mr. Webb, Mr. Turner, Mr. Schroeder, Mr. Beard
NAYS: None
ABSTAIN: None

Board Held Discussion: The Board address Legal about the requirements to hold an executive session as well as the time change of the Board hearings.

ADJOURNMENT
There being no further business to come before the hearing, the Board of Building Standards meeting was adjourned at 10:30 a.m.

X

Approved, Chairman

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:11/2/2022

TO:

FROM:

SUBJECT: Case for Appeal of Condemnation - **Case# 22-002791: 4474 LA HACIENDA DR. (VAQUERO SUB SEC 2, BLOCK A, LOT 10, ACRES 1.281, TAYLOR COUNTY, TEXAS), Owner: HIRSCH, VICTOR JOHN III & CANDICE JO**

GENERAL INFORMATION

Owner: Victor John III & Candice Jo Hirsch
Sq Ft: 8,417.9
Structural: Poor
Foundation: C
Value: $1,354,431
Total Value: $1,439,431
Delinquent Tax: $53,665.97

SPECIAL CONSIDERATIONS

May 21, 2020 – Permit for New Single Family Residence was issued.
June 9, 2020 – Plumbing rough in inspection passed
June 19, 2020 – Building Foundation inspection passed
June 25, 2020 – Electrical ufer under slab rough in passed
March 3, 2021 – Project placed on hold until new GC could be determined.
May 3, 2021 – New GC information was updated
May 7, 2021 – Temporary power pole issued
July 20, 2021 – GC advised they were changing electrical contractor
January 28, 2022 – Permit closed due to expiration and no further progress on residence
September 29, 2022 – Chief Building Official approved for structure to be condemned.
October 3, 2022 – Condemnation notices and 30/60 letters sent to property owners.
October 7, 2022 – Received notice to appeal of condemnation finding of the property. Case

referred to City legal department.
October 11, 2022 – Notice of Board of Building Standards hearing sent to property owners.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Condemn
(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 November 2, 2022.

ATTACHMENTS:

1.	20221102_22-002791_4474 La Hacienda Dr	20221102_22-002791_4474 La Hacienda Dr.pptx

CASE #22-002791

4474 La Hacienda Dr.

CITY OF ABILENE TEXAS

CHECKLIST FOR RECORDS SEARCH

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

- **COUNTY RECORDS** – Warranty Deed naming **Victor John III and Candice Jo Hirsch** as the owners.

- **TAYLOR COUNTY** – Shows **Victor John III and Candice Jo Hirsch** to be the owner.

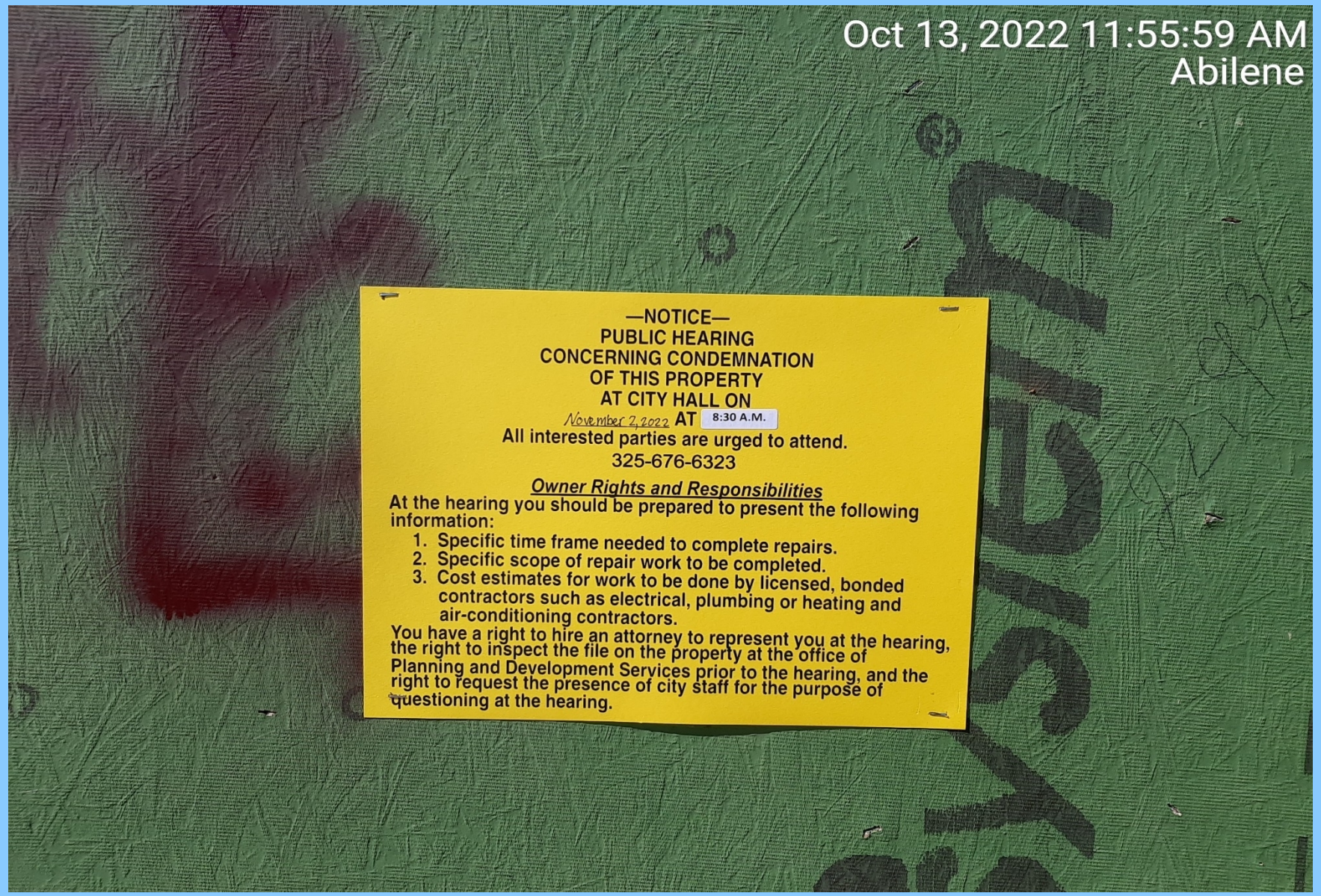
- **SECRETARY OF STATE**– Shows no entity under this name.

- **TAX RECORDS OF THE MUNICIPALITY**– Not applicable

- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since **October 2021**

- Search reveals **Victor John III and Candice Jo Hirsch** to be the owner.

Public Notice



Front East Side

Rear West Side

South Side

North Side

Substandard Code Violations

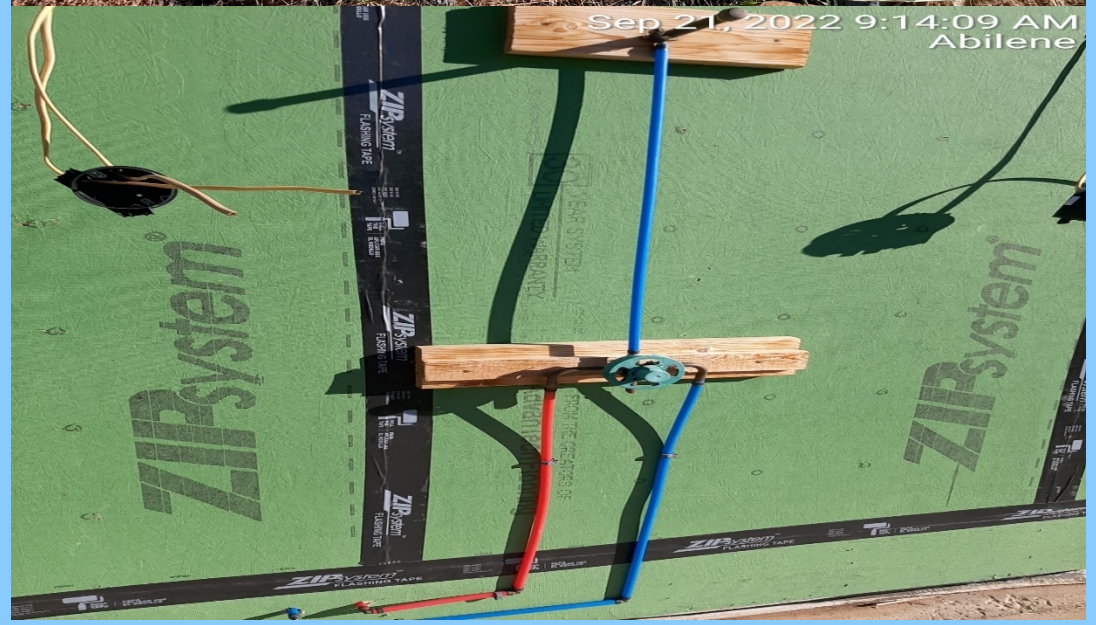
PURSUANT TO CHAPTER 8, SEC. 8-554 AND CHAPTER 19, SEC 19-15 THE FOLLOWING CONDITIONS EXIST:

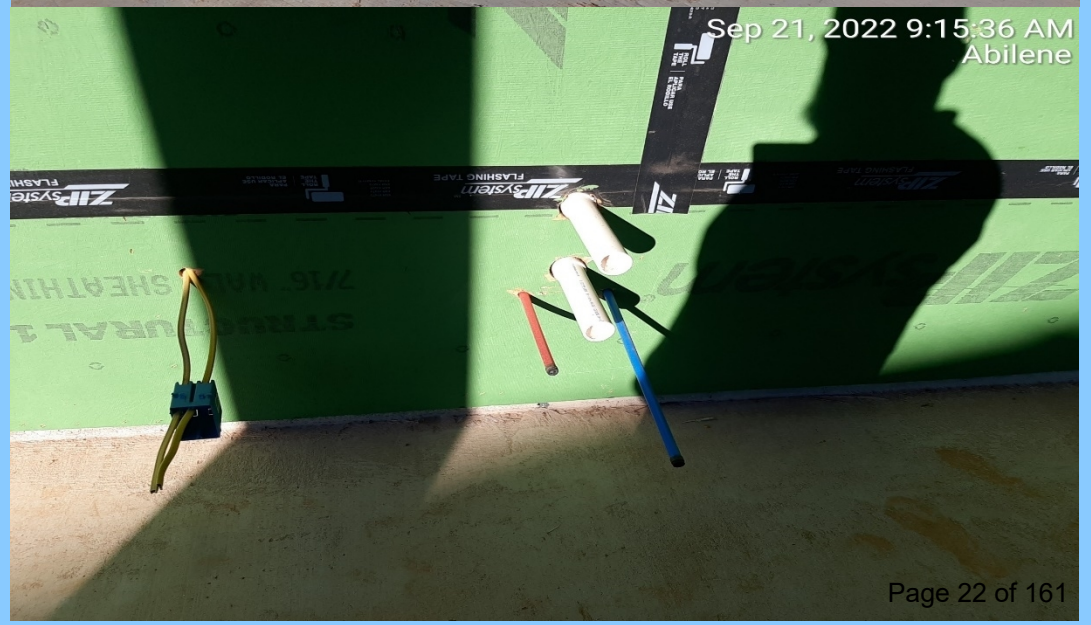
- (1) Inadequate Sanitation Chapter 8, Sec. 8-554
- (2) Structural Hazard Chapter 8, Sec. 8-554
- (3) Nuisance Chapter 19-15
- (4) Hazardous Electrical Wiring Chapter 8, Sec. 8-554
- (5) Hazardous Plumbing Chapter 8, Sec. 8-554
- (7) Faulty Weather Protection Chapter 8, Sec. 8-554

Nuisance Chapter 19-15 (Dilapidation)
Faulty Weather Protection Chapter 8, Sec. 8-554

Hazardous Electrical Wiring Chapter 8, Sec. 8-554

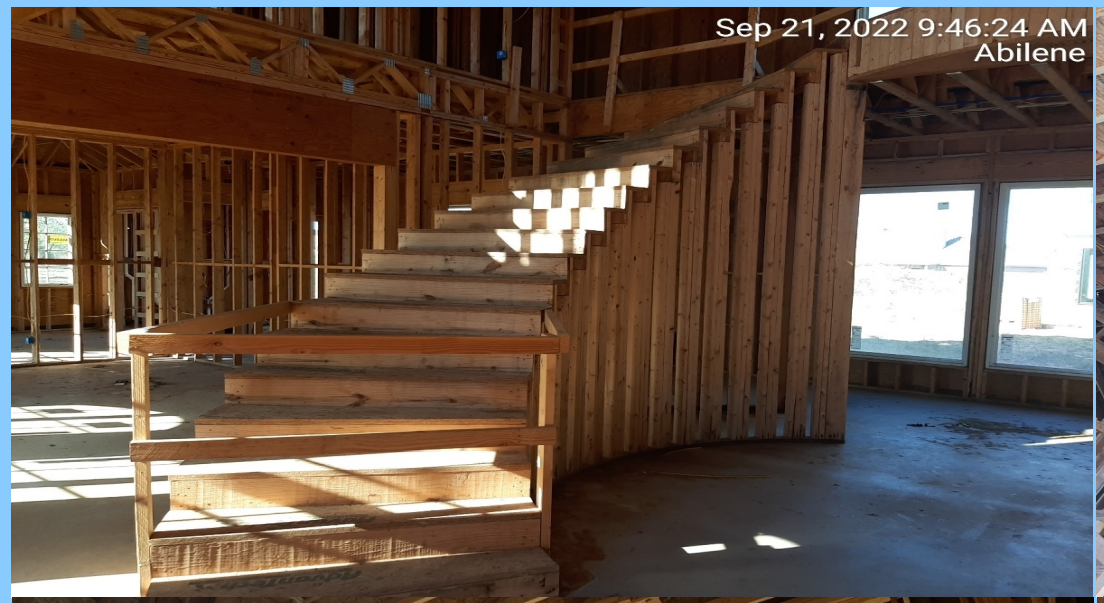
Hazardous Plumbing Chapter 8, Sec. 8-554





Inadequate Sanitation Chapter 8, Sec. 8-554

Structural Hazard Chapter 8, Sec. 8-554



Nuisance Chapter 19-15 (Dilapidation)

Hazardous Electrical Wiring Chapter 8, Sec. 8-554

Hazardous Plumbing Chapter 8, Sec. 8-554

Timeline of Events

- **May 21, 2020** – Permit for New Single Family Residence was issued.
- **June 9, 2020** – Plumbing rough in inspection passed
- **June 19, 2020** – Building Foundation inspection passed
- **June 25, 2020** – Electrical ufer under slab rough in passed
- **March 3, 2021** – Project placed on hold until new GC could be determined.
- **May 3, 2021** – New GC information was updated
- **May 7, 2021** – Temporary power pole issued
- **July 20, 2021** – GC advised they were changing electrical contractor
- **January 28, 2022** – Permit closed due to expiration and no further progress on residence
- **September 29, 2022** – Chief Building Official approved for structure to be condemned.
- **October 3, 2022** – Condemnation notices and 30/60 letters sent to property owners.
- **October 7, 2022** – Received notice to appeal of condemnation finding of the property. Case referred to City legal department.
- **October 11, 2022** – Notice of Board of Building Standards hearing sent to property owners.

Staff Recommendation:

Findings:

The building or portion thereof is deemed substandard or dilapidated, and adjudged unfit for human occupancy, and is therefore condemned due to the following condition or conditions that exist to an extent that it is a hazard to the public health, safety and welfare, being faulty weather protection, hazardous electrical wiring, hazardous plumbing, inadequate sanitation, structural hazards, and nuisance conditions.

End of
4474 La Hacienda Dr. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:11/2/2022

TO:

FROM:

SUBJECT: **Case for Rehabiliation, Demolition, or Civil Penalties - Case# 21-002635: 2049 AMBLER AVE. (SEARS PARK, BLOCK 36, LOT W46 OF LT 1 & 2, LESS N5 FT, TAYLOR COUNTY, TEXAS), Owner: LOYA, JOEL T**

GENERAL INFORMATION

Owner: Joel. T. Loya
Sq Ft: 520
Structural: Poor
Foundation: P
Value: $12,092
Total Value: $15,283
Delinquent Tax: $388.02

SPECIAL CONSIDERATIONS

June 4, 2021 – Received permission from homeowner to enter home. Homeowner stated he wanted to renovate home in Summer 2021
July 12, 2021 – Chief Building Official approved to have AEP remove power to structure due to hazardous conditions. Home had active electricity going to it. Homeowner lives out of town. House has extensive electrical issues.
August 10, 2021 – Code Officers met with Mr. Loya. He expressed he wanted to repair home, even given the extensive issues. Deadline to submit required documents was August 23rd. He was given until 6 Sep to submit documents.
August 30, 2021 – Phone call from Mr. Loya to say he couldn't meet deadline to submit documents. Final deadline is September 10, 2021.
September 10, 2021 – Phone call from Mr. Loya to check if we have everything we need. Gave

him deadline of September 15 to submit by email contractor quotes for electrical, plumbing, and structural work
September 14, 2021 – Posted notice of October Board of Building Standards hearing on structure
September 15, 2021 – Notice of Board of Building Standards meeting sent to property owner. Property owner did not meet deadline of September 15th to send by email contractor quotes for mechanical, electrical, and plumbing repairs.
September 16, 2021 – Met with property owner. He was not able to obtain contractor quotes by deadline. He will continue to work on finding a general contractor and obtain quotes by October Board of Building Standards meeting.
October 6, 2021 – Board of Building Standards hearing ordered 30/60.
October 11, 2021 – General building permit pulled.
March 22, 2022 – Contacted Mr. Loya via text message to advise that his permit is expiring soon and he should request an extension or pass an inspection for more time.
April 5, 2022 – Contractor came in to request an extension on building permit 3 days before the expiration date. Stated he would call before he was ready for an inspection.
August 11, 2022 – Checked the status of the permit. No building inspections requested to this date by the owner or the contractor after extension was granted 3 months prior.
August 19, 2022 – Sent notice of September Board of Building Standards hearing to property owner via certified and regular mail. Property owner also came to City Hall to meet with staff. He informed staff that his general contractor had not completed the job he had agreed to. He was reminded that as the property owner, he needed to make sure the contractor was completing the work. He requested an extension to find another contractor. He was informed that due to the lack of progress, we would need to return the case to the board. Owner was encouraged to attend the hearing, so he could address the board.
September 7, 2022 – Board of Building Standards ordered 30/60.
September 16, 2022 – Board decision letter mailed to property owner via regular and certified mail.
October 11, 2022 – Sent notice of October Board of Building Standards

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
(7) Faulty Weather Protection Chapter 8, Sec. 8-554
(10) Inadequate Exits. Chapter 8, Sec. 8-554

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on November 2, 2022.

ATTACHMENTS:

1. 20221102_21-002635_ 2049 Ambler Ave 20221102_21-002635_ 2049 Ambler Ave.pptx

CASE #21-002635

2049 Ambler Ave.

CITY OF ABILENE TEXAS

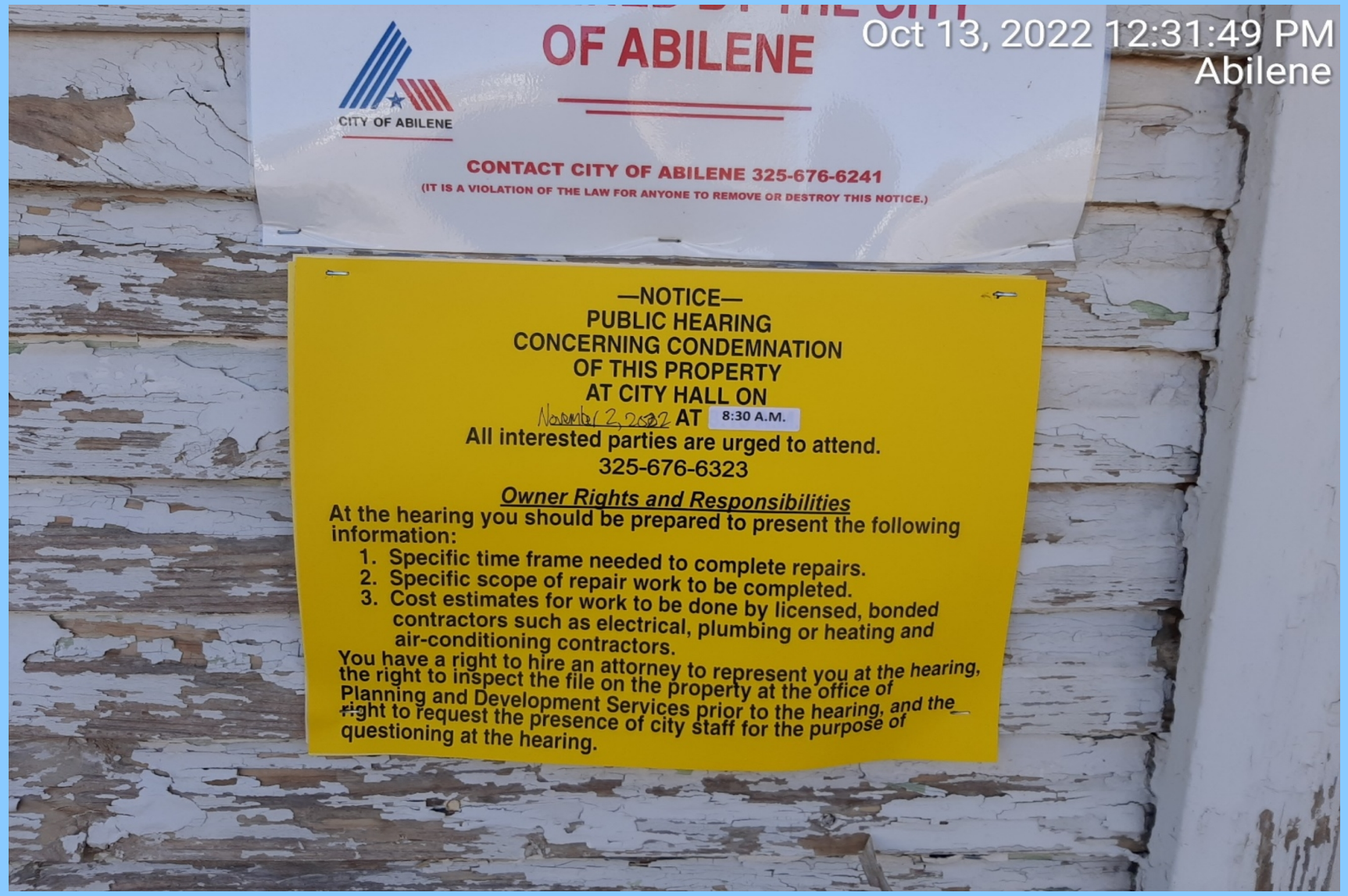
CHECKLIST FOR RECORDS SEARCH

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

- **COUNTY RECORDS** – Warranty Deed naming **Joel T. Loya** as the owner
- **TAYLOR COUNTY**– Shows **Joel T. Loya** to be the owner
- **SECRETARY OF STATE**– Shows no entity under this name
- **TAX RECORDS OF THE MUNICIPALITY**– Not applicable
- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since **September 1, 2016**

- Search reveals **Joel T. Loya** to be the owner

Public Notice



Front North Side

Rear South Side

West Side

East 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
- (7) Faulty Weather Protection Chapter 8, Sec. 8-554
- (10) Inadequate Exits. Chapter 8, Sec. 8-554

Structural Hazard Chapter 8, Sec. 8-554

Nuisance Chapter 19-15 (Exterior Dilapidation)

Inadequate Sanitation Chapter 8, Sec. 8-554

Structural Hazard Chapter 8, Sec. 8-554

Nuisance Chapter 19-15 (Interior Dilapidation)
Faulty Weather Protection Chapter 8, Sec. 8-554

Hazardous Electrical Wiring Chapter 8, Sec. 8-554

Inadequate Exits. Chapter 8, Sec. 8-554

TIMELINE OF EVENTS

- **June 4, 2021 –** Received permission from homeowner to enter home. Homeowner stated he wanted to renovate home in Summer 2021
- **July 12, 2021** – Chief Building Official approved to have AEP remove power to structure due to hazardous conditions. Home had active electricity going to it. Homeowner lives out of town. House has extensive electrical issues.
- **August 10, 2021 –** Code Officers met with Mr. Loya. He expressed he wanted to repair home, even given the extensive issues. Deadline to submit required documents was August 23rd. He was given until 6 Sep to submit documents.
- **August 30, 2021 –** Phone call from Mr. Loya to say he couldn't meet deadline to submit documents. Final deadline is September 10, 2021.
- **September 10, 2021** – Phone call from Mr. Loya to check if we have everything we need. Gave him deadline of September 15 to submit by email contractor quotes for electrical, plumbing, and structural work
- **September 14, 2021** – Posted notice of October Board of Building Standards hearing on structure
- **September 15, 2021 –** Notice of Board of Building Standards meeting sent to property owner. Property owner did not meet deadline of September 15th to send by email contractor quotes for mechanical, electrical, and plumbing repairs.
- **September 16, 2021** – Met with property owner. He was not able to obtain contractor quotes by deadline. He will continue to work on finding a general contractor and obtain quotes by October Board of Building Standards meeting.

TIMELINE OF EVENTS

- **October 6, 2021 –** Board of Building Standards hearing ordered 30/60.
- **October 11, 2021** – General building permit pulled
- **March 22, 2022** – Contacted Mr. Loya via text message to advise that his permit is expiring soon and he should request an extension or pass an inspection for more time.
- **April 5, 2022** – Contractor came in to request an extension on building permit 3 days before the expiration date. Stated he would call before he was ready for an inspection.
- **August 11, 2022** – Checked the status of the permit. No building inspections requested to this date by the owner or the contractor after extension was granted 3 months prior.
- **August 19, 2022** – Sent notice of September Board of Building Standards hearing to property owner via certified and regular mail. Property owner also came to City Hall to meet with staff. He informed staff that his general contractor had not completed the job he had agreed to. He was reminded that as the property owner, he needed to make sure the contractor was completing the work. He requested an extension to find another contractor. He was informed that due to the lack of progress, we would need to return the case to the board. Owner was encouraged to attend the hearing, so he could address the board.
- **September 7, 2022** – Board of Building Standards ordered 30/60.
- **September 16, 2022** – Board decision letter mailed to property owner via regular and certified mail.
- **October 11, 2022** – Sent notice of October Board of Building Standards

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 2049 Ambler Ave. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:11/2/2022

TO:

FROM:

SUBJECT: **Case for Rehabiliation, Demolition, or Civil Penalties - Case# 22-000806: 2116 SEARS BLVD. (SEARS PARK, BLOCK 32, LOT 15, TAYLOR COUNTY, TEXAS), Owner: MEZA CHRISTOPHER R & GONZALES ALEXANDER**

GENERAL INFORMATION

Owner: MEZA CHRISTOPHER R & GONZALES ALEXANDER
Sq Ft: 1365
Structural: Poor
Foundation: P
Value: $33,529
Total Value: $34,852
Delinquent Tax: $884.85

SPECIAL CONSIDERATIONS

March 30, 2022 – Property was condemned.
April 7, 2022 – Affidavit of condemnation filed at the County Clerk office.
April 19, 2022 – Condemnation notice sent to property owner via regular and certified mail.
June 7, 2022 – Property sold.
June 10, 2022 – Initial notice of condemnation sent to new owner via regular and certified mail.
June 15, 2022 – Phone call with new owner. Explained to him the 30/60 and permit process and that he needed to submit a plan of action.
September 22, 2022 – Met with contractor, who is also the brother of the property owner, and explained to him what was required to obtain a building permit. He stated he needed a temporary power pole out there in order to begin the work. He was informed that the building official would approve the temporary power pole after he submitted the plan of action along with all other necessary paperwork to obtain the building permit. After the permit was pulled,

then a temporary power pole would be allowed on the property.
October 11, 2022 – Sent notice of November Board of Building Standards hearing.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

30/60
(1) Inadequate Sanitation 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
(10) Inadequate Exits. Chapter 8, Sec. 8-554

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on November 2, 2022.

ATTACHMENTS:

1. 20221102_22-000806_2116 Sears Blvd 20221102_22-000806_2116 Sears Blvd.pptx

CASE #22-000806

2116 Sears Blvd.

CITY OF ABILENE TEXAS

CHECKLIST FOR RECORDS SEARCH

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

- **COUNTY RECORDS** – General Warranty Deed naming **Christopher R Meza and Alexander Gonzalez** as the owners.

- **TAYLOR COUNTY** – Shows **Christopher R Meza and Alexander Gonzalez** 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 **April 1, 2022**

- Search reveals **Christopher R Meza and Alexander Gonzalez** to be the owner.

Public Notice

Front East Side

Rear West Side

North Side

Network: Sep 26, 2022 9:34:33 AM CDT
Local: Sep 26, 2022 9:34:32 AM CDT

South Side

Network: Sep 26, 2022 9:24:52 AM CDT
Local: Sep 26, 2022 9:24:51 AM CDT

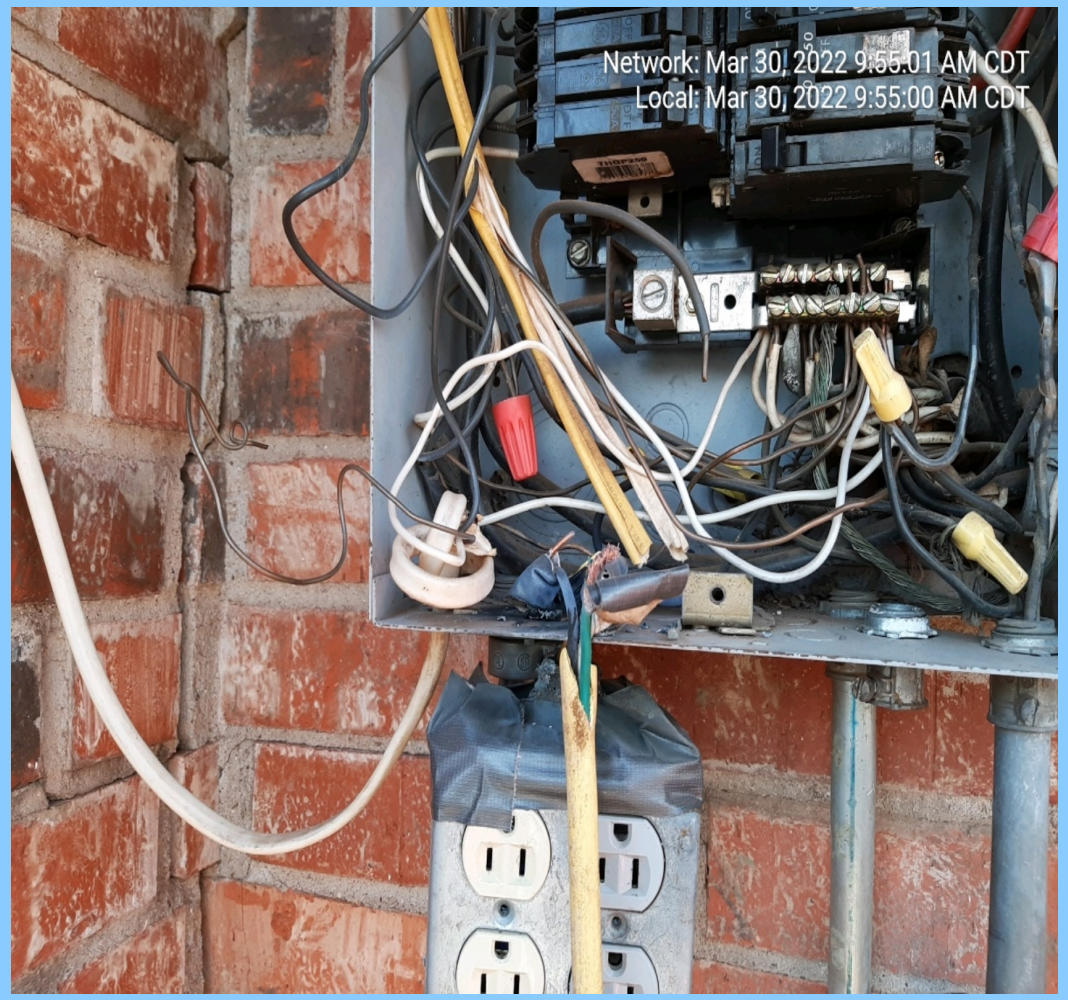
Substandard Code Violations

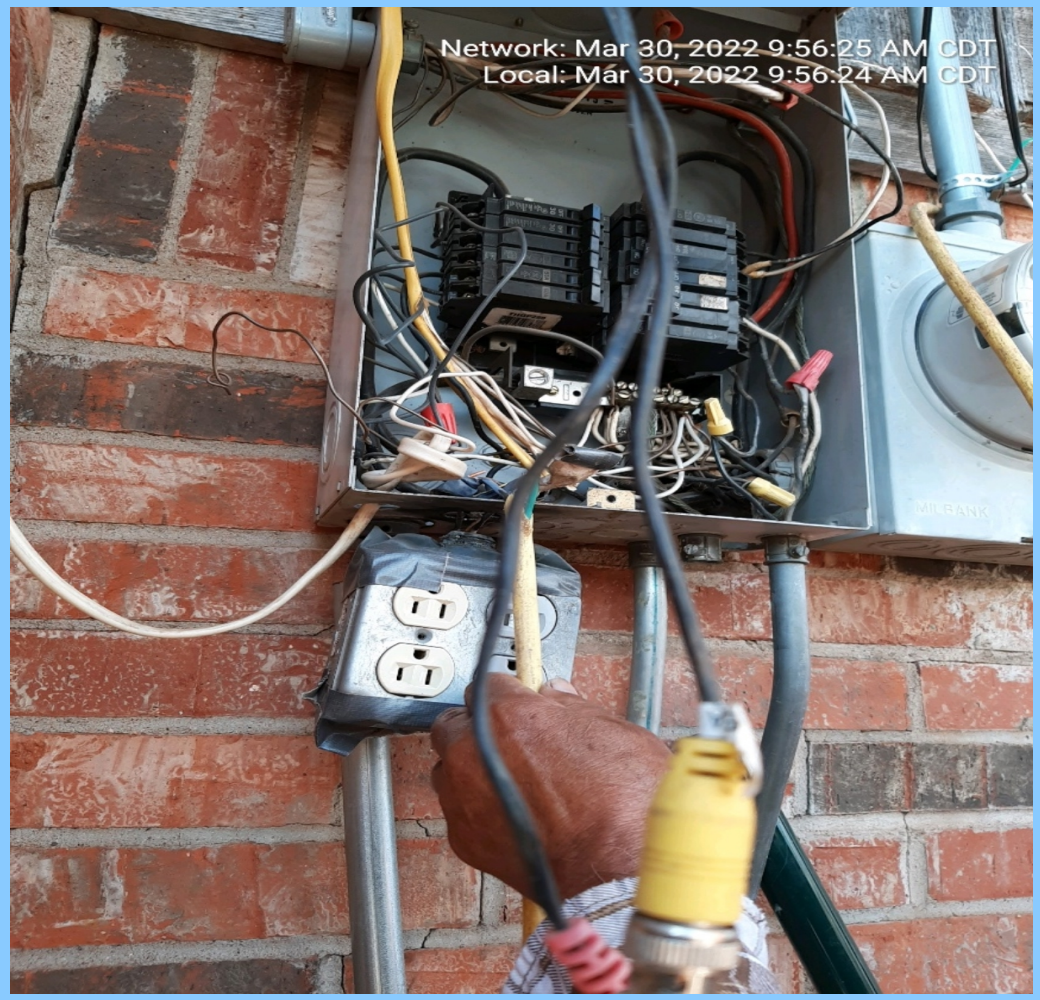
PURSUANT TO CHAPTER 8, SEC. 8-554 AND CHAPTER 19, SEC 19-15 THE FOLLOWING CONDITIONS EXIST:

- (1) Inadequate Sanitation Chapter 8, Sec. 8-554
- (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
- (10) Inadequate Exits. Chapter 8, Sec. 8-554

Nuisance Chapter 19-15 (Dilapidation)

Hazardous Electrical Wiring Chapter 8, Sec. 8-554





Inadequate Sanitation Chapter 8, Sec. 8-554

Nuisance Chapter 19-15 (Dilapidation)

Hazardous Electrical Wiring Chapter 8, Sec. 8-554

Hazardous Plumbing Chapter 8, Sec. 8-554

Hazardous Mechanical Equipment Chapter 8, Sec. 8-554

Inadequate Exits. Chapter 8, Sec. 8-554

Timeline of Events

- **March 30, 2022 –** Property was condemned.
- **April 7, 2022** – Affidavit of condemnation filed at the County Clerk office.
- **April 19, 2022 –** Condemnation notice sent to property owner via regular and certified mail.
- **June 7, 2022** – Property sold.
- **June 10, 2022** – Initial notice of condemnation sent to new owner via regular and certified mail.
- **June 15, 2022** – Phone call with new owner. Explained to him the 30/60 and permit process and that he needed to submit a plan of action.
- **September 22, 2022** – Met with contractor, who is also the brother of the property owner, and explained to him what was required to obtain a building permit. He stated he needed a temporary power pole out there in order to begin the work. He was informed that the building official would approve the temporary power pole after he submitted the plan of action along with all other necessary paperwork to obtain the building permit. After the permit was pulled, then a temporary power pole would be allowed on the property.
- **October 11, 2022** – Sent notice of November Board of Building Standards hearing.

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 2116 Sears Blvd. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:11/2/2022

TO:

FROM:

SUBJECT: Case for Rehabiliation, Demolition, or Civil Penalties - **Case# 22-001153: 3110 RUSSELL AVE. (SCOTT HIGHWAY PLACE, BLOCK 14, LOT 15, TAYLOR COUNTY, TEXAS), Owner: BORREGO, JOSE C**

GENERAL INFORMATION

Owner: Jose C Borrego
Sq Ft: 1036
Structural: Poor
Foundation: P
Value: $12,211
Total Value: $13,611
Delinquent Tax: $0

SPECIAL CONSIDERATIONS

May 3, 2022 – Property was condemned. Affidavit of condemnation filed at the County Clerk office.
May 12, 2022 – Condemnation notices and 30/60 letters were sent via regular and certified mail.
May 18, 2022 – Confirmed cert mail was received by the property owner.
June 3, 2022 – Phone call with son in law of property owner. Informed him of the options that the property owner had, and also explained to him the process of the 30/60 plan, and what would be required to obtain permits. Also discussed options for the owner to sell the property, and sign a consent to demo. He stated he would speak to the owner and discuss the options with him.
September 13, 2022 – No further contact from the owner, and no permits pulled.
October 6, 2022 – Owner arrived to City hall inquiring about Notice of Board of Building Standards hearing posted at the property. They were informed that the hearing was cancelled,

and would be rescheduled for next month.
October 11, 2022 – Sent notice of November Board of Building Standards hearing.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

30/60
(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
(7) Faulty Weather Protection Chapter 8, Sec. 8-554
(10) Inadequate Exits. Chapter 8, Sec. 8-554

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on November 2, 2022.

ATTACHMENTS:

1. 20221102_22-001153_3110 Russell Ave 20221102_22-001153_3110 Russell Ave.pptx

CASE #22-001153

3110 Russell Ave.

CITY OF ABILENE TEXAS

CHECKLIST FOR RECORDS SEARCH

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

- **COUNTY RECORDS** – Warranty Deed naming **Jose C. Borrego** as the owner.
- **TAYLOR COUNTY**– Shows **Jose C. Borrego** 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** – No records of utilities found per the municipality
- Search reveals **Jose C. Borrego** to be the owner.

Public Notice

Front South Side

Rear North 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:

- (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
- (7) Faulty Weather Protection Chapter 8, Sec. 8-554
- (10) Inadequate Exits. Chapter 8, Sec. 8-554

Nuisance Chapter 19-15 (Dilapidation)

Hazardous Electrical Wiring Chapter 8, Sec. 8-554

Inadequate Sanitation Chapter 8, Sec. 8-554

Structural Hazard Chapter 8, Sec. 8-554

Nuisance Chapter 19-15 (Dilapidation)

Hazardous Electrical Wiring Chapter 8, Sec. 8-554

Faulty Weather Protection Chapter 8, Sec. 8-554

Inadequate Exits. Chapter 8, Sec. 8-554

Timeline of Events

- **May 3, 2022 –** Property was condemned. Affidavit of condemnation filed at the County Clerk office.
- **May 12, 2022 –** Condemnation notices and 30/60 letters were sent via regular and certified mail.
- **May 18, 2022** – Confirmed cert mail was received by the property owner.
- **June 3, 2022** – Phone call with son in law of property owner. Informed him of the options that the property owner had, and also explained to him the process of the 30/60 plan, and what would be required to obtain permits. Also discussed options for the owner to sell the property, and sign a consent to demo. He stated he would speak to the owner and discuss the options with him.
- **September 13, 2022** – No further contact from the owner, and no permits pulled.
- **October 6, 2022** – Owner arrived to City hall inquiring about Notice of Board of Building Standards hearing posted at the property. They were informed that the hearing was cancelled, and would be rescheduled for next month.
- **October 11, 2022** – Sent notice of November Board of Building Standards hearing.

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 3110 Russell Ave. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:11/2/2022

TO:

FROM:

SUBJECT: Case for Rehabiliation, Demolition, or Civil Penalties - **Case# 22-001295: 741 MESQUITE ST. (17 147 LEWIS OT 1 ABL TIF#1, TAYLOR COUNTY, TEXAS), Owner: GREER, JAMES**

GENERAL INFORMATION

Owner: James Greer
Sq Ft: 896
Structural: Poor
Foundation: P
Value: $8,475
Total Value: $11,975
Delinquent Tax: $6,047.76

SPECIAL CONSIDERATIONS

September 22, 2021 – Case opened for dilapidated structure.
November 30, 2021 – No contact from owner since sending notice of dilapidated structure case. Attempt to make contact with someone at the property failed. Confirmed house was vacant.
January 10, 2022 – No contact from owner.
January 13, 2022 – Executed an administrative search warrant to enter the property.
May 16, 2022 – Property was condemned.
May 23, 2022 – Affidavit of condemnation filed at the County Clerk's office. Initial notice of condemnation sent to the property owner via regular and certified mail.
June 9, 2022 – Still no contact in response to the notice of condemnation.
June 14, 2022 – Notice of July Board of Building Standards hearing sent via certified and regular mail, and also posted on the structure.
July 6, 2022 – Board of Building Standards hearing. Board ordered 30/60.
July 8, 2022 – Board decision orders sent via regular and certified mail.

September 13, 2022 – No permits active and no contact from owner.
October 11, 2022 – Mailed notice of November Board of Building Standards Hearing

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

DEMO
(1) Inadequate Sanitation Chapter 8, Sec. 8-554
(2) Structural Hazard Chapter 8, Sec. 8-554
(3) Nuisance Chapter 19-15
(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 November 2, 2022.

ATTACHMENTS:

1. 20221102_22-001295_741 Mesquite St 20221102_22-001295_741 Mesquite St.pptx

CASE #22-001295

741 Mesquite St.

CITY OF ABILENE TEXAS

CHECKLIST FOR RECORDS SEARCH

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

- **COUNTY RECORDS** – No deed records were found.
- **TAYLOR COUNTY** – Shows **James S Greer** 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 **November 2019.**
- Search reveals **James S Greer** to be the owner.

Public Notice

Front West Side

Rear East Side

North Side

South Side

Substandard Code Violations

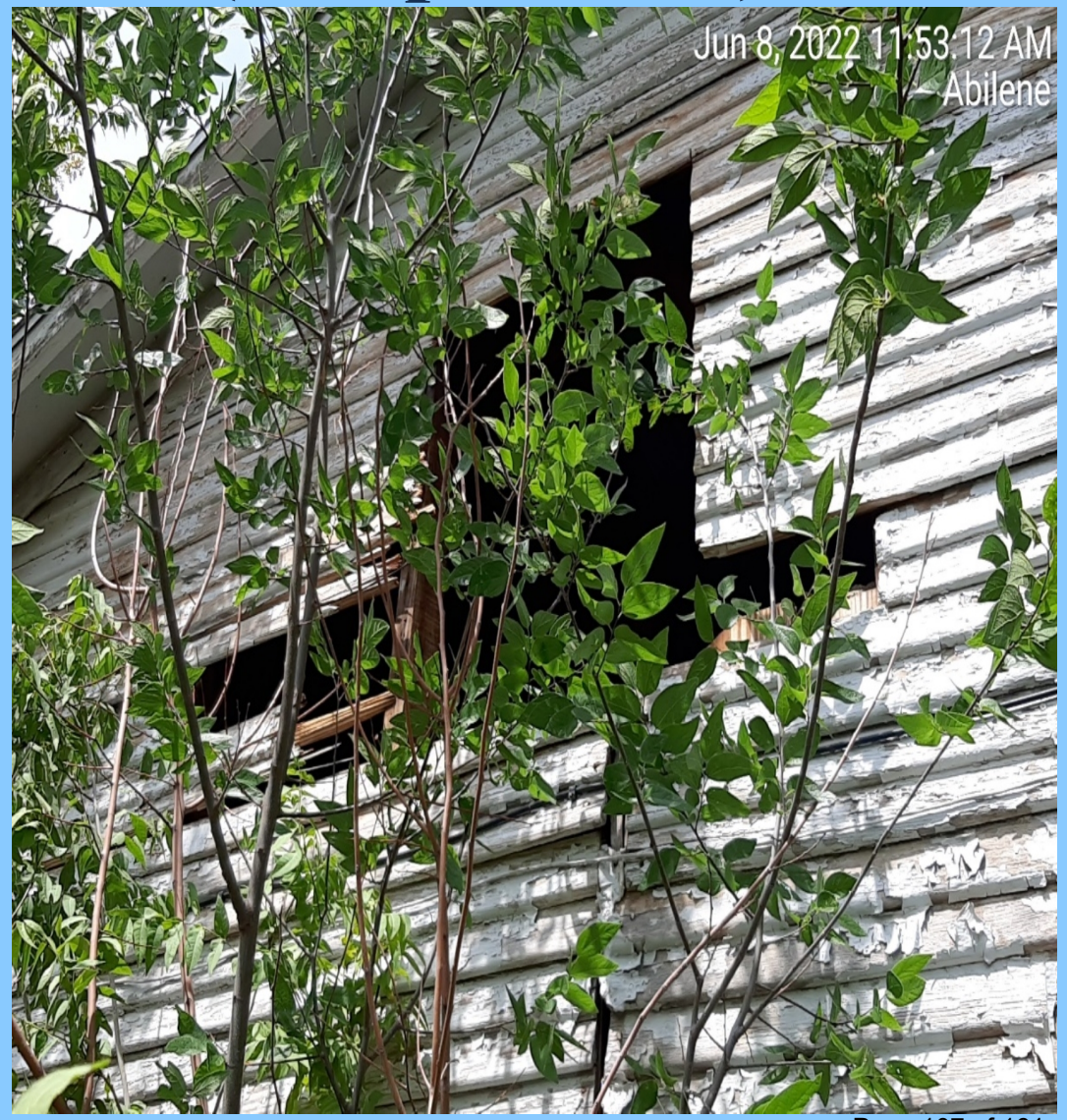
Pursuant To Chapter 8, Sec. 8-554 And Chapter 19, Sec 19-15 The Following Conditions Exist:

- (1) Inadequate Sanitation Chapter 8, Sec. 8-554
- (2) Structural Hazard Chapter 8, Sec. 8-554
- (3) Nuisance Chapter 19-15
- (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

Structural Hazard Chapter 8, Sec. 8-554

Nuisance Chapter 19-15 (Exterior Dilapidation)

Faulty Weather Protection Chapter 8, Sec. 8-554
Nuisance Chapter 19-15 (Dilapidation)



Hazardous Mechanical Equipment Chapter 8, Sec. 8-554

Faulty Weather Protection Chapter 8, Sec. 8-554

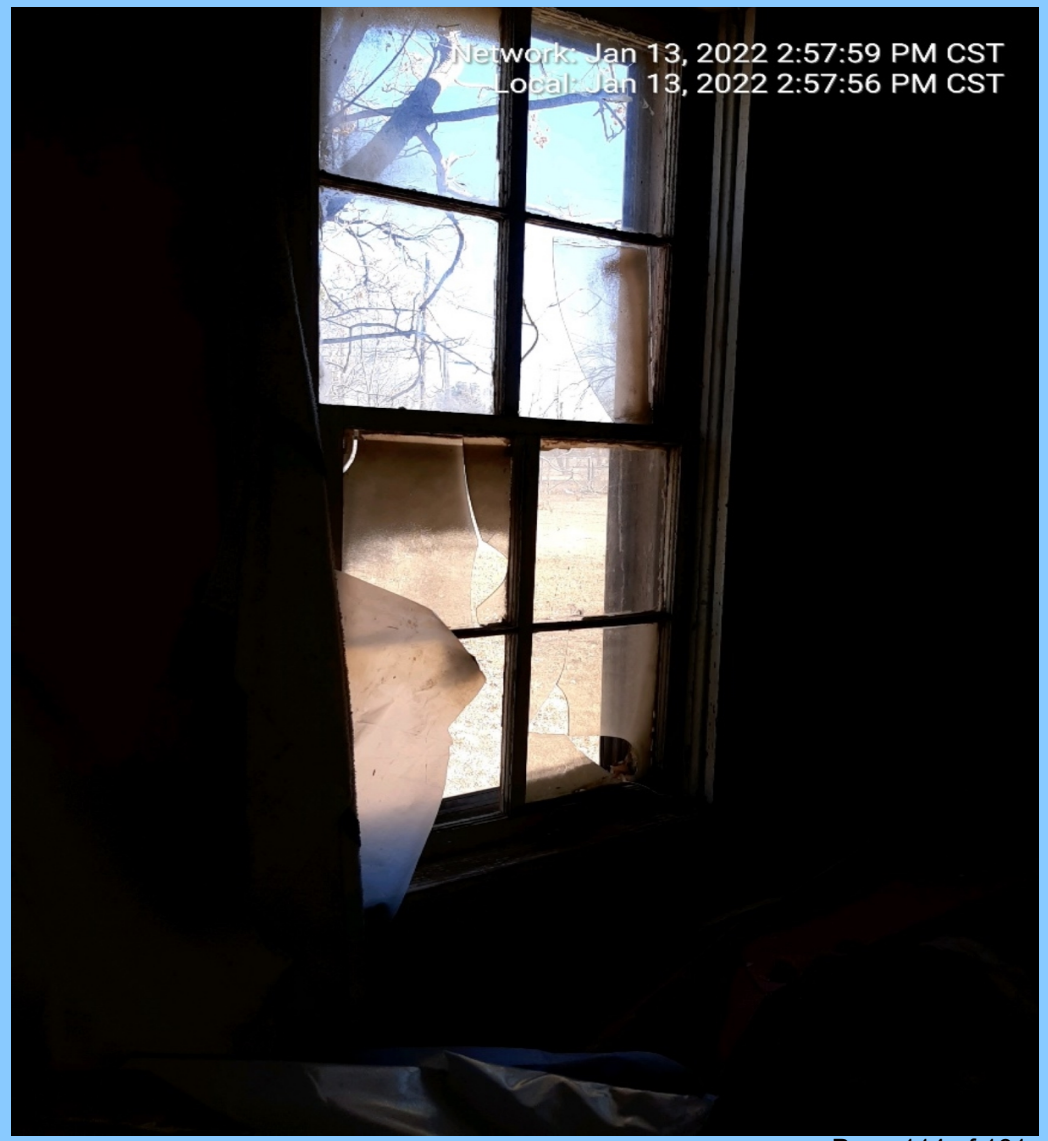
Inadequate Sanitation Chapter 8, Sec. 8-554

Inadequate Sanitation Chapter 8, Sec. 8-554

Nuisance Chapter 19-15 (Dilapidation)

Hazardous Plumbing Chapter 8, Sec. 8-554

Faulty Weather Protection Chapter 8; Sec.



Current Status

Current Status

Current Status

Timeline of Events

- **September 22, 2021** – Case opened for dilapidated structure.
- **November 30, 2021** – No contact from owner since sending notice of dilapidated structure case. Attempt to make contact with someone at the property failed. Confirmed house was vacant.
- **January 10, 2022** – No contact from owner.
- **January 13, 2022** – Executed an administrative search warrant to enter the property.
- **May 16, 2022** – Property was condemned.
- **May 23, 2022** – Affidavit of condemnation filed at the County Clerk's office. Initial notice of condemnation sent to the property owner via regular and certified mail.
- **June 9, 2022** – Still no contact in response to the notice of condemnation.
- **June 14, 2022** – Notice of July Board of Building Standards hearing sent via certified and regular mail, and also posted on the structure.
- **July 6, 2022** – Board of Building Standards hearing. Board ordered 30/60
- **July 8, 2022** – Board decision letters sent.
- **August 17, 2022** – No plan of action or contact from property owner.
- **October 11, 2022** – Notice of November Board of Building Standards hearing sent.

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 741 Mesquite St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:11/2/2022

TO:

FROM:

SUBJECT: Case for Rehabiliation, Demolition, or Civil Penalties - **Case# 22-001297: 3534 GRAPE ST. (NORTH PARK ADDN, BLOCK 26, LOT S50 N100 E150 CANNON 2.3 AC TR, TAYLOR COUNTY, TEXAS), Owner: SEXTON, ROSEMARIE PERKINS**

GENERAL INFORMATION

Owner: Rosemarie Perkins Sexton
Sq Ft: 1280
Structural: Poor
Foundation: P
Value: $13,581
Total Value: $14,181
Delinquent Tax: $789.76

SPECIAL CONSIDERATIONS

October 26, 2021 – Case opened for dilapidated structure.
October 29, 2021 – Informed by neighbor that homeowner passed away. Expressed concerns of unsanitary conditions, electrical hazards, and vagrants occupying the property. Was also informed by AEP that power was on illegally at the property and was going to be shut off.
January 19, 2022 – Citation issued for non compliance in dilapidated structure violation.
January 21, 2022 – Received complaint regarding homeless people living in the home without permission, also claiming that electricity was again turned on.
April 26, 2022 – Code officer met with occupant at the property. She claimed she inherited the property, and she intended to repair it. Claimed she did not live there, and showed identification with different address. No indications of the property being maintained of intended to be repaired. She was instructed to provide proof of bill of sale or documents confirming ownership. Deadline of May 13, 2022 given to provide paperwork.

May 16, 2022 – No paperwork provided by individual claiming to be the owner. Property was approved for condemnation by the Chief Building Official.
May 18, 2022 – Spoke to son of deceased homeowner, Santo Marciano. He said he lives in NYC, and he was trying to find out whether the house was condemned and what needs to be done. He is unsure if his mother's ex boyfriend is still staying at property. He was asked him to find out and we would hold off on securing house and turning off electricity. He said he may attempt to get property in his name if he is able to. He is contacting the permit tech to see if they will allow him or Gary to hire a GC to pull a general repair permit. The only person on the deed is the deceased homeowner. He understands the electrical is hazardous and needs to be addressed right away. He is looking into hiring someone that can give him an idea of what repair costs will be. Deadline for plan of action given until June 1, 2022.
June 1, 2022 – Notice of violation for dilapidated structure sent to son of deceased owner as final attempt to allow him to take action.
June 28, 2022 – Property was condemned due to no action or progress made under the dilapidated structure program. Affidavit filed with County Clerk.
June 29, 2022 – Property was secured by the City due to continuous complaints of unauthorized occupants at the property.
August 29, 2022 – Initial notice of condemnation sent to last known address on file.
September 6, 2022 – Initial notice of condemnation sent to heir of owner who is deceased.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

DEMO
(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
(7) Faulty Weather Protection Chapter 8, Sec. 8-554
(10) Inadequate Exits. Chapter 8, Sec. 8-554

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on November 2, 2022.

ATTACHMENTS:

1. 20221102_22-001297_3534 Grape St 20221102_22-001297_3534 Grape St.pptx

CASE #22-001297

3534 Grape St.

CITY OF ABILENE TEXAS

CHECKLIST FOR RECORDS SEARCH

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

- **COUNTY RECORDS** – Warranty Deed naming **Rosemarie Perkins Sexton** as the owner.

- **TAYLOR COUNTY** – Shows **Rosemarie Perkins Sexton** to be the owner.

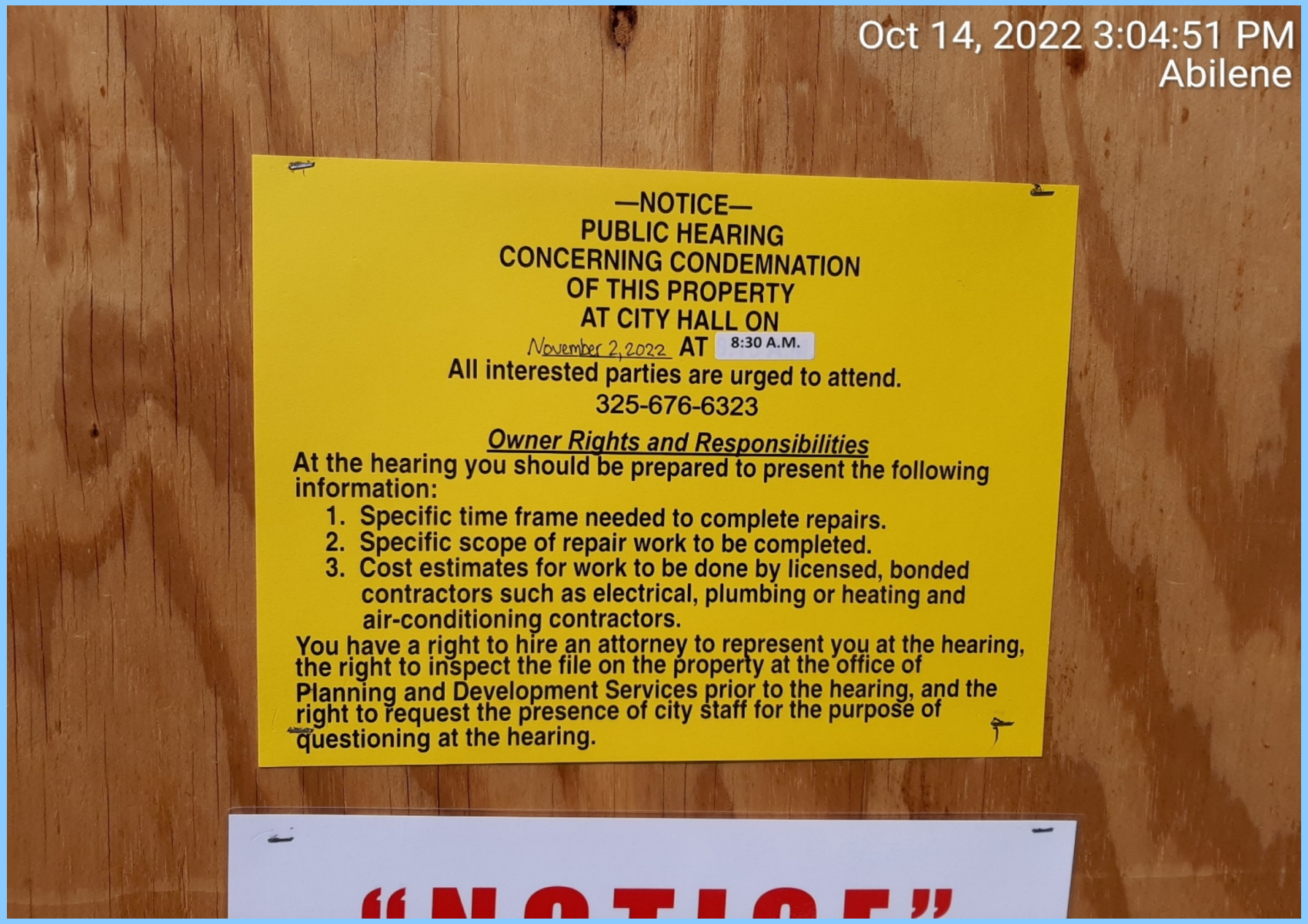
- **SECRETARY OF STATE**– Shows no entity under this name.

- **TAX RECORDS OF THE MUNICIPALITY**– Not applicable

- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since **April 2021**

- Search reveals **Rosemarie Perkins Sexton** to be the owner.

Public Notice



Rear West Side

Front East Side

South Side

Network: Jun 28, 2022 11:01:55 AM CDT
Local: Jun 28, 2022 11:01:54 AM CDT
BEWARE
OF THE DOG

North Side

Network: Jun 28, 2022 11:03:30 AM CDT
Local: Jun 28, 2022 11:03:29 AM CDT
PRIVATE PROPERTY

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
- (7) Faulty Weather Protection Chapter 8, Sec. 8-554
- (10) Inadequate Exits. Chapter 8, Sec. 8-554

Structural Hazard Chapter 8, Sec. 8-554

Inadequate Sanitation Chapter 8, Sec. 8-554

Inadequate Sanitation Chapter 8, Sec. 8-554

Nuisance Chapter 19-15
Faulty Weather Protection Chapter 8, Sec. 8-554

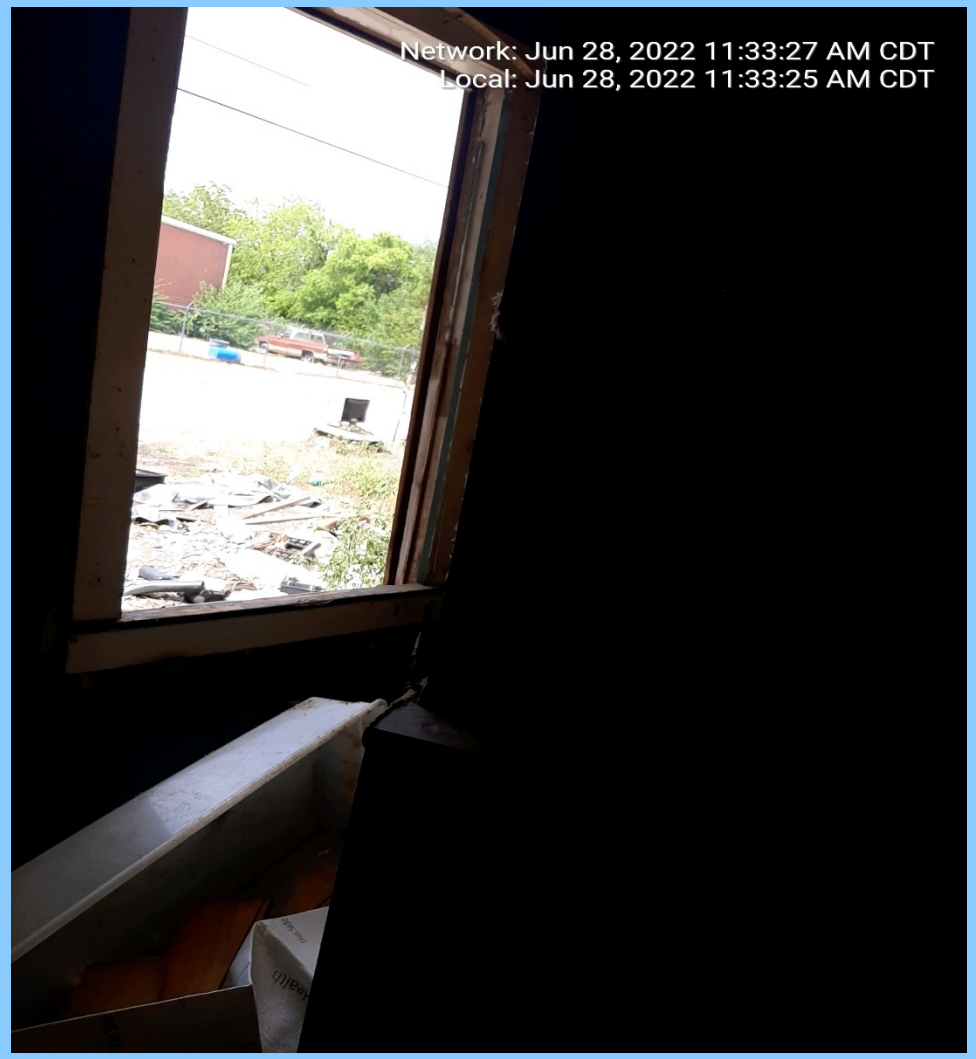
Nuisance Chapter 19-15

Nuisance Chapter 19-15

Hazardous Electrical Wiring Chapter 8, Sec. 8-554

Structural Hazard Chapter 8, Sec. 8-554
Faulty Weather Protection Chapter 8, Sec. 8-554

Faulty Weather Protection Chapter 8, Sec. 8-554



Timeline of Events

- **October 26, 2021** – Case opened for dilapidated structure.
- **October 29, 2021** – Informed by neighbor that homeowner passed away. Expressed concerns of unsanitary conditions, electrical hazards, and vagrants occupying the property. Was also informed by AEP that power was on illegally at the property and was going to be shut off.
- **January 19, 2022** – Citation issued for non compliance in dilapidated structure violation.
- **January 21, 2022** – Received complaint regarding homeless people living in the home without permission, also claiming that electricity was again turned on.
- **April 26, 2022** – Code officer met with occupant at the property. She claimed she inherited the property, and she intended to repair it. Claimed she did not live there, and showed identification with different address. No indications of the property being maintained of intended to be repaired. She was instructed to provide proof of bill of sale or documents confirming ownership. Deadline of May 13, 2022 given to provide paperwork.
- **May 16, 2022** – No paperwork provided by individual claiming to be the owner. Property was approved for condemnation by the Chief Building Official.

Timeline of Events

- **May 18, 2022** – Spoke to son of deceased homeowner, Santo Marciano. He said he lives in NYC, and he was trying to find out whether the house was condemned and what needs to be done. He is unsure if his mother's ex boyfriend is still staying at property. He was asked him to find out and we would hold off on securing house and turning off electricity. He said he may attempt to get property in his name if he is able to. He is contacting the permit tech to see if they will allow him or Gary to hire a GC to pull a general repair permit. The only person on the deed is the deceased homeowner. He understands the electrical is hazardous and needs to be addressed right away. He is looking into hiring someone that can give him an idea of what repair costs will be. Deadline for plan of action given until June 1, 2022.
- **June 1, 2022** – Notice of violation for dilapidated structure sent to son of deceased owner as final attempt to allow him to take action.
- **June 28, 2022** – Property was condemned due to no action or progress made under the dilapidated structure program. Affidavit filed with County Clerk.
- **June 29, 2022** – Property was secured by the City due to continuous complaints of unauthorized occupants at the property.
- **August 29, 2022** – Initial notice of condemnation sent to last known address on file.
- **September 6, 2022** – Initial notice of condemnation sent to heir of owner who is deceased.

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 3534 Grape St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:11/2/2022

TO:

FROM:

SUBJECT: Case for Rehabiliation, Demolition, or Civil Penalties - **Case# 22-001592: 790 CARVER ST. (STEVENSON PARK, BLOCK 3, LOT 2, TAYLOR COUNTY, TEXAS), Owner: PENNS, ERMA TURNERHILL**

GENERAL INFORMATION

Owner: Erma Penns Turnerhill
Sq Ft: 984
Structural: Poor
Foundation: P
Value: $32,150
Total Value: $32,810
Delinquent Tax: $1234.77

SPECIAL CONSIDERATIONS

October 29, 2021 – Case opened for dilapidated structure. Code officer informed that property owner is deceased.
February 8, 2022 – Daughter in law of deceased owner contacted the City, and stated she was heir trying to get property listed in her name.
May 18, 2022 – Daughter in law was told to submit a plan of action with cost estimates of repair so that she may pull a permit to repair.
May 25, 2022 – Notice of violation for dilapidates structure was sent to daughter in law as last attempt to have action taken for dilapidated structure case.
June 22, 2022 – Case moved to condemnation program due to no progress made under dilapidated structure program. Affidavit filed at the County Clerk office.
September 6, 2022 – Initial notice of condemnation sent to last known address of owner, and sent to heir as well

October 11, 2022 – Notice of November Board of Building Standards hearing sent.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

30/60
(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 November 2, 2022.

ATTACHMENTS:

1. 20221102_22-001592_790 Carver St 20221102_22-001592_790 Carver St.pptx

CASE #22-001592

790 Carver St.

CITY OF ABILENE TEXAS

CHECKLIST FOR RECORDS SEARCH

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

- **COUNTY RECORDS** – Probate naming **Erma Turnerhill Penns** as the owner.
- **TAYLOR COUNTY** – Shows **Erma Turnerhill Penns** 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 **July 2018.**
- Search reveals **Erma Turnerhill Penns** to be the owner.

Public Notice

Front East Side

Rear West Side

South Side

Network: May 5, 2022 10:11:52 AM CDT
Local: May 5, 2022 10:11:52 AM CDT

North Side

Network: May 5, 2022 10:09:02 AM CDT
Local: May 5, 2022 10:09:01 AM CDT

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
- (5) Hazardous Plumbing Chapter 8, Sec. 8-554
- (7) Faulty Weather Protection Chapter 8, Sec. 8-554

Nuisance Chapter 19-15 (Dilapidation)

Hazardous Plumbing Chapter 8, Sec. 8-554

Nuisance Chapter 19-15 (Dilapidation)

Structural Hazard Chapter 8, Sec. 8-554

Hazardous Electrical Wiring Chapter 8, Sec. 8-554

Faulty Weather Protection Chapter 8, Sec. 8-554

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 790 Carver St. presentation

CITY OF ABILENE TEXAS