



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 February 5, 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

1. a. Approval of Minutes from Previous Meeting, Held on January 8, 2020

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 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

1. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 19-01842: 501 Peach St. (11-12 159 OT ABILENE),**
Owner: Knapp, Robert B & Mary E % Blanca Cortez
• Public Hearing

2. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 19-004688: 610 Elm St. (OT ABILENE TIF #1, BLOCK 126, LOT 2), Owner: Alcantar, Brenda Leticia**
 - 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 31st day of January, 2020, at 4:15 p.m.

*Kaitlin Richardson, Deputy City
Secretary*

BOARD OF BUILDING STANDARDS

MEETING MINUTES

January 08, 2020 8:15 a.m.

**BOARD OF BUILDING STANDARDS OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL**

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

Staff Present: 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. David Cline, Code Compliance Officer
Mr. Josh Mares, Code Compliance Officer
Mr. Robert Norton, Code Compliance Officer
Mrs. Lori Simon, Permit Tech I
Ms. Catina Betoncur, Office Assistant III

Others Present: Mr. Juan Carlos Huerta
Mrs. Joanna Huerta
Ms. J Kay Prince
Mr. Weston Conder

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, December 04, 2019 were provided in advance to Board Members for review.

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

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

NAYS: None

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 17-00514: 617 S. 7th Street (100 163 MCKENZIE SUB REP OT ABL), Owner, Huerta, Victor

Mr. Mares presented the case, staff recommendation is as follows:

Order owner to repair: 30 days to obtain all permits and provide 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.

Public Hearing:

Mr. Beard opened the public hearing.

Mr. Carlos Huerta and Mrs. Joanna Huerta (residing at 1466 Hope Street), the brother and sister-in-law of the owner spoke about the status of the property.

Mr. Mares translated the couple's responses with the property owner's consent. The couple brought the estimates for the drywall and roofing renovations and also brought a completed Plan of Action. They will finish the window installation and are waiting to make an appointment with the Building Inspectors for an inspection. Mr. Mares explained the staff recommendation and the Huerta's said that they understood the staff recommendation.

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

Mr. Schroeder made a motion to order owner to repair, 30 days to obtain all permits and provide plan of action including a time frame for repair and cost estimates to include cleanup of the property, 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. Turner, seconded the motion, motion carried.

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

NAYS: None

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.

Mr. Mares presented the case, staff recommendation is as follows:

Findings: The property is a public nuisance in that it is a hazard to the public health, safety and welfare and repair of the structure would be unreasonable.

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

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

- (5) Hazardous plumbing Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)

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

Public Hearing:

Mr. Beard opened the public hearing.

Ms. J Kay Prince, owner, (residing at 1519 County Road 350, Anson, TX) discussed the status of the property. She explained that the house is scheduled to be demolished on Monday, January 13 and completed by January 15th. Ms. Prince added that the lot had been cleared.

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. McColum, motion carried.

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

NAYS: 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. McColum, motion carried.

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

NAYS: None

Staff Presentation:

Clay Door presented the statistics of the Community Enhancement Division Manager's Report from October 1, 2018 – September 31, 2019.

Community Enhancement Division Manager's Report

October 2018 – September 2019

76 New condemnation cases

52 Cases completed

22 Brought before the Board of Building Standards

35 Resolved without going to the Board of Building Standards

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

Mr. Door explained the yearly statistic and funding procedures of the Code Enforcement Condemnation Program.

Public Hearing:

Mr. Beard opened the public hearing for the Community Enhancement Condemnation Program.

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

Dr. Paris requested clarification on the 35 cases that were resolved. Mr. Door explained that there was voluntary compliance with no need to bring the properties to the Board hearing.

ADJOURNMENT

There being no further business to come before the meeting, the Board of Building Standards meeting was adjourned at 8:46 a.m.

X

Approved, Chairman

BOARD OF BUILDING STANDARDS

February 5, 2020



PUBLIC NOTICE – February 5, 2020 MEETING

A meeting of the Board of Building Standards will be held at 8:15 a.m., Wednesday, February 5, 2020 in the Council Chambers at City Hall, 555 Walnut Street, Abilene, Texas, to consider the following properties on the agenda: 501 Peach St., Abilene TX 79602 and 610 Elm St., Abilene TX 79602. 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 # 19-01842
501 Peach 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 **Knapp Robert B & Mary E** to be the owner.

TAYLOR CAD – Shows owner to be **Knapp Robert B & Mary E. c/o Blanca Cortez**

SECRETARY OF STATE – No records for this name found.

TAX RECORDS OF THE MUNICIPALITY – Not applicable.

UTILITY RECORDS OF THE MUNICIPALITY – Inactive since **September 21, 2005.**

Search reveals **Knapp Robert B & Mary E** to be the owner of this property.





PUBLIC NOTICE

January 14, 2020 at 3:12:29 PM
Abilene



Two structures on this property

Main Structure



Secondary Structure





Front of main structure





Holes in roof, loose material





Inadequate plumbing and electrical



Interior unfinished, electric, plumbing, and structural issues





Mold and crumbling interior ceiling, electrical issues





North side of structure





No electric meter





Inadequate electrical





Front Eastside Structural Issues





Interior Structural Issues





Ceiling rotted and crumbling



TIMELINE OF EVENTS

- May 10, 2019 Initial notice of condemnation, 30/60, Plan of Action, utility shut-off letter sent
- July 9, 2019 Blanca Cortez came in and asked about this property, but did not express intention with property
- October 7, 2019 Taylor County legal assistant stated this property was behind in taxes from 2016-2017 and was paid so the property was removed from tax sale. It is now behind in tax again and they may file a tax sale again
- October 8, 2019 Sent notice of November 6, 2019 BOBS meeting
- October 17, 2019 No Plan of Action or Permits requested
- October 28, 2019 Blanca Cortez arrived to pull permits. She was informed that she could not pull permits unless she was the legal owner of the property. She stated she would go back to work on getting the warranty deed. She also stated she would attend BOBS meeting.'
- November 5, 2019 No Plan of Action or Permits requested
- November 6, 2019 BOBS meeting, board ordered 30/60. Letters sent to Blanca, she was also present at the BOBS meeting.
- January 14, 2020 No permits pulled, no POA Submitted, and no proof of ownership has been provided. Notice of February BOBS 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.

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:

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



End of 501 Peach St. presentation



ITEM NO. 3 (b)
CASE # 19-004688
610 Elm 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 **BRENDA ALCANTAR** to be the owner.

TAYLOR CAD – Shows owner to be **ALCANTAR BRENDA LETICIA**

SECRETARY OF STATE – No records for this name found.

TAX RECORDS OF THE MUNICIPALITY – Not applicable.

UTILITY RECORDS OF THE MUNICIPALITY – Inactive since **October 8, 2019** .

Search reveals **BRENDA ALCANTAR** to be the owner of this property.



PUBLIC NOTICE



Front of the Structure



Severe Fire Damage



Exterior Electrical and Plumbing Issues



Structural and Electrical Issues



Interior Structural and Electrical Issues



Electrical Issues



Interior Fire Damage



Plumbing Issues



Interior Structural Issues



Fire Hazard/Combustible Items



Current Status



Exterior Electrical Issues



TIMELINE OF EVENTS

- October 7, 2019 Property was condemned, sent initial notice, 30/60 letters, and utility shut off letters
- October 18, 2019 Property owner Brenda Alcantar stated she planned on demolishing the structure
- December 6, 2019 Brenda Alcantar decided to repair the structure. She was given a POA.
- December 9, 2019 New letters sent (30/60, initial notice of condemnation)
- January 14, 2020 No permits pulled, no POA submitted
- January 15, 2020 Sent notice of February BOBS



Staff Recommendation:

Findings:

Property is a public nuisance in that it is a hazard to the public health, safety and welfare and repair of the structure would be unreasonable.

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

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

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



End of 610 Elm St. presentation

