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 September 6, 2023 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. Public hearing and possible approval of August 2, 2023 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# 21-003191: 2333 N. Mockingbird LN. (WOODLAND ADDN 2ND FILING, BLOCK 5, LOT 43, TAYLOR COUNTY, TEXAS), Owner: Ortiz, Mauro Antonio

B. Case for Rehabilitation, Demolition, or Civil Penalties - Case #22-002791: 4474 La Hacienda Dr. (VAQUERO SUB SEC 2, BLOCK A, LOT 10, ACRES 1.281, TAYLOR COUTY, TEXAS), Owner Hirsch, Victor John III & Candice Jo

C. Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-000230: 1835 N. 6th St. (E60 LTS 9 & 10 E60 N 12 LT 8 205 1-B FLETCHER OT ABL, TAYLOR COUNTY, TEXAS), Owner: Martinez, Roxann

D. Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-000435: 2510 N. 3rd St. (PECAN PARK, BLOCK M, LOT W60 OF 1 & 2, TAYLOR COUNTY, TEXAS), Owner: Oladuti, Brenda

E. Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-000627: 1358 Sewell St. (M E BOYKIN SUBD OF B AUSTIN, BLOCK 4, LOT 8 & N10 OF 9, TAYLOR COUNTY, TEXAS), Owner, Goen, E.R.

F. Case for Rehabilitation, Demolition, or Civil Penalties: Case #23-000982: 4366 Caldwell Rd. (PLEASANT HILL ESTATE SEC 4, BLOCK A, LOT 139 REPLAT, TAYLOR COUNTY, TEXAS), Owner: Essex, Mickey

G. Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-002936: 1301 Butternut St. (BUTTERNUT ADDN, BLOCK 6, LOT 1, 2 & N10 OF 3, SAYLES & HUGHES 2-3, TAYLOR COUNTY, TEXAS), Owner: Palazzo Reale Inc

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 legal standards for board action and any of the matters listed below, as authorized by the noted Texas Government Code Sections:

A. 551.071 (Consultation with Attorney)

ADJOURNMENT

Notice

In compliance with the Americans with Disabilities Act, the City of Abilene will provide for reasonable accommodations for persons attending meetings. To better serve you, requests should be received forty-eight (48) hours prior to scheduled meetings. Please contact the City Secretary's Office at 325-676-6208. Telecommunication device for the deaf is 325-676-6360.

CERTIFICATION

I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 30th day of August, 2023, at 2:00 p.m.

_____

Kaitlin Richardson, Deputy City Secretary, TRMC

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:9/6/2023

TO:

FROM:

SUBJECT: **Public hearing and possible approval of August 2, 2023 Board of Building Standards meeting minutes**

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Aug 2, 2023 Minutes (1) Aug 2, 2023 Minutes (1).docx

BOARD OF BUILDING STANDARDS
MEETING MINUTES
August 2, 2023 8:30 a.m.
BOARD OF BUILDING STANDARDS OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL

Members Present: Mr. David Beard, Chairman
Mr. Jay Wyatt
Mr. Delbert Allred
Mr. Sean McNeill
Mr. Lloyd Turner
Mr. Will Dugger

Staff Present: Mr. Michael Rice, Assistant City Manager
Mr. Tim Littlejohn, Director of Planning and Development Services
Mr. Chad Sears, Assistant Building Official
Ms. Kelley Messer, Assistant City Attorney
Mr. Clay Door, Code Compliance Division Manager
Mr. Robert Marsh, Property Maintenance Inspector
Mr. Ricky Wright Jr., Property Maintenance Inspector
Mr. Kendall Cooper, Property Maintenance Inspector
Ms. Christi Jones, Administrative Assistant

Others Present:
Mr. Charles Self (4474 La Hacienda)
Mr. Thomas W. Choate (4474 La Hacienda)
Mr. Michael Murphy (4474 La Hacienda)
Ms. Teressa Smith (2874 Pine St.)
Mr. Albert Pittman (2874 Pine St.)
Ms. Patricia Dunn (4366 Caldwell Rd.)

CALL TO ORDER

Mr. Beard called the meeting to order at 8:30 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, May 3, 2023, were provided in advance to Board Members for review.

Mr. Allred made a motion to approve the July minutes as written.
The motion was seconded by Mr. Dugger, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. Mcneil, Mr. Turner, Mr. Dugger, Mr. Beard
NAYS: None

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition, or Civil Penalties - Case #22-002791: 4474 La Hacienda Dr. (VAQUERO SUB SEC 2, BLOCK A, LOT 10, ACRES 1.281), Owner: Hirsch Victor John III & Candice Jo

The case was tabled at the last hearing.

Mr. Allred made a motion to un-table the case, was seconded by Mr. Turner.
AYES: Mr. Wyatt, Mr. Allred, Mr. McNeil, Mr. Turner, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Mr. Marsh presented the case, staff recommendations are as follows:

No staff recommendation for this case.

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

Order: The case has been tabled for 30 days.

Public Hearing: Mr. Beard opened the public hearing. Mr. Self the attorney for John and Candice Hirsch provided a signed contract showing escrow being paid. The contract is set to close August 31. Mr. Choate the attorney for the home owner association questioned the validity of the contract. He stated the he has reached out to the realtor with multiple questions but has had difficult communication about the contract. Mr. Choate stated the best thing that could happen for all parties is for the property to sell and be completed. If the contract is executed the HOA would give the new owner the 9 month period to complete construction. Mr. Murphy a neighbor to the property stated that the property has not been mowed or kept clean. .He stated the head of the HOA has had the weeds mowed by the street. Mr. Beard closed public hearing.

Mr. Allred made a motion to table the discussion for 30 days, was seconded by Mr. Wyatt, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. Turner, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-000801: 934 Graham St. (Lakeside Addn, Block 21, Lot 2), Owner: Jock Properties LLC

Mr. Marsh presented the case, staff recommendations are as follows:

Order 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.

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

Order: Owner is 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.

Public Hearing: Mr. Beard opened the public hearing. Being that there were no speakers, Mr. Beard closed the public hearing.

Mr. Turner made a motion Owner is 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, was seconded by Mr. Mcneil, motion passed.

AYES: Mr. Wyatt, Mr. Allred, Mr. Turner, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-000982: 4366 Caldwell Rd. (Pleasant Hill Estate Sec 4, Block A, Lot 139 Replat) Owner: Juanita Webber c/o Mickey Essex

Mr. Marsh presented the case, staff recommendations are as follows:

Order 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.

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

Order: The case has been tabled 30 days.

Public Hearing: Mr. Beard opened the public hearing. Patricia Dunn (sister of the owner) explain her brother did not have the mental or monetary means to maintain the property. Ms. Dunn was going to speak to her brother who is in jail to get him to sign his rights over to her eldest daughter. Ms. Dunn requested 30 days to get the legal names on the paper work changed.
Mr. Beard closed the public hearing.

Mr. Allred made a motion to table the discussion for 30 days and was seconded by Mr. Wyatt, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. Turner, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-001034: 2874 Pine St.
(North Park Addn, Block 18, Lot N105 OF S210 OF E210 LT2 & N70' X250 OF 2)
Owner: Pittman Albert Burl Life Est

Mr. Marsh presented the case, staff recommendations are as follows:

Findings -The property is a public nuisance in that it is a hazard to the public health, safety, and welfare. Repair of the structure would be unreasonable.
Order - The owner is ordered to demolish or appeal the order in district court within 30 days or the city may demolish.

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
(6) Hazardous Mechanical Equipment Chapter 8, Sec. 8-554
(7) Faulty Weather Protection Chapter 8, Sec. 8-554

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 in district court within 30 days or the city may demolish; with the provision that we try to save all pecan trees.

Public Hearing: Mr. Beard opened the public hearing. Mr. Pittman and Ms. Smith acknowledged that the structure needs to be torn down due to the damage from the structure fire. Mr. Pittman requested Pecan trees not be torn down.
Mr. Beard closed the public hearing.

Mr. Dugger 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, was seconded by Mr. McNeil, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McNeill, Mr. Turner, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Mr. Dugger 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 to try to preserve pecan trees if possible and was seconded by Mr. Turner, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McNeill, Mr. Turner, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-001034: 2858 Pine St. (North Park Addn, Block 18, Lot N105 OF S210 OF E210 LT2 & N70' X250 OF 2)
Owner: Pittman Albert Burl Life Est

Mr. Marsh presented the case, staff recommendations are as follows:

Order 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.

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
(6) Hazardous Mechanical Equipment Chapter 8, Sec. 8-554
(7) Faulty Weather Protection Chapter 8, Sec. 8-554

Order: Owner is 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.

Public Hearing: Mr. Beard opened the public hearing. Mr. Pittman and Ms. Smith requested to keep the structure to use it for the storage of Mr. Pittman's belongings that cannot be stored at his new residence. Mr. Beard closed the public hearing.

Mr. McNeil made a motion Owner is 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, was seconded by Mr. Allred, motion passed
AYES: Mr. Wyatt, Mr. Allred, Mr. McNeill, Mr. Turner, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-001166: 2817 Simmons (North Park Addn, Block 16, Lot N72 ½ S145 W150 LT 2),
Owner: Hickson Bryan Douglas & Georgia

Mr. Marsh presented the case, staff recommendations are as follows:

Order 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.

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

Order: Owner is 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.

Public Hearing: Mr. Beard opened the public hearing. Being that there were no speakers, Mr. Beard closed the public hearing.

Mr. Allred made a motion Owner is 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, was seconded by Mr. Dugger, motion passed
AYES: Mr. Wyatt, Mr. Allred, Mr. McNeill, Mr. Turner, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-001273: 2325 Palm St.

(Mac Bowyer Rep Of Bowyer Addn Block 8, Lot 7), Owner: Fiedler Donna Maude

Mr. Marsh presented the case, staff recommendations are as follows:

Order 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.

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

Order: Owner is 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.

Public Hearing: Mr. Beard opened the public hearing. Being that there were no speakers, Mr. Beard closed the public hearing.

Mr. Turner made a motion Owner is 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, was seconded by Mr. Allred, motion passed
AYES: Mr. Wyatt, Mr. Allred, Mr. McNeill, Mr. Turner, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-001274: 1042 Clinton St. (Lakeside Addn, Block 7, Lot 1-2), Owner: Serrano Patricia

Mr. Marsh presented the case, staff recommendations are as follows:

Order 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.

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

Order: Owner is 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.

Public Hearing: Mr. Beard opened the public hearing. Being that there were no speakers, Mr. Beard closed the public hearing.

Mr. Dugger made a motion Owner is 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, was seconded by Mr. Allred, motion passed
AYES: Mr. Wyatt, Mr. Allred, Mr. Turner, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

ADJOURNMENT

There being no further business to come before the hearing, the Board of Building Standards meeting was adjourned at 9:53 a.m.

X

Approved, Chairman

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:9/6/2023

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case# 21-003191: 2333 N. Mockingbird LN. (WOODLAND ADDN 2ND FILING, BLOCK 5, LOT 43, TAYLOR COUNTY, TEXAS), Owner: Ortiz, Mauro Antonio**

GENERAL INFORMATION

Owner: Ortiz, Mauro Antonio
Sq Ft: 1182
Structural: OK
Foundation: OK
Value: $24,392
Total Value: $25,784
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

March 2, 2021 – Case opened for dilapidated structure. First and second notice were sent to property owner in March 2021.
December 14, 2021 – Property was condemned. Affidavit filed at the County Clerk office.
May 25, 2022 – Initial notice of condemnation sent to property owner and lien holder.
May 31, 2022 – Phone call with lien holder, expressing concern about the property being condemned and not brought up to code. Phone call also made with property owner, informing him that a plan of action with cost estimates needed to be submitted to obtain permit. Mr. Ortiz did come in to obtain a plan of action, and was explained the process. He was referred to permit techs to inquire about necessary requirements to be listed as the general contractor on the permit.
June 7, 2022 – Phone call with lienholder rep, stated that Mr. Ortiz failed to bring them a plan of action as agreed. Stated that they also have not been able to make contact with him by phone.

December 14, 2022 – Permit issued. Some work completed on exterior. Appears some work was started on the inside.
March 2, 2023 - Plumbing contractor requested to be removed from project. Project placed on hold.
March 13, 2023 - New plumber added to project. Project removed from hold.
August 8, 2023 – Notice of hearing posted on structure.
August 9, 2023 – Notice of hearing sent to property owner and lienholder.
August 28, 2023 - Permit was set to expire on August 29th. Rough-in inspections were scheduled one day before permit expiration. Permit was extended for 6 months.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

60 DAYS TO OBTAIN ROUGH-IN INSPECTIONS
Order: 60 days to obtain rough-in inspections. And if this is done, all final inspections shall be passed by the expiration of all permits.

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on September 6, 2023.

ATTACHMENTS:

1.	20230906_Slides Intro	20230906_Slides Intro.pptx
2.	20230906_21-003191_2333 N Mockingbird Ln	20230906_21-003191_2333 N Mockingbird Ln.pptx

BOARD OF BUILDING STANDARDS

September 6, 2023

CITY OF ABILENE TEXAS

PUBLIC NOTICE – September 6, 2023 MEETING

- A meeting of the Board of Building Standards will be held at 8:30 a.m., Wednesday, September 6, 2023 in the Council Chambers of City Hall, 555 Walnut Street, Abilene, Texas, to consider the following properties on the agenda: 2333 N. Mockingbird Ln. Abilene, TX 79603, 4474 La Hacienda Dr. Abilene, TX 79602, 1835 N. 6th St. Abilene, TX 79603, 2510 N. 3rd St. Abilene, TX 79603, 1358 Sewell St. Abilene, TX 79605, 4366 Caldwell Rd. Abilene, TX 79601, and 1301 Butternut 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.

Case #21-003191

2333 N. Mockingbird Ln.

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** – Shows Warranty Deed With Vendor's Lien naming **Mauro Antonio Ortiz** as owner and Deed of Trust naming First Bank Texas as Lienholder

- **TAYLOR COUNTY** – Shows **Mauro Antonio Ortiz** to be the owner.

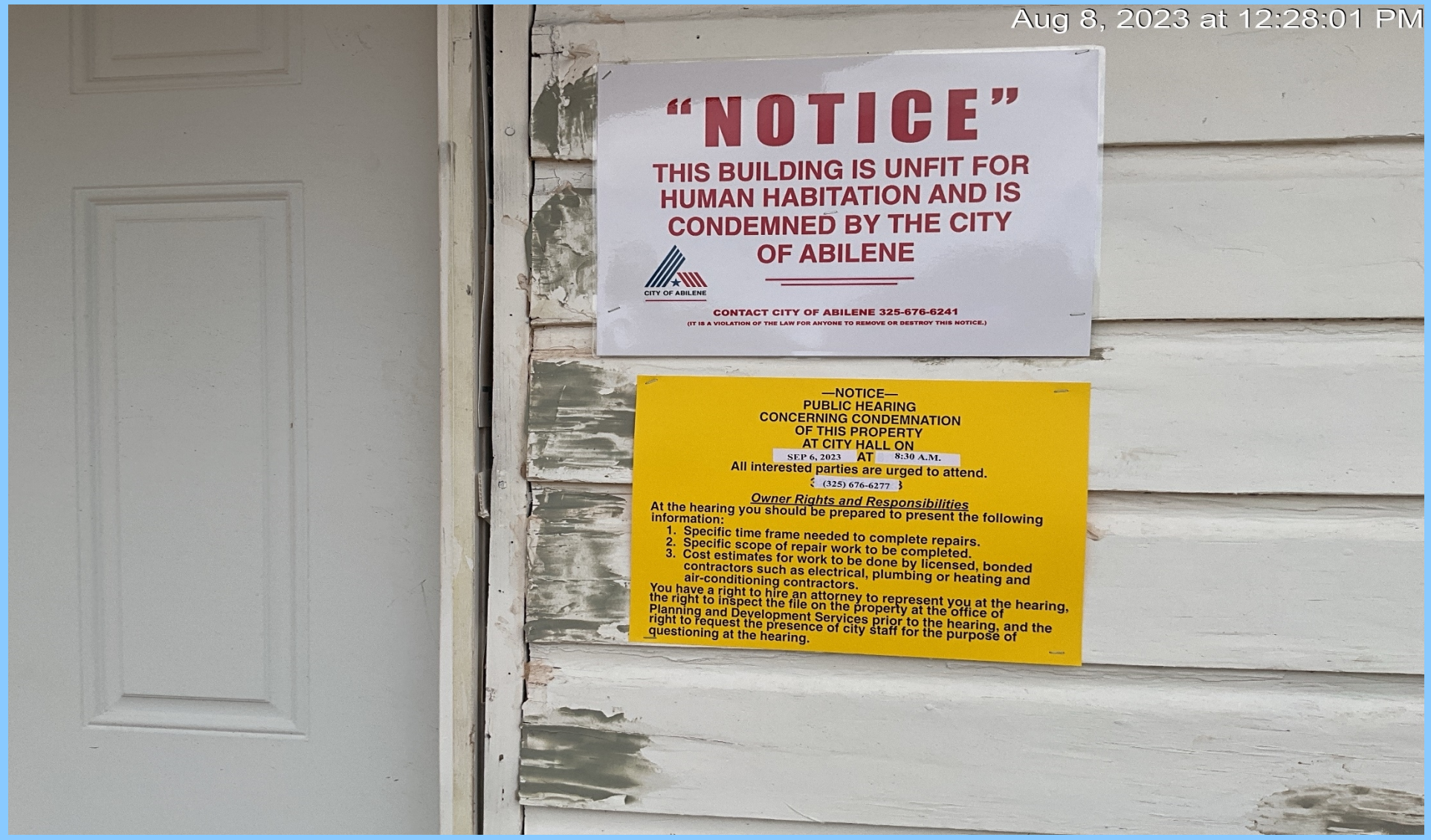
- **SECRETARY OF STATE** – Shows no entity under this name.

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

- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since July 31, 2020

- Search reveals **Mauro Antonio Ortiz** 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:

- Inadequate Sanitation, Chapter 8, Sec 8-554 (1)
- Nuisance, Chapter 8, Sec 8-554 (3), Chapter 19, Sec 19-15
- Hazardous Electrical Wiring, Chapter 8, Sec 8-554 (4)
- Hazardous Plumbing, Chapter 8, Sec 8-554 (5)
- Hazardous Mechanical Equipment, Chapter 8, Sec 8-554 (6)
- Faulty Weather Protection, Chapter 8, Sec 8-554 (7)

Property History



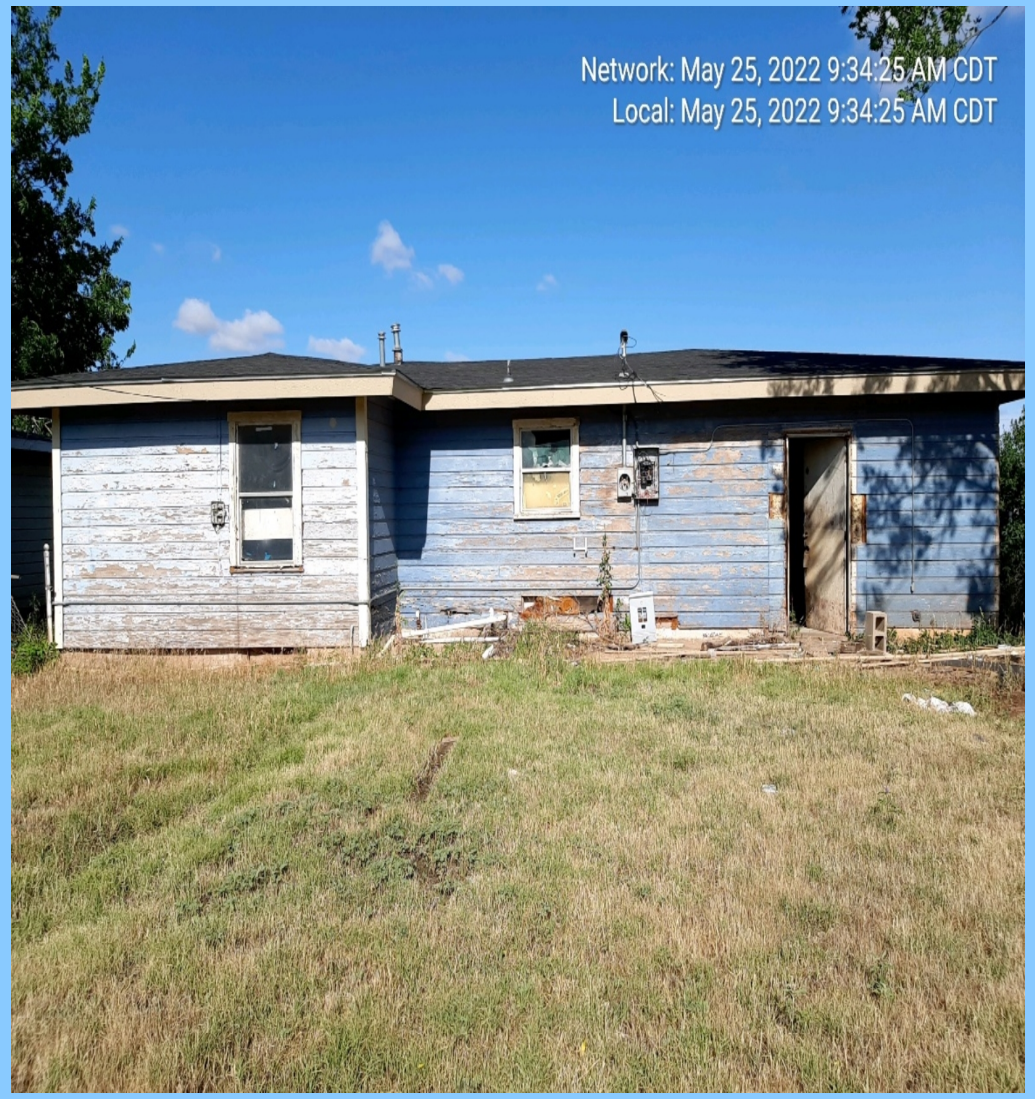


Property History





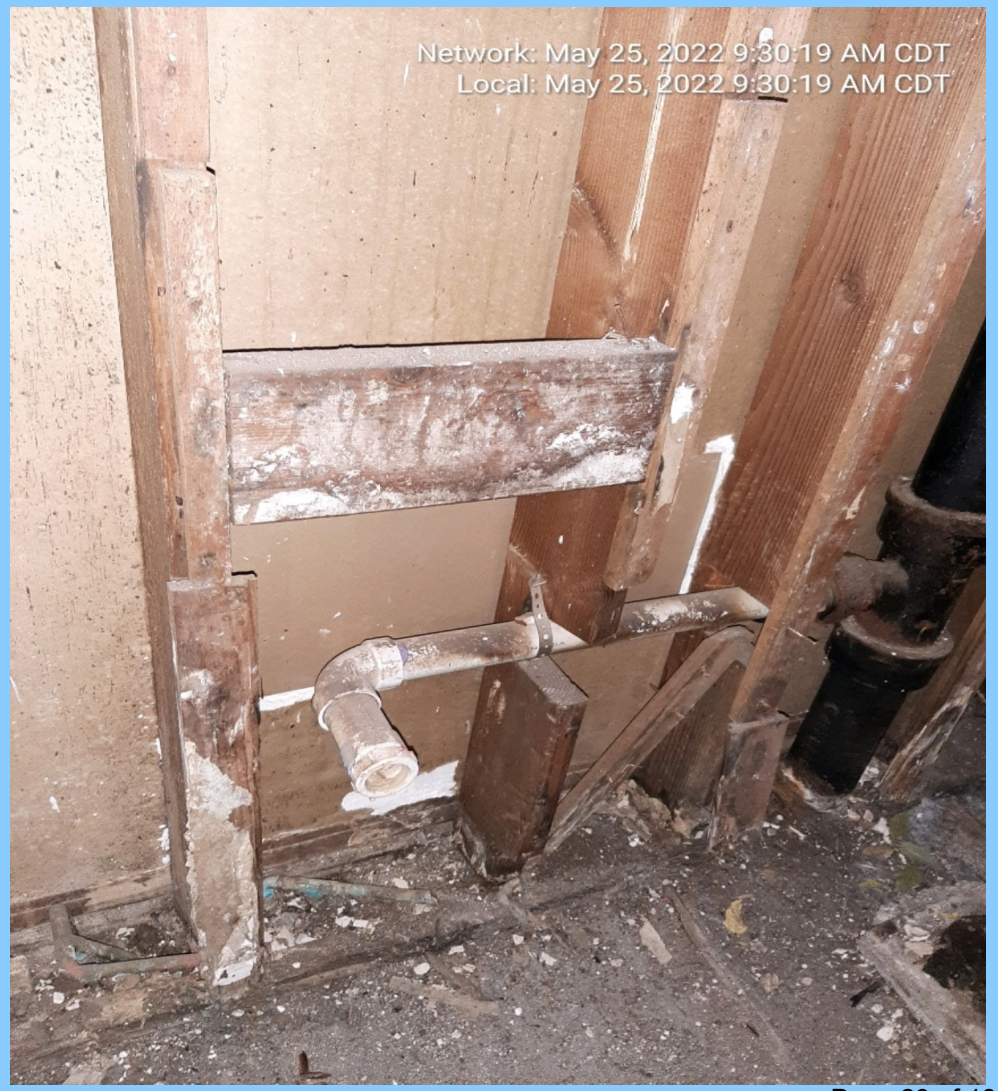
Property History





Inadequate Sanitation





Inadequate Sanitation





Mechanical Issues





Interior Dilapidation/Incomplete Work





Exterior Hazard





Exterior Dilapidation/Hazard





Faulty Weatherization





Timeline of Events

- **March 2, 2021 –** Case opened for dilapidated, unsecured structure. First and second notice were sent to property owner in March 2021.
- **December 14, 2021** – Property was condemned. Affidavit filed at the County Clerk office.
- **May 25, 2022** – Initial notice of condemnation sent to property owner and lien holder.
- **May 31, 2022** – Phone call with lien holder, expressing concern about the property being condemned and not brought up to code. Phone call also made with property owner, informing him that a plan of action with cost estimates needed to be submitted to obtain permit. Mr. Ortiz came in to City Hall to obtain a plan of action, and was explained the process. He was referred to permit techs to inquire about necessary requirements to be listed as the general contractor on the permit.
- **June 7, 2022** – Phone call with lienholder rep, stated that Mr. Ortiz failed to bring them a plan of action as agreed. Stated that they also have not been able to make contact with him by phone.
- **December 14, 2022** – Permit issued. Some work was completed on exterior. Appeared some work was started on the inside.
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- **August 9, 2023** – Notice of hearing sent to property owner and lienholder.
- **August 28, 2023** – Permit was set to expire on Aug 29th. Rough-in inspections were scheduled 1 day prior to permit expiration. Permit was extended 6 months.

Staff Recommendation:

- 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 2333 N. Mockingbird Ln. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:9/6/2023

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case #22-002791: 4474 La Hacienda Dr. (VAQUERO SUB SEC 2, BLOCK A, LOT 10, ACRES 1.281, TAYLOR COUTY, TEXAS), Owner Hirsch, Victor John III & Candice Jo**

GENERAL INFORMATION

Owner: Hirsch, Victor John III & Candice Jo
Sq Ft: 8,417.9
Structural: Incomplete
Foundation: OK
Value: $663,016
Total Value: $753,016
Delinquent Tax: $29,218.34

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 grounding under slab rough-in passed
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.
October 11, 2022 – Notice of Board of Building Standards hearing sent to property owners.
November 2, 2022 – Board voted to uphold Building Official's decision to condemn structure
March 6, 2023 – Inspected property. Structure is still accessible and incomplete.
March 9, 2023 – Sent notice of April hearing to property owner.

March 10, 2023 – Sent notice of April hearing to property owner.
April 5, 2023 – At April BOBS hearing attorney for Mr. Hirsch agreed a 30/60 order would be acceptable. Board issued a 30/60 order.
May 5, 2023 – Received letter and redacted estimate from Mr. Hirsch's attorney with 18-month timeline for repairs from contractor of a potential buyer. Estimate only states 18 months to complete work with substantial progress each month. No other information was provided.
May 9, 2023 – Sent notice of June hearing to property owner.
May 11, 2023 – Notice of June hearing was posted on Structure. Found structure to now be completely secured.
May 25, 2023 – No contact from potential buyer. No complete plan of action received. No permit has been applied for.
June 7, 2023 – Board ordered case tabled until next hearing.
June 9, 2023 – Board decision letter and board vote count sent to property owner. Notice of July hearing posted on structure.
June 14, 2023 – Notice of July hearing sent to property owner.
July 5, 2023 – Case ordered tabled until next hearing.
July 6, 2023 – Received redacted sale contract from Mr. Hirsch's attorney.
July 10, 2023 – Posted notice of August Board hearing on structure.
July 12, 2023 – Sent notice of July Board hearing to property owner.
August 2, 2023 – **Board ordered case tabled until next hearing.**
August 8, 2023 – Posted notice of hearing on structure.
August 9, 2023 – Sent notice of hearing to property owner.
August 17, 2023 – Phone call with buyer; let me know their intentions are to repair property and then sell it. Requested that they have representation at September 6th Board hearing.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on September 6, 2023.

ATTACHMENTS:

1.	20230802_22-002791_4474 La Hacienda Dr	20230802_22-002791_4474 La Hacienda Dr.pptx

CASE #22-002791

4474 La Hacienda Dr.

(Tabled at previous hearing)

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

Current State of the Structure



Current State of the Structure



Current State of the Structure



Current State of the Structure



Exposed Electrical Wiring





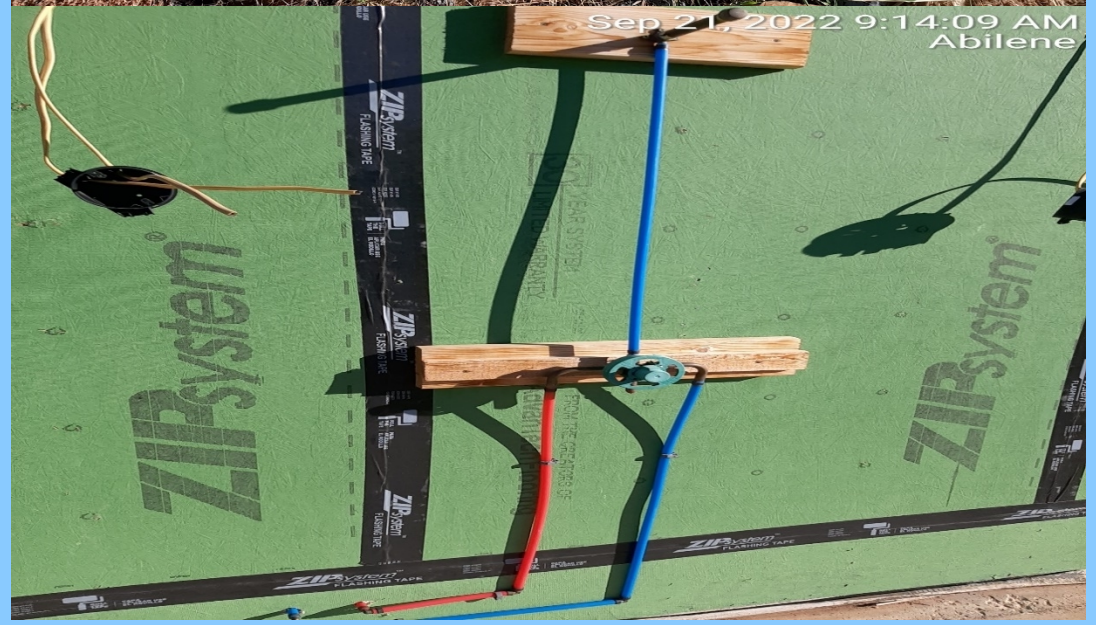


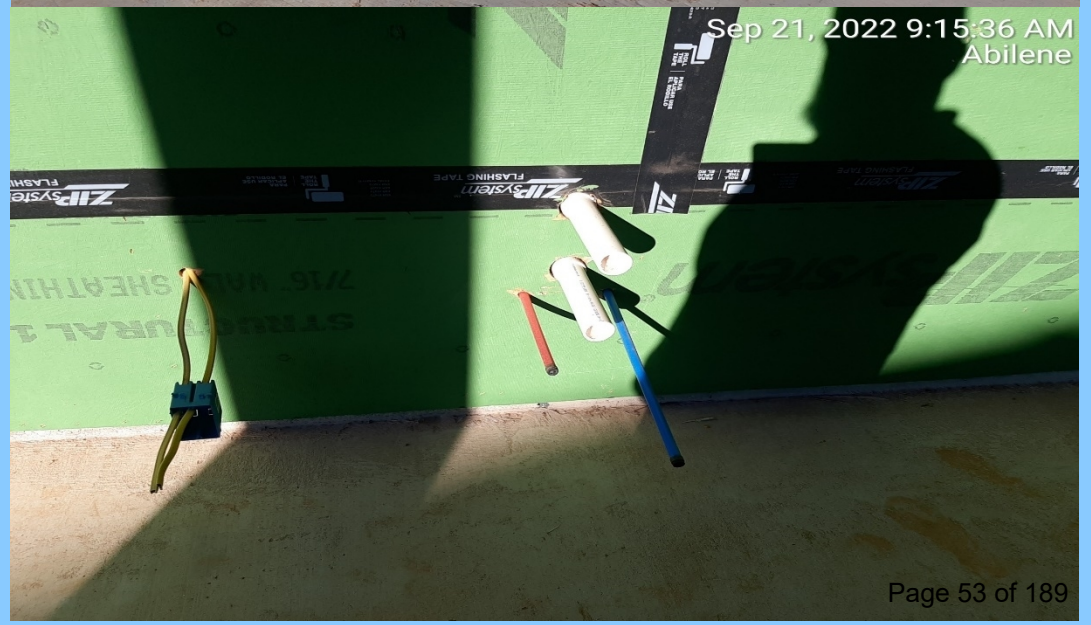


Unfinished Plumbing









Inadequate Sanitation

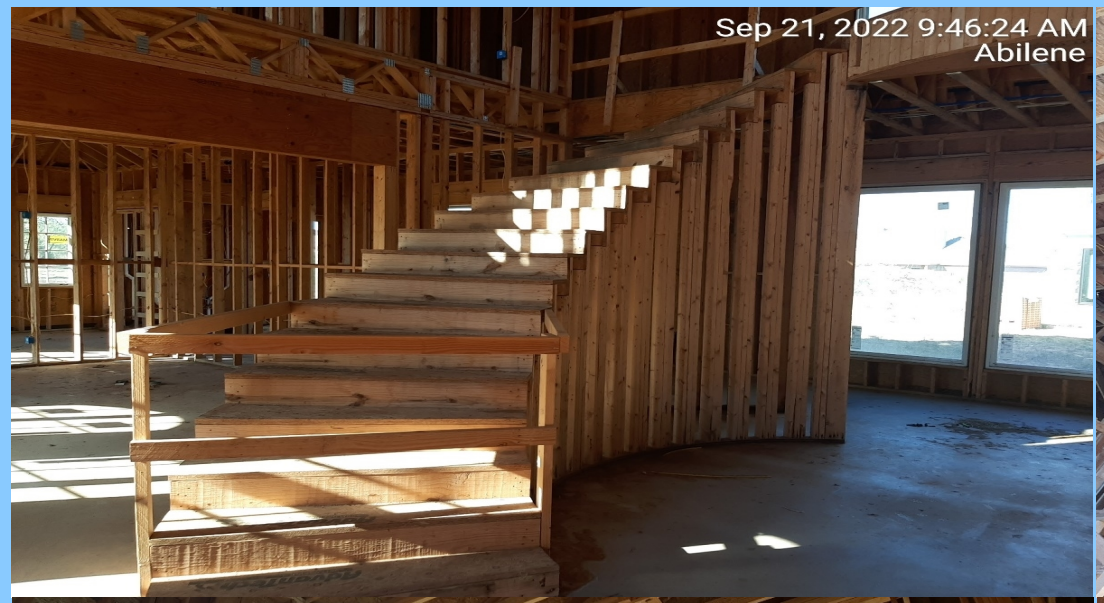








Unfinished Structural









Unfinished Structural









Exposed Electrical









Unfinished Plumbing









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 grounding under slab rough-in passed
- **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.
- **October 11, 2022** – Notice of Board of Building Standards hearing sent to property owners.
- **November 2, 2022** – Board voted to uphold Building Official's decision to condemn structure
- **March 6, 2023** – Inspected property. Structure is still accessible and incomplete.
- **March 9, 2023** – Sent notice of April hearing to property owner.

Timeline of Events

- **March 10, 2023** – Sent notice of April hearing to property owner.
- **April 5, 2023** – At April BOBS hearing attorney for Mr. Hirsch agreed a 30/60 order would be acceptable. Board issued a 30/60 order.
- **May 5, 2023** – Received letter and redacted estimate from Mr. Hirsch's attorney with 18-month timeline for repairs from contractor of a potential buyer. Estimate only states 18 months to complete work with substantial progress each month. No other information was provided.
- **May 9, 2023** – Sent notice of June hearing to property owner.
- **May 11, 2023** – Notice of June hearing was posted on Structure. Found structure to now be completely secured.
- **May 25, 2023** – No contact from potential buyer. No complete plan of action received. No permit has been applied for.

Timeline of Events

- **June 7, 2023** – Board ordered case tabled until next hearing.
- **June 9, 2023** – Board decision letter and board vote count sent to property owner. Notice of July hearing posted on structure.
- **June 14, 2023** – Notice of July hearing sent to property owner.
- **July 5, 2023** – **Board ordered case tabled until next hearing**
- **July 6, 2023** – Received unsigned, redacted copy of sale contract that indicates closing date of Aug 31, 2023.
- **July 10, 2023** – Posted notice of August Board hearing on structure.
- **July 12, 2023** – Sent notice of August Board hearing to property owner.
- **August 8, 2023** – Posted notice of September hearing on structure
- **August 9, 2023** – Notice of hearing sent to property owner.
- **August 17, 2023** – Phone call with buyer – requested they have representation at September hearing

- **Public Hearing**

End of
4474 La Hacienda Dr. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:9/6/2023

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-000230: 1835 N. 6th St. (E60 LTS 9 & 10 E60 N 12 LT 8 205 1-B FLETCHER OT ABL, TAYLOR COUNTY, TEXAS), Owner: Martinez, Roxann**

GENERAL INFORMATION

Owner: Martinez, Roxann
Sq Ft: 1,750
Structural: Poor
Foundation: Poor
Value: $83,033
Total Value: $85,343
Delinquent Tax: $1,898.05

SPECIAL CONSIDERATIONS

January 26, 2022 – Case opened for dilapidated structure. Property was accumulating trash and junk vehicles.
August 16, 2022 – Spoke to property owner, she explained she wants to get house repaired so she can move into it. I sent her a list of resources that might be able to help her.
February 16, 2023 – Inspected property. Was able to see inside of front door. Observed extensive damage to roof and floor. Met with owner. Explained we needed to condemn the house because it is dangerous and no attempts at repairs have been made. She said she was going to try to sell the property.
February 17, 2023 – Affidavit of condemnation was recorded at the county clerk office
March 3, 2023 – Officer spoke with owner about 30-60 process.
April 27, 2023 – Received phone call from Law Firm on behalf of owner. She requested a consent to demo form be emailed to her. This is last contact concerning this property.

June 8, 2023 – Posted notice of July hearing on structure.
June 14, 2023 – Sent notice of July hearing to property owner.
June 30, 2023 – Sent notice of July hearing to attorney's office assisting Mr. Martinez.
July 5, 2023 – Board ordered 30-60 to provide plenty of time for owner to remove items.
July 6, 2023 - Board decision letter sent to property owner.
July 11, 2023 – Board decision sent to property owner.
August 8, 2023 – Notice of hearing posted on structure.
August 9, 2023 – Notice of hearing sent to property owner.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

DEMOLITION

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 the district court within 30 days or the city may demolish.

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on September 6, 2023.

ATTACHMENTS:

1. 20230705_23-000230_1835 N. 6th St 20230705_23-000230_1835 N. 6th St.pptx

Case #23-000230

1835 N. 6th St.

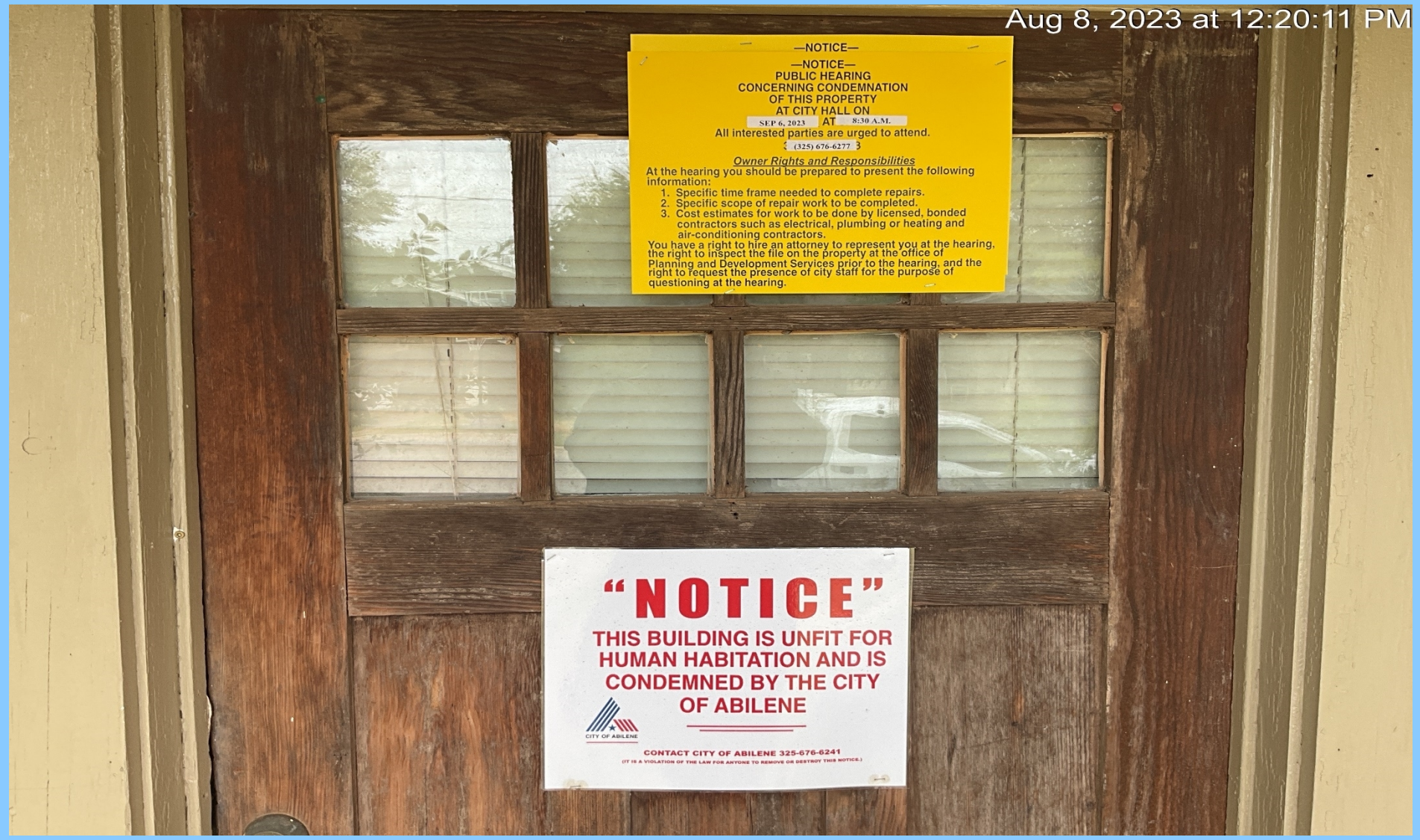
CITY OF ABILENE TEXAS

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 Roxann Martinez as owner
- **TAYLOR COUNTY** – Shows Roxann Martinez 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 25, 2019.
- Search reveals **Roxann Martinez** to be the owner.

Public Notice



Front North Side



Rear South Side



Rear South Side



Rear South Side



East Side



East Side



West Side



West Side



West Side



Substandard Code Violations

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

- Inadequate Sanitation, Chapter 8, Sec 8-554 (1)
- Structural Hazards, Chapter 8, Sec 8-554 (2)
- Nuisance, Chapter 8, Sec 8-554 (3), Chapter 19, Sec 19-15 (4)
- Hazardous Electrical Wiring, Chapter 8, Sec 8-554 (4)
- Hazardous Plumbing, Chapter 8, Sec 8-554 (5)
- Hazardous Mechanical Equipment, Chapter 8, Sec 8-554 (6)
- Faulty Weather Protection, Chapter 8, Sec 8-554 (7)

Inadequate Sanitation





Inadequate Sanitation/Plumbing





Structural Hazards





Structural Hazards





Structural Hazards





Hazardous Electrical





Hazardous Mechanical





Faulty Weather Protection





Faulty Weather Protection





Timeline of Events

- **January 26, 2022 –** Case opened for dilapidated structure. Property was accumulating trash and junk vehicles.
- **August 16, 2022** – Spoke to property owner, she explained she wants to get house repaired so she can move into it. I sent her a list of resources that might be able to help her.
- **February 16, 2023** – Inspected property. Was able to see inside of front door. Observed extensive damage to roof and floor. Met with owner. Explained we needed to condemn the house because it is dangerous and no attempts at repairs have been made. She said she was going to try to sell the property.
- **February 17, 2023** – Affidavit of condemnation was recorded at the county clerk office
- **March 3, 2023** – Officer spoke with owner about 30-60 process.
- **April 27, 2023** – Received phone call from Law Firm on behalf of owner. She requested a consent to demo form be emailed to her. This is last contact concerning this property.
- **June 8, 2023** – Posted notice of hearing on structure.
- **June 14, 2023 -** Sent notice of hearing to property owner.

Timeline of Events

- **July 5, 2023 –** Board ordered 30-60 to allow time for property owner to remove items from house.
- **July 6, 2023 –** Board decision sent to property owner.
- **August 8, 2023 –** Posted notice of hearing on structure
- **August 9, 2023** – Notice of hearing sent to property owner.

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 1835 N. 6th St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:9/6/2023

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-000435: 2510 N. 3rd St. (PECAN PARK, BLOCK M, LOT W60 OF 1 & 2, TAYLOR COUNTY, TEXAS), Owner: Oladuti, Brenda**

GENERAL INFORMATION

Owner: Oladuti, Brenda
Sq Ft: 936
Structural: Poor
Foundation: Poor
Value: $29,973
Total Value: $32,073
Delinquent Tax: $628.52

SPECIAL CONSIDERATIONS

August 30, 2022 – Case opened for dilapidated structure.
October 4, 2022 – Property sold. Sent notice of violation for dilapidated structure to new owner.
November 9, 2022 – Sent certified notice of violation for dilapidated structure to property owner.
March 8, 2023 – No repairs made. Opened condemnation case.
March 9, 2023 – Affidavit of condemnation recorded at county clerk.
March 13, 2023 – Initial notice of condemnation and 30/60 notices sent to property owner.
May 5, 2023 – No contact from owner, no plan of action received, no permit applied for.
May 9, 2023 – Sent notice of June hearing to property owner.
May 11, 2023 – Posted notice of June hearing on structure. Spoke to property owner. She said she had intentions to demolish to expand her property. Explained consent to demo process and left my contact info.

June 7, 2023 – **Board ordered 30-60 (30 days to provide a plan for repair or demolition)**
June 9, 2023 – BOBS decision sent to property owner.
August 8, 2023 – Posted notice of hearing on structure.
August 9, 2023 – Sent notice of hearing to property owner.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

DEMOLITION
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 the district court within 30 days or the city may demolish.

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on September 6, 2023.

ATTACHMENTS:

1. 20230607_23-000435_2510 N. 3rd St 20230607_23-000435_2510 N. 3rd St.pptx

Case #23-000435

2510 N. 3rd 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** – Quit Claim Deed naming **Brenda Oladuti** as the owner.

- **TAYLOR COUNTY** – Shows **Brenda Oladuti** 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 Aug 3, 2018

- Search reveals **Brenda Oladuti** 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:

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

Inadequate Sanitation





Inadequate Sanitation



Structural Hazards





Structural Hazards





Hazardous Plumbing





Faulty Weather Protection



Exterior Dilapidation





Exterior Dilapidation





Interior Dilapidation





Interior Dilapidation





Rear Structure





Timeline of Events

- **August 30, 2022** – Case opened for dilapidated structure.
- **October 4, 2022** – Property sold. Sent notice of violation for dilapidated structure to new owner.
- **November 9, 2022** – Sent certified notice of violation for dilapidated structure to property owner.
- **March 8, 2023** – No repairs made. Opened condemnation case.
- **March 9, 2023** – Affidavit of condemnation recorded at county clerk.
- **March 13, 2023** – Initial notice of condemnation and 30/60 notices sent to property owner.
- **May 5, 2023** – No contact from owner, no plan of action received, no permit applied for.
- **May 9, 2023** – Sent notice of June hearing to property owner.
- **May 11, 2023** – Posted notice of June hearing on structure. Spoke to property owner. She said she had intentions to demolish to expand her property. Explained consent to demo process and left my contact info.

Timeline of Events

- **June 7, 2023 –** Board ordered 30-60
- **June 9, 2023 –** Board decision sent to property owner.
- **August 8, 2023** – Notice of hearing posted on structure
- **August 9, 2023** – Notice of hearing sent to property owner.

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 2510 N. 3rd St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:9/6/2023

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-000627: 1358 Sewell St. (M E BOYKIN SUBD OF B AUSTIN, BLOCK 4, LOT 8 & N10 OF 9, TAYLOR COUNTY, TEXAS), Owner, Goen, E.R.**

GENERAL INFORMATION

Owner: Goen, E. R.
Sq Ft: 1104
Structural: OK
Foundation: OK
Value: $10,312
Total Value: $14,932
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

December 6, 2022 – Case opened for dilapidated structure. Sent notice of dilapidated structure to granddaughter listed as care of. Property owner is deceased. Only other relative listed in TLO is also deceased. No deed in county records. Located names of grandchildren, including the person we have been talking to that live in Henderson, TX.
December 2022 – Phone call from heir: Informed me that there are multiple heirs to this property. There is no deed in the county records and no other documentation of any persons responsible for this property. Person listed as care of realizes this property should be demolished and would sign a consent to demo if it were in their name. She said she was going to attempt to put the property in her name.
March 24, 2023 – Due to inaction by property heirs the property was condemned. Affidavit of condemnation was recorded at the county clerk.
March 27, 2023 – Notice of condemnation and 30-60 notices were sent.

June 5, 2023 – Attempted to get access from granddaughter and two other relatives. Granddaughter doesn't have key, and other relatives unresponsive.
June 8, 2023 – Arrived at property expecting to meet with an heir to give us access. No one showed up at scheduled time. Posted notice of hearing on structure and found front door to be open. Spoke to next door neighbor. He told us the property has had numerous break ins.
July 5, 2023 – Board ordered 30-60.
June 14, 2023 – Notice of hearing sent to property owner's daughter.
August 8, 2023 – Posted notice of hearing on structure.
August 9, 2023 – Sent notice of hearing to property owner's heir listed as care-of in Taylor County Appraisal District.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

DEMOLITION

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 the district court within 30 days or the city may demolish.

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on September 6, 2023.

ATTACHMENTS:

1. 20230705_23-000627_1358 Sewell St 20230705_23-000627_1358 Sewell St.pptx

Case #23-000627

1358 Sewell St.

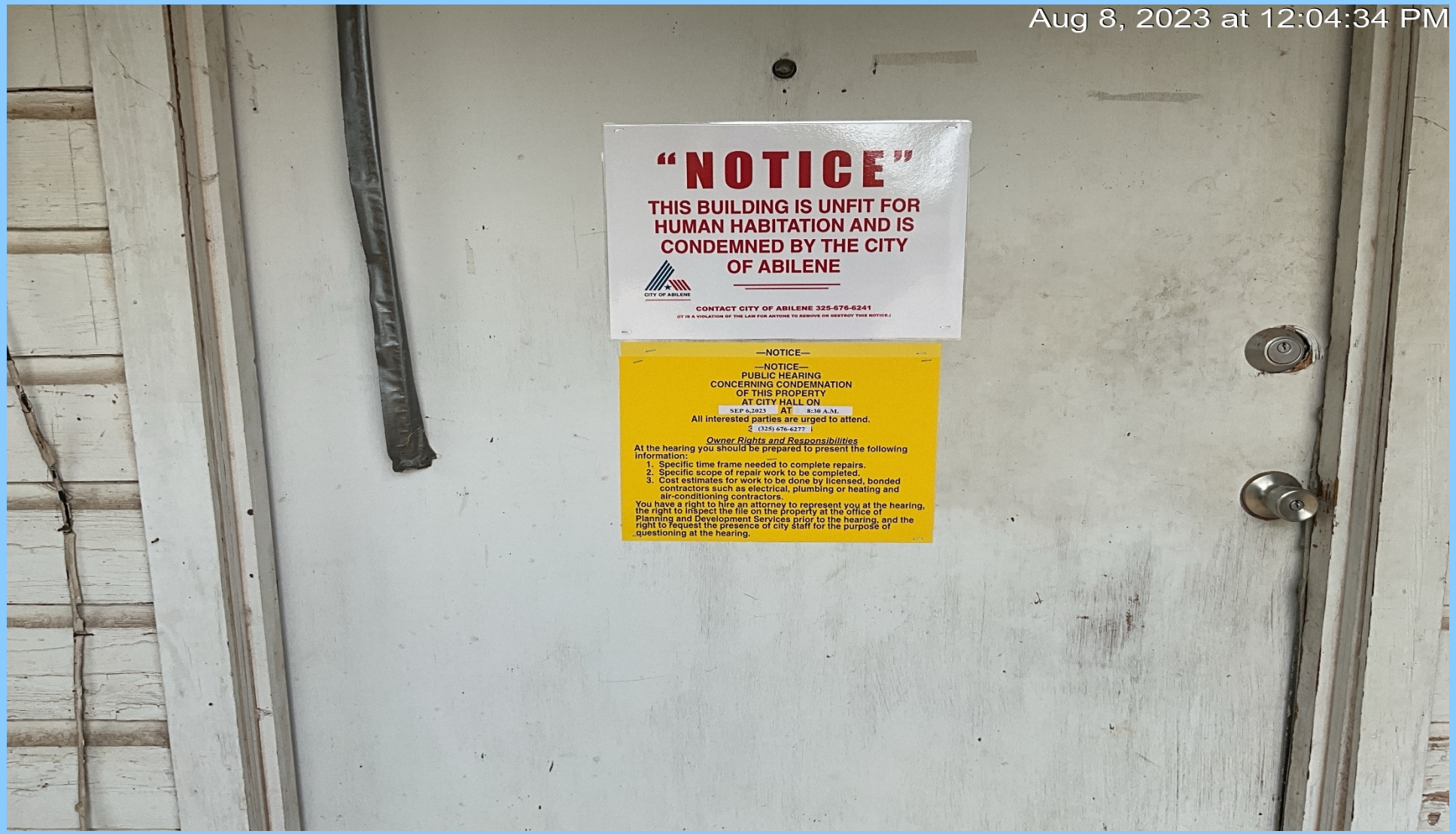
CITY OF ABILENE TEXAS

CHECKLIST FOR RECORDS SEARCH

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

- **COUNTY RECORDS** – No deed history located in county records
- **TAYLOR COUNTY** – Shows E. R. Goen 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 February 6, 2013
- Search reveals **E. R. Goen** 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:

- Inadequate Sanitation, Chapter 8, Sec 8-554 (1)
- Nuisance, Chapter 8, Sec 8-554 (3), Chapter 19, Sec 19-15 (4)
- Hazardous Electrical Wiring, Chapter 8, Sec 8-554 (4)
- Hazardous Plumbing, Chapter 8, Sec 8-554 (5)
- Hazardous Mechanical Equipment, Chapter 8, Sec 8-554 (6)
- Faulty Weather Protection, Chapter 8, Sec 8-554 (7)

Interior Conditions





Interior Conditions



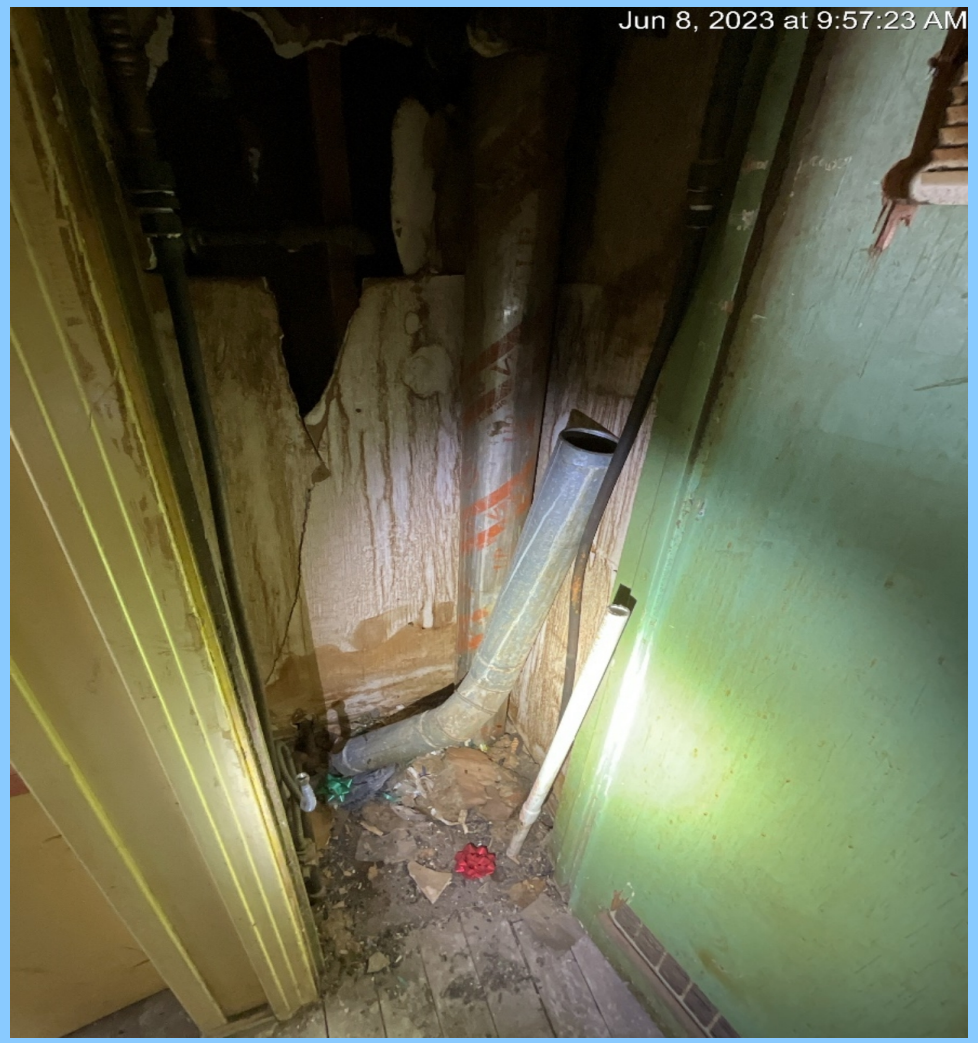


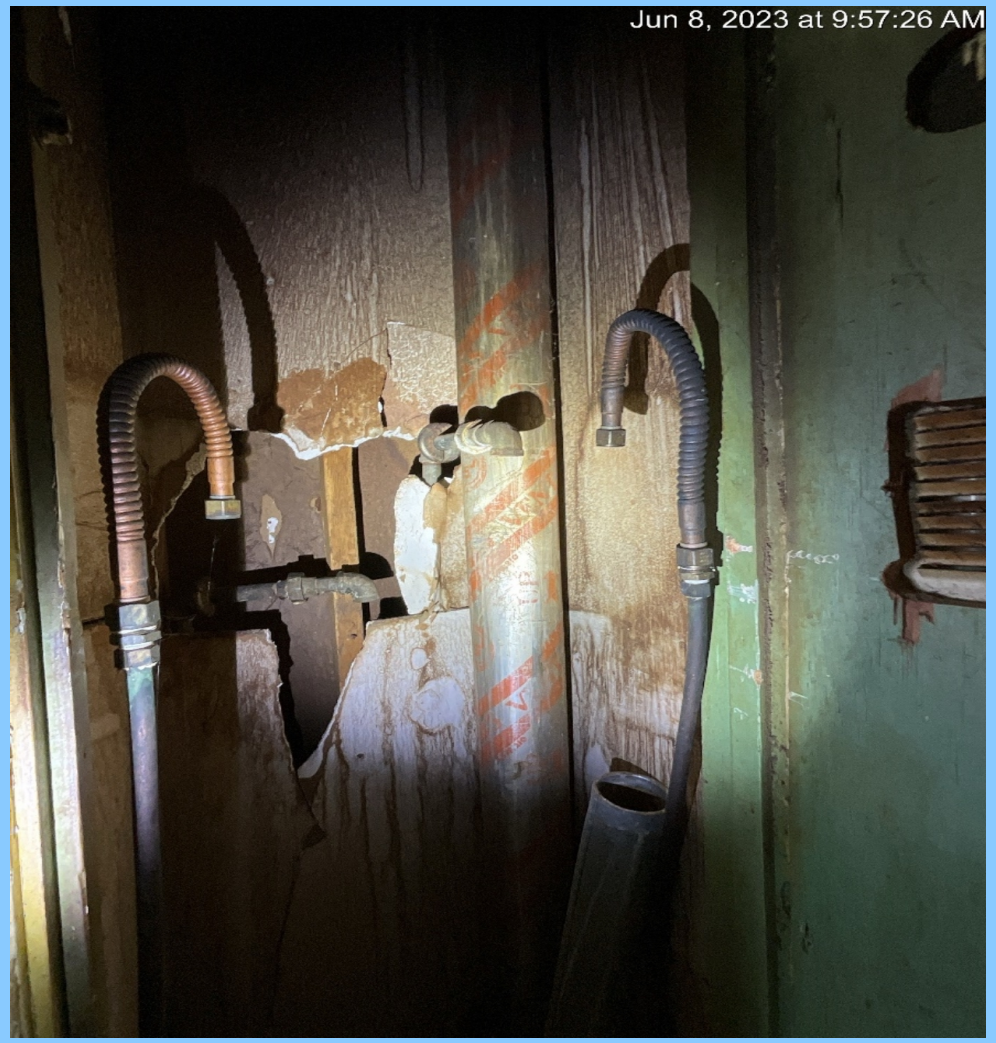
Hazardous Electrical





Hazardous Mechanical/Plumbing





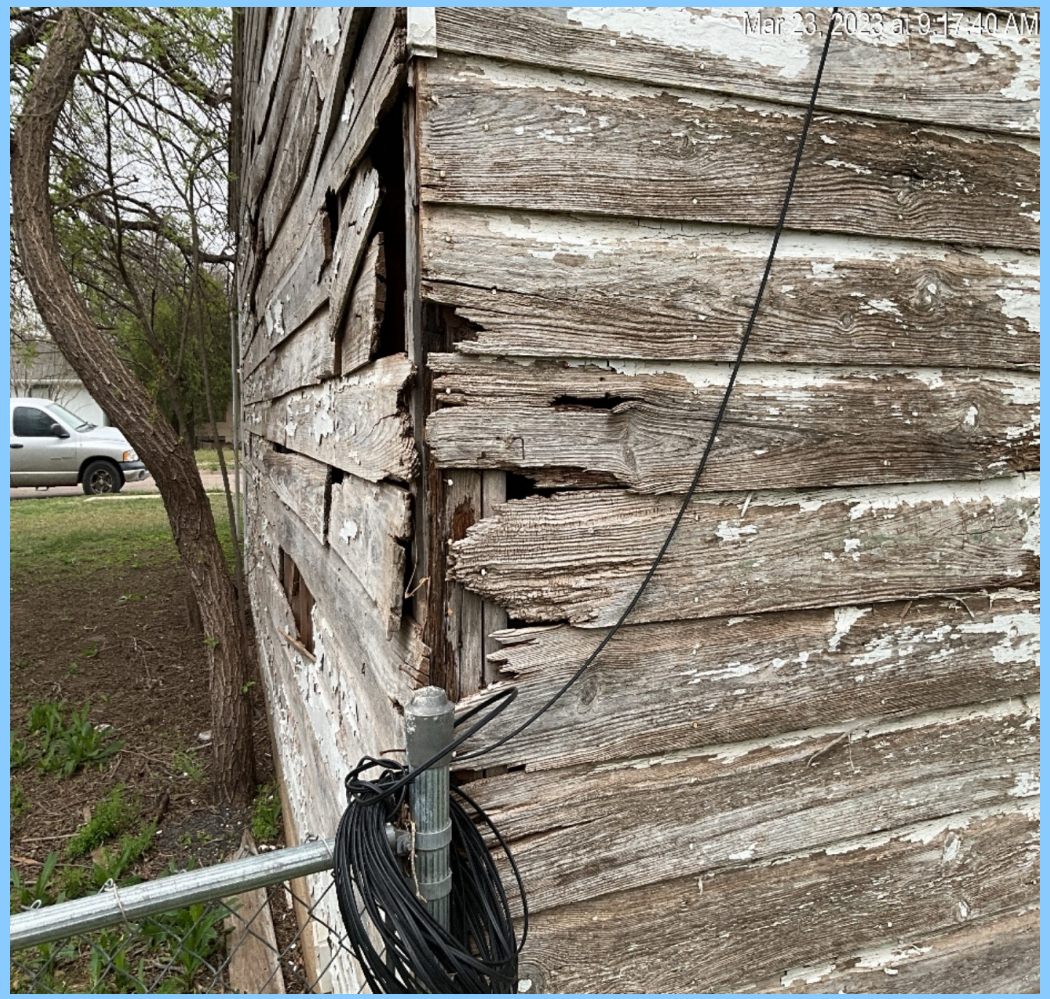
Interior Dilapidation





Faulty Weather Protection





Faulty Weather Protection





Timeline of Events

- **December 6, 2022 –** Case opened for dilapidated structure. Sent notice of dilapidated structure to granddaughter listed as care of. Property owner is deceased. No deed in county records. Located names of grandchildren, including the person we have been talking to that lives in Henderson, TX.
- **December 2022** – Granddaughter informed me that there are multiple heirs to this property. There is no deed in the county records and no other documentation of any persons responsible for this property. Person listed as care of realizes this property should be demolished and would sign a consent to demo if it were in their name. She said she was going to attempt to put the property in her name.
- **March 24, 2023** – Due to inaction by property heirs the property was condemned. Affidavit of condemnation was recorded at the county clerk.
- **March 27, 2023** – Notice of condemnation and 30-60 notices were sent.
- **June 5, 2023** – Attempted to get access inside structure from granddaughter and two other relatives. Granddaughter doesn't have key, and other relatives unresponsive.
- **June 8, 2023** – Arrived at property expecting to meet with an heir to give us access. No one showed up at scheduled time. Posted notice of hearing on structure and found front door to be open. Spoke to next door neighbor. He told us the property has had numerous break ins. Notice of hearing posted on structure.
- **June 14, 2023** – Sent notice of July hearing to property owner's grand daughter.

Timeline of Events

- **July 6, 2023 –** Board ordered 30-60.
- **July 11, 2023** – Decision of Board sent to property heir
- **August 8, 2023** – Posted notice of hearing on structure
- **August 9, 2023** – Notice of hearing sent to property owner's heir that is listed as "care of" in Taylor County Appraisal District

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 1358 Sewell St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:9/6/2023

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties: Case #23-000982: 4366 Caldwell Rd. (PLEASANT HILL ESTATE SEC 4, BLOCK A, LOT 139 REPLAT, TAYLOR COUNTY, TEXAS), Owner: Essex, Mickey**

GENERAL INFORMATION

Owner: Essex, Mickey
Sq Ft: 644
Structural: Poor
Foundation: Poor
Value: $3,571
Total Value: $6,107
Delinquent Tax: $644.27

SPECIAL CONSIDERATIONS

April 10, 2023 – Sister of owner, contacted our office because a neighbor of the property saw that the structure had electricity turned on. She stated no one should be at the structure and she is worried about the possibility of a fire due to the poor condition of the electrical at the structure.
April 13, 2023 – Code Officers met with sister at the property and found the structure to be in substandard condition.
April 13, 2023 – Discovered property owner is incarcerated.
April 13, 2023 – Affidavit of condemnation filed, condemnation notice sent, and placard posted on the property.
April 14, 2023 – Niece of owner with power of attorney, contacted the city because her electric company notified her the utility was being shut off due to condemnation. Code Officer explained to her the condemnation and plan of action process.
April 19, 2023 – The condemnation notice and plan of action were mailed to property owners

niece.
May 2, 2023 – A neighbor contacted the city and stated someone was staying at the property. Code Officers inspected the property and found the front door unlocked and open. There was a foul odor coming from the structure. Overall, the property was in the same condition as the initial inspection.
May 8, 2023 – Property owner's niece emailed an incomplete plan of action. Code Officer explained the plan of action process to her and provided examples.
July 10, 2023 – Posted notice of Board hearing at the structure.
July 12, 2023 – Sent notice of Board hearing to property owner.
July 21, 2023 – Received letter from owner stating he is incarcerated awaiting trial on August 21, 2023, asked for more time until he is no longer incarcerated. This letter is included in Board member folders.
August 2, 2023 – BOBS hearing: Sister of owner requested time to get property put in her name so a consent to demo could be completed. **Board ordered case tabled to allow time for Ms. Dunn to get property put in her name.**
August 8, 2023 – Posted notice of hearing on structure.
August 9, 2023 – Sent notice of hearing to property owner, property owner's power of attorney, and sister.
August 17, 2023 - Received letter from incarcerated property owner. This letter has been included in each board member's folder. Also received a notarized letter from the property owner stating that he has revoked powers of attorney to anyone that he has granted one to.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

30/60
Order Owner to Repair: 30 days to provide a plan of action including a timeframe for repair and cost estimates and obtain all permits. And if this is done, 60 days to obtain rough-in inspections. And if this is done, all final inspections shall be passed by the expiration of all permits.

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on September 6, 2023.

ATTACHMENTS:

1. 20230802_23-000982_4366 Caldwell Rd 20230802_23-000982_4366 Caldwell Rd.pptx

Case #23-000982

4366 Caldwell Rd.

(Tabled at previous hearing)

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** – Show a Quit Claim Deed naming **Mickey Essex** as owner

- **TAYLOR COUNTY** – Shows previous owner, **Juanita Webber c/o Mickey Essex** 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 June 2022

- Search reveals **Mickey Essex** to be the owner.

Public Notice



Front East Side



Rear West 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:

- Inadequate Sanitation, Chapter 8, Sec 8-554 (1)
- Structural Hazard, Chapter 8, Sec 8-554 (2)
- Nuisance, Chapter 8, Sec 8-554 (3), Chapter 19, Sec 19-15
- Hazardous Electrical Wiring, Chapter 8, Sec 8-554 (4)
- Hazardous Mechanical Equipment, Chapter 8, Sec 8-554 (6)

Exterior Dilapidation





Inadequate Sanitation



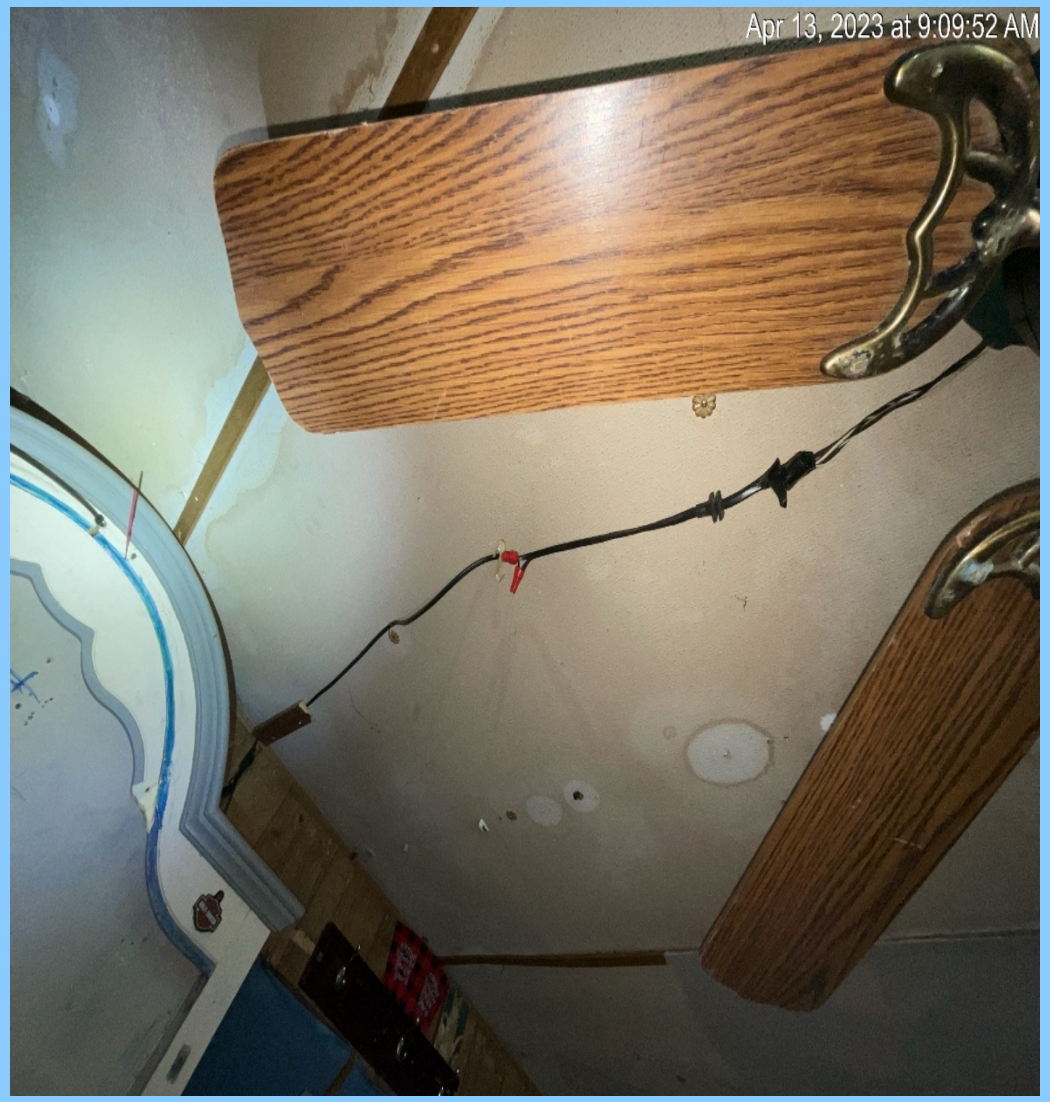


Electrical Hazards





Electrical Hazards





Electrical Hazards





Mechanical Issues



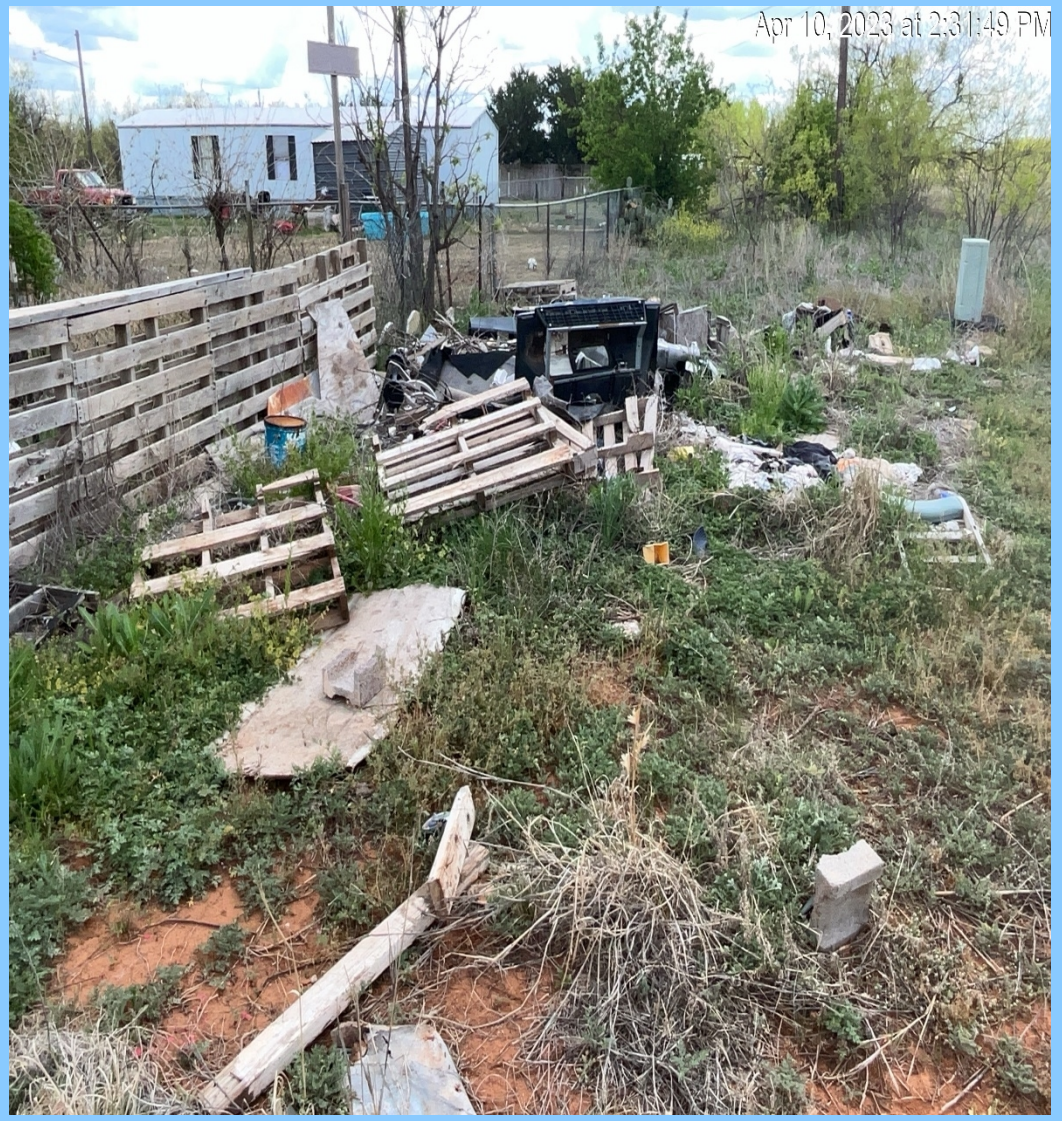


Nuisance





Nuisance





Timeline of Events

- **April 10, 2023 –** Sister of owner, contacted our office because a neighbor of the property saw that the structure had electricity turned on. She stated no one should be at the structure and she is worried about the possibility of a fire due to the poor condition of the electrical at the structure.
- **April 13, 2023 –** Code Officers met sister of property owner at the property and found the structure to be in substandard condition.
- **April 13, 2023** – Discovered property owner is incarcerated.
- **April 13, 2023 –** Affidavit of condemnation filed, condemnation notice sent, and placard posted on the property.
- **April 14, 2023 –** Niece of property owner with power of attorney contacted the city because her electric company notified her the utility was being shut off due to condemnation. Code Officer explained to her the condemnation and plan of action process.
- **April 19, 2023 –** The condemnation notice and plan of action were mailed to property owners niece.
- **May 2, 2023 –** A neighbor contacted the city and stated someone was staying at the property. Code Officers inspected the property and found the front door unlocked and open. There was a foul odor coming from the structure. Overall, the property was in the same condition as the initial inspection.
- **May 8, 2023 –** Property owner's niece emailed an incomplete plan of action. Code Officer explained the plan of action process to her and provided examples.
- **July 10, 2023 –** Posted notice of Board hearing at the structure.

Timeline of Events

- **July 12, 2023** – Sent notice of August Board hearing to property owner, sister and niece.
- **July 21, 2023** – Received letter from owner stating he is incarcerated awaiting trial on August 21, 2023, asked for more time until he is no longer incarcerated. Letter included in Board member folders.
- **August 2, 2023 –** Board ordered case tabled until next hearing.
- **August 8, 2023** – Posted notice of hearing on structure.
- **August 9, 2023** – Notice of September hearing sent to incarcerated property owner, property owner's sister, and property owner's niece that had power or attorney for property owner.
- **August 17, 2023** – Received letter from incarcerated property owner. This letter has been included in the board member folders. Property owner also sent notarized letter to revoke any powers of attorney that he has granted to anyone.

Staff Recommendation:

- ORDER OWNER TO REPAIR – 30 DAYS TO PROVIDE A PLAN OF ACTION INCLUDING A TIMEFRAME FOR REPAIR AND COSTS ESTIMATES AND OBTAIN ALL PERMITS

- 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 4366 Caldwell Rd. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:9/6/2023

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-002936: 1301 Butternut St. (BUTTERNUT ADDN, BLOCK 6, LOT 1, 2 & N10 OF 3, SAYLES & HUGHES 2-3, TAYLOR COUNTY, TEXAS), Owner: Palazzo Reale Inc**

GENERAL INFORMATION

Owner: Palazzo Reale Inc
Sq Ft: 10,744
Structural: OK
Foundation: OK
Value: $53,009
Total Value: $68,033
Delinquent Tax: $10,450.42

SPECIAL CONSIDERATIONS

July 7, 2022 – Case opened for dilapidated structure. First notice was sent to the property owner to repair and secure, and clean property.
July 18, 2022 – First contact with owner. Said he would get building repaired. He did secure it, but that is all.
August 31, 2022 – Second notice sent to property owner for same violations, minus securement of structure.
September 15, 2022 – Owner stated he may try to sell building.
April 28, 2023 – Inspected property and met with owner. Again said he may sell the building.
June 29, 2023 - Inspected property today. Found lots of missing and cracked glass in front. No repairs made. Front of building is not secured. Loose sheet metal causing possible hazard in high winds. Broken glass causing additional hazard. Homeless loitering in front of building during inspection. Structure has holes in roof. Likely has mold throughout. There is hazardous

electrical. Looks to be very unsanitary. Spoke to owner of neighboring business. He said property is attracting problematic homeless people. He expressed interest to Mr. Borden in buying the property but is unsure if Borden will sell it to him.
June 30, 2023 – Criminal complaints filed with Municipal Court.
July 14, 2023 – During property inspection the business owner next door came out and informed me of a shooting that took place days before at the exact spot I was photographing. He pointed out the blood stains and where a bullet shattered glass. Confirmed through APD that a homeless person was shot in front of this property. The business owner also informed me that homeless are able to access the building through the doors in the rear that seem secured. They are also able to access the building through the front where the sheet metal is no longer fully attached. I inspected the rear of the building. There is evidence homeless are also staying in the back. There is a terrible odor of human waste in the rear of the building and evidence of homeless staying in the rear of the building as well as the front.
July 18, 2023 - Spoke to rep from First National Bank. Informed him of upcoming hearing and that they would get notice of hearing. Spoke to another bank rep later in the day. They stated they are helping Mr. Borden reactivate his LLC so he can sell the building to the owner of the adjacent building. Last check of Secretary of state website showed LLC status was in review (7/27/23)
August 1, 2023 – Discovered Palazzo Reale Inc is now listed as an active entity in Secretary of State which should allow owner to sell the property.
August 8, 2023 – Posted notice of hearing on structure.
August 9, 2023 – Sent notice of hearing to property owner/registered agent.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

30/60
Order Owner to Repair: 30 days to provide a plan of action including a timeframe for repair and cost estimates and obtain all permits. And if this is done, 60 days to obtain rough-in inspections. And if this is done, all final inspections shall be passed by the expiration of all permits.

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on September 6, 2023.

ATTACHMENTS:

1. 20230906_23-002936_1301 Butternut St 20230906_23-002936_1301 Butternut St.pptx

Case #23-002936

1301 Butternut 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** – Shows a deed of trust listing Palazzo Reale Inc as the grantor and First National Bank Baird, dba First Bank Texas as beneficiary/lienholder

- **TAYLOR COUNTY** – Shows **Palazzo Reale Inc** to be the owner.

- **SECRETARY OF STATE** – Shows registered agent to which notice has been sent

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

- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since Feb 12, 2018.

- Search reveals **Palazzo Reale Inc** to be the owner.

Public Notice



Front West Side



Front West Side



Front West Side



Rear East 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:

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

Inadequate Sanitation





Inadequate Sanitation





Inadequate Sanitation





Hazardous Exterior Dilapidation





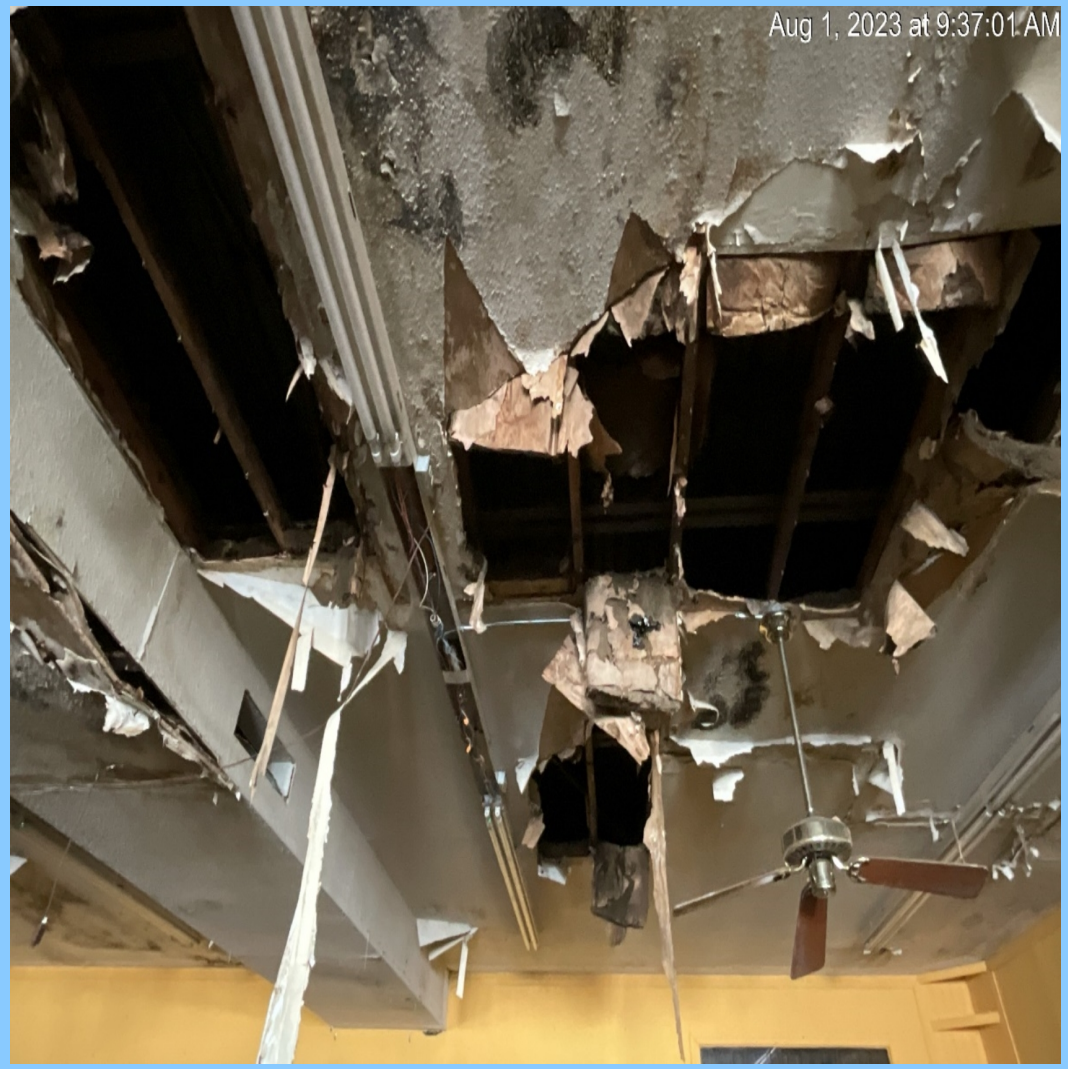
Hazardous Exterior Dilapidation





Electrical Hazards





Faulty Weather Protection





Nuisance





Incident on July 11, 2023





Additional info





Additional info





Timeline of Events

- **July 7, 2022 –** Case opened for dilapidated structure. First notice was sent to the property owner to repair, secure, and clean property.
- **July 18, 2022** – First contact with owner. Said he would get building repaired. He did secure it, but that is all.
- **August 31, 2022** – Second notice for dilapidated structure sent to property owner.
- **September 15, 2022** – Owner stated he may try to sell building.
- **April 28, 2023** – Inspected property and met with owner. Again said he may sell the building.
- **June 29, 2023** - Inspected property today. Found lots of missing and cracked glass in front. No repairs made. Front of building is not secured. Loose sheet metal causing possible hazard in high winds. Broken glass causing additional hazard. Homeless loitering in front of building during inspection. Structure has holes in roof. There is hazardous electrical. Looks to be very unsanitary. Spoke to owner of neighboring business. He said property is attracting problematic people. He expressed interest to Mr. Borden in buying the property.
- **June 30, 2023** – Criminal complaints filed with Municipal Court for failure of the owner to repair.

Timeline of Events

- **July 14, 2023** – During property inspection the business owner next door came out and informed me of a shooting that took place days before at the exact spot I was photographing. He pointed out the blood stains and where a bullet shattered glass. Confirmed through APD that a homeless person was shot in front of this property. I inspected the rear of the building. There is evidence homeless are staying in the back. There is a terrible odor of human waste in the rear of the building and evidence of homeless staying in the rear of the building as well as the front.
- **July 18, 2023** - Spoke to rep from First National Bank. Informed him of upcoming hearing. Spoke to another bank rep later in the day. They stated they are helping Mr. Borden reactivate his LLC so he can sell the building to the owner of the adjacent building.
- **August 1, 2023** – Discovered Palazzo Reale Inc is now listed as an active entity in Secretary of State which should allow owner to sell the property.
- **August 8, 2023** – Posted notice of hearing on structure.
- **August 9, 2023** – Sent notice of hearing to property owner/registered agent.
- **August 22, 2023** – Inspected structure; found rear door to be open. Drove around the building to get photos. When I returned to the rear of the building the door had been shut. A lot of vagrant belongings located just outside this door.

Staff Recommendation:

- ORDER OWNER TO REPAIR – 30 DAYS TO PROVIDE A PLAN OF ACTION INCLUDING A TIMEFRAME FOR REPAIR AND COSTS ESTIMATES AND OBTAIN ALL PERMITS

- 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 1301 Butternut St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:9/6/2023

TO:

FROM:

SUBJECT: **551.071 (Consultation with Attorney)**

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS: