



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 October 4, 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 September 2023 Boards 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 #22-003296: 302 N. Mockingbird Ln. (OAKWOOD ADDN SEC 3, BLOCK 19, LOT S1/2 LT 12, TAYLOR COUNTY, TEXAS), Owner: Abilene Apartments, LLC
- B. Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-000688: 3201 N. 3rd St. (OAKWOOD ADDN SEC 2, BLOCK 18, LOT E331.22 3 REP LTS 4-15&19-21, TAYLOR COUNTY, TEXAS), Owner: Abilene Apartments, LLC
- C. Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-001274: 1042 Clinton St. (LAKESIDE ADDN, BLOCK 7, LOT 1-2, TAYLOR COUNTY, TEXAS), Owner: Serrano, Patricia

- D. Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-001561: 2017 N. 18th St. (MITCHELL & KIRBY, LOT 7, TAYLOR COUNTY, TEXAS), Owner: Rodriquez, Lisa
- E. Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-001564: 909 Kirkwood St. (LAKESIDE ADDN, BLOCK 21, LOT 8-9, TAYLOR COUNTY, TEXAS), Owner: Huddleston, Gary & Margie
- F. Case for rehabilitation, demolition, or Civil Penalties - Case #23-002568: 2858 Pine St. (NORTH PARK ADDN, BLOCK 18, LOT N105 OF S210 OF E210 LT2 & N70' X250 OF 2, TAYLOR COUNTY, TEXAS), Owner: Pittman, Albert Burl Life Est % Reggie Pittman Et Al
- G. Case for Appeal of Condemnation - Case #23-004097: 1449 Park Ave (ARTHEL HENSON OUTLOT 33, BLOCK K, LOT N38.4 LT 16 & S12.89 LT 17, TAYLOR COUNTY, TEXAS), Owner: Champion, Maxine Louise

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 29th day of September, 2023, at 3:20 p.m.

*Kaitlin Richardson, Deputy City
Secretary, TRMC*



**Board of Building Standards
Agenda Memo**

Meeting Date:10/4/2023

TO:

FROM:

**SUBJECT: Public hearing and possible approval of September 2023 Boards of
Building Standards meeting minutes**

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Sept 6, 2023 Minutes

Sept 6, 2023 Minutes.docx

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
September 6, 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. Jeremy McBrayer
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. Van Watson, 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

Others Present: Mr. Charlie Self (4474 La Hacienda)
Mr. Thomas W. Choate (4474 La Hacienda)
Mr. Michael Murphy (4474 La Hacienda)
Mr. Cesar Yepes (4474 La Hacienda)
Mr. Danjel Watson (1358 Sewell)
Ms. Roxanne Martinez (1835 N. 6th)
Ms. Florence Martinez (1835 N. 6th)
Mr. Tony Ortiz (2333 N. Mockingbird)
Mr. Roland Borland (1301 Butternut)
Ms. Brenda Oladuti (2510 N. 3rd)

CALL TO ORDER

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

APPROVAL OF MINUTES

The minutes of the last meeting, August 2, 2023, were provided in advance to Board Members for review.

Mr. Turner made a motion to approve the July minutes as written.

The motion was seconded by Mr. Dugger, motion passed.

AYES: Mr. Wyatt, Mr. Mcneil, Mr. Turner, Mr. Dugger, Mr. Beard

NAYS: None

ABSTAIN: Mr. McBrayer

AGENDA ITEMS & PUBLIC HEARINGS

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

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

Order owner to repair – 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
- (8) Fire Hazard Chapter 8, Sec 8-554

Order: Order owner to repair – 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. Tony Ortiz stated that rough ins were complete but he had not yet called in for an inspection. He stated that the plumbing rough in inspection had passed so he would be closing up the ditches in the backyard. He stated that he was ok with the staff recommendation. Being that there were no other speakers, Mr. Beard closed the public hearing.

Mr. Dugger made a motion owner to repair – 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. Mcbrayer, motion passed.

AYES: Mr. Wyatt, Mr. McBrayer, Mr. McNeil, Mr. Turner, Mr. Dugger, Mr. Beard

NAYS: None

ABSTAIN: None

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. Turner made a motion to un-table the case, was seconded by Mr. Wyatt.

AYES: Mr. Wyatt, Mr. McBrayer, 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: 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. Cesar Yepes from Speedy Sell Esates asked the board to remove the condemnation status because the title company would not issue a title policy under its current status. He says he has a 6 to 8 month construction timeline for finishing the project. Mr. Choate explained he had 2nd hand knowledge about the title company but just wanted to reiterate that everyone just wants the project completed. He is scared that the condemnation will be removed and nothing will be done. At 9:02 am the board started an executive session. The board reconvened at 9:19 am. The board made no decision during the executive session. They did state that the only one that could remove the condemnation status was the building official. Being that there were no other speakers, Mr. Beard closed the public hearing.

Mr. McBrayer 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. McBrayer, Mr. McNeil, Mr. Turner, Mr. Dugger, Mr. Beard

NAYS: None

ABSTAIN: None

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: Roxanne Martinez

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
- (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 8-557

Order: The Owner is ordered to demolish or appeal the order to the district court within 60 days or the City may demolish.

Public Hearing: Mr. Beard opened the public hearing. Roxanne Martinez requested more time to get her belonging out of the house. She said it has been difficult due to lack of time because they are only able to work in the evenings when it is not so hot. Her sister Florence Martinez spoke about the difficulties of getting everything moved up with the heat conditions. Being that there are no other speakers, 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. McBrayer, Mr. McNeil, 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 60 days or the City may demolish, was seconded by Mr. Wyatt, motion passed.

AYES: Mr. Wyatt, Mr. McBrayer, Mr. McNeil, Mr. Turner, Mr. Dugger, Mr. Beard

NAYS: None

ABSTAIN: None

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: Brenda Oladuti

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
- (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

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.

Public Hearing: Mr. Beard opened the public hearing. Ms. Oladuti had to leave the hearing due to an illness but expressed to Mr. Marsh that she was ok with a demolition order. Being that there were no other speakers, Mr. Beard closed the public hearing.

Mr. Turner 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. McBrayer, motion passed.

AYES: Mr. Wyatt, Mr. McBrayer, Mr. McNeil, Mr. Turner, Mr. Dugger, Mr. Beard

NAYS: None

ABSTAIN: None

Mr. Turner 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 was seconded by Mr. McBrayer, motion passed.

AYES: Mr. Wyatt, Mr. McBrayer, Mr. McNeil, Mr. Turner, Mr. Dugger, Mr. Beard

NAYS: None

ABSTAIN: None

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.

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
- (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

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.

Public Hearing: Mr. Beard opened the public hearing. Mr. Watson stated that he has had interest in the property for 4-5 years but cannot get ahold of the owners. He was curious about the status of the property if he was able to purchase and make repairs. The board informed him that they could only address the issues with the owner. Being that there are no other speakers, 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. McBrayer, Mr. McNeil, 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 was seconded by Mr. McNeil, motion passed.

AYES: Mr. Wyatt, Mr. McBrayer, Mr. McNeil, 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, TAYLOR COUNTY, TEXAS),
Owner: Essex Mickey

The case was tabled at the last hearing.

Mr. Turner made a motion to un-table the case, was seconded by Mr. Dugger.

AYES: Mr. Wyatt, Mr. McBrayer, Mr. McNeil, Mr. Turner, Mr. Dugger, Mr. Beard

NAYS: None

ABSTAIN: None

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
- (6) Hazardous Mechanical Equipment, 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. McBrayer, motion passed

AYES: Mr. Wyatt, Mr. McBrayer, Mr. McNeill, Mr. Turner, Mr. Dugger, Mr. Beard

NAYS: None

ABSTAIN: None

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: Roland Boreland

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. Mr. Boreland explained that the sale of the property was closing today. The neighboring business was purchasing it from him. Being that there were no other speakers, Mr. Beard closed the public hearing.

Mr. Mcbrayer 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. Turner, motion passed

AYES: Mr. Wyatt, Mr. McBrayer, Mr. McNeil, 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 10:09 a.m.

X

Approved, Chairman



**Board of Building Standards
Agenda Memo**

Meeting Date: 10/4/2023

TO:

FROM:

SUBJECT: Case for Rehabilitation, Demolition, or Civil Penalties - Case #22-003296: 302 N. Mockingbird Ln. (OAKWOOD ADDN SEC 3, BLOCK 19, LOT S1/2 LT 12, TAYLOR COUNTY, TEXAS), Owner: Abilene Apartments, LLC

GENERAL INFORMATION

Owner: Abilene Apartments, LLC
Sq Ft: 39,108
Structural: Poor
Foundation: OK
Value: \$227,348
Total Value: \$361,268
Delinquent Tax: \$0.00
City Liens: \$

SPECIAL CONSIDERATIONS

January 18, 2019 – Building Inspections investigation opened for deteriorated stair cases/balconies
November 17, 2020 – Building Inspection investigation for unsafe stairs/balconies – not resolved, case is still open
August 15, 2022 – Contractor applied for plumbing permit to install new fixtures in 44 units. Permit was never paid for.
February 10, 2022 – Received citizen complaint for rats, trash, dilapidated structure and fence. Initial code compliance case opened at this time. Notice was sent to property owner.
April 4, 2022 – Made contact with property manager; they stated they are working on evicting tenants; property manager was instructed to keep complex as clean as possible.
November 3, 2022 – While performing inspection, APD arrived due to vagrants on property

smashing walls inside apartment and stealing copper. Found many vacant apartments that were not secured. Posted condemnation signs around complex.

November 2, 2022 – Water Department posted notices all around complex informing residents that due to non-payment for water, services will be terminated on November 7, 2022.

November 9, 2022 – Affidavit of condemnation recorded at County Clerk.

November 29, 2022 – One of *fifteen* citizen complaints since June 2022 on the dilapidated structure and condemnation cases: citizen stated vagrants that are squatting on property are in close proximity to children that live nearby and need to walk to and from school.

January 9, 2023 – Property owner made phone call to code compliance. This is the first contact with the property owner. Property owner is planning complete renovation of the complex. We told property owner to have entire complex secured immediately.

January 10, 2023 – Sent initial notice of condemnation and 30/60 letter to property owner.

January 11, 2023 – Sent notice of February Board hearing to property owner.

January 17, 2023 – Property owner/manager completed securing of open units.

January 24, 2023 – Notice of February hearing and Notice of Condemnation sent to lienholder.

March 2, 2023 – Board ordered 30-60.

March 24, 2023 – Alteration permit applied for.

June 21, 2023 – Issued alteration permit.

July 2023 – Asbestos abatement completed per contractor.

August 1, 2023– Spoke with Ken Chapman, contractor who is supposed to start the remodel, and he stated he wouldn't be starting the project until he is paid. Ken told me he would let me know when he will be sending his guys to begin the work.

September 7, 2023– As of today no work has begun on this complex since the asbestos abatement was completed. The asbestos abatement was completed in July, only after several months away from the project due to non-payment to the company doing the abatement. The company began the project in March, then left for non-payment in April. They didn't return until July to finish the last 2 buildings.

September 8, 2023 – Two phone calls from nearby residents complaining of rats coming from apartment complex, making their way to their homes across the alley.

September 13, 2023 – Contacted state asbestos inspector to verify survey and abatement was fully completed on all buildings at the property. Alteration permit is set to expire, as of today, on February 14, 2024.

September 13, 2023 – Additional citizen complaint received for this property. Advised that they attend BOBS hearing.

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 October 4, 2023.

ATTACHMENTS:

1. 20231004_Slides Intro 20231004_Slides Intro.pptx
2. 20231004_22-003296_302 N Mockingbird 20231004_22-003296_302 N Mockingbird
Ln Ln.pdf

**BOARD
OF
BUILDING
STANDARDS**

October 4, 2023



PUBLIC NOTICE – October 4, 2023 MEETING

- A meeting of the Board of Building Standards will be held at 8:30 a.m., Wednesday, October 4, 2023 in the Council Chambers of City Hall, 555 Walnut Street, Abilene, Texas, to consider the following properties on the agenda: 302 N. Mockingbird Ln. Abilene, TX 79603, 3201 N. 3rd St. Abilene, TX 79603, 1042 Clinton St. Abilene, TX 79603, 2017 N. 18th St. Abilene, TX 79603, 909 Kirkwood St. Abilene, TX 79603, 2858 Pine St. Abilene, TX 79601, and 1449 Park Ave. Abilene, TX 79603. Property owners are required to submit at the hearing proof of the scope of work, including cost estimates, that may be required to comply with city ordinance, and the calendar days in which it will take to perform the work. Owners have the right to hire an attorney to represent them, the right to inspect the file on the property at the Office of Planning and Development Services prior to the hearing, and the right to request the presence of City staff for the purpose of questioning at the hearing. The Board may take action, including but not limited to demolition orders and/or the assessment of civil penalties.



Case #22-003296

302 N. Mockingbird Ln.



CHECKLIST FOR RECORDS SEARCH

- Searches shown below verify proof of ownership and lienholders to which all notices have been sent.
- **COUNTY RECORDS** – Warranty Deed with Vendor's Lien naming **Abilene Apartments, LLC** as the owner, and **Lamar National Bank** as the lienholder
- **TAYLOR COUNTY** – Shows **Abilene Apartments, LLC** to be the owner
- **SECRETARY OF STATE** – Lists registered agent to which notices have been sent
- **TAX RECORDS OF THE MUNICIPALITY** – Not applicable
- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since **November 7, 2022**
- Search reveals **Abilene Apartments, LLC** to be the owner



Public Notice

- Sep 13, 2023 at 12:04:27 PM



Front East Side

Sep 19, 2023 at 3:32:07 PM



Front East Side

Sep 19, 2023 at 3:32:45 PM



Front East Side

Sep 19, 2023 at 3:33:02 PM



Front East Side

Sep 19, 2023 at 3:33:34 PM



Rear West Side



Rear West Side



Rear West Side



Rear West Side



North Side

Sep 18, 2023 at 9:16:53 AM



North Side

Sep 18, 2023 at 9:17:04 AM



North Side



North Side



South Side



South Side



Aerial View



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 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 Securement



Inadequate Securement



Inadequate Securement



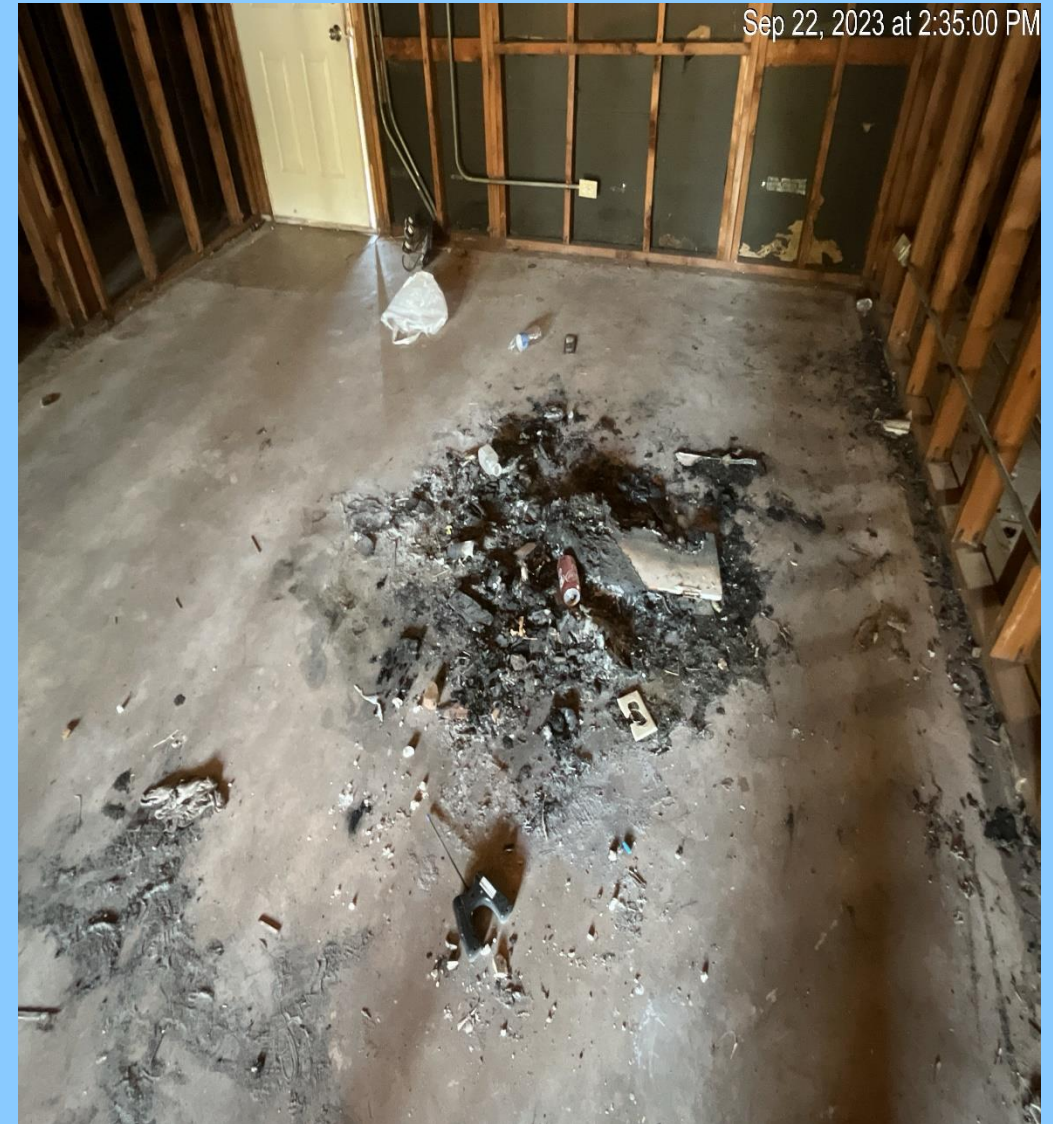
Nuisance



Nuisance



Nuisance



Structural Hazards



Structural Hazards



Structural Hazards



Structural Hazards



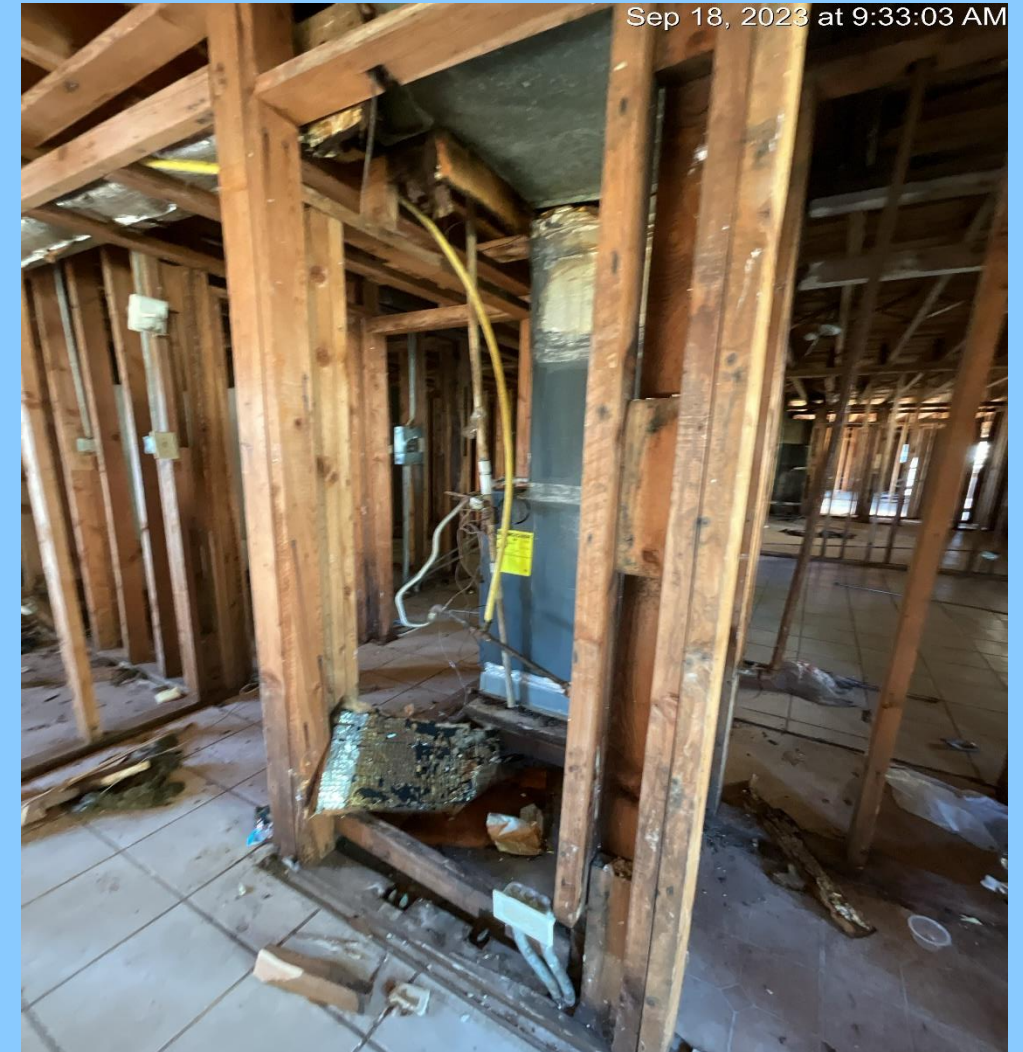
Dilapidation



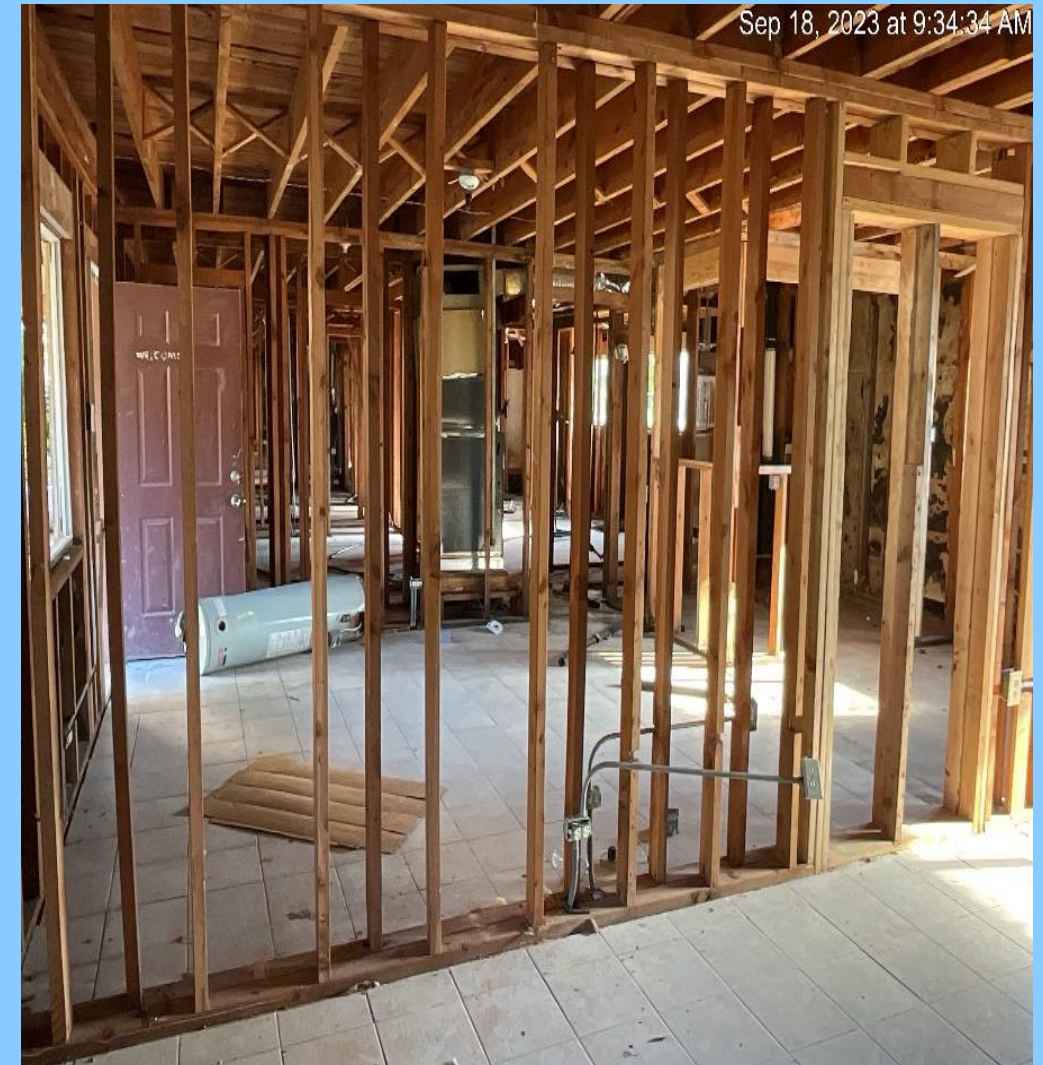
Dilapidation



Current Condition of Interior



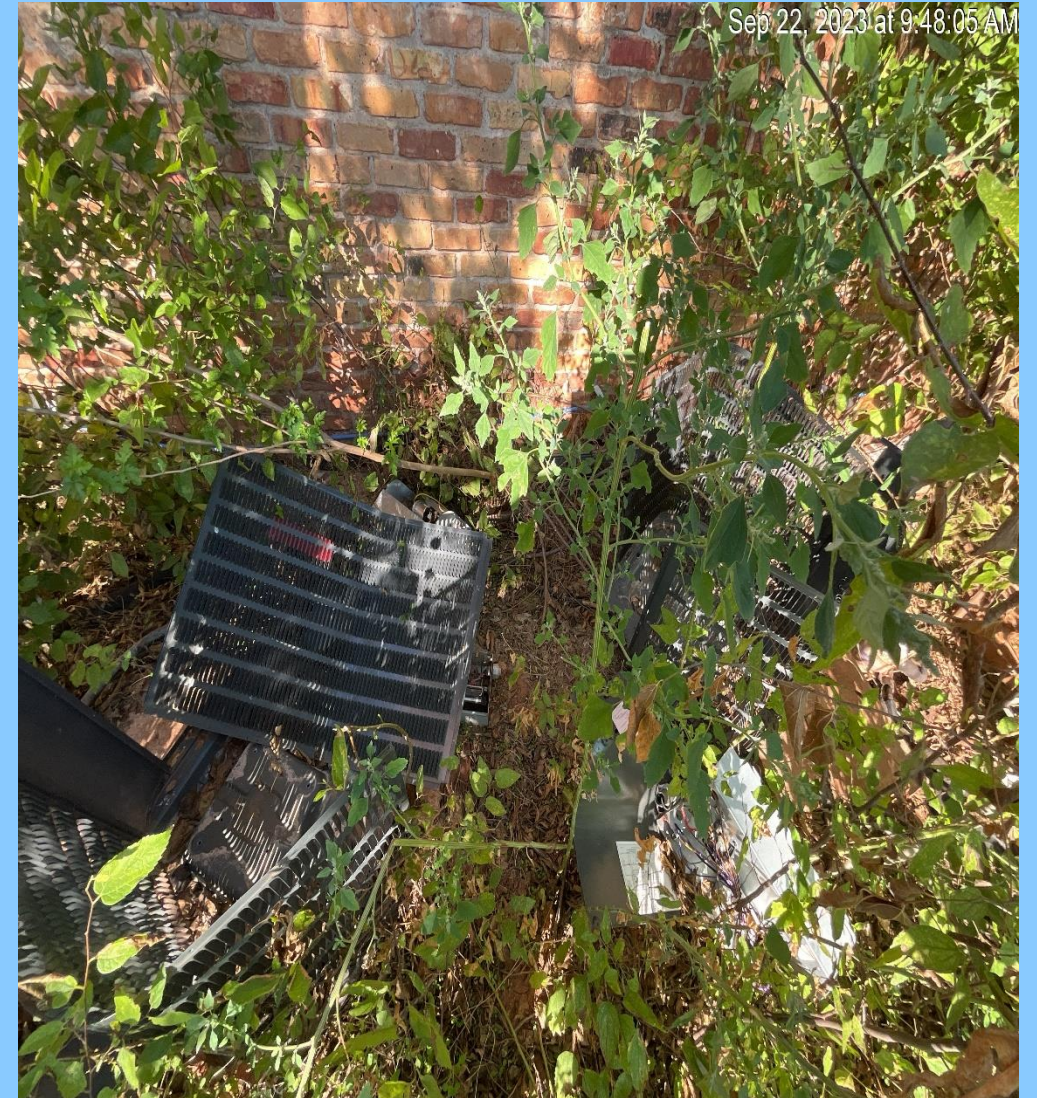
Current Condition of Interior



Electrical Issues



Mechanical Issues



Timeline of Events

- **January 18, 2019** – Building Inspections investigation opened for deteriorated stair cases/balconies
- **November 17, 2020** – Building Inspection investigation for unsafe stairs/balconies – not resolved, case is still open
- **February 10, 2022** – Received citizen complaint for rats, trash, dilapidated structure and fence. Initial code compliance case opened at this time. Notice was sent to property owner.
- **April 4, 2022** – Made contact with property manager; they stated they are working on evicting tenants
- **August 15, 2022** – Contractor applied for plumbing permit to install new fixtures in 44 units. Permit was never paid for.
- **November 2, 2022** – Water Department posted notices all around complex informing residents that due to non-payment for water, services will be terminated on November 7, 2022.
- **November 3, 2022** – While performing inspection, APD arrived due to vagrants on property smashing walls inside apartment and stealing copper. Found many vacant apartments that were not secured. Posted condemnation signs around complex.



Timeline of Events

- **November 9, 2022** – Affidavit of condemnation recorded at County Clerk.
- **January 10, 2023** – Sent initial notice of condemnation and 30/60 letter to property owner.
- **January 11, 2023** – Sent notice of February Board hearing to property owner.
- **January 17, 2023** – Property owner/manager completed securement of open units.
- **January 24, 2023** – Notice of February hearing and Notice of Condemnation sent to lienholder.
- **March 2, 2023** – Board ordered 30-60.
- **March 24, 2023** – Alteration permit applied for.
- **June 21, 2023** – Issued alteration permit.
- **July 2023** – Told by contractor the asbestos abatement was completed.
- **August 1, 2023**- Spoke with contractor who is supposed to start the remodel, and he stated he wouldn't be starting the project until he is paid. He told me he would let me know when he will be sending his guys to begin the work.



Timeline of Events

- **September 7, 2023-** No work has begun on this complex since the asbestos abatement was completed. The company began the project in March, then left for non-payment in April. They didn't return until July to finish the abatement in the last two buildings.
- **September 8, 2023** – Two phone calls from nearby residents complaining of rats coming from apartment complex, making their way to their homes across the alley.
- **September 13, 2023** – Contacted state asbestos inspector to verify survey and abatement was fully completed on all buildings at the property. Alteration permit is set to expire, as of today, on February 14, 2024.
- **September 13, 2023** – Additional citizen complaint received for this property. Advised that they attend BOBS hearing.



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 302 N. Mockingbird Ln. presentation





**Board of Building Standards
Agenda Memo**

Meeting Date:10/4/2023

TO:

FROM:

SUBJECT: Case for Regabilitation, Demolition, or Civil Penalties - Case #23-000688: 3201 N. 3rd St. (OAKWOOD ADDN SEC 2, BLOCK 18, LOT E331.22 3 REP LTS 4-15&19-21, TAYLOR COUNTY, TEXAS), Owner: Abilene Apartments, LLC

GENERAL INFORMATION

Owner:

Sq Ft:

Structural:

Foundation:

Value: \$

Total Value: \$

Delinquent Tax: \$

City Liens:

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. 20231004_23-000688_3201 N. 3rd St 20231004_23-000688_3201 N. 3rd St.pdf

Case #23-000688
3201 N. 3rd St.
Briarwood Apartments



CHECKLIST FOR RECORDS SEARCH

- Searches shown below verify proof of ownership and lienholders to which all notices have been sent.
- **COUNTY RECORDS** – Warranty Deed with Vendor's Lien naming Abilene Apartments, LLC as owner and Lamar National Bank as the lienholder
- **TAYLOR COUNTY** – Shows Abilene Apartments, LLC to be the owner.
- **SECRETARY OF STATE** – Lists registered agent for Abilene Apartments, LLC which notices have been sent.
- **TAX RECORDS OF THE MUNICIPALITY** – Not applicable
- **UTILITY RECORDS OF THE MUNICIPALITY** – Last active service was in 2021
- Search reveals **Abilene Apartments, LLC** to be the owner.



Public Notice

Sep 18, 2023 at 9:51:03 AM



Front North Side



Front North Side



Front North Side

Sep 18, 2023 at 9:46:23 AM



Rear South Side



Rear South Side



Rear South Side

Sep 18, 2023 at 9:49:26 AM



East Side



West Side



Substandard Code Violations

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

- 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)
- Faulty Weather Protection, Chapter 8, Sec 8-554 (7)



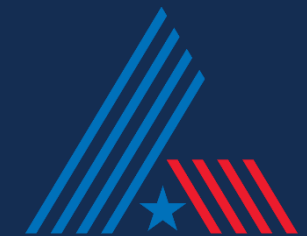
Property History



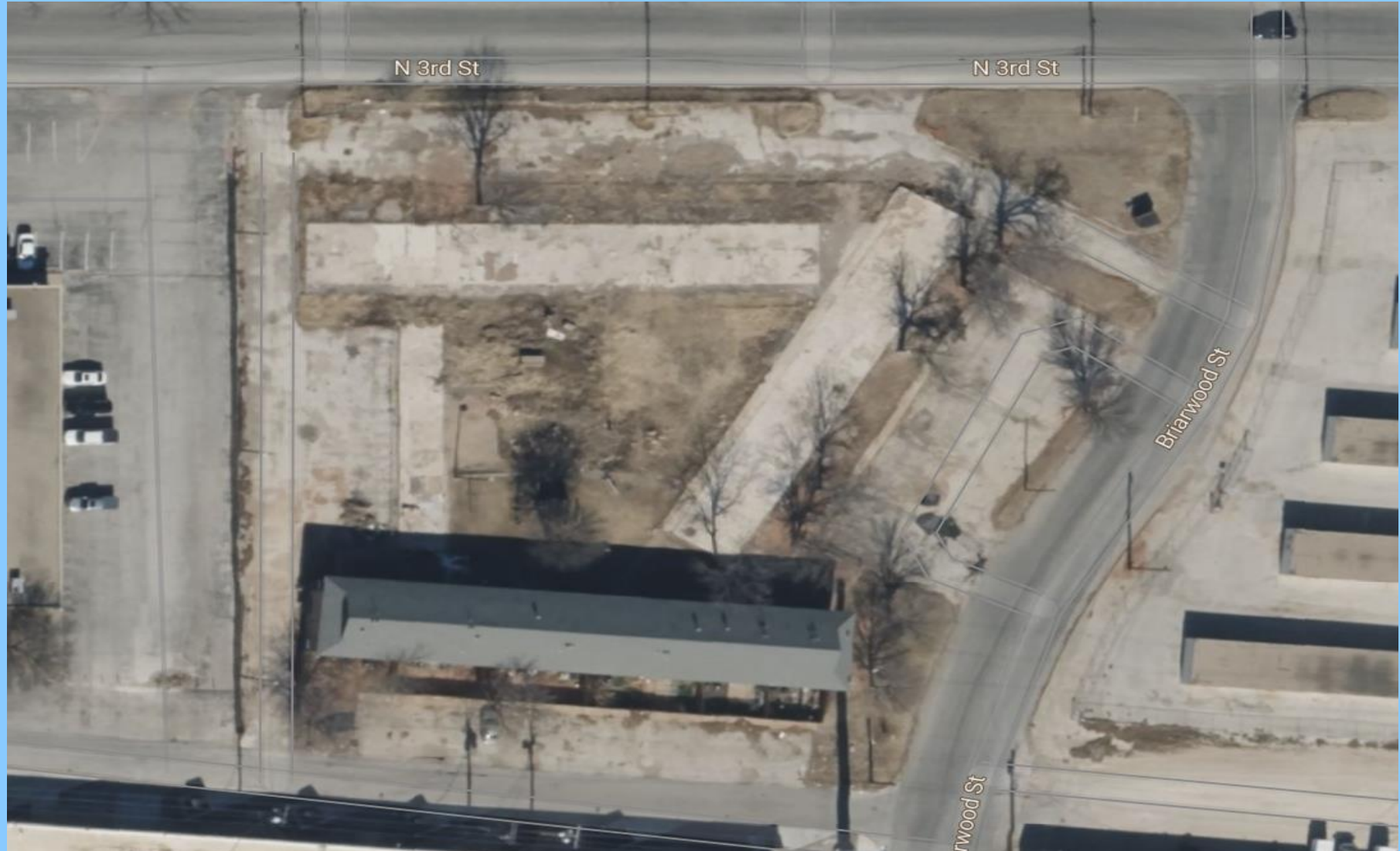
February 7, 2021 Structure Fire



February 7, 2021 Structure Fire



Current layout of complex



Current layout of complex



Inadequate Sanitation



Inadequate Sanitation



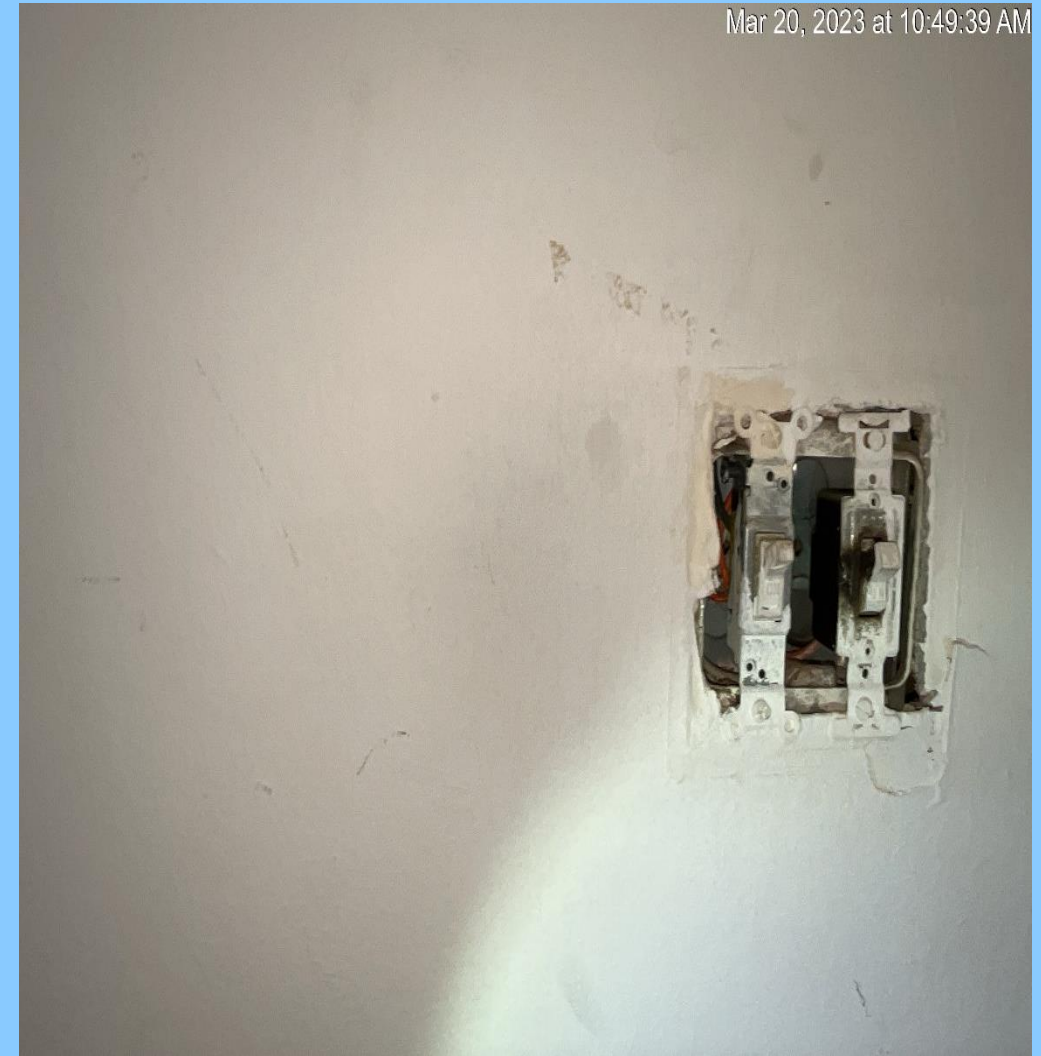
Inadequate Sanitation



Structural Hazards



Electrical Hazards



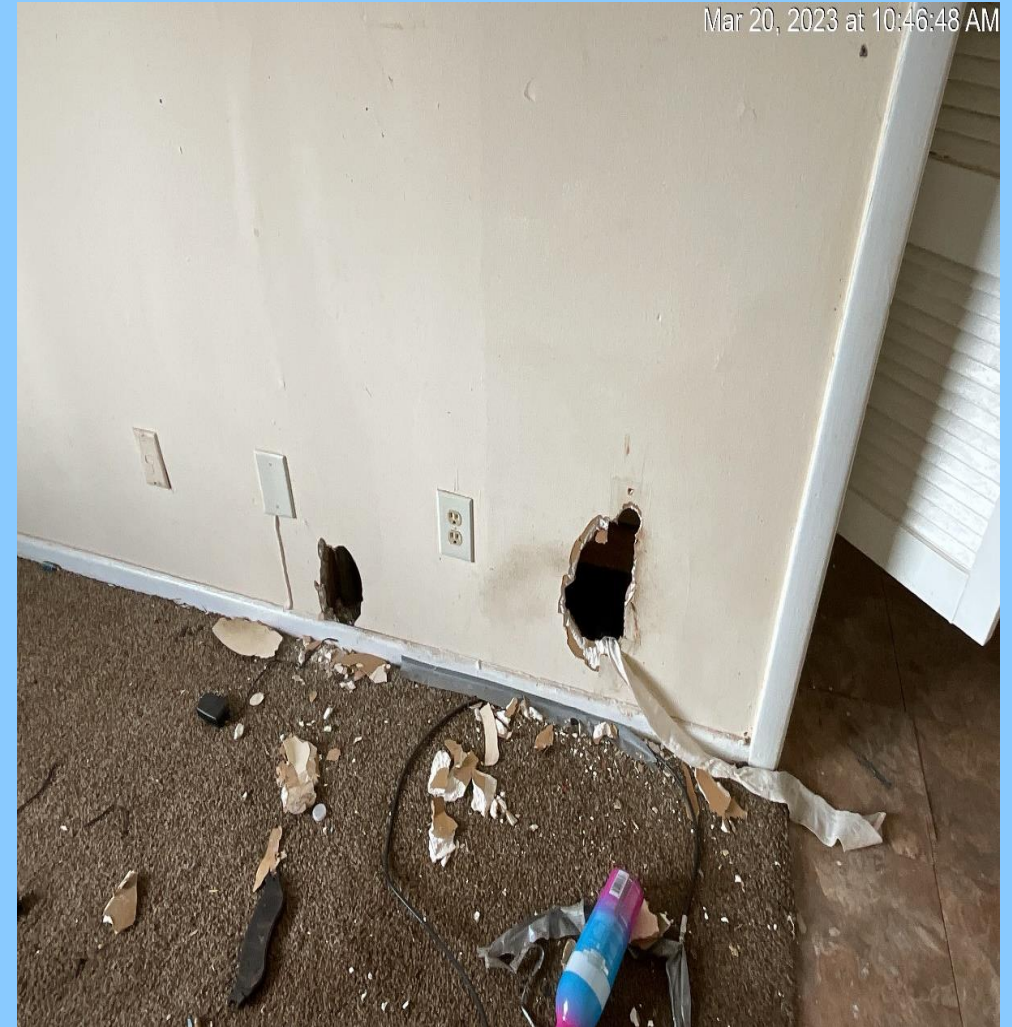
Hazardous Plumbing/Faulty Weather Protection



Dilapidation



Dilapidation



Condition of Property Prior to City Abatement



Condition of Property Prior to City Abatement



Condition of Property Prior to City Abatement



Condition of Property Prior to City Abatement



Condition of Property Prior to City Abatement



Current Condition of Exterior



Current Condition of Exterior



Current Condition of Exterior



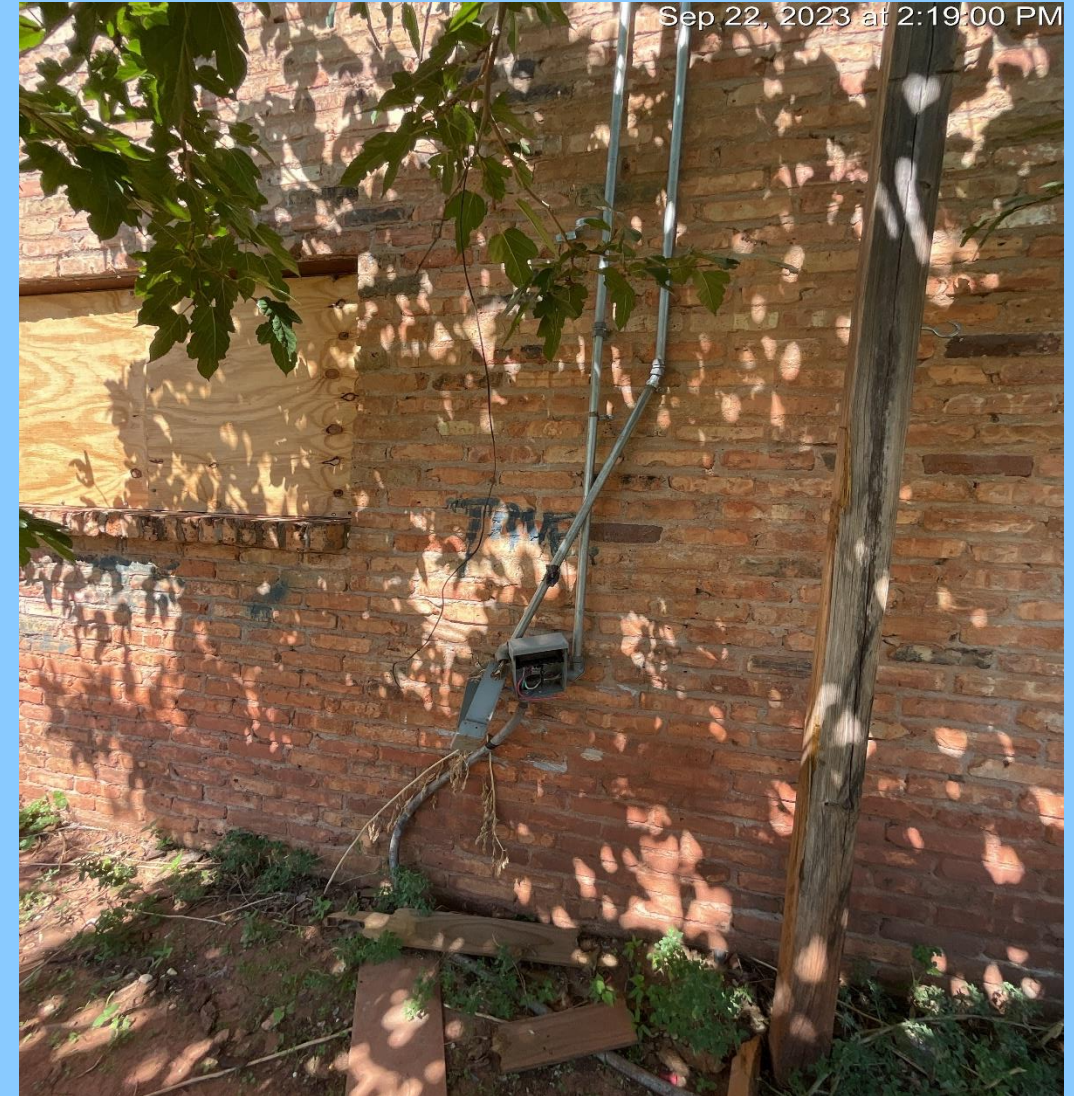
Current Condition of Exterior



Current Condition of Exterior



Current Condition of Exterior



Current Condition of Exterior



Timeline of Events

- **February 7, 2021** – Multiple structure fire due to arson. Only one structure remaining and inhabited.
- **April 29, 2021** – Attempted to get property owner to clean up remainder of fire debris and remove remaining concrete building slabs.
- **June 9, 2021** – Issued citation to property owner for failure to abate property.
- **July 21, 2023** – City cleaned property. Concrete slabs as well as some heavy concrete debris remain on the lot.
- **February 2023** – Complaint received from tenant for no water for several weeks. City started to engage with the owners about water and building conditions.
- **March 2023** – Water still not on for tenants. Only two occupied units in building.
- **March 29, 2023** – Units no longer occupied. **Affidavit of condemnation recorded at county clerk.**
- **May 17, 2023** – City secured all doors and broken/open windows. City abated high grass and weeds. Re-engaged with building owners. They were upset that the city began taken action.
- **June 6, 2023** – City made several attempts to contact owners. City met with lienholder, CEO of Lamar National Bank. Bank leadership got firsthand look at the property. They let us know they are taking action to help with the situation.



Timeline of Events

- **June 8, 2023** – Notice of hearing was posted on the structure.
- **June 14, 2023** – Notice of hearing was sent to the LLC, LLC registered agent, and lienholder addresses.
- **July 5, 2023** – Board ordered 30-60.
- **July, 2023**- Last conversation Code had with one of the owners, he told us they were most likely going to demolish the remaining building and build a whole new complex. He didn't give a timeframe and wasn't completely sure what their plan was. He said it was suggested to them, by a contractor they hired, to demo the building. We have had no further discussion with him regarding this complex. This property was abated by one of our City contractors. The property was completely cleaned up of all trash and debris. The high grass and weeds were also mowed and removed. There was one tree removed due to it being a traffic hazard, and another tree had to be trimmed up above the street. We also had a different contractor board up all doors and the majority of all the windows.
- **September 13, 2023** – To date, no asbestos survey or asbestos abatement completed. No plan of action submitted. No permit applied for.
- **September 25, 2023** – No city liens have been recorded as of today, however, \$13,118 is owed for city abatements, which will be recorded as liens if they remain unpaid.



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 3201 N. 3rd St. presentation





**Board of Building Standards
Agenda Memo**

Meeting Date:10/4/2023

TO:

FROM:

SUBJECT: Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-001274: 1042 Clinton St. (LAKESIDE ADDN, BLOCK 7, LOT 1-2, TAYLOR COUNTY, TEXAS), Owner: Serrano, Patricia

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. 20231004_23-001274_1042 Clinton St 20231004_23-001274_1042 Clinton St.pptx

Case #23-001274

1042 Clinton St.



CHECKLIST FOR RECORDS SEARCH

- Searches shown below verify proof of ownership and lienholders to which all notices have been sent.
- **COUNTY RECORDS** – Shows Special Warranty Deed w/Vendor's Lien naming **Patricia Serrano** as owner
- **TAYLOR COUNTY** – Shows **Patricia Serrano** 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 May 2023
- Search reveals **Patricia Serrano** to be the owner.



Public Notice

Sep 13, 2023 at 12:18:04 PM



Front East Side



Rear West Side

Mar 8, 2023 at 11:46:18 AM



North Side

Mar 8, 2023 at 11:45:30 AM



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 (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)



Exterior Dilapidation



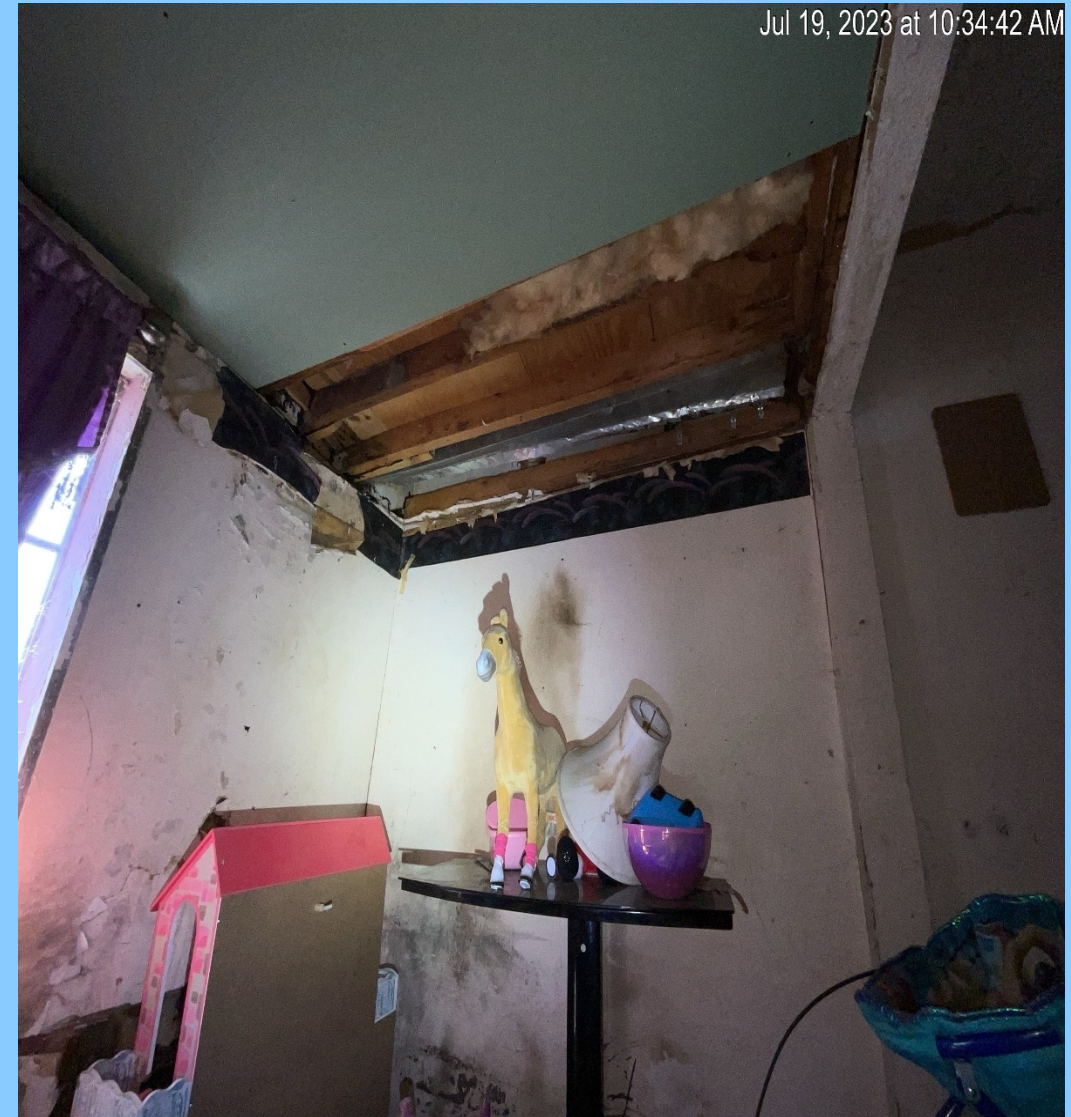
Exterior Dilapidation



Exterior Dilapidation



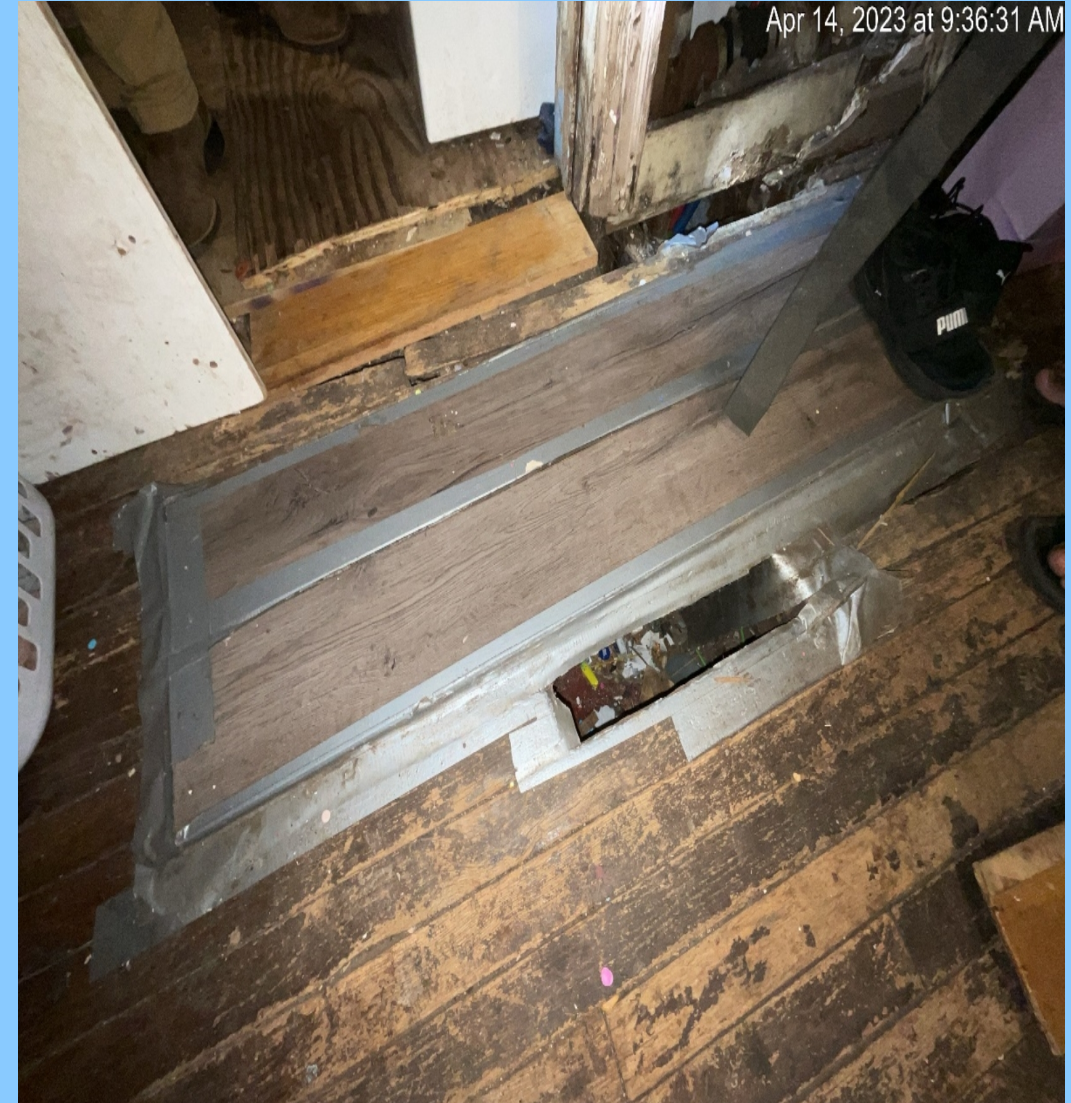
Interior Dilapidation



Interior Dilapidation



Interior Dilapidation



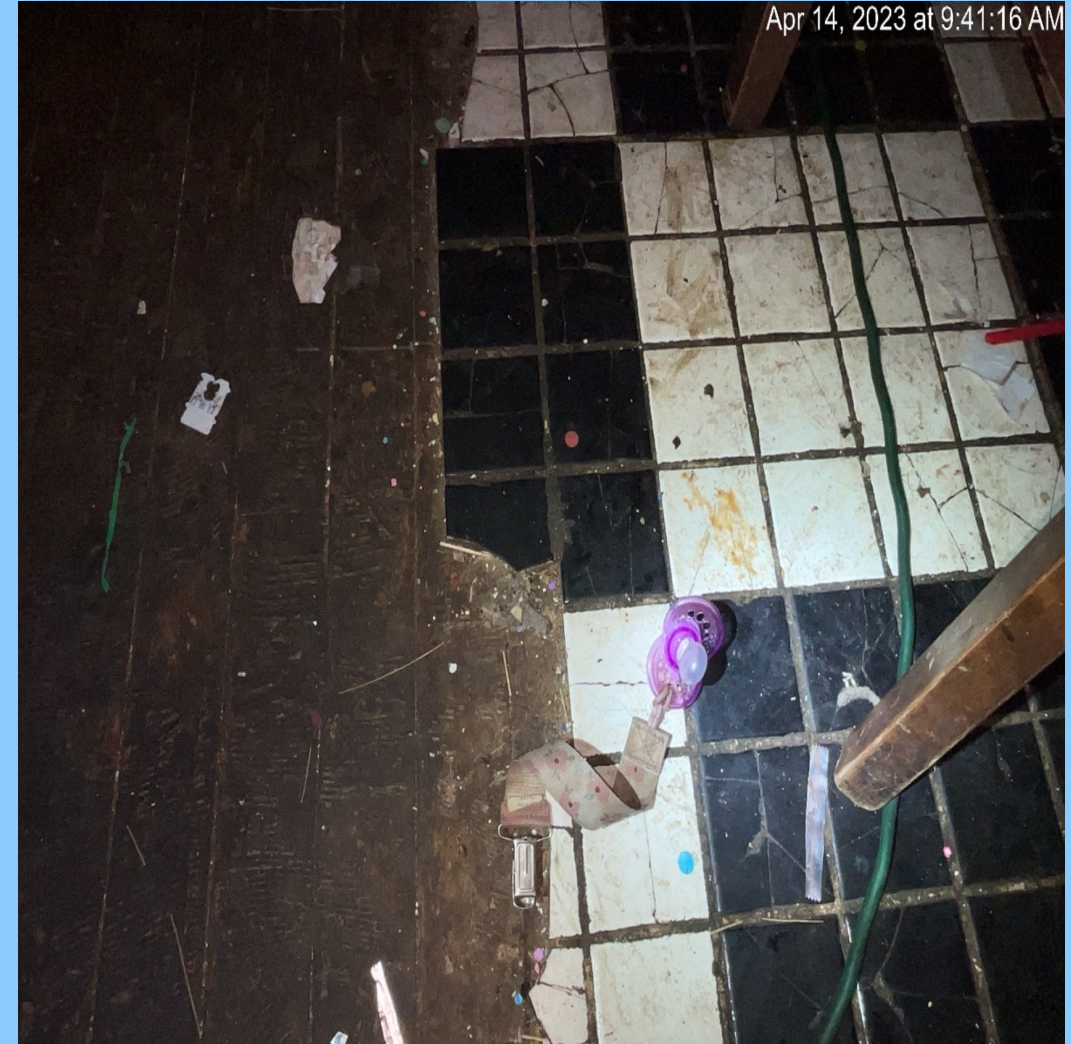
Inadequate Plumbing/Sanitation



Inadequate Sanitation



Inadequate Sanitation



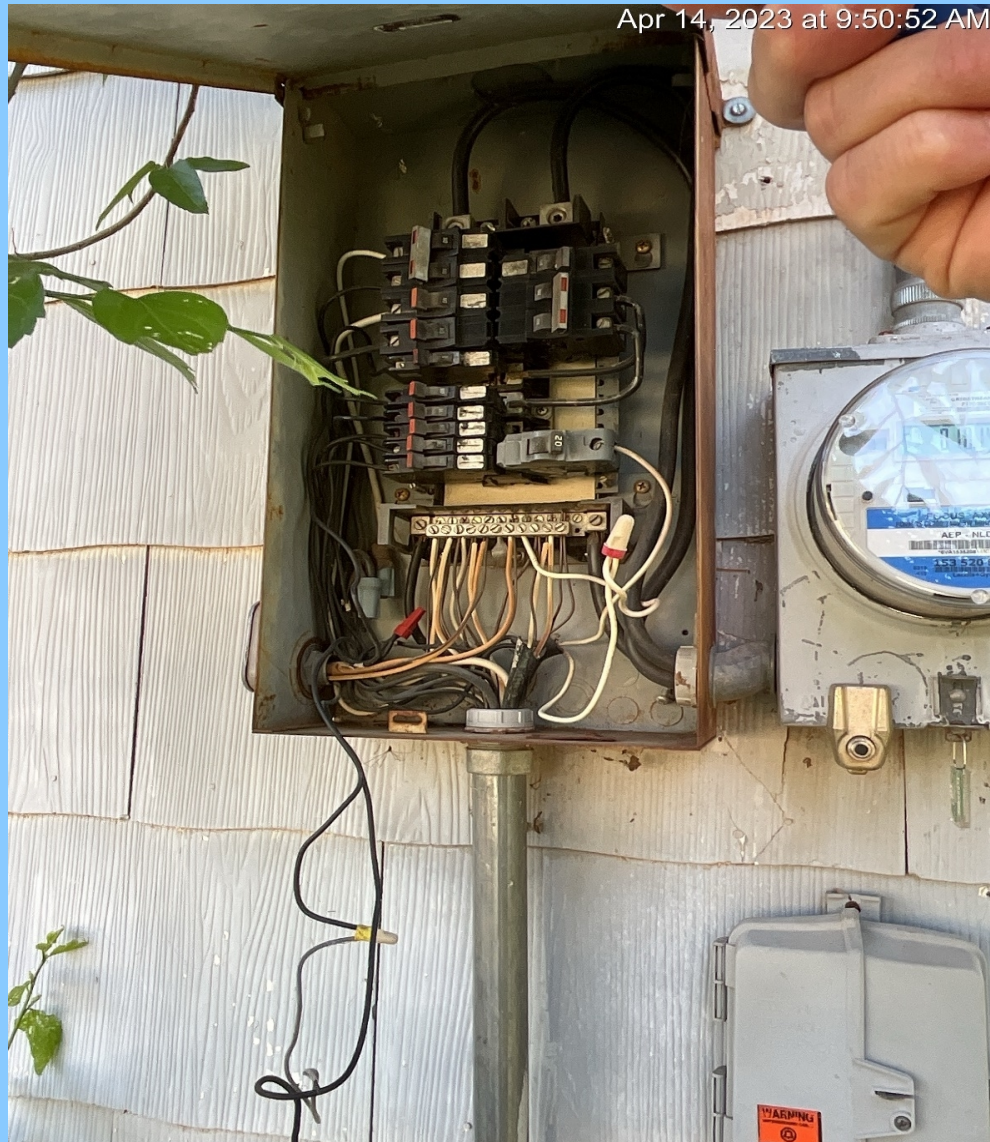
Structural Hazards



Structural Hazards



Electrical Hazards



Mechanical Hazards



Faulty Weather Protection



Timeline of Events

- **July 21, 2022** – Case opened for dilapidated structure. Met with structure occupants, family of property owner, and explained that the house has now deteriorated to the point where it must start getting repairs. During this inspection a small child was observed to be staying at this property. In addition, it was noticed that there are a lot of children toys scattered around the outside of the house.
- **July 22, 2022** – Sent first notice to property owner for dilapidated structure.
- **August 12, 2022** – Sent notice of violation with a list of possible help resources to occupant and owner of property.
- **August 30, 2022** – Issued citation for failure to make a repair plan or complete any repairs.
- **March 8, 2023** – Performed exterior inspection of property. Found various hazardous conditions. Observed children's toys around exterior of house. Met with occupant of house and expressed that I didn't feel the house was livable (it didn't meet minimum standards for health and safety) and they should not allow children to be at the property until the house is repaired.
- **April 13, 2023** – Contacted property owner, explained my concerns for the occupants. Requested the city be able to perform an interior inspection of the structure.



Timeline of Events

- **April 14, 2023** – Performed a complete interior and exterior inspection of the property. Additional hazards were found. A minor was present at the property during this inspection. At the conclusion of the inspection we met with the property owner to explain what we found. We let her know we were concerned for the health and safety of the occupants. The owner let us know it would be possible to relocate occupants to stay with her. Met with the Building Official to explain what we found. Property owner was given a 10-day deadline to relocate occupants out of the house.
- **May 1, 2023** – Property was condemned. Affidavit of condemnation recorded at county clerk.
- **May 2, 2023** – Verified with property owner that all occupants were relocated to another home.
- **May 12, 2023** – Utilities turned off by City.
- **June 7, 2023** – Contacted owner to check if there is any progress on repair plans or if she is considering demolition to clear the lot for a modular home as she expressed interest in doing. No indication received that there is any plan in place.
- **July 10, 2023** – Posted notice of hearing on structure.
- **July 12, 2023** – sent notice of hearing to property owner.
- **August 2, 2023** – **Board ordered 30-60.** Decision letter sent to property owner.
- **September 7, 2023** – Reached out to owner via text message. She seemed interested in consent to demo.



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 1042 Clinton St. presentation





**Board of Building Standards
Agenda Memo**

Meeting Date:10/4/2023

TO:

FROM:

SUBJECT: Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-001561: 2017 N. 18th St. (MITCHELL & KIRBY, LOT 7, TAYLOR COUNTY, TEXAS), Owner: Rodriquez, Lisa

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. 20231004_23-001561_2017 N. 18th St. 20231004_23-001561_2017 N. 18th St..pptx

Case #23-001561

2017 N. 18th St.



CHECKLIST FOR RECORDS SEARCH

- Searches shown below verify proof of ownership and lienholders to which all notices have been sent.
- **COUNTY RECORDS** – Shows Warranty Deed naming **Lisa Rodriquez** as the owner
- **TAYLOR COUNTY** – Shows **Lisa Rodriquez** 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 August 7, 2020
- Search reveals **Lisa Rodriquez** to be the owner.



Public Notice

Sep 18, 2023 at 10:18:02 AM

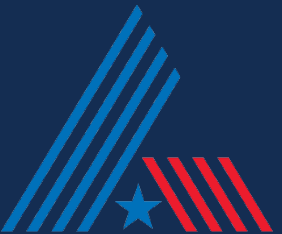


Front North Side

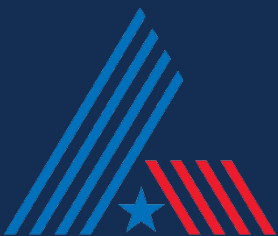
Sep 18, 2023 at 10:01:14 AM



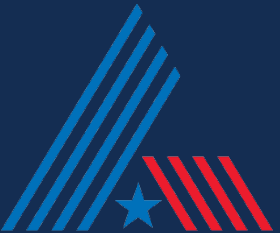
Rear South Side



East Side



West Side



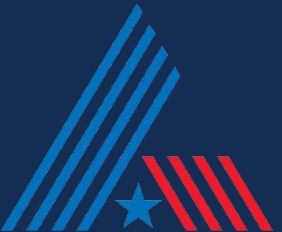
Substandard Code Violations

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

- 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 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)



Exterior Dilapidation



Exterior Dilapidation/Faulty Weather Protection



Exterior Dilapidation



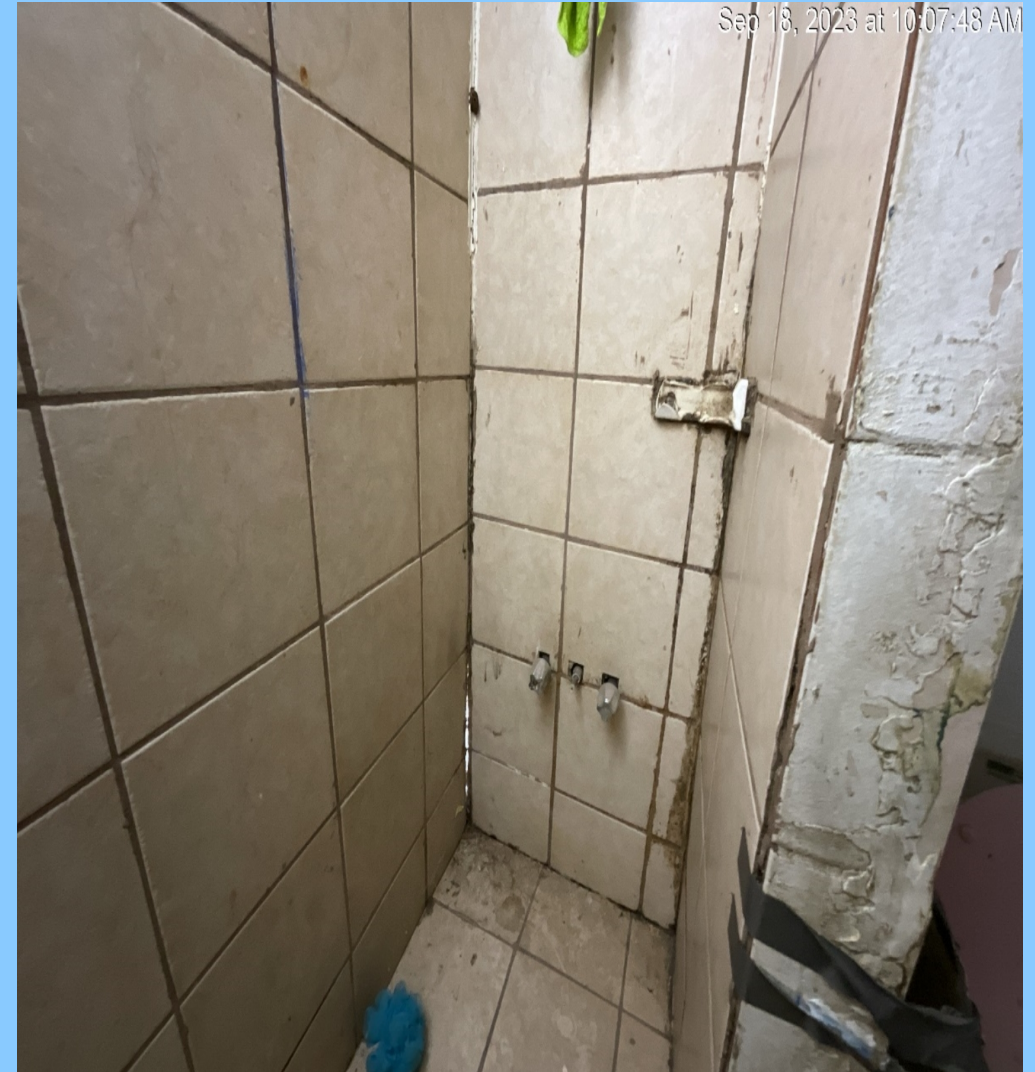
Interior Dilapidation



Interior Dilapidation/Faulty Weather Protection



Inadequate Sanitation



Structural Hazards



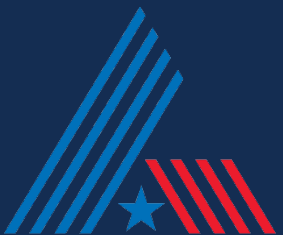
Structural Hazards



Electrical Hazards



Mechanical Issues



Timeline of Events

- **October 25, 2021** – Case opened for dilapidated structure. First notice sent to property owner's listed address. Discovered property owner is deceased but property may still be occupied.
- **December 1, 2021** – Additional notice sent to property owner's listed address.
- **February 9, 2022** – Notice of violation sent to property owner's listed address.
- **May 17, 2022** – Citizen complained that vacant property is attracting stray and wild animals.
- **May 12, 2023** – Inspected property, found it to be in worse shape. Discovered it is now vacant. Opened condemnation case.
- **May 16, 2023** – Affidavit of condemnation filed at county clerk.
- **May 17, 2023** – Sent notice of condemnation and 30-60 to deceased property owner's address as well as relative's address.
- **August 10, 2023** – Citizen complaint that structure is falling apart, possibly falling down.
- **September 13, 2023** – Notice of hearing sent to property owners address of record and to property owner's sister. Posted notice of hearing on structure.



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 2017 N. 18th St. presentation





**Board of Building Standards
Agenda Memo**

Meeting Date:10/4/2023

TO:

FROM:

SUBJECT: Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-001564: 909 Kirkwood St. (LAKESIDE ADDN, BLOCK 21, LOT 8-9, TAYLOR COUNTY, TEXAS), Owner: Huddleston, Gary & Margie

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. 20231004_23-001564_909 Kirkwood St. 20231004_23-001564_909 Kirkwood St..pptx

Case #23-001564

909 Kirkwood St.



CHECKLIST FOR RECORDS SEARCH

- Searches shown below verify proof of ownership and lienholders to which all notices have been sent.
- **COUNTY RECORDS** – Shows Warranty Deed w/Vendor's Lien naming **Gary Huddleston and wife Margie Huddleston** as owners
- **TAYLOR COUNTY** – Shows **Gary & Margie Huddleston** to be the owners.
- **SECRETARY OF STATE** – Shows no entity under this name.
- **TAX RECORDS OF THE MUNICIPALITY** – Not applicable
- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since June 6, 2017
- Search reveals **Gary & Margie Huddleston** to be the owner.



Public Notice

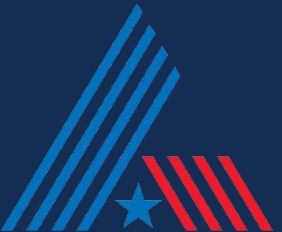
Sep 13, 2023 at 12:11:28 PM



Front West Side



Rear East Side



North Side

Sep 12, 2023 at 10:10:47 AM



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 Exits, Chapter 8, Sec 8-554 (10)



Exterior Dilapidation/Faulty Weather Protection



Exterior Dilapidation/Faulty Weather Protection



Exterior Dilapidation/Faulty Weather Protection



Exterior Dilapidation/Faulty Weather Protection



Structural Hazard/Inadequate Sanitation



Electrical Hazards



Timeline of Events

- **May 4, 2023** – Received complaint for dilapidated structure. Complaint was that roof has come off structure.
- **May 12, 2023** – Property was inspected, it would found to be in poor condition, vacant, and boarded up. The metal roof was peeled back exposing approximately a third of the inside of the structure to the elements and posing a flying debris hazard if the metal panels are blown from the roof. Also found the carport to be collapsed. At this time the structure had active electrical service. Attempts to reach owner were unsuccessful.
- **May 16, 2023** – Affidavit of condemnation was filed at county clerk.
- **May 19, 2023** – Reported unsafe conditions to AEP and requested power be removed to the structure. Condemnation notice and 30-60 were sent to the property owner.
- **May 25, 2023** – City contractor completed emergency securement of metal roofing panels to prevent flying debris hazard.
- **September 13, 2023** – Notice of hearing posted on structure and mailed to property owners.



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 909 Kirkwood St. presentation





**Board of Building Standards
Agenda Memo**

Meeting Date:10/4/2023

TO:

FROM:

SUBJECT: Case for rehabilitation, demolition, or Civil Penalties - Case #23-002568: 2858 Pine St. (NORTH PARK ADDN, BLOCK 18, LOT N105 OF S210 OF E210 LT2 & N70' X250 OF 2, TAYLOR COUNTY, TEXAS), Owner: Pittman, Albert Burl Life Est % Reggie Pittman Et Al

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. 20231004_23-002568_2858 Pine St. 20231004_23-002568_2858 Pine St..pptx

Case #23-002568

2858 Pine St.



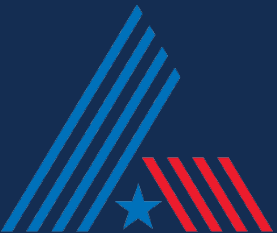
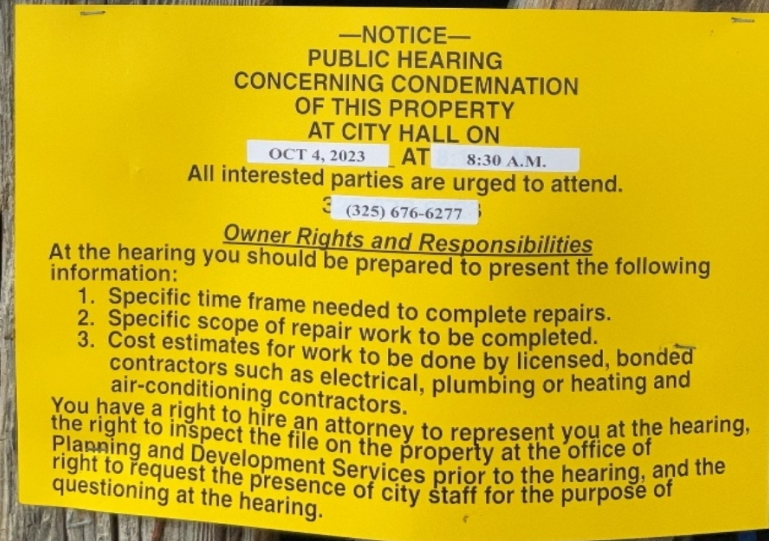
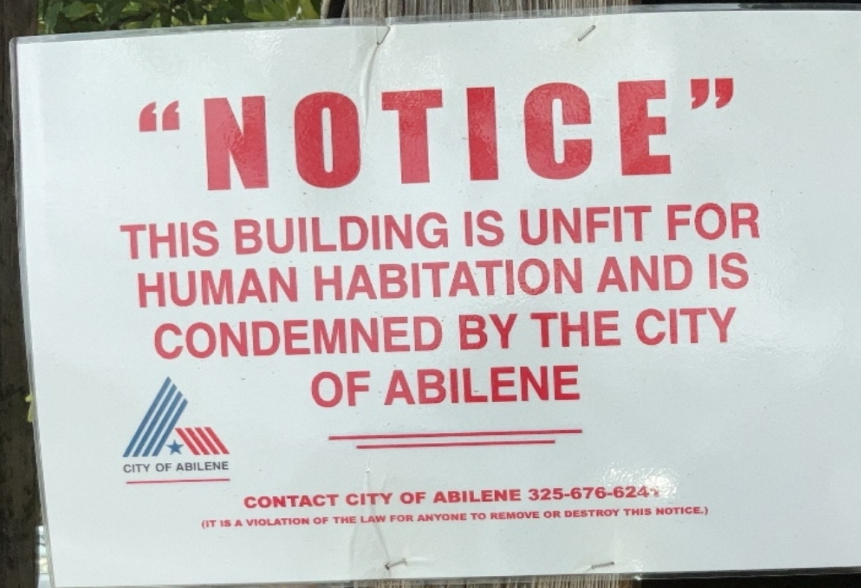
CHECKLIST FOR RECORDS SEARCH

- Searches shown below verify proof of ownership and lienholders to which all notices have been sent.
- **COUNTY RECORDS** – Shows Special Warranty Deed naming **Albert Burl Pittman** as owner
- **TAYLOR COUNTY** – Shows **Albert Burl Pittman Life Est c/o Reggie Pittman Et Al** 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** – Structure never had service
- Search reveals **Albert Burl Pittman** to be the owner.



Public Notice

Sep 13, 2023 at 11:02:00 AM



Front East Side



Rear West Side



North Side



South Side



Overhead View



All rights reserved.

City of Abilene, Taylor County, Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, US

Substandard Code Violations

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

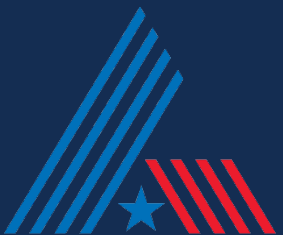
- Inadequate Sanitation, Chapter 8, Sec 8-554 (1)
- Structural Hazard, Chapter 8, Sec 8-554 (2)
- Nuisance, Chapter 8, Sec 8-554 (3), Chapter 19, Sec 19-15
- Hazardous Electrical Wiring, Chapter 8, Sec 8-554 (4)
- Faulty Weather Protection, Chapter 8, Sec 8-554 (7)



Dilapidation/Faulty Weather Protection



Dilapidation



Electrical Hazards



Inadequate Sanitation



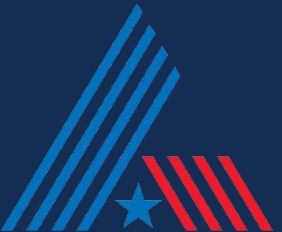
Inadequate Sanitation



Inadequate Sanitation



Inadequate Sanitation



Timeline of Events

- **April 11, 2023** – Structure fire occurred on lot where 2874 and 2858 Pine St. is located.
- **April 18, 2023** – Found people, animals living in RV's, another individual sleeping in a car. Found abundance of junk, debris, and hazardous electrical while inspecting this property.
- **April 19, 2023** – Affidavit of condemnation recorded at county clerk for 2874 Pine St. 2874 Pine St was the primary address for the entire lot that encompasses 2874 and 2858 Pine St.
- **April 25, 2023** – Notice of condemnation and 30-60 plan sent to property owner.
- **June 8, 2023** – Met with property owner and his friend/caretaker. He understands the fire damaged structure needs to be demolished and with that structure being demolished all of the dilapidated accessory structures will be demolished as well.
- Property owner is attempting to live in metal secondary structure in extremely unsanitary conditions, and without any utilities. He was made aware he cannot continue to live in this structure.
- **June 20, 2023** - Recorded an additional affidavit of condemnation at the county clerk that includes both the residential primary structure on lot (2874) as well as an accessory commercial structure (2858) that is also on this lot. Posted additional condemnation sign on 2858 Pine.
- **July 10, 2023** – Posted notice of board hearing on both condemned structures.
- **July 12, 2023** – Sent notice of board hearing to property owner and informed property owner's care-taker of hearing.
- **July 26, 2023** – Phone call with Albert Pittman: he said he understands the burned residential structure needs to be demolished but was not wanting the metal substructure to be demolished as well. He said he wanted to try to get the lot split so that 2858 would be on its own lot.
- **July 28, 2023** – Phone call with Mr. Pittman – he stated he wants to use the metal building for storage only.



Timeline of Events

- **August 2, 2023** – Board ordered 2874 Pine demolished and ordered 30-60 for 2858 Pine St. At the hearing the owner stated he was no longer attempting to live in the metal building and that he only intended to use it for storage.
- **August 3, 2023** – Decision of the Board was mailed to the property owner.
- **September 13, 2023** – Posted notice of October hearing on structure. Notice of hearing mailed to property owner.
- **September 21, 2023** – Inspected property. Found it be in the same condition. Spoke to property owner's associate. Explained next Board hearing for the property. Upon inspection of the rear of the property, between the metal building and the RV, the smell was unbearable. I called Animal Outreach to investigate the conditions that the animals inside the RV are exposed to. Attempted to reach Mr. Pittman by phone to make sure he's aware of hearing. Verified location Mr. Pittman is staying, sent notice of hearing to him at nursing home.



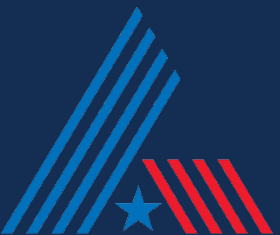
Staff Recommendation:

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 2858 Pine St. presentation





**Board of Building Standards
Agenda Memo**

Meeting Date:10/4/2023

TO:

FROM:

**SUBJECT: Case for Appeal of Condemnation - Case #23-004097: 1449 Park Ave
(ARTHEL HENSON OUTLOT 33, BLOCK K, LOT N38.4 LT 16 &
S12.89 LT 17, TAYLOR COUNTY, TEXAS), Owner: Champion,
Maxine Louise**

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. 20231004_23-004097_1449 Park Ave 20231004_23-004097_1449 Park Ave.pdf

Case #23-004097

1449 Park Ave.

(Appeal of Condemnation)



CHECKLIST FOR RECORDS SEARCH

- Searches shown below verify proof of ownership and lienholders to which all notices have been sent.
- **COUNTY RECORDS** – Show a Special Warranty Deed with Vendor's Lien naming **William Champion ETUX Maxine** as owner
- **TAYLOR COUNTY** – Shows Divorce Decree naming **Maxine Champion** 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 Nov 2021
- Search reveals **Maxine Champion** to be the owner.



Public Notice

Sep 13, 2023 at 11:19:55 AM



Front West Side



Rear East Side



North Side

Aug 17, 2023 at 11:03:06 AM



South Side



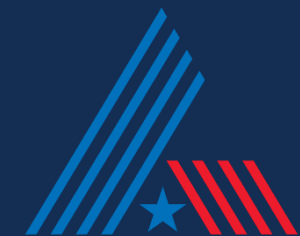
Substandard Code Violations

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

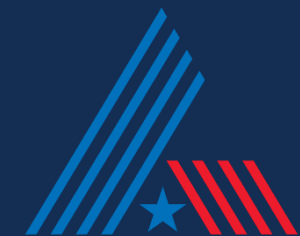
- Inadequate Sanitation, Chapter 8, Sec 8-554 (1)
- Structural Hazard, Chapter 8, Sec 8-554 (2)
- Nuisance, Chapter 8, Sec 8-554 (3), Chapter 19, Sec 19-15
- Hazardous Electrical Wiring, Chapter 8, Sec 8-554 (4)
- Faulty Weather Protection, Chapter 8, Sec 8-554 (7)



Exterior Dilapidation – Original State of Structure



Exterior Dilapidation – Original State of Structure



Exterior Dilapidation – Current Condition



Exterior Dilapidation – Current Condition



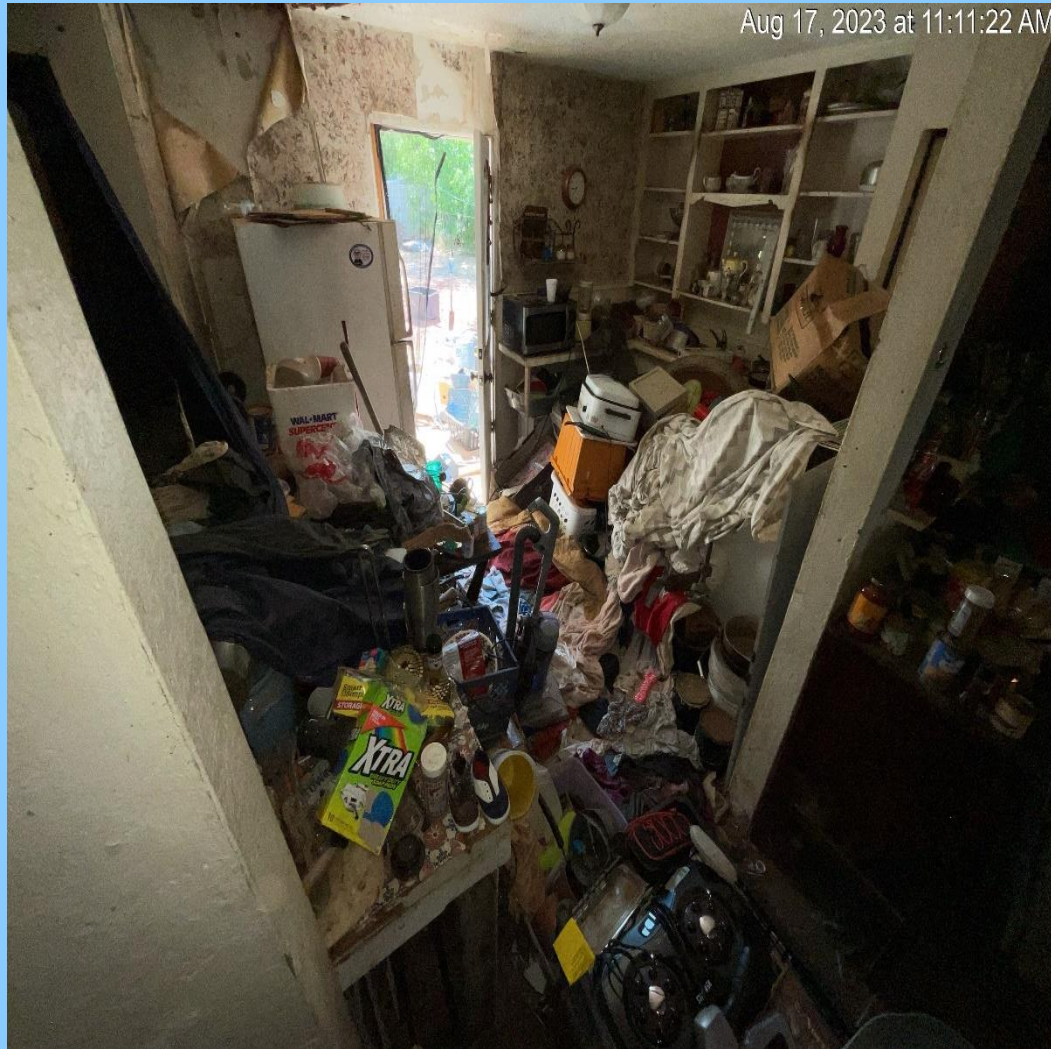
Exterior Dilapidation – Current Condition



Exterior Dilapidation – Current Condition



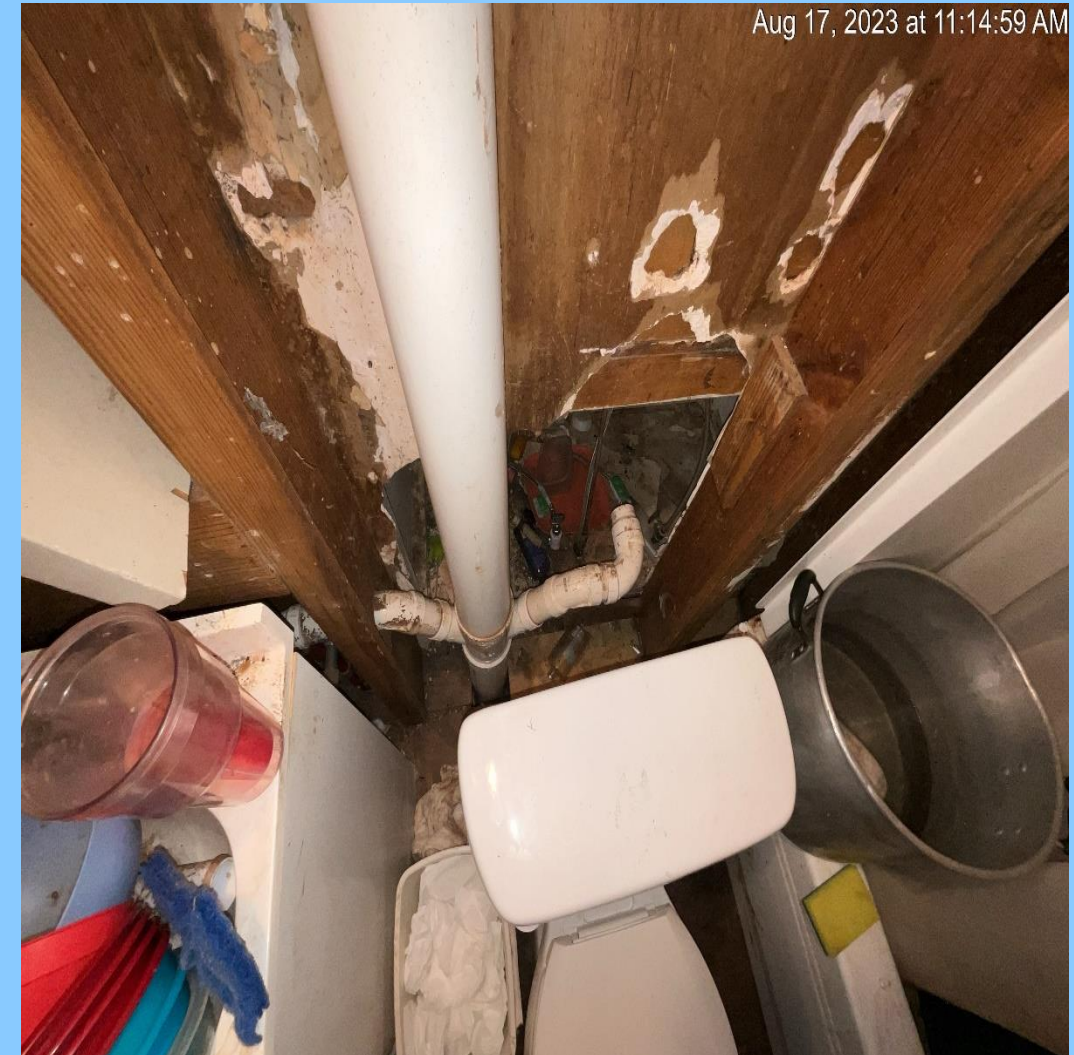
Inadequate Sanitation



Inadequate Sanitation



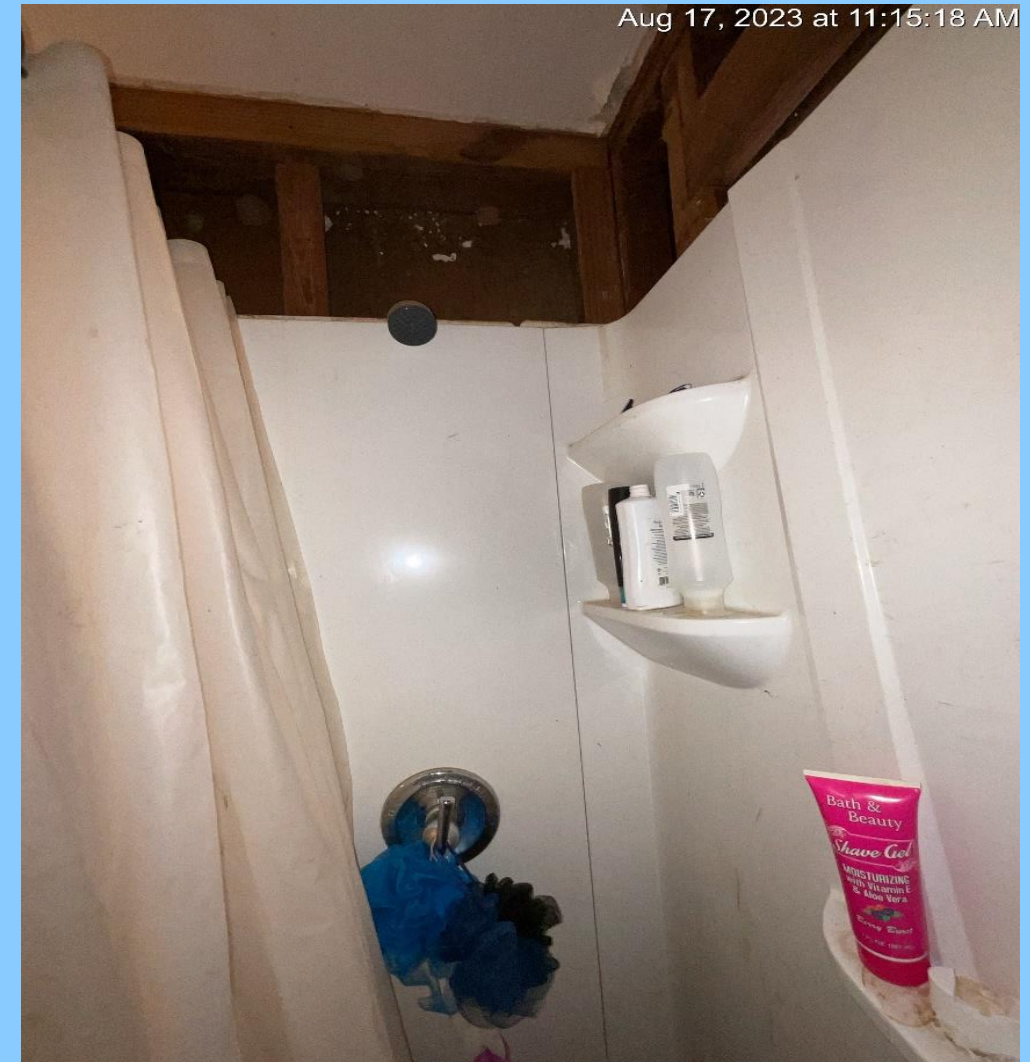
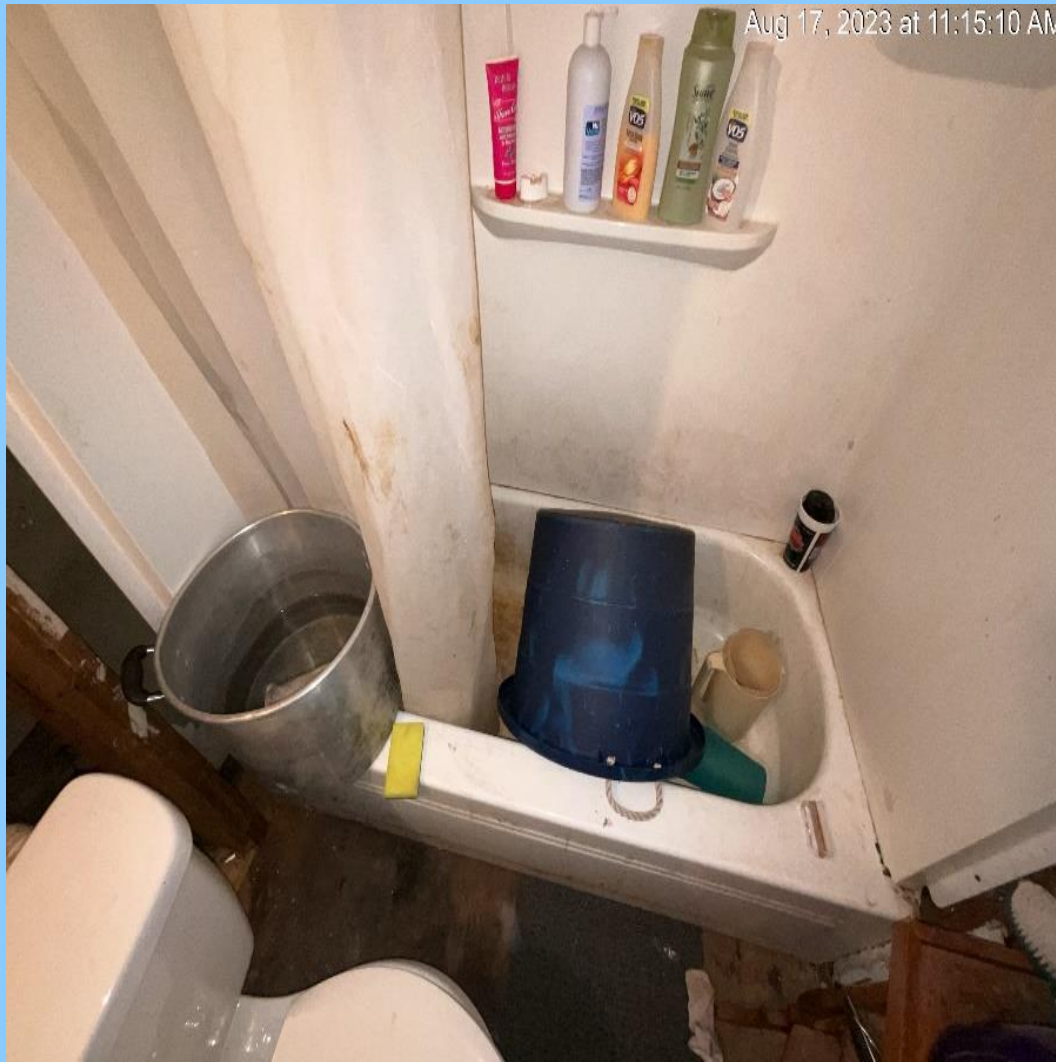
Inadequate Sanitation



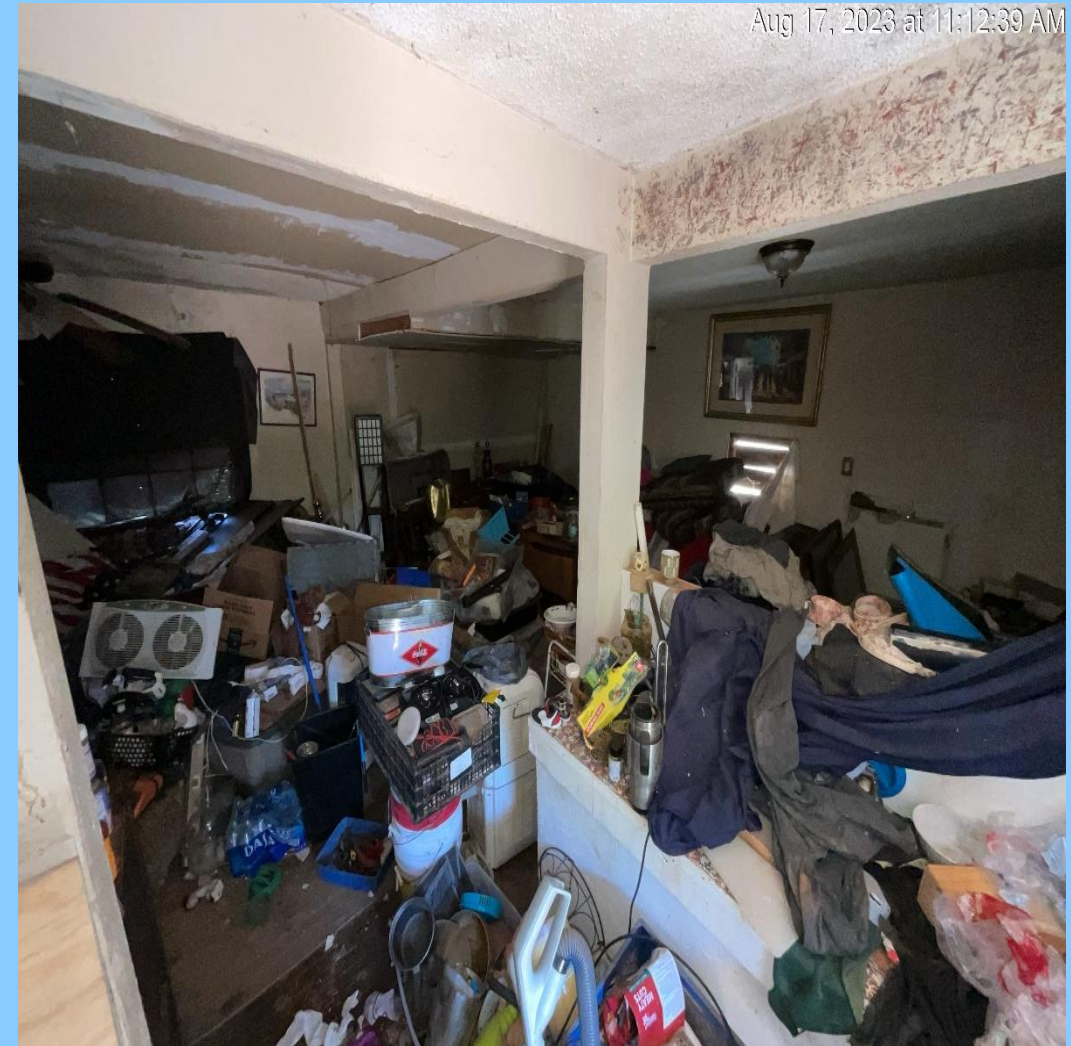
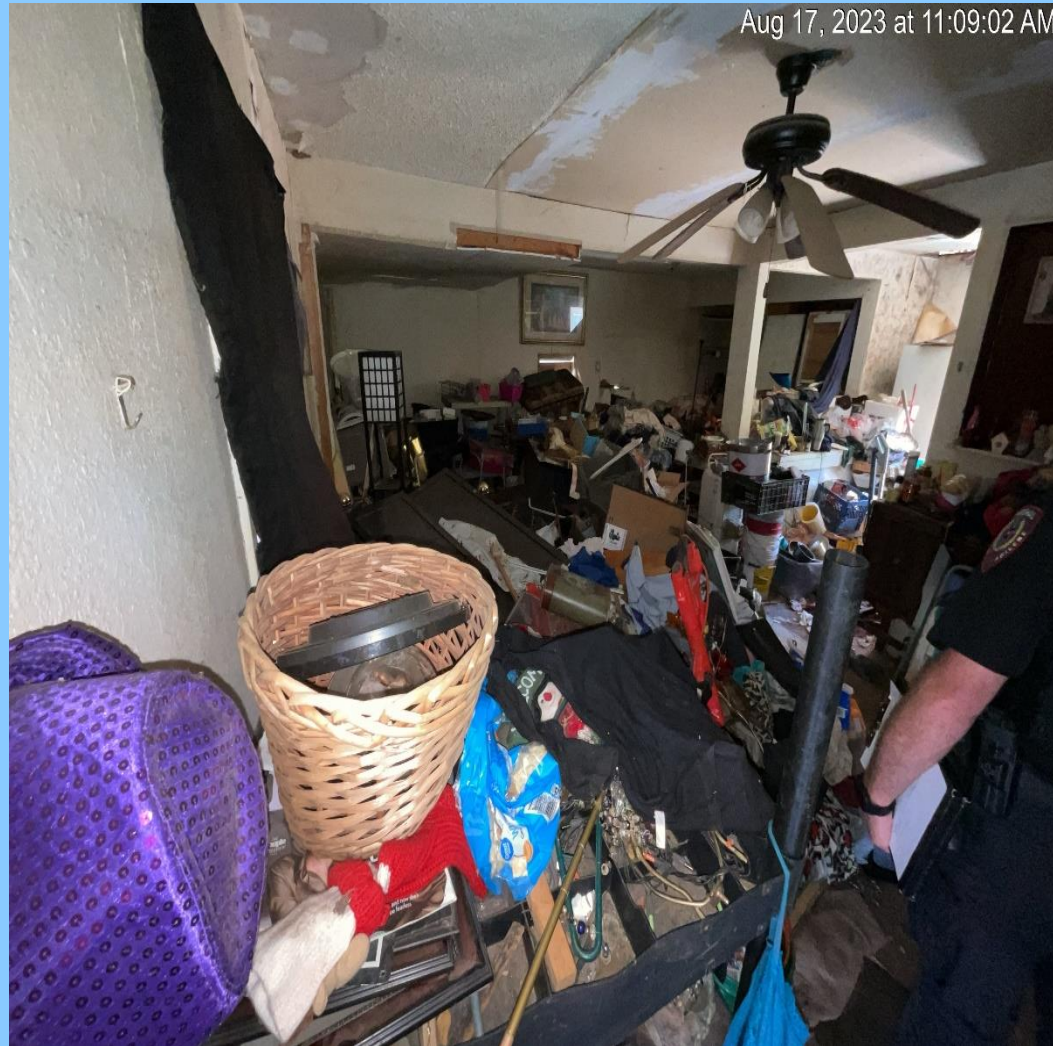
Inadequate Sanitation



Inadequate Sanitation



Inadequate Sanitation



Interior Dilapidation



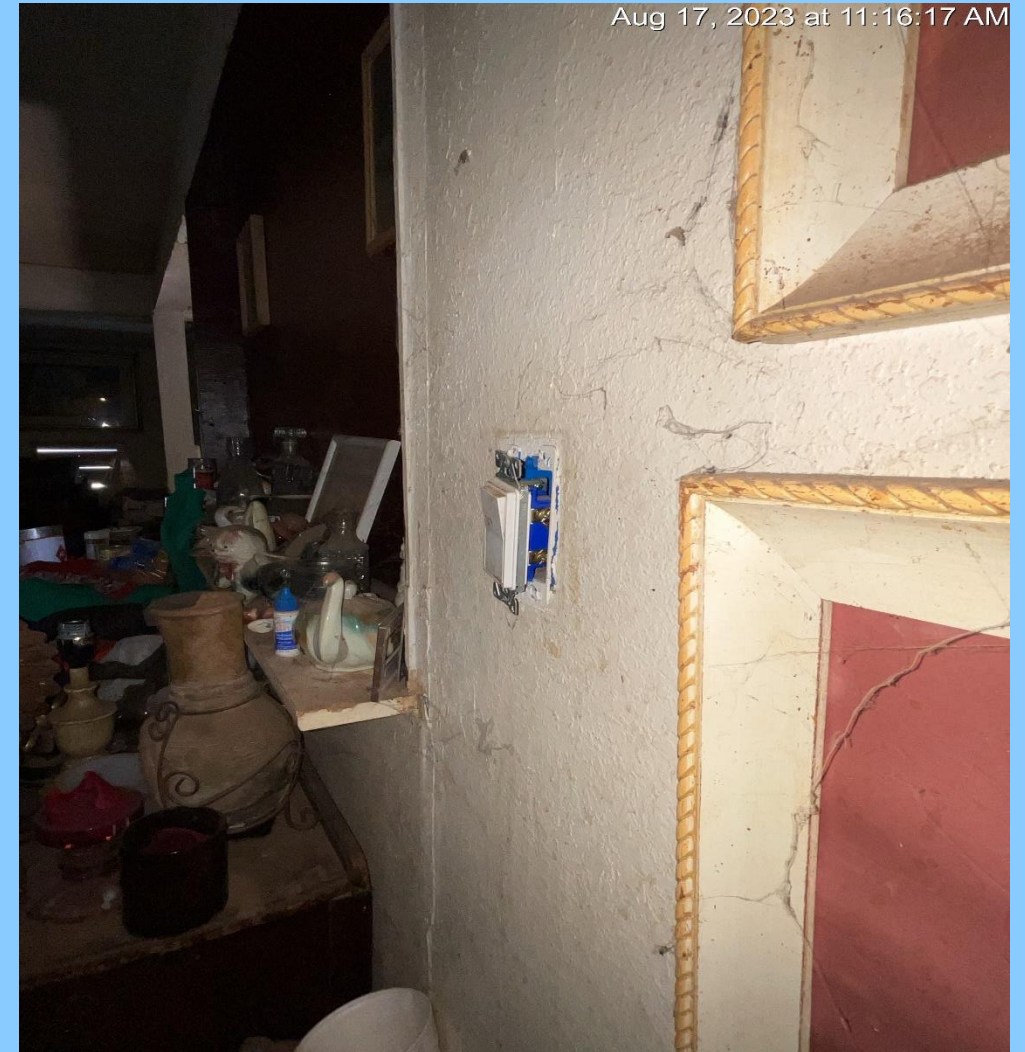
Hazardous Electrical



Hazardous Electrical



Hazardous Electrical

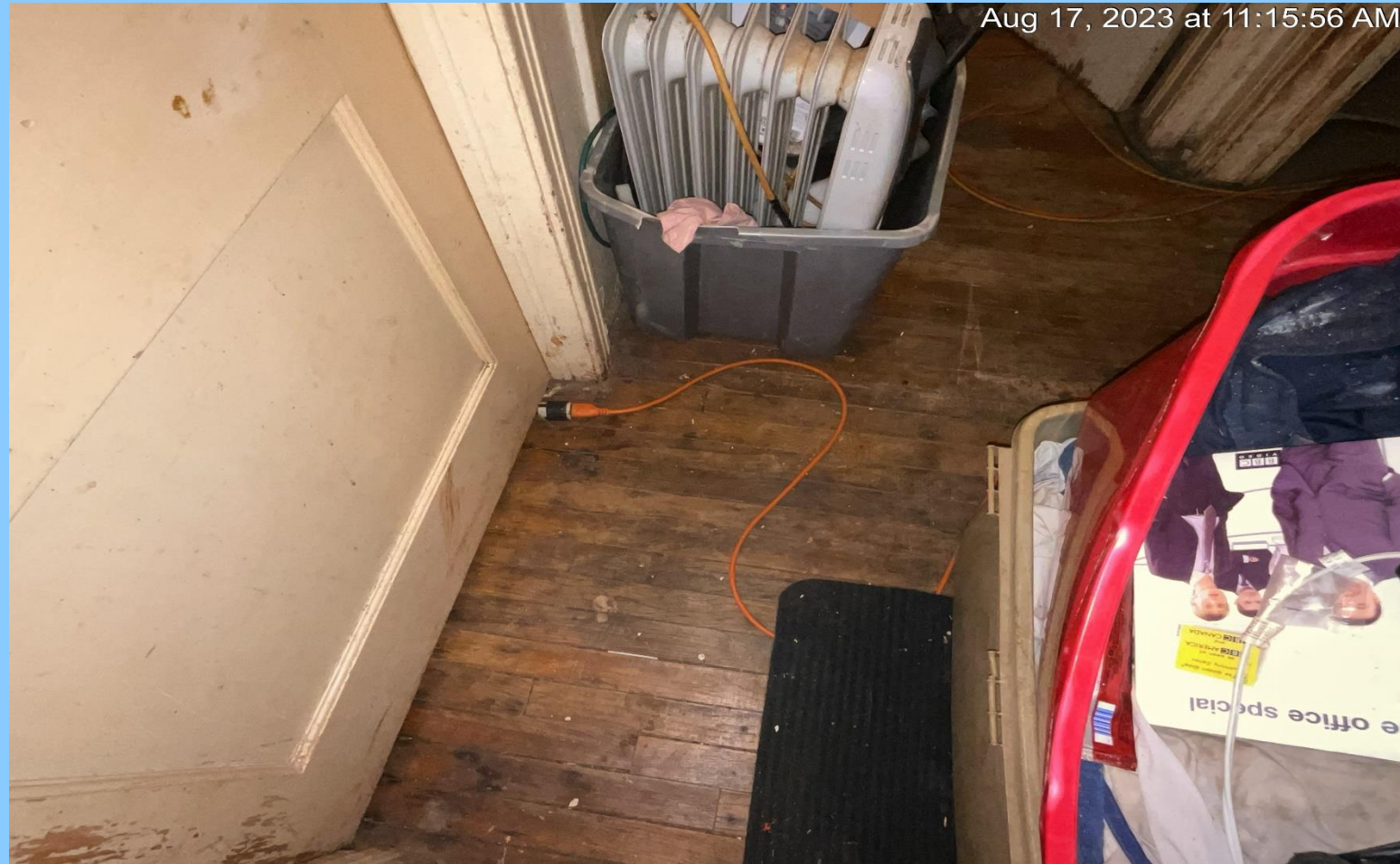


Electrical Hazards



Mechanical Issues

Inadequate means of heating



Timeline of Events

- **September 30, 2019** – Case opened for dilapidated structure. Found faulty weatherization on all exterior walls. Homeowner told me rats are getting inside, there is no water service, no toilet installed, and human waste being disposed of in backyard.
- **December 26, 2019** – Per city water department supervisor, there has been no water/trash service since July 2015.
- **January 2020** – Per request of city, the leader of Abilene Callahan Baptist Association met with property owner to assess her needs. He asked homeowner to reach back out to him with a good time for him and a volunteer plumber to come inside and see what repair work was needed.
- **September 8, 2020**– Reached out to city Neighborhood Services Office to see if homeowner would qualify for repair assistance. Due to the property being in the floodway, they do not qualify.
- **September 8, 2020** – Discovered property owner did not make contact with volunteers so they could evaluate plumbing. Contacted property owner to recommend they call volunteer service right away and they have been waiting on their call.
- **September 9, 2020** – Notice of violation sent to property owner. Spoke to property owner. She said she has help from a relative to work on plumbing and should start this weekend.
- **September 10, 2020** – Code officer got with water department supervisor to see what it will take to allow for water services to be switched back on, and provided that information to Ms. Champion. She needed to make payments on a \$300 bill and do a contract with the water department due to poor payment history.



Timeline of Events

- **October 23, 2020** – Water was switched on so volunteer plumber can find issues.
- **November 30, 2020** – Volunteer plumber found damage, determined job was too big for him. Black Plumbing provided an estimate of over \$7K. They offered to make repairs with only cost of labor and parts they had to purchase. They were unsure what true costs would be without digging.
- **December 10, 2020** – No change to property. *Issued citation* with hopes there would be some resolution during court hearing.
- **January 12, 2021** – Spoke to property owner, she said she had family that will be able to work on the plumbing.
- **January 14, 2021** – Contacted Rolling Plains to see what services they could provide. They said they would contact property owner to have her do a new application (she may have done one in the past). I had several contacts with Rolling Plains and made sure they had Ms. Champions contact information.
- **January 26, 2021** – I asked our volunteer service leader if he thought they could be a service project with some students to work on the exterior of the house.
- **February 1, 2021** – It was determined that our volunteer service organization would not be able to provide assistance because the home is too deteriorated to make it worth the time, manpower, and materials.
- **March 5, 2021** – Rolling Plains representative said they had not heard from property owner.
- **July 16, 2021** – Final plumbing inspection was cancelled by property owner. Property owner unable to give an estimated completion date or reschedule final inspection. *Second citation was issued.*



Timeline of Events

- **August 10, 2021** – Determined through water department that water service had been activated. Unknown if there is now a working toilet inside. Due to COVID and poor health of resident I did not ask to enter property to verify there was a working toilet installed.
- **October 13, 2021** – Notice of violation sent to property owner.
- **October 26, 2021** – Requested plan of action in writing for exterior repairs. Set a deadline of 26 Nov to start repairs.
- **November 19, 2021** – Water service terminated.
- **November 29, 2021** – Notice of violation sent to property owner.
- **December 8, 2021** – Notice of violation sent to property owner.
- **December 9, 2021** – Case delayed due to Ms. Champion's husbands declining health. She agreed to have plan to me by January 10th for water and exterior repairs.
- **January 27, 2022** – Received some text messages from property owner but still no legitimate plan of action.
- **March 1, 2022** – property was scheduled for tax auction but was removed from auction just prior to sale.
- **May 6, 2022** – No contact from property owner. Water still off. ***Issued third citation.***
- **August 11, 2022** – Some new siding placed on front side of house.
- **April 17, 2023** – Still no water service. Water jugs are being used to collect water from neighbor in order to flush toilet. Still an open plumbing ditch in the backyard.



Timeline of Events

- **July 12, 2023** – Inspected property, found it to still have large openings in the exterior.
- **July 20, 2023** – After multiple requests by the property owner for continuance for a citation issued on May 5, 2022, a jury trial was scheduled for today, July 20th. The defendant did not show up for this trial or call ahead to request a new date. To date, a new trial date has not been set. To my knowledge, no action has been taken by the court for failure to appear.
- **August 17, 2023** – Obtained administrative search warrant to inspect interior of house. Just prior to executing warrant, discovered an error on the warrant so we did not utilize it. In lieu of the warrant, we spoke to Ms. Champion, she agreed to sign a consent to search which we utilized instead. Conducted inspection of inside of the house.
- **August 29, 2023** – Affidavit of condemnation was filed at the county clerk.
- **August 30, 2023** – Met with Ms. Champion at 1449 Park Ave. Provided her with a copy of the condemnation notice, violation list, 30-60, plan of action, and copy of the consent to search form that she had signed for the city Marshal. Explained to her the notices and the option to appeal the condemnation. Asked her how she heats her house in winter. She said she has a propane heater.



Timeline of Events

- **September 6, 2023** – Son of property owner came into City Hall and dropped off written appeal of condemnation.
- **September 7, 2023** – Ms. Champion contacted Code Compliance to get re-connected with volunteer plumber. While on the phone she was informed of her appeal date, time, and location.
- **September 8, 2023** – Contacted by home remodeling contractor to inform me that they may be purchasing this property and if they do the owner will be moving out. Contractor informed me they looked over the property and said it requires a complete renovation and they did not locate a heating source.



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 1449 Park Ave. presentation





**Board of Building Standards
Agenda Memo**

Meeting Date:10/4/2023

TO:

FROM:

SUBJECT: 551.071 (Consultation with Attorney)

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

