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 December 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 November 1, 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# 23-003173: 625 Mesquite St. (OT ABILENE TIF #1, BLOCK 105, LOT 10, TAYLOR COUNTY, TEXAS), Owner: Wright, Clifford S. Lf Est

B. Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-003591: 2041 Graham St. (SEARS PARK, BLOCK 35, LOT 23, TAYLOR COUNTY, TEXAS), Owner: Mackey, Clifford & Joellyn

C. Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-003786: 1126 Houston St. (COLLEGE DRIVE REPLAT, BLOCK 20, LOT 11 & 12 (JC REESE REP), Owner: The G Group C/O Batten, Patrick

D. Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-003901: 1542 S. 8th St. (W70 14 & W70 S40 15 & W70 N19 13 186 JOHNSON & MCCORD OT ABL-1, TAYLOR COUNTY, TEXAS), Owner: Ramos, Elmer Jr & Ruth Ann

E. Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-003902: 1034 S. 12th ST. (NORTHINGTON, JAMES, BLOCK B, LOT 4, TAYLOR COUNTY, TEXAS), Owner: Key J T & Louise

F. Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-004017: 1858 Sycamore St. (BELMONT ADDN, BLOCK 15, LOT 8 & S3 OF 7, TAYLOR COUNTY, TEXAS), Owner: Legacy Dwelling, LLC

G. Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-004020: 1420 S. 12th St. (SAYLES & HUGHES OF BELLEVUE, BLOCK 10, LOT W55 LT 12 & W55 OF 22.3 LT 11, TAYLOR COUNTY, TEXAS), Owner: Christian, Jane

H. Case for Appeal of Condemnation and Rehabilitation, Demolition, or Civil Penalties - Case #23-004933: 1158 Lillius St. (LAKESIDE ADDN, BLOCK 18, LOT S32 FT LT 1 & N34 FT LT 2, TAYLOR COUNTY, TEXAS), Owner: Gonzales, Mary Lou

I. Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-004863: 1110 Elm St. (J H DARNELL OF BELLEVUE OUTLOT 1, BLOCK 4, LOT 2, TAYLOR COUNTY, TEXAS), Owner: Lackey, Tommy

J. End of FY 23 Condemnation/Dilapidated Structure Program Statistics

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 November, 2023, at 12:45 p.m.

_____

Kaitlin Richardson, Deputy City Secretary, TRMC

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:12/6/2023

TO:

FROM:

SUBJECT: **Public Hearing and possible approval of November 1, 2023 Board of Building Standards meeting minutes**

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Nov 1, 2023 Minutes Nov 1, 2023 Minutes.docx

BOARD OF BUILDING STANDARDS
MEETING MINUTES
November 1, 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. Jeremy McBrayer
Mr. Sean McNeill
Mr. Lloyd Turner

Staff Present: Mr. Michael Rice, Assistant City Manager
Mr. Tim Littlejohn, Director of Planning & 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
Ms. Teri Dollar, Code Compliance Officer

Others Present: Mr. Joe Soliz (1765 Oak St.)
Ms. Debra Jones (1858 Sycamore St.)
Carisma Ramirez (3042 Pine St.)
Mr. Alexander Gonzales (2116 Sears Blvd)
Mr. Guy Shaver (1858 Sycamore St)
Mr. Tony Gonzales (2116 Sears Blvd)

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, October 4, 2023, were provided in advance to Board Members for review.

Mr. Turner made a motion to approve the October minutes as written.
The motion was seconded by Mr. Wyatt, motion passed.

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

NAYS: None

ABSTAIN: None

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition, or Civil Penalties - Case #22-000806: 2116 Sears Blvd. (SEARS PARK, BLOCK 32, LOT 15, TAYLOR COUNTY, TEXAS), Owner: Meza, Christopher R & Gonzales, Alexander

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

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 19-15 (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)

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.

Public Hearing: Mr. Beard opened the public hearing. Mr. Alexander explained he had some medical delays and requested more time. Mr. Gonzales also reiterated Mr. Gonzales needs more time and has financial constraints. There were no other speakers. Mr. Beard closed the public hearing.

Mr. Allred made a motion that the property is a public nuisance in that it is a hazard to the public health, safety, and welfare and repair of the structure would be unreasonable, and was seconded by Mr. McNeil, motion passed.

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

NAYS: None

ABSTAIN: None

Mr. Allred made a motion that the owner is ordered to demolish or appeal the order to district court within 30 days or the City may demolish, and was seconded by Mr. McNeil, motion passed.

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

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case #22-001921: 3042 Pine St. (NORTH PARK ADDN, BLOCK 24, LOT N82.5 S329.25 E390, ACRES .74, TAYLOR COUNTY, TEXAS), Owner: Ramirez, Raul S.

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

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 19-15 (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)

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.

Public Hearing: Mr. Beard opened the public hearing. Ms. Ramirez, the heir to the property, told the board she currently has two quotes to demolish the structure. She asked for additional time until the end of her sale contract on January 8, 2024 to try to get the property sold. She said she has two parties interested in the property. There were no other speakers. Mr. Beard closed the public hearing.

Mr. Allred made a motion that the property is a public nuisance in that it is a hazard to the public health, safety, and welfare and repair of the structure would be unreasonable, and was seconded by Mr. Turner, motion passed.

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

NAYS: None

ABSTAIN: None

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

AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeil, Mr. Turner, 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, TAYLOR COUNTY, TEXAS), Owner: Joch Properties, LLC

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

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 19-15 (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)

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.

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

Mr. McBrayer made a motion that the property is a public nuisance in that it is a hazard to the public health, safety, and welfare and repair of the structure would be unreasonable, and was seconded by Mr. McNeil, motion passed.

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

NAYS: None

ABSTAIN: None

Mr. McBrayer made a motion that the owner is ordered to demolish or appeal the order to district court within 30 days or the City may demolish, and was seconded by Mr. McNeil, motion passed.

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

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-001166: 2817 Simmons Ave (NORTH PARK ADDN, BLOCK 16, LOT N72 1/2 S145 W150 LT2, TAYLOR COUNTY, TEXAS), Owner: Hickson, Bryan Douglas & Georgia

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

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 19-15 (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)

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.

Public Hearing: Mr. Beard opened the public hearing. There was no one wishing to speak on this case. 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, and was seconded by Mr. McBrayer, motion passed.

AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeil, Mr. Turner, 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, and was seconded by Mr. McBrayer, motion passed.

AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeil, Mr. Turner, 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, TAYLOR COUNTY, TEXAS), Owner: Fiedler Donna Maude

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

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 19-15 (4)
Hazardous Electrical, Chapter 8, Sec. 8-554 (4)
Faulty Weather Protection Chapter 8, Sec. 8-554 (7)

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.

Public Hearing: Mr. Beard opened the public hearing. Being that there was no one wishing to speak on this case, 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. McBrayer, motion passed

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

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-001800: 717 Clinton St. (HEYCK, BLOCK 1, LOT N40 OT LT A (LEWIS S/D OF LOTS 11-13 BLK 1, TAYLOR COUNTY, TEXAS), Owner: Gutierrez, Jesus J.

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

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 19-15 (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)

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.

Public Hearing: Mr. Beard opened the public hearing. There was no one wishing to speak on this case. Mr. Beard closed the public hearing.

Mr. McNeil 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. Allred, Mr. McBrayer, Mr. McNeil, Mr. Turner, Mr. Beard

NAYS: None

ABSTAIN: None

Mr. McNeil 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. Allred, Mr. McBrayer, Mr. McNeil, Mr. Turner, Mr. Beard

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-001915: 1765 Oak St. (WESTWAY PARK BLOCK 1, LOT 4, TAYLOR COUNTY, TEXAS), Owner: Soliz, Melanie

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

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 19-15 (4)
Hazardous Electrical, Chapter 8, Sec. 8-554 (4)

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

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.

Public Hearing: Mr. Beard opened the public hearing. The father of the owner, Mr. Joe Soliz requested a year to rehabilitate the property. The Board explained that they do not have the authority to grant that much time and they have already had a lot of time to take action. The Board asked Mr. Soliz if he is comfortable with the staff recommendation. Mr. Soliz acknowledged that he is comfortable with the staff recommendation.

Mr. Wyatt 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, and was seconded by Mr. Allred, motion passed

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

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties – Case# 23-001915: 1233 Kirkwood St. (ARTHEL HENSON OUTLOT 33, BLOCK 3, LOT 19, TAYLOR COUNTY, TEXAS), Owner: Bonner, Roger Lee

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

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 19-15 (4)
Hazardous Electrical, Chapter 8, Sec. 8-554 (4)
Hazardous Mechanical Equipment, Chapter 8, Sec. 8-554 (6)
Faulty Weather Protection Chapter 8, Sec. 8-554 (7)

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.

Public Hearing: Mr. Beard opened the public hearing. Being that there was no one wishing to speak on this case, 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, and was seconded by Mr. Wyatt, motion passed

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

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties – Case# 23-004017: 1858 Sycamore St. (BELMONT ADDN, BLOCK 15, LOT 8 & S3 OF 7, TAYLOR COUNTY, TEXAS), Owner: Legacy Dwelling, LLC

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

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 19-15 (4)
Hazardous Electrical, 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)

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.

Public Hearing: Mr. Beard opened the public hearing. The owner, Guy Shaver addressed the Board. He started off by telling the Board the no one is living at the property. He said the property is insured and he is waiting on the insurance claim so he can rehab the house. Ms. Deborah Jones, the neighbor to this property told the board that people, possibly from this house are using the alley as a restroom since there are no utilities to the house. She said there are still people and pets at the residence. Ms. Teri Dollar addressed the Board and explained she has multiple Code Compliance cases for this residence and the owner does not respond to notices of violation. She said the house is likely occupied and when she makes contact with the residents, they come out of the house covered in soot. She said multiple neighbors said they are grateful we are working on this property. There being no other people wishing to speak to this case, Mr. Beard closed the public hearing.

Board Discussion: The Board asked legal about occupants in a condemned structure. Legal explained occupants would not be arrested for occupying the structure unless it was determined by the owner the occupants are trespassing. The Board recommended giving time for the owner to work with insurance company. The Board recommended tabling the case until the next hearing.

Mr. Allred made a motion to table this case until the next hearing, and was seconded by Mr. Wyatt, motion passed

AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeil, Mr. Turner, 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 10:03 a.m.

X

Approved, Chairman

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:12/6/2023

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-003173: 625 Mesquite St. (OT ABILENE TIF #1, BLOCK 105, LOT 10, TAYLOR COUNTY, TEXAS), Owner: Wright, Clifford S. Lf Est**

GENERAL INFORMATION

Owner: Wright, Clifford S. Lf Est
Sq Ft: 768
Structural: Poor
Foundation: Poor
Value: $29,695
Total Value: $31,795
Delinquent Tax: $440.19

SPECIAL CONSIDERATIONS

July 11, 2023 – Structure found to be unsecured, vacant and dilapidated. Opened condemnation case.
July 19, 2023 – Affidavit of condemnation was recorded at the county clerk.
July 20, 2023 – Notice of condemnation and 30-60 were sent to address of record for property owner.
July 24, 2023 – Son of owner received notices. Came into City Hall and said he would look into getting property put into his name to try to sell it.
August 11, 2023 – Sent notice of condemnation and 30-60 to property owner that is incarcerated. Owner is serving a life sentence.
October 26, 2023 – Notice of public hearing posted on structure.
November 6, 2023 – Notice of hearing sent to property owner.

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 December 6, 2023.

ATTACHMENTS:

1.	20231206_Slides Intro	20231206_Slides Intro.pptx
2.	20231206_23-003173_625 Mesquite St	20231206_23-003173_625 Mesquite St.pptx

BOARD OF BUILDING STANDARDS

December 6, 2023

CITY OF ABILENE TEXAS

PUBLIC NOTICE – December 6, 2023 MEETING

- A meeting of the Board of Building Standards will be held at 8:30 a.m., Wednesday, December 6, 2023 in the Council Chambers of City Hall, 555 Walnut Street, Abilene, Texas, to consider the following properties on the agenda: 625 Mesquite St. Abilene, TX 79601, 2041 Graham St. Abilene, TX 79603, 1126 Houston St. Abilene, TX 79601, 1542 S. 8th St. Abilene, TX 79602, 1034 S. 12th St. Abilene, TX 79602, 1858 Sycamore St. Abilene, TX 79602, 1420 S. 12th St. Abilene, TX 79602, 1158 Lillius St. Abilene, TX 79603, and 1110 Elm St. Abilene, TX 79602. Property owners are required to submit at the hearing proof of the scope of work, including cost estimates, that may be required to comply with city ordinance, and the calendar days in which it will take to perform the work. Owners have the right to hire an attorney to represent them, the right to inspect the file on the property at the Office of Planning and Development Services prior to the hearing, and the right to request the presence of City staff for the purpose of questioning at the hearing. The Board may take action, including but not limited to demolition orders and/or the assessment of civil penalties.

Case #23-003173

625 Mesquite St.

CITY OF ABILENE TEXAS

CHECKLIST FOR RECORDS SEARCH

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

- **COUNTY RECORDS** – Shows Deed of Life Estate naming **Clifford S. Wright** as owner.

- **TAYLOR COUNTY** – Shows **Clifford S. Wright Life Est** to be the owner.

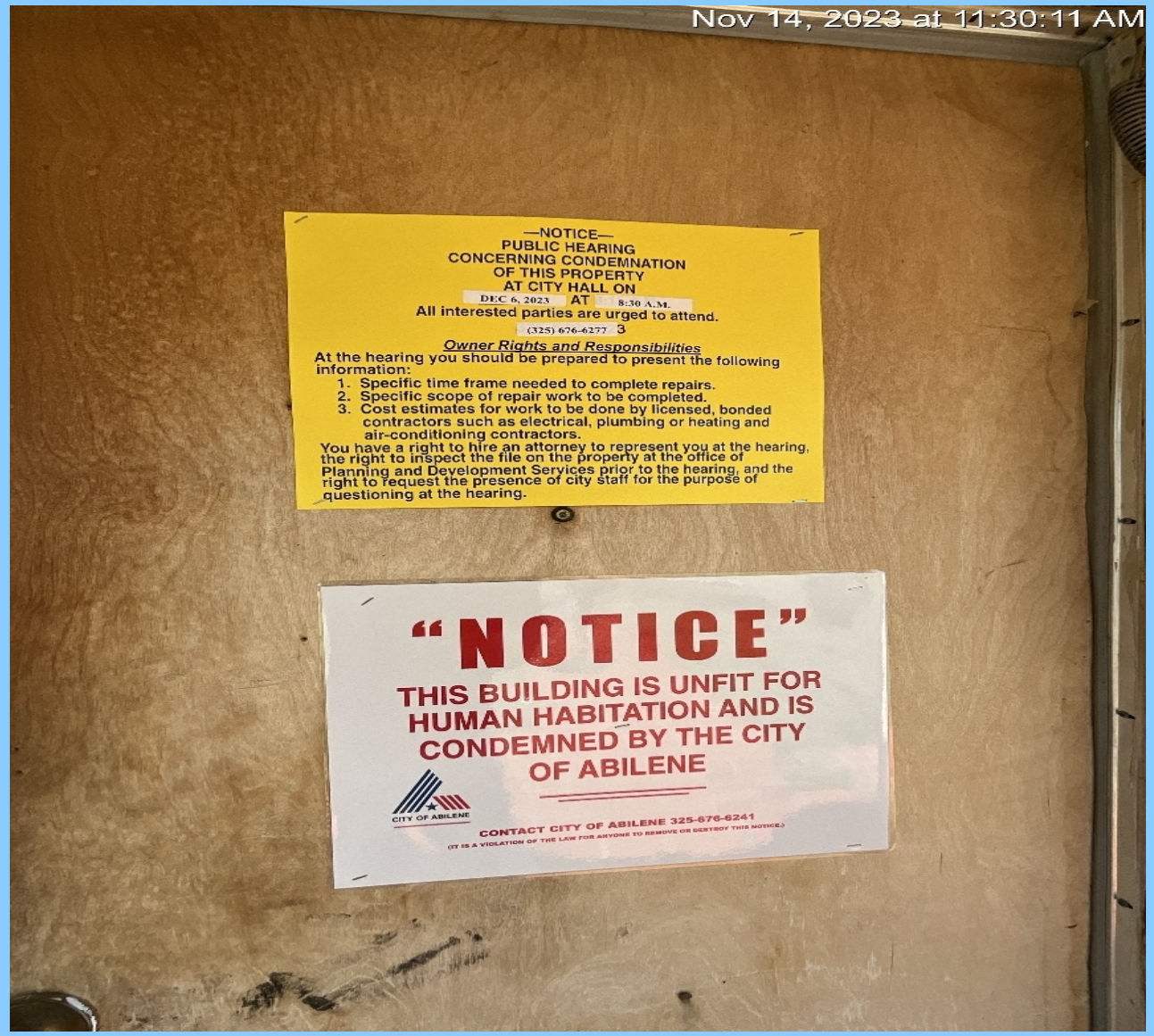
- **SECRETARY OF STATE** – Shows no entity under this name.

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

- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since December 2020

- Search reveals **Clifford S. Wright** 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)
- 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



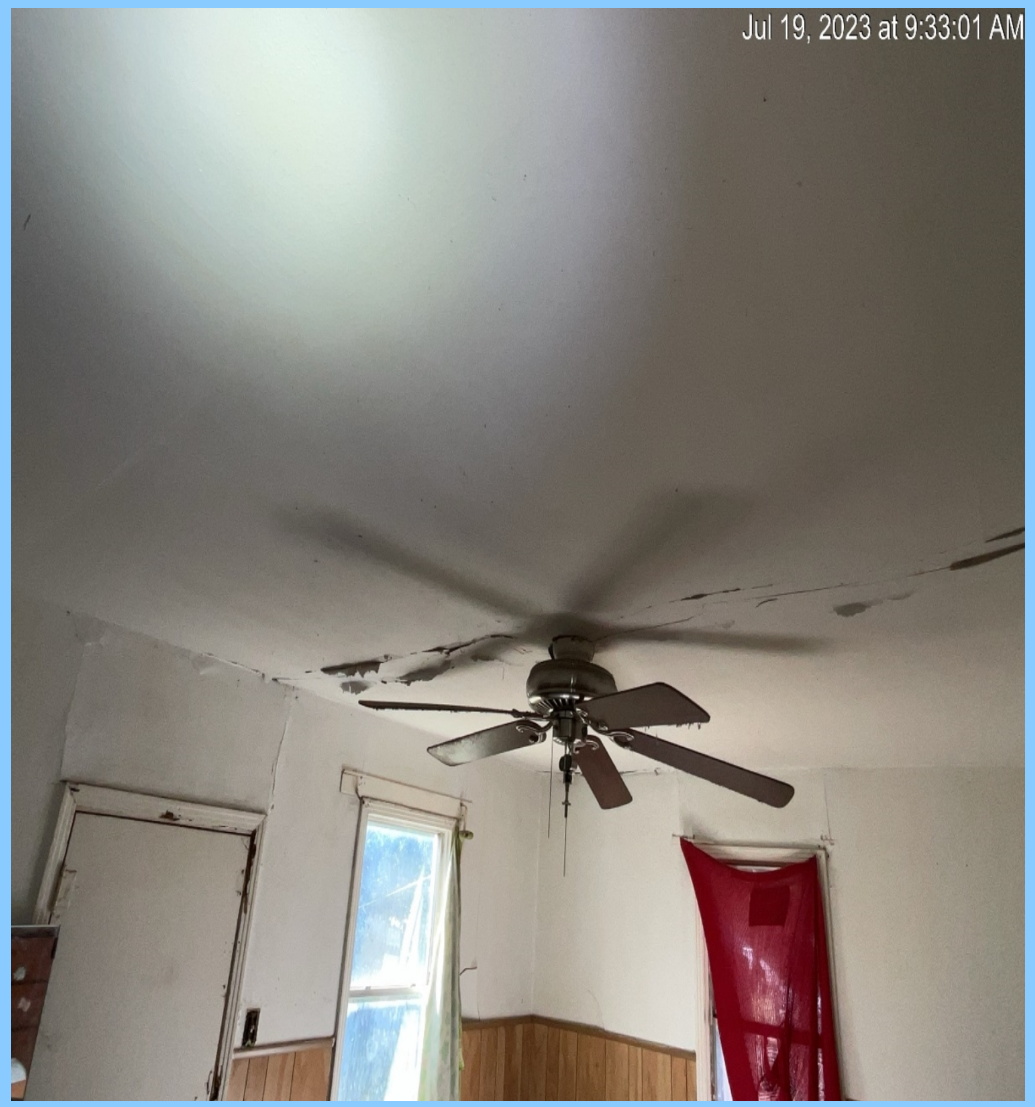


Exterior Dilapidation/ Structural Hazard





Interior Dilapidation



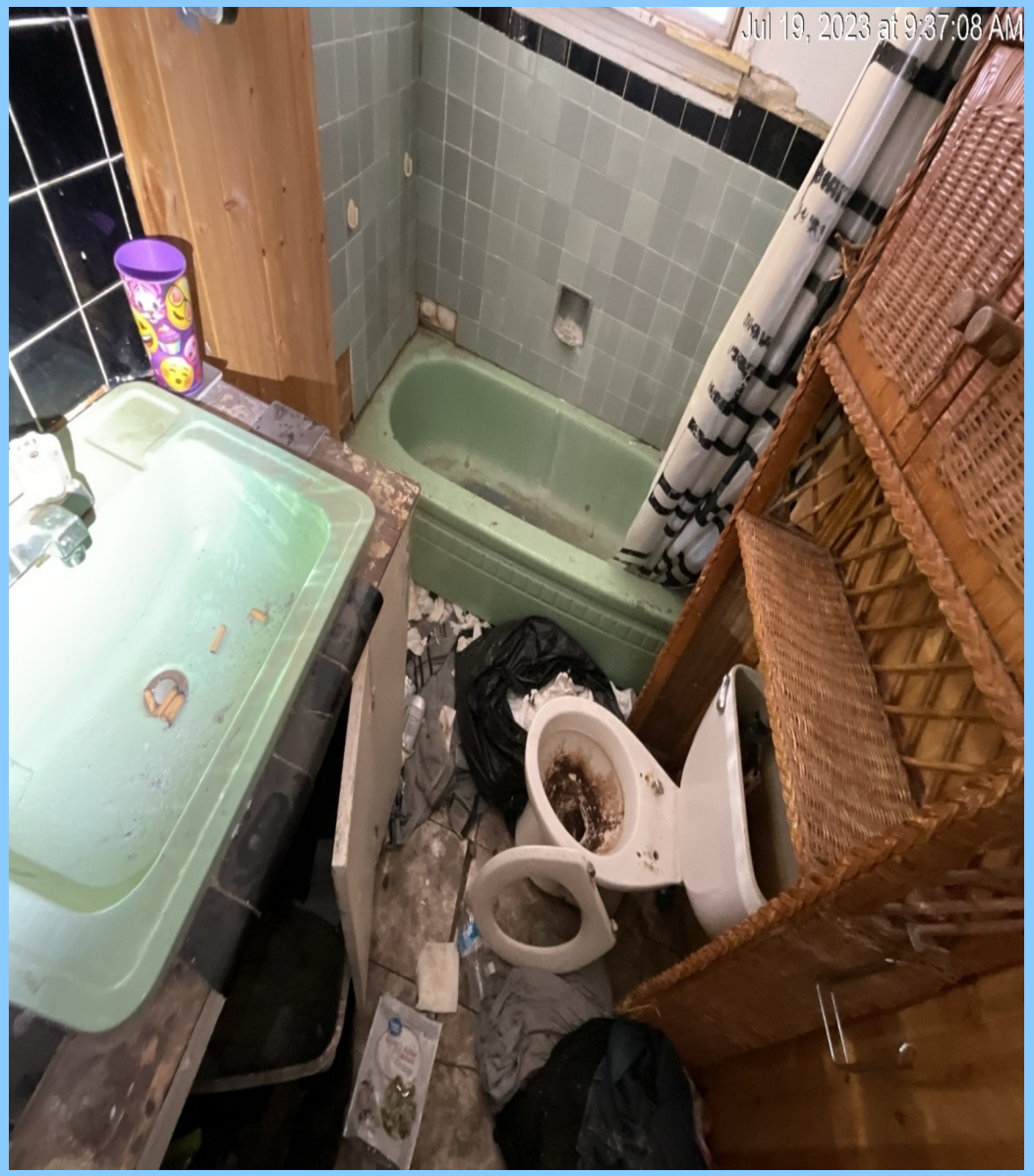


Interior Dilapidation/Structural Hazard (foundation wall)



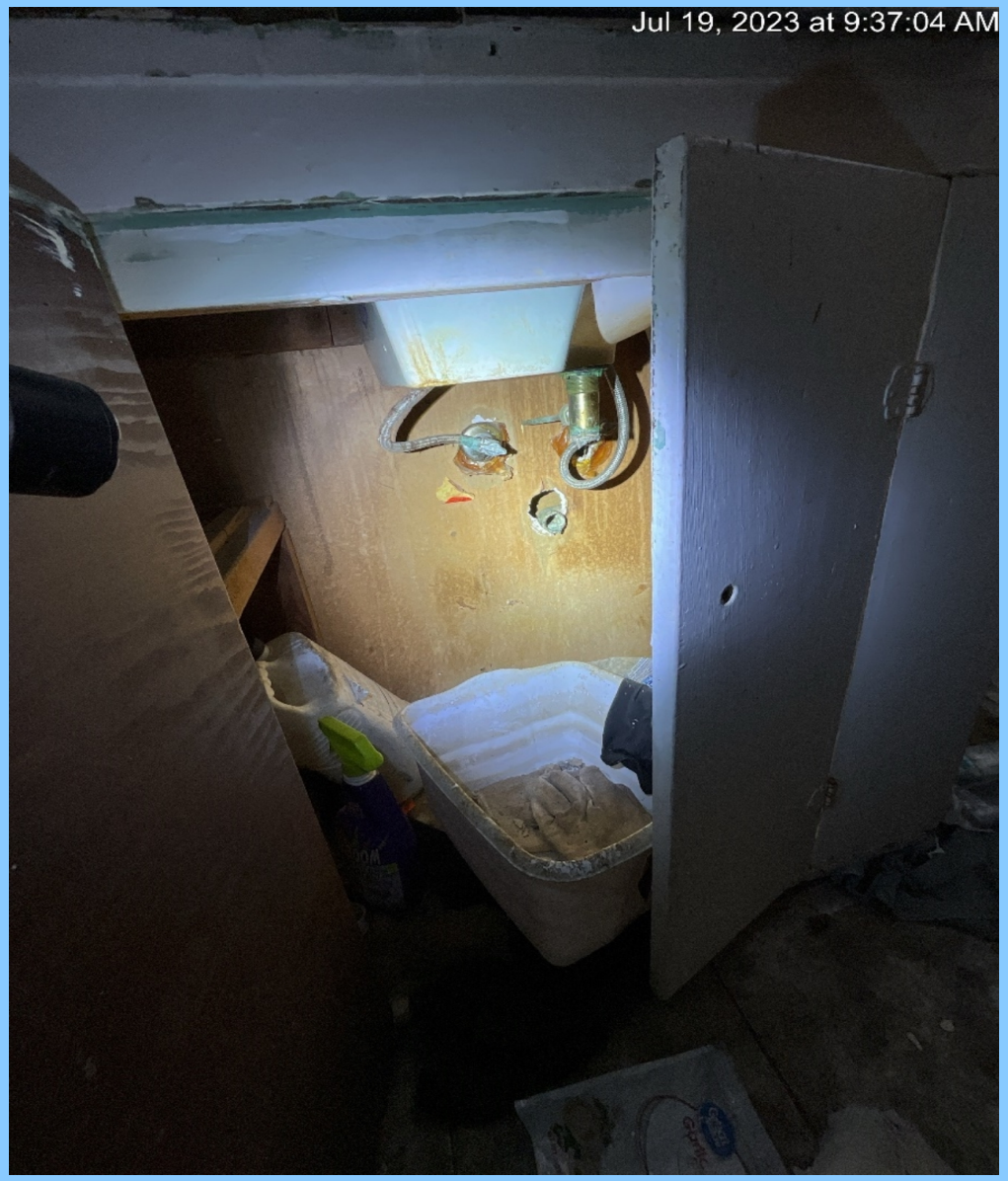


Inadequate Sanitation





Inadequate Sanitation





Hazardous Electrical / Mechanical





Timeline of Events

- **July 11, 2023** – Structure found to be unsecured, vacant and dilapidated. Opened condemnation case.
- **July 19, 2023** – Affidavit of condemnation was recorded at the county clerk.
- **July 20, 2023** – Notice of condemnation and 30-60 were sent to address of record for property owner.
- **July 24, 2023** – Son of owner received notices. Came into City Hall and said he would look into getting property put into his name to try to sell it.
- **August 11, 2023** – Sent notice of condemnation and 30-60 to property owner that is incarcerated. Owner is serving a life sentence.
- **October 26, 2023** – Notice of public hearing posted on structure.
- **November 6, 2023** – Notice of hearing sent to property owner.

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 625 Mesquite St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:12/6/2023

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-003591: 2041 Graham St. (SEARS PARK, BLOCK 35, LOT 23, TAYLOR COUNTY, TEXAS), Owner: Mackey, Clifford & Joellyn**

GENERAL INFORMATION

Owner: Mackey, Clifford & Joellyn
Sq Ft: 696
Structural: Poor
Foundation: Poor
Value: $8,059
Total Value: $9,379
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

May 10, 2023 – Started investigation for vagrants inside dilapidated structure and homeless camp in lot next to this house. Found elderly woman staying inside house. Instructed vagrant to find another place to stay.
July 21, 2023 - Found electricity had been illegally wired to house and from the house electricity was being supplied to several tents on the vacant lot next door. The woman and dog staying in the house are connected to the vagrants staying on the vacant lot. Upon discovering the hazardous electrical AEP was called out to terminate the connection.
July 28, 2023 – Affidavit of condemnation recorded at county clerk. Notice of condemnation and 30-60 sent to address of record for the property owners.
September 12, 2023 – City contractor secured the structure.
October 26, 2023 – Posted notice of public hearing on structure.
November 6, 2023 – Sent notice of December hearing to property owner.

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 December 6, 2023.

ATTACHMENTS:

1. 20231206_23-003591_2041 Graham St 20231206_23-003591_2041 Graham St.pptx

Case #23-003591

2041 Graham St.

CITY OF ABILENE TEXAS

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 **Clifford & Joellyn Mackie** as owners.

- **TAYLOR COUNTY** – Shows **Clifford & Joellyn Mackie** to be the owner.

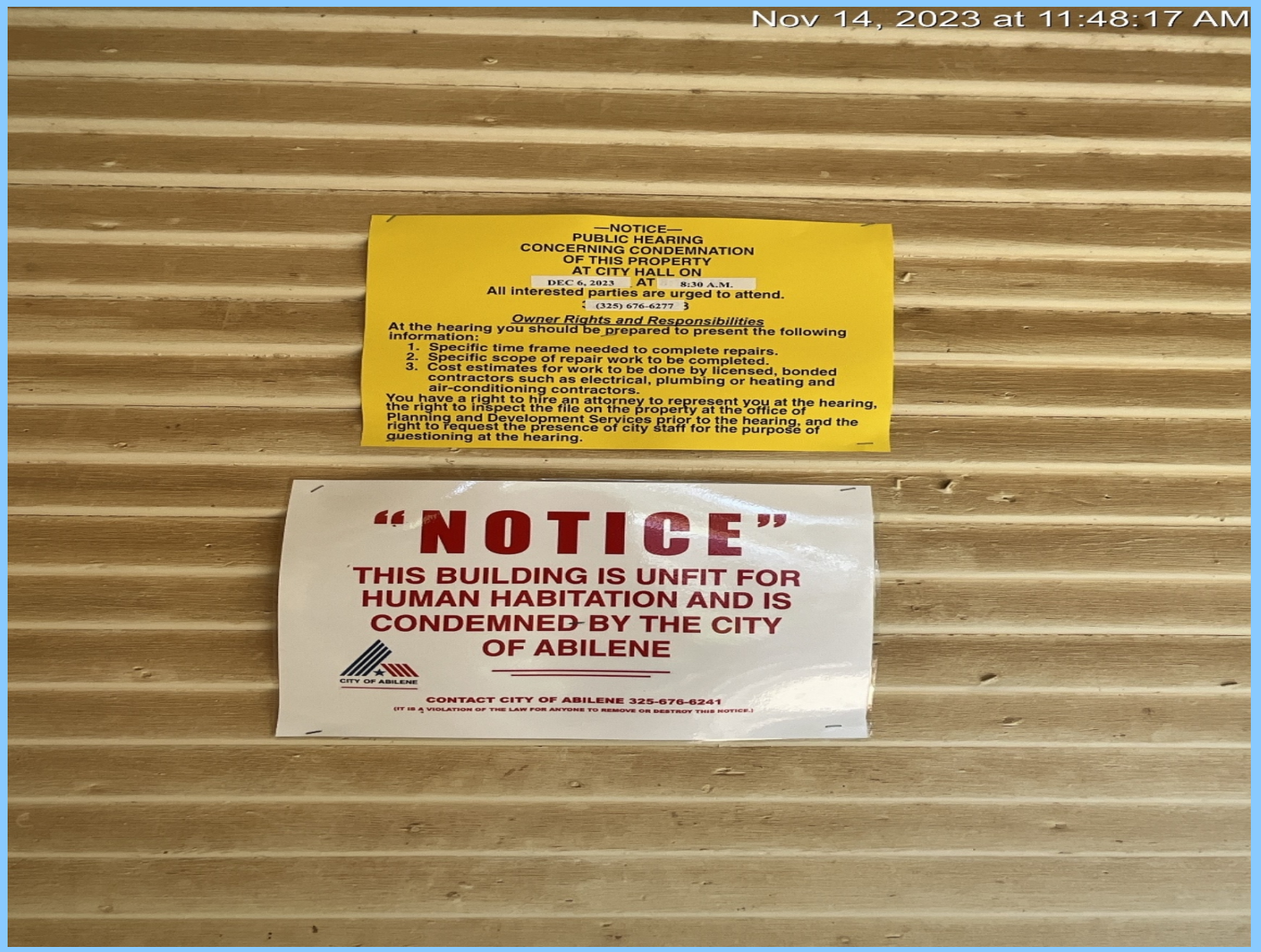
- **SECRETARY OF STATE** – Shows no entity under this name.

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

- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since February 5, 2010

- Search reveals **Clifford & Joellyn Mackie** 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)
- 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 / Faulty Weather Protection





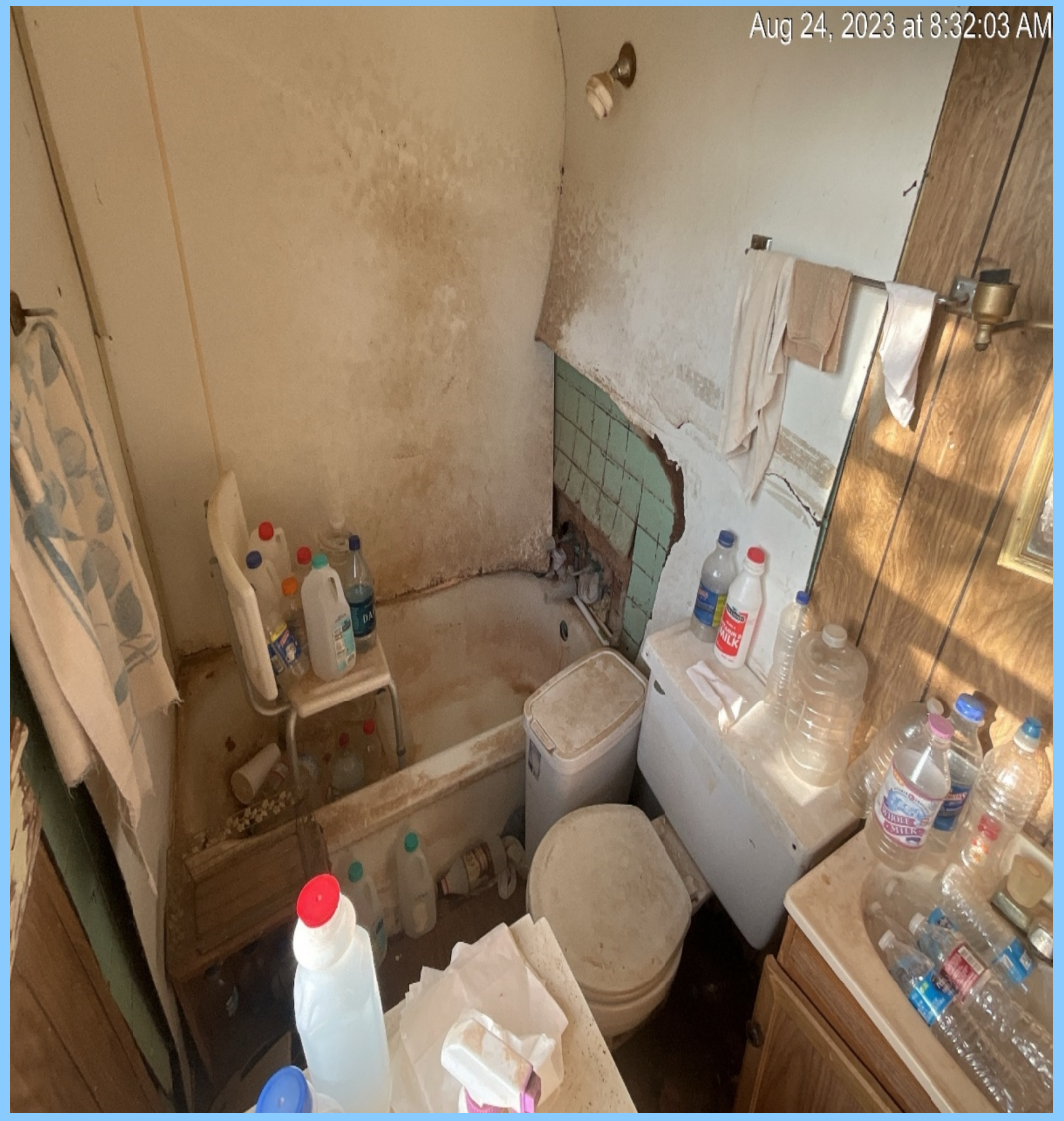
Exterior Dilapidation





Interior Dilapidation / Inadequate Sanitation/Plumbing





Interior Dilapidation / Hazardous Mechanical Equipment





Interior Dilapidation



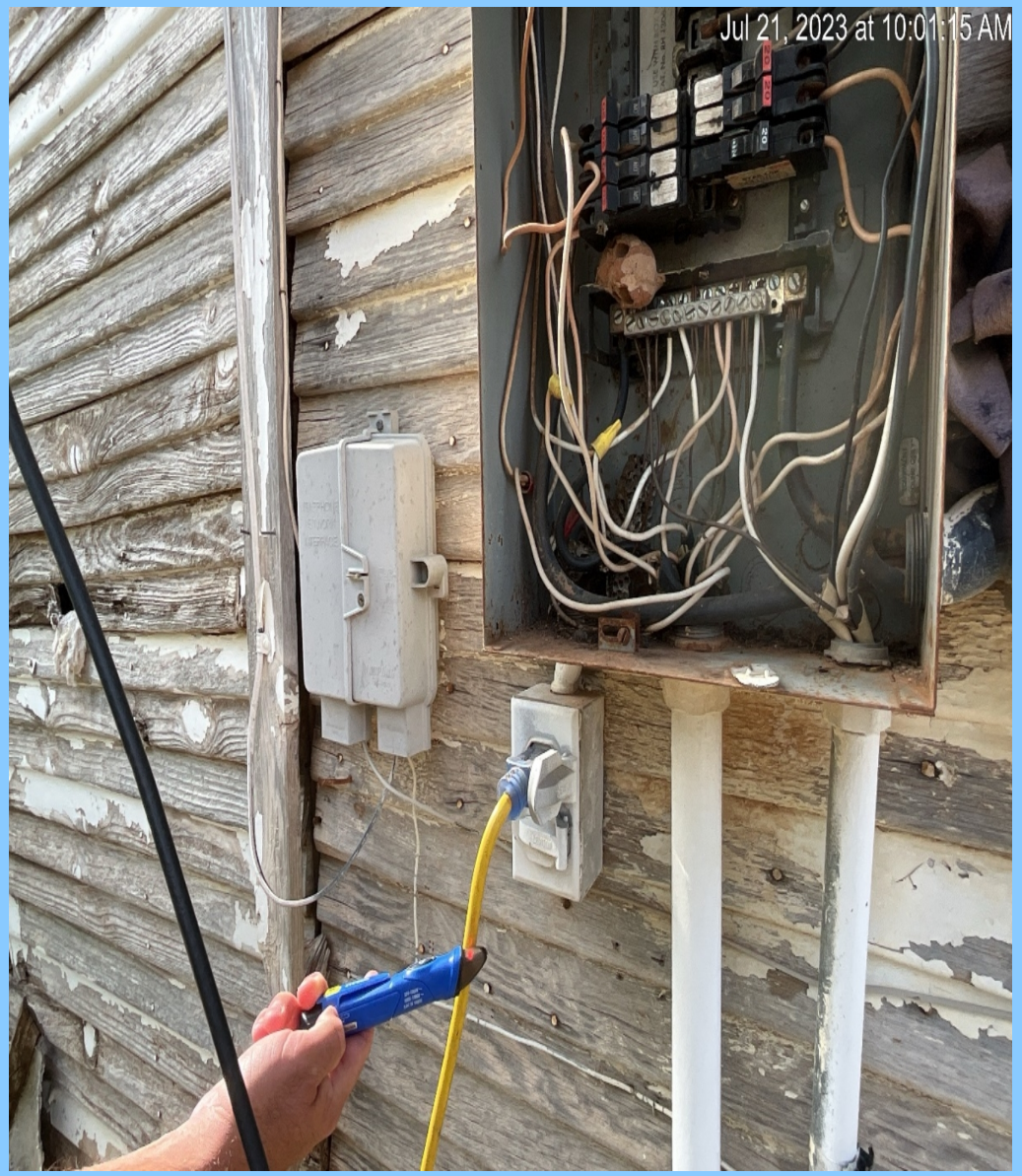


Nuisance


Jul 21, 2023 at 9:58:57 AM


Jul 21, 2023 at 10:05:16 AM
EKSTROM INDUSTRIES
FARMINGTON HILLS, MICH

Nuisance





Nuisance





Timeline of Events

- **May 10, 2023** – Started investigation for vagrants inside dilapidated structure and homeless camp in lot next to this house. Found elderly woman staying inside house. Instructed vagrant to find another place to stay.
- **July 21, 2023** - Found electricity had been illegally wired to house and from the house electricity was being supplied to several tents on the vacant lot next door. The woman and dog staying in the house are connected to the vagrants staying on the vacant lot. Upon discovering the hazardous electrical AEP was called out to terminate the connection.
- **July 28, 2023** – Affidavit of condemnation recorded at county clerk. Notice of condemnation and 30-60 sent to address of record for the property owners.
- **September 12, 2023** – City contractor secured the structure.
- **October 26, 2023** – Posted notice of public hearing on structure.
- **November 6, 2023** – Sent notice of December hearing to property owner.

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 2041 Graham St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:12/6/2023

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-003786: 1126 Houston St. (COLLEGE DRIVE REPLAT, BLOCK 20, LOT 11 & 12 (JC REESE REP), Owner: The G Group C/O Batten, Patrick**

GENERAL INFORMATION

Owner: The G Group c/o Patrick Batten
Sq Ft: 1,370
Structural: Poor
Foundation: Poor
Value: $43,068
Total Value: $46,268
Delinquent Tax: $1,409.30

SPECIAL CONSIDERATIONS

August 8, 2023 – Accompanied Constables on Writ of Possession due to Constables discovering hazardous conditions at property that was being rented out. Confirmed structure is hazardous and should be condemned immediately to prevent it from being re-rented. Posted condemnation placard on structure.
August 10, 2023 – Affidavit of condemnation recorded at county clerk.
August 11, 2023 – Notice of condemnation and 30-60 sent to property owner.
August 2023 – Phone call with property owner. Owner stated he would pull permit and repair.
October 20, 2023 – No further contact from owner. No permit applied for. Property still under same ownership.
October 26, 2023 – Notice of public hearing posted on structure.
November 6, 2023 – Notice of hearing sent to property owner.
November 15, 2023 – asked legal to look over warranty deeds naming The G Group and Patrick

Batten. They are labeled as warranty deed but resemble a contract for sale. Due to this, we sent notices to previous owner. Condemnation notice, 30-60, and notice of hearing were sent to previous owner and possibly still current owner.

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 December 6, 2023.

ATTACHMENTS:

1. 20231206_23-003786_1126 Houston St 20231206_23-003786_1126 Houston St.pptx

Case #23-003786

1126 Houston St.

CITY OF ABILENE TEXAS

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 **Patrick Batten and The G Group as owner**

- **TAYLOR COUNTY** – Shows **The G Group** 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 14, 2023

- Search reveals **Patrick Batten and The G Group** 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 Plumbing, Chapter 8, Sec. 8-554 (5)
- Faulty Weather Protection, Chapter 8, Sec 8-554 (7)

Hazardous Electrical / Hazardous Heating





Hazardous Heating / Fire Hazard





Hazardous Heating / Fire Hazard





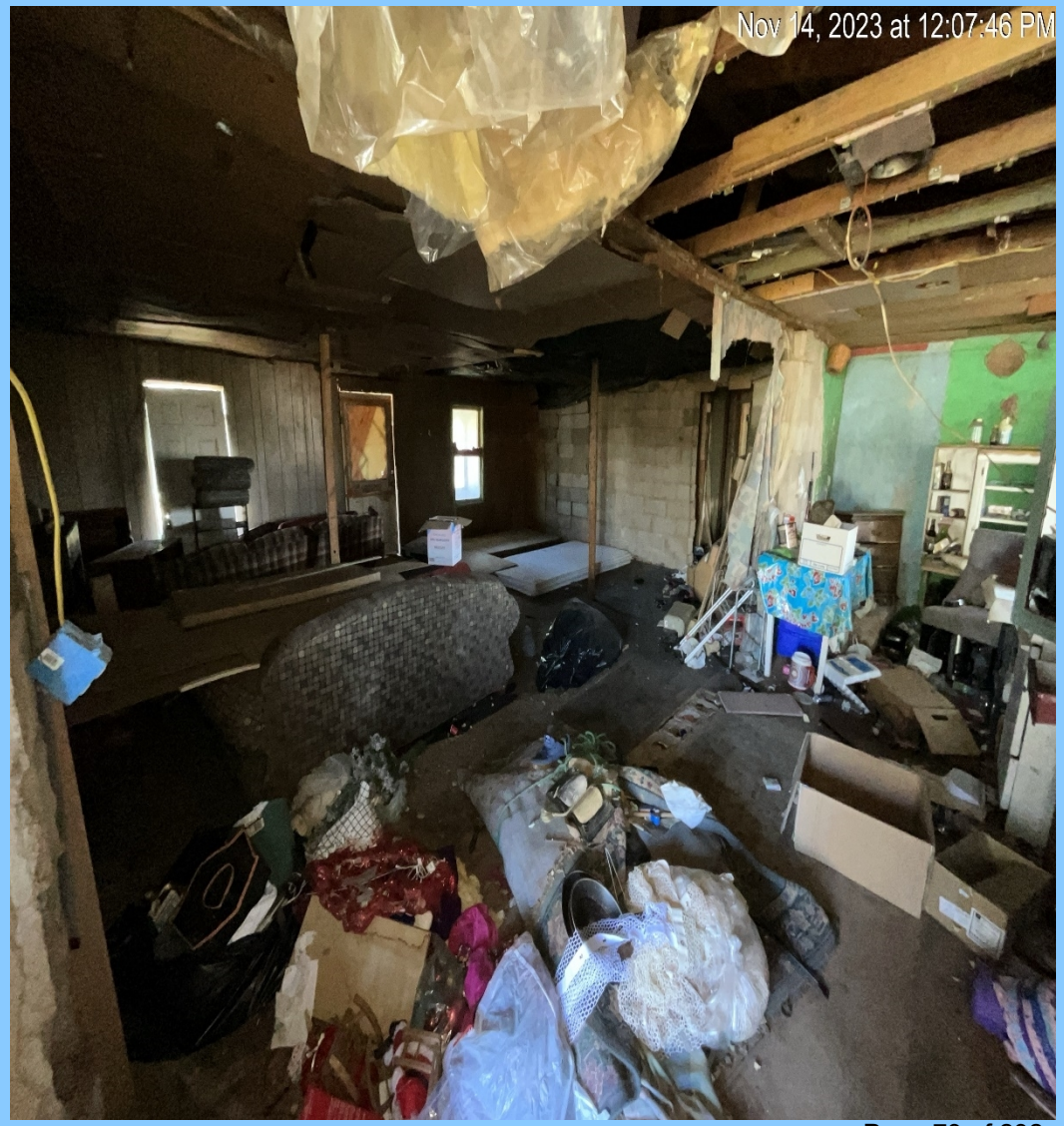
Structural Hazards





Interior Dilapidation





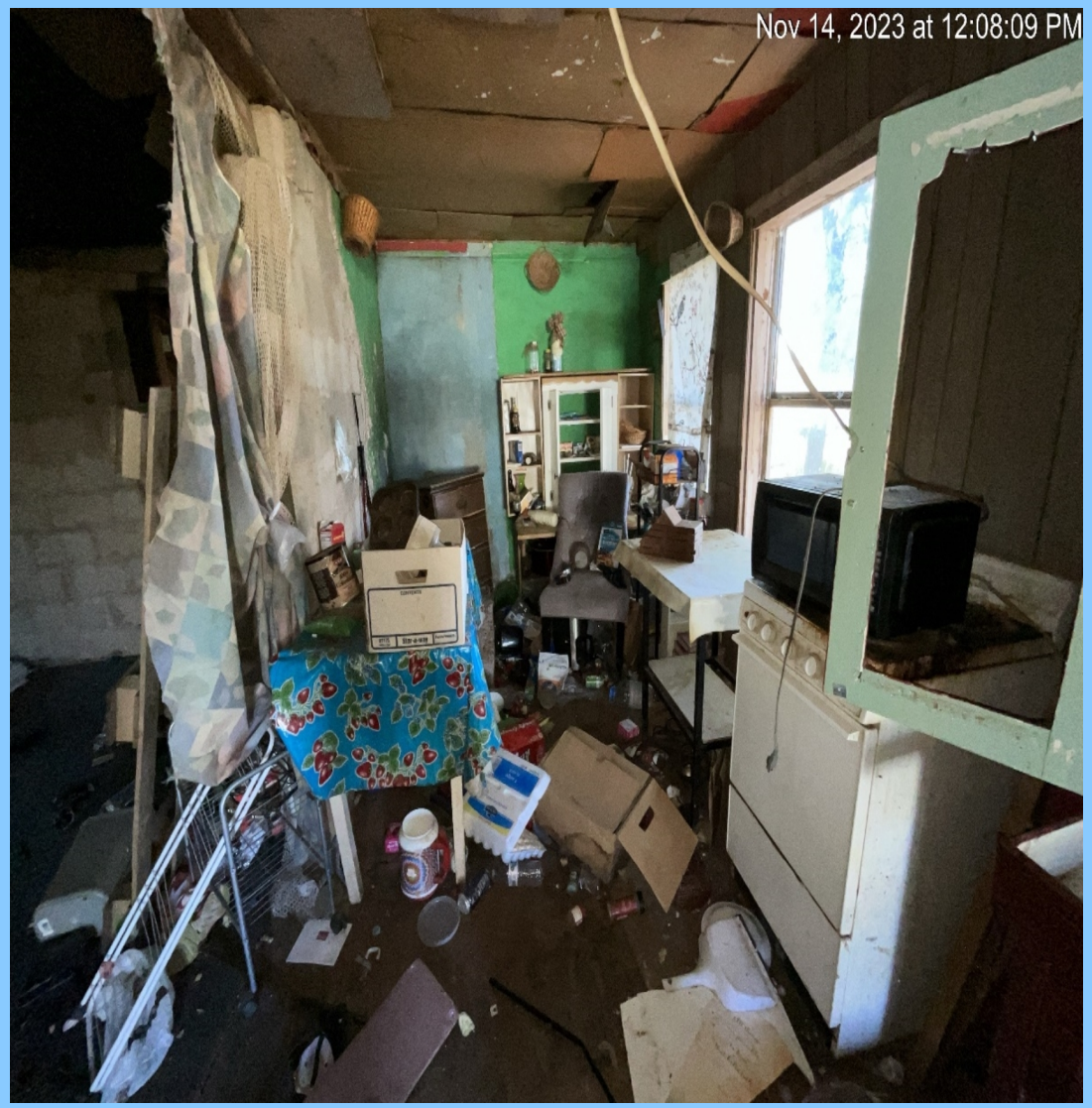
Interior Dilapidation





Interior Dilapidation



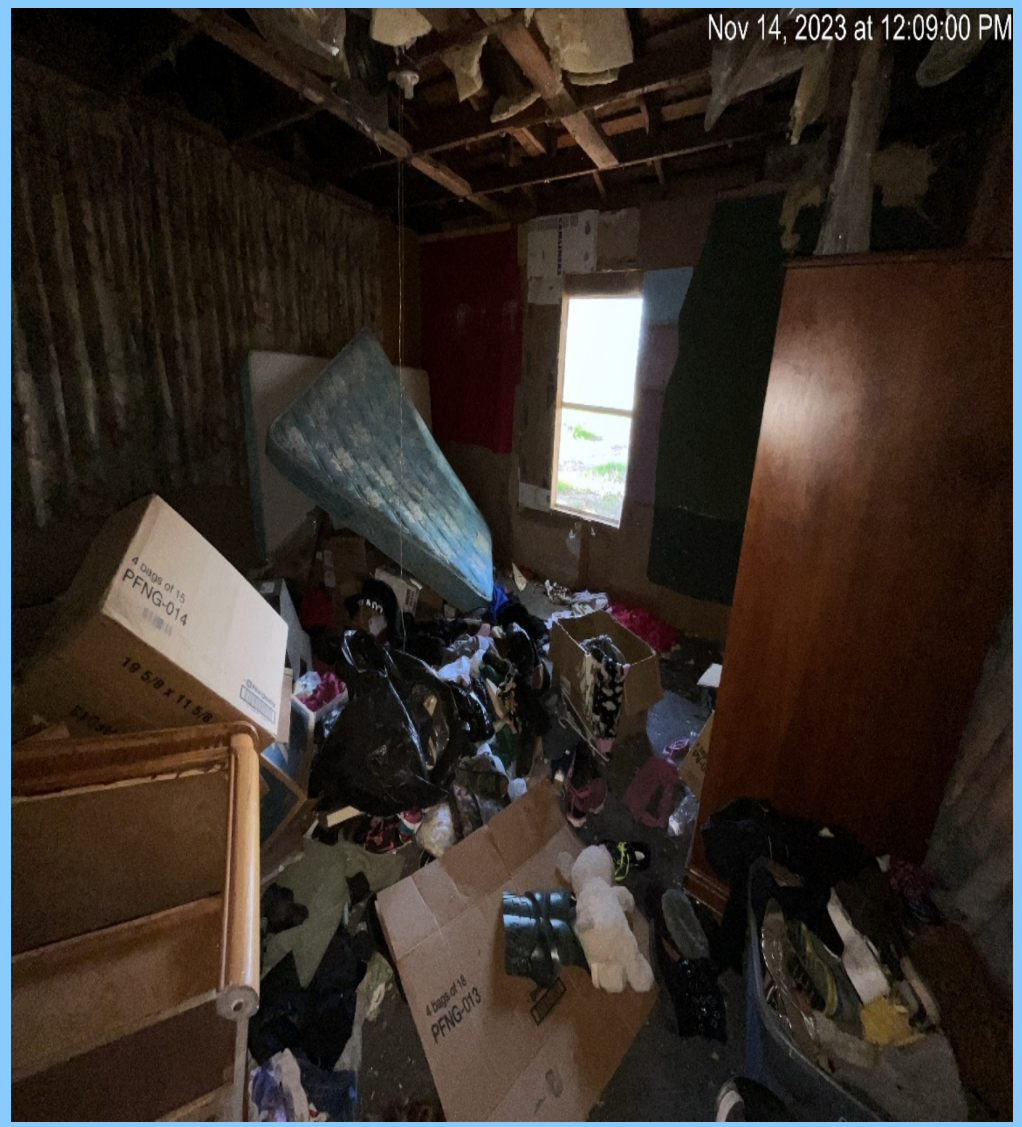


Interior Dilapidation





Interior Dilapidation



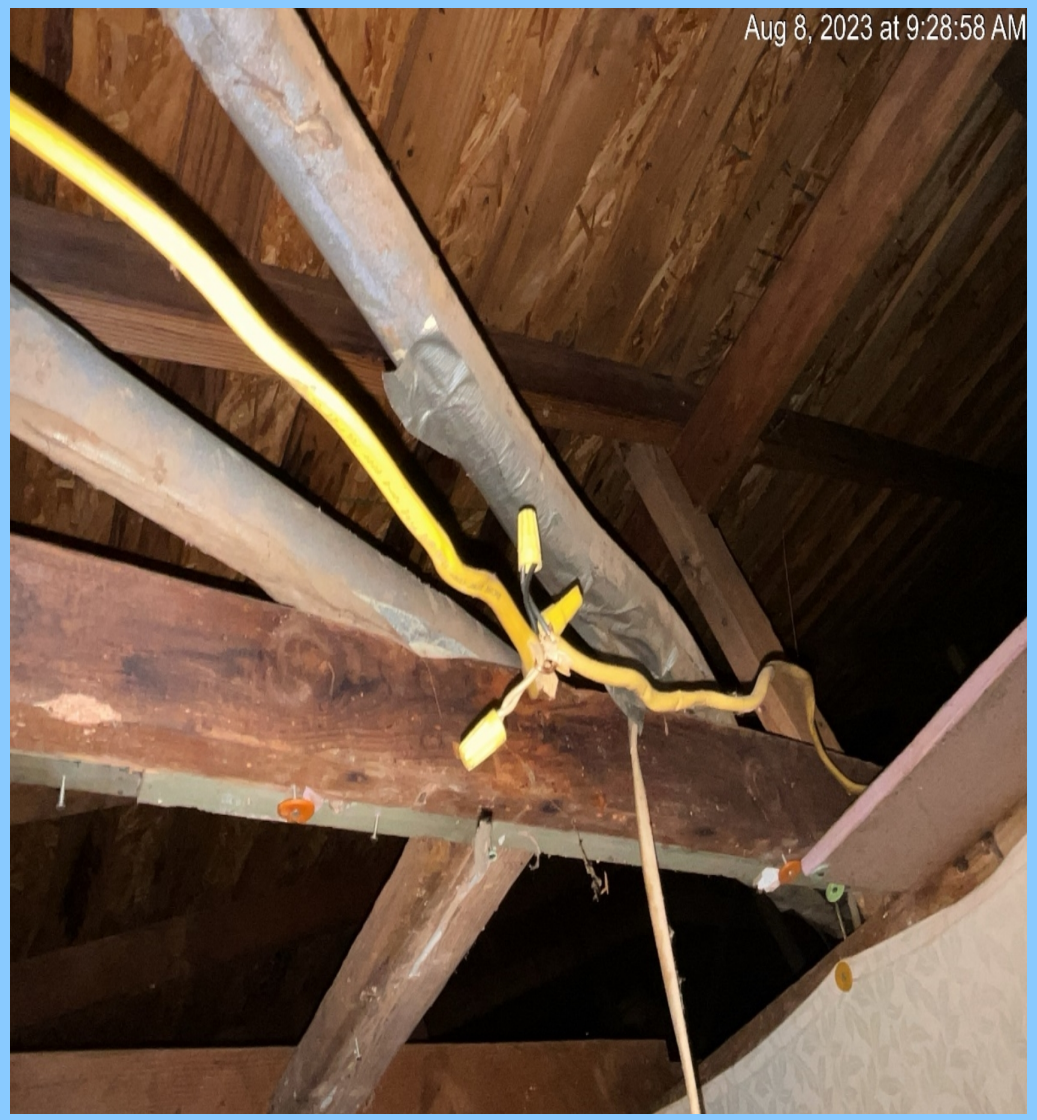


Electrical Hazards





Electrical Hazards





Hazardous Electrical





Electrical Hazards





Hazardous Plumbing





Hazardous Mechanical





Timeline of Events

- **August 8, 2023** – Accompanied Constables on Writ of Possession due to Constables discovering hazardous conditions at property that was being rented out. Confirmed structure is hazardous and should be condemned immediately to prevent it from being re-rented. Posted condemnation placard on structure.
- **August 10, 2023** – Affidavit of condemnation recorded at county clerk.
- **August 11, 2023** – Notice of condemnation and 30-60 sent to property owner.
- **August 2023** – Phone call with property owner. Owner stated he would pull permit and repair.
- **October 20, 2023** – No further contact from owner. No permit applied for. Property still under same ownership.
- **October 26, 2023** – Notice of public hearing posted on structure.
- **November 6, 2023** – Notice of hearing sent to property owner.
- **November 15, 2023** – asked legal to look over warranty deeds naming The G Group and Patrick Batten. They are labeled as warranty deed but resemble a contract for sale. Due to this, we sent notices to previous owner. Condemnation notice, 30-60, and notice of hearing were sent to previous owner and possibly still current owner.

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 1126 Houston St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:12/6/2023

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-003901: 1542 S. 8th St. (W70 14 & W70 S40 15 & W70 N19 13 186 JOHNSON & MCCORD OT ABL-1, TAYLOR COUNTY, TEXAS), Owner: Ramos, Elmer Jr & Ruth Ann**

GENERAL INFORMATION

Owner: Ramos, Elmer Jr & Ruth Ann
Sq Ft: 1,560
Structural: Poor
Foundation: Poor
Value: $27,024
Total Value: $30,039
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

October 13, 2021 – Case opened for dilapidated structure.
October/December 2021 – Several violation notices sent to property owners to repair.
May 3, 2022 – Issued first citation to property owners for failure to repair
October 21, 2022 – Issued second citation to property owners for failure to repair
May 1, 2023 – Sent updated notice of violation to property owners to address sewage leak found on property.
May 30, 2023 – Received voicemail from one of the owner's stating she doesn't want anything to do with the property.
July 13, 2023 – Made contact with an individual that was staying inside property. We asked to inspect interior. He refused to let us inspect but admitted the house was in poor shape and denied living at the property. He let me know the family may try to sell the property. Attempted to contact occupant several times after this inspection to schedule a time to inspect inside. He

never got back with me.
August 7, 2023 – Served an administrative search warrant to inspect full interior and exterior of property.
August 7, 2023 – Met with owner of house flipping company that said they were in talks with the family about purchasing the property.
August 16, 2023 – Condemnation case opened.
August 18, 2023 – Spoke to daughter of owners that has power of attorney. She told me the family has no intention of selling the property and she understands the house should be demolished.
August 23, 2023 – Condemnation notice and 30-60 sent to daughter with power of attorney.
October 26, 2023 – Posted public notice on structure.
November 6, 2023 – Sent notice of hearing to property owner and owner's heir with power of attorney.
November 16, 2023 – Sent notice of condemnation and Board hearing to substitute trustee's and beneficiaries.

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 December 6, 2023.

ATTACHMENTS:

1. 20231206_23-003901_1542 S. 8th St 20231206_23-003901_1542 S. 8th St.pptx

Case #23-003901

1542 S. 8th St.

CITY OF ABILENE TEXAS

CHECKLIST FOR RECORDS SEARCH

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

- **COUNTY RECORDS** – Shows Deed naming **Elmer Ramos Jr & Ruth Ann Ramos** as owner

- **TAYLOR COUNTY** – Shows **Elmer Ramos Jr & Ruth Ann** 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 18, 2023

- Search reveals **Elmer Ramos Jr. & Ruth Ann Ramos** to be the owner

Public Notice



Front South Side



Rear North Side



East Side



West Side

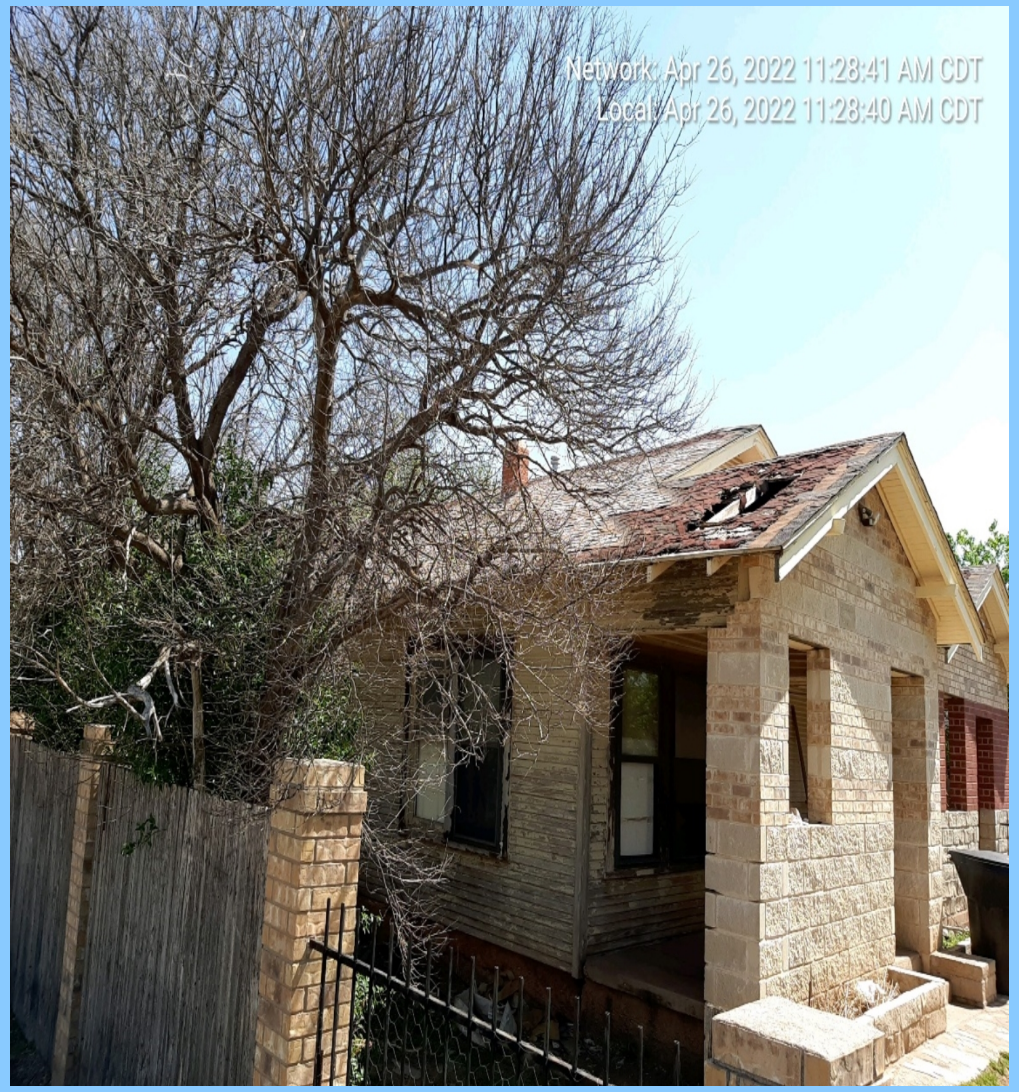


Substandard Code Violations

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)
- 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





Exterior Dilapidation





Hazardous Plumbing





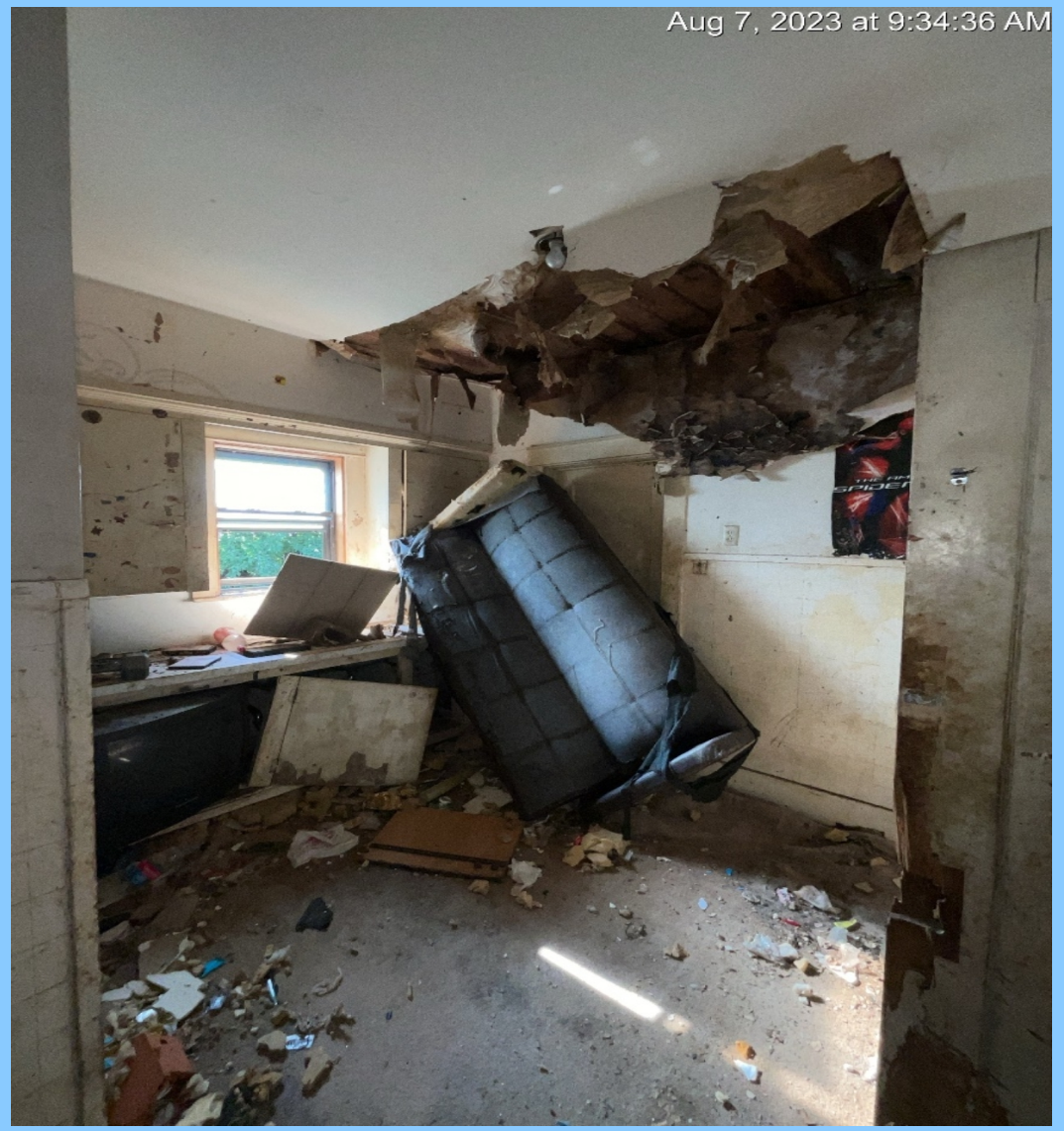
Interior Dilapidation





Interior Dilapidation





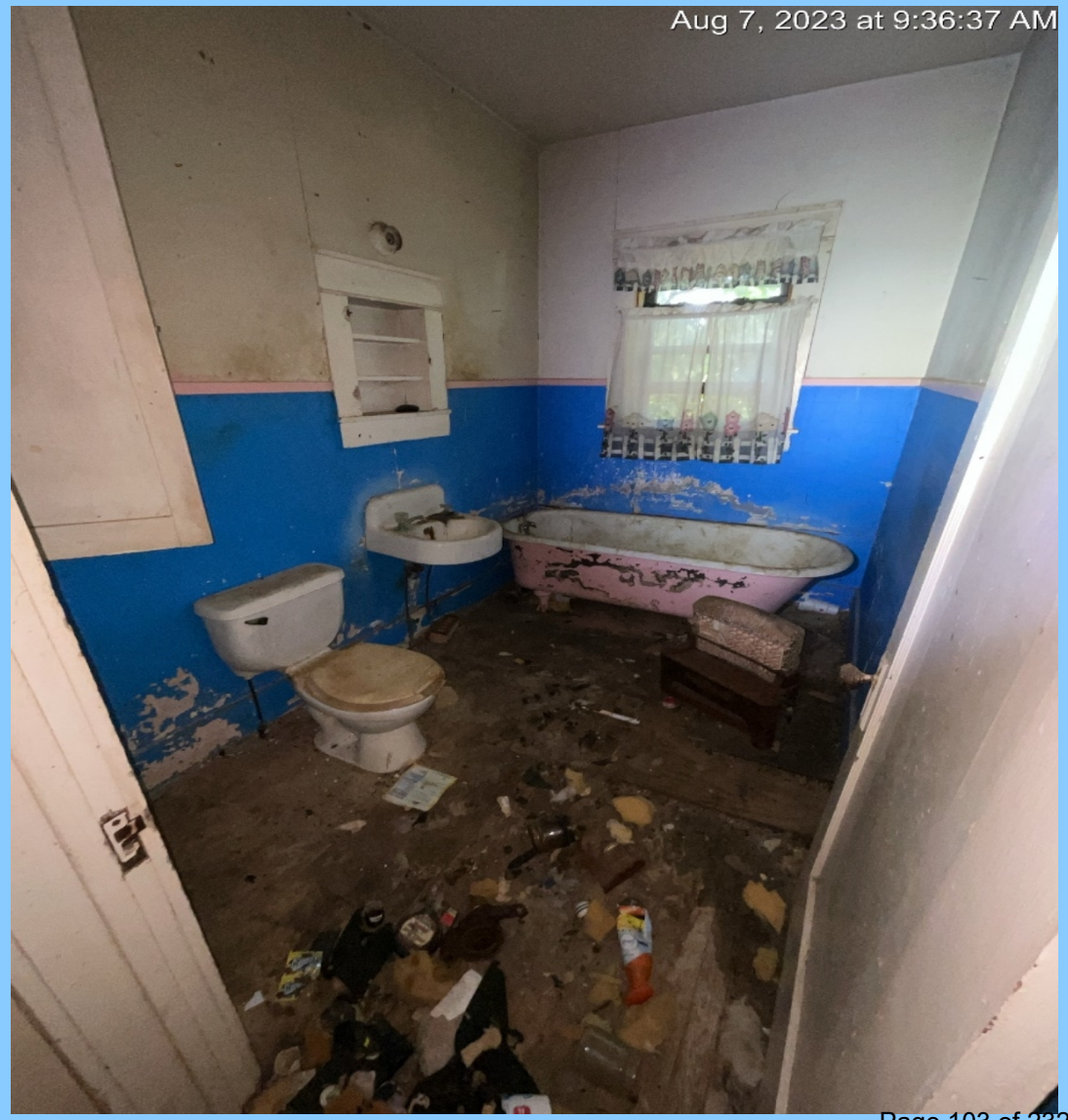
Inadequate Sanitation





Inadequate Sanitation





Hazardous Mechanical Equipment







Timeline of Events

- **October 13, 2021** – Case opened for dilapidated structure.
- **October/December 2021** – Several violation notices sent to property owners to repair.
- **May 3, 2022** – Issued first citation to property owners for failure to repair
- **October 21, 2022** – Issued second citation to property owners for failure to repair
- **May 1, 2023** – Sent updated notice of violation to property owners to address sewage leak found on property.
- **May 30, 2023** – Received voicemail from one of the owner's stating she doesn't want anything to do with the property.
- **July 13, 2023** – Made contact with an individual that was staying inside property. We asked to inspect interior. He refused to let us inspect but admitted the house was in poor shape and denied living at the property. He let me know the family may try to sell the property. Attempted to contact occupant several times after this inspection to schedule a time to inspect inside. He never got back with me.
- **August 7, 2023** – Served an administrative search warrant to inspect full interior and exterior of property.
- **August 7, 2023** – Met with owner of house flipping company that said they were in talks with the family about purchasing the property.
- **August 16, 2023** – Condemnation case opened.
- **August 18, 2023** – Spoke to daughter of owners that has power of attorney. She told me the family has no intentions of selling the property and she understands the house should be demolished.
- **August 23, 2023** – Condemnation notice and 30-60 sent to daughter with power of attorney.
- **October 26, 2023** – Posted public notice on structure.
- **November 6, 2023** – Sent notice of hearing to property owner and owner's heir with power of attorney.

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 1542 S. 8th St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:12/6/2023

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-003902: 1034 S. 12th ST. (NORTHINGTON, JAMES, BLOCK B, LOT 4, TAYLOR COUNTY, TEXAS), Owner: Key J T & Louise**

GENERAL INFORMATION

Owner: Key, J. T. & Louise
Sq Ft: 624
Structural: Poor
Foundation: Poor
Value: $25,289
Total Value: $29,107
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

August 10, 2023 – Initial inspection. Found unsecured, vacant, dilapidated structure/unmaintained property.
August 16, 2023 – Condemnation case opened. Property was mowed by city contractor. Grass and weeds were over four feet tall.
August 17, 2023 – Affidavit of condemnation recorded at county clerk. Sent condemnation notice and 30-60 to owner's address of record. USPS tracking shows it was returned to sender. Unable to locate owners at another address.
October 26, 2023 – Posted public notice for hearing on structure.
November 6, 2023 – Notice of hearing sent to property owner's address of record which is 1034 S. 12th St.

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 December 6, 2023.

ATTACHMENTS:

1. 20231206_23-003902_1034 S. 12th St 20231206_23-003902_1034 S. 12th St.pptx

Case #23-003902

1034 S. 12th St.

CITY OF ABILENE TEXAS

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 **J. T. Key and wife Louise Key** as owners

- **TAYLOR COUNTY** – Shows **J. T. & Louise Key** 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 December 17, 2021

- Search reveals **J. T. & Louise Key** 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)
- 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)
- Faulty Weather Protection, Chapter 8, Sec 8-554 (7)

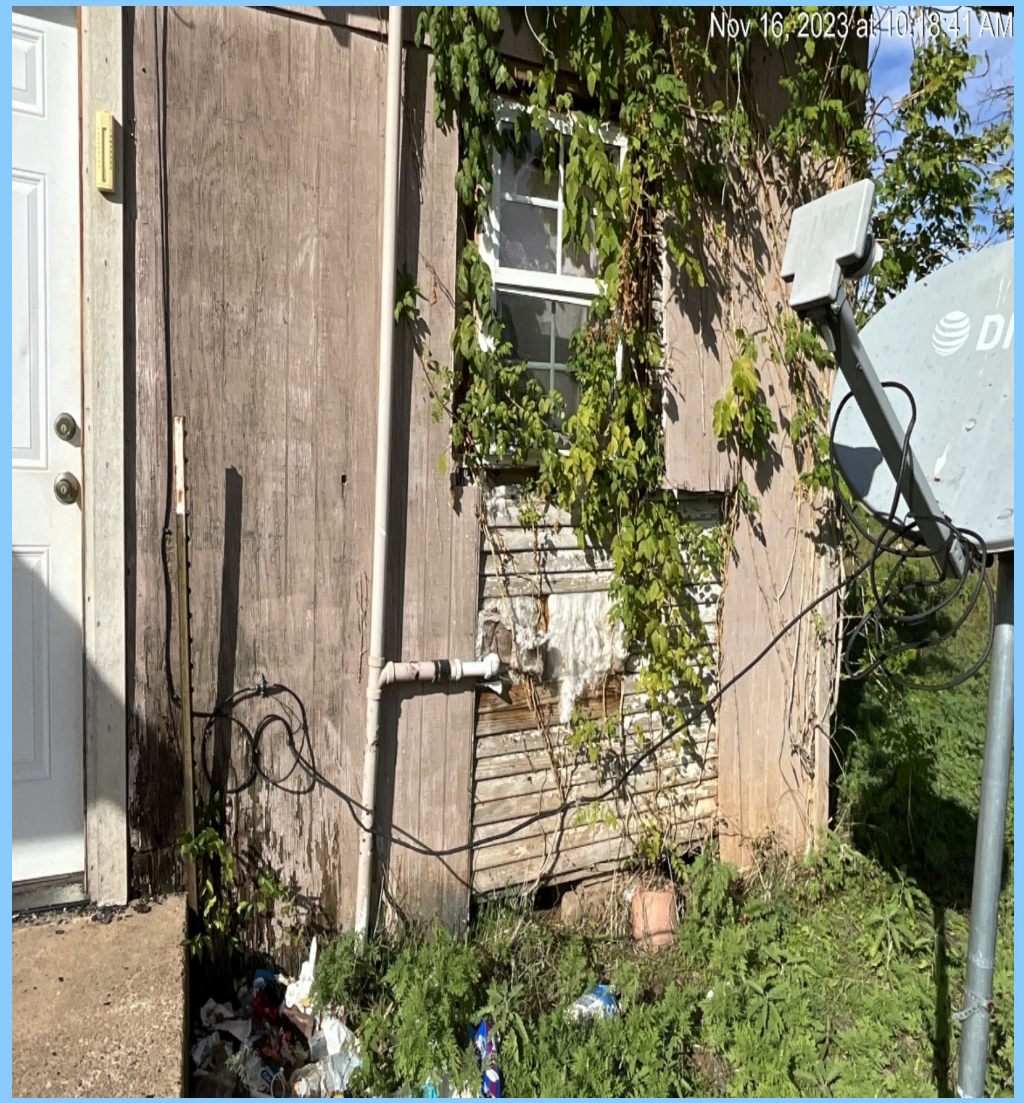
Exterior Dilapidation





Exterior Dilapidation





Exterior Dilapidation





Hazardous Plumbing



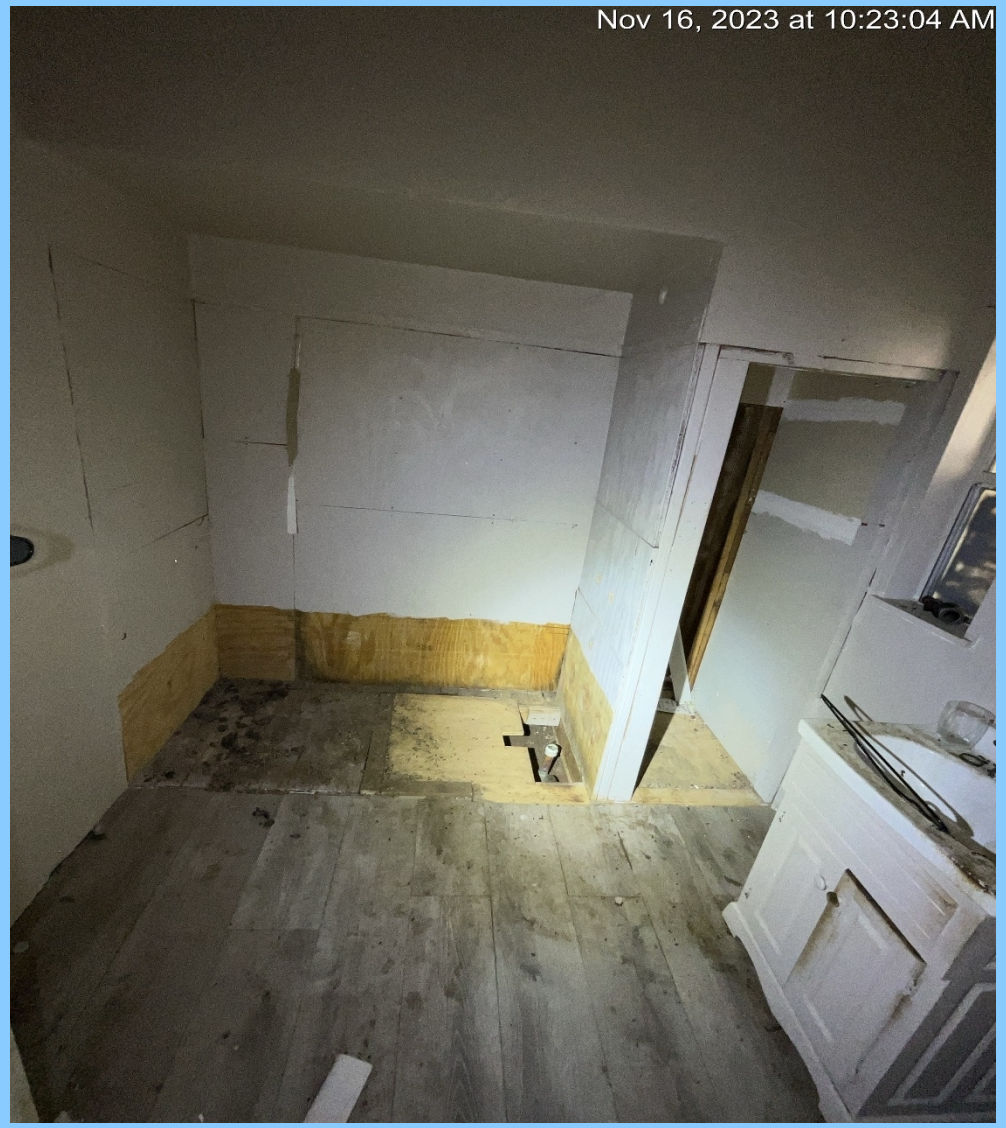


Interior Dilapidation / Interior Conditions





Inadequate Sanitation





Hazardous Electrical





Timeline of Events

- **August 10, 2023** – Initial inspection. Found unsecured, vacant, dilapidated structure/unmaintained property.
- **August 16, 2023** – Condemnation case opened. Property was mowed by city contractor. Grass and weeds were over four feet tall.
- **August 17, 2023** – Affidavit of condemnation recorded at county clerk. Sent condemnation notice and 30-60 to owner's address of record. USPS tracking shows it was returned to sender. Unable to locate owners at another address.
- **October 26, 2023** – Posted public notice for hearing on structure.
- **November 6, 2023** – Notice of hearing sent to property owner's address of record which is 1034 S. 12th St.

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 1034 S. 12th St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:12/6/2023

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-004017: 1858 Sycamore St. (BELMONT ADDN, BLOCK 15, LOT 8 & S3 OF 7, TAYLOR COUNTY, TEXAS), Owner: Legacy Dwelling, LLC**

GENERAL INFORMATION

Owner: Legacy Dwelling, LLC
Sq Ft: 1,862
Structural: Poor
Foundation: OK
Value: $70,629
Total Value: $73,194
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

July 30, 2023 – Structure fire occurred. Property was and still is occupied. Fourth fire of a residence owned by Legacy Dwelling LLC/Guy Shaver since Feb 6, 2021. Utility services disconnected.
August 1, 2023 – First inspection of property. Made contact with occupants. Occupants allowed us to inspected interior of home. Found interior fire damage, hazardous electrical, and hoarding conditions inside.
August 25, 2023 – First contact with owner to inquire what his plans were for the property and occupants. He said he was going to come to town to look at property and evict tenants.
August 29, 2023 – Affidavit of condemnation filed at county clerk.
September 1, 2023 – Contacted owner to ask about plans for occupants. He said he was still "working on it." Owner was sent condemnation notice and 30/60.
September 21, 2023 – Spoke to owner about relocating occupants again. He wasn't sure how to

go about eviction. Said he would be in town the following week to meet with Code and formulate a plan. Owner cancelled meeting.
October 3, 2023 – Inspected property. Found individual sleeping inside of carport. Property still has two occupants. Occupants told us owner has given them permission to stay and either he or they should obtain a repair permit for the house.
October 9, 2023 – Posted notice of November Board hearing on structure. Sent notice of violation to owner for allowing occupancy of a condemned structure.
October 11, 2023 – Sent notice of November board hearing to property owner.
November 1, 2023 – Board ordered case tabled to provide time for owner to receive insurance funds. Owner was in attendance. Neighbor to property was also in attendance. It could not be determined by owner or neighbor testimony whether the property still has occupants. Code officer inspected property later in the day and determined that the property is in fact still inhabited.
November 7, 2023 – Notice of December hearing sent to property owner and posted on structure. After posting notice found occupants to be at property and what appeared to be two vagrants inside carport. Occupants have still not been relocated.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Remove from Table / 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 December 6, 2023.

ATTACHMENTS:

1. 20231206_23-004017_1858 Sycamore St 20231206_23-004017_1858 Sycamore St.pptx

Case #23-004017

1858 Sycamore St.

(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 have been sent.

- **COUNTY RECORDS** – Shows Warranty Deed Naming **Legacy Dwelling, LLC** as owner

- **TAYLOR COUNTY** – Shows **Legacy Dwelling, LLC** to be the owner.

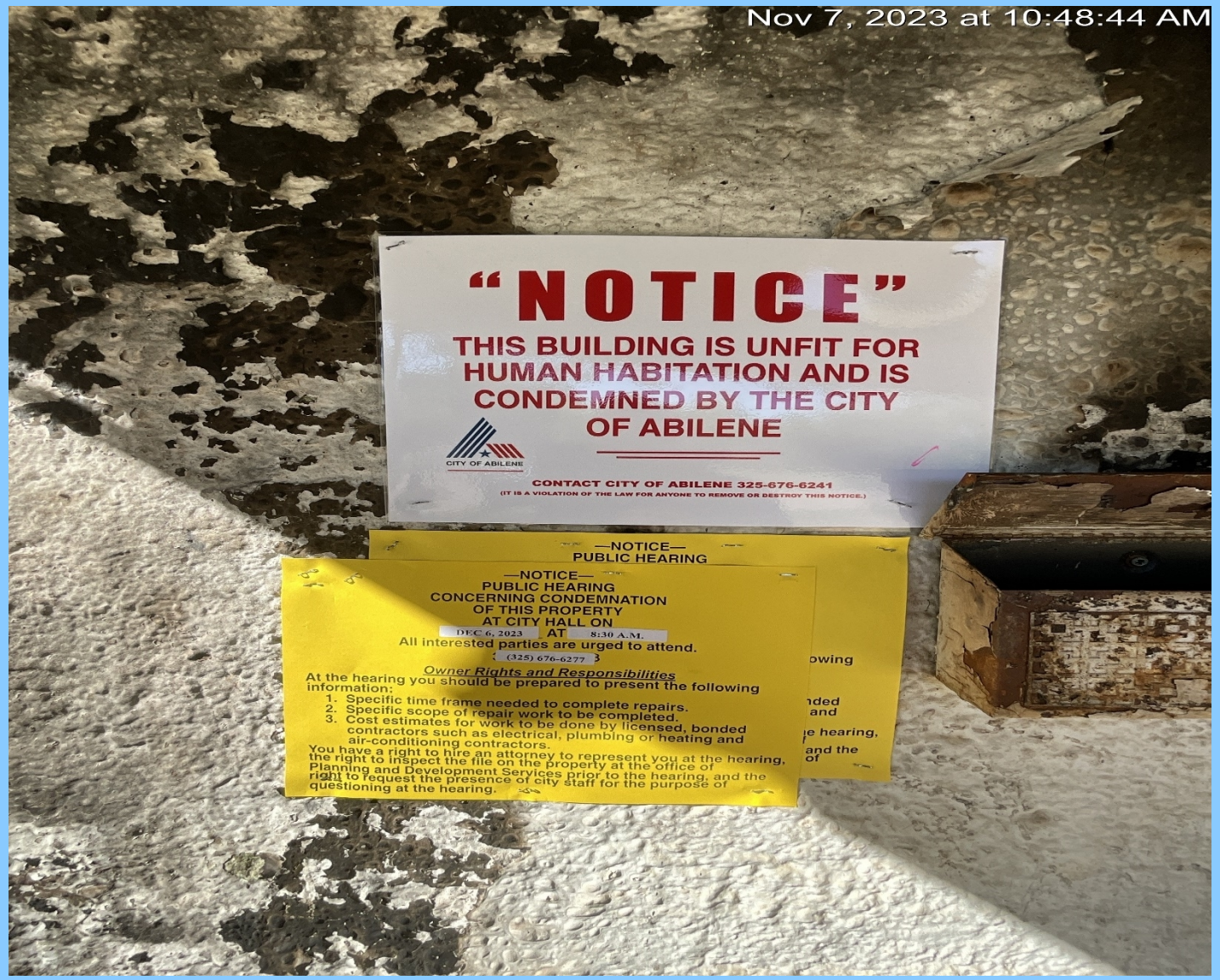
- **SECRETARY OF STATE** – Shows Legacy Dwelling, LLC to have forfeited existence; entity is listed as inactive

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

- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since July 28, 2023

- Search reveals **Legacy Dwelling, LLC** to be the owner.

Public Notice



Front East Side



Rear West Side



Rear West Side



North Side



South 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)

Exterior Dilapidation





Structural Hazards





Interior Conditions / Inadequate Sanitation



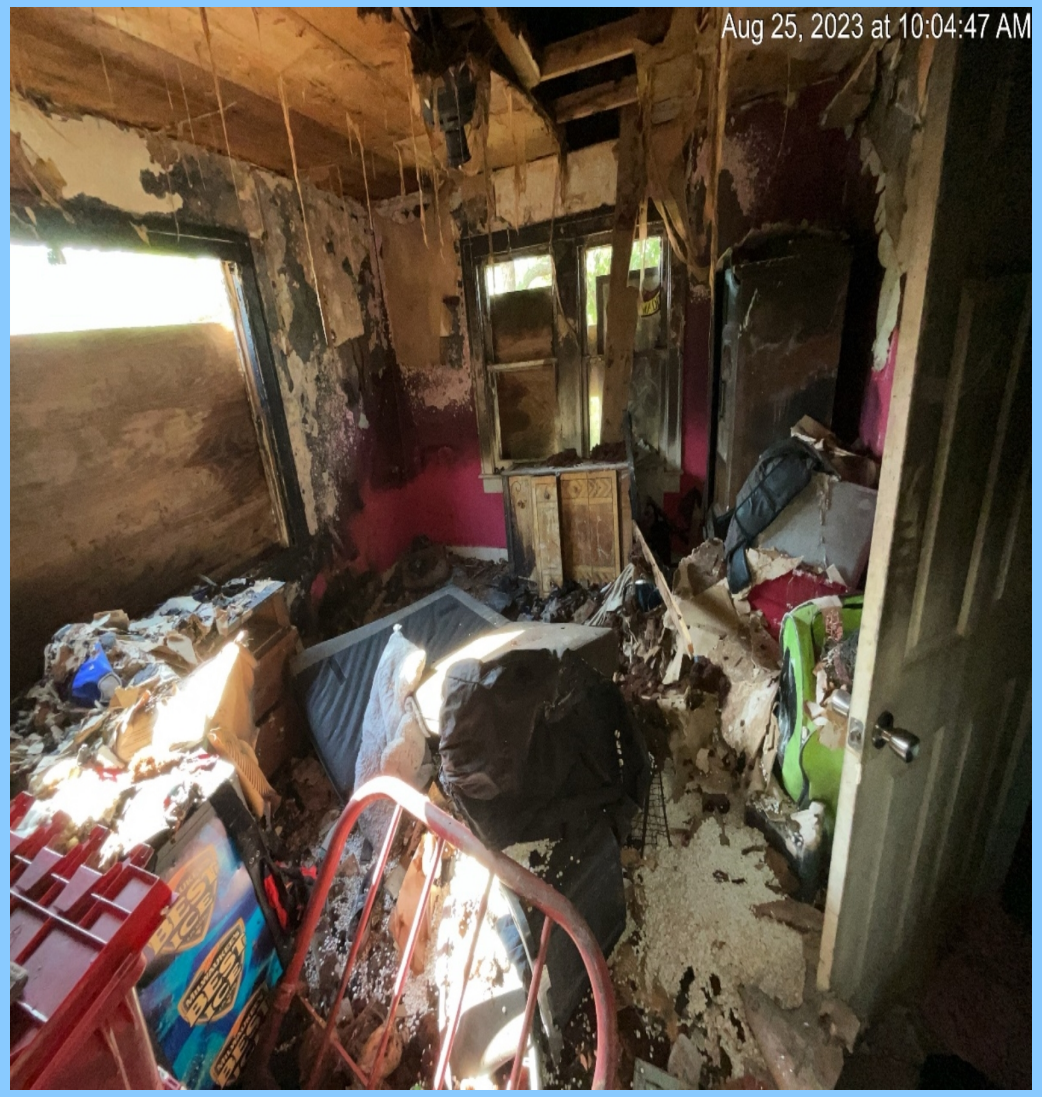


Interior Conditions / Hazardous Electrical





Interior Conditions / Inadequate Sanitation





Interior Conditions / Inadequate Sanitation





Nuisance





Timeline of Events

- **July 30, 2023 –** Structure fire occurred. Property was and still is occupied. Fourth fire of a residence owned by Legacy Dwelling LLC/Guy Shaver since Feb 6, 2021. Utility services disconnected.
- **August 1, 2023 –** First inspection of property. Made contact with occupants. Occupants allowed us to inspect interior of home. Found interior fire damage, hazardous electrical, and hoarding conditions inside.
- **August 25, 2023** – First contact with owner to inquire what his plans were for the property and occupants. He said he was going to come to town to look at property and evict tenants.
- **August 29, 2023** – Affidavit of condemnation filed at county clerk.
- **September 1, 2023** – Contacted owner to ask about plans for occupants. He said he was still "working on it." Owner was sent condemnation notice and 30/60.
- **September 21, 2023** – Spoke to owner about relocating occupants again. He wasn't sure how to go about eviction. Said he would be in town the following week to meet with Code and formulate a plan. Owner cancelled meeting.
- **October 3, 2023** – Inspected property. Found individual sleeping inside of carport. Property still has two occupants. Occupants told us owner has given them permission to stay and either he or they should obtain a repair permit for the house.
- **October 9, 2023** – Posted notice of November Board hearing on structure. Sent notice of violation to owner for allowing occupancy of a condemned structure.
- **October 11, 2023** – Sent notice of November board hearing to property owner.

Timeline of Events

- **November 1, 2023** – Board ordered case tabled to provide time for owner to receive insurance funds. Owner was in attendance at hearing. Neighbor to property was also in attendance. It could not be determined by the owner or neighbor testimony whether the property still has occupants. Code officer inspected property later in the day and determined that the property is in fact still inhabited.
- **November 7, 2023** – Notice of December hearing sent to property owner and posted on structure. After posting notice found occupants to be at property and what appeared to be two vagrants inside carport. Occupants have still not been relocated.

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 1858 Sycamore St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:12/6/2023

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-004020: 1420 S. 12th St. (SAYLES & HUGHES OF BELLEVUE, BLOCK 10, LOT W55 LT 12 & W55 OF 22.3 LT 11, TAYLOR COUNTY, TEXAS), Owner: Christian, Jane**

GENERAL INFORMATION

Owner: Christian, Jane
Sq Ft: 820
Structural: Poor
Foundation: Poor
Value: $26,465
Total Value: $27,820
Delinquent Tax: $1,699.39

SPECIAL CONSIDERATIONS

August 22, 2023 – Initial inspection. Spoke to neighbor that stated vagrants are getting inside and also coming across the street and harassing her. Property appears to have been abandoned.
August 25, 2023 – Affidavit of condemnation recorded at county clerk. Posted condemnation placard on structure.
September 1, 2023 – Condemnation notice and 30-60 letter sent to property owner's address of record and to address of possible heir.
October 26, 2023 – Posted notice of public hearing on structure.
November 6, 2023 – Notice of hearing sent to property owner's address of record and possible heir.

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 December 6, 2023.

ATTACHMENTS:

1. 20231206_23-004020_1420 S. 12th St 20231206_23-004020_1420 S. 12th St.pptx

Case #23-004020

1420 S. 12th St.

CITY OF ABILENE TEXAS

CHECKLIST FOR RECORDS SEARCH

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

- **COUNTY RECORDS** – Shows Divorce Decree naming **Betty Jane Johnson** as owner
- **TAYLOR COUNTY** – Shows **Jane Christian** 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 Jan 25, 2019
- Search reveals **Betty Jane Johnson AKA Jane Christian (deceased)** 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)
- 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





Inadequate Sanitation





Inadequate Sanitation





Inadequate Sanitation





Inadequate Sanitation



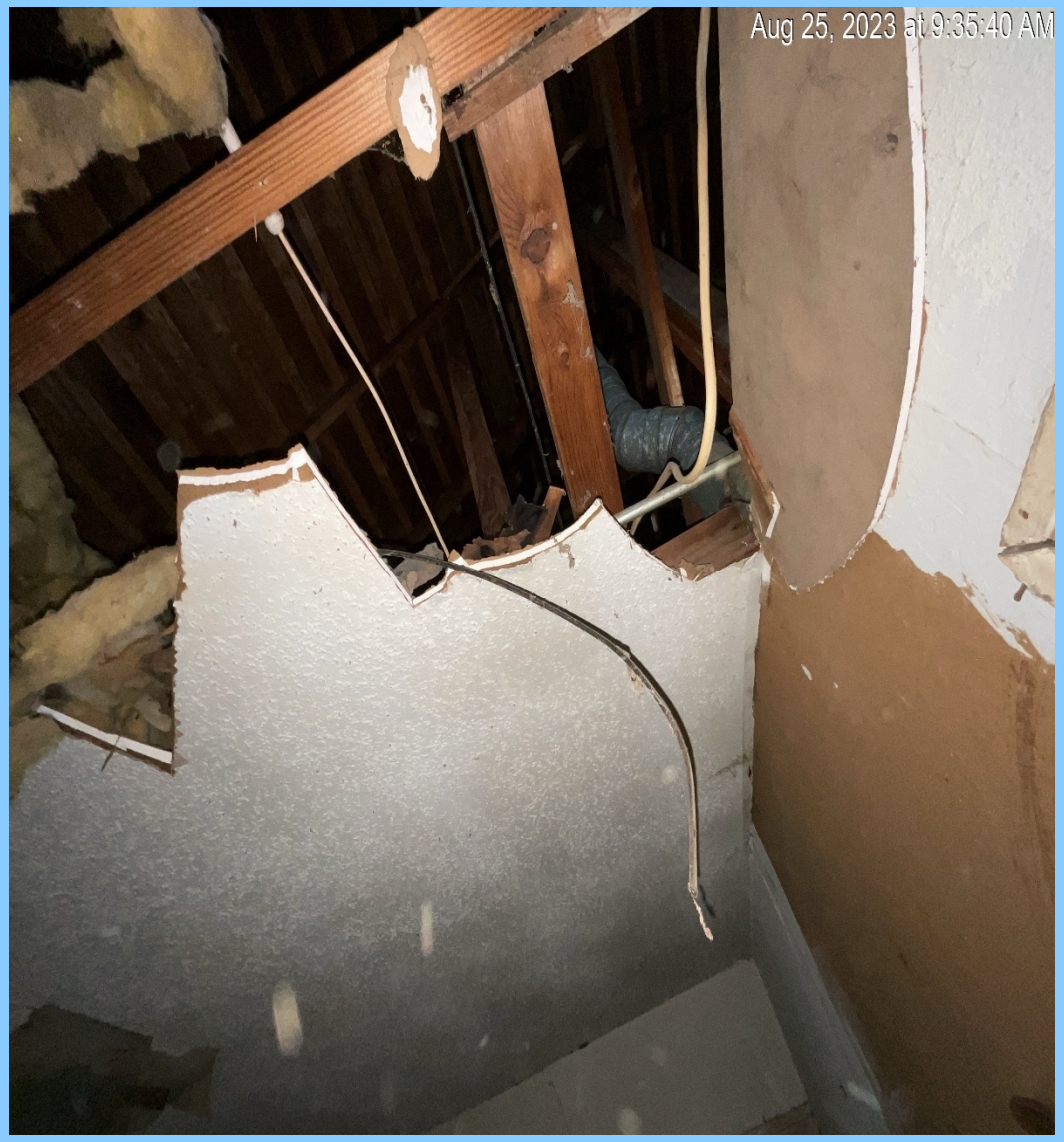


Hazardous Electrical





Hazardous Electrical





Hazardous Plumbing/Mechanical





Hazardous Plumbing/Mechanical





Timeline of Events

- **August 22, 2023** – Initial inspection. Spoke to neighbor that stated vagrants are getting inside and also coming across the street and harassing her. Property appears to have been abandoned.
- **August 25, 2023** – Affidavit of condemnation recorded at county clerk. Posted condemnation placard on structure.
- **September 1, 2023** – Condemnation notice and 30-60 letter sent to property owner's address of record and to address of possible heir.
- **October 26, 2023** – Posted notice of public hearing on structure.
- **November 6, 2023** – Notice of hearing sent to property owner's address of record and possible heir.

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 1420 S. 12th St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:12/6/2023

TO:

FROM:

SUBJECT: **Case for Appeal of Condemnation and Rehabilitation, Demolition, or Civil Penalties - Case #23-004933: 1158 Lillius St. (LAKESIDE ADDN, BLOCK 18, LOT S32 FT LT 1 & N34 FT LT 2, TAYLOR COUNTY, TEXAS), Owner: Gonzales, Mary Lou**

GENERAL INFORMATION

Owner: Gonzales, Mary Lou
Sq Ft: 1,348
Structural: Poor
Foundation: OK
Value: $84,278
Total Value: $87,900
Delinquent Tax: $1,699.39

SPECIAL CONSIDERATIONS

March 13, 2022 – Structure fire in attic affecting ceiling joists and electrical. AEP was contacted and removed electrical meter until repairs are made.
March 24, 2022 – Electrical permit was issued that indicates it is to replace wire to main panel and meter release.
March 25, 2022 – Passed electrical inspection, meter was released. Unknown if owner made fire damaged area known to contractor or electrical inspector for inspection.
September 6, 2023 – Owner of structure made it known to code officer that the house has hazardous electrical wiring on a structure that supposed to be vacant. Utilities are all active. People are frequently found on the premises to include the owner's son.
October 17, 2023 – Due to owner not wanting to let us inside to inspect, an administrative search warrant was served. During the inspection, a City Marshal discovered a small bag of narcotics in the toilet. The City Marshal confirmed with structure occupant that substance was

meth. The house is extremely unsanitary. It is infested with insects and stray cats. There was hazardous electrical all throughout. The house was providing electricity to a shed in the rear that looks to be a living quarters.
October 19, 2023 – Affidavit of condemnation was recorded at the county clerk.
October 19, 2023 – Received phone call from the property owner. She was informed of the condemnation. She was also informed no one may live in the house or shed and the utilities will be shut off by the city. She has told Code Enforcement in the past that no one resides in the house and her son only goes to the house to make sure no one steals anything.
October 20, 2023 – Notice of condemnation and 30-60 were sent to the property owner. There have been 26 Code Enforcement cases here going back to 2018. There are currently 10 active Code Enforcement cases. Under the current property owner, 11 Code Enforcement cases have been opened. Current ownership started in August 2022.
October 24, 2023 – Received a copy of fire report and photos showing results of fire that occurred in March 2022. Verified fire damage to ceiling rafters, electrical damage from fire, and other electrical and fire hazards throughout house.
October 25, 2023 – Sent condemnation notices to Lillius St address listed in Taylor CAD.
October 26, 2023 – Posted condemnation sign and public notice for December board hearing on structure. Spoke to property owner by phone and explained plan of action, permit process, and board hearing.
November 15, 2023 – Met with property owner at City Hall to explain condemnation notices. She asked about the appeal process and did a handwritten appeal while at City Hall.

FUNDING/FISCAL IMPACT

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.

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 December 6, 2023.

ATTACHMENTS:

1. 20231206_23-004933_1158 Lillius St 20231206_23-004933_1158 Lillius St.pptx

Case #23-004933

1158 Lillius St.

(Appeal of Condemnation)

CITY OF ABILENE TEXAS

CHECKLIST FOR RECORDS SEARCH

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

- **COUNTY RECORDS** – Shows Quit Claim Deed naming **Mary Lou Gonzales** as owner

- **TAYLOR COUNTY** – Shows **Mary Lou Gonzales** to be the owner.

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

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

- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since November 8, 2023.

- Search reveals **Mary Lou Gonzales** 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

  Ch. 19, Sec. 19-15 (2) Accumulation of trash and junk

  Ch. 19, Sec. 19-15 (3) Harborage conditions

  Ch. 19, Sec. 19-15 (4) Building that is unfit for human habitation/fire hazard

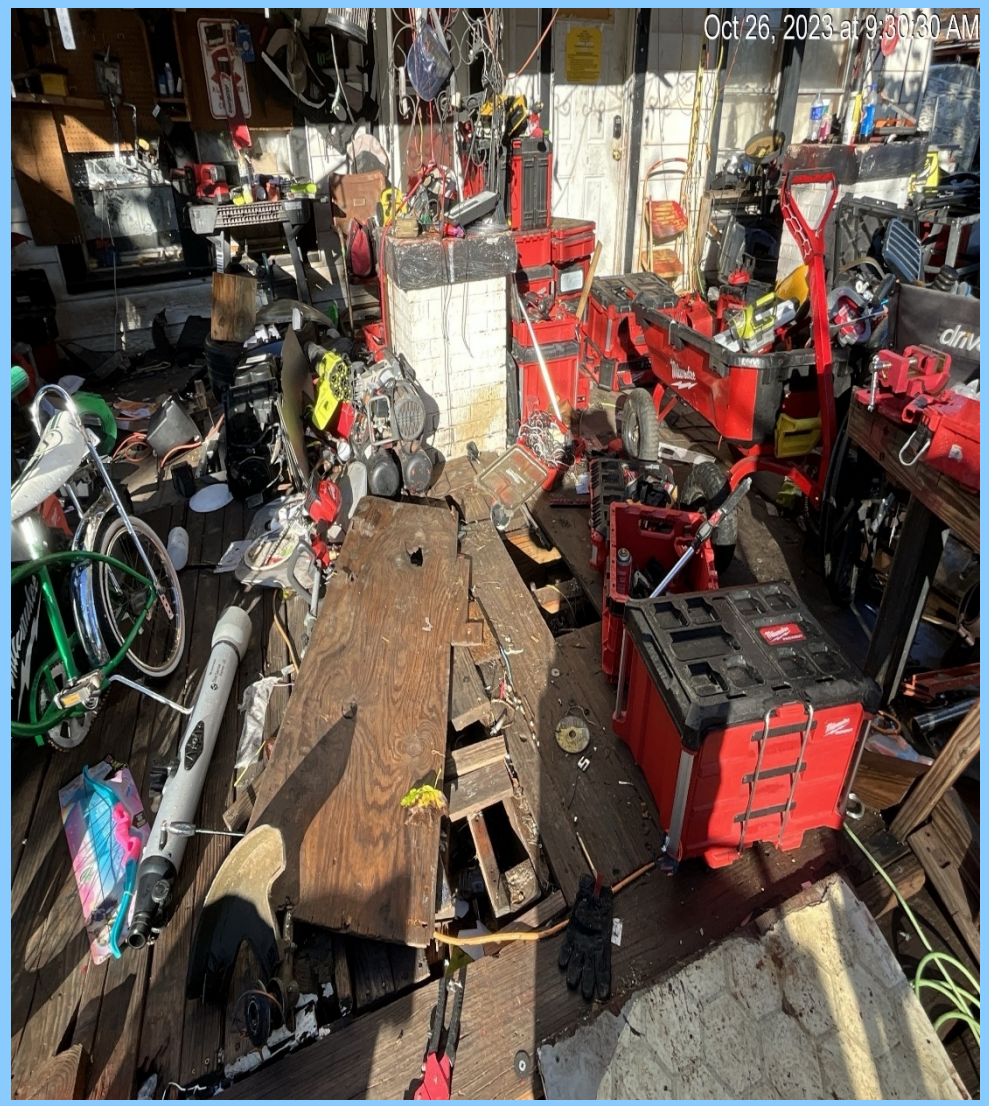
  Ch. 19, Sec. 19-15 (9) Illegal Activity
- Hazardous Electrical Wiring, Chapter 8, Sec 8-554 (4)
- Faulty Weather Protection, Chapter 8, Sec 8-554 (7)

Exterior Dilapidation



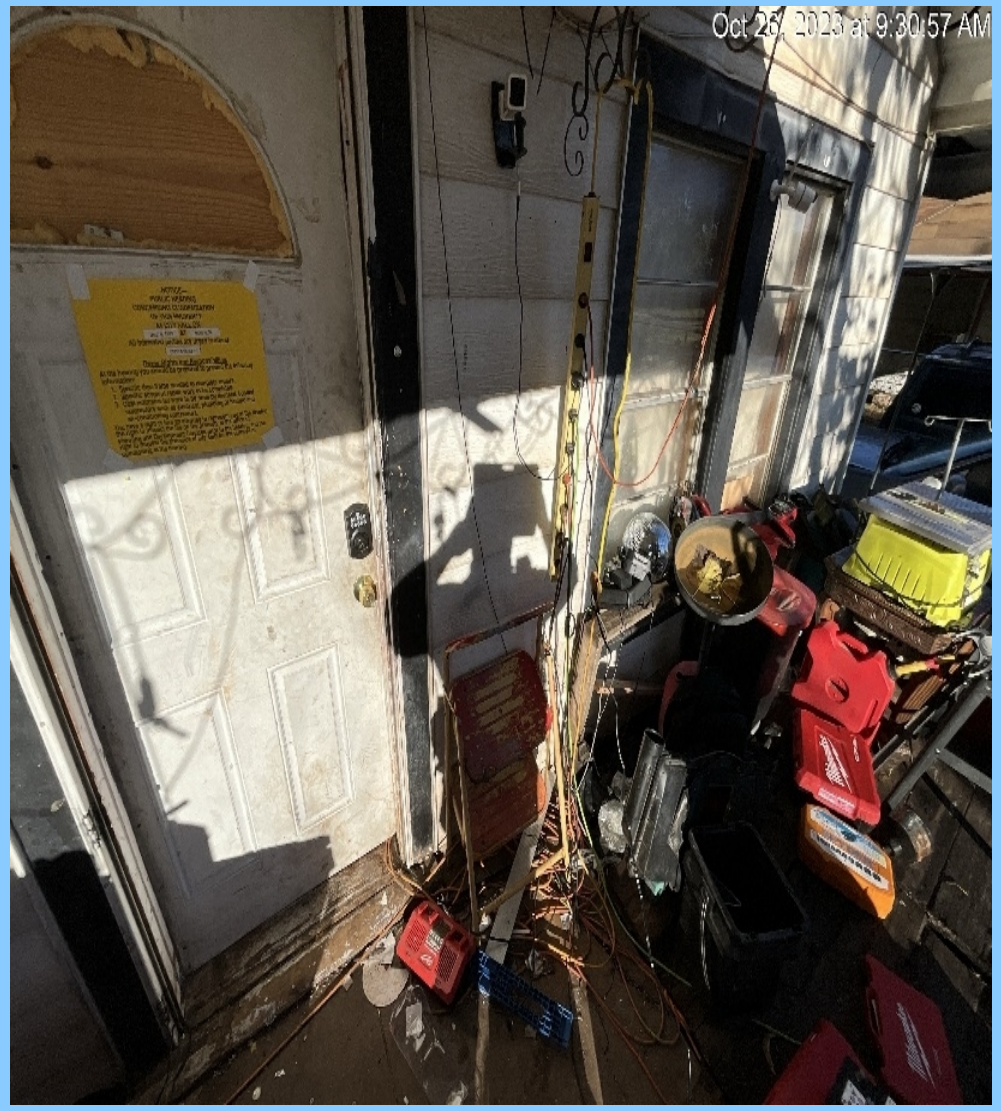


Exterior Dilapidation





Exterior Electrical Hazards





Interior Dilapidation



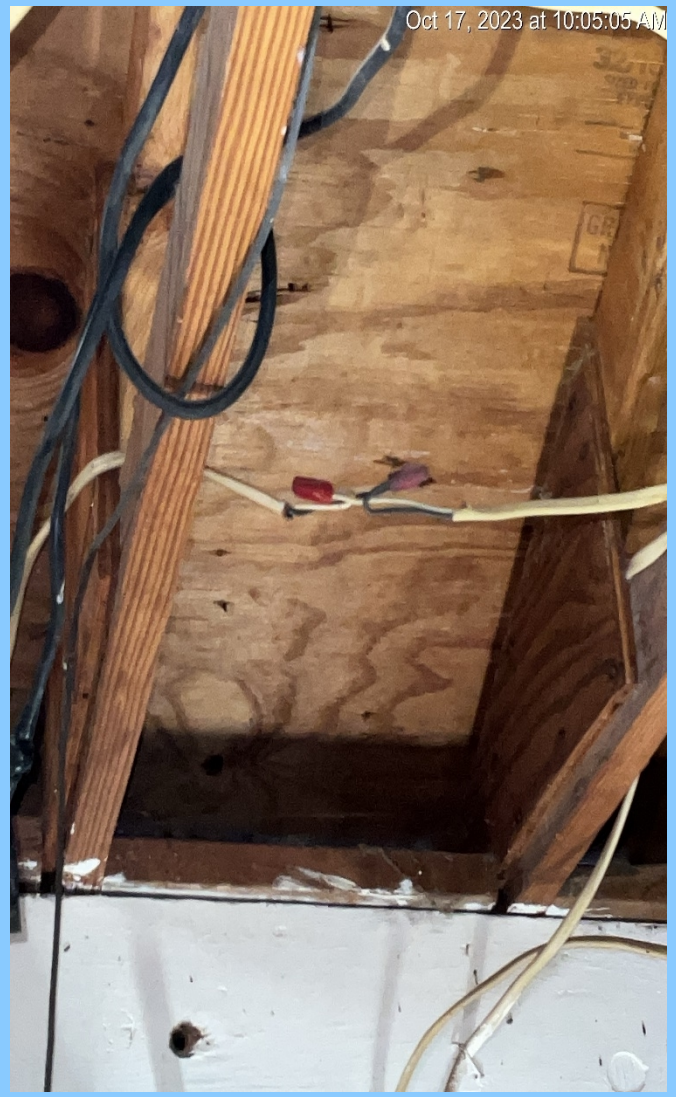


Interior Dilapidation





Hazardous Electrical (storage shed)







Inadequate Sanitation



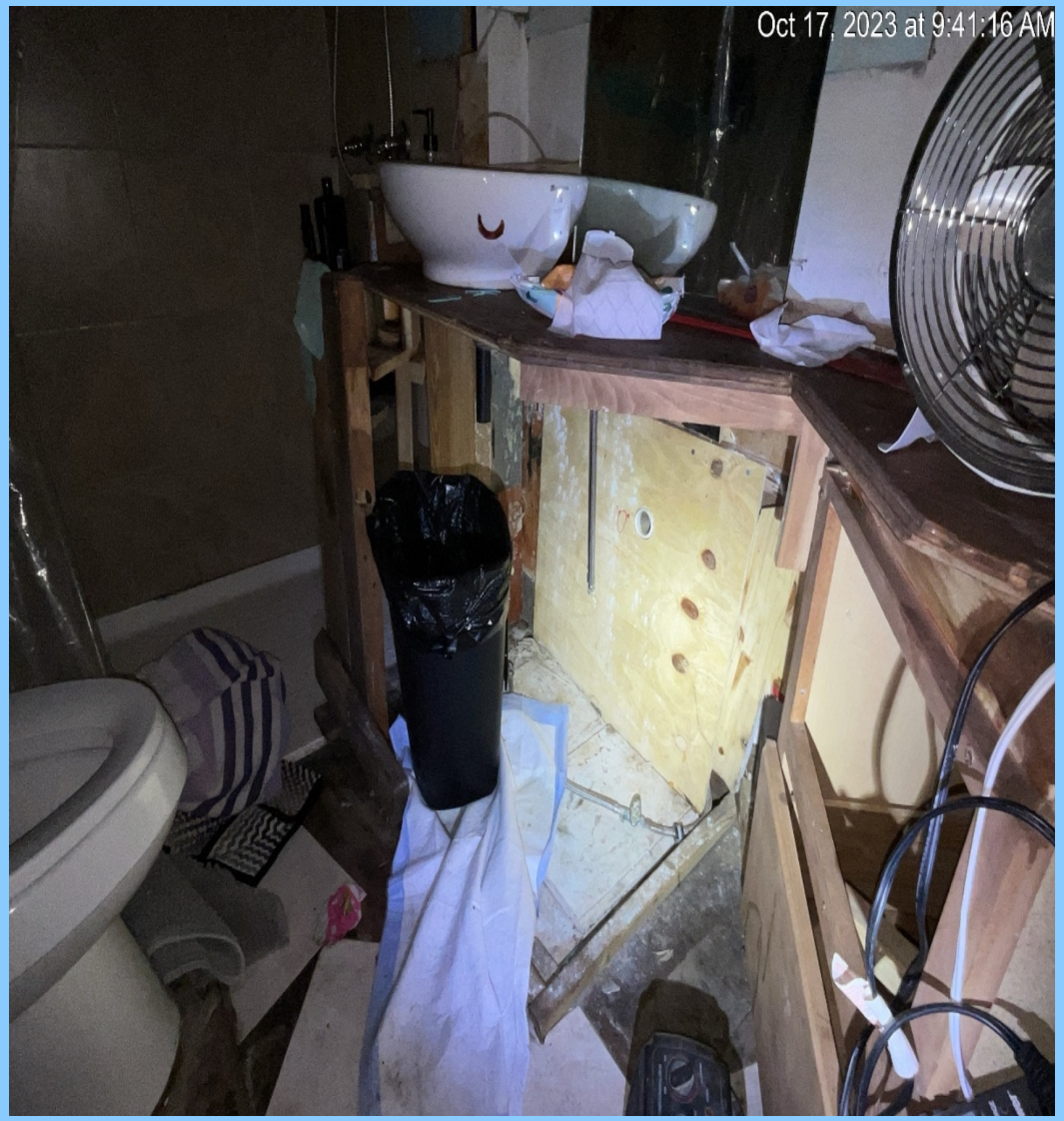


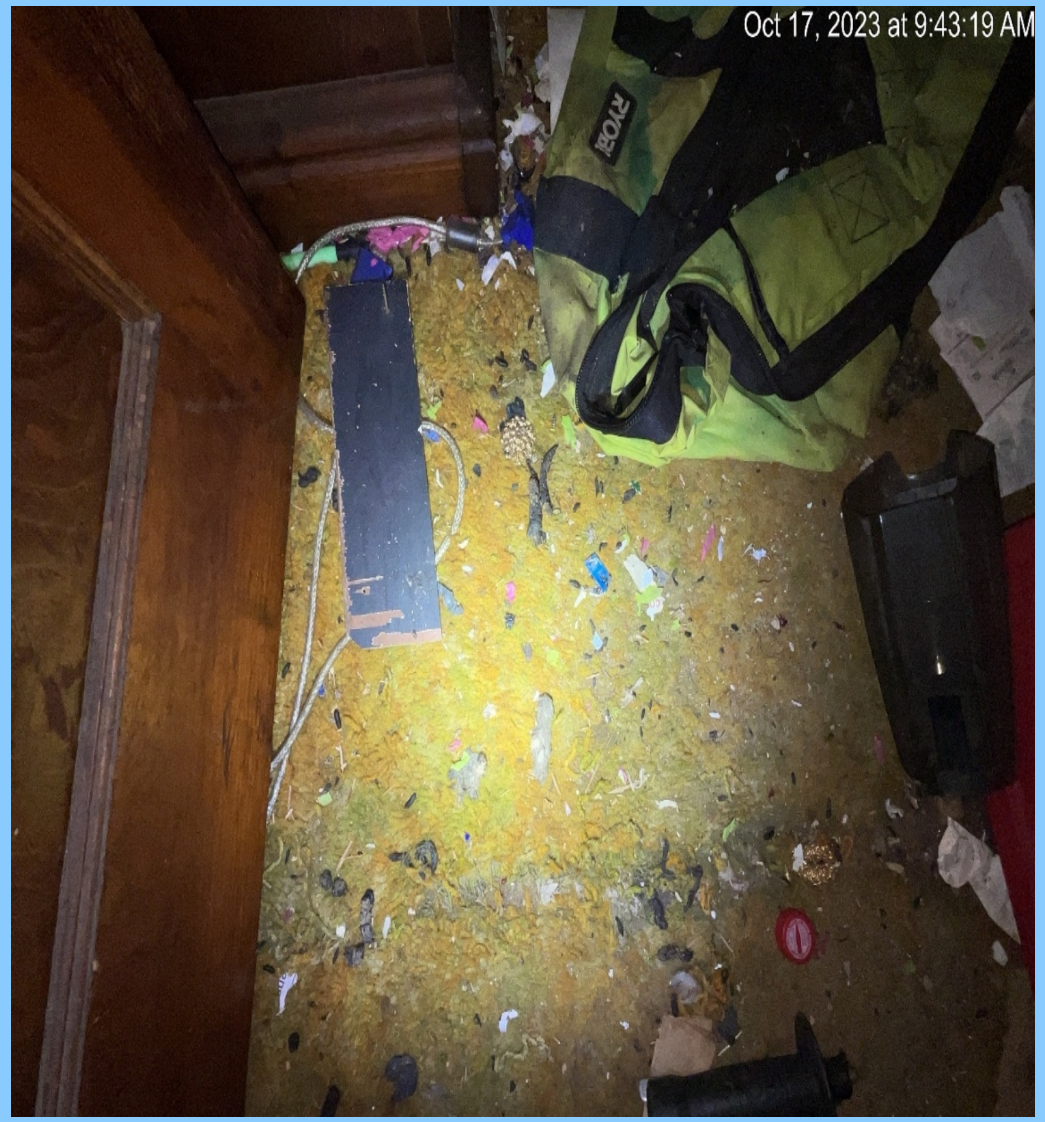
Inadequate Sanitation (infestation & stray cats)



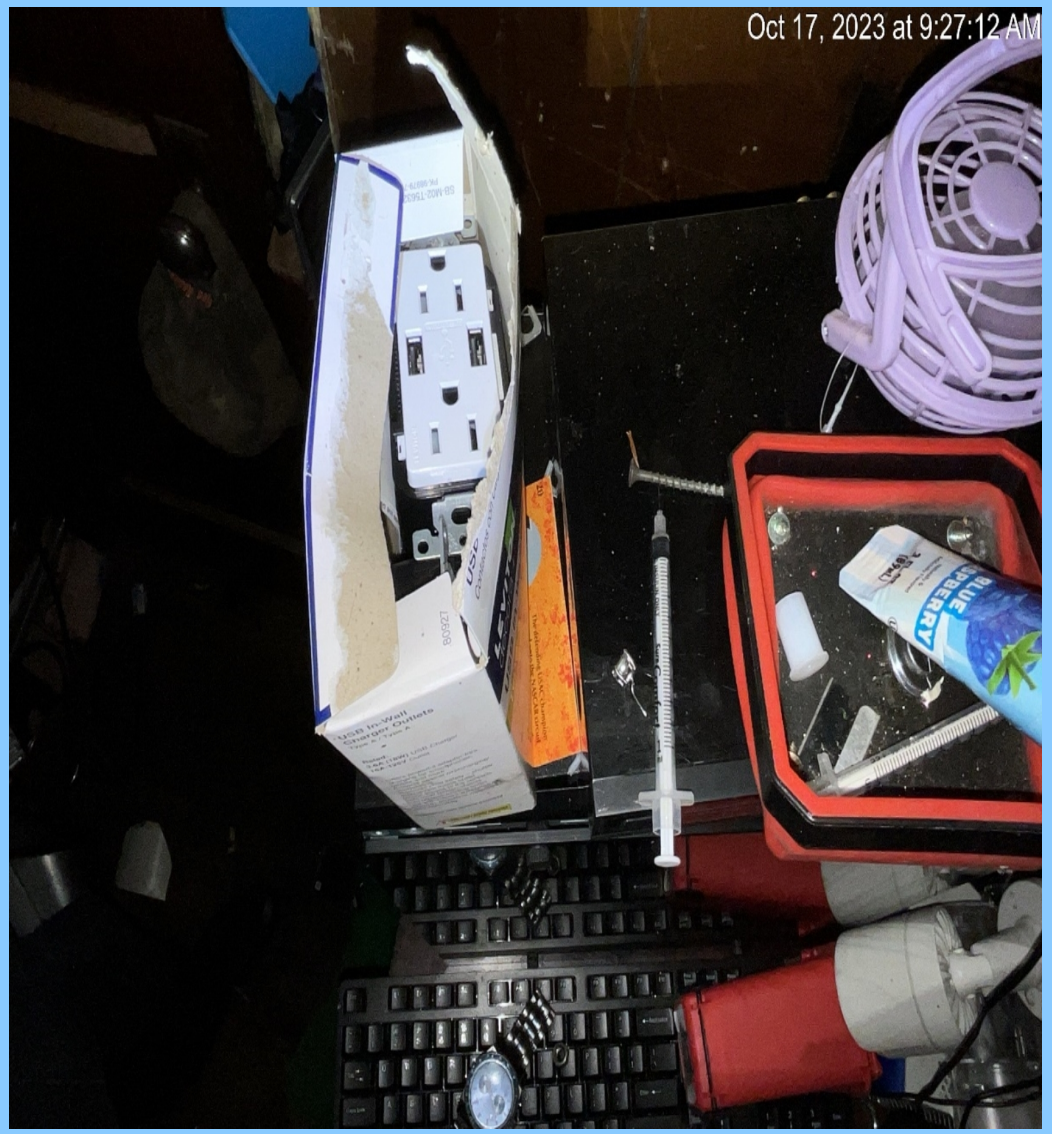


Inadequate Sanitation





Interior Conditions



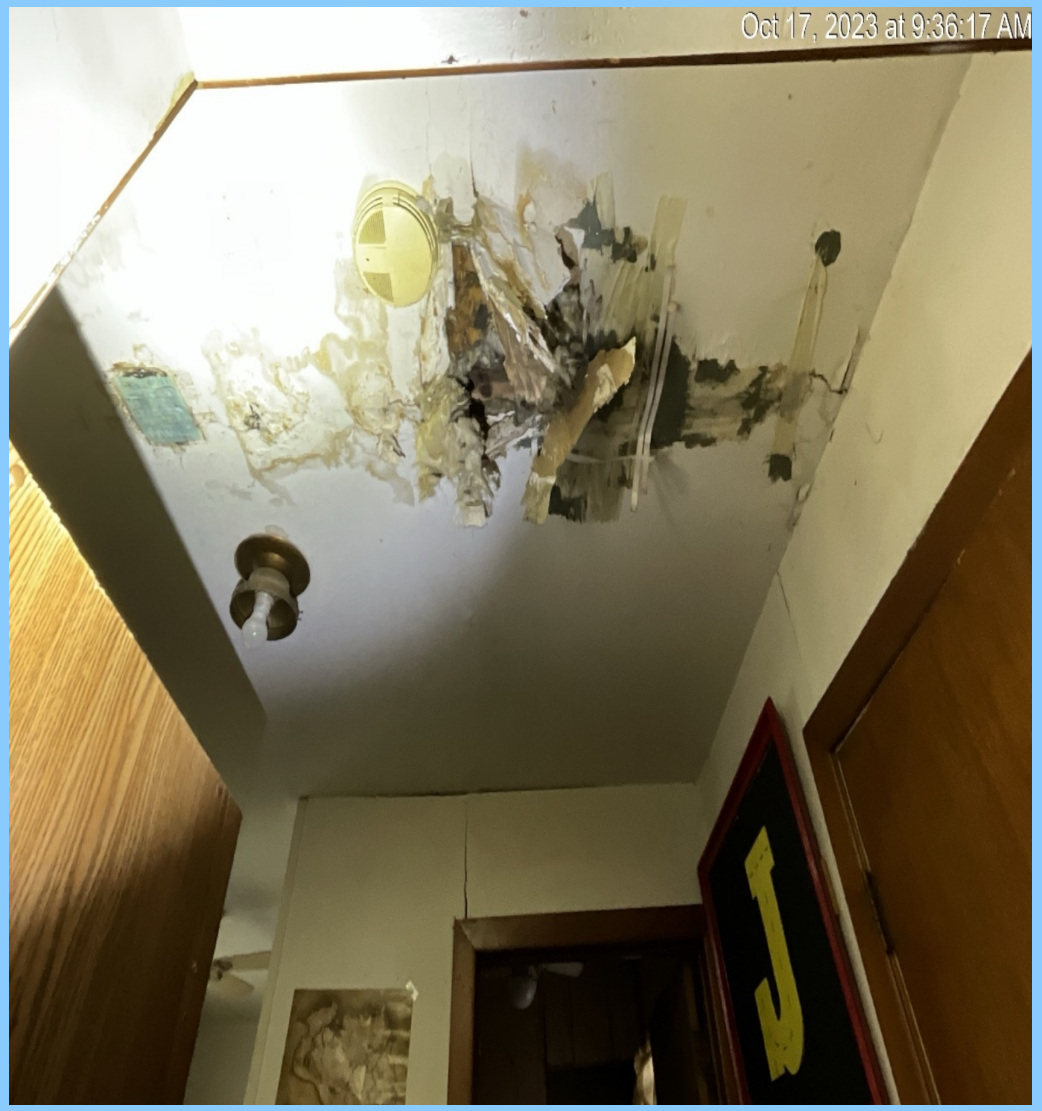


Nuisance





Interior Dilapidation



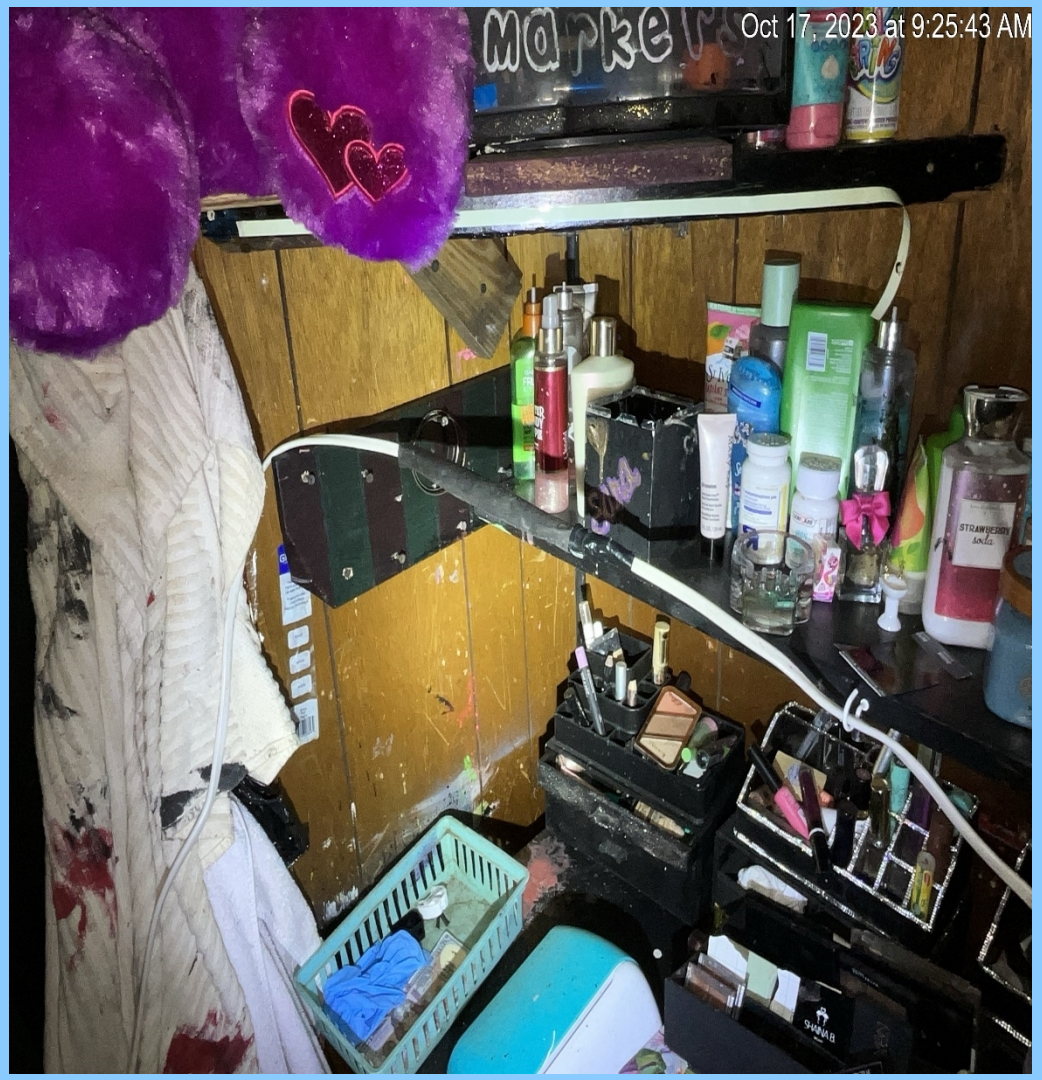


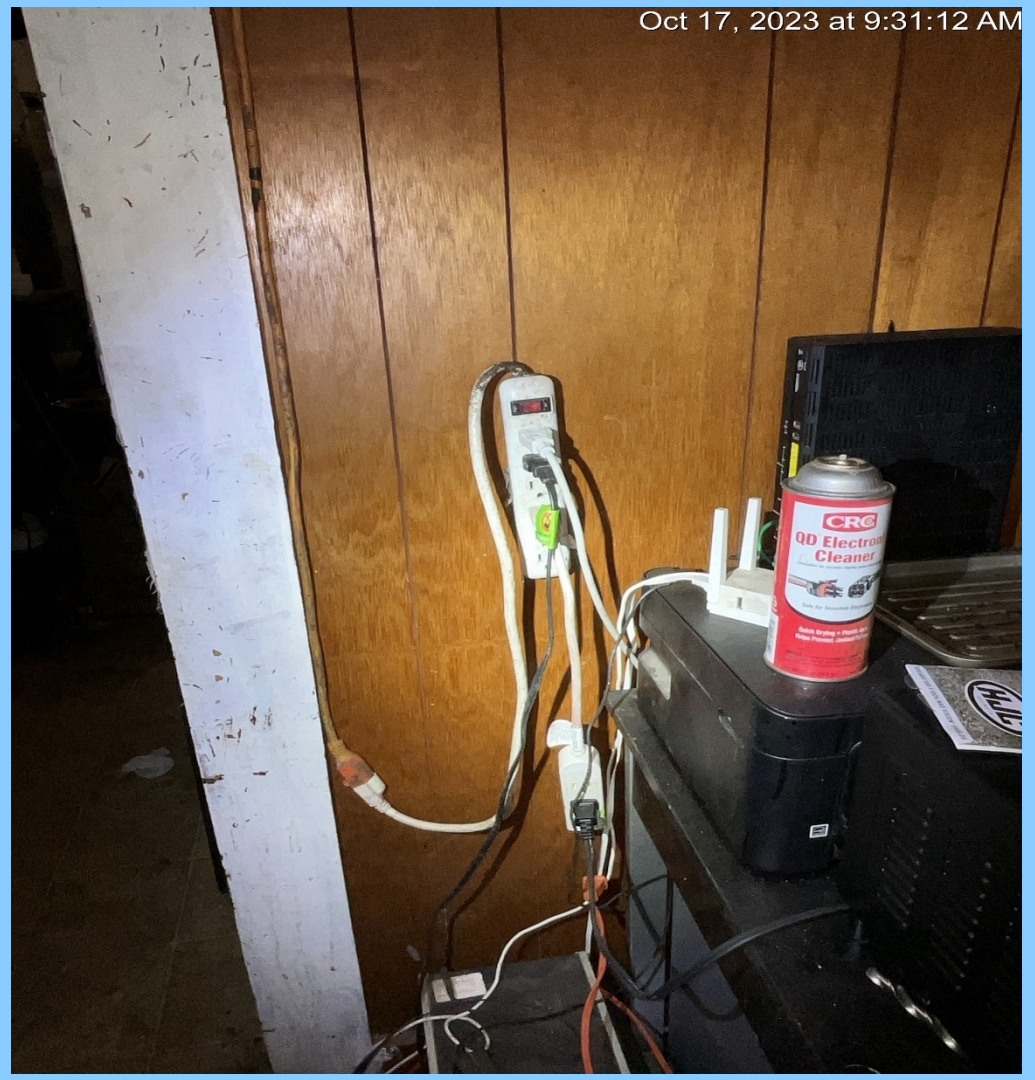
Inadequate Sanitation / Interior Dilapidation





Hazardous Electrical



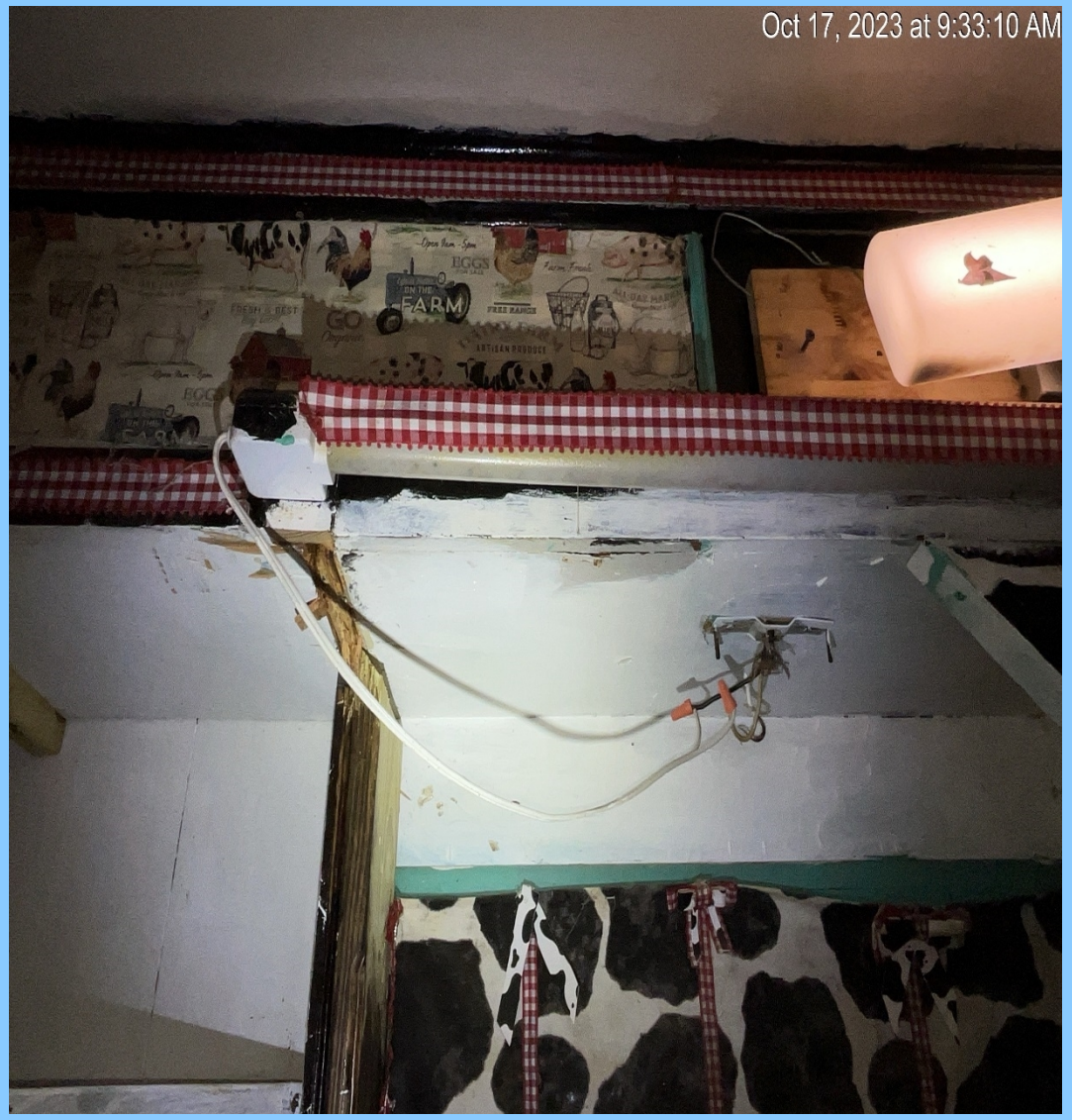


Hazardous Electrical





Hazardous Electrical



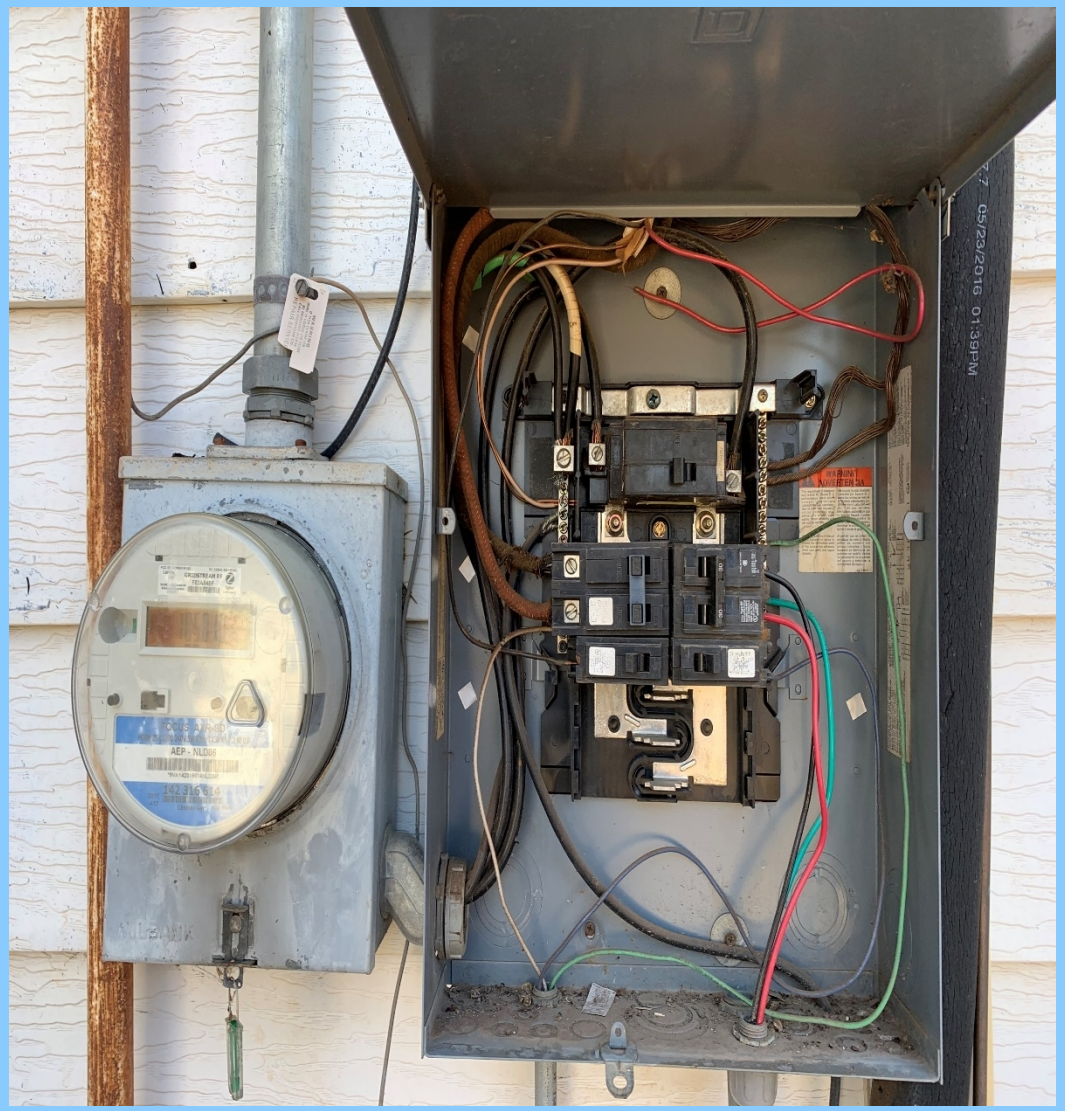


AFD photos (March 2022)





AFD photos - Hazardous Electrical





AFD photos / Hazardous Electrical





Timeline of Events

- **March 13, 2022 –** Structure fire in attic affecting ceiling joists and electrical. AEP was contacted and removed electric meter.
- **March 24, 2022 –** Electrical permit was issued that indicates it is to replace wire to main panel and meter release.
- **March 25, 2022 –** Passed electrical inspection, meter was released. Unknown if owner made fire damaged area known to electrical contractor or electrical inspector to verify damaged wiring was replaced.
- **September 6, 2023** – Owner of structure made it known to code officer that the house has hazardous electrical wiring and the structure is vacant. Utilities are all active. People are frequently found on the premises.
- **October 17, 2023** – Due to owner not wanting to let us inside to inspect, an administrative search warrant was served. During the inspection, a City Marshal discovered a small bag of narcotics in the toilet. The City Marshal confirmed with structure occupant that substance was meth. The house is extremely unsanitary. It is infested with insects and stray cats. There was hazardous electrical all throughout. The house was providing electricity to a shed in the rear that looks to be a living quarters.
- **October 19, 2023 – After we confirmed multiple times with the property owner that the house is not being lived in, the property was condemned and the affidavit of condemnation was recorded at the county clerk.**
- **October 19, 2023** – Received phone call from the property owner. She was informed of the condemnation. She was also informed no one may live in the house or shed and the utilities will be shut off by the city. She has told Code Enforcement in the past that no one resides in the house and her son only goes to the house to make sure no one steals anything.

Timeline of Events

- **October 20, 2023** – Notice of condemnation and 30-60 were sent to the property owner. There have been 26 Code Enforcement cases here going back to 2018. There are currently 10 active Code Enforcement cases. Under the current property owner, 11 Code Enforcement cases have been opened. Current ownership started in August 2022.
- **October 24, 2023** – Received a copy of fire report and photos showing results of fire that occurred in March 2022. Verified fire damage to ceiling rafters, electrical damage from fire, and other electrical and fire hazards throughout house.
- **October 25, 2023** – Sent condemnation notices to Lillius St address listed in Taylor CAD.
- **October 26, 2023** – Posted condemnation sign and public notice for December board hearing on structure. Spoke to property owner by phone and explained plan of action, permit process, and board hearing.
- **November 15, 2023** – Met with property owner at City Hall to explain condemnation notices. She asked about the appeal process and did a handwritten appeal while at City Hall.

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, inadequate sanitation, structural hazards, and nuisance conditions.

If condemnation is upheld:

- 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 1158 Lillius St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:12/6/2023

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-004863: 1110 Elm St. (J H DARNELL OF BELLEVUE OUTLOT 1, BLOCK 4, LOT 2, TAYLOR COUNTY, TEXAS), Owner: Lackey, Tommy**

GENERAL INFORMATION

Owner: Lackey, Tommy
Sq Ft: 1,116
Structural: Poor
Foundation: Poor
Value: $25,486
Total Value: $29,518
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

October 12, 2023 – Vacant, unsecured property identified. Performed initial inspection. Property was condemned.
October 13, 2023 – Neighbor phone call, explained vagrants are getting inside. She lives nearby with her kids.
October 19, 2023 – Affidavit of condemnation recorded at county clerk.
October 23, 2023 – Performed additional inspection. Main structure and shed are in very poor condition. Flooring inside main structure is dangerous. An inside wall is falling down. The shed in the rear is falling down. The entire property is very unsanitary.
October 23, 2023 – Notices sent to deceased owner's address of record and as well as sister that is handling the estate.
October 26, 2023 – Posted public notice of hearing on structure.
November 6, 2023 – Notice of hearing sent to property owner's address of record and sister.

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 December 6, 2023.

ATTACHMENTS:

1. 20231206_23-004863_1110 Elm St 20231206_23-004863_1110 Elm St.pptx

Case #23-004863

1110 Elm St.

CITY OF ABILENE TEXAS

CHECKLIST FOR RECORDS SEARCH

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

- **COUNTY RECORDS** – Shows Quit Claim Deed naming **Tommy Lackey** as owner.

- **TAYLOR COUNTY** – Shows **Tommy Lackey** 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 23, 2023.

- Search reveals **Tommy Lackey** 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, Chapter 8, Sec 8-554 (4)
- Hazardous Plumbing, Chapter 8, Sec. 8-554 (5)
- Faulty Weather Protection, Chapter 8, Sec 8-554 (7)

Exterior Dilapidation





Exterior Dilapidation





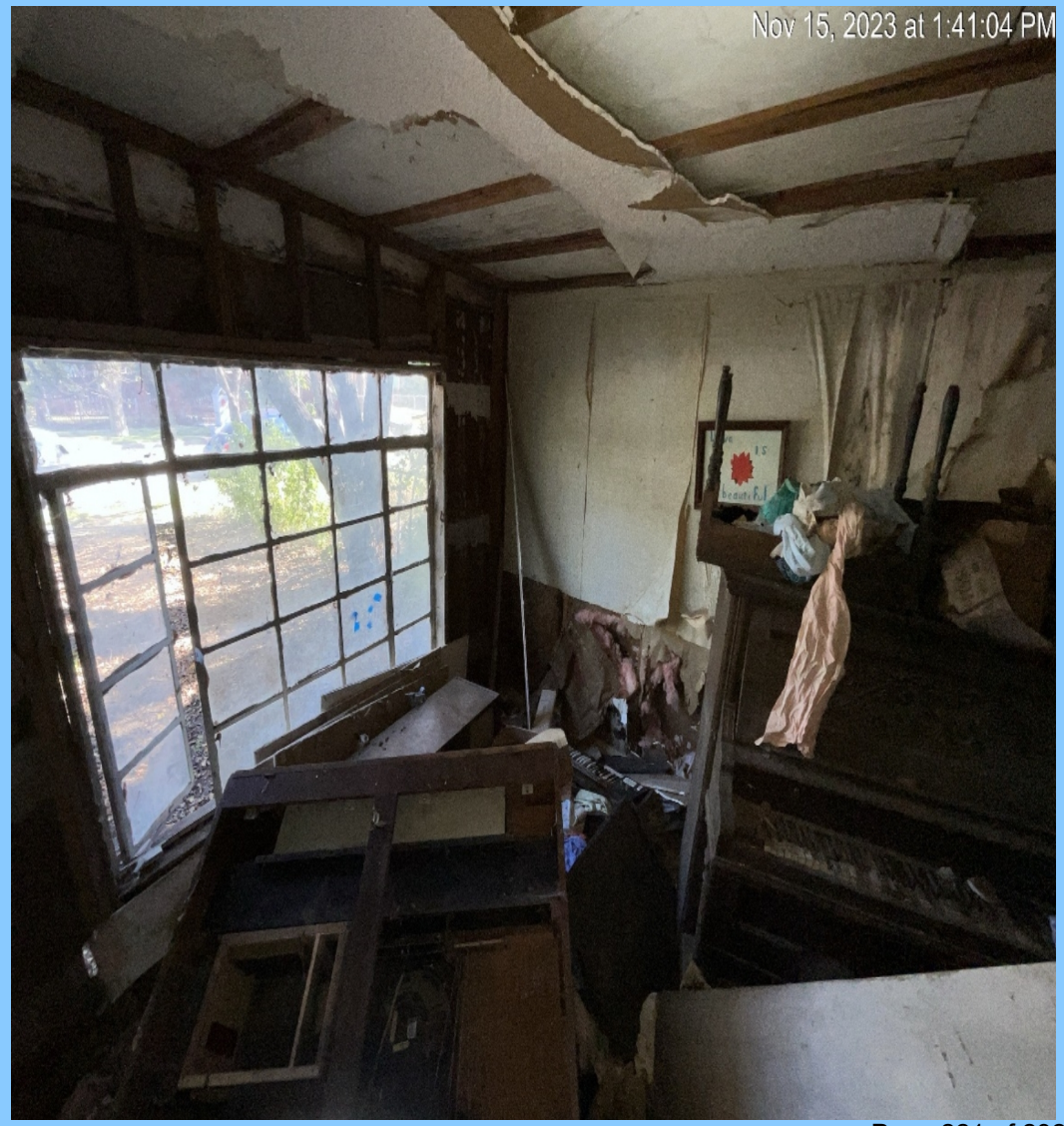
Interior Dilapidation





Interior Dilapidation





Interior Dilapidation



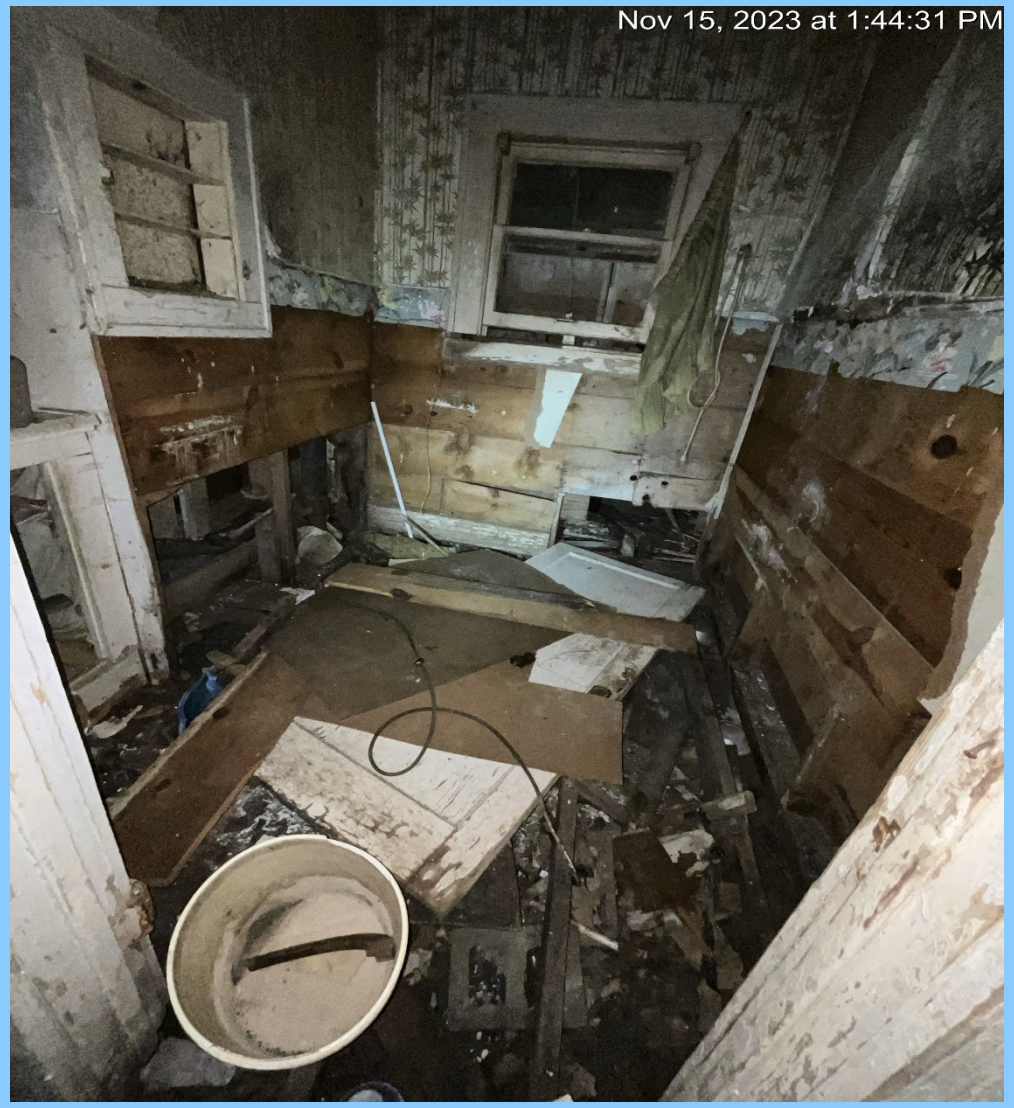


Interior Dilapidation





Interior Dilapidation/Structural Hazards





Timeline of Events

- **October 12, 2023** – Vacant, unsecured property identified. Performed initial inspection. Property was condemned.
- **October 13, 2023** – Neighbor phone call, explained vagrants are getting inside. She lives nearby with her kids.
- **October 19, 2023** – Affidavit of condemnation recorded at county clerk.
- **October 23, 2023** – Performed additional inspection. Main structure and shed are in very poor condition. Flooring inside main structure is dangerous. An inside wall is falling down. The shed in the rear is falling down. The entire property is very unsanitary.
- **October 23, 2023** – Notices sent to deceased owner's address of record and as well as sister that is handling the estate.
- **October 26, 2023** – Posted public notice of hearing on structure.
- **November 6, 2023** – Notice of hearing sent to property owner's address of record and sister.

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 1110 Elm St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:12/6/2023

TO:

FROM:

SUBJECT: **End of FY 23 Condemnation/Dilapidated Structure Program Statistics**

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. FY2023_Condemnation Program stats FY2023_Condemnation Program stats.pptx

Code Compliance Condemnation Program
FY2023
October 1, 2022 – September 30, 2023

56 New condemnation cases, that's up 2 from FY2022

235 Dilapidated structure cases with 441 last year

56 Cases completed, 18 more than last year

55 Brought before Board of Building Standards, 4 more than last year

22 Resolved without going to the Board of Building Standards

14 City funded demolitions, 14 CDBG funded and 3 by owner consent

Average cost per demolition $7,868, same as last year

10 Owner repaired structures and 9 demolitions by owner

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:12/6/2023

TO:

FROM:

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

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS: