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 January 3, 2024 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 December 6, 2023 Board of Building Standards meeting minutes.

PUBLIC HEARINGS:

STATEMENT OF POLICY

In all cases, except where specifically stated otherwise, buildings must be secured and the lot clean and mowed by the owner within ten (10) days of receipt of notice of results of this hearing. If this is not done, the City may do so and bill the owner. In any case where the Board orders the owner to demolish a structure or structures, but the owner fails to demolish or appeal the Board's order, the City may demolish. Any appeal must be filed in district court within 30 calendar days after the aggrieved party receives notice of the Board's decision. At the hearing, you should be prepared to present the following information:

1. *Specific time frame needed to complete repairs.*
2. *Specific scope of repair work to be completed.*
3. *Cost estimates for work to be done by licensed, bonded contractors such as electrical, plumbing or heating and air-conditioning contractors.*

You have the right to hire an attorney to represent you at the hearing, the right to inspect the file on the property at the office of Planning and Development Services prior to the hearing, and the right to request the presence of city staff for the purpose of questioning at the hearing.

AGENDA ITEMS

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

B. Case for Rehabilitation, Demolition, or Civil Penalties - Case# 22-003068: 1338 Orange St (11 204 2 E BALDWIN ABL OT, TAYLOR COUNTY, TEXAS), Owner: Martinez, Jose

C. Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-001560: 1941 1/2 Victoria St. (COLLEGE HEIGHTS, BLOCK 56, LOT 11 & 12, TAYLOR COUNTY, TEXAS), Owner: Batten, David K. & Christina M.

D. 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

E. Case for Rehabilitation, emolition, or Civil Penalties - Case# 23-001799: 1817 N. 10th St. (LAKESIDE ADDN, BLOCK 3, LOT W51 E122 LTS 1&2, TAYLOR COUNTY, TEXAS), Owner: Ntibashirinzigo, Methoucela

F. 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 M.

G. Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-004015: 1002 Cedar St. (1 203 2 E C&M OT ABL, TAYLOR COUNTY, TEXAS), Owner: Vasquez, Andres, Vielma

H. Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-004688: 1502 Mulberry St. (COLLEGE HEIGHTS, BLOCK 27, LOT 7 & 8, TAYLOR COUNTY, TEXAS), Owner: Cortez, Blanca S.

I. Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-004765: 1413 Delano St. (LEON STEVENSON, LOT W100 S132 LT 2, TAYLOR COUNTY, TEXAS), Owner: Flores, Ulises

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 28th day of December, 2023, at 3:15 p.m.

_____

Shawna Atkinson, City Secretary

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:1/3/2024

TO:

FROM:

SUBJECT: **Public hearing and possible approval of December 6, 2023 Board of Building Standards meeting minutes.**

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. BOBS Minutes 6 Dec 23 BOBS Minutes 6 Dec 23.docx

BOARD OF BUILDING STANDARDS
MEETING MINUTES
December 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. Delbert Allred
Mr. Jeremy McBrayer
Mr. Sean McNeill
Mr. Will Dugger

Staff Present: 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
Ms. Christi Jones, Administrative Assistant
Mr. Stephen Garrison, Code Compliance Officer
Ms. Teri Dollar, Property Maintenance Inspector

Others Present:
Mr. HG Moses (1158 Lillius)
Mr. Patrick Batten (1126 Houston and 1158 Lillius)
Ms. Marcia Albright (1158 Lillius)
Mr. John Jackson (1110 Elm St)
Ms. Debra Jones (1858 Sycamore)
Ms. Mary Biehl (1158 Lillius)

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, November 1, 2023, were provided in advance to Board Members for review.

Mr. Allred made a motion to approve the November minutes as written.
The motion was seconded by Mr. McNeill, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Dugger, Mr. Beard

NAYS: None
ABSTAIN: None

AGENDA ITEMS & PUBLIC HEARINGS

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

Mr. Marsh presented the case, staff recommendations are as follows:
Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:
(1) Inadequate Sanitation Chapter 8, Sec. 8-554
(2) Structural Hazard Chapter 8, Sec. 8-554
(3) Nuisance Chapter 8, Sec 8-554 (3) Chapter 19, Sec 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**.** There being no speakers, Mr. Beard closed the public hearing.

Mr. Duggar made a motion to Owner is to repair – 30 days to obtain all permits and provide a plan of action including a timeframe for repair, and cost estimates and if this is done, 60 days to obtain rough-in inspections and if this is done, all final inspections shall be completed by the expiration of all permits, was seconded by Mr. McNeill, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

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

Mr. Marsh presented the case, staff recommendations are as follows:
Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:
(1) Inadequate Sanitation Chapter 8, Sec. 8-554
(2) Structural Hazard Chapter 8, Sec. 8-554
(3) Nuisance Chapter 8, Sec 8-554 (3), Chapter 19, Sec. 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**.** There being no speakers, Mr. Beard closed the public hearing.

Mr. Wyatt made a motion to Owner is to repair – 30 days to obtain all permits and provide a plan of action including a timeframe for repair, and cost estimates and if this is done, 60 days to obtain rough-in inspections and if this is done, all final inspections shall be completed by the expiration of all permits, was seconded by Mr. Allred, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

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

Mr. Marsh presented the case, staff recommendations are as follows:
Pursuant to Chapter 8; Sec. 8-554 the following conditions exist**:**
(1) Inadequate Sanitation Chapter 8, Sec. 8-554
(2) Structural Hazard Chapter 8, Sec. 8-554
(3) Nuisance Chapter 8, Sec. 8-554 (3), Chapter 19, Sec. 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**.** Mr. Patrick Batten addressed the board. He reported that the property has been gutted on the inside and he intends to start electrical and plumbing next. He stated that he can follow the staff recommendation.

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

Mr. Allred made a motion to Owner is to repair – 30 days to obtain all permits and provide a plan of action including a timeframe for repair, and cost estimates and if this is done, 60 days to obtain rough-in inspections and if this is done, all final inspections shall be completed by the expiration of all permits, was seconded by Mr. Duggar, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Dugger, Mr. Beard

NAYS: None
ABSTAIN: None

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

Mr. Marsh presented the case, staff recommendations are as follows:
Pursuant to Chapter 8; Sec. 8-554 the following conditions exist**:**
(1) Inadequate Sanitation Chapter 8, Sec. 8-554
(2) Structural Hazard Chapter 8, Sec. 8-554
(3) Nuisance Chapter 8, Sec. 8-554 (3), Chapter 19, Sec. 19-15
(4) Hazardous Electrical Wiring 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 to district court within 30 days or the City may demolish.

Public Hearing: Mr. Beard opened the public hearing. There being no speakers, Mr. Beard closed the public hearing.

Mr. 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. McBrayer, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Dugger, 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. McBrayer, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

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

Mr. Marsh presented the case, staff recommendations are as follows:
Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

(1) Inadequate Sanitation Chapter 8, Sec. 8-554
(2) Structural Hazard Chapter 8, Sec. 8-554
(3) Nuisance Chapter 8, Sec. 8-554 (3), Chapter 19, Sec. 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**.** There being no speakers, Mr. Beard closed the public hearing.

Mr. McBrayer made a motion to Owner is to repair – 30 days to obtain all permits and provide a plan of action including a timeframe for repair, and cost estimates and if this is done, 60 days to obtain rough-in inspections and if this is done, all final inspections shall be completed by the expiration of all permits, was seconded by Mr. McNeill, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Dugger, 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

Case had been tabled on November 1st.

Mr. McBrayer made a motion to untable and was seconded by Mr. Allred, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Mr. Marsh presented the case, staff recommendations are as follows:
Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:
(1) Inadequate Sanitation Chapter 8, Sec. 8-554
(2) Structural Hazard Chapter 8, Sec. 8-554
(3) Nuisance Chapter 8, Sec. 8-554 (3), Chapter 19, Sec. 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. Ms. Debra Jones stated that she is a neighbor to the property. She stated that she observed a representative from Geico Insurance Agency inspecting the damage to the property. She stated that she is concerned that pets have been abandoned at the property. She stated that people still gather at the house.

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

Mr. Duggar made a motion to Owner is to repair – 30 days to obtain all permits and provide a plan of action including a timeframe for repair, and cost estimates and if this is done, 60 days to obtain rough-in inspections and if this is done, all final inspections shall be completed by the expiration of all permits, was seconded by Mr. McBrayer, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

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

Mr. Marsh presented the case, staff recommendations are as follows:
Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:
(1) Inadequate Sanitation Chapter 8, Sec. 8-554
(2) Structural Hazards, Chapter 8, Sec. 8-554
(3) Nuisance Chapter 8, Sec. 8-554 (3), Chapter 19, Sec. 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 to district court within 30 days or the City may demolish.

Public Hearing: Mr. Beard opened the public hearing. There being no speakers, Mr. Beard closed the public hearing.

Mr. 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. McNeill, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Dugger, 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. Duggar, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

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

Case has an appeal of Condemnation.

Mr. Marsh presented the case, staff recommendations are as follows:
Pursuant to Chapter 8; Sec. 8-554 the following conditions exist**:**
(1) Inadequate Sanitation Chapter 8, Sec. 8-554
(2) Structural Hazard Chapter 8, Sec. 8-554
(3) 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
(4) Hazardous Electrical Wiring Chapter 8, Sec. 8-554
(7) Faulty Weather Protection Chapter 8, Sec. 8-554

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 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. HG Moses presented that he resides down the street from this property. He stated that the property has been a nuisance for years. He stated that trash is everywhere and it blows all over the neighborhood. He stated that in the evenings and throughout the night, people come and go from the property. He stated that during the night, people work on cars in the yard and on the street. He stated that other neighbors wanted to come speak; however, they are all afraid of retaliation from the people at this address. The next speaker was Code Officer Stephen Garrison. He presented that he has tried for quite some time to

get the property back into compliance. He stated that he was told by Ms. Gonzales (Biehl) that no one was living in the home. The next speaker was Marcia Albright. She stated that she is a friend of Ms. Gonzales. She stated that she has never been to the home. She asked Mr. Marsh if the home was financially worth saving. Mr. Marsh advised her that was not for him to say. She stated that a lot of the problems are not Ms. Gonzales' problems. She stated that Ms. Gonzales has been in and out of the hospital recently. The next speaker was Ms. Gonzales. She stated that she owns the home and wants to save it. She stated that after the fire in the residence, she had an electrician come to fix the wiring. She stated that Mr. Electric sent her a text that the home was back in compliance. She stated that she believed everything was settled at that point. She stated that the house was still having electrical issues. She stated that she has asked Mr. Electric to come back and fix the issues. She stated that Mr. Electric is refusing to come back. She stated that house does have a lot of items in it. She admitted that the house has many visitors daily and that she cannot throw people out of her house when they have nowhere to go. When asked on what legal grounds was she objecting to the condemnation, Ms. Gonzales stated that she thinks the electrical is in compliance. When asked about the other conditions that are not in compliance, Ms. Gonzales stated that she has friends that are supposed to help her clean it up. Mr. Moses then stood again and stated that the issue is Ms. Gonzales' son and his friends. He stated that Ms. Gonzales told him that the house was going to cost thousands to fix the electrical, plumbing, gas, and internal structure. The next speaker was Mr. Batten. He stated that he lives four blocks away. He stated that he drives by this property regularly and it is a disaster. He stated that Ms. Gonzales enables her son.

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

Mr. Wyatt made a motion to Uphold the Condemnation finding and was seconded by Mr. Allred, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Mr. Beard made a motion that Owner is to clean exterior and repair – 30 days completely clean the exterior and to obtain all permits and provide a plan of action including a timeframe for repair, and cost estimates and if this is done, 60 days to obtain rough-in inspections and if this is done, all final inspections shall be completed by the expiration of all permits, was seconded by Mr. Wyatt, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

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

Mr. Marsh presented the case, staff recommendations are as follows:
Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:
(1) Inadequate Sanitation Chapter 8, Sec. 8-554

(2) Structural Hazards, Chapter 8, Sec. 8-554
(3) Nuisance Chapter 8, Sec. 8-554 (3), Chapter 19, Sec. 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

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

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

Public Hearing: Mr. Beard opened the public hearing. Mr. John Jackson stated that he is the nephew of owner, Tommy Lackey. He stated that Mr. Lackey passed away on September 23, 2023. He stated that the family is attempting address the issues with the property; however, they have to wait for a death certificate to be issued. He stated that a great-nephew of Mr. Lackey wants the property and they agree that structure needs to be demolished. He stated that he needs a little time to get the paperwork in order. He stated he needs 30 to 60 days to gather the documentation to transfer the property to the great-nephew. He stated that they are aware they are responsible for cleaning up the property as well.

Having no other speakers, Mr. Beard closed the public hearing.

Mr. Duggar 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. McNeill, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Mr. Duggar made a motion that the owner is ordered to demolish within 60 days or appeal the order to district court within 30 days or the City may demolish and was seconded by Mr. McNeill, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Mr. Clay Door then presented the End of Fiscal Year 2023 Condemnation/Dilapidated Structure Program Statistics. He stated there have been 56 new condemnation cases and that is up 2 from last fiscal year. He further stated that, as expected, the dilapidated structure cases have fallen from 441 last year to 235 this year due to new programs in place. He stated there were 56 completed cases which is up 18 over last year. He stated that 55 were brought before the Board of Building Standards, which is 4 more than last year. He stated that 22 cases were resolved without presentation to the Board. He stated that there were 14 city funded demolitions and 14 CDBG demolitions and 3 by owner consent. He stated the average cost per demolition remained

the same as last year at $7,868. He stated there were 10 owner repaired structures and 9 demolitions by the owner, which is doubled from last year.

ADJOURNMENT

There being no further business to come before the hearing, the Board of Building Standards meeting was adjourned at 10:04 a.m.

X

Approved, Chairman

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:1/3/2024

TO:

FROM:

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

GENERAL INFORMATION

Owner: Ortiz, Mauro Antonio
Sq Ft: 1,182
Structural: OK
Foundation: OK
Value: $24,392
Total Value: $25,784
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

March 2, 2021 – Case opened for dilapidated structure. First and second notice were sent to property owner in March 2021.
August 9, 2021 – Stop Work order notice posted on structure for start of renovation without permit.
December 14, 2021 – Property was condemned. Affidavit filed at the County Clerk office.
May 25, 2023 – Received citizen complaint to report house as abandoned with broken windows and kicked in door. Citizen also reported suspicious activity and people getting inside the house.
May 25, 2022 – Initial notice of condemnation sent to property owner and lien holder.
May 31, 2022 – Phone call with lien holder, expressing concern about the property being condemned. Phone call also made with property owner, informing him that a plan of action with cost estimates needed to be submitted to obtain permit. Mr. Ortiz came in to obtain a plan of action, and was explained the process. He was referred to permit techs to inquire about

necessary requirements to be listed as the general contractor on the permit.
June 7, 2022 – Phone call with lienholder rep, stated that Mr. Ortiz failed to bring them a plan of action as agreed. Stated that they also have not been able to make contact with him by phone.
December 14, 2022 – Permit issued.
August 8, 2023 – Notice of hearing posted on structure.
August 9, 2023 – Notice of hearing sent to property owner and lienholder.
August 29, 2023 – Permit set to expire – no rough-in inspections completed. Open plumbing ditch left in backyard. Ditch not secured by fence, accessible to children. Temporary electrical pole in backyard not in use, was not connected to utility pole.
September 6, 2023 – **Board ordered owner to obtain rough-in inspection in 60 days** and have all final inspections completed by expiration of permits. Owner was in attendance at hearing. He said all rough-in work is complete and he is ready to call for inspections. He also stated that he was able to comply with the staff recommendation to have all rough-in inspections completed in 60-days.
December 4, 2023 – Verified remainder of rough-in inspections were not scheduled or completed. Permit is not active. Permit was placed on hold due to expiration of plumbing contractors credentials. Plumbing ditch in backyard has been mostly filled in.
December 11, 2023 – Notice of January hearing posted on structure.
December 14, 2023 – Notice of hearing sent to property owner and lienholder.

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 January 3, 2024.

ATTACHMENTS:

1.	20240103_Slides Intro	20240103_Slides Intro.pptx
2.	20240103_21-003191_2333 N Mockingbird Ln	20240103_21-003191_2333 N Mockingbird Ln.pptx

BOARD OF BUILDING STANDARDS

January 3, 2024

CITY OF ABILENE TEXAS

PUBLIC NOTICE – January 3, 2024 MEETING

- A meeting of the Board of Building Standards will be held at 8:30 a.m., Wednesday, January 3, 2024 in the Council Chambers of City Hall, 555 Walnut Street, Abilene, Texas, to consider the following properties on the agenda: 2333 N. Mockingbird Ln. Abilene, TX 79603, 1338 Orange St. Abilene, TX 79601, 1941½ Victoria St. Abilene, TX 79603, 909 Kirkwood St. Abilene, TX 79603, 1817 N. 10th St. Abilene, TX 79603, 1765 Oak St. Abilene, TX 79602, 1002 Cedar St. Abilene, TX 79601, 1502 Mulberry St. Abilene, TX 79601, and 1413 Delano St. Abilene, TX 79601. Property owners are required to submit at the hearing proof of the scope of work, including cost estimates, that may be required to comply with city ordinance, and the calendar days in which it will take to perform the work. Owners have the right to hire an attorney to represent them, the right to inspect the file on the property at the Office of Planning and Development Services prior to the hearing, and the right to request the presence of City staff for the purpose of questioning at the hearing. The Board may take action, including but not limited to demolition orders and/or the assessment of civil penalties.

Case #21-003191

2333 N. Mockingbird Ln.

CITY OF ABILENE TEXAS

CHECKLIST FOR RECORDS SEARCH

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

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

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

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

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

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

- Search reveals **Mauro Antonio Ortiz** to be the owner.

Public Notice



Front West Side



Rear East Side



North Side



South Side



Substandard Code Violations

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

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

Property History



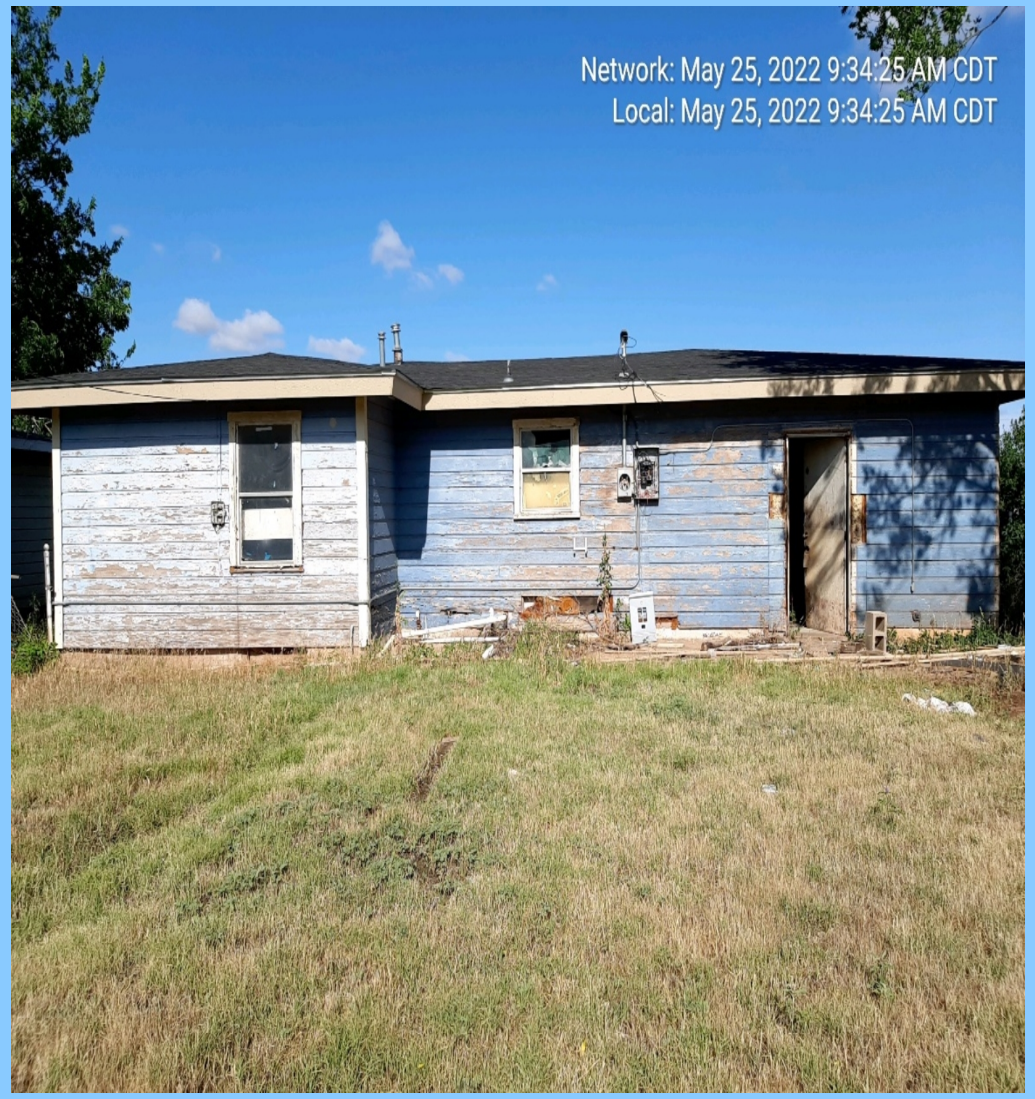


Property History





Property History





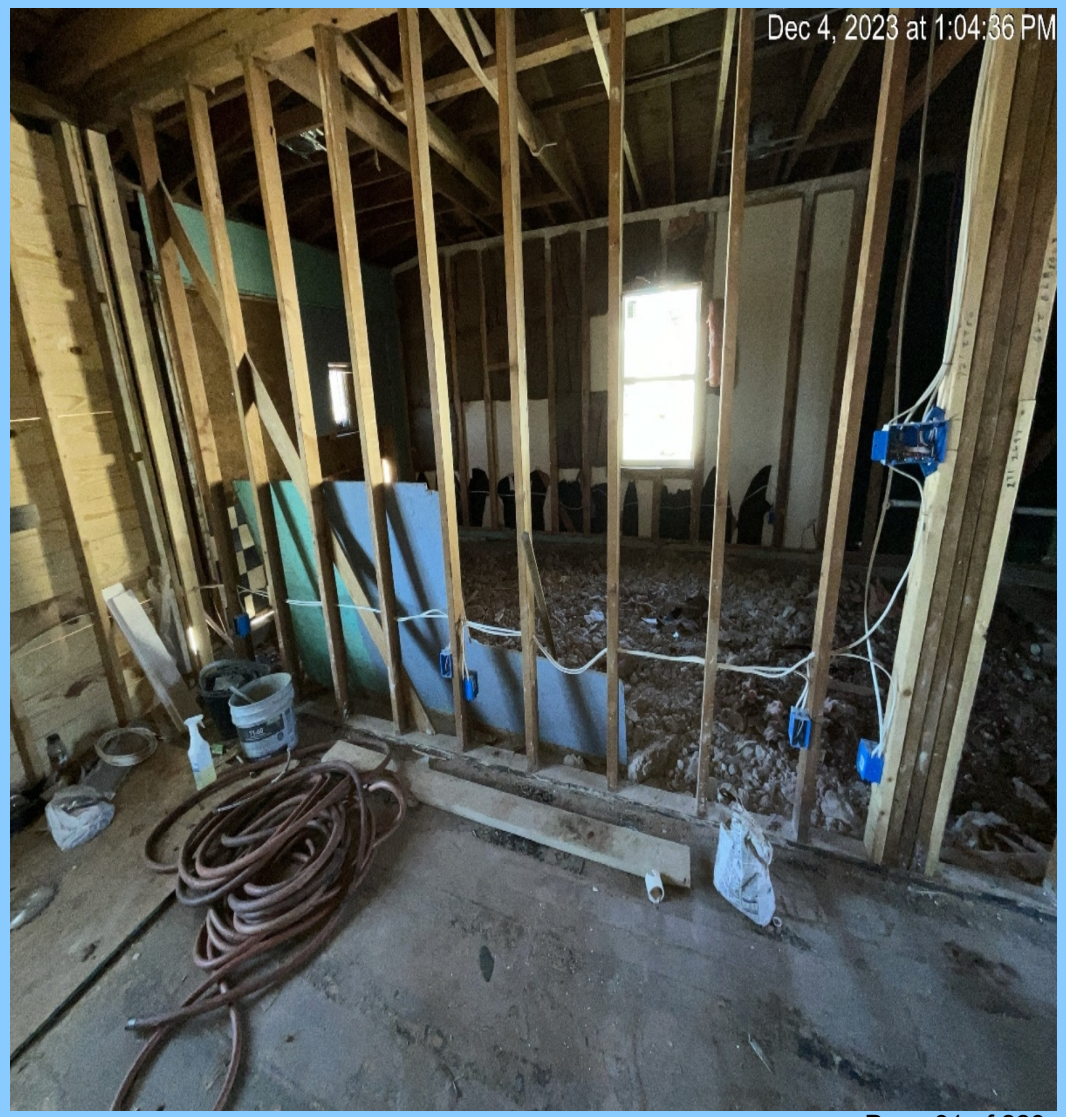
Current Conditions





Current Conditions





Current Conditions





Current Conditions





Current Conditions





Current Conditions





Current Conditions





Current Conditions





Faulty Weather Protection





Timeline of Events

- **March 2, 2021 –** Case opened for dilapidated structure. First and second notice were sent to property owner in March 2021.
- **August 9, 2021** – Stop Work Order notice posted on structure for start of renovation without permit.
- **December 14, 2021** – Property was condemned. Affidavit filed at the County Clerk office.
- **May 25, 2022 –** Received citizen complaint to report house as abandoned with broken windows and kicked in door. Citizen also reported suspicious activity and people getting inside the house.
- **May 25, 2022** – Initial notice of condemnation sent to property owner and lien holder.
- **May 31, 2022** – Phone call with lien holder, expressing concern about the property being condemned. Phone call made with property owner, informing him that a plan of action needed to be submitted to obtain permit. Mr. Ortiz came in to obtain a plan of action, and was explained the process.
- **June 7, 2022** – Phone call with lienholder rep, stated that Mr. Ortiz failed to bring them a plan of action as agreed. Stated that they also have not been able to make contact with him by phone.
- **December 14, 2022** – Permit issued.
- **August 8, 2023** – Notice of hearing posted on structure.
- **August 9, 2023** – Notice of hearing sent to property owner and lienholder.

Timeline of Events

- **August 29, 2023** – Permit set to expire – no rough-in inspections completed. Open plumbing ditch left in backyard. Ditch not secured by fence, accessible to children. Temporary electrical pole in backyard not in use, was not connected to utility pole.
- **September 6, 2023** – **Board ordered owner to obtain rough-in inspections in 60 days** and have all final inspections completed by expiration of permits. Owner was in attendance at hearing. He said all rough-in work is complete and he is ready to call for inspections. He also stated that he was able to comply with the staff recommendation to have all rough-in inspections completed in 60-days.
- **December 4, 2023** – Verified remainder of rough-in inspections were not scheduled or completed.
- **December 11, 2023** – Notice of January hearing posted on structure.
- **December 14, 2023** – Notice of hearing sent to property owner and lienholder.

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 2333 N. Mockingbird Ln. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:1/3/2024

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case# 22-003068: 1338 Orange St (11 204 2 E BALDWIN ABL OT, TAYLOR COUNTY, TEXAS), Owner: Martinez, Jose**

GENERAL INFORMATION

Owner: Martinez, Jose
Sq Ft: 1,048
Structural: Poor
Foundation: OK
Value: $50,621
Total Value: $53,421
Delinquent Tax: $675.90

SPECIAL CONSIDERATIONS

March 3, 2022 – Case opened for vacant, unsecured, dilapidated structure. Water off since it was plugged for illegal use in March 2019.
March 10, 2022 – Found structure to be completely unsecured, and looked to be under renovation at one time. No permits had ever been pulled. Posted Stop Work Order and notice to apply for permit and secure structure.
April 5, 2022 – Structure still in disrepair, unsecured, and no permit applied for.
April 6, 2022 – Owner came into City Hall and obtained a plan of action to fill out and return.
July 22, 2022 – Structure was secured by City. No plan of action completed by property owner.
October 19, 2022 – Condemnation case opened
November 9, 2022 – Affidavit of condemnation recorded at county clerk.
December 14, 2022 – Condemnation notice and 30-60 sent to property owner. Utility shut-off letters sent.
December 19, 2022 - Approved 90 day extension for property owner build funds and complete

plan of action.
February 20, 2023 - Sent new 30-60 letter by regular and certified mail so that the plan of action can be completed by 90 day deadline.
April 6, 2023 – No plan of action received. No contact from property owner. No permit applied for.
April 12, 2023 – Posted notice of May hearing on structure. On or just after this date a relative of the property owner came in to find out how to get the house out of condemnation. Provided him with a copy of the plan of action. Sent notice of hearing to property owner.
May 3, 2023 – Board ordered 30-60. Owner was in attendance at hearing. Decision of Board sent to property owner.
June 2, 2023 – Plan of action approved, permit issued.
November 29, 2023 – Permit expired. No inspections scheduled or completed. No call from property owner or contractor to explain delay.
December 11, 2023 – Notice of January hearing posted on structure.
December 14, 2023 – Notice of hearing sent to property owner.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

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

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on January 3, 2024.

ATTACHMENTS:

1. 20240103_22-003068_1338 Orange St 20240103_22-003068_1338 Orange St.pptx

Case #22-003068

1338 Orange 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** – Warranty Deed naming **Jose Martinez** as owner
- **TAYLOR COUNTY** – Shows **Jose Martinez** to be the owner.
- **SECRETARY OF STATE** – Shows no entity under this name.
- **TAX RECORDS OF THE MUNICIPALITY** – Not applicable
- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since May 4, 2018
- Search reveals **Jose Martinez** to be the owner.

Public Notice



Front East Side



Rear West Side



South Side



North Side



Substandard Code Violations

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

- Inadequate Sanitation, Chapter 8, Sec 8-554 (1)
- Structural Hazards, Chapter 8, Sec. 8-554 (2)
- Nuisance, 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)

Dilapidation/Faulty Weather Protection





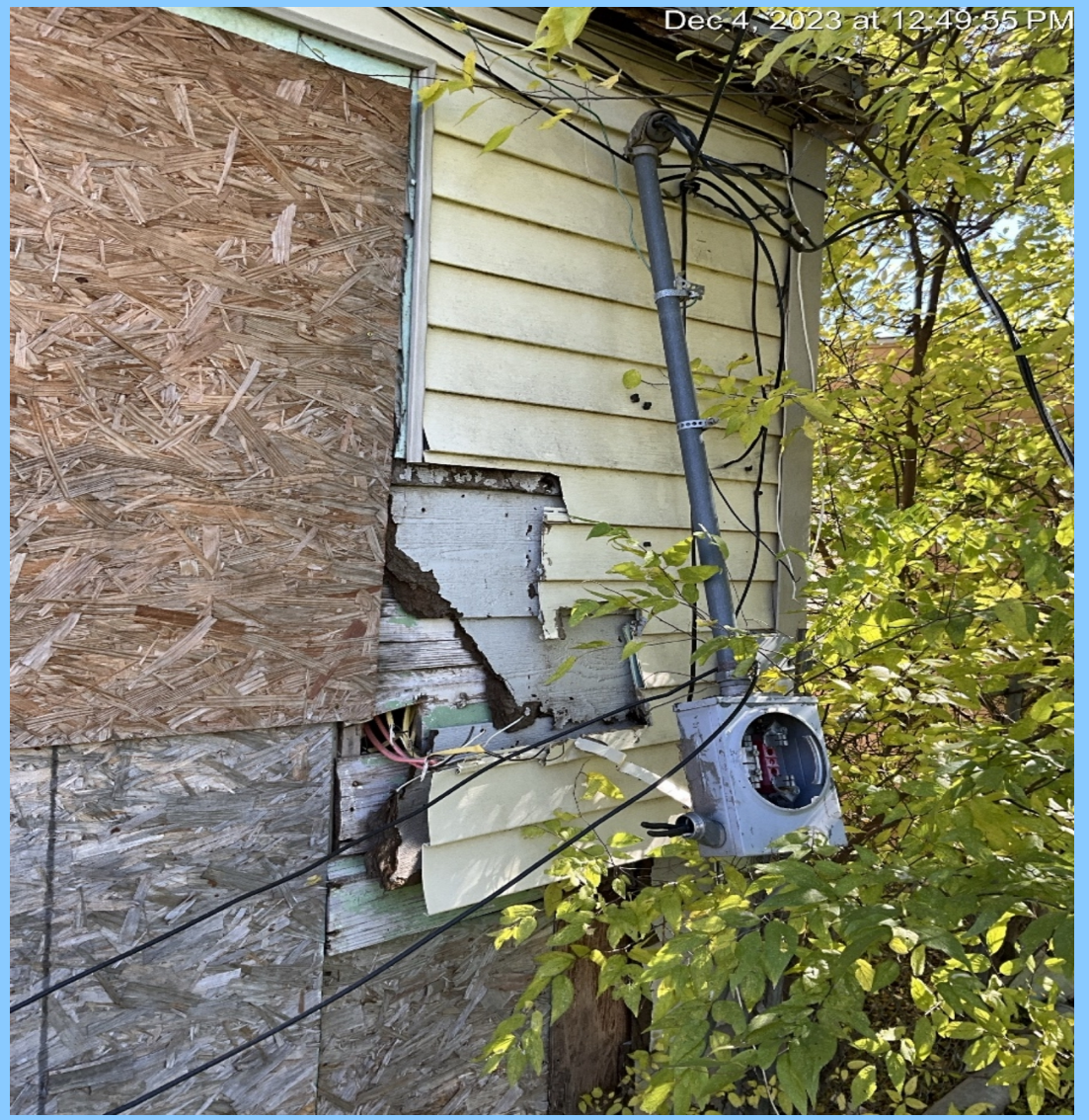
Dilapidation/Faulty Weather Protection





Faulty Weather Protection/Hazardous Electrical





Current Conditions



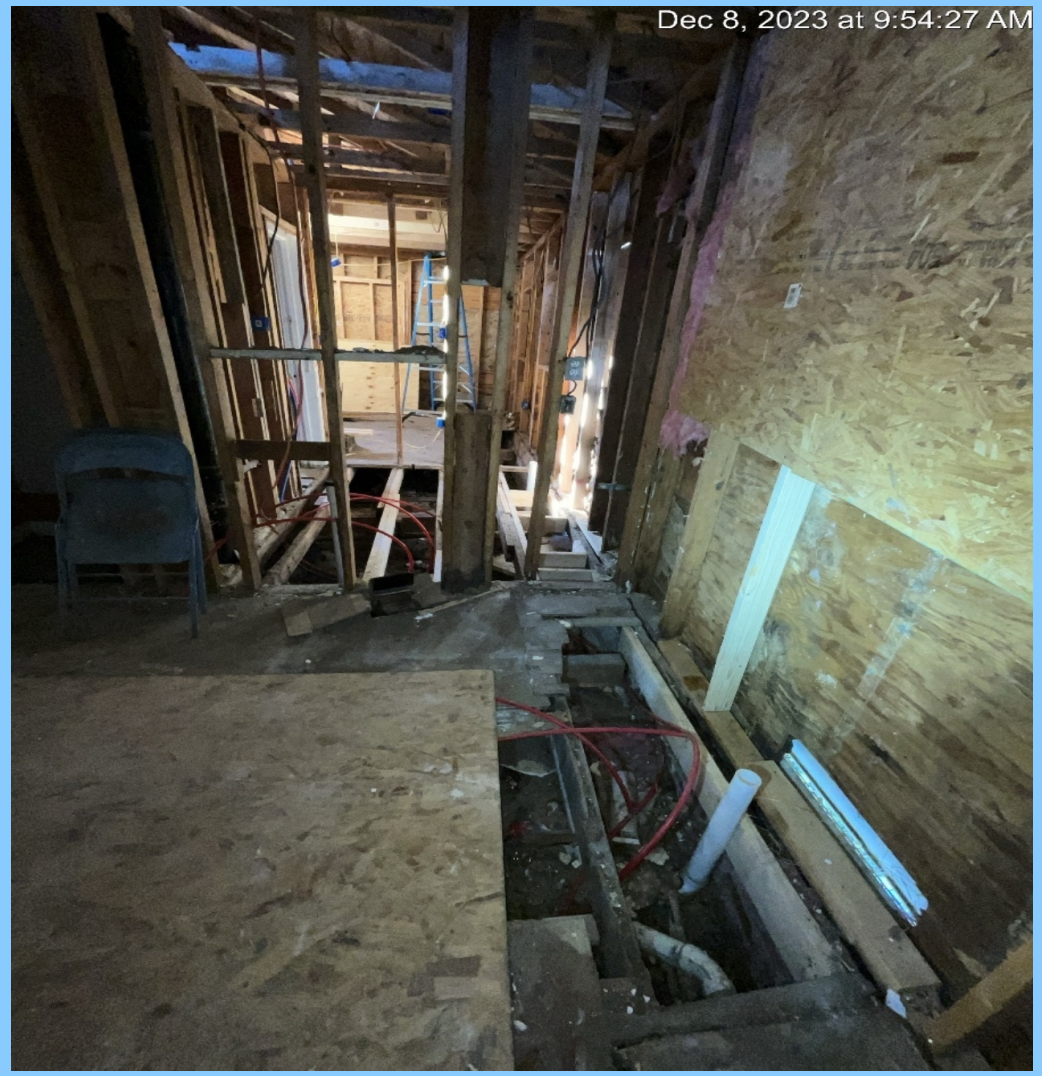


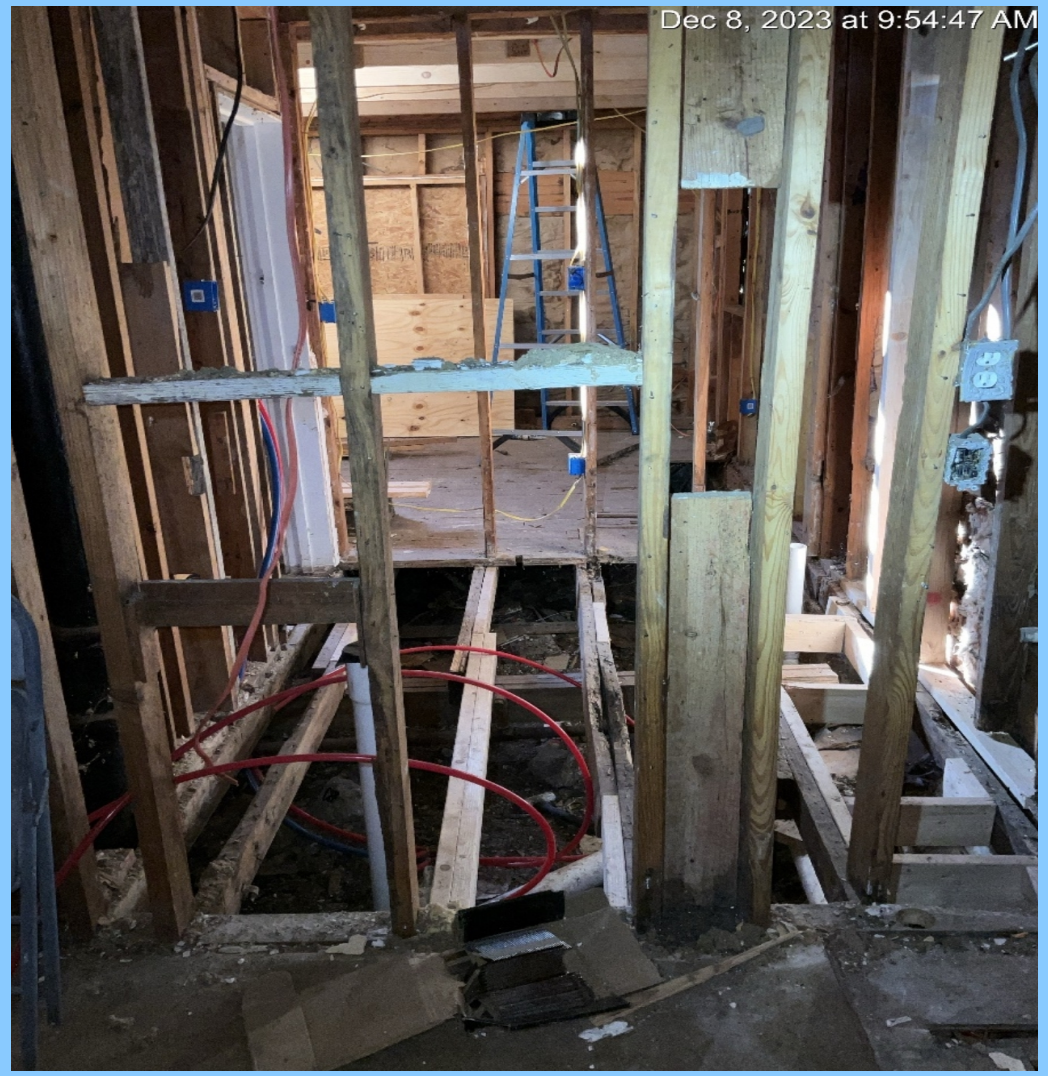
Current Conditions





Current Conditions





Current Conditions





Current Conditions





Current Conditions





Current Conditions





Current Conditions





Current Conditions





Timeline of Events

- **March 3, 2022 –** Case opened for vacant, unsecured, dilapidated structure. Water has been off since it was plugged for illegal use in March 2019.
- **March 10, 2022** – Found structure to be completely unsecured, and looked to be under renovation at one time. No permits had ever been pulled. Posted Stop Work Order and notice to apply for permit and secure structure.
- **April 5, 2022** – Structure still in disrepair, unsecured, and no permit applied for.
- **April 6, 2022** – Owner came into City Hall and obtained a plan of action to fill out and return.
- **July 22, 2022** – Structure was secured by City. No plan of action completed by property owner.
- **October 19, 2022** – Condemnation case opened
- **November 9, 2022** – Affidavit of condemnation recorded at county clerk.
- **December 14, 2022** – Condemnation notice and 30-60 sent to property owner.
- **December 19, 2022** - Approved 90 day extension for property owner build funds and complete plan of action.
- **February 20, 2023** - Sent new 30-60 letter by regular and certified mail so that the plan of action can be completed by 90 day deadline.

Timeline of Events

- **April 6, 2023** – No plan of action received. No contact from property owner. No permit applied for.
- **April 12, 2023** – Posted notice of May hearing on structure. On or just after this date a relative of the property owner came in to find out how to get the house out of condemnation. Provided him with a copy of the plan of action. Sent notice of hearing to property owner.
- **May 3, 2023 – Board ordered 30-60**. Owner was in attendance at hearing. Decision of Board sent to property owner.
- **June 2, 2023** – Plan of action approved, permit issued.
- **November 29, 2023** – Permit expired. No inspections scheduled or completed. No call from property owner or contractor to explain delay.
- **December 11, 2023** – Notice of January hearing posted on structure.
- **December 14, 2023** – Notice of hearing sent to property owner.

Staff Recommendation:

Findings:

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

Order:

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

End of 1338 Orange St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:1/3/2024

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-001560: 1941 1/2 Victoria St. (COLLEGE HEIGHTS, BLOCK 56, LOT 11 & 12, TAYLOR COUNTY, TEXAS), Owner: Batten, David K. & Christina M.**

GENERAL INFORMATION

Owner: Batten, David K & Christina M
Sq Ft: 800
Structural: Poor
Foundation: Unknown
Value: Unknown
Total Value: Unknown
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

May 12, 2023 – Identified vacant substructure that had been involved in fire. Recorded affidavit of condemnation at county clerk.
May 19, 2023 – Sent notice of condemnation and 30-60 to property owner.
June 5, 2023 – Title company contacted the city about potential sale of property.
July 5, 2023 – New owner contacted city to go over plan of action and permit process. Sent new owner condemnation notice and 30-60.
August 10, 2023 – Received an incomplete plan of action.
December 5, 2023 – Still awaiting remainder of plan of action to start permit approval process.
December 11, 2023 – Posted notice of January hearing on structure.
December 14, 2023 – Sent notice of 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 January 3, 2024.

ATTACHMENTS:

1. 20240103_23-001560_1941.5 Victoria St 20240103_23-001560_1941.5 Victoria St.pptx

Case #23-001560

1941½ Victoria 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 **David K. Batten and Christina M. Batten** as owner.

- **TAYLOR COUNTY** – Shows **Batten David K. & Christina M.** 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 9, 2023

- Search reveals **David K. Batten and Christina M. Batten** 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)

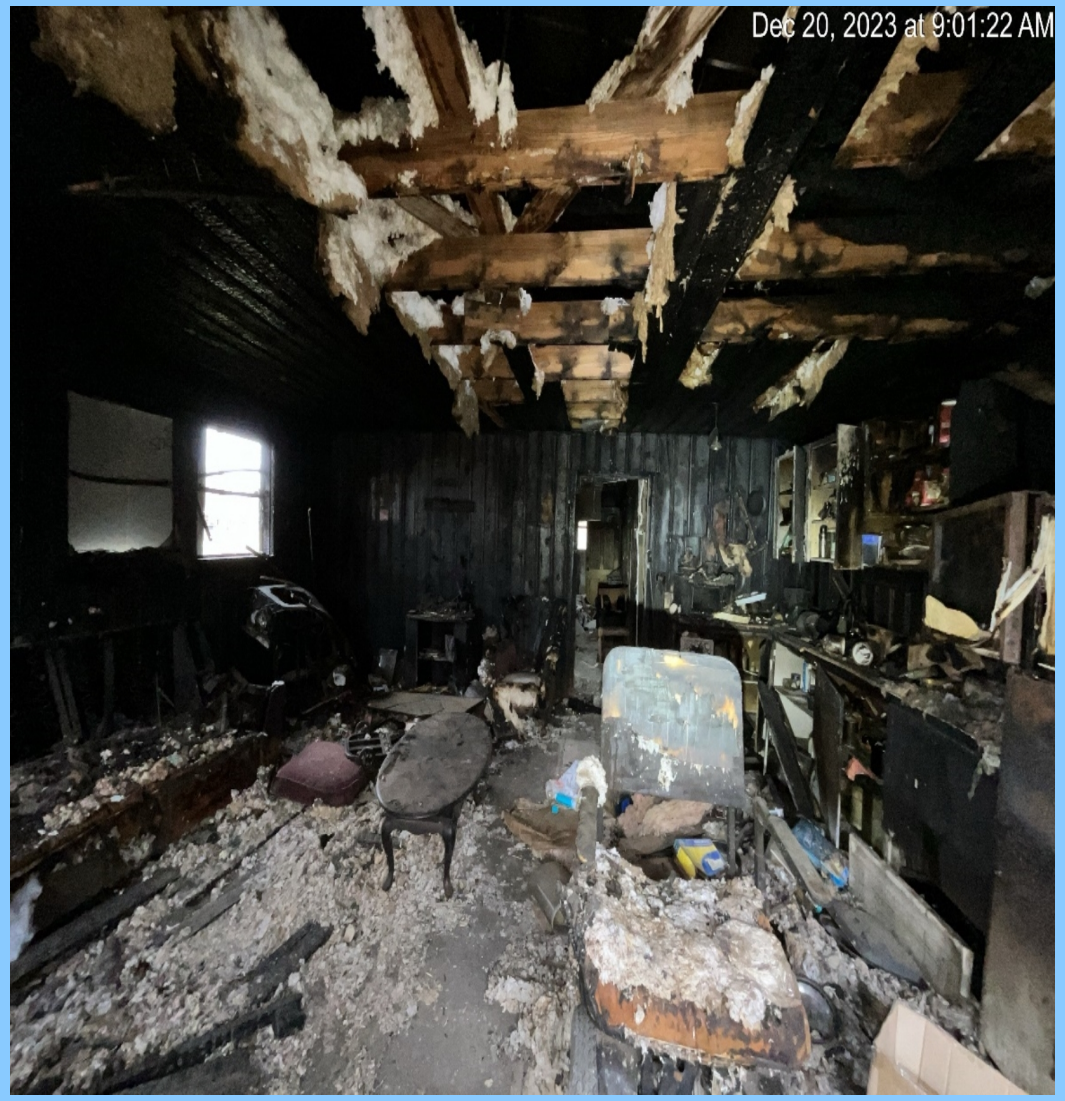
Exterior Dilapidation





Interior Dilapidation





Interior Dilapidation/Structural Hazard





Inadequate Sanitation/Structural Hazard





Interior Dilapidation/Electrical Hazard





Inadequate Sanitation/Electrical Hazard





Timeline of Events

- **May 12, 2023 –** Identified vacant substructure that had been involved in fire. Recorded affidavit of condemnation at county clerk.
- **May 19, 2023** – Sent notice of condemnation and 30-60 to property owner.
- **June 5, 2023** – Title company contacted the city about potential sale of property.
- **July 5, 2023** – New owner contacted city to go over plan of action and permit process. Sent new owner condemnation notice and 30-60.
- **August 10, 2023** – Received an incomplete plan of action.
- **December 5, 2023** – Still awaiting remainder of plan of action to start permit approval process.
- **December 11, 2023** – Posted notice of January hearing on structure.
- **December 14, 2023** – Sent notice of 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 1941½ Victoria St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:1/3/2024

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

Owner: Huddleston, Gary & Margie
Sq Ft: 1,078
Structural: Poor
Foundation: Poor
Value: $35,547
Total Value: $39,547
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

May 4, 2023 – Received complaint for dilapidated structure.
May 12, 2023 – Property was inspected. It was 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.

October 4, 2023 – Board ordered 30-60. Owner was in attendance. Stated he would evaluate the house and see if it needs to be demolished. Decision of board sent to property owner.
December 5, 2023 – No plan for repair or demo received from owner.
December 11, 2023 – Notice of January hearing posted on structure.
December 14, 2023 – Notice of January hearing sent to property owner.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

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

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on January 3, 2024.

ATTACHMENTS:

1. 20240103_23-001564_909 Kirkwood St 20240103_23-001564_909 Kirkwood St.pptx

Case #23-001564

909 Kirkwood 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 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



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)
- 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



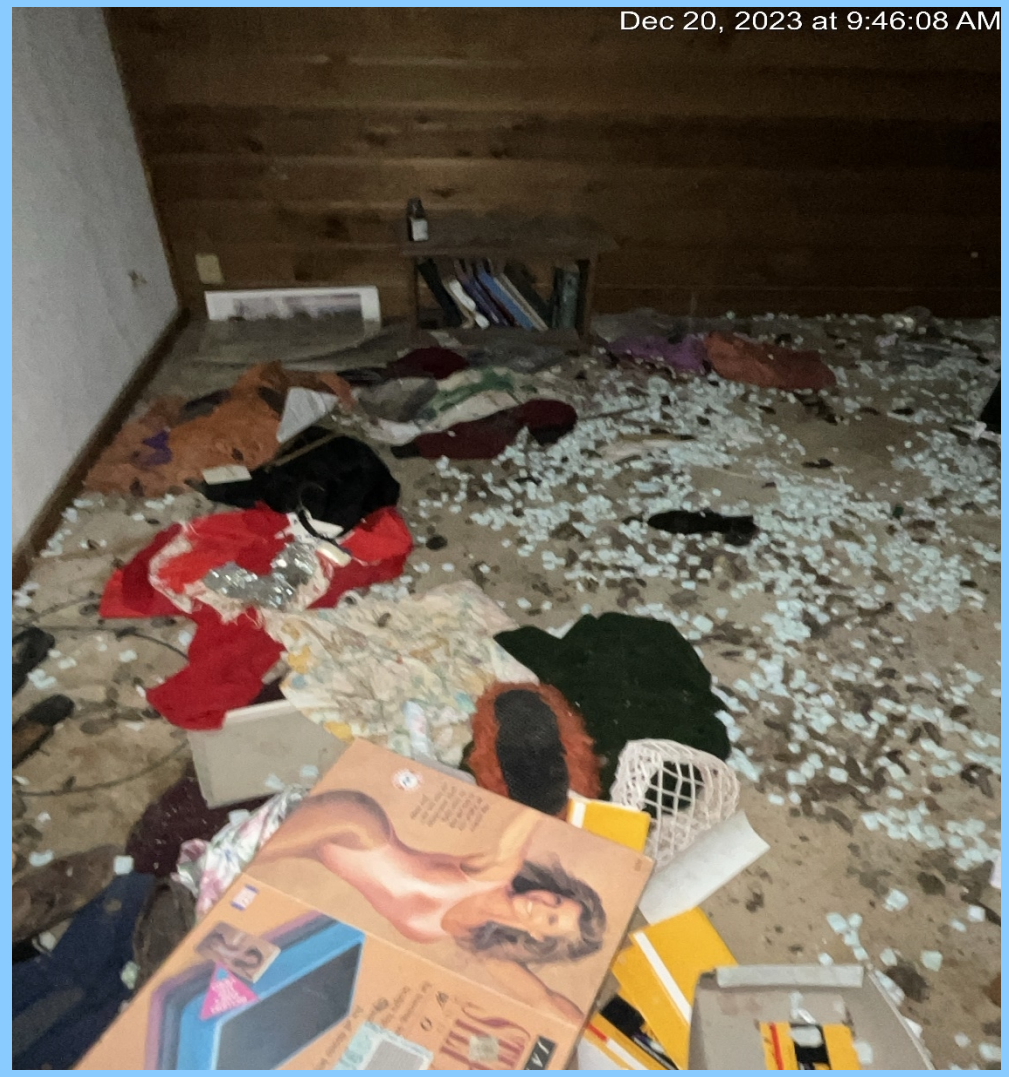


Interior Dilapidation





Inadequate Sanitation





Inadequate Sanitation





Structural Hazard/Hazardous Electrical





Structural Hazard/Electrical Hazard





Timeline of Events

- **May 4, 2023 –** Received complaint for dilapidated structure.
- **May 12, 2023 –** Property found to be in poor condition, and vacant. 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.
- **October 4, 2023** – **Board ordered 30-60**. Owner was in attendance. Owner stated he would evaluate the house and see if it needs to be demolished.
- **December 5, 2023** – No plan for repair or demo received from owner.
- **December 11, 2023** – Notice of January hearing posted on structure.
- **December 14, 2023** – Notice of January hearing sent to property owner.

Staff Recommendation:

Findings:

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

Order:

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

End of 909 Kirkwood St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:1/3/2024

TO:

FROM:

SUBJECT: **Case for Rehabilitation, emolition, or Civil Penalties - Case# 23-001799: 1817 N. 10th St. (LAKESIDE ADDN, BLOCK 3, LOT W51 E122 LTS 1&2, TAYLOR COUNTY, TEXAS), Owner: Ntibashirinzigo, Methoucela**

GENERAL INFORMATION

Owner: Ntibashirinzigo, Methoucela
Sq Ft: 1,416
Structural: Good
Foundation: Good
Value: $63,521
Total Value: $65,521
Delinquent Tax: $1,557.17

SPECIAL CONSIDERATIONS

November 1, 2021 – Case opened for vacant, unsecured, dilapidated structure.
January 28, 2022 – Found hazardous electrical inside property and active power. Notified AEP of hazardous conditions and had power to structure removed. Sent notice of dilapidated structure to owner's care of.
February 22, 2022 – Sent second notice of violation for dilapidated structure to owner's care of.
February 25, 2022 – Met with person claiming to be owner of property. He said he would check with his contractors to see if they could start working on the house repairs this week. Discovered missing deed history in TCAD. Found out that Group of 33's had purchased property in an estate sale and sold it to person listed as care of in TCAD. Deed is listed under Group of 33's.
March 9, 2022 – Phone call from property owner to inform me they would start work on the

house in June.
June 9, 2022 – Inspected property, found it to be completely unsecured, trashed, full of graffiti, and had large openings in the floor. No permit had been applied for to indicate start of work.
June 10, 2022 – Spoke to representative from Group of 33's to inquire about getting house secured and repaired.
July 8, 2022 – Found property to be unsecured.
August 12, 2022 – Rep from Group of 33's told me that the house should be under renovation in the next couple of weeks.
August 31, 2022 – Rep from Group of 33's told me property may be sold soon. If it doesn't sell Group or 33's will repair it. Windows were replaced without permit. Unsure if any other work was completed.
May 24, 2023 – Property was condemned. Affidavit of condemnation was filed at county clerk.
June 1, 2023 – Notice of condemnation and 30-60 sent to property owner.
October 9, 2023 – Owner submitted an incomplete plan of action. Owner was informed what was still required.
December 5, 2023 – Owner has not submitted all required documents to start the permitting process.
December 11, 2023 – Posted notice of January hearing on structure.
December 14, 2023 – Sent notice of hearing to owners and lienholder.
December 19, 2023 – Phone call from lienholder informing of new point of contact and mailing address. Sent condemnation notices by email to them. They said they would assist owner in preparing plan of action in preparation for hearing.

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 January 3, 2024.

ATTACHMENTS:

1. 20240103_23-001799_1817 N. 10th St 20240103_23-001799_1817 N. 10th St.pptx

Case #23-001799

1817 N. 10th 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 w/Vendor's Lien naming **Ntibashirinzigo Methoucela and Natanael Dunia** as owner.

- **TAYLOR COUNTY** – Shows previous owner, **Bell Floranne J C/O Ntibashirinzigo Methoucela** 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, 2021

- Search reveals **Ntibashirinzigo Methoucela and Natanael Dunia** to be the owner.

Public Notice



Front North Side



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

Electrical Hazard/Faulty Weather Protection





Interior Dilapidation





Inadequate Sanitation/Hazardous Plumbing



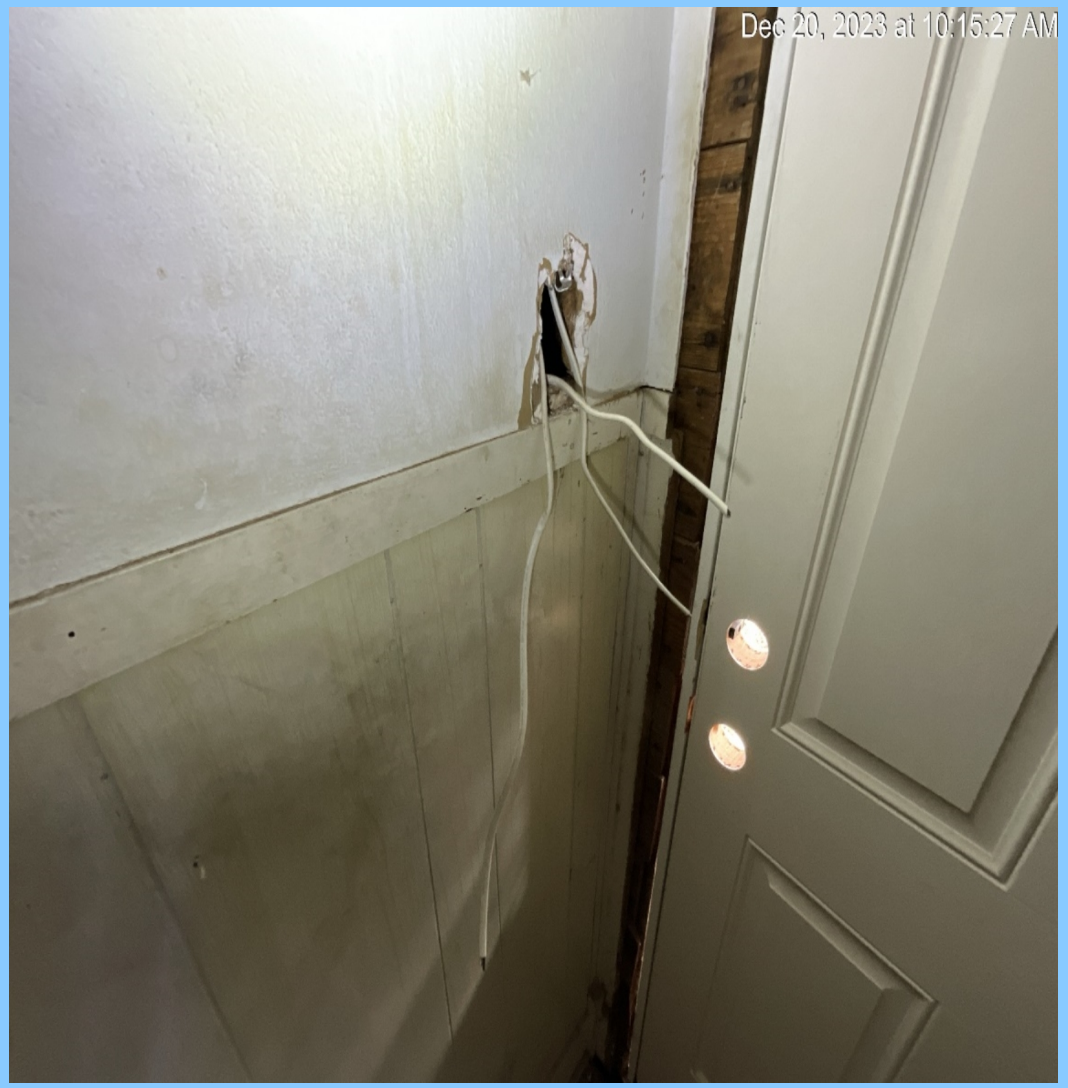


Electrical Hazards





Electrical Hazards





Interior Vandalism





Timeline of Events

- **November 1, 2021 –** Case opened for vacant, unsecured, dilapidated structure.
- **January 28, 2022** – Found hazardous electrical inside property and active power. Notified AEP of hazardous conditions and had power to structure removed. Sent notice of dilapidated structure to owner's care of.
- **February 22, 2022** – Sent second notice of violation for dilapidated structure to owner's care of.
- **February 25, 2022** – Met with person claiming to be owner of property. He said he would check with his contractors to see if they could start working on the house repairs this week. Discovered missing deed history in TCAD. Found out that Group of 33's had purchased property in an estate sale and sold it to person listed as care of in TCAD.
- **March 9, 2022** – Phone call from property owner to inform me they would start work on the house in June.
- **June 9, 2022** – Inspected property, found it to be completely unsecured, trashed, full of graffiti, and had large openings in the floor. No permit had been applied for to indicate start of work.
- **June 10, 2022** – Spoke to representative from Group of 33's to inquire about getting house secured and repaired.
- **July 8, 2022** – Found property to be unsecured.

Timeline of Events

- **August 12, 2022** – Rep from Group of 33's told me that the house should be under renovation in the next couple of weeks.
- **August 31, 2022** – Rep from Group of 33's told me property may be sold soon. If it doesn't sell Group of 33's will repair it. Windows were replaced without permit.
- **May 24, 2023** – Property was condemned. Affidavit of condemnation was filed at county clerk.
- **June 1, 2023** – Notice of condemnation and 30-60 sent to property owner.
- **October 9, 2023** – Owner submitted an incomplete plan of action. Owner was informed what was still required.
- **December 5, 2023** – Owner has not submitted all required documents to start the permitting process.
- **December 11, 2023** – Posted notice of January hearing on structure.
- **December 14, 2023** – Sent notice of hearing to owners and lienholder.
- **December 19, 2023** – Phone call from lienholder informing of new point of contact and mailing address. Sent condemnation notices by email to them. They said they would assist owner in preparing plan of action in preparation for hearing.

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 1817 N. 10th St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:1/3/2024

TO:

FROM:

SUBJECT: **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 M.**

GENERAL INFORMATION

Owner: Soliz, Melanie M.
Sq Ft: 1,015
Structural: Poor
Foundation: Unknown
Value: $25,237
Total Value: $26,987
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

April 22, 2022 – Case opened for dilapidated structure. Notices sent to property owner.
April 28, 2022 – Phone call from owner's father, let me know daughter would get a plan of action together, secure house, and pull permit prior to start of work.
June 24, 2022 – No progress on repairs. No plan of action provided. No contact with owner. Issued citation.
May 30, 2023 – No progress on repairs. Opened condemnation case.
June 1, 2023 – Affidavit of condemnation recorded at county clerk.
June 5, 2023 – Condemnation notice and 30/60 were sent to property owner.
October 2, 2023 – No contact from owner, no plan of action submitted.
October 9, 2023 – Posted notice of hearing on structure.
October 11, 2023 – Sent notice of hearing to property owner
October 12, 2023 – Sent notice of hearing, condemnation notice, and 30-60 to trustee and beneficiary.

November 1, 2023 – Board ordered 30-60. Owner's father was in attendance.
December 11, 2023 – Notice of January hearing posted on structure.
December 14, 2023 – Notice of hearing sent to property owner, trustees, and beneficiary.

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 January 3, 2024.

ATTACHMENTS:

1. 20231101_23-001915_1765 Oak St 20231101_23-001915_1765 Oak St.pptx

Case #23-001915

1765 Oak 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 Trust naming **Melanie M. Soliz as Grantor, S. A. Curtis as Trustee and J. W. Hooker as Beneficiary**

- **TAYLOR COUNTY** – Shows **Melanie M. Soliz** 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 January 17, 2023

- Search reveals **Melanie M. Soliz** to be the owner.

Public Notice



Front West Side



Rear East Side



Rear East Side



North 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)

Exterior Dilapidation/Faulty Weather Protection





Exterior Dilapidation/Faulty Weather Protection





Inadequate Sanitation / Structural Hazard





Structural and Electrical Hazards





Structural and Electrical Hazards





Timeline of Events

- **April 22, 2022 –** Case opened for dilapidated structure. Notices sent to property owner.
- **April 28, 2022** – Phone call from owner's father, let me know daughter would get a plan of action together, secure house, and pull permit prior to start of work.
- **June 24, 2022** – No progress on repairs. No plan of action provided. No contact with owner. Issued citation.
- **May 30, 2023** – No progress on repairs. Opened condemnation case.
- **June 1, 2023** – Affidavit of condemnation recorded at county clerk.
- **June 5, 2023** – Condemnation notice and 30/60 were sent to property owner.
- **October 2, 2023** – No contact from owner, no plan of action submitted.
- **October 9, 2023** – Posted notice of hearing on structure.
- **October 11, 2023** – Sent notice of hearing to property owner
- **October 12, 2023** – Sent notice of hearing, condemnation notice, and 30-60 to trustee and beneficiary.
- **November 1, 2023** – **Board ordered 30-60**. Owner's father was in attendance.
- **November 3, 2023** – Decision of the Board was sent to owner, trustees, and beneficiary.
- **December 11, 2023** – Notice of January hearing posted on structure.
- **December 14, 2023** – Notice of hearing sent to property owner, trustees, and beneficiary.

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 1765 Oak St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:1/3/2024

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-004015: 1002 Cedar St. (1 203 2 E C&M OT ABL, TAYLOR COUNTY, TEXAS), Owner: Vasquez, Andres, Vielma**

GENERAL INFORMATION

Owner: Vasquez, Andres Vielma
Sq Ft: 1,476
Structural: Good
Foundation: Good
Value: $19,322
Total Value: $22,122
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

February 13, 2011 – Property was condemned. Property was under same ownership as it is currently. No record property was ever released from condemnation. Discovered this on Oct 20, 2023.
July 28, 2022 – Case opened for dilapidated structure. No water service since June 1, 2022 but structure is occupied by owner and brother of owner. Met with brother of owner at property.
August 1, 2022 – Drug related arrest at this property.
August 5, 2022 – Met with brother of occupant at property.
April 19, 2023 – Found several windows and doors at property to be open, property appeared to be abandoned. Contacted daughter of owner to see if she would secure property.
May 9, 2023 – Received permission from owner that is staying out of town to enter structure to perform inspection.
May 19, 2023 – Owner daughter met with us to let us inside property to perform inspection. She requested future notices be sent to her so she could assist father to take care of violations. She

was sent notices listing all violations.
June 7 2023 - Spoke to property owner by phone today. He is still staying out of town with relative. Asked that he try to contact some of the resources that I gave him to get house repaired. Also asked that he get with his daughter that lives in Abilene to get front window boarded.
June 7, 2023 – Citizen complaint for transients going in and out of the house.
August 22, 2023 – Due to no action taken to repair or provide a plan to repair a condemnation case was opened.
August 24, 2023 – Affidavit of condemnation was recorded at county clerk.
August 25, 2023 – Tax suit filed by Taylor County Appraisal District for owned property tax. Informed water service off since June 1, 2022. No power to structure. Electric box was locked out by AEP.
August 29, 2023 – Condemnation and 30-60 notices sent.
December 11, 2023 – Notice of January hearing posted on structure.
December 14, 2023 – Notice of January 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 January 3, 2024.

ATTACHMENTS:

1. 20240103_23-004015_1002 Cedar St 20240103_23-004015_1002 Cedar St.pptx

Case #23-004015

1002 Cedar 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 **Andres Vielma and Maribel Vasquez** as owner.

- **TAYLOR COUNTY** – Shows Divorce Decree naming **Vasquez Andres Vielma** to be the owner.

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

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

- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since June 1, 2022

- Search reveals **Andres Vielma Vasquez** 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)
- Hazardous Mechanical Equipment, Chapter 8, Sec. 8-554 (6)
- Faulty Weather Protection, Chapter 8, Sec 8-554 (7)

Exterior Dilapidation/Faulty Weather Protection





Exterior Dilapidation





Electrical Hazards





Interior Dilapidation





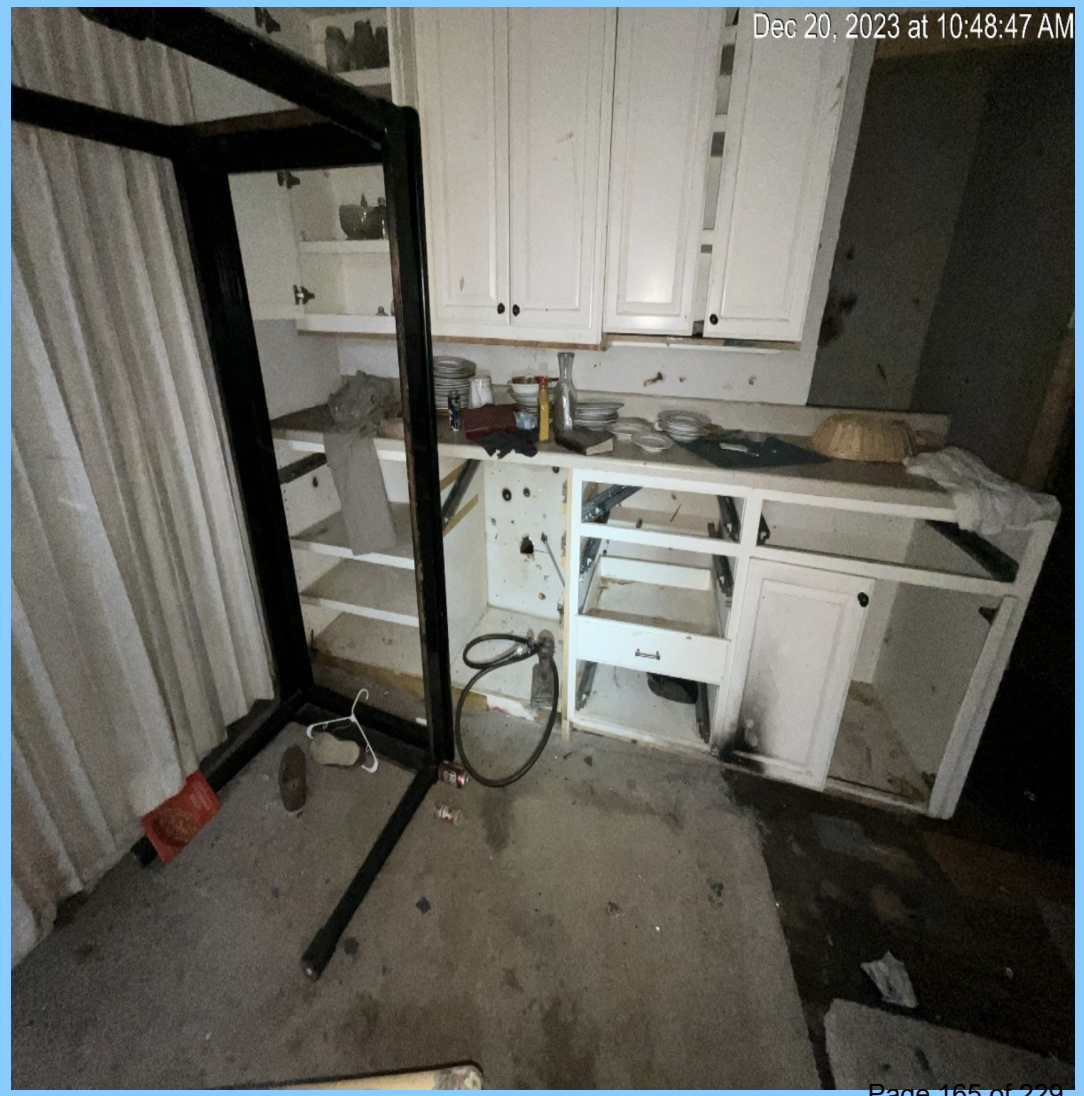
Inadequate Sanitation/Plumbing/Structural Hazard



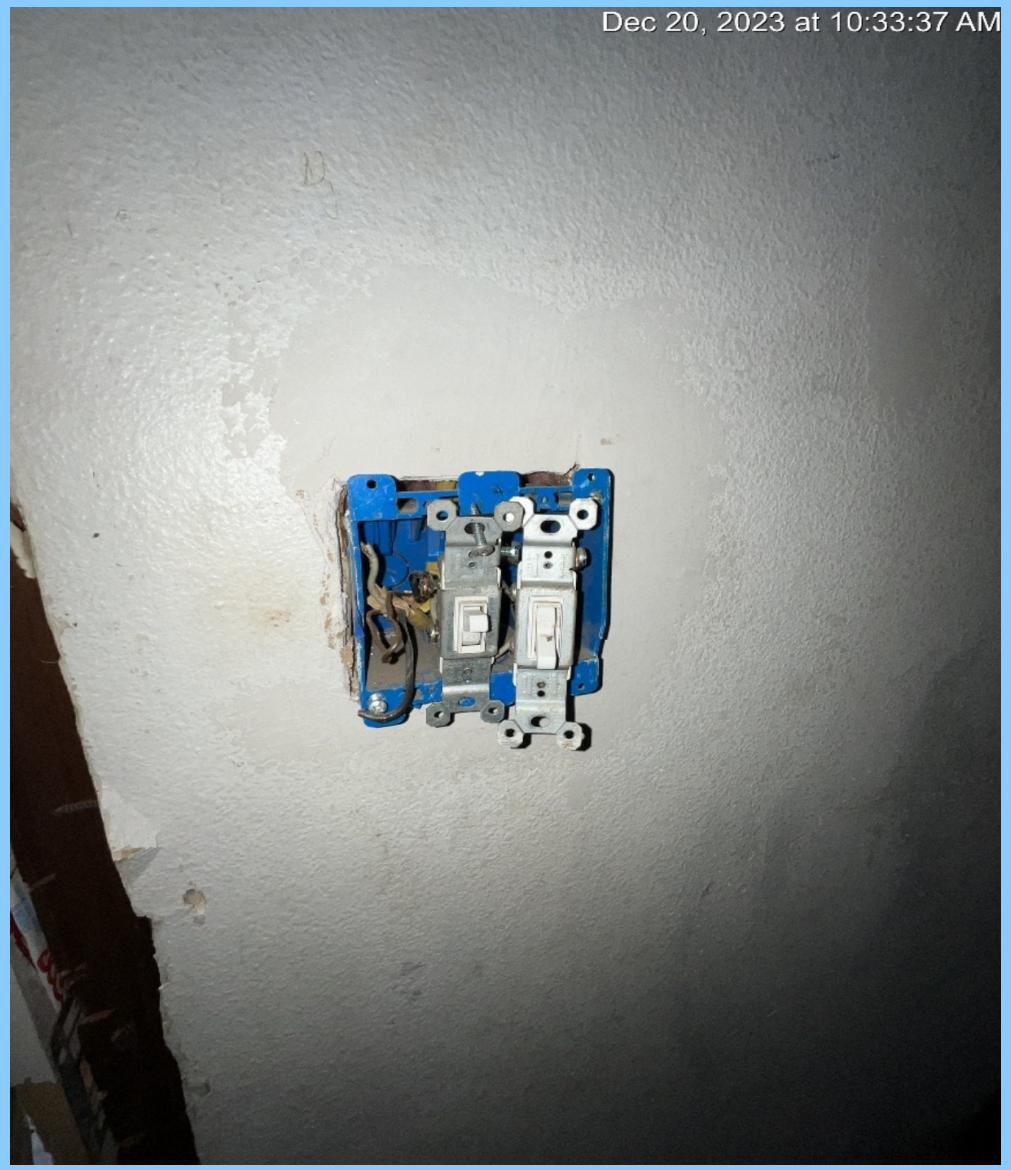


Inadequate Sanitation/Electrical Hazard





Electrical Hazard





Hazardous Mechanical Equipment





Faulty Weather Protection





Timeline of Events

- **February 13, 2011** – Property was condemned. Property was under same ownership as it is currently. No record property was ever released from condemnation. Discovered this on Oct 20, 2023.
- **July 28, 2022** – Case opened for dilapidated structure. No water service since June 1, 2022 but structure is occupied by owner and brother of owner. Met with brother of owner at property.
- **August 1, 2022** – Drug related arrest at this property.
- **August 5, 2022** – Met with brother of owner at property. Asked him to get a plan together to address property issues.
- **April 19, 2023** – Found several windows and doors at property to be open, property appeared to be abandoned. Contacted daughter of owner to see if she would secure property.
- **May 9, 2023** – Received permission from owner that is staying out of town to enter structure to perform inspection.
- **May 19, 2023** – Owner daughter met with us to let us inside property to perform inspection. She requested future notices be sent to her so she could assist father to take care of violations. She was sent notices listing all violations.
- **June 7, 2023** - Spoke to property owner by phone today. He is still staying out of town with relative. Asked that he try to contact some of the resources that I gave him to get house repaired. Also asked that he get with his daughter that lives in Abilene to get front window boarded.

Timeline of Events

- **June 7, 2023** – Citizen complaint for transients going in and out of the house.
- **August 22, 2023** – Due to no action taken to repair or provide a plan to repair a condemnation case was opened.
- **August 24, 2023** – Affidavit of condemnation was recorded at county clerk.
- **August 25, 2023** – Tax suit filed by Taylor County Appraisal District for owned property tax. Informed water service off since June 1, 2022. No power to structure. Electric box was locked out by AEP.
- **August 29, 2023** – Condemnation and 30-60 notices sent.
- **December 11, 2023 –** Notice of January hearing posted on structure.
- **December 14, 2023** – Notice of January hearing sent to property owner.
- **December 21, 2023** – Received voicemail from property owner. He was upset that we keep contacting him about his property. He said it is vacant and he is a construction worker and he lives out of state. Attempted to call him back. Left a voicemail and did not receive a return call.

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 1002 Cedar St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:1/3/2024

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-004688: 1502 Mulberry St. (COLLEGE HEIGHTS, BLOCK 27, LOT 7 & 8, TAYLOR COUNTY, TEXAS), Owner: Cortez, Blanca S.**

GENERAL INFORMATION

Owner: Cortez, Blanca S.
Sq Ft: 2,150
Structural: Poor
Foundation: Good
Value: $59,219
Total Value: $64,819
Delinquent Tax: $3,546.81

SPECIAL CONSIDERATIONS

January 6, 2022 – Structure fire occurred.
February 28, 2022 – Case opened for vacant, unsecured structure. Notices were sent to property owner.
March 22, 2022 – Told by property owner that renovations were supposed to start next week.
April 25, 2022 – No indications that work started. Property was still unsecured. No further contact from owner to explain delay.
May 4, 2022 – City contractor completed securement of property. Relative of owner was present during securement. Showed him evidence of vagrants staying inside of house.
February 21, 2023 – Citizen complaint for unmaintained house with broken windows and vagrants coming and going into the house. Complainant called PD due to concern for safety. A second city securement was conducted today.
March 14, 2023 – Additional complaint of vagrants getting inside the house.

October 9, 2023 – Affidavit of condemnation was recorded at county clerk.
October 13, 2023 – City completed emergency demo of detached shed that was falling.
October 18, 2023 – Notice of condemnation and 30-60 sent to property owner.
December 11, 2023 – Notice of January hearing posted on structure.
December 14, 2023 – Notice of January 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 January 3, 2024.

ATTACHMENTS:

1. 20240103_23-004688_1502 Mulberry St 20240103_23-004688_1502 Mulberry St.pptx

Case #23-004688

1502 Mulberry 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 General Warranty Deed naming **Blanca Cortez** as owner.

- **TAYLOR COUNTY** – Shows **Blanca S. Cortez** 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 January 14, 2022

- Search reveals **Blanca S. Cortez** to be the owner.

Public Notice



Front East Side



Front East Side



Rear West Side



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

Exterior Dilapidation/Structural Hazard





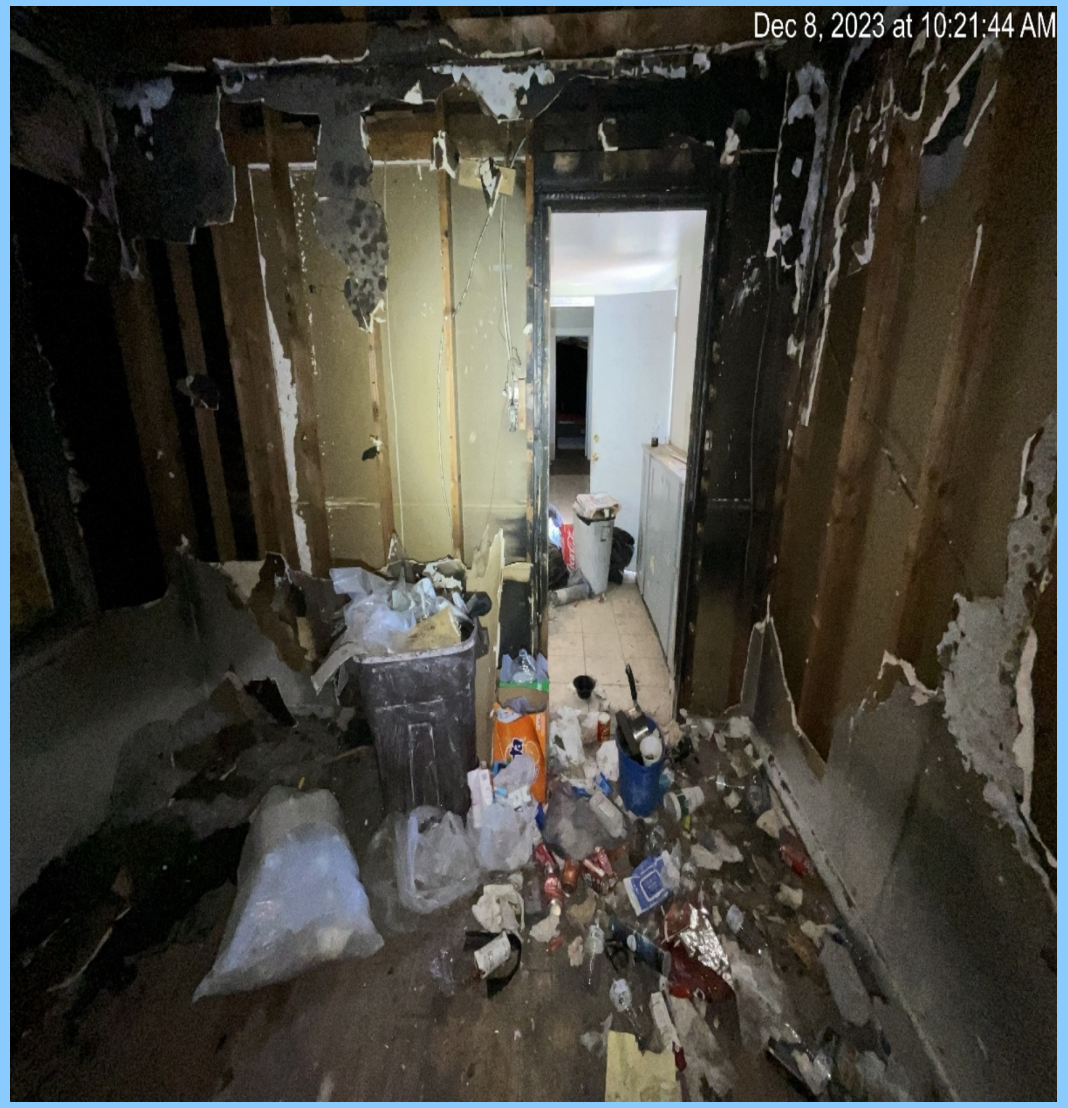
Exterior Dilapidation/Faulty Weather Protection





Interior Dilapidation/Inadequate Sanitation



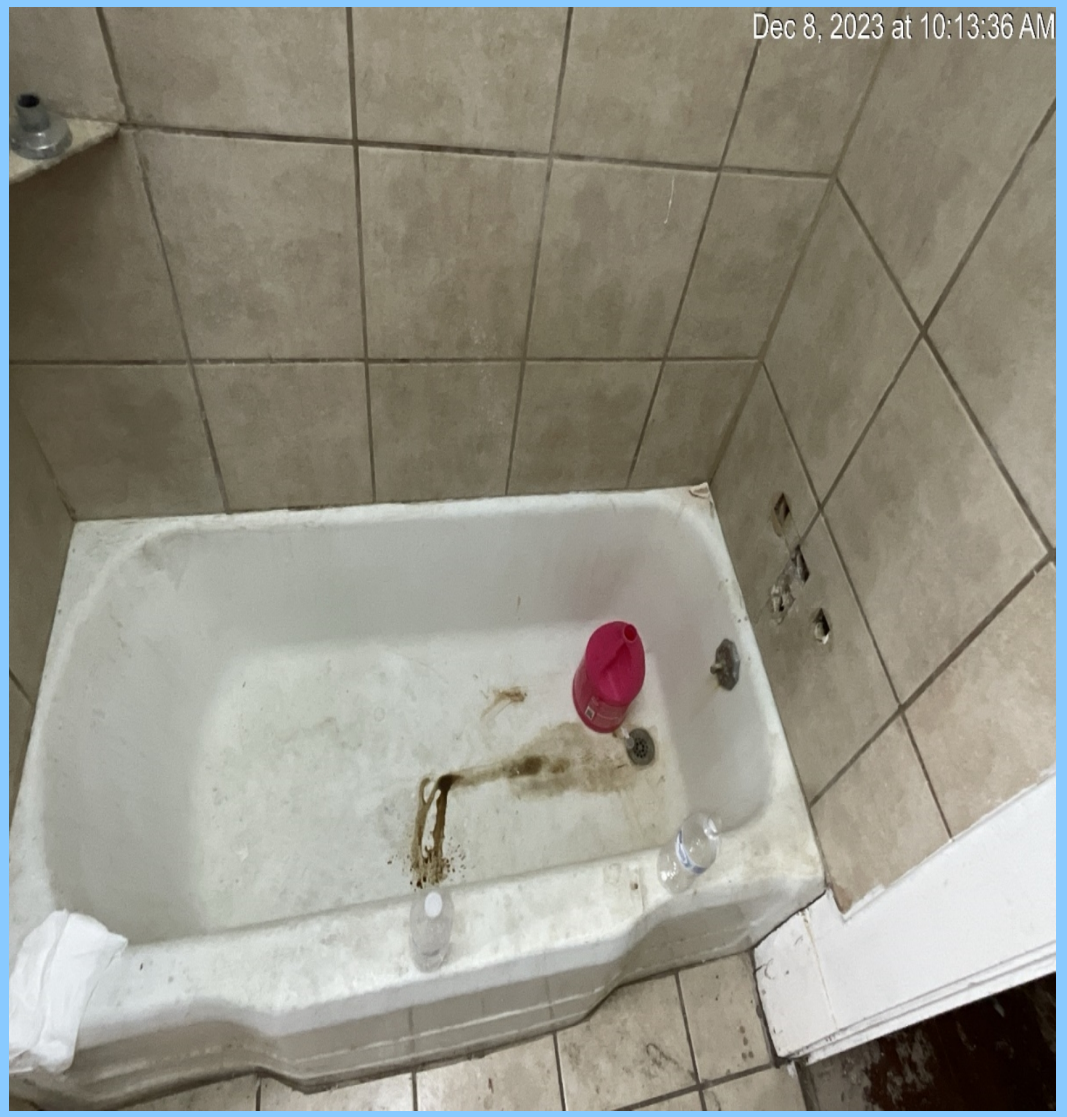


Interior Dilapidation/Inadequate Sanitation





Inadequate Sanitation/Hazardous Plumbing



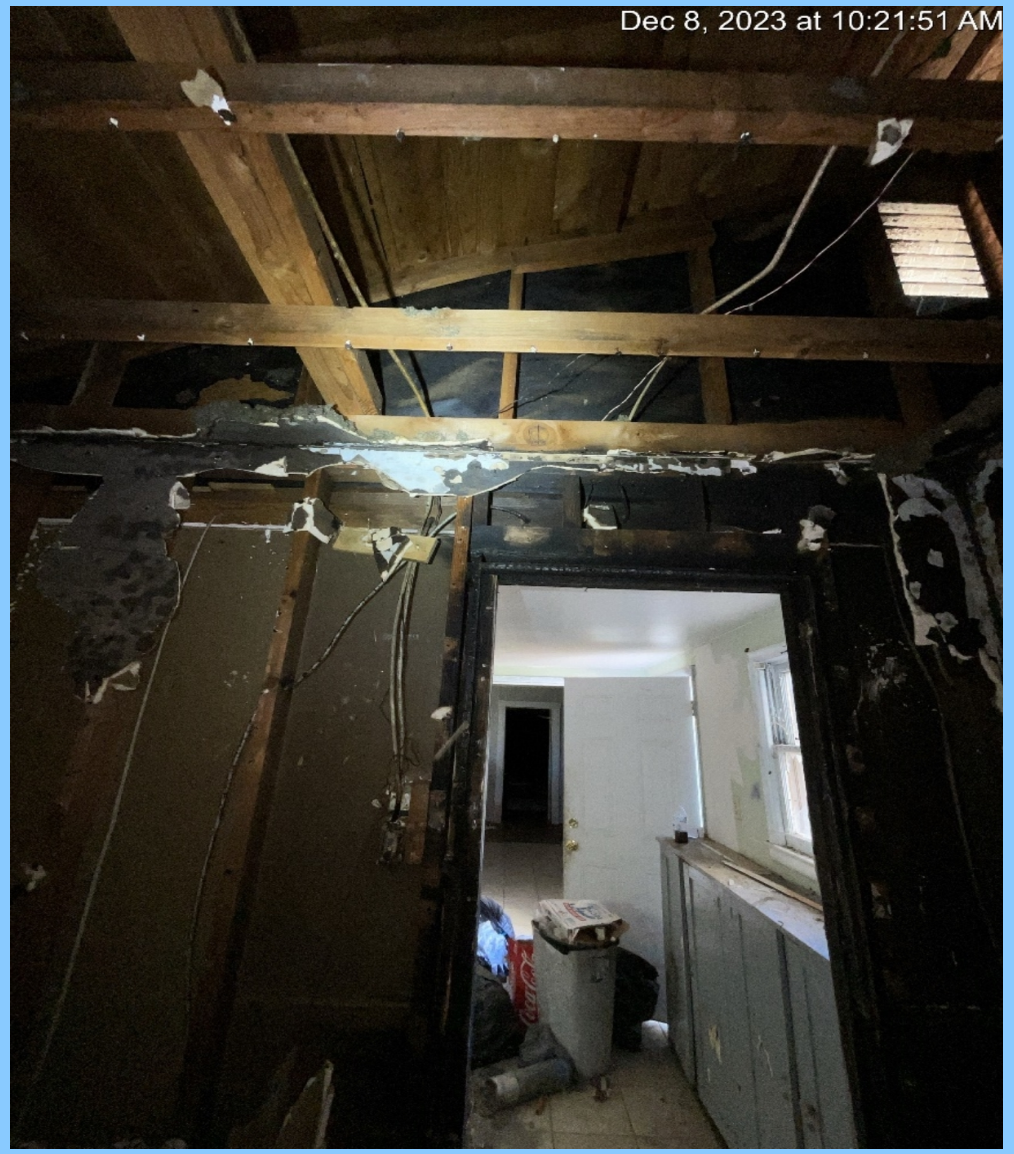


Inadequate Sanitation





Hazardous Electrical





Hazardous Electrical/Mechanical



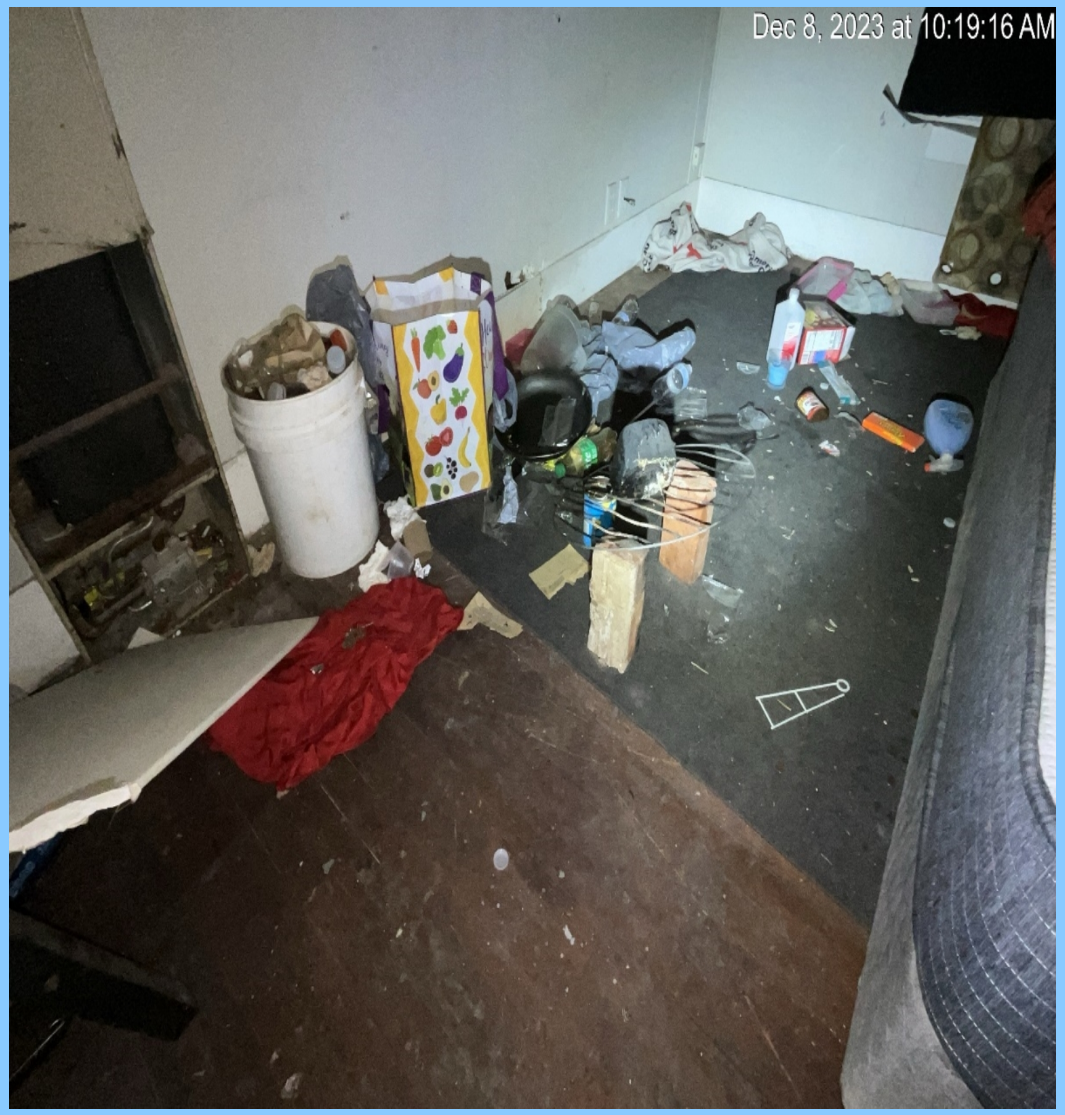


Hazardous Mechanical/Nuisance





Nuisance





Emergency Demo of Shed in Oct 2023





Timeline of Events

- **January 6, 2022 –** Structure fire occurred.
- **February 28, 2022 –** Case opened for vacant, unsecured structure. Notices were sent to property owner.
- **March 22, 2022** – Told by property owner that renovations were supposed to start next week.
- **April 25, 2022** – No indications that work started. Property still unsecured. No further contact from owner to explain delay.
- **May 4, 2022** – City contractor completed securement of property. Relative of owner was present during securement. Showed him evidence of vagrants staying inside of house.
- **February 21, 2023** – Citizen complaint for unmaintained house with broken windows and vagrants coming and going into the house. Complainant called PD due to concern for safety. A second city securement was conducted today.
- **March 14, 2023** – Additional complaint of vagrants getting inside the house.
- **October 9, 2023** – Affidavit of condemnation was recorded at county clerk.
- **October 13, 2023** – City completed emergency demo of detached shed that was falling.
- **October 18, 2023** – Notice of condemnation and 30-60 sent to property owner.
- **December 11, 2023 –** Notice of January hearing posted on structure.
- **December 14, 2023** – Notice of January 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 1502 Mulberry St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:1/3/2024

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-004765: 1413 Delano St. (LEON STEVENSON, LOT W100 S132 LT 2, TAYLOR COUNTY, TEXAS), Owner: Flores, Ulises**

GENERAL INFORMATION

Owner: Flores, Ulises
Sq Ft: Unknown
Structural: Unknown
Foundation: Unknown
Value: Unknown
Total Value: Unknown
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

May 2, 2023 – Stop Work order sticker notice placed on the property fence due to new construction on a vacant lot taking place without a permit.
May 11, 2023 – Opened case for new construction without a permit and sent notice to the property owner by regular mail.
May 23, 2023 – No contact from owner. Sent notice of violation to property owner by certified mail.
June 2, 2023 – Made contact with the property owner. He asked how to obtain a permit **(he is in the construction industry and is the owner of Flores Construction).**
June 29, 2023 – Inspected property. Observed the stop work order notice was removed from the fence and there was now a second structure being built. No permit applied for. **Placed stop work order notices on property for the second time.**
June 30, 2023 – Criminal complaint was filed with municipal court for new construction without permit.

July 5, 2023 – Inspected property. Both stop work order sticker notices were removed. The Stop Work Order sticker notice specifically states "This notice shall not be removed except by the Building inspections Division."
July 5, 2023 – Property owner came into city hall, spoke to code officer as well as representative from the zoning department and was explained all of the requirements to get a permit.
July 12, 2023 – Additional work on the structures has been completed. **Posted stop work order notice on property for third time.**
July 27, 2023 - Stop Work Order signed by Building Official sent to property owner by regular and certified mail to the property owner.
August 9, 2023 – Spoke to translator for property owner and explained permitting requirements.
September 14, 2023 – A substantial amount of new work was completed on the property. Filed criminal complaint for failure to comply with stop work order.
September 18, 2023 – Permit applied for.
September 19, 2023 – Applicant met with Planning and Zoning. P&Z rep discovered the structure is already being built without permits. P&Z requirements were explained to the property owner. Permit was denied. Permit can be reapplied for if zoning requirements can be met.
October 10, 2023 – Condemnation case opened due to continuation of work after several stop work order notices posted, verbal instructions to stop work were given to the owner, and stop work order was sent to property owner.
October 13, 2023 – Sent condemnation notice to owner.
October 18, 2023 – Met with owner at city hall. Explained permitting requirements. He also met with a zoning rep so they could explain why the permit was denied and what he could try to do to meet requirements. He said he was going to hire a surveyor to see if he will be able to meet zoning set back requirements.
December 11, 2023 – Property owner was scheduled for Pre-Trial at Municipal Court to address a criminal complaint for new construction without a permit and another criminal complaint for disregard of stop work order. He did not show up to Pre-Trial.
December 11, 2023 – Notice of January hearing was posted at the property.
December 12, 2023 – Property owner came into City Hall and met with Planning and Zoning. He was instructed again on what he needs to do to meet zoning requirements. To meet zoning requirement he needs to plat, obtain a foundation form board survey due to structure possibly not meeting set back requirements. If these requirements cannot be met, he has to move the structure (and slab) or demolish. For the Building Inspections side, he needs to provide various plans including a foundation plan. Since the foundation has already been completed, an engineer's approval is required for the foundation and existing structure.
December 14, 2023 – Notice of January hearing sent to property owner.
December 18, 2023 – Owner is now in the process of plat review. It is currently in the review process.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

60/60
Order Owner to Repair: 60 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 January 3, 2024.

ATTACHMENTS:

1. 20240103_23-004765_1413 Delano St 20240103_23-004765_1413 Delano St.pptx

Case #23-004765

1413 Delano 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 **Ulises Flores** as owner.
- **TAYLOR COUNTY** – Shows **Ulises Flores** to be the owner.
- **SECRETARY OF STATE** – Shows no entity under this name.
- **TAX RECORDS OF THE MUNICIPALITY** – Not applicable
- **UTILITY RECORDS OF THE MUNICIPALITY** – No record of service
- Search reveals **Ulises Flores** to be the owner.

Public Notice



Front North Side



East Side



West Side



Substandard Code Violations

PURSUANT TO CHAPTER 8, SEC. 8-554, CHAPTER 19, SEC. 19-15 AND THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE THE FOLLOWING CONDITIONS EXIST:

- **Unlawful Structure, IPMC 2021, Sec. 111 Para. 111.1.4**
- **Nuisance, Chapter 8, Sec 8-554 (3)**
- **Chapter 19, Sec 19-15 (4)**

  Structure unfit for human habitation
- **Chapter 19, Sec 19-15 (20)**

  Vehicles not stored on improved parking surface

Initial Inspection on May 2, 2023



Initial Inspection on May 2, 2023



Initial Inspection May 2, 2023



First Notice to Stop Work



First Notice to Stop Work on May 2, 2023



Next Inspection on June 29, 2023



Next Inspection on June 29, 2023



Notice to Stop Work (2nd Posting)



Notice to Stop Work (2nd Posting) June 29, 2023



Third Inspection July 26, 2023



September 14, 2023 – Additional Work Completed



December 20, 2023



Owner is in the Construction Industry



Timeline of Events

- **May 2, 2023 –** Stop Work order sticker notice placed on the property fence due to new construction taking place without a permit.
- **May 11, 2023** – Opened case for new construction without a permit and sent notice to the property owner.
- **May 23, 2023** – No contact from owner. Sent second notice of violation to property owner.
- **June 2, 2023** – Made contact with the property owner. He asked how to obtain a permit **(he is in the construction industry and is the owner of Flores Construction).**
- **June 29, 2023** – Inspected property. Observed the stop work order notice was removed from the fence and there was now a second structure being built. No permit applied for. **Placed stop work order notices on property for the second time.**
- **June 30, 2023** – Criminal complaint was filed with municipal court for new construction without permit.
- **July 5, 2023** – Inspected property. Both stop work order sticker notices were removed. The Stop Work Order sticker notice specifically states “This notice shall not be removed except by the Building inspections Division.”
- **July 5, 2023** – Property owner came into city hall, spoke to code officer as well as representative from the zoning department and was explained all of the requirements to get a permit.
- **July 12, 2023** – Additional work on the structures has been completed. **Posted stop work order notice for third time.**
- **July 27, 2023** - Stop Work Order signed by Building Official sent to property owner by regular and certified mail to the property owner.

Timeline of Events

- **August 9, 2023** – Spoke to translator for property owner and explained permitting requirements.
- **September 14, 2023** – A substantial amount of new work was completed on the property. Filed criminal complaint for failure to comply with stop work order.
- **September 18, 2023** – Permit applied for.
- **September 19, 2023** – Applicant met with Planning and Zoning. P&Z rep discovered the structure is already being built without permits. P&Z requirements were explained to the property owner. Permit was denied. Permit can be reapplied for if zoning requirements can be met.
- **October 10, 2023** – Condemnation case opened due to continuation of work after several stop work order notices posted, verbal instructions to stop work were given to the owner, and stop work order was sent to property owner.
- **October 13, 2023** – Sent condemnation notice to owner.
- **October 18, 2023** – Met with owner at city hall. Explained permitting requirements. He also met with a zoning rep so they could explain why the permit was denied and what he could try to do to meet requirements. He said he was going to hire a surveyor to see if he will be able to meet zoning set back requirements.
- **December 11, 2023** – Property owner was scheduled for Pre-Trial at Municipal Court to address a criminal complaint for new construction without a permit and another criminal complaint for disregard of stop work order. He did not show up to Pre-Trial.

Timeline of Events

- **December 11, 2023** – Notice of January hearing was posted at the property.
- **December 12, 2023** – Property owner came into City Hall and met with Planning and Zoning. He was instructed again on what he needs to do to meet zoning requirements. To meet zoning requirement he needs to plat, obtain a foundation form board survey due to structure possibly not meeting set back requirements. If these requirements cannot be met, he has to move the structure (and slab) or demolish. For the Building Inspections side, he needs to provide various plans including a foundation plan. Since the foundation has already been completed, an engineer's approval is required for the foundation and existing structure.
- **December 14, 2023** – Notice of January hearing sent to property owner.
- **December 18, 2023** – Owner is now in the process of plat review, it is currently in the review process.

Staff Recommendation:

- ORDER OWNER TO REPAIR – 60 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 1413 Delano St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:1/3/2024

TO:

FROM:

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

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS: