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 March 6, 2024 at 8:30AM 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 February 7, 2024 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# 23-000982: 4366 Caldwell Rd. (PLEASANT HILL ESTATE SEC 4, BLOCK A, LOT 139 REPLAT, TAYLOR COUNTY, TEXAS), Owner: Essex, Mickey

B. Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-002935: 850 Vine St. (ALTA VISTA, BLOCK 3, LOT 1, 2 & N19 OF 3, CONT, TAYLOR COUNTY, TEXAS), Owner: Harness, Ronald C.

C. Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-003527: 1166 Lillius St. (LAKESIDE ADDN, BLOCK 18, LOT E110 LT18 & E110 LT1, TAYLOR COUNTY, TEXAS), Owner: Escobedo, Macario Jr.

D. Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-003899: 433 Cockerell Dr. (STEVENSON PARK, BLOCK 6 CONT, LOT 14, TAYLOR COUNTY, TEXAS), Owner: Houston, Dorothy

E. 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

F. Case for 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

G. Case for Rehabilitation, Demolition, or Civil Penalties - Case# 24-000048: 3033 S 11th St. (SAYLES & HUGHES N/2 BLK 11 BA 91, BLOCK 2, LOT E70 W111 N120 LT 4, TAYLOR COUNTY, TEXAS), Owner: Green, Lois

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 1st day of March, 2024, at 3:00p.m.

_____

Kaitlin Richardson, Deputy City Secretary, TRMC

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:3/6/2024

TO:

FROM:

SUBJECT: **Public hearing and possible approval of February 7, 2024 Board of Building Standards meeting minutes.**

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. 020724 BoBS Minutes 020724 BoBS Minutes.docx

BOARD OF BUILDING STANDARDS
MEETING MINUTES
February 7, 2024 - 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. Mark Aldriedge (Substitute)
Mr. Sean McNeill
Mr. Will Dugger

Staff Present: Mr. Weldon Hurt, Mayor
Mr. Michael Rice, Assistant City Manager
Mr. Tim Littlejohn, Director of Planning and Development Services
Mr. Van Watson, Building Official
Ms. Kelley Messer, Assistant City Attorney
Mr. Clay Door, Code Compliance Division Manager
Mr. Stephen Garrison, Code Compliance Manager
Mr. Robert Marsh, Property Maintenance Inspector
Mr. Ricky Wright Jr., Property Maintenance Inspector
Ms. Teri Dollar, Property Maintenance Inspector

Others Present: Ms. Mary Lou Gonzales (1158 Lillius)

CALL TO ORDER

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

APPROVAL OF MINUTES

The minutes of the last meeting, January 3, 2024, 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. Dugger, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. Aldriedge, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: Mr. McNeill

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition or Civil Penalties - Case# 23-000084: 2324 N 3rd St. (PECAN PARK, BLOCK P, LOT 16 REP, TAYLOR COUNTY, TEXAS), Owner: Hall, David M & Linda Lee

Mr. Marsh presented the case,

Pursuant to Chapter 8; Sec. 8-554 and Chapter 19, Sec 19-15 the following conditions exist:

- Inadequate Sanitation, Chapter 8, Sec. 8-554 (1)
- Structural Hazard, Chapter 8, Sec. 8-554 (2)
- Nuisance, Chapter 8, Sec. 8-554 (3), Chapter 19, Sec 19-15 (4)
- Hazardous Electrical Wiring, Chapter 8, Sec. 8-554 (4)
- Faulty Weather Protection, Chapter 8, Sec. 8-554 (7)
- Inadequate Exits, Chapter 8, Sec. 8-554 (10)

Staff recommendations are as follows:

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. Dugger made a motion that the property is a public nuisance in that it is a hazard to the public health, safety and welfare and repair of the structure would be unreasonable and was seconded by Mr. Allred, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. Aldriedge, Mr. McNeill, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

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

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-000326: 926 Hickory St. (LOT 102 180 1-COMPERE ABL OT REPLAT, TAYLOR COUNTY, TEXAS), Owner: Dressen Family Irrevocable Trust

Mr. Marsh presented the case,

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

Staff recommendations are as follows:

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

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-001916: 1233 Kirkwood St. (ARTHEL HENSON OUTLOT 33, BLOCK 3, LOT 19, TAYLOR COUNTY, TEXAS), Owner: Bonner, Roger Lee

Mr. Marsh presented the case,

> 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)

Staff recommendations are as follows:

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

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

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,

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)

Staff recommendations are as follows:

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. Aldriedge, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. Aldriedge, 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,

Pursuant to Chapter 8; Sec. 8-554 and Chapter 19, Sec 19-15, the following conditions exist:

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

Staff recommendations are as follows:

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. Dugger made a motion that the property is a public nuisance in that it is a hazard to the public health, safety and welfare and repair of the structure would be unreasonable and was seconded by Mr. McNeill, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. Aldriedge, Mr. McNeill, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

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

Case for 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

Mr. Marsh presented the case,

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) Conditions that provide harborage for vermin
  Ch. 19, Sec. 19-15 (4) Building that is unfit for human habitation and fire hazard
  Ch. 19, Sec. 19-15 (9) Illegal activity
- 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)

Staff recommendations are as follows:

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. Ms. Gonzales was sworn in and stated that she has decided to sell the property. She stated that the cleaning of the property is ongoing and she believes it will sell within 30 days. She presented a copy of a residential contract to sell with a closing date listed as February 23, 2024. There being no additional speakers, Mr. Beard closed the public hearing.

Mr. Allred stated that he believed that something needed to be done as soon as possible and made a motion to accept the staff recommendations. With no second to that motion, a motion was made to table the case for the next Board of Building Standards meeting.

Mr. Dugger made a motion to table this case for the March 6, 2024 meeting and was seconded by Mr. McNeill, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. Aldriedge, Mr. McNeill, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

ADJOURNMENT

There being no further business to come before the hearing, the Board of Building Standards meeting was adjourned at 9:20 a.m.

X

Approved, Chairman

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:3/6/2024

TO:

FROM:

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

GENERAL INFORMATION

Owner: Essex, Mickey
Sq Ft: 644
Structural: Poor
Foundation: Poor
Value: $3,571
Total Value: $6,109
Delinquent Tax: $693.33

SPECIAL CONSIDERATIONS

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

April 19, 2023 – The condemnation notice and plan of action were mailed to the address Ms. Nickerson provided.
May 2, 2023 – A neighbor contacted the city and stated someone was staying at the property. Code Officers inspected the property and found the front door unlocked and open. There was a foul odor coming from the structure. Overall, the property was in the same condition as the initial inspection.
May 8, 2023 – Ms. Nickerson emailed an incomplete plan of action. Code Officer explained the plan of action process to her and provided examples.
July 10, 2023 – Posted notice of Board hearing at the structure.
July 12, 2023 – Sent notice of Board hearing to property owner.
July 21, 2023 – Received letter from owner stating he is incarcerated awaiting trial on August 21, 2023, asked for more time until he is no longer incarcerated.
August 2, 2023 – BOBS hearing: Ms. Dunn requested time to get property put in her name so a consent to demo could be completed. **Board ordered case tabled** to allow time for Ms. Dunn to get property put in her name.
August 8, 2023 – Posted notice of hearing on structure.
August 9, 2023 – Sent notice of hearing to property owner, property owner's power of attorney, and sister.
August 15, 2023 – Letter sent from incarcerated property owner to inform his trial was postponed until January 22, 2024. He asked that we postponed taking action until he is released so he can try to clean and repair the property himself. He also sent a notarized letter to revoke any active power of attorney he has given to anyone to act on his behalf.
September 6, 2023 – Board ordered 30-60. Board's decision was sent to the property owner.
February 5, 2023 – Property owner is still incarcerated.
February 13, 2024 – Sent notice of hearing to property owner.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

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

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on March 6, 2024.

ATTACHMENTS:

1.	20240306_Slides Intro	20240306_Slides Intro.pptx
2.	20240306_23-000982_4366 Caldwell Rd	20240306_23-000982_4366 Caldwell Rd.pptx

BOARD OF BUILDING STANDARDS

March 6, 2024

CITY OF ABILENE TEXAS

PUBLIC NOTICE – March 6, 2024 MEETING

- A meeting of the Board of Building Standards will be held at 8:30 a.m., Wednesday, March 6, 2024 in the Council Chambers of City Hall, 555 Walnut Street, Abilene, Texas, to consider the following properties on the agenda: 4366 Caldwell Rd, Abilene, TX 79601; 850 Vine St. Abilene, TX 79602; 1166 Lillius St, Abilene, TX 79603; 433 Cockerell Dr. Abilene, TX 79601; 1858 Sycamore St. Abilene, TX 79602; 1158 Lillius St. Abilene, TX 79603; 3033 S. 11th St. Abilene, TX 79605. 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 #23-000982

4366 Caldwell Rd.

CITY OF ABILENE TEXAS

CHECKLIST FOR RECORDS SEARCH

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

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

- **TAYLOR COUNTY** – Shows previous owner, **Juanita Webber c/o Mickey Essex** to be the owner.

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

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

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

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

Public Notice

Front East Side

Rear West Side

North Side

South Side

Substandard Code Violations

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

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

Nuisance

Nuisance

Faulty Weather Protection/Structural Hazard

Faulty Weather Protection

Electrical Hazards

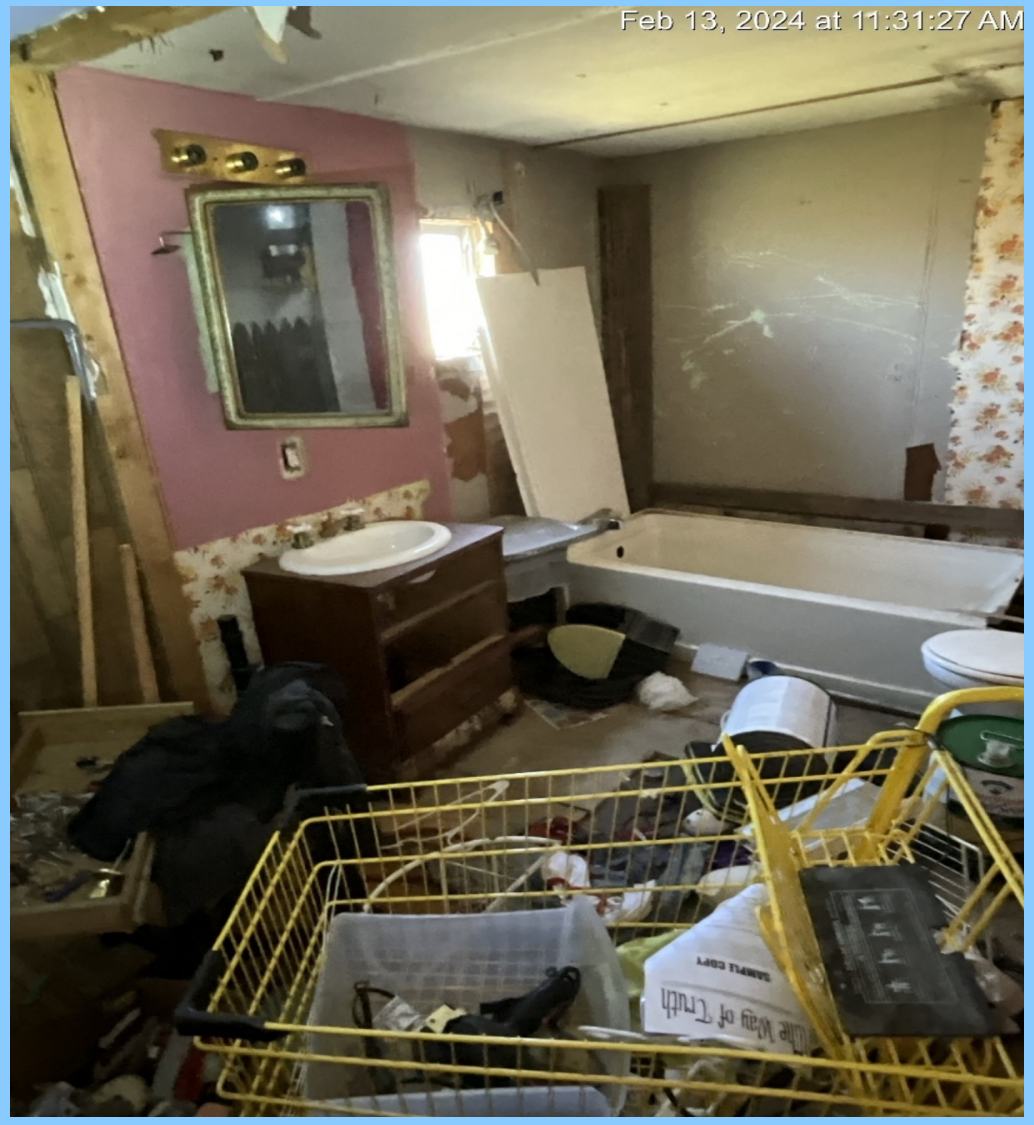
Faulty Weather Protection/Electrical Hazards

Faulty Weather Protection

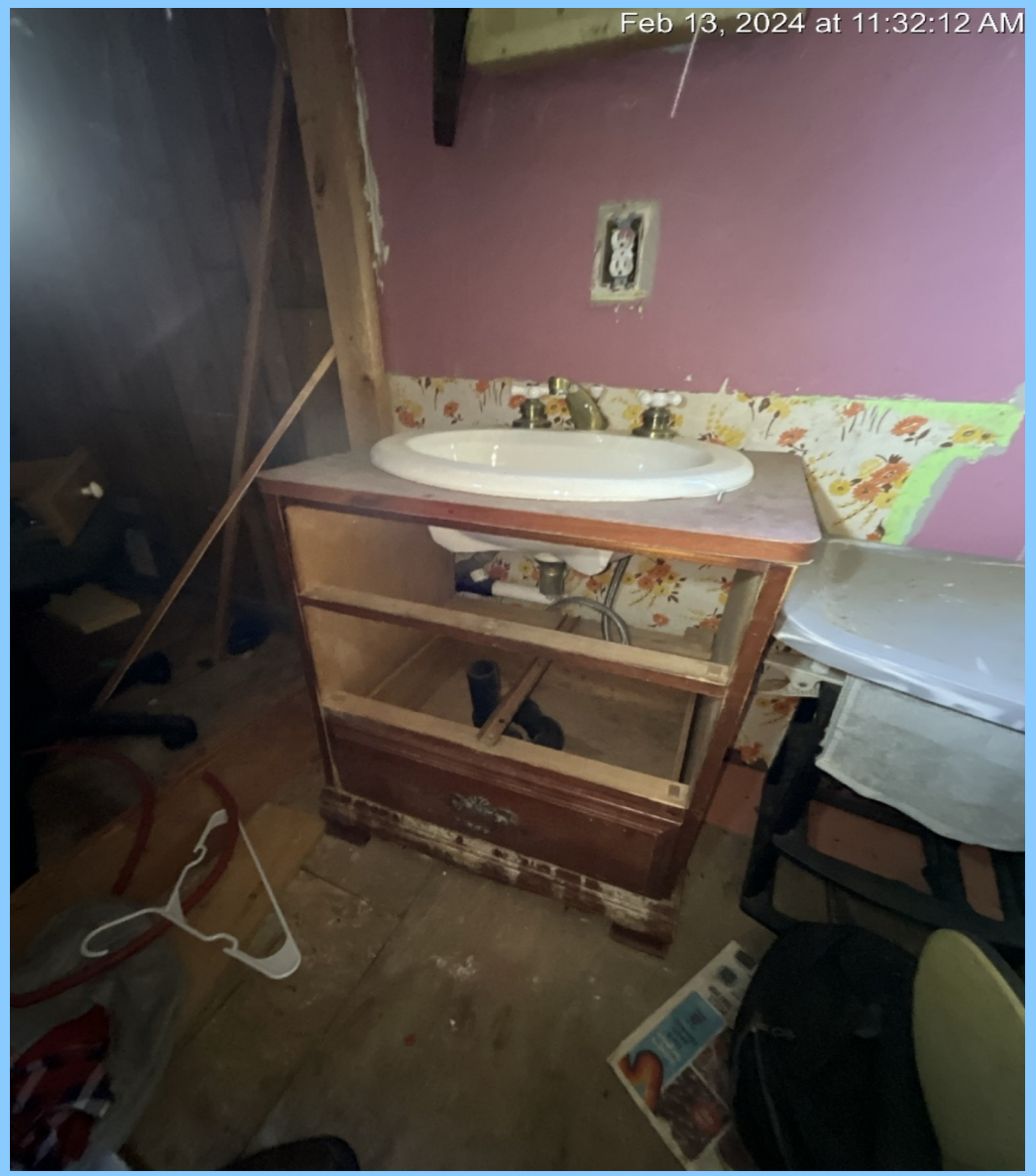
Electrical Hazards

Electrical/Mechanical Issues

Inadequate Sanitation



Hazardous Electrical/Plumbing



Timeline of Events

- **April 10, 2023 –** Sister of owner, contacted our office because a neighbor of the property saw that the structure had electricity turned on. She stated no one should be at the structure and she is worried about the possibility of a fire due to the poor condition of the electrical.
- **April 13, 2023** – Discovered property owner is incarcerated.
- **April 13, 2023 –** Affidavit of condemnation filed, condemnation notice sent, and placard posted on the property.
- **April 19, 2023 –** The condemnation notice and plan of action were mailed to property owners niece that had power of attorney.
- **May 2, 2023 –** A neighbor contacted the city due to vagrants staying at the property.
- **May 8, 2023 –** Property owner's niece emailed an incomplete plan of action. Code Officer explained the plan of action process to her and provided examples.

Timeline of Events

- **July 12, 2023** – Sent notice of August Board hearing to property owner, sister and niece.
- **July 21, 2023** – Received letter from owner stating he is incarcerated awaiting trial on August 21, 2023, asked for more time until he is no longer incarcerated.
- **August 2, 2023 – Board ordered case tabled** until next hearing to give property owners sister time to work with her attorney to transfer property to her or her daughter. She said property owner agreed to transfer.
- **August 9, 2023** – Notice of September hearing sent to incarcerated property owner, property owner's sister, and property owner's niece that had power or attorney.
- **August 17, 2023** – Property owner sent notarized letter to revoke any powers of attorney that he has granted to anyone.

Timeline of Events

- **September 6, 2023 – Board ordered 30-60.** Board's decision was sent to the property owner.
- **February 26, 2024** – Property is still owned by incarcerated owner, Mickey Essex. No plan of action submitted, no permit applied for, no further contact from family members.

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 4366 Caldwell Rd. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:3/6/2024

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-002935: 850 Vine St. (ALTA VISTA, BLOCK 3, LOT 1, 2 & N19 OF 3, CONT, TAYLOR COUNTY, TEXAS), Owner: Harness, Ronald C.**

GENERAL INFORMATION

Owner: Harness, Ronald C
Sq Ft: 1,535
Structural: Poor
Foundation: OK
Value: $86,133
Total Value: $92,505
Delinquent Tax: $625.85

SPECIAL CONSIDERATIONS

June 29, 2023 – First inspection of property. Found front door open, almost all of the windows were smashed. The ducts for the HVAC system were pulled from the house and put in the alley. The inside of the house was completely wrecked and did not show signs of anyone living at the residence. Water service was recently turned off for non-payment. Gas and electric were still active but electric inside the house was in dangerous condition as well as gas lines and appliances. We attempted to locate the owner but were unsuccessful.
July 5, 2023 – Went back to the property to see if anyone has returned. Property was still unsecured and vacant. Property was condemned. Affidavit of condemnation was recorded at county clerk.
July 11, 2023 – Condemnation notices were sent to the address of record for the property owner.
July 14, 2023 – Property was secured by the city.

August 2, 2023 – Sister of property owner came into City Hall and explained what had happened at the property. She confirmed that all of the damage was caused by the owner-occupant and she had been trying to get him into a long-term care facility due to his mental health. She was explained the condemnation process. She didn't know what the family was going to do with the property. She wasn't able to provide a good address for the property owner. He is likely living out of state. Got a good mailing address for the sister and phone number for the owner's sister to keep her updated and send her notices.
August 14, 2023 – City contractor completed clean up abatement of property exterior.
February 12, 2024 – Notice of February hearing sent to property owner's sister and posted on structure. We still do not have a good address for 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 March 6, 2024.

ATTACHMENTS:

1. 20240306_23-002935_850 Vine St 20240306_23-002935_850 Vine St.pptx

Case #23-002935

850 Vine 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 **Ronald C. Harness** as owner

- **TAYLOR COUNTY** – Shows **Ronald C. Harness** 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 23, 2023

- Search reveals **Ronald C. Harness** to be the owner.

Public Notice

Front East Side

Rear West Side

North Side

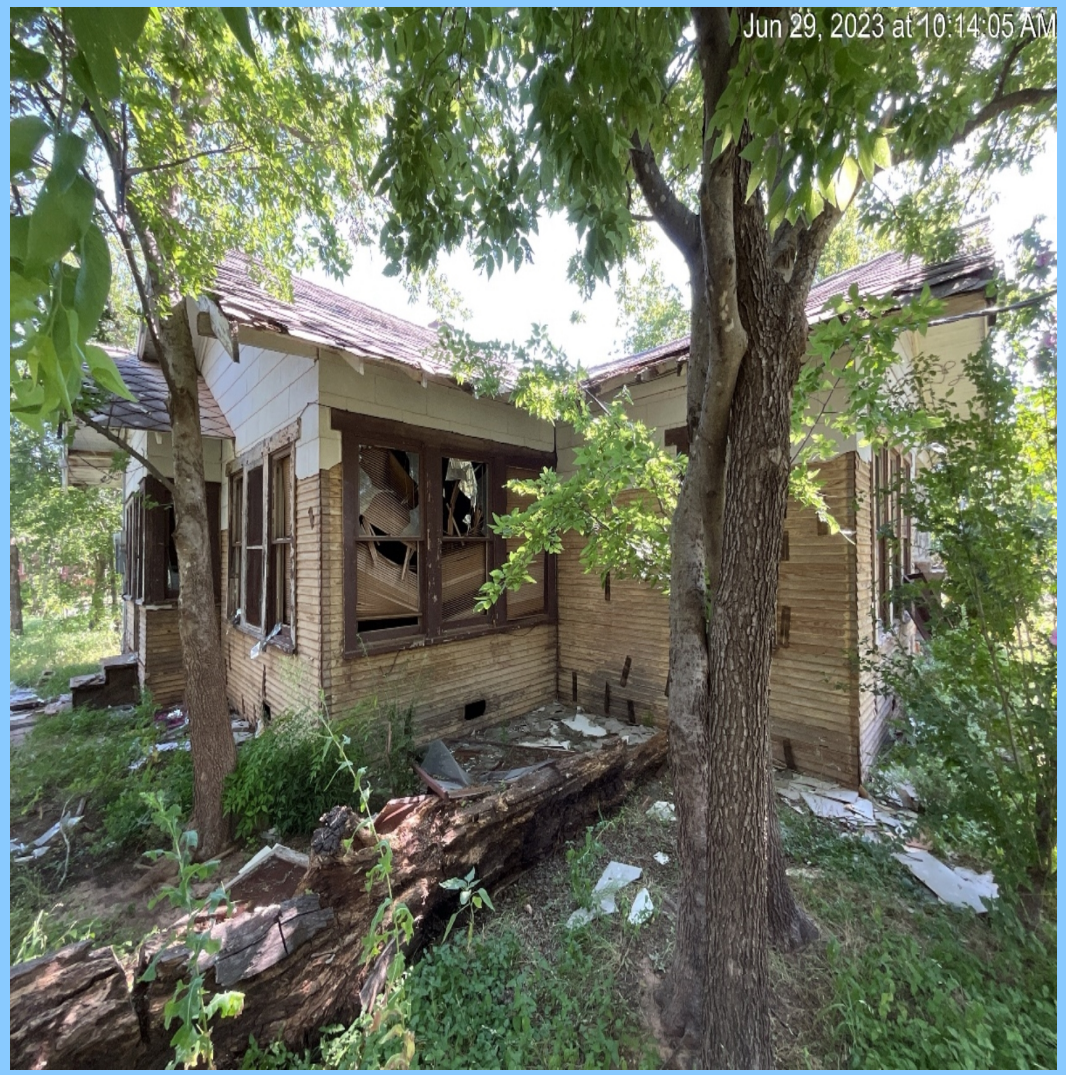
South Side

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 (4)
- Hazardous Electrical Wiring, Chapter 8, Sec 8-554 (4)
- Hazardous Plumbing, Chapter 8, Sec 8-554 (5)
- Hazardous Mechanical Equipment, Chapter 8, Sec 8-554 (6)
- Faulty Weather Protection, Chapter 8, Sec 8-554 (7)

Exterior Dilapidation/Faulty Weather Protection



Exterior Dilapidation/Faulty Weather Protection

Dilapidated Substructure

Dilapidated Substructure

Interior Dilapidation

Dilapidation/Fire Hazard

Electrical Hazards

Mechanical Hazards

Mechanical Hazard

Plumbing Hazards

Timeline of Events

- **June 29, 2023 –** First inspection of property. Found front door open, almost all of the windows were smashed. The ducts for the HVAC system were pulled from the house and put in the alley. The inside of the house was completely wrecked and did not show signs of anyone living at the residence. Water service was recently turned off for non-payment. Gas and electric service were still active. We attempted to locate the owner but were unsuccessful.
- **July 5, 2023** – Went back to the property to see if anyone has returned. Property was still unsecured and vacant. Property was condemned. Affidavit of condemnation was recorded at county clerk.
- **July 11, 2023** – Condemnation notices were sent to the address of record for the property owner.
- **July 14, 2023** – Property was secured by the city.
- **August 2, 2023** – Sister of property owner came into City Hall and explained what had happened at the property. She confirmed that all of the damage was caused by the owner-occupant and she had been trying to get him into a long-term care facility due to his mental health. She was explained the condemnation process. She didn't know what the family was going to do with the property. She wasn't able to provide a good address for the property owner. He is likely living out of state. Got a good mailing address for the sister and phone number for the owner's sister to keep her updated and send her notices.
- **August 14, 2023** – City contractor completed clean up abatement of property exterior.
- **February 12, 2024** – Notice of February hearing sent to property owner's sister and posted on structure. We still do not have a good address for 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 850 Vine St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:3/6/2024

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-003527: 1166 Lillius St. (LAKESIDE ADDN, BLOCK 18, LOT E110 LT18 & E110 LT1, TAYLOR COUNTY, TEXAS), Owner: Escobedo, Macario Jr.**

GENERAL INFORMATION

Owner: Escobedo, Macario Jr
Sq Ft: 572
Structural: POOR
Foundation: POOR
Value: $23,910
Total Value: $25,931
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

July 24, 2023 – Received citizen complaint for dilapidated, unsecured structure.
July 26, 2023 – Performed initial inspection. Found structure to be completely unsecured and extremely dilapidated.
July 28, 2023 – Recorded affidavit of condemnation at county clerk.
August 2, 2023 – Notified of pending sale of property.
August 10, 2023 – New owner brought in copy of quit claim deed. Condemnation notices sent to new owner.
September 12, 2023 – New owner attempted to pull demo permit. Permit was denied due to not being credentialed with the city. Owner never got credentialed. Permit was never reapplied for.
November 28, 2023 – City contractor secured property.
February 13, 2024 - Sent notice of hearing to property owner.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

DEMOLITION

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

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

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on March 6, 2024.

ATTACHMENTS:

1. 20240306_23-003527_1166 Lillius St 20240306_23-003527_1166 Lillius St.pptx

Case #23-003527

1166 Lillius 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/Vendors Lien naming previous owner. Current owner has not recorded current deed

- **TAYLOR COUNTY** – Shows there is a Quit Claim Deed naming **Escobedo Macario Jr** as owner.

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

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

- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since Aug 9, 2022

- Search reveals **Escobedo Macario Jr** to be the owner.

Public Notice

Front East 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 (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)

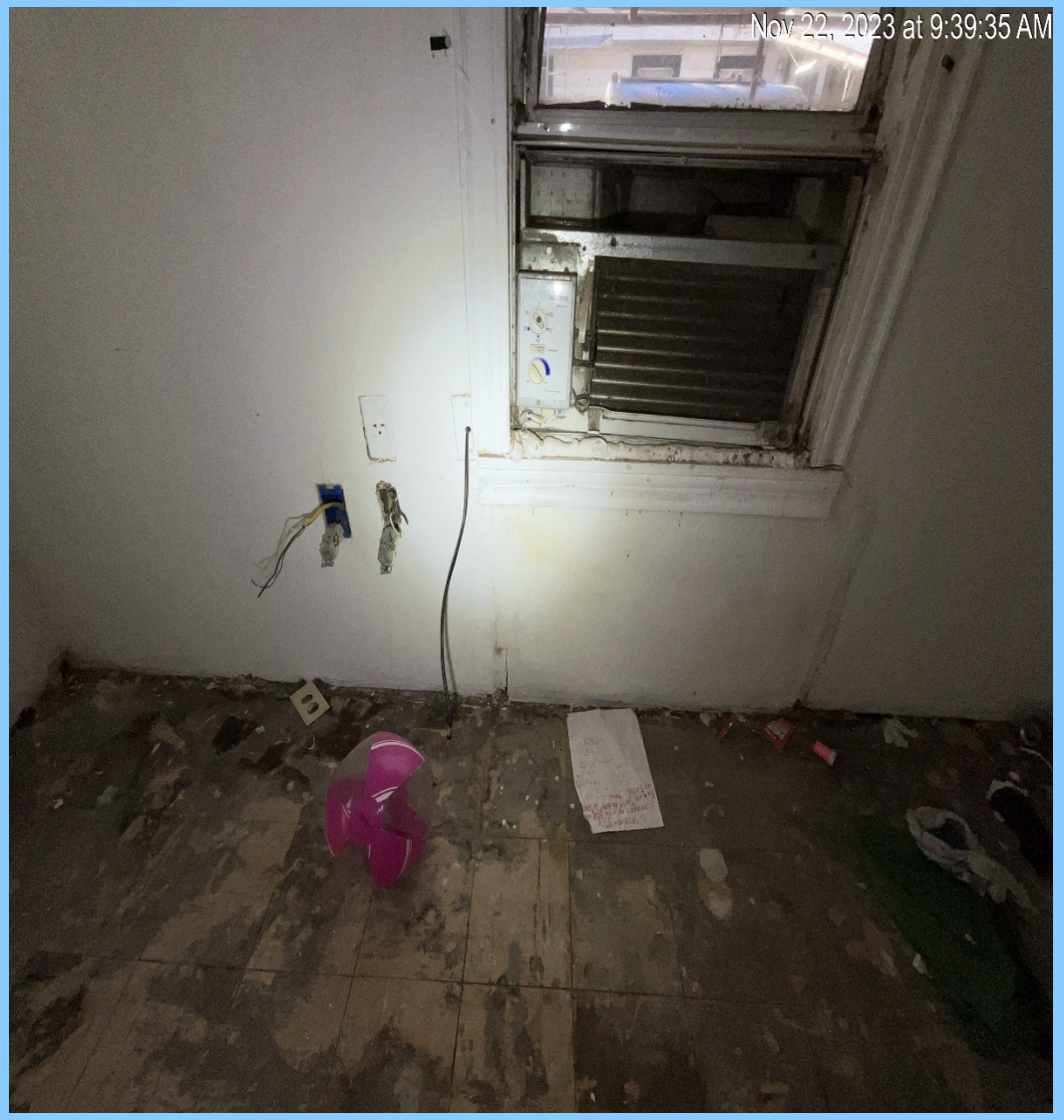
Exterior Dilapidation/Faulty Weather Protection

Exterior Dilapidation/Hazardous Elecrical

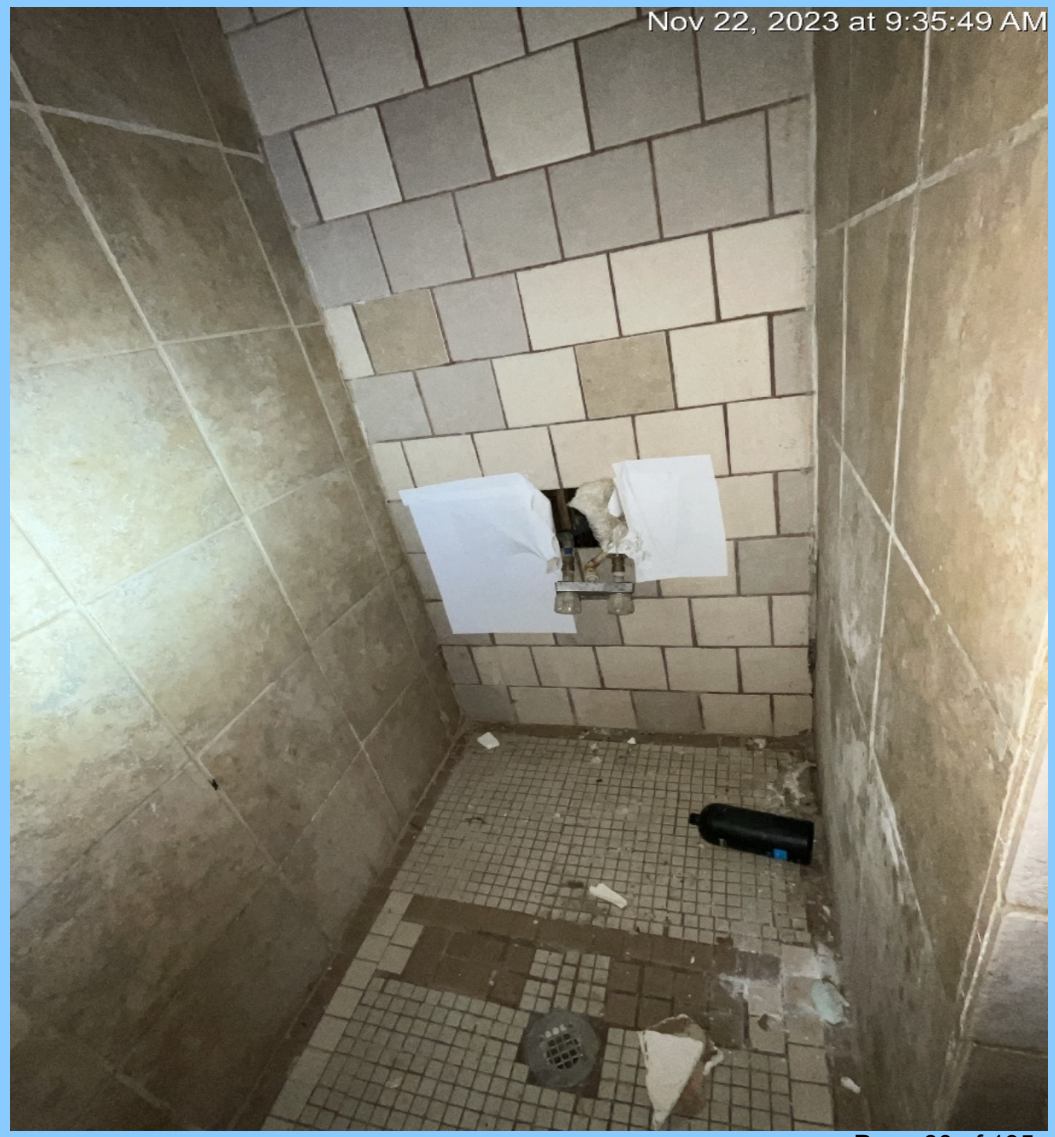
Hazardous Electrical & Plumbing

Structural Hazard/Faulty Weather Protection

Electrical Hazard/Faulty Weather Protection



Hazardous Plumbing/Inadequate Sanitation



Timeline of Events

- **July 24, 2023 –** Received citizen complaint for dilapidated, unsecured structure.
- **July 26, 2023** – Performed initial inspection. Found structure to be completely unsecured and extremely dilapidated.
- **July 28, 2023** – Recorded affidavit of condemnation at county clerk.
- **August 2, 2023** – Notified of pending sale of property.
- **August 10, 2023** – New owner brought in copy of quit claim deed. Condemnation notices sent to new owner.
- **September 12, 2023** – New owner attempted to pull demo permit. Permit was denied due to not being credentialed with the city. Owner never got credentialed. Permit was never reapplied for.
- **November 28, 2023** – City contractor secured property.
- **February 12, 2024** – Notice of hearing posted on structure and 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 1166 Lillius St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:3/6/2024

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-003899: 433 Cockerell Dr. (STEVENSON PARK, BLOCK 6 CONT, LOT 14, TAYLOR COUNTY, TEXAS), Owner: Houston, Dorothy**

GENERAL INFORMATION

Owner: Houston, Dorothy
Sq Ft: 978
Structural: Poor
Foundation: Poor
Value: $41,816
Total Value: $42,566
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

August 15, 2023 – Structure found to have broken, open door, broken out windows, and front and back yard trashed. Property is located directly across the street from a school and nearby a park and splash pad.
August 17, 2023 – Affidavit of condemnation recorded at county clerk. Condemnation notices sent to address of record for the deceased property owner.
November 28, 2023 – Structure secured by city contractor.
December 1, 2023 – Junk RV moved to backyard. Trash and junk accumulating around RV.
December 12, 2023 – Second phone call received from caseworker at Betty Hardwick. She said they are assisting the daughter in getting contractor quotes to get the house repaired.
February 12, 2024 – Notice of hearing posted on structure and sent to address of record for property owner. Made contact with caseworker for property owner's daughter and informed her of hearing.
February 13, 2024 - Notice of hearing sent to owner's last known address.

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 March 6, 2024.

ATTACHMENTS:

1. 20240306_23-003899_433 Cockerell Dr 20240306_23-003899_433 Cockerell Dr.pptx

Case #23-003899

433 Cockerell Dr.

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 **Dorothy Houston** as owner

- **TAYLOR COUNTY** – Shows **Dorothy Houston** 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 3, 2023

- Search reveals **Dorothy Houston** 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:

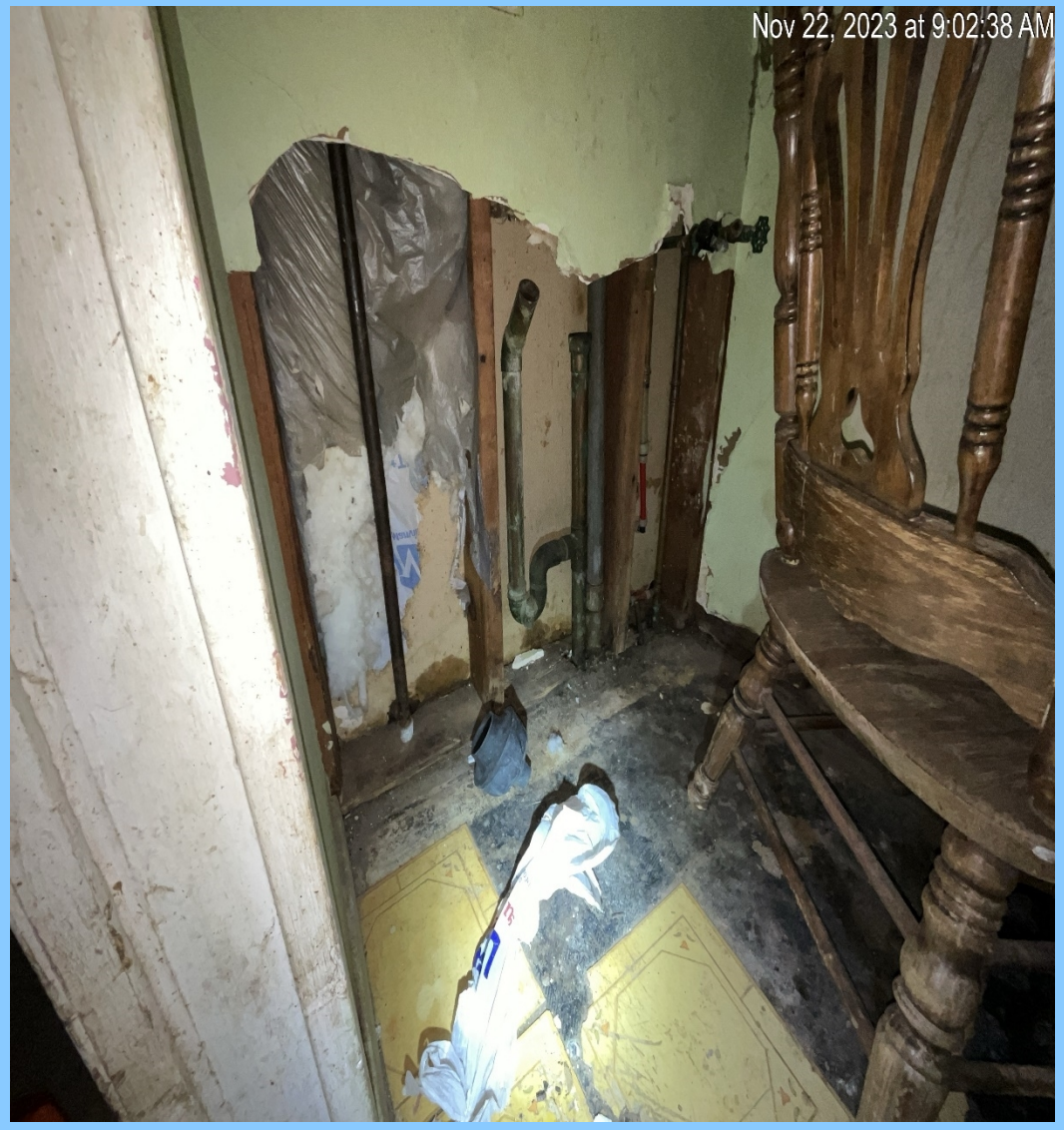
- Inadequate Sanitation, Chapter 8, Sec 8-554 (1)
- Structural Hazard, Chapter 8, Sec 8-554 (2)
- Nuisance, Chapter 8, Sec 8-554 (3), Chapter 19, Sec 19-15 (4)
- Hazardous Electrical Wiring, Chapter 8, Sec 8-554 (4)
- Hazardous Plumbing, Chapter 8, Sec 8-554 (5)
- Faulty Weather Protection, Chapter 8,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

Exterior Dilapidation/Faulty Weather Protection

Exterior Dilapidation/Faulty Weather Protection

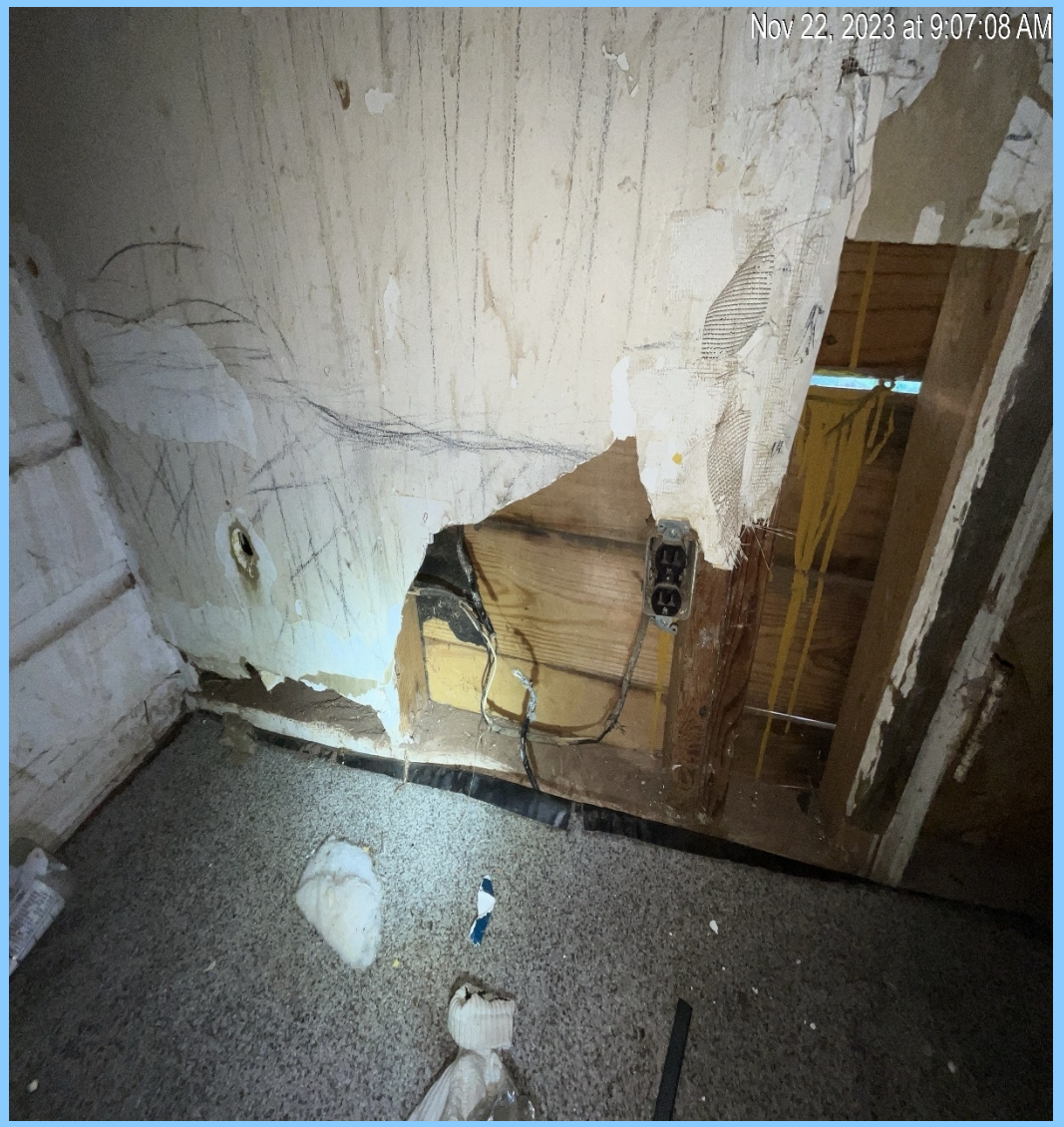
Hazardous Electrical/Mechanical

Interior Dilapidation/Faulty Plumbing

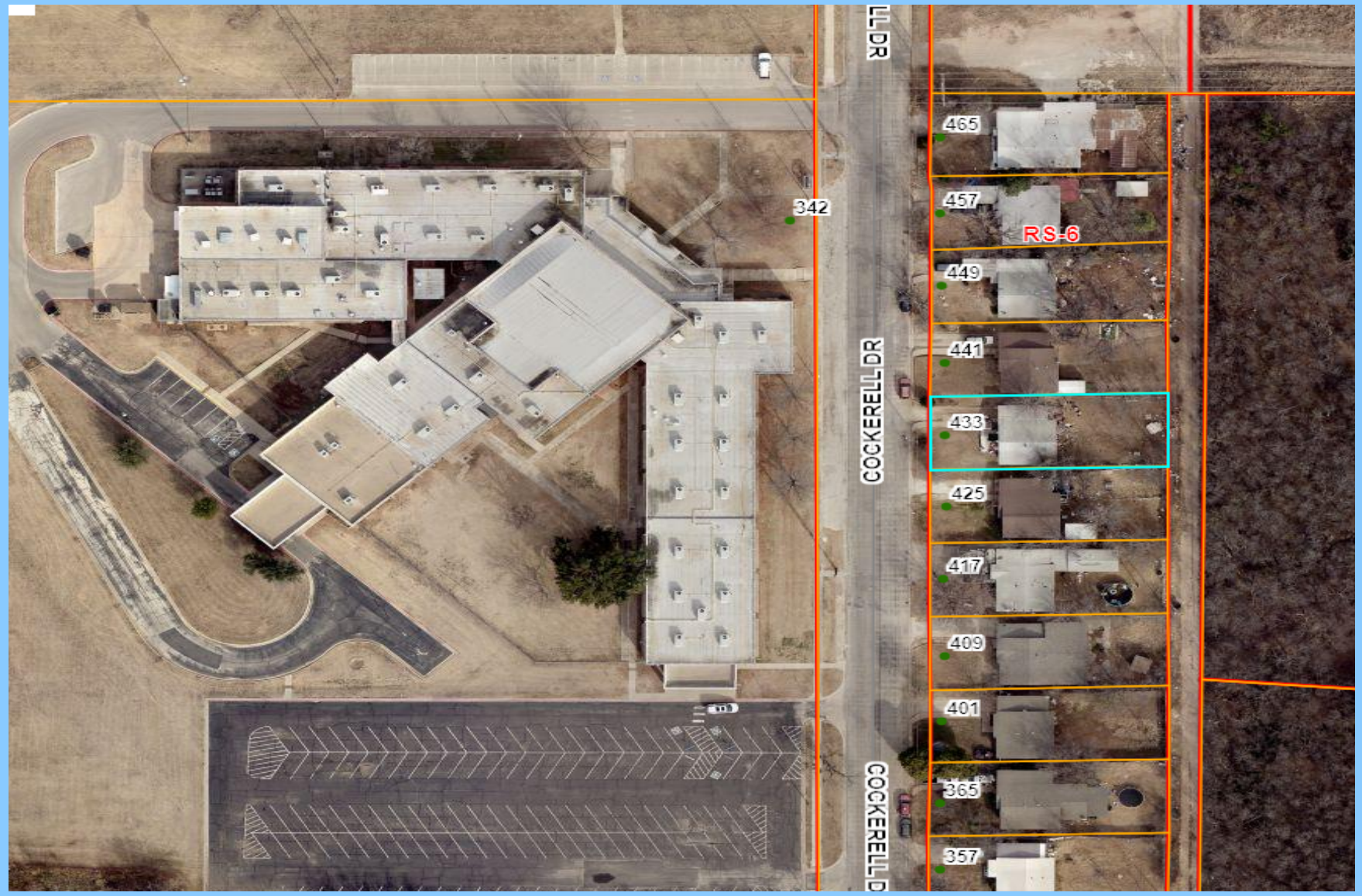


Faulty Weather Protection and Electrical Hazard

Electrical Hazard/Exterior Dilapidation



Proximity to Schools



Timeline of Events

- **August 15, 2023 –** Structure found to have broken front door, broken out windows, and front and back yard trashed. Property is located directly across the street from a school and it's nearby a park and splash pad.
- **August 17, 2023** – Affidavit of condemnation recorded at county clerk. Condemnation notices sent to address of record for the deceased property owner.
- **November 28, 2023** – Structure secured by city contractor.
- **December 1, 2023** – Junk RV moved to backyard. Trash and junk accumulating around RV.
- **December 12, 2023** – Phone call received from caseworker at Betty Hardwick. She said they are assisting the daughter in getting contractor quotes to get the house repaired.
- **February 12, 2024** – Notice of hearing posted on structure and sent to address of record for property owner. Made contact with caseworker for property owner's daughter and informed her of hearing.
- **February 26, 2024 –** No plan of action submitted, no permit applied for. No contact from daughter that is wishing to renovate property.

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 433 Cockerell Dr. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:3/6/2024

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: Unknown
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.
December 6, 2023 – Board ordered 30-60.
December 13, 2023 – Decision of the board sent to the property owner.
January 16, 2024 – Received voicemail from property owner letting me know he received insurance payout. He said he is now having house inspected to see if it is worth repairing or if it should be demolished.
January 30, 2024 – Contacted by neighbor due to tenants still inhabiting the house and allowing other vagrants to be there as well. Spoke with Mr. Shaver advising him of the ongoing issues. He stated he would be in Abilene the following week and would meet with us.
February 5, 2024 – We sent a text message requesting a meeting time. No response received. He did not meet with us.
February 13, 2024 – Notice of March Board hearing sent to property owner.
February 16, 2024 – We contacted Mr. Shaver and were advised that he would come to City Hall on February 28, 2024 at 2pm to discuss his properties. He was advised of the March hearing at that time as well.

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 March 6, 2024.

ATTACHMENTS:

1. 20240306_23-004017_1858 Sycamore St 20240306_23-004017_1858 Sycamore St.pptx

Case #23-004017

1858 Sycamore 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 **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

- **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 (4)
- Hazardous Electrical Wiring, Chapter 8, Sec 8-554 (4)
- Faulty Weather Protection, Chapter 8, Sec 8-554 (7)

Exterior Dilapidation

Aug 1, 2023

Feb 13, 2024

Structural/Electrical Hazards

Aug 1, 2023

Feb 13, 2024

Hoarding Conditions/Inadequate Sanitation

Aug 25, 2023

Feb 13, 2024

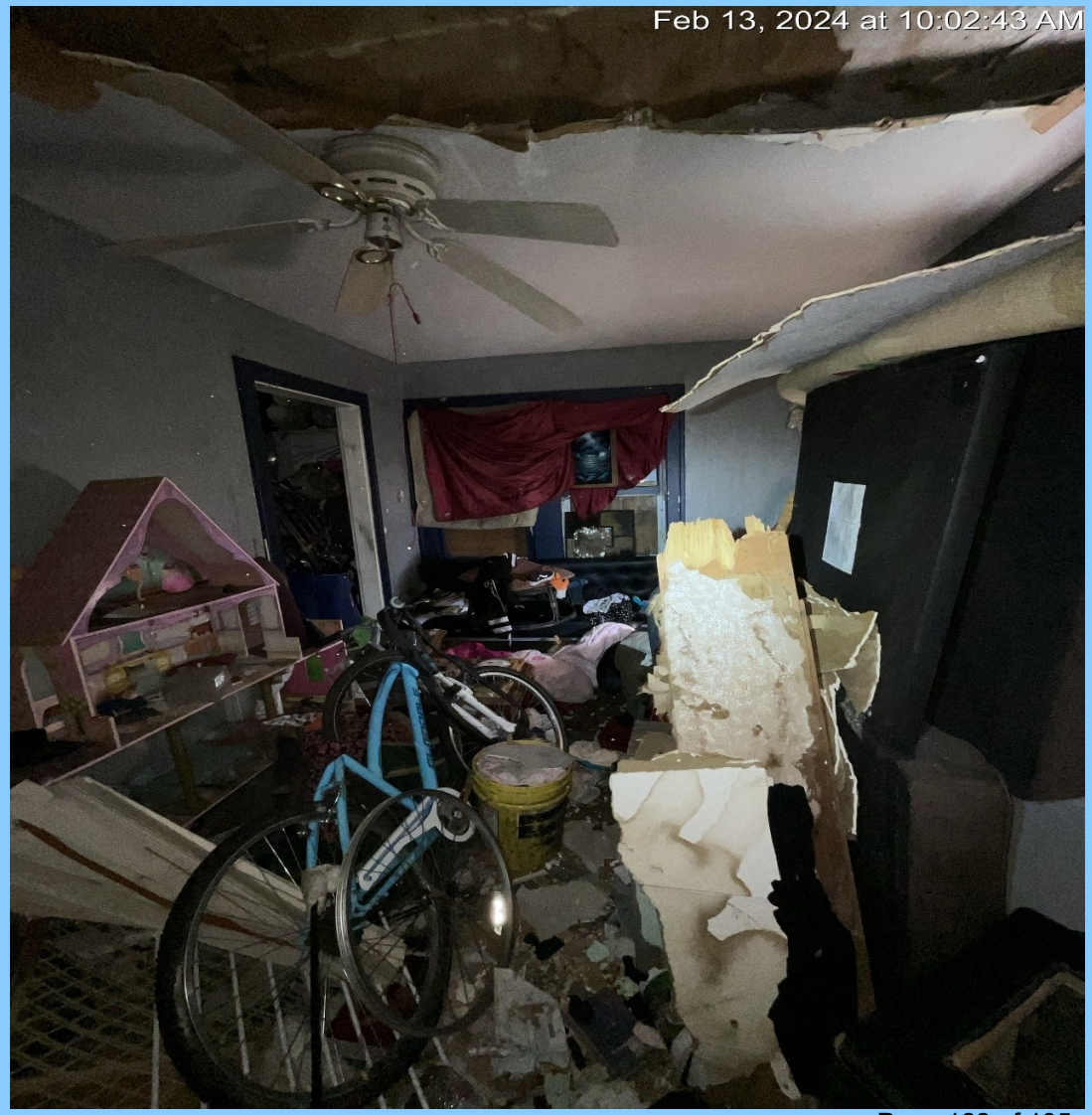
Interior Conditions/Hazardous Electrical

Aug 25, 2023

Feb 13, 2024

Dilapidation/Inadequate Sanitation

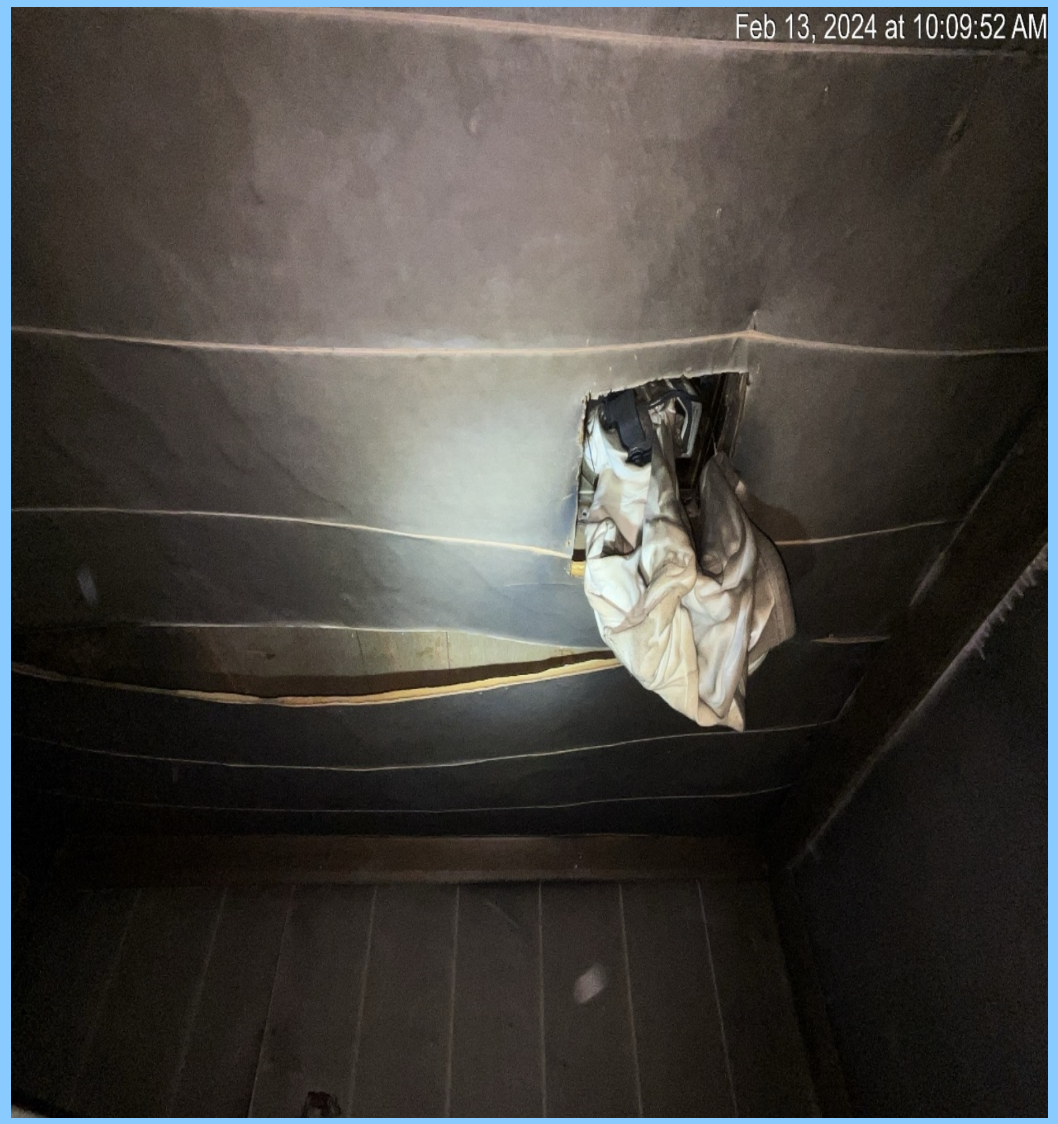
Interior Conditions/Inadequate Sanitation



Inadequate Sanitation/Hazardous Electrical

Hazardous Electrical

Hazardous Mechanical & Plumbing



Hazardous Electrical & Mechanical

Timeline of Events

- **July 30, 2023 –** Structure fire occurred. Property was occupied. Fourth fire of a structure owned by Legacy Dwelling LLC since February 2021.
- **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** – Sent notice of violation to owner for allowing occupancy of a condemned structure.

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 to let the board know the issues this property is causing.
- **November 7, 2023** – Occupants have still not been relocated.
- **December 6, 2023 – Board ordered 30-60.**
- **December 13, 2023 –** Decision of the board sent to the property owner.
- **January 16, 2024 –** Received voicemail from property owner letting me know he received insurance payout. He said he is now having house inspected to see if it is worth repairing or if it should be demolished.
- **January 30, 2024** – Contacted by neighbor due to tenants still inhabiting the house and allowing other vagrants to be there as well. Spoke with property owner advising him of the ongoing issues. He stated he would be in Abilene the following week and would meet with us.
- **February 5, 2024** – Owner did not follow through with meeting.
- **February 13, 2024** – Notice of March 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 1858 Sycamore St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:3/6/2024

TO:

FROM:

SUBJECT: **Case for 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: OK
Foundation: OK
Value: $84,278
Total Value: $87,900
Delinquent Tax: $0.00

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 3 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.
December 6, 2023 – Board upheld condemnation and issued a 30-60 order and added that exterior of property must be cleaned up in first 30 days.
December 11, 2023 – The property owner called and I explained the decision of the board. I further expressed the Plan of Action and that it needed to be submitted in order to obtain a permit for repair.
December 13, 2023 – Decision of Board sent to property owner.
January 5, 2024 - The property owner called and stated that she had concerns about meeting the requirements of the Board decision due to her being hospitalized. She stated that she is living in a home on Maple Street; however, she is still receiving mail at the Lillius and Rose St address.
January 10, 2024 – Notice of February hearing posted on structure and Notice of February hearing sent to property owner. The exterior of the property showed a little clean-up progress; however, there is still extensive accumulation in public view and a terrible odor coming from the inside of the house. The property owner contacted me later that day to advise me that she is working to make the inside of the residence clean. She stated that she is looking at potentially selling the property. Offered to meet with property owner to inspect inside of structure to get evidence photos of progress on interior to present to the Board.
February 6, 2024 – Performed property inspection. Found all but one junk vehicle to have been removed from the property. Still an excessive amount of junk on all sides of property. No plan of action has been received from the property owner. No permit has been applied for.
February 7, 2024 – **Board ordered case tabled until next hearing.** Property owner provided copy of sales contract with closing date of on or before Feb 23, 2024.
February 12, 2024 - Notice of March Board hearing posted on structure.
February 13, 2024 – Notice of March Board hearing sent to owner.
February 27, 2024 – Received phone call from property owner to let us know the property sale

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March 1, 2024 – Received a call from the buyer's real estate agent stating that they are not purchasing the home and to her knowledge, no one is purchasing the home.

There have been 26 Code Enforcement cases here going back to 2018. There are currently 2 active Code Enforcement cases (as of Jan 29, 2024). Under the current property owner, 11 Code Enforcement cases have been opened. Current ownership started in August 2022.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Untable/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 March 6, 2024.

ATTACHMENTS:

1. 20240306_23-004933_1158 Lillius St 20240306_23-004933_1158 Lillius St.pdf

Case #23-004933

1158 Lillius 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 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

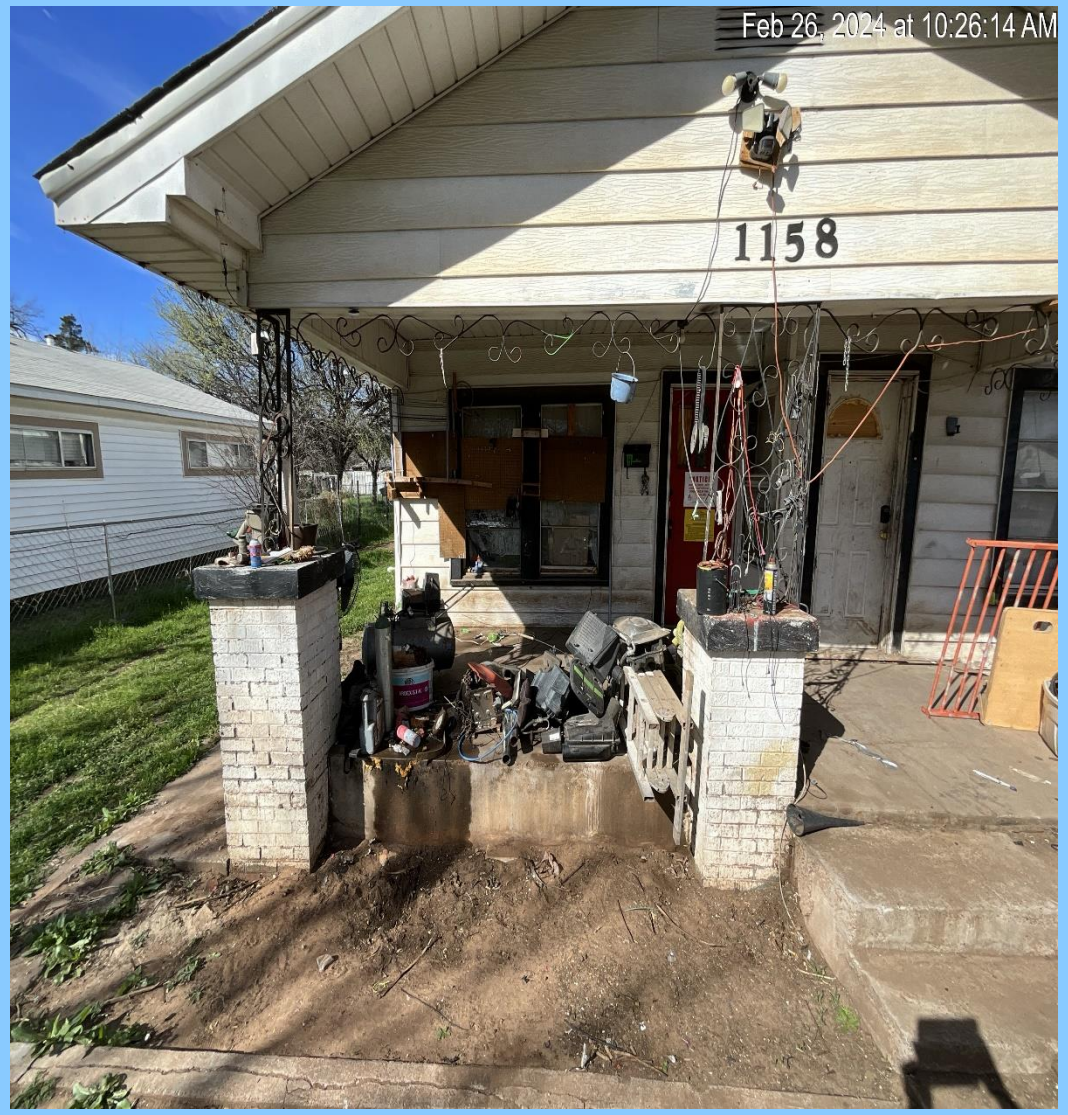
  Ch. 19, Sec. 19-15 (2) Accumulation of trash and junk

  Ch. 19, Sec. 19-15 (3) Conditions that provide harborage for vermin

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

  Ch. 19, Sec. 19-15 (9) Illegal activity
- 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 – Current Condition



Exterior – Current Condition

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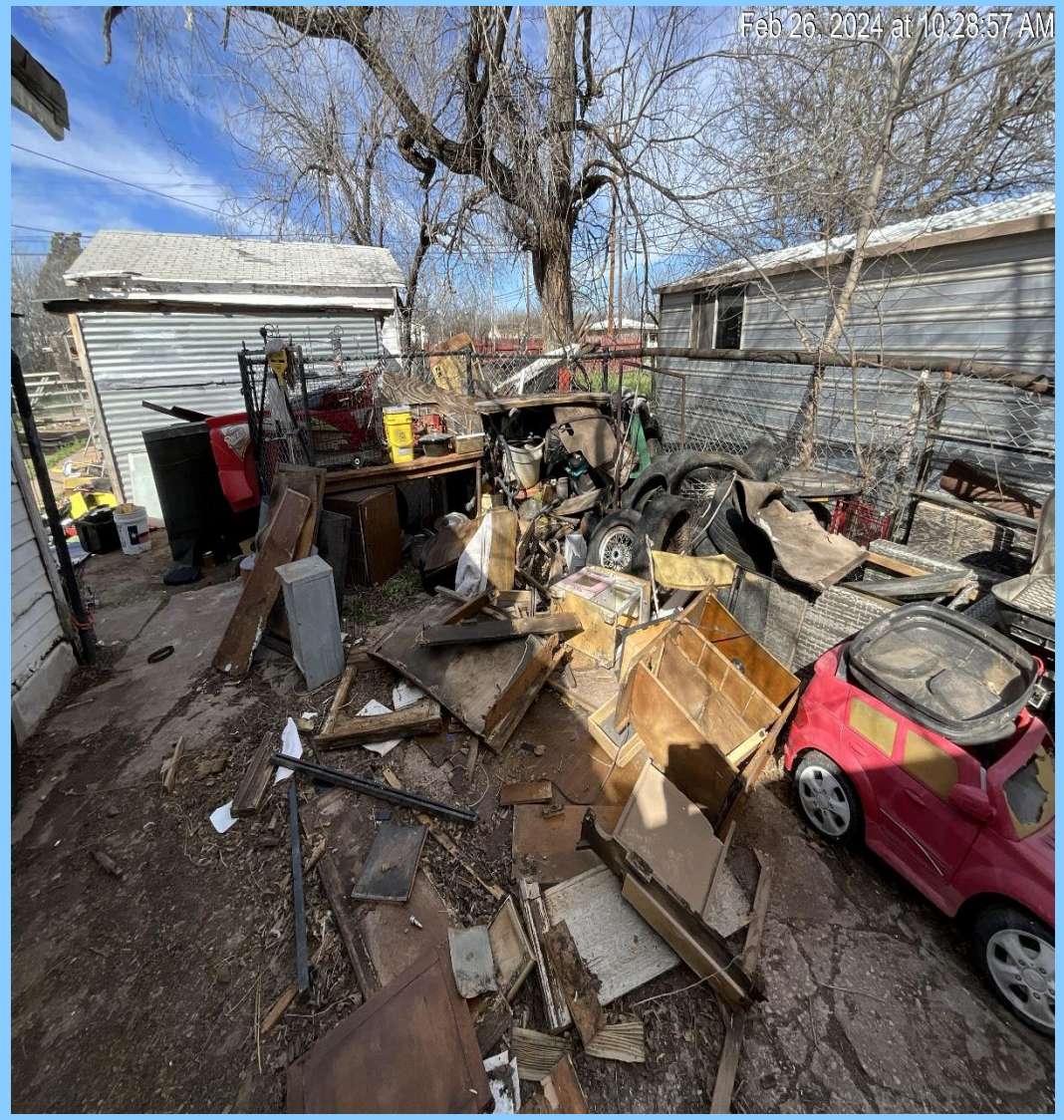
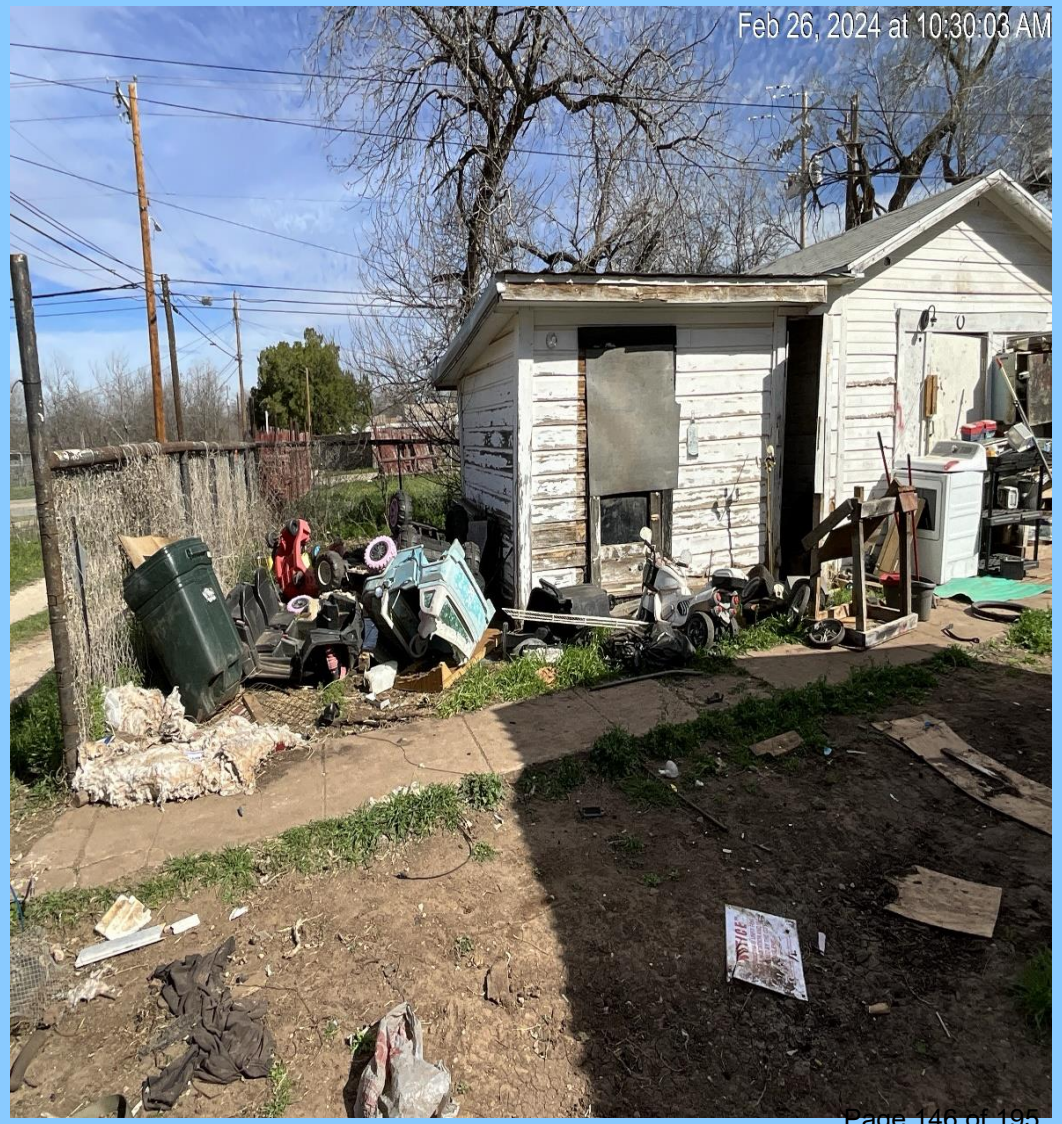
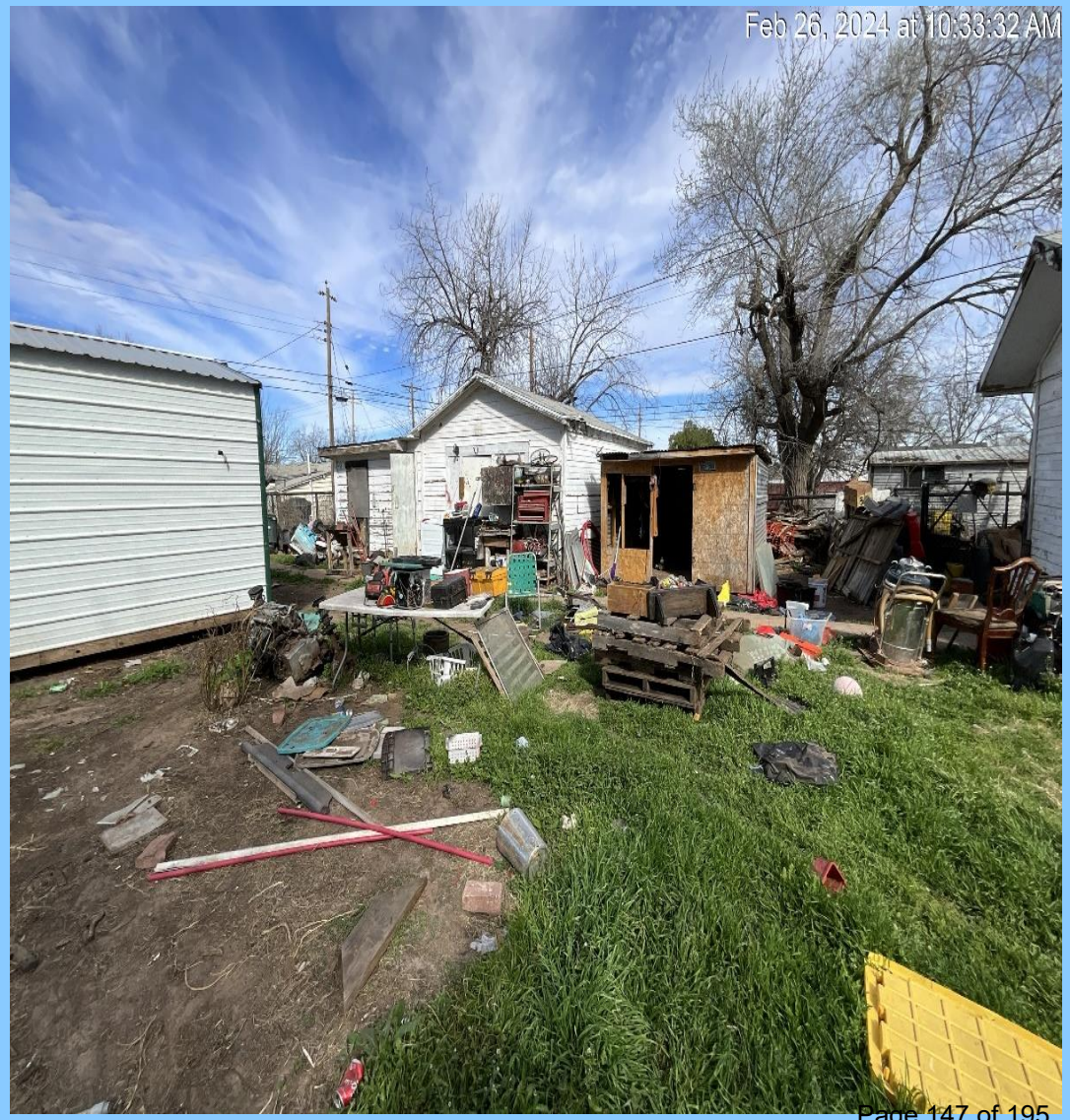


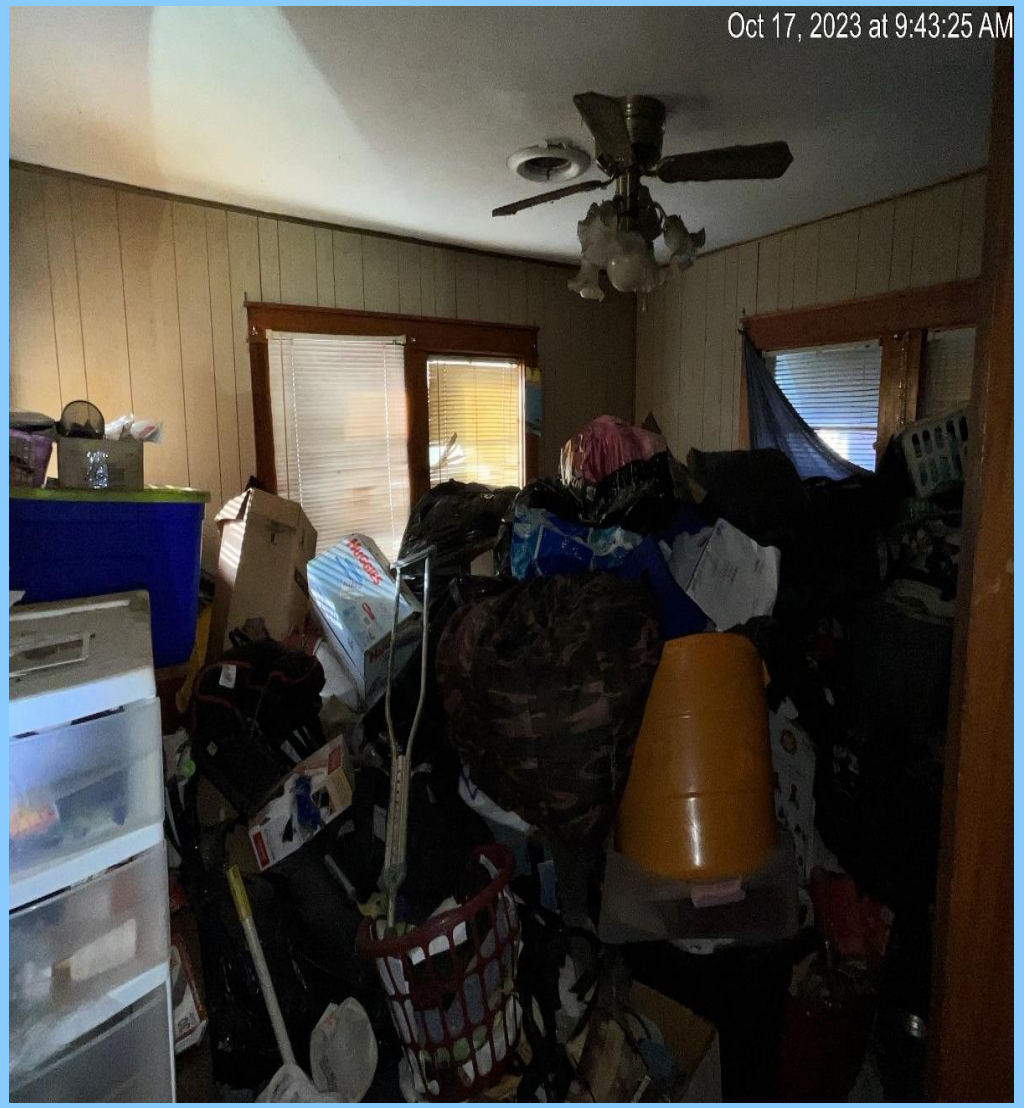


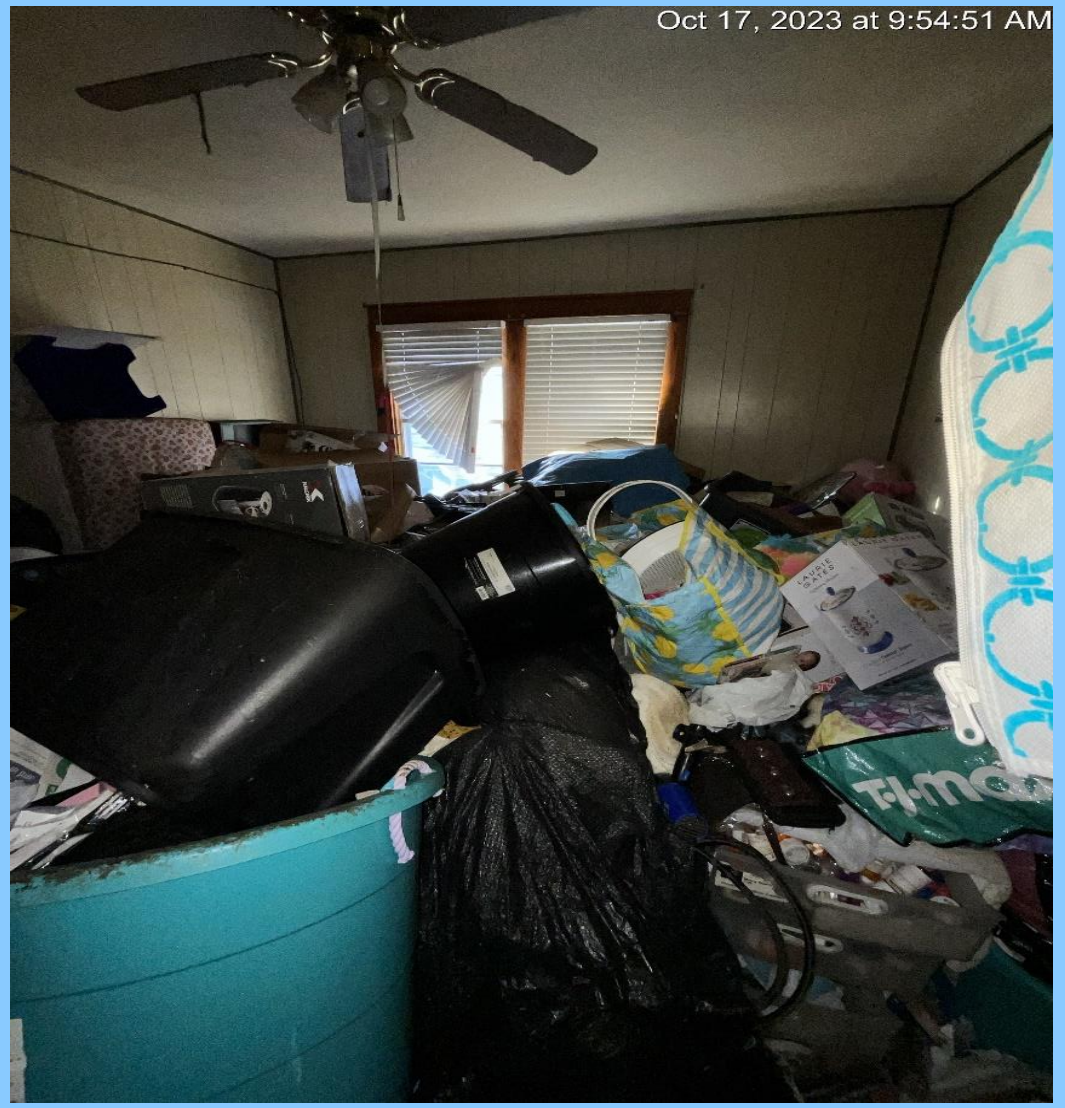
Exterior – Current Condition



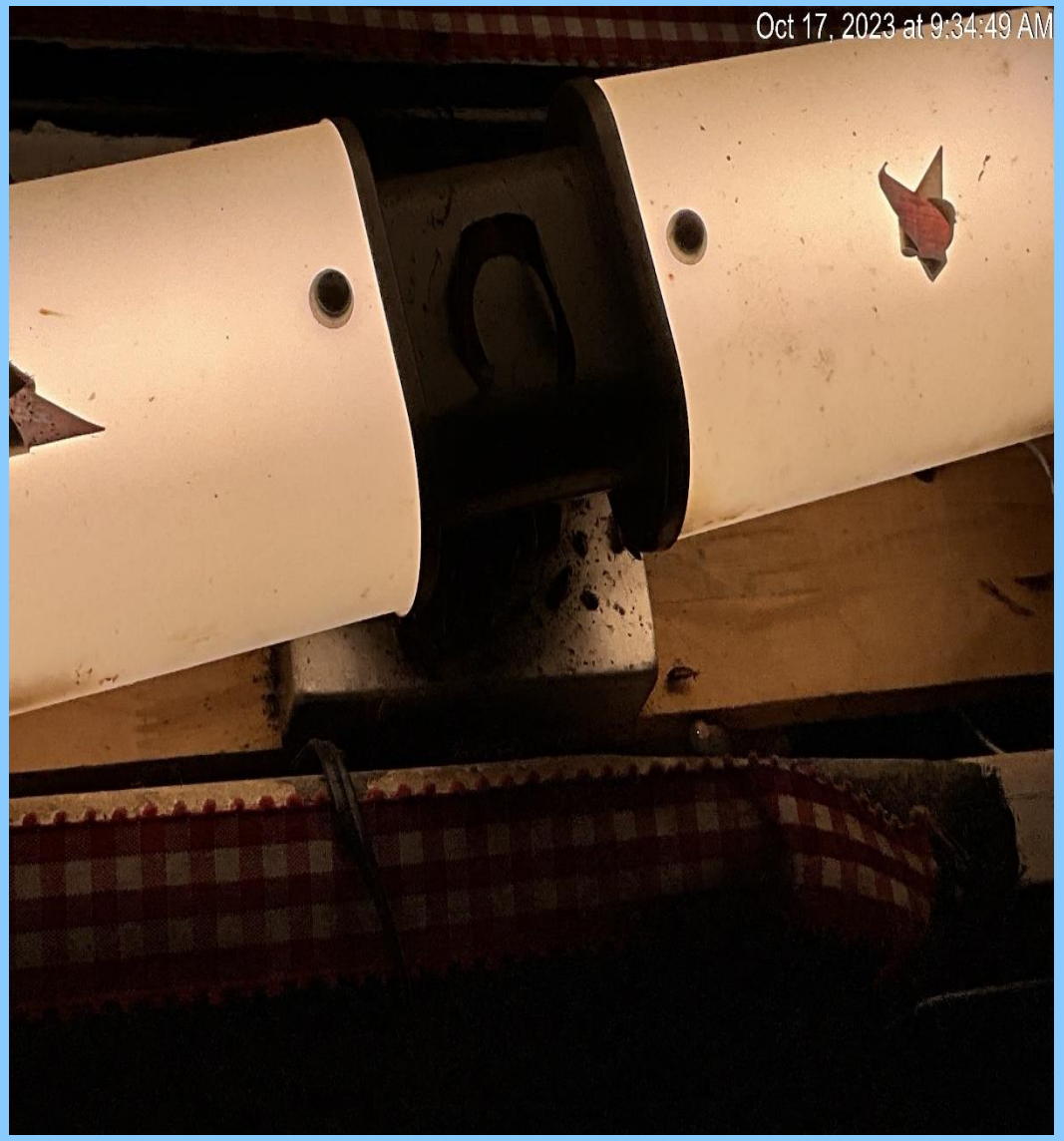
Exterior Plumbing Hazard

Inadequate Sanitation

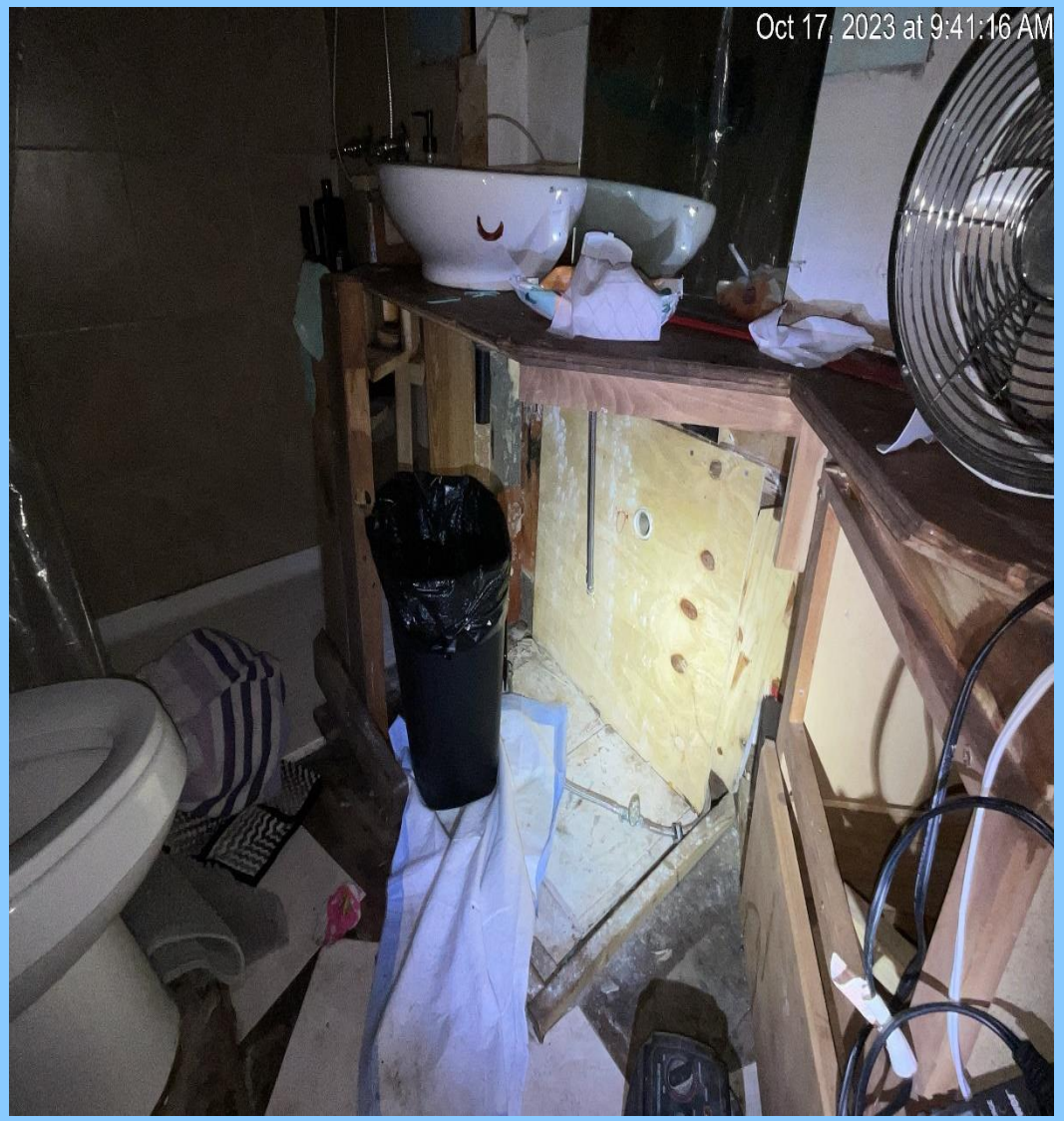


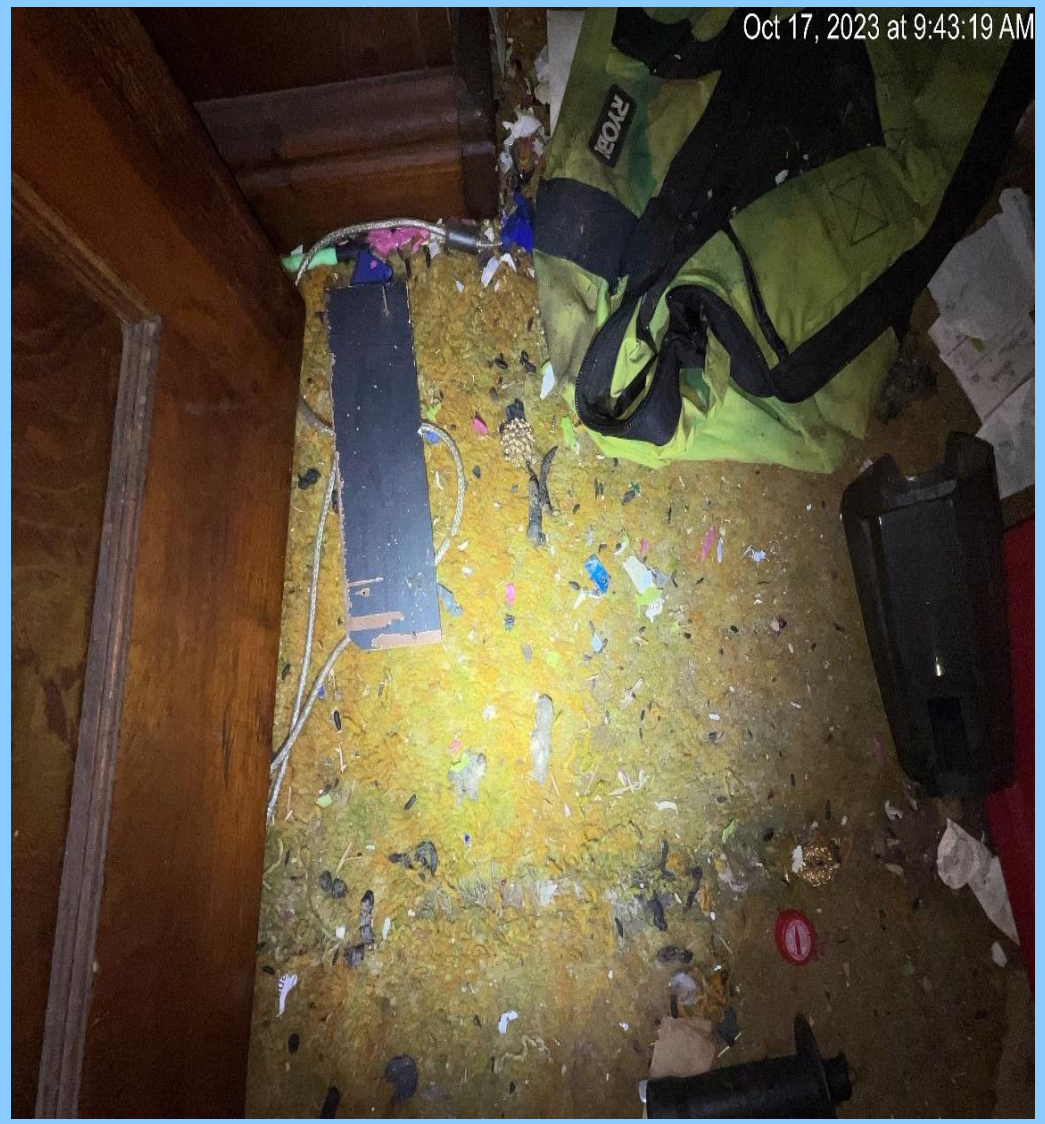


Inadequate Sanitation (infestation & stray cats)

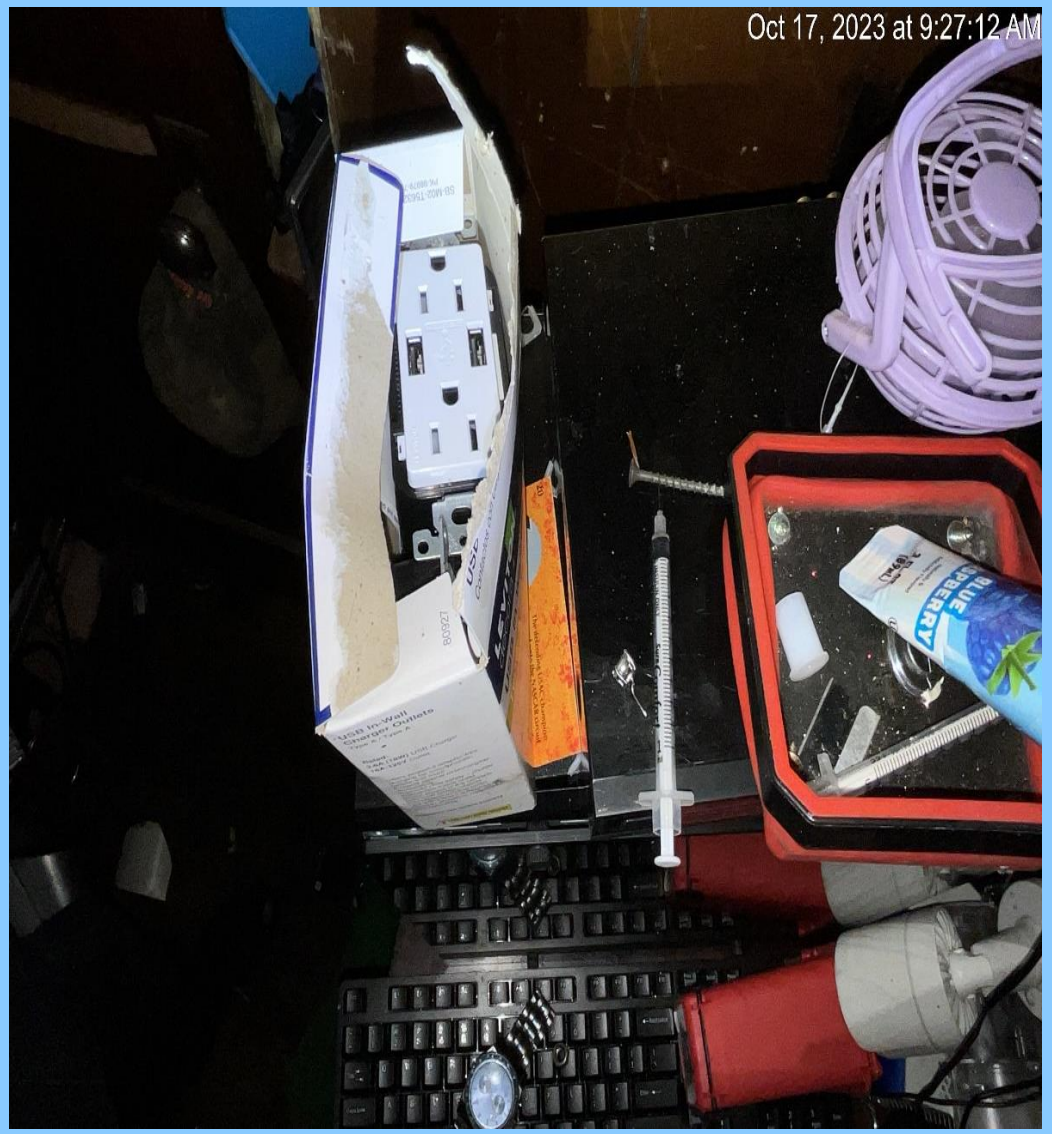


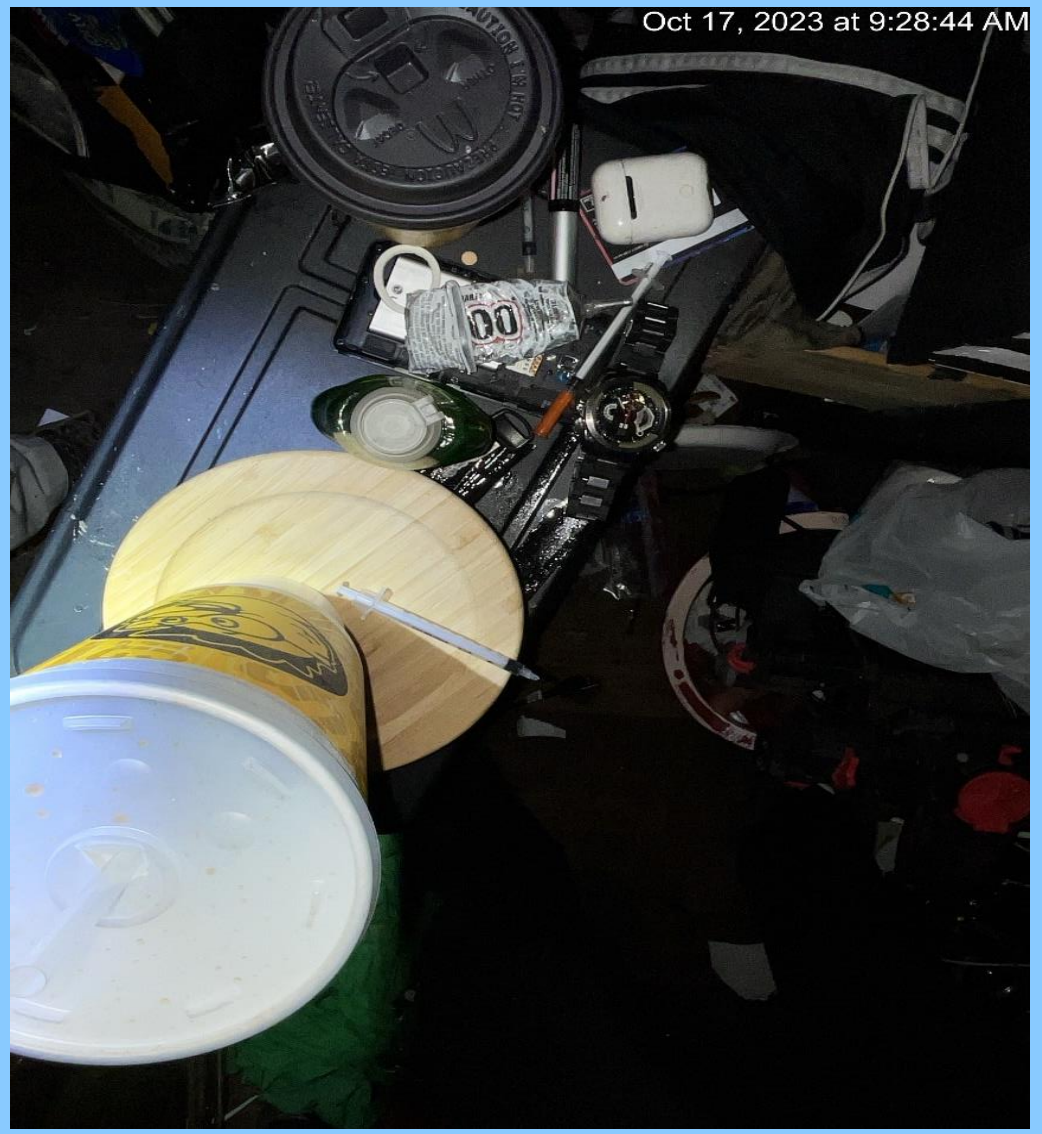
Inadequate Sanitation



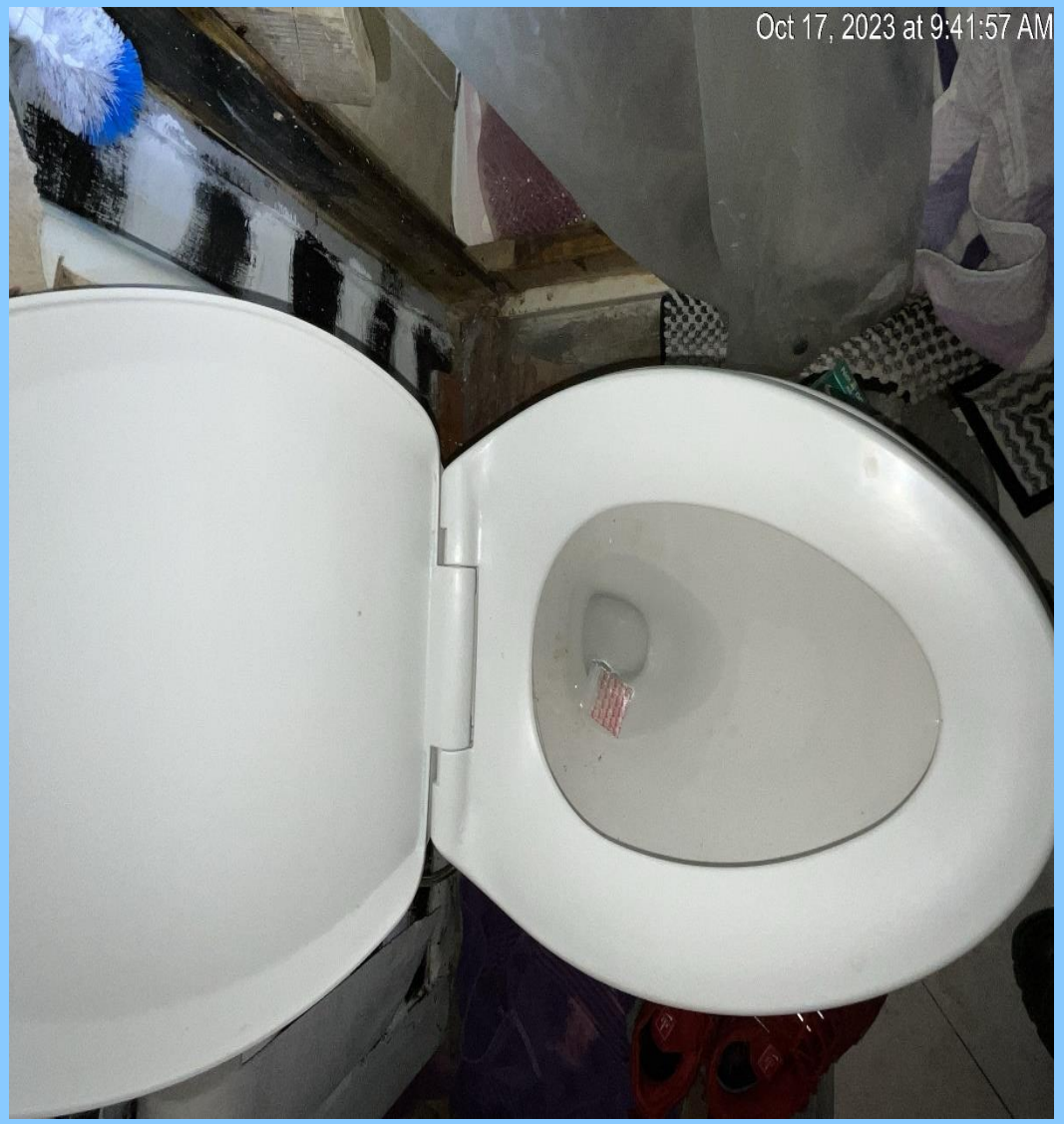


Interior Conditions

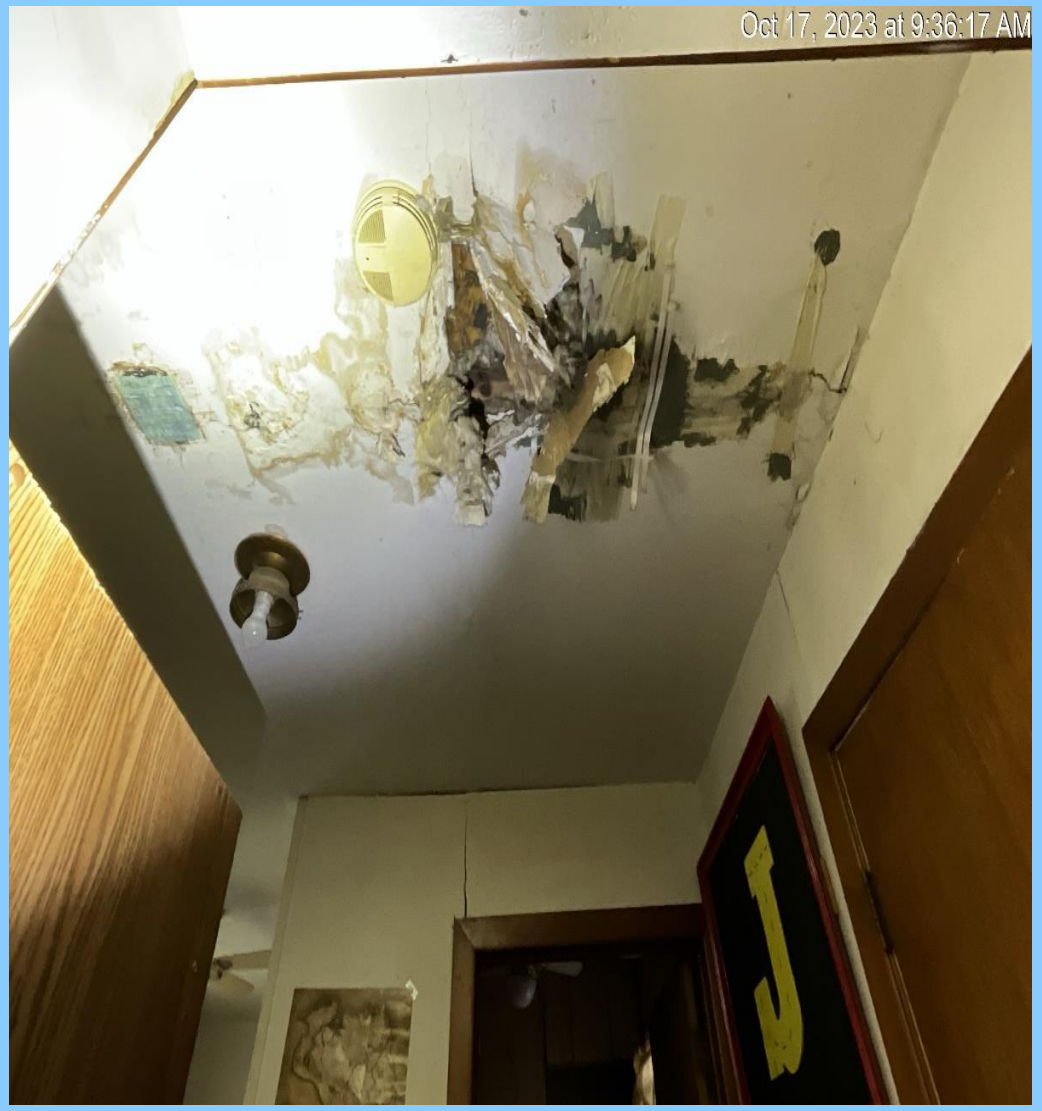




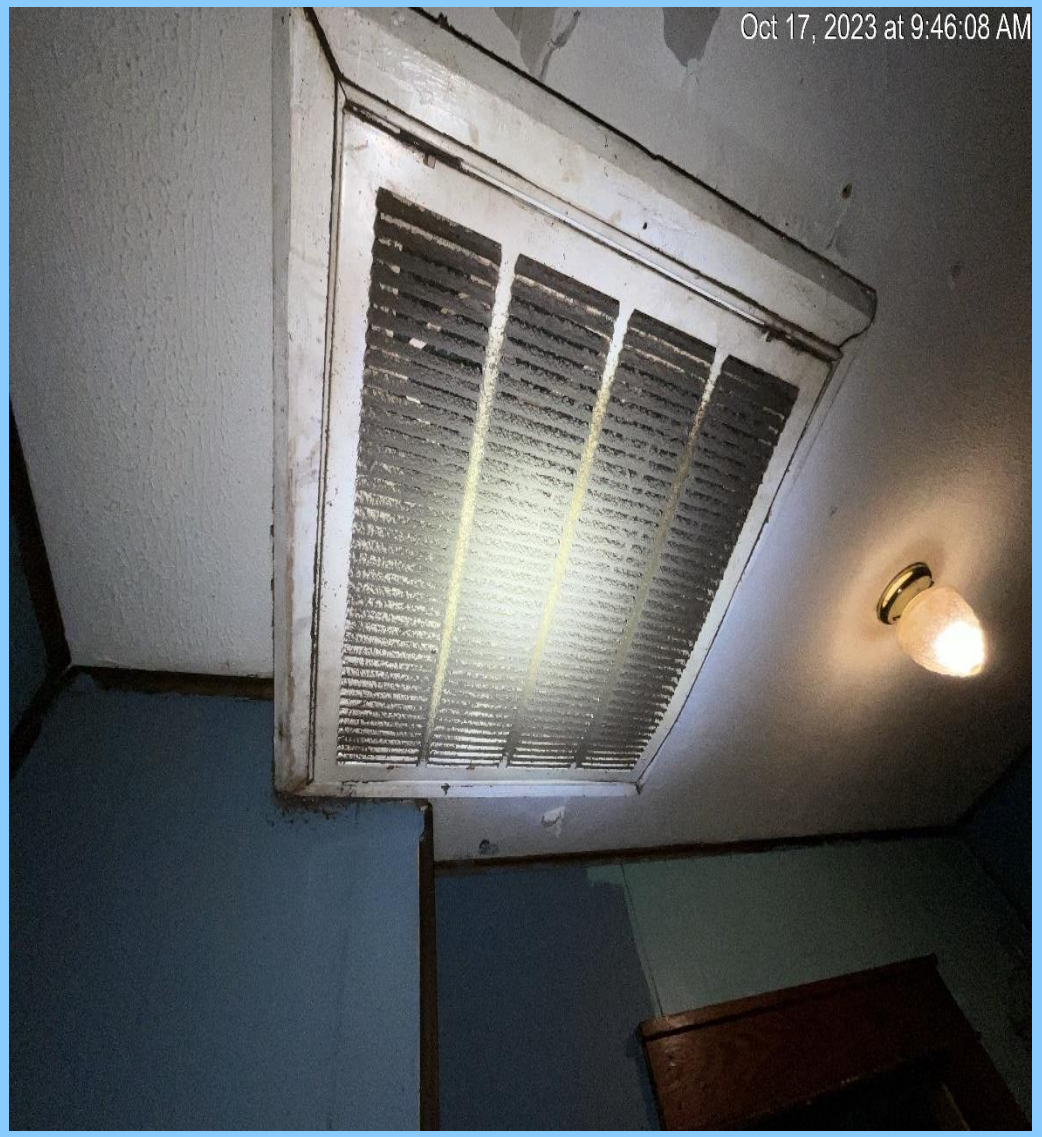
Nuisance



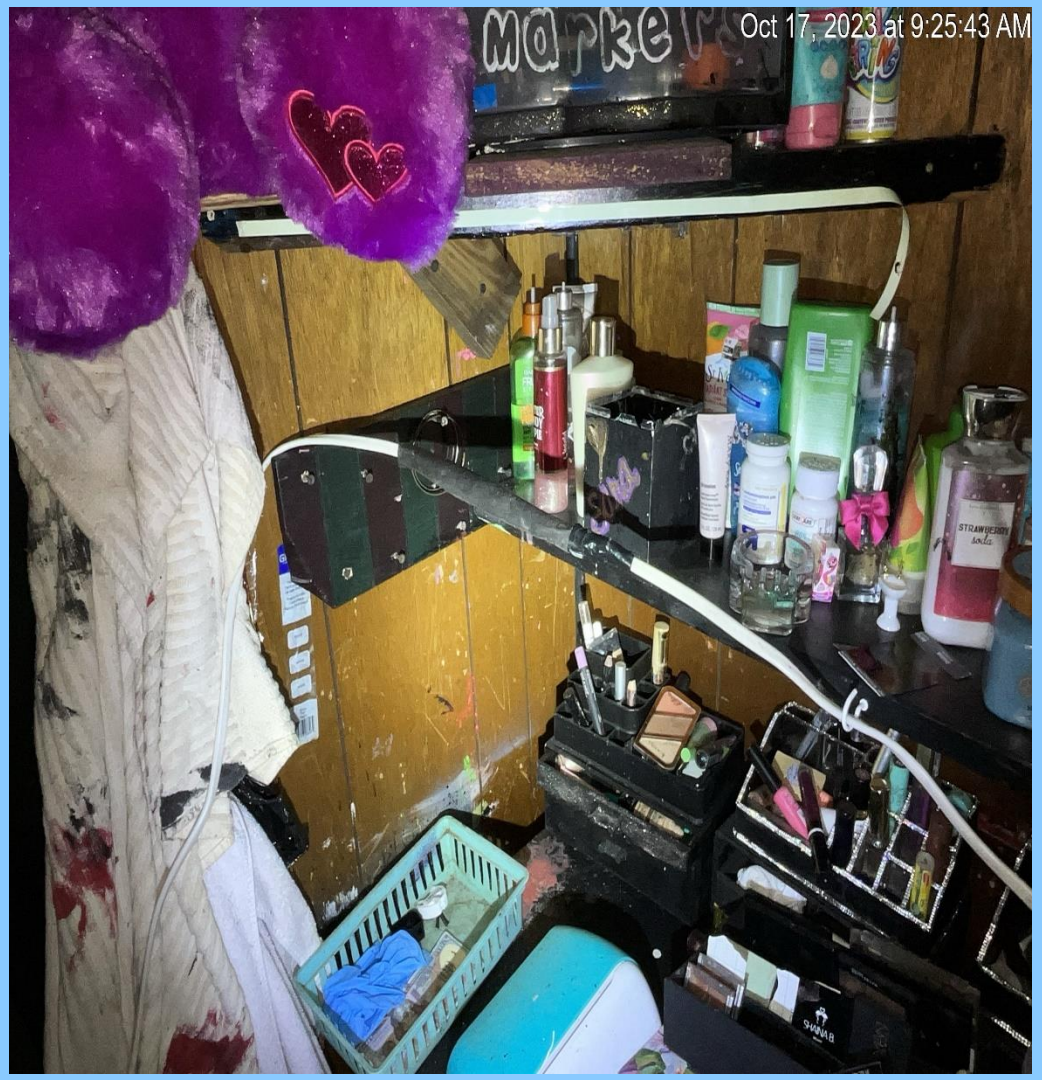
Interior Dilapidation

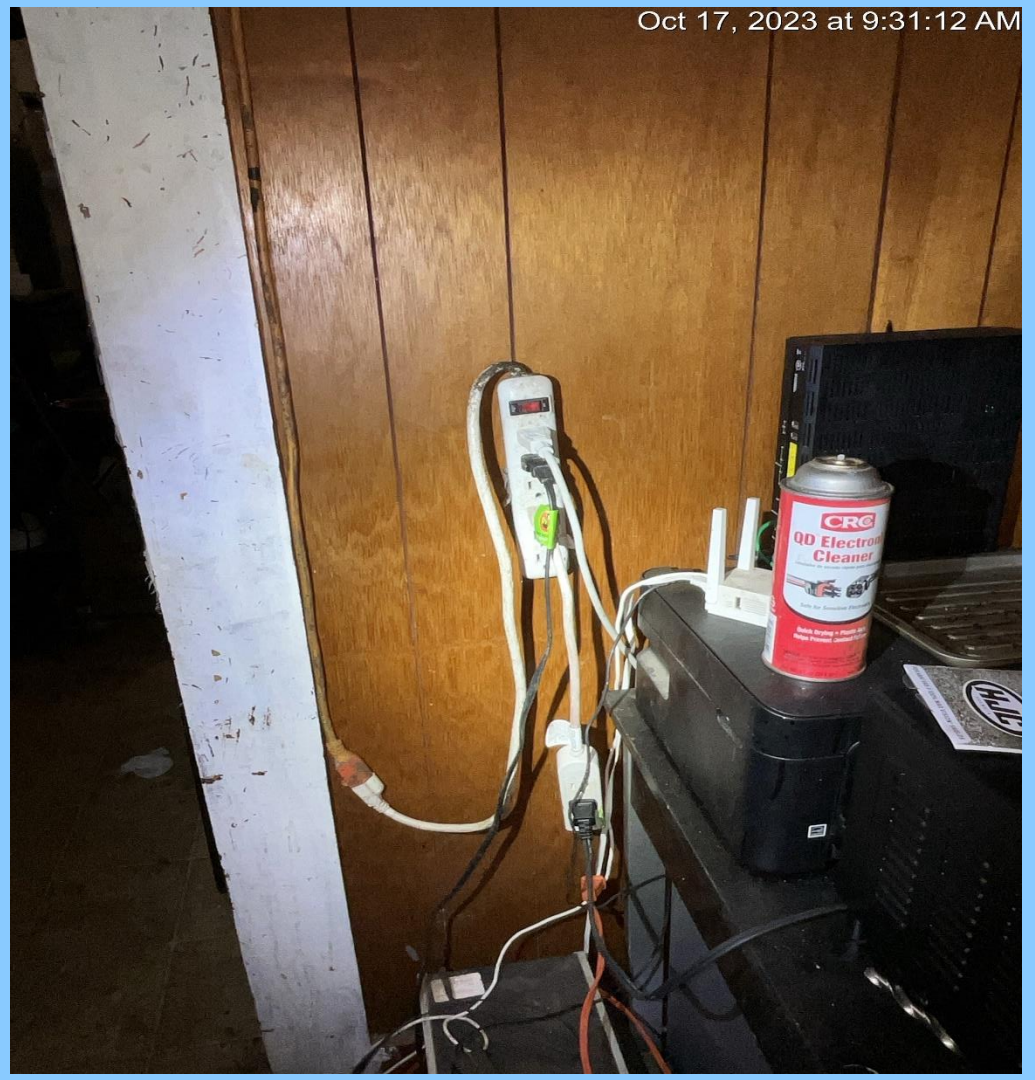


Inadequate Sanitation / Interior Dilapidation



Hazardous Electrical





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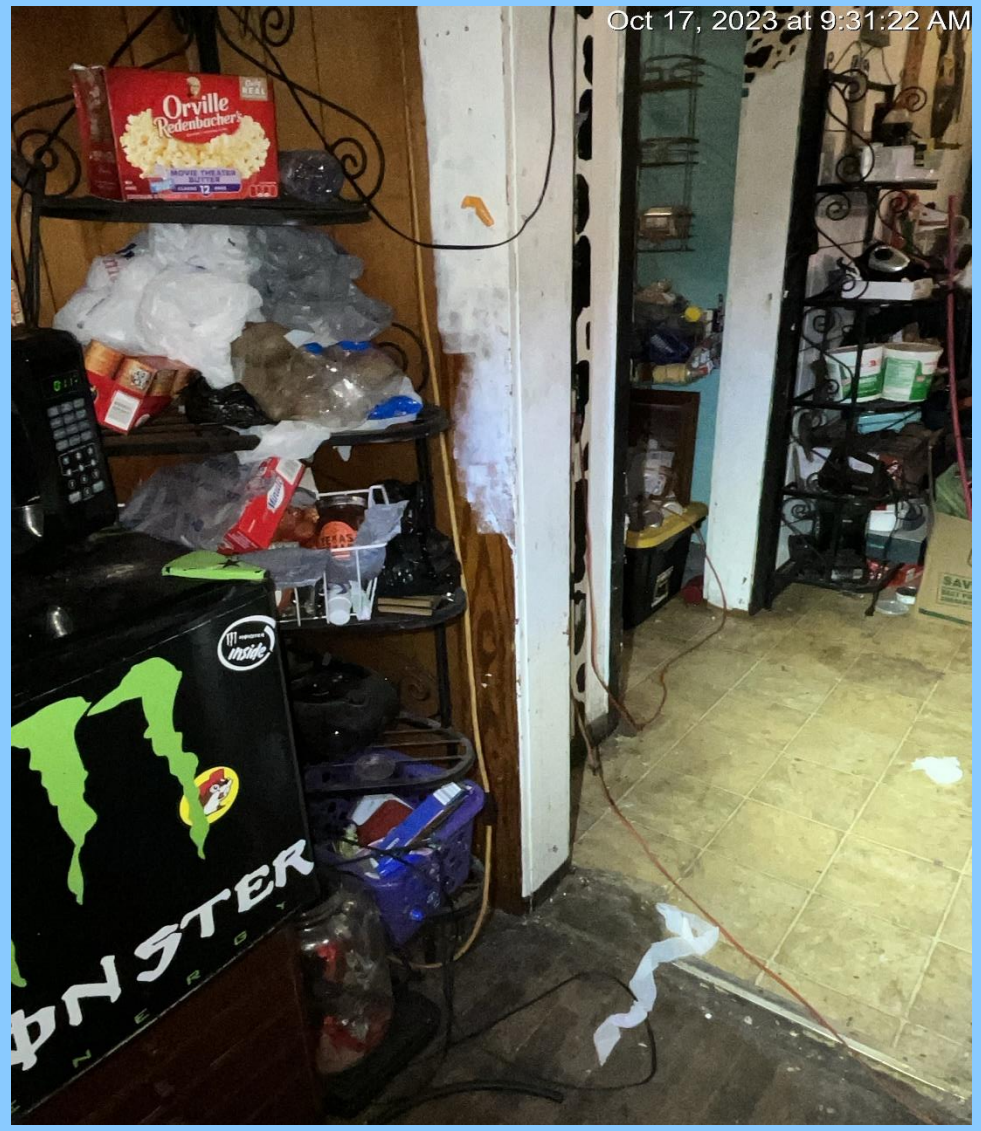
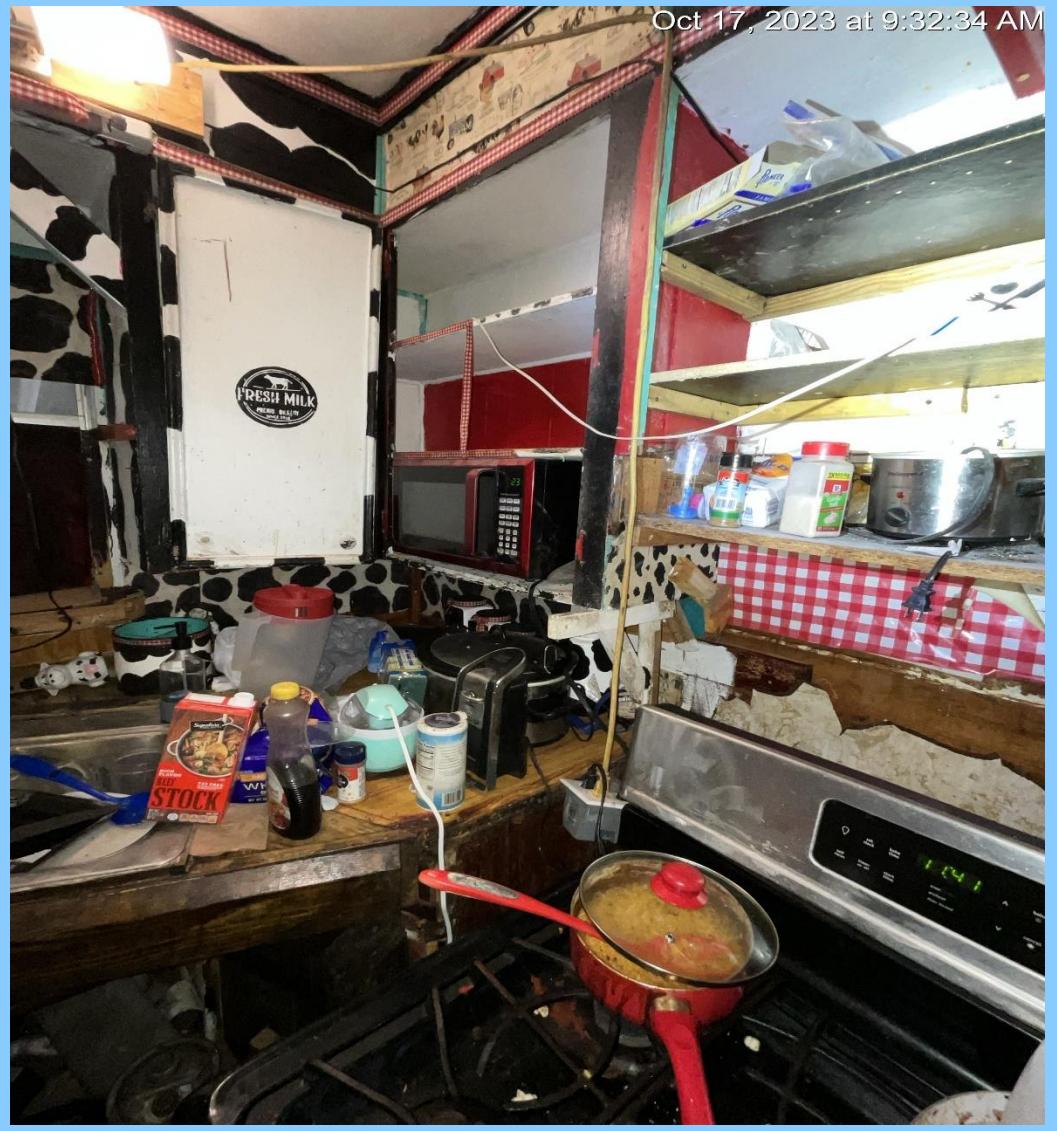
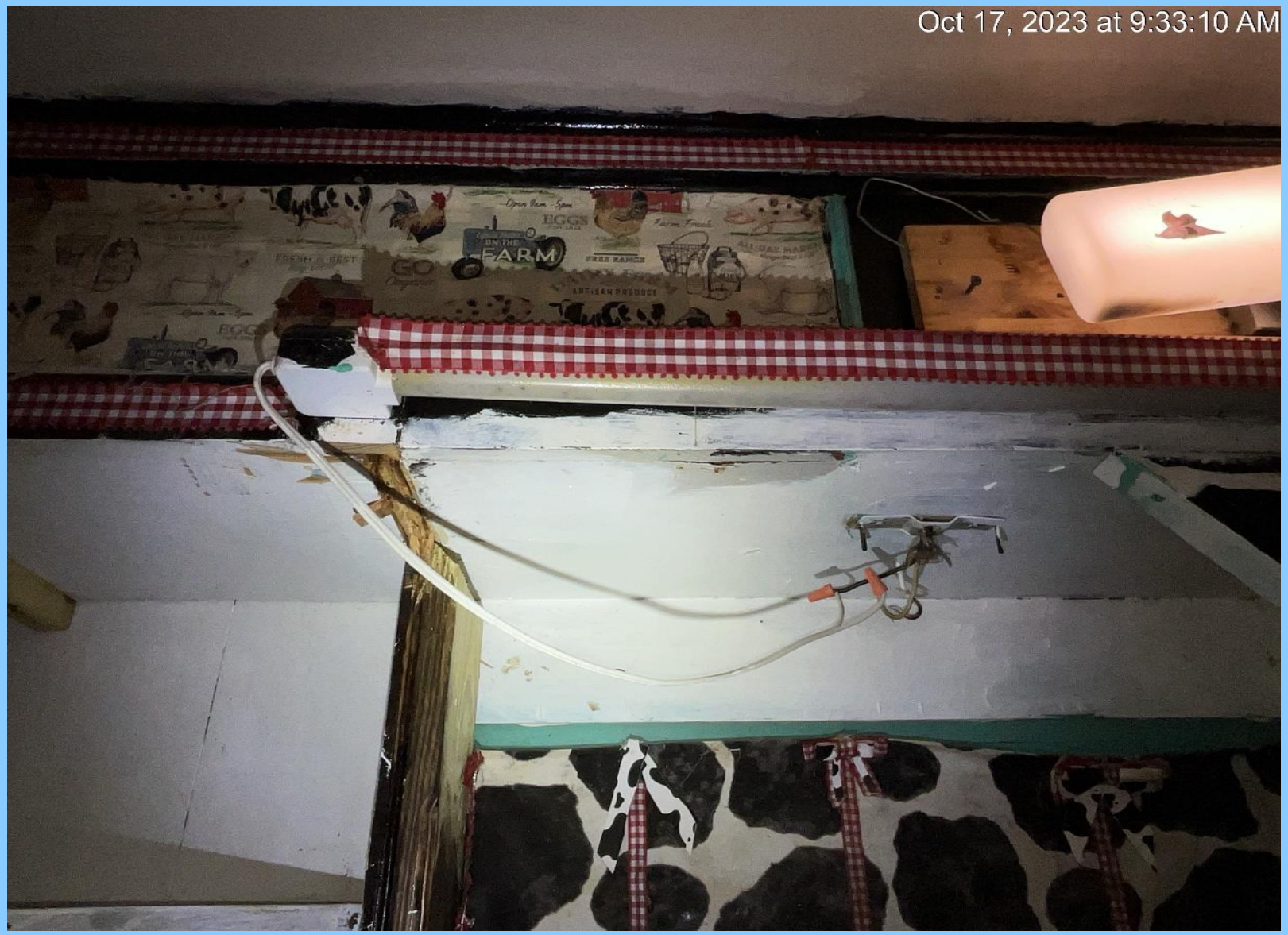
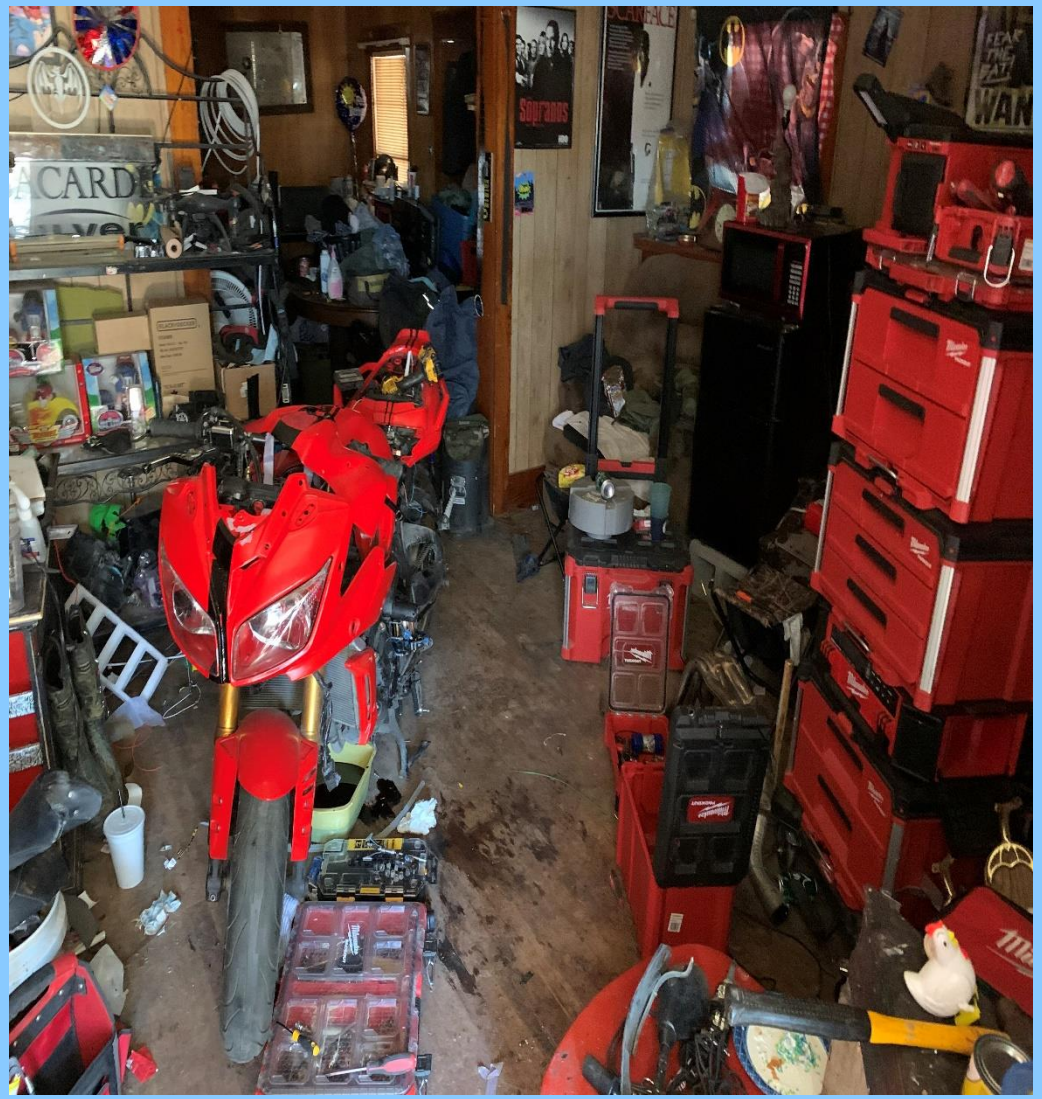


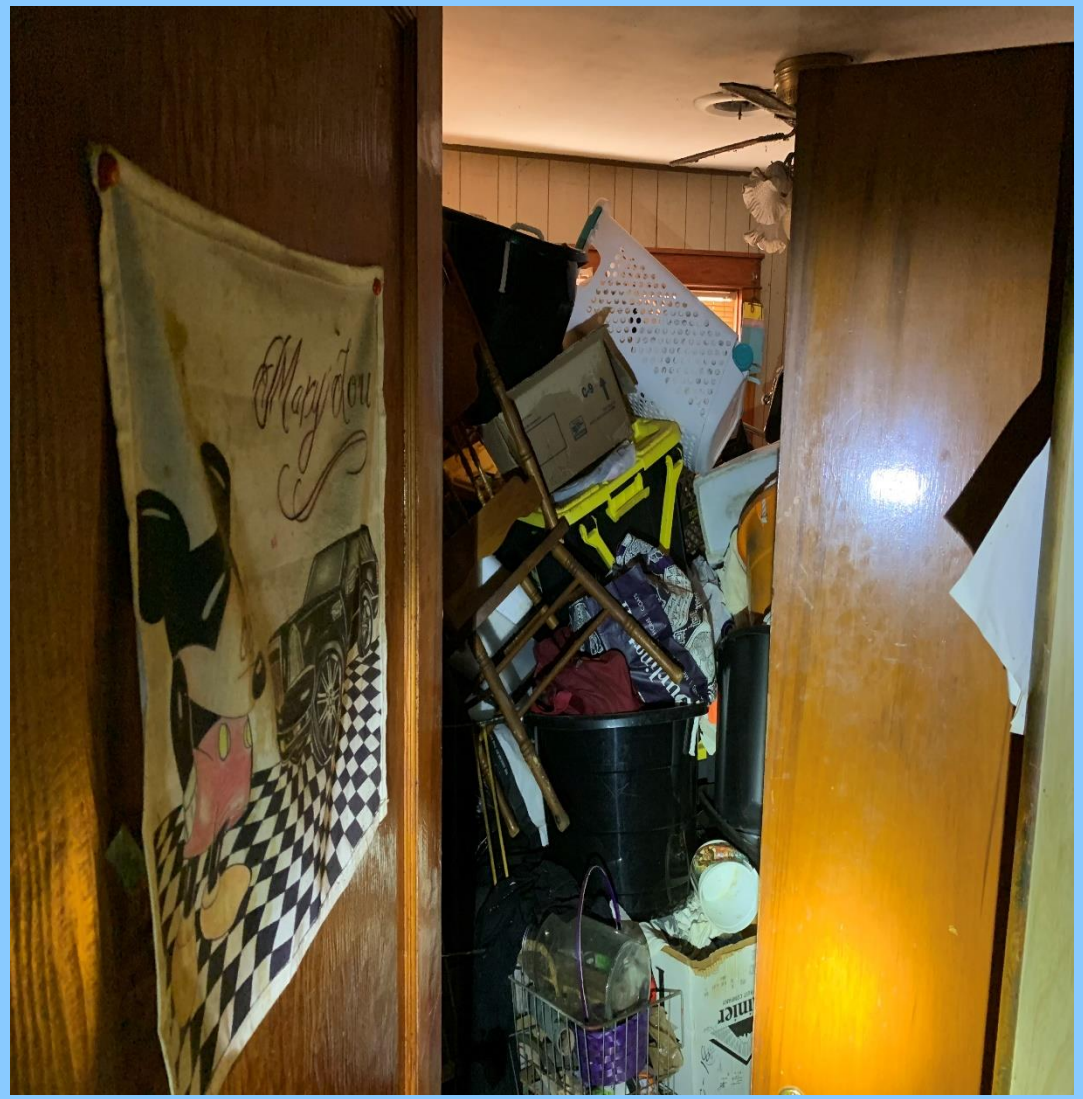


Hazardous Electrical



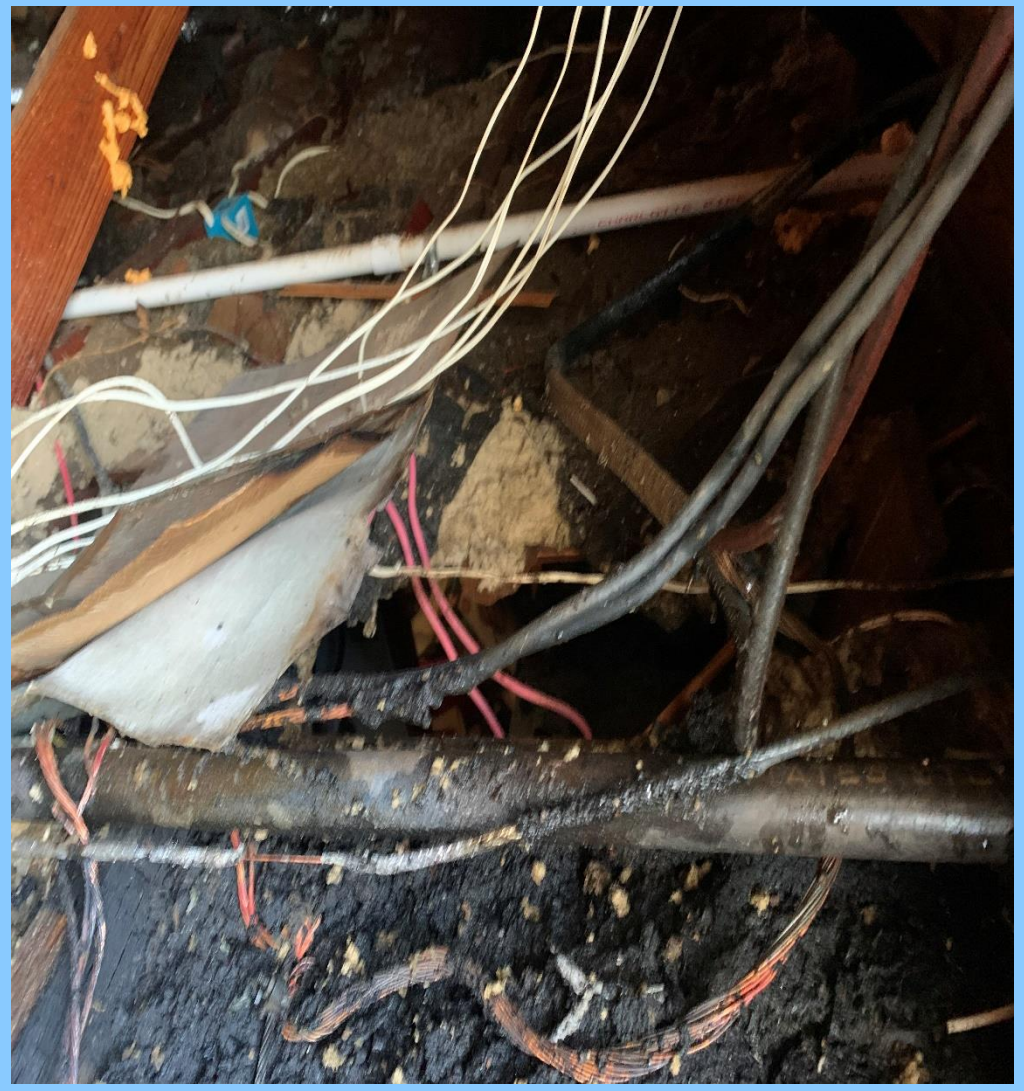
AFD photos (March 2022)



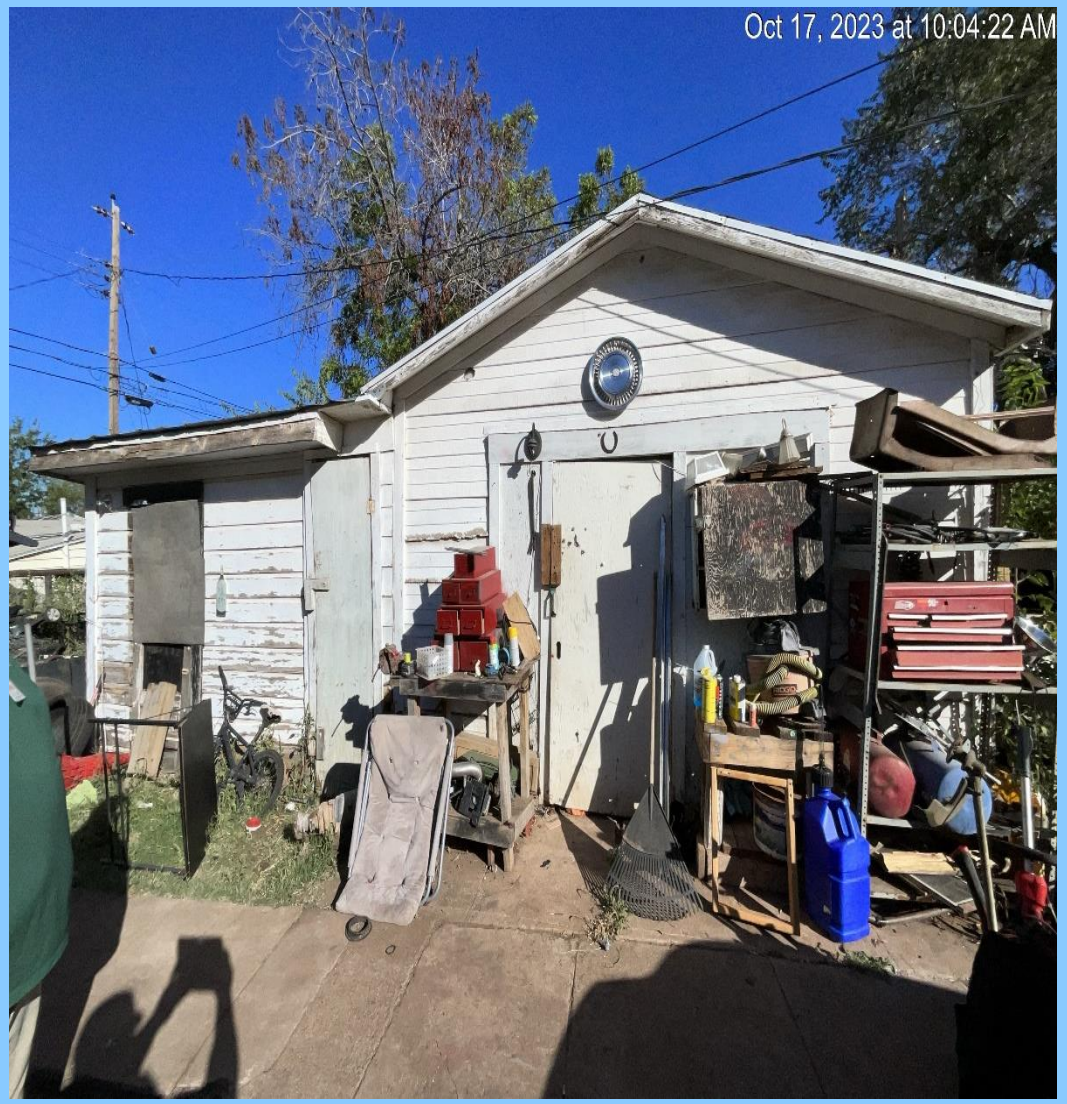


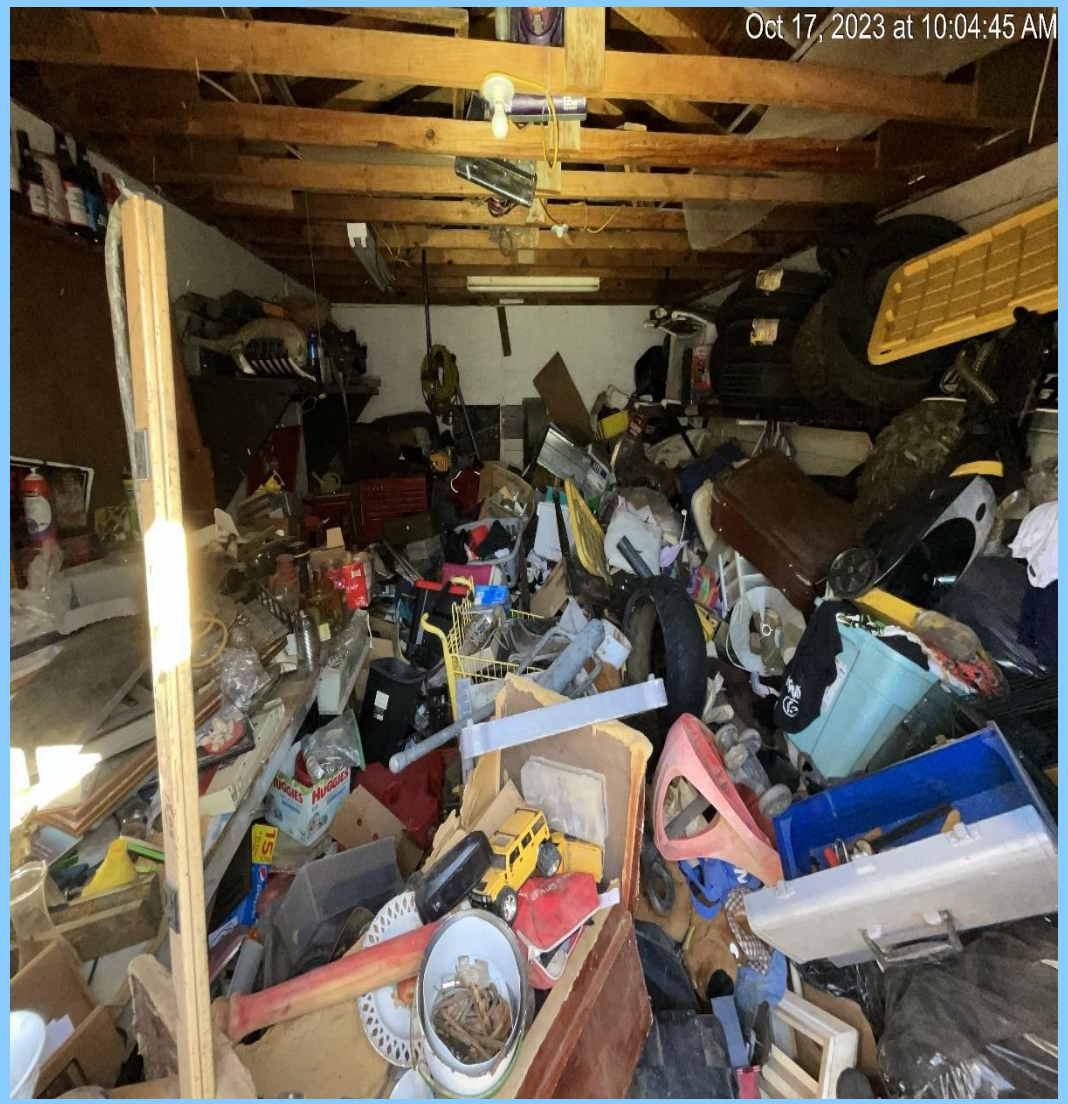
AFD photo - Hazardous Electrical

AFD photos / Hazardous Electrical



Interior Dilapidation (storage shed)





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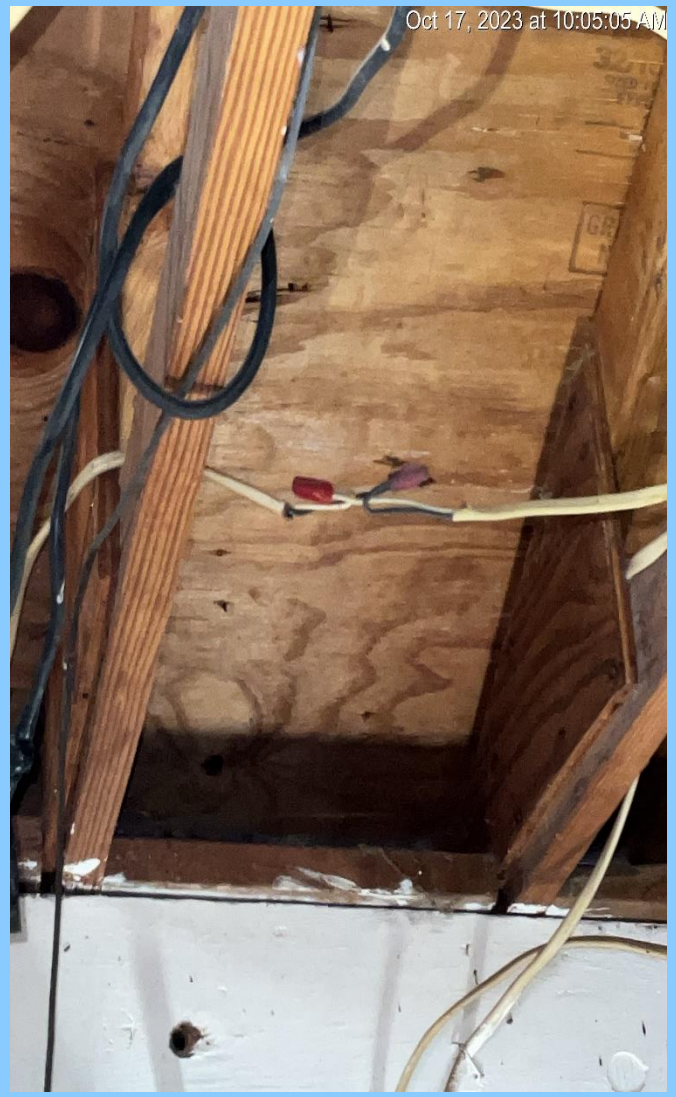
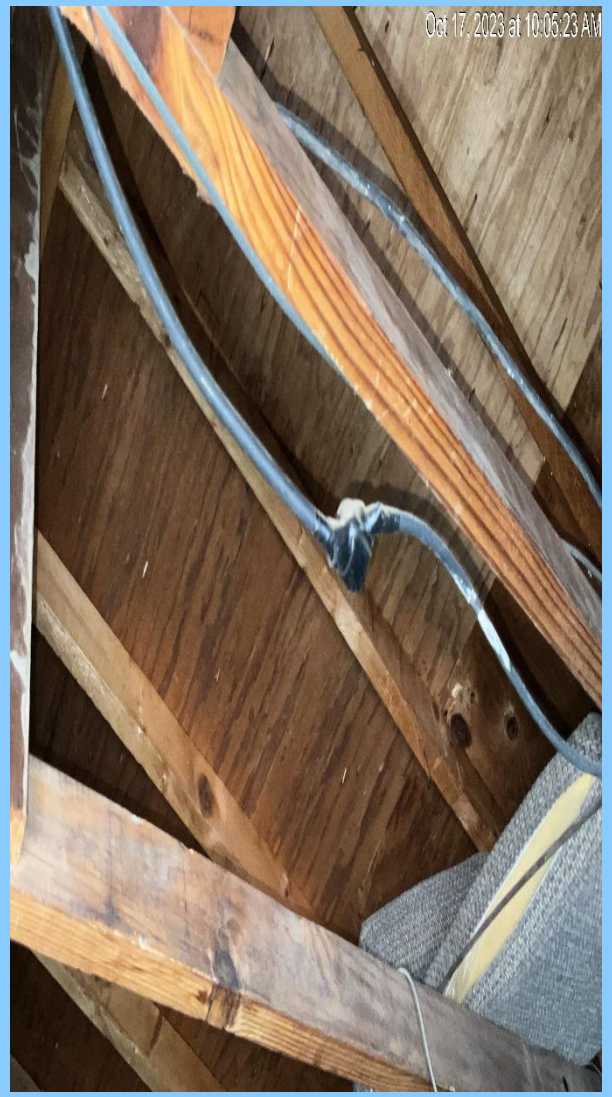




Timeline of Events

- **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. No indication on permit work was to address fire damaged electrical in the attic.
- **March 25, 2022 –** Passed electrical inspection, meter was released. Unknown if previous owner made fire damaged area known to electrical contractor or city 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.
- **October 17, 2023** – An administrative search warrant was served. During the inspection, a City Marshal discovered a small bag of narcotics in the toilet. The 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 throughout. The house was providing electricity to a shed in the rear that looked to be a living quarters.
- **October 19, 2023** – After we confirmed multiple times with the property owner that the house was not being lived in, the property was condemned and the affidavit of condemnation was recorded at the county clerk.

Timeline of Events

- **October 20, 2023** – Notice of condemnation and 30-60 were sent to the property owner.
- **October 25, 2023** – Sent condemnation notices to property owner at additional address.
- **November 15, 2023** – Owner did a handwritten condemnation appeal while at City Hall.
- **December 6, 2023 – Board hearing - Board upheld condemnation and issued a 30-60 order and added to the 30-60 order that the exterior of the property must be cleaned up in first 30 days**. The property owner was in attendance at the hearing, as well as two neighbors that spoke to the problems this property has brought to the neighborhood.

Timeline of Events

- **January 5, 2024 -** The property owner called and stated that she had concerns about meeting the requirements of the Board decision due to her being hospitalized.
- **January 10, 2024** – The exterior of the property showed a little clean-up progress; however, there is still extensive accumulation in public view and a strong odor coming from the inside of the house. The property owner contacted me later that day to advise me that she is working to make the inside of the residence clean for potential sale.
- **January 29, 2024** - Still an excessive amount of junk on all sides of property. No plan of action has been received from the property owner. No permit has been applied for.

Timeline of Events

- **February 7, 2024** – At Board hearing the property owner presented a sale contract with a closing date of on or before February 23, 2024. **The Board ordered the case tabled until the next hearing.**
- **February 13, 2024** – Notice of hearing sent to owner.
- **February 27, 2024** – Received phone call from property owner to let us know the property sale hasn't closed yet due to a delay at the title company. She said sale is still happening and it is the same buyer purchasing that was on the contract shown at the previous hearing. The buyer hasn't made any contact with us. I let the owner know she and the buyer should attend this hearing and bring the new deed if the property has sold.
- **February 29, 2024** – We were contacted by the title company concerning the condemnation. We let them know the requirements to get condemnation released.
- **February 29, 2024 –** Spoke to the buyer who did not know the home would have to be repaired following the Plan of Action, including the use of licensed contractors. He stated that it would cost a lot more that he understood. He stated that he was under the impression that the house was not yet condemned. He asked me to contact the realtor. She stated that she would speak to her buyer and see if they were still interested in the purchase. She stated that she would call me back.
- **March 1, 2024** – Received a call from the buyer's real estate agent stating that they are not purchasing the home and to her knowledge, no one is purchasing the home.
- There have been 26 Code Enforcement cases here going back to 2018. There are currently 2 active Code Enforcement cases (as of Jan 29, 2024). Under the current property owner, 11 Code Enforcement cases have been opened. Current ownership started in August 2022.

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 1158 Lillius St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:3/6/2024

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case# 24-000048: 3033 S 11th St. (SAYLES & HUGHES N/2 BLK 11 BA 91, BLOCK 2, LOT E70 W111 N120 LT 4, TAYLOR COUNTY, TEXAS), Owner: Green, Lois**

GENERAL INFORMATION

Owner: Green, Lois
Sq Ft: 1,552
Structural: Poor
Foundation: Unknown
Value: $17,756
Total Value: $22,376
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

July 1, 2022 – Case opened for dilapidated structure. Occupant was attempting to work with VA for assistance on getting house repaired.
July – Aug 2023 – Started receiving citizen complaints for various issues. Property started having problems with vagrants.
August 7, 2023 – Vagrants accumulating a lot of junk around property. They also tampered with water meter.
October 2023 – Received several more nuisance complaints for the property.
January 2024 – Determined heir of owner was now deceased. Person staying inside was not authorized by the family to stay at the property. The squatter was arrested by PD for an unrelated matter. Once they were removed the property was inspected, condemned, and secured by the city.
January 11, 2024 – Affidavit of condemnation recorded at the county clerk.

January 16, 2024 – Made contact with an heir of the owner that lives in California. Determined through the heir that the occupant that was recently arrested did not have the family's permission to be at the property. Asked if there are any other heirs that should also be notified on the condemnation. He would not provide info for any other heirs.
January 17, 2024 – Structure secured by city. Condemnation notices sent to owners address of record and to heir in California.
January 18, 2024 – Person identifying themselves as granddaughter of owner called and said grandmother had no will and there was no probate.
January 22, 2024 – Property was cleaned by city.
January 23, 2024 – Received phone call from heir in California. This heir had been paying property taxes. He requested will no longer send him notices concerning the property. We asked if there are any other heirs that should be receiving notices. He would not provide any information.
February 9, 2024 – Vagrants found at property. They broke into house after it had been secured by the city. They were directed to leave by city inspector.
February 12, 2024 – Additional vagrant activity found at property. Vagrants were contacted and warned to stay out of the house by inspectors and APD officers. As soon as vagrants were removed by PD the house was secured by city contractor. Posted notice of March Board hearing on structure.
February 13, 2024 – Notice of March Board hearing sent to heir of deceased owner. Each of the heirs contacted told us they did not wish to receive notices concerning the property.

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 March 6, 2024.

ATTACHMENTS:

1. 20240306_24-000048_3033 S. 11th St 20240306_24-000048_3033 S. 11th St.pptx

Case #24-000048

3033 S. 11th 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 **Lois E. Green** as owner
- **TAYLOR COUNTY** – Shows **Lois Green** 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 Dec 1, 2023
- Search reveals **Lois E. Green** to be the owner.

Public Notice

Front North Side

Rear South Side

East 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 (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)

Exterior Dilapidation/Faulty Weather Protection

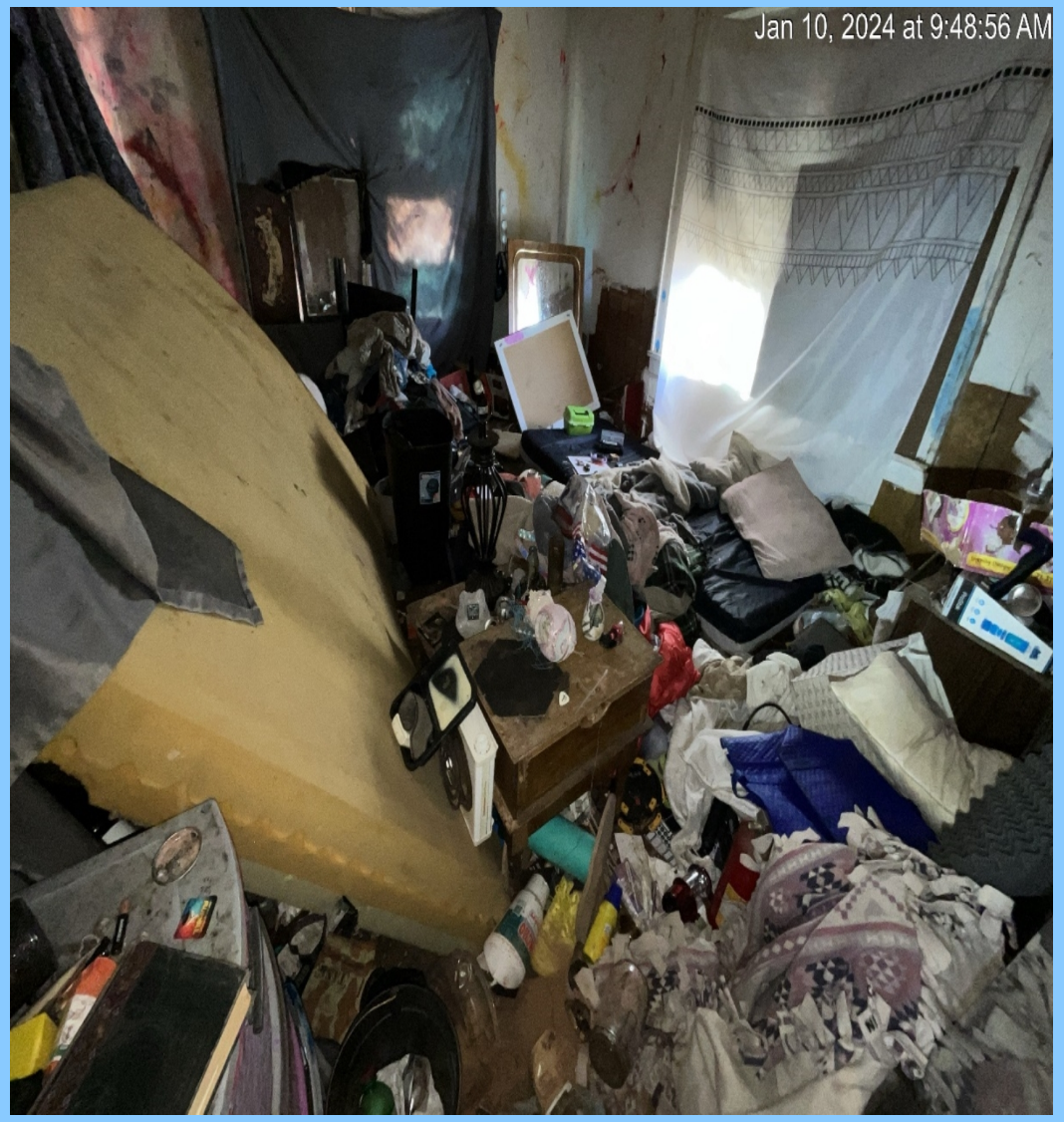
Exterior Dilapidation/Faulty Weather Protection

Faulty Weather Protection / Structural Hazard

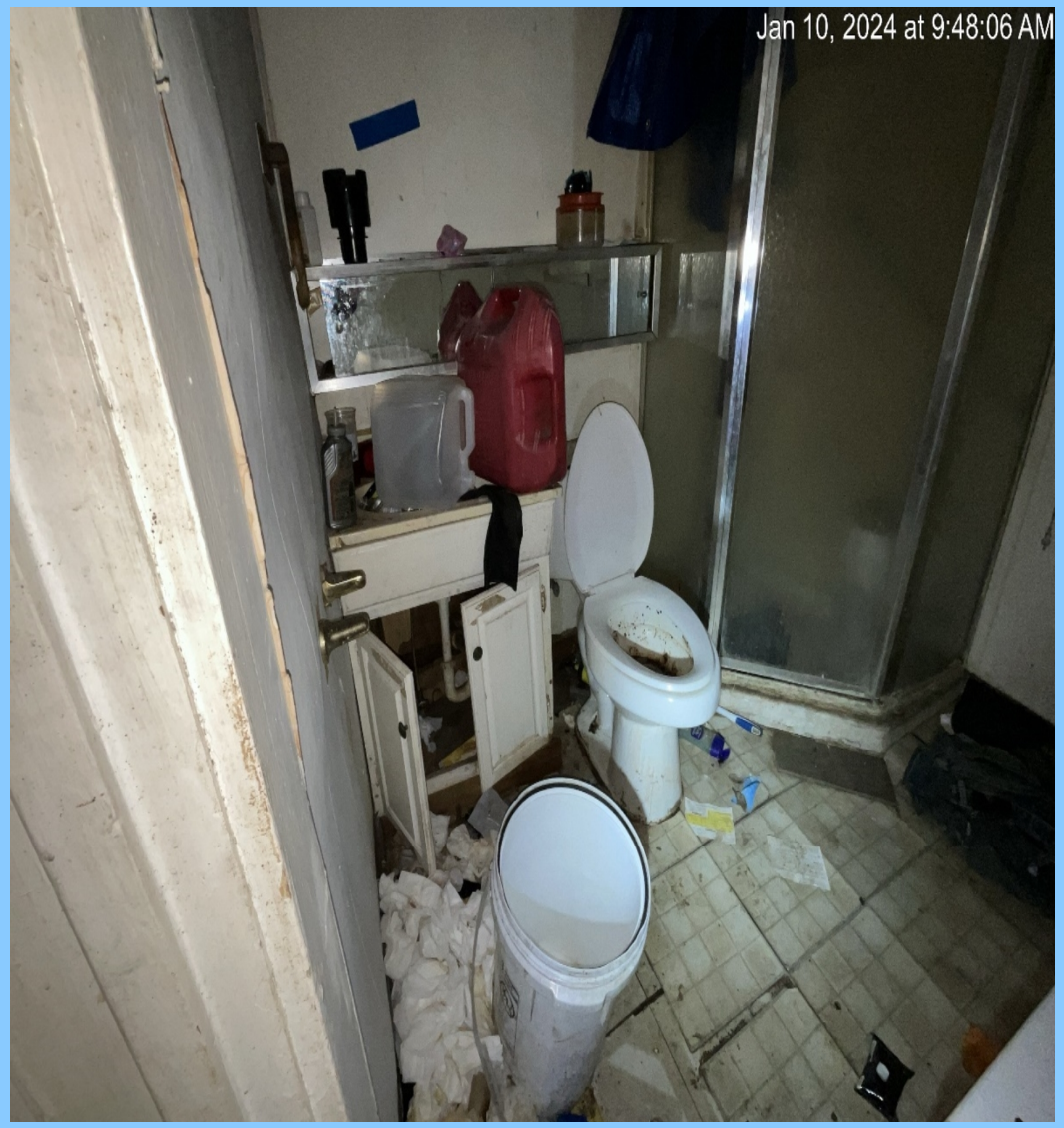
Mechanical and Electrical Hazards

Plumbing and Electrical Hazards

Inadequate Sanitation



Inadequate Sanitation



Inadequate Sanitation

Inadequate Sanitation / Fire Hazard

Timeline of Events

- **July 1, 2022 –** Case opened for dilapidated structure. Occupant was attempting to work with VA for assistance on getting house repaired.
- **July – Aug 2023** – Started receiving citizen complaints for various issues. Property started having problems with vagrants.
- **August 7, 2023** – Vagrants accumulating a lot of junk around property. They also tampered with water meter.
- **October 2023** – Received several more nuisance complaints for the property.
- **January 2024** – Determined heir of owner/property occupant was now deceased. Person staying inside was not authorized by the family to stay at the property. The squatter was arrested by PD for an unrelated matter. Once they were removed the property was inspected, condemned, and secured by the city.
- **January 11, 2024** – Affidavit of condemnation recorded at the county clerk.
- **January 16, 2024** – Made contact with an heir of the owner that lives in California. Determined through the heir that the occupant that was recently arrested did not have the family's permission to be at the property. Asked if there are any other heirs that should also be notified on the condemnation. He would not provide info for any other heirs.
- **January 17, 2024** – Structure secured by city. Condemnation notices sent to owners address of record and to heir in California.
- **January 18, 2024** – Person identifying themselves as granddaughter of owner called and said grandmother had no will and there was no probate.

Timeline of Events

- **January 22, 2024** – Property was cleaned by city.
- **January 23, 2024** – Received phone call from heir in California. This heir had been paying property taxes. He requested will no longer send him notices concerning the property. We asked if there are any other heirs that should be receiving notices. He would not provide any information.
- **February 9, 2024** – Vagrants found at property. They broke into house after it had been secured by the city. They were directed to leave by city inspector.
- **February 12, 2024** – Additional vagrant activity found at property. Vagrants were contacted and warned to stay out of the house by inspectors and APD officers. As soon as vagrants were removed by PD the house was secured by city contractor. Posted notice of March Board hearing on structure.
- **February 13, 2024** – Notice of March Board hearing sent to heir of deceased owner. Each of the heirs contacted told us they did not wish to receive notices concerning the property.
- **February 26, 2024** – Inspected property. Found it has been broken into again.

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 3033 S. 11th St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:3/6/2024

TO:

FROM:

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

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS: