

**BOARD OF BUILDING STANDARDS
MEETING MINUTES**

April 3, 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. Jeremy McBrayer
Mr. Lloyd Turner
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. Treston Edwards, Legal Intern
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
Ms. Christi Jones, Administrative Assistant
Mr. Anthony Bacoat, Code Compliance Officer
Mr. Stephen Robinson, Code Compliance Officer
Ms. Mason Teegardin, Planner I
Ms. Marissa Gonzalez, Plans Examiner

Others Present: Mr. Anthony Morton, (1517 Sycamore St)
Mr. Andres Vielma (1002 Cedar St)
Ms. Lina Ortiz (2791 Victoria St)
Ms. Bianca Vielma (1002 Cedar St)
Mr. Larry Payne (426 Sewell St)
Ms. Lourdes Santa Ana (625 Mesquite St)

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, March 6, 2024, were provided in advance to Board Members for review.

Mr. McBrayer advised that his name was not included in the “Members Present” section of the minutes.

Mr. Allred made a motion to approve with the inclusion of Mr. McBrayer in the “Members Present” the March minutes after amendment.

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

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

NAYS: None

ABSTAIN: None

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition or Civil Penalties - Case# 22-003066: 1317 Beech St. (7 204 2 E BALDWIN ABL OT, TAYLOR COUNTY, TEXAS), Owner: Mercer, Christopher

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:

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. 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. McBrayer, motion passed.

AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Turner, 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: Santa Ana, Lourdes

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)

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. Lourdes Santa Ana stated that she recently purchased the home and has hired Morales Construction to make repairs. She stated that she can follow a Plan of Action. There being no additional speakers, Mr. Beard closed the public hearing.

Mr. Turner 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. Turner, 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,

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)

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

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

NAYS: None

ABSTAIN: None

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

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

NAYS: None

ABSTAIN: None

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

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)
- Hazardous Mechanical Equipment, Chapter 8, Sec. 8-554 (6)
- 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. Mr. Andres Vielma, owner, stated that he lives out of town and does not have the money to repair the home. He stated that he had repaired it before and someone broke in and damaged it. He stated that he has friends that can repair it. His daughter, Bianca Vielma then spoke. She stated that they are thinking of selling the property and have inquired about liens. There being no additional 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. Allred, motion passed.

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

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-004016: 426 Sewell St. (R Q WEST, BLOCK 1, LOT 4, TAYLOR COUNTY, TEXAS), Owner: Payne, Larry

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)
- Hazardous Mechanical, Chapter 8, Sec 8-554 (6)
- 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. The owner, Larry Payne, spoke first. He stated that he has owned the property for 34 years. He stated that he does not have the funds to repair the home and that he'd like to try to sell it. There being no additional speakers, Mr. Beard closed the public hearing.

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

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

NAYS: None

ABSTAIN: None

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

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

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil penalties - Case# 23-004413: 2791 Victoria St. (NORTHWEST PARK, BLOCK B LOT 32, TAYLOR COUNTY, TEXAS), Owner: Ortiz, Lina

Mr. Allred made a motion to untable this the case for 1158 Lillius St. and it was seconded by Mr. Wyatt, motion passed.

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

NAYS: None

ABSTAIN: None

Mr. Marsh presented the case,

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

- 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. Ms. Ortiz, property owner, stated that she has contracted with Service Master to repair the home at an estimate of \$63,000. She stated

that there was a fire on July 4th, 2023. She stated that she is not currently living in the home. She stated that it is her family home and she wishes to save it. She stated that she was working with friends to pull out the drywall in order to save money. There being no additional speakers, Mr. Beard closed the public hearing.

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-004687: 1517 Sycamore St. (LEDBETTER, BLOCK A, LOT N27.05 W163 LT 3 & S15.25 LT 4, TAYLOR COUNTY, TEXAS), Owner: Morton, Anthony Eugene

Mr. Marsh presented the case,

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

- 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)

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. Mr. Anthony Morton, owner, stated that he will either fix or sell the property. He agreed to abide by the staff recommendations. There being no additional 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. Turner, Mr. Dugger, Mr. Beard

NAYS: None

ABSTAIN: None

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

Mr. Marsh presented the case,

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

- Unlawful Structure, IPCM 2021, Sec. 111 Para. 111.1.4

- Structure constructed without permit
 - 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 on improved surface

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. Mr. Ulises Flores owner, stated that he did not speak English and needed a translator. Mr. Beard called a short recess at 9:34am for city employees to locate a translator. Freda Miranda Daley, City of Abilene Accounting Technician agreed to assist with translating and the Board reconvened at 9:39am. Through Ms. Daley, Mr. Flores stated that he had brought requested papers. Mr. Van Watson advised that the city did not have the required paperwork to identify issues with the setback of his structure. Mr. Flores stated that he was going to use the property for storage. Mr. Watson stated that is also not allowed. Mr. Flores stated that he did not understand the staff recommendations. Mr. Beard advised Mr. Flores that in the future, if he needs a translator, he has to give the city 48 hours notice. There being no additional speakers, Mr. Beard closed the public hearing.

The Board discussed issues with the property that were considered outside of their jurisdiction.

Mr. Dugger made a motion to table the agenda item for 30 days. It was seconded by Mr. McBrayer, motion passed.

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

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 24-000052: 300 Wall St. (AUTOMATION INDUSTRIES, LOT 1-3 REP, & STREET, ACRES 18.7561, TAYLOR COUNTY, TEXAS), Owner: 300 Wall Street, LLC A Delaware, LLC

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 24-000054: 5502 N 1st St. (ABILENE PLAZA SEC 1, BLOCK 12, LOT E250, TAYLOR COUNTY, TEXAS), Owner: 300 Wall Street, LLC A Delaware, LLC

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 24-000055: 5512 N 1st St. (ABILENE PLAZA SEC 1, BLOCK 12, LOT W205 OF E455, TAYLOR COUNTY, TEXAS), Owner: 300 Wall Street, LLC A Delaware, LLC

Mr. Marsh presented 3 cases with identical offenses,

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)

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 began by stating that he will abstain from voting due to prior engagements with this properties and the owners. He then 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. Turner, Mr. Dugger,

NAYS: None

ABSTAIN: Mr. Beard

ADJOURNMENT

There being no further business to come before the hearing, the Board of Building Standards meeting was adjourned at 10:26 a.m.

 5-1-24

Approved, Chairman

