

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
May 1, 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. 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, Director of Code Compliance
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
Ms. Nina Flores, Code Compliance Officer
Mr. Chris Raish, Code Compliance Officer

Others Present: Mr. Carlos Fuentes, (1333 Chestnut St)
Ms. Stephanie Rodriguez (2218 Russell Ave)
Mr. Sam Li (502 N Willis St)
Mr. Gary Hill (450 Peach St)
Mr. Glenn Arnold (450 Peach St)
Ms. Monica New (317 Bois D Arc St)
Mr. Doug New (317 Bois D Arch St)
Mr. Matthew Mazecharko (sp? Signature illegible) (502 N. Willis St)
Mr. Michael Arago (sp? Signature illegible) (502 N. Willis St)
Mr. Brooks Armstrong (2970 S 6th St)
Ms. Doris Armstrong (2970 S 6th St)
Ms. Shawnte Fleming (613 N 13th 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, April 3, 2024, were provided in advance to Board Members for review.

Mr. Dugger made a motion to approve the minutes as written.

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# 23-000296: 631 N 13th St.
(COLLEGE DRIVE REPLAT, BLOCK 1, LOT 2, 2A, 3 & 3A, TAYLOR COUNTY, TEXAS),
Owner: Rogers, Tessie c/o Billy Rogers

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. Shawnte Fleming advised that she was interested in the possibility of saving the building citing historic relevance. She stated that the owners are researching demolition options. There being no additional speakers, Mr. Beard closed the public hearing.

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

AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Turner, 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. 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# 23-001201: 317 Bois D Arc St. (LT 9 172 OT ABL TIF#1, TAYLOR COUNTY, TEXAS), Owner: New, Monica

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. Doug New introduced himself as the spouse to the owner, Monica New. (Ms. New stood with him.) Mr. New stated that he had contractors check the house and they found electrical issues. He stated that the house does not meet current structural codes. He stated that it is unreasonable to expect him to make the old house pass today's standards for structure. He requested more time to speak to contractors. There being no additional speakers, Mr. Beard closed the public hearing.

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

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

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 24-000017: 1333 Chestnut St. (NORTHINGTON, HUGHES & SAYLES 7-12, BLOCK D&E, LOT 20, TAYLOR COUNTY, TEXAS), Owner: Fuentes, Carlos

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. Mr. Fuentes spoke and agreed that the property needed to be demolished. There being no additional 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. Turner, motion passed.

AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Turner, 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. 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# 23-005400: 1126 Mulberry St. (4 204 3I STEFFENS & LOWDEN OT ABL, TAYLOR COUNTY, TEXAS), Owner: Jennings, James

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. 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. Wyatt, motion passed.

AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Turner, 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. Wyatt, 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# 24-000130: 2970 S 6th St. (FAIR PARK ACRES OUTLOT 3, BLOCK 3, LOT 4, TAYLOR COUNTY, TEXAS), Owner: Armstrong Electrical Supply, Inc.

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:

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. Brook Armstrong, stated that he intends to put a fence around the property to deter break-ins. He stated that they are aware there are many repairs needed. He stated that they first need to clean it out. He stated they haven't been able to do any work on the building since 2015. 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. Allred, Mr. McBrayer, Mr. McNeill, Mr. Turner, Mr. Dugger, Mr. Beard

NAYS: None

ABSTAIN: Mr. Wyatt

Case for Rehabilitation, Demolition, or Civil penalties - Case# 24-000346: 450 Peach St. (4-5 185 3 WISE PIEDMONT ABL OT, TAYLOR COUNTY, TEXAS), Owner: Christian Broadcasting Co.

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. Mr. Gary Hill and Mr. Glenn Arnold spoke in tandem about the property. They advised that there has been significant clean up to the property since it was donated to them approximately one and a half years ago. They stated that they struggle to keep the building secure due to vandalism. They stated that they had a bid to repair the roof, but then the roofer died three months later. They stated that they appreciate the historic value of the building and would like to use it for storage of radio equipment. They requested more time to get bids for either repair or demolition. They were not able to provide a time line as the radio station functions on donations and they are not always consistent. There being no additional speakers, Mr. Beard closed the public hearing.

Mr. Allred made a motion to table the agenda item until the next meeting of the Board. It was seconded by Mr. McBrayer, motion passed.

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

NAYS: None

ABSTAIN: Mr. Wyatt, Mr. Dugger

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 24-000049: 2218 Russell Ave. (CHRISTIAN COLLEGE 2ND ADDN, BLOCK 2, LOT W50 OF 3 & E12.5 OF 4, TAYLOR COUNTY, TEXAS), Owner: Davis, James R. and Nancy J.

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. Ms. Stephanie Rodriguez, neighbor, stated that Ms. Davis passed away in 2021 and Mr. Davis is incapacitated due to his age. She stated that their son has been living in the home and is currently incarcerated. She provided several letters from neighbors stating that the home is a haven for vagrants and drug use. She stated that she has witnessed animal abuse there as well. She stated that the police are often at

the property and there are loud arguments daily. There being no additional speakers, Mr. Beard closed the public hearing.

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

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

NAYS: None

ABSTAIN: None

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

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

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 24-000345: 502 N Willis St. (WESTWOOD PLAZA, BLOCK 1, LOT 101 REPLAT, ACRES 1.0553, TAYLOR COUNTY, TEXAS), Owner: Advance Capital Commercial LLC

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:

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. Sam Li and Mr. Miguel Arago spoke in tandem. Mr. Li stated that the condemnation was not disclosed when he bought the building. He stated that he wants to repair and utilize the building. Mr. Arago is his general contractor and he stated that they are working with an architect to determine the best plan of action. He stated that they may ask to put up a wall between the single story section of the building and the six story section. He stated that they would want to rent out the single story to begin use prior to

completing the taller structure. He stated that they are aware that there are hazards that need to be addressed immediately and that he and Mr. Li will be assess that today. He requested more time to complete a cost analysis and present it to the city. Ms. Messer then asked Mr. Li to provide his full name and he stated Quin Chin Liu (possibly misspelled). There being no additional speakers, Mr. Beard closed the public hearing.

The Board discussed modifying the staff recommendations to accommodate the request for more time.

Mr. Dugger made a motion that the owner is ordered to repair as follows: 30 days to install/repair weather protection and protection from falling debris including securing loose items to prevent their separation from the structure; and if that is done, 30 days to provide a contractor's opinion of cost and obtain all permits; and if that is done, 30 days to obtain rough-in inspections; and if that is done, all final inspections shall be completed by the expiration of all permits. 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

ADJOURNMENT

There being no further business to come before the hearing, the Board of Building Standards meeting was adjourned at 10:22 a.m.

 6-5-24

Approved, Chairman

