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 July 3, 2024 at 8:30a.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas, for the purpose of considering the following agenda items.

CALL TO ORDER

MINUTES

A. Public hearing and possible approval of June 5, 2024 Board of Building Standards hearing minutes

PUBLIC HEARINGS:

STATEMENT OF POLICY

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

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

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

AGENDA ITEMS

A. Case for Rehabilitation, Demolition, or Civil Penalties - Case #21-004566: 1018 Orange St (3 204 4-b HUGHES OT ABL, TAYLOR COUNTY, TEXAS), Owner: Elm & Orange Trust, Cesar Yepes Trustee

B. Case for Rehabilitation, Demolition, or Civil Penalties - Case # 22-002320: 1334 Elm St (J H DARNELL OF BELLEVUE OUTLOT 1, BLOCK 6, LOT 6, TAYLOR COUNTY, TEXAS), Owner: Elm & Orange Trust, Cesar Yepes Trustee

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

D. 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: Lourdes Santa Ana

E. Case for Rehabilitation, Demolition, or Civil Penalties - Case #24-000458: 1745 N. 5th St. (E50 W162.5 S55 182 1 OT ABL S55 LT 1, TAYLOR COUNTY, TEXAS), Owner: Guy & Debra Vivion

F. Case for Rehabilitation, Demolition, or Civil Penalties - 501 Meander St (HILLSIDE ADDN, BLOCK A, LOT N50 LT8 & N50 W12 LT 7, TAYLOR COUNTY, TEXAS), Owner: Legacy Dwelling, LLC/Guy & Karen Shaver

G. 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.

H. 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

I. Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-005515: 550 Sammons St, (H WARD OF SAYLES, BLOCK 18, LOT S55 S110 LT 3, TAYLOR COUNTY, TEXAS), Owner: Legacy Dwelling, LLC/Guy & Karen Shaver

J. Case for Rehabilitation, Demolition, or Civil Penalties - Case# 24-000295: 417 Amarillo St (BOULEVARD PARK, BLOCK 3, LOT 9, TAYLOR COUNTY, TEXAS), Owner: Esparza, Daniel Garcia & Garcia, Daniel Damron Jr.

K. Case for Rehabilitation, Demolition, or Civil Penalties - Case #24-001751: 5242 N. 9th St (HOLIDAY HILLS SEC 1, BLOCK A, LOT 1, TAYLOR COUNTY, TEXAS), Owner: Legacy Dwelling, LLC

EXECUTIVE SESSION

The Board of Building Standards of the City of Abilene reserves the right to adjourn into executive session at any time during the course of this meeting to discuss legal standards for board action and any of the matters listed below, as authorized by the noted Texas Government Code Sections:

A. 551.071 (Consultation with Attorney)

ADJOURNMENT

Notice

In compliance with the Americans with Disabilities Act, the City of Abilene will provide for reasonable accommodations for persons attending meetings. To better serve you, requests should be received forty-eight (48) hours prior to scheduled meetings. Please contact the City Secretary's Office at 325-676-6208. Telecommunication device for the deaf is 325-676-6360.

CERTIFICATION

I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 28th day of June, 2024, at 3:20 p.m.

_____

Shawna Atkinson, City Secretary

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:7/3/2024

TO:

FROM:

SUBJECT: **Public hearing and possible approval of June 5, 2024 Board of Building Standards hearing minutes**

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. June 5 2024 BOBS Minutes June 5 2024 BOBS Minutes.docx

BOARD OF BUILDING STANDARDS
MEETING MINUTES
June 5, 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. David Brosig
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

Others Present: Ms. Faye Johnson (850 Vine)
Ms. DeAnna Loflin (1126 Kirkwood St)
Mr. Gary Hill (450 Peach St)
Mr. Glenn Arnold (450 Peach St)
Mr. Guy Shaver (1126 Kirkwood and 1825 Jefferies)

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, May 1, 2024, were provided in advance to Board Members for review.

Mr. McNeill made a motion to approve the minutes as written.
The motion was seconded by Mr. McBrayer, motion passed.
AYES: Mr. Wyatt, Mr. McBrayer, Mr. McNeill, Mr. Brosig, Mr. Dugger, Mr. Beard
NAYS: None

ABSTAIN: None

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition or Civil Penalties - Case# 23-001799: 1817 N 10th St. (LAKESIDE ADDN, BLOCK 3, LOT W51 E 122 LTS 1&2, BLOCK 1, LOT 2, 2A, 3 & 3A, TAYLOR COUNTY, TEXAS), Owner: Ntibashirinzigo, Methoucela

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

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

Mr. Allred arrived at 8:41am.

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)
> - 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. Johnson stated that her now deceased brother owned the property. She stated that the family is working to transfer the title so the property can be sold. She stated that she keeps the grass cut and will maintain the property for now. She asked for more time to work through a sale. There being no additional speakers, Mr. Beard closed the public hearing.

Mr. Wyatt made a motion to table this item until the July 3rd Board meeting, the motion was seconded by Mr. Allred, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Brosig, 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. McNeill made a motion to untable this the case for 1413 Delano St. and it was seconded by Mr. McBrayer, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Brosig, 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**:**

- Unlawful Structure, IPMC 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:

Order: Owner is to repair – 30 days to obtain all permits and provide plan of action including a timeframe for repair and costs estimates and if this is done, 60 days to obtain rough-in inspections and if this is done, all final inspections shall be completed by the expiration of all permits.

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

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

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 24-000061: 1317 Walnut St. (3 201 MC NAIRY 2-B OT ABL, TAYLOR COUNTY, TEXAS), Owner: Badgett Jimmie Leon & Charlotte Ann AS TR FOR BADGETT LIVING 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 (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. Brosig, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Brosig, 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. Brosig, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Brosig, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

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. Dugger made a motion to untable this the case for 1413 Delano St. and it was seconded by Mr. McNeill, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Brosig, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Ms. Dollar 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 stated they have had the building looked at by professionals and were informed that it is salvageable. They stated the Men of Nehemiah group may be able to provide assistance in rehabilitating the structure. They stated they are planning to demolish the add-on on the south side of the building. They stated that they are planning ot sell the property once the roof is repaired. They stated they need 60 days to accomplish the demolition and then will focus on the roof. 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. Allred, Mr. McBrayer, Mr. McNeill, Mr. Brosig, Mr. Beard
NAYS: None
ABSTAIN: Mr. Wyatt, Mr. Dugger

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 24-001138: 1825 Jefferies St. (NORTH PARK ADDN OF JEFFERIES, BLOCK 26, LOT W75 E575 S150 N280, TAYLOR COUNTY, TEXAS), Owner: Legacy Dwelling LLC (Guy and Karen Shaver).

Ms. Dollar 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)
- 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. Shaver stated that he is the owner and that he has begun the eviction process. He stated that he has not been in the property yet, but that he would like the chance to fix it. He stated that he will demolish it if necessary. He stated

that the property is vacant at this time. 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. Dugger, motion passed.
AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Brosig, Mr. Dugger, Mr. Beard
NAYS: None
ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 24-001139: 1126 Kirkwood St. (LAKESIDE ADDN, BLOCK 29, LOT 6, TAYLOR COUNTY, TEXAS), Owner: Legacy Dwelling LLC (Guy and Karen Shaver)

Ms. Dollar 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)
- Hazardous Electrical Wiring, Chapter 8, Sec 8-554 (4)
- Nuisance, Chapter 8, Sec 8-554 (3), Chapter 19, Sec 19-15 (4)
  - 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 (10) Appliances stored in public view
  - Ch. 19, Sec. 19-15 (16) Indoor furniture stored outside
  - Ch. 19, Sec. 19-15 (20) Vehicles in the yard
- 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. Shaver stated that he is the owner and that he has started the eviction process. He stated it will take more than 30 days to remove all of the debris and evaluate the stated of the house. He stated that the house is vacant. Ms. Loflin then spoke stating the Mr. Shaver has always rented to people that are not safe for the neighborhood. She stated that she has contacted Mr. Shaver several times requesting assistance and that he has yet to address any concerns. She stated that the house was in very poor condition

when Mr. Shaver allowed the most current tenants to move in. She stated that she would like to see strict timelines for Mr. Shaver to remediate the issues or demolish the home. There being no additional speakers, Mr. Beard closed the public hearing.

Mr. Wyatt made a motion that the owner is ordered to repair as follows: 30 days to complete significant cleanup of the property and 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. The motion was seconded by Mr. Allred, motion passed.

AYES: Mr. Wyatt, Mr. Allred, Mr. McBrayer, Mr. McNeill, Mr. Brosig, 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 10:02 a.m.

X

Approved, Chairman

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:7/3/2024

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case #21-004566: 1018 Orange St (3 204 4-b HUGHES OT ABL, TAYLOR COUNTY, TEXAS), Owner: Elm & Orange Trust, Cesar Yepes Trustee**

GENERAL INFORMATION

Owner: Elm & Orange Trust, Cesar Yepes Trustee
Sq Ft: 784
Structural: Good
Foundation: Good
Value: $24,374
Total Value: $27,174
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

November 30, 2021 – Informed vagrants had taken over property and were causing disturbances. Inspected property once vagrants left. Property was condemned.
December 2, 2021 – Affidavit of condemnation filed with the County Clerk.
December 7, 2021 – Sent initial notice and 30/60 letters to property owner. Spoke to property owner, and he stated he wanted to repair the structure and sell it.
March 11, 2022 – Electrical permit was issued to the owner.
September 6, 2022 – Electrical permit expired. No work was completed.
December 7, 2022 – **Board ordered 30-60**. Owner was in attendance at hearing. Owner stated he was comfortable with staff recommendation of 30-60 and was wanting to repair house before sale.
December 9, 2022 – General repair permit pulled by owner. Permit expired with no work completed.

October 23, 2023 – Property sold to Speedy Sell Estates, LLC, same company that purchased the condemned property on La Hacienda Dr.
October 26, 2023 – General repair permit applied for.
November 3, 2023 – Condemnation and 30-60 notice sent to new owner.
November 8, 2023 – Property transferred to Elm & Orange Trust
November 15, 2023 – PMI was sent an incomplete/inaccurate plan of action via email by general contractor. Asked for corrections to be made via email. No reply from contractor. No permit issued. No further contact from general contractor. **April 19, 2024** – Inspected property. Found front door wide open, grass overgrown, there is still a dangerous, unsecured substructure in backyard. No actions have been taken on this property by owner or owner's contractor. PMI secured main structure. Rear structure is not securable. Proper plan of action has not been submitted. No permit has been pulled.
April 25, 2024 – Discovered lienholder for this property. Sent condemnation notices to lienholder.
May 14, 2024 – Spoke to lienholder, explained property was condemned when purchased and has a Board ordered repair order on it. Also let the lienholder know we're still waiting on a complete plan of action and for permit to be pulled. Also explained the current condition of the property and asked that they have the owner mow the grass and keep the property secured. Lienholder said they would get with the owner to mow grass and turn in plan of action to pull permit.
May 24, 2024 – Inspected property – found it to still not have been mowed. Neighbors reported vagrants still going in and out. No contact from owner. No plan of action turned in or permit pulled.
June 4, 2024 – Contacted through email by Goldstar GC (owner cc'd in email) to tell me they are going to clean, mow, and secure property in next 48 hours and then they want it removed from condemnation and they have "every intention of doing rehab" on this property.
June 11, 2024 – Notice of July hearing sent to property owner and lienholder.
June 12, 2024 – Inspected property. No change found. GC/property owner didn't follow through on immediate clean up and mowing of property. No phone call to explain delay.
June 13, 2024 – Notice of July hearing posted at property.
June 17, 2024 – Inspected property. No exterior work completed.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

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 July 3, 2024.

ATTACHMENTS:

1.	20240703_Slides Intro	20240703_Slides Intro.pptx
2.	20240703_21-004566_1018 Orange St	20240703_21-004566_1018 Orange St.pptx

BOARD OF BUILDING STANDARDS

July 3, 2024

CITY OF ABILENE TEXAS

PUBLIC NOTICE – July 3, 2024 MEETING

- A meeting of the Board of Building Standards will be held at 8:30 a.m., Wednesday, July 3, 2024 in the Council Chambers of City Hall, 555 Walnut Street, Abilene, Texas, to consider the following properties on the agenda: 1018 Orange St. Abilene, TX 79601, 1334 Elm St. Abilene, TX 79602, 1317 Beech St. Abilene, TX 79601, 501 Meander St. Abilene, TX 79602, 850 Vine St. Abilene, TX 79602, 625 Mesquite St. Abilene, TX 79601, 433 Cockerell Dr. Abilene, TX 79601, 550 Sammons St. Abilene, TX 79605, 417 Amarillo ST. Abilene, TX 79602, 1745 N. 5th St. Abilene, TX 79603, and 5242 N. 9th St. Abilene, TX 79603. Property owners are required to submit at the hearing proof of the scope of work, including cost estimates, that may be required to comply with city ordinance, and the calendar days in which it will take to perform the work. Owners have the right to hire an attorney to represent them, the right to inspect the file on the property at the Office of Planning and Development Services prior to the hearing, and the right to request the presence of City staff for the purpose of questioning at the hearing. The Board may take action, including but not limited to demolition orders and/or the assessment of civil penalties.

Case #21-004566

1018 Orange St.

CITY OF ABILENE TEXAS

CHECKLIST FOR RECORDS SEARCH

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

- **COUNTY RECORDS** – Warranty Deed w/Vendor's Lien naming **Cesar Yepes, Trustee of the Elm & Orange Trust** to be the owner.

- **TAYLOR COUNTY** – Shows **Elm & Orange Trust, Cesar Yepes Trustee** 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 **April 2022**

- Search reveals **Cesar Yepes, Trustee of the Elm & Orange Trust** to be the owner.

Public Notice



Front East Side



Rear West Side



North Side



South Side



Overhead



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 19-15 (4)
- Hazardous Electrical Wiring, Chapter 8, Sec. 8-554 (4)
- Hazardous Plumbing, Chapter 8, Sec 8-554 (5)

Initial Inspection





Initial Inspection





Current Conditions





Current Conditions





Electrical Hazards





Electrical Hazards





Interior Condition





Inadequate Sanitation





Backyard Substructure





Timeline of Events

- **November 30, 2021** – Informed vagrants had taken over property and were causing disturbances and harassing individuals utilizing women and children organization that is located directly across the street. Inspected property once vagrants left. Property was condemned.
- **December 2, 2021** – Affidavit of condemnation filed with the County Clerk.
- **December 7, 2021** – Sent initial notice and 30/60 letters to property owner. Spoke to property owner, and he stated he wanted to repair the structure and sell it.
- **March 11, 2022** – Electrical permit was issued to the owner.
- **September 6, 2022** – Electrical permit expired. No work was completed.
- **December 7, 2022** – **Board ordered 30-60**. Owner was in attendance at hearing. Owner stated he was comfortable with staff recommendation of 30-60 and was wanting to repair house before sale.
- **December 9, 2022** – General repair permit issued to owner. Permit expired with no work completed.
- **October 23, 2023** – Property sold to Speedy Sell Estates, LLC, same company that purchased the condemned property on La Hacienda Dr.
- **October 26, 2023** – General repair permit applied for by new owner's GC.
- **November 3, 2023** – Condemnation and 30-60 notice sent to new owner.
- **November 8, 2023** – Property transferred to new owner's Elm & Orange Trust
- **November 15, 2023** – PMI was sent an incomplete/inaccurate plan of action via email by general contractor. Asked for corrections to be made via email. No reply from contractor. No permit issued. No further contact from general contractor.

Timeline of Events

- **April 19, 2024** – Inspected property. Found front door wide open, grass overgrown, there is still a dangerous, unsecured substructure in backyard. No actions have been taken on this property by owner or owner's contractor. PMI secured main structure. Rear structure is not securable. Proper plan of action has not been submitted. No permit has been issued.
- **April 25, 2024** – Discovered lienholder for this property. Sent condemnation notices to lienholder.
- **May 14, 2024** – Spoke to lienholder, explained property was condemned when purchased and has a city Board order for repair. Also let the lienholder know we're still waiting on a complete plan of action and for permit to be pulled. Also explained the current condition of the property and asked that they have the owner mow the grass and keep the property secured. Lienholder said they would get with the owner to mow grass and turn in plan of action to pull permit.
- **May 24, 2024** – Inspected property – found it to still not have been mowed. Neighbors reported vagrants still going in and out. No contact from owner. No plan of action turned in or permit pulled.
- **June 4, 2024** – Contacted through email by Goldstar GC (owner cc'd in email) to tell me they are going to clean, mow, and secure property in next 48 hours and then they want it removed from condemnation and they have "every intention of doing rehab" on this property.
- **June 11, 2024** – Notice of July hearing sent to property owner and lienholder.
- **June 13, 2024** – Notice of July hearing posted at property.
- **June 26, 2024** – Inspected property. No change found. GC/property owner didn't follow through on immediate clean up and mowing of property. No phone call to explain delay.

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 1018 Orange St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:7/3/2024

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case # 22-002320: 1334 Elm St (J H DARNELL OF BELLEVUE OUTLOT 1, BLOCK 6, LOT 6, TAYLOR COUNTY, TEXAS), Owner: Elm & Orange Trust, Cesar Yepes Trustee**

GENERAL INFORMATION

Owner: Elm & Orange Trust, Cesar Yepes Trustee
Sq Ft: 1,328
Structural: OK
Foundation: OK
Value: $81,491
Total Value: $85,439
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

August 21, 2022 – Property brought to Code Enforcement attention by APD. APD informed Code of vacant, unsecured structure in poor condition with unauthorized occupants. Occupants were reported to be stealing utility services from next door residence. Two individuals arrested from this property on this date, one for meth charges.
August 23, 2022 – Inspected property. Found main structure as well as secondary dwelling unit in rear to both be unsecured. Found male subject living in rear unit with pit-bull. Found extension cord run to property next door. Found deplorable conditions throughout property. Posted condemnation sign on both structures.
August 24, 2022 – Affidavit of condemnation was recorded at County Clerk.
October 26, 2022 – Inspected property in preparation for securement. During this inspection a burning odor was detected by two code officers. Upon further inspection vagrants were found to be actively cooking on the floor of the secondary dwelling unit. Three burn pits were found

inside the unit and one on the outside of the unit. The City completed an emergency securement.
January 4, 2023 – Board hearing – case tabled until next hearing
January 25, 2023 – Informed by property owner of hold up with property transfer due to inactive LLC that the property is under.
March 1, 2023 – Board hearing – Board ordered 30-60
April 20, 2023 – Permit issued. No inspections completed under this permit.
October 17, 2023 – Permit expired. No inspections scheduled or completed.
October 23, 2023 – Property sold to Speedy Sell Estates, LLC
November 1, 2023 – Permit applied for. No plan of action received. No permit has been issued.
November 3, 2023 – Condemnation notice and 30-60 sent to new owner.
November 13, 2023 – GC approved to pull partial demo permit to demo addition on rear of house and then complete plan of action to obtain general repair permit.
April 19, 2024 – Partial demo permit to expire on May 14, 2024. Inspected property. Demo not started. No plan of action received. No permit issued. Found main structure unsecured. Found dangerous substructure in rear also unsecured. Backyard is still a mess. Found several pill bottles full of meds in the yard. Property needs to be mowed by city contractor. No contact from GC since November. No contact at all from owner.
June 4, 2024 – Contacted by Goldstar GC to tell me they are going to clean, mow, secure property in next 48 hours and then they want it removed from condemnation and they have "every intention of doing rehab" on this property. Emailed back with plan of action requirements and to let her know her partial demo permit is expired and she would need a new one.
June 11, 2024 – Notice of July hearing sent to property owner and lienholder.
June 13, 2024 – Notice of July hearing posted on property.
June 17, 2024 – Inspected property – No exterior work has been completed by GC. Partial demo permit has not been renewed or reapplied for. No phone call or email from GC or owner to explain delay.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

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 July 3, 2024

ATTACHMENTS:

1. 20240703_22-002320_1334 Elm St 20240703_22-002320_1334 Elm St.pptx

Case #22-002320

1334 Elm St.

CITY OF ABILENE TEXAS

CHECKLIST FOR RECORDS SEARCH

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

- **COUNTY RECORDS** – Warranty Deed w/Vendor's Lien naming **Cesar Yepes, Trustee of the Elm & Orange Trust** as the owner.

- **TAYLOR COUNTY** – Shows **Elm & Orange Trust, Cesar Yepes Trustee** to be the owner.

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

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

- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since **May 14, 2021**

- Search reveals **Cesar Yepes, Trustee of the Elm & Orange Trust** 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 Hazards, 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 (6)
- Faulty Weather Protection, Chapter 8, Sec 8-554 (7)

Property unsecured after City securement





Inadequate Sanitation Throughout





Hazardous Electrical Throughout





Vagrant Activity - Fire Hazard / Hazardous Electrical





Inadequate Sanitation





Dilapidation / Vagrant Activity





Inadequate Sanitation





Rear Substructure





Utility Theft





Substructure Interior





Substructure Interior





Vagrant Activity in Substructure





Timeline of Events

- **August 21, 2022 –** Property brought to Code Enforcement attention by APD. APD informed Code of vacant, unsecured structure in poor condition with unauthorized occupants. Occupants were reported to be stealing utility services from next door residence. Two individuals arrested from this property on this date, one for meth charges.
- **August 23, 2022** – Inspected property. Found main structure as well as secondary dwelling unit in rear to both be unsecured. Found male subject living in rear unit with pit-bull. Found extension cord run to property next door. Found deplorable conditions throughout property. Posted condemnation sign on both structures.
- **August 24, 2022** – Affidavit of condemnation was recorded at County Clerk.
- **October 26, 2022** – Inspected property in preparation for securement. During this inspection a burning odor was detected by two code officers. Upon further inspection vagrants were found to be actively cooking on the floor of the secondary dwelling unit. Three burn pits were found inside the unit and one on the outside of the unit. The City completed an emergency securement.
- **January 4, 2023 – Board hearing – case tabled until next hearing**
- **January 25, 2023** – Informed by property owner of hold up with property sale due to inactive LLC.
- **March 1, 2023 – Board hearing – Board ordered 30-60**
- **April 20, 2023** – Permit issued. No inspections completed under this permit.
- **October 17, 2023** – Permit expired. No inspections scheduled or completed.
- **October 23, 2023** – Property sold to Speedy Sell Estates, LLC
- **November 1, 2023** – Permit applied for. No plan of action received. No permit has been issued.
- **November 3, 2023** – Condemnation notice and 30-60 sent to new owner.

Timeline of Events

- **November 13, 2023** – GC approved to pull partial demo permit to demo addition on rear of house and then complete plan of action to obtain general repair permit.
- **April 19, 2024** – Inspected property. Partial demo not started. No plan of action received. No permit issued. Found main structure unsecured. Found dangerous substructure in rear also unsecured. Backyard is still a mess. Found several pill bottles full of meds in the yard.
- **April 25, 2024** – Discovered lienholder for this property. Sent condemnation notices to lienholder.
- **May 14, 2024** – Spoke to lienholder, explained property was condemned when purchased and has a city Board order for repair. Also let the lienholder know we're still waiting on a complete plan of action and for permit to be pulled. Also explained the current condition of the property and asked that they have the owner mow the grass and keep the property secured. Lienholder said they would get with the owner to mow grass and turn in plan of action to pull permit.
- **June 4, 2024** – Contacted by Goldstar GC to tell me they are going to clean, mow, secure property in next 48 hours and then they want it removed from condemnation and they have "every intention of doing rehab" on this property. Emailed back with plan of action requirements and to let her know her partial demo permit is expired and she would need a new one.
- **June 11, 2024** – Notice of July hearing sent to property owner and lienholder.
- **June 13, 2024** – Notice of July hearing posted on property.
- **June 26, 2024** – Inspected property – No exterior work has been completed by GC. Property still unsecured. Partial demo permit has not been renewed or reapplied for. No phone call or email from GC or owner to explain delay.

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 1334 Elm St. Presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:7/3/2024

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case #22-003066: 1317 Beech St (7 204 2 E BALDWIN ABL OT, TAYLOR COUNTY, TEXAS), Owner: Harris Investment Property, LLC**

GENERAL INFORMATION

Owner: Harris Investment Property, LLC
Sq Ft: 1,234
Structural: Poor
Foundation: Poor
Value: $22,886
Total Value: $25,686
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

July 25, 2022 – Initial inspection, identified a dilapidated, dangerous, and extremely unsanitary property. Tenants were being evicted at this time.
October 18, 2022 – No change to condition of property.
November 9, 2022 – Affidavit of condemnation recorded at county clerk.
December 1, 2022 – Property purchased, new deed recorded at county clerk.
December 14, 2022 – Utility shut off letters sent.
December 20, 2022 – Notice of condemnation and 30-60 sent to new owner.
April 6, 2023 – No plan of action received. No permit applied for.
April 18, 2023 – Most of the junk and debris has been cleared from the lot, however, structure is in the same condition as when it had been condemned.
May 3, 2023 – Board ordered 30-60.
May 31, 2023 – Homeowner agreed upon 30 days to have plan of action turned in.
July 13, 2023 – Phone call from owner, let me know he has cleaned out property and he is

awaiting contractor quotes to complete plan of action.
December 14, 2023 – Sale of property was supposed to happen mid-Jan per possibly buyer that came into city hall.
February 28, 2024 – Property sold to Harris Investment Property, LLC
March 5, 2024 – Notice of April hearing posted on structure.
March 15, 2024 – Notice of hearing sent to owner.
March 20, 2024 – Notice of hearing sent to registered agent of owner.
April 2, 2024 – Spoke to new owner that informed me they would not be at hearing, they said they are a home flipper and would turn in plan of action ASAP via email, pull permit and start work right away.
April 3, 2024 – Board ordered 30-60.
May 29, 2024 – Contacted owner via text, reminded them to turn in plan of action and get grass mowed.
June 11, 2024 – Notice of July hearing sent to property owner's LLC address and to registered agent.
June 12, 2024 – Notice of July hearing posted on structure.
June 14, 2024 – Grass has been mowed but no plan of action turned in.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

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 July 3, 2024

ATTACHMENTS:

1. 20240703_22-003066_1317 Beech St 20240703_22-003066_1317 Beech St.pptx

Case #22-003066

1317 Beech 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 **Harris Investment Property, LLC** as owner

- **TAYLOR COUNTY** – Shows **Harris Investment Property, LLC** to be the owner.

- **SECRETARY OF STATE** – Shows **United States Corporation Agents, Inc** as registered agent to which notices were sent

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

- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since November 5, 2019

- Search reveals **Harris Investment Property, LLC** to be the owner.

Public Notice



Front West Side



Rear East 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)

Initial Inspection Photos





Initial Inspection Photos





Exterior Dilapidation/Faulty Weather Protection





Exterior Dilapidation/Faulty Weather Protection





Exterior Dilapidation





Exterior Dilapidation





Interior Conditions – Inadequate Sanitation



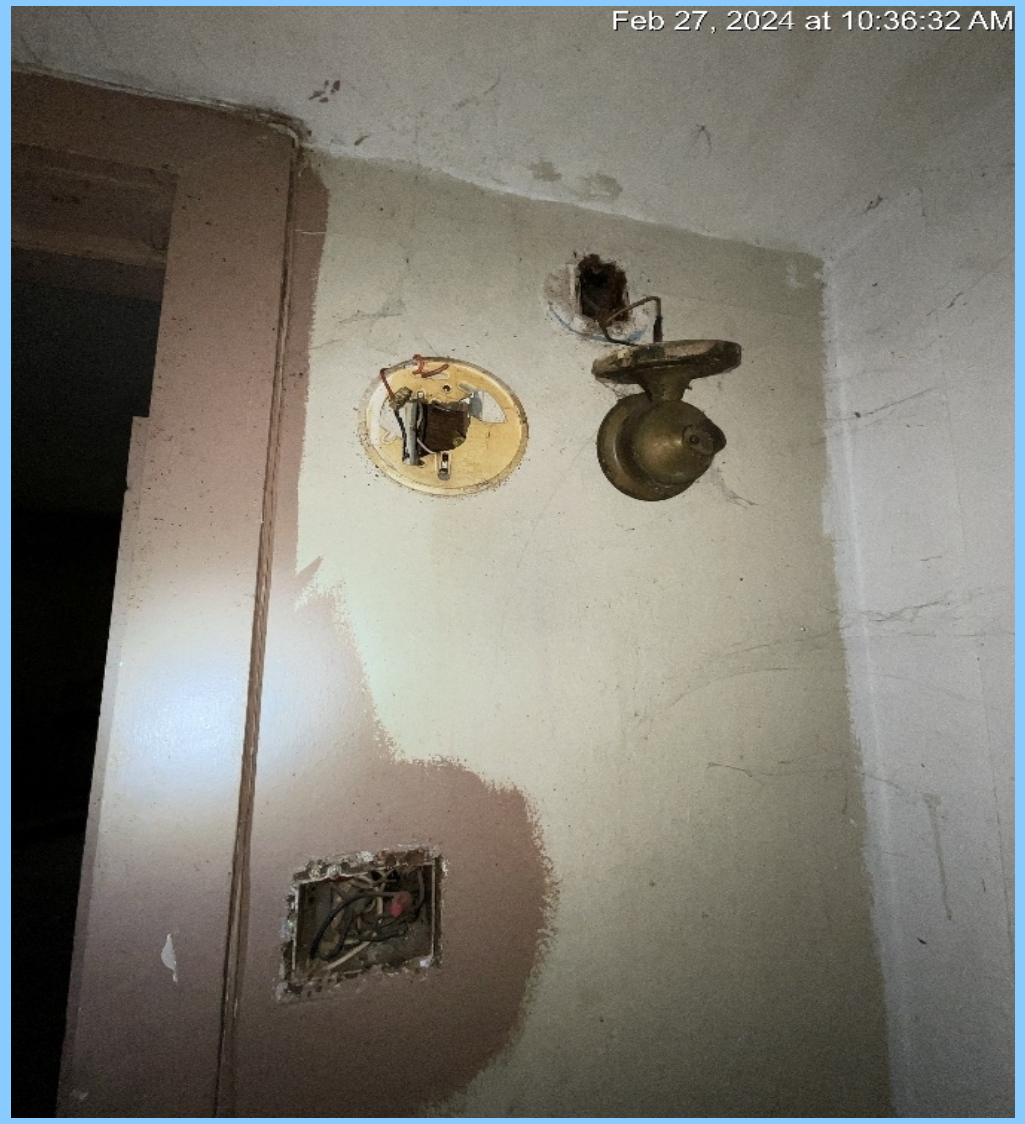


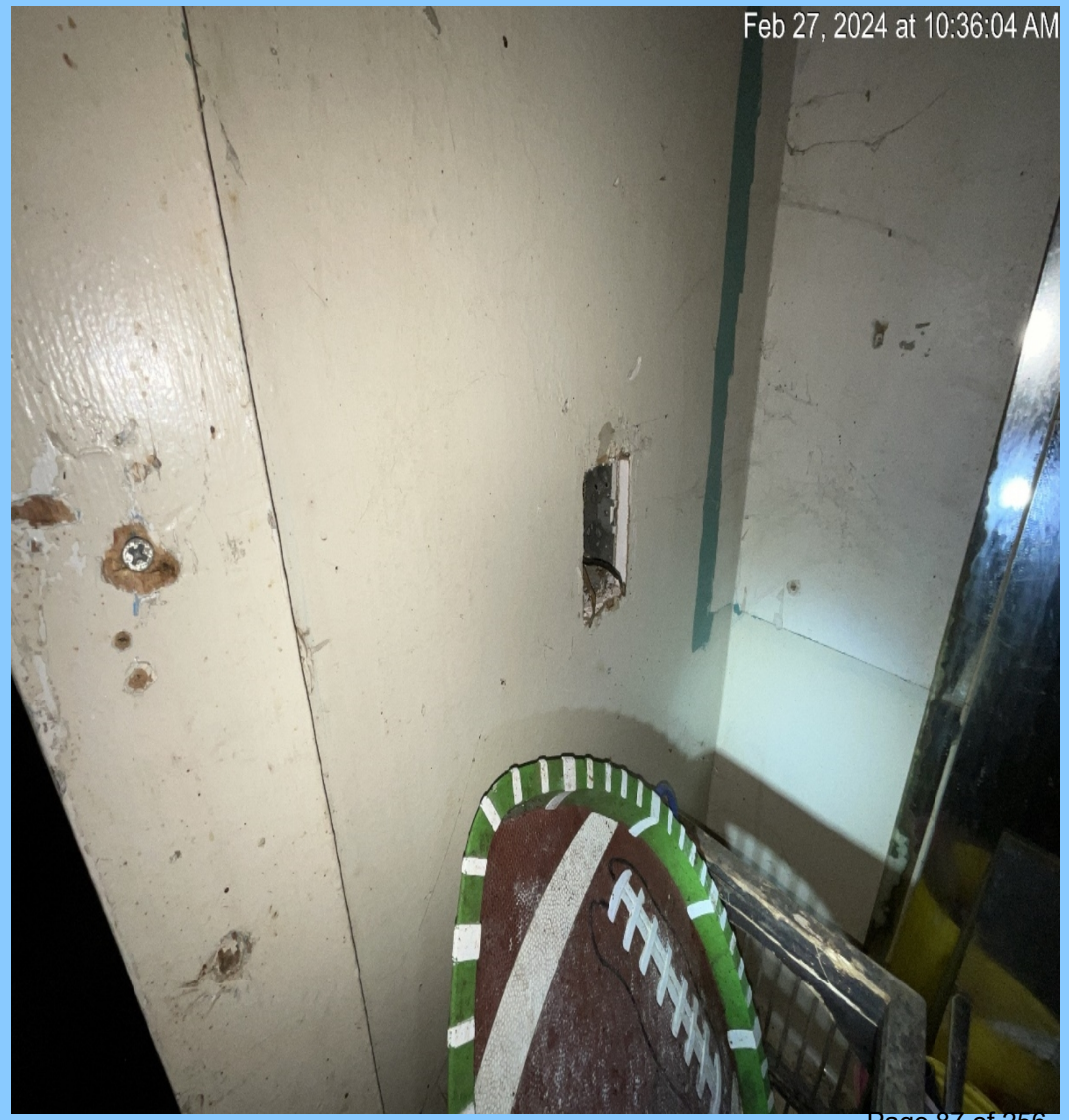
Interior Conditions – Inadequate Sanitation





Hazardous Electrical





Hazardous Plumbing





Hazardous Mechanical





Timeline of Events

- **July 25, 2022 –** Initial inspection, identified a dilapidated, dangerous, and extremely unsanitary property. Tenants were being evicted at this time.
- **October 18, 2022** – No change to condition of property.
- **November 9, 2022 –** Affidavit of condemnation recorded at county clerk.
- **December 1, 2022** – Property purchased, new deed recorded at county clerk.
- **December 20, 2022** – Notice of condemnation and 30-60 sent to new owner.
- **April 6, 2023** – No plan of action received. No permit applied for.
- **April 18, 2023** – Most of the junk and debris has been cleared from the lot, however, structure is in the same condition as when it had been condemned.
- **May 3, 2023 – Board ordered 30-60.**
- **May 31, 2023** – Homeowner agreed upon 30 days to have plan of action turned in.
- **July 13, 2023** – Phone call from owner, let me know he has cleaned out property and he is awaiting contractor quotes to complete plan of action.
- **February 28, 2024** – Property sold to Harris Investment Property, LLC

Timeline of Events

- **March 5, 2024** – Notice of April hearing posted on structure.
- **March 15, 2024** – Notice of April hearing sent to owner.
- **March 20, 2024** – Notice of April hearing sent to registered agent of owner.
- **April 2, 2024** – Spoke to new owner that informed me they would not be at hearing, they said they are a home flipper and would turn in plan of action ASAP via email, pull permit and start work right away.
- **April 3, 2024 – Board ordered 30-60.**
- **May 29, 2024 –** Contacted owner via text, reminded them to turn in plan of action and get grass mowed.
- **June 11, 2024** – Notice of July hearing sent to property owner's LLC address and to registered agent.
- **June 12, 2024** – Notice of July hearing posted on structure.
- **June 14, 2024** – Grass has been mowed but no plan of action turned in. No contact from 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 1317 Beech St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:7/3/2024

TO:

FROM:

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

GENERAL INFORMATION

Owner: Lourdes Santa Ana
Sq Ft: 768
Structural: Poor
Foundation: Poor
Value: $5,850
Total Value: $7,950
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

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

December 28, 2023 – Spoke to potential buyer of property. Explained if they are unable to transfer deed and pull permit prior to February 7th hearing they should be prepared to present plan of action to the board at that hearing.
February 7, 2024 – **Board ordered 30-60**. Neither potential property purchaser in attendance at hearing. Neither party called to let me know why they were not able to attend or let me know they backed out of purchase.
March 19, 2024 – Property changed ownership.
April 4, 2024 – Board ordered 30-60. New owner in attendance at hearing.
May 3, 2024 – Met with owner at City Hall. Provided a copy of the plan of action and explained the plan of action/permitting process.
May 7, 2024 – Received an incomplete plan of action. Contacted owner for corrections.
May 22, 2024 – Plan of action was approved, and owner was notified that permit could now be applied for. In the notification the owner was informed that the contractors (GC, electrician, plumber) will need to come in to get registered/credentialed with the city before a permit can be issued.
May 29, 2024 – Contacted owner to let remind her she should be applying for permit now.
June 10, 2024 – Out of town contractor came into city hall to apply for permit. He came in by himself and did not bring his trade workers with him so they could all get registered with the city. He was also told how to acquire a contractor's bond. Everything he needed to do was explained to him in Spanish by code officer.
June 12, 2024 – Notice of June hearing was posted on property and sent to property owner.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

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 July 3, 2024.

ATTACHMENTS:

1. 20240703_23-003173_625 Mesquite St 20240703_23-003173_625 Mesquite St.pptx

Case #23-003173

625 Mesquite St.

CITY OF ABILENE TEXAS

CHECKLIST FOR RECORDS SEARCH

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

- **COUNTY RECORDS** – Shows Warranty Deed naming **Lourdes Santa Ana** as owner.
- **TAYLOR COUNTY** – Shows **Lourdes Santa Ana** to be the owner.
- **SECRETARY OF STATE** – Shows no entity under this name.
- **TAX RECORDS OF THE MUNICIPALITY** – Not applicable
- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since December 11, 2020
- Search reveals **Lourdes Santa Ana** 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)
- Faulty Weather Protection, Chapter 8, Sec 8-554 (7)

Exterior Dilapidation



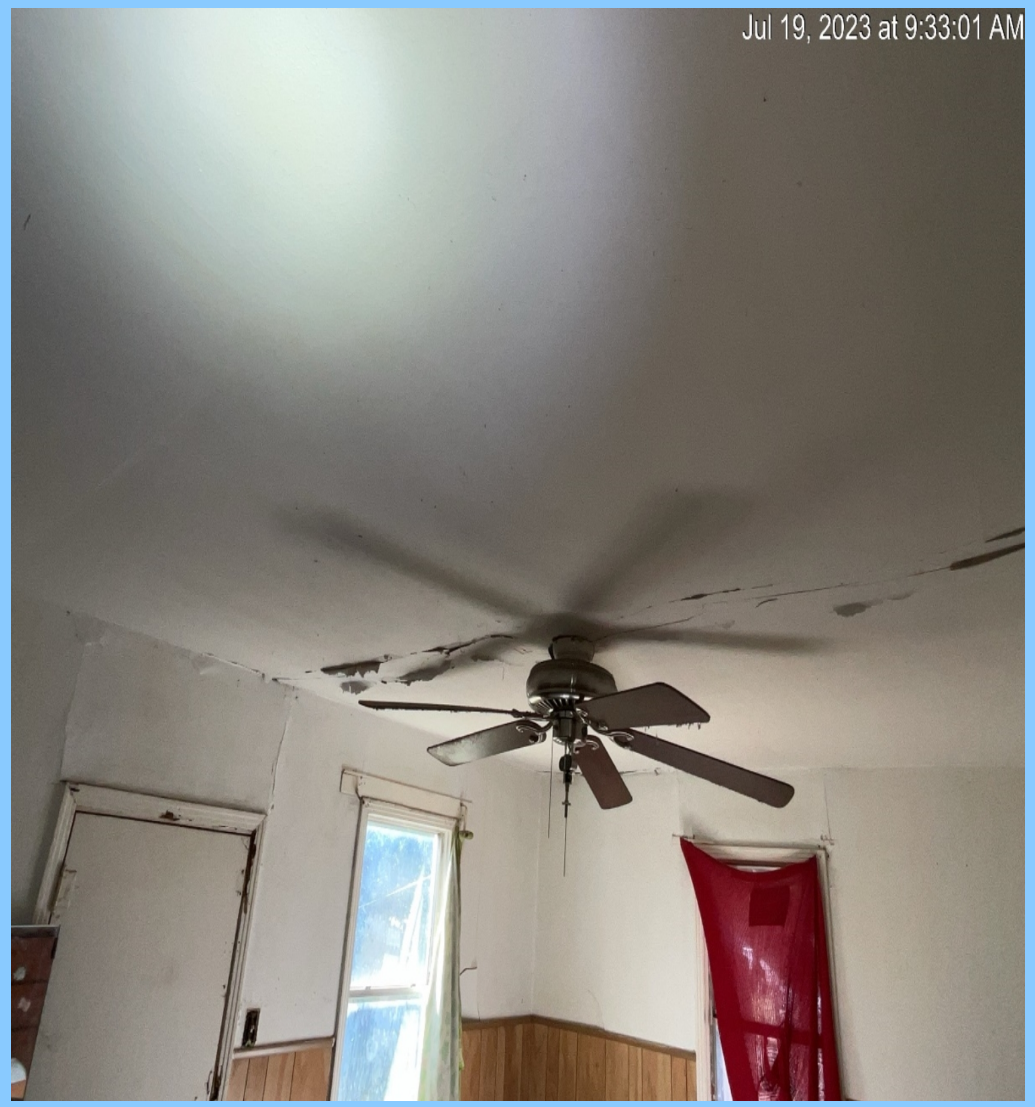


Exterior Dilapidation/Structural Hazard





Interior Dilapidation



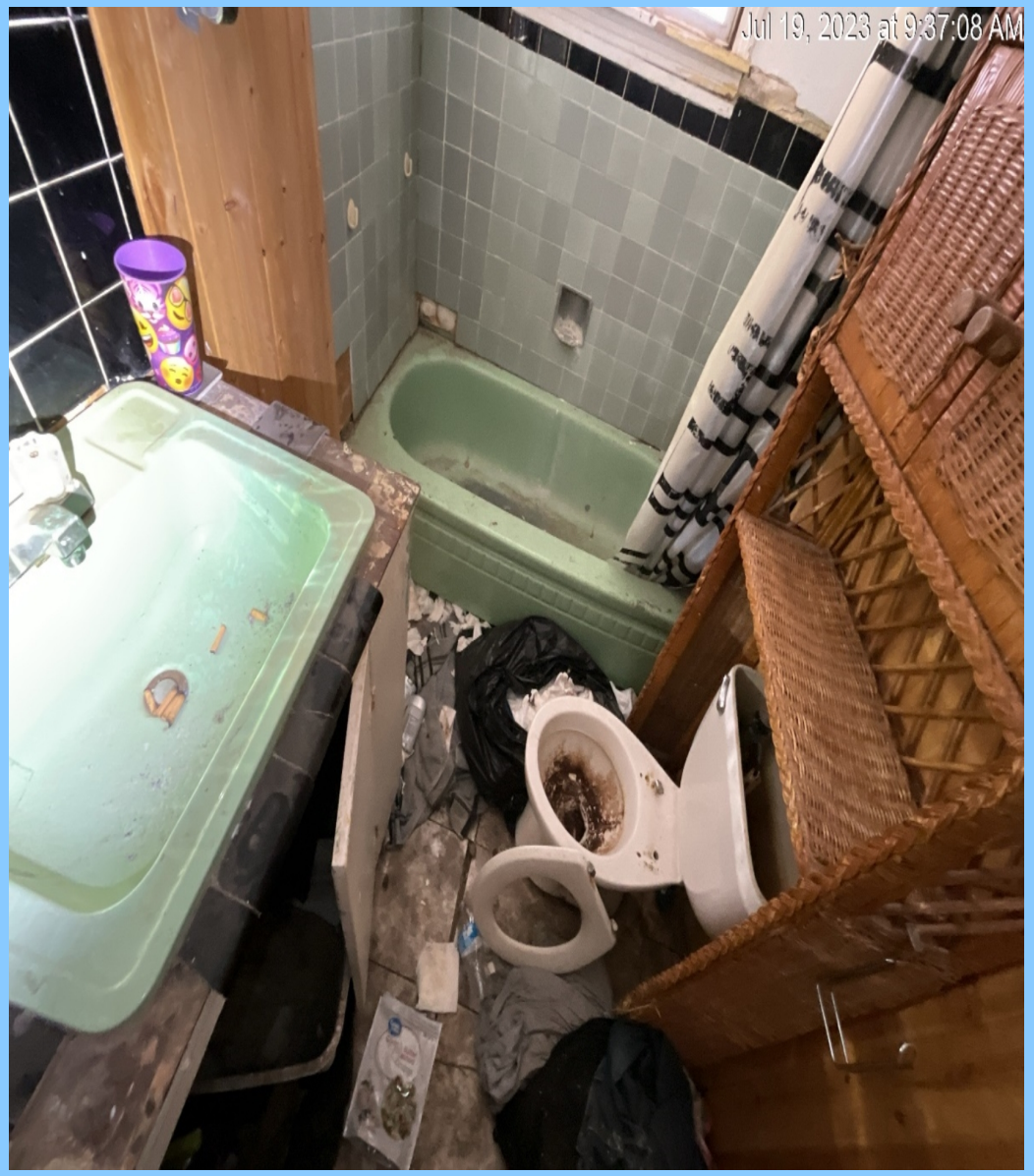


Interior Dilapidation/Structural Hazard (foundation wall)



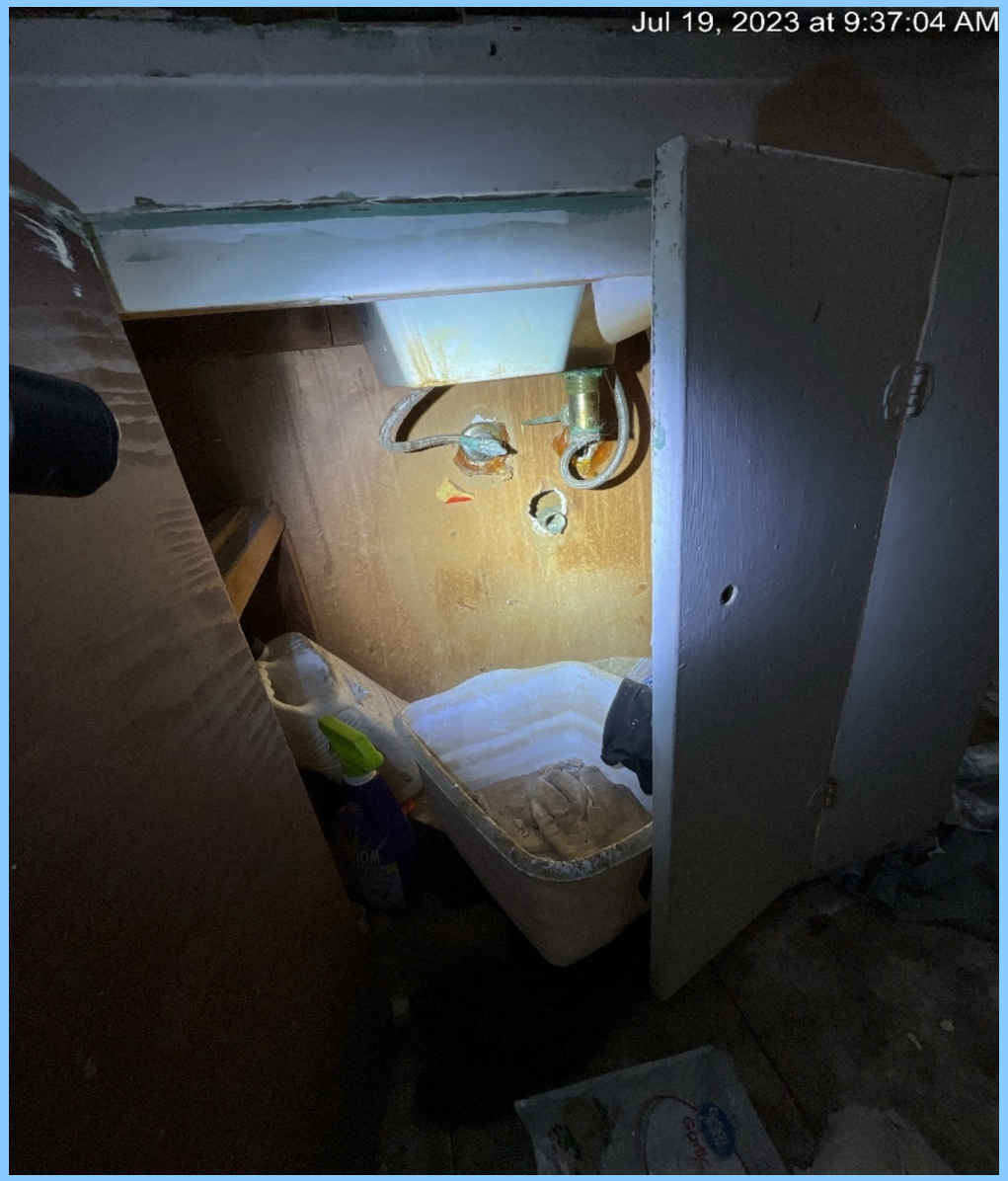


Inadequate Sanitation





Inadequate Sanitation





Hazardous Electrical / Mechanical





Timeline of Events

- **July 11, 2023** – Structure found to be unsecured, vacant and dilapidated. Opened condemnation case.
- **July 19, 2023** – Affidavit of condemnation was recorded at the county clerk.
- **July 20, 2023** – Notice of condemnation and 30-60 were sent to address of record for property owner.
- **August 11, 2023** – Sent notice of condemnation and 30-60 to property owner that is incarcerated.
- **December 6, 2023 – Board ordered 30-60.**
- **December 28, 2023** – Spoke to potential buyer of property. Explained if they are unable to transfer deed and pull permit prior to February 7th hearing they should be prepared to present plan of action to the board at that hearing.
- **February 7, 2024** – **Board ordered 30-60**. Neither potential property purchaser in attendance at hearing. Neither party called to let me know why they were not able to attend or let me know they backed out of purchase.
- **March 19, 2024** – Property changed ownership.

Timeline of Events

- **April 4, 2024 – Board ordered 30-60**. New owner in attendance at hearing.
- **May 3, 2024** – Met with owner at City Hall. Provided a copy of the plan of action and explained the plan of action/permitting process.
- **May 7, 2024** – Received an incomplete plan of action. Contacted owner for corrections.
- **May 22, 2024** – Plan of action was approved, and owner was notified that permit could now be applied for. In the notification the owner was informed that the contractors (GC, electrician, plumber) will need to come in to get registered/credentialed with the city before a permit can be issued.
- **May 29, 2024** – Contacted owner to let remind her she should be applying for permit now.
- **June 10, 2024** – Out of town general contractor came into city hall to apply for permit. He came in by himself and did not bring his trade workers with him so they could all get registered with the city. He was also told how to acquire a contractor's bond.
- **June 12, 2024** – Notice of July hearing was posted on property and sent to property owner.
- **June 27, 2024** – New GC came into City Hall. He was given a copy of permit application and explained requirements. Awaiting return of application to see if this GC has licensed subcontractors. Reached out to owner to provide an updated plan of action with new contractors information and cost estimates.

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 625 Mesquite St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:7/3/2024

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case #24-000458: 1745 N. 5th St. (E50 W162.5 S55 182 1 OT ABL S55 LT 1, TAYLOR COUNTY, TEXAS), Owner: Guy & Debra Vivion**

GENERAL INFORMATION

Owner: Guy & Debra Vivion
Sq Ft: 1,214
Structural: Fair
Foundation: OK
Value: $16,715
Total Value: $17,678
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

August 18, 2022 – Case opened for dilapidated structure. This property was identified prior to case being opened due to hazardous looking electrical on the exterior that we brought to the attention of AEP and the property owner.
August 24, 2023 – Spoke to owner, he let me know he is attempting to sell the property.
February 2, 2024 – Received citizen complaint for vagrants entering the house at night and animals living under the house.
February 20, 2024 – Executed admin search warrant and discovered property should be condemned.
February 23, 2024 – Affidavit of condemnation recorded at county clerk.
February 26, 2024 – Notice of condemnation sent to owner and lienholder.
March 7, 2024 – Spoke to lienholder for property. He let me know owner is not paying for the property and he is going to try to get him to sell or they will foreclose. Agreed on 90 days to have property sale or foreclosure in work and provide me with update. Deadline for update was

June 5th. No update received. No indication property is on the market for sale.
May 29, 2024 – Property had to be mowed by city. Grass and weeds were well over 4 feet tall.
June 12, 2024 – Notice of July hearing posted on structure and sent to over and lienholder.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

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 July 3, 2024.

ATTACHMENTS:

1. 20240703_24-000458_1745 N. 5th St 20240703_24-000458_1745 N. 5th St.pptx

Case #24-000458

1745 N. 5th St.

CITY OF ABILENE TEXAS

CHECKLIST FOR RECORDS SEARCH

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

- **COUNTY RECORDS** – Shows Deed of Trust naming **Guy & Debra Vivion** as owners.

- **TAYLOR COUNTY** – Shows **Guy & Debra Vivion** 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 Feb 28, 2024

- Search reveals **Guy & Debra Vivion** to be the owner.

Public Notice



Front North Side



Rear South Side



East Side



West Side



Substandard Code Violations

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

- Inadequate Sanitation, Chapter 8, Sec 8-554 (1)
- Structural Hazard, Chapter 8, Sec 8-554 (2)
- Nuisance, Chapter 8, Sec 8-554 (3), Chapter 19, Sec 19-15 (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/Structural Hazard



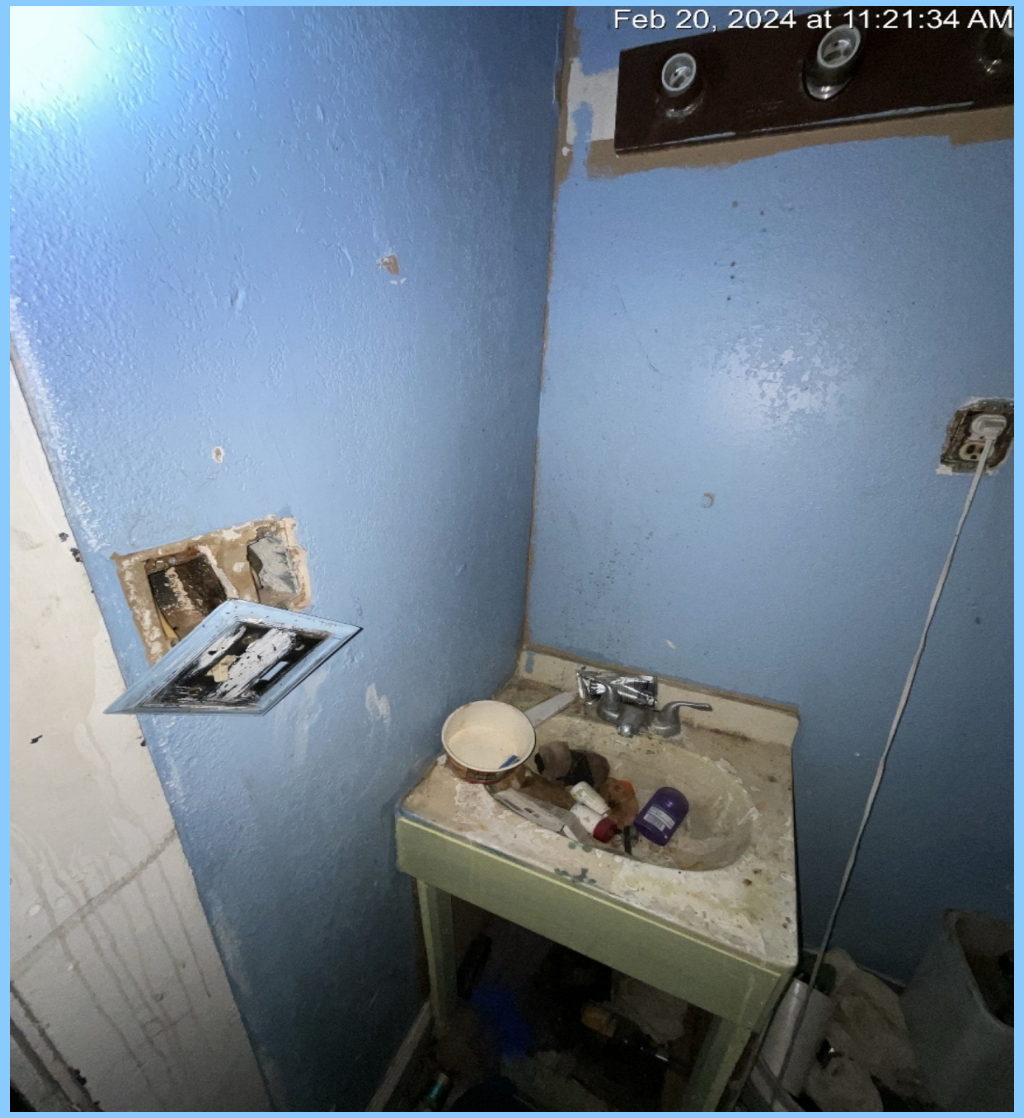


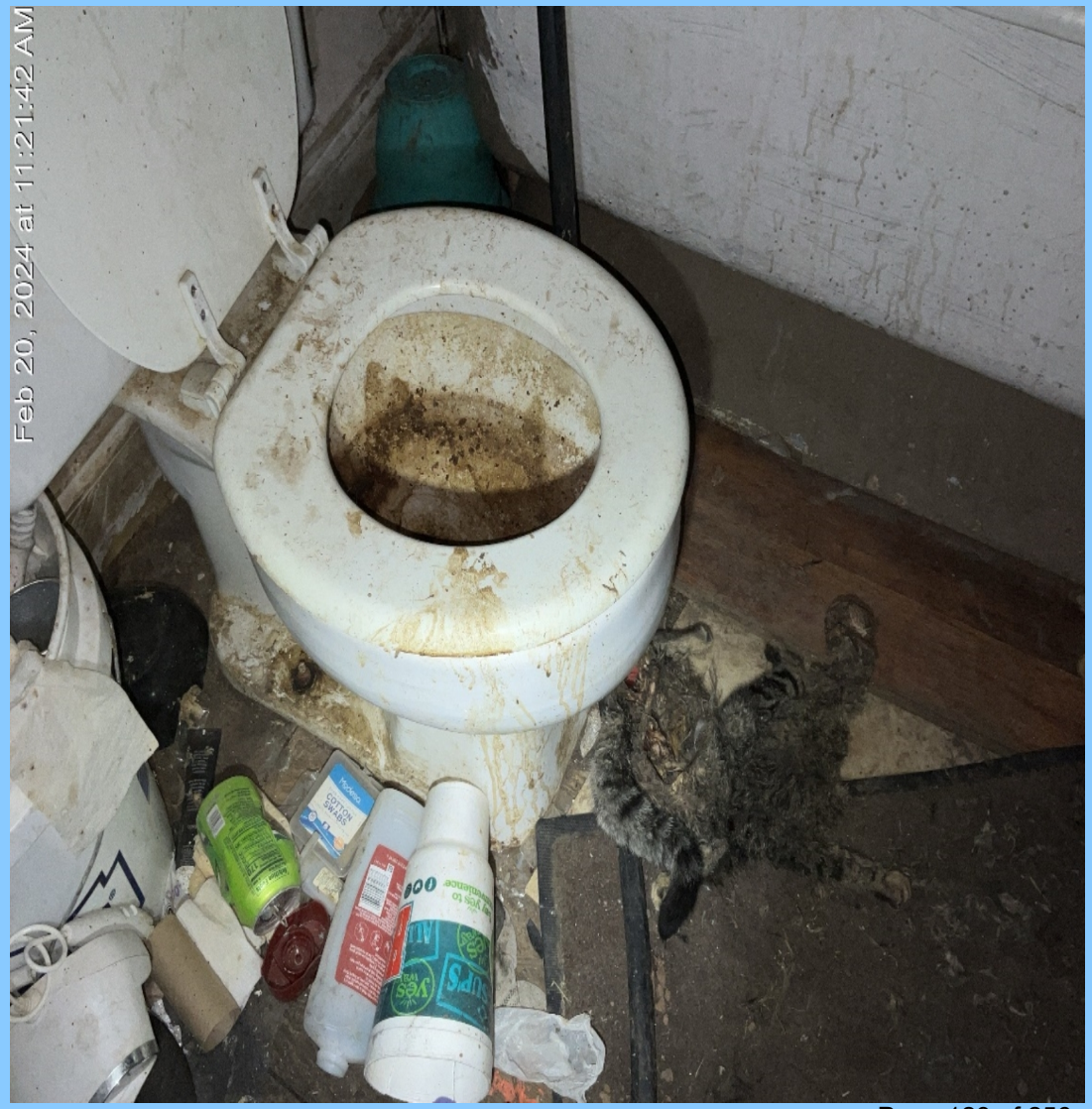
Faulty Weather Protection/Inadequate Sanitation





Electrical Hazard/Inadequate Sanitation





Plumbing Issues





Electrical Hazards





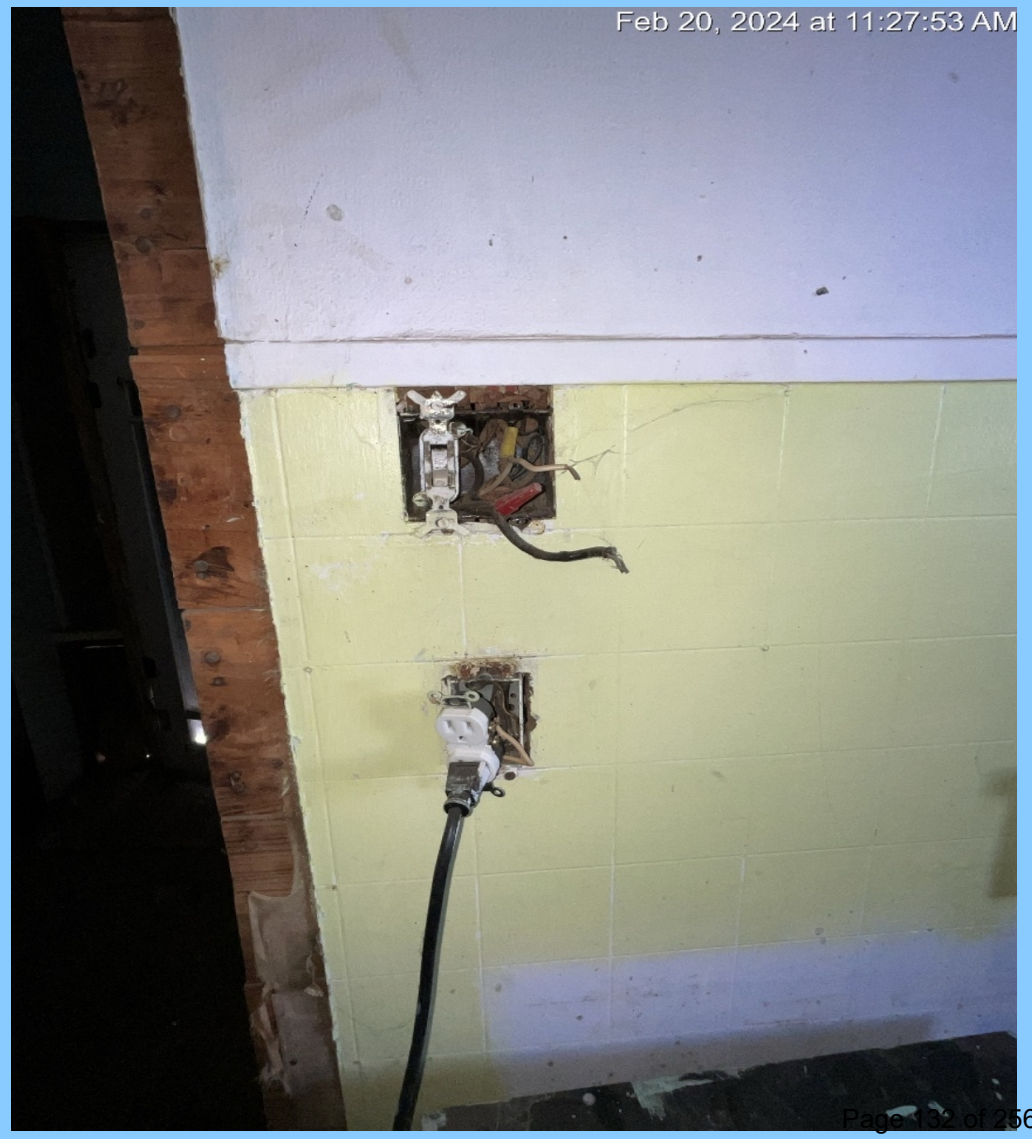
Mechanical and Electrical Hazards





Mechanical and Electrical Hazards





Timeline of Events

- **August 18, 2022 –** Case opened for dilapidated structure. This property was identified prior to case being opened due to hazardous looking electrical on the exterior that we brought to the attention of AEP and the property owner.
- **August 24, 2023 –** Spoke to owner, he let me know he is attempting to sell the property.
- **February 2, 2024** – Received citizen complaint for vagrants entering the house at night and animals living under the house.
- **February 20, 2024** – Executed admin search warrant and discovered property should be condemned.
- **February 23, 2024** – Affidavit of condemnation recorded at county clerk.
- **February 26, 2024** – Notice of condemnation sent to owner and lienholder.
- **March 7, 2024** – Spoke to lienholder for property. He let me know owner is not paying for the property and he is going to try to get him to sell or they will foreclose. Agreed on 90 days to have property sale or foreclosure in work and provide me with update. Deadline for update was June 5th. No update received. No indication property is on the market for sale.
- **May 29, 2024** – Property had to be mowed by city. Grass and weeds were well over 4 feet tall.
- **June 12, 2024** – Notice of July hearing posted on structure and sent to owner and lienholder.
- **June 27, 2024 –** Contacted lienholder by phone to inform them of July hearing and sent them notice of hearing by email.

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 1745 N. 5th St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:7/3/2024

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - 501 Meander St (HILLSIDE ADDN, BLOCK A, LOT N50 LT8 & N50 W12 LT 7, TAYLOR COUNTY, TEXAS), Owner: Legacy Dwelling, LLC/Guy & Karen Shaver**

GENERAL INFORMATION

Owner: Legacy Dwelling, LLC/Guy & Karen Shaver
Sq Ft: 900
Structural: OK
Foundation: OK
Value: $21,838
Total Value: $23,080
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

November 23, 2021 – Case opened for occupied, dilapidated structure with no water/trash service. Property was brought to our attention by city administration and APD.
July 26, 2022 – Received report of strong urine odor coming from property as well as lots of trash and junk.
September 12, 2022 – Received report of lots of different individuals going in and out of the house.
October 3, 2022 – City received citizen complaint detailing the criminal history at this residence. They said it goes back past 10 years. Current ownership by the Shaver's started June 2014.
October 14, 2022 – With APD assistance/squatters removed, we completed emergency securement of property. When house was being cleared it was discovered there is hazardous, active electrical, hazardous mechanical (gas), broken plumbing fixtures and the water meter

valve had damage from being forcefully unlocked. Immediately contacted ATMOS to come and remove gas service. Requested AEP remove power to house.
October 19, 2022 – Property broken into and was re-secured by city.
November 22, 2022 – Property was condemned. Notice of condemnation and 30-60 were sent to property owner. Explained *numerous* times to property owner the plan of action process and how to obtain a permit.
February 28, 2024 – Met with property owner at City Hall to discuss all of the Legacy Dwelling LLC/Guy and Karen Shaver property cases. Explained to him again the process to obtain a permit for this house. Lost track of how many times the plan of action/permit process has been explained to him and he still has not taken any action.
June 12, 2024 – Notice of July hearing posted on property and sent to owners.

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 July 3, 2024

ATTACHMENTS:

1. 20240703_22-003425_501 Meander St 20240703_22-003425_501 Meander St.pptx

Case #22-003425

501 Meander 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** to be the owner

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

- **SECRETARY OF STATE** – Shows Legacy Dwelling, LLC to have forfeited existence. Shows Guy & Karen Shaver as Directors of Legacy Dwelling, LLC.

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

- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since Mar 1, 2023

- Search reveals **Legacy Dwelling, LLC/ Guy & Karen Shaver** 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)
- Hazardous Mechanical Equipment, Chapter 8, Sec 8-554 (6)
- Faulty Weather Protection, Chapter 8, Sec 8-554 (7)

Exterior Dilapidation/Faulty Weather Protection





Faulty Weather Protection/Hazardous Electrical





Inadequate Sanitation





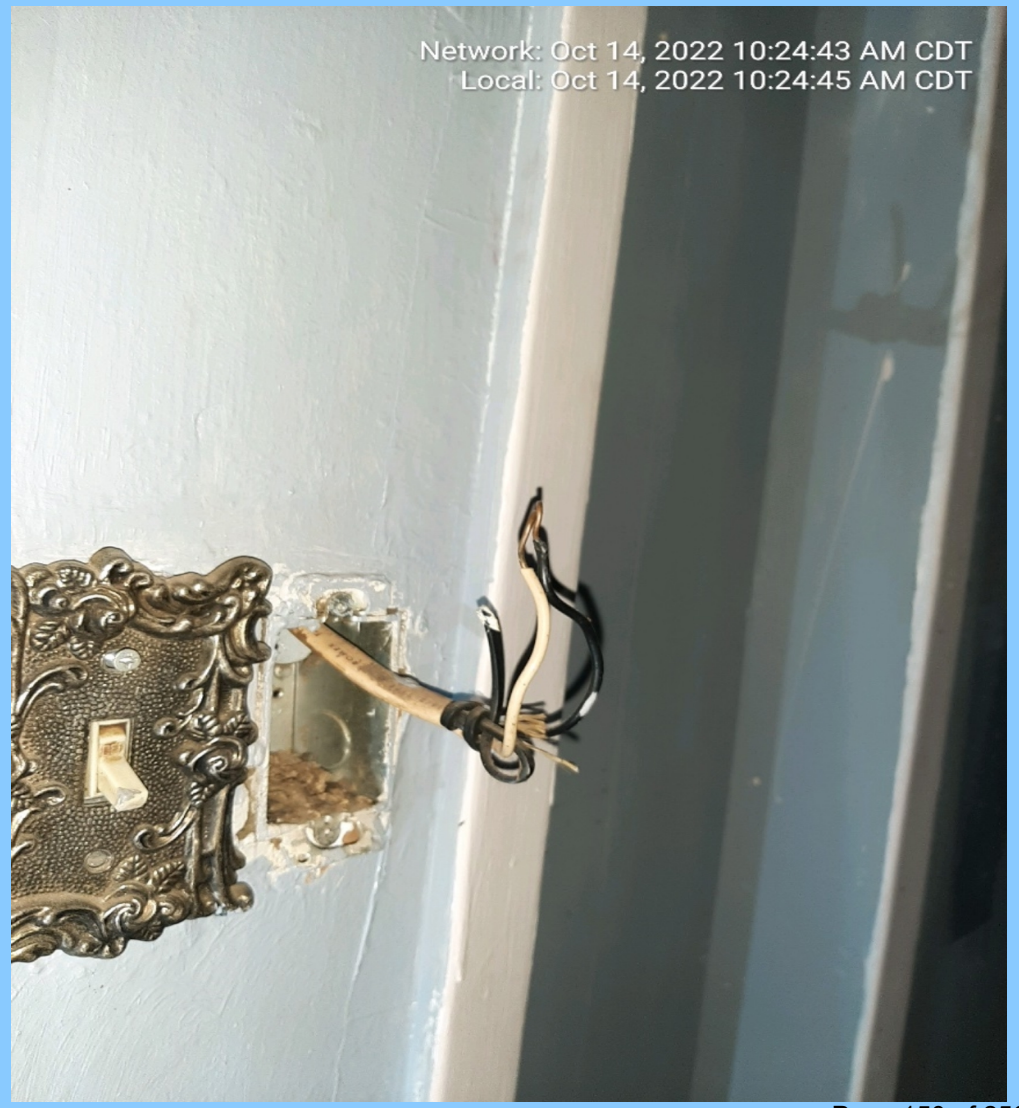
Hazardous Mechanical





Hazardous Electrical





Hazardous Conditions/Illegal Activity





Timeline of Events

- **November 23, 2021 –** Case opened for occupied, dilapidated structure with no water/trash service. Property was brought to our attention by city administration and APD.
- **July 26, 2022** – Received report of strong urine odor coming from property as well as lots of trash and junk.
- **September 12, 2022** – Received report of lots of different individuals going in and out of the house.
- **October 3, 2022** – City received citizen complaint detailing the criminal history at this residence. They said it goes back past 10 years. Current ownership by the Shaver's started June 2014.
- **October 14, 2022** – With APD assistance/squatters removed, we completed emergency securement of property. When house was being cleared it was discovered there is hazardous, active electrical, hazardous mechanical (gas), broken plumbing fixtures and the water meter valve had damage from being forcefully unlocked. Immediately contacted ATMOS to come and remove gas service. Requested AEP remove power to house.
- **October 19, 2022** – Property broken into and was re-secured by city.
- **November 22, 2022** – Property was condemned. Notice of condemnation and 30-60 were sent to property owner. Explained *numerous* times to property owner the plan of action process and how to obtain a permit.
- **February 28, 2024** – Met with property owner at City Hall to discuss all of the Legacy Dwelling LLC/Guy and Karen Shaver property cases. Explained to him again the process to obtain a permit for this house. Lost track of how many times the plan of action/permit process has been explained to him and he still has not taken any action.
- **June 12, 2024** – Notice of July hearing posted on property and sent to owners.

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 501 Meander St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:7/3/2024

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: OK
Foundation: OK
Value: $87,666
Total Value: $94,038
Delinquent Tax: $632.93

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 – 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 and why it was in the condition we found it in.
August 14, 2023 – City contractor completed clean up abatement of property exterior.
March 6, 2024 – Board ordered 30-60. There was no one in attendance to speak to the property.
March 15, 2024 – Received citizen complaint for property being vandalized. Inspected property and found graffiti on all sides of the house. The graffiti suggests that it was done by the property owner.
May 7, 2024 – Notice of hearing was posted on structure.
May 8, 2024 – Board hearing notice sent to sister of property owner.
May 13, 2024 – Received a call from owner's sister to confirming that the property owner has passed away. Owner died in an Abilene motel fire on May 9th. She also let us know the owner has two estranged sons. She asked for a week to see if the family was going to attempt to do anything with the property.
June 5, 2024 – **Board ordered case tabled** until next hearing. Sister was at hearing to inform Board that transfer is in work and sale will happen soon.

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 July 3, 2024

ATTACHMENTS:

1. 20240703_23-002935_850 Vine St 20240703_23-002935_850 Vine St.pptx

Case #23-002935

850 Vine St.

(Tabled at last hearing)

CITY OF ABILENE TEXAS

CHECKLIST FOR RECORDS SEARCH

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

- **COUNTY RECORDS** – Shows Warranty Deed naming **Ronald C. Harness** as owner

- **TAYLOR COUNTY** – Shows **Ronald C. Harness** to be the owner.

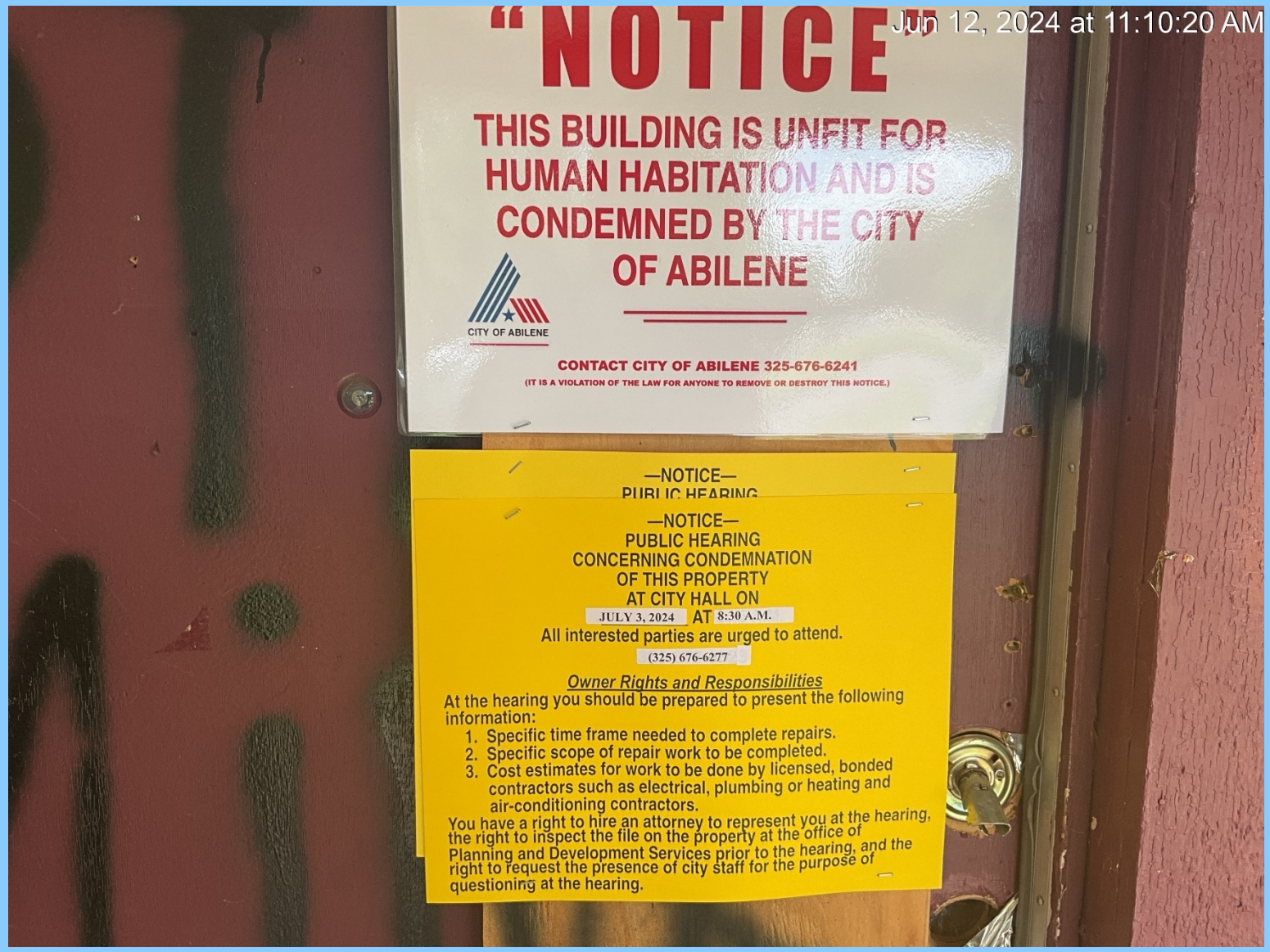
- **SECRETARY OF STATE** – Shows no entity under this name.

- **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


May 20, 2024 at 1:43:06 PM
HELLO
APD
THANK
YOU·USP
EYE·YOU ALL ARE
Mind
HARNESSED
YOU ALL CAN SEE
MY 2 EYES
NOW

South Side



South Side



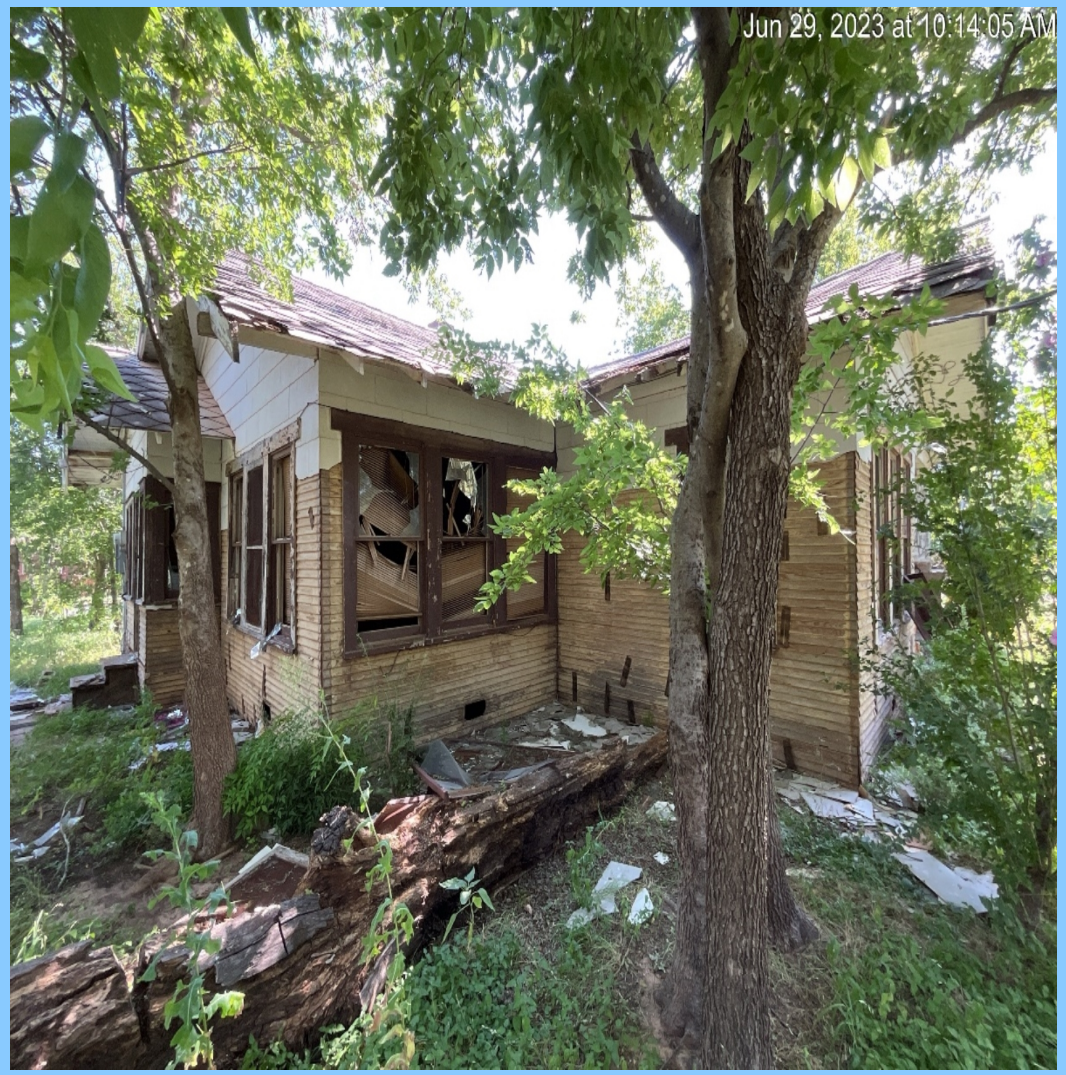
Substandard Code Violations

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)
- 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** – 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. She was explained the condemnation process. She didn't know what the family was going to do with the property.
- **August 14, 2023** – City contractor completed clean up abatement of property exterior.

Timeline of Events

- **March 6, 2024 – Board ordered 30-60.** There was no one in attendance to speak to the property. Board's decision was sent to sister of owner.
- **March 15, 2024** – Received citizen complaint for property being vandalized. Inspected property and found graffiti on all sides of the house. The graffiti suggests that it was done by the property owner.
- **May 13, 2024** – Received a call from owner's sister to confirming that the property owner has passed away. Owner died in an Abilene motel fire on May 9th. She asked for a week to see if the family was going to attempt to do anything with the property.
- **June 5, 2024** – **Board ordered case tabled** until next hearing. Sister was at hearing to inform Board that transfer is in work and sale will happen soon.
- **June 12, 2024** – Notice of July hearing sent to deceased owner's sister and posted on structure.

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:7/3/2024

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: $41,758
Total Value: $44,976
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.
March 6, 2024 – Board ordered 30-60, several heirs were in attendance. Grandson of deceased

owner stated he would be able to get a plan of action together and get property repaired. Betty Hardwick caseworker for owner's daughter was also present at hearing.
April 3, 2024 – Betty Hardwick caseworker came into city hall and was given a copy of the plan of action worksheet. She was explained the plan of action process and what is required.
April 19, 2024 – Caseworker came into city hall and turned in an incomplete plan of action. She was contacted and told what was still required. We have not heard back from the caseworker or any of the property heirs.
June 11, 2024 – Notice of July hearing sent to property heirs.
June 12, 2024 – Notice of July hearing posted at property.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

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 July 3, 2024

ATTACHMENTS:

1. 20240703_23-003899_433 Cockerell Dr 20240703_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





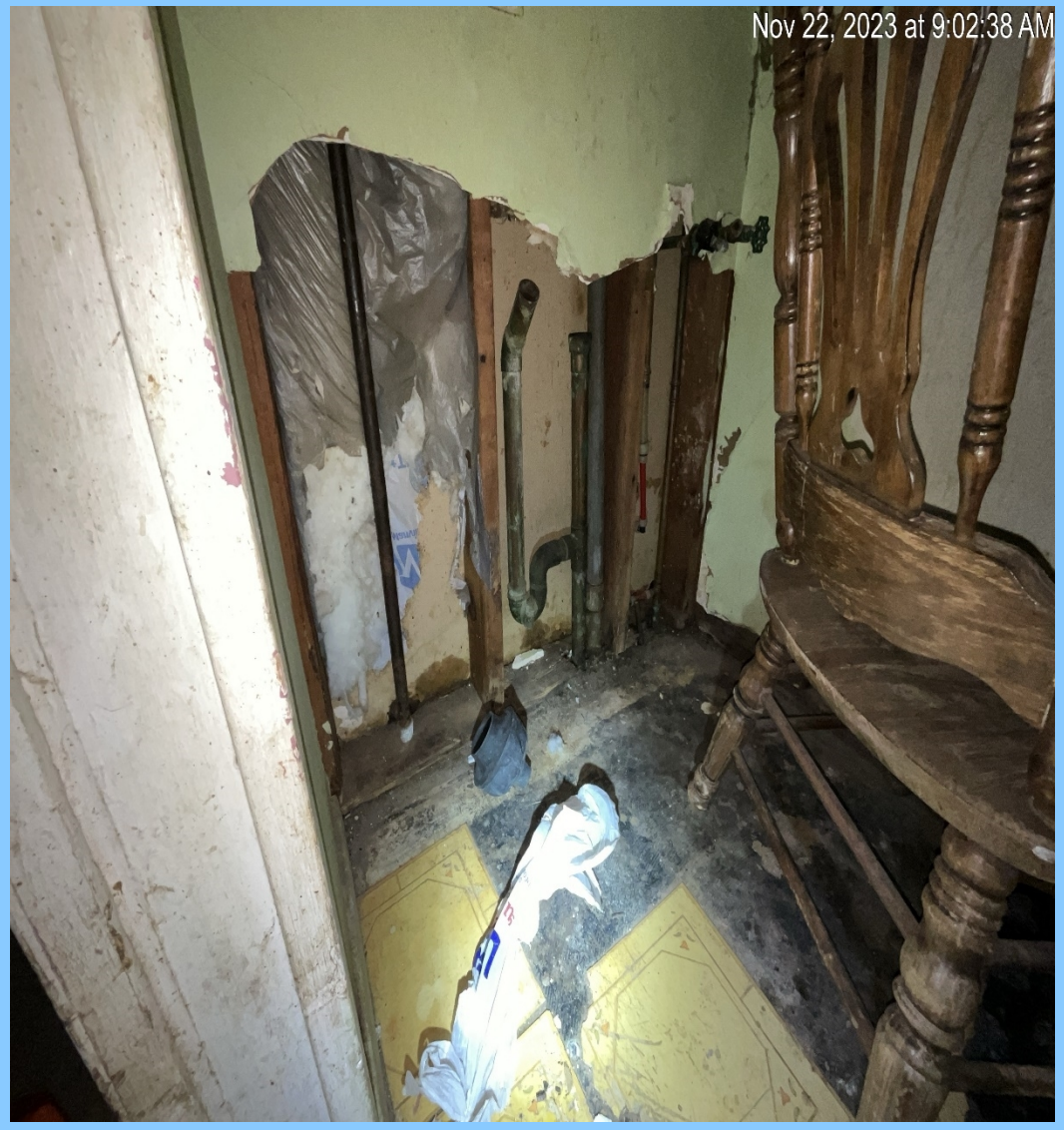
Hazardous Electrical/Mechanical





Interior Dilapidation/Faulty Plumbing



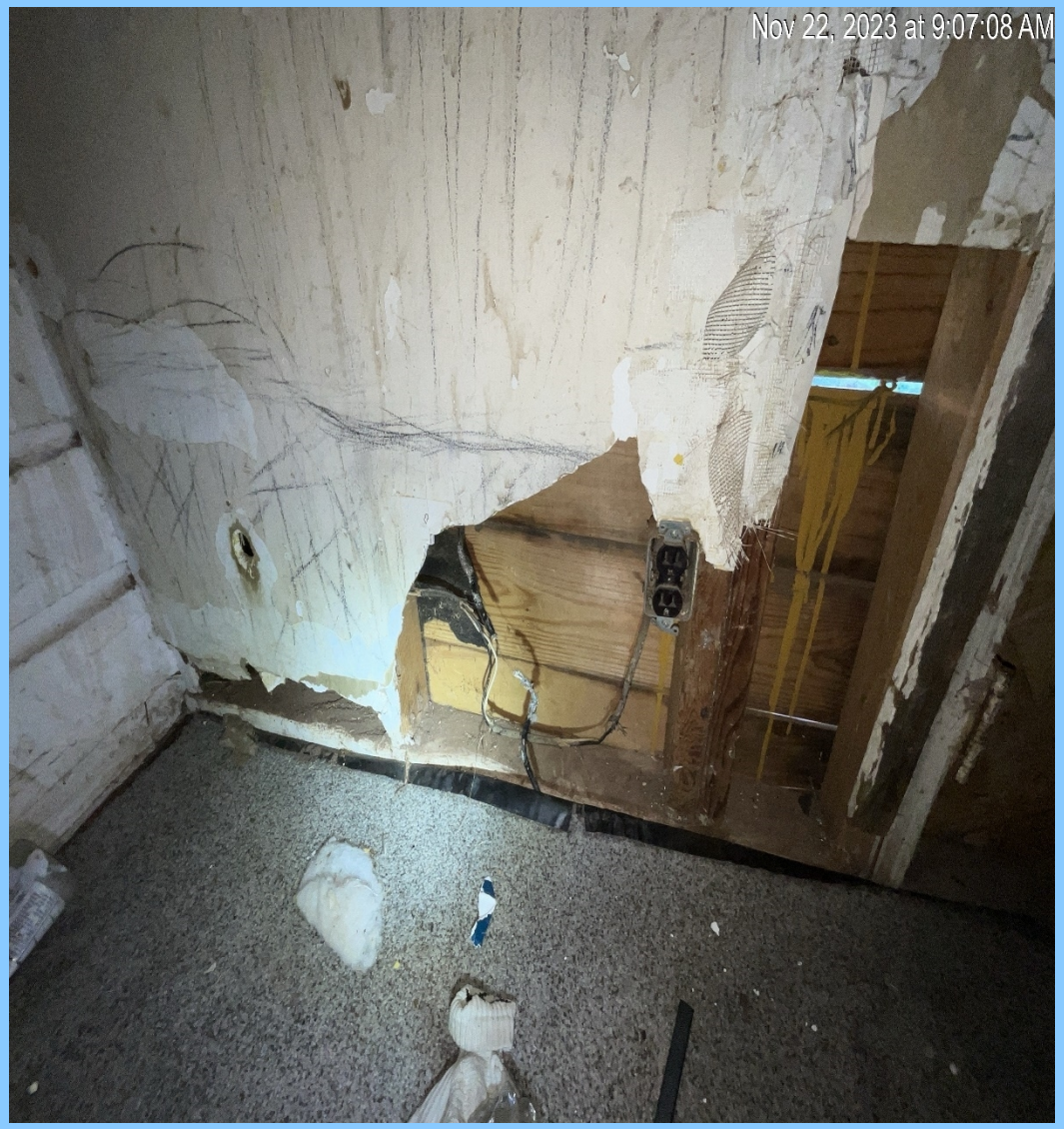


Faulty Weather Protection and Electrical Hazard



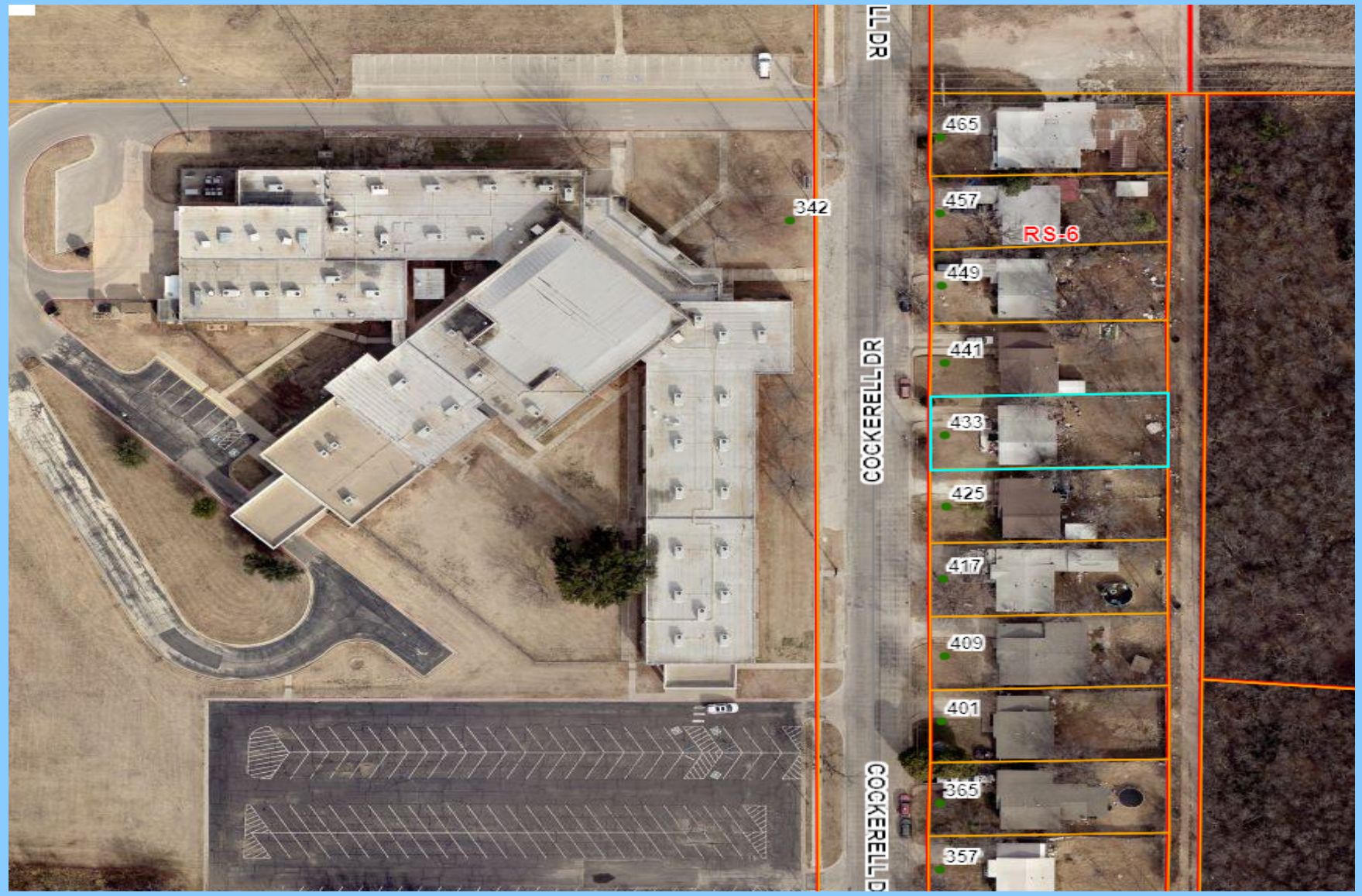


Electrical Hazard/Exterior Dilapidation





Proximity to School



Timeline of Events

- **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** – Phone call received from caseworker at Betty Hardwick. She said they are assisting the daughter of deceased owner 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.
- **March 6, 2024** – Board ordered 30-60, several heirs were in attendance. Grandson of deceased owner stated he would be able to get a plan of action together and get property repaired. Betty Hardwick caseworker for owner's daughter was also present at hearing.
- **April 3, 2024** – Betty Hardwick caseworker came into city hall and was given a copy of the plan of action worksheet. She was explained the plan of action process and what is required.
- **April 19, 2024** – Caseworker came into city hall and turned in an incomplete plan of action. She was contacted and told what was still required. We have not heard back from the caseworker or any of the property heirs.
- **June 11, 2024** – Notice of July hearing sent to property heirs.
- **June 12, 2024** – Notice of July hearing posted at property.

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 433 Cockerell Dr. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:7/3/2024

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case #23-005515: 550 Sammons St, (H WARD OF SAYLES, BLOCK 18, LOT S55 S110 LT 3, TAYLOR COUNTY, TEXAS), Owner: Legacy Dwelling, LLC/Guy & Karen Shaver**

GENERAL INFORMATION

Owner: Legacy Dwelling, LLC/Guy & Karen Shaver
Sq Ft: 1,341
Structural: OK
Foundation: OK
Value: $46,633
Total Value: $48,696
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

January 23, 2018 – Property acquired by Legacy Dwelling, LLC
November 10, 2022 – Case opened for homeless camp, people living in shed and accumulation of junk and debris on property. Notice of violation were sent to Legacy Dwelling, LLC.
April 13, 2023 – Property was still in violation. New notices sent to tenant and Legacy Dwelling, LLC.
August 17, 2023 – Property was cleaned and mowed by the city.
December 12, 2023 – Property brought to our attention again by APD. PD was dispatched to the residence the prior evening to clear the house. They asked us to look at the house because it was trashed, had broken windows, and doors were unsecured.
Cleared property in preparation for securement. During walk through observed drug paraphernalia, and foundation issues.
Affidavit of condemnation was recorded at county clerk.

January 5, 2024 – Notice of condemnation sent to property owner.
April 29, 2024 – Called in by APD for being unsecured again. Property was cleared and secured by code officers.
June 12, 2024 – Notice of July hearing posted on property and sent to property owner.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

30/60
Order Owner to Repair: 30 days to provide a plan of action including a timeframe for repair and cost estimates and obtain all permits. And if this is done, 60 days to obtain rough-in inspections. And if this is done, all final inspections shall be passed by the expiration of all permits.

BOARD OR COMMISSION RECOMMENDATION

The Board will hear this case on July 3, 2024

ATTACHMENTS:

1. 20240703_23-005515_550 Sammons St 20240703_23-005515_550 Sammons St.pptx

Case #23-005515

550 Sammons 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 entity has forfeited existence. Directors shown to have been Guy & Karen Shaver

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

- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since May 21, 2024

- Search reveals **Legacy Dwelling, LLC/Guy & Karen Shaver** to be the owner.

Public Notice



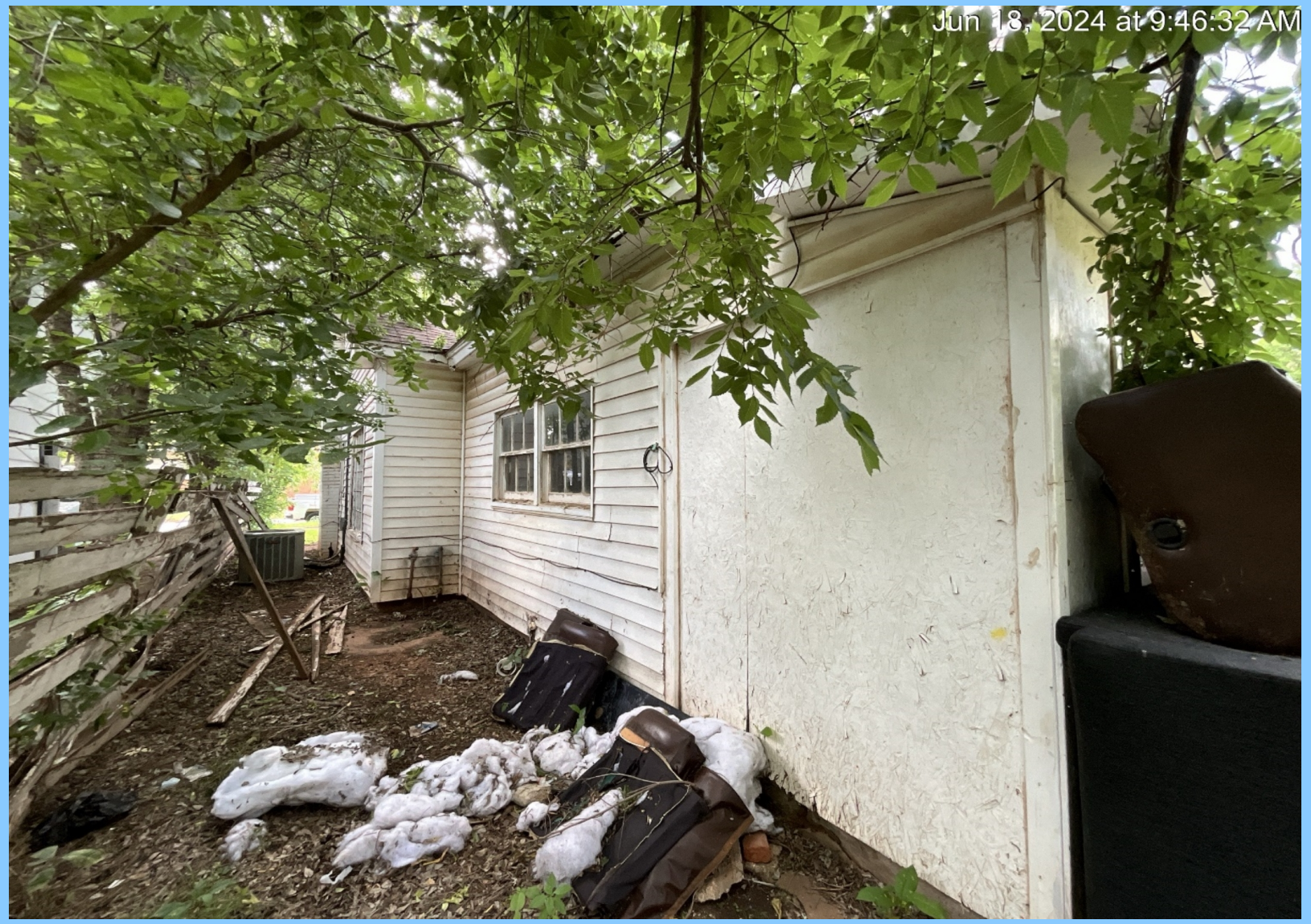
Front East Side



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)

Faulty Weather Protection





Faulty Weather Protection





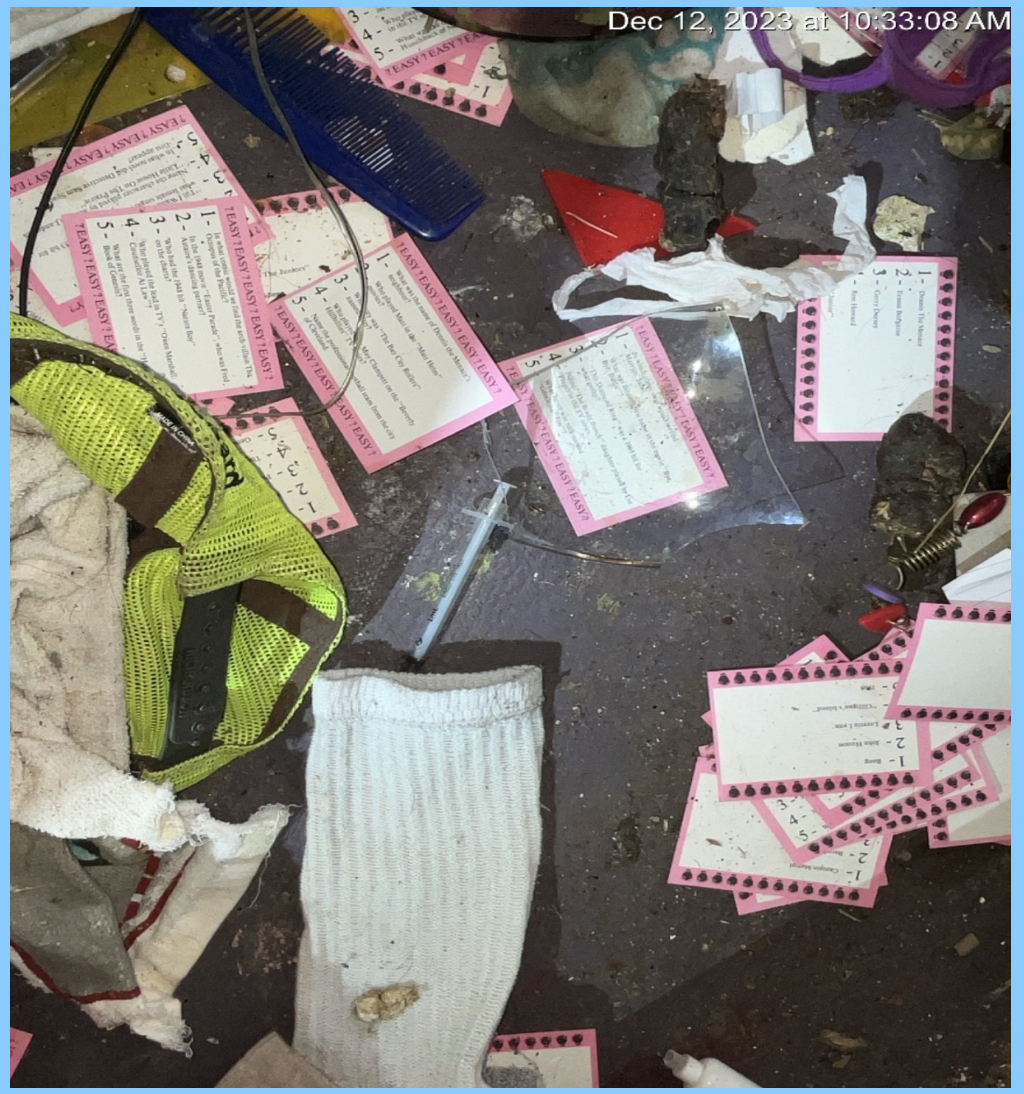
Faulty Weather Protection/Mechanical Issues





Inadequate Sanitation/Illegal Activity





Electrical Hazard/Inadequate Sanitation





Mechanical Issues/Inadequate Sanitation





Timeline of Events

- **January 23, 2018 –** Property acquired by Legacy Dwelling, LLC
- **November 10, 2022** – Case opened for homeless camp, people living in shed and accumulation of junk and debris on property. Notice of violation were sent to Legacy Dwelling, LLC.
- **April 13, 2023** – Property was still in violation. New notices sent to tenant and Legacy Dwelling, LLC.
- **August 17, 2023** – Property was cleaned and mowed by the city.
- **December 12, 2023** – Property brought to our attention again by APD. PD was dispatched to the residence the prior evening to clear the house. They asked us to look at the house because it was trashed, had broken windows, and doors were unsecured.
- Cleared property in preparation for securement. During walk through observed drug paraphernalia, and foundation issues.
- Affidavit of condemnation was recorded at county clerk.
- **January 5, 2024** – Notice of condemnation sent to property owner.
- **April 29, 2024** – Called in by APD for being unsecured again. Property was cleared and secured by code officers.
- **June 12, 2024** – Notice of July hearing posted on property and sent to property owner.

Staff Recommendation:

- ORDER OWNER TO REPAIR – 30 DAYS TO PROVIDE A PLAN OF ACTION INCLUDING A TIMEFRAME FOR REPAIR AND COSTS ESTIMATES AND OBTAIN ALL PERMITS

- AND IF THIS IS DONE, 60 DAYS TO OBTAIN ROUGH-IN INSPECTIONS

- AND IF THIS IS DONE, ALL FINAL INSPECTIONS SHALL BE COMPLETED BY THE EXPIRATION OF ALL PERMITS

End of 550 Sammons St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:7/3/2024

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case# 24-000295: 417 Amarillo St (BOULEVARD PARK, BLOCK 3, LOT 9, TAYLOR COUNTY, TEXAS), Owner: Esparza, Daniel Garcia & Garcia, Daniel Damron Jr.**

GENERAL INFORMATION

Owner: Esparza, Daniel Garcia & Garcia, Daniel Damron Jr.
Sq Ft: 1,344
Structural: OK
Foundation: OK
Value: $17,860
Total Value: $22,060
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

August 22, 2023 – Structure fire occurred. Damages estimated at $50K.
February 7, 2024 – Received multiple complaints from adjacent property of the condition of this property, after a house fire. I performed an inspection and determined that the property is hazardous and should be condemned. It has been completely gutted, and the fire debris has been piled up outside of the house.
February 8, 2024 – Affidavit of condemnation filed with the County Clerk.
February 8, 2024 – Sent initial notice of condemnation and 30/60 letters to property owner via regular and certified mail.
March 8, 2024 – I spoke with a gentleman that was in the process of purchasing this property. The closing date for the sale was scheduled for 04/05/2024.
April 4, 2024 - Spoke with the neighbor of this residence, who advised me the sale was not going to happen. I spoke with the individual who was going to buy the property, and he said the

owner backed out of the deal.
April 5, 2024 - I was able to locate one of the sons of the owner, who gave me his fathers phone number. I spoke with the owner, Daniel Esparza, and asked what his intentions were for this property. He told me he wants to renovate it. I explained that he needed to obtain permits, but he would have to submit a plan of action and cost estimates before any work could begin. I told him he needed to clean the property immediately, and maintain the property at all times. He told me he would work on getting the property cleaned up, but it would take a week or so.
April 22, 2024- Nothing has been done to clean up the property, so I sent it out to our contractors for a bid for the clean up abatement.
May 20, 2024- Due to budget delays, the abatement didn't begin until today. Contractor started the abatement, and finished on 05/23/2024 with the cost at $1,895.
June 10, 2024- As of today I have had no further contact with the property owner. Nothing has been done at this property, and no plan of action has ever been submitted.
June 12, 2024 – Notice of June hearing posted on structure and sent to address of record for property owner.
June 25, 2024- I spoke with Jorge Louis, who is attempting to purchase this property. He said he is having a hard time getting the current owners to complete the necessary paperwork to complete the sale. Jorge said he plans on remodeling the house if the purchase is completed.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

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 July 3, 2024.

ATTACHMENTS:

1. 20240703_24-000295_417 Amarillo St 20240703_24-000295_417 Amarillo St.pptx

Case #24-000295

417 Amarillo 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 Special Warranty Deed naming **Daniel Garcia Esparza & Daniel Damron Esparza Jr** as owners

- **TAYLOR COUNTY** – Shows **Daniel Garcia Esparza & Daniel Damron Garcia Jr.** to be the owner.

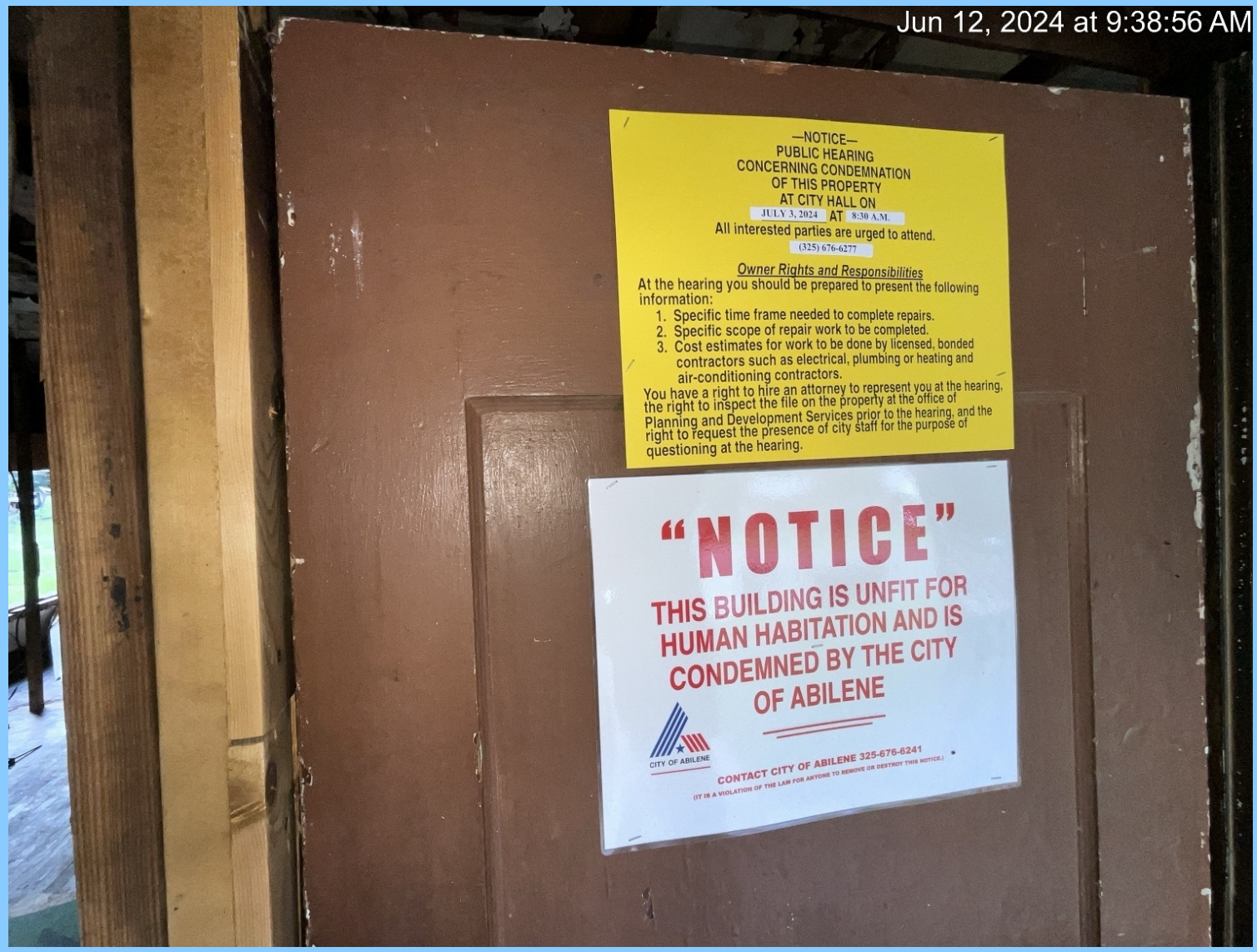
- **SECRETARY OF STATE** – Shows no entity under this name.

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

- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since Oct 21, 2023

- Search reveals **Daniel Garcia Esparza & Daniel Damron Esparza Jr.** 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)

Hazardous Exterior Electrical





Exterior Dilapidation/Faulty Weather Protection





Interior Dilapidation





Interior Dilapidation





Interior Dilapidation





Backyard Garage





Timeline of Events

- **August 22, 2023 –** Structure fire occurred. Damages estimated at $50K.
- **February 7, 2024 –** Received multiple complaints from adjacent property of the condition of this property, after a house fire. I performed an inspection and determined that the property is hazardous and should be condemned. It has been completely gutted, and the fire debris has been piled up outside of the house.
- **February 8, 2024 –** Affidavit of condemnation filed with the County Clerk.
- **February 8, 2024 –** Sent initial notice of condemnation and 30/60 letters to property owner via regular and certified mail.
- **March 8, 2024 –** I spoke with a gentleman that was in the process of purchasing this property. The closing date for the sale was scheduled for 04/05/2024.
- **April 4, 2024 -** Spoke with the neighbor of this residence, who advised me the sale was not going to happen. I spoke with the individual who was going to buy the property, and he said the owner backed out of the deal.
- **April 5, 2024 -** I was able to locate one of the sons of the owner, who gave me his fathers phone number. I spoke with the owner, Daniel Esparza, and asked what his intentions were for this property. He told me he wants to renovate it. I explained that he needed to obtain permits, but he would have to submit a plan of action and cost estimates before any work could begin. I told him he needed to clean the property immediately, and maintain the property at all times. He told me he would work on getting the property cleaned up, but it would take a week or so.
- **April 22, 2024-** Nothing has been done to clean up the property, so I sent it out to our contractors for a bid for the clean up abatement.

Timeline of Events

- **May 20, 2024-** Due to budget delays, the abatement didn't begin until today. Contractor started the abatement, and finished on 05/23/2024 with the cost at $1,895.
- **June 10, 2024-** As of today I have had no further contact with the property owner. Nothing has been done at this property, and no plan of action has ever been submitted.
- **June 12, 2024 –** Notice of June hearing posted on structure and sent to address of record for property owner.
- **June 25, 2024-** I spoke with Jorge Louis, who is attempting to purchase this property. He said he is having a hard time getting the current owners to complete the necessary paperwork to complete the sale. Jorge said he plans on remodeling the house if the purchase is completed.

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 417 Amarillo St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:7/3/2024

TO:

FROM:

SUBJECT: **Case for Rehabilitation, Demolition, or Civil Penalties - Case #24-001751: 5242 N. 9th St (HOLIDAY HILLS SEC 1, BLOCK A, LOT 1, TAYLOR COUNTY, TEXAS), Owner: Legacy Dwelling, LLC**

GENERAL INFORMATION

Owner: Legacy Dwelling, LLC
Sq Ft: 1,220
Structural: OK
Foundation: OK
Value: $45,893
Total Value: $46,966
Delinquent Tax: $0.00

SPECIAL CONSIDERATIONS

May 6, 2024 – Structure fire occurred. **Fifth structure fire** of a property owned by Guy and Karen Shaver/Legacy Dwelling, LLC. Damages estimated at $10K.
May 15, 2024 – Affidavit of condemnation recorded at county clerk. This is the **ninth condemned property** of 26 properties owned by Guy and Karen Shaver of Legacy Dwelling, LLC (35%). Condemnation notice and 30-60 sent to property owners.
June 12, 2024 – Notice of July hearing posted on structure and sent to property owners.

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

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 July 3, 2024.

ATTACHMENTS:

1. 20240703_24-001751_5242 N. 9th St 20240703_24-001751_5242 N. 9th St.pptx

Case #24-001751

5242 N. 9th 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 LLC has been forfeited and Guy & Karen Shaver to have been the directors.

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

- **UTILITY RECORDS OF THE MUNICIPALITY** – Inactive since Mar 14, 2024

- Search reveals **Legacy Dwelling, LLC/Guy & Karen Shaver** to be the owner

Public Notice



Front South Side



Rear North Side



East Side



West Side



Substandard Code Violations

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

- Inadequate Sanitation, Chapter 8, Sec 8-554 (1)
- Structural Hazard, Chapter 8, Sec 8-554 (2)
- Nuisance, Chapter 8, Sec 8-554 (3), Chapter 19, Sec 19-15 (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)

Interior Dilapidation





Interior Dilapidation





Interior Dilapidation





Timeline of Events

- **May 6, 2024 –** Structure fire occurred. **Fifth structure fire** of a property owned by Guy and Karen Shaver/Legacy Dwelling, LLC. Damages estimated at $10K.
- **May 15, 2024** – Affidavit of condemnation recorded at county clerk. This is the **ninth condemned property** of 26 properties owned by Guy and Karen Shaver of Legacy Dwelling, LLC. Condemnation notice and 30-60 sent to property owners.
- **June 12, 2024** – Notice of July hearing posted on structure and sent to property owners.

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 5242 N. 9th St. presentation

CITY OF ABILENE TEXAS

CITY OF ABILENE

Board of Building Standards
Agenda Memo

Meeting Date:7/3/2024

TO:

FROM:

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

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS: