

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
August 7, 2024 - 8:30 a.m.
BOARD OF BUILDING STANDARDS OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL**

Members Present: Mr. David Beard, Chairman
Mr. Delbert Allred
Mr. Jeremy McBrayer
Mr. Lloyd Turner
Mr. Sean McNeill
Mr. Will Dugger

Staff Present: Mr. Michael Rice, Assistant City Manager
Mr. Tim Littlejohn, Director of Planning and Development Services
Mr. Van Watson, Building Official
Ms. Kelley Messer, Assistant City Attorney
Mr. 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: Mr. Adolfo Delgadillo (317 Bois D Arc St)
Mr. Rene Delgadillo (317 Bois D Arc St)
Mr. Daniel Flores (1549 Westmoreland St)
Mr. Jim McCathren (502 N Willis St)
Mr. Kevin Batten (1126 Kirkwood St)
Mr. Guy Shaver (1126 Kirkwood St)
Mr. Matthew Muzecherko (502 N Willis St)
Mr. Johnny Martinez (1370 Pecan St)
Mr. Karl Berry (1370 Pecan St)

CALL TO ORDER

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

Mr. Beard began with calling an Executive Session. The session was held between 8:31 a.m. and 8:55 a.m. He reconvened the public meeting by announcing that no decisions had been made during the Executive Session.

APPROVAL OF MINUTES

The minutes of the last meeting, July 3, 2024, were provided in advance to Board Members for review.

Mr. Allred made a motion to approve the minutes.

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

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

NAYS: None

ABSTAIN: None

AGENDA ITEMS & PUBLIC HEARINGS

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

Mr. Wright presented the case,

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

- Inadequate Sanitation, Chapter 8, Sec 8-554 (1)
- Structural Hazard, Chapter 8, Sec 8-554 (2)
- Nuisance, Chapter 8, Sec 8-554 (3), Chapter 19, Sec 19-15 (4)
- Hazardous Electrical Wiring, Chapter 8, Sec 8-554 (4)
- Hazardous Plumbing, Chapter 8, Sec 8-554 (5)
- Hazardous Mechanical Equipment, Chapter 8, Sec 8-554 (6)
- Faulty Weather Protection, Chapter 8, Sec 8-554 (7)

Staff recommendations are as follows:

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

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

Public Hearing: Mr. Beard opened the public hearing. Mr. McCathren stated that he is from McCathren Architects. He stated that the project will have to be broken into phases. He stated that they are waiting for asbestos testing and that would take approximately 3 weeks. He speculated that the entire project would take 9 to 12 months. He stated that the glass repair would be approximately \$128,000. Mr. Muzecherko stated that he is with Paul Johnson & Associates. He stated that work has been done. Mr. Watson asked for a timeframe on the glass repair. Mr. Muzecherko stated that they are waiting on two more bids for the repair. He stated that once a bid is accepted he believed the glass would take 2 to 3 months to arrive for installation. There being no additional speakers, Mr. Beard closed the public hearing.

Mr. Turner read a prior Board order and Mr. Beard agreed that there would need to be an extended timeframe; however, progress needs to move quickly. Mr. Dugger stated that need to stop the falling debris from the building.

Mr. Dugger made a motion that the owner is ordered to repair. 30 days secure the building from falling debris and reach an agreement with the city for a Plan of Action to bring forward at the September Board of Building Standards meeting which was seconded by Mr. Allred, motion passed.

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

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 23-001201: 317 Bois D Arc St. (LT 9 172 OT ABL TIF#1, TAYLOR COUNTY, TEXAS), Owner: Calvillo, Adolfo Deladillo

Mr. Wright presented the case,

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

- Inadequate Sanitation, Chapter 8, Sec 8-554 (1)
- Structural Hazard, Chapter 8, Sec 8-554 (2)
- Nuisance, Chapter 8, Sec 8-554 (3), Chapter 19, Sec 19-15 (4)
- Hazardous Electrical Wiring, Chapter 8, Sec 8-554 (4)
- Hazardous Plumbing, Chapter 8, Sec 8-554 (5)
- Hazardous Mechanical Equipment, Chapter 8, Sec 8-554 (6)
- Faulty Weather Protection, Chapter 8, Sec 8-554 (7)

Staff recommendations are as follows:

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

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

Public Hearing: Mr. Beard opened the public hearing. Mr. Delgadillo spoke through interpreter, Mr. Rene Delgadillo. He stated that he needs 3 to 6 months to complete the repairs. 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. Dugger, motion passed.

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

NAYS: None

ABSTAIN: None

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

Mr. Wright presented the case,

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

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

Staff recommendations are as follows:

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

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

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

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

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

NAYS: None

ABSTAIN: None

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

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

NAYS: None

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 24-000019: 1549 Westmoreland St. (CRESCENT HEIGHTS, BLOCK P, LOT S20.2 OF 12 & N35.3 OF 13, TAYLOR COUNTY, TEXAS), Owner: Mallon Angelina

Mr. Wright 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)
- 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. Flores spoke and stated that he has lived next to the house for 34 years and it has been vacant for 7 years. He stated that the house is an eyesore. There being no additional speakers, Mr. Beard closed the public hearing.

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

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

NAYS: Mr. Allred

ABSTAIN: None

Case for Rehabilitation, Demolition, or Civil penalties - Case# 24-000595: 1370 Pecan St. (OT ABILENE BLK 208 JOHN J TOOMBS/RINEY-HAYS, LOT S50 N100 S178 E1/2,2-D, TAYLOR COUNTY, TEXAS), Owner: Martinez Johnny G & Virginia

Mr. Wright 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 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 (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. Martinez and his grandson Mr. Berry stated that they had an agreement with Bin Bros Construction to purchase the property. They requested time for the sale to go through. 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. McNeill, motion passed.

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

NAYS: None

ABSTAIN: None

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

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

Staff recommendations are as follows:

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

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

Public Hearing: Mr. Beard opened the public hearing. Mr. Shaver stated that the house can be demolished. He stated that he has a bid for plumbing repair for \$1400. He stated that he needed someone to explain the process to him. He stated that he has provided a partial plan of action and that he has a potential buyer for the property. There being no additional speakers, Mr. Beard closed the public hearing.

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

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

NAYS: None

ABSTAIN: None

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

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

NAYS: None

ABSTAIN: None

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

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:

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. Batton stated that he is interested in purchasing the property. He stated that there are title issues with the property. He stated that he would possibly get a restraining order if a demo order is decided on by the Board. He stated that he is attempting to purchase two properties and could have a contract in place today. There being no additional speakers, Mr. Beard closed the public hearing.

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

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

NAYS: None

ABSTAIN: Mr. McNeill

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

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

NAYS: None

ABSTAIN: Mr. McNeill

Case for Rehabilitation, Demolition, or Civil penalties - Case# 24-003028: 1526 Victoria St. (A0605 SUR 86 JAMES WARFIELD, TRACT S 108 N 188 E 140, TAYLOR COUNTY, TEXAS), Owner: Jimenez John & Aurora

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 Hazards – Chapter 8, Division 6, Sec 8-554 (2)
- 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. There being no speakers, Mr. Beard closed the public hearing.

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

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

NAYS: None

ABSTAIN: None

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

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

NAYS: None

ABSTAIN: None

ADJOURNMENT

There being no further business to come before the hearing, the Board of Building Standards meeting was adjourned at 10:30 a.m.

 9-4-24

Approved, Chairman

