



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 1, 2020, at 8:15 a.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. **Minutes:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Minutes from the Regular Meeting Held on March 04, 2020.

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 is to 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.

- A. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 11-022: 871/873 Cedar St. (LTS 6 179 3 RADFORD ABL OT),**
Owner: Ortiz, Antonio
• Public Hearing

- B. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 14-024: 1002 Mulberry St. (1 204 4-D HUGHES OT ABL),**
Owner: Mattson, Kimberly
• Public Hearing
- C. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 17-009: 633 S 11 St. (OT ABILENE BLK 208 ANDERSON 1-A, LOT 7-12),**
Owner: Abilene Courts Development Corp LLC
• Public Hearing
- D. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 19-005600: 825 1/2 Plum St. (Eastside Structure) (N100 S200 W160FT 177 OT OUTLOT 3 SW 1/4 TIF#1),**
Owner: Island, Mary Jay
• Public Hearing
- E. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 20-000580: 610 S. Leggett St. (4067/4069 Redbud Cr. Unit), (ELMWOOD WEST SEC C, BLOCK 3)**
Owner: Teekoy Properties LLC
• Public Hearing

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 26th day of June, 2020, at 2:45 p.m.

Shawna Atkinson, City Secretary

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
March 04, 2020 8:15 a.m.
BOARD OF BUILDING STANDARDS OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL**

Members Present: Mr. David Beard, Chairman
Mr. Anthony McColum
Dr. Wayne Paris
Mr. Delbert Allred
Mrs. DeAnn Yeilding
Mr. Wayland Schroeder
Mr. Lloyd Turner

Staff Present: Mr. Mike Warrix, Director of Planning and Development Services
Mr. Tim Littlejohn, Assistant Director of Planning and Development Services / Building Official
Mr. Trent Dietz, Assistant City Attorney
Mr. Clay Door, Community Enhancement Division Manager
Mr. Carl Collum, Code Compliance Officer
Mr. David Cline, Code Compliance Officer
Mr. Josh Mares, Code Compliance Officer
Mr. AJ Gamez, Code Compliance Officer
Ms. Catina Betoncur, Office Assistant III

Others Present: Mr. Devin Ngin
Mr. Dale Rankin
Mr. Josh Black
Mrs. Alicia Smith

CALL TO ORDER

Mr. Beard called the meeting to order at 8:15 a.m. and Ms. Betoncur recorded the minutes. A quorum of members was present, and the meeting proceeded.

APPROVAL OF MINUTES

The minutes of the last meeting, January 08, 2020 meeting minutes were provided in advance to Board Members for review.

Mr. McColum made a motion to approve the minutes as written and was seconded by Mr. Schroder, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

ABSTAIN: Mrs. Yeilding

The minutes of the canceled February 05, 2020 meeting were provided in advance to Board Members for review.

Mr. Allred made a motion to approve the minutes as written and was seconded by Mr. Schroder, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

ABSTAIN: Mr. McColum, Mrs. Yeilding

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 14-024: 1002

MULBERRY ST. (1 204 4-D HUGHES OT ABL), Owner, Mattson, Kimberly

Mr. Mares presented the case and provided a recent update on the case. The owner's son spoke to Mr. Clay Door on Tuesday, March 3rd explaining that his parents were out of the country for a funeral and was willing to come to the hearing and speak on behalf of his parents.

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. .

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (4) Hazardous Electrical Wiring, Chapter 8; Sec. 8-554
- (5) Hazardous plumbing, Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)

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

Dr. Paris requested additional clarification on the procedures of the 6 month redemption period, and Mr. Mares explained that the previous owner could redeem his former property within 6 months of a tax sale for the price the new owner paid excluding any renovation expense that was invested after the property was purchased.

Public Hearing:

Mr. Beard opened the public hearing.

Mr. Devin Ngin, the owner's son came to request an extension so that they can pull the permits and complete the work required at the property. Mr. Ngin explained the intention is the rehabilitate the home and put it on the market to sell.

There being no other speakers, Mr. Beard closed the public hearing.

The Board had discussion as to whether rehabilitation of the property is a viable option and perhaps the structure could be covered and protected.

Mr. Mares confirmed ownership by Mr. Ngin to allow permits to be pulled.

Public Hearing:

Mr. Beard opened the public hearing.

Mr. Devin Ngin responded that he did not have the deed with him, but told the Board that his mother, Kimberly, should have the Sheriff's Deed and receipt of the paid delinquent taxes.

There being no other speakers, Mr. Beard closed the public hearing.

Mr. Mares confirmed that his copy of the deed was proof of rightful ownership by the Mattsons.

The Board considered tabling the case because the owners were not present. It was decided that there would be no need since the owners are planning to return and pull the permits on the property. The Board wanted clarification of ownership of the property. Mr. Mares confirmed that Kimberly Mattson was the owner.

Dr. Paris made a motion to order owner to repair, 30 days to obtain all permits and provide plan of action including a time frame 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. Mr. Schroeder, seconded the motion, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mrs. Yeilding, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 17-009: 633 S 11th (OT ABILENE BLK 208 ANDERSON 1-A, LOT 7-12), Owner, Abilene Courts Dev Corp LLC.

Mr. Mares presented the case, staff recommendation is 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.

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f, & l)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (d & g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (4) Hazardous electrical wiring Chapter 8; Sec. 8-554
- (5) Hazardous plumbing Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)

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. Dale Rankin, the manager and owner, [8278 FM 89, Tuscola] and Mr. Josh Black [97 Glen Abbey] of the Abilene Preservation League were sworn in to testify for the record. Mr. Rankin provided updates to the property. There have not been any tax credits. He explained the renovation plan but did not get any quotes. He provided a copy of the demolition quote from AML Environmental to demolish the quadrangle portion of the structure and keep only the façade. He would like to donate the building to Abilene Preservation League and requested an extension for 1-2 months.

Mr. Josh Black of the Abilene Preservation League explained about the asbestos risk with the property and the League's gift acceptance policy. He said that 30% of the materials of the original structure would need to remain intact to renovate it. He requested a 30 day extension to speak with the Texas Historical Commission to accept the property for the Preservation League. He thinks that a developer can construct a building behind the property. He explained that the gift could not be accepted while the property is still condemned.

A question was asked from The Board if the land value is included in the 70/30 formula.

Mr. Black said that it was not.

The Board inquired about the monetary value for only leaving the north façade and what will remain of the structure.

Mr. Black explained that the Texas Historical Commission requires at least 20% of the original materials such as door frames, hinges, window, casings, structural wood and but preferred 31%.

There being no other speakers, Mr. Beard closed the public hearing.

Mr. Mares clarified that the property could not be removed from condemnation until the property is up to code. Only when the final inspection is passed will the property given a certificate of occupancy and the condemnation sign removed.

The Board discussed the option to preserve the building by tabling the case before demolishing the structure and would re-iterate to the property owner that he should consider the health, safety, and welfare of the property. The Board asked legal counsel about the guidelines for removing the property from condemnation.

Counsel was not sure if the practice was pursuant to the ordinance and referred to Tim Littlejohn for a response.

The Board discussed the possibility of enclosing the property from public view using an opaque fence; there was concern that the wall on east side of the building had substantial damage and may not be able to be fenced in from public view.

Mr. Beard made a motion to table the case for 30 days. Mr. Allred, seconded the motion, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mrs. Yeilding, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 19-01842: 501 Peach (11-12 159 OT ABILENE), Owner, Knapp, Robert B & Mary E % Blanca Cortez.
Mr. Mares presented the case, staff recommendation is 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.

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f,)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (4) Hazardous electrical wiring Chapter 8; Sec. 8-554
- (5) Hazardous plumbing Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)

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

The Board wanted an explanation on the ownership of the property. Mr. Mares explained that Ms. Cortez told him that she was the owner but never produced valid proof of ownership. The owner is shown to be Mr. and Mrs. Knapp in care of Blanca Cortez, but Mr. Mares has never been able to reach them.

The Board inquired about the condition of both the primary and secondary structures and if both structures were salvageable. Mr. Mares stated that both structures are equally in poor shape. The interior photos are both current, but work had been done without permits.

Public Hearing:

Mr. Beard opened the public hearing

There being no speakers, Mr. Beard closed the public hearing.

Mr. McColum 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 carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mrs. Yeilding, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Mr. McColum 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 carried

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mrs. Yeilding, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 19-004517: 1050 CHESTNUT ST. (NORTHINGTON, BLOCK A, LOT S40 E180), Owner, Smith, Alton
Mr. Mares presented the case, staff recommendation is 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.

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f,)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (4) Hazardous electrical wiring Chapter 8; Sec. 8-554
- (5) Hazardous plumbing Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)

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

The owner submitted a plan of action as requested since the last time the property was on the agenda on December 5, 2019. Mr. Mares confirmed that the only rough-in inspection that was completed was for the plumbing, so the 30/60 order was not completed and no other inspections have been scheduled.

The Board and Mr. Mares held discussion on the condition and occupancy of the structure.

Public Hearing:

Mr. Beard opened the public hearing

Mrs. Alicia Smith (3026 Woodway Circle), wife of the owner Alton Smith, was sworn in to testify for the record. She stated that she hired an electrician and requested an additional 120 days, but will settle for a 60 day extension to complete the work. Mrs. Smith confirmed that she and her husband did own the property when the fire occurred and both have owned the house since the 1990s. She also presented updated photos of the painting that has been done.

There being no other speakers, Mr. Beard closed the public hearing.

Mr. Mares confirmed that the current pictures were for January 2020 and no new pictures were required when only painting is done to the property. Clarification was given from Mr. Mares that recommendation for demolition was because Mr. Smith refused to hire professional contractors to complete the work in a timely manner.

Mr. Littlejohn explained the property was not the homestead so professional contractors needed to be hired. Mr. Mares said that a stop work order was issued because work was done without permits.

Mr. Schroeder made a motion to order owner to repair-60 days to obtain rough-in inspections, and if this is done all final inspections shall be completed by the expiration of all permits. Mr. McColum, seconded the motion, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mrs. Yeilding, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 19-004688: 610 ELM ST. (OT ABILENE TIF #1, BLOCK 126, LOT 2) Owner, Alcantar, Brenda Leticia

Mr. Mares presented the case, staff recommendation is 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.

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f,)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (4) Hazardous electrical wiring Chapter 8; Sec. 8-554
- (5) Hazardous plumbing Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)

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

The Board and Mr. Littlejohn held discussion about inquired on the length of time the demolition permit stayed active.

Mr. Littlejohn said that within 90 days action must be taken or permit becomes void.

Public Hearing:

Mr. Beard opened the public hearing

There being no speakers, Mr. Beard closed the public hearing.

The Board inquired about the last communication with the owner and her intention with the property since the permit has been pulled.

Mr. Mares said that he last spoke with the owner in February and she intended to demolish the property.

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. Schroeder, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mrs. Yeilding, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: 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 Schroeder, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mrs. Yeilding, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties - Case No. 19-004718: 3025 N 12TH ST. (A0050 SUR 88 PATRICK E DURST, BLOCK A, TRACT N 133.5 W 129 LOT), Owner, McNeill, Kerri L

Mr. Mares presented the case, staff recommendation is 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.

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f,)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (4) Hazardous electrical wiring Chapter 8; Sec. 8-554
- (5) Hazardous plumbing Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)

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

Mr. Mares had previous discussions with the owner about the option of sale or repair of the property.

The Board inquired about the property's history and Mr. Littlejohn explained that the structure began as a dilapidation case and then the structure was gutted and left unfinished therefore a condemnation case was opened which is now the current condition of the property and no action has been taken.

Mr. Mares explained that the work done in the pictures presented were all done without permits being obtained. Mr. Mares reiterated that there is a concern for the health, safety, and welfare of the structure and therefore since no work has been done it is unsafe for the public.

Public Hearing:

Mr. Beard opened the public hearing

There being no speakers, Mr. Beard closed the public hearing.

The Board had discussion on the timeline for securement of the property. Mr. Littlejohn clarified that the time of securement is flexible. It would be more cost effective to enclose the property.

Mr. Schroeder 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. McColum, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mrs. Yeilding, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

Mr. Schroeder 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. McColum, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mrs. Yeilding, Mr. Turner, Mr. Schroeder, Mr. Beard

NAYS: None

ADJOURNMENT

There being no further business to come before the meeting, the Board of Building Standards meeting was adjourned at 10:20 a.m.

X

Approved, Chairman

BOARD OF BUILDING STANDARDS

July 1, 2020



PUBLIC NOTICE – July 1, 2020 MEETING

A meeting of the Board of Building Standards will be held at 8:15 a.m., Wednesday, July 1, 2020 in the Council Chambers at City Hall, 555 Walnut Street, Abilene, Texas, to consider the following properties on the agenda: 871/873 Cedar St. Abilene, TX 79601, 1002 Mulberry St. Abilene, TX 79601, 633 S. 11th St. Abilene, TX 79602, 825 ½ Plum St. (Eastside Structure) Abilene, TX 79601, 610 S. Leggett St. (4067/4069 Redbud Cr Unit) Abilene, TX 79605. Property owners are required to submit at the hearing proof of the scope of work, including cost estimates, that may be required to comply with city ordinance and the calendar days in which it will take to perform the work. Owners have the right to hire an attorney to represent them, the right to inspect the file on the property at the Office of Planning and Development Services prior to the hearing, and the right to request the presence of City staff for the purpose of questioning at the hearing. The Board may take action, including but not limited to demolition orders and/or the assessment of civil penalties.



ITEM NO. 3 (a)
CASE # 11-022

871/873 CEDAR ST.



CHECKLIST FOR RECORDS SEARCH

SEARCHES SHOWN BELOW VERIFY PROOF OF OWNERSHIP AND LIENHOLDERS TO WHICH ALL NOTICES SHALL BE SENT.

COUNTY RECORDS – WARRANTY DEED TO ANTONIO ORTIZ

TAYLOR CAD – SHOWS OWNER TO BE ANTONIO ORTIZ

SECRETARY OF STATE – NO RECORDS FOR THIS NAME FOUND

TAX RECORDS OF THE MUNICIPALITY – NOT APPLICABLE

UTILITY RECORDS OF THE MUNICIPALITY – INACTIVE SINCE 5/17/11

SEARCH SHOWS THE OWNER TO BE: **ANTONIO ORTIZ**



Public Notice

June 10, 2020 at 11:30:45 AM
Abilene



Front West Side



Exterior Structural Issues



Exterior Electrical Issues



South Side of Structure



Rear East Side



Exterior Electrical Issues



North Side of Structure



Exterior Structural and Electrical Issues



Interior Structural Issues



Interior Structural Issues



Interior Electrical Issues



Interior Plumbing Issues



TIMELINE OF NOTIFICATIONS

- May 11, 2011 – Property was condemned. Sent initial notice of condemnation, and notice to secure property
- October 7, 2011 – Sent notice of BOBS meeting
- December 7, 2011 – BOBS meeting, ordered 90 days to complete sell of property.
- December 8, 2011 – Mailed BOBS decision letters
- May 8, 2012 – Sent notice of BOBS meeting
- June 7, 2012 – BOBS decision letter sent. (Ordered 30 days to complete sell)
- July 9, 2012 – Property sold to Antonio Ortiz
- August 9 2012 – Notice of condemnation sent to new owner
- November 16, 2012 – Provided a timeframe for repairs (30/60/60): 30 days to obtain all permits for repair and if this is done, 60 days to obtain rough-in inspections, and if this is done, 60 days to obtain a final inspection and bring the property out of condemnation.
- January 29, 2013 – Sent notice of meeting of Board of Building Standards
- February 6, 2013 – Sent letter of BOBS decision: Board tabled to allow staff to manage case
- April 2, 2013 – Issued citation for continued violation of a dilapidated structure municipal code: chapter 19-15; (4)
- June 17, 2013 – Issued citation for continued violation of a dilapidated structure municipal code: chapter 19-15; (4)
- August 9, 2013 – Issued citation for continued violation of a dilapidated structure municipal code: chapter 19-15; (4)
- September 20, 2013 – Mr. Ortiz picked up a plan of action
- September 23, 2013 – Mr. Ortiz provided the required plan of action and obtained a building permit
- January 14, 2014 – Sent letter outlining new ordinance regarding condemned properties and the owner's responsibilities
- April 3, 2014 – Mr. Ortiz called to give update on project. Progress was made.
- March 10, 2015 – Issued citation for continued violation of a dilapidated structure municipal code: chapter 19-15; (4)
- March 12, 2015 – Sent notice of BOBS meeting in April.
- April 2, 2015 – Sent letter of BOBS decision: the boards decision granted Mr. Ortiz 90 days to complete all repairs and bring the property out of condemnation
- July 14, 2015 – Sent notice of BOBS meeting in August
- August 5, 2015 – Sent letter of BOBS decision: the board assessed civil penalties in the amount of \$8924.00 for non-compliance with a board order.
- November 16, 2015 – Issued citation for continued violation of a dilapidated structure municipal code: chapter 19-15; (4)
- January 14, 2016 – Issued citation for continued violation of a dilapidated structure municipal code: chapter 19-15; (4)



TIMELINE OF NOTIFICATIONS

- March 30, 2016 - Issued citation for continued violation of a dilapidated structure municipal code: chapter 19-15; (4)
- July 11, 2016 – Sent notice of violation including remedies for violations
- August 16, 2016 – Sent notice of BOBS
- September 1, 2016 – Sent 2nd notice of BOBS
- September 6, 2016 – Sent notice of BOBS cancellation for September
- September 12, 2016 – Sent notice of October BOBS
- October 5, 2016 – BOBS meeting. Case was tabled, notice sent to owner
- October 12, 2016 – Sent notice of November BOBS meeting
- November 3, 2016 – Sent letter of BOBS decision: board granted 120 days to complete repairs and bring property out of condemnation.
- March 1, 2017 – Issued citation for continued violation of dilapidated structure municipal code: chapter 19-15; (4)
- January 3, 2018 – Checked status of building permits. Showed to be expired
- November 28, 2018 – Called owner regarding expired permits
- December 11, 2018 – Renewal of permits allowed for the last time. Permits will expire June 11, 2019.
- June 11, 2019 – Permits expired. Project not completed
- March 13, 2020 – Updated photos taken. Property was without a roof and had not been maintained.
- April 23, 2020 – Courtesy call made to owner regarding nuisance violations, and not keeping up with the property. Gave him through the weekend to correct violations or the city would abate.
- June 10, 2020 – Mailed notice of BOBS hearing, and posted notice on the structure. Upon arriving to the property, it appeared to have a new roof, and the window frames had been completely removed. Mr. Ortiz was also present at the property upon my arrival. I asked Mr. Ortiz if he was aware that his permits had expired, which he responded that he was not aware. I explained to Mr. Ortiz that he needed to refrain from doing any additional repair to the structure, and as any work done after June 2019 would have been done without permits. Mr. Ortiz was advised to go and speak to the permitting department. While at the structure, Mr. Ortiz allowed me to enter the property for updated photos of the inside. At that time, I also informed Mr. Ortiz that we were going to present this case before the Board of Building Standards, and that I would be posting and mailing a notice for the hearing.
- June 11, 2020 Mr. Ortiz arrived to speak to Code Officer Josh Mares, stating he was not able to pull permits yesterday. I informed him that it was notated on December 11, 2018, was going to be the last time he was allowed to renew his permits. He asked if I would give him an extension, to which I explained to him that I was not authorized to grant him an extension. He requested to speak to Mr. Littlejohn regarding the extension. Mr. Littlejohn stated that he informed Mr. Ortiz that he needed to secure the structure, and advised him to attend the BOBS meeting.



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.

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f, & l)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (d & g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (4) Hazardous electrical wiring Chapter 8; Sec. 8-554
- (5) Hazardous plumbing Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)

Order:

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



**END OF
871/873 CEDAR ST.
PRESENTATION**



ITEM NO. 3 (b)
CASE # 14-024

1002 Mulberry St.



CHECKLIST FOR RECORDS SEARCH

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

COUNTY RECORDS – Sheriff's Deed naming **KIMBERLY MATTSON** as the owner

TAYLOR CAD – Shows **MATTSON KIMBERLY** to be the owner

SECRETARY OF STATE – No entity under this name

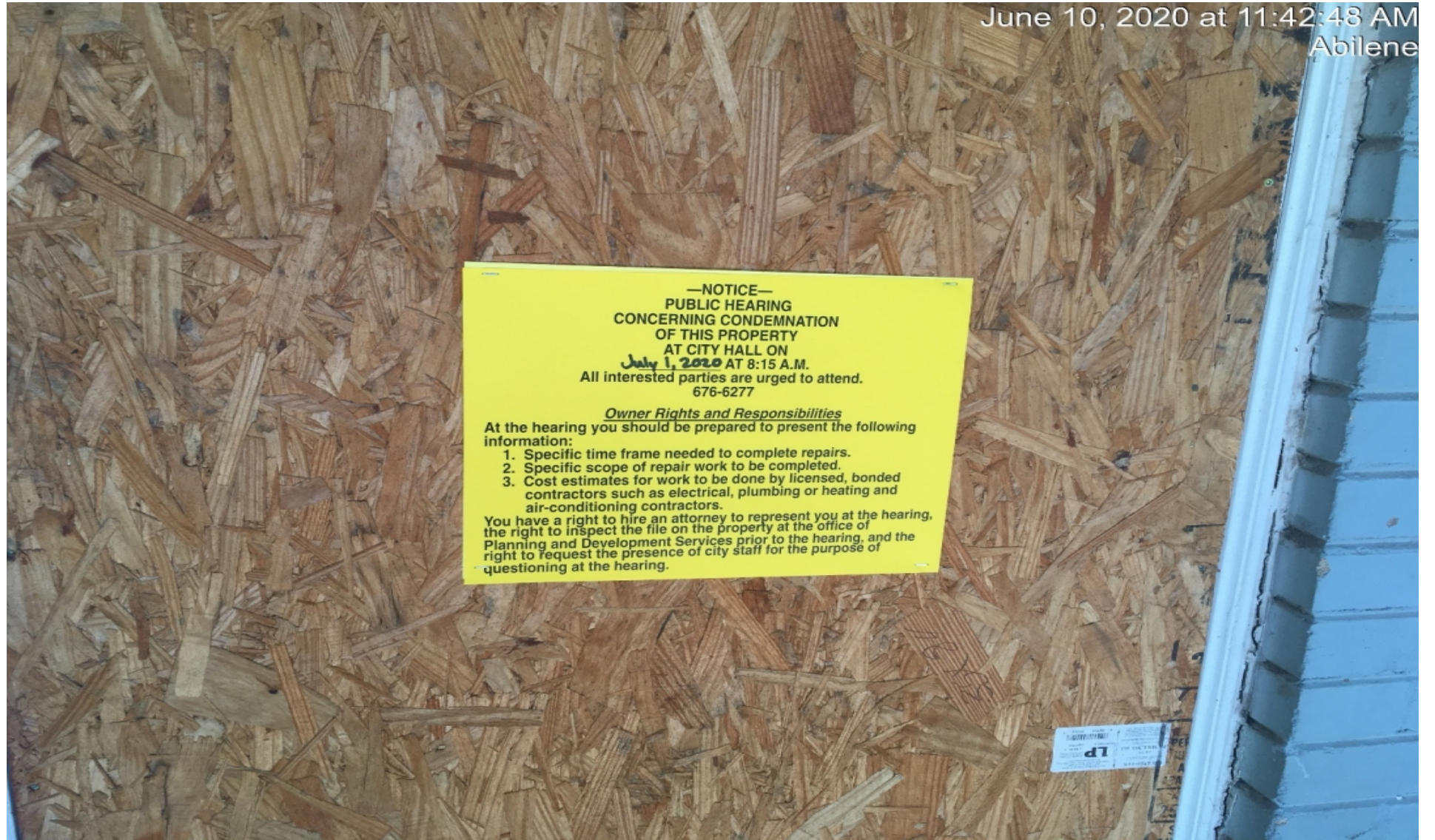
TAX RECORDS OF THE MUNICIPALITY – Not applicable

UTILITY RECORDS OF THE MUNICIPALITY – Inactive since **09/26/2012**.

Search reveals **KIMBERLY MATTSON** to be the owner of this property.



PUBLIC NOTICE



Front Eastside of the Structure



Structural Issues



Southside of Structure



Electrical Issues



Structure Issues



Rear Westside of Structure



Structure and Plumbing Issues



Vulgar
Graffiti



Vulgar
Graffiti



Exterior Structural Issues



Interior Structure Issues



Interior Structure/Roof Damage



Inadequate Plumbing



Electrical Issues



Timeline of Events

- **DECEMBER 16, 2014:** PROPERTY WAS CONDEMNED.
- **DECEMBER 18, 2014:** SENT INITIAL NOTICE OF CONDEMNATION. SENT SECUREMENT LETTER AND UTILITY SHUT-OFF LETTERS
- **JANUARY 21, 2015:** SENT 60/60/60 LETTER
- **JUNE 14, 2016:** SENT INITIAL NOTICE OF CONDEMNATION TO LIENHOLDER
- **MAY 8, 2017:** SENT NEW NOTICE OF CONDEMNATION TO OWNER AND LIENHOLDER
- **MAY 15, 2017:** SENT NOTICE OF BOBS TO OWNER AND LIENHOLDER
- **JUNE 7, 2017:** SENT BOBS DECISION LETTERS (30/60)
- **APRIL 9, 2018:** PER TAYLOR CAD, THIS PROPERTY IS POSSIBLY GOING TO BE SOLD IN A TAX SALE IN THE NEXT 6-9 MONTHS DUE TO DELINQUENT TAXES. TAYLOR CAD HAS A LAW SUIT PENDING AT THIS TIME.
- **JUNE 18, 2019:** DEED FILED FOR PROPERTY AFTER BEING PURCHASED AT TAX SALE.
- **SEPTEMBER 25, 2019:** NEW 30/60, INITIAL CONDEMNATION NOTICE SENT TO NEW PROPERTY OWNER.
- **SEPTEMBER 27, 2019:** PHONE CALL FROM MR. MATTSON, HUSBAND OF THE PROPERTY OWNER KIMBERLY MATTSON. HE STATED THAT HE PURCHASED THE PROPERTY IN JUNE. HE REQUESTED AN EXTENSION TO PULL PERMIT, OR DOING ANY RENOVATIONS ON THE STRUCTURE DUE TO THE REDEMPTION PERIOD OF THE TAX SALE ENDING IN DECEMBER. HE DID NOT WANT TO MAKE ANY RENOVATIONS, AND RISK ALLOWING THE FORMER OWNER TO COME BACK AND PURCHASE IT AFTER HE PUT IN WORK. REQUEST FOR EXTENSION WAS APPROVED BY TIM LITTLEJOHN.
- **FEBRUARY 11, 2020:** NO PERMITS HAVE BEEN PULLED.
- **FEBRUARY 12, 2020:** BOBS NOTICE MAILED, AND POSTED ON THE PROPERTY.
- **MARCH 3, 2020:** SON OF OWNER SPOKE TO CLAY DOOR, STATED PARENTS WERE OUT OF COUNTRY FOR FUNERAL. HE ASKED WHAT IF THERE WAS ANYTHING HE COULD DO. MR. DOOR INFORMED HIM HE COULD ATTEND BOBS AND SPEAK ON HIS PARENTS' BEHALF.
- **MARCH 4, 2020:** BOBS ORDERED 30/60. MET WITH OWNER'S SON DEVIN AFTER BOBS MEETING. GAVE HIM A POA, AND EXPLAINED TO HIM WHAT NEEDED TO BE DONE TO PULL PERMITS. HE STATED HE WOULD EXPLAIN TO HIS PARENTS WHEN THEY GOT BACK IN TOWN.
- **MARCH 5, 2020:** BOBS DECISION LETTER FILED AND MAILED TO PROPERTY OWNER
- **JUNE 8, 2020:** PROPERTY NOT MAINTAINED BY THE OWNER. CITY SUBMITTED WORK ORDER TO ABATE UNSIGHTLY CONDITIONS AND HIGH GRASS AND WEEDS NUISANCES.
- **JUNE 10, 2020:** MAILED NOTICE OF BOBS HEARING, AND POSTED NOTICE ON THE STRUCTURE.



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.

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f, & l)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (d & g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (4) Hazardous electrical wiring Chapter 8; Sec. 8-554
- (5) Hazardous plumbing Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)

Order:

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



End of 1002 Mulberry St. presentation



ITEM NO. 3 (c)
CASE # 17-009
633 S 11th St.



CHECKLIST FOR RECORDS SEARCH

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

COUNTY RECORDS – Warranty Deed naming **ABILENE COURTS DEV CORP LLC** as the owner

TAYLOR COUNTY – Shows **ABILENE COURTS DEV CORP LLC** to be the owner

SECRETARY OF STATE – Shows **Don Knight** to be the registered and **Dale Rankin** to be the manager and owner of the entity.

TAX RECORDS OF THE MUNICIPALITY – Not applicable

UTILITY RECORDS OF THE MUNICIPALITY – Inactive since May 4, 2006.

Search reveals **ABILENE COURTS DEV CORP LLC** to be the owner.



PUBLIC NOTICE



Front Northside



Exterior Electrical Issues



West Side of Structure



West Side Wall Bulging Out



West Side Structural Issues (cracks throughout the walls)



Southside Rear of Structure (large cracks)



East Side of Structure



Large Cracks & Pieces of Wall Missing



East Side Wall Bulging Out



Interior of Property



Interior Floor Rotting



TIMELINE OF EVENTS

- **February 21, 2017** Report of property being broken into and unsecure, neighbors concerned
- **February 22, 2017** Initial notice of condemnation, 30/60, utility shut-off letters sent
- **February 5, 2018** Owner submitted a Plan of Action asking for hold on proceedings due to possible historic value
- **July 27, 2018** Neighbor complaint about vagrants and fire in the structure
- **September 24, 2019** Landmarks Commission discussed and took no action, turned over to the BOBS for a decision
- **October 8, 2019** Dale Rankin stated he would come in to discuss his plans on October 11, 2019, sent notice of November 6, 2019 BOBS meeting
- **October 11, 2019** No further progress made Dale Rankin did not meet staff today.
- **November 6, 2019** BOBS meeting. Board ordered to provide a POA within 60 days with documented timeline for funding, and documented update in 90 days with specific progress.
- **December 11, 2019** Phone call to Dale Rankin. He requested a POA as he was unclear of what the instructions of the board order were. POA was sent via email, and arrangement was made to meet at the property on Thursday December 13, 2019.
- **December 13, 2019** Met with Mr. Rankin, along with supervisor Clay Door, at 633 S 11th St. Mr. Rankin submitted a POA, stating that he was planning to hire Gary Jackson Welding to place a metal pipe column support along the exterior where the wall was buckling. In addition, he planned to have Mr. Jackson to enclose the North entrance of the property to further prevent unwanted access. Mr. Rankin also explained to Mr. Door and CEO Josh Mares that he was not able to obtain tax credits to fund the restoration, and was seeking investors to fund the project instead. Mr. Rankin was reminded to provide an update within 60 days of the board order regarding the funding for the restoration.



TIMELINE OF EVENTS

- **January 3, 2020** Received an email from Mr. Rankin stating he was “at an impasse” with obtaining funding for the renovations. He proposed to demolish the entire property, requesting to only leave the façade on the north side of (front) of the property standing.
- **January 6, 2020** Email sent to Mr. Rankin stating that Building Official Tim Littlejohn approved his request of leaving the Northside façade of the structure standing, with the contingency that Mr. Rankin hire a certified professional to confirm that it will be safe to leave that part of the structure standing. Mr. Rankin responded stating he would hire a professional demolition crew to comply with Mr. Littlejohn’s request.
- **January 23, 2020** Email sent to Mr. Rankin requesting a status update with the demolition crew he was going to hire.
- **January 27, 2020** Mr. Rankin responded via email stating he hired AML Environmental to get a quote for demolition, and would inform us of the price as soon as he heard from them.
- **February 10, 2020** No further update from Mr. Rankin, and no demolition permits pulled.
- **February 12, 2020** BOBS Notice sent and posted on the structure.
- **March 4, 2020** BOBS meeting. Board ordered to table the case for thirty days.
- **March 5, 2020** Filed and mailed BOBS decision letters.
- **April 4, 2020** Received complaint from citizen regarding the condition of the building, and the walls bulging out.
- **June 8, 2020** No change of ownership, and no permits on record.
- **June 10, 2020** Mailed notice of BOBS hearing, and posted notice on the structure.



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.

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f, & l)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (d & g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (4) Hazardous electrical wiring Chapter 8; Sec. 8-554
- (5) Hazardous plumbing Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)

Order:

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



End of 633 S 11th St. presentation



ITEM NO. 3 (d)
CASE # 19-005600

**825 1/2 Plum St. (East Side
Structure)**



CHECKLIST FOR RECORDS SEARCH

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

COUNTY RECORDS – Notice of Lien Affidavit shows **Mary Island** as the owner

TAYLOR COUNTY – Shows **Island Mary Jay** to be the owner

SECRETARY OF STATE – No entity under this name

TAX RECORDS OF THE MUNICIPALITY – Not applicable

UTILITY RECORDS OF THE MUNICIPALITY – Inactive since August 6, 2018.

Search reveals **Mary Jay Island** to be the owner.



PUBLIC NOTICE

Jun 10, 2020 11:11:10 AM
Abilene

—NOTICE—
PUBLIC HEARING
CONCERNING CONDEMNATION
OF THIS PROPERTY
AT CITY HALL ON
~~July 1, 2020~~ AT 8:15 A.M.
All interested parties are urged to attend.
676-6277

Owner Rights and Responsibilities

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 a 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.

“NOTICE”
THIS BUILDING IS UNFIT FOR
HUMAN HABITATION AND IS
CONDEMNED BY THE CITY
OF ABILENE



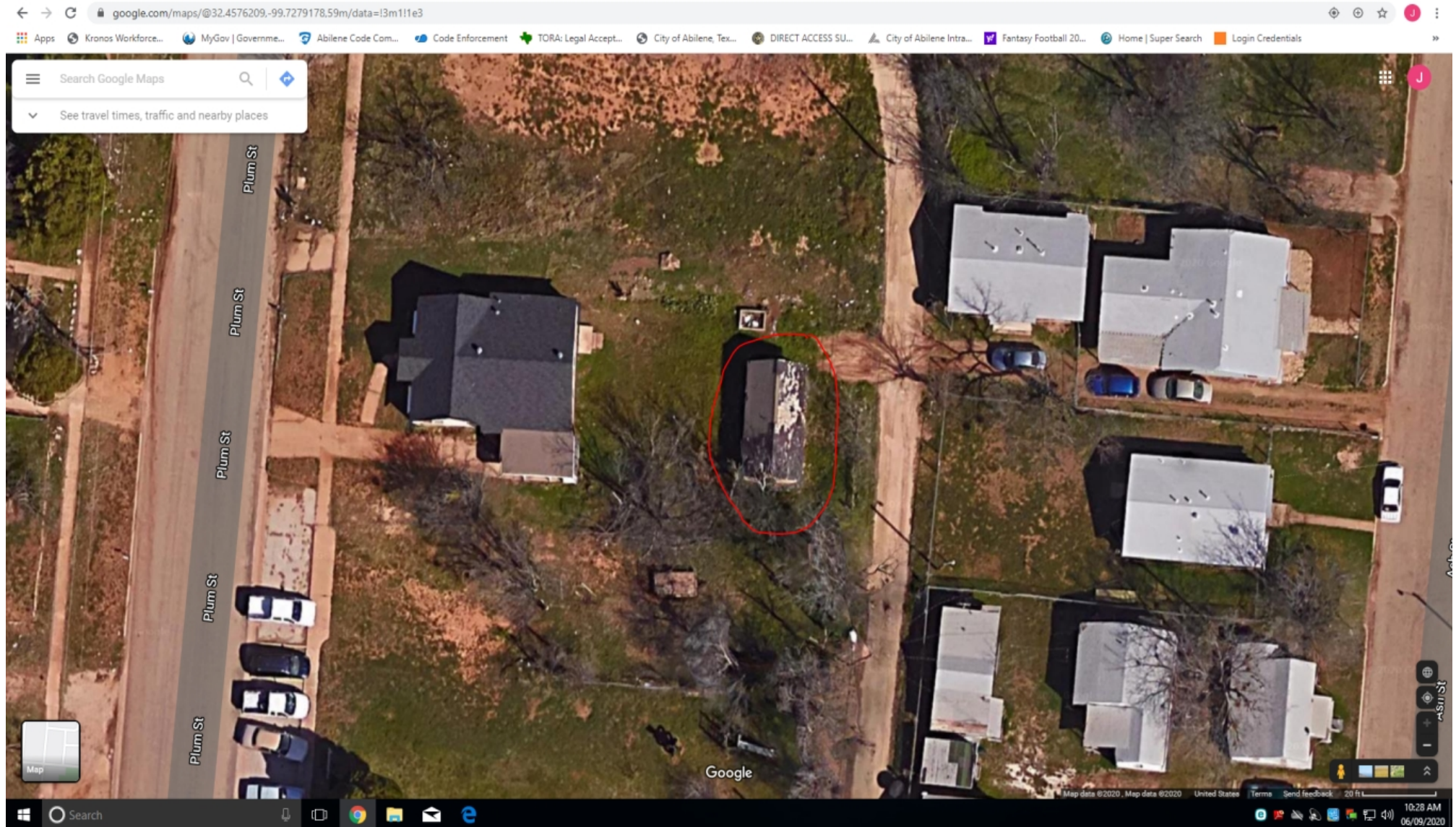
CITY OF ABILENE

CONTACT CITY OF ABILENE 325-676-6241

(IT IS A VIOLATION OF THE LAW FOR ANYONE TO REMOVE OR DESTROY THIS NOTICE.)



Google Image of East Side Structure



Front of the Structure



Exterior Structural Issues



Interior Structural Issues



Interior Plumbing Issues



Interior Electrical Issues



TIMELINE OF EVENTS

- **December 23, 2019** – Property was condemned. Sent initial notice of condemnation, 30/60 letters.
- **December 26, 2019** – Filed affidavit with County Clerk, sent all utility shut off letters
- **June 8, 2020** – No permits on record.
- **June 10, 2020** – Mailed notice of BOBS hearing, and posted notice on the structure.
- **June 19, 2020** – Property was secured by the city.



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.

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f, & l)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (d & g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (4) Hazardous electrical wiring Chapter 8; Sec. 8-554
- (5) Hazardous plumbing Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)

Order:

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



**End of
825 1/2 Plum St. (East Side
Structure)
presentation**



ITEM NO. 3 (e)
CASE # 20-000580

**610 S Leggett. (4067/4069
Redbud Cr Unit)**



CHECKLIST FOR RECORDS SEARCH

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

COUNTY RECORDS – Quit Claim Deed naming **Teekoy Properties LLC** as the owner

TAYLOR COUNTY – Shows **Teekoy Properties LLC % Joe Kuruvila** to be the owner

SECRETARY OF STATE – Shows no entity under that name.

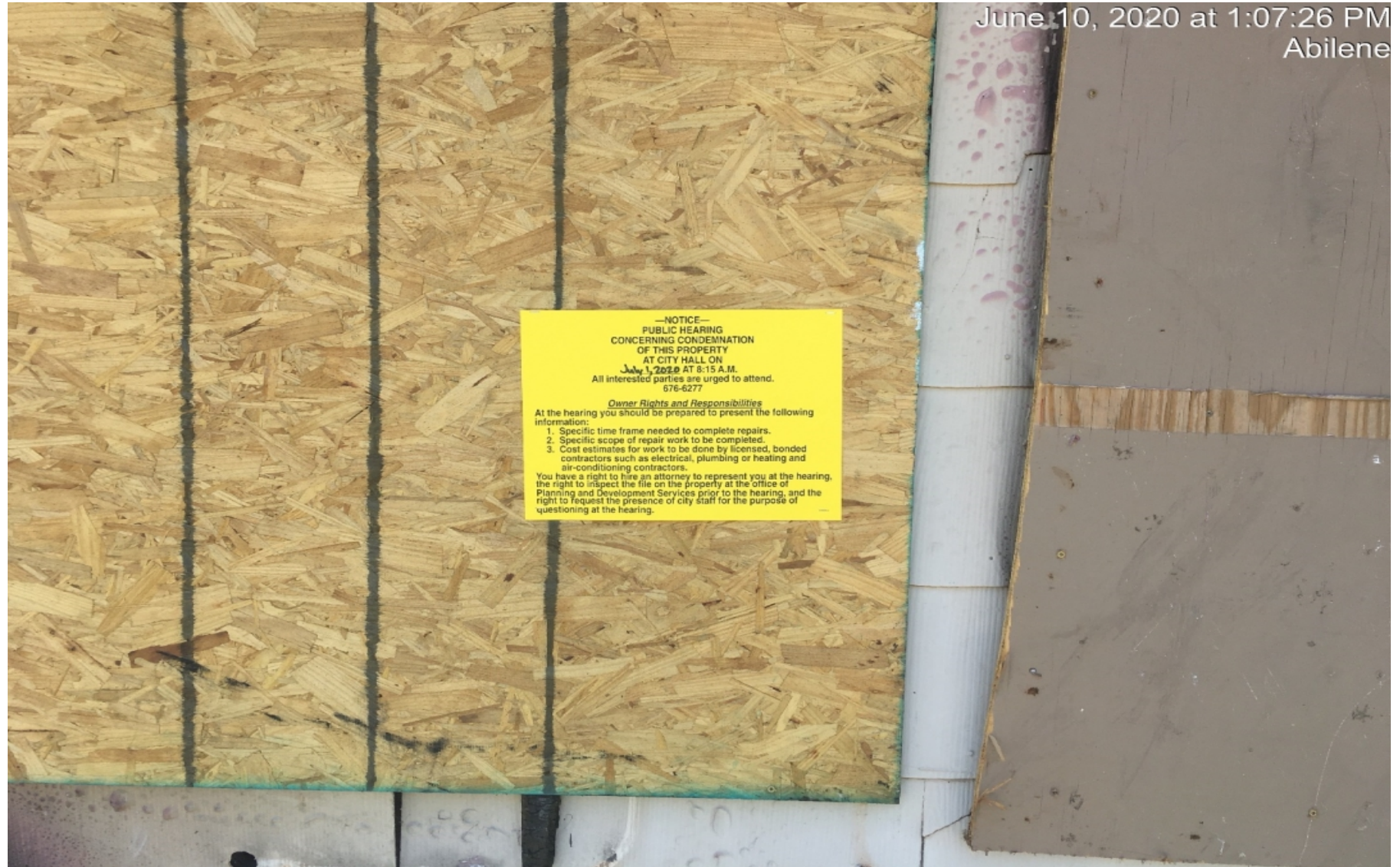
TAX RECORDS OF THE MUNICIPALITY – Not applicable

UTILITY RECORDS OF THE MUNICIPALITY – Currently active due to multiple units running on one meter.

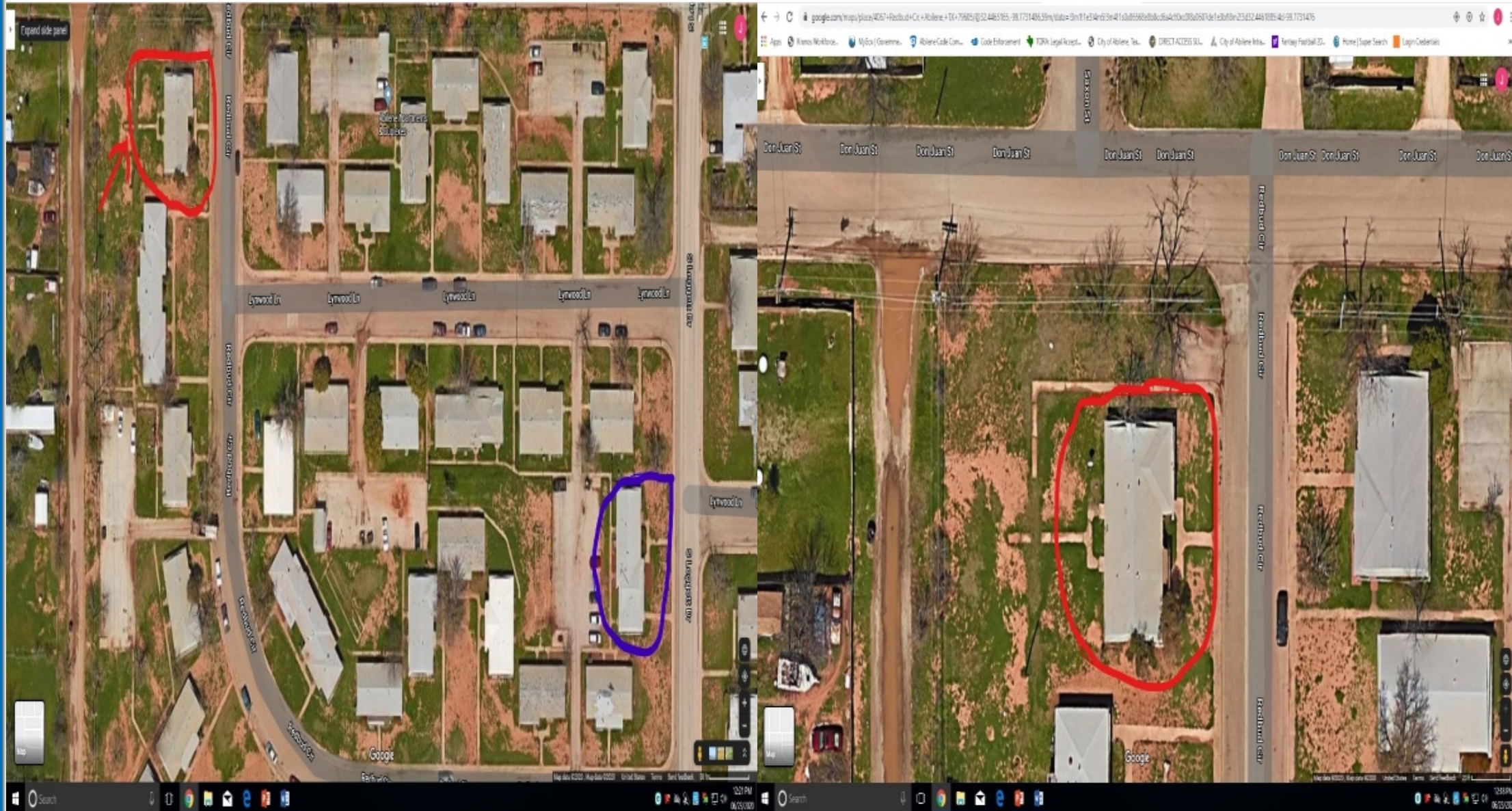
Search reveals **Teekoy Properties LLC** to be the owner.



PUBLIC NOTICE



Google Images of the Unit



Front East Side

June 10, 2020 at 1:07:08 PM
Abilene



Northside of Structure

June 10, 2020 at 1:08:30 PM
Abilene



Rear West Side



Exterior Smoke and Fire Damage



Exterior Fire and Smoke Damage



Interior Fire Damage (1st Unit)



Interior Damage (2nd Unit)



TIMELINE OF EVENTS

- **March 6, 2020** Met with property manager Alicia Jordan who allowed me to go inside and inspect property. I explained to her the property was going to be condemned, and what the options were. I also explained to her that the decisions would need to be made by the property owner, and requested a valid address to send notices. She stated she would have to contact the owner to receive permission to give out the information. She contacted the owner by phone, and allowed me to speak to him. I spoke to owner Joe Kuruvila, and explained to him the condemnation process, and what the options were. He provided a valid address over the phone, and I informed him I would be sending him the notices by mail.
- **March 9, 2020** Property manager stated that the owner wanted to demolish the structure. She was emailed a list of contractors.
- **March 10, 2020** Property was condemned. Sent initial notice of condemnation, 30/60 letter, and utility shut off requests. Affidavit of condemnation was filed at the county clerk's office.
- **April 8, 2020** Received email from owner, requesting a 90 day extension due to the COVID-19 pandemic.
- **April 9, 2020** Responded to owner email, informing him that I would need approval from our building official for an extension of that length. Also explained to him that the City did not place restrictions on construction/demolition crews, so he could complete the job.
- **April 12, 2020** Received response via email stating that the crew would require 5-6 members and he wanted to comply with the limit of no more than 10 people in one place. He expressed concern stating that the crew along with tenants on the property would put people at risk.
- **April 13, 2020** Responded to email, stating that the City would not allow 90 day extension, due to there not being any restrictions in place for demolition crews. I informed the owner that we would only allow one more week for him to make a decision.
- **April 13, 2020** PC with Tristan Parnell, (contractor) asking if I had heard from Mr. Kurivila about when he start the demolition. I told him if Mr. Kurivila hired him privately, the City would not get with their agreement. The only time the City would get involved is if the owner does not take any action with the property. He stated that he would speak to him to press him into letting him begin the demolition.
- **April 20, 2020** Emailed owner to follow up on his decision. No response received.
- **May 22, 2020** Property was secured by the City.
- **June 10, 2020** Mailed notice of BOBS hearing, and posted notice on the structure.
- **June 11, 2020** PC with Property Manager Alicia Jordan and contractor Tristan Parnell. They stated they were going to pull demo permits today or tomorrow. I informed them that they are welcomed to do that, but we would still bring the case before the board in the event the owner refuses to follow through with the demolition.



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.

Pursuant to Chapter 8; Sec. 8-554 the following conditions exist:

- (1) Inadequate Sanitation Chapter 8; Sec. 8-554 (d, e, f, & l)
- (2) Structural Hazard Chapter 8; Sec. 8-554 (d & g)
- (3) Nuisance, Chapter 19-15 (b & d)
- (4) Hazardous electrical wiring Chapter 8; Sec. 8-554
- (5) Hazardous plumbing Chapter 8; Sec. 8-554
- (7) Faulty weather protection Chapter 8; Sec. 8-554 (b, c, d)

Order:

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



**End of
610 S Leggett. (4067/4069
Redbud Cr Unit)
presentation**

