



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 September 2, 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. **Board of Building Standards August 05, 2020 Minutes**
• Public Hearing

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. 17-009: 633 S 11 St. (OT ABILENE BLK 208 ANDERSON 1-A, LOT 7-12),**
Owner: Abilene Preservation League
• Public Hearing
- B. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 19-005564: 1399 Oak St. (OT ABILENE BLK 208 JOHN TOUHY 3-4 H, LOT W85' LT 10), Owner: Smoluch, Jon**
• Public Hearing

- C. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 20-000643: 1310 Locust St. (OT ABILENE BLK 208 JOHN J TOOMS/RINEY-HAYS, LOT 7 & N1/2 OF LT 8, 2-B), Owner: Maldonado Brothers Holding Group LLC**
 - Public Hearing
- D. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 20-001905: 1441 Victoria St. (COLLEGE HEIGHTS, BLOCK 61, LOT 17 & N6.03 OF 16), Owner: Secundino, Pedro**
 - Public Hearing

AGENDA ITEMS

ADJOURNMENT

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 any of the matters listed below, as authorized by the noted Texas Government Code Sections:

- A. **551.071 (Consultation with Attorney)**

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 August, 2020, at 1:10 p.m.

Shawna Atkinson, TRMC
City Secretary

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
August 05, 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
Mr. Wayland Schroeder
Mr. Lloyd Turner

Staff Present: Mr. Michael Rice, Assistant City Manager
Mr. Tim Littlejohn, Assistant Director of Planning and Development
Services / Building Official
Mrs. Kelley Messer, 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
Ms. Catina Betoncur, Office Assistant III

Others Present: Mr. Antonio Ortiz
Mr. Dale Rankin
Mr. Josh Black
Mr. Rosten Callermen
Mr. John Clark
Mrs. Alicia Smith
Mr. Austin Butler

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, July 01, 2020 meeting minutes 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. Schroeder, motion carried.

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

NAYS: None

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition, or Civil Penalties - Case# 11-022: 871/873 Cedar St. (LTS 6 179 3 RADFORD ABL OT), Owner: Ortiz, Antonio

Mr. Turner made a motion to un-table this case and was seconded by Mr. Schroeder, motion carried.

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

NAYS: None

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.

Mr. Mares said the owner did submit a Plan of Action but did not pull the permits.

The Board had a question about the cost of the permits.

Mr. Mares did not know.

The Board wanted clarification that the penalties had been paid and clarification on the ownership.

Mr. Mares confirmed that the penalties were paid, but the owner was issued a stop work order because the permits were expired.

Public Hearing:

Mr. Beard opened the public hearing.

Mr. Antonio Ortiz (225 S. Willis) said he met with the inspectors and the only thing left was to complete 5 trim outs and the rough in inspection. He needs electrical plugs and he will also add central heat and air. He has the Plan of Action, but his contractors have not pulled the permits. He requested 42 days (6 weeks).

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

The Board had discussion that Mr. Ortiz has demonstrated a desire to move forward and there was progress that was made.

Mr. Schroeder made a motion to give the owner 6 weeks to complete work and rough in by the expiration date and all final inspections to be completed. Mr. Allred seconded the motion, motion carried.

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

NAYS: Dr. Paris

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. Schroeder made a motion to un-table the case and was seconded by Mr. Allred, motion carried.

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

NAYS: None

Mr. Mares presented the case with updates, 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.

The Board inquired about the new owner.

Mr. Mares explained that he did a title search and discovered that the owners are listed as Dale & Stephanie Rankin and the title was updated on July 31, 2020.

Public Hearing:

Mr. Beard opened the public hearing.

Mr. Dale Rankin (8278 FM 89, Tuscola) explained to the Board that he was preparing the title to donate to APL (Abilene Preservation League). He is trying to make the deed transfer unencumbered for tax purposes. This entailed transferring the title from his LLP designation to

his personal business for an easier transition to the APL. Title transfer process is currently backlogged but the scheduled transfer date is August 13th.

Josh Black (97 Glen Abbey), President of the Abilene Preservation League informed the Board that the permits can be initially pulled by Mr. Rankin and then transferred and pulled by the APL after the deed is transferred. AML, the asbestos removal company will have dumpsters onsite and will pull the permits. The stucco wall is salvageable but the removal of the brick façade would remove the historical designation from the National Registry. He plans to speak with the land and traffic officers to obtain a construction staging permit. He will be allowed to have an 8ft bump out into City property and will continue to follow the requirements for the environmental and nuisance issues to be resolved. Mr. Black informed the Board that he does not have a definitive timeline for the completion of the project. The contractors will only be able to work in the safe areas.

Mr. Beard asked if a consulting construction engineer has been involved.

Mr. Black explained that his conversation has been only with the AML group. He said the timbers were still in place and the poor structure has been as a result of hail storm damage that caused the buckling floor. The insurance will be added in August.

A question was asked by Mr. Beard about additional funds that have been acquired since the last meeting.

Mr. Black said the donors prefer that their donations be discreet, but he currently has \$50,000 secured, and he is waiting on an additional \$30,000 matching grant.

Dr. Paris asked what the total cost will be for this project and would happen if the funding does not come through.

Mr. Black emphasized that the intent after rehabilitation is to secure a buyer. Men of Nehemiah and their partner, Restoration Ministries, have expressed interest in purchasing the property.

A question was asked by Mr. Turner about the extent of asbestos in the building.

Mr. Black said the report shows that 1% of the stucco has asbestos and is fire retardant. The stucco can be encapsulated and saved to retain the National Register status and will allow APL to save as much of the 1930s building as possible.

The Board asked Mr. Black about the plan if the funding is not obtainable.

Mr. Black was optimistic that the funding will be made available so that the City will not incur the burden of a demolition expense.

Rosten Callerman, (110 Orange) Board President representing the Men of Nehemiah, spoke in support of preserving and restoring the Abilene Courts as an extended missionary calling for vulnerable members in society.

Mark Faught (634 S 11th), spoke in support of demolishing the structure. He questioned why the structure was neglected for so long if it has such a historical significance. He explained that since 1986 he has secured the building at least a dozen times. The structure is still not secure and can be easily breached. He also made mention that there is no budget to fix this property. The property has no known budget, so renovations can encounter pitfalls that were not expected, moreover, it is the duty of the Board to protect the citizens. His suggestion is to move forward and rebuild a better, more cost efficient, facility especially since this structure is a fire hazard and has been condemned since 2017.

The Board asked Mr. Faught if the previous owner ever attempted to secure the property while he was the owner.

Mr. Faught was not sure, but he believed that Mr. Rankin placed boards in the back and cleaned the debris.

Alicia Smith (3026 Woodway), spoke in support of the restoration of the Abilene Courts for tourism purposes. She cited two formerly substandard properties that were saved and restored.

John Clark (1034 Cherry) retired Abilene Police officer spoke in favor of demolishing the structure. He was acquainted with the Abilene Courts while employed with APD, and he handled calls about the property since 1995. He stated that has also secured the gate about a dozen times. There are people constantly getting inside, and the property cannot be rehabilitated.

Mr. Mares confirmed that Abilene Courts was condemned in 2017 after being on the Landmarks Commission and Code Enforcement was not involved. On September 24, 2019, The Landmarks Commission turned over the case to Code Enforcement after no action was taken. Mr. Mares wanted to stress that securing the property does not address the hazardous conditions listed. Code is addressing the substandard conditions of the structure.

The Board requested that Mr. Black return to the microphone and asked him to explain the how much of the \$80,000 allocated for the façade has been raised. Mr. Black explained that he has approximately \$56,000 earmarked in reserve.

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

Mr. Schroeder made a motion to table the case for 60 days and was seconded by Mr. Allred

The Board deferred to Mrs. Messer about the possibility of tabling the case longer than the next meeting. Mrs. Messer thought that could be done.

Mr. Mares reminded the Board of the policy that cases can only be tabled until the next meeting.

Mrs. Messer agreed that it would be better to table to the case to a specific meeting and advised the Board to table to the next meeting.

Mr. Schroeder made a motion to table the case until the next meeting and was seconded by Mr. Allred, motion carried.

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

NAYS: Dr. Paris, Mr. McColum

Case for Rehabilitation, Demolition, or Civil Penalties – Case No.19-004517: 1050 Chestnut (NORTHINGTON, BLOCK A, LOT S40 E180, Owner, Smith, Alton

Mr. Mares presented the case, 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.

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.

The Board asked if the permits were current.

Mr. Mares re-iterated that the permits are current and active and it was brought to the Board because the owners did not comply with a Board order and the deadline passed. Mr. Mares stated that the plumbing rough-in was completed in February.

Public Hearing:

Mr. Beard opened the public hearing.

Mrs. Alicia Smith (3026 Woodway), the wife and co-owner, spoke about the status of the property. She emphasized that that the property is a two story multi-unit quadraplex and did not believe the requirements for repair should fall within the 30/60/90 Board plan. She explained that she had problems securing an electrician to complete the work. She a requested 30 days to complete the final electrical rough-in. The interior sheet rocking will be completed after this.

Mr. Beard stressed to Mrs. Smith that the Board was not there to advise her on an electrician and she would be responsible to hire an available electrical contractor.

The Board asked how long it would take her to get the entire property of condemnation.

Mrs. Smith said 60 days.

The Board reminded Mrs. Smith that it has been nearly 9 months according to the timeline since she and Mr. Smith informed them that they could pull the permits and complete the project at this property.

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

Mr. Mares spoke to the Board to clarify that there are no long 30/60/90 Board plan, and he explained that the plan is 30 days to pull permits and 60 days to complete all rough-in inspections. If the owner is making progress the deadline is extended and the owner has more than 90 days to complete the project. He also re-iterated the Code Compliance office does not contact the property owner to remind them when inspections are due.

Mr. Allred made a motion to order the owner to repair, 30 days to obtain all permits and provide a 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 inspection shall be complete by the expiration of all permits. The motion was seconded by Mr. Turner, motion carried.

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

NAYS: None

A 5 minute recess was called at 10:00 a.m. The hearing was called back to order at 10:05 a.m.

Case for Rehabilitation, Demolition, or Civil Penalties – Case No. 20-000638: 1241 Locust St. (OT ABILENE BLK 208 WATSON & RUSSELL 1-A, LOT 15), Owner, Ortiz, Precilla Ann & Zarate, Dominic Aaron

Mr. Mares presented the case, 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.

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.

Mr. Mares explained there is a primary and secondary structure located on the property and during an inspection an electrical cord was found running from this property to the neighboring property.

The Board commented that the case was only a few months old and asked why the staff recommend demolition since this was the first time the case had come before them.

Mr. Mares explained that on March 12th the owner was sent an initial 30/60 letter and no action was done from March to June.

Public Hearing:

Mr. Beard opened the public hearing.

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

The Board wanted to review the pictures from the beginning. There was a question about active utilities.

Mr. Mares explained that there was no electricity at the property but there was water. Mr. Mares also explained that work in the interior was done without permits.

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 Dr. Paris.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, 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 Dr. Paris, motion carried.

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

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties- Case No. 20-000643: 1310 Locust St. (OT ABILENE BLK 208 JOHN J TOOMBS/RINEY-HAYS, LOT 7 & N1/2 OF LT 8, 2-B), Owner, Maldonado Brothers Holding Group, LLC

Mr. Mares presented the case, 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

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.

Mr. Mares discussed with the owner the option to consent for a demolition.

Mr. Mares informed the Board that the owner was working in San Antonio and would not be back until June. Mr. Maldonado agreed to sign a consent to demo, so the instructions were mailed to the owner to complete. Mr. Maldonado told Mr. Mares that he is serving in the National Guard, and he could not address any issues until August.

Public Hearing:

Mr. Beard opened the public hearing.

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

Mr. Turner made a motion to table the case until the next meeting and was seconded by Dr. Paris, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, 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 10:32 a.m.

X

Approved, Chairman

BOARD OF BUILDING STANDARDS

September 2, 2020



PUBLIC NOTICE – September 2, 2020 MEETING

A meeting of the Board of Building Standards will be held at 8:15 a.m., Wednesday, August 5, 2020 in the Council Chambers at City Hall, 555 Walnut Street, Abilene, Texas, to consider the following properties on the agenda: 633 S. 11th St. Abilene, TX 79602, 1399 Oak St. Abilene, TX 79602, 1310 Locust St. Abilene, TX 79602, and 1441 Victoria 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.



ITEM NO. 3 (a)
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 Preservation League** as the owner

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

SECRETARY OF STATE – Shows **WILLIAM D MINTER JR** to be the registered agent of the entity.

TAX RECORDS OF THE MUNICIPALITY – Not applicable

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

Search reveals **ABILENE PRESERVATION LEAGUE** 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)



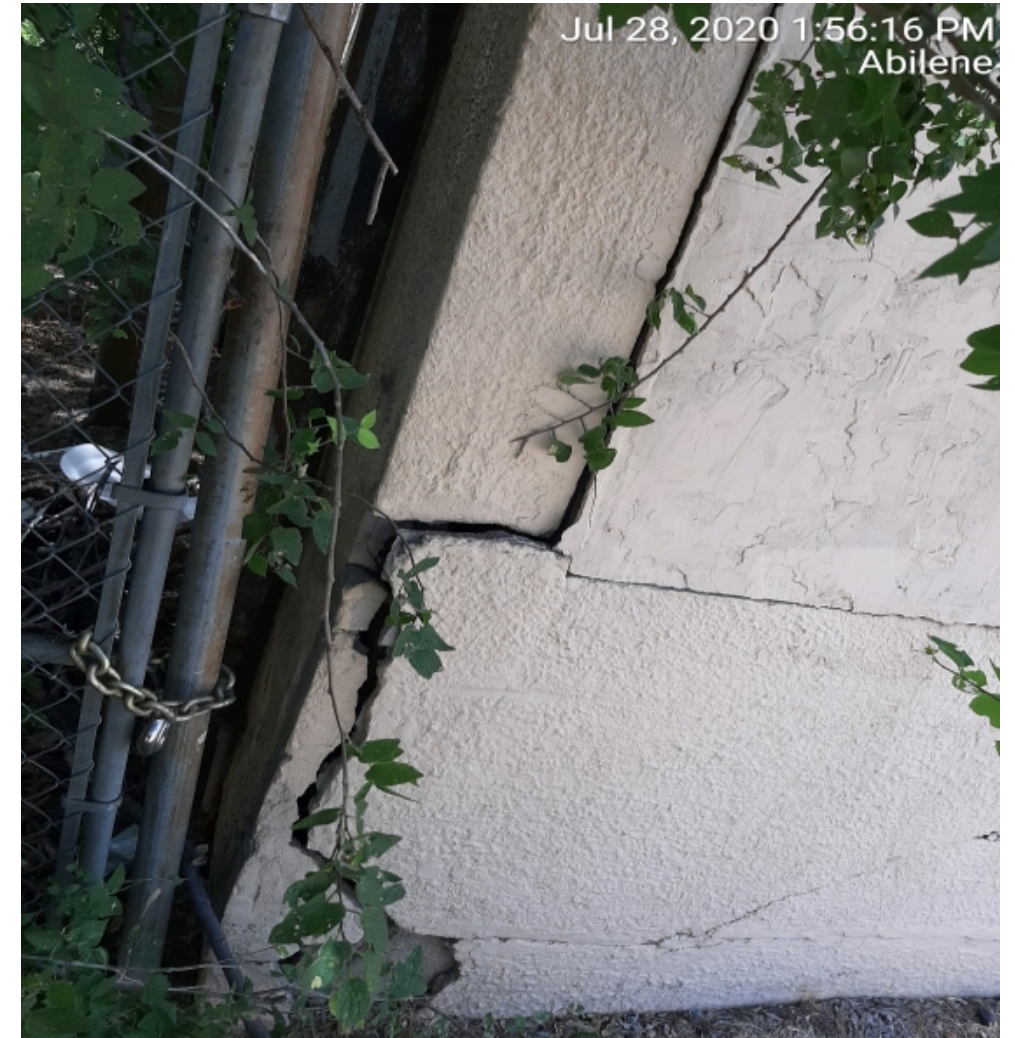
Southside Rear of Structure (large cracks)



East Side of Structure



Large Cracks & Pieces of Wall Missing



East Side Wall Bulging Out



East Side Wall Bulging Out



Interior Courtyard



Interior Floor Joists Rotted Out



Interior Floor Joists Rotted Out



Interior Ceiling Issues



Interior Ceiling Issues



Interior Electrical Issues



Interior Plumbing Issues



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 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.
- 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 (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.



TIMELINE OF EVENTS

- 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.
- 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.
- July 1, 2020 BOBS meeting ordered to table for 30 days
- July 7, 2020 Scheduled meeting with Austin Butler with APS to discuss status of ownership
- July 14, 2020 Met with Abilene Preservation League. They were informed by Planning & Zoning to obtain a construction staging permit. They currently do not have a date when AML is going to begin work. They stated they expect to have the title process complete by the end of next week. They stated they currently have \$10,750 in donations. Progress and communication was reiterated to them, and also reminded that title transfer needed to be complete in order to move forward.
- July 15, 2020 Mailed and posted notice for August BOBS meeting. Email conversation with Morgan Paschal of APL, reiterating the importance of communicating any updates regarding the property.
- July 17, 2020 Email from Ms. Paschal informing me that the property was cleaned up, and they plan to cut down a tree which was brought to their attention by the neighbor informing them it was being used as a point of entry.
- July 23, 2020 Email from Ms. Paschal stating that Mr. Black was informed that the title search showed there was currently a lien on the property they were not aware of. Ms. Paschal further explained that Mr. Black did an extensive title search, and it was discovered that the Department of Justice filed a suit against a previous company that was owned by Mr. Rankin. She stated that this was preventing them to complete the title transfer, as well as obtain additional funding. Ms. Paschal also stated that they notified their state representative, who was going to work on obtaining a release of lien, and that they also secured legal counsel who was in correspondence with the Department of Justice. She also stated that AML was set to begin work in August. I reminded Ms. Paschal that to make sure that permits were obtained for any work that required them.



TIMELINE OF EVENTS

- July 30, 2020 Received an email stating the DOJ was releasing the lien
- July 31, 2020 Received email informing me trees and graffiti were removed.
- August 3, 2020 Received email update that release of lien was recorded, but they were waiting to hear back for confirmation. Also received quotes on stucco and masonry work.
- August 4, 2020 Email stating insurance agent prepared a liability package, and is ready to be bound once the title is transferred.
- August 4, 2020 Record search showed the title was changed from Abilene Courts Dev Corp LLC to Dale and Stephanie Rankin
- August 5, 2020 BOBS meeting. Board ordered to table the case until the next meeting.
- August 14, 2020 Title officially transferred to the ownership of Abilene Preservation League. Met with Mr. Black and Ms. Paschal at the property to take photos of the inside. They stated they were planning on demolishing the entire structure, with the intention to retain the North façade. Clay Door and Code Officer Josh Mares informed them of the engineering survey required to be included with their plan of action in order for the North façade to be approved to remain standing.
- August 21, 2020 Plan of Action was emailed by Ms. Paschal, along with detailed description of work that will be performed by AML environmental. Documents given to Mr. Littlejohn to review.
- August 24, 2020 Mr. Littlejohn informed me that he will approve the plan of action, but will need the engineering study to be completed and submitted prior to approving any demolition permits and to retain the North façade. Code officer Josh Mares drove by the property to confirm any updates. Upon arrival, I observed contractors from AML environmental in the process of drilling holes in the ground. I asked the crew what type of work they were performing, to which they responded they were going to “shore up the wall.” I explained to them that they needed to stop any additional work, and speak to the building inspection division regarding any permits, and approvals to conduct any work regarding retaining the North façade. I informed them that it had not been approved yet, due to an engineering study not being submitted. I gave them a business card with contact information to call and speak to Mr. Littlejohn. Mr. Black was also emailed and reminded that no permits would be approved without the engineering study, unless it was to demolish the entire structure or build the fence for securement.



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 (b)
CASE # 19-005564
1399 Oak St.



CHECKLIST FOR RECORDS SEARCH

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

COUNTY RECORDS – General Warranty Deed naming **Jon Smoluch** as the owner

TAYLOR COUNTY – Shows **Jon Smoluch** to be the owner

SECRETARY OF STATE – Shows no entity under this name.

TAX RECORDS OF THE MUNICIPALITY – Not applicable

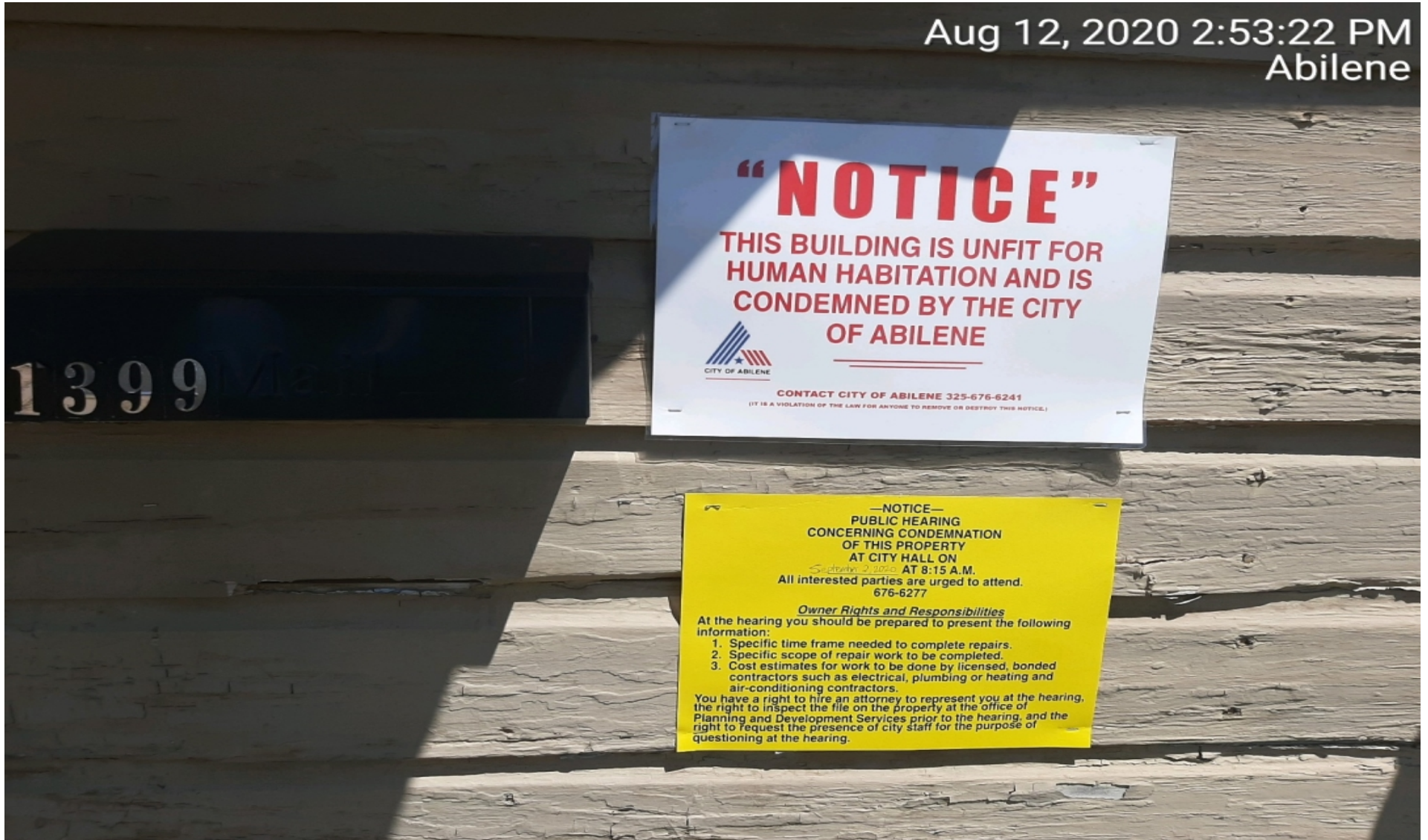
UTILITY RECORDS OF THE MUNICIPALITY – Inactive since December 5, 2018

Search reveals **Jon Smoluch** to be the owner.



PUBLIC NOTICE

Aug 12, 2020 2:53:22 PM
Abilene



Front Westside



Southside of Structure



Rear Eastside of Structure



Northside of Structure



Exterior Structural Issues



Exterior Plumbing Issues



Exterior Electrical Issues



Interior Structural 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.
- **January 29, 2020** Phone call with John Smoluch. He requested an extension, stating he had a plumbing contractor giving him an estimate today, and he was going to have an electrical contractor go through on Monday. He expressed some concern with the estimate the plumbing contractor gave him, stating it was too high of a price. He stated he only needed to change out two pipes, and that he could probably do it himself, and just have a plumbing contractor inspect his work. I advised him not to do that, because he was not a licensed plumber. I explained to him that the purpose of the plan of action was for the building inspectors to have a contractor who they need to address any issues with that they encounter during their inspections. I further explained that if he did not have a licensed contractor do the work, the building inspector would put stop work order on the property. I explained to him that in order for the property to be removed from condemnation, he needed to make sure all work was done by a licensed and certified contractor.
- **February 12, 2020** Mr. Smoluch came in and submitted his plan of action. Reviewed and approved by Supervisor Clay Door. He was referred to permit techs to complete permit process.
- **May 12, 2020** Permits were never pulled. Contacted Mr. Smoluch, stated he would come in and pull them.
- **July 28, 2020** Permit pulled for amp service.
- **August 19, 2020** Mechanical building permit pulled



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 1399 Oak St. presentation



ITEM NO. 3 (c)

CASE # 20-000643

1310 Locust 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 **MALDONADO BROTHERS HOLDING GROUP LLC** to be the owner

TAYLOR CAD—Shows owner to be **MALDONADO BROTHERS HOLDING GROUP LLC**

SECRETARY OF STATE – Shows **ANGEL MALDONADO** to be the registered agent, and **ANGEL MALDONADO AND ANTONIO MALDONADO** to be members of the entity.

TAX RECORDS OF THE MUNICIPALITY –Not applicable

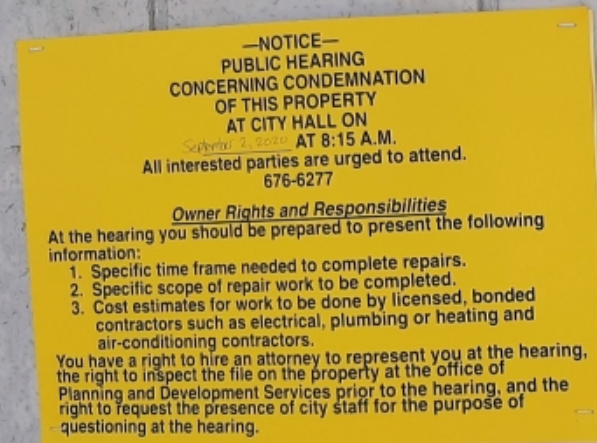
UTILITY RECORDS OF THE MUNICIPALITY—Inactive since **December 16, 2016**

Search reveals **MALDONADO BROTHERS HOLDING GROUP LLC** to be the owner of this property



PUBLIC NOTICE

Aug 12, 2020 2:47:51 PM
Abilene



Front East Side Structure



Northside of Structure



West Side Structure



South Side of Structure



Exterior Structural Issues



Exterior Structural Issues

March 10, 2020 at 10:02:11 AM
Abilene



March 10, 2020 at 10:04:58 AM
Abilene



Exterior Structural Issues



Exterior Electrical Issues



TIMELINE OF EVENTS

- **March 11, 2020** Property was condemned, affidavit of condemnation filed at the county clerk.
- **March 12, 2020** Initial notice of condemnation, 30/60, and utility shut off letters sent.
- **March 13, 2020** PC to property owner Tony Maldonado, asking what needed to be done to bring the property out of condemnation. Condemnation process was explained to Mr. Maldonado, and he was informed he had the option to demolish. He was reminded he had 30 days to submit a POA if he decided to repair the structure.
- **March 18, 2020** Met with Mr. Maldonado. Explained to him the options and requirements on repairing or demolishing the structure. He asked if he could donate the property to the city, which I explained that the city no longer accepts donated properties. He stated that he did not want to invest any more money into the property. I explained to him that he always had the option to find a buyer, but ultimately we needed to have a plan within thirty days, or the property would be taken before the Board of Building Standards. He stated he would keep me informed on his decision before the deadline.
- **May 15, 2020** PC with Mr. Maldonado. He stated he was working in San Antonio, and would not be back until June 24, 2020. He stated he would sign a consent to demo. I emailed him the form with instructions, and explained how the bidding process worked.
- **June 2, 2020** Follow up email sent to Mr. Maldonado to see if he received the consent to demo form.
- **June 3, 2020** PC with Tony Maldonado. He stated he has not been able to really address the property due to being on National Guard duty in San Antonio. He stated he anticipated returning to Abilene in August. He requested an extension on making a decision, because of his current active status, and that he also received an offer from a buyer for the property, but again he would not be able to deal with it until he returned in August. I informed him I would pass on the information to see if an extension would be approved.
- **June 18, 2020** Emailed Mr. Maldonado to inform him that his extension for August was not approved, and that the case will be presented before the BOBS on August 5, 2020.
- **July 15, 2020** Mailed and posted notice of August BOBS meeting
- **August 5, 2020** BOBS meeting ordered tabled until the next meeting.
- **August 13, 2020** Property not maintained. Case for mowing abatement opened up by the City.
- **August 25, 2020** No change of ownership on record.



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 1310 Locust St. presentation



ITEM NO. 3 (d)

CASE #20-001905

1441 Victoria 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 **Pedro Secundino** to be the owner

TAYLOR CAD–Shows owner to be **Pedro Secundino**

SECRETARY OF STATE – Shows no entity under this name

TAX RECORDS OF THE MUNICIPALITY –Not applicable

UTILITY RECORDS OF THE MUNICIPALITY–Inactive since **June 19, 2020**

Search reveals **Pedro Secundino** to be the owner of this property



PUBLIC NOTICE

Aug 12, 2020 2:27:08 PM
Abilene

“NOTICE”

**THIS BUILDING IS UNFIT FOR
HUMAN HABITATION AND IS
CONDEMNED BY THE 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.)

—NOTICE— PUBLIC HEARING CONCERNING CONDEMNATION OF THIS PROPERTY AT CITY HALL ON

**September 2, 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.



Front Westside of Structure



Northside of Structure



Rear Eastside of Structure



South Side of Structure



Exterior Fire Damage



Exterior Electrical Issues



Exterior Structural Issues



TIMELINE OF EVENTS

- **June 12, 2020** Abilene Fire Department sent report of the structure fire occurring on this same date.
- **June 15, 2020** Property was condemned.
- **June 16, 2020** Affidavit of condemnation filed with County Clerk.
- **June 17, 2020** Mailed notice of condemnation, 30/60 letter.
- **June 18, 2020** Sent utility shut off letters.
- **June 22, 2020** Phone call with property owner, Pedro Secundino. He stated he would like to try and fix it up, but he needed time to figure out the cost. He also stated that he may decide to demo the structure. I explained to him the 30/60 process, and that he needed to inform me of a decision within 30 days or the city would take it before the Board of Building Standards. He was also told to secure and maintain the property.
- **August 4, 2020** Complaint called in stating that property owner has not done anything with the property, and is concerned of the illegal drug activity going on with vagrants or squatters.
- **August 10, 2020** No permits on record.



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 1441 Victoria St. presentation

