



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 October 7, 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 September 02, 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. 10-031: 617 Jeanette St. (3 185 5 WISE ABL OT PIEDMONT), Owner: Cortez, Anthony**
• Public Hearing
- B. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 20-002282: 1517 N 16th St. (COLLEGE HEIGHTS, BLOCK 26, LOT 3 & W/2 OF 2), Owner: Jones, Gregory ET AL, Gregorio Hernandez**
• Public Hearing

- C. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 20-002714: 108 Carriage Hills Pkwy (CARRIAGE HILLS ADDN SEC 1, BLOCK A, LOT 27, ACRES .445), Owner: Cowboy Custom Homes LLC**
• Public Hearing

AGENDA ITEMS

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)**

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 2nd day of October, 2020, at 3:40 p.m.

*Kaitlin Richardson, Deputy City
Secretary*

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
September 02, 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. Gary Webb
Mr. Wayland Schroeder
Mr. Lloyd Turner

Staff Present: Mr. Michael Rice, Assistant City Manager
Mr. Mike Warrix, Director of Planning and Development Services
Mr. Tim Littlejohn, Assistant Director of Planning and Development Services / Building Official
Mr. Chace Craig, Assistant City Attorney
Mr. Clay Door, Community Enhancement Division Manager
Mr. Josh Mares, Code Compliance Officer
Ms. Catina Betoncur, Office Assistant III

Others Present: Mr. Mark Faught
Mr. Josh Black
Ms. Morgan Paschal
Mr. Jon Smoluch
Mr. Pedro Secundino

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, August 05, 2020, 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. McColum, motion carried.

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

NAYS: None

ABSTAIN: Mr. Webb

AGENDA ITEMS & PUBLIC HEARINGS

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 Preservation League.

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

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

NAYS: None

Mr. Mares presented the case with updates from the engineering study, 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 wanted clarification as to why Mr. Littlejohn approved the engineering study but the staff still requires the structure to be demolished.

Mr. Mares stated that the staff recommendation is for demolition of the structure but maintaining the north façade

Public Hearing:

Mr. Beard opened the public hearing.

Josh Black (97 Glen Abbey) explained that the stucco portions of the property -except for the façade- will need to be demolished due to the compromised floor joists and the asbestos present throughout the building. He will pull the permits and pay for them. The removal of hazardous sections of the structure containing asbestos will begin on the 7th (of September), and he believes that the demolition timeline will be completed within 30 days.

The Board asked Mr. Black what the plan for the structure is after the demolition.

Mr. Black explained that the organization plans to keep the façade and build a white box re-creation structure to mimic the area where the former structure stood.

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

Dr. Paris made a motion that the property is a public nuisance, except for the front street facing facade located on the north side of the lot addressed as 633 S. 11th, 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.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Turner, Mr. Webb, Mr. Schroeder, Mr. Beard
NAYS: None

Dr. Paris made a motion that the owner is ordered to demolish, except for the front street facing facade located on the north side of the lot addressed as 633 S. 11th, or appeal the order to district court within thirty days or the City may demolish and was seconded by Mr. McColum, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Turner, Mr. Webb, Mr. Schroeder, Mr. Beard
NAYS: None

Mr. McColum made a motion that the owner is also ordered to comply with the current plan of action to stabilize the north side of the lot addressed as 633 S. 11th and was seconded by Dr. Paris, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Turner, Mr. Webb, Mr. Schroeder, Mr. Beard
NAYS: None

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

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.

Public Hearing:

Mr. Beard opened the public hearing.

Jon Smoluch (40 Poverty Point Circle) stated that he will finish his current construction project in two weeks and then will need 60 days to complete construction of the property and hire another plumbing contractor.

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

Dr. Paris 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 inspections shall be completed by the expiration of all permits. The motion was seconded by Mr. Turner, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Webb, Mr. Turner, Mr. Schroeder, Mr. Beard
NAYS: None

Mr. Smoluch stood up and spoke again to clarify that the property is an existing structure and that he is not putting new sheet rock, but he is patching up the existing sheet rock.

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. McColum 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. Webb, Mr. Schroeder, Mr. Beard
NAYS: None

Mr. Mares presented the case, staff recommendations are as follows:

Mr. Mares explained to the Board that he received a signed Consent for the City to Demolish from Antonio Maldonado.

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.

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. Webb.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Turner, Mr. Webb, 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 thirty days or the City may demolish and was seconded by Mr. Webb.

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

NAYS: None

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

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.

Public Hearing:

Mr. Beard opened the public hearing.

Mr. Pedro Secundino spoke about the status of the property. He requested an extension. He stated that he could complete the work in 90 days. He plans to complete the electrical and plumbing work this week and will secure the property today.

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

Mr. Mares stated that he wanted to re-iterate to Mr. Secundino and the Board that an all trades building permit is required to be pulled at once and not individually.

Mr. Turner 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 inspections shall be completed by the expiration of all permits. The motion was seconded by Schroeder, motion carried.

AYES: Dr. Paris, Mr. Allred, Mr. McColum, Mr. Webb, 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 9:20 a.m.

X

Approved, Chairman

BOARD OF BUILDING STANDARDS

October 7, 2020



PUBLIC NOTICE – October 7, 2020 MEETING

A meeting of the Board of Building Standards will be held at 8:15 a.m., Wednesday, October 7, 2020 in the Council Chambers at City Hall, 555 Walnut Street, Abilene, Texas, to consider the following properties on the agenda: 617 Jeanette St. Abilene, TX 79602, 1517 N 16th St. Abilene, TX 79601, and 108 Carriage Hills Pw Abilene, TX 79602. 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 # 10-031

617 Jeanette 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 **Anthony Cortez** as the owner

TAYLOR COUNTY – Shows **Anthony Cortez** 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 **September 19, 2003.**

Search reveals **Anthony Cortez** to be the owner.



PUBLIC NOTICE

Sep 8, 2020 2:28:07 PM
Abilene

“NOTICE”

**THIS BUILDING IS STRUCTURALLY
UNSAFE FOR HUMAN OCCUPANCY
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
October 7, 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



Southside of Structure



Rear East Side



Northside of Structure



Exterior Plumbing Issues



Exterior Electrical Issues



Exterior Roof Damage



Interior Ceiling Issues



Interior Floor Rotted



Interior Plumbing Issues



Interior Electrical Issues



Incomplete Interior Architectural Work



TIMELINE OF EVENTS

- Condemned: 06/10/2010
- THIS PROPERTY HAS BEEN TO BOBS 6 PREVIOUS TIMES
- FOUR CITATIONS HAVE BEEN ISSUED REFERENCE THIS CASE THE PROPERTY
- THIS CASE HAD THREE DIFFERENT OWNERS DURING THIS INVESTIGATION
- 06/10/2010: CONDEMNATION AND SECUREMENT
- 11/09/2010: NOTICE OF BOBS SENT
- 01/03/2011: BOBS
- 01/14/2011: BOARD DECISION-30/60/60
- 05/05/2011: NOTICE OF BOBS SENT
- 07/06/2011: BOBS
- 07/07/2011: BOARD DECISION-30 DAYS TO OBTAIN PERMITS
- 05/08/2012: NOTICE OF BOBS SENT
- 06/06/2012: BOBS BOARD DECISION: TABLED
- 06/25/2012: CITATION
- 07/01/2012: LETTER FROM COOMBS, QUANA
- 07/17/2012: LETTER FROM COOMBS, QUANA
- 08/15/2012: TIMELINE (180 DAYS TO SELL)



TIMELINE OF EVENTS

- 08/31/2012: RECEIVED LETTER FROM QUANA COOMBS NEW OWNER: BLANCA CORTEZ
- 08/28/2013: RECEIVED VERIFICATIN OF OWNERSHIP FROM BLANCA'S LAWYER SHOWING PROOF
- 09/20/2013: SENT INITIAL CONDEMNATION LETTER SENT 60/60/60 LETTER
- 11/22/2013: FAXED INCOMPLETE POA-GAVE BLANCA 10 DAYS TO PROVIDE COMPLETE INFO.
- 12/17/2013: CALLED BLANCA AND INFORMED HER THAT SHE HAD UNTIL 12/20/13 TO PROVIDE COMPLETE POA AND OBTAIN BUILDING PERMIT BY 12/20/13 OR A CITATION WOULD BE ISSUED
- 12/17/2013: PROVIDED POA AND OBTAINED BUILDING PERMIT
- 01/14/2014: SENT CT LETTER AND PACKAGE
- 03/03/2014: CASE REVIEW
- 03/05/2014: CITATION #631907
- 04/20/2015: BOBS NOTICE SENT
- 05/06/2015: BOBS SENT DECISION LETTER
- 07/14/2015: NOTICE OF BOBS SENT
- 08/05/2015: BOBS SENT DECISION LETTER
- 09/18/2015: CITATION #655821
- 03/30/2016: CITATION #655794
- 07/25/2016: SENT NEW NOTICE OF CONDEMNATION OT OWNER
- 10/12/2016: NOTICE OF BOBS SENT



TIMELINE OF EVENTS

- 11/02/2016: BOBS11/03/2016: SENT DECISION LETTER
- 01/17/2017: SENT NOTICE OF BOBS CITATION #643663 FOR FTC NEW OWNER: ANTHONY CORTEZ
- 02/07/2017: SENT NEW OWNER INITIAL NOTICE OF CONDEMNATION
- 05/01/2017: NEW OWNER PROVIDED POA AND OBTAINED BUILDING PERMIT
- 01/08/2018: ELECTRIC AND PLUMBING FINISHED. CLAY DOOR LEFT VM TO CALL BACK
- 06/14/2018: PHONE CALL TO MR. CORTEZ. SAID HE WOULD CALL BACK WHEN HE GETS IN TOWN.
- 10/29/2018: OWNER PULLED DEMO PERMITS
- 12/26/2018: GARAGE AND SHED DEMOLISHED
- 02/18/2019: CONTACTED OWNER, WILL CALL BACK TOMORROW WITH STATUS
- 03/20/2019: MAILED MR. CORTEZ 30/60 AND POA
- 09/30/2019: PC TO MR. CORTEZ. HE STATED HE SOLD THE PROPERTY BACK TO HIS MOM. I ASKED HIM IF HE REMEMBERED WHEN HE SOLD IT, BUT HE STATED THAT WAS PERSONAL INFORMATION. I EXPLAINED TO HIM THAT I NEEDED TO GET IN TOUCH WITH HER SO WE CAN GET A POA AND FINAL PERMITS CAN BE COMPLETED OR ELSE IT WOULD GO TO BOBS. MS. CORTEZ CALLED LATER THAT DAY AND SAID SHE WOULD PULL PERMITS NEXT WEEK.
- 02/04/2020: BLANCA CORTEZ CAME IN AND SAID SHE WOULD GET TITLE TRANSFERED TO HER NAME FINISH THE PROJECT
- 04/08/2020: PHONE CALL WITH SOMEONE NAMED MARCO RAMOS STATING HE WAS BLANCA BROTHER AND HE WAS GOING TO BE PURCHASING 617 JEANETTE ST. HE WAS TOLD HE NEEDED TO SECURE OWNERSHIP PRIOR TO BEING ALLOWED TO PULL PERMITS.
- 06/24/2020: PROPERTY FOUND UNSECURED. UPDATED PHOTOS TAKEN. DISCOVERED SEVERE ISSUES WITH INTERIOR STRUCTURE
- 08/18/2020: SPOKE TO LIEN HOLDER AT CREEL LAW GROUP. EMAILED THEM COPIES OF INITIAL NOTICE, AND BOBS NOTICE. INFORMED THEM THAT THE CASE WAS GOING TO BE TAKEN TO THE OCTOBER BOBS MEETING.
- 09/02/2020: SPOKE TO ARMANDO FLORES BY PHONE WITH OVATION SERVICES. HE WAS INFORMING ME THAT THEY WERE THE LIEN HOLDERS, AND CREEL LAW GROUP WAS THEIR LEGAL REPRESENTATION. HE WAS ASKING ABOUT THE SEPTEMBER BOBS MEETING, AND HE WAS INFORMED THAT THE MEETING WAS PULLED FROM THE AGENDA. I INFORMED HIM THAT THE CASE WOULD BE PRESENTED IN THE OCTOBER BOBS MEETING.
- 09/16/2020: NOTICE OF BOBS MEETING SENT TO ALL PARTIES OF INTEREST



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 617 Jeanette St. presentation



ITEM NO. 3 (b)
CASE # 20-002282
1517 N 16th 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 **Gregory Jones** as the owner.

TAYLOR COUNTY – Shows **Gregory Jones % Gregorio Hernandez** 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 **July 14, 2020.**

Search reveals **Gregory Jones** to be the owner.



PUBLIC NOTICE

Sep 8, 2020 2:19:26 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

**October 7, 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 North Side (Main Structure)



Rear Southside (Main Structure)



West Side (Main Structure)



East Side (Main Structure)



Exterior Fire Damage (Main Structure)



Interior Fire Damage (Main Structure)



Interior Smoke/Fire Damage (Main Structure)



Exterior Structure (Secondary)



Roof Issues (Secondary)



TIMELINE OF EVENTS

- **September 8, 2019:** Report sent by Fire Marshall of structure fire.
- **September 13, 2019:** Clay Door and Code Officer Josh Mares inspected the property. Owner was on site. She stated she was having to wait to see what her insurance would cover. She was informed to secure the property once she completed her insurance claim.
- **July 9, 2020:** Property appeared to be secured. No further progress. Property was condemned, and Initial Notice and 30/60 plan was sent.
- **September 8, 2020:** No permits on record.
- **September 10, 2020:** Met with Nita Estrada and Lupe Hernandez regarding the property. It was discovered that there was no valid proof of ownership to present by Ms. Hernandez, and the property remained under the legal ownership of Gregory Jones. She was provided with a list of resources to contact to assist her in obtaining ownership of the property.
- **September 16, 2020:** Sent notice of October BOBS hearing.



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 1517 N 16th St. presentation



ITEM NO. 3 (c)
CASE # 20-002714

108 Carriage Hills Pkwy.



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 **Cowboy Custom Homes LLC** as the owner

TAYLOR COUNTY – Shows **Cowboy Custom Homes LLC** to be the owner.

SECRETARY OF STATE – Shows **Albert L Gregory** as the registered agent.

TAX RECORDS OF THE MUNICIPALITY – Not applicable

UTILITY RECORDS OF THE MUNICIPALITY – Inactive since **August 7, 2020**.

Search reveals **Cowboy Custom Homes LLC** to be the owner.



PUBLIC NOTICE

Sep 8, 2020 2:43:45 PM
Abilene

—NOTICE—
PUBLIC HEARING
CONCERNING CONDEMNATION
OF THIS PROPERTY
AT CITY HALL ON
October 7, 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:

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3. Cost estimates for work to be done by licensed, bonded contractors such as electrical, plumbing or heating and air-conditioning contractors.

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“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 obstruct or hinder this notice.)



Front South Side

Sep 30, 2020 11:24:05 AM
Abilene



West Side of Structure



Rear North Side



East Side of Structure

Sep 30, 2020 11:23:41 AM
Abilene



Incomplete Exterior Electrical



Incomplete Interior Architectural Work



Incomplete Interior Electrical



Incomplete Interior Plumbing



TIMELINE OF EVENTS

- October 31, 2019: Single family residence permit issued.
- July 31, 2020: Complaint reported to Building Official of the structure being incomplete. Stop work order placed on the structure, and notice to contact Code Compliance.
- August 4, 2020: Property was condemned. Initial notice and 30/60 letter sent to property owner.
- August 21, 2020: Property secured by the City.
- August 27, 2020: Property was mowed by the City.
- September 7, 2020: Property abated by the City.
- September 8, 2020: Phone call with Lynn Gregory from Cowboys Custom Homes, stating he was going to come in and renew the permit to complete the construction of the home. He was informed of submitting a POA, and he would need to come in and apply for a whole new permit.
- September 15, 2020: Attempted to contact Mr. Gregory, but no answer.
- September 16, 2020: Phone call with Jonathan Moore at Wagstaff Law Firm, stating he was the legal counsel for the owner of the structure. He informed us that the contractors (Cowboy Custom Homes) did not complete the project, and they were in the process of doing a foreclosure sale that would be completed October 6, 2020. We informed him we would send him a notice of the BOBS hearing, so that he and his client may attend to explain to the Board their intentions with the structure.
- September 16, 2020: Notice of October BOBS hearing sent to owner and legal representation.



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)



Staff Recommendation:

- ORDER OWNER 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.**



End of 108 Carriage Hills Pw. presentation

