



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 December 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 November 04, 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 may do so and bill the owner. In any case where the Board orders the owner to demolish a structure or structures, but the owner fails to demolish or appeal the Board's order, the City may demolish. Any appeal must be filed in district court within 30 calendar days after the aggrieved party receives notice of the Board's decision. At the hearing, you should be prepared to present the following information:

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

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

- A. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 11-044: 2926 Beech (NORTH PARK ADDN, BLOCK 15, LOT S75 N319 OF E138.5), Owner: Flores, Joel**
• Public Hearing
- B. **Case for Rehabilitation, Demolition or Civil Penalties - Case No. 17-033: 1233 S. Crockett St. (ELMWOOD WEST SEC 11, BLOCK N, LOT 21) Owner: Coddington, Sharon D**
• Public Hearing
- C. **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

- D. **Clay Door - Staff Presentation
Condemnation Program
Statistics Review-FY2020**

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 23rd day of November, 2020, at 4:50 p.m.

Shawna Atkinson, TRMC
City Secretary

**BOARD OF BUILDING STANDARDS
MEETING MINUTES
November 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
Mr. Jonathan Schmutz
Mr. Lloyd Turner

Staff Present: Mr. Michael Rice, Assistant City Manager
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. Lewis Ash
Mrs. Amy Ash

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, October 07, 2020, were provided in advance to Board Members for review. Mr. McColum made two recommendations to change his title to Co-Chairman and list him as the Board member who opened the hearing.

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

NAYS: None

ABSTAIN: Mr. Beard

AGENDA ITEMS & PUBLIC HEARINGS

Case for Rehabilitation, Demolition, or Civil Penalties – Case# 10-074: 860 Orange St. (LT 13 & S1/2 LT 14 180 4-B JOHN SAYLES OT ABL) Owner: Avila, Maria & Avila, Magdalila

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.

The Board wanted clarification as to how long the current owner had owned the house.

Mr. Mares stated the owner had owned it since 2014.

The Board also wanted clarification on the electrical rough in inspection. A question was asked if the rough in inspection was performed on the entire main structure or just the addition.

Mr. Mares stated that the inspection was on the entire structure in 2017.

The Board also asked about the last contact that was made with the owner.

Mr. Mares said he spoke with her on October 20th and the owner inquired about the status of the property. Mr. Mares also stated that the owners have received three citations.

Public Hearing:

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

Dr. Paris 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. Turner, motion carried.

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

NAYS: None

Dr. Paris 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. Turner, motion carried.

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

NAYS: None

Case for Rehabilitation, Demolition, or Civil Penalties- Case No. 17-033: 1233 S Crockett (ELMWOOD WEST SEC 11, BLOCK N, LOT 21) Owner: Coddington, Sharon D

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. and Mrs. Lewis and Amy Ash are the son and daughter-in-law of Mrs. Coddington and discussed their plans for the property. Mr. Lewis stated that he and his wife finally got permission to enter the property. They plan on repairing the property, removing the electrical pump switch for the pool, and filling in the hole where the pool once was. In addition, they plan on bringing it up to code to sell or flip the home. The cleanup should be completed in 30 days.

A question was asked by the Board about deeding the property.

The Ash's stated that Mrs. Coddington will deed the property to them.

The Board explained to the Ash's that the options available to them are to table the case until the next meeting, or they can complete a plan of action with the intention for the property and a 30/60 plan with cost estimates.

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

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

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

NAYS: None

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

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

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 that the property has two structures, and a fire burned the main structure. Mr. Mares stated that he received a call from Elise Hernandez that the attorney is in quarantine due to illness; so her appointment was rescheduled.

The Board asked Mr. Mares if he was able to provide assistance to the owner for support with the title.

Mr. Mares stated that he provide Mrs. Hernandez with a list of resources.

Public Hearing:

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

Mr. Craig advised the Board that they were under no formal obligation to allow the home owner more time to obtain an attorney.

Mr. Craig stated that the owner and her attorney are both responsible to represent their case to the Board. Additionally, adequate notice was sent to the owner, and tabling the case is also an option available for the Board to utilize.

The Board had discussion on the history of the title issues between the Jones and Hernandez's.

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

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

NAYS: None

ADJOURNMENT

There being no further business to come before the meeting, the Board of Building Standards hearing was adjourned at 8:52 a.m.

X

Approved, Chairman

BOARD OF BUILDING STANDARDS

December 2, 2020



PUBLIC NOTICE – December 2, 2020 MEETING

A meeting of the Board of Building Standards will be held at 8:15 a.m., Wednesday, December 2, 2020 in the Council Chambers at City Hall, 555 Walnut Street, Abilene, Texas, to consider the following properties on the agenda: 2926 Beech St. Abilene, TX 79601, 1233 S. Crockett St. Abilene, TX 79605, and 1517 N 16th St. Abilene, TX 79601. 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 # 11-044
2926 Beech St.



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 **Joel Flores**

TAYLOR COUNTY – Shows **Joel Flores** 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 **August 26, 2016.**

Search reveals **Joel Flores** to be the owner.



PUBLIC NOTICE

Nov 12, 2020 11:01:46 AM
Abilene

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

December 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 East Side (Main Structure)



North Side (Main Structure)



West Side (Main Structure)



South Side of Structure

Monday, November 9, 2020 at 9:56:20 AM



Exterior Structure Incomplete



Exterior Structure Incomplete



Incomplete Foundation



Exterior Incomplete Plumbing



Interior Structure Incomplete



Interior Structure Incomplete



Secondary Structure



Secondary Electrical Issues



TIMELINE OF EVENTS

- **August 23, 2011** – Property was condemned
- *Case was presented to BOBS (1) time under previous owner.
- **March 25, 2014** – Informed of new ownership.
- **May 1, 2014** – New owner Joel Flores submitted plan of action, but no permits pulled.
- **October 23, 2014** – Notice of condemnation sent to Mr. Flores.
- **February 19, 2015** – Owner met with the City, and was given two months to pull building permits.
- **April 15, 2015** – Citation was issued.
- **July 1, 2015** – Plan of action was provided, and building permit was obtained.
- **November 12, 2015** – Owner was sent 60/60/60 letter.
- **January 13, 2016** – Owner called to give an update on the property.
- **March 14, 2017** – Owner was sent a new notice of condemnation.
- **April 17, 2017** – Sent notice of BOBS meeting.
- **April 19, 2017** – Sent notice of BOBS evidence to the owner.
- **May 3, 2017** – Sent BOBS decision letter. (90 days to obtain all rough in inspections.)
- **February 19, 2018** – Permits were renewed by the owner
- **August, 31, 2018** – Permits closed due to inspections showing to be incomplete.
- **February 19, 2019** – Permits were extended six more months
- **February 3, 2020** – Permits were renewed six more months, expire in August 2020.
- **October 1, 2020** – Phone call to owner. Left VM to call back.
- **October 15, 2020** – Phone call to owner. Left VM to call back.
- **November 12, 2020** – Sent and posted notice of December 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 2926 Beech St. presentation



ITEM NO. 3 (b)
CASE # 17-003

1233 S. Crockett Dr.
(Remove from the table)



CHECKLIST FOR RECORDS SEARCH

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

COUNTY RECORDS – Deed of Trust shows **Charles R. Coddington** and **Sharon D. Coddington** to be the owners.

TAYLOR COUNTY – Shows **Sharon D. Ash Coddington** 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 25, 2015.**

Search reveals **Sharon D. Ash Coddington** to be the owner.



PUBLIC NOTICE

Nov 12, 2020 11:31:36 AM
Abilene



East Side of Structure



South Side of Structure



North Side of Structure



West Side of Structure



Exterior Plumbing Issues (Swimming Pool Pump)



Exterior Electrical Issues



Open Hole from Swimming Pool



Interior Ceiling Mold



TIMELINE OF EVENTS

- **January 24 2017** Sent initial notice of condemnation, swimming pool fill in requirements and utility shutoff letters
- **February 7, 2017** Lewis Ash came in to obtain Plan of Action and advised Sharon (mother) is living with him and send all notice to that address. Sent 60/60/60 letters.
- **September 11, 2018** Left message with owner to return call about lack of progress on property
- **February 19, 2019** Contacted son (Lewis Ash. He stated he would find out what the owners intent is and return phone call.
- **September 25, 2020** Code Officer Josh Mares spoke with daughter (Amy Ash). She stated her mother refuses to do anything with the property and does not know what her intentions are. Request made for her mother to contact the Code Officer to discuss the case.
- **October 13, 2020** Phone call with Amy Ash. She stated she would try to get me a current address for her mother in law, because she no longer lived with them. I informed her the case would be presented before the Board of Building Standards, and her mother in law could attend. I gave her the date and time of the meeting, and also informed her I would be sending and posting the notice as well.
- **October 14, 2020** Notice of November BOBS was sent.
- **October 30, 2020** Phone call with Amy Ash. She stated that her mother in law had agreed to sign the property over to someone in the family. I explained to her that we would still be taking the case to the Board of Building Standards, and encouraged her to have her mother in law, or someone there to speak on her behalf.
- **November 4, 2020** BOBS meeting board ordered to table the case until the next meeting. Mr. Lewis Ash and Amy Ash were present, stating they were going to work on the deed being transferred so they could at least try to sell it, or repair the structure themselves.
- **November 12, 2020** Sent and posted notice of December 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 1233 S. Crockett presentation



ITEM NO. 3 (c)
CASE # 20-002282
1517 N 16th St.
(Remove from the table)



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

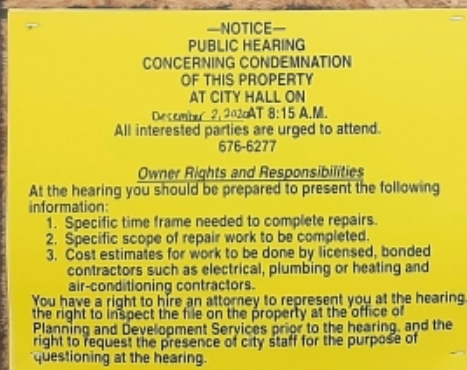
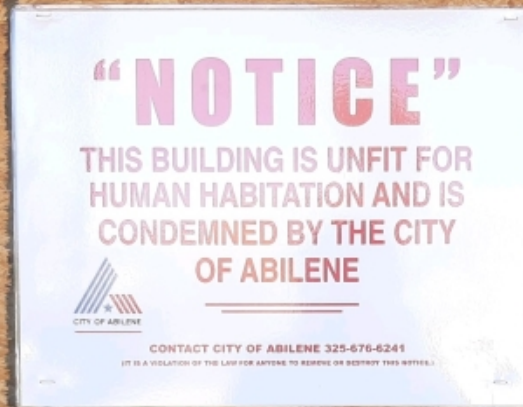
UTILITY RECORDS OF THE MUNICIPALITY – Inactive since **July 14, 2020.**

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



PUBLIC NOTICE

Nov 12, 2020 11:11:54 AM
Abilene



Front North Side (Main Structure)



Rear Southside (Main Structure)



West Side (Main Structure)



East Side (Main Structure)



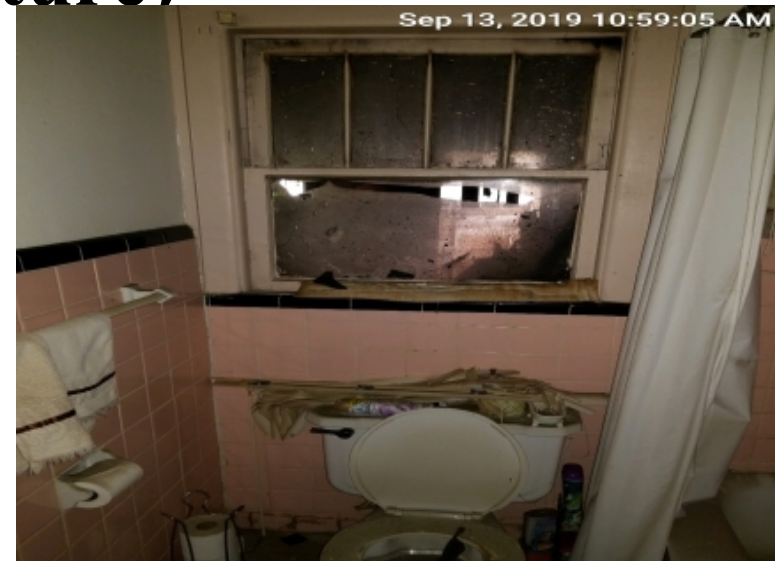
Exterior Fire Damage (Main Structure)



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 16, 2020:** Notice of October BOBS meeting sent.
- **October 7, 2020:** BOBS meeting ordered to table the case until the next meeting. Mrs. Lupe Hernandez was present and stated she had an appointment with legal counsel regarding the property on October 30, 2020.
- **October 14, 2020:** Sent notice of November BOBS
- **November 3, 2020:** PC from daughter (Elise Hernandez) stating their meeting with their attorney was rescheduled due to the attorney coming down with COVID. I encouraged her for someone to still attend the BOBS meeting so they can explain the situation.
- **November 4, 2020:** BOBS meeting ordered to table the case until the next meeting. Code officer Josh Mares came in contact with the owner after the meeting, as they had arrived shortly after it was over. I explained to the owner what the board decided, and they were going to allow her another opportunity to meet with her counsel. I explained to her the importance of them meeting before the next BOBS, and that she (owner) needed to make sure to attend so she could share the information she obtained from her attorney.
- **November 12, 2020:** Sent and posted notice of December 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)
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- (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



Community Enhancement Condemnation Program FY2020

October 1, 2019 – September 30 2020

56 New condemnation cases, that's down 20 from FY 2019 due to implementation of the dilapidated structure program

34 Cases completed

34 Brought before Board of Building Standards, increase of 12 cases – due to efforts to resolve older cases.

35 Resolved without going to the Board of Building Standards

13 City Demolitions, 5 by owner consent at an average of \$7,000 for each demolition.

10 Demolitions completed by owner.

