



CITY OF BRYAN
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Minutes

**BUILDING AND STANDARDS COMMISSION
REGULAR MEETING
MONDAY, MARCH 26, 2012 AT 6PM
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING
300 S. TEXAS AVENUE**

On the 26th day of March, 2012, the Building and Standards Commission of the City of Bryan, Texas convened in Council Chambers of the Bryan Municipal Building at 6:00pm.

BSC Members Present: Jerry Ponzio
Cheryl Free
Greg Owens
Bill Richard Ravey

Staff Members and Others: Greg Cox, Chief Building Official
Martin Zimmermann, Planning Administrator
Jonathan Koury, Assistant City Attorney
Fred Taylor, Deputy Fire Marshall
Jerry Fagan, Community Improvement Specialist
Sandra Willis, Code Enforcement Officer
Charmaine McKinzie, Dev. Serv. Representative

Disclaimer: *The meeting minutes herein are a summarization of meeting procedures, not a verbatim transcription.*

1. CALL TO ORDER.

Chairman Ponzio Called the meeting to order at 6:07pm.

2. RECOGNITION OF AFFIDAVITS FILED IN RESPONSE TO STATE LAW ON DISCLOSURE OF LOCAL OFFICIAL'S CONFLICT OF INTEREST.

No Affidavits were filed.

3. APPROVAL OF MINUTES FROM THE WORKSHOP MEETING ON FEBRUARY 13, 2012 AND THE REGULAR MEETING ON FEBRUARY 27, 2012.

Commissioner Free moved to approve the regular meeting minutes of March 26, 2012. Commissioner Owens seconded the motion.

Chairman Ponzio asked if there was any discussion.

There was none.

The motion passed with a unanimous vote.

4. OPENING STATEMENT FROM THE CHAIR.

Chairman Ponzio read the opening statement.

5. SWEARING IN OF ALL PRESENT AND INTENDING TO TESTIFY.

Chairman Ponzio swore in everyone in the audience that was planning on speaking concerning any of the properties on this meeting agenda.

6. REQUESTS TO DECLARE THE FOLLOWING BUILDINGS UNSAFE AND TO ORDER THE SAME TO BE VACATED, REPAIRED, SECURED OR DEMOLISHED – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (The order of hearings during this meeting is subject to change without notice, anyone wishing to speak at a hearing should be present at the start of the meeting. Commission makes final determination; appeals may be directed to district court).

- a. **Case # 1770 – 3301 Providence Avenue**
Owner: Blue Valley Apartments, Inc.
Stephen F Austin phase 9, Block 32, Lot 43

Mr. Zimmermann advised that the Commission that no further action needs to be taken on this item as the Commission's order for repair has been completed.

- b. **Case # 1821 – 2002 Newton Street**
Owner: Roy Sanchez
Jones-Brock, Lot 5, Block H

Mr. Zimmermann advised that the Commission postponed a decision regarding this item during last month's meeting. Mr. Zimmermann advised that staff recommends that the Commission find the building unsafe based on the standards set forth in Bryan Code of Ordinances Section 14-224 Subsection 2, 4, 5, 7, and 9. Staff recommends that the Commission issue an order to the owner, lienholder, or mortgagee to demolish/remove the accessory structure(s) within 30 days, and demolish/remove or repair the main house within 90 days, in accordance with the schedule of repair. Staff further recommends that the Commission order the City to demolish the building and accessory structure and remove the debris in accordance with Chapter 14 of the City of Bryan's Code of Ordinances if the owner, lienholder, or mortgagee fails to comply with the Commission's order.

Chairman Ponzio opened the public hearing.

Mr. William Scazzero of 543 William D Fitch, College Station, Texas, stated that he is representing Roy Sanchez, and they have filed a lawsuit in reference to ownership of the property. Mr. Scazzero went on to say that they are still in the same situation as last month, and that this may be going to trial. Mr. Sanchez owns a construction company and would like to do a bid, but he has not been able to get access to the house. Mr. Scazzero stated that he is asking the Commission to order that all parties involved be able to access the property so that Mr. Sanchez can get an estimate to this board.

Responding to a question from Commissioner Free, Mr. Sanchez stated that he has been trying for a year and half, to get the title issue taken care of.

Mr. Samuel Gonzalez of 5373 Mallard Drive, Bryan Texas stated he is speaking on behalf of Betty Garcia of 1513 Baker, Bryan, Texas. He stated that they just want to walk away from the property due to they do not have the means to fight this in court.

Chairman Ponzio closed the public hearing

Chairman Ponzio moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner, lienholder or mortgagee to allow all parties involved in the lawsuit access to the structure so that a plan and cost of repair can be submitted at the next scheduled Building and Standards meeting April 23, 2012. Commissioner Owens seconded the motion.

Chairman Ponzio asked if there were any discussion.

There was none.

The motion passed unanimously.

- e. **Case # 1830 – 903 Beck Street #2**
Owner: Rupert Green % Ronnie Green
Ponderosa MHP, Space #2

Mr. Zimmermann advised that staff recommends that the Commission find the building unsafe based on the standards set forth in Bryan Code of Ordinances Section 14-224 Subsection 1, 2, 5, 6, 7, 8 and 9. Staff recommends that the Commission issue an order to the owner, lienholder, or mortgagee to secure, demolish/remove the building and accessory structure within 30 days. Staff further recommends that the Commission order the City to demolish the building and accessory structure and remove the debris in accordance with Chapter 14 of the City of Bryan's Code of Ordinances if the owner, lienholder, or mortgagee fails to comply with the Commission's order.

Chairman Ponzio opened the public hearing

Mr. Ronald Rupert Green of 12821 Robin Drive, College Station, Texas, stated that he would like to finish the repair, but he did not receive notice in time to have estimates ready for the board.

Responding to a question from Commissioner Free, Mr. Green stated he did not have a permit for the repairs he had already done.

Mr. Greg Cox, Building Official, advised that we do not issue permits for travel trailers, and the park does not have a license to operate.

Chairman Ponzio closed the public hearing

Chairman Ponzio moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner, lienholder or mortgagee to and demolish/remove the building within 30 days or the City will demolish. Commissioner Free seconded the motion.

Chairman Ponzio asked if there were any discussion.

There was none.

The motion passed unanimously.

- f. Case # 1831 – 903 Beck Street #3**
Owner: Rupert Green % Ronnie Green
Ponderosa MHP, Space #3

Mr. Zimmermann advised that staff recommends that the Commission find the building unsafe based on the standards set forth in Bryan Code of Ordinances Section 14-224 Subsection, 2, 5, 7, and 8. Staff recommends that the Commission issue an order to the owner, lienholder, or mortgagee to secure, demolish/remove the building and accessory structure within 30 days. Staff further recommends that the Commission order the City to demolish the building and accessory structure and remove the debris in accordance with Chapter 14 of the City of Bryan's Code of Ordinances if the owner, lienholder, or mortgagee fails to comply with the Commission's order.

Chairman Ponzio opened the public hearing.

Mr. Ronald Rupert Green of 12821 Robin Drive, College Station, Texas, stated that he would like to finish the repair, since he is almost done with the remodel, but he did not receive notice in time to have estimates ready for the board.

Chairman Ponzio closed the public hearing.

Commissioner Owens moved to accept staff's recommendation that this building is unsafe and that the Commission table this item until the April 23, 2012 meeting so that Mr. Gree can bring in estimates and a plan for repair to the Commission. The motion failed due to a lack of second.

Responding to a question from Chairman Ponzio, Mr. Greg Cox, Building Official, advised that the mobile home is older than 1976, and the ordinance states you can't have a mobile home older than a 1976 in the City of Bryan. Mr. Cox also stated that the park does not have a license to operate.

Commissioner Free moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner, lienholder or mortgagee to and demolish/remove the building within 30 days or the City will demolish. Commissioner Ravey seconded the motion.

Chairman Ponzio asked if there were any discussion.

There was none.

The motion passed unanimously.

- g. Case # 1834 – 1410 San Jacinto Lane**
Owner: Mary Helen Sifuentez, etal
Oak Grove Park, Block 47, pts. of Lots 4 & 5

Mr. Zimmermann advised that staff recommends that the Commission find the building unsafe based on the standards set forth in Bryan Code of Ordinances Section 14-224 Subsection 2, 5, 7, 8, and 9. Staff recommends that the Commission issue an order to the owner, lienholder, or mortgagee to

demolish/remove the building and accessory structure within 30 days. Staff further recommends that the Commission order the City to demolish the building and accessory structure and remove the debris in accordance with Chapter 14 of the City of Bryan's Code of Ordinances if the owner, lienholder, or mortgagee fails to comply with the Commission's order.

Chairman Ponzio Opened the public hearing.

Ms. Mary Helen Sifuentez, of 4404 Pembroke Lane, Bryan Texas, stated that she is here representing her brother Roy Guerra, and her parents, that this was the house she grew up in. Ms. Sifuentez went on to say that she has a buyer for the house, and the buyer was unable to make the meeting tonight, but he is a contractor and would like to fix the house up. Ms. Sifuentez went on to explain that the buyer is also buying the house at 1408 San Jacinto, but there has been an issue with the alley. Ms. Sifuentez asked the Commission for more time to get some issues worked out.

Chairman Ponzio Closed the public hearing

Commissioner Free moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner, lienholder or mortgagee to return to the next scheduled Building and Standards meeting on April 23, 2012, with the buyer and a scheduled plan of repair. Commissioner Owens seconded the motion.

Chairman Ponzio asked if there were any discussion.

There was none.

The motion passed unanimously.

- h. Case # 1835 – 1408 San Jacinto Lane**
Owner: Roy Guerra
Oak Grove Park, Block 47, pts. of Lots 4 & 5

Mr. Zimmermann advised that staff recommends that the Commission find the building unsafe based on the standards set forth in Bryan Code of Ordinances Section 14-224 Subsection 1, 2, 3, 4, 5, 6, 7, 8, and 9. Staff recommends that the Commission issue an order to the owner, lienholder, or mortgagee to demolish/remove the building and accessory structure within 30 days. Staff further recommends that the Commission order the City to demolish the building and accessory structure and remove the debris in accordance with Chapter 14 of the City of Bryan's Code of Ordinances if the owner, lienholder, or mortgagee fails to comply with the Commission's order.

Chairman Ponzio Opened the public hearing.

Ms. Mary Helen Sifuentez, of 4404 Pembroke Lane, Bryan Texas, stated that she is here representing her brother Roy Guerra, he is in a nursing home and needs 24 hour care, and if the Commission orders her to demolish, then her brother loses his homestead, and therefore cannot stay in the nursing home. Ms. Sifuentez went on to say that she has a buyer for the house, and the buyer was unable to make the meeting tonight, but he is a contractor and would like to fix the house up., but there has been an issue with the alley. Ms. Sifuentez asked the Commission for more time to get some issues worked out.

Chairman Ponzio Closed the public hearing.

Commissioner Owens moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner, lienholder or mortgagee to return to the next scheduled Building and Standards meeting on April 23, 2012, with the buyer and a scheduled plan of repair. Commissioner Free seconded the motion.

Chairman Ponzio asked if there were any discussion.

There was none.

The motion passed unanimously.

- k. Case # 1838 – 404 North Reed Avenue**
Owner: Glenda Wright, etal
City of Bryan, Block 241, pts. Lot 3-8 & pt. of alley

Mr. Zimmermann advised that staff recommends that the Commission find the building unsafe based on the standards set forth in Bryan Code of Ordinances Section 14-224 Subsection 1, 2, 4, 5, 6, 7, 8, and 9. Staff recommends that the Commission issue an order to the owner, lienholder, or mortgagee to demolish/remove the building and accessory structure within 30 days. Staff further recommends that the Commission order the City to demolish the building and accessory structure and remove the debris in accordance with Chapter 14 of the City of Bryan's Code of Ordinances if the owner, lienholder, or mortgagee fails to comply with the Commission's order.

Chairman Ponzio Opened the public hearing.

Mr. Lois Fletcher of 409 June Street, Bryan TX advised the Commission that they will need more than 30 days to demolish the structure.

Responding to a question from Chairman Ponzio, Mr. Cox stated that the structure was secured two months ago.

Commissioner Owens moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner, lienholder or mortgagee to and demolish/remove the structure and accessory structure within 60 days or the City will demolish. Commissioner Free seconded the motion.

Chairman Ponzio asked if there were any discussion.

There was none.

The motion passed unanimously.

- c. Case # 1742 – 1005 Dale Street**
Owner: Georgia Jackson, decd % Helen Whitfield
Candy Hill, Block 1, Lot 8
- d. Case # 1828 – 302 West Pruitt Street**
Owner: Darren Ross
City of Bryan, Block 146, Lot 4 & pt of Lot 3
- i. Case # 1836 – 1805 Newton Street**

Owner: Agapita Gonzalez-Galicia
Jones-Brock, Block E, Lot 9

- j. Case # 1837 – 1114 New York Street**
Owner: Ola A Holland
McCullough Addition #3, Block 8, Lot 8

Commissioner Owens moved to accept the City's recommendations for agenda items 6 c., d., i., and j that these properties are a hazard to the health, safety and welfare of citizens and ordered that the structures thereon be secured and demolished by the owners, lienholders, or mortgagees within 30 days, or the City will demolish. Commissioner Free seconded the motion.

Chairman Ponzio asked if there were any discussion.

There was none.

The motion passed unanimously.

7. STAFF ANNOUNCEMENTS (This item includes introductions of new employees, meeting reminders, upcoming events, and staff recognition).

- A. The next workshop meeting is scheduled for 12:00 Noon on Monday, April 9, 2012, in Room 305 on the third floor of the Bryan Municipal Office Building, 300 S. Texas Avenue.**
- B. The next regular meeting is scheduled for 6p.m. on Monday, April 23, 2012, in Council Chambers, Bryan Municipal Office Building, 300 S. Texas Avenue.**

Mr. Zimmermann stated that the next Workshop meeting is scheduled for April 9, and the next regular meeting is scheduled for April 23, 2012.

8. FUTURE AGENDA ITEMS (A Commissioner may request that a subject for which notice has not been given be placed on an agenda for future meeting).

There was none.

9. ADJOURN.

Without objection Chairman Ponzio adjourned the meeting at 7:45pm.

These minutes were reviewed and approved by the City of Bryan Building and Standards Commission on the **23rd** day of **April, 2012**.

Building and Standards Commission

City of Bryan, Texas

Greg Cox, Chief Building Official and
Secretary to the Building and Standards
Commission

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