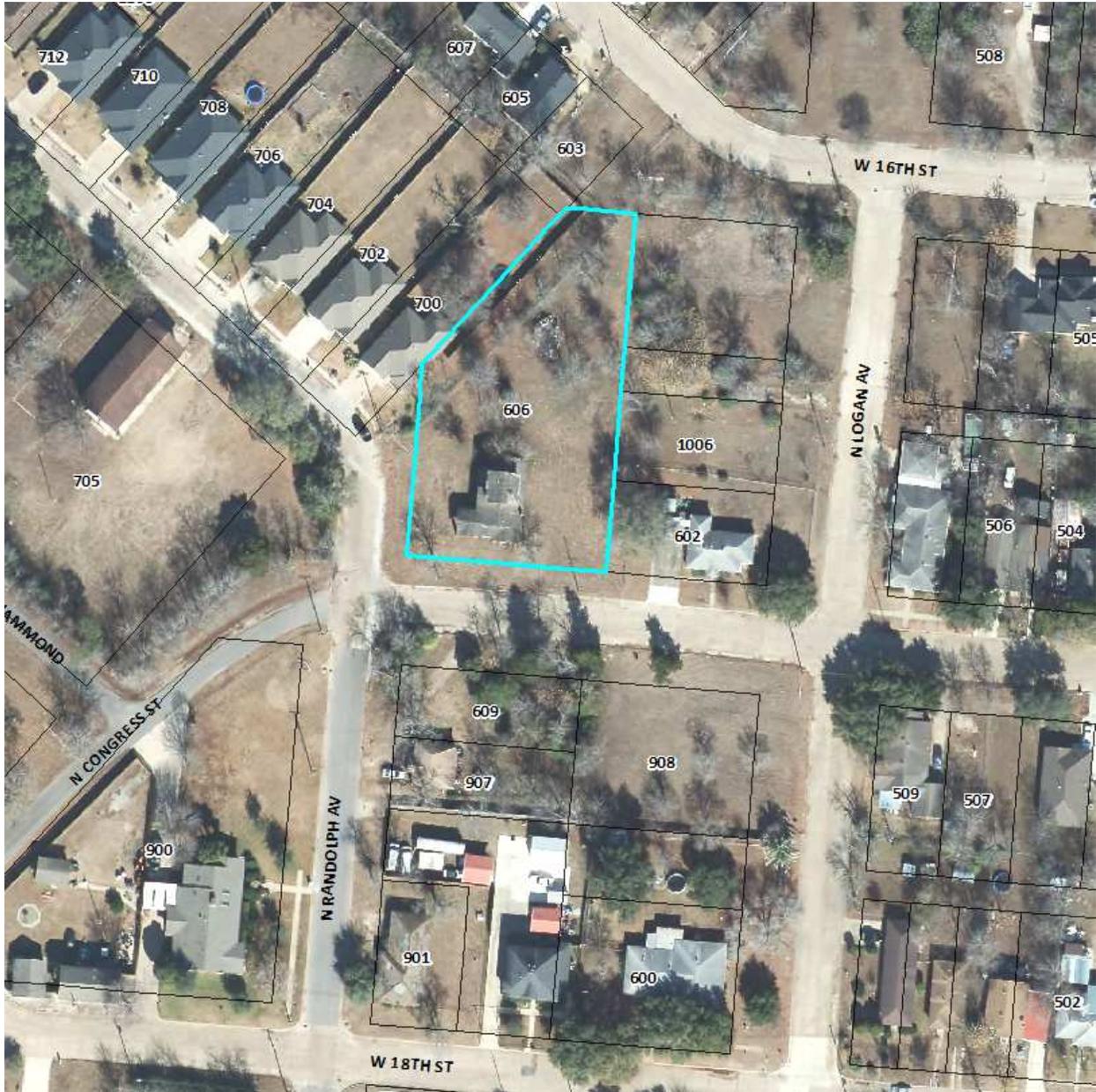


**BUILDING AND STANDARDS COMMISSION
STAFF REPORT**

October 22, 2012



Case #1829 – 606 West 17th Street



LEGAL DESCRIPTION: Lot 1-2 and Parts of Lots 3 & 8-10 and part of Alley in Block 203 of City of Bryan Townsite Subdivision

STRUCTURE(S):

- single-family residence
- multi-family residence
- mixed use
- commercial
- accessory structure(s)

PROPERTY OWNER(S): Mary Gatlin

**LIENHOLDER(S)/
MORTGAGEE(S):** none

**IMPROVEMENT VALUE(S)
(AS APPRAISED BY THE
BRAZOS COUNTY
APPRAISAL DISTRICT):** \$11,610 (2012 tax year)

BACKGROUND:

This structure was brought to the attention of Code Enforcement by the Chief Building Official and the Fire Marshal because of its dilapidated condition in August 2011. Exterior of the structure has a failing porch. In addition, Code Enforcement received a citizen concern regarding the structure's back door being unsecured. The structure is not currently occupied.

The structure on this property, built in about 1925, is also known as the E.A. Kemp house and has been listed in the U.S. Department of the Interior's National Register of Historic Places database since 1987. The house is the former residence of Elijah Alonzo Kemp an early advocate for African-American education in Bryan and community leader. He was a long-time principal of Bryan schools. His wife, Mrs. Addie Kemp was a significant historical figure in her own right, being one of the first college educated African-American women in Bryan. She later worked in the Roosevelt through the Nixon administration's as an employee of various federal agencies.

Code Enforcement sent an initial letter to the current property owner, Ms. Mary Gatlin in September 2011. On April 2, 2012, City staff met with Ms. Gatlin who informed that she had retained a local architect that day to prepare an assessment of the structure and develop a plan for repair.

During the Building and Standards Commission meeting on April 23, 2012, the Commission ordered that the structure be repaired in accordance with the following schedule:

<u>Deadline</u>	<u>Task</u>
30 Days	Obtain building permit, Repair foundation and level house.
60 Days	Install new footings for the masonry columns and rebuild masonry columns at carport and porch.
	Repair wall, floor, and roof framing.

	Re-point fire place and chimney masonry.
	Install new roof deck and roof finish.
180 Days	Repair siding
	Repair porch floor finishes.
	Repair original windows.
	Licensed electrician obtain electrical permit and re-wire house to current code.
	Licensed plumber obtain plumbing permit and re plumb house to current code.
	Licensed HVAC contractor obtain mechanical permit and install code compliant HVAC system.
240 Days	Repair porch and carport ceiling finishes.
	Insulate exterior walls to current code.
	Repair interior wall and ceiling finishes.
	Repair exterior trim and paint
365 Days	Repair interior trim work.
	Install plumbing fixtures, electrical fixtures, casework, etc.
	Complete all city final inspections and obtain new certificate of occupancy.

In addition, the Commission ordered that the property owner appear before the Commission at every other regularly scheduled meeting to demonstrate compliance with the approved time schedule until the order has been fulfilled. This is the first regular meeting during which the property owner must demonstrate compliance with the time schedule which was included in the Commission's order on April 23, 2012.

According to the property owner's architect, Ms. Eva Read-Warden of The Arkitex Studio, Inc., the foundation work for the structure took much longer to get going than originally anticipated due to significant differences in pricing and contractor availability. The work cost approximately \$5,000 and was only completed on October 8, 2012, or about 5 months after it was envisioned to be completed by the Commission's order.

Building Services had issued the permit for foundation repairs on September 13, 2012 to Anchor Foundation Repairs. As of October 12, 2012 no foundation inspections have been called in. A site inspection by the Fire Marshall and the Chief Building Official revealed that some old brick footings have been replaced with Dry laid CMU block on pre-manufactured concrete spread footing pads. Some existing footings appear to still need re-pointing and/or or re-leveling.

The City's Chief Building Official believes that this property is **not currently in compliance** with the time schedule for repairs that the Commission ordered for this structure on April 23, 2012. Repairs to this structure of historic significance will likely be a long term project as funds are raised for repairs and restoration. However, this unoccupied building still has broken or unsecured openings (e.g., windows) through which an unauthorized person, including a child, could enter. The City recommends that the Commission issue a **new order** to the owner, lienholder, or mortgagee to comply with a new time included in the recommendation on pages 5 to 7 of this staff report.

ATTACHMENTS:

- (1.) staff recommendation
- (2.) pictures
- (3.) letter of support from the Brazos County Historical Commission
- (4.) dangerous structures survey reports

**BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION**



October 22, 2012

Case #: 1829

Building Address: 606 West 17th Street

Record Owner(s): Mary Gatlin

The City's Chief Building Official has requested this Commission hearing to discuss the building on this property, and all legal notices of the hearing were provided to record owners, lienholders, and mortgagees. They were also notified that if they wanted to repair the building they needed to meet with City staff and come to the hearing with a detailed plan for repairs, including cost estimates. Based on the surveys, reports, photographs, and other evidence provided to the Commission, the City recommends that the Commission find the building unsafe based on the standards set forth in Bryan Code of Ordinances Section 14-224 subsection(s):

- 1) The building, structure, or any part thereof is likely to partially or fully collapse.
- 2) The structure or any part thereof was constructed or maintained in violation of any provision of the City's Building Code, or any other applicable ordinance or law of the city, county, state or federal government.
- 3) One or more walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third or its base.
- 4) The foundation or the vertical or horizontal supporting members are twenty five percent (25%) or more damaged or deteriorated.
- 5) The non supporting coverings of walls, ceilings, roofs, or floors are fifty percent (50%) or more damaged or deteriorated.
- 6) The structure has improperly distributed loads upon the structural members, or they have insufficient strength to be reasonably safe for the purpose used.
- 7) The structure or any part thereof has been damaged by fire, water, earthquake, wind, vandalism, or other cause to such an extent that it has become dangerous to the public health, safety and welfare.
- 8) The structure or any part thereof has inadequate means of egress as required by the City's Building Code.
- 9) The structure does not have adequate light ventilation, or sanitation facilities as required by the City's Building Codes and Plumbing Code.

The City further recommends that the Commission find that:

- the building is occupied and poses a hazard to health, safety, or general welfare of the occupants and/or the general public and must be vacated.
- the accessory structure(s) is/are occupied and pose a hazard to health, safety, or general welfare of the occupants and/or the general public and must be vacated.
- the building is unsecured and must be boarded up and/or fenced in such a manner to prevent unauthorized entry by a person, including a child, through missing or unlocked doors or windows or through other openings into the building.**

- the accessory structure(s) is/are unsecured and must be boarded up and/or fenced in such a manner to prevent unauthorized entry by a person, including a child, through missing or unlocked doors or windows or through other openings into the structure(s).
- the building may feasibly be repaired so that it is no longer in violation of City ordinances.**
- the building may not be feasibly repaired in compliance with City ordinances.

The City recommends that the Commission issue an order to the owner, lienholder, or mortgagee to:

- vacate the building within ____ days.
- secure the building from unauthorized entry within 7 days.**
- demolish/remove or repair the building and accessory structure(s) within 30 days.
- repair the building within 365 days, in accordance with the schedule below:**

<u>Deadline</u>	<u>Task</u>
7 days	secure all first floor openings of the building from unauthorized entry
30 days	install a 6-foot tall chain link construction fence around structure
	Shore up the carport and front porch in accordance with project architect's direction to prevent collapse and injury to anyone who may be crossing the property, on the property, and or near the structure
60 days	finish repairs to foundation (call for city inspections prior to covering work)
180 days	obtain building permit and finish framing/structural repairs and roof repairs (call for city inspections prior to covering work)
365 days	Submit additional plans, estimates, and proposed use for city and commissioner's review.

- appear before the Commission at every other regularly scheduled meeting to demonstrate compliance with the time schedule, until the preceding orders have been fulfilled.**

The City further recommends that the Commission order the City to demolish the building and accessory structure(s) 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.

PICTURES TAKEN OCTOBER 11, 2012:









PICTURES TAKEN FEBRUARY 14, 2012:









BRAZOS COUNTY HISTORICAL COMMISSION

c/o Henry P Mayo, Chairman

P.O. Box 9169, College Station, Texas 77842-9169

BrazosCountyHistory.org

Bryan Building and Standards Comm.
c/o Martin Zimmermann, AICP

Dear Commissioners and Staff Members,

During their regular meeting, April 9, 2012, the members of the Brazos County Historical Commission unanimously resolved to communicate to the members of the City of Bryan Building and Standards Commission and the City of Bryan Staff, the Historical Commission's concern regarding the fate of the Kemp House, a home listed on the National Register of Historic Places since 1986.

Elijah (E.A) and Addie Kemp were pioneering citizens of Bryan who through their actions epitomized the virtues of courage, self-reliance and self-determination during the segregated Jim Crow era. The home they built together in 1925 located at 606 West 17th Street remains a tangible link to Mr. and Mrs. Kemp and the solid values that they represent to the community.

The Historical Commission is fully aware of the difficult task before the members of the Building and Standards Commission and the City Staff. There is no question that the Kemp House has been in a dilapidated condition for a number of years. There is also no argument with the notion that the structure is in an unsafe condition and because of that, the safety of the community is at risk. The Historical Commission recognizes that immediate steps must be taken to address the situation. It is our understanding that community support is gathering that may enable the owner of the property, Mrs. Gatlin, to begin the process of stabilization and ultimate restoration of the home.

The Brazos County Historical Commission requests that the Building and Standards Commission recognize the cultural and historical significance of the Kemp House to the community and exercise all possible forbearance deciding what action must be taken to ensure public safety.

Thank you for your service to the citizens of Bryan.

Respectfully,

Henry P Mayo, Chair



CITY OF BRYAN
The Good Life, Texas Style.

Dangerous Structures Survey Report

Chief Building Official

Case #1829

A. PROPERTY DESCRIPTION

Address 606 W 17th Street

Lot(s) 1-2 & pts of 3 & 8-10 & pt of Alley Block(s) 203 Addition(s) City of Bryan Townsite

Owner(s) Mary Gatlin

Mailing Address 5426 Dunsmere Street, Houston, TX 77091-5628

B. SPECIFICATIONS

Sq. Ft. 1163 Rooms 6 Stories 2 Structures 1

STRUCTURAL USE

- Residential/Single Family
- Mixed Use
- Commercial
- Residential/Multi Family
- Accessory Structure

CONSTRUCTION

- Box
- Frame
- Masonry
- Mobile Home

OCCUPANCY

- Occupied
- Vacant
- Open

C. FINDINGS

- 01. The structure or a part thereof was constructed or maintained in violation of a provision of the City's building code, other applicable ordinance, state law, or federal law. Specifically, the following:
2009 IRC 2005 NEC
- 02. Any wall or other vertical structural members list, lean, or buckle to an extent that a plumbline passing through the center of gravity falls outside of the middle third of its base.
- 03. The foundation or the vertical or horizontal supporting members are materially damaged or deteriorated.
- 04. The non-supporting coverings of walls, ceilings, roofs, or floors are materially damaged or deteriorated.
- 05. The structure has improperly distributed loads upon the structural members, or they have insufficient strength to be reasonably safe for the purpose used.
- 06. The structure or any part thereof has inadequate means of egress as required by the city's building code.

07. The structure is unsanitary, unfit for human habitation, or likely to cause sickness due to damage, deterioration, or inadequate design/construction. Specifically the structure does not meet the city's requirements for:
- light
 - ventilation
 - sanitation facilities
08. Injury to persons or damage to property will result because portion, member or appurtenance is likely to fail, become detached or dislodged, or collapse.
09. Unable to give reasonable protection to any occupants from weather elements or danger of collapse because of:
- Holes or cracks in the floor, exterior wall or roof
 - Loose, rotten, warped or protruding boards
10. Is manifestly unsafe for the purpose for which it is being used or so as not to give reasonable protection from danger of collapse or fire because of:
- Defective materials
 - Structural deterioration
 - Interior walls or ceilings with holes, cracks or loose plaster

1987 BAYAN HISTORIC RESOURCES SURVEY

COMMENTS (1) NATIONAL HISTORIC REGISTER (2) 2ND FLOOR - CEILING DOWN DUE TO EXTENSIVE ROOF LEAKS (3) 1ST FLOOR CEILING DOWN DUE TO EXTENSIVE ROOF LEAKS (4) BACK PORCH FRAMING ROTTEN (5) FRONT PORCH FRAMING ROTTEN (6) HOLES/DAMAGE TO SIDING (7) CARPORT BRICK COLUMNS ARE DAMAGED (8) PORCH CEILING FALLING (9) ROTTEN EAVES & OVERHANGS. (10) NEEDS NEW ROOF (11) WINDOWS MISSING GLASS /BOARDED UP (KEMP HOUSE)

D. DETERMINATION

1. It has been determined upon inspection and investigation that the structure is dangerous, unsafe, or a hazard to public health and must be secured and:
- A. Be vacated OR remain unoccupied; and
 - B. Be repaired OR be demolished.
2. It has been determined upon inspection and investigation that the structure is not dangerous, unsafe, or a hazard to public health as defined by the City's Code of Ordinances.

Gregory Slope
Signature

GREGORY S COX
Printed Name

2-14-12
Date



CITY OF BRYAN
The Good Life, Texas Style.

Dangerous Structures Survey Report

Code Enforcement

Case # 1829

A. PROPERTY DESCRIPTION

Address 606 W 17th Street

Lot(s) 1-2 & pts of 3 & 8-10 & pt of Alley Block(s) 203 Addition(s) City of Bryan Townsite

Owner(s) Mary Gatlin

Mailing Address 5426 Dunsmere Street, Houston, TX 77091-5628

B. SPECIFICATIONS

Sq. Ft. _____

Rooms _____

Stories 1

Structures 1

STRUCTURAL USE

- Residential/Single Family
- Mixed Use
- Commercial
- Residential/Multi Family
- Accessory Structure

CONSTRUCTION

- Box
- Frame
- Masonry
- Mobile Home

OCCUPANCY

- Occupied
- Vacant
- Open

C. FINDINGS

- 01. The building, structure, or a part thereof is unsecured and open.
- 02. The building, structure, or a part thereof is being used by criminals, vagrants, or squatters for the purpose of suspected illegal activity.
- 03. The building, structure, or a part thereof presents an attractive nuisance to children.

D. DETERMINATION

- 1. It has been determined upon inspection and investigation that the structure is dangerous, unsafe, or a hazard to public health and must be secured or has been secured and must remain so.
- 2. It has been determined upon inspection and investigation that the structure is not dangerous, unsafe, or a hazard to public health as defined by the City's Code of Ordinances.



CITY OF BRYAN
The Good Life, Texas Style.

Dangerous Structures Survey Report

Fire Marshal

Case #1829

A. PROPERTY DESCRIPTION

Address 606 W 17th Street

Lot(s) 1-2 & pts of 3 & 8-10 & pt of Alley Block(s) 203 Addition(s) City of Bryan Townsite

Owner(s) Mary Gatlin

Mailing Address 5426 Dunsmere Street, Houston, TX 77091-5628

B. SPECIFICATIONS

Sq. Ft. _____ Rooms _____ Stories 2 Structures _____

STRUCTURAL USE

- Residential/Single Family
- Mixed Use
- Commercial
- Residential/Multi Family
- Accessory Structure

CONSTRUCTION

- Box
- Frame
- Masonry
- Mobile Home

OCCUPANCY

- Occupied
- Vacant
- Open

C. FINDINGS

- 01. The structure or a part thereof has been damaged by fire, water, earthquake, wind, vandalism, or other cause to such an extent that it has become dangerous to the public health, safety, and welfare. I estimate that 100% of the structure is considered a loss.
- 02. The structure or a part thereof has deteriorated to such an extent that it has become dangerous to the public health, safety, and welfare.
- 03. The structure or a part thereof does not have adequate means of egress as required by the City's building code, and poses a danger in case of fire or panic.
- 04. The structure or a part thereof lacks necessary fire-resistive construction, and the threat of a fire in the structure poses a risk to inhabitants, neighboring structures, and fire department personnel.
- 05. Obsolete, damaged, or deteriorated electric wiring, gas connections, heating apparatus, or other mechanical infrastructure present a risk of fire.
- 06. The proximity of the structure or a part thereof to other structures on this or neighboring properties constitutes a fire hazard for the other structures.

y 07. The structure or a part thereof is in violation of the City's fire code.
D. DETERMINATION

 x 1. It has been determined upon inspection and investigation that the structure is dangerous, unsafe, or a hazard to public health and must be secured and:

A. Be vacated OR x remain unoccupied; and

B. Be repaired OR x be demolished.

 2. It has been determined upon inspection and investigation that the structure is not dangerous, unsafe, or a hazard to public health as defined by the City's Code of Ordinances.

COMMENTS

Brick porch support columns cracked, leaning
Holes in Rear
Holes / Rotten flooring
unsafe electrical
Rotten porch
open ceiling

Fred Taylor DM FRED TAYLOR DM 2-14-12