



## MINUTES

**BRYAN BUILDING AND STANDARDS COMMISSION  
REGULAR MEETING  
MONDAY, JUNE 25, 2012 – 6:00 P.M.  
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING  
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

On the 25<sup>th</sup> day of June, 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  
Victor Drozd  
Greg Owens  
Bill Richard Ravey  
Daryl Massey

**Staff Members and Others:** Greg Cox, Chief Building Official  
Martin Zimmermann, Planning Administrator  
Jonathan Koury, Assistant City Attorney  
Fred Taylor, Deputy Fire Marshall  
Sharon Hauke, Code Enforcement Officer  
Dawn Kaatz, 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 6:02pm.

### **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 ON APRIL 9, 2012 AND THE REGULAR MEETING ON APRIL 23, 2012.**

Commissioner Drozd moved to approve the workshop meeting minutes of April 9, 2012 and the regular meeting on April 23, 2012, Commissioner Massey 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 # 1821 – 2002 Newton Street**  
**Owner: Betty Ayala Garcia & Roy Sanchez**  
Jones-Brock, Lot 5, Block H

Mr. Zimmermann advised that the Commission ordered on the April 23, 2012 Meeting to have the ownership issue resolved and a building permit issued for repair of the main structure within 60 days, and to demolish the accessory structure within 30 days, and to appear at the next regularly scheduled meeting to demonstrate compliance with this time schedule. Mr. Zimmermann then stated that staff had not received any updates since the last 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 the main house 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. Stephen Moon of 543 William D Fitch Pkwy #101, College Station Texas, stated that he is representing Roy Sanchez, and they are presently in a lawsuit with the Garcias concerning the ownership of the property.

Responding to a question from Commissioner Massey, Mr. Zimmermann stated that the Commission's previous order regarding this case included the requirement that Mr. Sanchez and the Garcias were to have the ownership issue resolved within 60 days and the accessory structure demolished within 30 days.

Mr. Roy Sanchez of 2011 Avenue C, Bryan, Texas, stated that he has an electrician and a plumber lined up to start the repairs as soon as ownership issue is resolved. Mr. Sanchez also stated that he will be the general contractor and that he plans to level the house and move the water heater inside the

house.

Mr. Greg Cox, Building Official asked Mr. Sanchez about the shingles on the house. Mr. Sanchez stated he will replace the shingles, and the total cost of material should be around \$4,500.00 and \$3,400 in labor to bring house up to code.

Ms. Lynda Villarreal of 2811 Marshall Street, Bryan, Texas representing the Garcias stated that the Garcias believe the house belongs to them. She further stated that Mr. Sanchez went inside of the house and started demolishing and stole pictures of theirs.

Chairman Ponzio stated that the Commission is tasked solely with determining if the structures are safe or not.

Chairman Ponzio closed the public hearing.

**Commissioner Drozd 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 all the structures within 30 days or the City will demolish. Commissioner Owens seconded the motion.**

Chairman Ponzio asked if there were any discussion.

There was none.

**The motion passed unanimously.**

- c. Case # 1839 424 Palasota Drive**  
**Owner: Pantoja, Alberto A & Maria**  
Lobello, Lot 3 & 4

Mr. Zimmermann stated that this is the first regular meeting during which the property owner must demonstrate compliance with the time schedule which was ordered on April 23, 2012. Mr. Zimmerman then stated as of June 18, 2012 no engineer's report has been submitted for City staff review. City staff has discussed this with the engineer of record and expect an engineer's report and plans for repairs to be submitted soon. Therefore, the City's Chief building Official believes that this property is currently not in compliance with the time schedule for repairs that the Commission ordered for this building addition on April 23, 2012, which required submission of an engineer's report within 30 days.

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, and 6. Staff recommends that the Commission issue an order to the owner, lienholder, or mortgagee to repair the structure within 180 days in accordance with another time schedule, and appear before the Commission at each regularly scheduled meeting to demonstrate compliance with the time schedule, until the preceding orders have been fulfilled.

Chairman Ponzio opened the public hearing.

Mr. Larry Berry of 1811 Ross Street, Bryan, Texas, project engineer, advised that he has been

working with Mr. Cox on this building and feels he can get the report done in two weeks.

Responding to a question from Commissioner Ravey, Mr. Berry stated that the completion of work would only be what the City has issues with.

Responding to a question from Commissioner Drozd, Mr. Cox stated he would be satisfied with the completion of work that the City has issues with.

Chairman Ponzio Closed the public hearing.

**Commissioner Drozd 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 repair the structure within 180 days, and to return to each scheduled meeting to demonstrate compliance with this order. Commissioner Owens seconded the motion.**

Chairman Ponzio asked if there were any discussion.

There was none.

**The motion passed unanimously.**

- e. **Case # 1850 – 509 Dean Street**  
**Owner: Eusebio Alvarez & Sixta Fava**  
Ruhanah Whitehead Addition, Lot 9

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 thru 9 9. Staff recommends that the Commission issue an order to the owner, lienholder, or mortgagee to secure the structure within 7 days, and 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. Julian Fava, of 2508 Allen Forest, Bryan Texas, advised he wants to demolish the house but he has no funds to do so at this time.

Chairman Ponzio closed the public hearing.

**Commissioner Massey 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 secure the structure in 7 days and demolish/remove the building within 30 days or the City will demolish. Commissioner Owens seconded the motion.**

Chairman Ponzio asked if there were any discussion.

There was none.

**The motion passed unanimously.**

- f. Case # 1853 – 1106 West Martin Luther King Jr. Street**  
**Owner: Marshall H Harris & Reddie D Harris**  
Priddy & Lawrence Resubd. Of Chew Addition, Block 3, Lot 1

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 vacate the structure within 30 days, secure the structure within 30 days, and to demolish/remove the building and accessory structure within 60 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. C. L. Harris, of 2005 Palasota Drive, Bryan Texas advised the Commission that he would like the City to demolish the structure.

Chairman Ponzio closed the public hearing.

**Commissioner Drozd 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 vacate the structure within 30 days, to secure the structure in 30 days and demolish/remove the building within 60 days or the City will demolish. Commissioner Owens seconded the motion.**

Chairman Ponzio asked if there were any discussion.

There was none.

**The motion passed unanimously.**

- g. Case # 1856 – 3015 North Texas Avenue**  
**Owner: Virgilio E Alpizar**  
SFA #10, Block 15, Lot 27

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, and 8. Staff recommends that the Commission issue an order to the owner, lienholder, or mortgagee to secure the structure within 7 days, and 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. Felix Fernandez, of 3015 North Texas Avenue, Bryan Texas advised the Commission, that he is representing Mr. Virgilio E Alpizar and that he would like to repair the structure to live in. Mr. Fernandez stated that he knows that the house needs some mechanical and electrical work.

Mr. Greg Cox, stated that there had been years of unpermitted work, but the owner has removed most of the unpermitted additions.

Responding to a question from Commissioner Massey, Mr. Fernandez stated there is no one living in the house.

Chairman Ponzio closed the public hearing.

**Commissioner Drozd 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 secure the structure within 7 days, and return to the next scheduled Building and Standards meeting on September 24, 2012, with 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.**

- j. Case # 1862 – 1405 Groesbeck Street #B**  
**Owner: Ted J Meiller & Mildred M Meiller**  
Meiller Addition, being part of 1.00 ac. Zeno Phillips Lge., Block 1, Lot 1

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 secure the structure within 7 days, and 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. Wanda Lavender is interpreting for Mr. Ted Meiller of 1308 Bennett, Bryan Texas, stated that he is having trouble getting people to come and give estimates and would like an extension to come back to the board with a plan and timeline for repair.

Responding to a question from Commissioner Massey, Mr. Meiller stated that the house is secured.

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 secure the structure within 7 days, and return to the next scheduled Building and Standards meeting on September 24, 2012, with a scheduled plan of repair. Commissioner Drozd seconded the motion.**

Chairman Ponzio asked if there were any discussion.

There was none.

**The motion passed unanimously.**

- k. Case # 1863 – 1405 Groesbeck Street #C**  
**Owner: Ted J Meiller & Mildred M Meiller**  
Meiller Addition, being part of 1.00 ac. Zeno Phillips Lge., Block 1, Lot 1

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 secure the structure within 7 days, and 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. Wanda Lavender is interpreting for Mr. Ted Meiller of 1308 Bennett, Bryan Texas, stated that he has sold the mobile home, but needs more time to get it moved off the property.

Chairman Ponzio closed the public hearing.

**Commissioner Drozd moved to accept staff's recommendation that this building is unsafe and that the Commission issues an order to the owner, lienholder or mortgagee to secure the structure in 7 days and demolish/remove the building within 60 days or the City will demolish. Commissioner Owens seconded the motion.**

- b. Case # 1826 – 2312 Southside Drive**  
**Owner: Arturo and Ofelia Garcia**  
Margaret Wallace, Block 13, Lot 26 & pt. of 25
- d. Case # 1840 – 1700 Pecan Street**  
**Owner: Hernandez, Raymundo & Maria Del Carmen**  
Woodlawn, Block 7, Lot 1 & 2
- h. Case # 1859 - 1524 Boone Street #2**  
**Owner: Lelia Moore Zboril**  
Rohde Addition, Pts. of Lots 11-15
- i. Case # 1860 – 1524 Boone Street #3**  
**Owner: Lelia Moore Zboril**  
Rohde Addition, Pts. of Lots 11-15

**Chairman Ponzio moved to accept the City's recommendations for agenda items 6 b., to repair structure within 360 days and to appear before the Commission at the January 2013 regularly**

scheduled meeting to demonstrate compliance with the time schedule, until the preceding orders have been fulfilled., and agenda items 6 d., h., and i., 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 Drozd seconded the motion.

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

**A. The next regular meeting is scheduled for 6p.m. on Monday, August 27, 2012 in Council Chambers, Bryan Municipal Office Building, 300 S. Texas Avenue.**

Mr. Zimmermann stated that there was an error on the agenda and that the next regular meeting is scheduled for September 24, 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 7:25pm.

These minutes were reviewed and approved by the City of Bryan Building and Standards Commission on the **24th** day of **September, 2012**.

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Building and Standards Commission  
City of Bryan, Texas

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