

**BUILDING AND STANDARDS COMMISSION  
STAFF REPORT**

**September 24, 2012**



**Case #1856 – 3015 North Texas Avenue**



**LEGAL DESCRIPTION:** Lot 27 in Block 15 of Stephen F. Austin Survey #10 Subdivision

**STRUCTURE(S):**

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

**PROPERTY OWNER(S):** Virgilio Alpizar

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

**IMPROVEMENT VALUE(S)  
(AS APPRAISED BY THE  
BRAZOS COUNTY  
APPRAISAL DISTRICT):** \$10,720 (2012 tax year)

**BACKGROUND:**

A complaint was received in March 2010 alleging that there were too many people occupying this structure. Building Services conducted an inspection and found that several room additions had been made to this property without building permits and there were concerns about emergency egress, as well as electrical and plumbing work that had been done. The property owner was advised that he would need to demo the additions back to the original permitted structure. The owner completed the majority of that work and at this time we are focusing on the main structure itself.

On April 3, 2012, the property owner submitted a permit application and proposed repairs with cost estimate of \$16,855 (see attached). As the case had been scheduled for Building and Standards Commission consideration, no building permits have been issued. Since the improvements on this property are appraised at only \$10,720 by the Brazos County Appraisal District, **staff does not believe that the building can be feasibly repaired in compliance with City ordinances (see complete recommendation below).**

In addition, the proposed plan for repairs suggests that the all the required work can be completed within one month. **Staff believes that this is an unreasonable time frame and believes that at least 3 months would be required to complete all necessary repairs, if the Commission were inclined to order repair of this structure.**

During its meeting on June 25, 2012, the Commission ordered the structure secured within 7 days and for the case to be scheduled for consideration at the next regular meeting. **No new plans, estimates or timeline for completing repairs have been received by City staff as of September 14, 2012.** On July 17, 2012 the owner obtained a partial demolition permit and, as of September 4, 2012, has removed the northernmost addition that was structurally unsound. Previously, the southern rear addition was removed. It appears that what is remaining is just the original house and what appears to be one rear addition.

**ATTACHMENTS:**

- (1.) staff recommendation
- (2.) pictures
- (3.) survey reports
- (4.) permit application and cost estimate for repairs

**BUILDING AND STANDARDS COMMISSION  
STAFF RECOMMENDATION**



**September 24, 2012**

**Case #: 1856**

**Building Address: 3015 North Texas Avenue**

**Record Owner(s): Virgilio Alpizar**

**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 the building within 30 days.**
- demolish/remove or  repair the building  and accessory structure(s) within \_\_\_\_ days, in accordance with the schedule below:

Deadline

Task

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- appear before the Commission at each 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 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:**



# CITY OF BRYAN APPLICATION FOR BUILDING PERMIT

P.O. Box 1000 Bryan Texas 77805 \* Phone: 979-209-5010 \* Fax: 979-209-5035 \* www.bryantx.gov

RECEIVED

APR - 3 2012

D. 720 S. X  
V. 10/10/2011

TT  
FERNANDEZ  
4-12-12  
LM  
RF  
6-12-12

<b>1. ADDRESS / LOCATION OF WORK:</b> ADDRESS: <u>3015 N TEXAS AVENUE</u> SUBDIVISION: PHASE:      LOT:      BLOCK:			<b>2. DATE OF APPLICATION:</b> PERMIT # (by city): <u>12-1023</u> WTR / SWR # (by city): PROPERTY R-NUMBER:					
<b>3. PROPERTY OWNER INFORMATION</b> NAME: <u>VIRGILIO ARPIZZAN</u> ADDRESS: <u>318. TRAN ST</u> CITY/STATE/ZIP: <u>BRYAN TX</u> EMAIL: ✓ PHONE: <u>222 1456</u>			<b>4. GENERAL CONTRACTOR INFORMATION</b> NAME: <u>FELIX FERNANDEZ</u> ADDRESS: <u>2003 ECHOLS ST</u> CITY/STATE/ZIP: <u>BRYAN</u> EMAIL: ✓ PHONE: <u>324 7855</u>					
<b>5. ELECTRICIAN (Name &amp; Phone #):</b> <u>F. W. Electric Bobby</u>		<b>6. PLUMBER (Name &amp; Phone #):</b> <u>Dwain Plumbing</u>		<b>7. HVAC (Name &amp; Phone #):</b> <u>CHRIS AC</u>				
<b>8. ARCHITECT - If required by state or city ordinance (Name &amp; Phone #):</b>			<b>9. ENGINEER - If required by state or city ordinance (Name and Phone #):</b>					
<b>10. CLASS OF WORK (Check the appropriate box):</b>			Call before you dig! (1-800-344-8377) Free service!					
Commercial: <input type="checkbox"/>	Residential: <input checked="" type="checkbox"/>	Remodel: <input type="checkbox"/>	Addition: <input type="checkbox"/>	Repair: <input checked="" type="checkbox"/>	New Construction: <input type="checkbox"/>			
<b>11. DESCRIPTION OF WORK:</b> <u>Electrical, plumbing, AC work                  etc repair painting, interior                  repair leveling, Paint Floor.</u>			Present Use: Intended Use: Constructing Driveway in R.O.W? Constructing Sidewalk in R.O.W?					
12. Square feet of heated area: <input type="text"/>	13. # of Buildings: <input type="text"/>	16. # of Dwelling Units: # of bedrooms: <input type="text"/>	19. Water Tap Size:					
Square feet of unheated area: <u>1802</u>	14. Foundation Type: <input type="text"/>	17. Irrigation Tap Size: <input type="text"/>	20. Sewer Tap Size:					
Square feet total: <u>1802</u>	15. Number of floors: <input type="text"/>	18. Fire Line Tap Size: <input type="text"/>	21. Official Use Only-Misc. Fees:					
			<b>22. Estimated Valuation</b> (Cost of Labor and Materials for project): <input style="width: 100%;" type="text" value="\$ 16,855"/>					
			<b>23. Total Permit Fee</b> (Valuation + Tap Fees + Any Misc. Fees): <input style="width: 100%;" type="text" value="\$"/>			Long Tap Fee: D.&T. Fee: Work w/o Permit fee:		
			<input style="width: 100%; height: 20px;" type="text" value="REVISED 6-12-07"/>					

Please continue to back side of application for additional items.  
 Applicant's signature required on back of application for permit approval.



# Building and Standards Commission

Contractor Checklist

Address: 3015 N Texas AVENUE

The items included in this checklist will be required when you appear at the Building and Standards Commission meeting. **Please fill out this checklist and bring it with you to the Building and Standards Commission meeting.**

**A. Electrical**

1. Licensed electrical contractor's company name: F&W Electric
2. Bid for electrical work: \$ 3675.00
3. Estimated date for electrical work to start: 4-9-12 if accepted
4. Estimated date for electrical work to be complete: \_\_\_\_\_

**B. Plumbing**

1. Licensed plumbing contractor's company name: DWM Plumbing
2. Bid for plumbing work: \$ 4,680.00 four thousand six hundred eighty
3. Estimated date for plumbing work to start: 4-1-12
4. Estimated date for plumbing work to be complete: 4-20-12

**C. Heating, Ventilation, and Air Conditioning (HVAC)**

1. Licensed HVAC contractor's company name: Chavis A-C
2. Bid for HVAC work: \$ 1800.00 ONE THOUSAND EIGHT HUNDRED
3. Estimated date for HVAC work to start: 4-1-12
4. Estimated date for HVAC work to be complete: 4-1-12

**D. Carpentry**

1. Bid for carpentry work (if installed by the owner give material cost): \$ 16,855
2. Estimated date for carpentry work to start: Abobet City
3. Estimated date for carpentry work to be complete: 5-5-12

**E. Completion**

1. Estimated project completion date: 5-10-12

[Signature]  
Signature

4-3-12  
Date



CITY OF BRYAN  
The Good Life, Texas Style

# Dangerous Structures Survey Report

Chief Building Official

Case #1856-SH

A. PROPERTY DESCRIPTION

Address 3015 N Texas Avenue

Lot(s) 27 Block(s) 15 Addition(s) (TR-168), SFA #10

Owner(s) Virgilio E Alpizar

Mailing Address 318 Trant Street, Bryan, Texas 77803-3814

B. SPECIFICATIONS

Sq. Ft. \_\_\_\_\_

Rooms \_\_\_\_\_

Stories 1

Structures 1

STRUCTURAL USE

CONSTRUCTION

OCCUPANCY

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

- Box
- Frame
- Masonry
- Mobile Home

- 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

COMMENTS YEARS OF UN PERMITTED WORK, OWNER HAS REMOVED MOST UN PERMITTED ADDITIONS. GARAGE ADDITION ON LEFT NEEDS TO BE REMOVED (ROTTEN WALLS, ETC) ORIGINAL HOUSE CAN BE REPAIRED BUT WILL NEED TO BE GUTTED AND REFINISHED WITH FOUNDATION, FRAMING, MEP REPAIRS /REPLACEMENT ETC.

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 S Cox  
Signature

BREWERY SCOX 5-10-12  
Printed Name Date

Case # \_\_\_\_\_



CITY OF BRYAN  
The Good Life, Texas Style.

# Dangerous Structures Survey Report

Code Enforcement

Case # 1856-SH

A. PROPERTY DESCRIPTION

Address 3015 N Texas Avenue

Lot(s) 27 Block(s) 15 Addition(s) (TR-168), SFA #10

Owner(s) Virgilio E Alpizar

Mailing Address 318 Trant Street, Bryan, Texas 77803-3814

SPECIFICATIONS

Sq. Ft. \_\_\_\_\_ Rooms \_\_\_\_\_ Stories \_\_\_\_\_ Structures \_\_\_\_\_

STRUCTURAL USE

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

CONSTRUCTION

- Box
- Frame
- Masonry
- Mobile Home

OCCUPANCY

- Occupied
- Vacant
- Open

B. 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.

C. 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 # 1856-SH

A. PROPERTY DESCRIPTION

Address 3015 N. TEXAS

Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Addition(s) \_\_\_\_\_

Owner(s) \_\_\_\_\_

Mailing Address \_\_\_\_\_

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 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 80% 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.
- 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 Deflection in Roof  
Sinking floor  
Mold  
Rotten Support Beams  
Inadequate + unpermitted dec work

[Signature] Fred Taylor/ISM 8/24/12  
Signature Printed Name/Title Date