



CITY OF BRYAN  
*The Good Life, Texas Style.*

## MINUTES

**BRYAN BUILDING AND STANDARDS COMMISSION  
REGULAR MEETING  
MONDAY, FEBRUARY 25, 2013 – 6:00 P.M.  
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING  
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

On the 25<sup>th</sup> day of February, 2013, 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:**

Daryl Massey  
Victor Drozd  
Cheryl Free  
Richard Ravey  
Charles Munday

**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  
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.**

Chairperson Massey called the meeting to order at 6:00pm.

**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 REGULAR MEETING ON JANUARY 28, 2013 AND THE WORKSHOP AND SPECIAL MEETINGS ON JANUARY 14, 2013.**

Commissioner Drozd moved to approve the regular meeting on January 28, 2013 and the workshop and special meeting on January 14, 2013 minutes. Commissioner Munday seconded the motion.

**The motion passed with a unanimous vote.**

**4. OPENING STATEMENT FROM THE CHAIR.**

Chairperson Massey read the opening statement.

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

Chairperson Massey 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 # 1894 – 2316 Rountree Drive**  
**Owner: Donald Vincent Jensen Revocable Living Trust**  
Williamson, Block 1, Lot 3

Mr. Zimmermann, Planning Administrator, presented the staff recommendation (on file in the Development Services Department). He advised that Since the Commission's November 2012 meeting, the two-family dwelling and accessory structure have been removed from the property. 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 property in November 2012. However, significant progress has been made with regard to removing hazards from the property and bringing the five-unit apartment building up to current building codes. Staff therefore recommends that the Commission issue a new order and timeline for repairs.

Chairperson Massey opened the public hearing.

Mr. Andrew Jenson of 301 West Brookside Drive, Bryan, Texas advised the Commission, that he has got a lot of repairs completed, but ran in to some plumbing and stair railing issues, but he believes he could have all the repairs finished in 30 days.

Mr. Greg Cox, Chief Building Official, advised the Commission that they came across other issues on the property that was not in the first inspection, but he feels that progress has been made.

Chairperson Massey 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 finish all the repairs within 30 days in accordance with the timeline recommended by staff. Commissioner Munday seconded the motion.**

Chairperson Massey asked if there were any discussion.

There was none.

**The motion passed with a unanimous vote.**

- d. Case # 1913 – 412 N. Baylor Avenue/905 W. 22<sup>nd</sup> Street**  
**Owner: Geraldine Tate**  
City of Bryan Townsite, Block 234, Lot pt of 6-8

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Ms. Geraldine Tate of 412 N Baylor Avenue, Bryan Texas stated that her Daughter lost her home, so she had put all her furniture and belongings into the larger accessory structure, and that she would like to repair this building, and as far as the smaller accessory structure she would demolish.

Responding to a question from the Commission Mr. Cox, stated that Ms. Tate did obtain a demolition permit in January of 2012, and that he feels it can't be repaired

Chairperson Massey 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 and secure the accessory structure (s) within 7 days, and to demolish both accessory structures within 30 days. Commissioner Free seconded the motion.**

Chairperson Massey asked if there were any discussion.

There was none.

**The motion passed with a unanimous vote.**

- e. Case # 1923 – 2308 W. State Highway 21**  
**Owner: Wade Claude**  
Park Heights, Pt of Lot 8

Mr. Zimmermann advised the Commission that no action was necessary on this agenda item due to the house has been demolished.

**f. The Grove Apartments**

- 1. Case # 1906 – 3130 E. 29<sup>th</sup> Street**  
**Owner: Wilshire Skyline Texas LLC**  
Lots 2 and 3 in Block 1 of The Grove Subdivision – Phase 1
- 2. Case # 1906A – 3132 E. 29<sup>th</sup> Street**  
**Owner: Wilshire Skyline Texas LLC**  
Lot 1 in Block 1 of The Grove Subdivision – Phase 1

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Mr. Michael Bernstein of 369 S Doheny Drive #412, Beverly Hills, CA advised the Commission that

there have been management problems and a cash flow issue on the property and that he has hired a new Management Company due to this. Mr. Bernstein also stated that the repair cost would be \$215,000.00 - \$300,000.00, and that he has the asbestos survey that Mr. Cox wanted and an Engineers report, and he believes that all the repairs could be complete between 120-180 days.

Mr. Cox, stated that he has received the asbestos survey and the engineering report and he has some questions, but nothing that they couldn't be worked out.

Responding to a question from the Commission Mr. Cox stated that the apartments that are vacant and the apartments that become vacant, the City is inspecting before the apartments are rented back out.

Responding to a question from the Commission Mr. Bernstein stated he is comfortable with the timeline the City is recommending.

**Commissioner Drozd moved to accept staff's recommendation that this buildings are unsafe and that the Commission issues an order to the owner, lienholder or mortgagee to repair the buildings within 180 days in accordance with the timeline recommended by staff, and to appear before the Commission at every other regularly scheduled meeting to demonstrate compliance with the time schedule, until the preceding orders have been fulfilled. Commissioner Ravey seconded the motion.**

Chairperson Massey asked if there were any discussion.

There was none.

**The motion passed with a unanimous vote.**

- b. Case # 1909 – 1403 Rochester Street  
Owner: Giovanni & Houda Cerone  
Broadway Addition, Block 2, Lot 18 - 19**
- c. Case # 1910 – 1405 Rochester Street  
Owner: Giovanni & Houda Cerone  
Broadway Addition, Block 2, Lot 18 - 19**

**Commissioner Drozd moved to accept the City's recommendations for agenda items 6.b., and 6.c.. Commissioner Munday seconded the motion.**

Chairman Massey asked if there was 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 regular meeting is scheduled for 6p.m. on Monday, March 25, 2013 in Council Chambers, Bryan Municipal Office Building, 300 S. Texas Avenue.**

Mr. Zimmermann reminded of the next regular meeting date.

**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).**

No future agenda items were requested.

**9. ADJOURN.**

Without objection Chairman Massey adjourned the meeting at 6:40pm.

These minutes shall serve as the official findings of the City of Bryan Building and Standards Commission, as approved on this the **25<sup>th</sup>** day of **March, 2013**.

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Daryl Massey, Chairperson  
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