

**BUILDING AND STANDARDS COMMISSION  
STAFF REPORT**

**November 25, 2013**



**Case #1948 – 105 Bizzell Street**



**LEGAL DESCRIPTION:** Part of Lot 4 in Block 1 of Beckwith Addition

**STRUCTURE(S):**

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

**PROPERTY OWNER(S):** Stock & Binder Construction Company (Harold Stock & Patrick M. Binder)

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

**IMPROVEMENT VALUE(S)  
(AS APPRAISED BY THE  
BRAZOS COUNTY  
APPRAISAL DISTRICT):** \$29,490 (2013 tax year)

**BACKGROUND:** On or around November 30, 2012, the Bryan Police Department notified the Chief Building Official and Fire Marshal that the current tenants were being evicted from the home and were complaining about the conditions inside the home. City staff sent a letter to the owner requesting a meeting and inspection of the property. The owner was not responsive. The main house and accessory structure were unsecured and have been found unsecured several times since the initial inspection. Power was removed due to the structures being unsecured and appeared to be unsafe.

During its meeting on July 22, 2013, the Building and Standards Commission ordered that the structure be repaired within 120 days in accordance with the repair schedule below.

During this meeting on November 25, 2013, the property owner must demonstrate compliance with the time schedule which was included in the Commission's order on July 22, 2013. 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. However, the Chief Building Official believes that significant progress has been made, including the removal of the accessory structure, and recommends that the Commission issue a new order with a new time schedule for repair, as described on page 6 of this staff report.

**ATTACHMENTS:**

- (1.) plan for repair submitted by property owner on July 17, 2013
- (2.) staff recommendation
- (3.) pictures
- (4.) dangerous structures survey reports

# Plans for 105 Bizzell

RECEIVED

JUL 17 2013

Development &  
Engineering Services

## Outside:

Garage will be removed.

## House (outside)

Will remove all windows. Seven windows will be replaced with aluminum or vinyl windows - Low E Glass 3-0 5-0. Two windows will be replaced with aluminum or vinyl - Low E Glass 2-8 3-0.

House has masonite siding nailed to 105 siding. Masonite siding will be removed. House will be covered with house wrap. Smart siding will be added. Siding will be 8 1/4" X 16' lapped with 1 X 4 smart trim for corners, windows and doors.

Will replace two outside doors.

Will have new soffit and new fascia boards.

All boards will be checked and replaced if needed.

## House (inside)

Floors will be cleaned.

The floor tile in the kitchen and bathrooms will be replaced.

The plywood base flooring will be replaced. The sub-flooring will be checked. If any boards need to be replaced, that will be done.

*Harold Stock*

*7-17-13*

RECEIVED

APR 17 2013

Development & Engineering Services



CITY OF BRYAN  
The Good Life. Every Day.

# Building and Standards Commission

Contractor Checklist

Address: \_\_\_\_\_

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**

- Licensed electrical contractor's company name: Carroll Wood
- Bid for electrical work: \$ 1900.00
- Estimated date for electrical work to start: when ready
- Estimated date for electrical work to be complete: \_\_\_\_\_

**B. Plumbing**

- Licensed plumbing contractor's company name: HOWARD WALKER
- Bid for plumbing work: \$ 717.00.00
- Estimated date for plumbing work to start: \_\_\_\_\_
- Estimated date for plumbing work to be complete: \_\_\_\_\_

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

- Licensed HVAC contractor's company name: Mize
- Bid for HVAC work: \$ Needs Electricity ON To CHECK WHAT WORK
- Estimated date for HVAC work to start: \_\_\_\_\_
- Estimated date for HVAC work to be complete: \_\_\_\_\_

**D. Carpentry**

- Bid for carpentry work (if installed by the owner give material cost): \$ 3500.00
- Estimated date for carpentry work to start: AUG 2013
- Estimated date for carpentry work to be complete: \_\_\_\_\_

**E. Completion**

- Estimated project completion date: OCT or NOV

Harold Stock  
Signature

7-17-13  
Date

**BUILDING AND STANDARDS COMMISSION  
STAFF RECOMMENDATION**



**November 25, 2013**

**Case #: 1948**

**Building Address: 105 Bizzell Street**

**Record Owner(s): Stock & Binder Construction Company (Harold Stock & Patrick M. Binder)**

**The City's Chief Building Official has requested this Commission hearing to discuss the building and one accessory structure 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 and/or accessory structure 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 a new order to the owner, lienholder, or mortgagee to:**

- repair the building within 60 days, in accordance with the schedule below:**

<u>Deadline</u>	<u>Task</u>
<b>60 Days</b>	<b>Call in final inspections for all permits and obtain a new certificate of occupancy.</b>

PICTURES TAKEN: 06/4/2013



Dilapidated accessory structure in back yard



Interior of accessory structure

New pictures 11-12-13





# Dangerous Structures Survey Report

Chief Building Official

Case 1948 - AA

**A. PROPERTY DESCRIPTION**

Address: 105 Bizzell Street

Lot(s) pt of Lot 4 Block(s) 1 Addition(s) Beckwith

Owner(s) Stock & Binder Construction Company (Harold Stock & Patrick M Binder)

Mailing Address: 3804 Old Oaks Drive, Bryan Texas 77802-4747

**B. SPECIFICATIONS**

Sq. Ft. \_\_\_\_\_ Rooms 6+1 Stories 1 Structures 2

**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

COMMENTS (1) THE GARAGE/SITED IS DAMAGED/ROTTEN WALLS  
 (2) DAMAGED/ROTTEN SIDING (3) DAMAGED PLUMBING  
 VENT (4) SOME PARTS OF FLOOR ARE DAMAGED  
 (5) WATER HEATER IS DAMAGED / BURN MARKS  
 (6) UNSECURED - BROKEN WINDOW

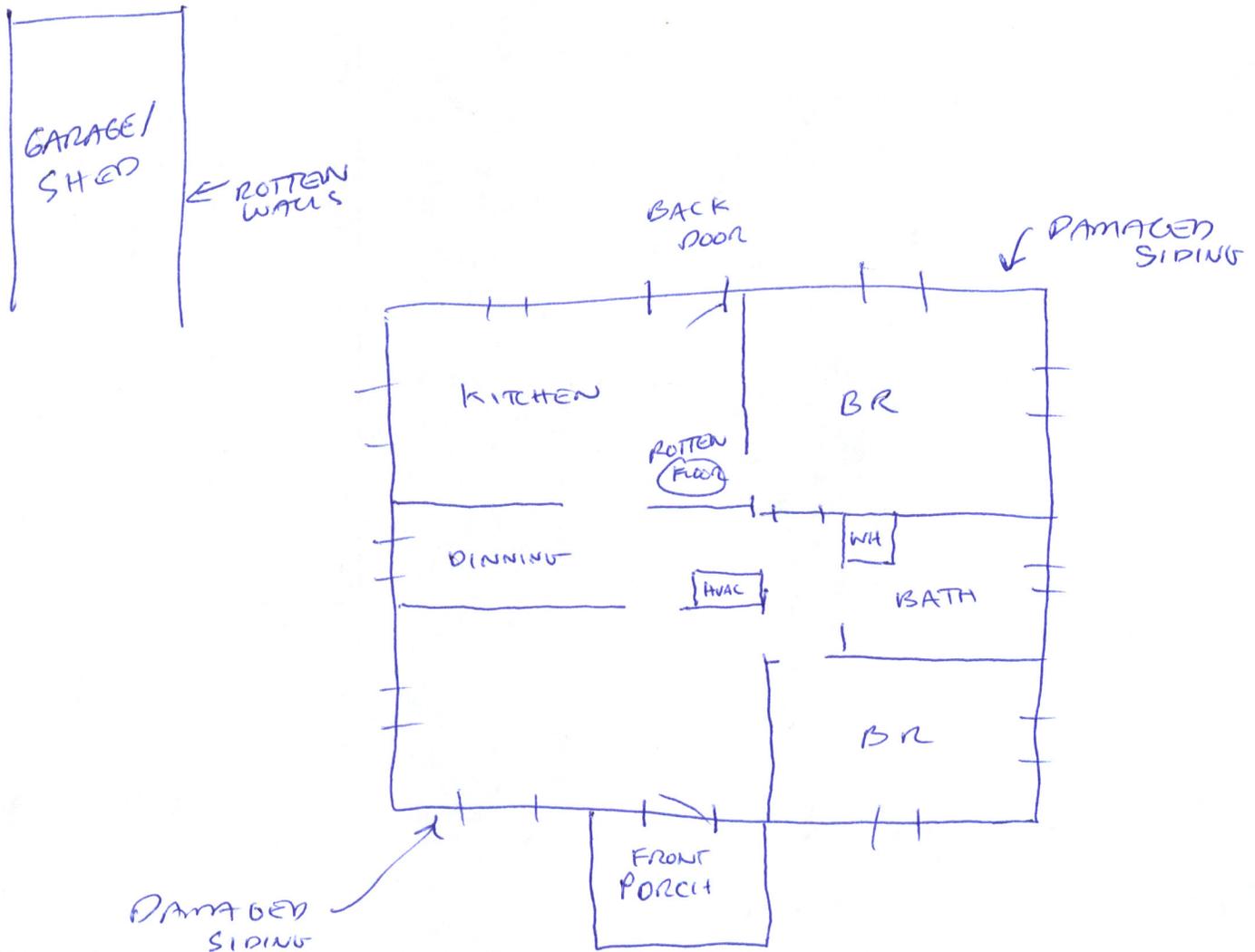
D. DETERMINATION

- 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

Gregory S. Cox  
Printed Name

6-7-13  
Date





CITY OF BRYAN  
The Good Life, Texas Style.

# Dangerous Structures Survey Report

Code Enforcement

Case #1948 - AA

A. PROPERTY DESCRIPTION

Address: 105 Bizzell Street

Lot(s) pt of Lot 4 Block(s) 1 Addition(s) Beckwith

Owner(s) Stock & Binder Construction Company (Harold Stock & Patrick M Binder)

Mailing Address: 3804 Old Oaks Drive, Bryan Texas 77802-4747

B. 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

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 1948 - AA

A. PROPERTY DESCRIPTION

Address: 105 Bizzell Street

Lot(s) pt of Lot 4 Block(s) 1 Addition(s) Beckwith

Owner(s) Stock & Binder Construction Company (Harold Stock & Patrick M Binder)

Mailing Address: 3804 Old Oaks Drive, Bryan Texas 77802-4747

B. SPECIFICATIONS

Sq. Ft. \_\_\_\_\_ Rooms \_\_\_\_\_ Stories 1 Structures 2

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.

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

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

   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.

COMMENTS

*open wiring*  
*wiring removed*  
*unlevel floors*  
*NO HEAT*  
*Broken windows*  
*MOLD*  
*FILTH/ROACH*

*Officer Fred Taylor Deputy Fire Marshal 6-7-13*