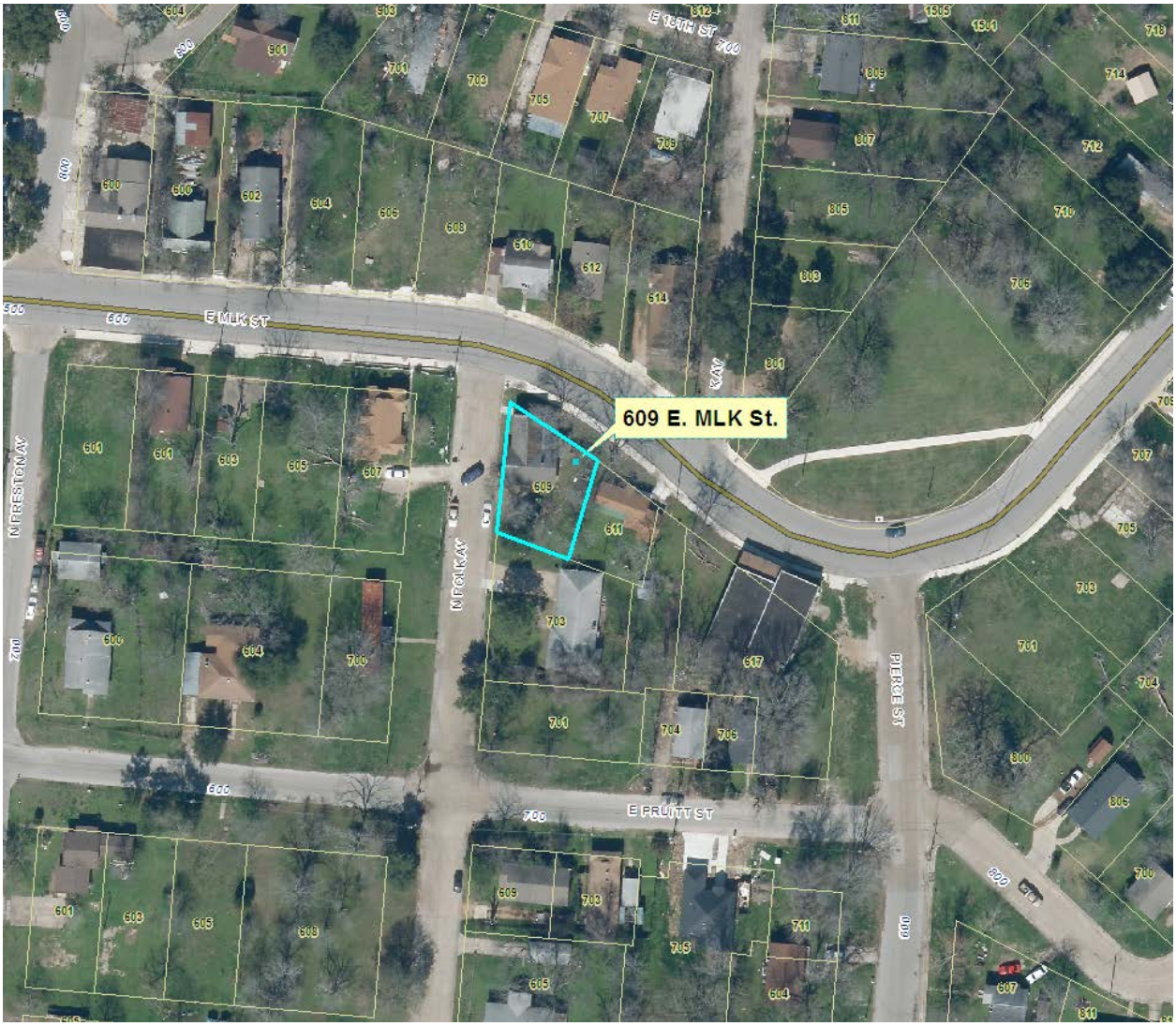
BUILDING AND STANDARDS COMMISSION
STAFF REPORT

October 26, 2015

CITY OF BRYAN

Case # 2078 – 609 East Martin Luther King Jr. Street



LEGAL DESCRIPTION: CITY OF BRYAN TOWNSITE, BLOCK 77, LOT 6 & 7 (PTS. OF)

STRUCTURE(S): ☒ single-family residence
☒ commercial

PROPERTY OWNER(S): Tamara R. Jackson

LIENHOLDER(S)/ MORTGAGEE(S): Midland Funding LLC (Judgement)

ACTIVE UTILITIES: ☐ yes ☒ no **DISCONNECTED ON:** June 25, 2015

BRAZOS COUNTY APPRAISAL DISTRICT/TAX OFFICE INFORMATION:

PROPERTY ID:	35082
IMPROVEMENT VALUE:	$23,790
YEAR BUILT:	1940
SF OF LIVING AREA:	Improvement #1: 744 Improvement #2: 660
CURRENT OWNER SINCE:	11/17/2004
PROPERTY TAXES OWED:	$0

BACKGROUND:

- In June 2014, the Assistant Fire Marshal and Chief Building Official spoke with owner's son about repairs needed to the structure.
- Repairs were never made, so the Chief Building Official scheduled the structure for consideration by the Commission.
- Notices that property would be scheduled for consideration by the Building and Standards Commission were mailed to the listed property owner on December 29, 2014 and January 21, 2015.
- City staff met with property owner in early January 2015 and attempts have been made to meet again onsite to go over repairs needed but owner has not been responsive to phone calls and letters sent as of February 4, 2015.
- During its regular meeting on February 23, 2015, the Commission ordered to secure the building within 30 days and for the owner to allow City staff access and return at the next (March 23, 2015) regular meeting of the Commission with a detailed plan and timeline for repairs.
- On February 26, 2015, City staff mailed a notice to contact staff for meeting to go owner needed repairs.
- City staff attempted to schedule a meeting with Ms. Jackson to look at the building and discuss needed repairs calling the phone number she had left as a contact number (xxx-xxx-3669) on February 26, 2015, March 2, 2015, and on March 3, 2015. Messages were left and were not returned. In one instance, a person answering the phone stated "Ms. Jackson does not stay here".
- On March 4, 2015, City staff contacted Ms. Jackson at her place of work and schedules an on-site meeting for March 12, 2015 at 10:30am.

- On March 9, 2015, City staff mailed letters regarding the zoning of the subject property and a list of repairs that are needed to all known addresses for Ms. Jackson and her son.
- Ms. Jackson called the morning of March 12, 2015 cancelling the 10:30am meeting with staff. City staff used an administrative search warrant to inspect the entire structure.
- During its regular meeting on March 23, 2015, the Commission issued an order for the owner to come back before the Commission during its regularly scheduled meeting in April 2015 with a detailed plan of repair, cost estimate, and timeline for repairs.
- City staff met with owner and owner's attorney on April 2, 2015 and went over zoning, use, and repair issues.
- City staff met with the owner and went over repairs needed on April 5, 2015.
- The owner's attorney contacted the City on April 17, 2015 and relayed that the owner may come in and apply for a demolition permit to remove at least the restroom areas from the commercial structure.
- On April 20, 2015, parts of the structure remained unsecured (see attached photos).
- During its regular meeting on April 27, 2015, the Commission voted to issue an order to repair the structure:

    a. within 6 months in accordance with the schedule and timeline submitted by Mr. Adrian Williams during the April 27, 2015 meeting; and

    b. that the power be disconnected from both the commercial and residential side, and a temporary pole be installed during construction; and

    c. that the owner appear before the Commission at each regularly scheduled meeting to demonstrate compliance with the order**.**

- The Chief Building Official did not have time to fully review Mr. William's plans for repairs during the April 27, 2015, hearing but did so in the following days (see Mr. Williams report attached).
- The Chief Building Official has concerns about the report not being comprehensive and vague to cover all necessary repairs and bring the structures up to current code compliance.
- The Chief Building Official sent questions to the owner's attorney on April 30, 2015 that where not answered (see attached email dated April 30, 2015). City staff still did not have a good phone number to contact the owner directly.
- The building permit was prepared and ready for owner pick up on April 28, 2015. The owner did not pick up the permit until June 2, 2015.
- The permit issued was for repairs to the residential portion only. The City needs a copy of an asbestos survey before issuing repair permits for commercial part of the structure per state and federal laws. The City believes that in repairing the exterior roof and siding of the commercial structure that the interior wall will be disturbed for necessary structural repairs. When owner picked up the permit for the residential portion on June 2, 2015, she asked for a permit to work on the commercial portion. It was explained again that state and federal laws require the asbestos survey and the City believed that the interior would be disturbed for exterior repairs. This was also relayed/clarified to the owner's attorney on May 6, 2015 that an asbestos survey is required prior to issuing a permit for the commercial portion (see attached email dated May 6, 2015).
- The owner appeared at the June 22, 2015 Building and Standards Commission meeting to demonstrate compliance with the Commission's order of April 20, 2015.
- At that meeting, the Commission found that that the structure is still an unsafe structure and that the owner failed to have the electrical power disconnected from both the commercial and residential side of the building. The Commission ordered that the City of Bryan shall have the electrical power disconnected from both the commercial and residential side of the building.

- As of October 8, 2015:
    - No inspections have been called in.
    - No electrical, plumbing, or mechanical permits have been obtained.
    - Repair work has started. Major foundation work is taking place.
    - A temporary construction pole was placed on site several months ago, but a meter has still not been installed.
- The repairs are supposed to be completed by end of October 2015 per the April 2015 Building and Standards Commission order.

ATTACHMENTS:

1. staff recommendation
2. pictures
3. City staff letter to Ms. Jackson, dated February 26, 2015
4. City staff letters to Ms. Jackson, dated March 9, 2015 (repair list and zoning letter)
5. dangerous structures survey reports
6. report from Mr. Adrian Williams (submitted during April 27, 2015 meeting)
7. email to owner's attorney dated April 30, 2015
8. email to owner's attorney dated May 6, 2015

BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION

October 26, 2015

Case #: 2078
Building Address: 609 East Martin Luther King Jr. Street
Record Owner(s): Tamara R. Jackson

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:

☒ **<u>the building</u> 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 building <u>may not</u> be feasibly repaired in compliance with City ordinances.**

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

☒ **secure the building within 30 days.**

☒ **demolish the building and remove the debris within 30 days.**

The City recommends that the Commission orders that the City may:

☒ **disconnect water and electric utilities to the building; and**

☒ **secure the structure, 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: 10-08-15

Front from N Polk Street

Front and side from E MLK.

Side from N Polk – wall not plumb

Chimney leaning/not plumb

PICTURES: 8-12-15

PICTURES: 8-12-15

PICTURES: 06-15-15

No apparent changes since 4-20-15
Power has been removed

No apparent changes since 4-20-15

Back window unsecured 7-15-15

Tree fell 7-15-15

PICTURES: 04-20-15

Window to rest room is unsecured

Door to rest room unsecured.

PICTURES: 01-07-15

Structure has house facing N Polk Street

Structure has commercial building facing E. MLK
Ramp to street does not meet ADA

Missing porch roof support column and porch
Foundation – signs of deflection in roof line

Older Deer Born Gas Heating

Older two prong plug electrical outlets
(no ground wire)

Damaged/loose light fixture/fan

Hole in bath room floor, tub faucet supplying water to toilet

Electrical panel

Holes in rotten siding, some structural decay Behind in wall framing/foundation

Electrical service weather head pulling loose, damaged roof and siding.

Damaged siding, building addition supported by tree, rotten framing/foundation

Hole in floor by water heater.

Tree supporting porch roof, roof damaged.

Dangerous means of egress

Damaged porch roof and exterior walls

Photos taken 3-12-15:

Electricla service pulling loose, hole in roof

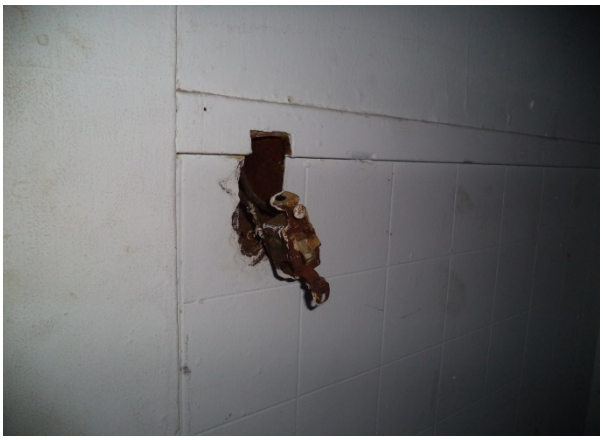
Electrical ground wire loose from ground rod

Broken window on house – unsecured

Un-secured front door on house

Open wall with damaged plumbing on house

Non ADAcompliant ramp leading out into N Polk



Damaged, loose light switch

Siding damage, plumbing not to code, unsecured window

Damaged electrical, rotten walls, hole in roof

Damage to walls around sink

Damaged finishes, damaged electrical

Damaged ceiling and wall finsihes from leaks

Damaged interior finishes from roof leaks

Rotten roof, non functional rest rooms

BUILDING DIVISION
PLANNING AND DEVELOPMENT SERVICES

CITY OF BRYAN
The Good Life, Texas Style.

VIA CERTIFIED AND FIRST CLASS MAIL
RETURN RECEIPT REQUESTED

February 26, 2015

Tamara R Jackson
PO Box 1798
Bryan TX 77806-1798

Tamara R Jackson
1000 Henderson Street
Bryan TX 77803-6827

RE: Structure at address: BSC# 2078, 609 E Martin Luther King Jr. Street, City of Bryan, Block 77, pts of Lot 6 & 7

To Tamara R Jackson

RE: Meeting Request

According to the order of the Building and Standards Commission on February 23, 2015, we need to set up a meeting to meet at the above location to get access to the structure, to better help you on what the City of Bryan would require to bring the structure up to code.

Please contact Charmaine with Building Services at 979-209-5030 to make an appointment to meet at the above property.

Thank you for your immediate attention to this matter.

Sincerely,

Greg Cox
Chief Building Official

VIA CERTIFIED AND FIRST CLASS MAIL
RETURN RECEIPT REQUESTED

March 9, 2015

CASE 20787

Jackson, Tamara R
PO BOX 1798
Bryan, TX 77806-1798

SUBJECT: **609 E MARTIN LUTHER KING JR ST, CITY OF BRYAN TOWNSITE, BLOCK 77, LOT 6 & 7 (PTS OF)**

Dear Owner,

The following list are repairs that the Building Official believes are needed at a minimum to bring the structures in compliance with current code as required per the Dangerous Structures Ordinance. *Please know the sender of this notice strives to provide only factual and accurate information. Any errors or omissions not identified, as a result of the contents of this email, does not relieve full compliance with all City of Bryan adopted Codes and Ordinances, State, and Federal laws.* An additional inspection is required for the commercial portion of the structure. There is a meeting set up with you on site at 10:30 on Thursday March 12, 2015. This list may need revisions after that meeting and inspection.

There is one structure on the property but for the proposed uses there are two parts: (1). Residential structure (green structure) (2.)Commercial structure (red structure).

(1). Residential structure (green structure):

- New roof finish (replace shingles per code)
- Roof framing / roof deck repairs as needed per code
- Front porch roof needs support post and porch floor / framing rebuilt. There are signs of deflection in the structure's roof as of result of missing porch column. The porch roof should be shored up as soon as possible until final repairs can be made.
- Foundation repair – re-level structure
- Sub floor repairs where needed
- Crawl space repair or installation with ventilation and access meeting code
- Siding repair or replacement - all exterior siding to be solid (not decayed or rotten) and sealed.
- Replace windows with energy code compliant windows – bedroom windows to meet current means of egress and emergency rescue requirements.

- Repair porch floor framing and floor finish
- Add code complaint landing at back door, and steps if necessary – depends on where floor level is after foundation repairs and leveling.
- Add R30 minimum attic insulation
- Add R13 minimum wall insulation
- Plumbing – repair/replace what is damaged and bring up code compliance
- Electrical – electrical re wire required to current National Electrical Code and city amendments.
- Heating – city adopted code requires a heating system adequate to heat all areas of the house.
- Paved driveway per residential requirements in city ordinance – one paved space per bedroom.
- Needs address posted (N. Polk address) 4" tall letters ½" stoke

(2.)Commercial structure (red structure):

- Asbestos survey – due to this portion of the building had been used for commercial purposes in the past, an asbestos survey is required per Texas state law prior to renovating or doing construction activity that affects an existing asbestos containing finish or material that is part of the structure. You may call 254-7509370 or 800-572-5548. Please know that this is a state law requirement that the city of Bryan has to comply with by obtaining a copy of an asbestos survey prior to issuing any permits.
- Zoning – see letter from Martin Zimmerman, permits or certificate of occupancy may not be issued until any zoning issues or conditional use permits are obtained for repairs.
- Paved off street parking for commercial business is required
- Remove ramp to street- needs ADA accessible ramp on private property
- ADA accessible entrance
- ADA accessible parking
- ADA accessible routes
- ADA accessible restrooms(s)
- New roof
- Portions supported by trees – trees need to be removed so structure can be repaired or remove the additions.
- Electrical weather head is pulling loose from the commercial building. Needs to be anchored to structure as soon as possible.
- Needs address posted (609 E MLK address)
- Foundation repair – re-level floors
- Siding repair or replacement if rotten
- Plumbing - repair/replace what is damaged and bring up code compliance
- Electrical -electrical re wire required to current National Electrical Code and city amendments.
- Heating -city adopted code requires a heating system adequate to heat all areas of the house.
- Paved parking - see letter from Martin Zimmerman or verify with Planning Department
- Needs address posted (609 E MLK address) 4" tall letters ½" stoke

End.

If you have any questions, or if I may be of further assistance, you may contact me at (979) 209-5030 or by email at gcox@bryantx.gov.

Sincerely,

Gregory S. Cox, CBO
Chief Building Official
Development Services, City of Bryan
www.bryantx.gov
gcox@bryantx.gov
979-209-5031 office
979-209-5035 fax

CC: City File, Fire Marshal's office

Jackson Tamara R	Jackson Tamara R	Jackson Tamara R
609 E MLK Jr Street	1000 Henderson St	5197 CR 361
Bryan TX 77803-4176	Bryan TX 77803-6827	Caldwell, TX 77836

VIA CERTIFIED & REGULAR MAIL
RETURN RECEIPT REQUESTED

CITY OF BRYAN
The Good Life, Texas Style.

March 9, 2015

Tamara R. Jackson
Box 1798
Bryan, Texas 77806-1798

SUBJECT: property located at **609 East Martin Luther King Jr. Street**, being parts of Lots 6 & 7, Block 77, of the Bryan Original Townsite in Bryan, Brazos County, Texas

Dear Ms. Jackson:

This letter addresses the subject of zoning as it relates to the above-referenced property and the types of land uses that are permitted at this location. Brazos County tax records indicate that you are the owner of this property.

Bryan's Zoning Ordinance limits the type of activity that may occur within each of the zoning districts into which the entire City has been divided. The subject property is located in a Residential District – 5000 (RD-5) zoning district. The RD-5 zoning designation is intended primarily for development with single-family residences. Generally, commercial uses are not allowed to locate on properties in RD-5 zoning districts.

It appears that commercial use of the building on the subject property predated the effective date of zoning in Bryan on February 12, 1990. It therefore appears that some form of commercial use at this location was at one time "grandfathered", i.e., allowed to continue to exist, subject to some limitations, despite the residential zoning classification that was assigned to this property by the City Council. Another term used to describe a "grandfathered use" is "legally nonconforming use".

In order to be able to determine what land use is or was grandfathered on this particular property, there are two questions that need to be answered in accordance with Zoning Ordinance Subsection 130-40(b):

1. <u>What use was in existence and lawfully occupying property at 609 East Martin Luther King Street on February 12, 1990?</u> A listing for "The Club Lounge" at this address appears in the 1988 Polk City Directory. The 1993 edition of the same source indicates that an establishment called "The Old Folks Home" operated there. Also, The Texas Alcoholic Beverage Commission online database reports that "The Old Folks Home" was issued a license to sell beer and wine at this address in 1999. That license expired in 2007. This evidence suggests that the use of the property as a bar where beer and wine was being sold was, at one time, a grandfathered use and allowed to continue at this location, despite the residential zoning that was assigned to this property in 1990.

2. <u>Has this use been in regular and continuous use?</u> The fact that the last permit to sell beer and wine expired in 2007 suggests that the property has not been in use as a bar for approximately eight years.

The Zoning Ordinance specifies that when a nonconforming use is discontinued for a period of 12 months, the use is abandoned and may not be resumed. In other words, although the property at 609 East Martin Luther King Street appears to have been occupied by a bar where beer and wine was being sold when Bryan's Zoning Ordinance became effective in 1990, the fact that more than a year has passed since that business has been in operation, and licenses to operate such a business have not been kept current, suggests that any grandfathering/legally non-conforming status for such an establishment at this location is now abandoned. Please also see enclosed excerpt from Bryan Code of Ordinances Section 130-40 concerning nonconforming uses and structures.

Please accept this letter as notice that the above-referenced property, being located in a RD-5 zoning district, may be only used for the purposes allowed by the City's Zoning Ordinance, as specified in Bryan Code of Ordinances Section 130-11, a copy of which is also enclosed with this letter. If there are no future plans to begin business operations on the subject property, you need take no action as this letter is meant to provide information only. If, however, a business use of the property is contemplated, the first step should be to contact the City of Bryan's Planning and Development Department to determine what options are available under current zoning regulations. Due to the size of the property few alternatives exist at the present time that would allow a nonresidential use at this location in accordance with the City's adopted zoning regulation.

If you have any questions or if I may be of any further assistance, you may contact me at (979) 209-5030 or by email at mzimmermann@bryantx.gov

Sincerely,

Martin Zimmermann, AICP
Planning Manager

cc: Darius McCoy
PO BOX 1970
Bryan, TX 77806

Tamara R. Jackson
609 E. Martin Luther King Jr. Street
Bryan, TX 77803

Tamara R. Jackson
1000 Henderson Street
Bryan, TX 77803-6827

Tamara R. Jackson
5167 CR 361
Caldwell, TX 77836

Enclosures

Sec. 130-10. - RD-7 Residential District - 7000.

(a) *General purpose and description.* The Residential District - 7000, is intended to be composed of detached dwelling units on lots of not less than 7,000 square feet. Detached dwelling units are designed primarily for residential use and do not easily lend themselves to other types of nonresidential uses. Other uses may be permitted in this district which are compatible to residential uses and occupy structures designed for their intended use and do not infringe upon the residential uses.

(b) *Permitted uses:*

Accessory structures (refer to section 130-34(a));

Detached dwelling units with no more than four un-related persons;

Essential municipal uses;

Group home/community home;

Government (federal or state) owned structures, facilities, and uses;

Home occupations;

Personal care homes;

Place of worship;

Private utilities (no general outdoor storage yards);

Real estate sales offices during the development of residential subdivisions, but not to exceed three years;

Schools;

Temporary structures for uses incidental to construction work on the premises, which said buildings shall be removed upon the completion or abandonment of construction work.

(c) *Conditional uses:*

Accessory dwelling unit (refer to section 130-34(b));

Accessory structure if greater than the standards set forth in section 130-34(a);

Bed and breakfast;

Boarding (lodging) house;

Child care—Class B;

Country club or golf course;

Duplex;

Funeral home/mortuary;

Neighborhood services;

Nursing home (retirement home);

Patio home (zero lot line dwelling);

Police station;

Professional offices (In the Eastside Historic District, the building must also be used as a primary dwelling by the owner, managing partner or majority shareholder of the business occupying the building);

Community center/recreation center;

Townhouses.

(d) *Lot area, height, and setback requirements:* Refer to building setbacks and lot standards, article IV, chapter 62, Bryan City Code.

(e) *Parking regulations:* Refer to access and off-street parking, article VI of chapter 62, Bryan City Code.

(f) *Other regulations:*

(1) As established by all other applicable sections and/or ordinances.

(2) Wireless telecommunication facilities shall be allowed only as provided for in section 130-35

(g) *Special requirements:*

(1) No temporary structures, such as recreational vehicles, travel trailers, construction trailers, or mobile homes may be used for on-site dwelling purposes.

(2) Outdoor storage is prohibited (except for materials for the resident's personal use or consumption, i.e. firewood, gardening materials, etc.)

(3) Where activity has ceased for one or more years on a property where the most recent land use is a permitted use in this district, a site plan shall be filed in accordance with the provisions of the nonresidential and multifamily development, article III of chapter 62, Bryan City Code, before activity on the property may resume. Detached dwellings, patio homes, townhouses, and duplexes are exempt from this provision.

(4) Duplex, patio home, and townhouse dwellings permitted conditionally in this district shall conform to standards as specified in section 130-34

(5) Professional offices, permitted conditionally in this district shall have one driveway. The minimum dimensions shall be 37 feet long by 18 feet wide so as to accommodate four vehicles on the site.

(6) Professional offices, conditionally permitted in this district shall have a minimum of eight percent of the site landscaped.

(Code 1988, App. A, § 9; Ord. No. 1468, § 2, 4-27-2004; Ord. No. 1513, §§ 4, 5, 1-25-2005; Ord. No. 1585, §§ 2, 3, 4-11-2006; Ord. No. 1957, § 5, 5-15-2012; Ord. No. 1996, § 8(Exh. A), 6-11-2013)

Sec. 130-11. - RD-5 Residential District - 5000.

(a) *General purpose and description:* The Residential District - 5000, is intended to provide for development of detached dwelling units on lots of not less than 5,000 square feet. Other uses, such as religious and educational facilities, and open spaces are provided to maintain a balanced, orderly, convenient, and attractive residential area. Certain uses, such as duplexes, may be

permitted if used in a compatible manner with areas.

(b) *Permitted uses:* Any use permitted in RD-7. (See Sec. 130-10(b))

(c) *Conditional uses:* Any conditional use listed in RD-7 with the addition of:

Halfway house.

(d) *Lot area, height, and setback requirements:* Refer to building setbacks and lot standards, article IV, chapter 62, Bryan City Code.

(e) *Parking regulations:* Refer to access and off-street parking, article VI of chapter 62, Bryan City Code.

(f) *Other regulations:*

(1) As established by all other applicable sections and/or ordinances.

(2) Wireless telecommunication facilities shall be allowed only as provided for in section 130-35

(g) *Special requirements:*

(1) No temporary structures, such as recreational vehicles, travel trailers, construction trailers, or mobile homes may be used for on-site dwelling purposes.

(2) Outdoor storage is prohibited (except for materials for the resident's personal use or consumption, i.e. firewood, gardening materials, etc.)

(3) Patio homes shall be permitted only on lots specified for such a use in an approved plat (see section 130-34 for criteria). Duplex and townhouse dwellings permitted conditionally in this district shall conform to standards as specified in section 130-34

(4) Where activity has ceased for one or more years on a property where the most recent land use is a permitted use in this district, a site plan shall be filed in accordance with the provisions of nonresidential and multifamily development, article III of chapter 62, Bryan City Code, before activity on the property may resume. Detached dwellings, patio homes, townhouses, and duplexes are exempt from this provision.

(Code 1988, App. A, § 10; Ord. No. 1468, § 2, 4-27-2004; Ord. No. 1585, § 4, 4-11-2006; Ord. No. 1996, § 8(Exh. A), 6-11-2013)

Sec. 130-40. - Nonconforming uses and structures.

(a) *Intent of provisions:*

(1) Within the districts established by this chapter or amendments thereto, there exist lots, structures, uses of land and structures, and characteristics of use which were lawful before this chapter was enacted, amended or otherwise made applicable to such lots, structures or uses, but which do not now conform to the regulations of the district in which it is located. It is the intent of this chapter to permit such nonconforming uses and structures to continue, under regulations herein contained, until the same are removed.

(2) It is further the intent of this chapter that nonconforming uses shall not be enlarged upon, expanded or extended, and not be used as grounds for adding other structures or uses prohibited elsewhere in the same district except for any existing or approved municipal services support facilities.

(3) Nonconforming uses are hereby declared to be incompatible with the permitted uses in the districts involved.

(b) *Nonconforming status.* Any use or structure which does not conform with the regulations of the

zoning district in which it is located shall be deemed a nonconforming use or structure when:

(1) Such use or structure was in existence and lawfully operating at the time of the passage of the ordinance on February 12, 1990, and has since been in regular and continuous use;

(2) Such use or structure is a lawful use at the time of the adoption of any amendment to this chapter but by such amendment is placed in a district wherein such use is not otherwise permitted and has since been in regular and continuous use; or

(3) Such use or structure was in existence at the time of annexation to the city and has since been in regular and continuous use.

(c) *Continuing lawful use of property and existence of structures:*

(1) The lawful use of land or lawful existence of structures at the time of the passage of this chapter, although such do not conform to the provisions hereof, may be continued; but if said nonconforming use or structure is discontinued or abandoned, any future use of said premises shall be in conformity with the provisions of this chapter unless conformity is not in the public interest as determined by the zoning board of adjustment.

(2) A nonconforming use, when such nonconforming use of land or structure ceases to be used in such manner for a period of 12 months, shall not be resumed and proof of such event constitutes prima facie evidence of discontinuance or abandonment. Any nonconforming uses which do not involve a permanent type of structure or operation, including manufactured housing, and which are moved from the premises shall be considered to have been abandoned. (See exception in section 130-41.) Nonconforming uses which do involve a permanent type of structure or operation shall not be considered abandoned if one or more of the following conditions are met:

a. The property has been advertised for sale or lease and actively marketed;

b. The premises has been advertised for sale or lease and actively marketed;

c. All licenses, permits, or certifications required for operation have been kept current since the effective date of the ordinance from which this chapter is derived.

(3) No nonconforming use or structure may be expanded or increased beyond the lot or tract upon which such nonconforming use is located as of the effective date of the ordinance from which this chapter is derived except as provided in section 130-40. These provisions apply to any owner or subsequent owner of a nonconforming use as authorized herein.

(4) In those districts where mobile/manufactured homes are considered nonconforming structures, but single-family detached dwellings are a permitted use, an owner of a nonconforming mobile/manufactured home may replace a nonconforming mobile home destroyed by fire, the elements, or other cause, with another mobile home of equal or less square footage.

(d) *Changing nonconforming uses:*

(1) Any nonconforming use may be changed to a conforming use, and once such change is made, the use shall not thereafter be changed back to a nonconforming use.

(2) Where a conforming use is located in a nonconforming structure, the use may be changed to another conforming use by securing a certificate of occupancy from the chief building official.

(3) A nonconforming use may be changed to another nonconforming use provided that adverse impacts (such as more traffic, noise, vibration, etc.) are not increased.

(e) *Extension of nonconforming uses.* A nonconforming use may be expanded by the board of adjustment in accordance with the following:

(1) A nonconforming use located within a structure may be extended throughout the structure.

(2) No structural alteration may be made on or in the building except those required by law to preserve such building in a structurally sound condition.

(3) The number of dwelling units or rooms in a nonconforming residential use shall not be increased so as to exceed the number of dwelling units or rooms existing at the time said use became a nonconforming use.

(4) No nonconforming use within a structure may be extended to occupy any land outside the structure.

(5) No nonconforming use of land or structure shall be enlarged, increased, or extended to occupy a greater area of land than was occupied at the time the land became a nonconforming use, except to provide off-street loading or off-street parking space.

(f) *Restoration of nonconforming structure:*

(1) If a structure occupied by a nonconforming use is destroyed by fire, the elements, or other cause, it may not be rebuilt except to conform to the provisions of this chapter. In the case of partial destruction of a nonconforming use structure not exceeding 60 percent of its total appraised value as determined by the Brazos County Central Appraisal District, reconstruction will be permitted, but the existing square footage or function of the nonconforming use cannot be expanded.

(2) If a structure is nonconforming but the use is conforming to the respective zoning district and the structure is completely destroyed, the structure shall be rebuilt to conform to the provisions of the zoning district wherein it is located.

(3) A structure housing a nonconforming use may be remodeled as long as the size (square footage) of the structure is not increased.

(g) *Completion of structures.* Nothing herein contained shall require any change in the plans, construction, or designated use of:

(1) A building or structure for which a building permit has been issued or a site plan approved prior to the effective date of these zoning regulations; or

(2) A building or structure for which a substantially complete application for a building permit was accepted by the chief building official on or before the effective date of these regulations;

provided, however that such building permit shall comply with all applicable ordinances of the city in effect on the date such application was filed and the building permit is issued within 120 days of the effective date of these regulations.

(h) *Licensed mobile home parks.* Mobile home parks licensed according to chapter 74, prior to the adoption of the ordinance from which this chapter is derived shall be allowed to continue as long as the site area and number of units approved in said license is not exceeded. Lapse of said license shall be considered as abandonment of a nonconforming use as stated in subsection (b) and (c) of

this section.

(Code 1988, App. A, § 31; Ord. No. 1468, § 2, 4-27-2004; Ord. No. 1513, § 33, 1-25-2005; Ord. No. 1585, § 8, 4-11-2006)

Dangerous Structures Survey Report

Chief Building Official

Case #2078

A. **PROPERTY ADDRESS:** 609 E Martin Luther King Jr Street, City of Bryan Townsite, Block 77, Lot 6 & 7 (pts of)

B. **SPECIFICATIONS:** No. Rooms 8+ No. Stories 1 No. Structures 1

STRUCTURAL USE	CONSTRUCTION	OCCUPANCY
X Residential/Single Family	___ Box	___ Occupied
___ Mixed Use	X Frame	X Vacant
X Commercial	___ Masonry	X Open
___ Residential/Multi Family	___ Mobile Home	
___ Accessory Structure(s)		

C. **FINDINGS**

X 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 / 2011 NEC

Main structure? X Accessory structure? ___

X 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. Main structure? ___ Accessory structure? ___

X 03. The foundation or the vertical or horizontal supporting members are materially damaged or deteriorated. Main structure? X Accessory structure? ___

X 04. The non-supporting coverings of walls, ceilings, roofs, or floors are materially damaged or deteriorated. Main structure? X Accessory structure? ___

X 05. The structure has improperly distributed loads upon the structural members, or they have insufficient strength to be reasonably safe for the purpose used.
Main structure? X Accessory structure? ___

X 06. The structure or any part thereof has inadequate means of egress as required by the city's building code. Main structure? X Accessory structure? ___

X 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
X sanitation facilities

Main structure? X Accessory structure? ____

X 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.
Main structure? X Accessory structure? ____

X 09. Unable to give reasonable protection to any occupants from weather elements or danger of collapse because of:
X Holes or cracks in the floor, exterior wall or roof
X Loose, rotten, warped or protruding boards
Main structure? X Accessory structure? ____

X 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:
X Defective materials
X Structural deterioration
X Interior walls or ceilings with holes, cracks or loose plaster
Main structure? X Accessory structure? ____

X 11. The building, structure, or a part thereof, is unsecured and open.
Main structure? X Accessory structure? ____

HOUSE

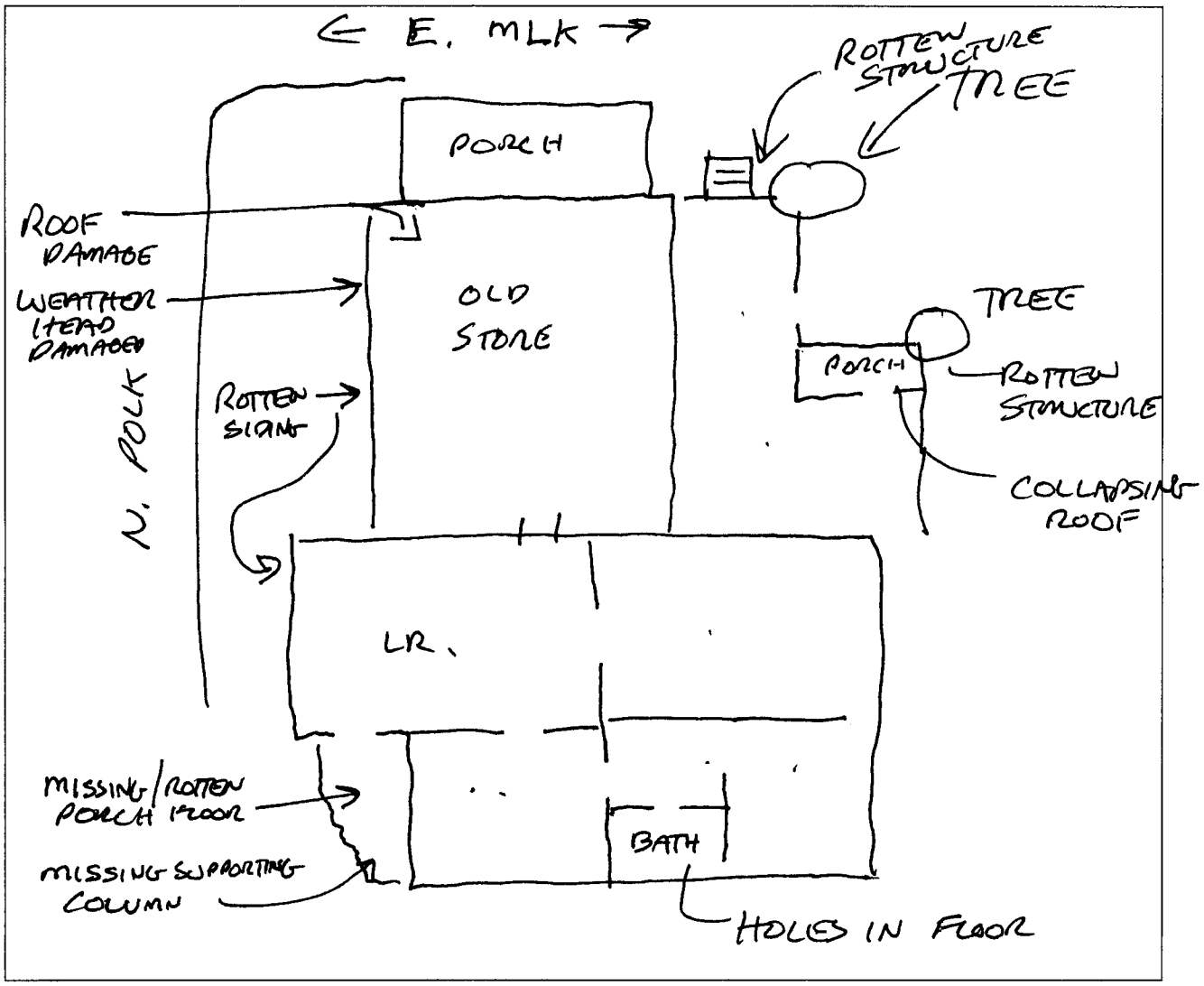
COMMENTS (1.) FRONT DOOR OF HOUSE UNSECURED (2.) ROTTEN SIDING (3.) HOLES IN FLOOR (AT BATH AND AT WATER HEATER (4.) MISSING FRONT PORCH COLUMN (5.) DAMAGED EXTERIOR WINDOWS (6.) DAMAGED PORCH FLOOR (7.) MISSING CRAWL SPACE SKIRTING (8.) OLDER TWO PRONG PLUGS (2 WIRE SYSTEM) (9.) ROTTEN BATH ROOM FLOOR (10.) TOILET NOT WORKING (11.) LOOSE ELECTRICAL FIXTURES (12.) DAMAGED INTERIOR FINISHES

COMMERCIAL PORTION

(1.) ROOF ROT & DAMAGE (2.) TWO LOCATIONS WHERE TREES ARE SUPPORTING THE STRUCTURE (3.) ROTTEN SIDING (4.) WEATHER HEAD MISSING ANCHORS & PULLING THROUGH ROTTEN ROOF (5.) MEANS OF EGRESS DOES NOT MEET CODE (6.) COLLAPSING PORCH ROOF

Case # 2078

D. **FLOOR PLAN** (if necessary)



E. **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.**

Signature	Printed Name	Date
	GREGORY S. COX	1-14-15

Case # 2078

Dangerous Structures Survey Report

Fire Marshal

Case #2078

A. **PROPERTY ADDRESS:** 609 E Martin Luther King Jr Street, City of Bryan Townsite, Block 77, Lot 6 & 7 (pts of)

B. **SPECIFICATIONS:** No. Rooms_____ No. Stories 1 No. Structures 1

STRUCTURAL USE	CONSTRUCTION	OCCUPANCY
___ Residential/Single Family	___ Box	X Occupied
X Mixed Use	X Frame	___ Vacant
___ Commercial	___ Masonry	X Open
___ Residential/Multi Family	___ Mobile Home	
___ Accessory Structure		

C. **FINDINGS**

X 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 main structure is considered a loss.
I estimate that ___% of the accessory structure is considered a loss.

X 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.
Main Structure? X Accessory Structure? —

X 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.
Main Structure? X Accessory Structure? —

X 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.
Main Structure? X Accessory Structure? —

X 05. Obsolete, damaged, or deteriorated electric wiring, gas connections, heating apparatus, or other mechanical infrastructure present a risk of fire.
Main Structure? X Accessory Structure? —

X 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.
Main Structure? X Accessory Structure? —

X 07. The structure or a part thereof is in violation of the City's fire code.
Main Structure? X Accessory Structure? —

—

____ 08. The building, structure, or a part thereof is being used by criminals, vagrants, or squatters for the purpose of suspected illegal activity.
Main Structure? ____ Accessory Structure? ____

X 09. The building, structure, or a part thereof presents an attractive nuisance to children.
Main Structure? X Accessory Structure? —

COMMENTS Rotton Walls
unapproved elec system

store $9,820 —
Home $23,790 —

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 ___ 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.

Signature	Printed Name/Title	Date
	Fred Taylor / DFM	1-20-15

Case # ____

COMMERCIAL BUILDING INSPECTION MARCH 12th

Dangerous Structures Survey Report

CITY OF BRYAN
The Good Life, Texas Style.

Chief Building Official

Case #2078

A. **PROPERTY ADDRESS:** 609 E Martin Luther King Jr Street, City of Bryan Townsite, Block 77, Lot 6 & 7 (pts of)

B. **SPECIFICATIONS:** No. Rooms 3 No. Stories 1 No. Structures 1

STRUCTURAL USE

____ Residential/Single Family
____ Mixed Use
X Commercial
____ Residential/Multi Family
____ Accessory Structure(s)

CONSTRUCTION

____ Box
X Frame
____ Masonry
____ Mobile Home

OCCUPANCY

____ Occupied
X Vacant
X Open

C. **FINDINGS**

X 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:

2006 IBC, IFC, IPC, IFGC, IMC

Main structure? X Accessory structure? ____

____ 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. Main structure? ____ Accessory structure? ____

X 03. The foundation or the vertical or horizontal supporting members are materially damaged or deteriorated. Main structure? X Accessory structure? ____

X 04. The non-supporting coverings of walls, ceilings, roofs, or floors are materially damaged or deteriorated. Main structure? X Accessory structure? ____

X 05. The structure has improperly distributed loads upon the structural members, or they have insufficient strength to be reasonably safe for the purpose used.
Main structure? X Accessory structure? ____

X 06. The structure or any part thereof has inadequate means of egress as required by the city's building code. Main structure? X Accessory structure? ____

X 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:
X light
X ventilation
X sanitation facilities

Main structure? X Accessory structure? ____

X 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.
Main structure? X Accessory structure? ____

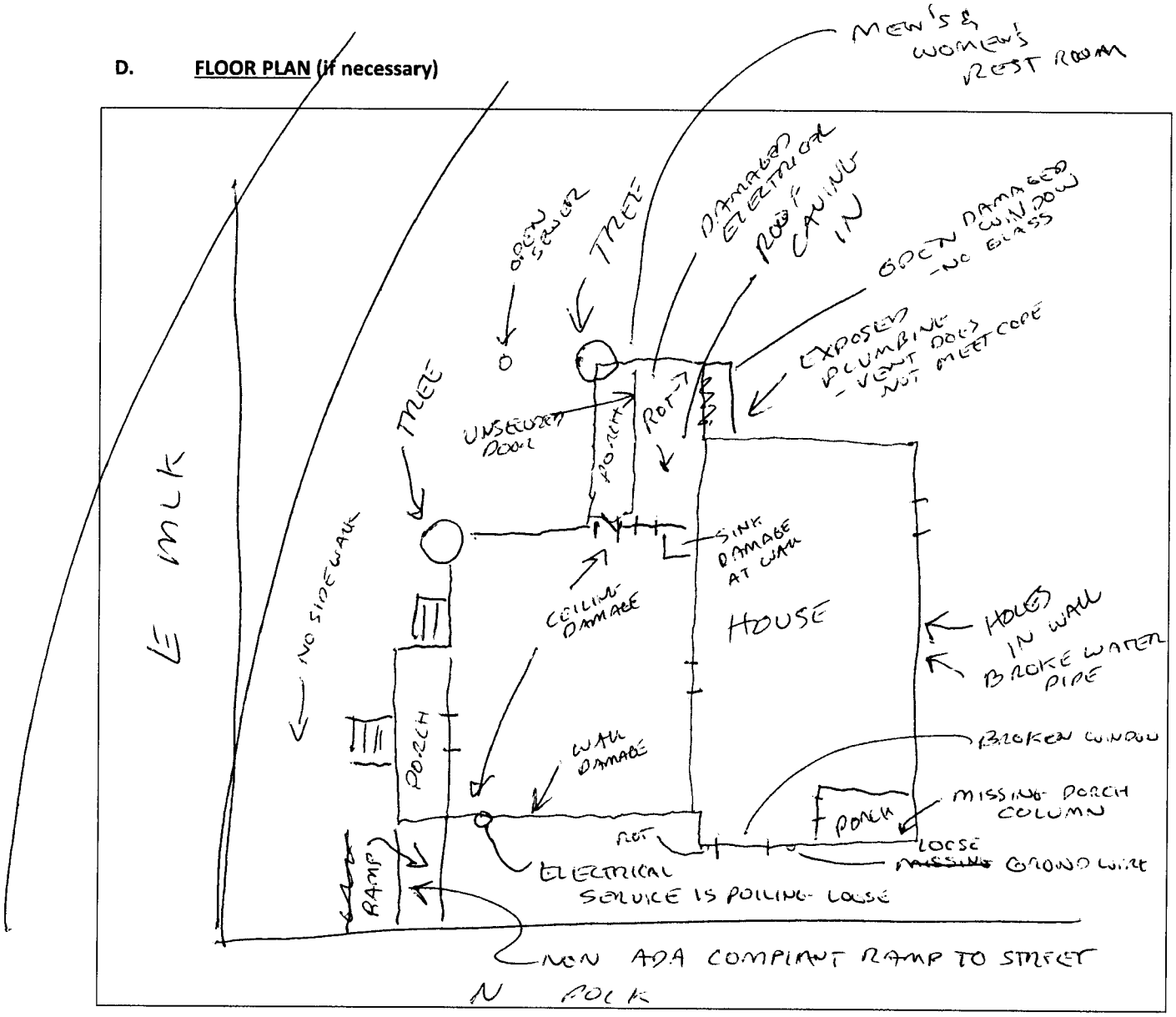
X 09. Unable to give reasonable protection to any occupants from weather elements or danger of collapse because of:
X Holes or cracks in the floor, exterior wall or roof
X Loose, rotten, warped or protruding boards
Main structure? X Accessory structure? ____

X 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:
X Defective materials
X Structural deterioration
X Interior walls or ceilings with holes, cracks or loose plaster
Main structure? X Accessory structure? ____

X 11. The building, structure, or a part thereof, is unsecured and open.
Main structure? X Accessory structure? ____

COMMENTS (1.) HOUSE UNSECURED (2.) WOMEN'S REST ROOM UNSECURED (3.) MEN'S RESTROOM UNSECURED (4.) DAMAGED ELECTRICAL IN REST ROOMS, OPEN WIRING, ETC. (5) REST ROOM PORTION IS COLLAPSING - ROTTEN WALLS, ROOF, FLOOR - HOLES IN FLOOR, WALLS & ROOF (6.) EVIDENCE OF ROOF LEAKS WITH INTERIOR FINISH DAMAGE, (7.) DAMAGE AROUND SINK TO WALLS & FLOOR (8) CEILING DAMAGE - EVIDENCE OF ROOF LEAKS (9.) RAMP AT FRONT PORCH DOES NOT MEET ADA AND SLOPES TO STREET (10.) SEVERAL TREES ARE GROWING TOO CLOSE TO STRUCTURE & HAVE CAUSED DAMAGE TO STRUCTURE, (11.) HOLES IN ROOF ABOVE REST ROOMS (12.) SIDING DAMAGE (13) OPEN SEWER YARD CLEAN OUT (14.) EXTERIOR DOOR LEADING TO DOOR OF MEN'S ROOM DOES NOT MEET CODE FOR LANDINGS (15.) SEVERAL EXTERIOR DOORS DO NOT MEET CODE FOR MEANS OF EGRESS

D. **FLOOR PLAN (if necessary)**



E. **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.**

Signature	Printed Name	Date
[signature]	GREGORY S. COX	3-16-15

Case # 2078

Dangerous Structures Survey Report

Fire Marshal

Case #2078

A. **PROPERTY ADDRESS:** 609 E Martin Luther King Jr Street, City of Bryan Townsite, Block 77, Lot 6 & 7 (pts of)

B. **SPECIFICATIONS:** No. Rooms_____ No. Stories 1 No. Structures_____

STRUCTURAL USE	CONSTRUCTION	OCCUPANCY
___ Residential/Single Family	___ Box	X Occupied
___ Mixed Use	X Frame	___ Vacant
X Commercial	___ Masonry	___ Open
___ Residential/Multi Family	___ Mobile Home	
___ Accessory Structure		

C. **FINDINGS**

X 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 ___% of the main structure is considered a loss.
I estimate that ___% of the accessory structure is considered a loss.

X 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.
Main Structure? X Accessory Structure? —

X 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.
Main Structure? X Accessory Structure? —

X 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.
Main Structure? X Accessory Structure? —

X 05. Obsolete, damaged, or deteriorated electric wiring, gas connections, heating apparatus, or other mechanical infrastructure present a risk of fire.
Main Structure? X Accessory Structure? —

X 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.
Main Structure? X Accessory Structure? —

X 07. The structure or a part thereof is in violation of the City's fire code.
Main Structure? X Accessory Structure? —

___ 08. The building, structure, or a part thereof is being used by criminals, vagrants, or squatters for the purpose of suspected illegal activity.
Main Structure? ___ Accessory Structure? ___

X 09. The building, structure, or a part thereof presents an attractive nuisance to children.
Main Structure? X Accessory Structure? ___

COMMENTS

wiring issues
Exit issues
Open Rotted interior walls + floors
Rotten ceiling Decking
unapproved heating system
walls out of plumb
Electrical Service Rolling from wall and roof
No Alarm System Connecting Residential to Commercial
sides of structure

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.

Signature	Printed Name/Title	Date
	FRED TAYLOR / DFM	3-12-15

Case # ___

Professional Construction Services
College Station, TX
979-595-5041
Adrian Williams, Owner

Renovation Evaluation for the Property at 609 E. Martin Luther King Street; Bryan, Texas

INTRODUCTION

This document is to serve as a structural evaluation of the property at 609 E. Martin Luther King, Jr. Street, Bryan, Texas by Professional Construction Services (PCS), P.O. Box 12041, College Station, Texas 77845. PSC is not under contract to complete any of the work deemed necessary from the findings in the assessment of the above listed property. PCS merely serves as an evaluator for the property in order to comprise a checklist of construction jobs needed to complete a full renovation of the property.

EXTERIOR EVALUATION
Building #1

I. Demolition

The current structure has sustained deterioration from out-of-date materials and long years of inclement weather. However, this structure is completely repairable and can be brought to building code standards.

A. Remove siding and paneling
B. Remove porch area
C. Remove all electrical outlets
D. Trimming of trees and shrubbery
E. Remove insulation
F. Remove all aluminum windows
G. Remove all doors
H. Remove all old a/c units
I. Remove fascia, soffit, and drip edge.
J. Remove of shingles, decking, and all accessories

II. Time Frame for Demolition

A. Removal of siding and paneling should take approximately two days.
B. Removal of porch area should take approximately one day.
C. Removal of all electrical outlets should take approximately 2-3 hours.
D. Trimming of trees and shrubbery should take approximately 2-3 hours.
E. Removal of insulation should take approximately two days.
F. Removal of all aluminum windows should take approximately one day.
G. Removal of all doors should take approximately 2-3 hours.
H. Removal of a/c units should take approximately 1-2 hours.
I. Removal of fascia, soffit, and drip edge should take approximately two days.
J. Removal of shingles, decking, and all accessories should take approximately two days.

III. Renovation for Exterior

A. Replace siding and paneling with 7 1/4 inch Hardy paneling which should take approximately two days
B. Replace porch area with 2 x4, 2x 8, and ready mix which should take approximately one day
C. Replace all electrical outlets with suggested 20 amp circuit breaker with GFCI outlets which should take approximately one day.
D. Replace insulation with R30 faced insulation with OSB water barrier which should take approximately two days.
E. Replace all aluminum windows with 48 x 48 inch vinyl windows which should take approximately one day.
F. Replace all doors with standard 32 x 80 inch pre-hung doors with internal grille which should take approximately 3-4 hours.
G. Replace a/c units with 2 ½ ton 13 seer unit with 10 kw electric heat which should take approximately 1-2 hours. Estimated cost: $2125
H. Replace fascia, soffit, and drip edge with 1 x 4 inch Hardy with vented soffitt and 1 1/2 x 1 1/2 galvanized drip edge which should take approximately two days.
I. Replace shingles, decking, and all accessories with 4 x 8 feet OSB decking, 15# felt, approximately 18 squares 25-year GAF shingles, and accessories which should take approximately two days. Estimated cost: $3250

INTERIOR EVALUATION

Building #1

I. Demolition

The interior structure consists of mainly interior paneling, sheet rock, tongue and groove flooring and carpet

A. Remove deteriorating sheetrock from the walls
B. Remove deteriorating sheetrock from ceiling
C. Remove damaged tongue and groove from various areas in the flooring
D. Remove damaged carpet
E. Remove plumbing, pipes (water and gas)
F. Remove table chairs that will no longer be utilized on the property
G. Remove equipment, juke boxes, pool tables that will no longer be utilized on the property
H. Remove damaged lighting fixtures
I. Remove all electrical outlets and switches

II. Time Frame for Demolition

A. Removal of deteriorating sheetrock from the walls should take two days
B. Removal of deteriorating sheetrock from ceiling should take one day
C. Remove damaged tongue and groove from various areas in the flooring should take 3-4 hours

D. Remove damaged carpet should take 3-4 hours
E. Remove plumbing, pipes (water and gas) should take 3-4 hours.
F. Remove table chairs that will no longer be utilized on the property should take 3-4 hours.
G. Remove equipment, juke boxes, pool tables should take 1-2 hours.
H. Remove damaged lighting fixtures should take 1-2 hours.
I. Remove all electrical outlets and switches should take 1-2 hours

III. Renovation of Interior

A. Replace deteriorating sheetrock from the walls with 4 x 8 feet sheetrock taped, floated and textured which should take two days.
B. Replace deteriorating sheetrock from ceiling with 4 x 8 feet sheetrock, taped, floated and textured which should take two days. Estimated cost of all sheetrock work for walls and ceiling: $3900
C. Replace damaged tongue and groove from various areas in the flooring with ¾ inch plywood which should take 3-4 hours. Estimated cost of flooring: $2710
D. Replace damaged carpet with owners choice of standard indoor/outdoor carpet which should take 3-4 hours.
E. Replace plumbing, pipes (water and gas) with 3 inch pipes with clean out valve which should take 3-4 hours. Estimated Cost: $7500
F. Replace non-repairable table and chairs with new table and chairs which should take 1-2 hours.
G. Replace damaged lighting fixtures with working bulbs and balances which should take 1-2 hours.
J. Replace all electrical outlets and switches with standard switches and R12 outlets which should take 1-2 hours. Estimated cost of interior & exterior electrical: $3800

EXTERIOR EVALUATION
Building #2 (Residence)

I. Demolition

The current structure has sustained deterioration from out-of-date materials and long years of inclement weather. However, this structure is completely repairable and can be brought to building code standards.

A. Remove siding and paneling
B. Remove porch area
C. Remove all electrical outlets
D. Trimming of trees and shrubbery

E. Remove insulation
F. Remove all aluminum windows
G. Remove all doors
H. Remove all old a/c units
I. Remove fascia, soffit, and drip edge.
J. Remove shingles, decking, and all accessories

II. Time Frame for Demolition

A. Removal of siding and paneling should take approximately two days.
B. Removal of porch area should take approximately one day.
C. Removal of all electrical outlets should take approximately 2-3 hours.
D. Trimming of trees and shrubbery should take approximately 2-3 hours.
E. Removal of insulation should take approximately two days.
F. Removal of all aluminum windows should take approximately one day.
G. Removal of all doors should take approximately 2-3 hours.
H. Removal of a/c units should take approximately 1-2 hours.
I. Removal of fascia, soffit, and drip edge should take approximately two days.
J. Removal of shingles, decking, and all accessories should take approximately two days.

III. Renovation for Exterior

A. Replace siding and paneling with 7 1/4 inch Hardy paneling which should take approximately two days
B. Replace porch area with 2 x4, 2x 8, and ready mix which should take approximately one day.
C. Replace all electrical outlets with suggested 20-amp circuit breaker with GFCI outlets which should take approximately one day. Estimated cost of interior & exterior electrical: $3000
D. Replace insulation with R30 faced insulation with OSB water barrier which should take approximately two days.
E. Replace all aluminum windows with 48 x 48 inch vinyl windows which should take approximately one day.
F. Replace all doors with standard 32 x 80 inch pre-hung doors with internal grille which should take approximately 3-4 hours.
G. Replace a/c units with 2 ½ ton 13 seer unit with 10 kw electric heat units which should take approximately 1-2 hours. Estimated cost: $2125
H. Replace fascia, soffit, and drip edge with 1 x 4 Hardy with vented soffitt and 1 1/2 x 1 1/2 galvanized drip edge which should take approximately two days.

I. Replace shingles, decking, and all accessories with 4 x 8 feet OSB decking, 15# felt, Approximately 18 squares 25-year GAF shingles, and accessories which should take approximately two days. Estimated cost: $3250

INTERIOR EVALUATION
Building #2 (Residence)

This structure primarily consists of tongue and groove flooring and sheetrock for both walls and ceiling. The large part of the damage is primarily caused by shifting of the foundation. The foundation is made up of pier and beams. The remedy for repairing both wall and floor damage is the leveling of the pier and beams which should take approximately 4-5 days to complete. The remedy is normal practice for an older structure. Estimated cost of leveling: $7500

RECOMMENDED ORDER OF JOBS (in order of what is highly recommended to complete first, second, third, etc.)

1. Leveling of foundation
2. Removing/replacing sheetrock
3. Removing/replacing flooring
4. Removing/replacing roof
5. Removing/replacing electrical outlets/wiring
6. Removing/replacing plumbing/pipes
7. Removing/replacing HVAC
8. All other jobs

CONCLUSION

Overall, the damage to the property at 609 E. Martin Luther King, Jr. Street, Bryan, Texas is fixable. A reasonable time frame for a complete renovation for this property, accounting for weather, availability of material and availability and size of labor force (in this case a one man crew will be performing more than 50% of the work) would be an estimated 4 to 5 months.

AFTER
The Old Folk's Home
E M L King
Polk

Cox, Gregory

From: Cox, Gregory
Sent: Thursday, April 30, 2015 10:15 AM
To: gendron@suddenlinkmail.com
Subject: 609 E MLK - PCS Renovation Evaluation

Mr. Gendron,

In the PCS renovation evaluation on second page (I. Demolition) it describes removal of the porch area for building #1. In the repairs on page 3 – III. Renovation for exterior, it mentions replace porch area with 2X4, 2X8 and ready mix.....

Do you know which porch area this is referring to? The front porch has a concrete slab, so not sure how this report covers removal and replacement fully. Also it would be better to repair the porches without removing the entire porch roof as it is most likely in the setback per the zoning ordinance and is grandfather until more than 60% damaged I believe (will check with Planning) or removed entirely.

Also, the demolishing and repair sections do not mention the rest room area with collapsing roof, the porch roof supported/damaged by an existing tree growing too close, and then the addition to the main area that is supported and damaged by a tree that is growing too close to the building?

This also applies to the residence.... He is calling for removal of the porch, I think he meant the porch foundation and floor and not the roof?

Thanks,

Gregory S. Cox, CBO
Chief Building Official
Development Services, City of Bryan
www.bryantx.gov
gcox@bryantx.gov
979-209-5031 office
979-209-5035 fax

McKinzie, Charmaine

From: Cox, Gregory
Sent: Wednesday, May 06, 2015 9:19 AM
To: 'Patrick Gendron'
Subject: RE: Jackson, Tamara - 609 E. MLK

Thank you for providing a better number. We will not give it out. I think a lot of this could have been avoided if we had been able to reach her.

I think the commission ordered repair per the plan Mr. Williams submitted, which included interior repairs and demo to commercial portion, and the owner had wanted to remove or fix roof on the commercial rest room. The interior will be involved to fix the roofs or remove the restroom addition, so the asbestos survey needs to be submitted before permit issuance.

Thanks again,

Greg

From: Patrick Gendron [mailto:gendron@suddenlinkmail.com]
Sent: Wednesday, May 06, 2015 8:45 AM
To: Cox, Gregory
Subject: RE: Jackson, Tamara- 609 E. MLK

Mr. Cox:

Ms. Jackson can be reached on her cell phone at [redacted] when she is not at work or in a dead zone in a rural area where she lives. The house number you indicated below is sometimes answered by a caretaker for her mom and lots of people try to reach Ms. Jackson asking for help on all sorts of things so the family can get frustrated just due to the number of calls they receive.

Ms. Jackson is aware that any work to the interior of the "commercial" portion requires an asbestos survey. I provided yoru correspondence with me to Ms. Jackson. When I spoke to Ms. Jackson last week, she was looking into the asbestos survey unless work could be done without dealing with the interior of the "commercial" portion. Thank you for the additional information.

Sincerely,

Patrick Gendron

Patrick K. Gendron,
Attorney at Law
Varisco Building in Downtown Bryan
219 N. Main St., Suite 302
Bryan. TX 77803
Phone: (979)775-9500
Fax: (979) 775-0026
Email: gendron@suddenlinkmail.com
Mailing address: P.O. Box 6561 Bryan, TX 77805

From: Cox, Gregory [mailto:gcox@bryantx.gov]
Sent: Wednesday, April 29, 2015 11:48 AM
To: 'Patrick Gendron'
Subject: RE: Jackson, Tamara - 609 E. MLK

Mr. Gendron,

Ms. Jackson came in and left without completing the permit process, she wanted you to look at the plan review comments 1 quickly prepared yesterday. She left with a copy for your review. That is fine. Does she have an asbestos survey? She really needs that before she demos the restroom additions on the commercial building or works inside the commercial portion or any demo or installation of interior finishes, my plan review stated that. If she has a survey, please provide a copy to city. Any abatement is owner's / contractors responsibility and the city is not required by law to be involved on that part. We are over cautious about this due to people outside the city turning contractors into the state in this area. We don't want the owner to get fined by the state.

The plan review also states that the permit is for residential use only at this time. The commercial use has to go through a zoning change, site plan approval, as well as approved building plans for a commercial use that also gets into full accessibility compliance.

Please call or email if any questions.

Sincerely,

Greg Cox
Building Official

From: Cox, Gregory
Sent: Tuesday, April 28, 2015 12:04 PM
To: 'Patrick Gendron'
Subject: RE: Jackson, Tamara - 609 **E.** MLK

Mr. Gendron,

I was actually thinking about that this morning ..... that Ms. Jackson may come in and this might happen and unfortunately I have not had a chance to speak with our front counter yet. Charmaine tried calling her soon after she left and the number on the application is the same phone number that she has given us all along that staff has not had success in reaching her on.... 979-822-3669. Today the voice mail was full. I really wish she would provide a better number to reach her at if there is one. The person who has answered this number in the past usually seems frustrated that we call it, I think it may be a number at her Mom's house? I guess we will keep communicating through you or by letters if we continue to have this problem with the 979-822-3669 number for Ms. Jackson.

We can issue the building permit. Reason for the wait is part of the normal application process is submitting plans and then our residential plans examiner reviews plans for code compliance then the building permit is released when everything is submitted and or approved.

If she wants to come back by today she can get the building permit for residential side and <u>exterior</u> of the commercial portion. Interior of commercial portion needs an asbestos survey per state law before we can issue an interior permit on that side for any structural / finish repairs.

I have not completely reviewed the plans for repairs submitted last night and would like to put together comments on what all needs inspection and what city will be looking for, so as there are no surprises when inspectors come for

inspections. This could take about a week due to current work load, but I can send those later if she wants to get permit today so she will have the full six months.

I did put together some quick comments and our standard review comments, the building surveys, letter on zoning, the repair list I provided last month, etc.

I apologize for her having to come back a second time.

Thanks,

Greg Cox
Building Official
979-209-5031

From: Patrick Gendron [mailto:gendron@suddenlinkmail.com]
Sent: Tuesday, April 28, 2015 10:58 AM
To: Cox, Gregory
Subject: Jackson, Tamara - 609 **E.** MLK

Mr. Cox:

Ms. Jackson is ready to get going on fixing the building- particularly the residential portion. She was at City Hall this morning to get a permit and told it will take a week. Any chance she can get one sooner? She certainly wants to start working before it starts raining again.

Sorry the meeting took so long last night. My 3 year old was not happy with me that I got home right before her bedtime last night. And I apologize if that was your little girl that was waiting for you to get done for the evening as well.

Sincerely,

Patrick G.

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