

**BUILDING AND STANDARDS COMMISSION  
STAFF REPORT**

**September 24, 2012**



**Case #1869 – 203 South Randolph Avenue**



**LEGAL DESCRIPTION:** Lot 8 and Lot 9 in Block 192 of City of Bryan Townsite

**STRUCTURE(S):**

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

**PROPERTY OWNER(S):** Steve Montalbano

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

**IMPROVEMENT VALUE(S)  
(AS APPRAISED BY THE  
BRAZOS COUNTY  
APPRAISAL DISTRICT):** \$21,660 (2012 tax year)

**BACKGROUND:** This property was referred to Code Enforcement by the Police Department due to numerous calls for service. There are 5 structures on this property but the apartment building was the one deemed dilapidated and inhabitable. Staff from the Police Department, Fire Marshal's office, and Code Enforcement met with the property owner as well as the tenants who were available on site. This apartment was occupied by two adults and a young child when the initial inspections were completed. Months later, the property owner took the tenants through an eviction process and they vacated the apartment. The property remains unoccupied but un-secured to date.

**ATTACHMENTS:**

- (1.) staff recommendation
- (2.) pictures
- (3.) dangerous structures survey reports

**BUILDING AND STANDARDS COMMISSION  
STAFF RECOMMENDATION**



**September 24, 2012**

**Case #: 1869**

**Building Address: 203 South Randolph Avenue**

**Record Owner(s): Steve Montalbano**

**The City's Chief Building Official has requested this Commission hearing to discuss the 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 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 accessory structure unsafe based on the standards set forth in Bryan Code of Ordinances Section 14-224 subsection(s):**

- 1)  The building, structure, or any part thereof is likely to partially or fully collapse.
- 2)  The structure or any part thereof was constructed or maintained in violation of any provision of the City's Building Code, or any other applicable ordinance or law of the city, county, state or federal government.
- 3)  One or more walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third or its base.
- 4)  The foundation or the vertical or horizontal supporting members are twenty five percent (25%) or more damaged or deteriorated.
- 5)  The non supporting coverings of walls, ceilings, roofs, or floors are fifty percent (50%) or more damaged or deteriorated.
- 6)  The structure has improperly distributed loads upon the structural members, or they have insufficient strength to be reasonably safe for the purpose used.
- 7)  The structure or any part thereof has been damaged by fire, water, earthquake, wind, vandalism, or other cause to such an extent that it has become dangerous to the public health, safety and welfare.
- 8)  The structure or any part thereof has inadequate means of egress as required by the City's Building Code.
- 9)  The structure does not have adequate light ventilation, or sanitation facilities as required by the City's Building Codes and Plumbing Code.

**The City further recommends that the Commission find that:**

- the building is occupied and poses a hazard to health, safety, or general welfare of the occupants and/or the general public and must be vacated.
- the accessory structure(s) is/are occupied and pose a hazard to health, safety, or general welfare of the occupants and/or the general public and must be vacated.
- the building is unsecured and must be boarded up and/or fenced in such a manner to prevent unauthorized entry by a person, including a child, through missing or unlocked doors or windows or through other openings into the building.

- the accessory structure(s) is/are unsecured and must be boarded up and/or fenced in such a manner to prevent unauthorized entry by a person, including a child, through missing or unlocked doors or windows or through other openings into the structure(s).**
- the building may feasibly be repaired so that it is no longer in violation of City ordinances.
- the building may not be feasibly repaired in compliance with City ordinances.**

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

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

Deadline

Task

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- appear before the Commission at each regularly scheduled meeting to demonstrate compliance with the time schedule, until the preceding orders have been fulfilled.

**The City further recommends that the Commission order the City to demolish the accessory structure(s) 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:** Taken 07-31-12



View from S. Randolph



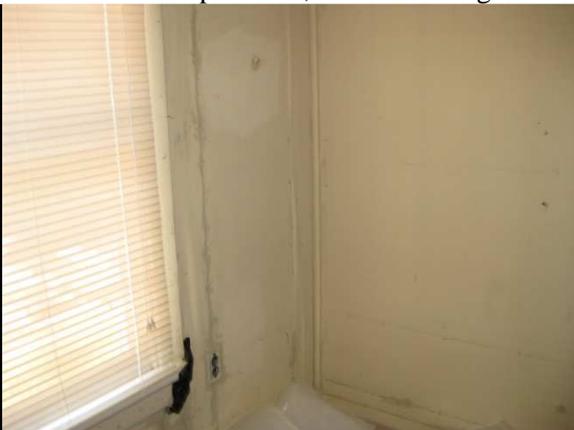
View from W 27<sup>th</sup> St



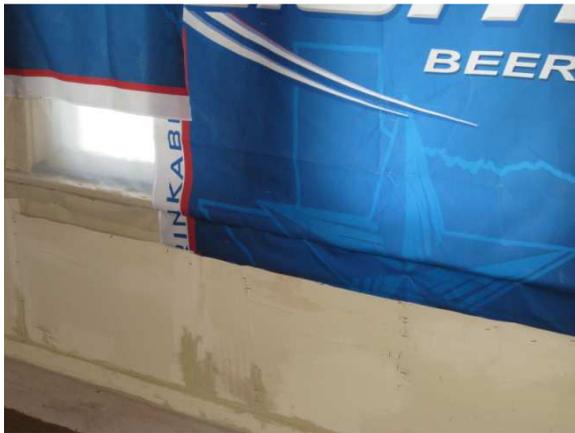
Area under the apartment, used for storage



Electrical wiring exposed



Plywood taped and floated



Plywood taped and stapled



Vent pipe for water heater should go thru roof



Cloth Wiring



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# Dangerous Structures Survey Report

Chief Building Official

Case # 1869-SW

**A. PROPERTY DESCRIPTION**

Address 203 S Randolph, (Garage Apt-Part of 605 W 27<sup>th</sup> Street)

Lot(s) 8 & 9 Block(s) 192 Addition(s) City of Bryan Townsite

Owner(s) Steve Montalbano

Mailing Address 605 W 27<sup>th</sup> Street, Bryan, TX 77803-3106

**B. SPECIFICATIONS**

Sq. Ft. \_\_\_\_\_ Rooms 4 Stories 2 Structures 1

**STRUCTURAL USE**

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

**CONSTRUCTION**

- Box
- Frame
- Masonry
- Mobile Home

**OCCUPANCY**

- Occupied
- Vacant
- Open

**C. FINDINGS**

- 01. The structure or a part thereof 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:  
2003 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 STORAGE UNDER APARTMENT (3 ROOMS) EXPOSED ROMEX  
WIRING AT PANEL, NO FOUNDATION - WOOD LOAD BEARING  
WALLS ON PART OF ROTTEN

APARTMENT - EXPOSED WIRES - GAS WATER HEATER  
IN BATH ROOM - NO DRAIN PAN - ROTTEN FLOOR AT TUB  
AND TOILET. NO HEAT

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

7-31-12  
~~8-10-12~~

Date



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# Dangerous Structures Survey Report

Code Enforcement

Case # 1869-SW

A. PROPERTY DESCRIPTION

Address 203 S Randolph, (Garage Apt-Part of 605 W 27<sup>th</sup> Street)

Lot(s) 8 & 9 Block(s) 192 Addition(s) City of Bryan Townsite

Owner(s) Steve Montalbano

Mailing Address 605 W 27<sup>th</sup> Street, Bryan, TX 77803-3106

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.





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# Dangerous Structures Survey Report

Fire Marshal

Case # 1869-SW

A. PROPERTY DESCRIPTION

Address 203 S Randolph, (Garage Apt-Part of 605 W 27<sup>th</sup> Street)

Lot(s) 8 & 9 Block(s) 192 Addition(s) City of Bryan Townsite

Owner(s) Steve Montalbano

Mailing Address 605 W 27<sup>th</sup> Street, Bryan, TX 77803-3106

B. SPECIFICATIONS

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

STRUCTURAL USE

CONSTRUCTION

OCCUPANCY

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

- Box
- Frame
- Masonry
- Mobile Home

- Occupied
- Vacant
- Open

C. FINDINGS

- 01. The structure or a part thereof 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 75% of the structure is considered a loss.
- 02. The structure or a part thereof has deteriorated to such an extent that it has become dangerous to the public health, safety, and welfare.
- 03. The structure or a part thereof does not have adequate means of egress as required by the City's building code, and poses a danger in case of fire or panic.
- 04. The structure or a part thereof lacks necessary fire-resistive construction, and the threat of a fire in the structure poses a risk to inhabitants, neighboring structures, and fire department personnel.
- 05. Obsolete, damaged, or deteriorated electric wiring, gas connections, heating apparatus, or other mechanical infrastructure present a risk of fire.
- 06. The proximity of the structure or a part thereof to other structures on this or neighboring properties constitutes a fire hazard for the other structures.

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

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 Floor Sills Rotten  
studs rotten  
bug out of plumb  
wiring out dated  
up stairs floors have slope  
unpermitted plumbing

July Fred Taylor DM 7-31-12