

LEGAL DESCRIPTION: Castle Heights, Lot pt of 1, Block 2

STRUCTURE(S):

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

PROPERTY OWNER(S): Josephine Whiting % Leon Douglas Sims, Jr.

LIENHOLDER(S)/

MORTGAGEE(S): none

IMPROVEMENT VALUE(S)

(AS APPRAISED BY THE

BRAZOS COUNTY

APPRAISAL DISTRICT): \$3,440 (2011 tax year)

BACKGROUND:

This structure is a 1972 mobile home that is dilapidated and at this time is not secured. Upon inspection it was found to have rotten and missing flooring, roof tiles falling and the interior was unfit for human habitation. The previous contacts with the property owner were notices regarding the overgrown condition of the property and requesting that they bring it into compliance.

Until August of 2010, the property owner seemed to respond to the city's mowing notices. Since August 2010, the city has had to mow the property twice. This home has had no active utilities since October 2001.

ATTACHMENTS:

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

**BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION**



June 27, 2011

Case #: 1728

Record Owner(s): Josephine Whiting % Leon Douglas Sims, Jr.

Building Address: 4102 Castle Avenue

The City's Chief Building Official has requested this Commission hearing to discuss this building, and all legal notices of the hearing were provided to owners, lienholders, and mortgagees. They were also notified that if they wanted to repair the building they needed to meet with City staff and come to the hearing with a detailed plan for repairs, including cost estimates. Based on the surveys, reports, photographs, and other evidence provided to the Commission, the City recommends that the Commission find the building unsafe based on the standards set forth in Bryan Code of Ordinances Section 14-224 subsection(s):

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

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

- is occupied and poses a hazard to health, safety, or general welfare of the occupants and/or the general public and must be vacated.
- 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 structure.
- may feasibly be repaired** so that it is no longer in violation of City ordinances.
- may not be feasibly repaired** in compliance with City ordinances.

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

- vacate the structure within ____ days.
- secure the structure from unauthorized entry within 30 days.
- demolish/remove** or **repair** the structure within 30 days.
- demolish/remove** or **repair** the structure within ____ days, in accordance with the schedule below:

Deadline

Task

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

The City further recommends that the Commission order the City to demolish the building and remove the debris in accordance with Chapter 14 of the City of Bryan's Code of Ordinances if the owner, lienholder, or mortgagee fails to comply with the Commission's order.

PICTURES:





City of Bryan – Building Services

Dangerous Structures Survey Report

Date APRIL 28th

Case #1728

A. LEGAL DESCRIPTION

Address: 4102 Castle Avenue

Lot: Part of 1 Block: 2 Addition: Castle Heights

Owner: Josephine Whiting % Leon Douglas Sims Jr.

Mailing Address: PO Box 1152, Bellville, Texas 77418-1152

B. CLASSIFICATIONS

Sq. Ft. 1,000 +/-

Rooms 4+

Story 1

STRUCTURAL USE

Residential
 Commercial

CONSTRUCTION

Box
 Frame
 Masonry
 MOBILE HOME

OCCUPANCY

Occupied
 Vacant
 Open

C. CODE VIOLATIONS (as checked)

01. The building, structure, or any part thereof is liable to partially or fully collapse because of:
- (a) Dilapidation, deterioration, or decay
 - (b) Faulty Construction
 - (c) The removal, movement or instability of any portion of the ground for support
 - (d) The deterioration, decay or inadequacy of its foundation
 - (e) Any other cause
02. 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
- NOTES: MISSING ANCHORS
03. Any wall or other vertical structural members list, lean or buckle.
04. 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.
05. Damages to the structure have caused it to be an attractive nuisance to children, harbor for vagrants, criminals or immoral persons, or be used for purposes of immoral acts.

CHIEF BUILDING OFFICIAL (as checked)

06. The foundation or the vertical or horizontal supporting members are twenty-five(25) percent or more damaged or deteriorated.
07. The non-supporting coverings of walls, ceilings, roofs, or floors are fifty(50) percent or more damaged or deteriorated.
08. The structure has improperly distributed loads upon the structural members, or they have insufficient strength to be reasonably safe for the purpose used.

NOTES: ELECTRICAL WIRING & APPLIANCES HAVE BEEN STOLEN OR REMOVED

- 09. The structure or any part thereof has inadequate means of egress as required by the city's building code.
- 10. The structure does not have adequate light, ventilation, or sanitation facilities as required by the city's building code and plumbing code.
- 11. Injury to persons or damage to property will result because portion, member or appurtenance is likely to fail, become detached or dislodged, or collapse.
- 12. Unable to give reasonable protection to any occupants from weather elements or danger of collapse because of:
 - (a) Holes or cracks in the floor, exterior wall or roof
 - (b) Loose, rotten, warped or protruding boards
- 13. 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:
 - (a) Defective materials
 - (b) Structural deterioration
 - (c) Interior walls or ceilings with holes, cracks or loose plaster
- 14. Is determined by the CITY HEALTH OFFICER to be unsanitary, unfit for human habitation, to cause sickness or disease because of the following:
 - (a) Inadequate maintenance
 - (b) Dilapidation
 - (c) Decay
 - (d) Damage
 - (e) Faulty construction or arrangement
 - (f) Inadequate light or air (artificial or natural)
 - (g) Inadequate sanitary facilities
- 15. Is determined by the FIRE MARSHALL to be a fire hazard because of:
 - (a) Obsolescence
 - (b) Dilapidated condition
 - (c) Deterioration
 - (d) Damage
 - (e) Inadequate exits
 - (f) Lack of sufficient fire-resistive construction
 - (g) Faulty electric wiring
 - (h) Gas connections or heating apparatus
 - (i) Other cause
- 16. Remains of the structure after demolition or natural causes or otherwise constitute an attractive nuisance to children or hazard to the public.

D. REQUESTED ACTION

- 1. It has been determined upon inspection and investigation that the structure is a "dangerous building" and MUST:
 - (a) Be repaired
 - (b) Not be occupied or inhabited
 - (c) Be demolished
- 2. It has not been determined upon inspection and investigation that the structure is not a "dangerous building"

COMMENTS ① NOT SECURED, ② BROKEN WINDOWS, ③ ROTTEN FLOORS & WALLS
 ④ DAMAGED INTERIOR FINISHES FROM ELECTRICAL WIRE REMOVAL ⑤ HOLES
 IN FLOORS & WALLS FROM WATER DAMAGE ⑥ STRUCTURAL DAMAGE ⑦
 MISSING TIE DOWN ANCHORS

Gregory & Co
 Signature

4-28-11
 Date

City of Bryan – Building Services

Dangerous Structures Survey Report

Date 4-28-11

Case #1728

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Owner: Josephine Whiting % Leon Douglas Sims Jr.

Mailing Address: PO Box 1152, Bellville, Texas 77418-1152

B. CLASSIFICATIONS

Sq. Ft. _____

Rooms _____

Story 1

STRUCTURAL USE

MH Residential

Commercial

CONSTRUCTION

Box
 Frame
 Masonry

OCCUPANCY

Occupied
 Vacant
 Open

C. CODE VIOLATIONS (as checked)

- ___ 01. The building, structure, or any part thereof is liable to partially or fully collapse because of:
(a) Dilapidation, deterioration, or decay
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(c) The removal, movement or instability of any portion of the ground for support
(d) The deterioration, decay or inadequacy of its foundation
(e) Any other cause
- ___ 02. 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

NOTES: _____

- ___ 03. Any wall or other vertical structural members list, lean or buckle.
- ___ 04. 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.
- ___ 05. Damages to the structure have caused it to be an attractive nuisance to children, harbor for vagrants, criminals or immoral persons, or be used for purposes of immoral acts.

CHIEF BUILDING OFFICIAL (as checked)

- ___ 06. The foundation or the vertical or horizontal supporting members are twenty-five(25) percent or more damaged or deteriorated.
- ___ 07. The non-supporting coverings of walls, ceilings, roofs, or floors are fifty(50) percent or more damaged or deteriorated.
- ___ 08. The structure has improperly distributed loads upon the structural members, or they have insufficient strength to be reasonably safe for the purpose used.

NOTES: _____

- ___ 09. The structure or any part thereof has inadequate means of egress as required by the city's building code.
- ___ 10. The structure does not have adequate light, ventilation, or sanitation facilities as required by the city's building code and plumbing code.
- ___ 11. Injury to persons or damage to property will result because portion, member or appurtenance is likely to fail, become detached or dislodged, or collapse.
- ___ 12. Unable to give reasonable protection to any occupants from weather elements or danger of collapse because of:
 - (a) Holes or cracks in the floor, exterior wall or roof
 - (b) Loose, rotten, warped or protruding boards
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 - (a) Defective materials
 - (b) Structural deterioration
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- ___ 14. Is determined by the CITY HEALTH OFFICER to be unsanitary, unfit for human habitation, to cause sickness or disease because of the following:
 - (a) Inadequate maintenance
 - (b) Dilapidation
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 - (g) Faulty electric wiring
 - (h) Gas connections or heating apparatus
 - (i) Other cause *Holes in walls, floor, ceiling*
- ___ 16. Remains of the structure after demolition or natural causes or otherwise constitute an attractive nuisance to children or hazard to the public.

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COMMENTS *Home is unsecured, ~~no~~ wiring + electric panel have been removed. Home is ~~not~~ full of trash. This is a health + safety issue. Fire HAS been notified to consider outside Attack only.*

[Signature] _____ *4-28-11* _____
 Signature Date

City of Bryan – Building Services

Dangerous Structures Survey Report

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Rooms _____

Story _____

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Commercial

CONSTRUCTION

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Frame

Masonry

mobile home

OCCUPANCY

Occupied

Vacant

Open

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COMMENTS

Shawn Hauke 4/29/11
 Signature Date