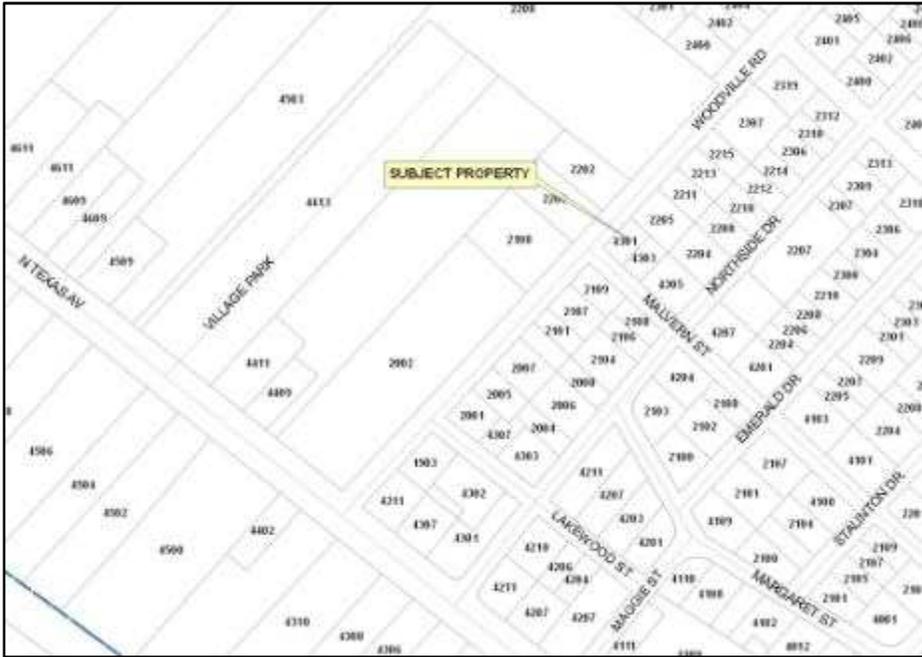


**BUILDING AND STANDARDS COMMISSION
STAFF REPORT**

June 27, 2011



Case #1704 – 4301 Malvern Street



LEGAL DESCRIPTION: Lot 1 and part of Lot 2 in Block 10 of Margaret Wallace Subdivision

STRUCTURE(S):

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

PROPERTY OWNER(S): Virginia Morales

LIENHOLDER(S)/

MORTGAGEE(S): none

IMPROVEMENT VALUE(S)

(AS APPRAISED BY THE

BRAZOS COUNTY

APPRAISAL DISTRICT): \$6,080 (2011 tax year)

BACKGROUND:

The house on this property was originally scheduled for consideration by the Building and Standards Commission during its meeting on October 5, 2009 for the purpose of determining whether the structure is an unsafe building within the terms of Bryan Code of Ordinances Chapter 14 Article VIII. At that meeting Commissioners voted to delay making a determination until the inside of the structure could be inspected.

At the regular meeting on February 28, 2011, the Commission found that the main building on this property is unsafe and ordered the structure removed within 30 days. On March 2, 2011, the property owner, who had not attended the February 28 meeting, contacted the Code Enforcement Division questioning the timeliness of the meeting notification.

In order to exclude any inadvertent oversight of notification requirements, the case was scheduled for consideration by the Commission for a third time on March 28, 2011. During that meeting, Commissioners postponed the discussion concerning this property until the next scheduled commission meeting in order for the property owner to secure bids for the renovation of the property and to provide the scope of work and the timeframe necessary to bring the property up to code.

The case is now scheduled again for consideration by the Commission to determine if the information provided by the property owner is sufficient enough for the Commission to allow the property owner the time necessary to complete the renovation of the structure or if demolition will be ordered.

ATTACHMENTS:

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

**BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION**



June 27, 2011

Case #: 1704

Record Owner(s): Virginia Morales

Building Address: 4301 Malvern Street

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

Dangerous Structures Survey Report

Date 2-14-11

Case# 1704

A. LEGAL DESCRIPTION

Address 4301 Malvern
Lot 1-2 (pts of) Block 10 Addition Margaret Wallace
Owner Virginia Morales
Mailing Address 10780 Oak Lake Rd, Bryan TX 77808

B. CLASSIFICATIONS

Sq. Ft. _____ Rooms _____ Story _____

STRUCTURAL USE

Residential
 Commercial

CONSTRUCTION

Box
 Frame
 Masonry

OCCUPANCY

Occupied
 Vacant
 Open

C. CODE VIOLATIONS (as checked)

1. 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 FIRE DAMAGE
- _____ 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.

NOTES: _____

3. 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.
4. Damages to the structure have caused it to become an attractive nuisance to children, harbor for vagrants, criminals or immoral persons, or to be used for purposes of immoral acts.
5. Injury to persons or damage to property will result because portion, member or appurtenance is likely to fail, become detached or dislodged, or collapse.
6. Any wall or other vertical structural members list, lean or buckle.
- Is determined by the CHIEF BUILDING OFFICIAL:
7. The foundation or the vertical or horizontal supporting members are twenty-five (25) percent or more damaged or deteriorated.
8. The non-supporting coverings of walls, ceilings, roofs or floors are fifty (50) percent or more damaged or deteriorated.
9. The structure has improperly distributed loads upon the structural members, or they have insufficient strength to be reasonably safe for the purpose used.

NOTES: FIRE DAMAGED WALLS & ROOF FRAMING

- ___ 10. The structure or any part thereof has inadequate means of egress as required by the city's building code.
- ___ 11. The structure does not have adequate light, ventilation, or sanitation facilities as required by the city's building code and plumbing code.
- ___ 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, natural cause 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 been determined upon inspection and investigation that the structure is not a "dangerous building".

COMMENTS:

EXTENSIVE FIRE DAMAGE TO KITCHEN/DINING/WASH ROOM
TEST OF ELECTRICAL, ETC

Gregory S. Cox 2-11-11
 Signature Date

City of Bryan

Dangerous Structures Survey Report

Date 2-15-11

Case# 1704

A. LEGAL DESCRIPTION

Address 4301 Malvern

Lot 1-2 (pts of) Block 10 Addition Margaret Wallace

Owner Virginia Morales

Mailing Address 10780 Oak Lake Rd, Bryan TX 77808

B. CLASSIFICATIONS

Sq. Ft. _____ Rooms _____ Story _____

STRUCTURAL USE

Residential
 Commercial

CONSTRUCTION

Box
 Frame
 Masonry

OCCUPANCY

Occupied
 Vacant
 Open

C. CODE VIOLATIONS (as checked)

- _____ 1. 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
- _____ 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.

NOTES: _____

3. 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.
4. Damages to the structure have caused it to become an attractive nuisance to children, harbor for vagrants, criminals or immoral persons, or to be used for purposes of immoral acts.
- _____ 5. Injury to persons or damage to property will result because portion, member or appurtenance is likely to fail, become detached or dislodged, or collapse.
- _____ 6. Any wall or other vertical structural members list, lean or buckle.
- Is determined by the CHIEF BUILDING OFFICIAL:
- _____ 7. The foundation or the vertical or horizontal supporting members are twenty-five (25) percent or more damaged or deteriorated.
- _____ 8. The non-supporting coverings of walls, ceilings, roofs or floors are fifty (50) percent or more damaged or deteriorated.
- _____ 9. The structure has improperly distributed loads upon the structural members, or they have insufficient strength to be reasonably safe for the purpose used.

NOTES: _____

City of Bryan

Dangerous Structures Survey Report

Date 2-14-11

Case# 1704

A. LEGAL DESCRIPTION

Address 4301 Malvern
Lot 12 (pts of) Block 10 Addition Margaret Wallace
Owner Virginia Morales
Mailing Address 10780 Oak Lake Rd, Bryan TX 77808

B. CLASSIFICATIONS

Sq. Ft. _____ Rooms _____ Story 1

STRUCTURAL USE

Residential
 Commercial

CONSTRUCTION

Box
 Frame
 Masonry

OCCUPANCY

Occupied
 Vacant
 Open

C. CODE VIOLATIONS (as checked)

- ___ 1. 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
- ___ 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.

NOTES: _____

- ___ 3. 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.
- ___ 4. Damages to the structure have caused it to become an attractive nuisance to children, harbor for vagrants, criminals or immoral persons, or to be used for purposes of immoral acts.
- ___ 5. Injury to persons or damage to property will result because portion, member or appurtenance is likely to fail, become detached or dislodged, or collapse.
- ___ 6. Any wall or other vertical structural members list, lean or buckle.

Is determined by the CHIEF BUILDING OFFICIAL:

- ___ 7. The foundation or the vertical or horizontal supporting members are twenty-five (25) percent or more damaged or deteriorated.
- ___ 8. The non-supporting coverings of walls, ceilings, roofs or floors are fifty (50) percent or more damaged or deteriorated.
- ___ 9. The structure has improperly distributed loads upon the structural members, or they have insufficient strength to be reasonably safe for the purpose used.

NOTES: _____

- ___ 10. The structure or any part thereof has inadequate means of egress as required by the city's building code.
- ___ 11. The structure does not have adequate light, ventilation, or sanitation facilities as required by the city's building code and plumbing code.
- ___ 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
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 (c) Decay
 (d) Damage
 (e) Faulty construction or arrangement
 (f) Inadequate light or air (artificial or natural)
 (g) Inadequate sanitary facilities
- X ___ 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 FIRE DAMAGE
- ___ 16. Remains of the structure after demolition, natural cause or otherwise constitute an attractive nuisance to children or hazard to the public.

D. REQUESTED ACTION

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

COMMENTS:

Julio D. S. M. 2-14-11
 Signature Date

City of Bryan

Dangerous Structures Survey Report

Date 2-11-11

Case# 1704

A. LEGAL DESCRIPTION

Address 4301 Malvern
Lot 1-2 (pts of) Block 10 Addition Margaret Wallace
Owner Virginia Morales
Mailing Address 10780 Oak Lake Rd, Bryan TX 77808

B. CLASSIFICATIONS

Sq. Ft. _____ Rooms _____ Story _____

<u>STRUCTURAL USE</u>	<u>CONSTRUCTION</u>	<u>OCCUPANCY</u>
<input type="checkbox"/> Residential	<input type="checkbox"/> Box	<input type="checkbox"/> Occupied
<input type="checkbox"/> Commercial	<input type="checkbox"/> Frame	<input type="checkbox"/> Vacant
	<input type="checkbox"/> Masonry	<input type="checkbox"/> Open

C. CODE VIOLATIONS (as checked)

- 1. 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

- 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.

NOTES: _____

- 3. 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.
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NOTES: _____

