

**BUILDING AND STANDARDS COMMISSION
STAFF REPORT**

August 22, 2011



Case #1735 – 115 Lynn Drive #A



LEGAL DESCRIPTION: Zeno Phillips, Block 1, Lot 4.2

STRUCTURE(S):

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

PROPERTY OWNER(S): Noah Acosta

**LIENHOLDER(S)/
MORTGAGEE(S):** N/A

**IMPROVEMENT VALUE(S)
(AS APPRAISED BY THE
BRAZOS COUNTY**

APPRAISAL DISTRICT): \$1,840 (2011 tax year)

BACKGROUND:

Building Services became aware of this location while doing the mobile home park inspections at the adjacent park. Utilities have not been active on this address since November, 2007.

ATTACHMENTS:

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

**BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION**



August 22, 2011

**Case #: 1735
Building Address: 115 Lynn Dr. #A
Record Owner(s): Noah Acosta**

The City's Chief Building Official has requested this Commission hearing to discuss the building and 1 accessory structure(s) on this property, and all legal notices of the hearing were provided to record owners, lienholders, and mortgagees. They were also notified that if they wanted to repair the building and/or accessory structure(s) they needed to meet with City staff and come to the hearing with a detailed plan for repairs, including cost estimates. Based on the surveys, reports, photographs, and other evidence provided to the Commission, the City recommends that the Commission find the building unsafe based on the standards set forth in Bryan Code of Ordinances Section 14-224 subsection(s):

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

The City further recommends that the Commission find that:

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

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

The City recommends that the Commission issue 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 building and 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

- 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 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:





Dangerous Structures Survey Report

Chief Building Official

Case # 1735

A. PROPERTY DESCRIPTION

Address 115 Lynn Drive #A

A portion of Lot(s) 4.2 Block(s) 1 Addition(s) Zeno Phillips

Owner(s) Noah Acosta

Mailing Address PO Box 8, Snook, TX 77878-0008

B. SPECIFICATIONS

Sq. Ft. _____ Rooms _____ Stories 1 Structures 2

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 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 IBC Section 116

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.

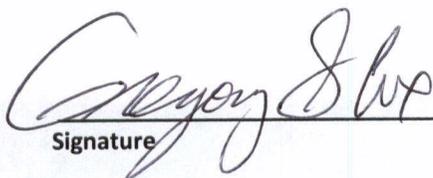
06. The structure or any part thereof has inadequate means of egress as required by the city's building code.

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 Vacant mobile home behind site built home on same lot. Lot is not platted. Home cannot be connected back to utilities unless zoning was changed and lot could be replatted. Foundation of home is failing and not anchored per current state requirements. Water heater is missing. Some damage to duct work under home and to insulation. Taillights on home indicate per 1976 structure. Carport should also be removed as it is in setback.

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.


Signature

GREGORY S COX
Printed Name

7-7-11
Date



CITY OF BRYAN
The Good Life, Texas Style.

Dangerous Structures Survey Report

Fire Marshal

Case # 1735

A. PROPERTY DESCRIPTION

Address 115 Lynn Drive #A

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Owner(s) Noah Acosta

Mailing Address PO Box 8, Snook, TX 77878-0008

B. SPECIFICATIONS

Sq. Ft. _____ Rooms _____ Stories 1 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 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 30 % 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 Due to the age of this home (value) and the fact that this is an engineered structure, I do not feel it can be economically repaired to city standards.

and

FRED Taylor DFM

7-14-11



Dangerous Structures Survey Report

Code Enforcement

Case # 1735

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Owner(s) Noah Acosta

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B. SPECIFICATIONS

Sq. Ft. _____ Rooms _____ Stories _____ Structures _____

STRUCTURAL USE

- Residential/Single Family
- Mixed Use
- Commercial
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- 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.

