BUILDING AND STANDARDS COMMISSION
STAFF REPORT

September 26, 2011

CITY OF BRYAN

Case #1755 – 1004 Hudson Street

LEGAL DESCRIPTION: Block 4, Lot 36, Bryan's 3rd Subdivision

STRUCTURE(S):

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

PROPERTY OWNER(S): Hall Kenneth E & Marion Johnson

LIENHOLDER(S)/ MORTGAGEE(S): none

IMPROVEMENT VALUE(S) (AS APPRAISED BY THE BRAZOS COUNTY APPRAISAL DISTRICT): $14,170 (2011 tax year)

BACKGROUND: This property was referred to Code Enforcement due to its dilapidated and dangerous state. One was able to notice no siding on the house, exposed electrical wiring and also plumbing. It was attracting illegal activity onto the premises and entry points were not secured properly with plywood as our ordinance requires.

ATTACHMENTS:

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

BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION

CITY OF BRYAN

September 26, 2011

Case #: 1755
Building Address: 1004 Hudson Street
Record Owner(s): Hall Kenneth E & Marion Johnson

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:

☐ 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 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 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: August 17, 2011

Dangerous Structures Survey Report

Code Enforcement **Case # 1755**

A. **PROPERTY DESCRIPTION**

Address 1004 Hudson Street

Lot(s) 36 Block(s) 4 Addition(s) Bryan's 3rd

Owner(s) Hall Kenneth E & Marion Johnson

Mailing Address 2903 Wildflower Drive, Bryan, TX 77802

SPECIFICATIONS

Sq. Ft._____ Rooms 6 Stories 1 Structures_____

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

B. **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.

C. **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.

COMMENTS

house only no sheds
BAD foundation, rotted

D. Kratz
Signature

Dawn Kratz
Code Enforcement Officer
Printed Name/Title

8-17-11
Date

Case # _____

Dangerous Structures Survey Report

CITY OF BRYAN
The Good Life, Texas Style.

Chief Building Official **Case # 1755**

A. PROPERTY DESCRIPTION

Address 1004 Hudson Street

Lot(s) 36 Block(s) 4 Addition(s) Bryan's 3rd

Owner(s) Hall Kenneth E & Marion Johnson

Mailing Address 2903 Wildflower Drive, Bryan, TX 77802

B. SPECIFICATIONS

Sq. Ft._____ Rooms_____ Stories 1 Structures 1

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

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:

Home was relocated to property with building permit in 2007 and work was abandoned. The foundation does not comply with city policy or 2009 International Residential Code. Home was set on dried laid blocks instead of poured in place footings and piers. Blocks are overturning in various locations due to expansive soil conditions. 4X6 beam supporting floor structure are exceeding structural span capability and many are showing signs of deflection. Ends of floor joist do not have outer "rim or box band" to keep joist from overturning (some are overturning). Some electrical wiring that was installed has been exposed to sunlight and elements too long. Bottom plates and wall studs are rotten, siding has been left open causing further deterioration. House was found unsecured recently and is subject to 2009 IBC Section 116 and the city dangerous structures ordinance.

____ 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.

__X__ 03. The foundation or the vertical or horizontal supporting members are materially damaged or deteriorated.

__X__ 04. The non-supporting coverings of walls, ceilings, roofs, or floors are materially damaged or deteriorated.

__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.

__X__ 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

__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.

__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
____ Loose, rotten, warped or protruding boards

__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

COMMENTS

House needs a foundation meeting city requirements and all other requirements for a new house (see attachment) or needs to be removed from city or demolished. House has single pain windows, and no insulation.

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. __X__ 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	GREGORY S. COX	8-17-11

Houses moved to or within the City of Bryan limits must meet 2009 International Residential Code, 2009 International Energy Conservation Code, and 2005 National Electrical Code along with City of Bryan amendments and ordinances.

The following are the major items:

- Foundation in compliance with current code – dried laid block not acceptable – see City of Bryan handouts for pier and beam detail.
- Double pain windows meeting energy code – typically .75 U factor max and SHGC of .40 - see ResCheck at www.energycodes.gov or City of Bryan Energy Label.
- Electrical meeting current code – 2005 NEC and City of Bryan amendments.
- Plumbing meeting current code – 2009 IRC and City of Bryan amendments.
- HVAC systems meeting current code – 2009 IRC and City of Bryan amendments. (all residences have to have at a minimum a heating system that can maintain 68 degrees throughout the home. Plug in electric space heaters are not allowed to meet this requirement).
- Insulation – R13 floor, R13 walls, R30 ceilings minimum or submit ResCheck from www.energycodes.gov to show compliance.
- All other items repaired as needed (i.e. paint, etc.)
- Installation of paved asphalt or concrete driveways meeting City of Bryan ordinance requirements.

The ordinance and codes require that moved structures meet requirements as if a site built home.

City of Bryan Zoning Ordinance:

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.

Houses being moved from other lots within city or outside city to new lotswithin city = loss of legal existing nonconforming status

Electrical Code - 2002 NEC:

Sec. 14-80. Provisions concerning outdoor wiring or the supply of electricity to any structure, building, etc.

(7) *Buildings moved into city.* The provisions of this code shall apply to all buildings moved into or relocated in the city.

Requires all electrical systems to meet current code.

2009 International Residential Code:

R101.2 Scope. The provisions of the *International Residential Code for One- and Two-Family Dwellings* shall apply to the construction, alteration, ***movement***, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures.

Scope of work involves movement, so all applicable items of the IRC apply.

R101.3 Purpose. The purpose of this code is to provide minimum requirements to safeguard the public safety, health and general welfare, through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment.

2009 International Energy Conservation Code:

[EB] 101.2.2.1 Existing installations. Except as otherwise provided for in this chapter, a provision in this code shall not require the removal, alteration or abandonment of, nor prevent the continued utilization and maintenance of, an existing building envelope, mechanical, service water-heating, electrical distribution or illumination system lawfully in existence at the time of the adoption of this code.

Per City of Bryan Ordinance, Houses being moved from other lots within city or outside city to new lots within city = loss of legal existing nonconforming status

Sec. 14-267. Amendments to code (IECC):

Section 502.1.4.1 (Window and door assemblies) is amended by adding the following to the end of the section: Single pane windows shall not be allowed in the building envelope.

Dangerous Structures Survey Report

Fire Marshal **Case # 1755**

A. **PROPERTY DESCRIPTION**

Address 1004 Hudson Street

Lot(s) 36 Block(s) 4 Addition(s) Bryan's 3rd

Owner(s) Hall Kenneth E & Marion Johnson

Mailing Address 2903 Wildflower Drive, Bryan, TX 77802

B. **SPECIFICATIONS**

Sq. Ft._____ Rooms_____ Stories 1 Structures 1

STRUCTURAL USE	CONSTRUCTION	OCCUPANCY
X Residential/Single Family	X Box	____ Occupied
____ Mixed Use	____ Frame	X Vacant
____ 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 50 % of the 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.

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.

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.

X 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.

__x__ 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 __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.

COMMENTS

Rotten floor joist
Bowed Beams under house
Improper Blocking & house moving from blocks
open exterior walls
exposed elec wire
Rotten floor sill
Rotten studs
~~exp~~ sheetrock exposed to weather

Case # 1755

Signature	Printed Name/Title	Date
	FRED TAYLOR Deputy FIRE MARSHAL	8-17-11