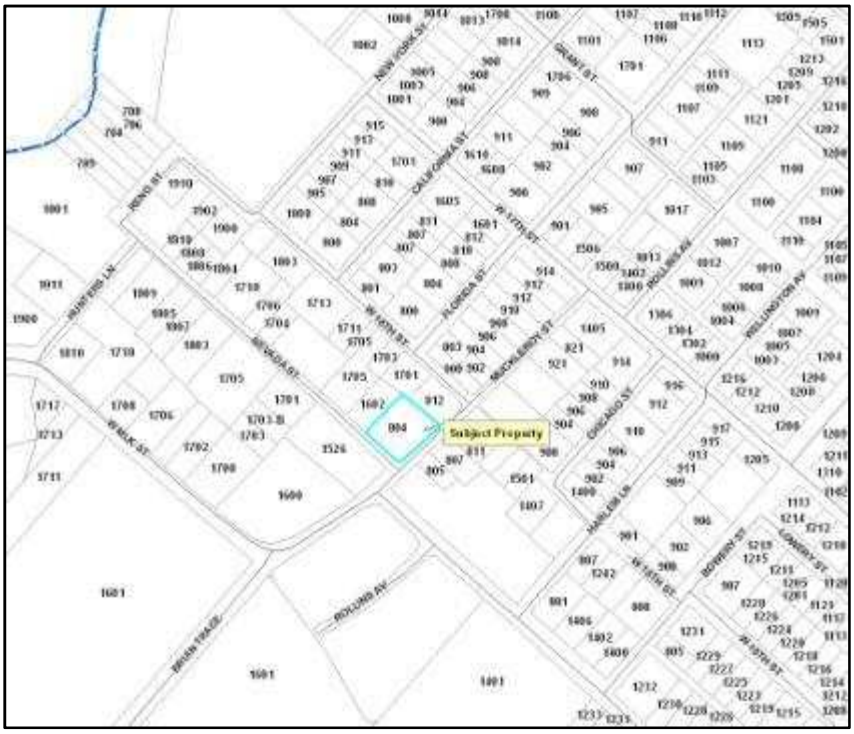
BUILDING AND STANDARDS COMMISSION
STAFF REPORT

October 24, 2011

CITY OF BRYAN

Case #1772 – 804 Muckleroy Street



LEGAL DESCRIPTION: Lot 2 (TR-311) in Block 29 of Stephen F Austin Phase 9 Subdivision

STRUCTURE(S):

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

PROPERTY OWNER(S): Roy Ellis

LIENHOLDER(S)/ MORTGAGEE(S): None

IMPROVEMENT VALUE(S) (AS APPRAISED BY THE BRAZOS COUNTY APPRAISAL DISTRICT): $32,290 (2011 tax year)

BACKGROUND: This property was brought to our attention by Police Department due to its dilapidated state and numerous code violations which they observed as well as criminal activity. Some of the violations were inoperable vehicles, tall grass around the house, open storage of trash/debris, dilapidated detached garage and two additional storage buildings on the back of the property. There was also a water leak at the time of our inspection.

ATTACHMENTS:

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

BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION

CITY OF BRYAN

October 24, 2011

Case #: 1772
Building Address: 804 Muckleroy Street
Record Owner(s): Roy Ellis

The City's Chief Building Official has requested this Commission hearing to discuss the building and 1accessory 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:

09.13.2011

09.13.2011

09 12 2011

09 13 2011

AMOCO
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AMOCO

09 13 2011

Dangerous Structures Survey Report

CITY OF BRYAN
The Good Life, Texas Style.

Chief Building Official **Case # 1772**

A. PROPERTY DESCRIPTION

Address 804 Muckleroy Street

Lot(s) 2 Block(s) 29 Addition(s) SFA #9

Owner(s) Ellis Roy L Sr. & Vera S % Rhodes Julia Wilson & Regina

Mailing Address 3504 Curtis Street #A, Bryan, TX 77802-2208

B. SPECIFICATIONS

Sq. Ft._____ Rooms_____ Stories 1 Structures 3

STRUCTURAL USE	CONSTRUCTION	OCCUPANCY
X Residential/Single Family	X Box	___ Occupied
___ Mixed Use	X Frame	X Vacant
___ Commercial	___ Masonry	X 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:

2009 IRC

X 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.

X 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
X ventilation
X 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
X 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 OPEN CEILINGS, ELECTRICAL WIRING REMOVED, DAMAGED FOUNDATION, OPEN EXTERIOR WALLS, UNPERMITTED & NON-CODE COMPLIANT WORK, TREE TOO CLOSE TO EXTERIOR WALL, STRUCTURAL ISSUES. FULL OF TRASH & DEBRIS.

ACCESSORY STRUCTURES IN BAD SHAPE ALSO FULL OF TRASH, CLOTHING, & DEBRIS.

D. **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 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.

Signature	Printed Name	Date
Gregory S Cox	GREGORY S COX	9-15-11

Case # _____

Dangerous Structures Survey Report

Code Enforcement

Case # 1772

A. PROPERTY DESCRIPTION

Address 804 Muckleroy Street

Lot(s) 2 Block(s) 29 Addition(s) SFA #9

Owner(s) Ellis Roy L Sr. & Vera S % Rhodes Julia Wilson & Regina

Mailing Address 3504 Curtis Street #A, Bryan, TX 77802-2208

B. SPECIFICATIONS

Sq. Ft._____ Rooms_____ Stories_____ Structures_____

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

_____ 01. The building, structure, or a part thereof is unsecured and open.

__x__ 02. The building, structure, or a part thereof is being used by criminals, vagrants, or squatters for the purpose of suspected illegal activity.

__x__ 03. The building, structure, or a part thereof presents an attractive nuisance to children.

D. 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 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

Sandra Willis

Signature	Printed Name/Title	Date
	Sandra Willis	09-13-11

Case # __1772___

Dangerous Structures Survey Report

Fire Marshal **Case # 1772**

A. PROPERTY DESCRIPTION

Address 804 Muckleroy Street

Lot(s) 2 Block(s) 29 Addition(s) SFA #9

Owner(s) Ellis Roy L Sr. & Vera S % Rhodes Julia Wilson & Regina

Mailing Address 3504 Curtis Street #A, Bryan, TX 77802-2208

B. SPECIFICATIONS

Sq. Ft._____ Rooms_____ Stories_____ Structures_____

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

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 ____% 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 _____

Signature	Printed Name/Title	Date

Case # _____