

**BUILDING AND STANDARDS COMMISSION  
STAFF REPORT**

**April 23, 2012**



**Case #1840 – 1700 Pecan Street**



**LEGAL DESCRIPTION:** Lots 1-2 in Block 7 of Woodlawn Subdivision

**STRUCTURE(S):**

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

**PROPERTY OWNER(S):** Raymundo and Maria Hernandez

**LIENHOLDER(S)/  
MORTGAGEE(S):** none

**IMPROVEMENT VALUE(S)  
(AS APPRAISED BY THE  
BRAZOS COUNTY  
APPRAISAL DISTRICT):** \$75,430 (2011 tax year)

**BACKGROUND:**

The property was identified in January 2010 for not having applied for a building permit for a carport that was converted into a shop/living area. Originally, a building permit was obtained in 2004 to build a 24' x 24' carport on the front left of the manufactured home. A city building inspector approved the framing on the 24' x 24' carport on November 24, 2004. Sometime thereafter, the original carport on the left was extended all the way across the front of the manufactured home without permits and inspections. The original carport and addition was then enclosed without permits and inspections. The addition is blocking the only bedroom windows from two children's bedrooms in the manufactured home.

In 2009, upon learning of the illegal addition, the city contacted the property owner and asked that the addition be removed or brought into code compliance and gave the property owner several options which included hiring an engineer to determine if what was built could be approved by the city. City notified the owner of the dangers of blocking the bedroom windows.

On or around April 2010, the Chief Building Official met with an engineer hired by the owner. City received an outline/report dated April xx, 2010 (sic!) from Robert E. Bingham, P.E. The report listed all that was wrong with the illegal building addition and needed correction but did not specifically say that the foundation was adequate to support the loads. City staff was under the impression the engineer would do further foundation and structural inspections and provide a second report to the City. City was under the impression the owner would remove portions of the addition to create an open porch to the existing bedroom windows of the manufactured home. On April 13, 2012, the City received an engineer's report from Gessner Engineering dated April 11, 2012 (see attached). The report does not show that the foundation is adequate.

The property was scheduled for Building and Standards Commission consideration due to the overall lack of progress on removing or making the illegal building addition Code compliant.

**ATTACHMENTS:**

- (1.) staff recommendation
- (2.) pictures
- (3.) report from Robert E. Bingham, P.E. dated April xx, 2010
- (4.) structural inspection report from Gessner Engineering dated April 11, 2012
- (5.) dangerous structures survey reports

**BUILDING AND STANDARDS COMMISSION  
STAFF RECOMMENDATION**



**April 23, 2012**

**Case #: 1840**

**Building Address: 1700 Pecan Street**

**Record Owner(s): Raymundo and Maria Hernandez**

**The City's Chief Building Official has requested this Commission hearing to discuss the building addition to the manufactured home 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 addition they needed to meet with City staff and come to the hearing with a detailed plan for repairs, including cost estimates, and an engineer's report. 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 7 days.**
- secure the building  and accessory structure(s) from unauthorized entry within 30 days.
- demolish/remove the addition to the manufactured home within 60 days or obtain a building permit and convert the addition back to the original 24'X24' open carport originally permitted and inspected by the city in 2004 in accordance with the schedule below:**

<u>Deadline</u>	<u>Task</u>
7 Days	<b>Obtain building permit to convert addition back to original 24'X24' 2004 carport.</b>
60 Days	<b>Remove all walls and repair roof/ceiling framing of original 24'X24' carport to meet city adopted codes.</b>

- appear before the Commission at the July 2012 regular meeting to demonstrate compliance with the time schedule.**

**The City further recommends that the Commission order the City to demolish the building addition to the manufactured home 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: 1700 Pecan**



**EAST SIDE OF THE ADDITION IS INDOOR PATIO AREA**



**WEST SIDE OF THE ADDITION IS STORAGE**





NO EGRESS FROM BEDROOM TO OUTSIDE



HALL WAY HAS NO ACCESS TO OUTSIDE





# **ROBERT E. BIGHAM, P. E.**

## **CONSULTING ENGINEER**

An engineering firm licensed by the Texas Board of Professional Engineers  
as sole proprietor firm F-4207, doing business as styled above

211 TEE DRIVE, BRYAN, TEXAS 77801

979-822-0719 VOICE AND FAX

[rebighampe@earthlink.net](mailto:rebighampe@earthlink.net)

[rebighampe@yahoo.com](mailto:rebighampe@yahoo.com)

April xx, 2010

Mr. Raymundo Hernandez  
1700 Pecan Street  
Bryan, Texas 77803-3657

**Concerning:** Code Compliance at addition to  
residence, 1700 Pecan Street, Bryan

Dear Mr. Hernandez:

**Purpose and Scope of report:** This is my report documenting the most recent proposal for modifications and code compliance at 1700 Pecan Street and a statement of requirements. It is the result of several discussions with you and the Building Services Department of the City of Bryan.

**1. New Building Permit Required:** As you know, it will be necessary to file an application for a building permit for the structure, approximately 24 ft x 48 ft (I have not measured it, but estimate its measurements based on the building permit for a carport and general observations.) that you built in front of and connected to your manufactured home at 1700 Pecan Street ("the new structure").

The new structure comprises a habitable sitting room about 24 ft square and a storage area (formerly intended to be a garage) about 24 ft square. The storage area includes an alley about 8 ft by 24 ft abutting the manufactured home and an enclosed storage room about 12 ft by 16 ft. The remainder of the approximate 24 ft square area is an open storage area that occupies the remainder of the about 24 ft square storage area.

The permit for a Carport approximately 24 ft square that you obtained in 2004 will not be sufficient.

The new permit needs to be supported by a plan drawing(s) drawn to scale and legible, as stated in the Memo from the City of Bryan dated February 11, 2010. The plan drawing(s) will need to demonstrate compliance with structural requirements of the 2003 International Residential Code ("IRC 2003").

You may prepare these plans yourself, or you may hire someone to prepare

---

This report and its format are copyrighted. It was prepared for use by Mr. Raymundo Hernandez and reliance interests, if any, at and about the date printed above. Except for fair use as defined in applicable law, it may not be used by any other person or entity for any purpose whatsoever without written permission of the copyright holder.  
Copyright 2010 by Robert E. Bigham. All rights reserved.

**ROBERT E. BIGHAM P.E. CONSULTING ENGINEER**

them. I recommend you hire someone to prepare the plans.

I have found a local firm that regularly offers this kind of service, and I recommend you consider hiring them. We can discuss the details of the service needed from one who prepares plans for this work.

The new building permit, while admittedly somewhat after the fact, will need to be treated as if construction from grass roots is intended/under way, and inspections as in the case of construction from grass roots will be required.

Finally a Certificate of Occupancy will be issued after a final inspection, assuming all construction contemplated by the plan is completed and all code compliance achieved.

It is important to understand that one must terminate a building permit by obtaining a final inspection and a Certificate of Occupancy rather than by simply stopping the activity contemplated by the permit.

**Known structural aspects requiring demonstration of code compliance or upgrading to comply with IRC 2003:**

Wall, ceiling, and roof framing: In particular, wall sway bracing at corners, stud size and spacing, ceiling joist and rafter size and spacing must either be determined to be, or be made, code compliant. There is a question how the spans in the ceiling, which appear quite long for stick built framing, are attained and/or supported.

Framing requirements are in IRC 2003.

Wall and ceiling insulation: IRC 20023 requires insulation in walls and ceilings that separate habitable space from outside weather ("weather wall(s)"). I understand that walls require R-13 and ceilings require R-26 as minimum standards.

Fire escape way for two bedrooms in manufactured home: The alley about 8 ft by 24 ft abutting the manufactured home is the only potentially code compliant fire escape way for the two bedrooms that abut it, except that one could modify the manufactured home to attain a code compliant fire escape way. You have said you do not wish to modify the manufactured home.

A fire escape way in the alley about 8 ft by 24 ft needs to be as near unobstructed as it can be, and end at a cased opening or similar at the north end of the new structure. There is a stud wall with exterior finish there now. The fire escape way also needs to be kept entirely clear of storage, for example, storage of building materials.

You have expressed a desire for security in the new structure that an opening about

Mr. Raymundo Hernandez  
1700 Pecan Street, Bryan  
Page 3

---

7 ft high by 8 ft wide in the north wall would compromise. An L shaped stud wall to isolate the alley from the remainder of the new structure would provide some security. An L

shaped stud wall will be required to have gypsum wallboard on both sides and be insulated as any other weather wall. It may have a door or doors opening from the alley to the storage area, or the other way around.

Storage room walls: The storage room walls, if not already so finished, will require gypsum wallboard on the inside, and insulation on the wall facing the sitting room, which is a weather wall.

Window thermal transmission: IRC 2003 prescribes heat transmission requirement for windows. Practically, this is a requirement for what is called "low E" glass in windows. Low E glass is double pane glass with an applied coating on the inside of one of the panes. It can be identified in the field by simple tests.

If the window glass in the new structure is not the low E type, either the glass or the windows must be replaced.

Existing garage door: The existing garage door and its tracks, supports, and operator must be removed. The space left in the front wall may be partially filled with an insulated stud wall, and a side-hinged door not exceeding six ft wide, which may be a single leaf or double leaf door, installed in the new stud wall.

Foundation: There is little practical way to tell whether the foundation of the new structure complies with the minimum standard of the City of Bryan. It will be necessary to evaluate its performance, which has compiled a performance record since about 2004, to determine its adequacy.

Presently unknown items: Other structural aspects of the new structure that require upgrading may be found when the discovery required in the new structure for adequate plan preparation is done.

**2. Electrical Permit and Work Needed:** It will be necessary for you to hire a licensed electrician to obtain the necessary electrical permit to examine the wiring at the new structure and do whatever may be necessary to make it compliant with the applicable electrical code. I am not an expert in the electrical code, and do not know what all may be required of the electrician. The electrician will know or can determine all he must do after he examines the wiring in the new structure.

I understand that convenience outlets are required at not exceeding 12 ft spacing on the walls of habitable rooms. I understand there are presently three convenience outlets in the new structure: one in the north wall, one in the south wall, and one in the ceiling.

I do not know if it will be necessary to install a new load center for the new structure. I do not know if additional convenience outlets will be required in the storage room or in the area designated for storage. The electrician will know.

Mr. Raymundo Hernandez  
1700 Pecan Street, Bryan  
Page 5

---

It seems clear that some necessary wiring and new convenience outlets will be required. I do not know if new convenience outlets will be required on the wall of the manufactured home common with the new structure. The electrician will know.

Additionally, the Building Official of the City of Bryan requires that all bedrooms in the manufactured home and the entire new structure be equipped with interconnected smoke detectors, if not already so equipped.

The manufactured home may already be so equipped. The electrician will be able to tell.

I must emphasize that all the work, electrical and structural, will require regular routine inspections and green tags from the Bryan Building Services Department.

When all required code compliance has been achieved and documented and a Certificate of Occupancy issued, this work at 1700 Pecan Street will be over.

**Closure:** I trust this meets your needs for the time being. If more facts that might influence my opinion should become available, please let me know. If you need more information, please let me know.

Respectfully submitted,

Robert E. Bigham, Bryan, Texas, April xx, 2010

--

---

**ROBERT E. BIGHAM P.E. CONSULTING ENGINEER**

April 11, 2012

Mr. Raymundo Hernandez  
1700 Pecan Street  
Bryan, Texas 77803  
979-739-9528

Re: Structural Inspection – Carport Foundation  
1700 Pecan Street  
Bryan, Texas 77803  
Project No: 12-0182

Dear Mr. Hernandez:

A visual structural inspection of the carport foundation located at 1700 Pecan Street in Bryan, Texas was performed by Gessner Engineering as per your request on March 30, 2012. This inspection was requested to evaluate the condition and suitability of the foundation supporting the carport. The items listed are not meant to represent a total or exhaustive list of defects which may be present. I neither extend nor imply any warranty as a result of this inspection or any repair performed upon this structure. The results of this inspection are provided in the following paragraphs and are provided for the exclusive use of Mr. Raymundo Hernandez.

### **Description**

The carport located at 1700 Pecan Street is a single story partially enclosed structure constructed over a concrete foundation. The structure has an overhead garage door, and when shut the structure is fully enclosed. The northwest end of the carport is closed by the face of the existing mobile home. According to the owner, the east side of the structure was constructed first, and the west side was constructed shortly after. The age of the carport/garage is approximately seven to eight years old.

The structure consists of a wood stick frame system, hardi plank siding, and a composition roof. Wood posts were noted spaced throughout the structure, and are accompanied by what appears to be wood stud framed walls. Half of the space is being used as a vehicle drive and storage room, and the other half has been constructed as a finished room within the carport area.



**Gessner  
Engineering**

2501 Ashford Drive

Suite 102

College Station, Texas 77840

P.O. Box 10763, 77842-0763

979.680.8840

FAX 979.680.8841

2204 S. Chappell Hill St.

Brenham, Texas 77833

979.836.6855

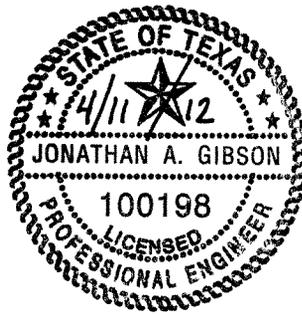
FAX 979.836.6847

It has been a pleasure to provide you this information. The information provided is for the exclusive use of Mr. Raymundo Hernandez for the property located at 1700 Pecan Street in Bryan, Texas. If I can be of further assistance to you with this situation please contact me.

Sincerely,  
GESSNER ENGINEERING, LLP F-7451



Jonathan A. Gibson, P.E.





# Dangerous Structures Survey Report

Code Enforcement

Case #1840

A. PROPERTY DESCRIPTION

Address 1700 Pecan Street

Lot(s) 1 & 2 Block(s) 7 Addition(s) Woodlawn

Owner(s) Hernandez Raymundo & Maria Del Carmen

Mailing Address 1700 Pecan Street, Bryan, TX 77803

B. SPECIFICATIONS

Sq. Ft. \_\_\_\_\_ Rooms \_\_\_\_\_ Stories 1 Structures \_\_\_\_\_

STRUCTURAL USE

- Residential/Single Family  
 Mixed Use  
 Commercial  
 Residential/Multi Family  
 Accessory Structure

CONSTRUCTION

- Box  
 Frame  
 Masonry  
 Mobile Home *addition*

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.

Case # 1840

COMMENTS Debris - tree trunks around tree

Blue Chevy S-10 parked on unimproved surface - left of driveway

Scrap lumber along east side of house along structure

Large pile of neatly stacked AUSTIN STONE on west corner of front yard

*Sandra Willis*

Signature

Sandra Willis / Code Officer

Printed Name/Title

3/7/12

Date

Case # 1840



# Dangerous Structures Survey Report

Chief Building Official

Case #1840

A. PROPERTY DESCRIPTION

Address 1700 Pecan Street

Lot(s) 1 & 2 Block(s) 7 Addition(s) Woodlawn

219-1741

Owner(s) Hernandez Raymundo & Maria Del Carmen

Mailing Address 1700 Pecan Street, Bryan, TX 77803

B. SPECIFICATIONS

Sq. Ft. \_\_\_\_\_ Rooms 8 + Stories 1 Structures 1

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 IRC - 2005 NEC
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 (1) ADDITION TO FRONT OF HOME WITHOUT PERMITS & INSPECTIONS

(2) 2 EXISTING BEDROOM WINDOWS ARE BLOCKED BY ADDITION - THESE ARE THE ONLY WINDOWS IN THE BEDROOMS.

(3) UNKNOWN FOUNDATION & FRAMING BEHIND SHEETROCK

(4) FRAMING DOES NOT MEET CODE

\* NEED TO REMOVE OR BRING INTO CODE COMPLIANCE, NEED ARCHITECT OR ENGINEER TO APPROVE FOUNDATION / POSSIBLY FRAMING.

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. (THE ADDITION)
- 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.

*Gregory S Cox*  
Signature

GREGORY S COX  
Printed Name

3-7-12  
Date



CITY OF BRYAN  
The Good Life, Texas Style.

# Dangerous Structures Survey Report

Fire Marshal

Case #1840

**A. PROPERTY DESCRIPTION**

Address 1700 Pecan Street

Lot(s) 1 & 2 Block(s) 7 Addition(s) Woodlawn

Owner(s) Hernandez Raymundo & Maria Del Carmen

Mailing Address 1700 Pecan Street, Bryan, TX 77803

**B. SPECIFICATIONS**

Sq. Ft. \_\_\_\_\_

Rooms \_\_\_\_\_

Stories 1

Structures 1

**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 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.

Case # \_\_\_\_\_

X 07. The structure or a part thereof is in violation of the City's fire code.  
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. X Be vacated OR \_\_\_ remain unoccupied; and
  - B. X 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 exits from bedrooms blk  
elec hazards  
unknown stability <sup>of</sup> ~~due to~~ building structure  
and slab

 FRED Taylor DFM 3-6-12