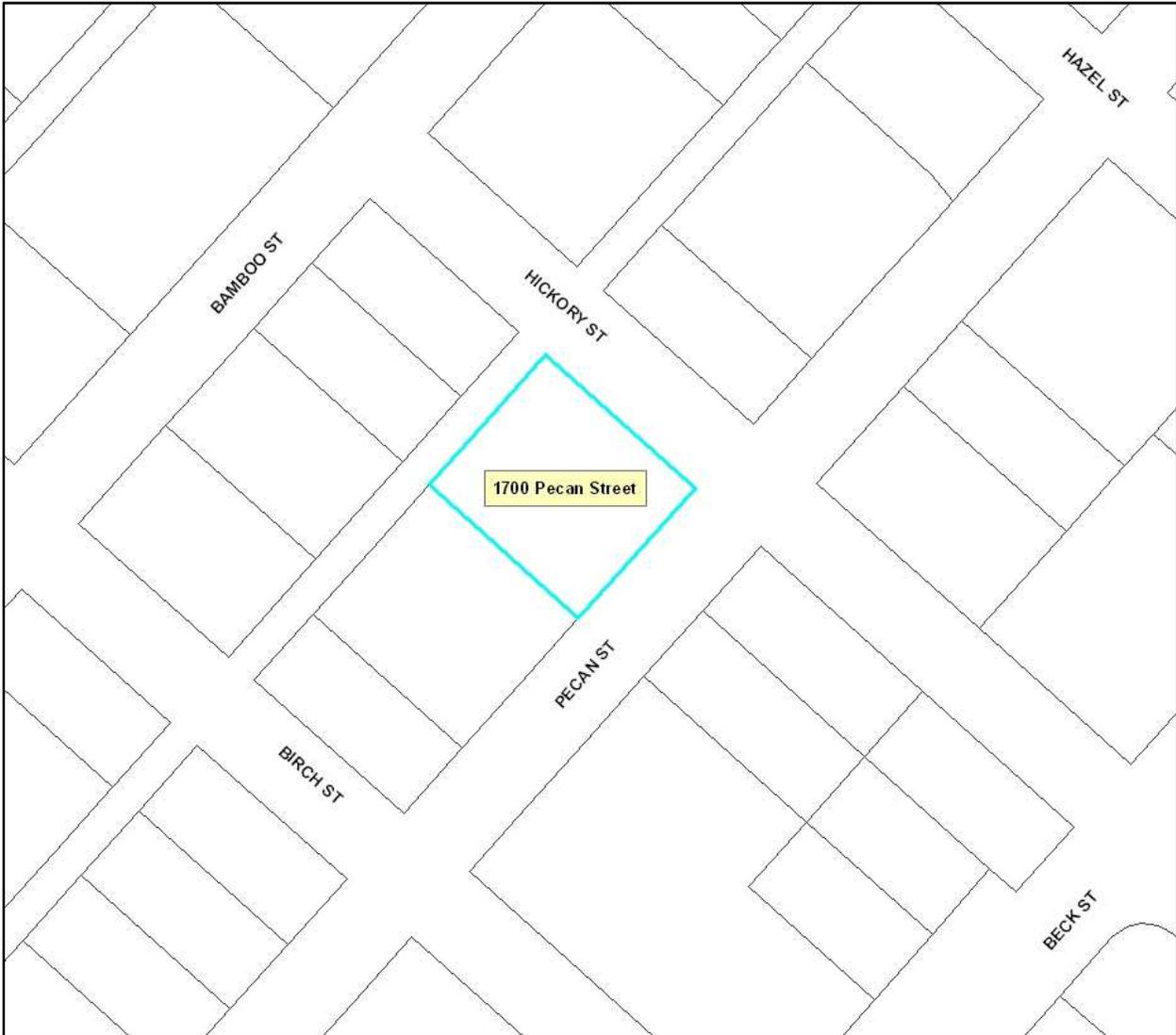


**BUILDING AND STANDARDS COMMISSION  
STAFF REPORT**

**June 25, 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. On April 23, 2012 the Building and Standards Commission ordered the building addition to be vacated within 7 days and to demolish/remove the addition to the manufactured home within 60 days or obtain a building permit and convert addition back to the original 24' x 24' open carport originally permitted and inspected by the city in 2004.

On May 1, 2012, Raymundo Hernandez, the property owner, met with the Chief Building Official and Code Enforcement Officer Sandra Willis who translated for Mr. Cox. Mr. Hernandez was reminded of what the Commission ordered and what he is expected to do. As of the writing of this staff report, it does not appear that the building addition has been vacated. No demolition work has begun to convert the addition back to the original 24' x 24' open carport. In late May 2012, City staff met with Mr. Hernandez again. At that time, Mr. Hernandez agreed to remove unpermitted work and return the structure to the original permitted 24' x 24' open carport. A building permit for this work was obtained on June 1, 2012.

**As of June 18, 2012, there is no visual evidence from the exterior of the structure that any demolition work has been started or that the unpermitted addition has been vacated. Therefore, the City's Chief Building Official believes that this property is currently not in compliance with the time schedule for repairs that the Commission ordered for this structure on April 23, 2012. At this time, the Commission has the following options:**

1. issue a new order to the owner, lienholder, or mortgagee to comply with a new time schedule for repair; or
2. issue a new order that the structure be demolished and the debris removed in accordance with Chapter 14 of the City of Bryan's Code of Ordinances.

**Please refer to the next two pages for staff's recommendation in this matter.**

**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.) survey reports

**BUILDING AND STANDARDS COMMISSION  
STAFF RECOMMENDATION**



**June 25, 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 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:**

**Deadline**

**Task**

**60 Days**

**Remove all walls and repair roof/ceiling framing of original 24'X24' carport to meet city adopted codes.**

- appear before the Commission at the August 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 Street**



**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







# 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**

- 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 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

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 *additional*

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



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

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.



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

## **Findings**

As requested, Gessner Engineering performed a visual inspection of the foundation structure for the carport/garage. The following conditions were noted in the visual inspection:

- Construction joints noted between the carport construction and the original driveway.
- Concrete thickness was measured to vary between approximately 3 ½" and 5 ½"
- No slab stiffening grade beams were noted around the perimeter, and none were evident nor known by the owner within the interior portions of the slab
- Some cracking noted in the slab, likely due to a combination of shrinkage cracking and movement
- Cracking noted in the sheet rock within the finished room of the carport
- Limited drainage around the slab due to a flat site
- Small tree noted near the southwest corner of slab
- Wall structure consisted of a system of wooden columns and stud walls.
- According to the owner, each wooden column was cast into a deep concrete footing. The footing at the north corner of the carport was exposed and was measured to be 24" deep. The diameter of the footings could not be verified.

## **Conclusions**

It should be noted that the foundation for this structure does not meet the minimum slab provisions as outlined by the City of Bryan for the amended section 1910 of the International Building Code. This standard as outlined by the City of Bryan requires a minimum twelve (12) inch deep by ten (10) inch wide beam around the perimeter of a patio or carport foundation. A turn down beam as described above was not noted for this foundation structure. In addition, no interior stiffening beams could be determined. The slab thickness was measured to vary between 3 ½" and 5 ½" as described above, where a minimum 4" slab is required by the City of Bryan with the use of a 6 mil poly vapor barrier.

The foundation for this structure as noted is comprised of two separate and independent systems. These systems include shallow bearing footings which are supporting the wooden posts, and a 3 ½" to 5 ½" slab supporting the exterior wood stud walls. The foundation for the structure as noted is highly flexible, and will experience deflections and differential movement due to the lack of stiffening elements. Gessner Engineering was unable to determine whether the stud walls are used for load bearing purposes or if there is a beam structure above the walls that frame between the posts, leaving the stud walls to serve as infill framing.

Due to the unconventional construction technique and flexible nature of the foundation system, inherent risks are associated with this structure. Potential risks include differential movement to occur between the slab and column footings, which could result in damage to the framing system such as excessive deflections and framing

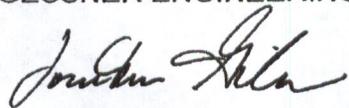
separations. Cracking in the sheetrock and finishing elements should be expected and will require periodic maintenance for the life of the structure. The wooden column post structure for the carport/garage could not be completely inspected, however if all columns are cast into footings as described by the owner, this will provide a limited increase in stability for the superstructure dependent upon the depth of the footings, bearing properties of the soils, and construction techniques. The type of lumber used for the posts and whether the lumber was treated or untreated was not determined at the time of inspection. The use of untreated posts under these framing conditions would result in rot and deterioration over time.

Although it is difficult to predict future performance, the performance to date may be used as an indicator of future expectations. The foundation as currently constituted contains multiple joints and some signs of stress due to movement, however it is the opinion of Gessner Engineering that the foundation for the structure at the time of the inspection is not at present a life safety hazard. According to the owner, planned modifications to the existing structure are to provide an interior sheet rock finish to the shop room, and to cut a door in the north side wall between the existing manufactured home and shop room to provide egress to the north side for safety purposes. Given that the concrete foundation for this structure is highly flexible, the sheetrock finish will likely experience cracking and will require periodic maintenance, similar to what is constructed on the west side of the structure. Although evaluation of the superstructure is beyond the scope of this report, it should be noted that these walls will provide limited lateral stiffness to the superstructure in the form of sheathed stud walls.

The modifications that are proposed will have limited impact in terms of additional vertical gravity loads on the concrete foundation. The greater impact on the foundation will likely come from the supporting soils, surrounding conditions, and differential movement of the slab due to seasonal moisture changes. Gessner Engineering recommends a consistent maintenance program be implemented to control conditions surrounding the foundation elements which could negatively impact soil moisture. This includes improving the drainage around the structure, maintaining the surrounding vegetation, and removing or consistently maintaining and trimming the small tree noted at the southwest corner of the structure. It is the opinion of Gessner Engineering that the future performance will likely be similar to the performance of the structure noted to date, however potential structural risks as outlined above are associated with foundation performance and should be considered and closely monitored.

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.

