

**BUILDING AND STANDARDS COMMISSION
STAFF REPORT**

June 25, 2012



Case #1826 – 2312 Southside Drive



LEGAL DESCRIPTION: Lot 26 & part of 25 in Block 13 of the Margaret Wallace Subdivision

STRUCTURE(S):

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

PROPERTY OWNER(S): Previous Owner: Joseph Skopik New Owners: Arturo & Ofelia Garcia

LIENHOLDER(S)/

MORTGAGEE(S): none

IMPROVEMENT VALUE(S)

**(AS APPRAISED BY THE
BRAZOS COUNTY**

APPRAISAL DISTRICT): \$8,680 (2011 tax year)

BACKGROUND:

This property was found to be dilapidated during an inspection in November 2011. It has been vacant and without active utilities since March 2009. Further inspection found that the interior has been purposely destroyed, most probably by vandals. The property was sold in early February 2012 after the property owner had already received notification about the scheduled Building Standards Commission meeting on February 27, 2012.

During its regular meetings on February 27, 2012 and again on April 23, 2012, the Building and Standards Commission found the building on this property to be unsafe based on the standards set forth in Bryan Code of Ordinances Section 14-224. Commissioners ordered that the building be demolished/removed or repaired within 180 days in accordance with this specific time schedule:

<u>Deadline</u>	<u>Task</u>
7 days	1. Secure Structure
30 days	2. Submit plans and building permit application. 3. Obtain building permit, electrical permit, plumbing permit, Mechanical permit,
60 days	4. Remove bees from walls 5. Repair windows, roof, exterior siding, roof overhangs, repair rotten framing to exterior walls around back door and side door (call city for inspections prior to covering work). Exposed exterior wall cavities will need R13 insulation, attic will need R30 insulation minimum.
180 days	6. Complete city inspection processes, all electrical, mechanical, plumbing inspections completed and approved, building final and Certificate of Occupancy Approved (includes all repairs to interior finishes and installation of at least a code approved heating system). House needs a gas test prior to reconnecting gas meter.

As of April 12, 2012, the sheetrock has been removed from all of the interior walls. The bees that had been in the rear exterior wall have also been removed and the structure is secured. A building permit has

been issued for minor repairs. However, work has not begun under the current building permit and electrical, mechanical, and plumbing permits have not been obtained.

As of June 18, 2012, the house has been secured and some new windows, framing repairs, and new siding installed. The electrical, mechanical, and plumbing permits have not been obtained. The house is secured. City staff met with the owner and he is making progress as funds allow. The owner has stated that he has experienced difficulties in obtaining loans as originally planned for repairs and he is thus having delays.

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 building be demolished and the debris removed in accordance with Chapter 14 of the City of Bryan's Code of Ordinances.**

ATTACHMENTS:

- (1.) staff recommendation
- (2.) pictures
- (3.) survey reports

**BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION**



June 25, 2012

Case #: 1826

Building Address: 2313 Southside Drive

Record Owner(s): Arturo & Ofelia Garcia

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 a new order to the owner, lienholder, or mortgagee to:

- vacate the building within ____ days.
- secure the building from unauthorized entry within ____ days.
- demolish/remove or repair the building and accessory structure(s) within 30 days.
- demolish/remove within 30 days or repair the building within 360 days, in accordance with the schedule below:**

<u>Deadline</u>	<u>Task</u>
90 days	Keep home secured. Finish exterior work and framing repairs to exterior walls. Call for inspections and obtain approval for shell completion.
180 days	Licensed contractors obtain electrical permit, plumbing permit, and mechanical permit.
360 days	Complete city inspection processes on all permits, all electrical, mechanical, plumbing inspections completed and approved, building final and Certificate of Occupancy Approved (includes all repairs to interior finishes and installation of a code approved heating system). House needs a gas test prior to reconnecting gas meter if gas service and appliances are used.

- appear before the Commission at the January 2013 regular 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:

JANUARY 18, 2012



JUNE 11, 2012:







Dangerous Structures Survey Report

Chief Building Official

Case #1826

A. PROPERTY DESCRIPTION

Address: 2312 SOUTHSIDE DRIVE

Lot(s) 26 & PT OF 25 Block(s) 13 Addition(s) MARGARET WALLACE

Owner(s) JOSPEH SKOPIK

Mailing Address 101 N TEMPLE STREET, CALDWELL TX 77836-1437

B. SPECIFICATIONS

Sq. Ft. _____ Rooms 5 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 BROKEN WINDOW GLASS ② HOLES IN EXTERIOR WALLS
③ ROTTEN WALL SILLS & STUDS ④ DAMAGED INTERIOR FINISHES &
SHEETROCK FROM VANDERISM ⑤ GAS WALL HEATER NEEDS REPAIRS
⑥ HOLES IN EXTERIOR WALL BELOW SINK ⑦ ELECTRICAL PANEL
IN CLOSET & DAMAGED ⑧ DAMAGED ELECTRICAL FIXTURES & DEVICES
⑨ STOLEN WIRING ⑩ DAMAGED EXTERIOR DOORS
⑪ ROTTEN/DAMAGED FASCIA & TRIM ⑫ NEEDS ELECT. SERVICES UPGRADES
⑬ DAMAGED SINK

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.

Gregory S Cox
Signature

GREGORY S COX
Printed Name

1-18-12
Date



CITY OF BRYAN
The Good Life, Texas Style.

Dangerous Structures Survey Report

Code Enforcement

Case #1826

A. PROPERTY DESCRIPTION

Address 2312 SOUTHSIDE DRIVE

Lot(s) 26 & PT OF 25 Block(s) 13 Addition(s) MARGARET WALLACE

Owner(s) JOSEPH SKOPIK

Mailing Address 101 N TEMPLE STREET, CALDWELL TX 77836-1437

B. SPECIFICATIONS

Sq. Ft. _____ Rooms _____ Stories _____ Structures _____

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 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.



Dangerous Structures Survey Report

Fire Marshal

Case #1826

A. PROPERTY DESCRIPTION

Address: 2312 SOUTHSIDE DRIVE

Lot(s) 26 & PT OF 25 Block(s) 13 Addition(s) MARGARET WALLACE

Owner(s) JOSPEH SKOPIK

Mailing Address 101 N TEMPLE STREET, CALDWELL TX 77836-1437

B. SPECIFICATIONS

Sq. Ft. _____ Rooms _____ Stories 1 Structures 1

STRUCTURAL USE

CONSTRUCTION

OCCUPANCY

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

Box
 1 Frame
 Masonry
 Mobile Home

Occupied
 1 Vacant
 1 Open

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 100% 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.
- X 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 Xdangerous, 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

- 1. WIRING REMOVED
- 2. BEES IN WALL
- 3. HOLES IN WALLS
- 4. HOLES IN CEILING
- 5. NO HEATING SYSEM
- 6. GANG TAGS THROUGHOUT

Signature _____ FRED TAYLOR DFM _____ 1-23-12 _____
Printed Name/Title Date

Case # _____