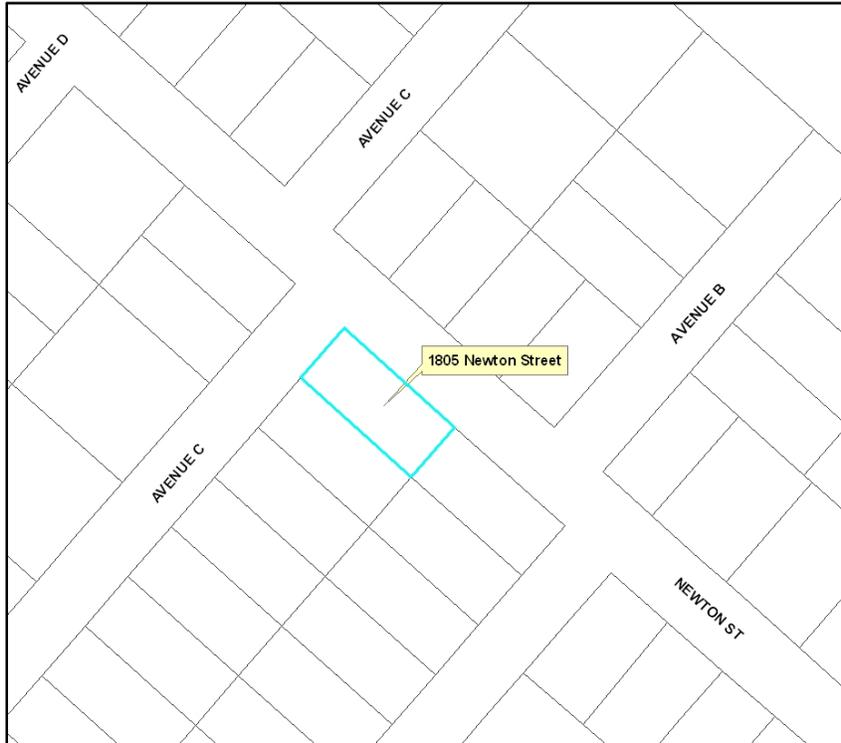


**BUILDING AND STANDARDS COMMISSION
STAFF REPORT**

March 26, 2011



Case #1836 – 1805 Newton



LEGAL DESCRIPTION: Lot 9 in Block E of Jones-Brock Subdivision

STRUCTURE(S):

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

PROPERTY OWNER(S): Agapita Gonzalez-Galicia

LIENHOLDER(S)/

MORTGAGEE(S): none

IMPROVEMENT VALUE(S)

**(AS APPRAISED BY THE
BRAZOS COUNTY**

APPRAISAL DISTRICT): \$500 (2011 tax year)

Background:

On November 3, 2011 Code Enforcement Department received a concern that this accessory structure was turned into a dwelling and had individuals living in it. The Fire Marshal and Building Inspector were called out to this location to inspect and found the conditions to be hazardous. Maria "Susie" Contreras and her spouse John Paul Camarillo were found to be using this structure as a dwelling. They were leasing out the space from Ms. Gonzalez-Galicia. The inspection revealed electrical/plumbing hazards and violations. The property owner, Ms. Gonzalez-Galicia, was asked to disconnect electricity from the main breaker box to this structure because she was overloading the breaker system of the house and had high risk of fire under the current conditions. In addition, unpermitted plumbing and electrical work was completed for the bathroom and kitchen of this accessory structure. It was also observed that a propane barbecue pit was possibly being used inside. The tenants were recommended to seek shelter at Twin City Mission where they would have a place they could stay at without being in danger. City of Bryan staff also assisted the tenants in applying with Bryan Housing to get permanent housing; which they were accepted and now have an apartment of their own.

ATTACHMENTS:

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

**BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION**



March 26, 2012

**Case #: 1836
Building Address: 1005 Newton Street
Record Owner(s): Agapita Gonzalez-Galicia**

The City's Chief Building Official has requested this Commission hearing to discuss the accessory structure 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 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 is 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 accessory structure 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 accessory structure 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 accessory structure 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: 2/14/12 & 2/15/12,













CITY OF BRYAN
The Good Life, Texas Style

Dangerous Structures Survey Report

Chief Building Official

Case #1836

Accessory structure only

A. PROPERTY DESCRIPTION

Address 1805 Newton Street (Accessory structure only)

Lot(s) 9 Block(s) E Addition(s) Jones-Brock

Owner(s) Gonzalez-Galicia Agapita

Mailing Address 1805 Newton Street, Bryan, TX 77803-1290

B. SPECIFICATIONS

Sq. Ft. _____ Rooms 3-4 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 / CITY ORDINANCES
- 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.

Case # _____

Page 1 of 2

- 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) EXPOSED ROMEX WIRING ON EXTERIOR (2) PROPANE BBQ PIT IN KITCHEN (3) TIRES/JUNK OPEN STORAGE (4) BROKEN WINDOWS (5) OPEN SEWER (6) ORIGINALLY ACCESSORY STORAGE BUILT W/O PERMITS AND CONVERTED TO SECOND HOUSE ON LOT (ZONING VIOLATION)

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.

Signature Gregory S. Cox

Printed Name GREGORY S. COX

Date 2-14-12

Case # _____



CITY OF BRYAN
The Good Life, Texas Style

Dangerous Structures Survey Report

Code Enforcement

Case #1836

Accessory structure only

A. PROPERTY DESCRIPTION

Address 1805 Newton Street (Accessory structure only)

Lot(s) 9 Block(s) E Addition(s) Jones-Brock

Owner(s) Gonzalez-Galicia Agapita

Mailing Address 1805 Newton Street, Bryan, TX 77803-1290

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 Southend
- Mobile Home

- 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.

COMMENTS Electrical has been disconnected by owner. There is still water/sewer connected to this accessory structure and numerous items are being stored inside belonging to Marcia Contreras the previous tenant. Tiles/roof shingles and other material being stored outside. Several dog kennels with different dog breeds.

Sandra Willis
Signature

Sandra Willis / Code Officer
Printed Name/Title

2-14-12
Date

Case # 1836

Page 2 of 2



CITY OF BRYAN
The Good Life, Texas Style™

Dangerous Structures Survey Report

Fire Marshal

Case #1836

Accessory structure only

A. PROPERTY DESCRIPTION

Address 1805 Newton Street (Accessory structure only)

Lot(s) 9 Block(s) E Addition(s) Jones-Brock

Owner(s) Gonzalez-Galicia Agapita

Mailing Address 1805 Newton Street, Bryan, TX 77803-1290

B. SPECIFICATIONS

Sq. Ft. _____ Rooms 3 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 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.
- 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:

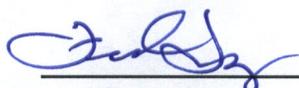
A. ___ Be vacated OR remain unoccupied; and

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

Holes in ceiling
unsafe wiring
open plumbing
no secondary exits
Cooking illegally cooking with propane bottle and burner

 FRED TAYLOR DSM 2-14-12