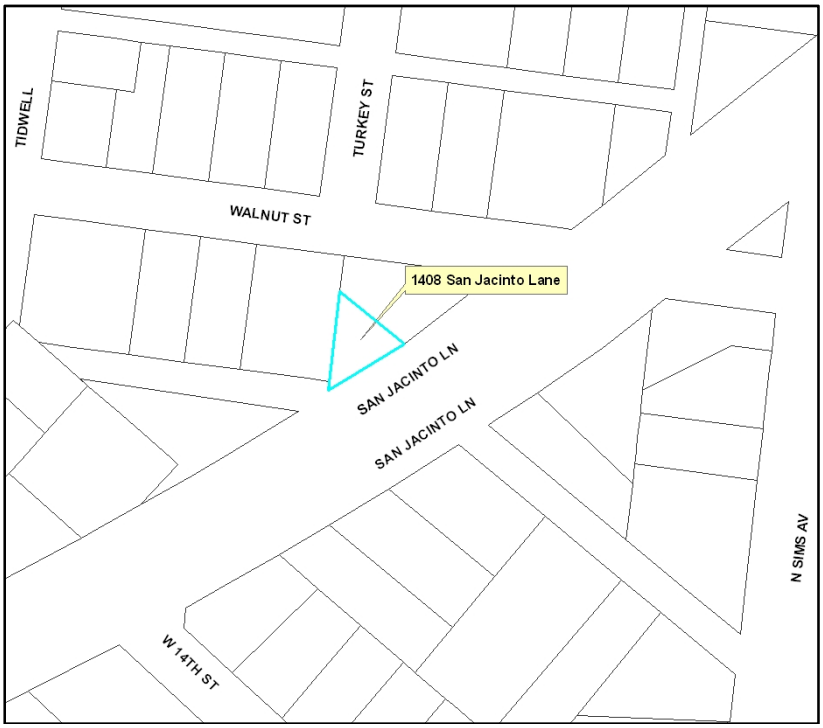
BUILDING AND STANDARDS COMMISSION
STAFF REPORT

March 26, 2011

CITY OF BRYAN

Case #1835 – 1408 San Jacinto Lane



LEGAL DESCRIPTION: Lot 4 and parts of 5 in Block 47 of Oak Grove Park Subdivision

STRUCTURE(S):

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

PROPERTY OWNER(S): Roy Guerra

LIENHOLDER(S)/ MORTGAGEE(S): none

IMPROVEMENT VALUE(S) (AS APPRAISED BY THE BRAZOS COUNTY APPRAISAL DISTRICT): $9,820 (2011 tax year)

Background: This property was brought to Code Enforcement's attention due to the structure being vacant and the dilapidated condition of the front porch. In January 2012 city staff spoke with Mrs. Sifuentez, the property owner's sister. City staff was made aware that owner is in a nursing home and that this structure is involved in Medicare Recovery. On February 24, 2012, Mrs. Sifuentez phoned to advise she had found a realtor interested in purchasing the structure but was working out the details with Medicare on how that would affect her brother's care and benefits. She said in the meantime she would work towards having the property maintained and have it secured by the BIG EVENT volunteers.

ATTACHMENTS:

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

BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION

March 26, 2012

Case #: 1835
Building Address: 1408 San Jacinto Lane
Record Owner(s): Roy Guerra

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 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 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 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

Dangerous Structures Survey Report

CITY OF BRYAN
The Good Life, Texas Style.

Chief Building Official **Case #1835**

A. PROPERTY DESCRIPTION

Address 1408 San Jacinto Lane

Lot(s) 4-5 (pt of) Block(s) 47 Addition(s) Oak Grove Park

Owner(s) Guerra Roy %Sifuentez, Mary Helen Etal

Mailing Address 4404 Pembrook Lane, Bryan TX 77802-5640

B. SPECIFICATIONS

Sq. Ft. 609 Rooms 4 Stories 1 Structures 1

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 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) PORCH ROOF DEFLECTING PORCH IS DILAPIDATED (COULD FALL) (2) BATH ROOM FLOOR IS ROTTEN (3) TUB SURROUND IS ROTTEN (TUB FALLING THRU) (4) SOME EVIDENCE OF WIRE BEING STOLEN (5) NO VENT ON GAS WATER HEATER / T&P NOT PLUMBED (6) BACK WALL ROTTEN W/HOLES TO EXTERIOR (7.) NO HEATING SYSTEM (8) ROOF SHOWS SIGNS OF DEFLECTION (9.) DAMAGED SIDING (10) NO BACK LANDING OR STEPS (11.) HOUSE HAS HAD A FIRE IN ATTIC (REPAIRED) (12.) HOLES IN GABLE END

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 — GREGORY S. COX — 2-14-12

Signature — Printed Name — Date

Case # ____

CITY OF BRYAN
The Good Life, Texas Style.

Dangerous Structures Survey Report

Code Enforcement Case #1835

A. PROPERTY DESCRIPTION

Address 1408 San Jacinto Lane

Lot(s) 4-5 (pt of) Block(s) 47 Addition(s) Oak Grove Park

Owner(s) Guerra Roy %Sifuentez, Mary Helen Etal

Mailing Address 4404 Pembrook Lane, Bryan TX 77802-5640

B. SPECIFICATIONS

Sq. Ft._____ Rooms_____ Stories 1 Structures 1

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

C. FINDINGS

X 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.

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 Electric meter removed and disconnected at weatherhead.

Sandra J Willis | Sandra Willis / Code Officer | 2/14/12

Signature | **Printed Name/Title** | **Date**

Case # 1835

CITY OF BRYAN
The Good Life, Texas Style.

Dangerous Structures Survey Report

Fire Marshal

Case #1835

A. PROPERTY DESCRIPTION

Address 1408 San Jacinto Lane

Lot(s) 4-5 (pt of) Block(s) 47 Addition(s) Oak Grove Park

Owner(s) Guerra Roy %Sifuentez, Mary Helen Etal

Mailing Address 4404 Pembrook Lane, Bryan TX 77802-5640

B. SPECIFICATIONS

Sq. Ft._____ Rooms_____ Stories 1 Structures 1

STRUCTURAL USE

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

CONSTRUCTION

- ____ Box
- X Frame
- ____ Masonry
- ____ Mobile Home

OCCUPANCY

- V Occupied
- ____ Vacant
- ____ 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.

__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. ___ Be vacated OR __^__ remain unoccupied; and

B. ___ Be repaired OR __X__ be demolished.

__X__ 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 Rotten Siding
Rotten Floor Beams
Electrical wiring cut out
Broken window
Open walls
Rotten floor
unvented gas wtr htr
cooktop on counter for cook stove
Rotten walls around tub

FRED TAYLOR AFM 2-14-12

Case # _____