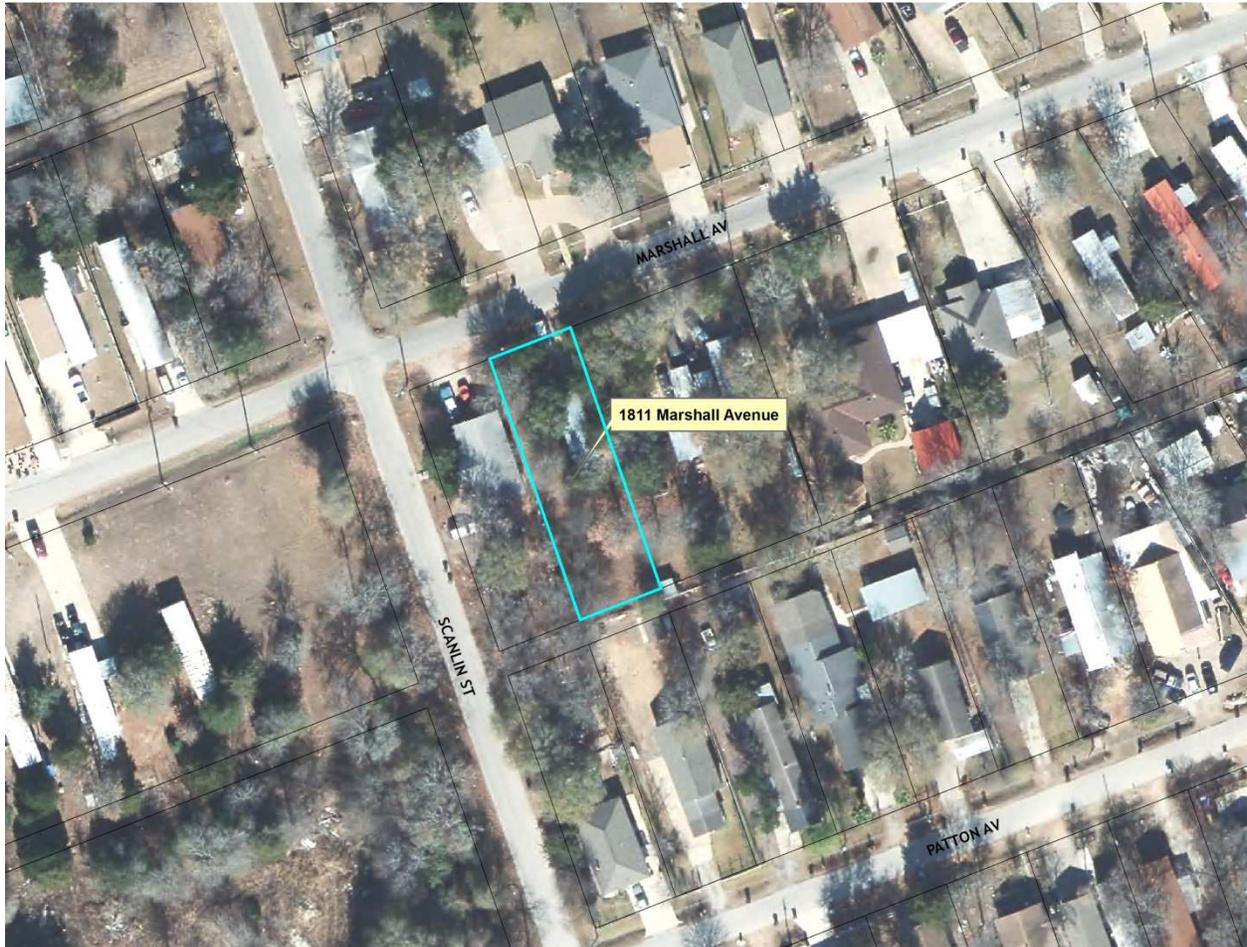


**BUILDING AND STANDARDS COMMISSION
STAFF REPORT**

October 22, 2012



Case #1877 – 1811 Marshall Avenue



LEGAL DESCRIPTION: Lot 2 in Block 8 of Darwin Subdivision of Scanlan Subdivision

STRUCTURE(S):

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

PROPERTY OWNER(S): Macario Rivera

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

**IMPROVEMENT VALUE(S)
(AS APPRAISED BY THE
BRAZOS COUNTY
APPRAISAL DISTRICT):** \$1,200 (2012 tax year); 1958 MOBILE HOME

BACKGROUND:

In June 2012, the City received a complaint about conditions at 1811 Marshall Avenue from the current tenant. A Code Enforcement Officer had made contact with tenant initially about high grass/weeds and parking issues. The tenant complained that the landlord was not fixing anything and they had to have the refrigerator outside and plugged into an extension cord.

On July 18, 2012, the City was asked by the tenant to inspect the home. A Fire Marshall and Code Enforcement Officer inspected the home with the tenant and found, among other things, water damage to ceiling finishes in living room, possible structural damage, several walls loose around windows, possible structural damage, open walls in bathroom, spliced electrical wiring and exposed electrical wiring, stove not working, no working heating system, refrigerator outside and plugged into extension cords, A/C unit in window and plugged into extension cords, plumbing sewer issues, and storage of combustible materials outside, under, and around the home.

The tenant moved out of the house on July 19, 2012. That same day, City staff placed a hold on utilities and scheduled this property for consideration by the Building and Standards Commission.

ATTACHMENTS:

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

**BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION**



October 22, 2012

Case #: 1877

Building Address: 1811 Marshall Avenue

Record Owner(s): Macario Rivera

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:

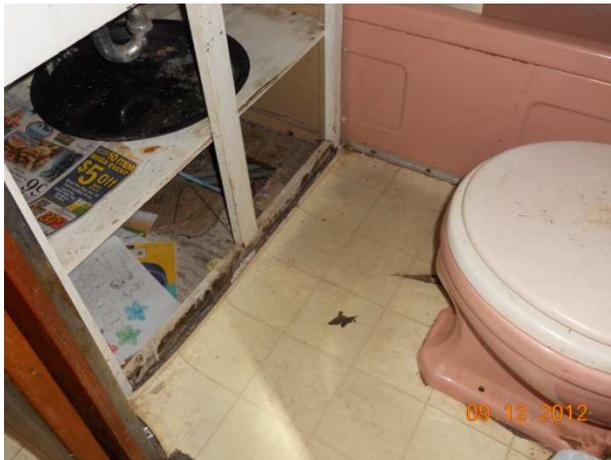
Deadline

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:



New electrical and no permits





CITY OF BRYAN
The Good Life, Texas Style.

Dangerous Structures Survey Report

Chief Building Official

Case # 1877

A. PROPERTY DESCRIPTION

Address 1811 Marshall Avenue

Lot(s) 2 Block(s) 8 Addition(s) Darwin Subd. Of Scanlan Subd

Owner(s) Macario P Rivera

Mailing Address 1807 Marshall Avenue, Bryan Texas 77803-2233

B. SPECIFICATIONS

Sq. Ft. _____ Rooms 5+ Stories 1 Structures 2

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) TIRES & AXLES STILL INSTALLED (2) NO RAFTER TIES ON CARPORT STRUCTURE (3) NO LANDING @ BACK DOOR (4) FRONT DOOR STEPS MTL - 1ST TREAD BROKEN (5) HOLE IN BATH ROOM WALL - TUB SURROUND DAMAGED (6) ELEC WATER HEATER - NO DRAIN PAN (7) SOME INTERIOR WATER DAMAGE (8) BACK BED ROOM (9) LIVING ROOM WINDOW MISSING

MOBILE HOME WITH ROOF STRUCTURE BUILT OVER

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

9-12-12

Signature

Printed Name

Date

Case # _____



CITY OF BRYAN
The Good Life, Texas Style.

Dangerous Structures Survey Report

Code Enforcement

Case # 1877

A. PROPERTY DESCRIPTION

Address 1811 Marshall Avenue

Lot(s) 2 Block(s) 8 Addition(s) Darwin Subd. Of Scanlan Subd

Owner(s) Macario P Rivera

Mailing Address 1807 Marshall Avenue, Bryan Texas 77803-2233

B. SPECIFICATIONS

Sq. Ft. _____

Rooms _____

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 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.



CITY OF BRYAN
The Good Life, Texas Style.

Dangerous Structures Survey Report

Fire Marshal

Case # 1877

A. PROPERTY DESCRIPTION

Address 1811 Marshall Avenue

Lot(s) 2 Block(s) 8 Addition(s) Darwin Subd. Of Scanlan Subd

Owner(s) Macario P Rivera

Mailing Address 1807 Marshall Avenue, Bryan Texas 77803-2233

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 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

Rotten Ceiling

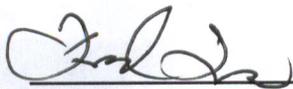
Pre '76

exposed wiring

unpermitted electrical

open walls

open floor



Signature

FRED TAYLOR / DSM

Printed Name/Title

9-12-12

Date