

**BUILDING AND STANDARDS COMMISSION
STAFF REPORT**

July 22, 2013



Case #1959 – 3409 E SH 21



LEGAL DESCRIPTION: Lot 8 of Carrabba Estates

STRUCTURE(S):

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

PROPERTY OWNER(S): Shirley Diane Whiteley

**LIENHOLDER(S)/
MORTGAGEE(S):**

none

**IMPROVEMENT VALUE(S)
(AS APPRAISED BY THE
BRAZOS COUNTY
APPRAISAL DISTRICT):**

\$1,920 (2013 tax year)

BACKGROUND:

City staff noticed the structure was partially collapsing and unsecured in early 2013. The property owner was notified and agreed to remove the structure. A demolition contractor was retained in early July who applied for a demolition permit on July 9, 2013. As of the writing of this staff report, the structure remains standing.

ATTACHMENTS:

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

**BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION**



July 22, 2013

Case #: 1959

Building Address: 3409 E SH 21

Record Owner(s): Shirley Diane Whiteley

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 from unauthorized entry within 7 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 recommends that the Commission orders that the City may:

- disconnect water and electric utilities to the building.**
- secure the structure, 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 TAKEN 06/04/2013:





CITY OF BRYAN
"The Good Life, Texas Style"

Dangerous Structures Survey Report

Chief Building Official

Case 1959 - SH

A. PROPERTY DESCRIPTION

Address: 3409 E SH 21

Lot(s) 8 Block(s) _____ Addition(s) Carrabba Estates

Owner(s) Shirley Diane Whiteley

Mailing Address: 1808 N Hwy 95, Little River Academy, Texas 76554-2720

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
- METAL BLDG

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 IBC / 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) UNSECURED (2) BATH ROOM WAS NOT BUILT TO CODE - MOST OF IT HAS COLLAPSED & SEWER IS OPEN (3) PARTIAL WOOD & METAL WELD UP BUILDING - QUESTIONABLE CONSTRUCTION AND PROBABLY DOES NOT MEET 90 MPH WIND SPEEDS (4) ELECTRICAL DAMAGED

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

6-7-13
Date



CITY OF BRYAN
The Good Life, Texas Style.

Dangerous Structures Survey Report

Code Enforcement

Case #1959 - SH

A. PROPERTY DESCRIPTION

Address: 3409 E SH 21

Lot(s) 8 Block(s) _____ Addition(s) Carrabba Estates

Owner(s) Shirley Diane Whiteley

Mailing Address: 1808 N Hwy 95, Little River Academy, Texas 76554-2720

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.



CITY OF BRYAN
The Good Life, Texas Style™

Dangerous Structures Survey Report

Fire Marshal

Case 1959 - SH

A. PROPERTY DESCRIPTION

Address: 3409 E SH 21

Lot(s) 8 Block(s) _____ Addition(s) Carrabba Estates

Owner(s) Shirley Diane Whiteley

Mailing Address: 1808 N Hwy 95, Little River Academy, Texas 76554-2720

B. SPECIFICATIONS

Sq. Ft. _____

Rooms _____

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

Pole Barn

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.

X 07. The structure or a part thereof is in violation of the City's fire code.
D. DETERMINATION

- Y 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 X remain unoccupied; and
 - B. ___ Be repaired OR X 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

PARTIAL Collapse
Holes in walls
open electrical
unsecured

Chief Ed Fred Taylor Deputy Fire Marshal 6-7-13