

**BUILDING AND STANDARDS COMMISSION  
STAFF REPORT**

**November 25, 2013**



**Case #1961 – 1221 Bruce Street**



**LEGAL DESCRIPTION:** Lot 8 in Blocks 11 and 12 of Bryan's 1st

**STRUCTURE(S):**

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

**PROPERTY OWNER(S):** Arthur R. Harrison

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

**IMPROVEMENT VALUE(S)  
(AS APPRAISED BY THE  
BRAZOS COUNTY  
APPRAISAL DISTRICT):** \$4,010 (2013 tax year)

**BACKGROUND:**

In August 2012, the Chief Building Official was contacted by a neighbor about the apparently unsafe conditions of the home on this property and concern for the elderly tenant. Notices were sent to the owner for repairs to the electrical system and the water heater, requesting further inspections of the interior. The owner was unresponsive. In May 2013, the City received a second complaint from St. Vincent de Paul and concern for the elderly tenant. City staff obtained a search warrant and inspected the home in early June and also met with the owner. An electrical permit was obtained on June 10, 13 by a licensed electrician and the damaged electrical service was rebuilt / relocated and approved on June 13, 2013.

During its meeting on July 22, 2013, the Building and Standards Commission ordered that the structure be repaired within 90 days in accordance with the repair schedule below.

<u>Deadline</u>	<u>Task</u>
15 days	Licensed Plumber obtain plumbing/mechanical permit and repair / replace water heater and vent. Due to age of structure, gas test should be performed.
30 days	Obtain building permit and have a licensed electrician obtain electrical permit.
60 days	Repair damaged exterior siding and wall framing where walls are loose; rewire house and upgrade electrical system and components to 2011 National Electrical Code requirements, including smoke detectors and carbon monoxide detectors per code; call for city inspections prior to covering work.

90 days            Obtain mechanical/plumbing permit for install of an approved heating system capable of heating the entire home.

Obtain city approvals for all work and repairs, and obtain new Certificate of Occupancy.

The only item that was completed per the above repair schedule was a plumbing permit for a new water heater. The water heater installation was approved by the City's Plumbing Inspector on the fourth inspection (August 5, 6, 9 and 14, 2013).

During this meeting on November 25, 2013, the property owner must demonstrate compliance with the time schedule which was included in the Commission's order on July 22, 2013. 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.** Commissioners may issue a new order to the owner, lienholder, or mortgagee to comply with a new time schedule for repair; or issue a new order that the structure 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.) dangerous structures survey reports

**BUILDING AND STANDARDS COMMISSION  
STAFF RECOMMENDATION**



**November 25, 2013**

**Case #: 1961**

**Building Address: 1221 Bruce Street**

**Record Owner(s): Arthur R. Harrison**

**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 and demolish/remove the building within 30 days or repair the building within 30 days, in accordance with the schedule below:**

**Deadline**

**Task**

**30 days**

**Obtain building permit and have licensed electrician obtain electrical permit to repair/rewire to 2011 National Electric Code requirements, including smoke detectors and carbon monoxide detectors; call for City inspections prior to covering work**

**Obtain mechanical/plumbing permit for install of an approved heating system capable of heating the entire home**

**Obtain City approvals for all work and repairs and obtain a new Certificate of Occupancy**

- appear before the Commission at the January 27, 2014 regular meeting to demonstrate compliance with the repair schedule, unless the building is demolished/removed.**

**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:







# Dangerous Structures Survey Report

Chief Building Official

Case 1961 - SH

A. PROPERTY DESCRIPTION

Address: 1221 Bruce Street

Lot(s) 8 Block(s) 11 & 12 Addition(s) Bryan's 1st

Owner(s) Arthur R Harrison

Mailing Address: 2536 Pinon Ct Bryan Texas 77802-1785

B. SPECIFICATIONS

Sq. Ft. \_\_\_\_\_

Rooms 6

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
- X 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.
- X 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  
X 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) FRONT PORCH HAS FOUNDATION PROBLEMS
- (2) ELECTRICAL SERVICE IS ON ROOF AND NEEDS REPAIR.
- (3) EXPOSED ELECTRICAL WIRING INSIDE (4) NO WORKING SMOKE DETECTORS (5) NOT ENOUGH ELECTRICAL OUTLETS
- (6) ROTTEN WALLS AROUND WINDOWS ON NORTH SIDE OF HOUSE
- (7) <sup>GAS</sup> WATER HEATER NEEDS REPAIRS (FLOOR ROTTEN UNDER) (8) OPENINGS IN EXTENSION SIDING (9) CORDS SPliced AT CLOTHES WASHER - NEEDS OUTLET (10) OPEN YARD SEWER

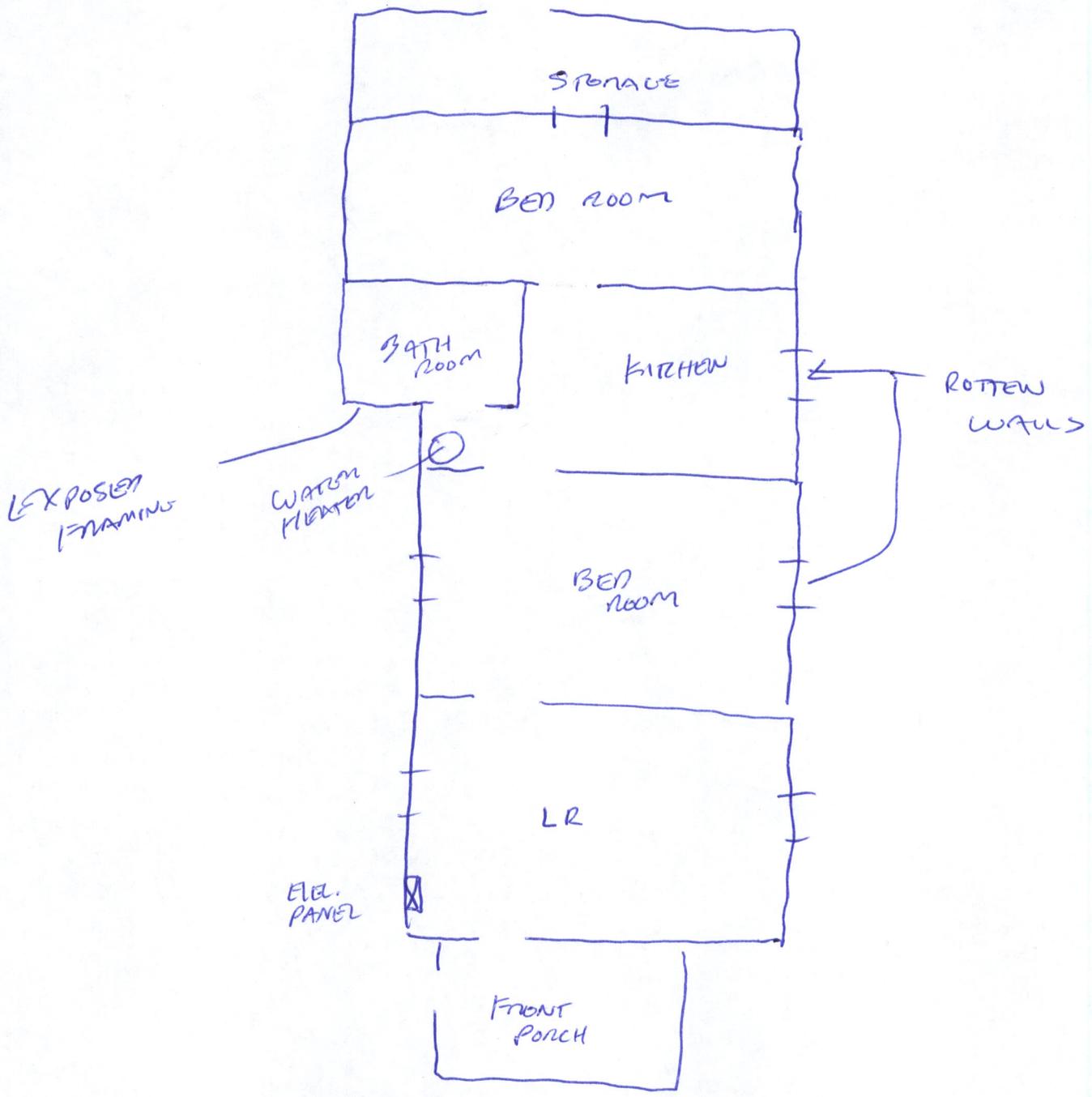
**D. DETERMINATION**

- 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. X 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. Fox*  
Signature

Gregory S. Fox  
Printed Name

6-10-13  
Date





CITY OF BRYAN  
The Good Life, Texas Style™

# Dangerous Structures Survey Report

Code Enforcement

Case #1961 - SH

A. PROPERTY DESCRIPTION

Address: 1221 Bruce Street

Lot(s) 8 Block(s) 11 & 12 Addition(s) Bryan's 1st

Owner(s) Arthur R Harrison

Mailing Address: 2536 Pinon Ct Bryan Texas 77802-1785

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 1961 - SH

A. PROPERTY DESCRIPTION

Address: 1221 Bruce Street

Lot(s) 8 Block(s) 11 & 12 Addition(s) Bryan's 1st

Owner(s) Arthur R Harrison

Mailing Address: 2536 Pinon Ct Bryan Texas 77802-1785

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 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 70% 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

- 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. X Be vacated OR \_\_\_ 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

walls out of plumb  
inadequate wiring (2-30A fuses & knife switch, no service)  
leaking water heater  
open exterior walls  
electrical service lying on road  
uneven floors  
window frames pulling loose from walls

Joe DeLoe Fire Station Deputy Fire Marshal 6-7-13