

**BUILDING AND STANDARDS COMMISSION  
STAFF REPORT**

**October 28, 2013**



**Case #1945 – 1105 North Preston Avenue**



**LEGAL DESCRIPTION:** Lot 13 in Conlee #2 West of Polk

**STRUCTURE(S):**

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

**PROPERTY OWNER(S):** Refus Washington Estate

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

**IMPROVEMENT VALUE(S)  
(AS APPRAISED BY THE  
BRAZOS COUNTY  
APPRAISAL DISTRICT):** \$9,580 (2013 tax year)

**BACKGROUND:** City staff became aware of the dilapidated condition of this home in September 2012 while responding to complaints about other dilapidated structures in the neighborhood. In the months that followed, City staff spoke repeatedly with the owners who occupy this home as well as a contractor who had been engaged by the owners at one point to repair the structure. The contractor concluded that it would be cheaper to rebuild rather than trying to raise and level the structure. The house is box frame and its northwest side has sunk into the ground. The floors in the home are partially dirt due to the original floor rotting away. There are electrical and plumbing issues and most of the structure appears to be rotten or insect damaged.

**ATTACHMENTS:**

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

**BUILDING AND STANDARDS COMMISSION  
STAFF RECOMMENDATION**



**October 28, 2013**

**Case #: 1945**

**Building Address: 1105 N Preston Avenue**

**Record Owner(s): Refus Washington Estate**

**The City's Chief Building Official has requested this Commission hearing to discuss the building one (1) accessory structure(s) 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 and/or 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(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 30 days.**
- secure the building  and accessory structure(s) from unauthorized entry within \_\_\_ days.
- demolish/remove the building and accessory structure within 60 days.**
- demolish/remove or  repair the building  and accessory structure(s) within \_\_\_ days, in accordance with the schedule below:

Deadline

Task

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- 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 and/or accessory structure(s).**
- secure the structure, demolish the building and/or accessory structure(s) 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: 09-10-13 & 09-11-13**







# Dangerous Structures Survey Report

Chief Building Official

Case #1945

A. **PROPERTY ADDRESS:** 1105 N Preston Avenue, Conlee #2, Lot 13, West of Polk

B. **SPECIFICATIONS:** No. Rooms 4 No. Stories 1 No. Structures 2

**STRUCTURAL USE**

- Residential/Single Family
- Mixed Use
- Commercial
- Residential/Multi Family
- Accessory Structure(s)

**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:

2011 New, 2009 IRC

Main structure?  Accessory structure?

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. Main structure?  Accessory structure?

03. The foundation or the vertical or horizontal supporting members are materially damaged or deteriorated. Main structure?  Accessory structure?

04. The non-supporting coverings of walls, ceilings, roofs, or floors are materially damaged or deteriorated. Main structure?  Accessory structure?

05. The structure has improperly distributed loads upon the structural members, or they have insufficient strength to be reasonably safe for the purpose used. Main structure?  Accessory structure?

06. The structure or any part thereof has inadequate means of egress as required by the city's building code. Main structure?  Accessory structure?

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:

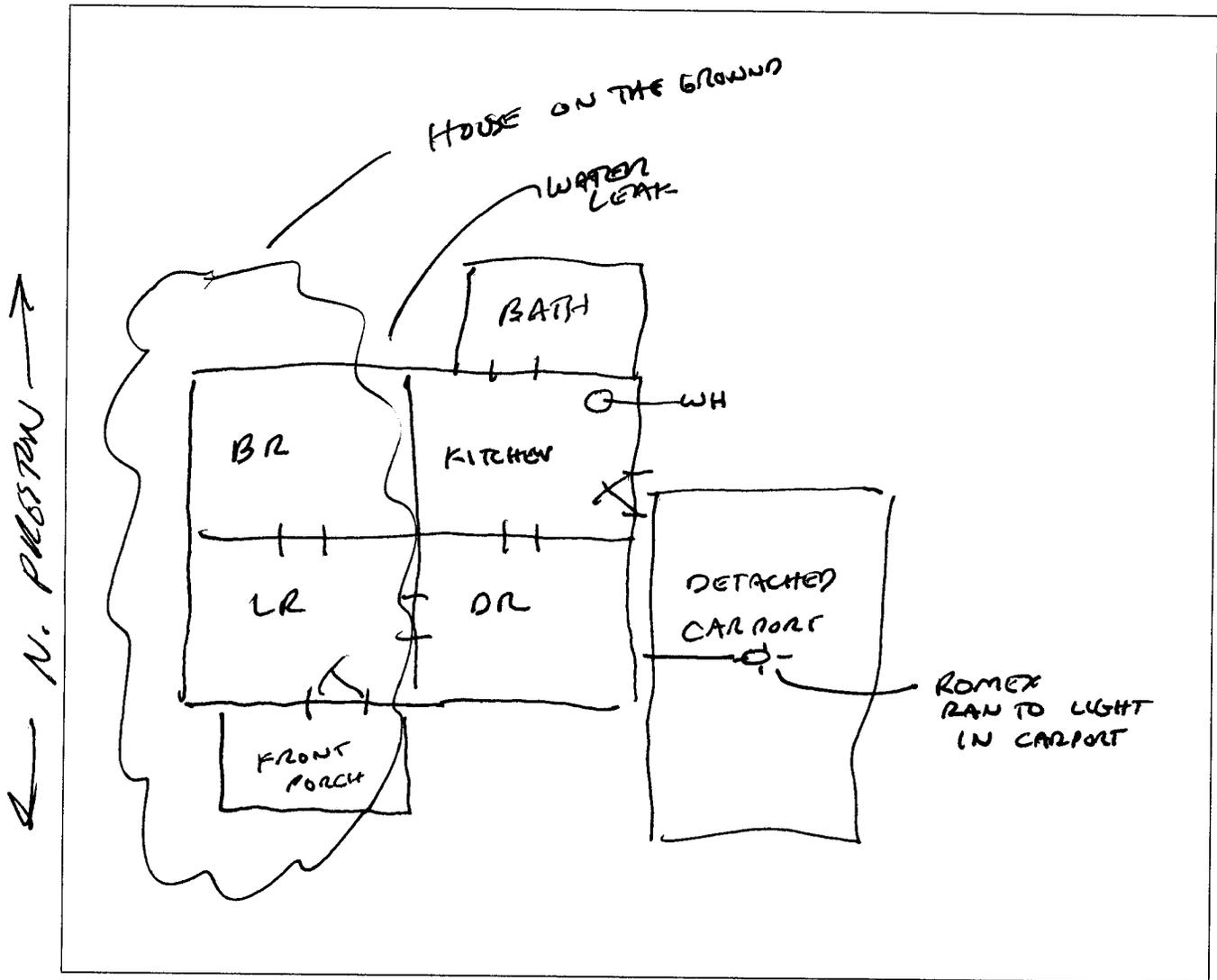
- light
- ventilation
- sanitation facilities

Main structure?  Accessory structure?

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.  
Main structure?  Accessory structure? \_\_\_\_\_
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  
Main structure?  Accessory structure? \_\_\_\_\_
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  
Main structure?  Accessory structure? \_\_\_\_\_
- \_\_\_\_ 11. The building, structure, or a part thereof, is unsecured and open.  
Main structure? \_\_\_\_\_ Accessory structure? \_\_\_\_\_

COMMENTS (1) FOUNDATION FAILURE, ROTTEN FLOORS & WALLS.  
(2) BOX FRAME CONSTRUCTION - MAY NOT BE ABLE  
TO BE REPAIRED FEASIBLY (3) OPEN CEILING ABOVE  
WATER HEATER. - ROTTEN FRAMING (4) MOST CEILINGS  
DAMAGED / FINISHES PULLING LOOSE (5) LOOSE LIGHT  
FIXTURES (6) EXTENSION CORDS (7) FIRE HAZARDS  
DUE TO FIXTURES LOOSE & EXTENSION CORDS. (8)  
REAR DOOR FROM KITCHEN BLOWN BY CARPORT.  
(9) FLOORS UNLEVEL - ON GROUND (10) <sup>MOST</sup> WALLS OUT OF PLUMB

D. FLOOR PLAN (if necessary)



E. 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 Craig E. Cox

Printed Name CRIGG E. COX

Date 9-18-13

Case # 1945



# Dangerous Structures Survey Report

Fire Marshal

Case #1945

A. PROPERTY ADDRESS: 1105 N Preston Avenue, Conlee #2, Lot 13, West of Polk

B. SPECIFICATIONS: No. Rooms \_\_\_\_\_ No. Stories 1 No. 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 main structure is considered a loss.  
I estimate that \_\_\_\_\_ % of the accessory 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.  
Main Structure?  Accessory Structure? \_\_\_\_\_
- 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.  
Main Structure?  Accessory Structure? \_\_\_\_\_
- 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.  
Main Structure?  Accessory Structure? \_\_\_\_\_
- 05. Obsolete, damaged, or deteriorated electric wiring, gas connections, heating apparatus, or other mechanical infrastructure present a risk of fire.  
Main Structure?  Accessory Structure? \_\_\_\_\_
- 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.  
Main Structure? \_\_\_\_\_ Accessory Structure? \_\_\_\_\_
- 07. The structure or a part thereof is in violation of the City's fire code.  
Main Structure?  Accessory Structure? \_\_\_\_\_

- \_\_\_ 08. The building, structure, or a part thereof is being used by criminals, vagrants, or squatters for the purpose of suspected illegal activity.  
Main Structure? \_\_\_ Accessory Structure? \_\_\_
- \_\_\_ 09. The building, structure, or a part thereof presents an attractive nuisance to children.  
Main Structure? \_\_\_ Accessory Structure? \_\_\_

COMMENTS Structure severely out of plumb

open wires

no CO detector

water leak

rotten floor

doors either blocked or won't open because of severity of structure out of plumb

Bedroom floor is on dirt

sheetrock pulling from ceiling

**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

FRED TAYLOR / DFM

Printed Name/Title

9-11-13

Date