

**BUILDING AND STANDARDS COMMISSION  
STAFF REPORT**

**April 28<sup>th</sup>, 2014**



**Case #2011 – 1416 Sandy Point Road**



**LEGAL DESCRIPTION:** Lot 5 &6 in Block 2 of Henderson Revised

**STRUCTURE(S):**

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

**PROPERTY OWNER(S):** Alfonso Ybarra Saenz

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

**IMPROVEMENT VALUE(S)  
(AS APPRAISED BY THE  
BRAZOS COUNTY  
APPRAISAL DISTRICT):** \$4,770 (2013 tax year)

**BACKGROUND:**

In April 2013, City Fire Marshal and Building Inspector noticed that the weather head was pulling loose from the building due to rot around the supports. Power and service drop was removed and the owner was notified.

In September 2013, the Building Official and Fire Marshal received a complaint from a citizen that the structure appeared dangerous and requested that the City take action.

In December 2013, the Building Official and Fire Marshal met with the owner and inspected the structure. The structure was found unsafe and in danger of collapse.

Notices were mailed to the listed property owner on January 29 and March 26, 2014. The owner has indicated to staff that his intention is to demolish the structure. Since the structure remains standing and staff never received plans or estimates for repairs, the Chief Building Official requested that the property be scheduled for consideration by the Commission.

**ATTACHMENTS:**

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

**BUILDING AND STANDARDS COMMISSION  
STAFF RECOMMENDATION**



**April 28, 2014**

**Case #: 2011**

**Building Address: 1416 Sandy Point Road**

**Record Owner(s): Alfonso Ybarra Saenz**

**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 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:**

- demolish the building and remove the debris within 30 days.**

**The City recommends that the Commission orders that the City may:**

- disconnect water and electric utilities to the building; and**
- 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: 3-11-14







# Dangerous Structures Survey Report

Chief Building Official

Case # 2011

A. **PROPERTY ADDRESS:** 1416 Sandy Point Road, Henderson Revised Addn, Block 2, Lot 5 & 6

B. **SPECIFICATIONS:** No. Rooms 5 +/- No. Stories 1 No. Structures 1

**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:

2009 IBC, IFC, IPC, IECC, 2005 NEC

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:

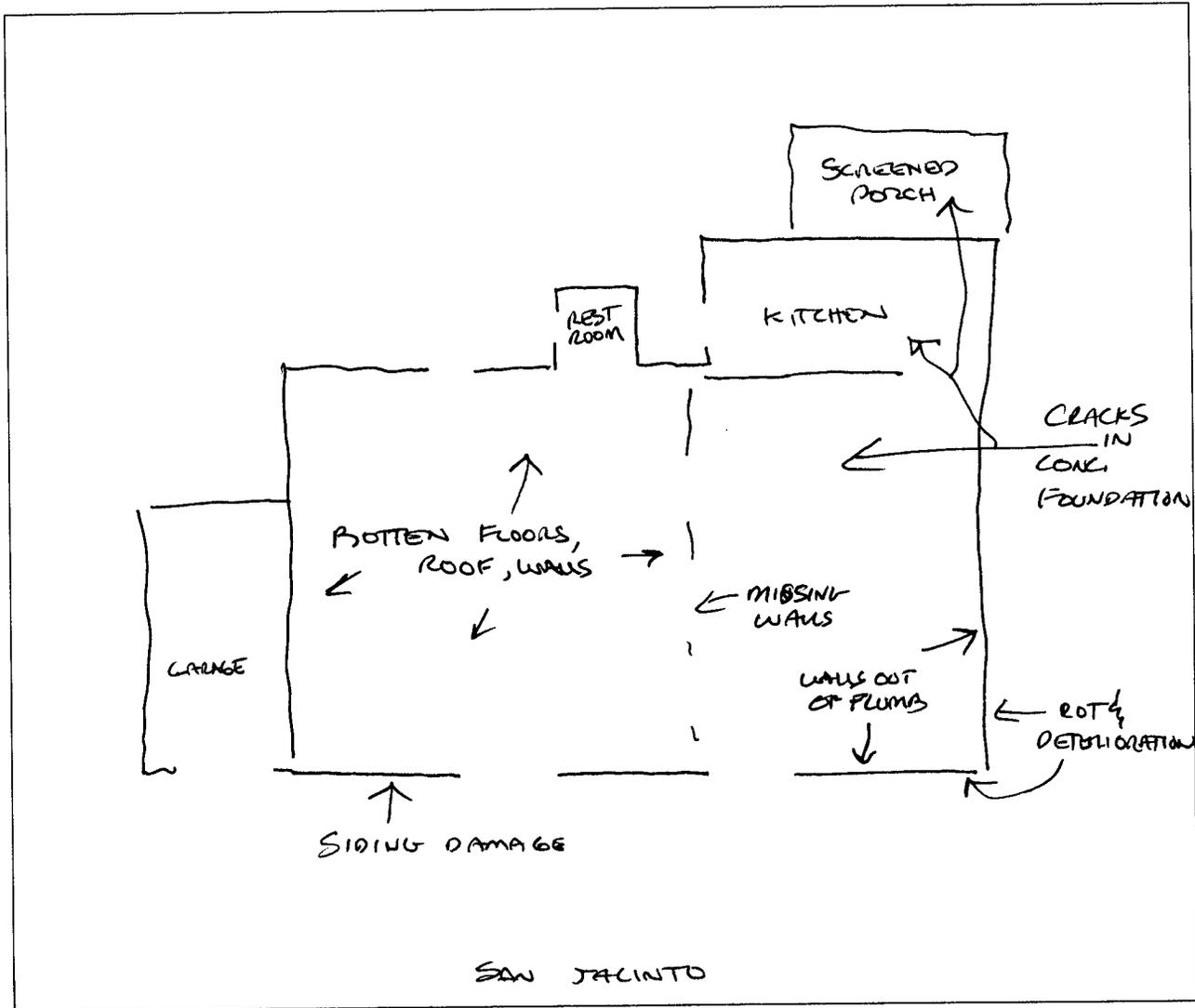
- light
- ventilation
- sanitation facilities

Main structure?  Accessory structure?

- 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.  
Main structure? X Accessory structure? \_\_\_\_\_
- X 09. Unable to give reasonable protection to any occupants from weather elements or danger of collapse because of:  
X Holes or cracks in the floor, exterior wall or roof  
X Loose, rotten, warped or protruding boards  
Main structure? X Accessory structure? \_\_\_\_\_
- X 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:  
X Defective materials  
X Structural deterioration  
X Interior walls or ceilings with holes, cracks or loose plaster  
Main structure? X Accessory structure? \_\_\_\_\_
- X 11. The building, structure, or a part thereof, is unsecured and open.  
Main structure? X Accessory structure? \_\_\_\_\_

COMMENTS (1) FORMER RESTURANT, NOW USED FOR STORAGE (2) ROOF HAS DETERIORATED ALLOWING WATER LEAKS INTO STRUCTURE. THERE IS A LOT OF ROT & DETERIORATION IN FOUNDATION, WALLS, AND ROOF. PARTS OF STRUCTURE APPEARS TO BE COLLAPSING. (3) REAR DOORS ARE UNSECURE (4) INTERIOR FINISHES ARE MORE THAN 50% DAMAGED. (5) <sup>CURRENT</sup> ZONING ~~DOES~~ <sup>MAY</sup> NOT ALLOW THIS USE. (6) LARGE CRACKS IN CONCRETE FOUNDATION (7) WALLS ROTTEN & OUT OF PLUMB (8) DAMAGED ELECTRICAL EQUIPMENT. (9) BROKEN WINDOWS, ETC.

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.

*Gregory S. Cox*  
Signature

Gregory S. Cox  
Printed Name

3-11-14  
Date



CITY OF BRYAN  
The Good Life, Texas Style.

# Dangerous Structures Survey Report

Fire Marshal

Case # 2011

A. **PROPERTY ADDRESS:** 1416 Sandy Point Road, Henderson Revised Addn, Block 2, Lot 5 & 6

B. **SPECIFICATIONS:** No. Rooms \_\_\_\_\_ No. Stories \_\_\_\_\_ 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 100 % 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?

~~X~~ 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? \_\_\_\_\_

X 09. The building, structure, or a part thereof presents an attractive nuisance to children.  
Main Structure? X Accessory Structure? \_\_\_\_\_

COMMENTS PARTIAL COLLAPSE

Rotten walls

Rotten floor

Leaks in roof

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 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.

  
Signature

Fred Taylor / AFM  
Printed Name/Title

3-11-14  
Date