

**BUILDING AND STANDARDS COMMISSION  
STAFF REPORT**

**February 24, 2014**



**Case #1998 – 211 Lynn Drive**



**LEGAL DESCRIPTION:** Lot 11 and 12 in Block C of Munnerlyn Village  
**STRUCTURE(S):**

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

**PROPERTY OWNER(S):** Ernest & Clarice Pivonka

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

**IMPROVEMENT VALUE(S)  
(AS APPRAISED BY THE  
BRAZOS COUNTY  
APPRAISAL DISTRICT):** \$860 (2013 tax year)

**BACKGROUND:** The Bryan Police Department notified City staff of the apparent unsafe condition of the manufactured home on this property in December 2013. Upon visiting the property, the main house and the accessory structure main house appeared to be abandoned and in dilapidated state.

A notice was mailed to the owner on December 14, 2013. Due to the apparent unsafe condition of the home, and since staff never received plans or estimates for repairs, so 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**



**February 24, 2014**

**Case #: 1998**

**Building Address: 211 Lynn Drive**

**Record Owner(s): Ernest & Clarice Pivonka**

**The City's Chief Building Official has requested this Commission hearing to discuss the building and one accessory structure 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 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 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 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 accessory structure 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 accessory structure; and**
- secure the structure, demolish the building and accessory structure 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: 01-13-14**





Storage Building





CITY OF BRYAN  
The Good Life, Texas Style.

# Dangerous Structures Survey Report

Chief Building Official

Case #1998

A. **PROPERTY ADDRESS:** 211 Lynn Drive, Munnerlyn Village, Block C, Lot 11 & 12

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

**STRUCTURAL USE**

**CONSTRUCTION**

**OCCUPANCY**

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

- Box
- Frame
- Masonry
- Mobile Home

- 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:

2005 NEC - 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

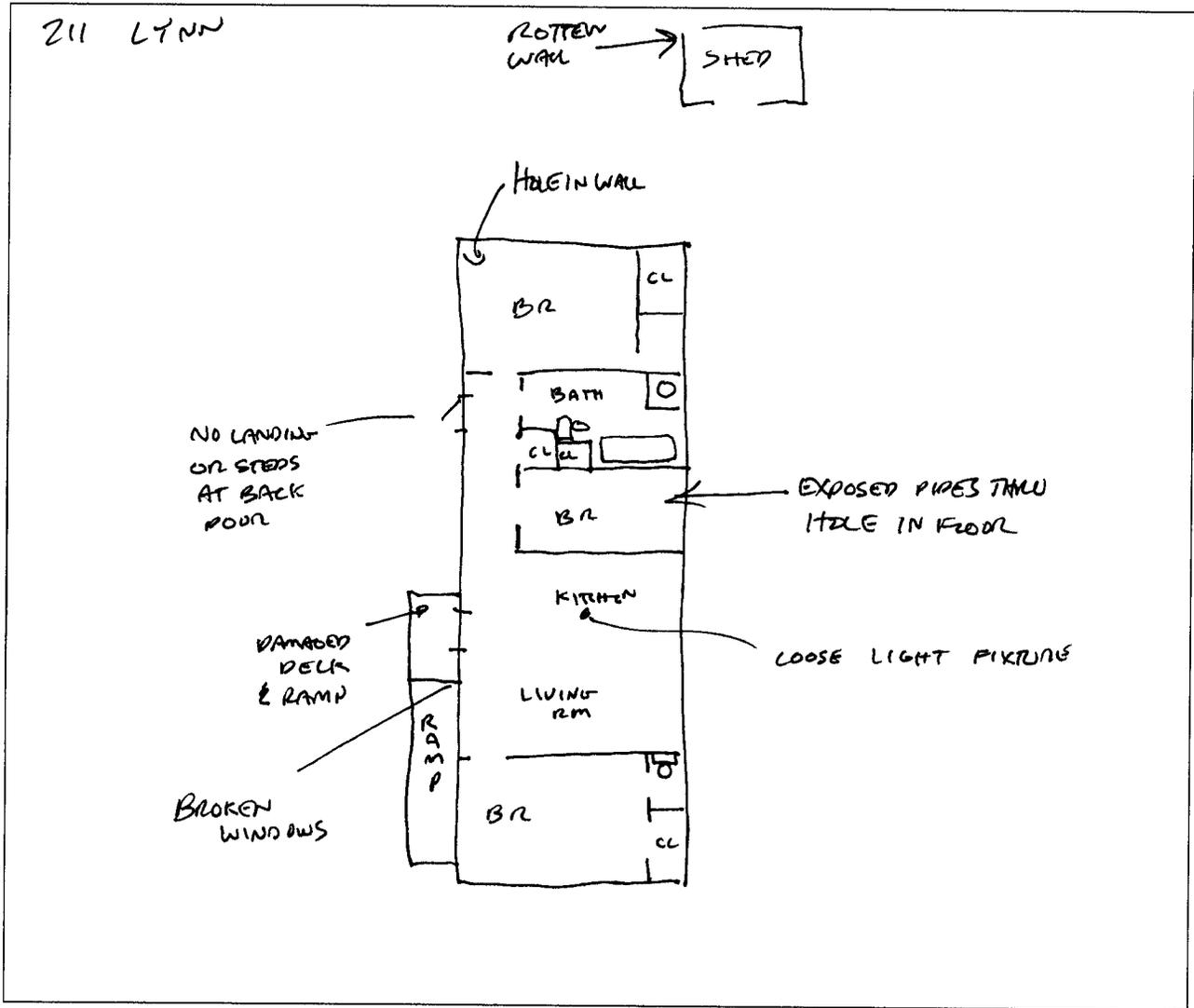
Main structure?  Accessory structure?

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

COMMENTS (1) BOTH MOBILE HOME AND ACCESSORY STRUCTURE  
ARE UNSECURED (2) FOUNDATION IS BAD, DAMAGED, MOBILE  
HOME IS UN-LEVEL (3) FLOOR IS ROTTEN THROUGHOUT THE STRUCTURE  
(4) DAMAGED & ROTTEN DECK, (5) BROKEN WINDOW GLASS  
(6) NO LANDING OR STEPS AT BACK DOOR (7) HOLES IN  
FLOORS IN HALL, BEDROOM & BATH. (8) LOOSE LIGHT  
FIXTURE IN KITCHEN (9) SHED HAS ROTTEN SIDING  
AND HOLES IN EXTERIOR WALLS (10) SHIRTING  
IS DAMAGED (11) TRASH AND DEBRIS INSIDE & IN YARD  
(12) EXTERIOR SIDING DAMAGE, BROKEN LIGHT FIXTURES

SHED - ROTTEN SIDING, FULL OF CLOTHES, TRASH, & DEBRIS

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.

*Craig S. Cox*  
Signature

Craig S. Cox  
Printed Name

01-17-14  
Date



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# Dangerous Structures Survey Report

Fire Marshal

Case #1998

A. PROPERTY ADDRESS: 211 Lynn Drive, Munnerlyn Village, Block C, Lot 11 & 12

B. SPECIFICATIONS: No. Rooms \_\_\_\_\_ No. Stories \_\_\_\_\_ No. Structures \_\_\_\_\_

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 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?

