

**BUILDING AND STANDARDS COMMISSION
STAFF REPORT**

January 27, 2014



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.

In July 2013, the Commission ordered that the building be repaired within 90 days in accordance with the repair schedule recommended by staff. The only item that was completed following that meeting a plumbing permit for a new water heater. The water heater installation was finally approved by the City's Plumbing Inspector on the fourth inspection (August 5, 6, 9 and 14, 2013).

On November 25, 2013, the Commission issued a new order for the repair of the building within 30 days. The following tasks were listed in the Commission's order to be accomplished in that time frame:

1. 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.
2. Obtain mechanical/plumbing permit for install of an approved heating system capable of heating the entire home.
3. Obtain City approvals for all work and repairs and obtain a new Certificate of Occupancy.

The Commission also ordered the property owner to appear during the Commission's meeting on January 27, 2014, to demonstrate compliance with the Commission's ordered repair schedule, unless the building is demolished or removed.

On January 17, 2014, City staff re-inspected the structure. The electrician had called for an electrical final, but during the inspection it was found that several plugs have been wired backwards, and the electrician needs to fix those and check all other plugs before calling for a re-inspection.

As of January 17, 2014, the owner has not completed all requested repairs. Per the Commission's order from July 22, 2013, the owner was supposed to repair all exterior siding and wall framing where the exterior walls are loose. The only items completed to date are repairs to water heater, electrical service repair, and re-wiring of the house to current 2011 NEC requirements. Some exterior siding has been repaired in an area where an exterior wall was previously open at the bath room, but the repairs appear to be only temporary at best with siding that does not match the original siding.

Staff met with the owner on or around November 26, 2013, and walked around the house with the owner. On that day, the loose walls were pointed out to the owner, as well as several areas where holes in the siding existed, a broken window, and another window that was not shut all the way of which the tenant had rags to fill the open gap. These conditions still exist as of January 17, 2014. It appears that the owner is not taking the Commission's orders for repairs seriously. Due to the age of the structure, if the exterior envelope is not maintained, the structure will continue to deteriorate. It also appears that the front porch has had additional deterioration over the past few months and needs repairs.

ATTACHMENTS:

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

**BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION**



January 27, 2014

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 building may feasibly be repaired so that it is no longer in violation of 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 from unauthorized entry within 30 days, and**
- obtain permits for repair of the building by submitting detailed plans for repairs, including cost estimates, to the City and complete the required repairs within 30 days.**

The City recommends that the Commission orders that in the event the owner, lienholder, or mortgagee fails to comply with this order, the City:

- will disconnect water and electric utilities to the building; and**
- may ensure the building is vacated and secure the building in accordance with Chapter 14 of the City of Bryan's Code of Ordinances.**

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) ^{GAS} WATER HEATER NEEDS REPAIRS (FLOOR ROTTEN UNDER) (8) OPENINGS IN EXTENSION SIDING (9) CORDS SPliced AT CLOTHES WASHER - NEEDS OUTLET (10) OPEN YARD SEWER

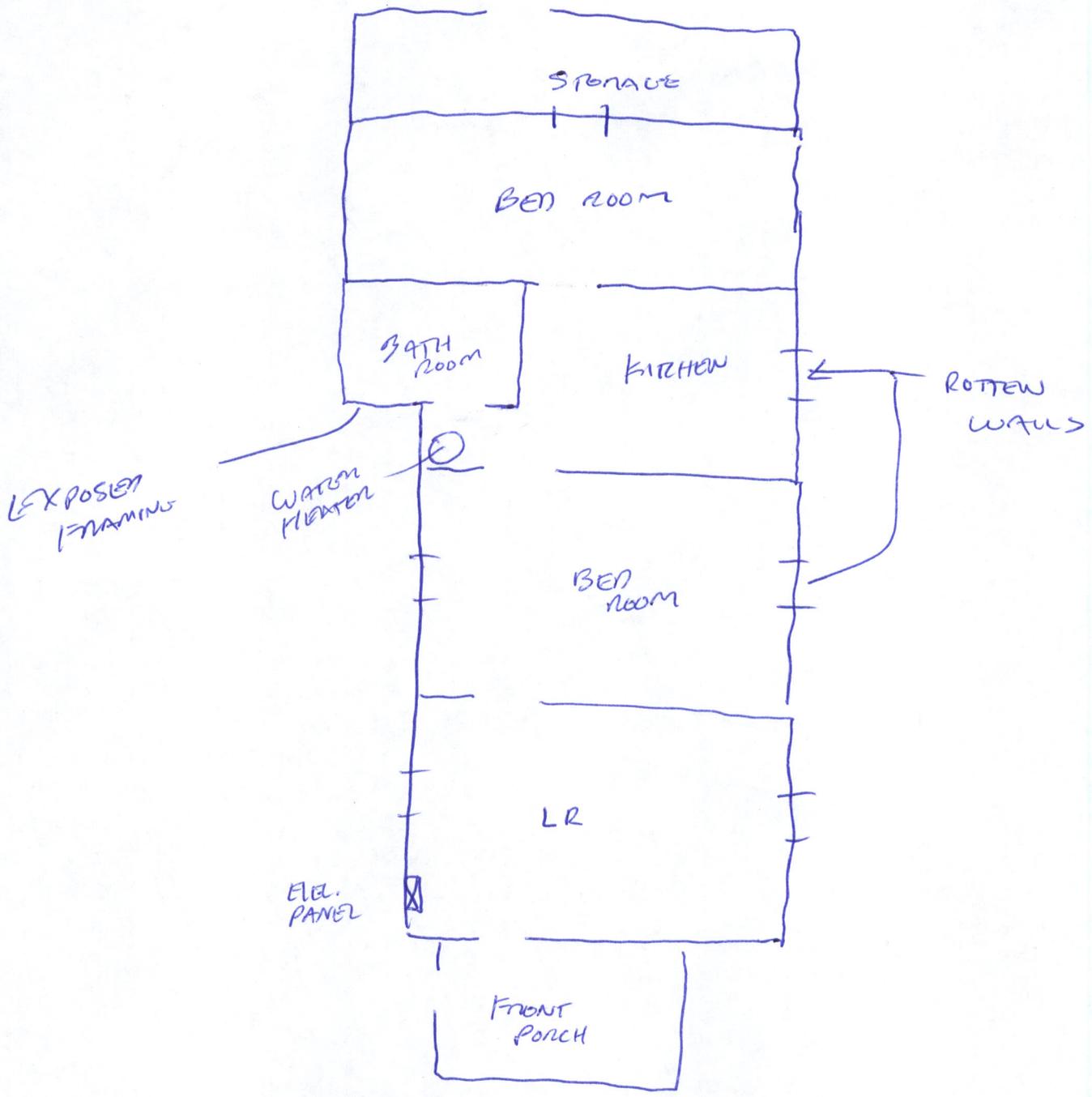
D. DETERMINATION

- 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