

**BUILDING AND STANDARDS COMMISSION
STAFF REPORT**

March 24, 2014



Case #2002 – 1107 E. Martin Luther King Jr. Street



LEGAL DESCRIPTION: Lot 3 in Block 2 of Austin Addition

STRUCTURE(S):

- single-family residence
- multi-family residence
- mixed use
- commercial
- accessory structures

PROPERTY OWNER(S): Richard Williams

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

**IMPROVEMENT VALUE(S)
(AS APPRAISED BY THE
BRAZOS COUNTY
APPRAISAL DISTRICT):** \$5,470 (2013 tax year)

BACKGROUND:

This occupied structure first came to the attention of City staff through concerns from the Bryan Police Department in August 2011. An exterior inspection of the property around that time revealed that the refrigerator that was on the exterior porch was falling through the floor. City staff spoke with the owner and was able to put the owner in touch with a non-profit group about needed repairs. The front porch floor was rebuilt in 2011, however, it appears no other needed repairs have been made to the house since that time. Code Enforcement and the Police Department have also spoken with the owner many times about cleaning up trash and debris that are on the property. At last inspection of the property it appears that an accessory storage structure is being constructed behind the house. No building permits for such a storage structure have been applied for or issued.

A notice was mailed to the listed property owner on January 9, 2014 and staff has met with the owner in person several times. 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**



March 24, 2014

Case #: 2002

Building Address: 1107 E. Martin Luther King Jr. Street

Record Owner(s): Richard Williams

The City's Chief Building Official has requested this Commission hearing to discuss the building and two accessory structures 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 structures 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 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.**
- demolish the building and accessory structures and remove the debris within 60 days.**

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

- disconnect water and electric utilities to the building and accessory structures; and**
- secure the structure, demolish the building and accessory structures 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: 2-10-14







Storage Building and Building under construction





CITY OF BRYAN
The Good Life, Texas Style.

Dangerous Structures Survey Report

Chief Building Official

Case # 2002

A. PROPERTY ADDRESS: 1107 E Martin Luther King Jr. Austin Additon, Block 2, Lot 3

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

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:

2011 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? _____

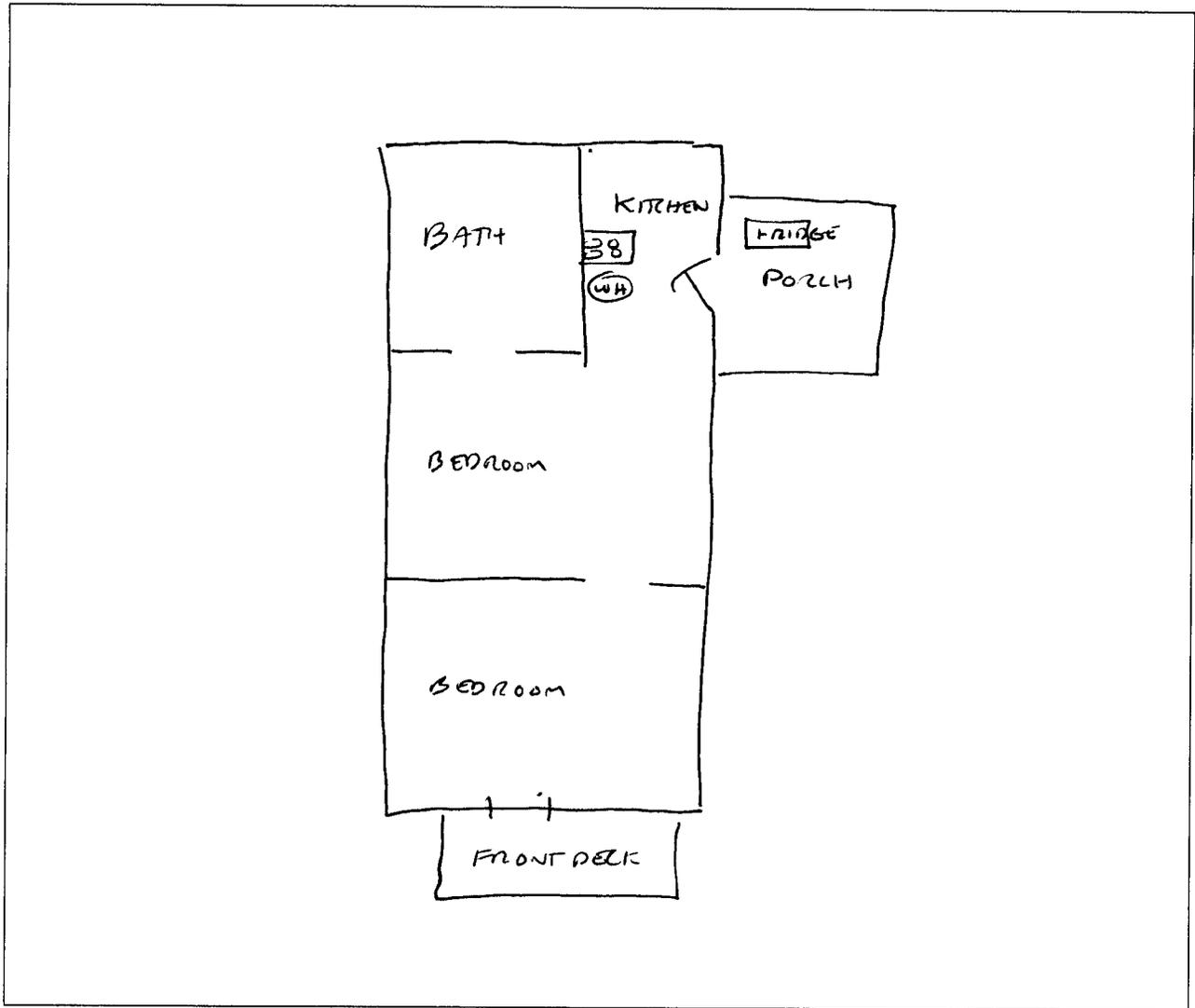
X 09. Unable to give reasonable protection to any occupants from weather elements or danger of collapse because of:
X Holes or cracks in the floor, exterior wall or roof
X Loose, rotten, warped or protruding boards
Main structure? X Accessory structure? _____

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? _____

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

COMMENTS (1.) DAMAGE EXTERIOR FINISHES (2.) DAMAGED INTERIOR FINISHES (3.) USING GAS OVEN/STOVE FOR HEAT (4.) EXPOSED ROMEX WIRING, EXTENSION CORDS, DAMAGED INTERIOR LIGHT FIXTURES (5.) FRIDGE IS ON FRONT PORCH - WILL NOT FIT THRU NARROW FRONT DOOR (6.) EVIDENCE OF CURRENT OR PAST ROOF LEAKS (7.) SOFT FLOORS (8.) ROTTEN WALLS (BOX FRAME) (9.) OPEN SEWER VENT PIPES AT REAR WALL OF HOUSE (10.) NO PAVED DRIVE WAY. (11.) TRASH & DEBRIS ON PROPERTY BEHIND HOUSE.

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

GREGORY S. COX

Printed Name

2-10-14

Date

Case # _____



CITY OF BRYAN
The Good Life, Texas Style.

Dangerous Structures Survey Report

Fire Marshal

Case # 2002

A. PROPERTY ADDRESS: 1107 E Martin Luther King Jr. Austin Addition, Block 2, Lot 3

B. SPECIFICATIONS: No. Rooms _____ No. Stories 1 No. Structures Several

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 50% of the main structure is considered a loss.
I estimate that 50% 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? X Accessory Structure? X
- ___ 09. The building, structure, or a part thereof presents an attractive nuisance to children.
Main Structure? ___ Accessory Structure? ___

COMMENTS

Open wiring
 Bundling Splices
 No Heat
 No SD / NO CO
 Exit windows blocked

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.


 Signature

FRED TAYLER / DSM
 Printed Name/Title

2-11-14
 Date