

**BUILDING AND STANDARDS COMMISSION
STAFF REPORT**

November 24, 2014



Case #2060 – 1205 W. Martin Luther King Jr. Street



LEGAL DESCRIPTION: (SFA #9), BLOCK G & K, LOT 37

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

PROPERTY OWNER(S): Cavitt, Ray & Janice

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

ACTIVE UTILITIES: yes no **DISCONNECTED ON:** 9/12/2012

BRAZOS COUNTY APPRAISAL DISTRICT/TAX OFFICE INFORMATION:

PROPERTY ID: 30323
IMPROVEMENT VALUE: \$22,200
YEAR BUILT: 1945
SF OF LIVING AREA: 744 Main Area
126 Open Porch
72 Screen Porch
CURRENT OWNER SINCE: 2003
PROPERTY TAXES OWED: \$336.45 (2013)

BACKGROUND:

- Assistant Fire Marshal noticed the house vacant, unsecured, and in dilapidated state in February 2014.
- City staff checked on the property in August 2014 and again found the structure unsecured. A notice to secure the structure was mailed to the listed property owner on August 29, 2014.
- Notices that the property would be scheduled for consideration by the Building and Standards Commission were mailed to the listed property owner on September 4 and October 23, 2014.
- 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**



November 24, 2014

Case #: 2060

Building Address: 1205 W. MLK

Record Owner(s): Cavitt, Ray & Janice

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 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 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:

- secure the building from unauthorized entry within 30 days.**
- 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.**
- 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: 10-8-14



Front of house showing foundation issues



Side of house – unsecured open window



Damaged vinyl siding on enclosed porch



Close up of damaged siding



Damaged interior floor with rot/hole to crawl space



Enclosed porch / damaged floor



Damaged interior ceiling finish/roof leak



Damaged interior ceiling finish/roof leak



Damaged interior ceiling finish, damaged light fixture



Damaged floor



Box framing - hole cut in original support wall



Damaged flooring/gap in floor



Damaged flooring – broken glass door



Unleveled floor



Damaged water heater, not installed per code



CITY OF BRYAN
The Good Life, Texas Style

Dangerous Structures Survey Report

Chief Building Official

Case #2060

A. **PROPERTY ADDRESS:** 1205 W Martin Luther King Jr, Austin Lge #9, Block g & H, Lot 37

B. **SPECIFICATIONS:** No. Rooms 6+/- 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 IRC / 2011 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?

Case # 2060

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? _____

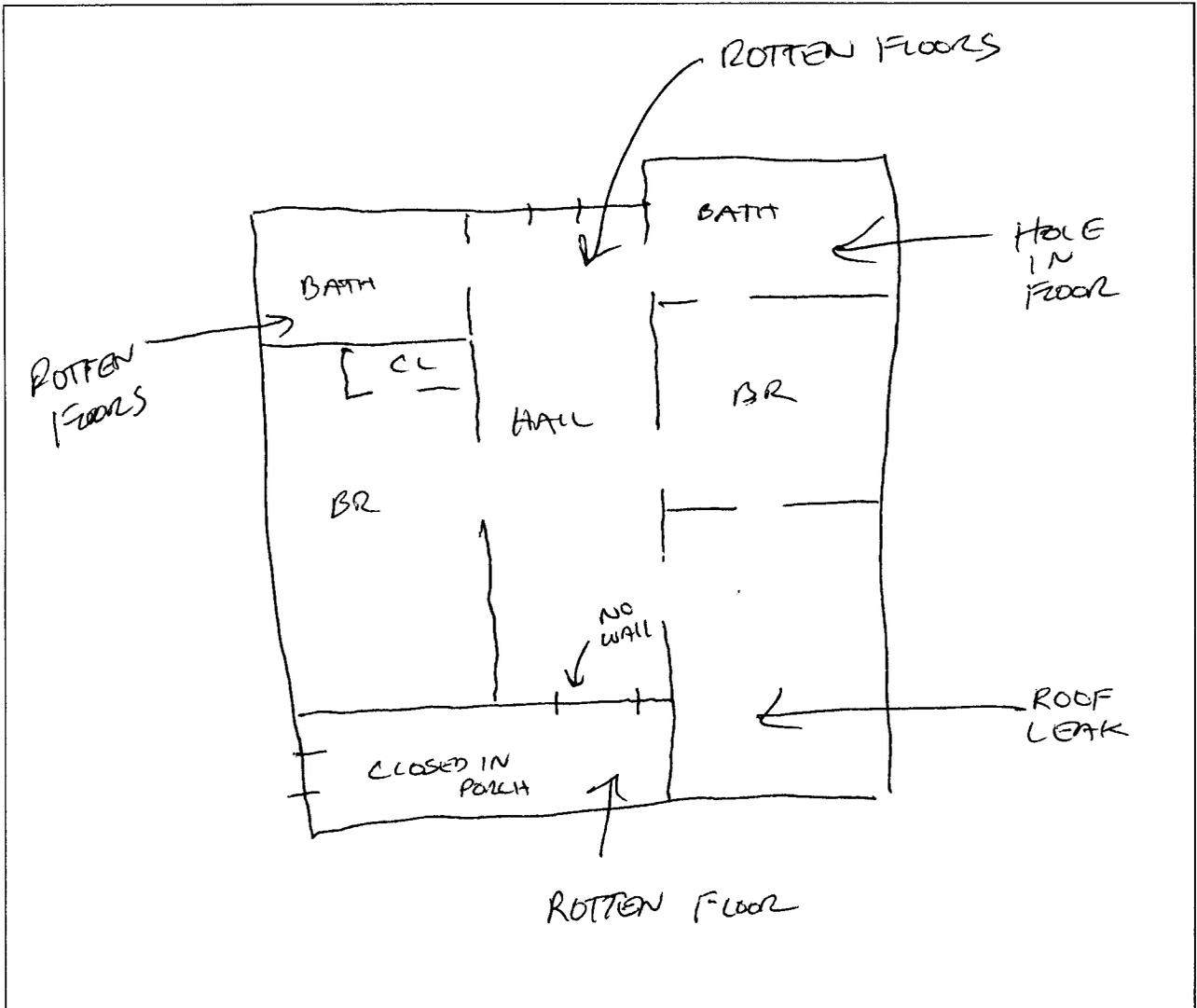
X 09. Unable to give reasonable protection to any occupants from weather elements or danger of collapse because of:
X Holes or cracks in the floor, exterior wall or roof
X Loose, rotten, warped or protruding boards
Main structure? X Accessory structure? _____

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) UNLEVEL FLOORS & ROOF LINE (2) WINDOWS DO NOT MEET CODE (3) DAMAGE TO EXTERIOR VINYL SIDING (4) EXTERIOR DOORS DO NOT HAVE CODE COMPLIANT LANDINGS OR STEPS (5) HOLES IN FLOORS / ROTTEN FLOORS (6) INTERIOR FINISHES ARE DAMAGED (7) ROTTEN AREAS IN CEILINGS (8) MISSING OR DAMAGED LIGHT FIXTURES (9) MISSING WALLS OR INCORRECT FRAMED OPENING (10) TOP SURROUND IN POOR CONDITION (11) BROKEN WINDOWS (12) EXPOSED ROUMBING AT EXTERIOR (13) VENT PIPE NOT PASSED ROOF (14) MOLD

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 GREGORY S. COX

Date 10-20-14

Case # 2060



Dangerous Structures Survey Report

Fire Marshal

Case #2060

A. **PROPERTY ADDRESS:** 1205 W Martin Luther King Jr, Austin Lge #9, Block g & H, Lot 37

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

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 0% 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

unlaid floors

deteriorated walls

open wiring

Rotten floor beams

Broken windows

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]
Signature

Fred Taylor / Sr
Printed Name/Title

10-8-14
Date