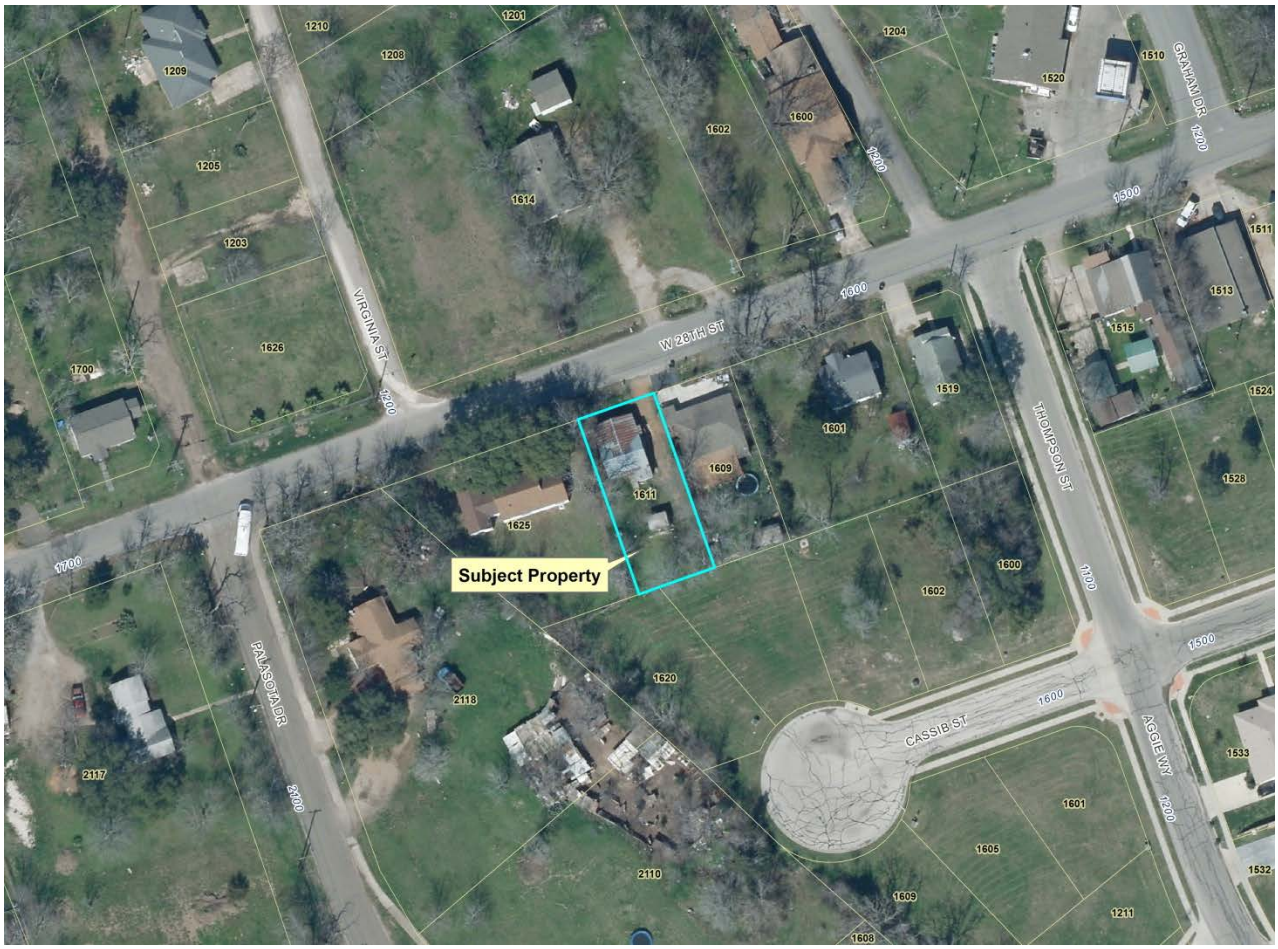
BUILDING AND STANDARDS COMMISSION
STAFF REPORT

October 27, 2014

CITY OF BRYAN

Case # 2056 – 1611 W. 28th Street



LEGAL DESCRIPTION: Stovall, Block 3, Lot 5

STRUCTURE(S): single-family residence, accessory structure

PROPERTY OWNER(S): Silvia Arriola

LIENHOLDER(S)/ MORTGAGEEE(S): none

ACTIVE UTILITIES: ☐ yes ☒ no **DISCONNECTED ON:** Aug. 22, 2013

BRAZOS COUNTY APPRAISAL DISTRICT/TAX OFFICE INFORMATION:

PROPERTY ID:	99042
IMPROVEMENT VALUE:	$23,290 (2014)
YEAR BUILT:	1950
SF OF LIVING AREA:	1008
CURRENT OWNER SINCE:	2013
PROPERTY TAXES OWED:	$0

BACKGROUND:

- Assistant Fire Marshal found the home vacant, unsecured, and in need of repairs in March of 2014.
- A notice of hold on utilities was sent out on March 24, 2014.
- Building and Standards Commission notices were mailed to the listed property owner on August 11 and September 18, 2014; staff never received plans or estimates for repairs.

ATTACHMENTS:

1. staff recommendation
2. pictures
3. dangerous structures survey reports

BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION

October 27, 2014

Case #: 2056
Building Address: 1611 W. 28th Street
Record Owner(s): Silvia Arriola

The City's Chief Building Official has requested this Commission hearing to discuss the building and 1 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:

☒ **<u>the accessory structure</u> 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 structure.**

☒ **the building <u>may not</u> 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 accessory structure from unauthorized entry within 30 days.**

☒ **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/or 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: 09-04-14

Storage Building

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Dangerous Structures Survey Report

Chief Building Official

Case #2056

A. PROPERTY ADDRESS: 1611 W 28th Street, Stovall, Block 3, Lot 5 1950 23, 290

B. SPECIFICATIONS: No. Rooms 6 No. Stories 1 No. Structures 2

STRUCTURAL USE	CONSTRUCTION	OCCUPANCY
✓ Residential/Single Family	____ Box	____ Occupied
____ Mixed Use	✓ Frame	✓ Vacant
____ Commercial	____ Masonry	____ Open
____ Residential/Multi Family	____ Mobile Home	
X Accessory Structure(s)		

C. FINDINGS

X 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? ____

X 04. The non-supporting coverings of walls, ceilings, roofs, or floors are materially damaged or deteriorated. Main structure? X Accessory structure? X

____ 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? ____

X 06. The structure or any part thereof has inadequate means of egress as required by the city's building code. Main structure? ____ Accessory structure? ____

X 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

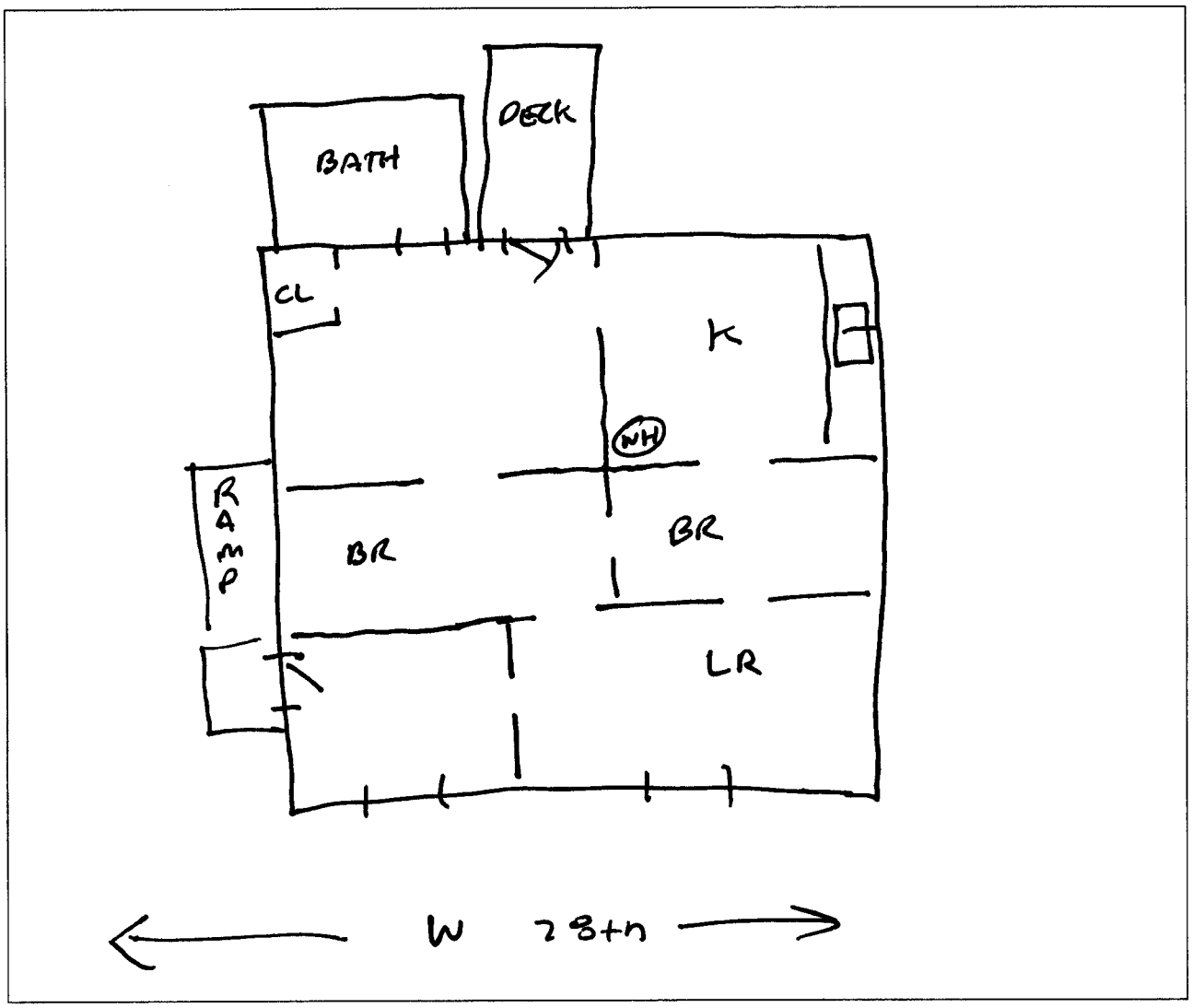
X 10. Is manifestly unsafe for the purpose for which it is being used or so as not to give reasonable protection from danger of collapse or fire because of:
X Defective materials
___ Structural deterioration
X Interior walls or ceilings with holes, cracks or loose plaster
Main structure? X Accessory structure? X

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

COMMENTS (1.) SHED UNSECURED (2.) OSB SIDING ON HOUSE - NOT WEATHER RESISTANT (3.) ROOF OVERHANG & FINISH DAMAGE / ROTTEN EAVES (4.) NO GFI IN BATH / KITCHEN (5.) DAMAGED INTERIOR FINISHES (6.) NO HEATING SYSTEM (7.) UN-LEVEL FLOORS / GAPS HOLES IN FLOORS (8.) DAMAGED WINDOWS (9.) GAPS AROUND FRONT DOOR (10.) INADEQUATE SHEETROCK REPAIR (11) LIGHT FIXTURES WITH NO COVERS (12.) FLUE LOOSE ON WATER HEATER - WATER HEATER NOT CONNECTED (13.) GAS OVEN MISSING (14.) WATER HEATER NOT INSTALLED TO CODE (15.) NO PAVED DRIVEWAY (16.) LANDINGS / STEPS DANGEROUS / NOT TO CODE - ROT

Case # 2056

D. **FLOOR PLAN** (if necessary)



E. **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	Printed Name	Date
Gregory S. Cox	GREGORY S. COX	9-12-14

Case # 2056

Dangerous Structures Survey Report

Fire Marshal

Case #2056

A. **PROPERTY ADDRESS:** 1611 W 28th Street, Stovall, Block 3, Lot 5

B. **SPECIFICATIONS:** No. Rooms_____ No. Stories 1 No. Structures 2

STRUCTURAL USE	CONSTRUCTION	OCCUPANCY
X Residential/Single Family	____ Box	____ Occupied
____ Mixed Use	X Frame	X Vacant
____ Commercial	____ Masonry	____ Open
____ Residential/Multi Family	____ Mobile Home	
____ Accessory Structure		

C. **FINDINGS**

X 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 ____% of the main structure is considered a loss.
I estimate that ____% of the accessory structure is considered a loss.

X 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? X Accessory Structure? X

X 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? X Accessory Structure? X

X 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? X Accessory Structure? X

X 05. Obsolete, damaged, or deteriorated electric wiring, gas connections, heating apparatus, or other mechanical infrastructure present a risk of fire.
Main Structure? X Accessory Structure? X

X 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? X Accessory Structure? X

X 07. The structure or a part thereof is in violation of the City's fire code.
Main Structure? X 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? _X_

COMMENTS

electrical issues
mold/mildew
Rotten Soffits
windows broken missing
plumbing damage
Rotten walls

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	Printed Name/Title	Date
	FRED TAYLOR / DFM	9.5.14

Case #2056