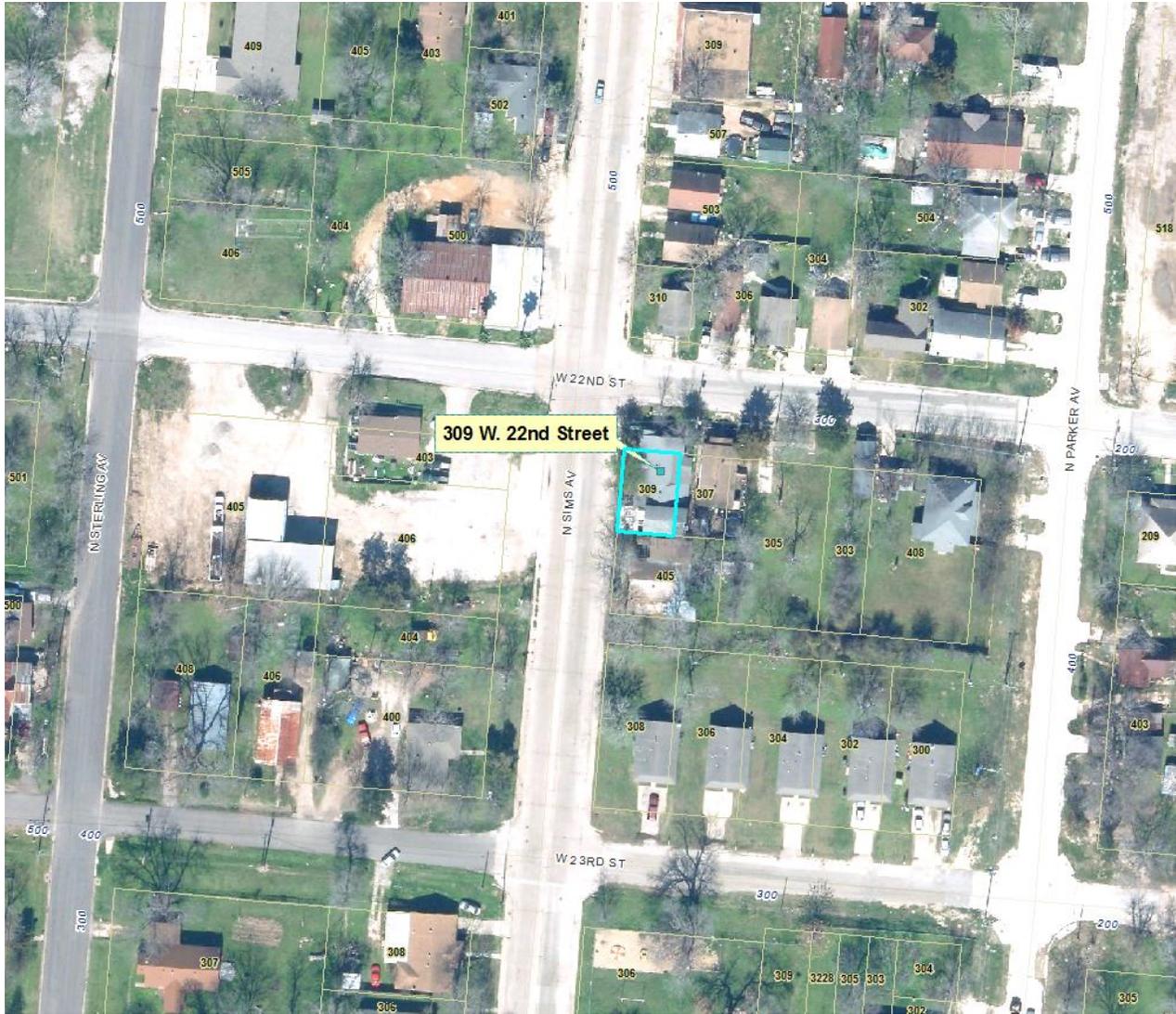


**BUILDING AND STANDARDS COMMISSION  
STAFF REPORT**

**August 24, 2015**



**Case # 2124 – 309 W. 22<sup>nd</sup> Street**



**LEGAL DESCRIPTION:** City of Bryan Townsite, Block 143, Lot 10 (PT OF)

**STRUCTURE(S):**  multi-family residence

**PROPERTY OWNER(S):** Pina Angel Faustino

**LIENHOLDER(S)/  
MORTGAGEE(S):** 2 City of Bryan mowing liens  
none

**ACTIVE UTILITIES:**  yes  no **DISCONNECTED ON:** April 17, 2013

**BRAZOS COUNTY APPRAISAL DISTRICT/TAX OFFICE INFORMATION:**

**PROPERTY ID:** 22658  
**IMPROVEMENT VALUE:** \$45,080  
**YEAR BUILT:** 1950  
**SF OF LIVING AREA:** 1,799  
**CURRENT OWNER SINCE:** 7/18/2007  
**PROPERTY TAXES OWED:** \$0

**BACKGROUND:**

- In April 2013, City of Bryan Code Enforcement Department found the structure unsecured, construction debris in the yard, and work started without a building permit. Work was also covered without inspections to the floor framing. The owner was notified that a City building permit was required and that the City needed to inspect the floor framing. A hold was placed on utilities. The Chief Building Official notified the owner of repairs/inspections needed to obtain a new certificate of occupancy.
- Later in 2013, the owner was notified that the structure would be scheduled for consideration by the Building and Standards Commission. A friend/relative of the owner contacted the Chief Building Official and asked for a chance to make all needed repairs without going through the Building and Standards Commission process.
- A building permit was obtained on December 3, 2013 for flooring and exterior repairs. This permit expired with no inspections called in on May 3, 2014. It does not appear any repairs were made during this time.
- Since it had been over a year since permit expired and the property appears abandoned, the Chief Building Official scheduled the property for the Commission's consideration.
- Notices that the property would be scheduled for consideration by the Building and Standards Commission were mailed to the property owner on June 10, 2015 and July 27, 2015.

**ATTACHMENTS:**

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

**BUILDING AND STANDARDS COMMISSION  
STAFF RECOMMENDATION**



**August 24, 2015**

**Case #: 2124**

**Building Address: 309 W. 22<sup>nd</sup> Street**

**Record Owner(s): Pina Angel Faustino**

**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 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; and**
- 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:**



Front of house, overgrown grass



Side of house, cracks in brick veneer  
-not installed on adequate footing



Brick veneer was not installed correctly or  
Attached per code, no flashing at window sill



Old siding visible behind brick veneer -  
no moisture barrier installed per code, no wall ties



Roof and overhang damage



Trash in rear yard, damage to fascia



Damage at side wall, roof, overhang, etc.



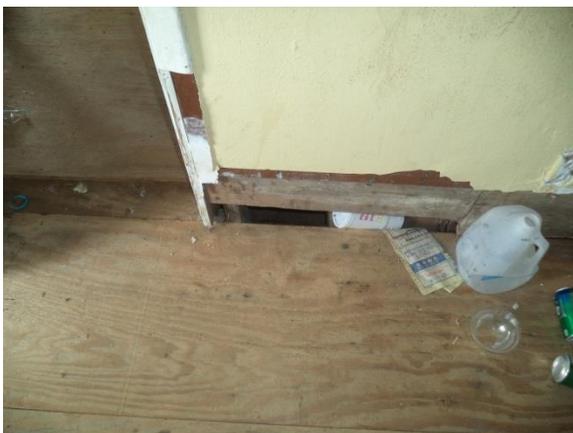
Rotten siding



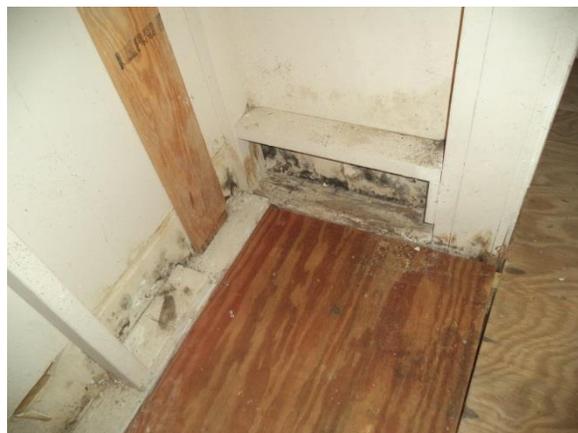
Trash and debris inside, possible evidence  
Of vagrants staying here



Electrical outlet hanging out



Evidence of previous subfloor repairs without  
Permits – holes/gaps where wall/floor meet



Mold



Submeter installed in HVAC closet – does not Meet electrical code



Ceiling damage/hole



Rotten roof deck from ceiling leaks



Kitchen ceiling finishes missing/damaged - This is a second ceiling; there is no draft stop between the two ceilings per code.



Trash and debris



Exposed plumbing in utility area



Water heater under stair in second unit, no Sheetrock to protect stair framing



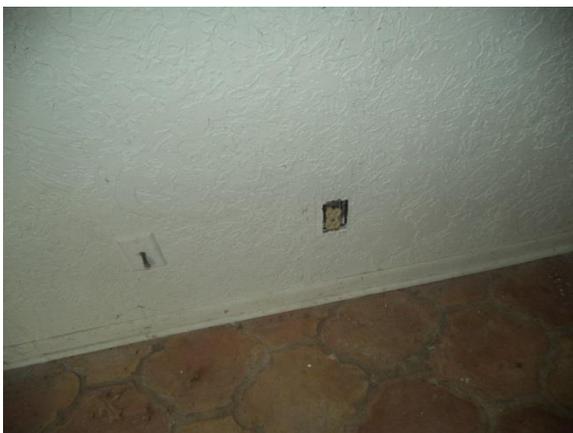
Electrical panel in second unit, gaps in sheetrock



Trash and debris



Exterior second floor balcony needs repairs



Missing plug covers on electrical outlets



kitchen in second unit



# Dangerous Structures Survey Report

Chief Building Official

Case # 2124

A. **PROPERTY ADDRESS:** 309 W 22<sup>nd</sup> Sreet, City of Bryan Townsite, Block 143, Lot 10

B. **SPECIFICATIONS:** No. Rooms 8 No. Stories 2 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:

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?

- 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?  Accessory structure? \_\_\_\_\_
- 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  
 Loose, rotten, warped or protruding boards  
Main structure?  Accessory structure? \_\_\_\_\_
- 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  
Main structure?  Accessory structure? \_\_\_\_\_
- 11. The building, structure, or a part thereof, is unsecured and open.  
Main structure?  Accessory structure? \_\_\_\_\_

COMMENTS: 1). Grass is overgrown, not maintained 2). Brick veneer is pulling loose – appears to have been installed on inadequate footing and without wall ties - crawl space ventilation does not meet code 3). Rotten overhangs, fascia boards, etc. 4). Front window is open 5). Interior work done to floors without permits 6). Interior floors are un level 7). Ceiling is pulling loose or has pulled loose in several places 8). Some electrical outlets are pulled loose in several rooms 9). Light fixtures are damaged or missing covers 10). Gaps in finishes at interior walls near floors 11). Mold in several areas 12). No smoke detectors 13). There is an electrical meter in a mechanical closet on interior of house 14). Ceiling, ceiling joist, and roof decking damage in back bedroom from roof leak 15). Ceiling damage in kitchen Apartment: 16). Gaps in wall finish around electrical panel – missing blank 17). Area under stairs used for water heater is not sheet rocked 18). Exterior second floor deck needs repairs 19). Side wall where first floor roof intersects has deteriorated siding and openings into wall / overhang 20). Roof shingles need replacing

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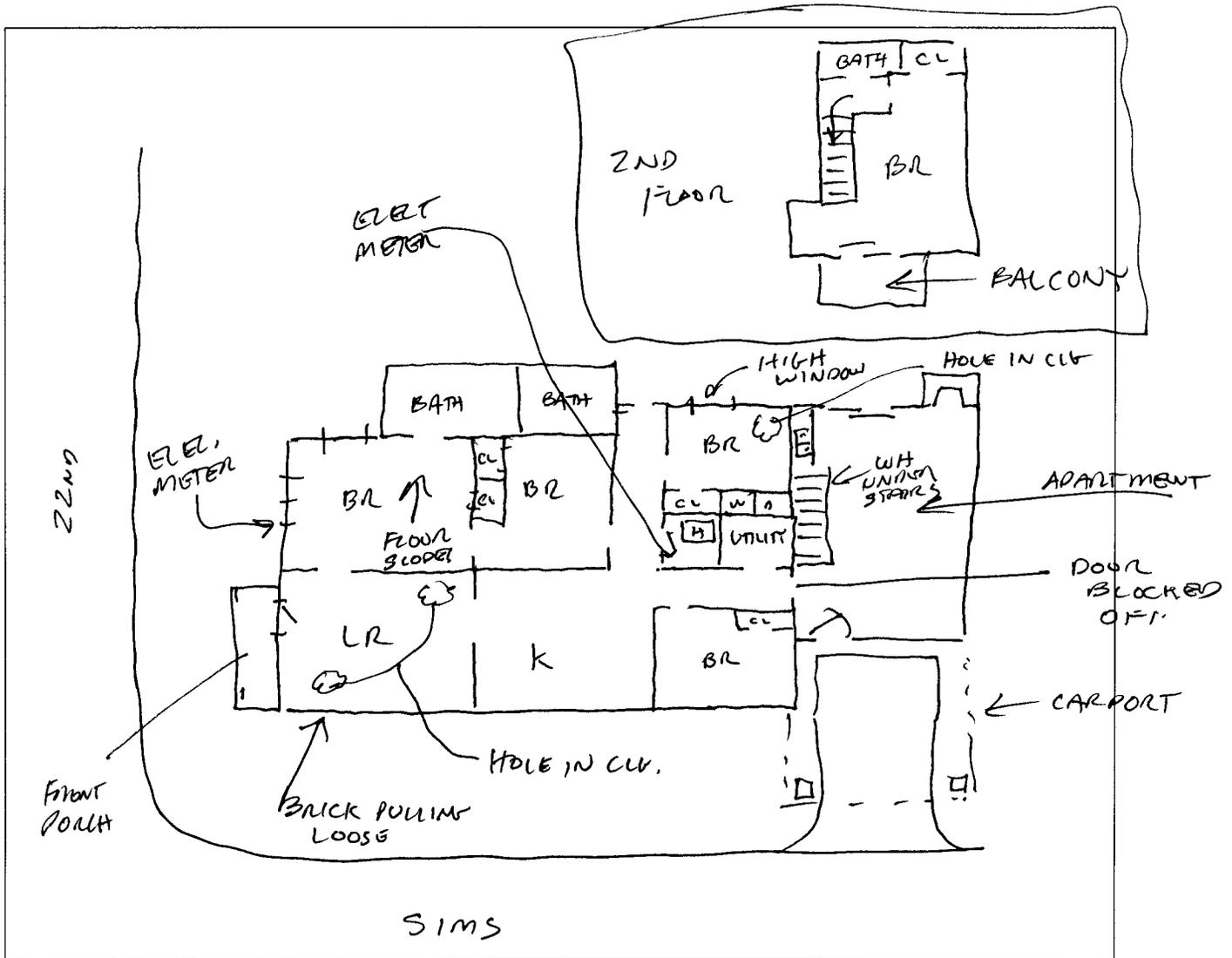


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FLOOR PLAN (if necessary)



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.

*Gregory S. Cox*  
Signature

GREGORY S. COX  
Printed Name

7-15-15  
Date

~~107927~~



CITY OF BRYAN  
The Good Life, Texas Style

# Dangerous Structures Survey Report

Fire Marshal

Case #2124

A. PROPERTY ADDRESS: 309 W 22<sup>nd</sup> Sreet, City of Bryan Townsite, Block 143, Lot 10

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

STRUCTURAL USE

CONSTRUCTION

OCCUPANCY

Residential/Single Family

Box

Occupied

Mixed Use

Frame

Vacant

Commercial

Masonry

Open

Residential/Multi Family

Mobile Home

Accessory Structure

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 60% of the main structure is considered a loss.

I estimate that 60% 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**

open wiring  
soft floors  
wall floor separation  
unpermitted elec work

**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

FRID TAYLOR / DSN  
Printed Name/Title

7-13-15  
Date