

**BUILDING AND STANDARDS COMMISSION  
STAFF REPORT**

**August 24, 2015**



**Case # 2053 – 217 Lynn Drive**



**LEGAL DESCRIPTION:** Munnerlyn Village, Block C, Lot 8

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

**PROPERTY OWNER(S):** Selvage Ronald D. & Kimberly A.

**LIENHOLDER(S)/  
MORTGAGEE(S):** Golf International Inc.  
Deutsche Bank Trust Co.

**ACTIVE UTILITIES:**  yes (all units except unit A with vehicle damage)  no

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

**PROPERTY ID:** 33677

**IMPROVEMENT VALUE:** \$0

**YEAR BUILT:** 1974

**SF OF LIVING AREA:** 2,295

**CURRENT OWNER SINCE:** 2/5/2013

**PROPERTY TAXES OWED:** \$0

**BACKGROUND:**

- The Bryan Police Department alerted the Chief Building Official and Fire Marshal in late 2013 that one of the units on this 4-unit multi-family residential structure had vehicle damage that has gone unrepaired.
- The owner was notified on December 14, 2013 to call for inspection and obtain permits for repairs.
- In March of 2014, a building permit still had not been obtained for repairs to the exterior wall. Holds were placed on utilities for all units until repairs were permitted, inspected, and approved.
- The owner was notified again and City staff met with owner on April 17, 2014 and inspected the structure and property and discussed items needing attention and repairs. Owner was notified that exterior wall with vehicle damage needed repair to prevent further deterioration of building, as well as roof, overhangs, etc. Owner advised staff he would start on repairs soon.
- In November 2014, City staff noticed that permits had not been obtained and no improvements had been made. City staff scheduled another meeting with the property owner on December 3, 2014 and reiterated in detail what repairs are needed and advised the owner that the property would be scheduled for the next Building and Standards Commission hearing.
- As of January 2, 2015, no repair permits had been obtained.
- During its regular meeting on January 26, 2015, the Commission voted to issue an order to repair the building within 180 days and to show compliance with the repair order during the April and August 2015 Commission meetings:

repair the building within 180 days, in accordance with the schedule below:

<u>Deadline</u>	<u>Task</u>
-----------------	-------------

- 30 days                      Obtain building permit and electrical permit for repairs to the exterior wall with vehicle damage, roof, and overhang repairs (soffits, fascia board, trim, etc.)
- Remove all open storage from property.
- Repair rotten door jamb at unit "B".
- Install approved fire extinguishers in each unit.
- Install battery powered smoke detectors in each bedroom and in each living area outside the bedrooms in each unit.
- 90 days                      Call for inspections prior to covering work, obtain approval on all required inspections, and obtain new Certificate of Occupancy for each unit.
- 180 days                     Obtain a driveway permit and install a city approved concrete driveway apron from street to property line (current dirt parking is allowing dirt and erosion in city street). In addition, repair all damaged sidewalks leading to the apartment units.
- Submit a site plan and install approved paved parking (current dirt parking is allowing dirt and erosion in city street).

appear before the Commission during its regularly scheduled meetings in April 2015 and August 2015 to demonstrate compliance with the time schedule, until the preceding orders have been fulfilled.

- During the Commission's April 2015 regularly scheduled meeting, staff advised the Commission that the only task on the repair schedule that the owner had completed was to obtain a building permit. **The building permit obtained on February 2, 2015 expired on August 2, 2015 with no inspections called in.**
- Staff believes that the property is **not currently in compliance** with the Commission's order of January 26, 2015. Violations to the city adopted codes have been present and unresolved since late 2013 and photos from July 2015 show that the conditions of the property and structure are not improving.
- Since the owner is not in compliance with the Commission's order, **City staff recommends that the Commission issue a new order to vacate all units of this multi-family residential structure, to secure the building from unauthorized entry, and to disconnect utilities until such time that the property owner submits detailed plans and a timeline for repairs, cost estimates for repairs, and obtains appropriate building permits to complete the repairs.** Please see pages 4 and 5 of this staff report for a more detailed description of staff's recommendation.

**ATTACHMENTS:**

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

**BUILDING AND STANDARDS COMMISSION  
STAFF RECOMMENDATION**



**August 24, 2015**

**Case #: 2053**

**Building Address: 217 Lynn Drive**

**Record Owner(s): Selvage Ronald D. & Kimberly A.**

**The City's Chief Building Official has requested this Commission hearing to discuss the 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;**
- disconnect water and electric utilities to the building 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 60 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;**
- may ensure the building is vacated and secure the building in accordance with Chapter 14 of the City of Bryan's Code of Ordinances, until the owner, lienholder, or mortgagee, obtains a permits for repair of the building by submitting detailed plans for repairs, including cost estimates, to the City and completing the required repairs within 60 days of the permit.**

**PICTURES: 7-15-15**



No improvements in 5 months, grass overgrown



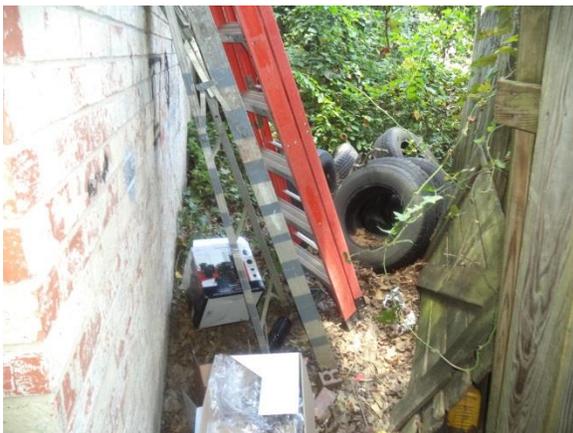
Vehicle damage remains for over two years now



No repairs made to roof/roof overhangs



Illegal outdoor storage still not cleaned up



More illegal outdoor storage/trash has accumulated



No repairs made to roof/roof overhangs

**PICTURES: 4-13-15**



Front of building, no work has been done



Hole/damage remains from vehicle impact



Parking lot is still dirt, with dirt in street



damaged soffit/overhang, damaged fence,



Illegal outdoor storage at unit B remains



damaged soffit remains

PICTURES: 12-02-14



Damaged exterior wall from vehicle impact



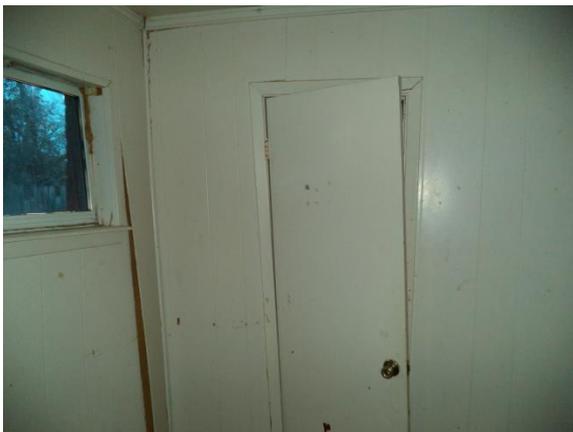
Exposed to elements



Showing damage to wall and window



Rotten exterior door jamb



Interior damaged wall from vehicle



Furnace exposed in clothes closet



Graffiti



CITY OF BRYAN  
The Good Life, Texas Style.

# Dangerous Structures Survey Report

Chief Building Official

Case #2053

A. PROPERTY ADDRESS: 217 Lynn Drive, Munnerlyn Village, Block C, Lot 8

B. SPECIFICATIONS: No. Rooms 4 UNITS 4 ROOMS EACH 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 3 UNITS
- Vacant 1 UNIT
- 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? \_\_\_\_\_

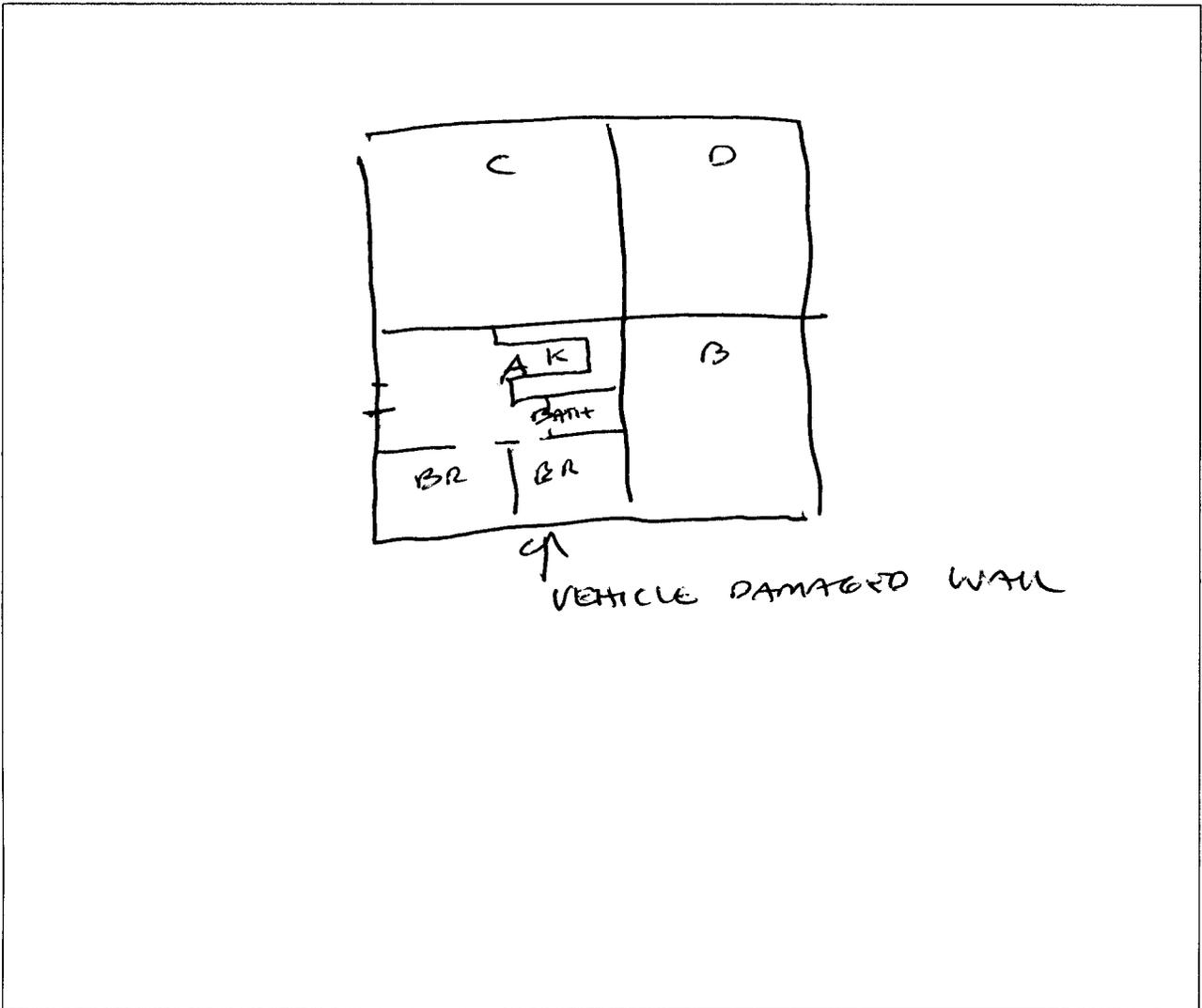
10. Is manifestly unsafe for the purpose for which it is being used or so as not to give reasonable protection from danger of collapse or fire because of:  
\_\_\_\_\_ Defective materials  
 Structural deterioration  
 Interior walls or ceilings with holes, cracks or loose plaster  
Main structure? 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

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

COMMENTS

1. UNIT "A" WAS DAMAGED BY VEHICLE IMPACT, CITY HAS BEEN UNABLE TO GET OWNER TO REPAIR
2. ROTTEN SOFFIT AT OVER HANG - NEEDS NEW FASCIA BOARD AND SOFFIT
3. UNIT B OUT DOOR STORAGE
4. UNIT B - ROTTEN DOOR JAMBS
5. NEEDS FIRE EXTINGUISHERS IN EACH UNIT PER FIRE CODE
6. NEEDS SMOKE DETECTORS IN UNITS PER CODE / STATE LAW
7. NEEDS PAVED DRIVE & PARKING LOT - DIRT IS GETTING IN STREET

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 <sup>UNIT A</sup> 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 B Cox  
Signature Printed Name Date



CITY OF BRYAN  
The Good Life, Texas Style

# Dangerous Structures Survey Report

Fire Marshal

Case #2053

A. PROPERTY ADDRESS: 217 Lynn Drive, Munnerlyn Village, Block C, Lot 8

B. SPECIFICATIONS: No. Rooms \_\_\_\_\_ No. Stories 1 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 50 % of the main structure is considered a loss.  
I estimate that — % 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**

Displaced wall from vehicle hitting it  
 ROTTEN WOODS  
 Improper elec wiring to heat unit  
 BBQ pits within 10' of combustible structure  
 unpermitted trash + tire storage  
 Gang Tags on south end of structure

**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

FRED TAYLOR / DFM  
Printed Name/Title

12-5-14  
Date