

**BUILDING AND STANDARDS COMMISSION
STAFF REPORT**

February 23, 2015



Case # 2081 – 3101 West State Highway 21



LEGAL DESCRIPTION: SFA #9, BLOCK 33, LOT 5

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

PROPERTY OWNER(S): Bettie Johnson

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

ACTIVE UTILITIES: yes no **DISCONNECTED ON:** July 26, 2012

BRAZOS COUNTY APPRAISAL DISTRICT/TAX OFFICE INFORMATION:

PROPERTY ID: 39800
IMPROVEMENT VALUE: \$49,750
YEAR BUILT: 1987
SF OF LIVING AREA: 1073
CURRENT OWNER SINCE: 6/20/1994
PROPERTY TAXES OWED: \$0

BACKGROUND:

- Code Enforcement received a complaint from a concerned citizen about the condition of this structure in October of 2013.
- City staff met/spoke with owner around October of 2013 about securing and repairs needed to structure.
- City sent notice to secure and request to meet with owner September 22, 2014 after finding structure unsecured again.
- Since structure continues to go un repaired, the Chief Building Official scheduled the property for consideration by the Building and Standards Commission.
- Notices that property would be scheduled for consideration by the Building and Standards Commission were mailed to the listed property owner on December 29, 2014 and January 21, 2015.

ATTACHMENTS:

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

**BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION**



February 23, 2015

Case #: 2081

Building Address: 3101 West State Highway 21

Record Owner(s): Bettie Johnson

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

- the accessory structure(s) is/are 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(s).**
- the building may feasibly be repaired so that it is no longer in violation of City ordinances.**
- repair of the building is unlikely because no realistic plans for repair have been submitted and/or circumstances exist that will prevent repair of the building.**

The City recommends that the Commission issue an order to the owner, lienholder, or mortgagee to:

- secure the accessory structure 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 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: 01-06-15



Front of structure



Right side, damage to roof overhangs



Back corner, roof damage



Roof damage



Collapsed ceilings and insulation from leaking roof, roof deck deterioration





Rot



Interior finish damage, stolen copper wiring



More stolen copper wiring



Mold from roof leaks



More interior wall damage from stolen copper wiring



Open ceiling

Storage Building



Rotten siding on storage shed



Holes in walls on shed



Rotten overhang on shed



Dangerous Structures Survey Report

Chief Building Official

Case #2081

A. PROPERTY ADDRESS: 3101 W SH-21, SFA #9, Block 33, Lot 5

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

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

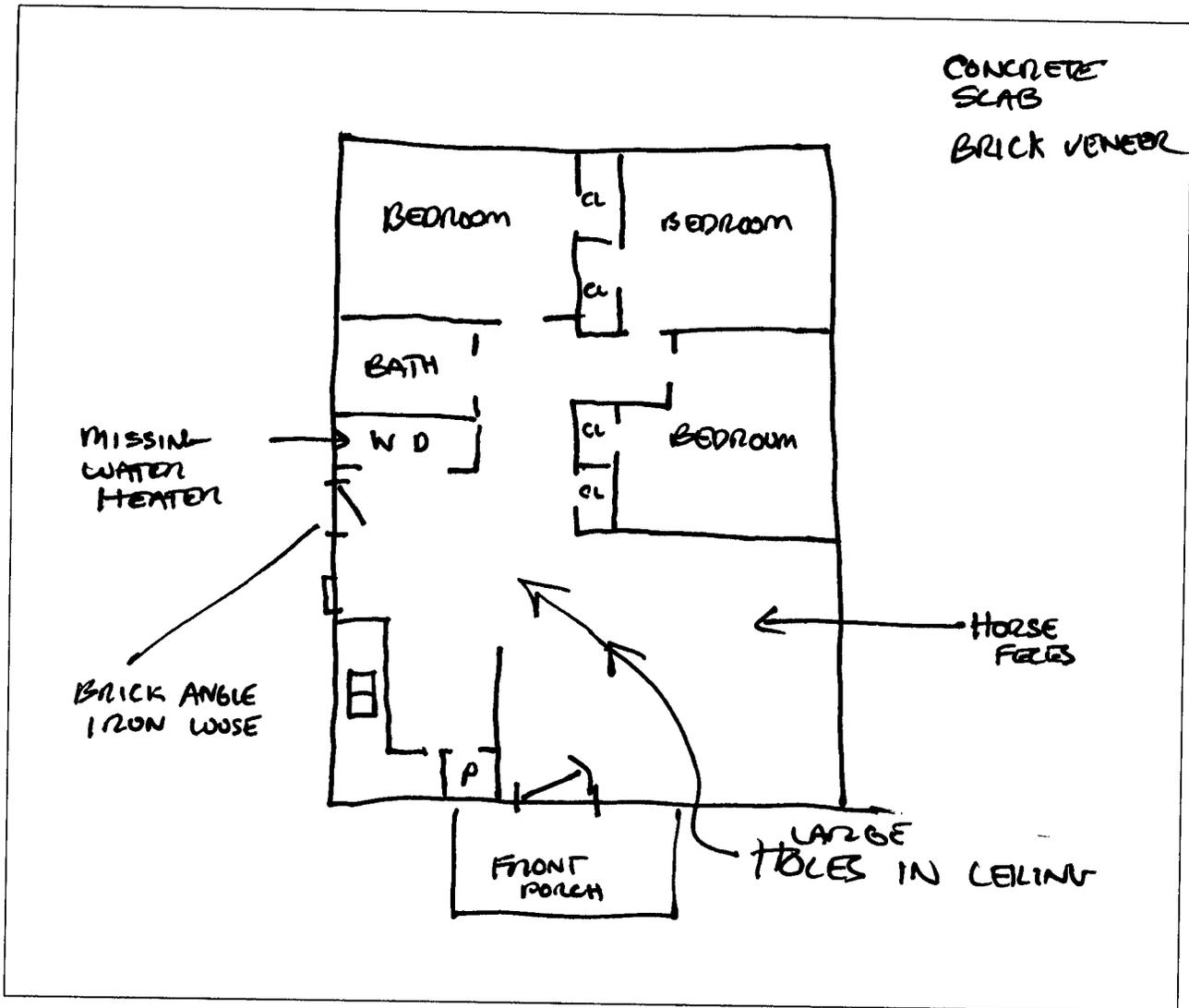
Main structure? Accessory structure?

- ___ 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? ___
- 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
___ 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:
___ Defective materials
___ 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? ___ Accessory structure? ___

COMMENTS (1) HAS BEEN UNSECURED IN PAST, (2) EVIDENCE OF HORSES STAYING INSIDE (FECS) (3) IT IS NOW SECURED (4) OPEN EAVES, ROTTEN FASCIA BO (5) NEEDS NEW ROOF - ROOF LEAKS HAVE CAUSED COLLAPSE OF INTERIOR SHEETROCK CEILINGS (6) ATTIC INSULATION DAMAGED OR FALLING THROUGH OPEN CEILINGS (7) ROTTEN ROOF DECK AND ROOF RAFTERS (8) EVIDENCE OF ELECTRICAL WIRING BEING STOLEN / REMOVED (9) MISSING WATER HEATER AND FURNACE (10) DAMAGED LIGHT FIXTURES AND WALLS (11) BRICK ANGLE SUPPORT LOOSE OVER BACK DOOR (12) SOME TRASH & DEBRIS INSIDE (13) DAMAGED DOORS & WINDOWS.

ACCESSORY STRUCTURE: (1) DAMAGED SIDING, (2) DAMAGED ELECTRICAL (3) DAMAGED ROOF

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.

[Handwritten Signature]
Signature

Gregory S. Cox
Printed Name

1-14-15
Date



Dangerous Structures Survey Report

Fire Marshal

Case #2081

A. PROPERTY ADDRESS: 3101 W SH-21, SFA #9, Block 33, Lot 5

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

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 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?

X 09. The building, structure, or a part thereof presents an attractive nuisance to children.
Main Structure? X Accessory Structure?

COMMENTS open with
holes in walls
Roof leaking
Ceiling collapsed

926,800

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]
Signature

FRED TAYLOR / DSM
Printed Name/Title

6 JAN 15
Date