

LEGAL DESCRIPTION: Margaret Wallace Subdivision, Block 21, Lot 16

STRUCTURE(S): multi-family residence

PROPERTY OWNER(S): Jasper Cohen Construction LTD.

**LIENHOLDER(S)/
MORTGAGEE(S):**

ACTIVE UTILITIES: yes no **DISCONNECTED ON:** A-no record,
B-02/13/09, C-no record, D-12/19/07

BRAZOS COUNTY APPRAISAL DISTRICT/TAX OFFICE INFORMATION:

PROPERTY ID: 46829
IMPROVEMENT VALUE: \$0
YEAR BUILT: 1982
SF OF LIVING AREA: 2538
CURRENT OWNER SINCE: 6/1/2012
PROPERTY TAXES OWED: \$3044.78 (2013)

BACKGROUND:

- The 4-unit multi-family residential structure on the subject property was found unsecured and in need of repairs from vandalism in 2012.
- About the same time, a new owner purchased the property and obtained a permit for repairs. This permit expired without work completed and no inspections were called in.
- In 2013, a second permit was obtained and rough-in inspections were completed but again work stopped and the permit expired without additional inspections or completion of work.
- In November 2014, the back two units were found unsecured through broken windows.
- The Chief Building Official left voice messages for the last known owner but never received a response, so the property was scheduled for consideration by the Building and Standards Commission.
- Notices that the property would be scheduled for consideration by the Building and Standards Commission were mailed to the listed property owner on November 19 and December 22, 2014.
- In late December 2014, the owner made contact with staff and city staff agreed to renew and extend the 2013 permit so the work could be completed.

ATTACHMENTS:

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

**BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION**



January 26, 2015

Case #: 2074

Building Address: 4005 Milton Street

Record Owner(s): Jasper Cohen Construction LTD.

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 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:

- repair the building within 60 days, in accordance with the schedule below:**

Deadline

Task

60 days

Obtain all required permits, call for inspections, and obtain new Certificate of Occupancy.

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

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; and**
- may ensure the building is vacated and secure the building in accordance with Chapter 14 of the City of Bryan's Code of Ordinances.**

PICTURES: 12-02-14



Boarded up windows



Unsecure and broken windows



No power



Broken windows - unsecured



Damaged siding under windows



Front of building



CITY OF BRYAN
The Good Life, Texas Style.

Dangerous Structures Survey Report

Chief Building Official

Case #2074

A. PROPERTY ADDRESS: 4005 Milton Street, Margaret Wallace, Block 21, Lot 16 Replat

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
- 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 # 2074

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? _____
BROKEN WINDOWS

____ 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:

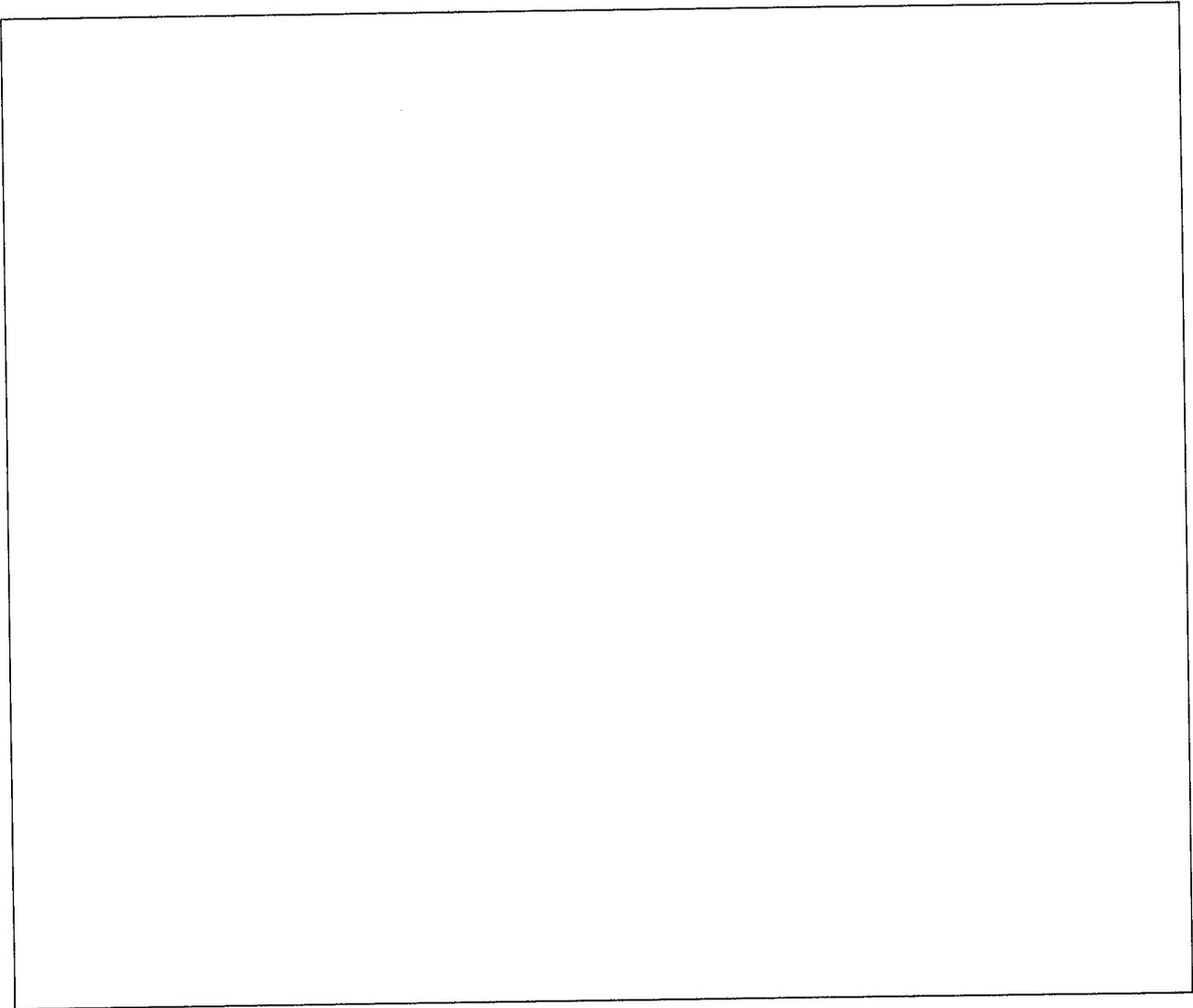
____ Defective materials
____ Structural deterioration
____ Interior walls or ceilings with holes, cracks or loose plaster
Main structure? _____ Accessory structure? _____

X 11. The building, structure, or a part thereof, is unsecured and open.

Main structure? X Accessory structure? _____

COMMENTS (1.) UNSECURED WINDOWS BACK TWO UNITS
(2.) BUILDING OFFICIAL CONTACTED OWNER BY PHONE
ON 12-1-14, OWNER NEVER CALLED BACK (3.)
PERMITS ISSUED IN 2012 & 2013 BUT WORK WAS
NEVER FINISHED. (4.) ELECTRICAL ROUGH IN,
MECH ROUGH-IN, & PLUMBING TOP OUT APPROVED
ON OCTOBER 2013.

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

12-10-14
Date

Case # 2074



Dangerous Structures Survey Report

Inspected Exterior ONLY
 Fire Marshal

Case #2074

A. PROPERTY ADDRESS: 4005 Milton Street, Margaret Wallace, Block 21, Lot 16 Replat

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 30% 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 windows broken

open wiring

2 units unsecured

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

Printed Name/Title

12-10-14

Date