

LEGAL DESCRIPTION: Oak Grove Park, Block 40, Lot 2

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

PROPERTY OWNER(S): Rodriguez, Luis U.

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

ACTIVE UTILITIES: yes no **DISCONNECTED ON:** 01/14/04

BRAZOS COUNTY APPRAISAL DISTRICT/TAX OFFICE INFORMATION:

PROPERTY ID: 91176
IMPROVEMENT VALUE: \$2,870
YEAR BUILT: 1983
SF OF LIVING AREA: 1064
CURRENT OWNER SINCE: 4/3/2004
PROPERTY TAXES OWED: \$0

BACKGROUND:

- City staff noticed the vacant manufactured home while checking on a property across the street in early January 2015.
- Looking at building permit records, the home was permitted to be installed in 2005. That permit expired with no inspections called in. Another building permit was obtained in 2006, but again the permit expired with no inspections called in.
- Notice that property would be scheduled for consideration by the Building and Standards Commission were mailed to the listed property owner on January 15, 2015 and February 18, 2015
- The owner contacted the City and met with the city staff on February 9, 2015. City staff discussed repairs needed with owner.
- The Chief Building Official mailed a letter to the owner on February 12, 2015 regarding repairs needed and that a licensed engineer would be needed to oversee the repairs to the structural system
- The Building Official attempted to make contact with the owner on March 9, 2015 to see if the owner still wanted to repair the structure and if he wanted to meet about repairs again. A voice message was left.

ATTACHMENTS:

1. staff recommendation
2. pictures
3. letter to property owner dated February 12, 2015
4. dangerous structures survey reports

**BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION**



March 23, 2015

Case #: 2090

Building Address: 603 Live Oak Street

Record Owner(s): Rodriguez, Luis U.

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 manufactured home may be safely moved from the property to another location.**

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

- demolish/remove the building 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: 02-09-15



Front of home, no crawl space skirting



Front door, damage to siding and floor framing



Home was never installed or anchored per state requirements.



Rotten structural floor framing



Damage around exterior door



Rotten interior walls and evidence of roof leaks



Rotten exterior wall around windows



Damaged electrical devices



Missing light fixtures



Damaged walls



Interior finish damage, evidence of leaks



More interior finish damage

February 12, 2015



To: Luis Rodriguez Sr.
1005 Cedar Run
College Station, Texas 77840-4460

RE: Manufactured Home located at 603 Live Oak Street, Bryan Texas

Dear Mr. Rodriguez,

Thank you for meeting with us on Monday at the above reference address and allowing the inspection. Attached, please find the inspection results from the city inspection of the manufactured home. Unfortunately, there are a lot of locations where the structural framing is damaged on the home and this will probably be the most expensive part of making the home safe for occupancy. The structural framing damage is visible around the water heater closet, exterior doors, and the walls are loose at most all windows. City staff believes that the exterior siding and floor finishes need to be removed so that all the areas of damage can be repaired and structure made safe for occupancy again.

I have attached our manufactured home repair policy handout as well as a handout on other requirements for manufacture homes.

City policy for structural damage is listed in the attached documents. Basically, as we discussed on Monday, majority of owners who have repaired the structural framing system in a manufactured home have used a licensed engineer to oversee repairs. It is required by the city for a licensed architect, engineer, or state licensed manufactured home remodelers oversee the structural framing repairs and provide a report to the city after repairs are made and prior to covering work for city approval. The reason for this is that manufactured homes are engineered to begin with, and the framing and wall bracing systems used are not in compliance with the city adopted codes.

We also discussed that sometimes repair cost exceed cost of replacing the home with another so I want to make sure you explore all options.

As you know, the city has identified this structure as falling under the Dangerous Structures Ordinance and a hearing has been scheduled for March 23rd at 6pm. I have attached a few documents that will help you prepare a timeline, plans, and estimates for repairs.

Besides all the structural framing repairs, the city believes that the following items are needing estimates:

- Estimate from licensed manufacture home installer to block and anchor the home per state requirements (this includes removal of tongue, axles, tires, etc.)
- Estimate from licensed architect, engineer, or manufactured home remodeler to identify structural repairs needed and provide written sealed reports to the city before and after repairs are made.
- Estimates from a licensed plumber to finish the install of the plumbing and for any repairs needed to the plumbing system.
- Estimates from a licensed electrician to finish the install of the electrical and for any repairs needed to the electrical system. This would include install of a new electrical service pole 10' from the home.
- Estimates for install of city approved driveway and culvert.
- Estimates for a survey of the property, this is required for all home installations – property corners must be marked for inspections and installation of homes.
- Estimates from a licensed HVAC contractor to finish the install of the mechanical system and for any repairs needed to the mechanical system. At a minimum, the home must have an operable and adequate heating system.
- Estimates for repairs or replacement of the roof, siding, framing, floor finishes, sheetrock, etc.
- Estimates for installation of code required landings, steps, and handrails at all exterior doors.
- Estimate for installation of approved crawl space skirting.
- Smoke detectors are required in all bedrooms and areas outside bedrooms. A carbon monoxide detector is required if any gas appliances are in the home, such as the water heater. The smoke detectors can be battery powered only and can be combo nits with carbon monoxide detectors.
- Estimates for new siding, exterior moisture barrier, and floor insulation and belly pan cover.

Also attached are contacts for two engineers who may be able to help oversee the structural repairs and provide written sealed reports for identifying the repairs needed, and a final report that all structural repairs have been made and the home is safe to occupy. The city always recommends that owner's get several bids and check for references of all licensed professionals and contractors prior to hiring.

City recommends that you turn in an initial report from a licensed engineer of the structure all estimates and time line for repairs about two weeks prior to the hearing. Staff usually recommends demolition of a dangerous structure if plans, estimates and time lines are not submitted for review prior to the hearing and in cases where it appears that repairs are not feasible or may exceed replacement cost of the home.

Lastly, a repair permit cannot be issued for the repairs and installation of the home unless the Building and Standards Commission issues a repair order.

Please call or email if any questions. Please know the sender of this letter strives to provide only factual and accurate information. Any errors or omissions not identified, as a result of the contents of this letter and attached documents, does not relieve full compliance with all City of Bryan adopted Codes

and Ordinances, State, and Federal laws. Additional requirements and repairs may be required as finishes are removed and as repairs progress on the structure.

Sincerely,

Gregory S. Cox, CBO
Chief Building Official
Development Services, City of Bryan
www.bryantx.gov
gcox@bryantx.gov
979-209-5031 office
979-209-5035 fax



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The Good Life, Texas Style.

Building and Standards Commission

Contractor Checklist

Address: _____

The items included in this checklist will be required when you appear at the Building and Standards Commission meeting. **Please fill out this checklist and bring it with you to the Building and Standards Commission meeting.**

A. Electrical

1. Licensed electrical contractor's company name: _____
2. Bid for electrical work: \$ _____
3. Estimated date for electrical work to start: _____
4. Estimated date for electrical work to be complete: _____

B. Plumbing

1. Licensed plumbing contractor's company name: _____
2. Bid for plumbing work: \$ _____
3. Estimated date for plumbing work to start: _____
4. Estimated date for plumbing work to be complete: _____

C. Heating, Ventilation, and Air Conditioning (HVAC)

1. Licensed HVAC contractor's company name: _____
2. Bid for HVAC work: \$ _____
3. Estimated date for HVAC work to start: _____
4. Estimated date for HVAC work to be complete: _____

D. Carpentry

1. Bid for carpentry work (if installed by the owner give material cost): \$ _____
2. Estimated date for carpentry work to start: _____
3. Estimated date for carpentry work to be complete: _____

E. Completion

1. Estimated project completion date: _____

Signature

Date



Building and Standards Commission

What You Need to Bring to the Meeting

You have received a notice about a meeting of the City of Bryan's Building and Standards Commission. At the meeting the Commission will discuss the demolition or repair of a structure, or structures, in which you appear to have an ownership interest.

If you wish to protect your property rights, it is recommended that you appear at the meeting. It is also recommended that you bring the following items to the meeting to give to the Commission:

- If you own the property but do not have a recorded deed, any documentation that shows that you have an interest in the property.
- Building permits from the City of Bryan, or a receipt showing payment for a permit.
- A plan of repair specifically detailing work that must be performed and a schedule of when you expect to complete different stages of the work.
- An estimate of the cost of repairs, including a Contractor Checklist.
- Documentation showing what financial resources you have to complete the work, and what financial resources you are still trying to obtain.
- Photographs of the progress of any repair or demolition work being done.

You must provide the Commission with seven (7) copies of any documentation that you bring on the day of the meeting. If you bring any documentation listed above to the Municipal Office Building at 300 S. Texas Avenue, Development Services Department by 5:00 p.m. on the Wednesday before the meeting, the City will assist you with making the copies.

City of Bryan Manufactured home repair policy (RE: 2009 IRC w/ amendments)

1. If any framing is damaged, or original wind straps/anchors are missing or damaged, or wall bracing is missing or damaged, then city may require or provide the owner the option to hire a licensed manufactured home retailer / remodeler with the state or a licensed engineer or architect to oversee the work and provide two reports to the city on the framing/structural repairs necessary to make sure the integrity of the home's structural system and a final report noting that the structure has been restored to its original structural design.
2. If any siding is to be replaced:

Manufactured home siding replacement inspections/process:

Inspections:

- a. Framing / insulation inspection after old siding is removed.
 - i. If framing or structural damage , owner will need licensed architect, engineer, or licensed manufactured home remodeler / retailer to oversee the framing/structural repairs (framing / structure of manufactured homes are not covered by city code) See item #1
 - ii. If insulation damage, need to see it replaced with R13 batt insulation or an approved insulation for the particular exposed wall cavity.
- b. Moisture barrier inspection – need to install house wrap (Tyvek) or felt paper over framing/ insulation.
- c. Final inspection of finished siding and skirting.
- d. Need to keep original state tag and reinstall on the home after new siding is installed.
- e. Need to seal all holes and penetrations to prevent water and air infiltration.
- f. Exterior electrical outlets need water proof covers per NEC after new siding install.

MAY 2010

Manufactured Home Requirements:

1. Site plan requirements for private lots: See Chapter 62 – Land Site Development (attached).
2. If in flood plain: See Chapter 46 Division 4 – Standards for Flood Hazard Reduction (attached).
 - a. Construction on property located in the 100-year Floodplain will require a **Development Permit and Elevation Certificate**. Such development is subject to certain additional restrictions and requirements as outlined in the Storm water Management Ordinance.
3. Parking spaces: Manufactured homes on private lots require one paved parking space per bedroom (one 9'X20' typical parking space per bedroom). Parking space(s) to be completely past property lines and within property lines (vehicles should not be parked in right of way area). Manufactured homes in parks are required to have paved parking per approved plat and city ordinance.
4. Driveways: A throat width of at least 12' but no more than 25' off / from street.
 - a. Distance from edge of driveway curb return radius to any utility structure (fire hydrant, gas meter, valve boxes, electrical pole, storm sewer inlet, etc.) is a minimum of 5 feet.
 - b. Minimum Corner Clearance from any street intersection shall be 30 feet.
 - c. Curb Return Radius (the end of the curve portion of the driveway) **must** be within the property lines of this site.
5. The manufactured home must be placed, tied down, and secured according to the standards set forth by State of Texas. Additional city requirements:
 - a. Take axles off
 - b. All manufactured homes placed in the city shall have tow tongues removed or covered in approved suitable weatherized materials.
6. All manufactured homes shall be skirted with a suitable weatherized material. Skirting shall be installed continuously around structure. Access and ventilation shall be provided to crawl space per code.
7. If the driveway slopes down toward the residence, provide proper site and driveway grading to prevent flooding.
8. Fencing is not permitted in public drainage easements without the approval of the City Engineer.
9. The elevation of the driveway at the property line (or at some point between the house & the property line) will be required to be as high as the top of the curb or the center of the street (whichever is greatest). It is recommended that this elevation be 6 inches greater for additional protection. The above requirement is made to reduce risks of residential flooding associated with storm water from the street entering through low driveways. City of Bryan Driveway Specifications are included in this packet for reference
10. Do not divert, impound or alter the drainage flow from this property to any surrounding properties as required by Texas State Law. *(This includes impounding water, concentrating flow or changing runoff patterns beyond the property limits.)*
11. Required to comply with the TCEQ-TPDES general permit. Permittee will prepare and inspect a SWAPP. Permittee will submit and/or post a notice. This will ensure that mud and dirt is not washed onto streets or other properties.
12. If grading activities cause any off-site erosion or sedimentation, Permittee will clean it up or otherwise correct the problem within 48 hours of notification by the City of Bryan.

- c. Electrical meter & connections shall comply with the *NEC with current City of Bryan Electrical Ordinance and BTU.
- d. Check for ground wire and check for ground wires on multiple section homes is installed and secure.

22. Mechanical Systems:

- a. Maintain all clearances per manufacturer instructions for HVAC compressors.
- b. Connections per NEC, city amendments, and manufacturers installation instructions.
- c. No exposed wires are allowed.
- d. City will verify that breaker is sized according to manufacturer's label.
- e. Wiring
 - #12 on HVAC 40 amp
 - #10 - 30 AMP # 12
- f. Junction box required on electrical splices.

23. Miscellaneous requirements:

- a. No broken glass accepted – all windows to have glass as required per code.
- b. Belly pan and insulation must good shape without tears and secured/covered.
- c. Roof must be in good shape and not allowing water infiltration.
- d. Siding / trim / fascia must be in good shape not allowing water infiltration.
- e. HVAC - a/c window units – can not blocking only window out of a bed room - verify that circuit is large enough for unit.
- f. HUD plate – make sure paper work matches house, state label must be on the house.
- g. Decks, landings, steps, per city adopted code.
- h. City inspector will walk through used homes to make sure structurally sound and habitable.
- i. Carports, porches, are not allowed to be directly anchored to home unless approved by engineer, architect, or manufacturer.
- j. Carports and porches are not allowed in setbacks. Roof overhangs can extend 18" into a setback.
- k. Decks are allowed in setbacks where without roofs.
- l. Decks, mechanical units, carports are not allowed in easements.

**Each used home is different – inspections and requirements may vary depending on condition of the home.

*Larry (LA) Berry PE
Berry Engineering Company (F-6608)
1811 Rose Street
Bryan, TX 77802
Tel: 979.575.3457
berryeng@hotmail.com*

The Sendero Group
Mike Lane
(979) 492-6500

Mike Lane mike@thesenderogroup.org

603 Live Oak Street

February 9th 2015

Owner - Mr. Rodriguez 979-595-3800, 1005 Cedar Run, College Station, Texas 77840

Staff present – Fred Taylor (Fire marshal), Greg Cox (Building Official), Craig Tepera (Plans Examiner)

Inspection notes:

- House is not anchored per state requirements, home not blocked per state requirements, tires and axles not removed
- Siding damage, holes
- Belly pan and floor insulation is damaged
- Exterior doors damaged
- Water heater door is missing, floor rotten under water heater, gas water heater not installed per code (T&P not plumbed to exterior, no drain pan, etc.)
- Open junction box at where exterior HVAC equipment go
- Broken window glass
- Evidence of roof leaks in interior, some ceiling finish damage, mold
- Exposed framing around washer and dryer location, holes in floor, soft/rotten floor
- Damaged or loose electrical outlets
- Missing electrical light fixtures
- Rotten walls/floors around windows and exterior doors
- Missing smoke detectors
- Exposed Romex at light fixture above sink
- Some areas of soft floors – need to check subfloor
- No steps, landings, or handrails at the exterior doors

End



Dangerous Structures Survey Report

Chief Building Official

Case #2090

A. PROPERTY ADDRESS: 603 Live Oak Street, Oak Grove Park, Block 40, Lot 2

B. SPECIFICATIONS: No. Rooms 7-8 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

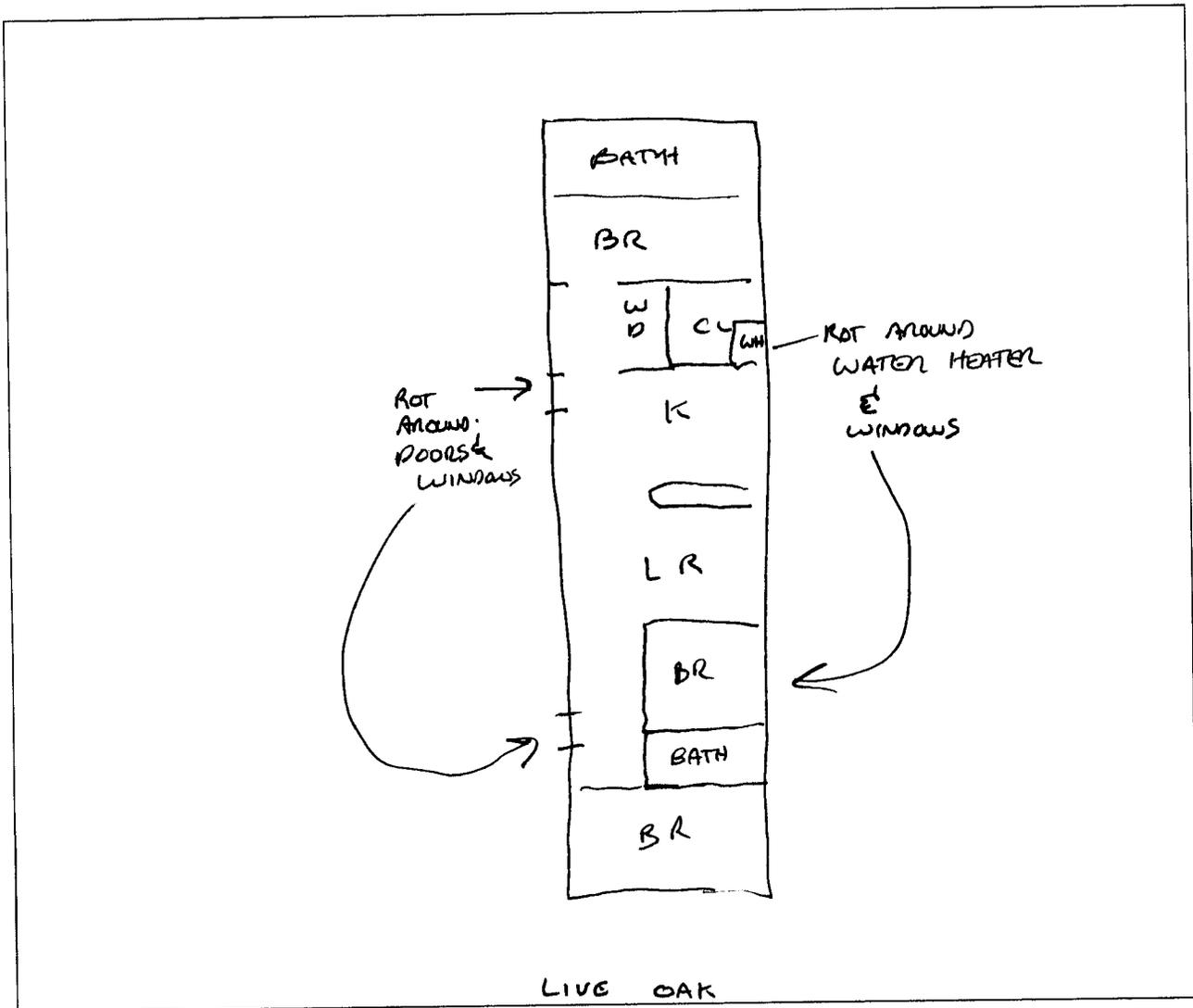
Main structure? Accessory structure?

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. Rotten/soft floors 2. Rotten walls around exterior doors and windows 3. Missing or damaged light fixtures and electrical devices 4. Evidence of roof leaks 5. House was never anchored per state requirements - no anchors or ground straps, blocking not per state requirements 6. Axles and tires not removed 7. Siding damage, holes in siding 8. Belly pan and insulation is damaged, loose or missing under home 9. Exterior doors are damaged 10. Water heater door is missing 11. Gas water heater not installed per code, no drain pan, T&P not plumbed, floor and floor framing rotten under water heater 12. Open electrical junction box at where exterior HVAC unit connects 13. Broken window glass 14. Evidence of roof leaks in interior, some ceiling damage, mold 15. Exposed framing around washer and dryer location, holes in floor, soft/rotten floor 16. Damaged electrical outlets 17. Missing smoke detectors 19. Exposed Romex at light fixture above bath room sink. 20. No steps, landings, or handrails at exterior doors.

*Home originally permitted to be installed in 2005. Work and install was never finished. Permit expired. Owner obtained second permit in 2006 and again work was never finished and second permit expired.

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.

Gregory S. Cox
Signature

GREGORY S. COX
Printed Name

2-9-15
Date



Dangerous Structures Survey Report

Fire Marshal

Case #2090

A. PROPERTY ADDRESS: 603 Live Oak Street, Oak Grove Park, Block 40, Lot 2

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

STRUCTURAL USE

- Residential/Single Family
 Mixed Use
 Commercial
 Residential/Multi Family
 Accessory Structure

CONSTRUCTION

- Box
 Frame
 Masonry
 Mobile Home

OCCUPANCY

- 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 100% 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?

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

COMMENTS Rotter walls
Soft floors
Sagging Ceilings
Open wiring
Holes in floor
BROKEN WINDOW

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.

Fred Taylor FRED TAYLOR / DSM 2-9-15
Signature Printed Name/Title Date