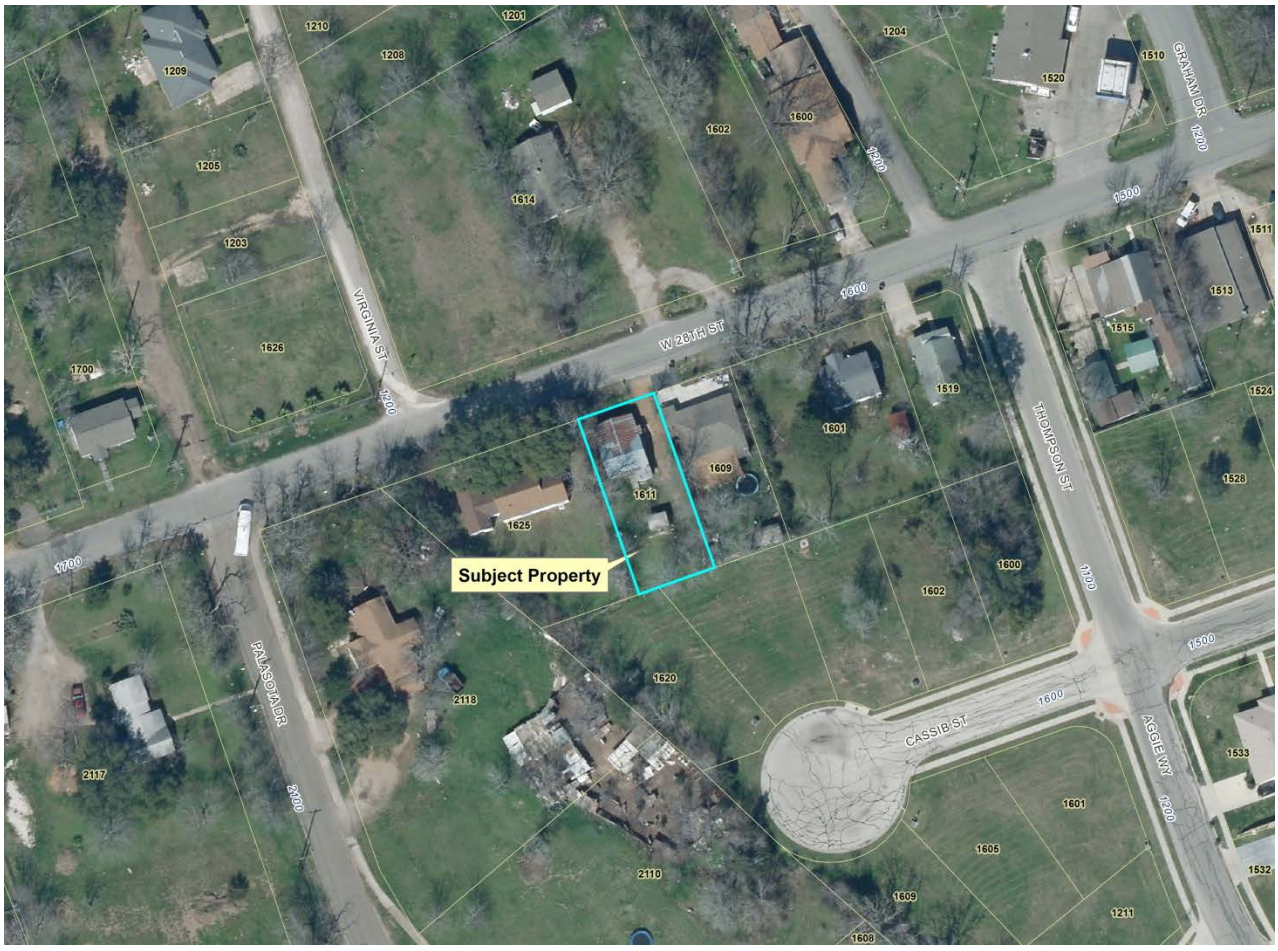
**BUILDING AND STANDARDS COMMISSION**
STAFF REPORT

**November 23, 2015**

CITY OF BRYAN

**Case # 2056 – 1611 W. 28th Street**



**LEGAL DESCRIPTION:** Stovall, Block 3, Lot 5

**STRUCTURE(S):** single-family residence, accessory structure

**PROPERTY OWNER(S):** Silvia Arriola

**LIENHOLDER(S)/ MORTGAGEE(S):** Larry Gilbert Sr. & Terri Gilbert

**ACTIVE UTILITIES:** ☐ yes ☒ no **DISCONNECTED ON:** August 22, 2013

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

| | |
|---|---|
| **PROPERTY ID:** | 99042 |
| **IMPROVEMENT VALUE:** | $23,290 (2014) |
| **YEAR BUILT:** | 1950 |
| **SF OF LIVING AREA:** | 1,008 |
| **CURRENT OWNER SINCE:** | 2013 |
| **PROPERTY TAXES OWED:** | $0 |

**BACKGROUND:**

- Assistant Fire Marshal found the home vacant, unsecured, and in need of repairs in March of 2014.
- During its regular meeting on October 27, 2014, the Commission voted to issue an order to repair the building and accessory structure within 150 days and to show compliance with the repair order during the January 2015 Commission meeting.
- City staff met with owner and went over repairs/permits/inspections needed on November 3, 2014.
- The owner obtained the building permit on November 4, 2014.
- Building framing inspection was approved on January 20, 2015.
- A plumbing permit was obtained on March 27, 2015. The plumbing rough in and top out inspections were approved on April 10, 2015.
- An electrical permit was obtained and the electrical rough in inspection was approved on April 27, 2015.
- The building framing and insulation inspection was approved on June 1, 2015.
- The plumbing final inspection was called in and approved on 11-04-15.
- The work was supposed to be finished by end of August 2015 from the Commission's order of October 27, 2015. At the August 2015 meeting staff recommended an additional 60 day extension of to finish the work and obtain a certificate of occupancy, which the Commission approved.
- Staff contends that while much progress had been made, the property is not currently in compliance with the Commission's order of August 24, 2015. However, the only remaining inspections are the final inspections and most of the work is completed except for some trim, cabinets, and exterior landings. Since the owner has been actively working on making repairs and has engaged plumber and an electrician who are making progress, staff recommends that the Commission issue a new repair order, to allow for repairs to continue and for this property to be rehabilitated. **Please refer to page 3 and 4 of this report**.

**ATTACHMENTS:**

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

**BUILDING AND STANDARDS COMMISSION**
STAFF RECOMMENDATION

**November 23, 2015**

**Case #: 2056**
**Building Address: 1611 W. 28th Street**
**Record Owner(s): Silvia Arriola**

**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 building <u>may</u> be feasibly repaired in compliance with City ordinances.**

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

☒ **Repair the building and accessory structure within 60 days, in accordance with the schedule below:**

| Deadline | Task |
|---|---|
| 60 Days | Complete interior finishes. |
| | Complete electrical, plumbing, and mechanical finish work and call for inspections. |
| | Completer all exterior work. Complete all interior work and call for all final inspections. |
| | Complete all repairs to accessory structure. |
| | Obtain a new certificate of occupancy. |

☒ **appear before the Commission during its regularly scheduled meetings in January 2016 to demonstrate compliance with the time schedule, until the preceding orders have been fulfilled.**

**The City recommends that the Commission orders that the City may:**

☒ **disconnect water and electric utilities to the building and/or 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**.

**Updated Pictures 11-11-15:**

Front of house

Rear of house – still needs rear landing, water heater enclosure needs to be finished

Kitchen area

Bedroom

**Updated Pictures 8-17-15:**

Side View

Interior

Bath room

Interior

**Updated Pictures 4-10-15**

Electrical service has been installed

Yard line plumbing has been installed

Gas yard line has been installed

Electrical rough in has been done

Electrical and plumbing rough in

Plumbing for new bath room

**Updated Pictures 2-5-15**

Rear of Building  New fiber cement siding and energy code compliant windows

Front of house

Side view

**PICTURES**: 09-04-14

Storage Building

CITY OF BRYAN
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# Dangerous Structures Survey Report

## Chief Building Official

Case #2056

A. PROPERTY ADDRESS: 1611 W 28th Street, Stovall, Block 3, Lot 5 1950 23, 290

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

| STRUCTURAL USE | CONSTRUCTION | OCCUPANCY |
|---|---|---|
| ✓ Residential/Single Family | ___ Box | ___ Occupied |
| ___ Mixed Use | ✓ Frame | ✓ Vacant |
| ___ Commercial | ___ Masonry | ___ Open |
| ___ Residential/Multi Family | ___ Mobile Home | |
| X Accessory Structure(s) | | |

C. FINDINGS

X 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? ___

X 04. The non-supporting coverings of walls, ceilings, roofs, or floors are materially damaged or deteriorated. Main structure? X Accessory structure? X

___ 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? ___

X 06. The structure or any part thereof has inadequate means of egress as required by the city's building code. Main structure? ___ Accessory structure? ___

X 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? ___

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? X

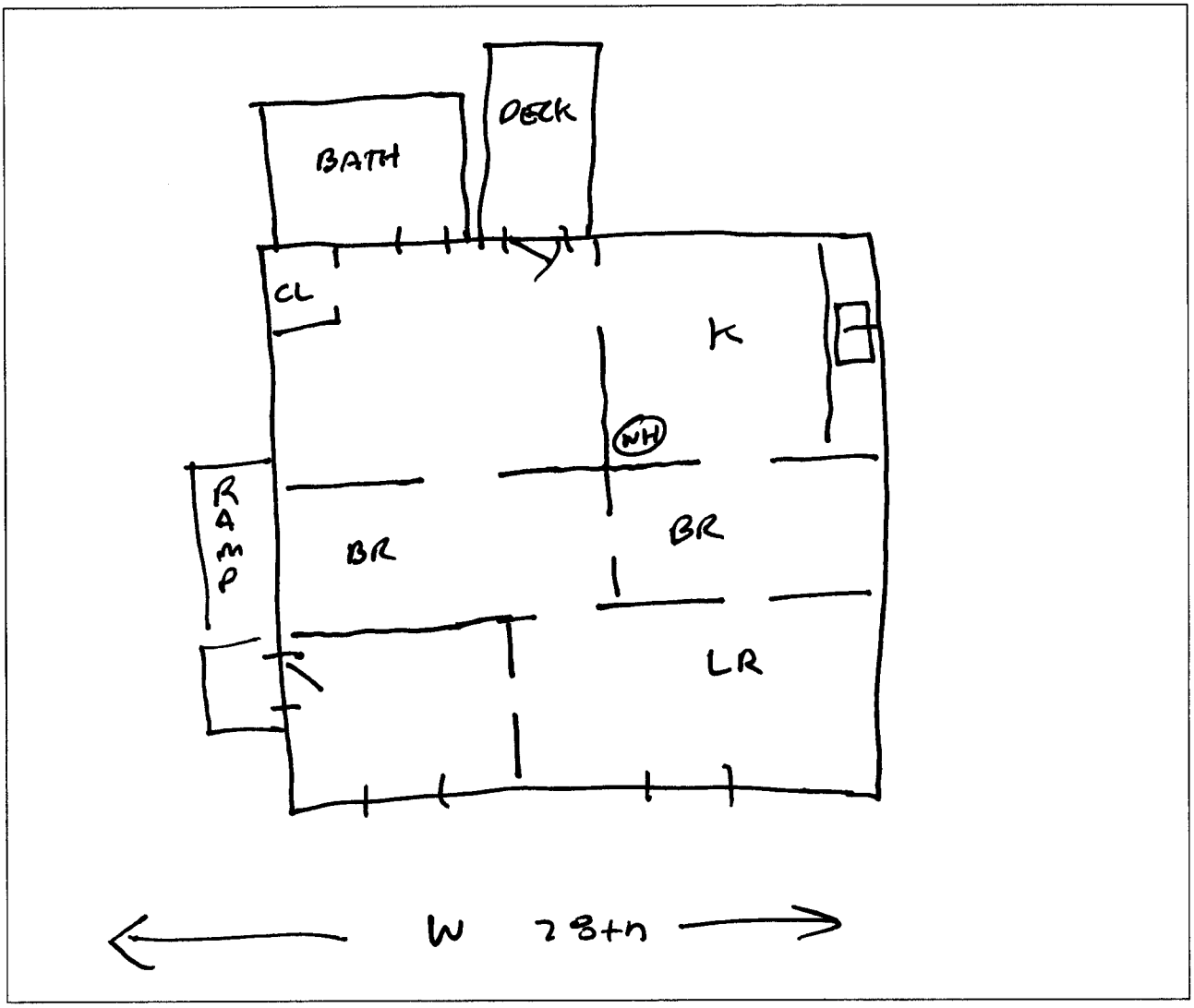
X 09. Unable to give reasonable protection to any occupants from weather elements or danger of collapse because of:
X Holes or cracks in the floor, exterior wall or roof
X Loose, rotten, warped or protruding boards
Main structure? X Accessory structure? X

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:
X Defective materials
___ Structural deterioration
X Interior walls or ceilings with holes, cracks or loose plaster
Main structure? X Accessory structure? X

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

COMMENTS (1.) SHED UNSECURED (2.) OSB SIDING ON HOUSE - NOT WEATHER RESISTANT (3.) ROOF OVERHANG & FINISH DAMAGE / ROTTEN EAVES (4.) NO GFI IN BATH / KITCHEN (5.) DAMAGED INTERIOR FINISHES (6.) NO HEATING SYSTEM (7.) UN-LEVEL FLOORS / GAPS HOLES IN FLOORS (8.) DAMAGED WINDOWS (9.) GAPS AROUND FRONT DOOR (10.) INADEQUATE SHEETROCK REPAIR (11.) LIGHT FIXTURES WITH NO COVERS (12.) FLUE LOOSE ON WATER HEATER - WATER HEATER NOT CONNECTED (13.) GAS OVEN MISSING (14.) WATER HEATER NOT INSTALLED TO CODE (15.) NO PAVED DRIVE WAY (16.) LANDINGS / STEPS DANGEROUS / NOT TO CODE - ROT

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.

Signature | GREGORY S. COX (Printed Name) | 9-12-14 (Date)

Case # 2056

CITY OF BRYAN
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# Dangerous Structures Survey Report

## Fire Marshal

**Case #2056**

A. **PROPERTY ADDRESS:** 1611 W 28th Street, Stovall, Block 3, Lot 5

B. **SPECIFICATIONS:** No. Rooms_____ No. Stories 1 No. Structures 2

| STRUCTURAL USE | CONSTRUCTION | OCCUPANCY |
|---|---|---|
| X Residential/Single Family | ____ Box | ____ Occupied |
| ____ Mixed Use | X Frame | X Vacant |
| ____ Commercial | ____ Masonry | ____ Open |
| ____ Residential/Multi Family | ____ Mobile Home | |
| ____ Accessory Structure | | |

C. **FINDINGS**

X 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 ____% of the main structure is considered a loss.
I estimate that ____% of the accessory structure is considered a loss.

X 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? X Accessory Structure? X

X 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? X Accessory Structure? X

X 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? X Accessory Structure? X

X 05. Obsolete, damaged, or deteriorated electric wiring, gas connections, heating apparatus, or other mechanical infrastructure present a risk of fire.
Main Structure? X Accessory Structure? X

X 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? X Accessory Structure? X

X 07. The structure or a part thereof is in violation of the City's fire code.
Main Structure? X Accessory Structure? X

____ 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? _X_

**COMMENTS**

electrical issues
mold / mildew
Rotten Soffits
windows broken missing
plumbing damaged
Rotten walls

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 | FRED TAYLOR / DFM | 9.5.14 |
|---|---|---|
| | Printed Name/Title | Date |

Case #2056