BUILDING AND STANDARDS COMMISSION
STAFF REPORT

April 25, 2016

CITY OF BRYAN

Case # 2161 – 1514 Oakview Street

LEGAL DESCRIPTION: Woodland Heights PH 2, Block 2, Pt of Lot 10

STRUCTURE(S): ☒ single-family residence

PROPERTY OWNER(S): Brown Michael E Sr

LIENHOLDER(S)/ MORTGAGEE(S): none

ACTIVE UTILITIES: ☐ yes ☒ no **DISCONNECTED ON:** 8/4/2014

BRAZOS COUNTY APPRAISAL DISTRICT/TAX OFFICE INFORMATION:

PROPERTY ID:	49873
IMPROVEMENT VALUE:	$36,280
YEAR BUILT:	1951
SF OF LIVING AREA:	884
CURRENT OWNER SINCE:	3/20/2013
PROPERTY TAXES OWED:	$2,075.89 (2014) $1,708.44 (2015)

BACKGROUND:

- The City's Public Works Department notified the Building Official that they received a complaint from a citizen that the house was abandoned and unsecured on December 28, 2015.
- The Assistant Fire Marshal visited the property on December 28, 2015 found the structure unsecured, with broken windows, and in a dilapidated condition from lack of maintenance. The Assistant Fire Marshal recommended that the property be considered for Building and Standards Commission consideration.
- A utility hold notice, notice to secure, and request to meet/inspect was sent to the owner on December 28, 2015.
- Notices that the property would be scheduled for consideration by the Building and Standards Commission was mailed to the property owner on January 5, 2016, and February 11, 2016. City permit records show that no permits have been applied for or obtained since at least 1998.
- At the March 28, 2016 regular meeting, the owner brought in estimates and photos showing the structure to be secured. The estimates were reviewed by the Chief Building Official and noted to be incomplete on start and finished date possibly incomplete for the carpentry and finish repairs.
- During its regular meeting on March 28, 2016, the Commission voted to issue the following order:

    - OWNER IS TO MEET WITH THE CHIEF BUILDING OFFICIAL WITHIN 30 DAYS TO GO OVER A DETAILED PLAN OF REPAIRS, ESTIMATES, AND A TIMELINE. OWNER IS TO COME BACK TO THE NEXT REGULARLY SCHEDULED MEETING WITH A DETAILED PLAN FOR REPAIRS, ESTIMATES, AND A TIMELINE.

- A reminder letter to appear back before the Building and Standards Commission to show compliance with the previous order was mailed to the property owner on April 5, 2016.

- As of April 13, 2016, the owner has not contacted the chief building official per the Commission's March 28 order and has not submitted a detailed plan of repairs, estimates, or timeline.

ATTACHMENTS:

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

BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION

April 25, 2016

Case #: 2161
Building Address: 1514 Oakview Street
Record Owner(s): Brown Michael E Sr

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:

☐ **<u>the building</u> 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 <u>may not</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:

☒ **secure the building from unauthorized entry within 30 days.**

☒ **demolish the building 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**

☒ **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 (March 2016):

Front, windows boarded – secured

Front left, windows boarded, yard needs mowing

PICTURES (March 2016):

Front of house, broken windows needs paint

Left side of house

PICTURES (February 2016):

Right side of house, damaged siding

Close up of damaged/rotten siding, hole to interior

Back yard full of trash, junk, and debris

Rotten wall at back door of garage

Broken unsecured windows at back bedroom

Openings in soffit/ missing vent covers

Missing electrical switch plate covers

Trash and debris inside

Damaged sheetrock ceilings

Evidence of roof leaks

Garage full of trash and debris

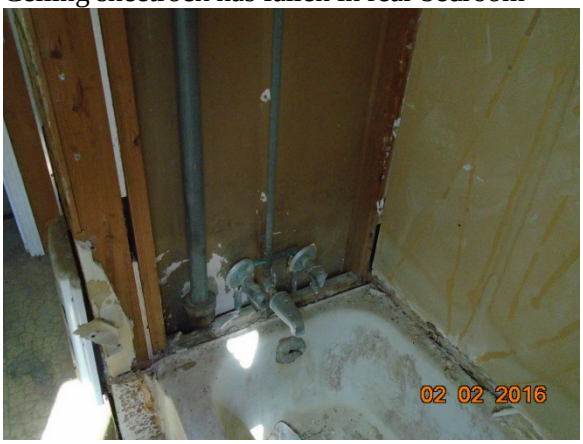
Kitchen full of trash and debris, hole to exterior Under cabinet

Hole to exterior in cabinet

Trash and debris in back bedroom

Ceiling sheetrock has fallen in rear bedroom

Finishes removed in bath room (no permits on file)



Missing tub surround

Rotten exterior wall behind water heater in garage

Old outdated electrical panel – 4 circuits

missing light fixture at rear door

Overgrown backyard, trash and debris

CITY OF BRYAN
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Dangerous Structures Survey Report

Chief Building Official Case #2161

A. PROPERTY ADDRESS: 1514 Oakview Street, Cavitts Woodland Heights, PH 2, Block 2, Lot 10 (Less 30' of)

B. SPECIFICATIONS: No. Rooms____5____ No. Stories____1____ No. Structures____1____

STRUCTURAL USE	CONSTRUCTION	OCCUPANCY
__X__ Residential/Single Family	_____ Box	_____ Occupied
_____ Mixed Use	__X__ Frame	__X__ Vacant
_____ Commercial	_____ Masonry	__X__ Open
_____ Residential/Multi Family	_____ Mobile Home	
_____ 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? __X___ 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? _____

__X__ 03. The foundation or the vertical or horizontal supporting members are materially damaged or deteriorated. Main structure? __X__ Accessory structure? _____

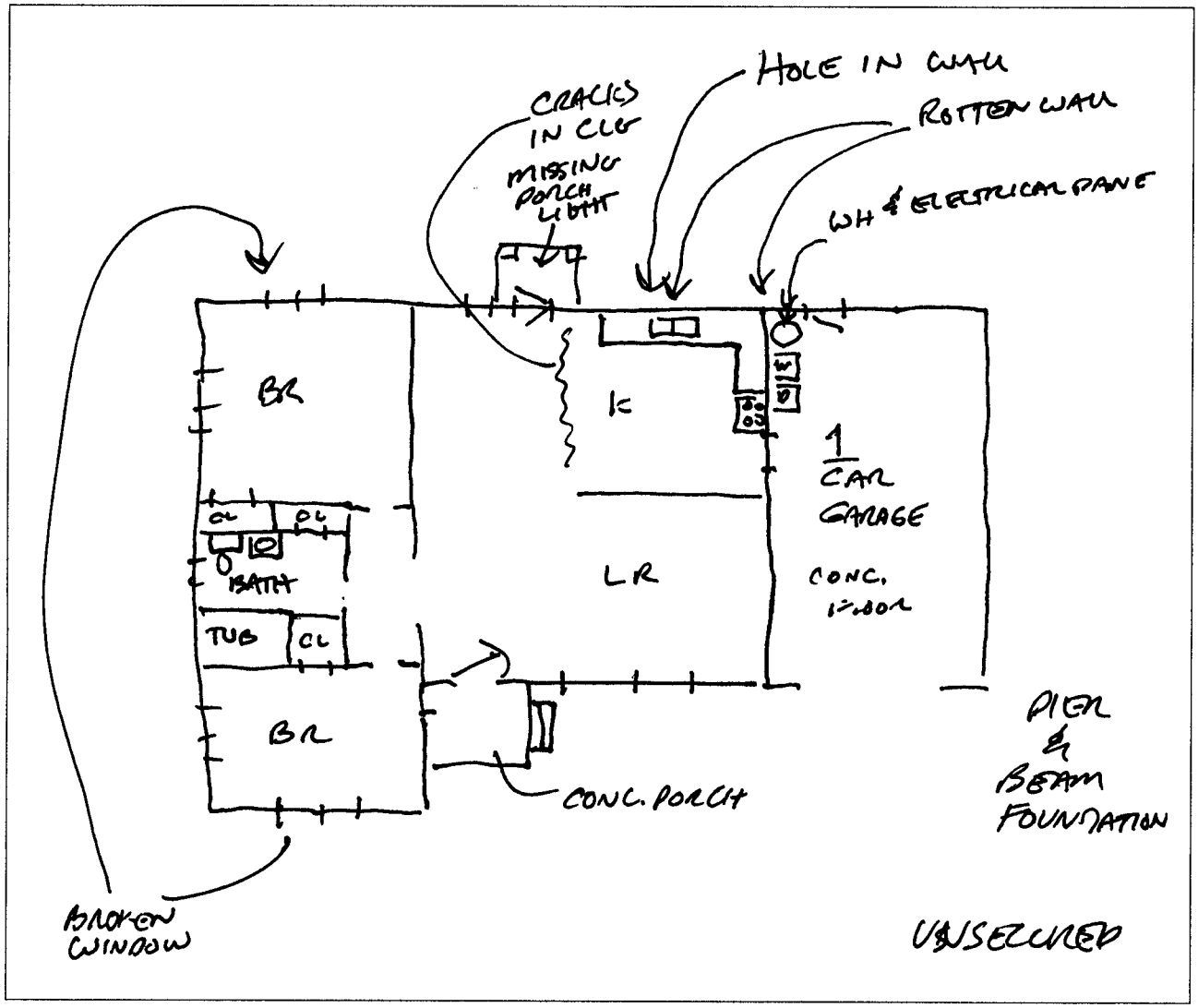
__X__ 04. The non-supporting coverings of walls, ceilings, roofs, or floors are materially damaged or deteriorated. Main structure? __X___ Accessory structure? _____

_____ 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? _____

__X__ 06. The structure or any part thereof has inadequate means of egress as required by the city's building code. Main structure? __X__ 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:
_X___ light
_X___ ventilation
_X___ sanitation facilities
Main structure? __X___ Accessory structure? _____

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. _X__ 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) | 2-4-16 (Date)

__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__ 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__ 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
_X___ 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? __X___ Accessory structure? _____

COMMENTS: House and attached garage are unsecured, trash and debris in back yard. House has rotten siding, missing siding boards, missing vents at overhangs, etc. there are places with rotten wall framing at rear wall by kitchen and garage where water heater sits. There are broken windows, damaged interior finishes, etc. The tub surround is missing and other missing wall finishes in bath room. There is sheetrock damage in dining room and kitchen. No signs of heating system. Hole in ceiling in back bedroom. Damaged or missing electrical fixtures, switches and outlets. Evidence of roof leaks. Damaged or missing finishes in garage. Water heater vent pipe is not connected. Exposed wires at electrical panel, electrical service and panel (four circuits) are outdated.

CITY OF BRYAN
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Dangerous Structures Survey Report

Fire Marshal

Case #2161

A. PROPERTY ADDRESS: 1514 Oakview Street, Cavitts Woodland Heights, PH 2, Block 2, Lot 10 (Less 30' of)

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

STRUCTURAL USE	CONSTRUCTION	OCCUPANCY
X Residential/Single Family	X Box	___ Occupied
___ Mixed Use	___ Frame	X Vacant
___ Commercial	___ Masonry	X 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 80% 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 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 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 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 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 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? X Accessory Structure? ~

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

COMMENTS

Open wiring
Open ceiling
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 | 2-3-16
Signature | Printed Name/Title | Date