

**BUILDING AND STANDARDS COMMISSION  
STAFF REPORT**

**August 22, 2016**



**Case # 2183 – 408 Ash Street**



**LEGAL DESCRIPTION:** Oak Grove Park, Block 50, Lot 4

**STRUCTURE(S):**  single-family residence  
 accessory structures

**PROPERTY OWNER(S):** Mayra Alejandra Alvarado

**LIENHOLDER(S)/  
MORTGAGEE(S):** First State Bank of Bedias Texas

**ACTIVE UTILITIES:**  yes  no **DISCONNECTED ON:** 5/28/14

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

**PROPERTY ID:** 35134  
**IMPROVEMENT VALUE:** \$38,550  
**YEAR BUILT:** 1950  
**SF OF LIVING AREA:** 960  
**CURRENT OWNER SINCE:** 04/29/1994  
**PROPERTY TAXES OWED:** none

**BACKGROUND:**

- In March of 2013, Bryan BFD/BPD responded to this location after receiving reports of homeless person or persons staying here and they reportedly had started a fire on the front porch. Bryan PD found that one individual was living on the property without utilities. The individual was advised he could not live here without utilities.
- The Chief Building Official and Assistant Fire Marshal checked on the property after being notified of concerns by Bryan PD. At time of inspection in late March of 2016 large amounts of items were stored in the yard and on the front porch, but no one was found on the property and structures appeared to be secured. The Assistant Fire Marshal sent a request in to have the meter and electrical service wire removed as the meter can was damaged.
- Notice of utility hold and request for owner to contact the Chief Building official for a meeting and inspection of the structure was sent on 04/07/16. The owner never responded to the City notices.
- When the Chief Building Official served the administrative warrant for inspection of the structure for the August hearing on July 19, the same individual was found on the premises that PD had met with in March of 2016. The owner was contacted and City staff met with the owner on site later in the day. The main structure's doors were secured but several windows were not. The owner relayed that the individual on the premises was relative and they had locked him out of the house, however it was found that he was most likely living in or out of an accessory storage structure on site and may have still been gaining entry into the main structure through open windows.
- Owner was notified about the Building and Standards process while meeting with City staff and advised to prepare estimates, timeline and plans for repairs if they wanted to repair the structure. City staff also directed the owner to contact The City's Community Development Department for possible assistance.
- Notices that the property would be scheduled for consideration by the Building and Standards Commission were mailed to the property owner on July 15, 2016, and July 22, 2016.
- Community Development met with the owner on July 25, 2016. The owner was given some options and was advised to call the Chief Building Official to set up another meeting if they wanted to repair.
- As of August 11, 2016, the owner has not contacted the City.

**ATTACHMENTS:**

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

**BUILDING AND STANDARDS COMMISSION  
STAFF RECOMMENDATION**



**August 22, 2016**

**Case #: 2183**

**Building Address: 408 Ash Street**

**Record Owner(s): Mayra Alejandra Alvarado**

**The City's Chief Building Official has requested this Commission hearing to discuss the building and two (2) accessory structures 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 structures 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 occupied and poses a hazard to health, safety, or general welfare of the occupants and/or the general public and must be vacated.**
- the accessory structures are occupied and pose a hazard to health, safety, or general welfare of the occupants and/or the general public and must be vacated.**
- the accessory structures 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 structures.**

- the building may not be feasibly repaired in compliance with City ordinances.

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

- vacate the building and accessory structures within 30 days.
- secure the building and accessory structures from unauthorized entry within 30 days.
- demolish the building and accessory structures and remove all debris within 30 days.

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

- disconnect water and electric utilities to the building and/or accessory structures; and
- secure the structure, demolish the building and accessory structures 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:**



Front of structure, illegal outdoor storage of items on front porch.



Right front side of house from street.



Propane bottles stored on front porch.



Outdated meter can, no meter.



Left side of house



Birds nest in loose siding on left side



Open window



Rear of structure, rear door does not have code compliant landing or steps



More items outside in back yard



Open/unsecured window



Large amount of items stored inside



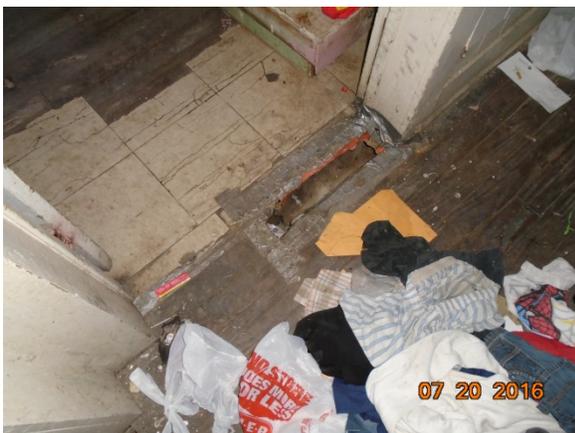
Damaged ceiling finishes in front room



Evidence of roof leaks, damaged light fixture  
Evidence of roof leak



Bath room un-sanitary, appears to have been used



Damaged floor finishes



Damaged light fixture



More items in back room on floor



Open sewer pipes on interior, damaged wall finishes



Gas water heater in kitchen



Kitchen sink – water damage to surrounding finishes



Damaged ceiling finishes



Ceiling finishes falling in kitchen



Another view of ceiling finishes falling in kitchen



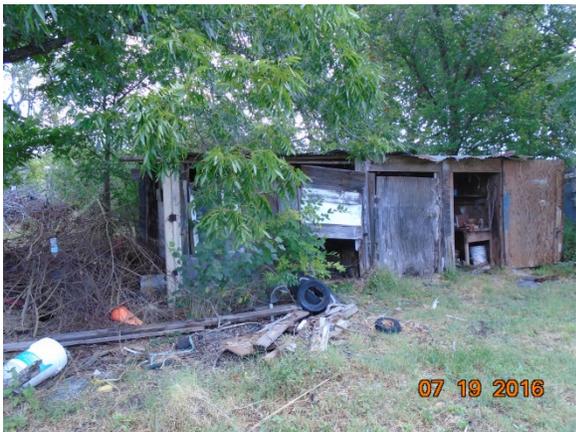
Burnt electrical outlet in dining room



Power strip illegally hard wired in



Damaged light fixture



Rear dilapidated accessory structure



Interior of rear accessory structure



Another interior view of rear accessory structure



Rear accessory structure is unsecured



Accessory structure immediately behind house



Interior of accessory structure appears to be used for dwelling purposes, a lit candle was found at time of inspection.



Another view of accessory structure used as dwelling



Inoperable vehicle behind house with junk



# Dangerous Structures Survey Report

Chief Building Official

Case # 2183

A. PROPERTY ADDRESS: 408 ASH STREET, OAK GROVE PARK, BLOCK 50, LOT 4

B. SPECIFICATIONS: No. Rooms 7 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:

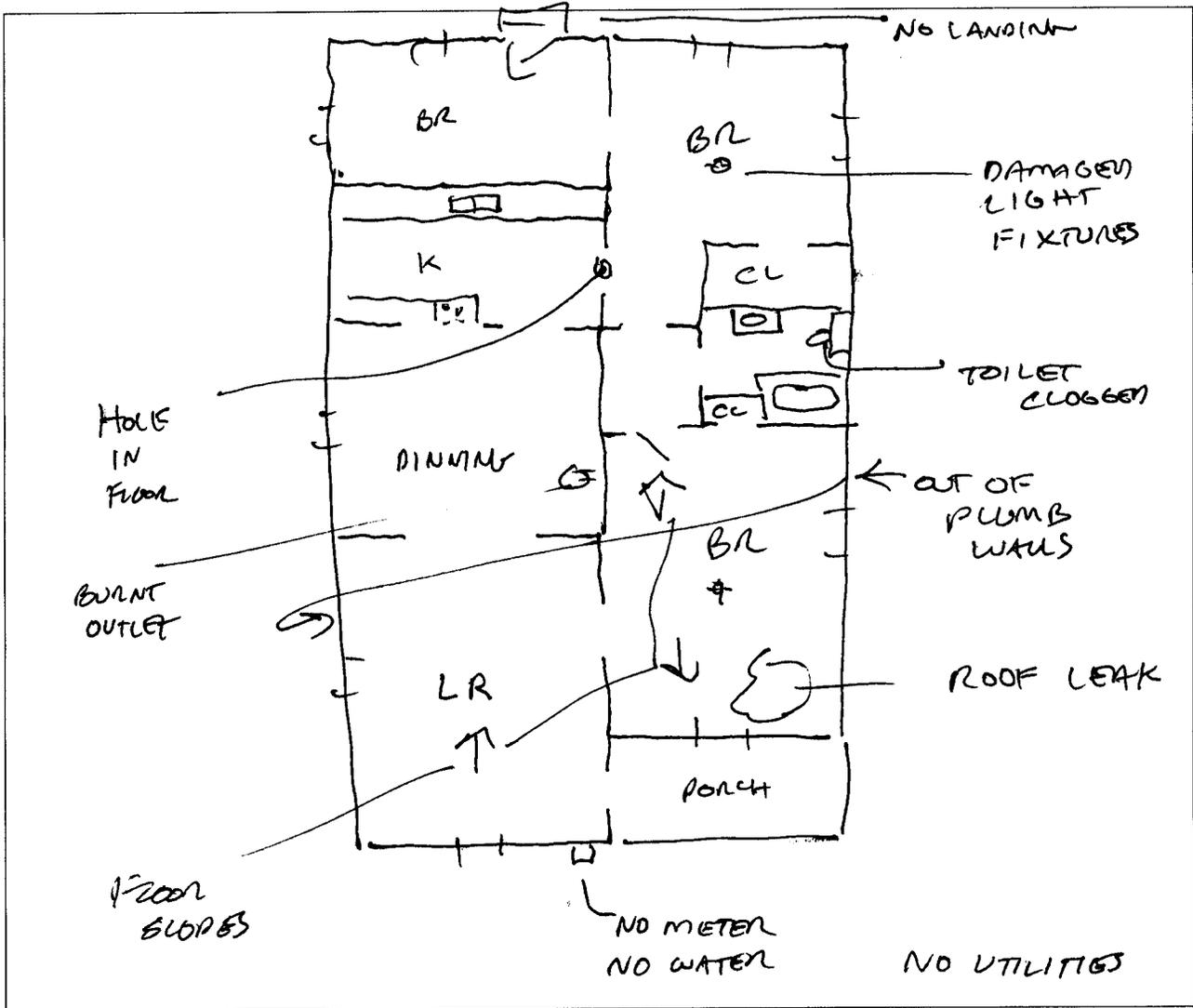
- light
  - ventilation
  - sanitation facilities
- Main structure?  Accessory structure?

- 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?
- 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: MAIN HOUSE:** windows open/with screens, doors padlocked but someone may be getting access based on interior conditions. The toilet in the bathroom is clogged with feces, there are large amounts of clothes, etc. on floors and throughout house along with furniture, etc. There are some holes in the floors, missing or damaged interior finishes. Some ceiling finishes are pulling loose from roof leaks or due to defective materials. Windows are old wood units with some damage, rot, or broken glass. There are damaged light fixtures throughout, some hanging by wires, there is a burnt electrical outlet near the kitchen. House does not have utilities. Evidence of mice and insect infestation. The house has exterior vinyl siding and due to out of plumb exterior walls and age of structure the original siding and walls may be rotten. Floors are uneven and foundation needs leveling. House will need a rewire and new service. All finishes will need to be replaced. There is no landing at rear door and steps are inadequate. **Metal Shed:** Evidence of being used for a dwelling, food, clothing, burning candle, etc. were found inside. **Wood Shed Structure at rear of property:** this shed was poorly constructed and is dilapidated/rotten

There is a large amount of trash and debris on the property that needs to be removed.

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.   X   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

7-20-16  
Date



# Dangerous Structures Survey Report

Fire Marshal

Case #2183

A. PROPERTY ADDRESS: 408 ASH STREET, OAK GROVE PARK, BLOCK 50, LOT 4

B. SPECIFICATIONS: No. Rooms \_\_\_\_\_ No. Stories 1 No. Structures 3

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 ~~20~~25% of the main structure is considered a loss.  
I estimate that ~~10~~15% 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 *open wiring*  
*spliced wiring*  
*Rotten walls*  
*Rotten floors*

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.

*Fred Taylor*

Signature

FRED TAYLOR / DS-M

Printed Name/Title

7-19-16

Date