

**BUILDING AND STANDARDS COMMISSION
STAFF REPORT**

August 22, 2016



Case # 2185 – 408 W. 23rd Street



LEGAL DESCRIPTION: City of Bryan, Block 162 & pt of alley, Lot 1 & Lot 2

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

PROPERTY OWNER(S): Rita Perez

**LIENHOLDER(S)/
MORTGAGEE(S):** City of Bryan

ACTIVE UTILITIES: yes no **DISCONNECTED ON:** 03/08/16

BRAZOS COUNTY APPRAISAL DISTRICT/TAX OFFICE INFORMATION:

PROPERTY ID: 22771
IMPROVEMENT VALUE: \$34,440
YEAR BUILT: 1960
SF OF LIVING AREA: 984
CURRENT OWNER SINCE: 09/25/1985
PROPERTY TAXES OWED: none

BACKGROUND:

- Notices that the property had an electrical hold on it from the Chief Building Official were mailed to the property owner on January 7, 2016.
- The Assistant Fire Marshal received a complaint about an unsecured structure in June of 2016.
- The Chief Building Official and Assistant Fire Marshal visited the structure on June 22, 2016. the structure was found unsecured and in a dilapidated state. A real estate for sale sign was located on the property. The realtor was notified by phone that the structure was unsecured and did not look feasible for repairs.
- The structure was still unsecured at time of administrative warrant inspection on July 19, 2016.
- 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.

ATTACHMENTS:

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

**BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION**



August 22, 2016

Case #: 2185

Building Address: 408 W 23rd Street

Record Owner(s): Rita Perez

The City's Chief Building Official has requested this Commission hearing to discuss the building and one (1) 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 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 accessory structure 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 structure.**

- the building and accessory structure 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:

- secure the building and accessory structure from unauthorized entry within 30 days.**
- demolish/remove the building and accessory structure within 30 days.**

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

- disconnect water and electric utilities to the building and 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.**

PICTURES:



Front left side – dips in roof line



Front right side, no meter, unsecured window



Left side



Rear of structure, damaged siding, dips in roof line



Rear view, house is mostly on the ground



Rotten / collapsed floor. House on ground



Damaged electrical outlets, rotten floor



Mold on wall



Mold on wall in washer/dryer area, rotten floor



No drain pan under gas water heater



Mold on wall in kitchen, gas line for oven



Mold on wall in rear bedroom



Mold, collapsed rotten floor



Rear exterior door damaged



Mold on wall



Rotten wall below window, damaged sill



Damaged wall finishes, more mold



Unsecured window



Rotten wall, rotten foundation



Right rear side, damaged siding



Dilapidated shed in rear



Unsecured shed, trash and debris inside, dirt floor



Dangerous Structures Survey Report

Chief Building Official

Case #2185

A. PROPERTY ADDRESS: 408 W 23RD STREET, CITY OF BRYAN TOWNSITE, BLOCK 162, LOT 1 & PT OF 2 & PT OF ALLEY

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?

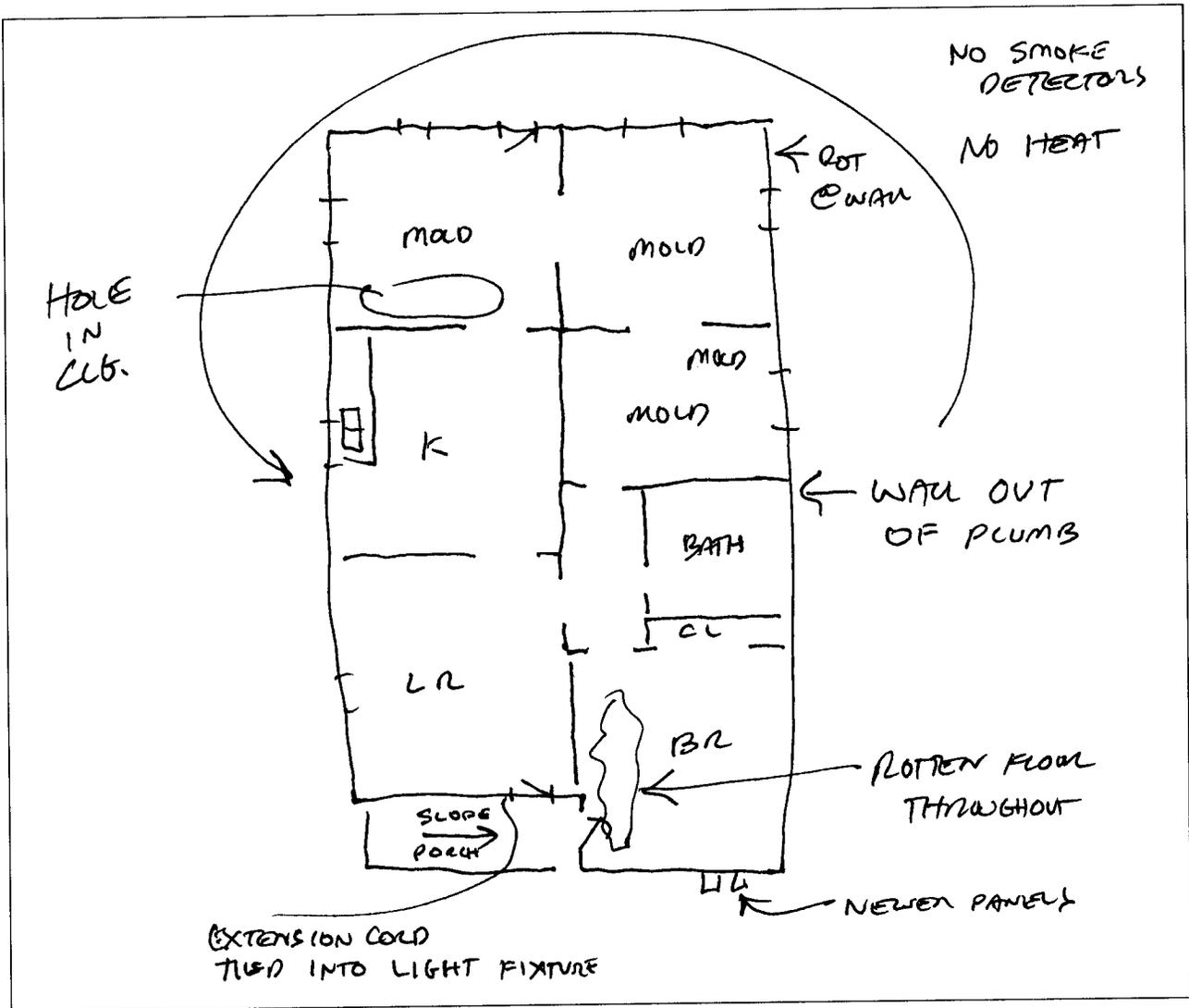
09. Unable to give reasonable protection to any occupants from weather elements or danger of collapse because of:
 Holes or cracks in the floor, exterior wall or roof
 Loose, rotten, warped or protruding boards
Main structure? Accessory structure?

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: HOUSE AND SHED are unsecured. House: the foundation is mostly rotten, most all floors are soft or missing support. House probably has termite infestation from being built too low to the ground. There is evidence of termite infestation on some exposed foundation beams and wall framing at exterior where open. House is not feasible for repairs do to condition of foundation, floors, walls, etc. Large amount of mold inside due to roof leaks or from water / moisture from below. Ceiling is missing in one room, there is no attic insulation. There is a large amount of trash and debris inside. The roof line is un-level and exterior siding is rotten or missing in many places. The shed in rear of property is dilapidated and not feasible for repairs. The interior dirt floor is lower than exterior grade, water most likely ponds inside during heavy rains. Trash and debris are inside as well.

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.

Gregory S. Cox
Signature

GREGORY S. COX
Printed Name

7-20-16
Date



Dangerous Structures Survey Report

Fire Marshal

Case # 2185

A. PROPERTY ADDRESS: 408 W 23RD STREET, CITY OF BRYAN TOWNSITE, BLOCK 162, LOT 1 & PT OF 2 & PT OF ALLEY

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

Rotten floor

Rotten window frames

Rotten exterior walls

open wiring

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 / ASM

Printed Name/Title

7-19-16

Date