

**BUILDING AND STANDARDS COMMISSION
STAFF REPORT**

October 24, 2016



Case # 2189 – 1403 Tisdale



LEGAL DESCRIPTION: Castle Heights, Block 9, Lot 12 and 13

STRUCTURE(S): single-family residence

PROPERTY OWNER(S): Taylor, Donald

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

ACTIVE UTILITIES: yes no **DISCONNECTED ON:** 12/15/03

BRAZOS COUNTY APPRAISAL DISTRICT/TAX OFFICE INFORMATION:

PROPERTY ID:	21421
IMPROVEMENT VALUE:	\$11,640
YEAR BUILT:	1943
SF OF LIVING AREA:	816
CURRENT OWNER SINCE:	2000
PROPERTY TAXES OWED:	\$0.00

BACKGROUND:

- The City received complaints from concerned citizens in the Fall of 2015 and in 2016 about a person living without utilities at this house. Bryan PD made contact in May 2016 to the property owner (Donald Taylor) and the owner reported that the person (James Taylor) was not supposed to be staying there.
- To date, the house has not been boarded up to secure it to prevent entry from Mr. James Taylor who is not supposed to be staying here.
- City staff has visited with Mr. Taylor multiple times: February 2015, December 2015, Spring of 2016, etc. Each time Mr. Taylor had been advised he could not live or stay here without utilities which were disconnected in 2003.
- Notice that the structure was occupied without utilities was mailed on December 17, 2015.
- Notice that the structure was unsecured letter was mailed on May 16, 2016.
- Notices that the property would be scheduled for consideration by the Building and Standards Commission were mailed to the property owner on August 24, 2016, and on September 14, 2016.

ATTACHMENTS:

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

**BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION**



October 24, 2016

Case #: 2189

Building Address: 1403 Tisdale

Record Owner(s): Taylor, Donald

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. (carport)
- 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 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 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 within 30 days.**
- secure the building and accessory structure from unauthorized entry within 30 days.**
- demolish the building and accessory structure and remove all debris within 60 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 of house



Left side of house



Left side, rotten walls/siding along ground



Left rear, damaged siding



Overall view of left side and rear



Carport on right side of house



Trash and debris inside carport



Right side of house



Rotten siding, window sills, etc.



Exposed foundation beams, missing siding



Unvented gas space heaters in living and sleeping areas



Evidence of living without utilities (no water/ electricity)



Under sink area in bath, counter supported by broom handle



Bedroom condition



Living room condition



Older electrical panel



Sheetrock damage to walls



Oven blocking outlet, no GFI plugs



Dangerous Structures Survey Report

Chief Building Official

Case # 2189

A. PROPERTY ADDRESS: 1403 Tisdale Street, Castle Heights, Block 9, Lot 12 & 13

B. SPECIFICATIONS: No. Rooms 6 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 – OCCUPIED WITHOUT UTILITIES
 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?

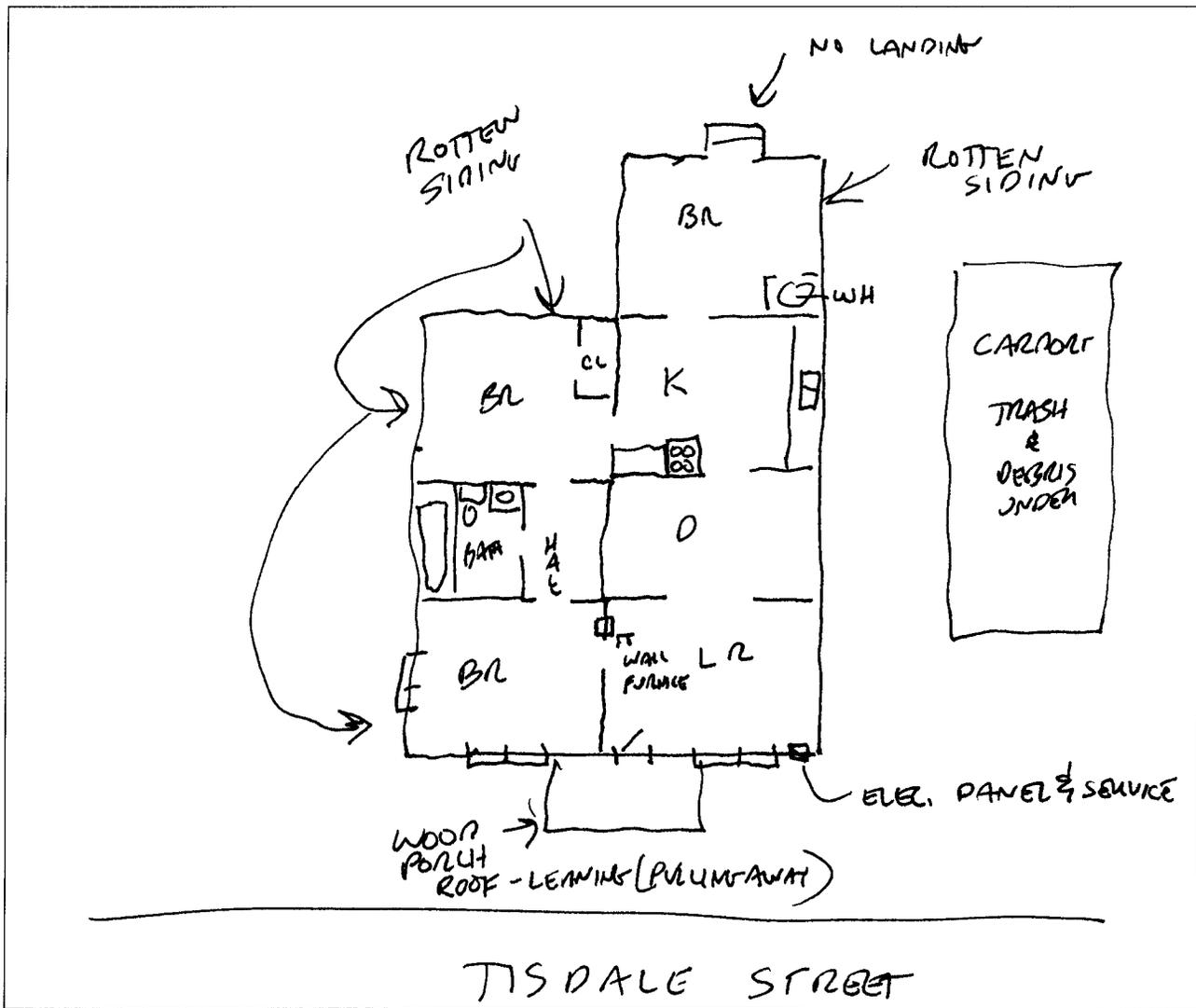
07. The structure is unsanitary, unfit for human habitation, or likely to cause sickness due to damage, deterioration, or inadequate design/construction. Specifically the structure does not meet the city's requirements for:

- 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: City has been dealing with a person staying here without utilities for several years, city has received several complaints. Structure is unsecured. There is a house and detached carport structure on the right side of the lot. The back door was found unsecured. The house does appear that someone is still staying here without utilities. The structure has rotten siding and exposed walls at bottom of wall in several places with visible signs of deterioration in the walls and or foundation beams along the perimeter of the structure. There is rotten window sills and trim. The front porch roof appears to be pulling away from the structure and leans out/un level. There is an old gas Dearborn heater in one room and a built in gas wall heater in the living room/front bedroom. No smoke detectors or CO detector. House is full of furniture, clothes, trash, food, etc. The bath room is missing the base cabinet, the counter is supporting with a broom stick. Toilet has signs of being used without water service. There are damages to interior finishes. The electrical system appears outdated and not enough electrical outlets.

_____ FLOOR PLAN (if necessary)



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.

Gregory J. Cox
Signature

GREGORY J. COX
Printed Name

9-8-16
Date



Dangerous Structures Survey Report

Fire Marshal

Case #2189

A. PROPERTY ADDRESS: 1403 Tisdale Street, Castle Heights, Block 9, Lot 12 & 13

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

STRUCTURAL USE

CONSTRUCTION

OCCUPANCY

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

- Box
- Frame
- Masonry
- Mobile Home

- 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% 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?

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

COMMENTS

Rotten floors
Rotten foundation BEAMS
Rotten Siding

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.


Signature

FRED TAYLOR / DFM
Printed Name/Title

9-6-16
Date