

**BUILDING AND STANDARDS COMMISSION
STAFF REPORT**

April 25, 2016



Case # 2169 – 1500 N. Washington Avenue



LEGAL DESCRIPTION: Ertle Addition, Block 3, Lot 1

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

PROPERTY OWNER(S): Baltazar Diaz % Rosa Maria Diaz

**LIENHOLDER(S)/
MORTGAGEE(S):** federal tax lien

ACTIVE UTILITIES: yes no **DISCONNECTED ON:** 11/16/2015

BRAZOS COUNTY APPRAISAL DISTRICT/TAX OFFICE INFORMATION:

PROPERTY ID: 27123
IMPROVEMENT VALUE: \$14,640
YEAR BUILT: 1950
SF OF LIVING AREA: 732
CURRENT OWNER SINCE: 10/30/2015
PROPERTY TAXES OWED: \$0

BACKGROUND:

- The Assistant Fire Marshal noticed the structure appeared unsecured and was in a dilapidated state in late October 2015. A utility hold notice, notice to secure, and request to meet/inspect was sent to the owner on October 30, 2015.
- City building inspector and Assistant Fire Marshal met with the owner on November 10, 2015. A tenant was occupying the house. The structure appeared not feasible to repair due to several issues. It was recommended to the owner that the structure be vacated and should be demolished. The owner had just purchased the property and said he was unaware of the interior conditions.
- The owner called the City after the inspection and spoke with the Chief Building Official. The owner was notified he could submit plans, estimates, and timeline for repairs, but the structure appeared not feasible for repairs due to several issues. The owner was again notified the house needed to be vacated. Owner stated the tenant would be out in about a week.
- The City confirmed that the tenant had vacated the property and utilities were off in late November 2015.
- Notices that the property would be scheduled for consideration by the Building and Standards Commission were mailed to the property owner on February 8, 2016, and March 21, 2016.
- In February the structure was found unsecured and it appeared to be abandoned. The Chief Building Official had the service drop and electrical meter removed on February 23, 2016.
- City staff spoke with property owner on April 4, 2016, advised owner what he would need to submit to the Chief Building Official prior to the meeting. The property owner stated that he may have a potential buyer.

ATTACHMENTS:

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

**BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION**



April 25, 2016

Case #: 2169

Building Address: 1500 N. Washington Avenue

Record Owner(s): Baltazar Diaz % Rosa Maria Diaz

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 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 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 the building and accessory structure 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 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 (April 2016):



Front and back doors unsecured



Unsecured windows

PICTURES (February 2016):



Front of House



Front right side with carport and sheds



Front left corner of house



Side of house, sagging roof



Sheds



Front of house, damage windows, low ceiling at porch



Damaged / rot at roof overhangs



Broken windows, open doors, unsecured



Un-level floors / roof – at carport



Rotten siding, holes in walls, wood too close to grade



No landing at rear door / broken window



Mold, damaged sheetrock from roof leaks



More mold and damaged interior finishes



Illegal splices in electrical wiring



Damaged sheetrock walls/floor, mold



Missing ceiling finishes, damaged /unsafe electrical



Rotten bath room floor, walls, ceiling



Bathroom ceiling, rot



Damaged interior finishes



Damaged floors (missing subfloor), trash and debris



Missing ceiling/insulation in back bedroom



Damaged windows and walls



Shedunsecured – damaged walls/siding, trash and debris



Dangerous Structures Survey Report

Chief Building Official

Case # 2169

A. PROPERTY ADDRESS: 1500 N Washington Avenue, Eittle Block 3, Lot 1

B. SPECIFICATIONS: No. Rooms 5 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?

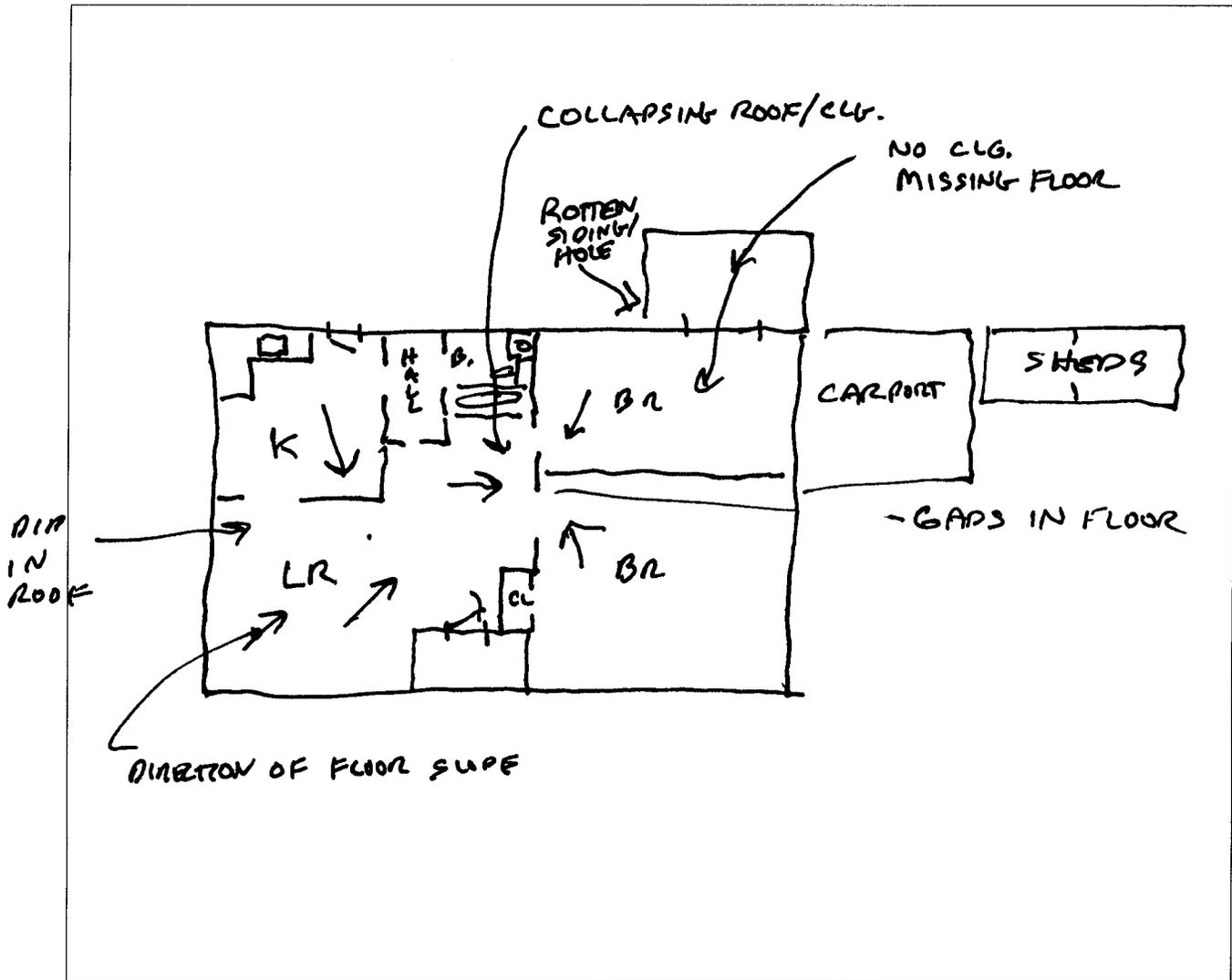
05. The structure has improperly distributed loads upon the structural members, or they have insufficient strength to be reasonably safe for the purpose used. Main structure? Accessory structure?

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?

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

2-24-16
Date



Dangerous Structures Survey Report

Fire Marshal

Case #2169

A. PROPERTY ADDRESS: 1500 N Washington Avenue, Etle Block 3, Lot 1

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

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 100% 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 DATABASE WIRING
PARTIAL CEILING COLLAPSE
FLOOR COLLAPSE

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 / DEM
Printed Name/Title

2-29-16
Date