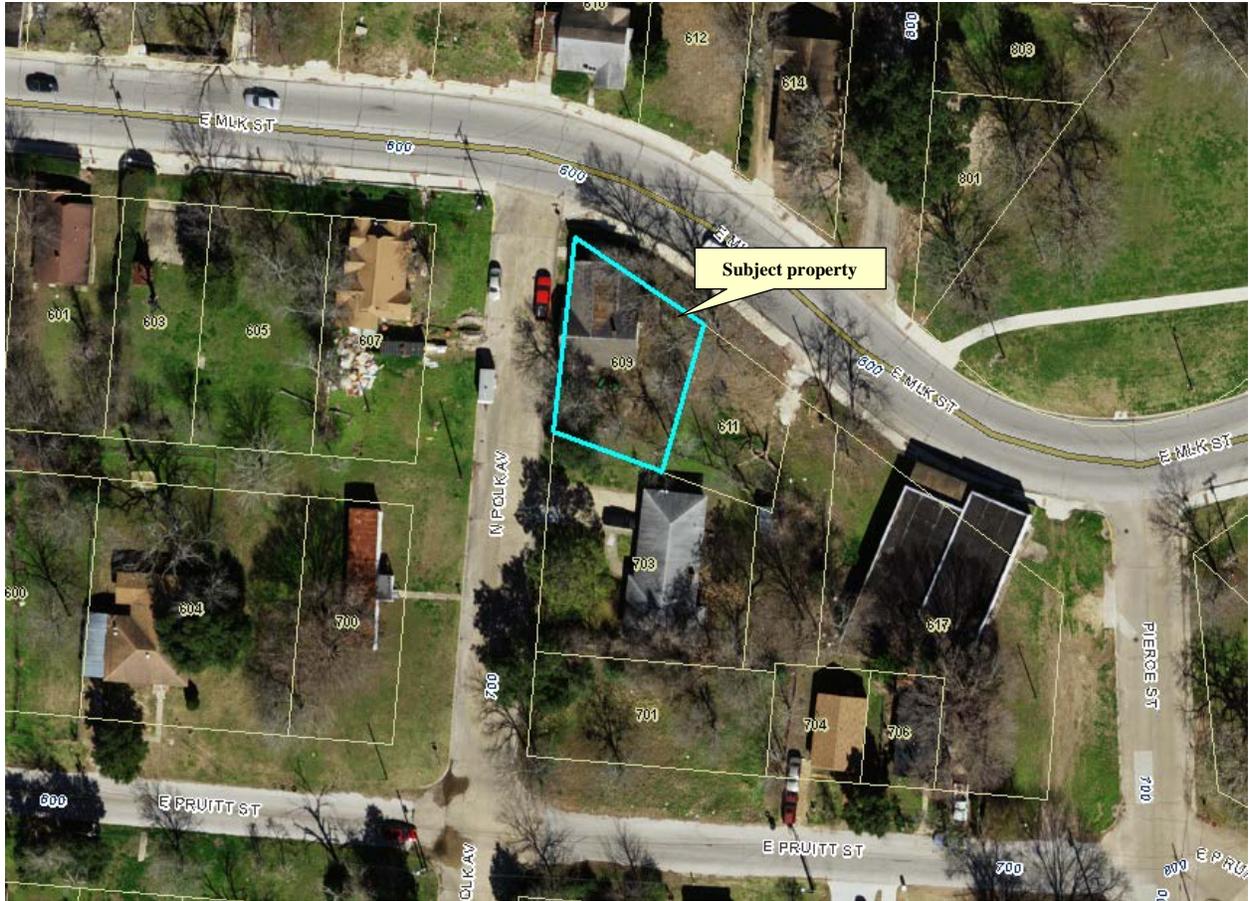


**BUILDING AND STANDARDS COMMISSION
STAFF REPORT**

January 25, 2016



Case # 2078 – 609 E. Martin Luther King Jr. Street



LEGAL DESCRIPTION: City of Bryan Townsite, Block 77, Lot 6 & 7 (pts of)
STRUCTURE(S): single-family residence
 commercial
PROPERTY OWNER(S): Jackson Tamara R
**LIENHOLDER(S)/
MORTGAGEE(S):** Midland Funding, LLC
ACTIVE UTILITIES: yes no **DISCONNECTED ON:** 6/25/2015

BRAZOS COUNTY APPRAISAL DISTRICT/TAX OFFICE INFORMATION:

PROPERTY ID: 22365
IMPROVEMENT VALUE: Homesite (\$24,680);
Non-Homesite (\$10,120)
YEAR BUILT: 1940
SF OF LIVING AREA: 744
CURRENT OWNER SINCE: 11/17/2004
PROPERTY TAXES OWED: \$ 1,138.34

BACKGROUND:

- In June 2014, the Assistant Fire Marshal and Chief Building Official spoke with owner's son about repairs needed to the structure.
- Repairs were never made, so the Chief Building Official scheduled the structure for consideration by the Commission.
- During its regular meeting on February 23, 2015, the Commission ordered to secure the building within 30 days and for the owner to allow City staff access and return at the next (March 23, 2015) regular meeting of the Commission with a detailed plan and timeline for repairs.
- During its regular meeting on March 23, 2015, the Commission issued an order for the owner to come back before the Commission during its regularly scheduled meeting in April 2015 with a detailed plan of repair, cost estimate, and timeline for repairs.
- During its regular meeting on April 27, 2015, the Commission voted to issue an order to repair the structure:
 - a. within 6 months in accordance with the schedule and timeline submitted by Mr. Adrian Williams during the April 27, 2015 meeting; and
 - b. that the power be disconnected from both the commercial and residential side, and a temporary pole be installed during construction; and

- c. that the owner appear before the Commission at each regularly scheduled meeting to demonstrate compliance with the order.
- The building permit was prepared and ready for owner pick up on April 28, 2015. The owner did not pick up the permit until June 2, 2015.
- Repairs were to be completed by end of October 2015.
- During the Commission's regular meeting on October 26, 2015, staff gave the following update:
 - No inspections have been called in.
 - No electrical, plumbing, or mechanical permits have been obtained.
 - Repair work has started. Major foundation work is taking place.
 - A temporary construction pole was placed on site several months ago, but a meter has still not been installed.

The Commission voted to approve an extension to the repair order by 90 days, giving the owner until the end of January 2016 to finish all repairs.

- The City's Chief Building Official and an inspector met with owner's son on site to view progress and take photos for this staff report on January 11, 2016.
- The foundation repair is about 60% complete. During the process of releveling the house, the exterior/interior walls became out of plumb. The owner's son was asked to hire an engineer if walls cannot be made plumb to make sure no additional bracing is required. Per the dangerous structure ordinance, a plumb line most likely falls outside the middle third of the base or is boarded line. An engineer can recommend additional shear walls or bracing if needed. This is needed before the City can approve the framing.
- The electrical and plumber have substantially completed their rough in installation on the house. The mechanical contractor has placed a HVAC unit in the attic. The repairs to the commercial portion are still in progress to the foundation, floor framing, etc. There is attic/roof framing needing to be repaired in the house and commercial. The project is probably a little less than 50% complete overall.
- A mechanical unit has been installed in the attic of the house; however a mechanical permit has not been obtained as of January 11, 2016. Owner's son was advised that mechanical contractor needs to obtain a mechanical permit.
- As of January 11, 2016, the commercial portion is unsecured. Owner's son was advised to secure.
- Staff contends that while some progress has been made, the property is not currently in compliance with the Commission's order of October 26, 2015.

ATTACHMENTS:

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

**BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION**



January 25, 2016

Case #: 2078

Building Address: 609 E. Martin Luther King Jr. Street

Record Owner(s): Jackson Tamara R

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:

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

- secure the structure from unauthorized entry within 7 days;**

- demolish the building and remove the debris or repair the building to the point that a Certificate of Occupancy for residential use may be issued, within 90 days. If exterior walls cannot be made plumb, property owner, lienholder or mortgagee shall submit a signed and sealed engineer's report to the City of Bryan within 90 days, stating the exterior walls are stable, or have the engineer to outline in a signed, sealed report on what is needed to make the structure stable; and**
- appear before the Commission during its April 2016 scheduled meeting to demonstrate compliance with this order.**

If the owner, lienholder, or mortgagee fails to comply with the Commission's order, the City recommends that the Commission orders that the City may

- secure the structure from unauthorized entry in accordance with Chapter 14 of the City of Bryan's Code of Ordinances; and**
- issue a citation under Bryan Code of Ordinances Section 14-219 for failing to comply with the Commission's order.**

PICTURES: 01-11-16



Photo of front of building from N Polk



Side wall not plumb



Side of house



New foundation framing/blocking



New interior framing, electrical rough in



New plumbing/ new interior wall framing



Unsecured commercial portion undergoing repairs



Re-leveling of commercial portion

PICTURES: 10-08-15



Front from N Polk Street



Front and side from E MLK.



Side from N Polk – wall not plumb



Chimney leaning/not plumb

PICTURES: 8-12-15



PICTURES: 06-15-15



No apparent changes since 4-20-15
Power has been removed

No apparent changes since 4-20-15



Back window unsecured 7-15-15

Tree fell 7-15-15

PICTURES: 04-20-15



Window to rest room is unsecured



Door to rest room unsecured.

PICTURES: 01-07-15



Structure has house facing N Polk Street



Structure has commercial building facing E. MLK
Ramp to street does not meet ADA



Missing porch roof support column and porch
Foundation – signs of deflection in roof line



Older Deer Born Gas Heating



Older two prong plug electrical outlets
(no ground wire)



Damaged/loose light fixture/fan



Hole in bath room floor, tub faucet
supplying water to toilet



Electrical panel



Holes in rotten siding, some structural decay
Behind in wall framing/foundation



Electrical service weather head pulling loose,
damaged roof and siding.



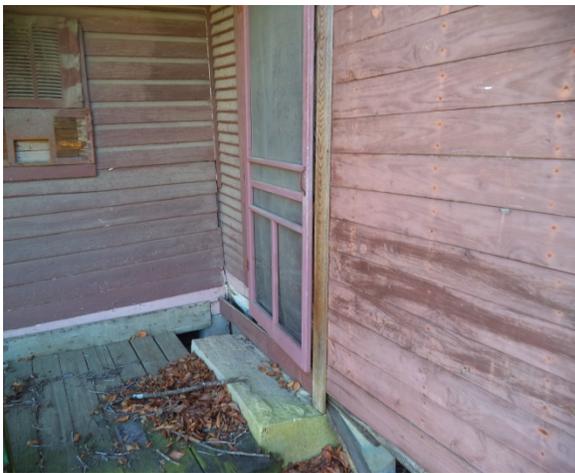
Damaged siding, building addition supported by tree, rotten framing/foundation



Hole in floor by water heater.



Tree supporting porch roof, roof damaged.



Dangerous means of egress



Damaged porch roof and exterior walls

Photos taken 3-12-15:



Electrical service pulling loose, hole in roof



Electrical ground wire loose from ground rod



Broken window on house – unsecured



Un-secured front door on house



Open wall with damaged plumbing on house



Non ADA compliant ramp leading out into N Polk



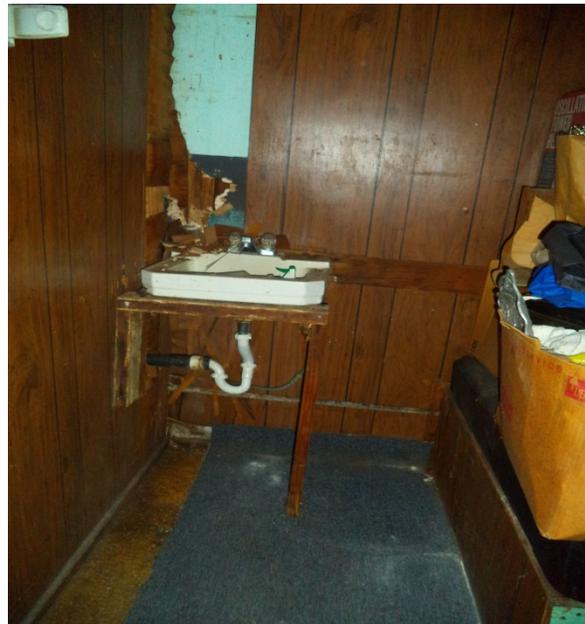
Damaged, loose light switch



Siding damage, plumbing not to code, unsecured window



Damaged electrical, rotten walls, hole in roof



Damage to walls around sink



Damaged finishes, damaged electrical



Damaged interior finishes from roof leaks

Damaged ceiling and wall finishes from leaks



Rotten roof, non functional rest rooms



Dangerous Structures Survey Report

Chief Building Official

Case # 2078

A. PROPERTY ADDRESS: 609 E Martin Luther King Jr Street, City of Bryan Townsite, Block 77, Lot 6 & 7 (pts of)

B. SPECIFICATIONS: No. Rooms 8+ No. Stories 1 No. Structures 1

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? X Accessory structure? _____

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? _____

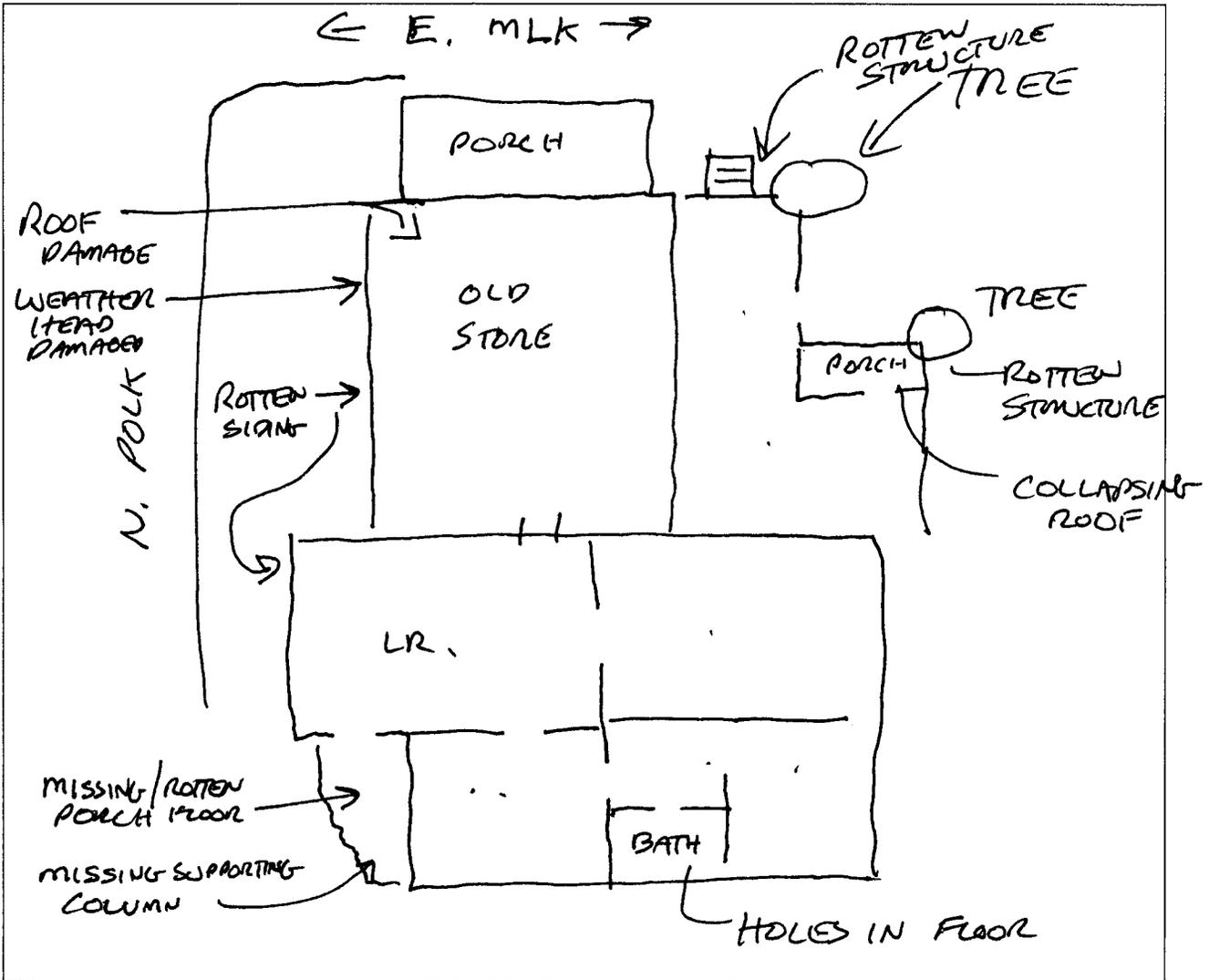
HOUSE

COMMENTS (1) FRONT DOOR OF HOUSE UNSECURED (2) ROTTEN SIDING (3) HOLES IN FLOOR (AT BATH AND AT WATER HEATER) (4) MISSING FRONT PORCH COLUMN (5) DAMAGED EXTERIOR WINDOWS (6) DAMAGED PORCH FLOOR (7) MISSING CRAWL SPACE SKIRTING (8) OLDER TWO PRONG PLUGS (2 WIRE SYSTEM) (9) ROTTEN BATH ROOM FLOOR (10) TOILET NOT WORKING (11) LOOSE ELECTRICAL FIXTURES (12) DAMAGED INTERIOR FINISHES

COMMERCIAL PORTION

(1) ROOF ROT & DAMAGED (2) TWO LOCATIONS WHERE TREES ARE SUPPORTING THE STRUCTURE (3) ROTTEN SIDING (4) WEATHER HEAD MISSING ANCHORS & PULLING THROUGH ROTTEN ROOF (5) MEANS OF EGRESS DOES NOT MEET CODE (6) COLLAPSING PORCH ROOF

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.

[Handwritten Signature]
Signature

Gregory S. Cox
Printed Name

1-14-15
Date



Dangerous Structures Survey Report

Fire Marshal

Case #2078

A. PROPERTY ADDRESS: 609 E Martin Luther King Jr Street, City of Bryan Townsite, Block 77, Lot 6 & 7 (pts of)

B. SPECIFICATIONS: No. Rooms _____ No. Stories 1 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 50% 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 walls
unapproved elec system

itane \$9,820 -
Heaven \$23,790 -

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 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]
Signature

Fred Taylor / DFM
Printed Name/Title

1-20-15
Date



CITY OF BRYAN
The Good Life, Texas Style

COMMERCIAL BUILDING INSPECTION MARCH 12th Dangerous Structures Survey Report

Chief Building Official

Case #2078

A. PROPERTY ADDRESS: 609 E Martin Luther King Jr Street, City of Bryan Townsite, Block 77, Lot 6 & 7 (pts of)

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

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 IBC, IFC, IPC, IFGC, IMC

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? X Accessory structure? _____

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 (1) HOUSE UNSECURED (2) WOMEN'S REST ROOM UNSECURED
(3) MEN'S RESTROOM UNSECURED (4) DAMAGED ELECTRICAL
IN REST ROOMS, OPEN WIRING, ETC. (5) REST ROOM
PORTION IS COLLAPSING - ROTTEN WALLS, ROOF, FLOOR
- HOLES IN FLOOR, WALLS & ROOF (6) EVIDENCE OF
ROOF LEAKS WITH INTERIOR FINISH DAMAGE,
(7) DAMAGE AROUND SINK TO WALLS & FLOOR (8)
CELLING DAMAGE - EVIDENCE OF ROOF LEAKS
(9) RAMP AT FRONT PORCH DOES NOT MEET ADA
AND SLOPES TO STREET (10) SEVERAL TREES
ARE GROWING TOO CLOSE TO STRUCTURE & HAVE
CAUSED DAMAGE TO STRUCTURE, (11) HOLES IN ROOF
ABOVE REST ROOMS (12) SIDING DAMAGE (13) CREW
SEWER YARD CLEAN OUT (14) EXTERIOR DOOR
LEADING TO DOOR OF MEN'S ROOM DOES NOT MEET CODE
FOR LANDINGS (15) SEVERAL EXTERIOR DOORS DO NOT MEET
CODE FOR MEANS OF EGRESS



CITY OF BRYAN
The Good Life, Texas Style

Dangerous Structures Survey Report

Fire Marshal

Case #2078

A. PROPERTY ADDRESS: 609 E Martin Luther King Jr Street, City of Bryan Townsite, Block 77, Lot 6 & 7 (pts of)

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

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 ~~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

wiring issues
Exit issues
Open Rotted interior walls + floors
Rotten ceiling decking
unapproved heating system
walls out of plumb
Electrical Service Pulling from wall and roof
no Alarm System Connecting Residential to Commercial
Sides of structure

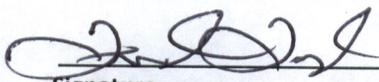
D. DETERMINATION

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 / SFM
Printed Name/Title

3-12-15
Date