



## AGENDA

BUILDING STANDARDS COMMISSION

SPECIAL MEETING

THURSDAY, SEPTEMBER 15, 6:00 P.M.

CHAMBER OF COMMERCE, BOARD ROOM

114 CENTRAL AVE.

### CALL TO ORDER

### CONSENT AGENDA

All matters listed below are to be considered routine by the Commission and will be enacted in one motion. There will not be separate discussion on the items. If discussion is desired, that items can be removed from the consent agenda and will be considered separately as a new business item.

- . August 18, 2022, Minutes.

Documents:

[AUGUST 18, 2022 MINUTES.PDF](#)

### NEW BUSINESS

- . Case #20220020: Designation Of Unsafe Buildings Under Chapter 6-57, City Code For Property Owned By Elgin LLC (Puckett, BLOCK 1, Lot 1 & LOT 1, BLOCK 2, ACRES 2.050; Puckett, BLOCK 1, Lots 2 - FR & 3, ACRES 0.396; Puckett, BLOCK 1, Lots 2 - FR & 3, ACRES 0.396; Puckett, BLOCK 1, Lot 4; Elgin City, BLOCK 39, Lot 1 - 10, BLOCK 40, LOTS7-11 FR'S, 12 & 13 AND PT OF N AVE D, ACRES 0.8300; Elgin City, BLOCK 40, Lot 14 - 16, ACRES 0.200) And Action To Be Taken By The Commission To Rule On The Case.
  - A. Staff Presentation
  - B. Property Owner Presentation
  - C. Open Public Hearing

D. Close Public Hearing

E. Discussion

F. Action

Documents:

[COMBINED PACKET.PDF](#)

ANNOUNCEMENTS

ADJOURNMENT

WORKSHOP

The Commission may adjourn the public meeting at any time during the meeting and convene in Executive Session pursuant to Chapter 551 of the Texas Government Code to discuss any matter as specifically listed on the agenda and/or as permitted by Chapter 551 of the Texas Government Code. The board will return to an open session for possible discussion and action as a result of the Executive Session.

Notice of Assistance at Public Meetings, the City of Elgin is committed to compliance with the Americans with Disabilities Act. Elgin City Hall and Council Chambers are wheelchair accessible and special marked parking is available. Persons with disabilities who plan to attend this meeting and who may need assistance are requested to contact the City Secretary's Office at (512) 281-5724. Please provide a forty-eight (48) hour notice when feasible.

Para informacion en espanol favor de llamar (512) 281-0119. Servicios de traduccion disponible en la reunion.

**MINUTES  
CITY OF ELGIN BUILDING STANDARDS COMMISSION  
SPECIAL MEETING  
THURSDAY, AUGUST 18, 2022**

**I. CALL TO ORDER – ROLL CALL:** David Harrell called the meeting to order at 6:13 P.M. at the Conference Room, Elgin Recreation Center, located at 361 N. Highway 95, Elgin, TX U.S.A.

**COMMISSION PRESENT:** Regan Dumbeck, Brian Lundgren, & David Lanford.

**COMMISSION ABSENT:** None.

**STAFF PRESENT:** David Harrell, Development Services Director & Secretary & Tyler Stevens, Sheets & Crossfield (3<sup>rd</sup> party City Attorney).

**II. ELECTION OF CHAIR AND VICE-CHAIR FOR 2022.**

David Lanford made a motion to nominate Brian Lundgren as Chair for 2022. The motion passed unanimously by a vote of two (2) to zero (0). Brian Lundgren made a motion to nominate David Lanford as Vice-Chair for 2022. Both motions passed unanimously by a vote of two (2) to zero (0). Both Officers accepted their positions.

David Harrell turned control of the meeting over to the Chair.

**III. WORKSHOP.**

1. Presentation & Discussion Regarding Role & Powers of the Commission.

The Chair opened the workshop and Tyler Stevens conducted a presentation of the roles and powers of the Commission in accordance with City Code and State Law. Discussion between the Commission and Staff ensued regarding their responsibilities. Staff also answered questions from the Commission over the presentation.

**IV. ANNOUNCEMENTS:** David Harrell indicated that the next meeting would be on September 15<sup>th</sup>.

**V. ADJOURNMENT:** The meeting was adjourned by the Chair at 6:42 P.M.

\_\_\_\_\_  
Brian Lundgren, Chair

ATTEST: \_\_\_\_\_  
Melissa Lipiec, Secretary

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_  
the foregoing instrument was passed and approved on this 15<sup>th</sup> day of September 2022.



# Development Service Department

## STAFF REPORT

Case #: 20220020

**Date:** August 30, 2022

**Hearing Dates:** Building Standards Commission – Sept. 15, 2022

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### **CASE SUMMARY**

Designation by the Building Standards Commission of Unsafe Buildings under Chapter 6-57, City Code for property owned by Elgin LLC and action to be taken by the Building Standards Commission to rule on the case.

### **DEPARTMENT COMMENTS**

The Commission will be determining on Buildings B1 – B7 on A2 and Building B1 on A3 whether conditions exist to make these unsafe buildings (see attachments 4 & 5 areas in blue) in accordance with Sec. 6-57. Other areas and buildings have a separate demolition permit and will not be covered under this case (see attachments 4 & 5 areas in red).

Designation of a building(s) as unsafe is defined by Section 6-57, City Code and is as follows:

*Unsafe building* means any building or structure that has any of the following conditions, such that the life, health, property or safety of its occupants or the general public are endangered:

- (1) Any means of egress or portion thereof that is not of adequate size or is not arranged to provide a safe path of travel in case of fire or panic.
- (2) Any means of egress or portion thereof, such as, but not limited to, fire doors, closing devices and fire-resistive ratings, that is in disrepair or in a dilapidated or nonworking condition such that the means of egress could be rendered unsafe in case of fire or panic.
- (3) The stress in any material, member, or portion thereof, due to all imposed loads including dead load, that exceeds the stresses allowed in the standard building code for new buildings.
- (4) The building, structure, or portion thereof that has been damaged by fire, flood, earthquake, wind, or other cause to the extent that the structural integrity of the building or structure is less than it was prior to the damage and is less than the minimum requirement established by the city adopted international building code for new buildings.
- (5) Any exterior appendage or portion of the building or structure that is not securely fastened, attached, or anchored such that it is capable of resisting wind, seismic or similar loads as required by the international building code as adopted by the city.

- (6) If for any reason the building, structure or portion thereof is manifestly unsafe or unsanitary for the purpose for which it is being used.
- (7) The building, structure, or portion thereof as a result of decay, deterioration, or dilapidation that is likely to fully or partially collapse.
- (8) The building, structure, or portion thereof that has been constructed or maintained in violation of a specific requirement of the codes or of a city, county, or state law.
- (9) Any building, structure, or portion thereof that is in such a condition as to constitute a public nuisance.
- (10) Any building, structure, or portion thereof that is unsafe, unsanitary, or not provided with adequate egress, or which constitutes a fire hazard, or is otherwise dangerous to human life, or, which in relation to existing use, constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment.

Originally this case started with a request from the Code Enforcement Division to addresses what was felt to be unsafe buildings on a portion of their owned property in accordance with Sec. 6-57, City Code. A representative responded back with a letter dated January 11, 2022, indicating they were in the process of obtaining demolition permits for the site (see attachment 1 & attachment 4-5 areas in red). This led to an eventual Notice of Violation (NOV) letter issued, on February 9, 2022, for a specific portion of the property for unsafe buildings giving the property owners thirty (30) days to seek a permit and finish work in sixty (60) days (see attachment 2 & attachment 4-5 areas in red). An eventual demolition permit was issued for a portion of the property in April 2022 (see attachments 4-5- areas in red).

During a later visual tour from the public rights-of-way of the remaining site (see attachment 4-5 areas in blue), it was documented by the Code Enforcement Division that many of the buildings were unsecured, and some appeared dilapidated. The City secured an administrative search warrant and on April 20<sup>th</sup> conducted a walk-through of the site with the Development Services Director, Code Enforcement Supervisor, City Attorney, (Building) Inspections Manager from ATS, & Fire Marshall from Watkins Consulting. The Building and Fire reports are Exhibits to the City Attorney's Letter (see attachment 3 pictures). After this walkthrough the City Attorney issued a letter, on June 21, 2022, indicating all items to be addressed within thirty (30) calendar days (July 21, 2022). These items were never completed and now this is before the Building Standards Commission.

#### **STAFF ANALYSIS**

Based on the walkthrough on April 20 and the exhibits with the City Attorney's letter (see attachment #3) the following is documented:

##### Building B1 – B7 on A2 (see attachment 4)

1. Due to the unsecured doorways, Staff believes that these portions of the buildings are not secured and constitute a public nuisance which is not in compliance with Sec 6-57, the unsafe building definition, in particular subsections (5) & (9).

2. Due to below ground openings in that area, Staff believes these structures are a public nuisance which is not in compliance with Sec 6-57, the unsafe building definition, in particular subsection (9).
3. Due to some of the buildings have combustible materials (i.e., cotton dust), Staff believes this constitutes a fire hazard which is not in compliance with Sec 6-57, the unsafe building definition, in particular subsection (10).

Building B2 on A3 (see attachment 4)

1. Due to the building having fire damage and missing sections of the building roof, Staff believes this constitutes a fire hazard, is structurally damaged, is a public nuisance, & is unsafe which is not in compliance with Sec 6-57, the unsafe building definition, in particular subsection (4),(9),& (10).

It is Staff's recommendation to the Building Standards Commission that the following action be ordered by the Commission.

1. All buildings and ground openings are to be secured to the satisfaction of the Development Services Director as acting Building Official. Failure to meet timeframe will result in the City securing the facilities and a lien placed on the property.
2. All vacant buildings are to have utilities disconnected and capped off within thirty (30) calendar days to the satisfaction of the Development Services Director as acting Building Official. Failure to meet timeframe will result in the City doing the work and a lien placed on the property.
3. All buildings are to have any combustible materials, including cotton, removed within thirty (30) calendar days to the satisfaction of the Development Services Director as acting Building Official. Failure to meet timeframe will result in the City removing the materials and a lien placed on the property.
4. On Building B5, Area A2, the roof is to be repaired in accordance with City adopted Codes and procedures. A building permit is to be filed with the City for the repair or demolition permit filed for removal of the building within thirty (30) calendar days and permit work to begin within sixty (60) calendar days. Failure to meet timeframes will result in either the City either securing the property or demolishing it and a lien placed on the property.
5. On Building B2, Area A3, a State licensed structural engineer must evaluate the safety of this building within thirty (30) calendar days or a demolition permit be filed within thirty (30) calendar days removing the building. If a demolition permit is filed, work must begin in sixty (60) calendar days. If the building is not being demolished, a building permit be filed within sixty (60) calendar days for any noted repairs from the structural engineer with permit work to begin in ninety (90) calendar days. Failure to meet timeframes will result in either the City either securing the property or demolishing it and a lien placed on the property.

**ATTACHMENTS**

Additional information is provided through attached exhibits.

1. Original Owners Letter.
2. Original Code Enforcement Letter.
3. City Attorney Letter w/ Building Inspector & Fire Marshall Exhibits.
4. Site Area Map
5. Original Demolition Plan Approved by City

Attachment 1  
Original Owners Letter

**JIMMY NASSOUR**  
ATTORNEY AT LAW

3839 Bee Cave Rd., Suite 200  
AUSTIN, TEXAS 78746

TELEPHONE (512) 474-2900  
FAX (512) 474-4547

January 11, 2022

Via Email

Orlando Rodriguez  
Code Enforcement Official  
802 North Ave. C  
Elgin, Texas 78621

orodriguez@pd.ci.elgin.tx.us

Re: Unsafe building and code compliance issues at property located 301 E. 1<sup>st</sup>,  
Elgin, TX 78621.

Dear Orlando,

I wanted to provide you with an update on code compliance issues on the referenced property.

The subject property is being scheduled for a demolition.

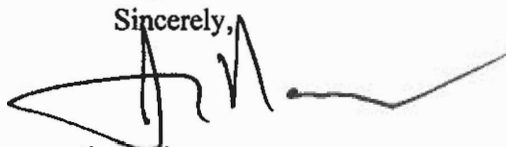
I was unable to commence demolition until an environmental report was obtained. I have obtained an asbestos report and completed requisite remediation.

I am now in the process of bidding the project for demolition.

I expect the contract to be awarded in the next two weeks and demolition to commence soon thereafter.

I will keep you posted with events, if any, that may delay the project.

Sincerely,



Jimmy Nassour

Attachment 2  
Original Code Enforcement Letter



02/09/2022

ELGIN LLC  
3839 BEE CAVES RD SUIT 200  
AUSTIN, TX, 78746

RE: **Unsafe Building Abatement Ordinance**  
**ELGIN CITY, BLOCK 20**  
**301 E 1ST ST**  
**ELGIN, TX, 78621**

Dear Property Owners:

Pursuant to Chapter 6 (Buildings and Building Regulations), Article III (Unsafe Building Abatement); City of Elgin Code of Ordinances, at the referenced address/property the structure has been identified as an Unsafe Building and in violation of the provisions of the Ordinance, based upon a visual observation. The building has become unsafe, unsanitary, a public and attractive nuisance and a blighted structure by virtue of the following:

1. The building was constructed or maintained in violation of any provision of the city's building codes, fire code or any other applicable ordinance of law of the city, county, state or federal government.
2. The building, structure or portion thereof that has been damaged by fire, flood, earthquake, wind or other cause to the extent that the structural integrity of the building or structure is less than it was prior to the damage and is less than the minimum requirement established by the city adopted international building code for new buildings.
3. Any exterior appendage or portion of the building or structure that is not securely fastened, attached or anchored such that it is capable of resisting wind, seismic or similar loads as required by the international building code as adopted by the city.
4. If for any reason the building, structure or portion thereof is manifestly unsafe or unsanitary for the purpose for which it is being used.
5. The building, structure or portion thereof as a result of decay, deterioration or dilapidation that is likely to fully or partially collapse.
6. Any building, structure or portion thereof that is in such a condition as to constitute a public nuisance.
7. Any building, structure or portion thereof that is unsafe, unsanitary or not provided with adequate egress, or which constitutes a fire hazard, or is otherwise dangerous to human life, or, which in relation to existing use, constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment.

In accordance with Section 6-65 City Code, the building must either be demolished, or a permit secured from the Development Services Department for the repair of the building. All necessary permit(s) to demolish or repair the building must be secured from the Development Services Department within thirty (30) calendar days after receipt of this notice and work must commence within sixty (60) days after the receipt of this notice and continue towards completion. Continuing toward completion shall be defined as working within the legal timeframes of a permit, scheduling inspections with the City in the legal timeframe of a permit and passing individual and continual inspections associated with a permit.

If the required actions within this letter are not commenced or completed then the Building Official shall require a public

hearing in front of the City Building Standards Commission to determine whether or not conditions exist which render this building unsafe under the provisions of the Code. At that time, the Commission can determine whether the building is to be repaired or demolished and establish benchmarks and timeframes for any item.

Due to the seriously advanced deterioration of the referenced structure, permits shall be obtained, at your option, for demolition within thirty (30) days after receipt of this notice and demolition shall be completed within sixty (60) days after the receipt of this notice.

If permits are not secured within thirty (30) days after receipt of this notice, the City Council of Elgin shall be requested by ordinance to call for a public hearing to determine whether or not conditions exist which render this building unsafe under the provisions of the Ordinance or Code.

If you have any questions, please contact our office at (512) 281-0119.

Sincerely,

Orlando Rodriguez  
Code Enforcement Official  
512-281-0119  
orodriguez@ci.elgin.tx.us

P.O. Box 591

802 North Ave C

Elgin, Texas 78621

Phone (512) 281-0119



PRINT

## Attachment 3

City Attorney Letter w/ Building Inspector  
& Fire Marshall Exhibits

# Sheets & Crossfield, P.L.L.C.

ATTORNEYS AT LAW

309 East Main Street • Round Rock, TX 78664-5246

Phone 512-255-8877 • fax 512-255-8986

[tyler@scrllaw.com](mailto:tyler@scrllaw.com)

June 21, 2022

ELGIN, LLC  
Jimmy Nassour, Manager  
3839 Bee Caves Rd, Suite 200  
Austin, Texas 78746  
[jimmy@jimmynassour.com](mailto:jimmy@jimmynassour.com)

VIA CERTIFIED MAIL RETURN  
RECEIPT REQUESTED  
CMRR#7020 3160 0000 1179 8328

RE: Notice of Unsafe Buildings at 202 E. 2<sup>nd</sup> Street and 202 E. 1<sup>st</sup> Street

Dear Mr. Nassour:

Please be aware, this law firm represents the City of Elgin (the “City”). The Bastrop Central Appraisal District shows Elgin, LLC to be the record owner of the following properties located in Elgin, Texas (the “Properties”):

202 E. 2<sup>nd</sup> Street, Elgin, Texas 78621. Legal description: Puckett, Block 1, Lot 1 and Block 2, Lot 1, 2.050 acres. R12195.

202 E. 2<sup>nd</sup> Street, Elgin, Texas 78621. Legal description: Puckett, Block 1, Lot 2 (FR) & Lot 3 0.396 acres. R12177.

202 E. 2<sup>nd</sup> Street, Elgin, Texas 78621. Legal description: Puckett, Block 1, Lot 4, 2.050 acres. R47906.

202 E. 1<sup>st</sup> Street, Elgin, Texas 78621. Legal description: Elgin City, Block 39, Lot 1-10, Block 40, Lots 7-11 FR’S 12 & 13 and part of N Ave. D, 0.830 acres. R14127.

City of Elgin staff became aware of and inspected one or more dilapidated structures located on the above-referenced properties on April 20, 2022. Staff found that one or more of said structures appear to be unsafe and believe said structure(s) to be in violation of one or more of the Building Codes adopted by reference in the City of Elgin’s Code of Ordinances Section 6-19. A map is included with this letter so that you can determine which violations coincide with which buildings.

The certified fire inspector found the following violations of the 2021 Fire & Building Code:

1. All openings to building doors, windows, etc. need to be secured.
2. All below ground openings need to be secured to prevent falls.
3. All utilities need to be disconnected and capped off.
4. All combustible material, including cotton, needs to be removed.

The certified building inspector found the following violations of the 2021 International Building Code:

202 East 1<sup>st</sup> (A3, B2)

1. This building (A3, B2) is considered unsafe and partially dangerous for occupancy. Numerous areas of the roof structure are deteriorated, missing supports, and present an overhead danger. The building envelope is not weathertight. This building needs further evaluation by a licensed structural engineer.

202 East 2<sup>nd</sup> (A2, B1-B7)

1. Buildings B1, B2, B3, B4, B5, and B7 are all currently vacant and unsecured. All vacant buildings are considered unsafe until secured against entry. Building B5 has roof damage in need of repair.

The Building Official in Elgin has determined these buildings to be unsafe in accordance with the definition in Section 6-57 of the Elgin Code of Ordinances.

**REQUIRED ACTION: The violations outlined above need to be addressed and repaired in accordance with the City adopted International Building Code. As the owner, you also have the option to demolish the buildings.** A demolition permit was issued to Heart of Texas Demolition on April 29, 2022, but demolition has yet to commence.

If the required action is not commenced within 30 days, **the building official shall request that the building standards commission call for a public hearing** to determine whether or not conditions exist which render the buildings unsafe under the provisions of Chapter 6, Article III, Unsafe Building Abatement.

If you opt to repair the buildings, all necessary permits must be secured within 30 days after receipt of this notice and work commenced within 60 days after receipt of this notice and continued to completion within such time as the building official determines.

If you opt to demolish the buildings, all permits for demolition must be secured within 30 days of receipt of this notice and the premises must be vacated within 60 days after receipt of this notice. Demolition must be completed within 60 days, as deemed reasonable by the building official.

We appreciate your prompt attention to this matter. If you have any questions or need further information, please do not hesitate to contact Development Services.

Sincerely,

*/s/Tyler Stevens*

Tyler Stevens  
Attorney at Law

cc: David Harrell  
Development Services Director

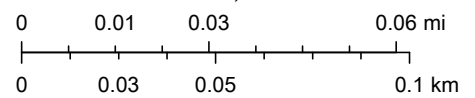
# Elgin LLC Owned Land



3/2/2022, 4:33:48 PM

1:2,257

- Abstracts
- Parcels
- Bastrop Roads



© OpenStreetMap (and) contributors, CC-BY-SA

Bastrop County Appraisal District, BIS Consulting - [www.bisconsulting.com](http://www.bisconsulting.com)

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey

# OWNER'S AUTHORIZATION LETTER

I/we hereby certify that I/we am/are the owner(s) of the above-described property. I/we am/are respectfully requesting processing and approval of permit(s) and/or project(s) reviews. I/we hereby authorize the Applicant listed on this letter to act on my/our behalf during the processing, review, presentation of this request and any inspections associated with this request. They shall be the principal contact with the City during the processing, review, presentation of this request and any inspections associated with this request

Elgin, LLC April 5, 2020  
Name of Applicant or Company (Print) Date

[Signature] April 5, 2022  
1<sup>st</sup> Owners Signature Date

\_\_\_\_\_  
1<sup>st</sup> Owners Printed Name Date

\_\_\_\_\_  
2<sup>nd</sup> Owners Signature Date

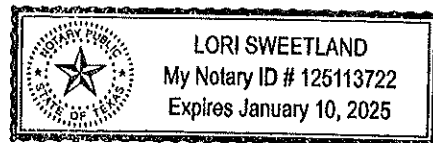
\_\_\_\_\_  
2<sup>nd</sup> Owners Printed Name Date

**Additional owners please provide their signatures, date, printed name, and date on separate letter. This additional letter will also need to be notarized as well. Failure to provide additional property owner(s) and/or produce incorrectly may result in delay.**

**Be aware the person(s) who represent a corporation, limited liability company (LLC), or similar type of corporation regarding property ownership must provide documentation along with this letter indicating they have authority to sign for said corporation. Failure to provide may result in delay.**

Sworn and subscribed before me this 5<sup>th</sup> day of April, 2022

Lori Sweetland  
Signature of Notary Public



Notary Public in and for the State/Province of: Texas Travis County

My commission expires on (m/d/y): January 10, 2025





TBPE FIRM REG. #2487  
TBPLS FIRM REG. #10126000

4910 West Hwy 290  
Suite 300  
Austin, Texas 78735  
512.328.6995  
512.328.6996. Fax

Commercial and  
Residential Engineering

- Structural
- Civil
- Mechanical
- Electrical
- Plumbing

Rehabilitation Designs

Property Condition  
Inspections

Land Surveying

Texas Accessibility  
Standards (ADA)  
Compliance Reviews  
& Inspections

Certified Code  
Compliance Inspectors  
& Plan Reviewers

Energy Code Consulting  
& Inspections  
Green Building Consulting  
& Certification

Construction Consulting

To: City of Elgin  
Attn: David Harrell  
Re: Cotton Gin  
310 N. Main Street  
Building B2-A3  
Elgin, TX 78621

May 12, 2022

I Dondi Atwell, inspection department manager with ATS Engineers, Inspectors and Surveyors, performed a site inspection on May 2, 2022, at 310 N. Main Street Building B2-A3 Elgin, TX 78621.

The scope of the site inspection is to determine if the structure is unsafe or dangerous in accordance with the 2021 International Existing Building Code. This includes a reasonable level of safety, public health, general welfare of structural strength, stability, and sanitation.

**Unsafe:** Buildings, structures or equipment that are unsanitary, or that are deficient due to inadequate means of egress facilities, inadequate light, and ventilation, or that constitute a fire hazard, or in which the structure or individual structural members meet the definition of "Dangerous", or that are otherwise dangerous to human life or the public welfare or involve illegal or improper occupancy or inadequate maintenance shall be deemed unsafe. A vacant structure that is not secured against entry shall be deemed unsafe.

**Dangerous:** Any building, structure, or portion thereof that meets any of the conditions as described below shall be deemed dangerous.

1. The building or structure has collapsed, has partially collapsed, has moved off its foundation, or lacks the necessary support of the ground.
2. There exists a significant risk of collapse, detachment or dislodgement of any portion, member, appurtenance or ornamentation of the building or structure under service loads.

## Observations

Numerous areas of the roof structure are deteriorated, missing supports and present an overhead danger. The building envelope is not weather tight.

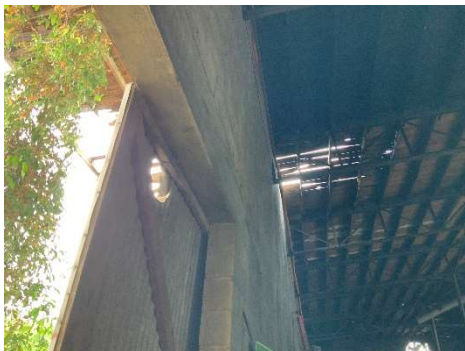
## Conclusion

This building is considered unsafe and partially dangerous for occupancy. This building needs further evaluated by a licensed structural engineer.

Sincerely,

*DAtwell*

Dondi Atwell  
Inspection Department Manager  
Mobile 512-748-4986





TBPE FIRM REG. #2487  
TBPLS FIRM REG. #10126000

4910 West Hwy 290  
Suite 300  
Austin, Texas 78735  
512.328.6995  
512.328.6996. Fax

Commercial and  
Residential Engineering

- Structural
- Civil
- Mechanical
- Electrical
- Plumbing

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Inspections

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Texas Accessibility  
Standards (ADA)  
Compliance Reviews  
& Inspections

Certified Code  
Compliance Inspectors  
& Plan Reviewers

Energy Code Consulting  
& Inspections  
Green Building Consulting  
& Certification

Construction Consulting

To: City of Elgin  
Attn: David Harrell  
Re: Cotton Gin  
310 N. Main Street  
Buildings B1, B2, B3, B4, B5, B7  
Elgin, TX 78621

May 12, 2022

I Dondi Atwell, inspection department manager with ATS Engineers, Inspectors and Surveyors, performed a site inspection on May 2, 2022, at 310 N. Main Street Buildings B1, B2, B3, B4, B5, and B7 Elgin, TX 78621.

The scope of the site inspection is to determine if the structure is unsafe or dangerous in accordance with the 2021 International Existing Building Code. This includes a reasonable level of safety, public health, general welfare of structural strength, stability, and sanitation.

**Unsafe:** Buildings, structures or equipment that are unsanitary, or that are deficient due to inadequate means of egress facilities, inadequate light, and ventilation, or that constitute a fire hazard, or in which the structure or individual structural members meet the definition of "Dangerous", or that are otherwise dangerous to human life or the public welfare or involve illegal or improper occupancy or inadequate maintenance shall be deemed unsafe. A vacant structure that is not secured against entry shall be deemed unsafe.

**Dangerous:** Any building, structure, or portion thereof that meets any of the conditions as described below shall be deemed dangerous.

1. The building or structure has collapsed, has partially collapsed, has moved off its foundation, or lacks the necessary support of the ground.
2. There exists a significant risk of collapse, detachment or dislodgement of any portion, member, appurtenance or ornamentation of the building or structure under service loads.

## Observations

Buildings B1, B2, B3, B4, B5, B7 are vacant and appear to be found structurally sound.

## Conclusion

Buildings B1, B2, B3, B4, B5, B7 are currently vacant and unsecured. All vacant buildings are considered unsafe until secured against entry.

In addition to the above, Building B5 has roof damage in need of repair.

All antiquated electric systems to be evaluated by a licensed Master Electrician and subject to inspection prior to re-energizing.

Sincerely,

*DAtwell*

Dondi Atwell  
Inspection Department Manager  
Mobile 512-748-4986

### Building B1





**Building B2**





### Building B3



**Building B4**

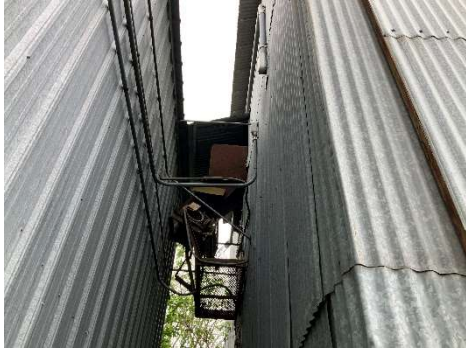


**Building B5**



**Building B7**







# Watkins Consulting- City of Elgin, Texas Fire Marshal Inspection Report

20 Apr 2022 / David Rodriguez / Inspector / David Harrell / Cotton Gin Property /

204 E 2nd Street Elgin Texas

Complete

|                    |   |         |   |
|--------------------|---|---------|---|
| Flagged items      | 1   | Actions | 0 |
| <b>Prepared by</b> | David Rodriguez / Inspector                           |         |   |
| <b>Date</b>        | 20 Apr 2022 08:30 CDT                                 |         |   |
| <b>Contact</b>     | David Harrell   |         |   |
| <b>Location</b>    | Cotton Gin Property / 204 E 2nd Street<br>Elgin Texas |         |   |

**Flagged Items**

1 flagged

**Consultation Visit Only**

**Not Acceptable**

Note: All is subject to Fire Code, Zoning and Type of Occupancy

1. All opening to building doors, windows etc. Need to be secure per code.
2. All below ground openings need to be secure to prevent falls per code.
3. All utilities need to be disconnected and capped off per code.
4. All combustible material needs to be removed (Cotton etc.)



Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7

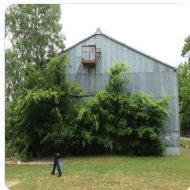


Photo 8



Photo 9



Photo 10



Photo 11



Photo 12



Photo 13



Photo 14

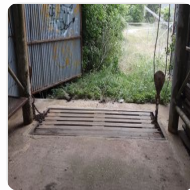


Photo 15



Photo 16



Photo 17

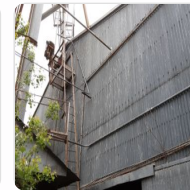


Photo 18



Photo 19



Photo 20



Photo 21

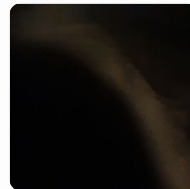


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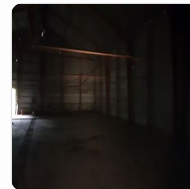


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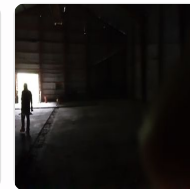


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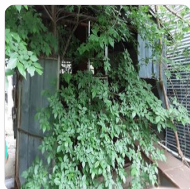


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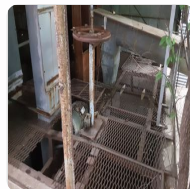


Photo 27



Photo 28



Photo 29

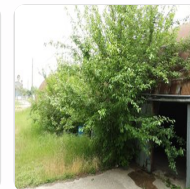


Photo 30



Photo 31



Photo 32



Photo 33



Photo 34



Photo 35

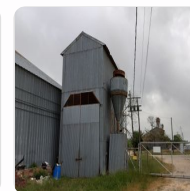


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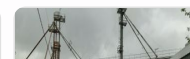
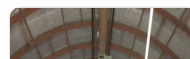




Photo 37



Photo 38



Photo 39



Photo 40



Photo 41



Photo 42



Photo 43



Photo 44

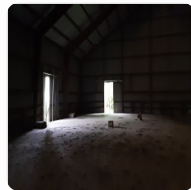


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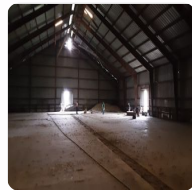


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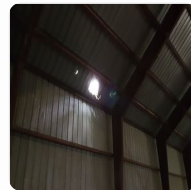


Photo 47



Photo 48



Photo 49



Photo 50

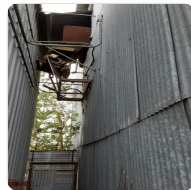


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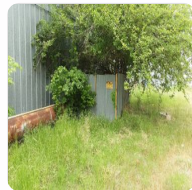


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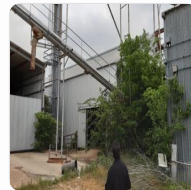


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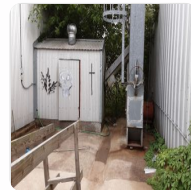


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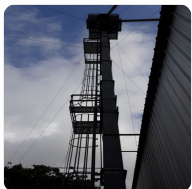


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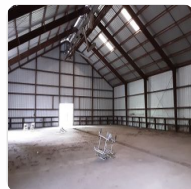


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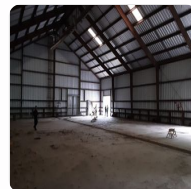


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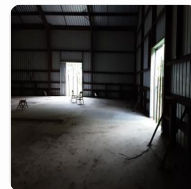


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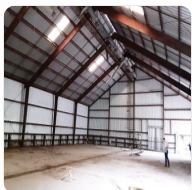


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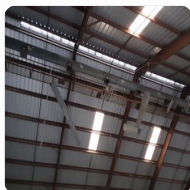


Photo 62



Photo 63



Photo 64



Photo 65



Photo 66



Photo 67

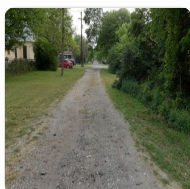


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Photo 69



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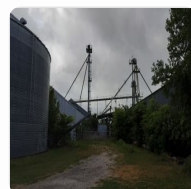


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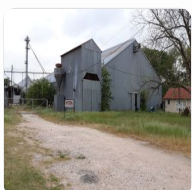


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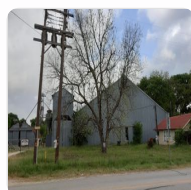


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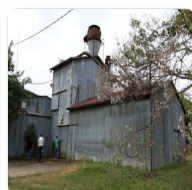


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Photo 77

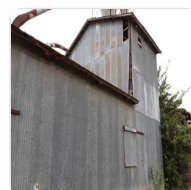


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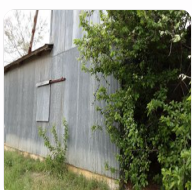


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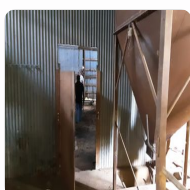


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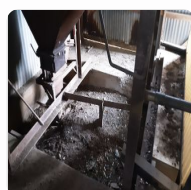


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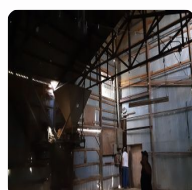


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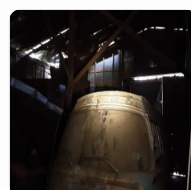


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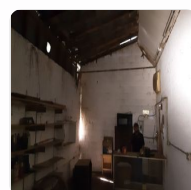


Photo 84





Photo 85



Photo 86



Photo 87



Photo 88



Photo 89



Photo 90



Photo 91



Photo 92



Photo 93

Representing Inspection for the City of Elgin Texas

**David Rodriguez for any questions. 512-848-9983**  
**drodriguez@watkinsconsult.com**

INSPECTION RESULTS

Fail

**Inspection****Business Verification****Business Verification 1**

1. Certificate of Occupancy
2. Approved Set of Plans on Site
3. Updated Contact Information
4. Occupant Load Certificate Posted

**Exterior****Access**

5. Fire lane complies with the plans, IFC 503.1.1.
6. Fire lane signage is provided and striped as necessary, IFC 503.3 (with amendments).
7. Gates operate as required, IFC 503.5.
8. Emergency turn-a-round's are per plans, IFC 503.2.5.

**Address**

9. Visible from the street, minimum 4 in. high and ½ in. wide lettering, and contrasting color, IFC 505.1.
10. Where access by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure, IFC 505.1.

**Lock Box**

11. Installed per plans, within 10 ft. of front entry (facing main apparatus access road), mounted between 4- 6 ft. but, 506.1.
12. Building keys are provided and locked into the box or deferred later for crew installation.

**Vehicle Impact**

13. Guard posts are provided per plans or for hydrants, tanks, generators, gas meters, etc., subject to vehicular damage, IFC 312.1.
14. Guard posts are constructed per code, 4 in. diameter, steel, filled with concrete, 4 ft. from other posts, set 3 ft. deep, located 3 ft. or more from object, IFC 312.2.
15. Other approved barriers comply with plans, IFC 312.3.

**Hydrants, Private**

16. Clearance around Hydrants 3 feet and ensure proper port height and that the direction of the ports enable fire engine hook-up, NFPA 507.5.5

17. Obtain certification, flow test results for each hydrant, and their locations.

Water Mains, Private

18. NFPA 24

## Exit System

Landings

19. Landings at exterior exits are provided and not greater than ½ in. below threshold, IFC 1008.1.5.

Exit Signs and Emergency Lights

20. Internal or external illuminated exit signs are provided, IFC 1011.2.

21. Exit signs are at directional changes in hallways, visible from any direction of egress travel, and where necessary, IFC 1011.1. (Exception: main exterior exit doors that are obviously an exit and rooms or areas only requiring one exit.)

22. Battery backup or emergency power is provided for emergency lighting for occupancies required to have two or more exits, IFC 1006.3.

23. Signage (minimum 12 in.) is on each landing of vertical stairways more than 3 stories. Signage states location-East, West, etc. (1 in. lettering), terminus-roof access or not (1 in.), floor number (5 in. lettering), and floors served by stairs, 1-12 (1 in. lettering), IFC 1022.8.

24. Manually operated flush or bolt locks not permitted on egress doors, IFC 1008.1.9.4.

25. Panic hardware required for each door in means of egress for Group A and E occupancies with 50 or more occupants and any Group H occupancy, IFC 1008.1.10.

## Fire Extinguishers

26. NFPA 906 Install/ Repair / Test

## Fire Protection Systems

Fire Doors

27. Roll down fire doors: detectors, or fusible links on both sides, do drop down test or verify it was done by building inspector. Note on inspection report where fire doors are located, information will be put in fire protection system database for tracking annual servicing.

28. Sprinkler: Install / Repair / Test 903/901

28A. Need 18" Sprinkler Head Clearance 315.2.1

28B. Need 24" Unsprinklerd Ceiling Clearance 315.2.1

29. Smoke Detector NFPA 907/901/4603. Install / Repair

30. Fire Alarms Install NFPA 907/901  
Install / Repair/Test

31. Kitchen Hood System NFPA 901. Install/Repair/Test

32. Alternate Clean Agent Gas or Halon NFPA 12A

33. Replace Broken / Missing Ceiling Tiles NFPA 703.1

34. Gas and Chemical Leak Detection NFPA 715

35. Secured Compressed Gas cylinders NFPA 3003.5.3

36. Special Hazard Detection or Suppression Systems NFPA 2001

## Use and Process Specifics

### Group R Occupancies

37. Access, address, fire extinguishers, private hydrants were verified in worksheet above.

38. Exit lighting and signage are verified in worksheet items above.

39. Smoke alarms; green light (house power) is on, located in sleeping rooms, hallway and adjacent room if vaulted ceiling, also at the top of stairs and lower level, test with the circuit breaker off.

### Assembly Use

40. Occupant load certificates for assembly rooms are delivered and mounting location instructions are provided, IFC 1004.3.

41. Access, address, fire extinguishers, private hydrants were verified in worksheet above.

42. Exit lighting and signage are verified in worksheet above.

43. Exit door hardware: panic hardware is on all exit doors except main entry, no other security bolt hardware allowed with panic hardware, 1008.1.10.

44. Decorative materials are fire-resistive in accordance with IFC 803, 804, 806, and 807.

45. Above-ground Storage Tanks for Flammable and Combustible Liquids NFPA 30

### Battery Rooms

46. Spill control method and materials in place, IFC 608.5.

47. Documentation to verify ventilation rate of at least 1 cfm/ft<sup>2</sup> for floor area, IFC 608.6.

48. Door signed stating room contains lead-acid batteries, energized electrical circuits, and corrosive liquids, IFC 608.7.

49. Battery systems are seismically braced and room smoke detection is provided, IFC 608.7 and 608.8.

### Fuel-Dispensing Station

50. NFPA 30A

HPM Workstations, Gas Cabinets, Silane Gas and Ozone System

**51. NFPA 3404.3.2**

High-Piled Storage

**52. Aisle width and rack locations in compliance with plans, IFC 2306.9.**

**53. Fire access doors are accessible, IFC 2306.6.1.**

**54. Detection and suppression systems are in compliance with the plans, IFC 2306.4, 2306.5.**

**55. Smoke removal system or heat vent or curtain board is in compliance with the plans, IFC 2306.7.**

LPG Tanks

**56. NFPA 58**

Medical Gases

**57. NFPA 99**

Paint Booth

**58. NFPA 33**

Warehouse

**59. Exit lighting and signage are verified in worksheet above.**

**60. Miscellaneous requirements: vents, sprinklers, smoke detection, rack layout comply with the plans.**

**61. Access doors are provided.**

## Housekeeping

62. Approved Waste Containers 304.3

63. Waste Accumulation Prohibited 304.1

64. Artwork Over 20% Wall Space 807.2

65. Clearance from Ignition Sources 305.1

66. Aisle Maintenance 2305.4

67. Cut Overgrown Grass, Weeds, Brush 304.1.2

## Electrical

68. Install Receptacles / Junction Box Covers.  
NFPA 605.6

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69. Eliminate Extension Cord Wiring NFPA 605.5

---

70. Replace Defective / Improper Wiring NFPA 605.1

---

71. Keep 36" Clearance in front of Panels NFPA 605.3

---

72. No Multiplug Adapters NFPA 605.4

---

73. Labeling Electrical Room NFPA 605.3.1

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**Miscellaneous Items or Issues**

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Not Acceptable

Note: All is subject to Fire Code, Zoning and Type of Occupancy

1. All opening to building doors, windows etc. Need to be secure per code.
2. All below ground openings need to be secure to prevent falls per code.
3. All utilities need to be disconnected and capped off per code.
4. All combustible material needs to be removed (Cotton etc.)



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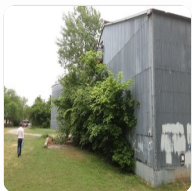


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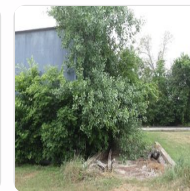


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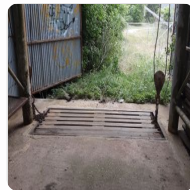


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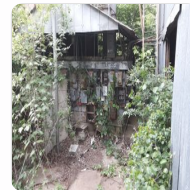


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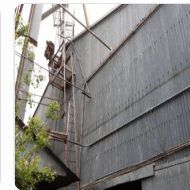


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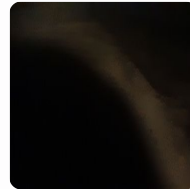


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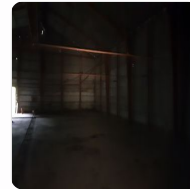


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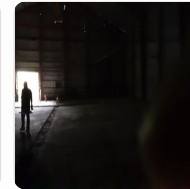


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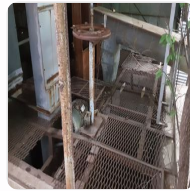


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Photo 30



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Photo 34



Photo 35



Photo 36





Photo 37



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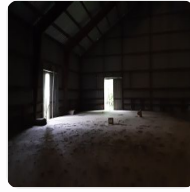


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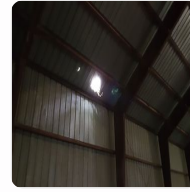


Photo 47



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Photo 50



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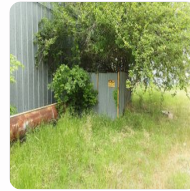


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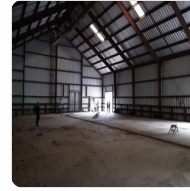


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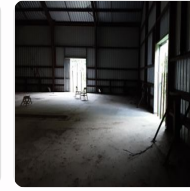


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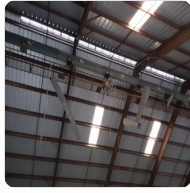


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Photo 64



Photo 65



Photo 66



Photo 67

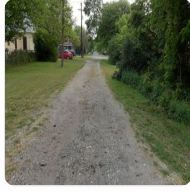


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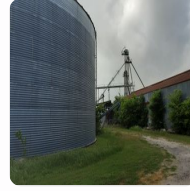


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Photo 76



Photo 77



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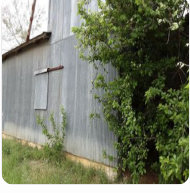


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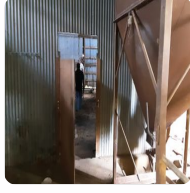


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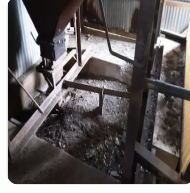


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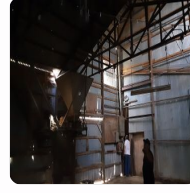


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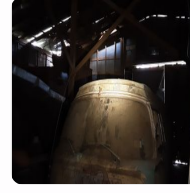


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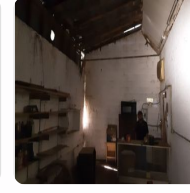


Photo 84





Photo 85



Photo 86



Photo 87



Photo 88



Photo 89



Photo 90



Photo 91



Photo 92



Photo 93

## Complaint

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**Re-Inspection**

**RE-INSPECTION IN 30 DAYS FROM COMPLETING THIS INSPECTION.**

Upon Request

Appendix



Photo 1



Photo 2



Photo 3



Photo 4



Photo 6



Photo 8



Photo 5



Photo 10



Photo 12



Photo 7



Photo 14



Photo 9



Photo 16



Photo 11



Photo 18



Photo 13



Photo 15



Photo 17



Photo 20



Photo 22



Photo 19



Photo 24



Photo 21



Photo 26



Photo 23



Photo 28



Photo 25



Photo 30



Photo 27



Photo 32



Photo 29



Photo 34

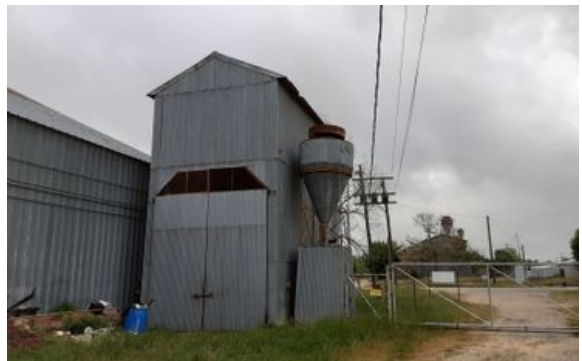


Photo 36



Photo 31



Photo 38



Photo 33



Photo 40



Photo 35



Photo 42



Photo 37



Photo 44



Photo 39



Photo 46



Photo 41



Photo 48



Photo 43



Photo 50



Photo 45



Photo 52

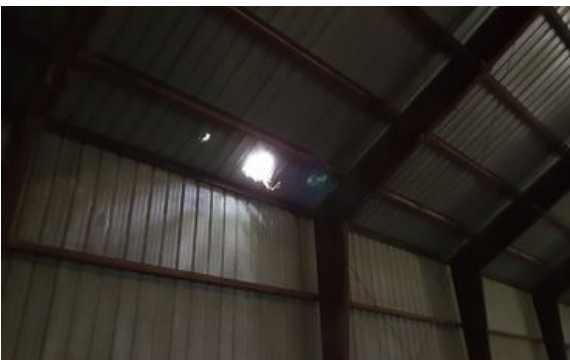


Photo 47



Photo 54



Photo 49



Photo 56



Photo 58

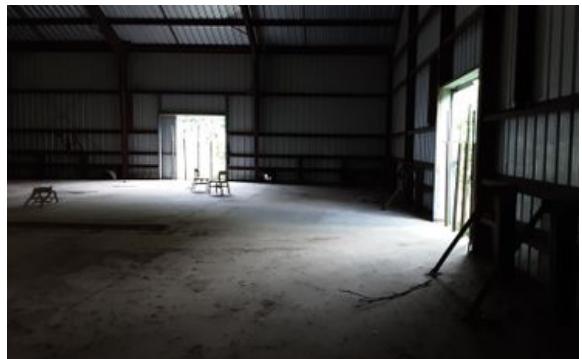


Photo 60



Photo 62



Photo 51



Photo 53



Photo 64



Photo 66



Photo 68



Photo 70



Photo 55



Photo 57



Photo 59



Photo 72



Photo 74



Photo 76



Photo 78



Photo 61



Photo 80



Photo 63



Photo 82



Photo 65



Photo 84



Photo 67

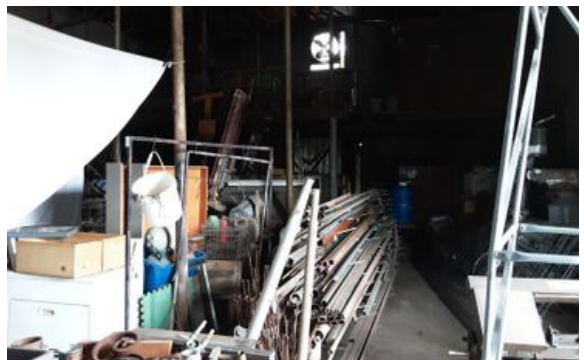


Photo 86



Photo 69



Photo 88



Photo 71



Photo 90



Photo 73



Photo 92



Photo 75



Photo 77



Photo 79



Photo 81



Photo 83



Photo 85

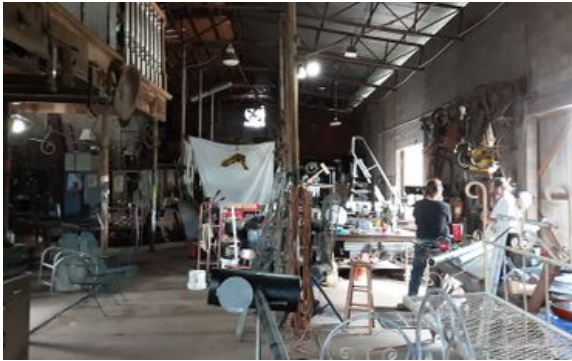


Photo 87



Photo 89



Photo 91



Photo 93

Attachment 4  
Site Area Map

# Area Map



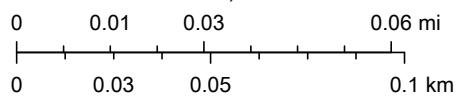
**Blue - Areas where Unsafe Buildings could exist and must be ruled on by BSC.**

**Red - Buildings Covered under Demolition Permit issued in April 2022**

3/2/2022, 4:33:48 PM

1:2,257

- Abstracts
- Parcels
- Bastrop Roads



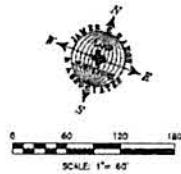
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Bastrop County Appraisal District, BIS Consulting - [www.bisconsulting.com](http://www.bisconsulting.com)

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey

Attachment 5  
Original Demolition Plan  
Approved by City

THIS SET TO  
REMAIN  
ON-SITE



LEGEND

- CALICATED POINT
- 1/2" BUSH FOUND (SMALLS-HORSE)
- 1/2" BUSH SET W/GAP
- STAMPED J.C. GARDEN W/IN AREA
- 1/2" PIPE FOUND (SMALLS-HORSE)
- 1/2" PIPE FOUND (SMALLS-HORSE)
- 1" SQUARE BOLT FOUND
- 1/2" BUSH FOUND
- 1/2" PIPE FOUND
- WOOD FENCE
- CHAIN LINK FENCE
- FINDER PILE
- DOWNHEAD TELEPHONE LINE
- DOWNHEAD TELEPHONE LINE
- DOWNHEAD TELEPHONE LINE
- FIRE HYDRANT
- WATER VALVE
- WELDER MOTOR
- CONCRETE
- GAS SIGN
- REINFORCED CONCRETE PIPE
- CORRUGATED METAL PIPE

Blue - Areas  
where Unsafe  
Buildings could  
exist and must be  
ruled on by BSC.

These plans have been reviewed by ATS Engineers, Inspectors and Surveyors for code compliance and adopted jurisdictional ordinances. This stamp of review in no way alleviates the responsibility of the owner or contractor to comply with all codes, ordinances, State and Federal laws. Copy of plans bearing this stamp shall be available on the jobsite at all times.

*[Signature]*

PERMIT DOCUMENTS

LINE TABLE

| LINE NO. | DESCRIPTION |
|----------|-------------|
| 1        | ...         |
| 2        | ...         |
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| 47       | ...         |
| 48       | ...         |
| 49       | ...         |
| 50       | ...         |

CURVE TABLE

| LINE NO. | START STATION | END STATION | CURVE DATA |
|----------|---------------|-------------|------------|
| 1        | ...           | ...         | ...        |
| 2        | ...           | ...         | ...        |
| 3        | ...           | ...         | ...        |
| 4        | ...           | ...         | ...        |
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| 27       | ...           | ...         | ...        |
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| 31       | ...           | ...         | ...        |
| 32       | ...           | ...         | ...        |
| 33       | ...           | ...         | ...        |
| 34       | ...           | ...         | ...        |
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| 37       | ...           | ...         | ...        |
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| 43       | ...           | ...         | ...        |
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| 47       | ...           | ...         | ...        |
| 48       | ...           | ...         | ...        |
| 49       | ...           | ...         | ...        |
| 50       | ...           | ...         | ...        |

Red - Buildings  
Covered under  
separate Demolition  
Permit issued in  
April 2022.

Steel Bldg

Add:  
Line item  
for  
possible  
demo  
17,000

interior beam  
& wood Salvage  
Tin Salvage

Demo -  
(Equipment  
removal)

PRELIMINARY

TO THE OWNERS, LEASEHOLDERS AND PLANNING TITLE COMPANY

THE UNDERSIGNED HEREBY CERTIFY THAT THIS PLAN HAS BEEN MADE ON THE GROUNDS OF THE PROPERTY, SURVEYED HEREON AND IS CORRECT AND THAT THERE ARE NO UNDISCOVERED BURIED PIPES, CISTS, FOUNDATION WALL FOUNDATIONS, OR OTHER CONCEALED UTILITIES OR STRUCTURES OF ANY KIND ON THE PROPERTY AND THAT THE PROPERTY HAS ACCESS TO AND FROM A DESIGNATED ROADWAY, EXCEPT AS SHOWN HEREON.

THE UNDERSIGNED HEREBY FURTHER CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS LOCATED IN ZONE "C", AND IS NOT SUBJECT TO ANY OTHER APPLICABLE ORDINANCES AS ENFORCED BY THE PLANNING DEPARTMENT OF THE CITY OF AUSTIN, TEXAS, NOR IS IT SUBJECT TO ANY OTHER APPLICABLE ORDINANCES AS ENFORCED BY THE PLANNING DEPARTMENT OF THE CITY OF AUSTIN, TEXAS.

RETURNED TO: JAMES E. GARON & ASSOC.  
P.O. BOX 1917  
DRAKESBORO, TEXAS 78602  
(512) 303-4185  
jgaron@jgaron.com  
www.jgaron.com