

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 11/21/2013

Action Requested By:
Community
Development

Agenda Item Type
Ordinance

Subject Matter:

Request to authorize demolition of an unsafe building

Exact Wording for the Agenda:

Public Hearing on a Resolution authorizing the demolition of an unsafe building constituting a public nuisance located at 2207 Thirteenth St. SW.

Note: If amendment, please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

The above referenced property was cited August 29, 2013, under Sec. 11-40-30 et seq., Code of Alabama (1975), as a public nuisance. This is the state law allowing Community Development to sell said property at tax sale if the owner does not pay costs of demolition. The owners were issued a notice to demolish the structure. No work has been done. Property was inspected by an independent contractor and they found that the structure is not economically feasible to repair. Notice, photos, and evaluation are attached.

Associated Cost:

Budgeted Item: Select...

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: [Signature]

Date: 11/7/2013

RESOLUTION NO: 13-_____

WHEREAS, the Director of Community Development for the City of Huntsville, Alabama, has inspected or caused to be inspected the property situated at 2207 Thirteenth St SW, Huntsville, Alabama, and has determined that the structure, including any and all accessory structures, is unsafe; and

WHEREAS, the Director of Community Development for the City of Huntsville, Alabama, did on the 29th day of August, 2013, cause to be and issued to owners of record of the property, Notice to Demolish Structure, Official Notice No. 13-7142PNS, a copy of which is attached hereto as EXHIBIT "A", being substantially similar in words to that document identified as "NOTICE OF PUBLIC NUISANCE", a copy of said document being permanently kept on file in the Office of the City Clerk of the City of Huntsville; and

WHEREAS, any structure located on said property has not been demolished as required by said notice, and no appeal having been taken therefrom as by law provided; and

WHEREAS, photographs showing the condition of the property are attached hereto as EXHIBIT "B"; and

WHEREAS, independent contractors have inspected the structure(s) and determined that the cost of repair and rehabilitation is not economically feasible and is of the opinion that the structure(s) should be demolished, and has given a written statement to that effect, a copy of which is attached hereto as EXHIBIT "C"; and

WHEREAS, in the judgement of the Director of the Department of Community Development of the City of Huntsville, Alabama, the structure(s) in question cannot be reasonably repaired, and that demolition of the structure, including any and all accessory structures, is necessary to protect the public health, safety and general welfare.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Huntsville, Alabama, that upon the expiration of ten (10) days from today's date, the Director of the Department of Community Development, City of Huntsville, Alabama, is authorized to proceed, pursuant to § 11-40-30 et seq., Code of Alabama (1975), to demolish and remove the structure(s) and contents, if any, at 2207 Thirteenth St SW more particularly described as follows to-wit:

LOT 8 BLK 74 W HVILLE ADD

and to assess the reasonable costs for demolition and removal of debris against said property.

RESOLUTION NO: 13- _____

BE IT FURTHER RESOLVED, by the City Council of the City of Huntsville, Alabama, that the Director of Community Development, or his/her appointed designee, is hereby authorized to take all lawful and necessary actions to accomplish the foregoing.

ADOPTED this the 21st day of November, 2013.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 21st day of November, 2013.

Mayor of the City of Huntsville, Alabama

**Department of Community Development
Code Enforcement Division**

Kenneth Benion, Director, Community Development



120 Holmes Avenue E.
P.O. Box 308
Huntsville, AL 35804

Phone: (256) 427-5400, FAX: (256) 427-5431

Area: 4 CT: 121 CD: 4

PV: 0

Insp.: kew

FINAL: 9/30/2013

OFFICIAL NOTICE NO. 13-7142PNS

Eric Calvin Ward and Gwendolyn Mae Ward Ward Family Trust
27928 Hastings Drive
Moreno Valley, CA 92555

RE: 2207 Thirteenth St SW

PARCEL NUMBER: 17-02-03-4-003-052.000 PPIN NUMBER: 24051

Legal Description: LOT 8 BLK 74 W HVILLE ADD

Date Inspected: 8/22/2013

Notice Issued: 8/29/2013

DEMOLISH BY: 9/30/2013

In accordance with Sec. 11-40-30 et seq., Code of Alabama (1975), the Housing Official of the City of Huntsville, Alabama has determined that the structure located on the property described above is unsafe and constitutes a public nuisance due to the following conditions:

VIOLATIONS:

- ◆ Exterior door missing: rear
- ◆ Structure/unit is open and accessible to the public.
- ◆ Kitchen sink missing. : kitchen
- ◆ Direct-wired smoke detector unit damaged: hall
- ◆ Electrical outlet not properly installed: throughout
- ◆ Electrical outlet cover missing: throughout
- ◆ Electrical switch missing: right, right rear room
- ◆ Electrical switch cover missing: throughout
- ◆ Light fixture missing: throughout
- ◆ Interior ceiling has hole: kitchen, right rear room
- ◆ Interior ceiling mildewed: throughout
- ◆ Water heater missing.
- ◆ Interior ceiling collapsed: kitchen, right right room
- ◆ Foundation access door missing: front
- ◆ Electrical service panel cover missing:
- ◆ Foundation wall has holes: front
- ◆ Exterior trim lacks paint or other protective treatment: front
- ◆ Eave lacks paint or other protective treatment: left
- ◆ Window sill rotted: right
- ◆ Roof decking rotted: rear
- ◆ Roof rafter rotted: rear
- ◆ Roof finish covering missing: rear
- ◆ Roof finish covering loose: rear

9/30/13 No Change Jrc 3:01 PM

OFFICIAL NOTICE NO. 13-7142PNS (Cont.)

- **Foundation does not meet Building Code**
 - Gable vent lacks paint: left, right
 - Window frame rotted: right
 - Fascia lacks paint: front, left, right
 - Foundation lacks paint: front, left, right
 - Window(s) lack paint: left, right
 - Bare exposed wiring: throughout
 - Splice in electrical wiring: throughout
 - Wiring below 8 feet in height not in conduit: kitchen, right rear room
 - Wiring not properly installed in electrical service panel
 - Heat duct damaged
 - Kitchen lacks trap
 - Floors rotted: kitchen, right rear room
 - Foundation sill rotted: rear
 - Wall header plates do not meet Code
 - Wall studs rotted: rear
 - Exterior wall missing
 - Kitchen lacks cabinets, shelves, or storage area

NOTICE TO DEMOLISH STRUCTURE

This structure must be demolished and removed prior to: 9/30/2013

Demolition permits must be obtained from the City of Huntsville Inspection Department and work commenced and completed by the specified date.

Failure to comply with this notice by the specified date may result in the property being presented to the City Council as a public nuisance for demolition by the City of Huntsville. If the City of Huntsville demolishes the structure, all costs incurred will be assessed against the property and will be added to the tax bill of the property. Failure to pay the assessment will result in foreclosure and the property being sold.

REQUEST FOR HEARING: Any person, firm, or corporation having an interest in the building or structure may file a written request for a hearing to the City Council of the City of Huntsville, Alabama. The written request must be received by the City Council of the City of Huntsville prior to 9/19/2013. The written request must contain the objections to the finding by the Housing Official that the building or structure is unsafe to the extent of being a public nuisance. The request may be mailed or delivered to:

CITY COUNCIL OF THE CITY OF HUNTSVILLE
P.O. BOX 308
308 FOUNTAIN CIRCLE
HUNTSVILLE, AL 35801

Your cooperation will be appreciated. For questions related to this notice, please call Kim Webster, Housing Specialist, at (256) 427-5415.



Kim Webster, Housing Specialist
Phone: (256) 427-5415

cc:

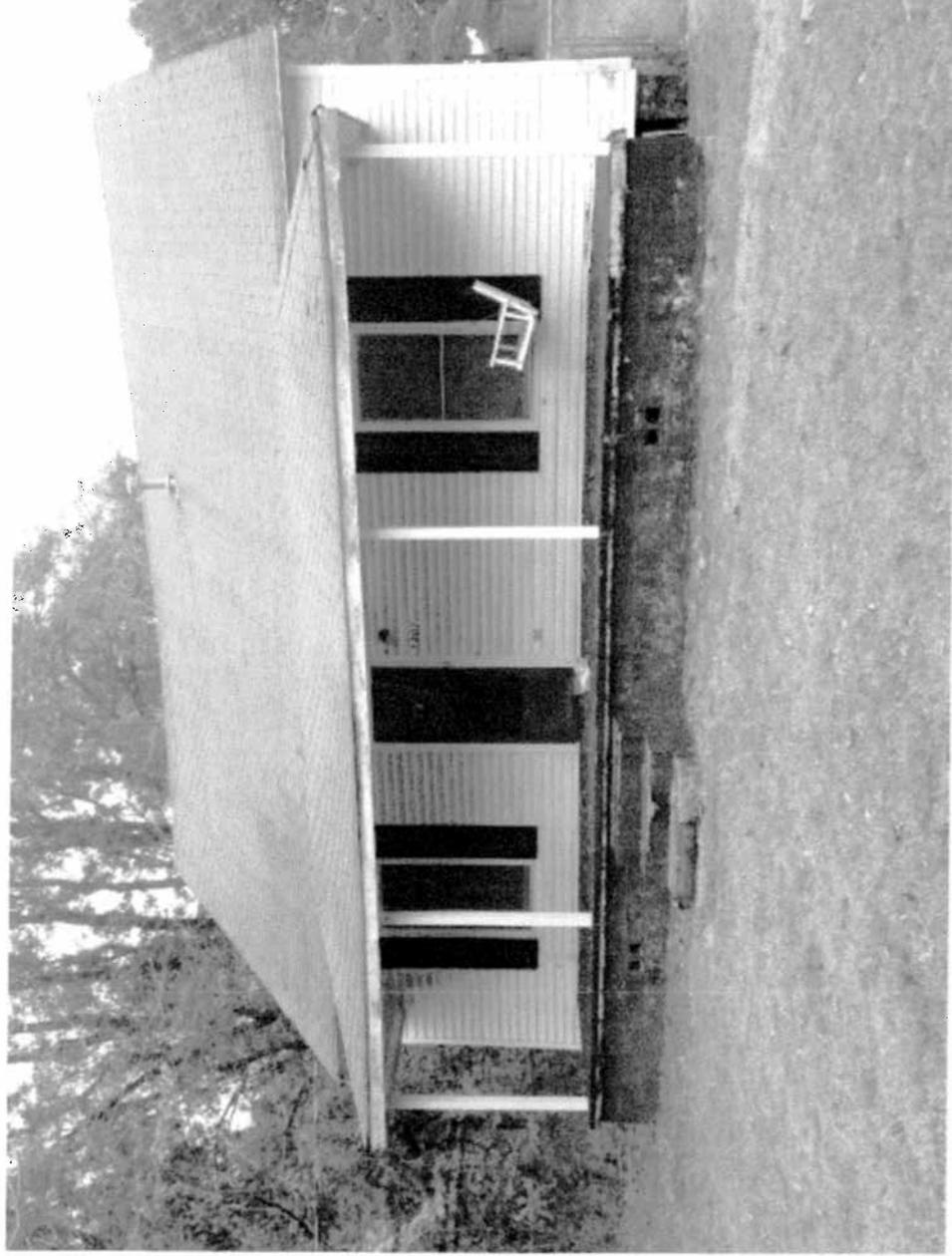
Lynda Ward- Stevenson
100 Circlewood Ct.
Slidell, LA 70461

OFFICIAL NOTICE NO. 13-7142PNS (Cont.)

Carolyn Ward- Moore
3018 Hampton Cove Way
Hampton Cove, AL 35763

EXHIBIT "B"

**2207 Thirteenth St.
Public Nuisance**













ADDRESS OF STRUCTURE: 2207 13th St. EXHIBIT "C"
INSPECTOR'S NAME: DAN Schrimsher TITLE: Co-Owner/Foreman
COMPANY NAME: Bobby Schrimsher & Sons PHONE: 533-3560

NUMBER OF DWELLING UNITS 1 NUMBER OF STORIES 1
CONSTRUCTION: Wood Frame Frame/Veneer ___ Masonry ___ Other ___
APPROXIMATE SIZE OF STRUCTURE: 32 ft. X 28 ft. = 896 s/f
** ASBESTOS SIDING or ROOFING: NO YES ___ (Appx. S/F = ___)

COMPONENTS PERCENTAGE REPLACEMENT REQUIRED

I. EXTERIOR

1) FOUNDATION:	0	1	2	3	4	5	6	7	8	9	10
2) FLOOR SYSTEM	0	1	2	3	4	5	6	7	8	9	10
3) FRAMING:	0	1	2	3	4	5	6	7	8	9	10
4) ROOF SYSTEM:	0	1	2	3	4	5	6	7	8	9	10
EXTERIOR TOTAL = <u>25</u>											

II. INTERIOR

1) INT. FLOORS	0	1	2	3	4	5	6	7	8	9	10
2) INT. WALLS	0	1	2	3	4	5	6	7	8	9	10
3) INT. CEILINGS	0	1	2	3	4	5	6	7	8	9	10
INTERIOR TOTAL = <u>21</u>											

III. UTILITY SYSTEMS

1) ELECTRICAL SYSTEM	0	1	2	3	4	5	6	7	8	9	10
2) HEATING SYSTEM	0	1	2	3	4	5	6	7	8	9	10
3) PLUMBING SYSTEM	0	1	2	3	4	5	6	7	8	9	10
UTILITY SYSTEM TOTAL = <u>30</u>											

IV. OTHER DEFICIENCIES (if applicable)

1) <u>doors & windows</u>	0	1	2	3	4	5	6	7	8	9	10
2) _____	0	1	2	3	4	5	6	7	8	9	10
OTHER DEFICIENCIES TOTAL = <u>8</u>											
GRAND TOTAL POINT RATING = <u>84</u>											

FEASIBILITY OF REPAIR: RATING 50 or MORE - REHAB NOT FEASIBLE
RATING 49 or LESS - REHAB FEASIBLE

REMARKS: The dwelling appears to have been vacant for a period of time and repairs have been neglected.

SIGNATURE: Dan Schrimsher DATE: 8/13/2013