

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 3905 Gunnison Ln NW (Accessory Structure Only).

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 22, 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: 

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 3905 Gunnison Ln NW (Accessory Structure Only), 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 22nd day of August, 2013, cause to be and issued to owners of record of the property, Notice to Demolish Structure, Official Notice No. 13-6871PNS, 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 3905 Gunnison Ln NW (Accessory Structure Only) more particularly described as follows to-wit:

LOT 12, BLK 21, HIGHLANDS S/D 6TH 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: 3 CT: 16.01 CD: 5

PV: 0

Insp.: rfa/mdg

FINAL: 9/23/2013

OFFICIAL NOTICE NO. 13-6871PNS

Jesse E. Ethredge
102 Emily Pl, SE
Milledgeville, GA 31061

RE: 3905 Gunnison Ln NW (Accessory Structure Only)

PARCEL NUMBER: 14-05-21-4-003-079 PPIN NUMBER: 8201

Legal Description: LOT 12, BLK 21, HIGHLANDS S/D 6TH ADD

Date Inspected: 8/7/2013

Notice Issued: 8/22/2013

DEMOLISH BY: 9/23/2013

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:

- ♦ Electrical system must meet City Electrical Code as determined by the City of Huntsville Inspection Department.
- ♦ Exterior door missing: front
- ♦ Exterior door damaged: front
- ♦ Exterior door has hole: front
- ♦ Exterior door hardware missing: front
- ♦ Exterior door frame damaged: front, left
- ♦ Electrical outlet cover missing:
- ♦ Electrical outlet has bare exposed electrical wiring:
- ♦ Electrical switch damaged:
- ♦ Electrical switch not properly installed:
- ♦ Electrical switch cover missing:
- ♦ Light fixture not properly installed:
- ♦ Light fixture has bare exposed electrical wiring:
- ♦ Splice in electrical wiring must be in approved junction box:
- ♦ Exterior door sill rotted: front, left
- ♦ Electrical outlet not ground-fault circuit interrupter (GFI) protected:
- ♦ Exterior wall has hole: left, right, rear
- ♦ Exterior siding rotted: front, left, right, rear
- ♦ Roof has hole:
- ♦ Roof decking rotted:
- ♦ Roof collapsed:
- ♦ Roof rafter rotted:
- ♦ Roof finish covering missing:
- ♦ Roof finish covering loose:

NOTICE TO DEMOLISH STRUCTURE

This structure must be demolished and removed prior to: 9/23/2013

9-23-13 NO CHANGE RFA 2:00PM

OFFICIAL NOTICE NO. 13-6871PNS (Cont.)

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 9/12/2013. 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 Robert Alba, Housing Specialist, at (256) 564-8034.



Robert Alba, Housing Specialist

Phone: (256) 564-8034

cc:

Christopher C. Ethredge
301 Two Gait Ln
Simpsonville, SC 29680

Aaron V. Ethredge
610 Turkey Creek Cir.
Dublin, GA 31021

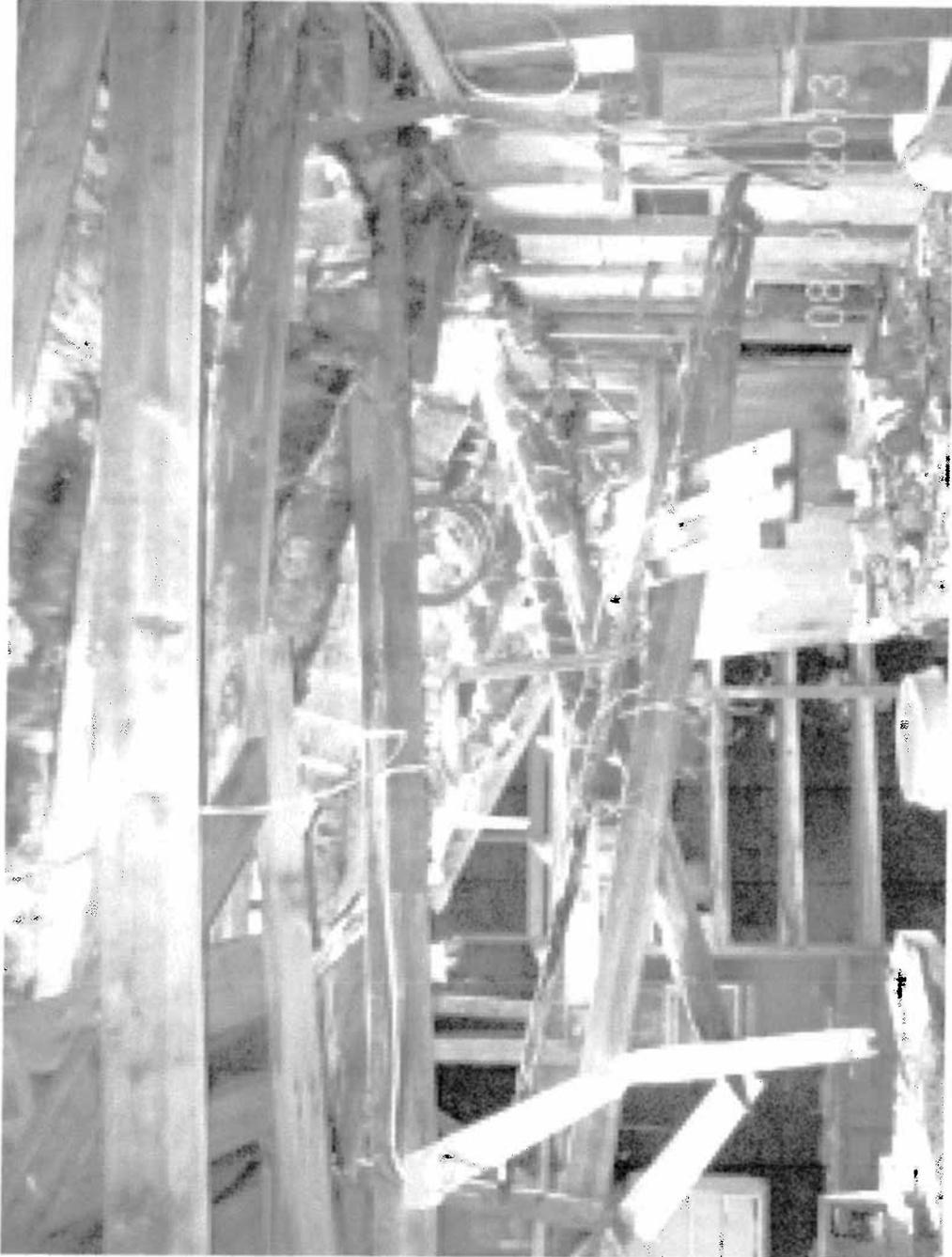
Shawn Ocahan Ethredge
3905 Gunnison Ln
Huntsville, AL 35810

EXHIBIT "B"

**3905 Gunnison Ln
Accessory Structure
Public Nuisance**









STRUCTURAL EVALUATION REPORT

EXHIBIT "C"

ADDRESS OF STRUCTURE: 3905 GUNNISON LANE
 INSPECTOR'S NAME: DAN SCHRIMSHER TITLE: Co-Owner/Foreman
 COMPANY NAME: Bobby Schrimsher & Sons Gen. Contr., Inc. PHONE: 256-533-3560

NUMBER OF DWELLING UNITS 1 NUMBER OF STORIES 1 (Detached Building)
 CONSTRUCTION: Wood Frame Frame/Veneer Masonry Other
 APPROXIMATE SIZE OF STRUCTURE: 24 ft. X 26 ft. = 636 s/f
 ** ASBESTOS SIDING or ROOFING: NO YES (Appx. S/F = _____)

COMPONENTS	PERCENTAGE REPLACEMENT REQUIRED										
<u>I. EXTERIOR</u>											
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>20</u>
<u>II. INTERIOR</u>											
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>24</u>
<u>III. UTILITY SYSTEMS</u>											
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>10</u>
<u>IV. OTHER DEFICIENCIES (if applicable)</u>											
1) <u>doors & windows</u>	0	1	2	3	4	5	6	7	8	9	10
2) <u>Exterior siding</u>	0	1	2	3	4	5	6	7	8	9	10
										OTHER DEFICIENCIES TOTAL =	<u>20</u>
										GRAND TOTAL POINT RATING =	<u>74</u>

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

REMARKS: Repairs to building appear to have been neglected and also it seems that it has been vacant for many years.

SIGNATURE: Dan B. Schrimsher DATE: 11/4/2013