

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 1/23/2014

Action Requested By:
Community
Development

Agenda Item Type
Resolution

Subject Matter:

Request to authorize the demolition of an unsafe structure

Exact Wording for the Agenda:

Public Hearing on a Resolution authorizing the demolition of an unsafe building constituting a public nuisance located at 3421 Glen Park Dr., NW.

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

Item to be considered for: Select...

Unanimous Consent Required: Select...

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 November 13, 2013 , under § 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 determined the structure was 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: 1/13/2014

RESOLUTION NO: 14- _____

WHEREAS, the Director of Community Development for the City of Huntsville, Alabama, has inspected or caused to be inspected the property situated at 3421 Glen Park Dr NW, 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 13th day of November, 2013, cause to be and issued to owners of record of the property, Notice to Demolish Structure, Official Notice No. 13-8896PNS, 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 3421 Glen Park Dr NW more particularly described as follows to-wit:

LOT 11, BLK 4, GLEN PARK, S/D 2nd, 3rd, 4th, 5th 4TH ADD

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

RESOLUTION NO: 14- _____

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 23rd day of January, 2014.

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

APPROVED this the 23rd day of January, 2014.

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: 1 CT: 17.01 CD: 1

PV: 0

Insp.: dwa

FINAL: 12/13/2013

OFFICIAL NOTICE NO. 13-8896PNS

Krishna Rani Saha
8051 Lenox Ln. Unit E
Huntsville, AL 35802

RE: 3421 Glen Park Dr NW

PARCEL NUMBER: 14-06-23-1-001-048.000 PPIN NUMBER: 10591

Legal Description: LOT 11, BLK 4, GLEN PARK, S/D 2nd, 3rd, 4th, 5th 4TH ADD

Date Inspected: 11/4/2013

Notice Issued: 11/13/2013

DEMOLISH BY: 12/13/2013

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:

- ♦ Unit lacks direct-wired electrical smoke detector(s) (must have on-board battery back-up).
- ♦ Electrical system not operational.
- ♦ Gas system not operational.
- ♦ Unit lacks hot water.
- ♦ Exterior door damaged: front, left, right
- ♦ Sanitary facilities not operational.
- ♦ Exterior door hardware missing: left
- ♦ Exterior door frame damaged: front
- ♦ Splice in wiring to water heater must be in approved junction box. : utility room
- ♦ Water heater lacks temperature and pressure (T & P) relief valve discharge line. : right
- ♦ Light fixture missing: throughout
- ♦ Interior floor has hole: kitchen, hall
- ♦ Interior floor incapable of bearing load: kitchen, hall
- ♦ Interior wall has hole: left bathroom
- ♦ Interior wall not in good repair: throughout
- ♦ Interior ceiling has hole: left living room, left bedroom
- ♦ Interior ceiling not in good repair: throughout
- ♦ Interior ceiling mildewed: left living room, left bedroom
- ♦ Water heater not in working order. : left
- ♦ Exterior door sill rotted: left
- ♦ Electrical outlet not ground-fault circuit interrupter (GFI) protected: left kitchen, right kitchen
- ♦ Bathroom lacks electrical outlet (must be ground-fault circuit interrupter (GFCI) protected): left bathroom, right bathroom
- ♦ Interior floor not impervious to water: left kitchen, left bathroom
- ♦ Exterior wall has hole: left
- ♦ Exterior siding loose: left
- ♦ Exterior siding rotted: left
- ♦ Exterior trim rotted: front, left, rear, right
- ♦ Exterior trim missing: right

12/13/13 No Change (DWR) 1:21

OFFICIAL NOTICE NO. 13-8896PNS (Cont.)

- ♦ Soffit rotted: right
 - ♦ Exterior trim lacks paint or other protective treatment: front, left, rear, right
 - ♦ Window pane broken: front
 - ♦ Window pane missing: front, right
 - ♦ Gutters damaged and loose: left, right
- Electrical switch box for heating unit under floor lacks cover and has bare exposed wiring and components
Thermostat for heating left unit is damaged
Unit is unsanitary

NOTICE TO DEMOLISH STRUCTURE

This structure must be demolished and removed prior to: 12/13/2013

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 12/4/2013. 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 Don Alford, Housing Specialist, at (256) 427-5405.




Don Alford, Housing Specialist
Phone: (256) 427-5405

cc:

Real Estate Financing, Inc. aka Regions Mortgage
2050 Parkway Office Circle
Birmingham, AL 35211

EXHIBIT "B"

3421 Glen Park Dr.

























