

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 5/8/2014

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 613 Kennan Rd., 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.

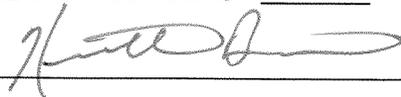
The above referenced property was cited April 4, 2014, under § 11-40-30 et seq., Code of Alabama (1975), as a public nuisance. This is the state law allowing Community Development to sell said property at tax sale if the owner does not pay costs of demolition. The owners were issued a notice to demolish 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: _____



Date: 4/30/2014

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 613 Kennan Rd 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 4th day of April, 2014, cause to be and issued to owners of record of the property, Notice to Demolish Structure, Official Notice No. 14-1648PNS, 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 613 Kennan Rd NW more particularly described as follows to-wit:

LOT 12, BLOCK 2, ACCORDING TO THE MAP OF SURVEY OF YARBROUGH ESTATES, SECOND ADDITION, AS THE SAME APPEARS OF RECORD IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, IN PLAT BOOK 2, PAGE 84.

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 8th day of May, 2014.

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

APPROVED this the 8th day of May, 2014.

Mayor of the City of Huntsville, Alabama

**Department of Community Development
Code Enforcement Division**

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

Kenneth Benion, Director, Community Development

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

Area: 2

CT: t2.02

CD: 1

PV: 0

Insp.: dwa

FINAL: 5/5/2014

OFFICIAL NOTICE NO. 14-1648PNS

Odus Craven Jackson
613 Kennan Rd., NW
Huntsville, AL 35811

RE: 613 Kennan Rd NW

PARCEL NUMBER: 14-06-24-3-001-031.000 PPIN NUMBER: 11860

Legal Description: LOT 12, BLOCK 2, ACCORDING TO THE MAP OF SURVEY OF YARBROUGH ESTATES, SECOND ADDITION, AS THE SAME APPEARS OF RECORD IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, IN PLAT BOOK 2, PAGE 84.

Date Inspected: 4/2/2014

Notice Issued: 4/4/2014

DEMOLISH BY: 5/5/2014

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 damaged by fire
- ♦ Exterior door missing: front, rear
- ♦ Structure/unit is open and accessible to the public.
- ♦ Plumbing system damaged by fire: front, rear
- ♦ Interior wall(s) damaged by fire:
- ♦ Interior ceiling(s) damaged by fire:
- ♦ Interior walls damaged by smoke:
- ♦ Interior ceiling damaged by smoke
- ♦ Exterior trim damaged: rear
- ♦ Interior ceiling collapsed: living room
- ♦ Exterior trim rotted: front, rear
- ♦ Exterior trim loose: rear
- ♦ Exterior trim missing: rear
- ♦ Roof decking rotted: rear
- ♦ Eave rotted and has hole(s): Rear
- Structure is unsanitary: Putrescible garbage throughout
- Fascia board lacks paint or other protective treatment: Front, right, rear

FRONT ACCESSORY STRUCTURE

Siding rotted: Front, left, right, rear
 Trim rotted: Front, left, right, rear
 Trim missing: Left, rear
 Trim damaged: Left, rear
 Eave rotted: Left, rear
 Eave has hole(s): Left, rear
 Siding, fascia, and trim lack paint or other protective treatment: Front, left, right, rear
 Gable lacks paint or other protective treatment
 Door lacks paint or other protective treatment
 Roof decking rotted
 Roof has hole
 Roof finish covering missing
 Roof finish covering loose

REAR ACCESSORY STRUCTURE

Wall(s) are rusted or corroded
Wall(s) damaged, has hole(s) and in danger of collapse
Metal roof rusted or corroded

NOTICE TO DEMOLISH STRUCTURE

This structure must be demolished and removed prior to: 5/5/2014

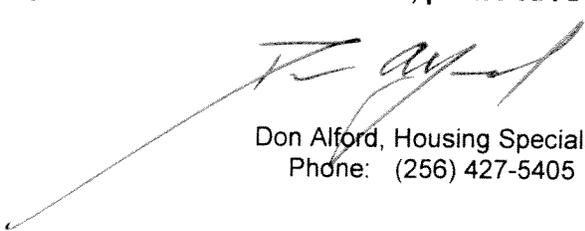
Demolition permits must be obtained from the City of Huntsville Inspection Department and work commenced and completed by the specified date.

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 4/25/2014. 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 35804

Your cooperation will be appreciated. For questions related to this notice, please call Don Alford, Housing Specialist, at (256) 427-5405.



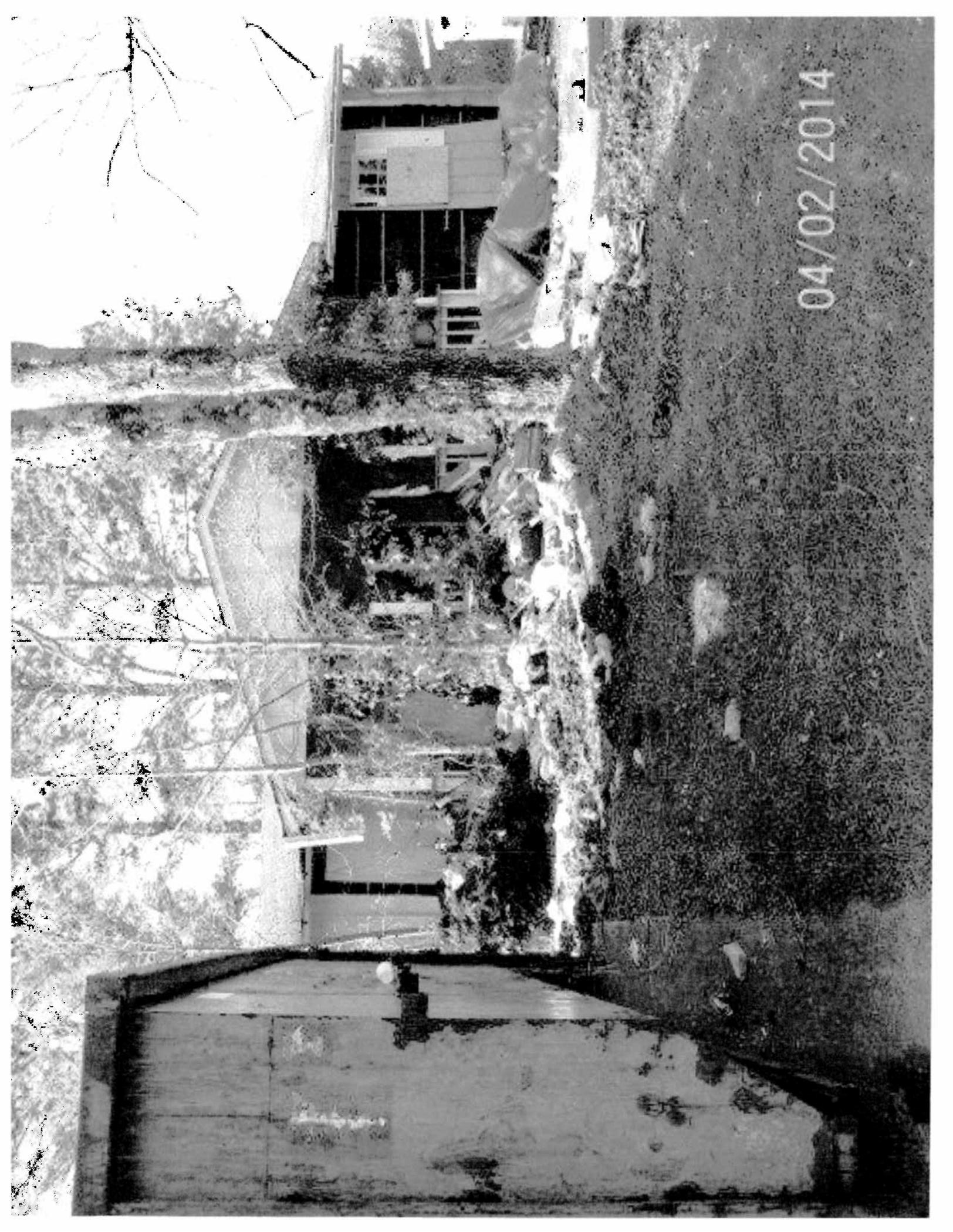
Don Alford, Housing Specialist
Phone: (256) 427-5405

PHOTOS' S

613 KENNAN RD

STRUCURAL PUBLIC NUISANCE

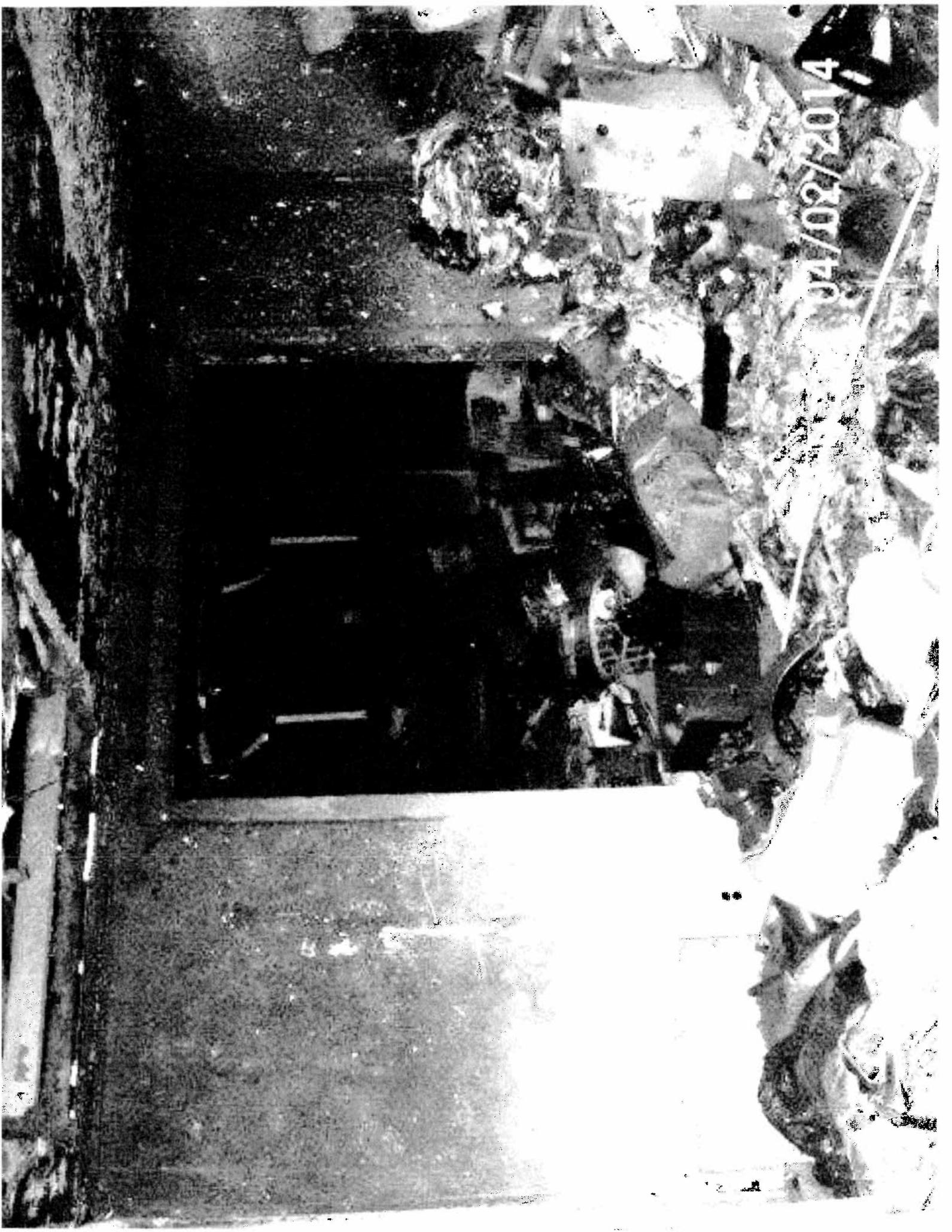
04/02/2014



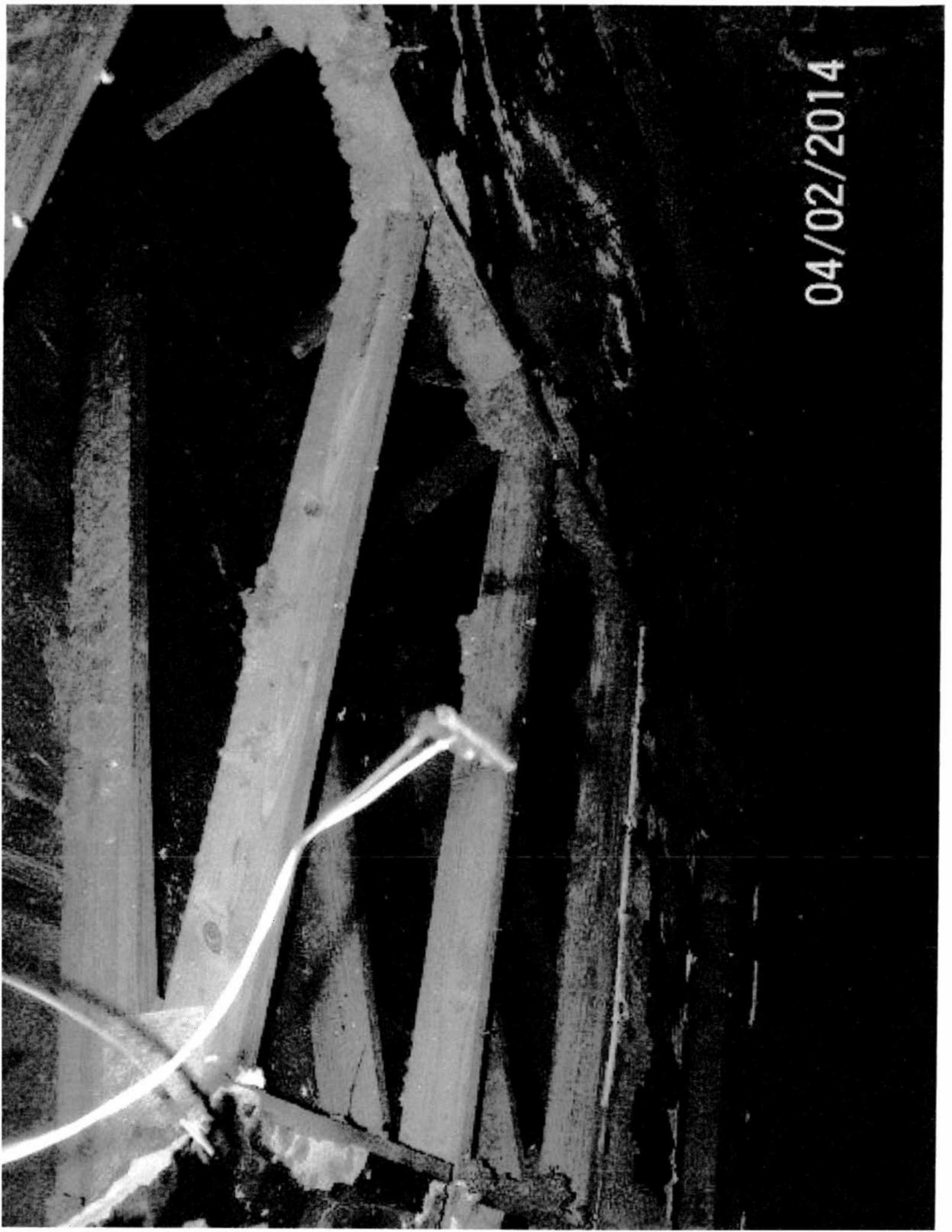
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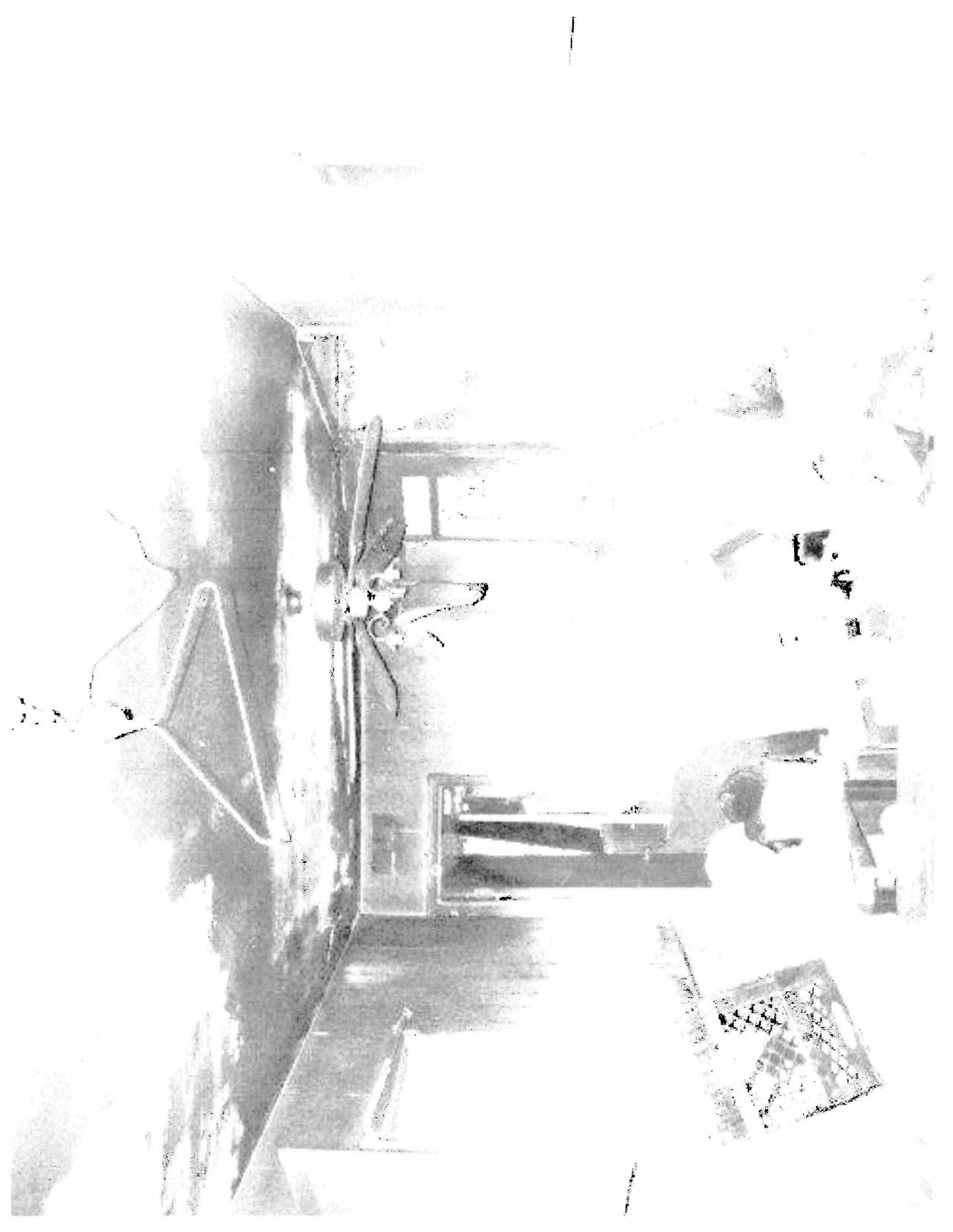


04/02/2014



04/02/2014





04/02/2014



04/02/2012

3 BUILDING PRODUCTS

Corona-Red



04/02/201

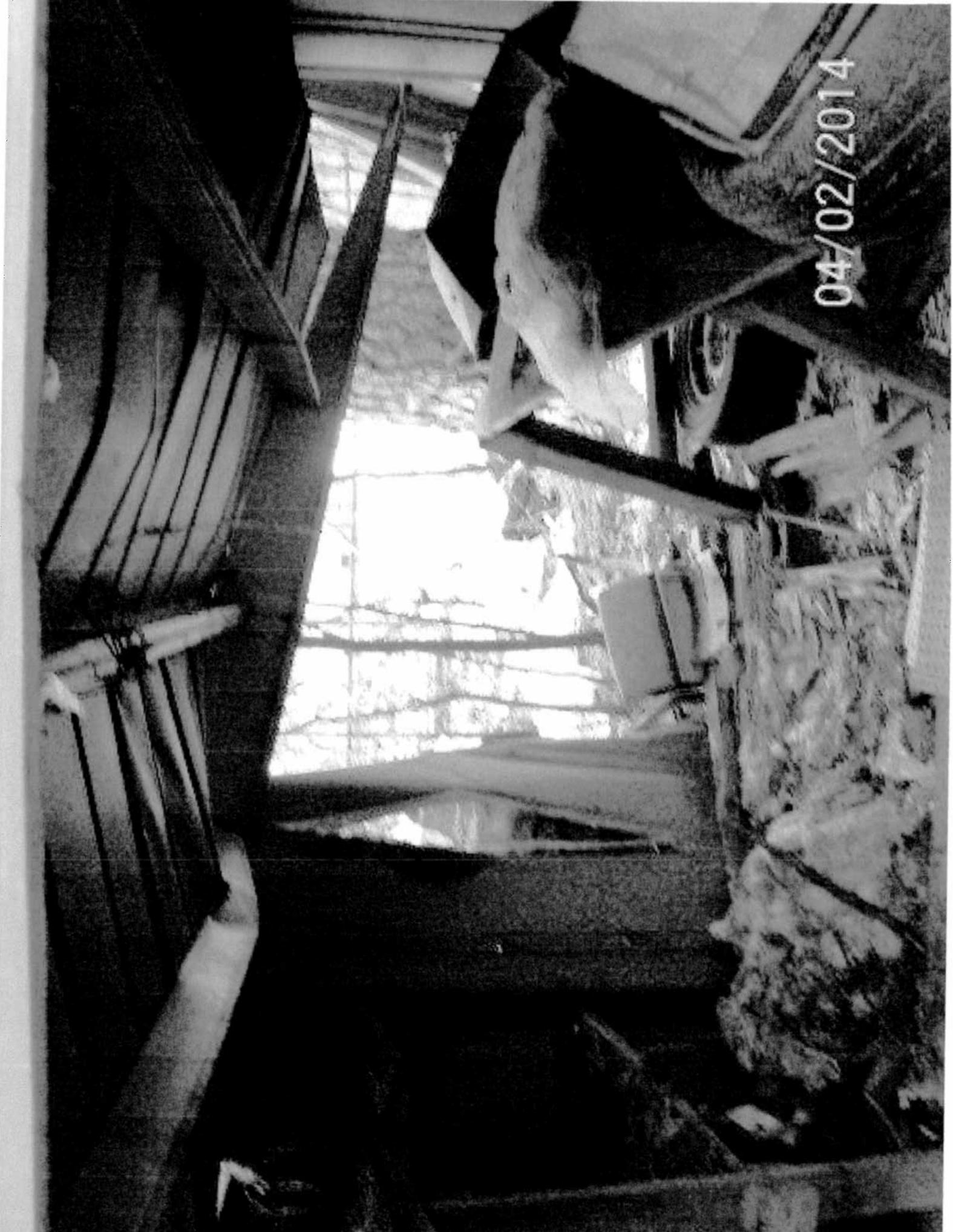


04/02/20

PAINT
See leaf on container
for other To Know
information.



04/02/2014



STRUCTURAL EVALUATION REPORT

ADDRESS OF STRUCTURE: 613 Kennan Rd. N.W. Huntsville, AL 35811
 INSPECTOR'S NAME: DAN Schrimsher TITLE: Co-Owner/Foreman
 COMPANY NAME: Bobby Schrimsher & Son's Gen. Const. Inc. PHONE: 256-533-3560

NUMBER OF DWELLING UNITS 1 NUMBER OF STORIES 1
 CONSTRUCTION: Wood Frame Frame/Veneer Masonry Other
 APPROXIMATE SIZE OF STRUCTURE: 52 ft. X 25 ft. = 1,300 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>30</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>18</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>30</u>	
<u>IV. OTHER DEFICIENCIES (if applicable)</u>											
1) <u>Exterior windows & doors</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>10</u>	
										GRAND TOTAL POINT RATING = <u>78</u>	

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