

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number \_\_\_\_\_

Meeting Type: Regular

Meeting Date: 4/14/2016

Action Requested By:  
Community  
Development

Agenda Item Type  
Resolution

Subject Matter:

Public Nuisance at 3818 Crane Dr., NE

Exact Wording for the Agenda:

Public Hearing on a Resolution authorizing the demolition of an unsafe building constituting a public nuisance located at 3818 Crane Drive, NE, Huntsville, AL

**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 February 25, 2016, 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: Murilee B. Jones

Date: 3/22/2016

**RESOLUTION NO: 16- \_\_\_\_\_**

**WHEREAS**, the Director of Community Development for the City of Huntsville, Alabama, has inspected or caused to be inspected property situated at 3818 Crane Dr., NE in Huntsville, Alabama, and has determined that the structure, any and all accessory structures, is unsafe; and

**WHEREAS**, the Director of Community Development for the City of Huntsville, Alabama, did on the 25th day of February, 2016, cause to be and issued to owners of record of the property, Notice to Demolish Structure, Official Notice No. 16-345PNS, 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) 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 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 3818 Crane Dr., NE more particularly described as follows to-wit:

**LOT 10, IN BLOCK E, ACCORDING TO THE PLAT OF EDMONTON HEIGHTS SUBDIVISION, PART A, AS THE SAME APPEARS OF RECORD IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, IN PLAT BOOK 2 AT PAGE 52.**

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

**RESOLUTION NO: 16- \_\_\_\_\_**

**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 14th day of April, 2016.

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

**APPROVED** this the 14th day of April, 2016.

\_\_\_\_\_  
Mayor of the City of Huntsville, Alabama

**Department of Community Development  
Code Enforcement Division**

Michelle G. Jordan, Director, Community Development



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

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

Area: 2 CT: t2.01 CD: 1

PV: 0

Insp.: dwa

FINAL: 3/28/2016

## OFFICIAL NOTICE NO. 16-345PNS

Luella W. Crawford a/k/a Luella Walker Crawford (Deceased) and Ethel L. Crawford  
3818 Crane Dr., NE  
Huntsville, AL 35811

**Re: 3818 Crane Dr NE**

PPIN: 51577 PARCEL: 13-04-18-0-002-083.000

Legal Description: LOT 10, IN BLOCK E, ACCORDING TO THE PLAT OF EDMONTON HEIGHTS SUBDIVISION, PART A, AS THE SAME APPEARS OF RECORD IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, IN PLAT BOOK 2 AT PAGE 52.

Date Inspected: 2/2/2016

Notice Issued: 2/25/2016

DEMOLISH BY: 3/28/2016

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 not operational.
- ♦ Electrical system damaged by fire.
- ♦ Gas system damaged by fire.
- ♦ Gas system must be checked by licensed gasfitter and inspected by City of Huntsville Inspection Department.
- ♦ Sanitary facilities not operational.
- ♦ Plumbing system damaged by fire.
- ♦ Interior wall(s) damaged by fire: throughout
- ♦ Interior ceiling(s) damaged by fire: throughout
- ♦ Interior walls damaged by smoke: throughout
- ♦ Water heater missing.
- ♦ Interior ceiling collapsed: throughout
- ♦ Interior floors damaged by smoke: throughout
- ♦ Eave damaged by fire: front, left, rear, right
- ♦ Roof collapsed:
- ♦ Roof system damaged by fire:

## NOTICE TO DEMOLISH STRUCTURE

This structure must be demolished and removed prior to: 3/28/2016

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.

## OFFICIAL NOTICE NO. 16-345PNS (Cont.)

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 3/17/2016. 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.**



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

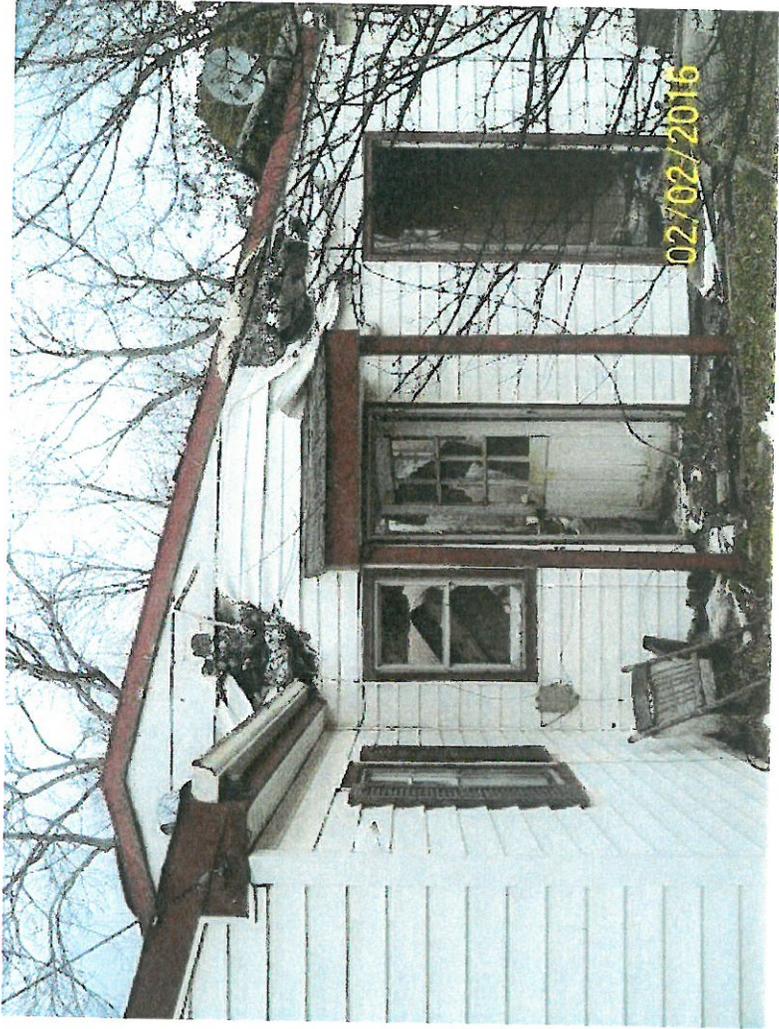
**cc:**

John Crawford  
12011 Rockcliff Dr.  
Huntsville, AL 35810

EXHIBIT "B"

3818 Crane Dr., NE

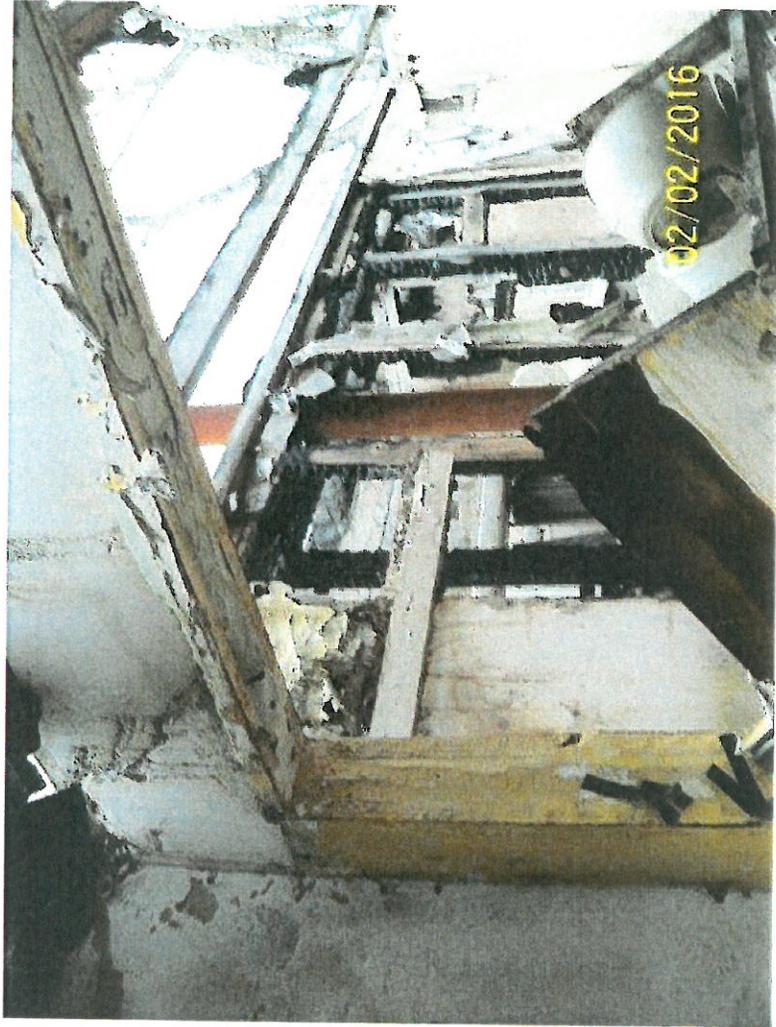


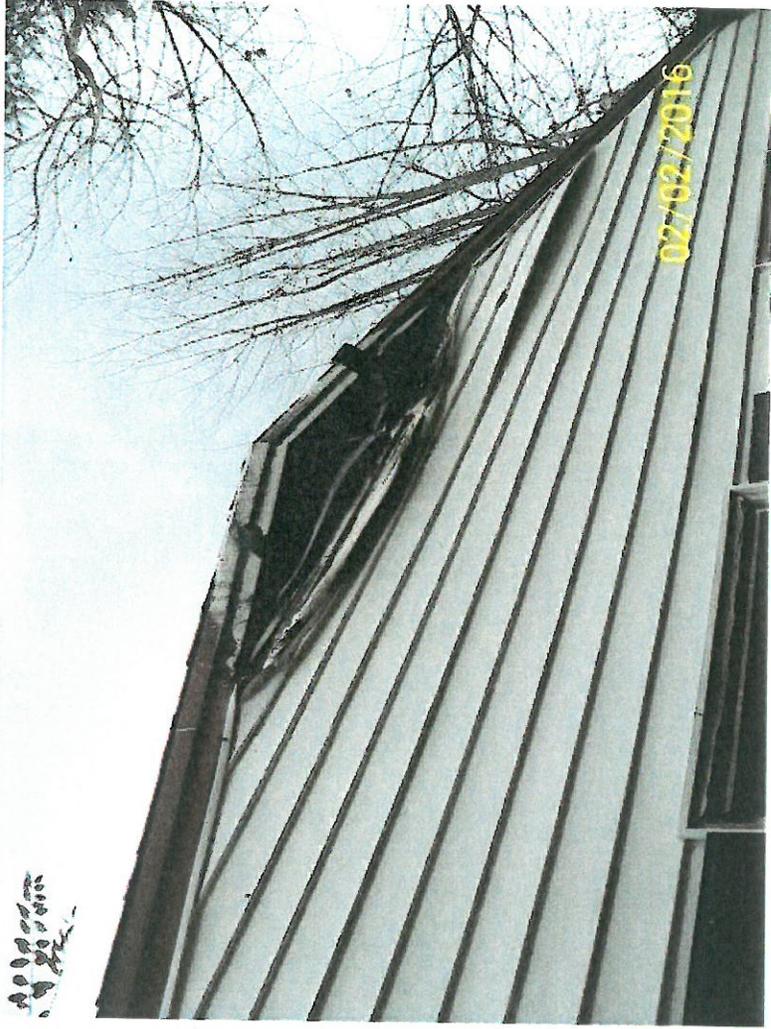




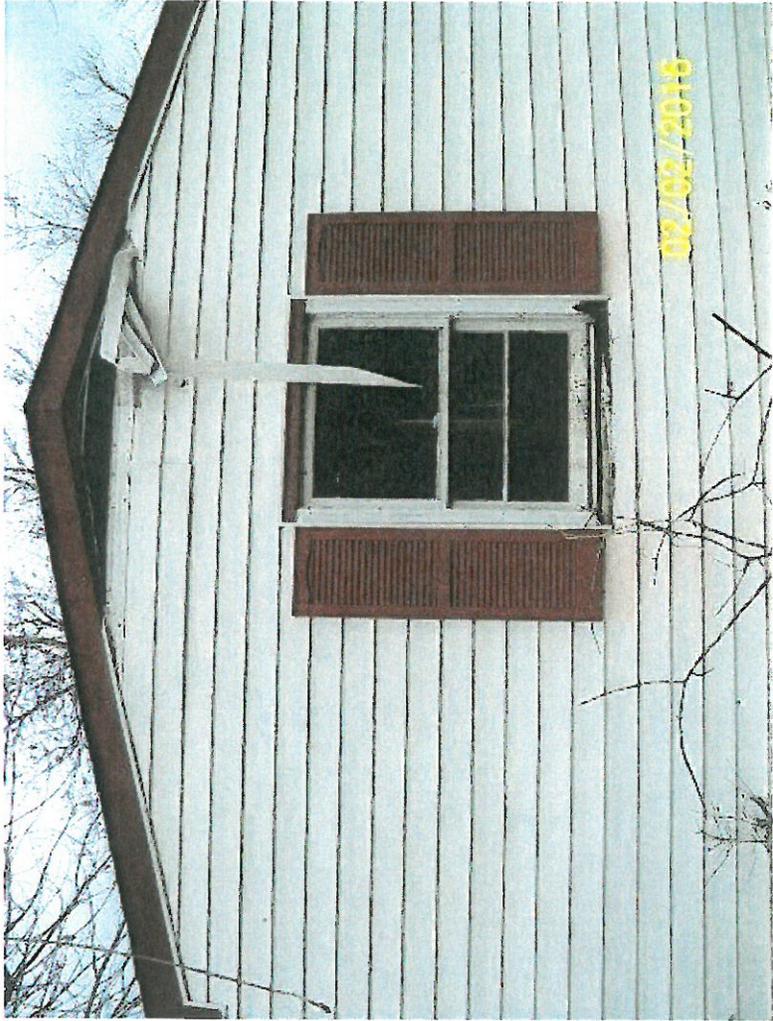












STRUCTURAL EVALUATION REPORT

ADDRESS OF STRUCTURE: 3818 Crane Dr. Hunts, AL. 35811  
 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  
 CONSTRUCTION: Wood Frame  Frame/Veneer \_\_\_\_\_ Masonry \_\_\_\_\_ Other \_\_\_\_\_  
 APPROXIMATE SIZE OF STRUCTURE: 33<sup>0</sup> ft. X 36<sup>0</sup> ft. = 1188 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>28</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>24</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>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>92</u>											

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

REMARKS: House is severely damaged by fire. Also house has been vacant for extended period of time and repairs are not feasible

SIGNATURE: David B. Schimsher DATE: 2/11/2016