



Legislation Text

File #: 22-2946, Version: 1

TO: Mayor and Members of City Council

**THRU: Telly C. Whitfield, Ph.D., Assistant City Manager
Dr. Gerald Newton, AICP, Development Services Director
David Steinmetz, Development Services Assistant Director**

FROM: Dereke D. Planter Jr., Code Enforcement Supervisor

DATE: September 26, 2022

RE: Uninhabitable Structures Demolition Recommendations

**5002 Collins Street
3902 Coventry Road**

**District 4
District 5**

**COUNCIL DISTRICT(S):
4, 5**

Relationship To Strategic Plan:

Goal 1: Safe & Secure Community; Goal 4: Desirable Place To Live, Work & Recreate

Executive Summary:

Staff request for demolition ordinance approval on one commercial and two residential buildings determined to be dangerous.

Background:

5002 Collins Street - PIN 0418-59-3856-

The City Inspector is required to correct conditions that are found to be in violation of the Dwellings and Buildings Minimum Standards. The structure is a vacant residential building that was inspected and condemned as a dangerous structure on March 18, 2022. Exterior steps need repair; Porch framing and flooring needs repair; Porch railings and columns need repair; Walls need repair; Window frames and sashes need repair; Roofing material, flashing and trim/fascia need repair; Roof rafters and sheathing need repair. A hearing on the condition of the structure was conducted on May 13, 2022, at which owner did not appear. Notice of the hearing was published in the Fayetteville Observer newspaper May 22, 2022. A second hearing on the condition of the structure was conducted on June 3, 2022, at which owner did not appear. A subsequent Hearing Order to repair or

demolish the structure within 60 days was issued and mailed to the owner on June 6, 2022. To date, there has been no inspected and approved repairs to the structure and the structure has not been demolished. In the past 24 months, there has been 4 calls for 911 service to the property. There has been 8 code violation cases with no City assessments and \$1,885.69 outstanding taxes.

3902 Coventry Road - PIN 0416-66-0090-

The City Inspector is required to correct conditions that are found to be in violation of the Dwellings and Buildings Minimum Standards. The structure is a vacant residential building that was inspected and condemned as a dangerous structure on January 6, 2022. Walls need repair; doors and door frames need repair; foundation wall needs repair. Notice of the hearing was published in the Fayetteville Observer newspaper January 16, 2022. A hearing on the condition of the structure was conducted on January 28, 2022, at which 3 of the 12 owners did appear. A subsequent Hearing Order to repair or demolish the structure within 120 days was issued and mailed to the owner on January 31, 2022. To date, there has been no inspected and approved repairs to the structure and the structure has not been demolished. In the past 24 months, there has been 11 calls for 911 service to the property. There has been 5 code violation cases with no City assessments and \$1,448.94 outstanding taxes.

Issues/Analysis:

The subject properties are sub-standard and detrimental to the surrounding neighborhood and promotes nuisances and blight, contrary to the City's Strategic Operating Plan Goal 1.

Budget Impact:

The demolition cost of these structures will be determined at a later date subject to a competitive bidding process to be conducted after adoption of the demolition ordinances. There may be additional unknown costs for asbestos testing and abatement if needed.

Options:

Adopt the ordinances and demolish the structures.
Abstain from any action and allow the structures to remain.
Defer any action to a later date.

Recommended Action:

Staff recommends the Council move to adopt the ordinances authorizing demolition of the structures. Council is advised that staff will continue to work with property owners up until the actual beginning of the City-ordered demolition to either bring the structures into a code-compliant state, to obtain voluntary owner-initiated demolition, or to achieve abatement of the violation with the assistance of the Blight Removal Program.

In the event we are successful in voluntary compliance, we will bring Council a demolition rescission ordinance to remove the original demolition order from clouding the deed of the property. We prefer to get demolition ordinances approved as Council action increases our leverage with property owners in obtaining code compliance. Only an action by the Council can stay or suspend demolition proceedings after a demolition order has been adopted.

Attachments:

Aerial maps, violation photos, and proposed ordinance