



Legislation Details (With Text)

**File #:** 21-2466      **Version:** 1      **Name:**  
**Type:** Consent      **Status:** Agenda Ready  
**File created:** 1/4/2022      **In control:** City Council Regular Meeting  
**On agenda:** 1/24/2022      **Final action:**  
**Title:** Uninhabitable Structures Demolition Recommendations

633 Robeson St.      District 2  
2220 Progress St.      District 2  
316 Horseshoe Rd.      District 4  
949 Louise Cir.      District 7

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Robeson Street, 633 - Aerial Map, 2. Robeson Street, 633 - Photos, 3. Robeson Street, 633 - Ordinance, 4. Progress Street, 2220 - Aerial Map, 5. Progress Street, 2220 - Photos, 6. Progress Street, 2220 - Ordinance, 7. Horseshoe Road, 316 - Aerial Map, 8. Horseshoe Road, 316 - Photos, 9. Horseshoe Road, 316 - Ordinance, 10. Louise Circle, 949 - Aerial Map, 11. Louise Circle, 949 - Photos, 12. Louise Circle, 949 - Ordinance

Date	Ver.	Action By	Action	Result
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**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:** January 24, 2022

**RE:** Uninhabitable Structures Demolition Recommendations

633 Robeson St.      District 2  
2220 Progress St.      District 2  
316 Horseshoe Rd.      District 4  
949 Louise Cir.      District 7

**COUNCIL DISTRICT(S):**  
2, 4, 7

**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 three residential buildings determined to be dangerous and one residential building determined to be blight.

**Background:**

**633 Robeson Street- PIN 0437-10-7728-**

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 September 3, 2021. The structures porch railings and columns need repair; exterior and interior doors and frames need repair; window panes need repair; window frames and window sashes need repair; roofing material, flashing and trim/fascia need repair; roof rafters and sheeting need repair. Notice of the hearing was published in the Fayetteville Observer newspaper September 12, 2021. A hearing on the condition of the structure was conducted on September 23, 2021, at which the owner did appear. A subsequent Hearing Order to repair or demolish the structure within 90 days was issued and mailed to the owner on September 24, 2021. To date, there has been no repairs to the structure and the structure has not been demolished. In the past 24 months, there has been 3 calls for 911 service to the property. There has been 5 code violation case with no City assessments and \$620.77 in outstanding taxes.

**2220 Progress Street- PIN 0426-92-8666-**

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 currently a vacant residential building razed by fire and was inspected and condemned as a dangerous structure on September 10, 2021. The structures ceiling and ceiling joists need repair; interior and exterior walls need repair; exterior and interior doors and frames need repair; window panes need repair; window frames and window sashes need repair; roofing material, flashing and trim/fascia need repair; roof rafters and sheeting need repair. A hearing on the condition of the structure was conducted on September 23, 2021, at which the owners did not appear. Notice of the hearing was published in the Fayetteville Observer newspaper October 3, 2021. A second hearing on the condition of the structure was conducted on October 14, 2021, at which the owners did not appear. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner on October 14, 2021. To date, there has been no repairs to the structure and the structure has not been demolished. In the past 24 months, there have been 9 calls for 911 service to the property. There has been 5 code violation case with no City assessments and \$696.74 in outstanding taxes.

**316 Horseshoe Road- PIN 0408-29-1094-**

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 currently a vacant residential building razed by fire and was inspected and condemned as a dangerous structure on May 27, 2021. The structures front and rear porch framing and flooring need repair; Ceiling and ceiling joists need repaired; window panes, frames and sashes need repair; roofing material, flashing, trim and fascia need repair; roof rafters and sheathing need repair. Notice of the hearing was published in the Fayetteville Observer newspaper June 6, 2021. A hearing on the condition of the structure was conducted on June 17, 2021, at which the owners did appear. A subsequent Hearing Order to repair or demolish the structure within 180 days was issued and mailed to the owner on June 18, 2021. To date, there has been no repairs to the structure and the structure has not been demolished. In the past 24 months, there have been 1 call for 911 service to the property. There has been 1 code violation case with no

City assessments and \$1,250.10 in outstanding taxes.

**949 Louise Circle- PIN 0407-52-8846-**

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 currently a vacant residential building and was inspected and condemned as a blight structure on June 28, 2021. The structures front and rear porch framing and flooring, porch railings and columns, exterior and interior walls, exterior and interior doors and frames need repair; window panes need repair; roofing material, flashing and trim/fascia need repair.. Notice of the hearing was published in the Fayetteville Observer newspaper July 4, 2021 and July 25, 2021. A hearing on the condition of the structure was conducted on July 15, 2021, at which the owners did appear. A second hearing on the condition of the structure was conducted on July 25, 2021, at which the owners did appear. A subsequent Hearing Order to repair or demolish the structure within 120 days was issued and mailed to the owner on August 6, 2021. To date, there has been no repairs to the structure and the structure has not been demolished. In the past 24 months, there have been no calls for 911 service to the property. There has been 2 code violation case with \$2,263.25 in City assessments and \$4,121.38 in 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 ordinances