



Request for City Council Committee Action from the Department of Regulatory Services

Date: March 19, 2012

To: Council Member Elizabeth Glidden, Chair – Regulatory, Energy, & Environment Committee

Subject: Nuisance Condition Process Review Panel (NCPRP) recommendation regarding appeal of Director’s Order to Raze and Remove structure located at 1126 – 6th St NE.

Recommendation: To adopt the findings of the Nuisance Condition Process Review Panel to uphold the Director’s Order and approve the staff recommendation for demolition of the property located at 1126 – 6th St NE.

Previous Directives: None

Department Information

Prepared by: Scott Bockes, PPU Operations Analyst, 612-673-5896

Approved by:

Gregory K. Stubbs, AICP, Director of Regulatory Services

Thomas Deegan, Director of Housing Inspection Services

Kellie Jones, Manager of Administrative Services

Presenters in Committee: Kellie Jones

Financial Impact

- Action is within the Business Plan

Community Impact

- Neighborhood Notification of NCPRP
- Consistent with City Goals

Supporting Information

This matter came before the Nuisance Condition Process Review Panel (NCPRP) on December 8, 2011. The matter was continued two cycles until February 9, 2012, to allow the property owner to schedule a Code Compliance inspection and work with staff toward a restoration agreement.

1126 – 6th St NE was sent a Director's Order to Demolish on October 7, 2010. The property is owned by Alice and Brenda Leese. In the appeal filed by Brenda Leese, she stated that she wished to rehabilitate the property using the services of Habitat for Humanity. Ms. Leese did not schedule a Code Compliance inspection during the 60-day extension granted by the Nuisance Condition Process Review Panel nor has contacted staff regarding any agreement with Habitat for Humanity to rehabilitate the property.

Background

1126 – 6th St NE is a two story duplex located in the Sheridan Neighborhood. According to city records, it is a 3,552 square foot building constructed in 1905. It sits on a 5,520 square foot lot.

The property first came to the attention of the Problem Properties Unit in May of 2011. The Fire Department responded to a possible gas leak. Once inside they found the property to be vacant, with significant health hazards, and a number of unattended cats. Animal control was unable to remove the cats due to the excessive amount of clutter. They asked the Fire Department to Board the Property, with the intention of returning to remove the cats in a safe and orderly fashion. The Fire Department notified Regulatory Services of the condition as well.

On May 31, Inspector Bryan Starry inspected the property and confirmed that the property had serious and significant health hazards. He issued a letter of intent to condemn for maintenance and posted the property with a placard indicating that it was an "UNSAFE Building and should not be occupied." He ordered the owner to clean the property by July 1, 2011. The family contacted the City and stated that they needed more than one month to clean out the property. This request for more time and assistance was also made by the City's Senior Ombudsman. City staff worked closely with the owner, gave extra time to clean the house, and provided phone numbers of contractors who might be able to assist.

In early August, the owner informed the City that she had hired a contractor to remove the debris. After a day or so of using the private contractor, which yielded limited success, the Manager of Housing Inspection Services determined that an emergency action was required and hired a City Contractor to complete the clean out. During this time, the owner was given several opportunities to identify items that could be salvaged. It took the crew an additional 2 days to remove the remaining material.

In addition to the unsanitary material in the home, the property had other significant issues including significant interior deterioration of the walls and floors due to the extreme conditions, and exterior housing code violations to include roof, foundation, doors and windows.

Preservation and Design staff have reviewed the property and determined that it does not constitute a historic resource. The wrecking permit has been signed and returned.

The estimated cost to rehabilitate the building would be between \$145,142 - \$211,102. This is calculated based on a MEANS square footage estimate, taking into account that significant replacement of doors, floors, plumbing fixtures, etc. would be required because of contamination and odor.

The CPED contracted appraiser has determined the after market rehab value to be \$195,000. The 2011 assessed value is \$184,000.

The estimated cost to demolish the structure is between \$24,864 and \$33,744.

The Sheridan Neighborhood Association and neighbors within 350ft were sent impact statements. The department received three (3) impact statements all indicating that the property has a negative impact and should be removed.

The Nuisance Condition Process Review Panel recommends that the Director of Inspections' Order to Raze be upheld and the structure demolished.