



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

Date: June 20, 2011

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

Subject: Nuisance Condition Process Review Panel Recommendation regarding appeal of Director's Order to Raze and Remove structure located at 2432 – 14th Ave S.

Recommendation: To adopt 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 2432 14th Ave S.

Previous Directives: None

Department Information

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

Approved by:

Rocco Forté, Director of Regulatory Services & Emergency Preparedness

Thomas Deegan, Director of Housing Inspections

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 on April 14, 2011. 2432 – 14th Ave S was sent an order to demolish on December 10, 2011. The property is owned by Michael Buhl. In his appeal Mr. Buhl stated that he wished to rehabilitate the

property and is relying on a settlement with The Traveler's Home and Marine Insurance Company in order to do so.

The property owner was represented by counsel, Mr. Steve Lundeen, and was also present at the hearing. The Nuisance Condition Process Appeal Panel voted to recommend that Council uphold the Director's Order to demolish the property.

Background

2432 – 14th Ave S is a single family dwelling in the Midtown Phillips neighborhood. The 1-story structure was built in 1979. The building is 1,728 square feet and sits on a 7,395 square foot lot.

This building was condemned for lack of maintenance on December 29, 2010, and now requires a Certificate of Code Compliance. A Code Compliance inspection was completed March 24, 2011. The inspection report was sent to the property owner and his attorney.

The Code Compliance report lists multiple issues. It states that there is major fire damage to the roof requiring a structural engineer to evaluate and design the needed repairs. A structural engineer will also need to evaluate and design the repairs for the fire damage to the floors, walls, ceiling, and joist systems. All duct work that has been damaged or in the heat of the fire must be replaced. All of the water, gas, waste, and vent piping have been damaged and must be replaced. The basement bathroom was installed without benefit of a permit and must be removed or brought to code. The basement floor will need to be opened for code compliance or removal and inspected. All damaged plumbing fixtures (sinks, laundry tub, water heater, gas range) will need to be replaced and brought to code. The deck must be removed as it was constructed without Zoning approval, without the proper setbacks, without a permit, and was not constructed to code.

The owner indicates that they are awaiting a settlement amount from the insurance agency in order to finance any repairs.

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

The estimated cost to rehabilitate the building is between \$105,330 and \$149,986, based on the MEANS square footage estimate.

The CPED contracted appraiser has determined the after-rehab market value to be \$120,000.

The 2010 assessed value of the property is \$136,000.

The estimated cost to demolish the structure is between \$18,000 and \$21,000.

The Midtown Phillips Neighborhood Improvement Association and the owners of properties within 350 feet of 2432 – 14th Ave S were mailed requests for a community impact statement. The department has received six (6) in return. Four stated that the property has had a negative impact on the community three stated that it should be demolished.

Staff recommendation is demolition.