Council-Manager Memo #4
Wednesday, January 19, 2011

CHARLOTTE.

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AGENDA NOTES:

Agenda Item #50L – In Rem Remedy: 1306/1308 Kennon Street

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On January 24, City Council will be asked to approve an ordinance authorizing the use of In Rem remedy to demolish and remove the duplex at 1306/1308 Kennon Street. Over the last several weeks the property owner of 1306/1308 Kennon Street, Bo Procter, has expressed concerns to Council regarding Code Enforcement's intent to ask Council for permission to demolish this structure. This information is intended to provide an update on the property since we informed you of this situation on January 7, 2011.

Code Enforcement last inspected this property on December 29, 2010. Since that time, staff has received no communication from the property owner and the property has not been secured nor has any structural repairs been initiated. It is Code Enforcement's position that the property is dilapidated and that the property owner has failed to make substantive repairs within a reasonable timeframe.

Background

Code Enforcement received a public agency referral from CMPD regarding the storing of stolen goods inside the structure as well as the open and vacant nature of the property. The property was registered as a boarded up structure in March 2009. The time frame for the house to stay boarded up expired, per City regulations, in September 2009.

Structure Description

There is no historic designation regarding the property on Kennon Street. The case file and structure condition summary was forwarded to both the Historic Landmarks Commission and the Historic District Commission. Neither agency expressed any concern as to the historical nature of the structure or the impending demolition. The repair costs are estimated at $37,243 which is 131% of the structure tax value of $28,400.

The area code supervisor has expressed concern about the overall conditions, even indicating that any work that has been done has essentially made matters worse. The workers at the location have covered rotting wood and removed structural elements, making the house essentially sag in on itself. The file records also indicate that exterior painting has covered up decayed siding and framing. On the interior, the kitchen and bath were gutted revealing more extensive damaged/decayed structural issues. The dry walled ceiling in the kitchen and the replacement of the porch ceiling covered up old, unsafe wiring. There are other examples where work has covered up major structural and electrical issues. Repair permits were pulled in September for $4,500 per unit. The City's repair estimate is $37,243. The file record indicates the original inspection took place in July of 2010. The owner was granted one extension in September. He was denied a second extension in October since no work had been completed.

The property owner noted property values in the area at 1222 Kennon, 1305 Kennon and 1300 Kennon as a comparison with his property at 1306/1308 Kennon. Ironically, two of these properties (1222 and 1300 Kennon) were previously ordered demolished by Code Enforcement. Prior to the sale of the properties, the owners chose to repair and renovate.

Additionally, according to Piedmont Natural Gas, both meters were pulled and gas lines plugged in 2004 at 1306/1308 Kennon. Duke Power records indicate the last legal service for 1306 Kennon was 2001 and for 1308 Kennon, 2005. Both meters have subsequently been removed. In May 2010 an illegal meter was removed, suggesting someone was stealing utilities.

INFORMATION:

Tree Canopy Goal and Investment Strategy Citizen Sounding Board Update
Staff Resources: Gina Shell, E&PM, 704-336-4648, gshell@charlottenc.gov
Tom Johnson, E&PM, 704-336-3622, tjohnson@charlottenc.gov

Due to expressed interest and in order to accommodate varying schedules, an additional sounding board meeting time has been set. There will now be two meetings covering the exact same content. The two meetings are as follows:

Wednesday, January 19, 5:30 – 7:00 p.m., CMGC, Room 266; or
Thursday, January 20, 10:00 – 11:30 a.m., CMGC, Room 267

These meetings will allow staff to receive feedback and advice from members of the community regarding:

- Setting a tree canopy goal expressed as a percentage of total geographical area covered by tree canopy. This goal may also encompass sub-goals for certain areas.
- Developing a Tree Canopy Investment Strategy to guide public investment in trees and to serve as an informative tool for potential partners interested in maintaining and expanding a healthy tree canopy.

ATTACHMENTS:

January 5 Housing and Neighborhood Development Committee Summary ***(see attachment, left side table of contents)***