

**RESOLUTION NO. 24-\_\_\_\_\_**

**WHEREAS**, the Manager of Community Development for the City of Huntsville, Alabama, has inspected or caused to be inspected property situated at 1015 Magnolia Dr NW in Huntsville, Alabama, and has determined that the structure, any and all accessory structures, is unsafe; and

**WHEREAS**, the Manager of Community Development for the City of Huntsville, Alabama, did on 5/31/2024, cause to be and issued to owners of record of the property, Notice to Demolish Structure, Official Notice No. 24-6PNS, a copy of which is attached hereto as Exhibit A, being substantially similar in words to that document identified as "Notice of Public Nuisance", a copy of said document being permanently kept on file in the Office of the City Clerk of the City of Huntsville; and

**WHEREAS**, any structure located on said property has not been demolished as required by said notice, and no appeal having been taken therefrom as by law provided; and

**WHEREAS**, photographs showing the condition of the property are attached hereto as Exhibit B; and

**WHEREAS**, independent contractors have inspected the structure(s) and determined that the cost of repair and rehabilitation is not economically feasible and is of the opinion that the structure(s) should be demolished, and has given a written statement to that effect, a copy of which is attached hereto as Exhibit C; and

**WHEREAS**, in the judgment of the Manager of the Department of Community Development of the City of Huntsville, Alabama, the structure(s) in question cannot be reasonably repaired, and that demolition of the structure, including any and all accessory structures, and contents therein, if any, is necessary to protect the public health, safety and general welfare.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Huntsville, Alabama, that upon the expiration of ten (10) days from today's date, Manager of the Department of Community Development, City of Huntsville, Alabama, is authorized to proceed, pursuant to § 11-40-30 et seq., Code of Alabama (1975), to demolish and remove the structure(s) and contents, if any, at 1015 Magnolia Dr NW more particularly described as follows to-wit: LOT 5 BL 3 BROTHERS HGHTS, and to assess the reasonable costs for demolition and removal of debris against said property.

**BE IT FURTHER RESOLVED**, by the City Council of the City of Huntsville, Alabama, that the Manager of Community Development, or his/her appointed designee, is hereby authorized to take all lawful and necessary actions to accomplish the foregoing.

**RESOLUTION NO. 24-\_\_\_\_\_**

**ADOPTED** this the 11th day of July, 2024.

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President of the City Council  
of the City of Huntsville, Alabama

**APPROVED** this the 11th day of July, 2024.

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Mayor  
of the City of Huntsville, Alabama

**Department of Community Development  
Code Enforcement Division**



120 Holmes Avenue E.  
P.O. Box 308  
Huntsville, AL 35804

Scott Erwin, Manager, Community Development

Phone: (256) 427-5400, FAX: (256) 427-5431

Area: 3

CT: t12

CD: 1

PV: 0

Insp.: rfa/ts/jc

FINAL: 7/1/2024

## OFFICIAL NOTICE NO. 24-6PNS

Michael Chaney  
2911 Pulaski Pike NW  
Huntsville, AL 35810

### Re: 1015 Magnolia Dr NW

PPIN: 21538 PARCEL: 14-07-35-3-002-029.000  
Legal Description: LOT 5 BL 3 BROTHERS HGHTS

**Date Inspected: 4/18/2024**

**Notice Issued: 5/31/2024**

**DEMOLISH BY: 7/1/2024**

In accordance with Sec. 11-40-30 et seq., Code of Alabama (1975), the Housing Official of the City of Huntsville, Alabama has determined that the structure located on the property described above is unsafe and constitutes a public nuisance due to the following conditions:

#### NOTICE TO DEMOLISH STRUCTURE VIOLATIONS

- ◆ Exterior door damaged: left
- ◆ Exterior door frame damaged: left
- ◆ Exterior door hardware damaged: left
- ◆ Hasp lock assembly is prohibited on exterior door: left
- ◆ Unit/structure is open and accessible to the public.
- ◆ Interior floor(s) damaged by fire: rear left bedroom
- ◆ Direct-wired smoke detector unit damaged:
- ◆ Electrical switch not properly installed: rear
- ◆ Electrical switch cover missing: rear
- ◆ Electrical switch has bare exposed electrical wiring: rear
- ◆ Interior ceiling(s) damaged by fire: rear left bedroom
- ◆ Light fixture damaged by fire: front left bedroom
- ◆ Interior floor has hole: bathroom
- ◆ Interior floor incapable of bearing load: bathroom
- ◆ Interior ceiling has hole: bedroom
- ◆ Trim damaged: front
- ◆ Access door missing: rear
- ◆ Interior floor not impervious to water: bathroom
- ◆ Foundation wall has cracks: front, left
- ◆ Exterior siding loose: front, left
- ◆ Trim loose: front, right
- ◆ Trim missing: front
- ◆ Soffit rotted: front
- ◆ Soffit loose: front
- ◆ Soffit has hole: front, rear
- ◆ Window pane broken: front, left
- ◆ Roof has hole:
- ◆ Roof decking rotted: front
- ◆ Roof rafter rotted: front
- ◆ Roof finish covering loose:
- ◆ Step damaged: left, front
- ◆ Step protective railing loose: front, left
- ◆ Porch protective railing missing: front
- ◆ Porch protective railing damaged: front
- ◆ Porch column detached: left
- ◆ Porch floor incapable of bearing load: left

**Garage door damaged: front**  
**Exterior light fixture damaged: rear**  
**Floor covering not in good repair: throughout**  
**Foundation collapsing and unable to support bearing load**

**This structure must be demolished and removed prior to: 7/1/2024**

Demolition permits must be obtained from the City of Huntsville Inspection Department and work commenced and completed by the specified date.

**Failure to comply with this notice by the specified date may result in the property being presented to the City Council as a public nuisance for demolition by the City of Huntsville. If the City of Huntsville demolishes the structure, all costs incurred will be assessed against the property and will be added to the tax bill of the property. Failure to pay the assessment will result in foreclosure and the property being sold.**

REQUEST FOR HEARING: Any person, firm, or corporation having an interest in the building or structure may file a written request for a hearing to the City Council of the City of Huntsville, Alabama. The written request must be received by the City Council of the City of Huntsville prior to 6/21/2024. The written request must contain the objections to the finding by the Housing Official that the building or structure is unsafe to the extent of being a public nuisance. The request may be mailed or delivered to:

CITY COUNCIL OF THE CITY OF HUNTSVILLE  
P.O. BOX 308  
308 FOUNTAIN CIRCLE  
HUNTSVILLE, AL 35801

Your cooperation will be appreciated. For questions related to this notice, please call Robert Alba, Housing Specialist, Housing Specialist, at (256) 564-8034.

  
Robert Alba, Housing Specialist  
Phone: (256) 564-8034



# 1015 Magnolia Dr NW





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CITY OF HUNTSVILLE COMMUNITY DEVELOPMENT

STRUCTURAL EVALUATION REPORT

CT # \_\_\_\_\_  
 ADDRESS OF STRUCTURE: 1015 Magnolia Dr. Huntsville, Al. 35816  
 INSPECTOR'S NAME: Bick Schimsher TITLE: Field/Rep  
 COMPANY NAME: Bobby Schimsher & Sons Gen Contr PHONE: 256-533-3560

NUMBER OF DWELLING UNITS: \_\_\_\_\_ NUMBER OF STORIES: 2 stories/Basement  
 CONSTRUCTION: WOOD FRAME: \_\_\_\_\_ FRAME/VENEER:  MASONRY: \_\_\_\_\_ OTHER: \_\_\_\_\_  
 APPROXIMATE SIZE STRUCTURE: 25 FT. X 58 FT. = 1450+290=1740 S/F  
 ASBESTOS SIDING OR ROOFING: NO:  YES: \_\_\_\_\_ (APPX. S/F = \_\_\_\_\_)

| COMPONENTS                | PERCENTAGE REPLACEMENT REQUIRED |   |   |   |   |   |   |   |   |   |           |  |
|---------------------------|---------------------------------|---|---|---|---|---|---|---|---|---|-----------|--|
| <b>I. EXTERIOR</b>        |                                 |   |   |   |   |   |   |   |   |   |           |  |
| 1) FOUNDATION:            | 0                               | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10        |  |
| 2) FLOOR SYSTEM:          | 0                               | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10        |  |
| 3) FRAMING/WINDOWS/DOORS: | 0                               | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10        |  |
| 4) ROOF SYSTEM:           | 0                               | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10        |  |
|                           | EXTERIOR TOTAL:                 |   |   |   |   |   |   |   |   |   | <u>33</u> |  |

|                     |                 |   |   |   |   |   |   |   |   |   |           |  |
|---------------------|-----------------|---|---|---|---|---|---|---|---|---|-----------|--|
| <b>II. INTERIOR</b> |                 |   |   |   |   |   |   |   |   |   |           |  |
| 1) FLOORS:          | 0               | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10        |  |
| 2) WALLS:           | 0               | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10        |  |
| 3) CEILING:         | 0               | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10        |  |
|                     | INTERIOR TOTAL: |   |   |   |   |   |   |   |   |   | <u>22</u> |  |

|                            |                       |   |   |   |   |   |   |   |   |   |           |  |
|----------------------------|-----------------------|---|---|---|---|---|---|---|---|---|-----------|--|
| <b>III. UTILITY SYSTEM</b> |                       |   |   |   |   |   |   |   |   |   |           |  |
| 1) ELECTRICAL:             | 0                     | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10        |  |
| 2) HEATING:                | 0                     | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10        |  |
| 3) PLUMBING:               | 0                     | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10        |  |
|                            | UTILITY SYSTEM TOTAL: |   |   |   |   |   |   |   |   |   | <u>30</u> |  |

GRAND TOTAL POINT RATING: 85

|                        |                   |   |  |
|------------------------|-------------------|---|--|
| FEASIBILITY OF REPAIR: | RATING 50 OR MORE | - | REHAB NOT FEASIBLE <input checked="" type="checkbox"/> |
|                        | RATING 49 OR LESS | - | REHAB FEASIBLE _____                                   |

REMARKS: Front porch footing has dropped down, therefore front wall of house and porch bricks are pulling away from structure.

SIGNATURE: Bick Schimsher DATE: 04-18-2024