



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 8/28/2025

File ID: TMP-5871

Department: Community Development

Subject:

Type of Action: Approval/Action

Resolution to declare a public nuisance located at 1013 Kinsey Dr Se, Huntsville, AL and to set the date for when objections will be heard (September 11, 2025).

Resolution No.

Finance Information:

Account Number: N/A

City Cost Amount: \$0

Total Cost: \$0

Special Circumstances:

Grant Funded: \$0

Grant Title - CFDA or granting Agency: N/A

Resolution #: N/A

Location: (list below)

Address: 1013 Kinsey Dr Se, Huntsville, AL

District: District 1 ☐ District 2 ☐ District 3 ☒ District 4 ☐ District 5 ☐

Additional Comments:

This resolution declares a junk public nuisance at 1013 Kinsey Dr Se and sets the date for a public hearing when comments can be made.

RESOLUTION NO. 25-

WHEREAS, the Manager of Community Development of the City of Huntsville, Alabama ("Director") has reported in a Report and Affidavit, a copy of which is attached hereto and incorporated herein by reference, that upon and/or in front of the property situated at 1013 Kinsey Dr Se, Huntsville, AL, 35803, there exists certain conditions as those enumerated in Acts 1971 , Reg. Sess., No. 71-1320, p. 2269, §2, which constitutes a public nuisance; and

WHEREAS, the Report and Affidavit of the Manager proves to the satisfaction of the City Council that the conditions that exist upon and/or in front of the referenced property constitute a public nuisance in accordance with Acts 1971, Reg. Sess., No. 71-1320, p. 2269.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Huntsville, Alabama ("City Council") as follows:

1. That, in accordance with Acts 1971 , Reg. Sess., No. 71-1320, p. 2269, the conditions as described in the Manager's Report and Affidavit existing upon and/or in front of the property at 1013 Kinsey Dr Se, Huntsville, AL, 35803, more particularly described as follows wit: LOT 80 BLK 2 ESSEX SQUARE PB 15 PG 48 , are found and hereby declared to be a public nuisance, which must be abated by the removal of said public nuisance.
2. That a meeting of the City Council shall be held at 5:30 pm, on 11th day of September, 2025, in the City Council Chambers in the Municipal Building of the City of Huntsville, Alabama, in order to hear and consider all objections or protests, if any, to the proposed removal of said nuisance.
3. Community Development hereby appointed to cause to be conspicuously posted in front of the property on which or in front of which the aforesaid nuisance exists, at not more than 100 feet in distance apart, but not less than two in all, notices headed, "Notice to Remove Public Nuisance", such heading to be in words not less than 1 inch in height and substantially in the following form:

NOTICE TO REMOVE PUBLIC NUISANCE

Notice is hereby given that on the 28th day of August, 2025, the City Council of the City of Huntsville, Alabama, passed a resolution declaring that a public nuisance exists upon or in front of the property at 1013 Kinsey Dr Se, Huntsville, AL, 35803 in said City of Huntsville, Alabama, and more particularly described in said resolution, and that the same constitutes a public nuisance, which must be abated by the removal of said public nuisance, otherwise they will be removed and the nuisance will be abated by the municipal authorities, in which case the cost of such removal shall be assessed upon the lots and lands from which and/or in front of which such public nuisance is removed, and such cost will constitute a lien upon such lots or lands until paid. Reference is hereby made to said resolution for other particulars.

RESOLUTION NO. 25- (Cont'd)

All property owners having any objections to the proposed removal of said public nuisance are hereby notified to attend a meeting of the City Council of the City of Huntsville, Alabama, to be held at 5:30 pm, on 11th day of September, 2025, in the City Council Chambers in the Municipal Building of the City of Huntsville, Alabama, when their objections will be heard and given due consideration.

Dated this the 28th day of August, 2025.

City of Huntsville, Alabama

By: Scott Erwin
Manager, Community Development
of the City of Huntsville, Alabama
Phone: (256) 427-5400

4. That the said notice shall be posted at least five days prior to the time set therein for hearing objections by the City Council of the City of Huntsville, Alabama. In addition, Community Development, is hereby ordered to mail a copy of said notice to the owner(s) of the property at least five days before the meeting at which objections will be heard, such notice to be mailed to the person last assessing the property for taxes according to the records of the Madison County Tax Assessor as well as to the current owner(s) of record according to the Madison County Probate Records if different than the owner(s) last assessed.

ADOPTED this the 28th day of August, 2025.

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

APPROVED this the 28th of August, 2025.

Mayor
of the City of Huntsville, Alabama

REPORT AND AFFIDAVIT
COMMUNITY DEVELOPMENT DIVISION
CITY OF HUNTSVILLE, ALABAMA

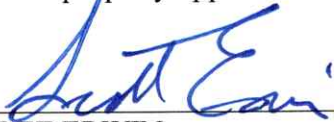
TO: THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, ALABAMA
DATE: July 30, 2025
RE: Public Nuisance

Before me, the undersigned, a notary in and for said County in said State, personally appeared Scott Erwin, who, after being by me duly sworn, deposes and says on oath as follows:

1. My name is Scott Erwin. My business address is 305 Fountain Cir, Third Floor, Huntsville, Alabama 35801. I am over the age of nineteen (19) years and am competent to make this affidavit. I have personal knowledge of the matters set out herein.
2. My current title is Manager of the Community Development Division of the City of Huntsville, Alabama ("City").
3. Upon and/or in front of the following described property within the city limits of Huntsville: 1013 Kinsey Dr Se, Huntsville, AL, 35803 more particularly described as follows to-wit:


LOT 80 BLK 2 ESSEX SQUARE PB 15 PG 48

I have found to exist, as of July 30, 2025, gray pickup truck loaded with debris located in rear yard, gray Ford pickup loaded with debris with trailer full of debris (flat tires not in road operable condition), located on driveway. Scrap wood, scrap metal, storm windows, sheet rock, plastic containers, metal containers, appliances, damaged appliances, air conditioners, scrap plastic, building material, cardboard boxes, lawn equipment in disrepair, and other debris located in rear yard. Cardboard boxes, interior furniture, lawn equipment in disrepair, bicycles in disrepair, plastic containers, storm windows, appliances, damaged appliances, scrap metal, metal wiring, metal containers, air conditioner, exercise equipment, vinyl, scrap wood, scrap plastic, pressure washer(s), and other debris located on said property and have determined that the stated conditions constitute a public nuisance. See attached hereto and incorporated herein by reference photographs of the subject property taken on July 30, 2025, which fairly and accurately shows how the property appeared on said date.



SCOTT ERWIN

SWORN TO AND SUBSCRIBED BEFORE ME this the 30th day of July, 2025.



Notary Public
My commission expires: 02/07/2028



1013 Kinsey Dr Se



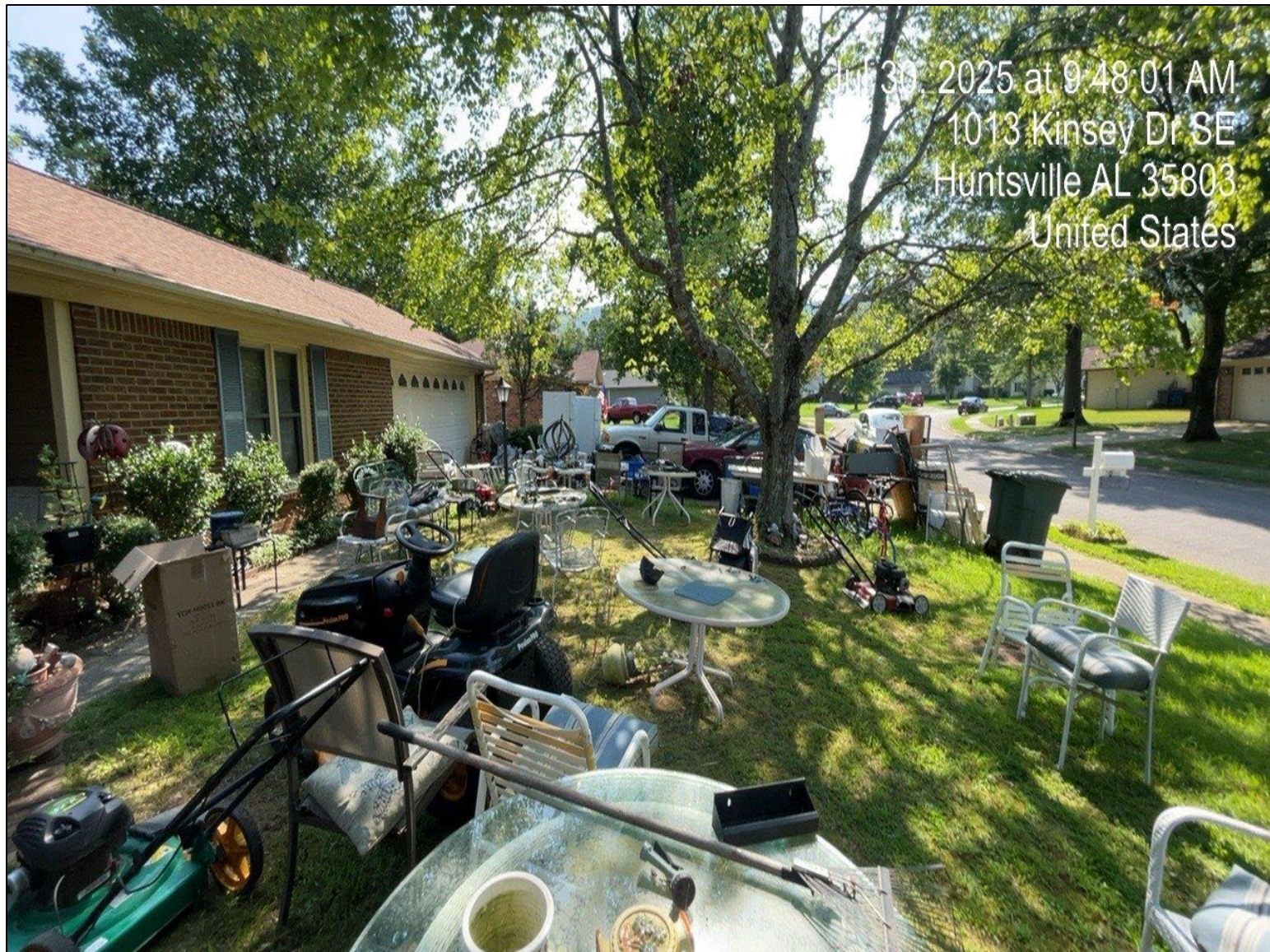
Jul 30, 2025 at 9:47:36 AM
1013 Kinsey Dr SE
Huntsville AL 35803
United States

1013 Kinsey Dr Se

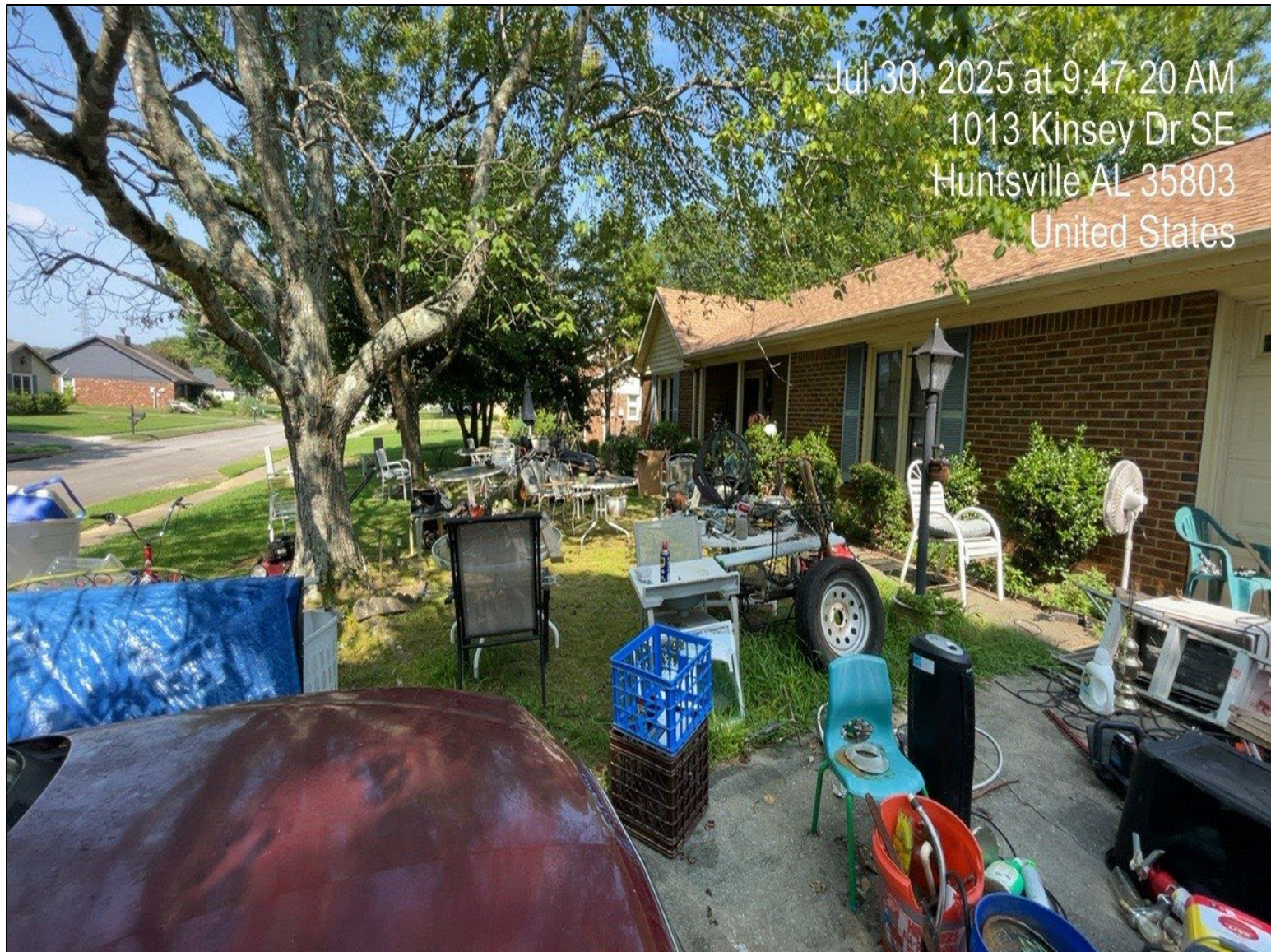


Jul 30, 2025 at 9:47:38 AM
1013 Kinsey Dr SE
Huntsville AL 35803
United States

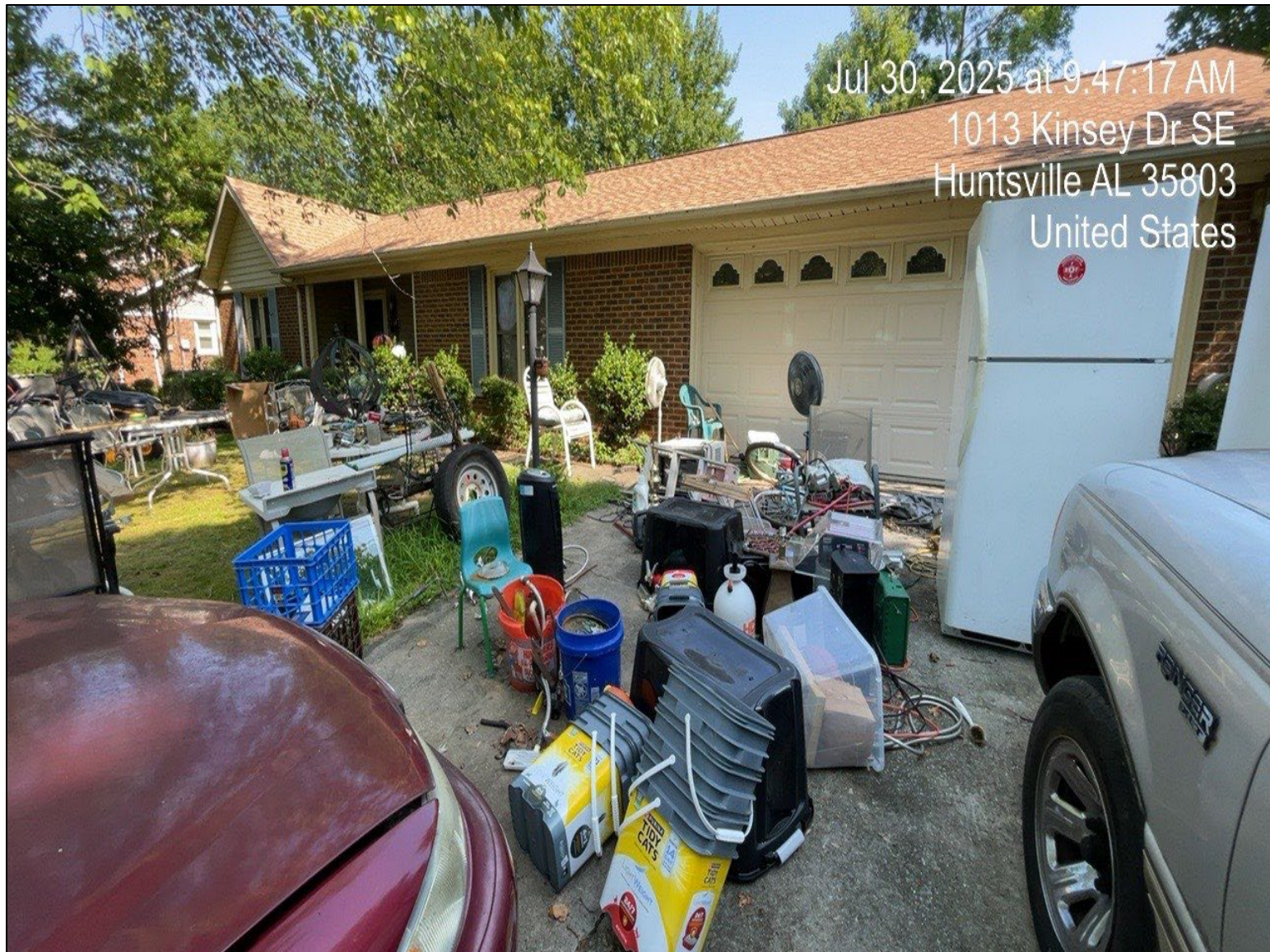
1013 Kinsey Dr Se



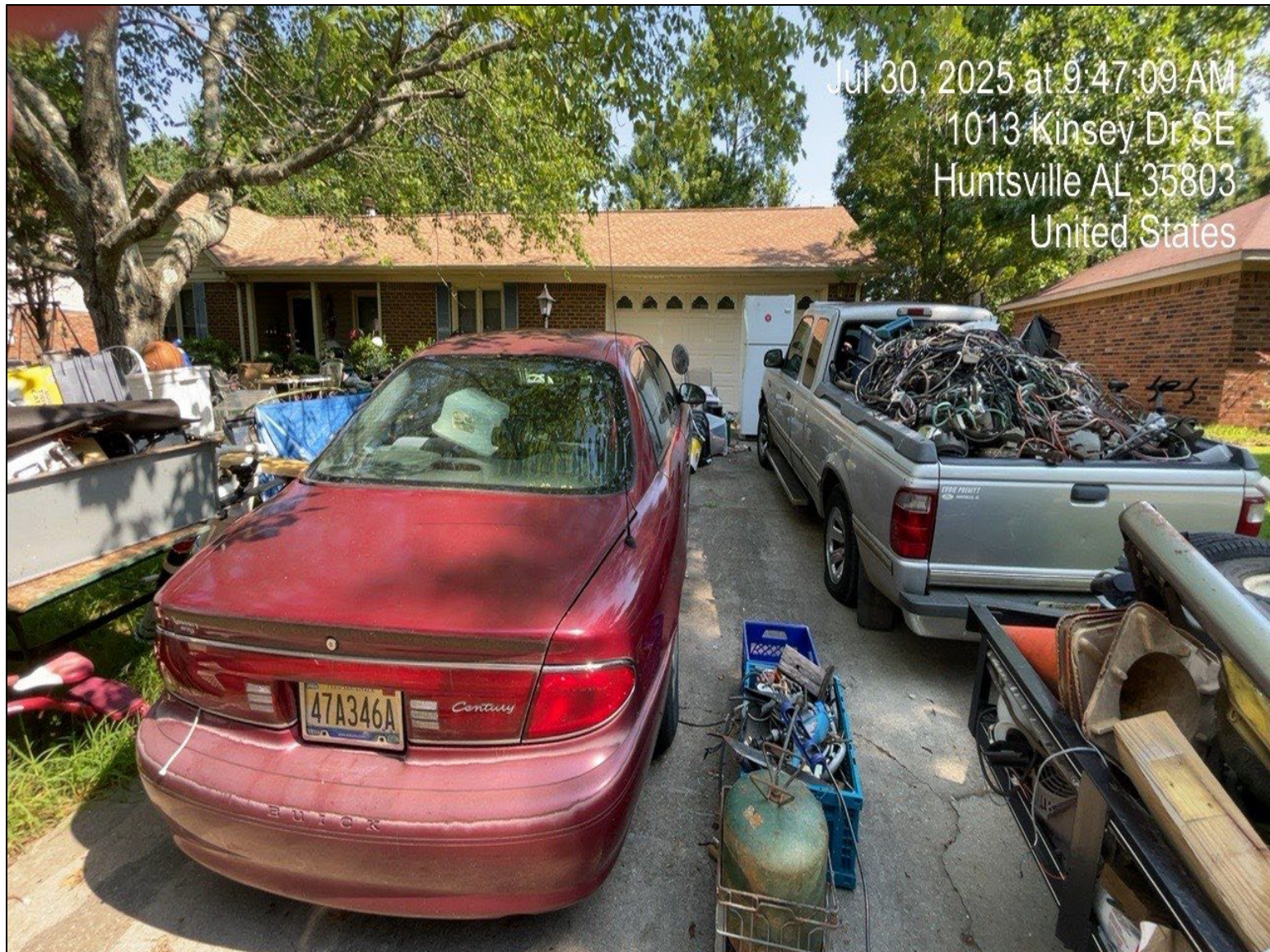
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