



# Huntsville, Alabama

308 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 11/10/2022

**File ID:** TMP-2250

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**Department:** Community Development

**Subject:**

**Type of Action:** Approval/Action

Public hearing in order to hear, consider, and act upon all objections or protests, if any, for removal of a public nuisance at 4801 Aubrey Cir NW, Huntsville, AL.; and consideration of Resolution ordering abatement of a nuisance located at 4801 Aubrey Cir, NW, Huntsville, AL.

**Type of Document:** Resolution No.

**Does this item need to be published?** No

If yes, please list preferred date(s) of publication: \_\_\_\_\_

**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:**

**Address:** 4801 Aubrey Cir NW

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

**Additional Comments:**

This resolution will authorize the demolition of an unsafe building constituting a public nuisance located at 4801 Aubrey Cir, NW, Huntsville, AL.

**RESOLUTION NO. 22-\_\_\_\_\_**

**WHEREAS**, the Manager of Community Development for the City of Huntsville, Alabama, has inspected or caused to be inspected property situated at 4801 Aubrey Cir 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 9/8/2022, cause to be and issued to owners of record of the property, Notice to Demolish Structure, Official Notice No. 22-5126PNS, 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 4801 Aubrey Cir NW more particularly described as follows to-wit: LOT 34 BL 5 RE S/D OF LOTS 34 & 35 BL 5 BLUE HAVEN 2ND ADD PB, 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. 22-\_\_\_\_\_**

**ADOPTED** this the 27th day of October, 2022.

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

**APPROVED** this the 27th day of October, 2022.

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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: 1 CT: t3.02 CD: 1

PV: 0

Insp.: cm

FINAL: 10/10/2022

## OFFICIAL NOTICE NO. 22-5126PNS

Willie Hawkins  
116 Alexandria Dr  
Huntsville, AL 35806

### Re: 4801 Aubrey Cir NW

PPIN: 2843 PARCEL: 1402103003049000

Legal Description: LOT 34 BL 5 RE S/D OF LOTS 34 & 35 BL 5 BLUE HAVEN 2ND ADD PB

Date Inspected: 8/11/2022

Notice Issued: 9/8/2022

DEMOLISH BY: 10/10/2022

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

- ♦ Deck damaged by fire: rear
- ♦ Exterior door missing: front
- ♦ Exterior door hardware missing: front
- ♦ Exterior door hardware damaged: rear
- ♦ Exterior door(s) damaged by fire: front, rear, garage
- ♦ Interior floor(s) damaged by fire: throughout
- ♦ Electrical outlet damaged by fire: throughout
- ♦ Interior wall(s) damaged by fire: throughout
- ♦ Electrical switch damaged by fire: throughout
- ♦ Interior ceiling(s) damaged by fire: throughout
- ♦ Light fixture damaged by fire: throughout
- ♦ Interior floor not in good repair: throughout
- ♦ Interior walls damaged by smoke: throughout
- ♦ Interior ceiling damaged by smoke: throughout
- ♦ Unit lacks permanent source of heat.
- ♦ Access door missing: rear
- ♦ Interior floors damaged by smoke: throughout
- ♦ Foundation wall has holes: left
- ♦ Foundation vent damaged: rear
- ♦ Access door damaged: rear
- ♦ Exterior wall has hole: right, left, rear
- ♦ Exterior siding damaged by fire: rear
- ♦ Exterior trim damaged by fire: front, rear
- ♦ Eave damaged by fire: front, rear
- ♦ Window(s) damaged by fire: front, rear, left
- ♦ Roof has hole:
- ♦ Roof system damaged by fire: rear
- ♦ Porch ceiling damaged by fire: rear
- ♦ Handrail damaged by fire: rear
- ♦ Column damaged by fire: rear

This structure must be demolished and removed prior to: 10/10/2022

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

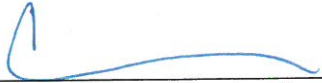
Failure to comply with this notice by the specified date may result in the property being presented to the City

**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 9/29/2022. 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 Clanzelle Moore, Housing Specialist, at (256) 427-5413.



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Clanzelle Moore, Housing Specialist  
Phone: (256) 427-5413

cc: Antonio C. Tolbert  
385 Jack Coleman Dr  
Huntsville, AL 35805

Willie Hawkins  
P. O. Box 7002  
Huntsville, AL 35807



## 4801 Aubrey Cir NW





## 4801 Aubrey Cir NW





## 4801 Aubrey Cir NW



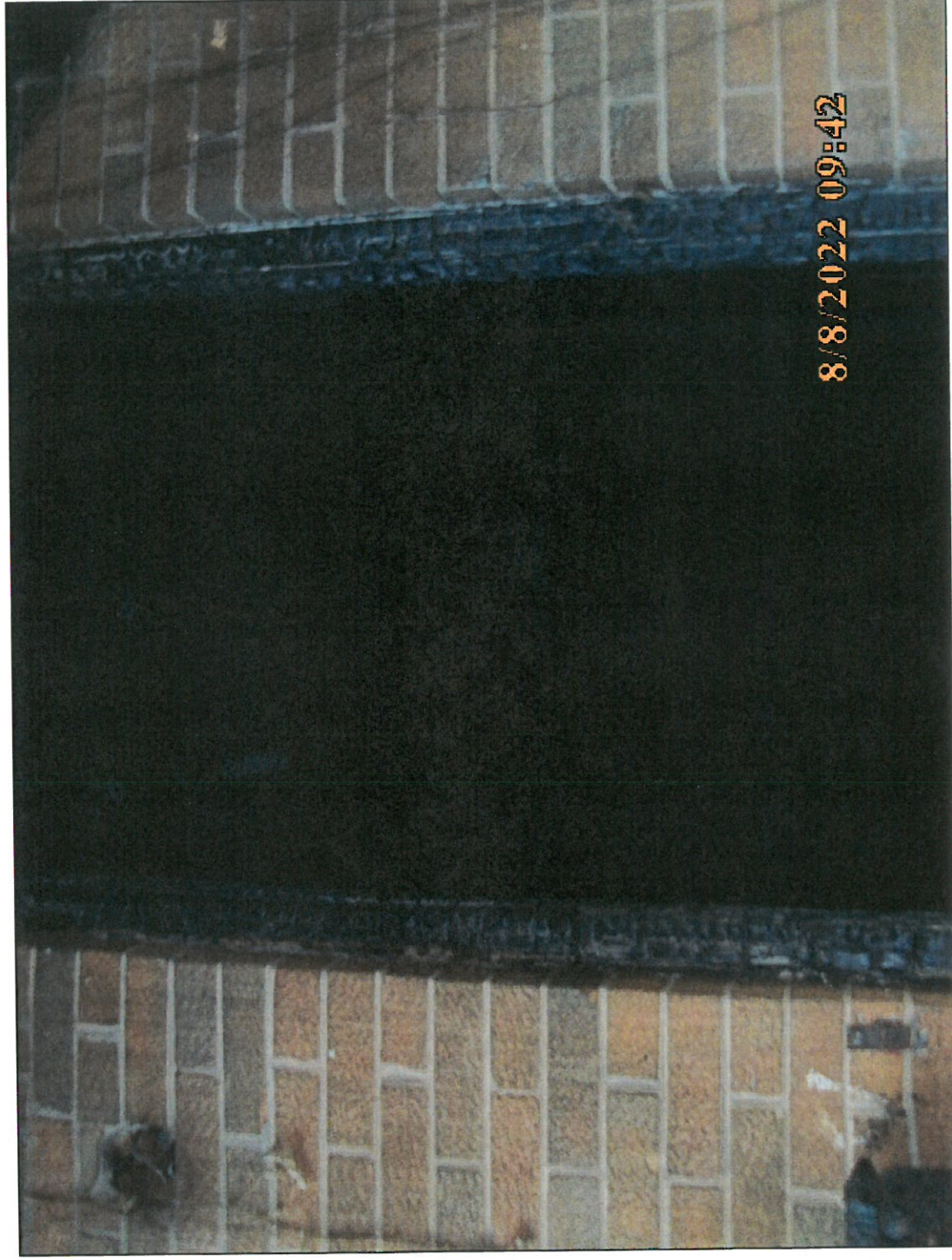


## 4801 Aubrey Cir NW



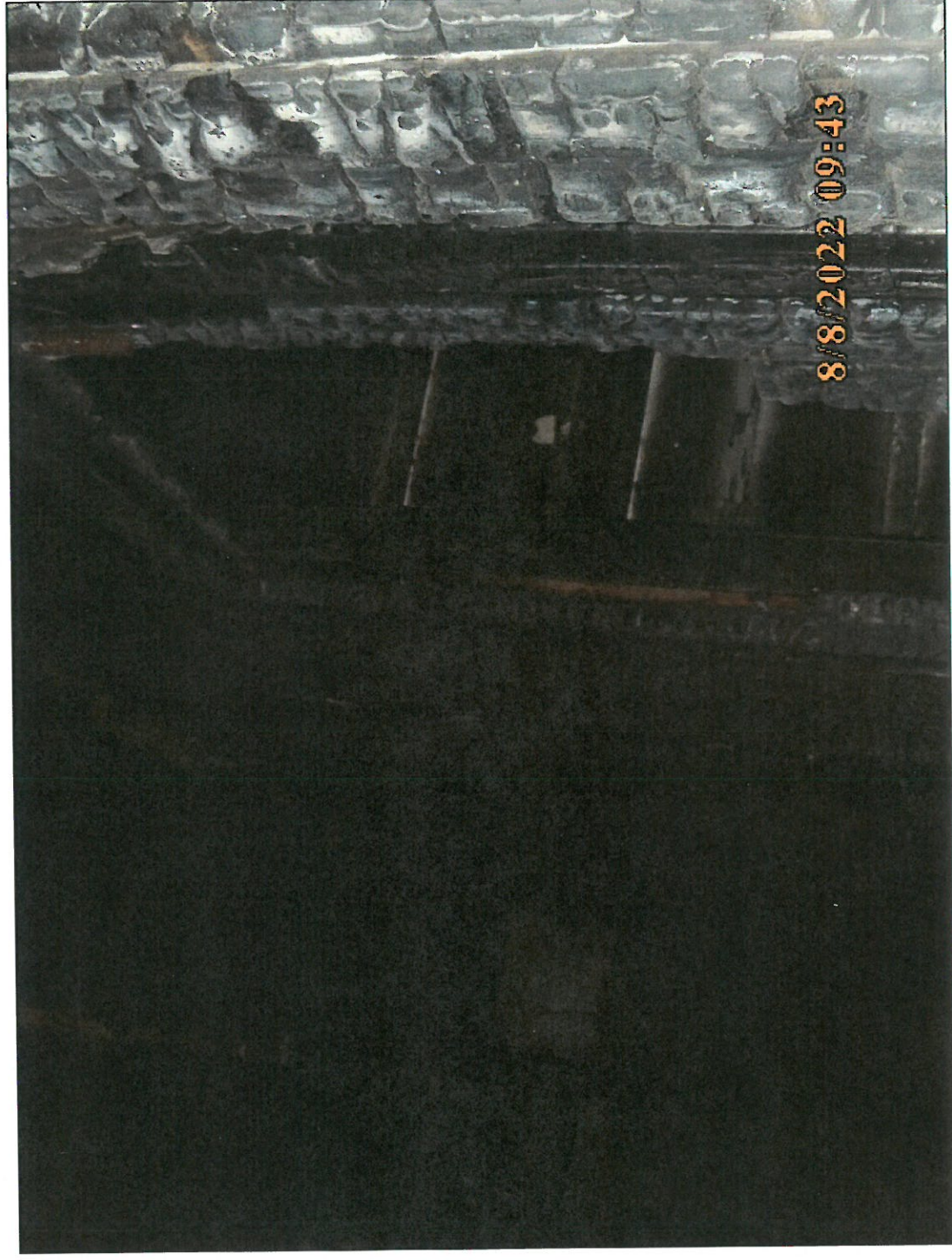


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STRUCTURAL EVALUATION REPORT

ADDRESS OF STRUCTURE: 4801 Aubrey Cir. NW Hunts, AL 35810

INSPECTOR'S NAME: Dan Schrimsher TITLE: Co-Owner/Foreman

COMPANY NAME: Bobby Schrimsher & Sons Gen. Contr., Inc. PHONE: 256-533-3560

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NUMBER OF DWELLING UNITS 1 NUMBER OF STORIES 1

CONSTRUCTION: Wood Frame    Frame/Veneer Y Masonry    Other   

APPROXIMATE SIZE OF STRUCTURE: 54 ft. x 25 ft. = 1,350 s/f

\*\* ASBESTOS SIDING or ROOFING: (NO) Y YES    (Appx. S/F =   )

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COMPONENTS	PERCENTAGE REPLACEMENT REQUIRED
<u>I. EXTERIOR</u>	
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 <u>(10)</u>
3) FRAMING:	0 1 2 3 4 5 6 7 8 9 <u>(10)</u>
4) ROOF SYSTEM:	0 1 2 3 4 5 6 7 8 9 <u>(10)</u>
EXTERIOR TOTAL = <u>30</u>	
<u>II. INTERIOR</u>	
1) INT. FLOORS	0 1 2 3 4 5 6 7 8 9 <u>(10)</u>
2) INT. WALLS	0 1 2 3 4 5 6 7 8 9 <u>(10)</u>
3) INT. CEILINGS	0 1 2 3 4 5 6 7 8 9 <u>(10)</u>
INTERIOR TOTAL = <u>30</u>	
<u>III. UTILITY SYSTEMS</u>	
1) ELECTRICAL SYSTEM	0 1 2 3 4 5 6 7 8 9 <u>(10)</u>
2) HEATING SYSTEM	0 1 2 3 4 5 6 7 8 9 <u>(10)</u>
3) PLUMBING SYSTEM	0 1 2 3 4 5 6 7 8 9 <u>(10)</u>
UTILITY SYSTEM TOTAL = <u>30</u>	
<u>IV. OTHER DEFICIENCIES (if applicable)</u>	
1) <u>  </u>	0 1 2 3 4 5 6 7 8 9 <u>(10)</u>
2) <u>  </u>	0 1 2 3 4 5 6 7 8 9 10
OTHER DEFICIENCIES TOTAL = <u>10</u>	
GRAND TOTAL POINT RATING = <u>100</u>	

FEASIBILITY OF REPAIR: RATING 50 or MORE - REHAB NOT FEASIBLE Y

RATING 49 or LESS - REHAB FEASIBLE

REMARKS: Dwelling has sustained major fire damage and repairs would not be feasible.

SIGNATURE: Daniel B. Schrimsher DATE: 8/11/22