

ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2831 COLUMBUS CIRCLE PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 12, CHAPTER 160D OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF FROM THE FLOOR UP INVESTMENTS, LLC 335 YORKSHIRE DRIVE CHARLOTTE, NC 28217

WHEREAS, the dwelling located at 2831 Columbus Circle in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling located at 2831 Columbus Circle in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Senior Assistant City Attorney

IN REM ACTION REQUEST

PROPERTY INFORMATION	
Property Address	2831 Columbus Circle
Parcel Identification Number	06704152
Council District	2
Owner(s)	From The Floor Up Investments, LLC
Owner Address as listed in public records	335 Yorkshire Drive Charlotte NC 28217
Historic Designation	No
Structure Type re: In Rem Request	Single Family Residential Dwelling
Structure Age	68 years
Structure Square Feet	1,594
Structure Occupied?	No
Tax Value of In-Rem Structure(s):	\$130,300

ACTION REQUEST	
Type of In Rem Requested	Demolition
Estimated Demolition Cost	\$8,500
Lien	Lien will be placed on the property for the cost of demolition
Council Priority Area	Great Neighborhoods; Safe Communities

CODE ENFORCEMENT	
Reason for Inspection	Referral from Charlotte Fire Department
Date of Initial Inspection	01/28/2025
Violations	Structural, electrical, plumbing and heating violations. Interior walls and ceiling covering missing. Damaged hardwood flooring. Windows missing. Missing electrical fixtures, receptacles, and switches. Missing smoke and carbon monoxide detectors. Missing heating equipment and water heater. Missing plumbing fixtures. Multiple floor joists decayed. Areas of exterior siding missing. Missing entry door.
Title Search	04/22/2025
Parties of Interest revealed by Title Search?	No
Owner(s) notified of Complaint and Notice of Hearing (advertisement and certified mail):	02/18/2025
Hearing Date for Owner(s):	03/12/2025
Owner(s) attendance at hearing:	No
Owner(s) ordered to demolish structure by:	04/11/2025
Two Supplemental Orders were issued to Owner(s) to repair by:	05/23/2025, 06/30/2025
Lis Pendens – Complaint Notice of Hearing:	04/25/2025
Lis Pendens – Findings of Fact and Order	04/25/2025
Repair or compliance with order to demolish:	No
Notifications	Owner and parties of interest (if any) have been advised that failure to comply with the Order to Demolish will result in City Council Request for Action to approve demolition by the City and a lien being placed on the property for city's costs.

STAFF RECOMMENDATION

- In-Rem Demolition

Recommendation Rationale

- Structure is dilapidated, unsafe and unfit for human habitation, evidencing a prolonged lack of essential property upkeep and failure to maintain or repair minimum standards of fitness.
- Permits issued in December 2023 have not experienced any further activity or development since November 2024.
- Owner(s) have not repaired structure or complied with the order to demolish.
- City repair cost is conservatively estimated to be \$88,375 (approximately \$55.44 per square foot), which is 67% of the structure's assessed tax value.
- Action is recommended to address the health and safety issues and other blighted conditions of the structure.

Definitions:

Dilapidated: Dilapidated, as it applies to dwellings and roominghouses, means that a dwelling or roominghouse is unsafe or unfit for human habitation and cannot be repaired, altered or improved to comply with the minimum standards of fitness at a cost not in excess of 65% of its physical value or 50% of a non-dwelling structure or lodging establishment, as determined by a finding of the inspector, and as set forth in the City of Charlotte Minimum Housing Code (Chapter 11) and Buildings and Building Regulations (Chapter 5)

Lis Pendens. Lis pendens is an official notice to the public that a lawsuit involving a claim on a property has been filed.

Parties in Interest. Parties in interest are parties other than property owners that are identified in the Title Search as having an interest in the property. Examples include mortgage holders, banks, and other lien holders.

Reason for Inspection. There are several ways a property inspection can be initiated:

- a tenant can file a complaint if they believe there are violations in their unit;
- a petition signed by five individuals can be submitted to the city;
- a public agency referral can be received (e.g., from CMPD, CFD, CMS, DSS, Mecklenburg County Health, etc.); or
- a field observation by Code Enforcement Staff can occur.

Title Search. A title search is the process of examining public records to determine and confirm a property's legal ownership and identify any claims or liens against it.



Exterior rear



Interior

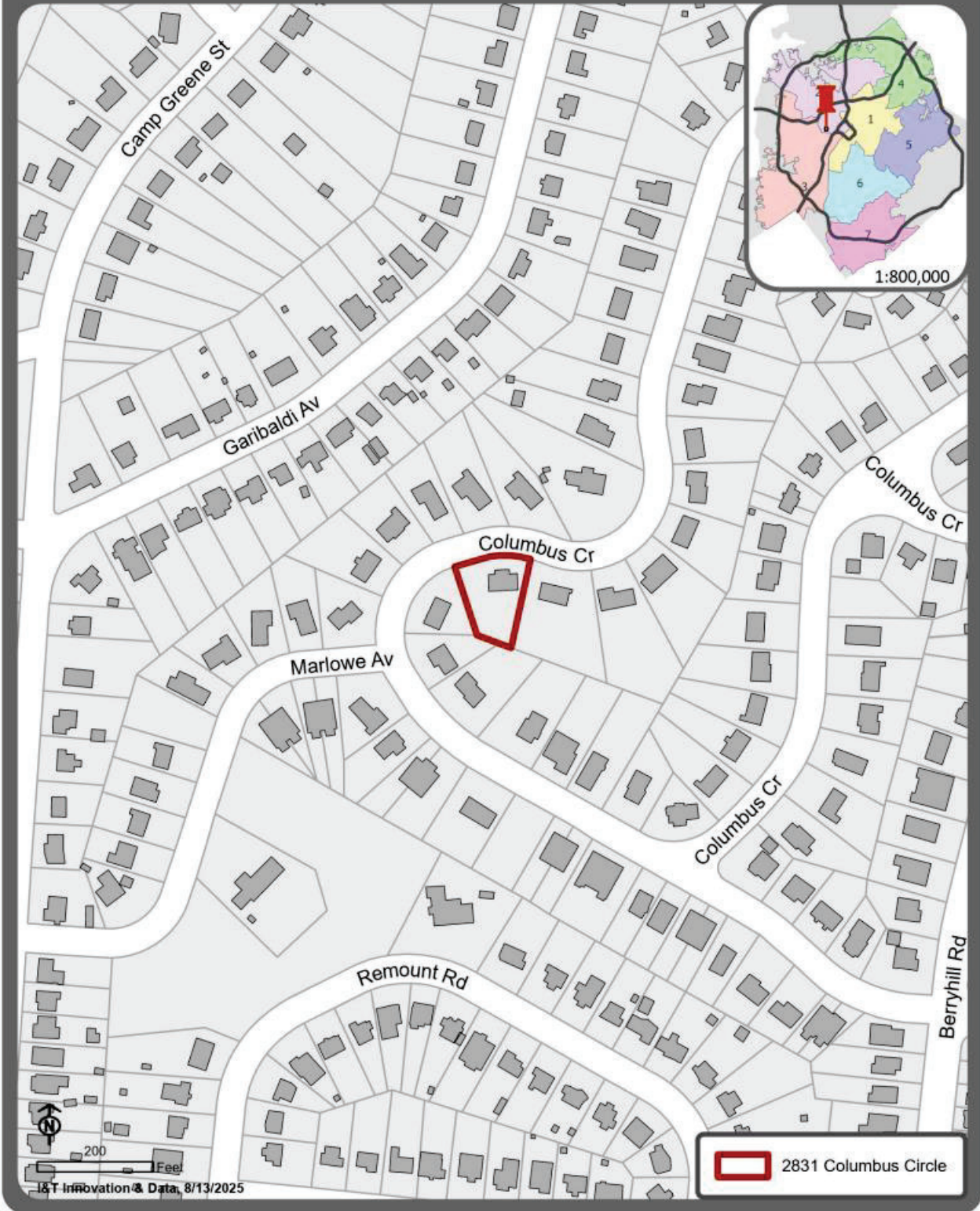


Exterior front

Crawl Space



2831 Columbus Circle



Reference – In Rem Process Following City Council Approval

The following overview is intended to provide further explanation for the process of In Rem actions that are approved by City Council.

- Following In Rem approval by City Council, Housing and Neighborhood Services Code Enforcement Staff initiate Enforcement of the approved action.
- Quotes for contractor services are requested from pre-approved firms chosen through a Request for Proposals (RFP) based on qualifications, experience, cost and responsiveness to RFP requirements.
- Upon receiving quotes for the approved In Rem services, staff authorize the selected firm to proceed with the approved work. Note that if the structure is occupied, relocation of occupants occurs prior to demolition.
- Once the contractors have completed the In Rem services, they submit an invoice to the city and city processes the payment.
- A lien is placed on the property for the city's expenses related to the approved activities, and the lien is filed in the public records.