

## ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 501 FRANK DRIVE PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF KNOWN AND UNKNOWN HEIRS OF MAXWELL JAMES KIRKLAND, KNOWN AND UNKNOWN HEIRS OF LOIS MARIE C. KIRKLAND 501 FRANK DRIVE CHARLOTTE, NC 28215

WHEREAS, the dwelling located at 501 Frank Drive 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 501 Frank Drive 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:

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Senior Assistant City Attorney



<b>GENERAL INFORMATION</b>	
Property Address	501 Frank Drive
Neighborhood	Neighborhood Profile Area 271
Council District	#1
Owner(s)	Known and Unknown Heirs of Maxwell James Kirkland Known and Unknown Heirs of Lois Marie C. Kirkland
Owner(s) Address	501 Frank Drive Charlotte, NC 28215
<b>KEY FACTS</b>	
Focus Area	Housing & Neighborhood Development & Community Safety Plan
<b>CODE ENFORCEMENT INFORMATION</b>	
◆ Reason for Inspection:	Field Observation
◆ Date of the Inspection:	3/17/2015
◆ Owner(s) notified of Complaint and Notice of Hearing by advertisement and certified mail by:	6/9/2015
◆ Held hearing for owner(s) by:	7/6/2015
◆ Owner(s) attend hearing:	No
◆ Owner(s) ordered to demolish structure by:	8/7/2015
◆ Filed Lis Pendens:	8/21/2015
◆ Owner(s) has not repaired, or complied with order to demolish.	
◆ Structure occupied:	No
◆ Demolition cost:	\$6,970
◆ Lien will be placed on the property for the cost of Demolition.	

**NOTIFICATION TO OWNER**

Owner and parties of interest have been advised that failure to comply with the Order to Demolish the structure would result in City Council being requested to approve demolition by the City and a lien being placed on the property for the cost of demolition.

**OPTIONS**

<b>IN-REM REPAIR</b>	<b>REHAB TO CITY STANDARD</b>	<b>REPLACEMENT HOUSING</b>	<b>DEMOLITION</b>
Estimated In-Rem Repair Cost: \$64,910	Acquisition & Rehabilitation Cost (Existing structure: 1,300 sq. ft. total) Economic Life: 15-20 years Estimated cost-\$151,311	New Replacement Structure Cost (Structure: 1,300 sq. ft. total) Economic Life: 50 years Estimated cost-\$182,981	Demolition Cost \$6,970
In-Rem Repair is not recommended because the In-Rem Repair cost is greater than 65% of the tax value.	Acquisition: Tax values: - Structure: \$ 56,300 - Terrace: \$ 200 - Land: <u>\$ 17,000</u> Total Acquisition: \$ 73,500  Estimated Rehabilitation Cost: \$ 65,000 Outstanding Loans \$ 0 Property Taxes owed: \$ 8,997 Interest on Taxes owed: <u>\$ 3,814</u> Total: \$ 77,811	Acquisition: Tax values: - Structure: \$ 56,300 - Terrace: \$ 200 - Land: <u>\$ 17,000</u> Total Acquisition: \$ 73,500  New structure: \$ 89,700 Demolition: \$ 6,970 Outstanding Loans: \$ 0 Property Taxes owed: \$ 8,997 Interest on Taxes owed: <u>\$ 3,814</u> Total: \$ 109,481	

**RECOMMENDATION FOR DEMOLITION**

Demolition is recommended because:

- Estimated In-Rem Repair cost of: \$64,910 (\$49.93 /sq. ft.), which is 115.293% of the structure tax value, which is \$56,300.
- City rehab costs analysis shows that rehabilitation is not feasible because the cost is prohibitive.
- New construction analysis shows that new construction is not feasible because the cost is prohibitive.
- Violations include: Structural, electrical, plumbing and heating violations: Flooring and sub-structure is loose, rotted, or missing in several places. Walls and ceiling covering moisture damaged. Decayed wall studs. Damaged entry door. Carbon monoxide and smoke detectors missing. Roof covering loose/damaged. Decayed roof sheathing and rafters. Missing and damaged electrical receptacles and switches. Damaged water heater. No heat source provided.
- The building is 57 years old and consists of 1,300 square feet total.
- A new 1,300 sq. ft. structure can be built for \$89,700.

# 501 Frank Drive



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