

City of Fayetteville Staff Review Form

2022-0209

Legistar File ID

4/5/2022

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Billy Bryant

3/3/2022

BUILDING SAFETY (640)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends approval of the Resolution ordering the Raze and Removal of a dilapidated and unsafe structure located at 2141 N Green Acres Rd., and to approve a budget adjustment in the amount of \$33,894.00 for the project.

Budget Impact:

1010.640.6400-5315.04

General

Account Number

Fund

50033.2201

Raze and Removal

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 4,856.00

Funds Obligated \$ -

Current Balance \$ 4,856.00

Does item have a cost? Yes

Item Cost \$ 38,750.00

Budget Adjustment Attached? Yes

Budget Adjustment \$ 33,894.00

Remaining Budget \$ -

V20210527

Purchase Order Number: _____

Previous Ordinance or Resolution # _____

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



MEETING OF APRIL 5TH, 2022

TO: Mayor and City Council

THRU: Susan Norton, Chief of Staff
Jonathan Curth, Development Services Director
Dennis Sanders, Building Safety Director

FROM: Billy Bryant, Senior Code Compliance Officer

DATE: March 1, 2022

SUBJECT: Raze and Removal of Structures at 2141 N Green Acres Rd.

RECOMMENDATION:

Staff recommends approval of a resolution ordering the Raze and Removal of a dilapidated and unsafe structure located at 2141 N. Green Acres Rd., and to approve a budget adjustment in the amount of \$33,894.00 for the project.

BACKGROUND:

On April 19, 2021, a structure fire occurred at the single-family home at 2141 N. Green Acres Road. Subsequently, Code Compliance was notified by Senior Building Inspector, David White, that the fire damaged the breaker box and that the electric company had pulled the house's meter. Upon inspection, Code found where the fire had been and damage caused, including a large hole in the side of the home with no barrier from the elements. Along with the interior/exterior home damage, the code inspector also documented large piles of junk and debris located around the home. After speaking with the homeowner and Building Safety Director Dennis Sanders, the decision was made to only do a junk and debris case given the owner's interest in making prompt repairs to the home.

With this initial inspection, the homeowner stated their intent to clean up the property. As is Code Compliance standard practice, the property owner is afforded the opportunity to resolve violations before legal action is taken. Here, this included time to remove junk and debris and repair the structure. Given the owner's financial circumstances, Code Compliance exercised as much flexibility as possible, while keeping in mind the nuisance and the potential hazard represented by the site clutter and damaged home.

Following several months of minor property clean-up, movement towards compliance ceased. Staff inspected the property and confirmed that no repairs were made to the home, which continued to be without electricity and remained open to the elements. Additionally, no new progress was made towards property clean-up. In that time, the property owner had pursued financial assistance from the City's Community Resources Department, which manages a

program for housing rehabilitation and repair. Unfortunately, the cost of repairs needed exceeds the programs scope.

After additional months of inspections showing limited progress, the owner advised Code of her intent to sell the property and move before winter. Subsequently, on November 2, 2021, Code was notified that water service was lost due to a broken pipe connection. With the structure now open to the elements, without electricity, and lacking water, steps were taken to initiate the razing and removal of the structure. This includes an unsafe building determination by the City's Building Official, notification of the property owner, and advertisement of the work with review of bids. The homeowner does have the property listed for sale.

DISCUSSION:

This address consists of a single story 1,152 square foot, single-family dwelling along with storage buildings, and a non-running recreational vehicle. Repairs to the structure since its April 2021 fire remain unaccomplished, with the interior exposed to the elements for almost one year. As noted above, the dwelling has been without electricity in that time and has more recently lost water service. In addition to structural safety issues, the property and house itself remain in an unsanitary state. Photographs of the property and the structure are attached. The deterioration of the structure constitutes a cost prohibitive repair. To date no building permits have been issued or applied for.

BUDGET/STAFF IMPACT:

If the property owner does not comply with the Raze and Removal order, Raze and Removal costs will be expensed to the current budget. A lien will be placed on the property for the incurred costs. The current budget balance of \$4,856.00 is available to spend on this raze and removal project. After advertising the work, the winning bid amount is \$38,750.00. An additional \$33,894.00 is necessary to cover difference.

Attachments:

- Process Summary
- Receipt of Bids
- Budget Adjustment
- Notifications
- Property Records
- Map
- Property Photos.



**CITY OF
FAYETTEVILLE
ARKANSAS**

**PROCESS SUMMARY
(RAZE & REMOVAL/LARGE SCALE CLEAN-UP)**

Property Address 2141 N. Green Acres Rd. Fayetteville, AR 72703

WC Parcel # 765-05815-000

Energov Case # CBLD-2021-000056

City Code: 173.08

- On 04/27/2021 Code Compliance received a Request for Service regarding the property located at 2141 N Green Acres Rd. Fayetteville, AR 72703
- A Notice of Violation was sent to the Owner of Record on 11/02/2021
- The signed Return Receipt Card was received on 11/09/2021
- (or)
- The property was posted on ___/___/20___
- On 12/13/2021 the property was re-inspected and was found to still be in violation of City Code 173.08



CITY OF
FAYETTEVILLE
ARKANSAS

RECEIPT OF BIDS

OWNER(S): City of Fayetteville – Building Safety Division

ADDRESS: 2141 N Green Acres Rd. PROJECT No: Bid# 22-000056

PROJECT TITLE: Raze and Removal – Code Compliance Program

BID CLOSING DAY/DATE/TIME: February 14th, 2022 at 4:00 pm

CONTRACTOR: Sweetser Construction Inc. BID AMOUNT: 38,750.00
590 W. Poplar
Fayetteville, AR 72703

CONTRACTOR: Declined To BID AMOUNT: _____
Bid

CONTRACTOR: _____ BID AMOUNT: _____

CONTRACTOR: _____ BID AMOUNT: _____

CONTRACTOR: _____ BID AMOUNT: _____

Certified by: [Signature] Date: 2-14-2022

Witness: [Signature] Date: 2/14/2022



CITY OF
FAYETTEVILLE
ARKANSAS

RAZE & REMOVAL PROJECT
BID# 22-000056

ADMINISTRATOR: Billy Bryant [email: bbryant@fayetteville-ar.gov]

PHONE # 479.575.8232 or 479.601.6361 **F A X #** 479.444.3445

PROJECT LOCATION: 2141 N Green Acres Rd., Fayetteville, AR 72703

WC Parcel # 765-05815-000

CONTRACTOR'S SCOPE OF WORK

• **RAZE&REMOVAL**

1. Completely tear down the entire dwelling.
2. Haul all contents inside the structure(s), debris from the structure(s), and other debris from the parcel to a legal landfill. All concrete associated with the structure(s) shall be removed from the lot (footings and slabs).
3. Mow and clean up parcel.

• **CLEANUP & DISPOSAL**

1. Provide proof, such as receipts, that the debris was hauled to a legal landfill.
2. The city encourages the bidder to consider all waste diversion methods for materials collected. Any methods of disposal, excluding a legal landfill, must be deemed acceptable by the city prior to bid submittal.
3. The yard shall be semi-level and mow-able when the demo work is completed and before payment will be made.
4. Contractor shall be responsible for capping wells, utilities and/or any other requirements pertaining to the demolition permit.

• **MISCELLANEOUS**

1. A Demolition Permit from the City of Fayetteville must be obtained before work begins. Demolition Permits are obtained through the Building Safety Division, 479-575-8233.
2. Proof of no less than \$250,000 liability insurance shall be provided by the contractor before work begins.
3. State Contractor License is required. A City Business License is required if your business is located in the city limits of Fayetteville.
4. If the situation is resolved by the property owner during the 30 day notice & comment period bids may be considered null & void.



CITY OF
FAYETTEVILLE
ARKANSAS

BID PROPOSAL FORM
BID 22-000056

DATE ISSUED: January 30th, 2022

ADMINISTRATOR'S NAME: Billy Bryant

PROJECT ADDRESS: 2141 N Green Acres Rd., Fayetteville, AR 72703

DATE OF OPENING: Monday February 14th, 2022 at 4:00pm

My total bid price for the Raze & Removal Project is:

\$ 38,750.⁰⁰

(Bid will be valid for 120 days from Date of Opening)

Upon signing this Bid, the bidder certifies that they have viewed the property, read and agree to the requirements set forth in this bid proposal, including specifications, terms and standard conditions, and pertinent information regarding the articles being bid on, and agree to furnish these articles at the prices stated.

Date: 2/14/22

Complete Business Address

Name of Firm: Sweetser Construction, Inc. Phone # 479-443-3026

Street address or P O Box
590 West Poplar

City / State/ Zip Code
Fayetteville, Arkansas 72703

Printed Name: William G. Sweetser

Signature: [Signature] Title: President

Federal Tax ID # 71-0399789 or SSN

State Contractor # 0027470422 City Business License # 1385

Price includes clearing as needed only.
Does not include anything for asbestos removal.

SWEETSER CONSTRUCTION, INC.



CITY OF
FAYETTEVILLE
ARKANSAS

February 15, 2022

Rose Mary Austin
2141 N Green Acres Rd.
Fayetteville, AR 72703

RE: Enforcement of Fayetteville Code 173.08
Arkansas Code Ann. 14-56-203

NOTICE TO PROPERTY OWNERS

Pursuant to A.C.A 14-56-203 as 173.08 of the Fayetteville Code, you are placed upon Notice that the Fayetteville City Council will conduct a public hearing to determine if the dwelling located at **2141 N Green Acres Rd. (WC Parcel # 765-05815-000)** should be Razed and Removed.

You are free to appear at this hearing to present any evidence or statements. If you need additional information concerning this process or if you have information that we are not aware of, please call the Code Compliance Office at (479) 575-8237.

The hearing will be part of a regular City Council meeting on **April 5th, 2022** beginning at 5:30pm at the City Administration Building, 113 W. Mountain St., Fayetteville, AR 72701. The City Council Meetings are advertised in local newspapers and will contain an item concerning this hearing. You may also call the Fayetteville City Clerk's Office (479-575-8323) for information confirming the date of the public hearing.

Sincerely,

Billy Bryant
Senior Code Compliance Officer

7021 0350 0000 4714 7618

CERTIFIED MAIL® RECEIPT	
Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$	Postmark Here -000056
Extra Services & Fees (check box, add fees as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ROSE MARY AUSTIN
2141 N GREEN ACRES RD
FAYETTEVILLE, AR 72703



9590 9402 6893 1104 4940 25

2. Article Number (Transfer from shipping label)

7021 0350 0000 4714 7618

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Rose Mary Austin*☐ Agent☐ Address

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
or delivery address below ☐ No

RECEIVED

MAR 01 2022

DEVELOPMENT
SERVICES

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation
- ☐ Signature Confirmation Restricted Delivery

Mail
Restrict Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

33

-000056

Domestic Return Recel



CITY OF
FAYETTEVILLE
ARKANSAS

Code Compliance Program
Unsafe Building Determination
UDC 173.08 (A)

Address / Location: 2141 N. Green Acres Rd.

WC Parcel # 765-05815-000

UDC 173.09 (A)



I recommend the raze and removal of the structure.



I recommend securing the structure.



I have determined that the structure above is NOT in violation of Subsection 173.08 (A) of the City of Fayetteville's Unified Development Code



I recommend presenting the structure to City Council as a Property Nuisance for Raze & Removal




Code Compliance Admin.

11-22-21

Date

City Building Official

11/2/21

Date

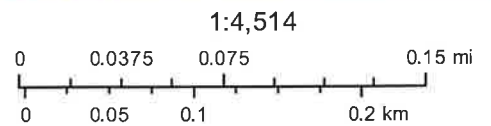
Observations: House is open to elements of the weather. Fire
damage to N. side of home. No heat, no hot water, no electric,
& no running water. Structural issues with the floor, soff. &
fascia, & roof materials.

Case # CBLD-2021-000056

Fayetteville, AR



3/2/2022, 4:00:54 PM

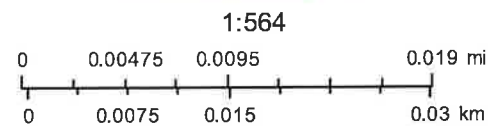


The data contained herein was compiled from various sources for the sole use and benefit of the City of Fayetteville Geographic Information System and the public agencies it serves. Any use of the data by anyone other than the City of Fayetteville is at the sole risk of the user; and by acceptance of this data, the user does hereby agree to indemnify the City of Fayetteville and hold the City of Fayetteville harmless from and without liability for any claims, actions, cost for damages of any nature, including the city's cost of defense, asserted by user or by another arising from the use of this data. The City of Fayetteville makes no express or implied warranties with reference to the data. No word, phrase, or clause found herein shall be construed to waive that tort immunity set forth under Arkansas law.

Fayetteville, AR



3/2/2022, 4:02:17 PM



The data contained herein was compiled from various sources for the sole use and benefit of the City of Fayetteville Geographic Information System and the public agencies it serves. Any use of the data by anyone other than the City of Fayetteville is at the sole risk of the user, and by acceptance of this data, the user does hereby agree to indemnify the City of Fayetteville and hold the City of Fayetteville harmless from and without liability for any claims, actions, cost for damages of any nature, including the city's cost of defense, asserted by user or by another arising from the use of this data. The City of Fayetteville makes no express or implied warranties with reference to the data. No word, phrase, or clause found herein shall be construed to waive that tort immunity set forth under Arkansas law.













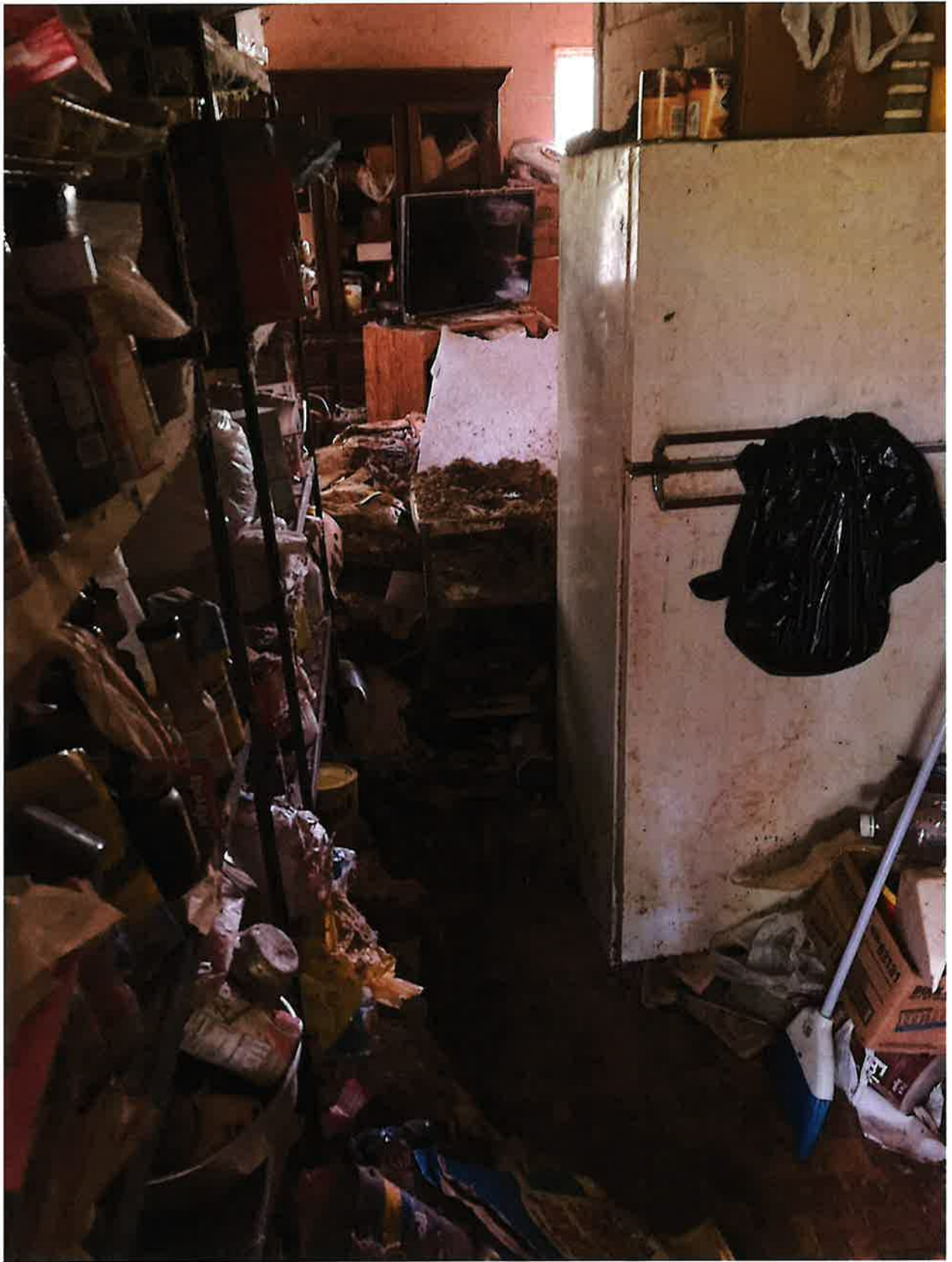






























**CITY OF FAYETTEVILLE**

125 West Mountain Street
Fayetteville, AR 72701

Case Number: CBLD-2021-000056**Violation
Notice****Case Type: Building****Date Case Established: 11/02/2021****Owner:** Rose Mary Austin**Mailing Address**

Rose Mary Austin
2141 N Green Acres Rd
Fayetteville, AR 72703-2808

Notice of Violation for the following location:**Address****Parcel**

2141 N GREEN ACRES RD
Fayetteville, AR 72703

765-05815-000**Dear Property Owner:**

It appears that your property contains a violation of the Fayetteville Unified Development Ordinance. It is our goal to notify and assist property owners to correct violations of city ordinances before taking actual enforcement actions. If you need clarification of this notice or advice on how to correct the problem, please contact us.

Violation That Needs Correction: 173.08 - Unsafe Buildings - (Raze & Removal) - Unsafe Buildings - (Raze & Removal)

173.08 Unsafe Buildings. No person, partnership, corporation, or association, hereinafter referred to as "owner", shall keep or maintain any house or building within the corporate limits of the City which has become dilapidated, unsafe, unsanitary, or detrimental to the public welfare.

Possible Penalties:

If this violation is not corrected within thirty (30) days from the service of this notice, a Public Hearing will be held for the approval of a raze & removal determination by the City Council. The costs shall be charged to the owner(s) of the property and the city shall have a lien against such property for the costs. If you disagree with our conclusion that your property contains a violation of our ordinances, you have the right to an appeal. Please see Chapter 155 of the Unified Development Code.

How This Violation Can Be Voluntarily Corrected: Repair the house as needed or raze the structure and remove all debris from the lot. A building permit may be required, based on review of the Building Safety Director.

Sincerely,

Jason Swetnam
Code Compliance Officer
479.601.6492
JSwetnam@Fayetteville-ar.gov

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ROSE MARY AUSTIN
2141 N GREEN ACRES RD
FAYETTEVILLE, AR 72703



9590 9402 6893 1104 4934 31

2. Article Number (Transfer from existing label)

7021 0350 0000 4714 7304

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X RECEIVED

☒ Agent
☐ Address

B. Received by (Printed Name)

RECEIVED

C. Date of Delivery

11-4

D. Is delivery address different from item 1? ☐ Yes
or delivery address below: ☒ No

RECEIVED

NOV 09 2021

DEVELOPMENT
SERVICES

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restrict Delivery
- ☐ Signature Confirmation
- ☐ Signature Confirmation Restricted Delivery

Mail

Mail Restricted Delivery

(over 500)

PS Form 3811, July 2020 PSN 7530-02-000-9053

-000056

JS

Domestic Return Recel

Parcel: 765-05815-000
 Previous Parcel: 139435-000-00
 As of: 3/2/2022 9:40:45 PM

Washington County Report

Property Owner

Name: AUSTIN, ROSE MARY
Mailing Address: 2141 N GREEN ACRES RD
 FAYETTEVILLE, AR 72703-2808
Type: (RI) Res. Improv.
Tax District: (011) FAYETTEVILLE SCH, FAY
Millage Rate: 57.95

Property Information

Physical Address: 2141 N GREEN ACRES RD
Subdivision: GREEN ACRES ADD
Block/Lot: N/A / N/A
S-T-R: 03-16-30
Size (Acres): 0.00
Legal: EAST PT LOT 2

Market and Assessed Values

	Estimated Market Value	Full Assessed (20% Market Value)	Taxable Value
Land	130,000	26,000	26,000
Building	0	0	0
Totals	130,000	26,000	26,000

Taxes

Estimated Taxes:	1,507	
Homestead Credit:	0	Note: Tax amounts are estimates only. Contact the county/parish tax collector for exact amounts.

Land

Land Use	Size	Units
.894 AC	1.000	House Lot
Total	1.00	

Deed Transfers

Document Images brought to you by your County Circuit Clerk, Kyle Sylvester

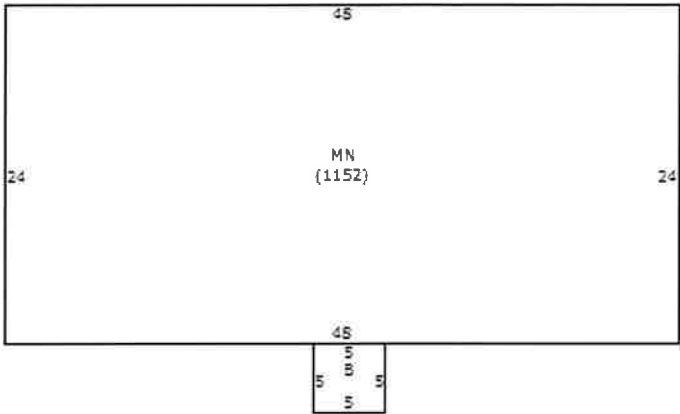
View Image	Deed Date	Book	Page	Deed Type	Stamps	Est. Sale	Grantee	Code	Type
	6/10/2016	2016	16499	Beneficiar	N/A	N/A	AUSTIN, ROSE MARY	N/A	Improved
	8/8/1989	1329	861	Quit Claim	0.00	\$0	AUSTIN, ROSE MARY	N/A	N/A
N/A	8/17/1987	1237	699-7	Quit Claim	0.00	\$0	AUSTIN, ROSE MARY; AUSTIN, MAYDEA	N/A	N/A
	10/21/1977	943	385	Warr. Deed	1.10	\$1,000	AUSTIN, WALDO G & MAYDEA E	Unval.	Improved

Details for Residential Card 1

Occupancy	Story	Construction	Total Liv	Grade	Age	Year Built	Condition	Beds
Single Family	ONE	Frame Siding Std.	1152	4	55	1965	Average	N/A

Exterior Wall:	VINYL	Plumbing:	Full: 1 Half: N/A
Foundation:	Closed Piers	Fireplace:	Type: N/A Qty: 0
Floor Struct:	Wood with subfloor	Heat/Cool:	F/W/Furn
Floor Cover:	Carpet & Tile	Basement:	N/A
Insulation:	Ceilings Walls	Basement Area:	N/A
Roof Cover:	Asphalt Shingle	Year Remodeled:	N/A
Roof type:	Gable	Style:	N/A

DataScout, LLC



Base Structure

Item	Label	Description	Area
A	MN	Main Living Area	1152
B	OP2	Porch, half open	25

Outbuildings and Yard Improvements

Item	Type	Size / Dim	Unit Multi.	Quality	Age
General Purpose Barn	N/A	14 x 12	1	N/A	N/A
Fence, chain link 4'	N/A	150	1	N/A	N/A
Outbuilding,frame	N/A	18 x 9	1	N/A	N/A
Asphalt Driveway	N/A	N/A	N/A	N/A	N/A
Outbuilding,frame	N/A	8 x 10	N/A	N/A	N/A
Outbuilding,frame	N/A	8 x 17	N/A	N/A	N/A
Pole Shed	N/A	10 x 46	N/A	N/A	N/A

Reappraisal Value History

Tax Year	Total Value	Total Assessed
2021	130,000.00	12,538.00
2020	173,050.00	12,538.00
2019	78,600.00	12,538.00
2018	78,600.00	12,538.00
2017	78,600.00	12,538.00
2016	78,600.00	12,538.00
2015	78,600.00	12,538.00

Not a Legal Document

Subject to terms and conditions
www.actDataScout.com

Lot Numbered Two (2), except 193.3 feet off of the West end, Green Acres, a Subdivision of a part of the Northwest quarter of the Southwest quarter of Section Three (3) and a part of the Northeast quarter of the Southeast quarter of Section Four (4) in Township Sixteen (16) North of Range Thirty (30) West of the 5th Principal Meridian in Washington County, State of Arkansas.