

City of Fayetteville Staff Review Form

2022-0557

Legistar File ID

7/5/2022

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

Billy Bryant

6/15/2022

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 2860 E. Wyman Rd., and to approve a budget adjustment of \$17,800.00 for the project. The current balance of \$4,856.00 in 1010.640.6400-5315.04 has not been spent, but has already been included on another project (2022-0209).

Budget Impact:

1010.640.6400-5315.04	General
Account Number	Fund
50033.2202	Raze and Removal
Project Number	Project Title
Budgeted Item? <u>Yes</u>	Current Budget \$ 4,856.00
	Funds Obligated \$ 4,856.00
	Current Balance \$ -
Does item have a cost? <u>Yes</u>	Item Cost \$ 17,800.00
Budget Adjustment Attached? <u>Yes</u>	Budget Adjustment \$ 17,800.00
	Remaining Budget \$ -

V20210527

Purchase Order Number: _____

Previous Ordinance or Resolution # _____

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



MEETING OF JULY 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: June 14, 2022

SUBJECT: Raze and Removal of Structures at 2860 E Wyman Rd.

RECOMMENDATION:

Staff recommends approval of a resolution ordering the Raze and Removal of a dilapidated and unsafe structure located at 2860 E. Wyman Rd., and to approve a budget adjustment in the amount of \$17,800.00 for the project.

BACKGROUND:

This property was brought to the attention of Code Compliance through an anonymous complaint. Upon inspection of the property staff found a structure that is on the verge of collapse. A code case for raze and removal of the structure was opened on October 6th, 2021. Contact was made with the owner, and he was made aware of the issues and concerns with the structure. Issues being non-functioning roof, collapsing walls, and a crumbling foundation. The owner mentioned intentions of correcting the structure and bringing the structure back up to code. As is Code Compliance standard practice, the owner was afforded the opportunity to resolve violations before legal action is taken. In this instance, this included time to obtain a building permit to repair the structure. Given the owner's financial circumstances, Code Compliance exercised as much flexibility as possible. The permit was applied for on December 3, 2021. The building permit was approved through the building safety division. The owner neglected to pay the fees associated with the permit, therefore the permit was deemed incomplete and void on May 31, 2022. Inspections during that time showed no repair attempts were made to the structure by the owner. Currently, this structure does have water and electrical service.

DISCUSSION:

This address consists of a single story 1,616 square foot, single family dwelling along with storage buildings. Repairs to the structure remain unaccomplished, with the interior exposed to the elements for an undisclosed amount of time. These conditions have caused numerous structural safety issues as well as made the structure unsanitary and un-inhabitable. Photos of the property and the structure are attached. The deterioration of the structure constitutes a cost prohibitive repair. The owner applied for a building permit on December 3, 2021. The owner

never paid for the permit therefore the permit application was voided. The owner has mentioned applying for another building permit, but nothing has been submitted at this time.

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 has not been spent, but has already been included on another project (2141 N. Green Acres Rd).

Attachments:

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



**FAYETTEVILLE
ARKANSAS**

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

Property Address 2860 E Wyman Rd

WC Parcel # 765-02244-000

Energov Case # CBLD-2021-000049

City Code: 173.08

- On 10/06/2021 Code Compliance received a Request for Service regarding the property located at 2860 E Wyman Rd
- A Notice of Violation was sent to the Owner of Record on 10/06/2021
- The signed Return Receipt Card was received on 10/18/2021
- (or)
- The property was posted on ___/___20__
- On 12/02/2021 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: 2860 E Wyman Rd. PROJECT No: Bid# 22-000049

PROJECT TITLE: Raze and Removal – Code Compliance Program

BID CLOSING DAY/DATE/TIME: June 6th, 2022 at 4:00 pm

CONTRACTOR: M + M Excavating BID AMOUNT: \$ 17,800.00
377 Sulphur City Rd
Fayetteville, AR 72701

CONTRACTOR: Declined to bid BID AMOUNT: _____

CONTRACTOR: _____ BID AMOUNT: _____

CONTRACTOR: _____ BID AMOUNT: _____

CONTRACTOR: _____ BID AMOUNT: _____

CONTRACTOR: _____ BID AMOUNT: _____

Certified by: Billy Bugg Date: 6-6-22

Witness: [Signature] Date: 6-6-22



CITY OF
FAYETTEVILLE
ARKANSAS

RAZE & REMOVAL PROJECT
BID# 22-000049

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

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

PROJECT LOCATION: 2860 E. Wyman Rd., Fayetteville, AR 72701

WC Parcel # 765-02244-000

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 22-000049

DATE ISSUED: May 22nd, 2022

ADMINISTRATOR'S NAME: Billy Bryant

PROJECT ADDRESS: 2860 E. Wyman Rd., Fayetteville, AR 72701

DATE OF OPENING: Monday June 6th, 2022 at 4:00pm

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

\$ 17,800.00

(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: 6.6.2022

Complete Business Address

Name of Firm: M: M Excavating Phone # 479.841.9285

Street address or P O Box # 377 Sulphur City Rd.

City / State/ Zip Code Fayetteville, AR 72701

Printed Name: Misty Barker

Signature: Misty Barker Title: Member

Federal Tax ID # 26-0611207 or SSN _____

State Contractor # 0191780524 City Business License # _____



CITY OF
FAYETTEVILLE
ARKANSAS

May 23, 2022

Leroy H Scharfenberg
2860 E Wyman Rd.
Fayetteville, AR 72701

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 **2860 E Wyman Rd. (WC Parcel # 765-02244-000)** 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 **July 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 2859

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL



7021 0350 0000 4714 2859

7021 0350 0000 4714 2859

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee

Extra Services & Fees (check box, add fee 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

Notice of
Hearing
Postmark
Here
BB
5-23-22



CITY OF
FAYETTEVILLE
ARKANSAS

Code Compliance Program
Unsafe Building Determination
UDC 173.08 (A)

Address / Location: 2860 E Wyman Rd

WC Parcel # 765-02244-000

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. 10-6-21 Date

City Building Official 10-6-21 Date

Observations: _____

Case # CBLD-2021-000049



2860 E. Wyman Rd.
Fayetteville, AR

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.

Created: 6/15/2022
Credits: City of Fayetteville, AR, 2022 Imagery | EagleView Technologies | Surdex Corporation
Map Author:



2860

E Wyman Rd

0 15 30 60 ft

2860 E. Wyman Rd.
Fayetteville, AR

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Created: 6/15/2022
Credits: City of Fayetteville, AR, 2022 Imagery | EagleView Technologies | Surdex Corporation
Map Author:



CITY OF FAYETTEVILLE

125 West Mountain Street
Fayetteville, AR 72701

Case Number: CBLD-2021-000049	
Violation Notice	Case Type: Building
	Date Case Established: 10/06/2021

Owner: LEROY SCHARFENBERG

Mailing Address

LEROY SCHARFENBERG 2860 E WYMAN RD FAYETTEVILLE, AR 72701-4648
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Notice of Violation for the following location:

Address	Parcel
2860 E WYMAN RD Fayetteville, AR 72701	765-02244-000

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.

<p>Violation That Needs Correction: 173.08 - Unsafe Buildings - (Raze & Removal) - Unsafe Buildings - (Raze & Removal)</p> <p>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.</p> <p>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.</p> <p>How This Violation Can Be Voluntarily Corrected: By making repairs as needed or razing the structure and remove all debris from the lot. A building permit may be required, based on review of the Building Safety Director.</p>

Sincerely,

Randy Johnson
Code Compliance Officer
479.601.1508
rjohnson@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.

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

[Handwritten Signature]

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

13 Oct 21

address different from item 1? Yes
or delivery address below: No

**LEROY H SCHARFENBERG
2860 E WYMAN RD
FAYETTEVILLE, AR 72701-4648**

**RECEIVED
OCT 18 2021**



9590 9402 6893 1104 4930 35

2. Article Number (Transfer from service label)

7020 0640 0000 1639 5072

3. Service Type

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

DEVELOPMENT SERVICES

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

Mail
Mail Restricted Delivery
(00)

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

RS 000049

Domestic Return Receipt

Parcel: 765-02244-000
 Previous Parcel: 136143-000-00
 As of: 6/10/2022 9:47:38 PM

Washington County Report

Property Owner

Name: SCHARFENBERG, LEROY H
Mailing Address: 2860 E WYMAN RD
 FAYETTEVILLE, AR 72701-4648
Type: (RI) Res. Improv.
Tax District: (011) FAYETTEVILLE SCH, FAY
Millage Rate: 57.95

Property Information

Physical Address: 2860 E WYMAN RD
Subdivision: ANDERSON FARM PLAT
Block/Lot: N/A / N/A
S-T-R: 13-16-30
Size (Acres): N/A
Legal: PT LOTS 9 & 10 13-16-30 1.21 A.

Market and Assessed Values

	Estimated Market Value	Full Assessed (20% Market Value)	Taxable Value
Land	110,500	22,100	10,400
Building	23,800	4,760	4,760
Totals	134,300	26,860	15,160

Taxes

Estimated Taxes: 504
Homestead Credit: 375

Note: Tax amounts are estimates only. Contact the county/parish tax collector for exact amounts.

Land

Land Use	Size	Units
N/A	1.000	House Lot
N/A	0.210	Acres
Total	1.21	

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
	9/21/1998	98	86436	Quit Claim	0.00	\$0	SCHARFENBERG, LEROY H	Inc. Additional Prop.	Improved
	1/30/1987	1212	232	Warr. Deed	39.60	\$36,000	SCHARFENBERG, LEROY H & LORI J	Additional Properties	Improved
	6/14/1984	1111	719	Warr. Deed	0.00	\$0	WILKINSON, JAMES & BEATRICE	N/A	N/A

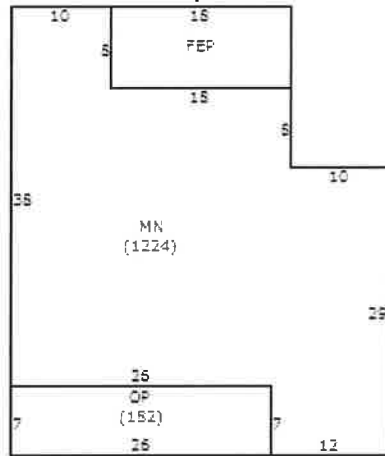
Details for Residential Card 1

Occupancy	Story	Construction	Total Liv	Grade	Age	Year Built	Condition	Beds
Single Family	ONE+	Frame Siding Std.	1616	5	79	1941	Poor	N/A

Exterior Wall: SDNG/SHETH
Foundation: Closed Piers
Floor Struct: Wood with subfloor
Floor Cover: Carpet & Tile
Insulation: Ceilings
Roof Cover: Asphalt Shingle
Roof type: Gable

Plumbing: Full: 1 Half: N/A
Fireplace: Type: N/A Qty: 0
Heat/Cool: None
Basement: N/A
Basement Area: N/A
Year Remodeled: N/A
Style: N/A

DataScout, LLC



Base Structure

Item	Label	Description	Area
A	MN	Main Living Area	1224
B	OP	Porch, open	182
C	FEP	Frame enclosed porch	144
D	1+	1+, Upper Level	392

Outbuildings and Yard Improvements

Item	Type	Size / Dim	Unit Multi.	Quality	Age
Garage - frame unfinished, detach	N/A	22 x 20	1	N/A	N/A
Pole Shed	N/A	18 x 20	N/A	N/A	N/A

Reappraisal Value History

Tax Year	Total Value	Total Assessed
2021	134,300.00	15,160.00

Tax Year	Total Value	Total Assessed
2020	134,300.00	15,160.00
2019	75,800.00	15,160.00
2018	75,800.00	15,160.00
2017	75,800.00	15,160.00
2016	75,800.00	15,160.00
2015	75,800.00	14,879.00

Not a Legal Document

Subject to terms and conditions
www.actDataScout.com



05-24-2022 09:24 AM



05-24-2022 09:24 AM





08-26-2021 12:25 PM





05-24-2022 09:23 AM



05-24-2022 09:23 AM









05-24-2022 09:21 AM



















05-24-2022 09:22 AM

