



Baldwin County Commission

Legislation Text

File #: 22-1142, Version: 1

Meeting Type: BCC Regular Meeting
Meeting Date: 8/2/2022
Item Status: New
From: Eddie Harper, Building Official
Submitted by: Mindy Smith, Permit Administrator

ITEM TITLE

*Case No. UNA21-000047 - Unsafe Nuisance Abatement - 646 Bonita Court, Gulf Shores, Alabama

STAFF RECOMMENDATION

Consider evidence regarding a nuisance structure located at 646 Bonita Court, Gulf Shores, Alabama to determine if:

- 1) No nuisance exists; or
- 2) If deemed a nuisance, adopt Resolution # 2022-112 which exercises the authority provided by Ala. Code 11-53A-24 and orders the Baldwin County Building Official to demolish and remove a public nuisance located at 646 Bonita Court, Gulf Shores, Alabama.

BACKGROUND INFORMATION

Background: The Building Official has deemed a structure dangerous and unsafe at 646 Bonita Court, Gulf Shores, Alabama. The property owner has failed to comply with notice to abate the nuisance structure. A public hearing must be held regarding the failure to comply with the notice to give the property owner the opportunity to present evidence or speak to the Commissioners. Then, the County Commission is to decide if the nuisance should be demolished or removed or if no nuisance exists.

02/08/2022: Notice of Nuisance posted on structure

02/10/2022: Notice of Nuisance sent to owner via certified mail

02/18/2022: Notice of Filing recorded in Probate Office

07/13/2022: Building Official received letter from Mike Murray, owner of Outdoor Life Constructions, advising that the unsafe and dangerous conditions on the property had been remedied as of 06/30/2022.

07/14/2022: Inspection by the Building Department determined the unsafe and dangerous conditions of the property had not yet been remedied.

07/15/2022: Notice of Public Hearing sent to owner via first class mail; delivery will also be attempted by private process server

Previous Commission action/date: N/A

FINANCIAL IMPACT

Total cost of recommendation: None at this time. If the County Commission decides to abate said nuisance, staff will determine the cost.

Budget line item(s) to be used: N/A

If this is not a budgeted expenditure, does the recommendation create a need for funding? If the County Commission decides to abate said nuisance, funding will be necessary.

LEGAL IMPACT

Is legal review necessary for this staff recommendation and related documents?

Yes

Reviewed/approved by: Brad Hicks, County Attorney

Additional comments: N/A

ADVERTISING REQUIREMENTS

Is advertising required for this recommendation? No

If the proof of publication affidavit is not attached, list the reason: N/A

FOLLOW UP IMPLEMENTATION

For time-sensitive follow up, select deadline date for follow up: N/A

Individual(s) responsible for follow up: Eddie Harper

Action required (list contact persons/addresses if documents are to be mailed or emailed): If the owner fails to appear at the public hearing and the County Commission adopts the resolution to abate the nuisance, notice of the resolution shall be published once in a newspaper of general circulation in Baldwin County and shall be mailed to the owner's last known address:

Michael Edward Hulcher
6104 El Campo
Ft. Worth, TX 76107

If the owner appears at the public hearing, no further notice of the order of the County Commission shall be required.

Additional instructions/notes: If the nuisance is abated, the property owner shall receive not less

than five days' notice by first class mail of the meeting at which the fixing of the costs are to be considered.