



# Baldwin County Commission

## Legislation Text

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**File #:** 22-1421, **Version:** 1

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**Meeting Type:** BCC Regular Meeting  
**Meeting Date:** 9/20/2022  
**Item Status:** New  
**From:** Eddie Harper, Building Official  
**Submitted by:** Mindy Smith, Permit Administrator

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### **ITEM TITLE**

Case No. UNA22-4 - Unsafe Nuisance Abatement - 24217 County Road 87, Robertsdale, Alabama

### **STAFF RECOMMENDATION**

Consider the request from the Baldwin County Building Official and adopt Resolution No. 2022-162 which exercises the authority provided by Ala. Code § 11-53A-24 and orders the Baldwin County Building Official to demolish and remove two public nuisance structures located at 24217 County Road 87, Robertsdale, Alabama, if the public hearing does not reveal a legitimate reason to deny the request.

### **BACKGROUND INFORMATION**

**Background:** The Building Official has deemed two structures (manufactured homes) dangerous and unsafe at 24217 County Road 87, Robertsdale, Alabama (Parcel ID 05-40-08-28-0-000-020.001). The property owner has failed to comply with notice to abate the nuisance structures. 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 consider evidence to determine if:

- 1) No nuisance exists; or
- 2) If deemed a nuisance, adopt Resolution No. 2022-162 which exercises the authority provided by Ala. Code 11-53A-24 and orders the Baldwin County Building Official to demolish and remove the two public nuisance structures located at 24217 County Road 87, Robertsdale, Alabama.

02/16/2022: Initial notification letter mailed to property owner.

03/04/2022: Property owner called Building Department and advised he is selling the property using owner financing. The tenant called Building Department and advised he plans to fix the two structures.

03/30/2022: Site inspection showed no change in the structures.

04/20/2022: Notice of Nuisance posted on structure and mailed to property owner.

05/02/2022: Notice of filing recorded with Probate Court.

08/18/2022: Site inspection showed no change in the structures.

**Previous Commission action/date:** N/A

**FINANCIAL IMPACT**

**Total cost of recommendation:** None at this time. If the County Commission adopts the resolution 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 adopts the resolution 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:** Mindy Smith

**Action required (list contact persons/addresses if documents are to be mailed or emailed):** If 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:

Julian Dunnam  
P.O. Box 1905  
Robertsdale, AL 36567

and

Julian Dunnam  
24217 County Road 87  
Robertsdale, AL 36567

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 structures are 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.