



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
August 13, 2020

Department Safety & Code Enforcement

Director Approval *David Cowan*

AGENDA ITEM Consider a resolution authorizing the abatement of unhealthy and unsafe exterior conditions at 414 South Wald Avenue; and consider a resolution setting the date of September 24, 2020 at 5:30 PM for a public hearing to consider condemnation of a structure located at 414 South Wald Avenue as dangerous and unsafe.

SUMMARY RECOMMENDATION City Staff recommends the Commission approve the Resolution and set a date for Condemnation hearing of 414 S. Wald Ave.

BACKGROUND Code Enforcement Officer Musgrove found abatement issues and damage to a structure at 414 S. Wald Ave. Contact was made with Paulette Hasen, and she indicated she was doing a rent to own with Damone Hatch, who resides at 418 S. Wald Ave. Contact was made with Damone; he stated he made a garage and was working on vehicles in the living room of the house. A stop-work order was issued, and Mr. Hatch was informed that he would need to apply for the proper permits through the owner of the residence and that he needed to clean up the debris.

BUDGET IMPACT The budget impact would be the abatement of this nuisance that would be assessed to the property owner and demolition of the property if the owner fails to apply for the building permits and zoning changes for the property.

SUGGESTED MOTION I move to adopt a resolution authorizing abatement of unhealthy and unsafe exterior conditions at 414 S. Wald Ave Street and setting the date of September 24, 2020, at 5:30 p.m. for a public hearing to consider condemnation as dangerous and unsafe.

SUPPORTING DOCUMENTS

1. Resolutions
2. Consent to Abate
3. Parcel
4. Pictures

RESOLUTION NO. 2020-_____

**A Resolution Authorizing Abatement of Unhealthy
and Unsafe Exterior Conditions at 414 South Wald Avenue**

Whereas, Paulette M. Hansen, owns the following described real estate located at 414 South Wald Avenue, Independence, Kansas, and Damone Hatch is the current occupant thereof:

Lot 8, and adjacent vacated alley, Block 3, Hill & Sutter's First Addition, City of Independence, Montgomery County, Kansas (commonly known as 414 South Wald Avenue, Independence, Kansas)

And Whereas, the City's Code Enforcement Officer has determined that the exterior condition of the property at 414 South Wald Avenue is in violation of City Code 42-66 due to the accumulation of discarded household contents and debris in the yard.

And Whereas, the Code Enforcement Officer has provided the required notice to alleviate the exterior condition as required by City Code 42-67.

And Whereas, neither Paulette M. Hansen nor Damone Hatch have taken action within the required time frame to alleviate the condition of the exterior of the property at 414 South Wald Avenue.

And Whereas, Paulette M. Hanson and/or Damone Hatch are in violation of other City Ordinances having to do with failure to obtain a proper business license, failure to obtain a proper building permit, use of the property in violation of the zoning code, and the condition of the property is such that the Code Enforcement Officer has determined that it is dangerous and unsafe and has initiated proceedings to have it condemned.

BE IT RESOLVED by the Governing Body of the City of Independence, Kansas:

Section 1. Paulette M. Hansen and Damone Hatch have been issued the required notice of violation of City Code 42-66 and have failed to alleviate the exterior conditions of the yard at 414 South Wald Avenue, Independence, Kansas, within the period of time required by ordinance.

Section 2. The Code Enforcement Officer or other agents of the City are hereby authorized to abate the exterior conditions at 414 South Wald Avenue, Independence, Kansas, pursuant to City Code 42-69 and to have the costs of abatement assessed against the property pursuant to City Code 42-73.

Adopted by the Governing Body of the City of Independence, Kansas, on the 13th day of August, 2020.

LEONHARD CAFLISCH, Mayor

ATTEST:

DAVID W. SCHWENKER, City Clerk

RESOLUTION NO. 2020-054

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF HEARING BEFORE THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS, OF WHICH OWNERS, OWNERS AGENTS, LIEN HOLDERS OF RECORD AND ANY OCCUPANTS, IF ANY, OF THE STRUCTURE OR STRUCTURES IDENTIFIED BELOW, IN SAID CITY MAY APPEAR AND SHOW CAUSE WHY SAID STRUCTURE OR STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED PURSUANT TO K.S.A. 12-1751 ET. SEQ.

WHEREAS, the enforcing officer of the City of Independence, Kansas, did on the 13th day of August 2020, file with the Governing body of said City, statements and reports in writing that the structure or structures located on said properties hereinafter described are unsafe and/or dangerous:

Legal: Lot 8 Block 3 & Adjacent Vac Alley, Hill & Sutters 1st Addition to the City of Independence, Montgomery County, Kansas

Common Address: 414 S Wald Street

Mortgage:

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

That a public hearing will be held on Thursday, **September 24, 2020** before the Governing Body of the City of Independence, Kansas, at **5:30 p.m.**, in the Veterans Room, Memorial Hall, Penn Ave. and Locust Streets, Independence, Kansas, at which time the owner, the owners agent, any lien holders of record and any occupant of the structure or structures located on the properties described herein, may appear and show cause why such structure or structures should not be condemned as unsafe and/or dangerous and ordered repaired or removed.

Be it further resolved that the City Clerk shall cause this Resolution to be published one time each week for two consecutive weeks on the same day of each week, that at least thirty (30) days shall elapse between the last publication and the date set for hearing and the City Clerk shall give notice of the aforesaid hearing in the manner provided by Ordinance and by law.

Be it further resolved by the Governing Body of the City of Independence that its authority for the actions set forth herein is established pursuant to K.S.A. 12-1751 ET. SEQ.

Adopted this 13th day of August 2020.

(SEAL)

Mayor

City Clerk

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The Parcel Number for this Property is 063-099-31-0-10-36-006.00-0

Quick Ref ID: 6840

Owner Information

Owner Name	HANSEN, PAULETTE M
Address	414 S WALD AVE INDEPENDENCE, KS 67301

Property Situs Address

Address	414 S WALD AVE, Independence, KS 67301
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Land Based Classification System

Function	Single family residence (detached)
Activity	Household activities
Ownership	Private-fee simple
Site	Developed site - with buildings

General Property Information

Prop Class	Residential - R
Living Units	1
Zoning	
Neighborhood	108.F
Tax Unit Group	108

Property Factors

Topography	Level - 1
Utilities	All Public - 1
Access	Paved Road - 1 Alley - 7
Fronting	Residential Street - 4
Location	Neighborhood or Spot - 6
Parking Type	On and Off Street - 3

Parking Quantity	Adequate - 2
Parking Proximity	On Site - 3
Parking Covered	
Parking Uncovered	

2020 Appraised Value

Class	Land	Building	Total
Residential - R	1,950	1,130	3,080
Total	1,950	1,130	3,080

Tract Description

HILL & SUTTERS 1ST ADD, S31, T32, R16, LOT 8 & ADJ VAC ALLEY BLK 3; HILL & SUTTERS 1ST ADD; Lot Width: 050.0 Lot Depth: 150.0 Plat Book/Page A /15 Deed Book/Page 683 /1413 653 /1478 602 /468 598 /191 560 /677 336 /043

Deed Information

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
683	1413	653	1478	602	468	598	191

Market Land Information

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	Ovrd	Class	Value Est
Sqft	vacant- 2	7500										1,950

Dwelling Information

Dwelling Information		Comp Sales Information	
Res Type	Single-family Residence	Arch Style	UN Dwelling (shed)
Quality	FR	Bsmt Type	Crawl - 2
Year Built	1915	Total Rooms	5
Eff Year		Bedrooms	2
MS Style	One Story	Family Rooms	
LBCSStruct	Detached SFR unit	Full Baths	1
No. of Units		Half Baths	
Total Living Area		Garage Cap	
Calculated Area	1,122	Foundation	Concrete - 2

Main Floor Living Area	1,122
Upper Floor Living Area Pct.	
CDU	UN
Phys/Func/Econ	UN/ /
Ovr Pct Gd/RCN	/88,340
Remodel	
Percent Complete	
Assessment Class	
MU Cls/Pct	

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Dwelling Components				
Code	Units	Pct	Quality	Year
Wall Heaters		100		
Frame, Siding, Metal		100		
Composition Shingle		100		
Raised Subfloor (% or SF)		100		
Plumbing Fixtures (#)	5			
Plumbing Rough-ins (#)	1			
Automatic Floor Cover Allowance				
Wood Deck (SF)	36			2 1980
Wood Deck (SF)	528			3 1998

Building Improvements																					
Id	Occupancy	MSCIs	Rank	Qty	Yr Blt	Eff Yr	LBCS	Area	Perim	Hgt	Dimensions	Stories	Phys	Func	Econ	OVR%	Rsn	Cls	RCN	%Gd	Value
89	Prefabricated Storage Shed	D	2.00	1	1998			80	36	8	8 X 10	1	2	2					1,690	15	250

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