



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
September 9, 2021

Department Building Inspector

Director Approval Tyler Henry

AGENDA ITEM Public hearings to consider condemnation of the following structures as dangerous and unsafe:

1. 801 E. Birch Street
2. 2009 ½ North Penn Avenue

SUMMARY RECOMMENDATION City staff recommends adjourning the public hearings.

BACKGROUND

801 E. Birch Street – The owner, Ms. Florio, continues to make progress on the repairs to the structure and we would ask to adjourn the public hearing until November 10, 2021 at 5:30 PM.

2009 ½ North Penn Avenue – The new owner has provided the Building Inspector with a timeline through December, 2021. He has cleaned up the debris that was left around the structure and has been in contact with local contractors to begin doing work on the inside of the structure. City Staff recommends adjourning the public hearing until January 27, 2022 at 5:30 PM.

SUGGESTED MOTIONS

1. I move to adjourn the Public Hearing to consider condemnation of 801 E. Birch Street until November 11, 2021 at 5:30 PM.
2. I move to adjourn the Public Hearing to consider condemnation of 2009 ½ North Penn Avenue until January 27, 2022 at 5:30 PM

SUPPORTING DOCUMENTS Resolutions

RESOLUTION NO. 2020-016

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 9th day of April 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 32 & 33; Aganippe Park Addition to the City of Independence, Montgomery County, Kansas

Common Address: 801 E Birch Street

Mortgage:

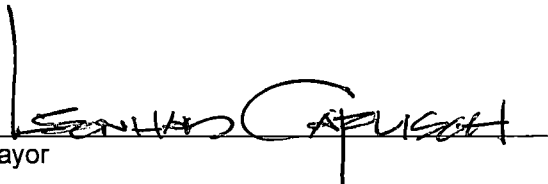
NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

That a public hearing will be held on Thursday, **June 25, 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.

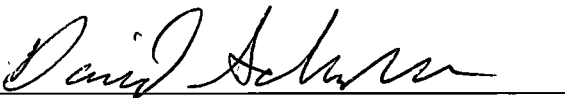
Be it further resolved that the City Clerk shall cause this Resolution to be published one time each week for two consecutive weeks on the same day of each week, that at least thirty (30) days shall elapse between the last publication and the date set for hearing and the City Clerk shall give notice 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 9th day of April 2020.



Mayor



City Clerk



State of Kansas, Montgomery County
This instrument was filed for
Record on April 13, 2020 10:00 AM
Recorded in Book 689 Page 910 - 910
Fee: \$0.00 202001148




Marilyn Calhoun, Register of Deeds

RESOLUTION NO. 2020-023

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 28th day of May 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: SUB Blocks 5 & 6; Highland Park Addition to the City of Independence, Montgomery County, Kansas

Common Address: 2009 ½ N. Pennsylvania Ave.

Mortgage:

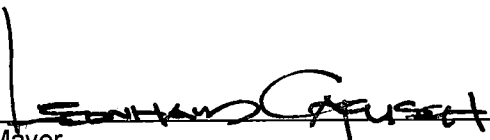
NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

That a public hearing will be held on Thursday, **July 23, 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 28th day of May 2020.



Mayor



City Clerk

(SEAL)

