LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **February 11, 2003** AGENDA ITEM NO.: 18

CONSENT: REGULAR: **X** CLOSED SESSION: (Confidential)

ACTION: **X** INFORMATION:

ITEM TITLE: **Public Hearing to Authorize the Lynchburg Redevelopment and Housing Authority (LRHA) To Pursue Acquisition of Blighted Property at 2323 Campbell Avenue**

RECOMMENDATION:

Adopt a resolution authorizing LRHA to pursue acquisition of blighted property at 2323 Campbell Avenue under Section 36-19.5 of the Code of Virginia.

SUMMARY:

Please see attached information from LRHA including notification to the property owners.

PRIOR ACTION(S):

NA

FISCAL IMPACT:

NA

CONTACT(S):

Edward H. McCann 845-9011

ATTACHMENT(S):

- Resolution
- Letter from LRHA

REVIEWED BY: lkp

RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY

WHEREAS, it appearing to City Council from the evidence presented at the public hearing that the structure located at 2323 Campbell Avenue, parcel 050-12-002 (i) has deteriorated to such an extent as to constitute a serious and growing menace to the public health, safety and welfare; (ii) that such structure is likely to continue to deteriorate unless corrected; (iii) that the continued deterioration of such structure will contribute to the blighting or deterioration of the area immediately surrounding 2323 Campbell Avenue; (iv) that the owner of 2323 Campbell Avenue was given 60 days notice by certified mail of the condition of the structure and has failed to correct the deterioration; and (v) that 2323 Campbell Avenue lies within the Lynchburg Redevelopment and Housing Authority's area of operation;

NOW, THEREFORE BE IT RESOLVED that as provided by Section 36-19.5 of the Code of Virginia the Lynchburg City Council does hereby authorize the Lynchburg Redevelopment and Housing Authority to acquire the property located at 2323 Campbell Avenue by purchase, lease, gift or through the exercise of eminent domain for the purpose of development and redevelopment, including, but not limited to, the renovation, rehabilitation and disposition of the structure at 2323 Campbell Avenue;

BE IT FURTHER RESOLVED that the Lynchburg Redevelopment and Housing Authority is hereby designated and authorized to act on the City's behalf in the acquisition of the property at 2323 Campbell Avenue.

Adopted:

Certified: _____
Clerk of Council

021P

LYNCHBURG REDEVELOPMENT AND HOUSING AUTHORITY
1101 COURT ST. P.O. BOX 1298, LYNCHBURG, VIRGINIA 24505 (434) 845-9011

EDWARD H. McCANN
Executive Director

January 24, 2003

Mrs. Patricia W. Kost
Clerk of City Council
P.O. Box 60
Lynchburg, Virginia 24505

Dear Mrs. Kost:

The Authority staff has been working with the City's Inspections Division to address the blighted property located at 2323 Campbell Avenue. The City's Community Development staff has received complaints about this property, and it has been cited by the city's inspections department for code violations. It was condemned and determined unsafe for human habitation by the inspections department staff May of 2001. Our staff has also inspected this property noting code violations and deficiencies resulting in its blighted condition. The owner of the property was notified of the deficiencies under section 36-19.5 of the Code of Virginia, but has failed to correct the deterioration of the property.

The above Code section provides that an authority may acquire blighted property after a public hearing and approval of such acquisition by the governing body of the city within which the property is located. This is to request that City Council hold a public hearing to consider the request of the Lynchburg Redevelopment and Housing Authority for authorization to acquire these properties pursuant to the above referenced code. Enclosed is a photocopy of the resolution adopted by the Commissioners of the Authority, the notice sent to the owner and a proposed resolution for City Council's consideration, as well as pictures of the property.

Please let me know if you need further information.

Very truly yours,

Connie J Snavely
for
Edward H. McCann

enclosures

RESOLUTION NO. 820 01/16/03

Resolution Authorizing the Executive Director to seek approval of City Council for the acquisition of the property at 2323 Campbell Avenue, Parcel 050-12-002, Lynchburg, Virginia pursuant to Code section 36-19.5

WHEREAS, the Commissioners of the Lynchburg Redevelopment and Housing Authority (the Authority) have undertaken the exercise of additional powers granted to the Authority pursuant to section 36-19.5 of the Code of Virginia, as amended; and

WHEREAS, one of the major objectives to be achieved in exercising powers granted to the Authority under Code section 36-19.5 is to prevent single-family or multi-family dwelling units within the Authority's area of operation from contributing to the blighting or deterioration of the area immediately surrounding such dwelling unit as a result of the continued deterioration of such dwelling unit and further, to prevent the deterioration of such dwelling unit to such an extent as to constitute a serious and growing menace to the public health, safety and welfare; and

WHEREAS, the Commissioners of the Authority have made a finding that the dwelling unit located at 2323 Campbell Avenue, Lynchburg, Virginia (the property), (i) has deteriorated to such extent as to constitute a serious and growing menace to the public health, safety and welfare; (ii) that the property is likely to continue to deteriorate unless corrected; and (iii) that the continued deterioration of the property may contribute to the blighting or deterioration of the area immediately surrounding the dwelling unit; and

WHEREAS, the Commissioners of the Authority have made a further finding that, unless the property is brought into full compliance with the applicable building codes of the City of Lynchburg, Virginia, the acquisition of the property pursuant to Code section 36-19.5 (B) will further the objectives of, and is necessary for, the purposes of the Authority; and

WHEREAS, as a prerequisite to the acquisition of the property by the City of Lynchburg, on behalf of the Authority, in accordance with Code section 36-19.5 (B), the required notice has been given to the landowner to correct the deterioration of the dwelling unit; and

WHEREAS, the owner has failed to correct the deteriorated condition of the dwelling unit.

THEREFORE, BE IT RESOLVED, by the Commissioners of the Authority that the Executive Director of the Authority, in consultation with the Authority's legal counsel, is hereby authorized and directed to request that the City Council of the City of Lynchburg hold a public hearing to consider the Authority's request to acquire the property at 2323 Campbell Avenue, Lynchburg, Virginia, in accordance with the provisions of Code section 36-19.5, for the purpose of development and redevelopment, including, but not limited to, renovation, rehabilitation and disposition of the property.

LYNCHBURG REDEVELOPMENT AND HOUSING AUTHORITY
1101 COURT ST. P.O. BOX 1298, LYNCHBURG, VIRGINIA 24505 (434) 845-9011

EDWARD H. McCANN
Executive Director

September 13, 2002

Joanna Goode
2323 Campbell Avenue
Lynchburg, Virginia 24501

Re: 050-12-002
2323 Campbell Avenue
Lynchburg, Virginia

Dear Ms. Goode:

In a cooperative effort with the City of Lynchburg, the Board of Commissioners of the Lynchburg Redevelopment and Housing Authority has directed our staff to identify residential properties that are deteriorated, that are likely to continue to deteriorate unless corrected, and that may contribute to the blighting or deterioration of the surrounding area. We have been made aware of the above property which city records shows to be owned by you. We observed the dwelling on January 28, 2002, and more recently on September 9, 2002, and found the following conditions:

1. Peeling paint on entire structure including siding, soffits, fascia, window frames and porch railing.
2. Windows boarded.
3. Front porch deck deteriorated.
4. Sections of siding missing.

We are requesting that these deficiencies and any other non-compliance with the local building code be corrected within sixty (60) days of receipt of this notice, pursuant to Section 36-19.5 of the Code of Virginia. If these corrections are not completed within that time, the Authority Commissioners may request Lynchburg City Council to conduct a public hearing to determine the appropriateness of authorizing the Authority to acquire the property for the purpose of development and redevelopment, including but not limited to, renovation, rehabilitation, and disposition of the property.

Please contact Connie Snavely of our staff at (434) 845-9011 if you wish to discuss this.

Very truly yours,

Edward N. McCa

Certified Mail – Return Receipt Requested

Property Address: **2323 Campbell Avenue**

Owner's Name: Joanna Goode
Owner's Address: 2323 Campbell Avenue, Lynchburg, VA 24501
Parcel No.: 050-12-002
Assessed Value: Land - $ 2,500 Improvement - $ 20,000 Total - $ 22,500

Date of Pictures: January 28, 2002

Deficiencies:

- Peeling paint on entire structure including siding, soffits, fascia, window frames and porch railing
- Windows boarded
- Front porch deck deteriorated
- Sections of siding missing