

DURHAM



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CITY OF MEDICINE

CITY OF DURHAM

## Memorandum

Date: August 13, 2013

To: Tom Bonfield, City Manager

From: Rick Hester, Assistant Director of NIS

Subject: Papa Joe's aka Joe Collins property at 207 E Club Blvd

This property was an old junk store that burned back in August of 2007. It sat vacant for many months until the City had it demolished in July, 2008. The issue here is about the shed on the back of the lot. The condition of the house was never in dispute. Below are the facts as known to code enforcement staff after researching this case.

- Staff received many complaints about the condition of the burned out structure from the neighbors in Northgate Park and at many of the monthly PAC 2 meetings.
- Burt Rauch, former Code Enforcement officer, conducted an inspection and then sent out a 60 day unsafe building letter to all parties of interest on August 28, 2007.
- One of the many violations addressed the dilapidated outbuildings on the site and another violation addressed the junk and debris throughout the property.
- The finding of fact letter was sent out on February 27, 2008 after the owner failed to remove the structure as agreed and after a meeting was held by the owner and the Planning Department. This meeting was held to determine if the structure could be rebuilt if demolished.
- The property owner, Mr. Collins, hired Big Mike, a demolition contractor from Virginia, to demolish the structure.
- Big Mike pulled the permit on May 13, 2008.
- There was no activity by Big Mike.
- NIS put out bids for the demolition job which was won by Gibbs Grading.
- The structure and all outbuildings were demolished and cleared by Gibbs on July 24, 2008. He did not pull a permit for demolition which was the practice at the time.

Our position is we did indeed notify owner, Mr. Joe Collins, in the Unsafe Letter. Mr. Collins, the owner, has stated that the sheds were full of old antiques and that the value of the antiques and his building is worth well over \$10,000. He stated that he was willing to settle for the lien NIS has placed on the property which is around \$7500.

Staff went through Burt's files and pictures and based on the notes in the file as well as the pictures, staff does not feel that the City should settle with Mr. Collins. The pictures clearly show that the shed was open to the public and was full of junk and debris. Also, Burt notes indicate that all of the sheds should be demolished. Mr. Collins has called us many times and has spoken to Constance Stancil and myself about the situation and each time staff has informed him of our position. He has tried to get third parties to state that the warehouse was in good shape and was full of antiques but no one has been able to show us any documentation.

I have attached the photos from our files as well as the Finding of Fact letter with all of the violations found at the time of inspection..

CC: Constance Stancil  
Keith Chadwell