



# City of Lawrence

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CITY COMMISSION

**MAYOR**  
ROBERT J. SCHUMM

**COMMISSIONERS**  
MICHAEL DEVER  
HUGH CARTER  
MIKE AMYX  
ARON E. CROMWELL

November 15, 2012

Patricia Sinclair  
331 Johnson Ave  
Lawrence, KS 66044

Dear Patricia,

This letter is in response to an email I received from you on Friday, October 19, 2012 (copy enclosed). Your email contained a number of questions, statements, and requests for records. This letter is my response to the requests for records. I have broken up your request and will address each in turn.

**Request:** "I have not had the chance to match everything that you have given me with my requests, but I know that I haven't gotten anything new since I picked up the packet on Oct. 22. I have been understandably busy with other things, but I need more in time to use it to prepare for Nov. 20 City Comm mtg. I believe that almost everything that I requested the last time was either said to be too vague, nonexistent, or already given to me. Here are a few tries.

Re: bldg and demolition permits. I think you sent me something for Tim Houser at 330 Johnson ave. that you had already sent. I am confused by some of it. He redid parts of his garage, making an overhang, installing a chimney, and other things that may have been deemed cosmetic. I can't say when. Also, it's not quite clear to me about his house. It seems to approve a cement porch with roof, but not sure about a lot of the rest."

**Response:** If you have questions about the building permit records previously provided to you, please contact Barry Walthall, Building Codes Administrator, at (785) 832-3101.

**Request:** "Re: 1804 Barker, I definitely asked you about this and think I was told that I was too vague. Well, I think any inquiry you might have made may have prompted him to get a bldg. permit. I told you that he was working on it at the time of my request and had been for at least a month. At the end of Oct., he posted a big sign on a post in the front yard which had a lot of dark boxes of print and something that said temporary Oct. 24. Please provide details as he has demolished part of the house, virtually gutted the rest. I would like to know when it was applied for, when granted, when reviewed, etc. I am also interested in his disposition of what must have been hazardous materials."

**Response:** It appears that you are requesting building permit records for 1804 Barker from October 2012 to present. We can provide any records responding to that request no later than Wednesday, November 21, 2012.



**Request:** "Re: 1823 Barker. This house had a garage that was falling down, I don't know when it went down and was replaced. At a guess, I'd say it was after 2000. Please let me know."

**Response:** It appears that you are requesting building and demolition permit records for 1823 Barker from 2000 to present. We can provide any records responding to that request no later than Wednesday, November 21, 2012.

**Request:** "Re: 333 Johnson Ave., when was this property inspected for completion and are there additional permits requested/granted for new work?"

**Response:** If you have questions about the building permit records previously provided to you, please contact Barry Walthall, Building Codes Administrator, at (785) 832-3101. We can provide any records responding to this request and dated later than October 22, 2012 (the date of my last letter to you) no later than Wednesday, November 21, 2012.

**Request:** "Please provide any additional complaints about my house since the last provision and the names and emails of those complaining. Please also provide anything else added to my file per my description of items sought in previous open records request and per the old subpoena attached before. This should include any photos with dates, on cd if possible, additional reports, and other supporting material and memos, even if they are internal and not posted to the city website."

**Response:** It appears you are requesting additional complaints and additions to the code enforcement records regarding your property at 331 Johnson Avenue since my last letter to you (dated October 22, 2012). We can provide any records responding to that request no later than Wednesday, November 21, 2012.

**Request:** "Please provide me with all of the materials that Brian has filed with the city comm. regarding my appearance and his resolution. I need these right away and may ask Bobbie for them as Brian has refused to respond to my written request of Oct 25. I also requested minutes of CDAC meeting."

**Response:** I understand that contacted Bobbie Walthall in the City Manager's Office on Tuesday, November 13, 2012, and she provided you copies of the materials from the October 23, 2012, City Commission Meeting. The minutes for the August 30, 2012, CDAC meeting are enclosed. The materials provided to the City Commission regarding your property for the November 20, 2012 meeting will be available online at <http://www.lawrenceks.org/agendas>, on the afternoon of Thursday, November 15, 2012.

**Request:** "Re; materials provided to me from the CDAC presentation from Brian, the printed photos are undated, which is a common problem with things from his dept."

**Response:** You appear to be stating that the records which were provided to you do not contain the information you hoped they would contain. You do not appear to be requesting any new records.

**Request:** "Nothing ever surfaced from Planning regarding 337 Johnson ave., as I had requested this in writing many weeks ago and they must have these records. I was promised a response by Sheila, but it never came and now the property has been sold. I specifically asked about the oversized bldg. at the extreme west back of the property as well as its very bright light which disturbs me. Sheila had told me once that this bldg. was built with approval, but it was

before I bought in 1993. Also, records regarding the home occupation of Bill's TV which was shut down by the city for illegal commercial use of sfr zoning. It reopened in 2008 as a home occupation under the revised code and I was told it would not be allowed to have the type of lighting or bldg. that it already had. Now Sheila tells me that they let their license expire in 2010, yet I still saw customers after that. What records support any of this? Was there any penalty? Can I get that light turned off?"

**Response:** My letter to you dated October 22, 2012, responded to your previous request regarding 337 Johnson Avenue. If you have concerns regarding the lighting you may submit a complaint to the city Code Enforcement Division. Regarding a home occupation at 337 Johnson Avenue, we can provide any records responding to that request, for the time period 2008-present, no later than Wednesday, November 21, 2012.

**Request:** "My printer is currently jammed and I am working on multiple projects as I write this. I plan to also email the Mayor, but have not had the opportunity to do this today yet. When are you setting the agenda?"

**Response:** The agenda for the November 20, 2012, City Commission Meeting will be posted to the city's website on the afternoon of Thursday, November 15, 2012.

**Request:** "Again, the biggest item that I have requested is not the long list of places that have been complained about, but the more serious matters from 2009 to the present. Surely this dept. must have to make some sort of accounting to somebody about what they have done in a year. I am looking for number of cases charged, number of convictions/dismissals/acquittals in court, by type of violation, the number of cases of abatement, for what circumstances or charges, etc. I would like address and name if possible. That is, what goes to court or has abatement, how many to CDAC, with what result, etc. I am looking for and have been looking for, an accounting of the serious cases and those with serious consequences."

**Response:** There is not a record that contains the information you have requested. You may request records that contain different portions of that information, but the Kansas Open Records Act does not require the city to create a record that does not already exist. If you would like to request records regarding a specific case or property, you may do so. You were previously provided (see my August 21, 2012 letter) with a report showing all environmental blight cases from 2009 to August 20, 2012.

**Request:** "I mentioned to you 1821 W. 26th. I will have to double check this address. It's the one where the whole apt. bldg was condemned a few weeks ago and the tenants evicted. It was said that Brian had a concern about the roof there a year ago. What records exist of notices/inspections/photos, etc. of this property"

**Response:** As I already explained in my October 22, 2012, letter to you, I need to know the date range about which you are inquiring before I can respond to this request.

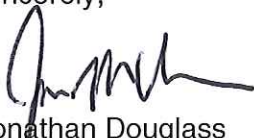
**Request:** "Re: 1106 Rhode Island. I think you said I was too vague. This is the Packard car place and they did have a resolution for abatement sometime this year, I think. I know they got some kind of an extention, etc. and there has been correspondence. I would like to know when this process started with Brian's dept. and also what the status is now and whether these people have ever been taken to court."

**Response:** I have enclosed copies of Resolutions 6964, 6972, and 6973 regarding this property. I have also enclosed the materials regarding this property that were posted on the 3-13-12 and 5-22-12 City Commission Meeting agendas, which are also available at <http://www.lawrenceks.org/agendas>. If there are other records regarding this property that you are seeking, please describe the records as specifically as possible, including the date range about which you are inquiring.

On November 14, 2012, you also dropped off a handwritten request (enclosed) for “the actual procedures” for CDAC meetings but you had only received a table of contents. All records we possess which respond to this request were provided to you with my August 28, 2012, letter.

Any response to this letter, including clarifications of your requests, should be submitted to me in writing. I hope that the records we have been able to provide are helpful.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jonathan Douglass', written over a horizontal line.

Jonathan Douglass  
City Clerk

enclosures

**City of Lawrence, KS  
Community Development Advisory Committee  
August 30, 2012 Minutes (City Commission Room)**

**MEMBERS PRESENT:** Deron Belt, Eric Hethcoat, Quinn Miller, James Minor, Julie Mitchell, Vern Norwood, Brenda Nunez, Aimee Polson, David Teixeira, Patti Welty, Patrick Wilbur

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Brian Jimenez, Dan Johnson, Danelle Dresslar, Margene Swarts, Dustin Chase

**PUBLIC PRESENT:** Patricia Sinclair, Diane and Jake Trybom

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Chair Teixeira called the meeting to order at 5:30pm.

**1. Introductions**

Members and staff introduced themselves.

**2. Approval of the April 12, 2012 Minutes.**

Norwood moved **to approve the CDAC meeting minutes from April 12, 2012.** The motion was seconded by Mitchell and **passed 11-0.**

**3. Environmental Code Violation Appeal – Patricia Sinclair, 331 Johnson Avenue.**

**a. Presentation from Brian Jimenez, Code Enforcement Manager**

Jimenez stated that an appeal regarding this same property was heard by this board in December of 2009. The property had been cited for non-compliance with the City's environmental code and Ms. Sinclair appealed the Notice and Violation. At that time, the CDAC voted 7-0 in favor of City staff that the code was interpreted correctly. In the three years since this hearing, the property has remained in non-compliance with the code. There have been court cases and a district court appeal. The task before the CDAC this evening is to determine if staff acted in compliance with the code and the violation of the property was merited. This case stands on its own merits, and each violation on a specific day is a separate complaint. Since June of 2009, City staff has received 39 complaints regarding this property from neighbors and other citizens. Dan Johnson, Code Enforcement Officer, cited the property on July 18 of 2012. The code allows for an appeal of this citation. Ms. Sinclair requested an appeal on July 31. Staff responded with the date of this evening's meeting within thirty minutes to Ms. Sinclair. The code requires a five-day notice for appeal. Ms. Sinclair was given a 29 day notice. She was given instructions at that time as to how she could submit information for this appeal so that the Committee could see the items before the meeting. There were no items submitted.

The CDAC will review the evidence of the violation and determine if staff acted appropriately. The CDAC will then provide a written summary of their decision. If the staff action is upheld, staff may take the issue to the City Commission for adoption of a resolution allowing Ms. Sinclair 20 days to clean up the property. If she fails to comply with the resolution within that time then the violations on the property will be abated for her.

Memorandum from staff.  
Photographs from July 18, 2012.

Included in the presentation are photos of neighborhood homes. One section of the code asks if the conditions of the property are commensurate with those of the neighborhood homes. The photographs presented show a cross section of the neighborhood home conditions. Staff is requesting Ms. Sinclair remove the items in question from the porch of her house and the surrounding areas included in the citation. Jimenez said staff has tried to work with Ms. Sinclair on several occasions. Each time there has been no compliance with the request. This appears to be a hoarding-type situation and there appears to be a pattern of this type of behavior in looking at the property as well as Ms. Sinclair's vehicle where there are many items that fill up the car. The charge of the CDAC this evening is to determine if the staff acted in accordance with the code in citing Ms. Sinclair for violations of the environmental code. All other items and arguments are irrelevant.

#### **b. Presentation from Ms. Sinclair, Appellant**

Ms. Sinclair stated she did not believe this was a fair hearing as she has been trying to get copies of her requested open records and they have not all been provided. She said she had other obligations and the time limitation has made it difficult for her. She stated she felt she was not notified correctly and that staff is guilty of criminal trespass and malicious selective enforcement. She spoke of the prior violation in 2009 and the fact that in the court case, the City ultimately decided to waive the charges. She reported a neighbor running an unauthorized business in the neighborhood that has not been cited.

Ms. Sinclair stated the reason for the accumulation of belongings on her porch and the surrounding areas was due to the fact she needs to make some changes in her basement. She needs to move her washer out of the basement, and in order to work on her basement she received approval to use her front porch as a staging area. She stated her neighbor has a broken rain gutter and this has caused problems with water on her property. Ms. Sinclair said she cannot move some things out of the area without moving other things around which is why there are items on the porch and under the porch. She said she had to put quite a few items in storage when her parents got sick and she wanted these things out of storage as it is taking all her savings. Ms. Sinclair stated there should be concern about those that are filing the complaints about her property. She stated she had a stalking order against one of her neighbors, and in addition she has had trouble with Diane Trybom as well. She stated a male in her neighborhood had filed a false felony charge against her and she was arrested and her car was towed. She said she was a retired social worker with no moving violations. She gives to the Social Service League. She donates to the library. She throws things away. Every time she worked on her basement she would move a bin to the porch. She again stated that Jimenez and staff are lying to the CDAC. She said she sees that her property is on the list of the 15-16 worst cases in the City of Lawrence. This is untrue as she has all her utilities and her electric work is modern, her plumbing is copper, and the house is structural and sound. She takes pride in her yard.

Ms. Sinclair said the previous case against her property was dismissed by the City because they knew that they would lose it. There was no explanation regarding the change in the ordinance, and just because it is in the city code does not mean it complies with the US Constitution. Her lawyer stated the City cannot post her property when she has a no-trespassing sign. There is a current case in Municipal Court regarding this property. She said she has seen properties in bad condition all over Lawrence and there are lots of dilapidated structures in town. She said in her case the items are on and around the porch so she can do work and get her items out of storage. Ms. Sinclair said in addition there had been a weed violation reported against her. She said her yard was an organic place for birds and flowers.

Ms. Sinclair reported that there are many "drunken parties" in the neighborhood and people working on their homes without a permit. She provided photos to the CDAC members showing pictures of her home as well as neighboring homes. She said she felt as if she was being picked on because of her advocacy. She said she was one of the main advocates for the fireworks ban and has complained about police treatment of the homeless. This citation has nothing to do with the quality of the home. She said it was very frightening that people can come in and take your home. Within her neighborhood she said there is

plenty of illegal parking, an illegal TV repair shop, and other items of note.

Ms. Sinclair spent several minutes of her presentation showing photos of neighborhood homes.

### **c. CDAC questions, deliberation, and determination**

Norwood asked Jimenez what the cost would be if the city chose to abate the property.

Jimenez said he was unsure what the total costs would be but the City would store anything that was valuable, and in this particular situation likely everything would be stored. Ms. Sinclair would ultimately be responsible for charges stemming from cleanup of the property and storage.

Polson asked why the items would be retained.

Jimenez said in this situation it would be appropriate to keep the items as opposed to disposing of them.

Norwood asked if the Notice of Violation was sent certified mail.

Dan Johnson said it was, and in addition a copy was posted to the front porch.

Miller asked if this case was strictly about the items on and around the porch.

Jimenez said that was correct. He said staff was not worried about the trash cans on the property. The citation was based on the totality of the situation including how much is there and how long this has been going on. Jimenez said technically staff could have issued a citation each day since July 18 when the original violation was documented but they have not.

Wilbur said this contained a list of items on the violation. He asked if the violation was the same if there was one item or ten.

Jimenez said yes.

Polson asked if it was limited to a type of item.

Jimenez said it was not. It could be plastics, bins, trash bags, or another material. He added that most of the time these cases are resolved before they get to the point of appeal.

Polson asked Ms. Sinclair how she gets into her house if the porch is full of items.

Sinclair said she goes in through the back door. She said City staff takes shifts looking at her house. She put a gate in her backyard and there is an illegal TV repair business on the corner. People would approach her house and pound on the door and ask for the TV repair shop. She said due to the felony against her and the Protection From Stalking (PFS) order she does not want anyone to be able to see her. She said she checked with the Fire Department and the fact that the front door is blocked is not a fire code violation. She is not required to use her front door. She said when someone is watching your every move it is frightening.

Norwood asked Ms. Sinclair why it has taken her this long to clean up her property.

Ms. Sinclair answered that with the pending case in Municipal Court she had to prioritize. She said on the date of the violation, July 18, she had no central air. She is working on an appeal in district court and she tried to go through open records. She said during this time she has kept up her yard beautifully as she did not want to have any problems with that. She said it was not that she did not do anything towards cleaning up the property. She has been working on her basement and she had a yard sale in November. She tried to fence her yard in. She needed to get things in and out of storage. She said she had to choose and she chose to work on her district court appeal.

Nunez asked if the garage on the property was empty.

Ms. Sinclair said it was a dirt-floor barn and it is not empty. She said it was not anyone's business what was in that structure and the doors cannot be propped open.

Nunez asked if Ms. Sinclair had help moving the items to the barn would she use it for storage.

Ms. Sinclair said she would not. There are hazardous yard items in that space and as she said she cannot really shut the doors all the way. It is also a long way to walk. She said she had a plan to clean up the area and it would be done if the City would leave her alone and let her proceed. The City has changed their story and did not let her do what she wanted to. The intention was to move forward with cleanup. She said only a fool would not exercise their right to appeal.

Minor said as there have been multiple violations over the years, has Ms. Sinclair tried to work with staff to remedy the situation.

Ms. Sinclair said she has photos that she did not show the CDAC. She said after her mother passed away her father got sick and lived for four years. She had moved things into storage and little by little she tried to move those items out of storage. She said every time she tried to take something out of storage there was a violation reported.

Teixeira said it was the job of the CDAC to determine if staff properly enforced the code in the case of this particular violation.

The CDAC heard public comment.

Diane Trybom said she was the neighbor to the direct east of Ms. Sinclair's property. She said her property was the property Ms. Sinclair claimed was being worked on without a building permit. This was not the case. The proper building permits were pulled for the work on the house. She said her family moved to their house in 1993, and Sinclair moved into her home in November of 1993. Directly after she moved in items began accumulating on her porch and in the back yard. In the early 2000's there were so many items on the front porch that she stapled plastic around the area. She said this is an issue that the neighborhood has dealt with since Ms. Sinclair moved in. Trybom said at this point she is at her wit's end. She said Ms. Sinclair goes around the neighborhood with a camera and takes photos of all the homes in the neighborhood. Trybom said she takes pride in her home but is thinking about moving but is not sure she can sell her property since it is located next to Ms. Sinclair's.

Trybom showed the CDAC several photos of Ms. Sinclair's property.

Ms. Sinclair asked when she would be allowed her rebuttal. She said she was told she would have rebuttal time. She said that the violation states that all items must be removed from the porch and the back yard. She said it was a scary thing with someone says they are going to take your belongings away. Ms. Sinclair said she has tried to read the code and understand it. She suggested a longer notification period as a change to the code. She also said the abatement wording seems to say that if



there has not been an appeal this is the result.

Teixeira said the CDAC was not there to decide if abatement was appropriate. They were just there to review the violation and determine if staff acted appropriately.

Ms. Sinclair stated Jimenez has always said this was about abatement. She said she has read and reread the code. What the code says is if the CDAC upholds the staff determination the City Commission will pass a resolution. She said she needed time to get together information for the City Commission. She said the code states if a person does not appeal the decision then staff can proceed with abatement. She said it sounds like a given.

Swarts said if the CDAC finds the staff has acted in accordance with the code then staff can pursue abatement with the City Commission. Teixeira was correct in his statement that this hearing was not about abatement. If the staff elects to pursue abatement Ms. Sinclair will be notified about the process. There will be ample time for gathering materials and making comments.

Sinclair said it seemed that many of these processes were done on the fly.

Swarts said a procedure was established for the CDAC with these appeal hearings. The previous appeal hearing this body presided over allowed for 15 minute presentations. The first appeal for the property at 331 Johnson Avenue was allotted 20 minutes which is why the time allowance for this appeal was changed to allow 20 minutes.

Ms. Sinclair said Jimenez sent letters to her in the past and she would come to City Hall and talk to then Mayor Amyx. She said she did not plan to go to jail and be falsely charged with a felony.

Norwood moved **to uphold staff's interpretation of the City's environmental code violation for 331 Johnson Avenue.** The motion was seconded by Miller.

Polson said she has driven past Ms. Sinclair's house in the past and the porch has been full of items for a very long time. She said while it did not look good, her thought is the bigger issue is how Ms. Sinclair gets along with her neighbors. Polson said she felt as though this would be something Ms. Sinclair would want to work on more than cleaning up the porch. She said she felt that the items on the porch do not look good, but it may not match up with the intent of the environmental code.

Belt said he lauded Ms. Sinclair for her work on behalf of the parks as well as advocating for the fireworks ban. He said he also implored her to reach out to her neighbors and that there seems to be multiple people on that block that are prisoners in their own homes. It is not good neighbor behavior. He said it was important to rebuild those relationships and this goes beyond moving things off the porch.

Ms. Sinclair responded that her neighbors have said slanderous things about her and about the neighborhood feuds and she said she believed that is the situation with the City, in that they are listening to the neighbors.

The motion **passed 10-1.**

#### **4. Miscellaneous/Calendar.**

Swarts asked the CDAC to cancel the September 13 meeting because staff will be attending the Kansas Housing Conference in Manhattan on that day. The September 27 meeting will be their public hearing, and it will be held in a TBD location. The Committee will discuss the Consolidated Annual Performance Evaluation Report (CAPER) and the upcoming grant application. Swarts said at one time the Committee had talked about inviting the neighborhoods to the public hearing as well. Staff will need direction on

this request if the CDAC wishes to pursue this.

Swarts mentioned that the next meeting will be the final meeting for Welty and Nunez. Teixeira and Norwood have been reappointed to a second terms. There will be two positions open on the CDAC for low-moderate income neighborhood representatives.

Norwood said her preference is to invite the neighborhoods to an October meeting.

Polson moved **to cancel the September 13, 2012 meeting of the Community Development Advisory Committee.** The motion was seconded by Minor and **passed 11-0.**

## **5. Public Comment.**

Ms. Sinclair stated that she wanted to rebut items that were presented that were untrue. She said she and Trybom got along for years, and then there were times they did not. She said there were police incidents and intimidation tactics to keep her from testifying. She said she was upset about her foundation damage but she had to let it go. She said she showed neighborhood photos to the City Commission on a prior appeal and because she showed Trybom's home this is what she got. Ms. Sinclair said with neighbors it is hard because everyone does not like everyone. She said over the 19 years she has owned the property she has gotten along with her neighbors. There have been five different owners on one side of her. She appropriately talked to their children. She said when people had power the issues snowballed with a small group of people. She said she believes in give and take with neighbors. Ms. Sinclair states she just wanted to see fair enforcement and that changes to the code have only been proposed in order for the city to get a conviction.

There was no additional public comment.

## **6. Adjourn.**

Polson moved **to adjourn the August 30, 2012 meeting of the CDAC at 7:00 pm.** The motion was seconded by Wilbur and **passed 11-0.**

## **Attendance Record**

Members	Jan 12	Jan 26	Feb 9	Feb 23	Mar 8	Mar 22	Apr 12	Apr 26	May	Jun	July	Aug 9	Aug 30	Sept 13	Sept 27	Oct 11	Oct 25	Nov 8	Dec 13
Deron Belt	+	E	+	+	+	+	+	-	-	-	-	-	+						
Eric Hethcoat	+	+	+	U	U	+	+	-	-	-	-	-	+						
Quinn Miller	+	U	E	E	E	U	E	-	-	-	-	-	+						
Julie Mitchell	E	+	+	+	+	E	E	-	-	-	-	-	+						
Vern Norwood	+	+	+	+	+	+	+	-	-	-	-	-	+						
Brenda Nunez	+	+	U	+	+	+	+	-	-	-	-	-	+						
Aimee Polson	E	+	+	+	+	+	+	-	-	-	-	-	+						
David Teixeira	E	+	E	E	+	+	+	-	-	-	-	-	+						
Patti Welty	+	+	+	+	E	+	+	-	-	-	-	-	+						

Patrick Wilbur	+	+	+	E	E	+	+	-	-	-	-	-	+						
James Minor		+*	+	+	+	+	+	-	-	-	-	-	+						

- E Excused Absence
- U Unexcused Absence
- X Meeting Cancelled – Weather Conditions
- Meeting Cancelled – Committee Vote/No Business
- \* First meeting after appointment
- \*\* Last Meeting Prior to expired term

RESOLUTION NO. 6964

**A RESOLUTION OF THE CITY OF LAWRENCE, KANSAS, ESTABLISHING A TIME AND PLACE FOR A HEARING, PURSUANT TO K.S.A. 12-1750, *ET SEQ.*, AND CHAPTER V, ARTICLE 11 OF THE CODE OF THE CITY OF LAWRENCE, KANSAS, 2011 EDITION, AND AMENDMENTS THERETO, AT WHICH TIME, PERSONS HAVING AN INTEREST IN THE NAMED STRUCTURES MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS UNSAFE OR DANGEROUS STRUCTURES**

**WHEREAS**, pursuant to K.S.A. 12-751, the Governing Body of the City of Lawrence, Kansas, is granted, as part of its police powers, the authority to cause to be repaired or to be removed, or to repair or to remove, any structure located within the City that is unsafe or dangerous;

**WHEREAS**, in accordance with K.S.A. 12-750, *et seq.*, Chapter V, Article 11 of the Code of the City of Lawrence, Kansas, 2011 Edition, and amendments thereto, the Enforcing Officer for the City of Lawrence, Kansas, has filed with the Governing Body a statement in writing that the structures located on the real property commonly known as 1106 Rhode Island Street, Lawrence, Douglas County, Kansas, and bearing the legal description, to-wit:

Lots 118 and 120, Rhode Island Street, original town site of Lawrence,  
Douglas County, Kansas,

are unsafe or dangerous;

**WHEREAS**, upon the filing of such written statement, the Governing Body must, in accordance with K.S.A. 12-1752, establish a time and place for a public hearing, at which time, the owner, the owner's agent, any lienholders of record, and any occupant of such structures may appear and show cause why such structures should not be condemned and ordered repaired or demolished as unsafe or dangerous structures; and

**WHEREAS**, the City gives notice that, under K.S.A. 12-1750 *et seq.*, the City may ultimately repair or demolish such structures, that, in such event, the owner may lose any interest in the salvage proceeds of such structures, and that any costs, in excess of the salvage value, that are borne by the City may be assessed against the real property.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:**

**SECTION 1.** The above-stated recitals are incorporated herein by reference and shall be as effective as if set forth in full.

**SECTION 2.** Pursuant to K.S.A. 12-1752, a hearing will be held in the City Commission Room, First Floor, 6 East 6th Street, Lawrence, Kansas, on **May 15, 2012, at 6:35 p.m.**, or as soon thereafter as practicable, at which time, the owner, the owner's agent, any lienholders of record, and any occupant of the structures located on the real property commonly known as 1106 Rhode Island Street, Lawrence, Douglas County, Kansas, and bearing the legal description, to-wit:

Lots 118 and 120, Rhode Island Street, original town site of Lawrence,  
Douglas County, Kansas,

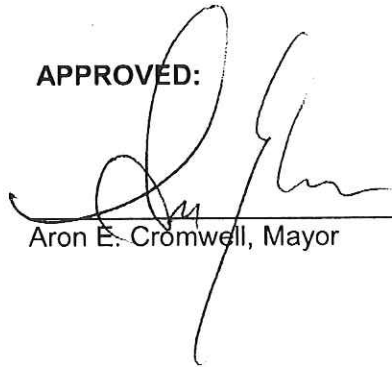
may appear and show cause why such structures should not be condemned and ordered repaired or demolished as unsafe or dangerous structures. The structures in question include a principal dwelling unit (a house) and three accessory buildings (described as a barn, a garage, and a makeshift shed).

**SECTION 3.** The City Clerk is hereby directed to publish, once each week for two consecutive weeks, on the same day each week, in the official newspaper of the City, the foregoing Resolution, establishing the time and place of hearing under K.S.A. 12-1752.

**SECTION 4.** The City Clerk also is hereby directed to mail a copy of this Resolution to the owner, the owner's agent, any lienholder of record, and any occupant of the structures, to the extent such persons are known, at said person's last known address and the envelope shall be marked "Deliver to Addressee Only."


**PASSED** by the Governing Body of the City of Lawrence, Kansas, this 13<sup>th</sup> day of March, 2012.

**APPROVED:**



Aron E. Cromwell, Mayor

**ATTEST:**



Jonathan M. Douglass, City Clerk

**APPROVED AS TO FORM AND LEGALITY:**



Toni R. Wheeler, City Attorney

Publish one time and return one Proof of Publication to the City Clerk and one to the City

RESOLUTION NO. 6972

**A RESOLUTION OF THE CITY OF LAWRENCE, KANSAS, DECLARING CERTAIN STRUCTURES WITHIN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, TO BE UNSAFE AND DANGEROUS, DIRECTING THAT SAID STRUCTURES BE REPAIRED OR RAZED AND REMOVED, AND ESTABLISHING A REASONABLE TIME WITHIN WHICH SUCH ACTION SHALL COMMENCE, ALL IN ACCORDANCE WITH K.S.A. 12-1750, *ET SEQ.*, AND CHAPTER V, ARTICLE 11 OF THE CODE OF THE CITY OF LAWRENCE, KANSAS, 2011 EDITION, AND AMENDMENTS THERETO.**

**WHEREAS**, at its March 13, 2012, regular meeting, the Governing Body passed Resolution No. 6964, wherein it recited that, in accordance with the Unsafe and Dangerous Structures and Abandoned Property Act of 1961 ("the Act"), codified as amended at K.S.A. 12-1750 *et seq.*, and Chapter V, Article 11 of the Code of the City of Lawrence, Kansas, 2011 Edition, and amendments thereto, the Enforcing Officer for the City of Lawrence, Kansas, filed with the Governing Body a written statement averring that the structures located on that real property commonly known as 1106 Rhode Island Street, Lawrence, Douglas County, Kansas, the legal description of which is set forth at Section 2, *infra*, are unsafe and dangerous;

**WHEREAS**, in Resolution No. 6964, in accordance with the Act, the Governing Body directed the owner, the owner's agent, any lienholder of record, and any occupant of said structures to appear before it in the City Commission Room, First Floor, 6 East 6th Street, Lawrence, Kansas, on May 15, 2012, at 6:35 p.m., to show cause why said structures should not be condemned and ordered repaired or demolished as unsafe and dangerous structures;

**WHEREAS**, in accordance with the Act, Resolution No. 6964 was published in the official newspaper on March 31, 2012, with a second publication date of April 7, 2012;

**WHEREAS**, in accordance with the K.S.A. 12-1752, a copy of Resolution No. 6964 was mailed by certified mail to the owner of record within three days of its first publication in the official newspaper;

**WHEREAS**, in accordance with the K.S.A. 12-752, at least thirty days have elapsed between the publication of Resolution No. 6964 and the date of the May 15, 2012, hearing; and

**WHEREAS**, at its May 15, 2012, public meeting, in accordance with the Act, the Governing Body considered the structures at 1106 Rhode Island Street.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:**

**SECTION 1.** The above-stated recitals are incorporated herein by reference and shall be as effective as if set forth in full.

**SECTION 2.** The structures in question, described as a principal dwelling unit (the house) and four accessory buildings (a barn, a detached garage, and two makeshift sheds), are located on that real property, commonly known as 1106 Rhode Island Street, Lawrence, Douglas County, Kansas, and bear the following legal description, to-wit:

LOTS 118 & 120 ON RHODE ISLAND STREET IN THE ORIGINAL TOWNSITE OF THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, commonly known as 1106 Rhode Island Street.

**SECTION 3.** In accordance with K.S.A. 12-1753 and Chapter 5, Article 11 of the Code of the City of Lawrence, Kansas, 2011 Edition, and amendments thereto, the Governing Body, having heard all evidence submitted by the owner, the owner's agent, any lienholder of record, any occupants having an interest in the structures, as well as evidence submitted by the enforcing officer who filed the written statement as required by the Act, hereby finds that the structures in question are unsafe and dangerous and hereby orders that said structures be repaired or razed and removed and that the premises be made safe and secure by July 17, 2012.

**SECTION 4.** Pursuant to K.S.A. 12-753, the Governing Body hereby orders the owner of the subject property either to repair said structures or to commence proceedings before the City of Lawrence, Kansas, Historic Resources Commission ("HRC") to obtain approval of the demolition of said structures by July 17, 2012.

**SECTION 5.** If the owner of the subject property fails to comply with Sections 3 and 4, *supra*, or fails to diligently prosecute the same until the work is completed and the premises be made safe and secure, the Governing Body directs the enforcing officer to commence proceedings before the HRC to obtain approval of the demolition of said structures.

**SECTION 6.** If the owner of the subject property fails to comply with Sections 3 and 4, *supra*, or fails to diligently prosecute the same until the work is completed and the premises be made safe and secure, if the HRC approves the demolition of said structures, and if such work is undertaken by the enforcing officer, then the Governing Body directs City Staff, in accordance with K.S.A. 12-1755, to keep an account of the cost of such work, to sell any salvage from the structures in question, and to apply any proceeds from those sales to the costs of razing and removing the structures and making the premises safe and secure. Any moneys that may be received from salvage that are in excess of the costs of razing and removal to make the premises safe and secure, including the the costs of publication and the costs of postage for mailing notices, shall, after the payment of those costs, be paid to the owner of the real property on which the structures are located.

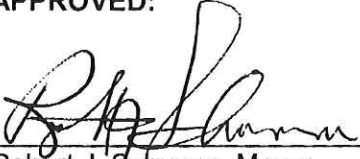
**SECTION 7.** If the owner of the subject property fails to comply with Sections 3 and 4, *supra*, or fails to diligently prosecute the same until the work is completed and the premises be made safe and secure, if the HRC approves the demolition of such structures, and if such work is undertaken by the enforcing officer and the costs of doing such exceed the moneys realized by any sale of salvage, then the Governing Body directs City Staff to give notice to the owner of the real property of the total costs incurred by the City, less any receipts for the sale of salvage. If those costs, if any, are not paid within thirty days of the service of the notice, then the Governing Body directs City Staff to collect such costs in the manner provided by K.S.A. 12-1,115 or to assess such costs as a special assessment against the real property in accordance with the Act.

**SECTION 8.** The City Clerk shall publish this Resolution one (1) time in the official newspaper of the City and shall mail, by certified mail, copies of the Resolution to the


owners, agents, lienholder of record, and any occupants of said structures within three (3) days after the publication of this Resolution.

**PASSED** by the Governing Body of the City of Lawrence, Kansas, this 22<sup>nd</sup> day of May, 2012.

**APPROVED:**

  
\_\_\_\_\_  
Robert J. Schumm, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Jonathan M. Douglass, City Clerk

**APPROVED AS TO FORM AND LEGALITY:**

  
\_\_\_\_\_  
Toni R. Wheeler, City Attorney



RESOLUTION NO. 6973

A RESOLUTION OF THE CITY OF LAWRENCE, KANSAS, DECLARING THAT ON THAT CERTAIN REAL PROPERTY, COMMONLY KNOWN AS 1106 RHODE ISLAND STREET, LAWRENCE, DOUGLAS COUNTY, KANSAS, THERE EXIST CONDITIONS THAT ARE INJURIOUS TO THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY, DIRECTING THAT THE OWNER OF SAID REAL PROPERTY SHALL ALLEVIATE SUCH CONDITIONS BY JULY 17, 2012, AUTHORIZING THE PUBLIC OFFICER TO ABATE SUCH CONDITIONS IN THE EVENT THAT THE OWNER FAILS TO DO SO, AND PROVIDING THAT THE COSTS AND EXPENSES OF ANY SUCH ABATEMENT BE ASSESSED AGAINST THE OWNER IN THE MANNER PROVIDED BY LAW, ALL IN ACCORDANCE WITH CHAPTER IX, ARTICLE 6 OF THE CODE OF THE CITY OF LAWRENCE, 2011 EDITION, AND AMENDMENTS THERETO.

**WHEREAS**, pursuant to the provisions of the City's Environmental Code, Chapter IX, Article 6 of the Code of the City of Lawrence, Kansas, 2011 Edition, and amendments thereto, the public officer has determined that certain conditions, injurious to the health, safety, and welfare of the community, exist upon that certain real property ("the subject property"), commonly known as 1106 Rhode Island Street, Lawrence, Douglas County, Kansas, the legal description of which is set forth at Section 2, *infra*;

**WHEREAS**, in accordance with Chapter IX, Article 6, Section 9-607 of the Code of the City of Lawrence, Kansas, 2011 Edition, and amendments thereto, the public officer served the owner of record of the subject property with a Notice of Violation, detailing the existence of conditions, injurious to the health, safety, and welfare of the community, and granting the owner of record a reasonable time within which to alleviate the alleged conditions;

**WHEREAS**, the owner of record of the subject property has neither alleviated the alleged violations in a timely manner nor requested a hearing before the Community Development Advisory Committee within the time allotted by Chapter IX, Article 6, Section 9-607 of the Code of the City of Lawrence, Kansas, 2011 Edition; and

**WHEREAS**, at its May 15, 2012, public meeting, in accordance with Chapter IX, Article 6, Section 9-609 of the Code of the City of Lawrence, Kansas, 2011 Edition, the Governing Body considered the abatement of those conditions, injurious to the health, safety, and welfare of the community, existing on the subject property.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:**

**SECTION 1.** The above-stated recitals are incorporated herein by reference and shall be as effective as if set forth in full.

**SECTION 2.** The Governing Body finds that conditions, injurious to the health, safety, and welfare of the community, exist on that real property, commonly known as 1106 Rhode Island Street, Lawrence, Douglas County, Kansas, and bearing the following legal description, to-wit:

LOTS 118 & 120 ON RHODE ISLAND STREET IN THE ORIGINAL TOWNSITE OF THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, commonly known as 1106 Rhode Island Street.

**SECTION 3.** The Governing Body finds that the following conditions, injurious to the health, safety, and welfare of the community, exist on the subject property:

Miscellaneous items including but not limited to tools, brush/yard waste, scrap metal, wood products, car parts, debris, and abandoned motor vehicles scattered throughout the front, side, and rear yards of the property.

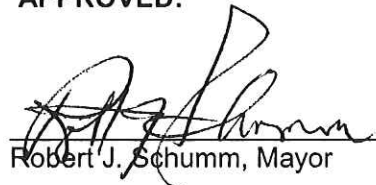
**SECTION 4.** The Governing Body hereby orders the owner of the subject property, or his or her agent, to alleviate the conditions described in Section 3, *supra*, no later than July 17, 2012, by removing all items stored in the front, side, and rear yards of the subject property and by properly disposing of such items.

**SECTION 5.** If the owner of the subject property or his or her agent fails to alleviate the above-described conditions by July 17, 2012, then the Governing Body hereby directs the public officer to abate said conditions and to assess the costs and expenses incurred by such abatement to the owner of the subject property, all in accordance with Chapter IX, Article 6, Section 9-613 of the Code of the City of Lawrence, Kansas, 2011 Edition, and amendments thereto.

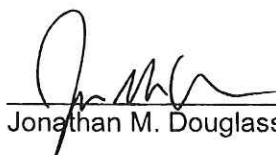
**SECTION 6.** The public officer shall serve a copy of this Resolution on the owner of the subject property in accordance with by Chapter IX, Article 6, Section 9-609 of the Code of the City of Lawrence, Kansas, 2011 Edition, and amendments thereto.

**PASSED** by the Governing Body of the City of Lawrence, Kansas, this 22<sup>nd</sup> day of May, 2012.

**APPROVED:**

  
\_\_\_\_\_  
Robert J. Schumm, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Jonathan M. Douglass, City Clerk

**APPROVED AS TO FORM AND LEGALITY:**

  
\_\_\_\_\_  
Toni R. Wheeler, City Attorney

# Memorandum

## City of Lawrence

### Planning & Development Services

**TO:** David L. Corliss, City Manager

**FROM:** Brian L. Jimenez, Code Enforcement Manager

**CC:** Scott McCullough, Director Planning & Development Services

**Date:** March 6, 2012

**RE:** 1106 Rhode Island St.

#### **Action Requested**

Adopt Resolution No. 6964, setting a public hearing date of May 15, 2012, to review the condition of the dilapidated structures located on the property and to consider declaring the structures unsafe and ordering the repair or removal within a specified period of time.

#### **Background**

The property is a corner lot located at the southeast corner of 11<sup>th</sup> St. and Rhode Island St. and includes a principal building (white house) and several accessory structures located at rear of the property adjacent to the alley. The property has been owned by the Barland family for many years. The owner of record is Raymond F. Barland, who passed away in 2004. His surviving wife, Emma Barland, lives at 2305 Vermont St., Lawrence, Kansas.

Staff initiated enforcement action in the fall of 2010 by sending Ms. Barland a letter informing her that the property was severely blighted and that repairs and clean up needed to occur. Soon after the letter was sent, Robert and Brian Barland (sons) initiated contact with staff to discuss the property conditions. They informed staff that they were the designated family members who were in control of the property as their mother is not able to assist with the property due to her advanced age.

The brothers informed staff that they would provide a detailed plan of rehabilitation to staff by early spring of 2011. That plan was never provided therefore staff initiated contact in April of 2011. After several meetings with the brothers, a building permit was approved for a minor roof repair to the front porch. The roof was repaired and approved by City inspection staff. Unfortunately, this was the only improvement made to the property as staff continued to monitor the property and did not find any other noticeable improvements taking place. Staff initiated several email inquiries over the summer and fall of 2011 but did not receive any updates.

On January 20, 2012, staff emailed Robert Barland to inform him that staff would begin the process to pursue all avenues provided by law to abate all of the property conditions that are in violation of City code.

On January 23, 2012, staff met with Brian Barland in response to the email. Brian acknowledged that

they had failed to follow through with their promise to staff that they would make significant improvements to the property. Brian stated he would like to have one more opportunity to provide staff with a detailed plan on how they could succeed with the massive undertaking of bringing the property into compliance with all applicable City codes. Staff emailed both brothers a list of questions that staff believed were important to answer to help determine if the brothers could succeed with the rehabilitation and cleanup of the property. A deadline of February 6, 2012 was identified. The deadline passed with no additional correspondence from the brothers.

On February 16, 2012, staff returned a phone call that Brian Barland had placed the day before. Brian informed staff they had completed additional cleanup of the property but he did not go into details on what had been done. Staff told Brian the deadline had passed and that they did not answer the questions that were presented in the email. Brian stated he forgot about the email and that he did not know that staff wanted a response to the questions.

Staff informed Brian that staff has asked for consent to inspect the property on several occasions and that staff had been denied such request. Staff asked if consent would be given. Brian informed staff that they would not give consent to inspect the property. Staff informed Brian that the City would proceed ahead with presenting the property to the City Commission and would seek all legal avenues permitted by law to inspect the property.

On February 21, 2012, staff obtained an administrative search warrant. Staff executed the warrant on February 22, 2012. The following narrative and attached [pictures](#) illustrate staff's discoveries during the inspection of the property.

### **Inspection Findings - House (Interior)**

The principal building (house) was inspected in its entirety in the presence of Brian and Robert Barland. The front porch, as previously mentioned, has a new roof. The porch is still supported by stacked bricks and should be supported by building code compliant piers that would require code compliant footings and an approved attachment to the piers.

The first floor of the house includes a living room, followed by what would be identified as a dining room and then the kitchen at the rear of the structure. There is a small bathroom off of the kitchen. There is a room addition off of the kitchen that is in very poor condition that could be best described as a makeshift storage room.

- **Living room** – Ceiling covering is coming down and there is furniture stored in the room. A chimney is located on the east wall which has an old opening for a vent that is covered by sheet metal.
- **Dining room** – There is a non-functional floor furnace that is vented into the chimney on the west wall of the room. Brian Barland stated this was the only source of heat for the first floor when the house was lived in. There is a large hole in the southeast corner of the ceiling that allows daylight into the room. The stairs to the second floor and to the basement are located in this room.
- **Kitchen** – There is significant ceiling rot which includes a large hole in the southeast corner of the room. Along the south wall of the room the ceiling shows signs of substantial water infiltration and mold.
- **Rear Addition** – This room is severely deteriorated and needs to be demolished. The room is not supported by a foundation but rather makeshift stacks of brick and/or stone. The rear door of the kitchen that leads to this room was secured by kitchen knives.
- **Staircase to 2<sup>nd</sup> floor** – There is crumbling plaster exposing lath wood strips.

- **East Bedroom** – There is daylight showing through on the east wall at the baseboard. The window on the east wall is broken out. There are many areas of the ceiling where the plaster has fallen and has exposed the wood lath.
  - **West Bedroom** – There are several areas where ceiling plaster has fallen down and has exposed the wood lath. There is no heat source for the upstairs as it appears there may have been vented heat appliances into the chimney at one time. The glass pane of the west window is completely gone.
  - **Basement** – Due to the amount of items stored within the basement and the obstacles that staff encountered it was deemed unsafe to attempt to inspect the basement foundation thoroughly.
- It is important to note that staff believes the house will need all new plumbing, electrical and mechanical systems to bring the property up to code to provide a safe and habitable dwelling unit. Additionally, there will mostly likely be structural issues that staff could not view that will need to be addressed. A building permit will need to be obtained to complete the vast majority of work.

### House (Exterior)

- **Foundation** - Overall, the foundation viewed from the exterior did not show significant issues that can often be seen a structure of this age. There were some cracks in the tuck point but that is not usual with stone foundations. Staff did observe large cracks/separation on the north wall near the gas meter.
- **Chimneys** – Staff did not go on the roof but it was apparent that both chimneys need attention as there are bricks that are dislodged.
- **North Wall** – There is wall separation on the wall that extends out from the main wall. This wall is the west wall of the bathroom.
- **Roof** - The entire roof is in very poor condition. It appears there are at least three layers of shingles that are in a deteriorated state. A complete removal and re-roofing will be required per building code. There has been a marginal attempt to install new sheathing paper on the south roof elevation of the kitchen.
- **Rear Addition** – As mentioned, the addition needs to be demolished. The construction is makeshift and there is significant wood rot.
- **East Wall** – There is missing siding and broken out window pane.
- **South Wall** – Window on south wall of kitchen is broken out.

### Yard Conditions

- **Fencing** – Is located along the south, west and north property lines. Fencing overall is dilapidated and was falling down on the south side. This area of fence is now being propped up by wood posts on 45 degree angles. This is only a temporary solution. The fence along the west and north sides is being assisted by metal wire that is holding the fencing up. The north side is failing and is leaning significantly.
- **Miscellaneous Storage** – There is a substantial amount of junk including wood and metal items stored throughout the yard.
- **Vehicle Storage** – There are currently 15 Packard vehicles stored on the property.

### Accessory Structures

- **Small Shed** – Is located on the southeast corner of property. This structure can be best described as "makeshift" in construction. It needs to be demolished.
- **"Lean-to"** – Is immediately north of the makeshift shed and is attached to the south side of the garage structure. The lean-to is in very poor condition and should be demolished.

- **Garage** - Is in poor condition and is a strong candidate to be demolished. Staff could not enter as the doors would not open. Staff did observe the roof to be severely dilapidated as there were numerous large holes where the roof had fallen in. There was also a significant amount of junk items stored within the structure.
- **White Barn** – Is located at the northeast corner of the property. The roof is in need of repair as it appears the roof originally had wood shingles that were at some point in time covered with rolled asphalt roofing. Staff observed the inside of this structure to be full of miscellaneous storage. Staff was able to climb the stairs to the second floor where more storage was found. Staff was not able to inspect the structure for structural integrity as the vast amount of storage prevented staff from entering the floor space of the structure.

### **Staff's Recommendation**

Staff has attempted to work with Brian and Robert Barland in bringing the property into compliance with City codes. They have demonstrated the inability to successfully clean up the property and to commence a substantial rehabilitation of the house. The scope of the blight and dilapidation of the structures located on the property is extensive. As the narrative describes and the pictures confirm, the property is blighted and it will take a monumental effort to bring the property into compliance with all applicable City codes.

It is important to note that the house and accessory structures located on the property are listed on the National Register of Historic Places as contributing structures to the North Rhode Island Street Residential Historic District. Therefore, any demolition order will need to be reviewed by the Historic Resources Commission (HRC) for their approval and/or recommendation. The HRC will review staff's findings at their April 19, 2012 meeting and their opinion on the matter will be presented to the City Commission at the hearing to be held on May 15, 2012.

Staff believes the makeshift shed and the lean-to are beyond repair and both should be demolished immediately. The garage and barn can be spared demolition but much like the house the costs to rehabilitate these two structures will be significant based on the conditions that staff observed.

It is staff's opinion that the house should first be considered to be saved, however; the rehabilitation will be costly as the estimate to be bring the property to minimum code requirements is \$82,459. The detailed cost analysis was provided by Community Development staff. This estimate should be considered the bare minimum costs associated with the rehabilitation as it does not include any repair work that the foundation may require nor does it include any structural issues that staff could not view.

In closing, staff believes that without the appropriate financial resources, a continuous and resilient commitment by the Barland family or a new owner, the property will continue to be a considerable blighting influence on the surrounding neighborhood.

1106 Rhode Island Street, 2/22/2012 (house pictures)



South view, roof, chimneys, broken windows, etc.





Front porch/supports





North view/foundation wall

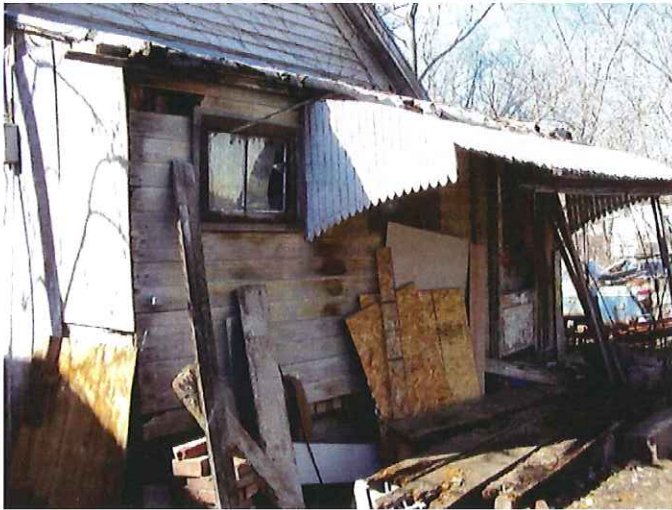


North wall, shows separation between original structure and addition





Rear porch



Interior of house

Kitchen:



Bathroom



Back porch



1<sup>st</sup> Floor – middle living area:



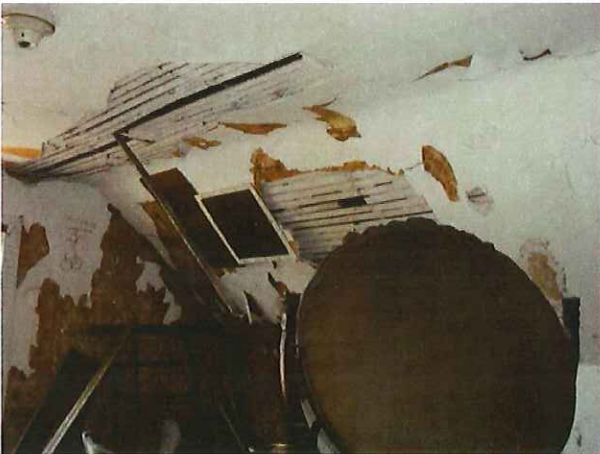
Living room – front room (1<sup>st</sup> floor)



Stairway – to 2<sup>nd</sup> floor:



Front/west bedroom – 2<sup>nd</sup> level:





Bedroom (east) – 2<sup>nd</sup> level



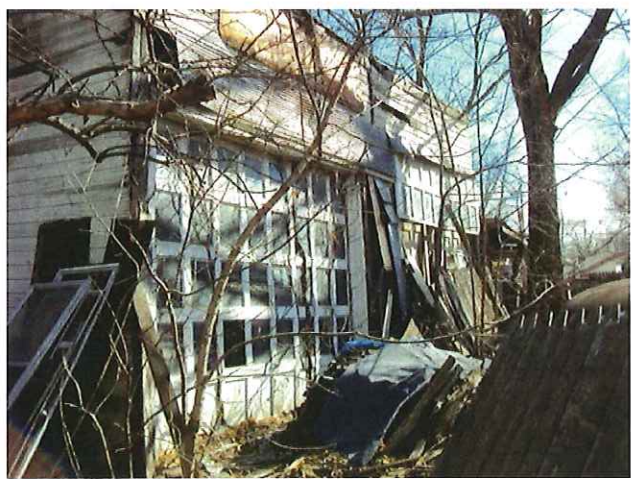
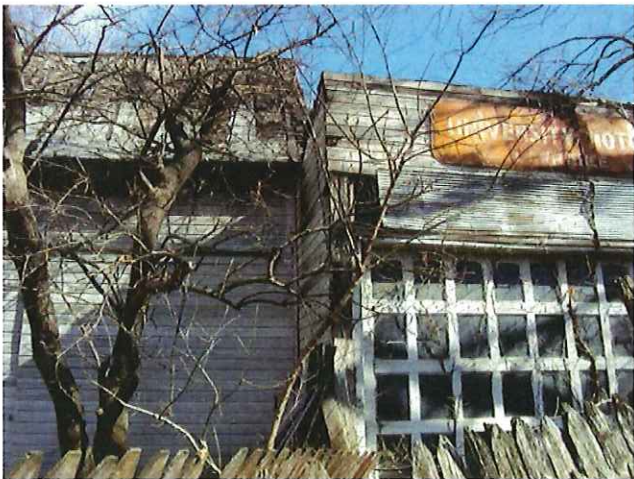
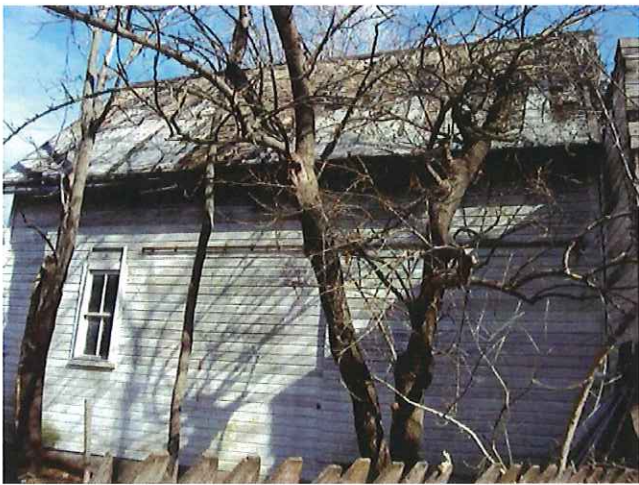
Basement

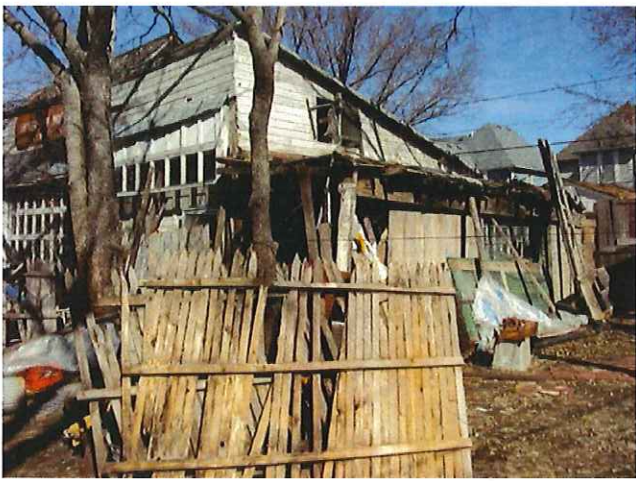


1106 Rhode Island Street, 2/22/2012 - Accessory structures adjacent to alley:



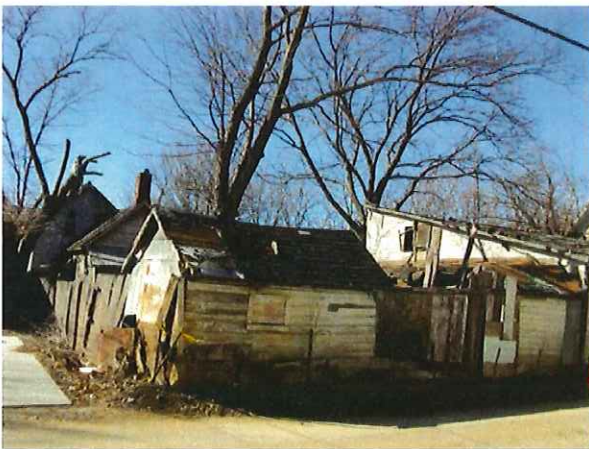
Accessory structures – main (north and east end of property)







Small shed - SE corner of property



1106 Rhode Island Street, 2/22/2012

Misc. storage and abandoned vehicles in rear yard:



# Cost Estimate

3/6/2012

Address: 1106 Rhode Island Street

Unit: Unit 01

Spec #	Spec	Qty	UoM	Unit Price	Total Price
<b>Trade: 1 General Requirements</b>					
0002	GENERAL PROJECT NOTES	1.00	AL	\$0.00	\$0.00
0005	OWNER'S FINISH SELECTIONS & SUBMITTALS	1.00	DU	\$0.00	\$0.00
0030	WALL NAMING PROTOCOLS	1.00	EA	\$0.00	\$0.00
0031	CONSTRUCTION DEFINITIONS	1.00	GR	\$0.00	\$0.00
0032	SUBSTITUTION APPROVAL PROCESS	1.00	GR	\$0.00	\$0.00
0035	VERIFY QUANTITIES/MEASUREMENTS	1.00	GR	\$0.00	\$0.00
0036	BUILDING PERMITS REQUIRED	1.00	EA	\$600.00	\$600.00
0055	WORK TIMES	1.00	GR	\$0.00	\$0.00
0077	NEW MATERIALS REQUIRED	1.00	GR	\$0.00	\$0.00
0080	CODES AND ORDINANCES	1.00	GR	\$0.00	\$0.00
0090	1 YEAR GENERAL WARRANTY	1.00	DU	\$0.00	\$0.00
0120	FINAL CLEAN	8.00	RM	\$20.00	\$160.00

**1 General Requirements Subtotal: \$760.00**

**Trade: 4 Site Work**

0465	REMOVE TREE AND GRIND STUMP	1.00	EA	\$750.00	\$750.00
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**4 Site Work Subtotal: \$750.00**

**Trade: 5 Demolition & Disposal**

0705	DEMO PLASTER	4,250.00	SF	\$1.25	\$5,312.50
0755	DEMO PORCH	112.00	SF	\$2.25	\$252.00
0760	DEMOLISH AND REMOVE	1.00	SF	\$500.00	\$500.00

**5 Demolition & Disposal Subtotal: \$6,064.50**

**Trade: 7 Masonry**

1350	MASONRY CHIMNEY--REBUILD	4.00	LF	\$125.00	\$500.00
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**7 Masonry Subtotal: \$500.00**

**Trade: 9 Environmental Rehab**

9004	PROHIBITED PAINT REMOVAL METHODS	1.00	EA	\$0.00	\$0.00
9007	CLEAN TO CLEARANCE	1,200.00	SF	\$1.25	\$1,500.00
9023	CLEARANCE EXAMINATION	1.00	EA	\$400.00	\$400.00

**9 Environmental Rehab Subtotal: \$1,900.00**



Address: 1106 Rhode Island Street

Unit: Unit 01

Spec #	Spec	Qty	UoM	Unit Price	Total Price
<b>Trade: 10 Carpentry</b>					
2520	HANDRAIL--REPLACE INTERIOR	25.00	LF	\$2.60	\$65.00
2585	SIDING--CLAPBOARD REPLACE	1,600.00	SF	\$5.15	\$8,240.00
2887	WINDOW--WOOD DBL GLZ	16.00	EA	\$465.00	\$7,440.00
3590	STEPS/LANDING--REPL EXTERIOR	1.00	EA	\$480.00	\$480.00
3715	CABINET--WOOD BASE	16.00	LF	\$125.00	\$2,000.00
3725	CABINET--WOOD WALL	16.00	LF	\$100.00	\$1,600.00

**10 Carpentry Subtotal: \$19,825.00**

<b>Trade: 15 Roofing</b>					
4490	ROOF SHEATHING 1/2"	1,100.00	SF	\$1.05	\$1,155.00
4580	TEAR OFF AND REROOF SHINGLES	11.00	SQ	\$250.00	\$2,750.00
4620	FLASH CHIMNEY	1.00	EA	\$60.00	\$60.00
4635	GUTTER--5" SEAMLESS ALUMINUM	106.00	LF	\$6.00	\$636.00
4640	DOWNSPOUT--5" SEAMLESS ALUMINUM	82.00	LF	\$4.00	\$328.00
4665	SPLASH BLOCK	5.00	EA	\$20.00	\$100.00
4755	FASCIA 1"X 6"	110.00	LF	\$3.75	\$412.50

**15 Roofing Subtotal: \$5,441.50**

<b>Trade: 16 Conservation</b>					
4905	INSULATE WALL--R-13 BATT	2,000.00	SF	\$0.55	\$1,100.00
4910	INSULATE WALL--R-19 BATT	1,100.00	SF	\$0.70	\$770.00

**16 Conservation Subtotal: \$1,870.00**

<b>Trade: 17 Drywall &amp; Plaster</b>					
5265	DRYWALL--3/8"	4,250.00	SF	\$1.00	\$4,250.00

**17 Drywall & Plaster Subtotal: \$4,250.00**

<b>Trade: 19 Paint &amp; Wallpaper</b>					
5555	PREP/PAINT KITCHEN--SEMI GLOSS	1.00	RM	\$500.00	\$500.00
5560	PREP & PAINT BATHROOM	1.00	RM	\$350.00	\$350.00
5565	PREP & PAINT VACANT ROOM	5.00	RM	\$300.00	\$1,500.00
5580	PAINT STAIRWELL	1.00	RM	\$300.00	\$300.00
5656	PREP & PAINT EXTERIOR WOOD	1.00	DU	\$4,500.00	\$4,500.00

**19 Paint & Wallpaper Subtotal: \$7,150.00**

Address: 1106 Rhode Island Street

Unit: Unit 01

Spec #	Spec	Qty	UoM	Unit Price	Total Price
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Trade: 20 Floor Coverings

5930	UNDERLAY & VINYL SHEET GOODS	290.00	SF	\$7.10	\$2,059.00
5970	CARPET AND PAD	104.00	SY	\$26.00	\$2,704.00
<b>20 Floor Coverings Subtotal:</b>					<b>\$4,763.00</b>

Trade: 21 HVAC

6035	FURNACE--GAS REPLACE/SIZE TO LOAD	1.00	EA	\$2,000.00	\$2,000.00
6325	HEAT DUCT AND REGISTER	16.00	EA	\$355.00	\$5,680.00
6500	CHIMNEY -- LINER	1.00	EA	\$600.00	\$600.00
<b>21 HVAC Subtotal:</b>					<b>\$8,280.00</b>

Trade: 22 Plumbing

6735	SEWER SERVICE--REPLACE	75.00	LF	\$62.00	\$4,650.00
6835	SINK--DOUBLE BOWL COMPLETE	1.00	EA	\$500.00	\$500.00
6865	FAUCET REPAIR--BATH	1.00	EA	\$40.00	\$40.00
6920	FOOTED TUB FAUCET	1.00	EA	\$170.00	\$170.00
7010	COMMODE--REPLACE	1.00	EA	\$275.00	\$275.00
7070	WATER HEATER--40 GALLON GAS	1.00	EA	\$900.00	\$900.00
7120	DRIPLESS CENTER--WASHER HOOK UP	1.00	EA	\$320.00	\$320.00
7190	WATER SUPPLY--1 BATH HOUSE	1.00	EA	\$4,700.00	\$4,700.00
7210	DRAIN/WASTE/VENT--1 BATH HSE	1.00	DU	\$4,100.00	\$4,100.00
<b>22 Plumbing Subtotal:</b>					<b>\$15,655.00</b>

Trade: 23 Electric

7470	ELECTRIC SERVICE--150 AMP	1.00	EA	\$1,650.00	\$1,650.00
8110	REWIRE TO CODE--PER ROOM	6.00	RM	\$600.00	\$3,600.00
<b>23 Electric Subtotal:</b>					<b>\$5,250.00</b>

Address: 1106 Rhode Island Street Unit: Unit 01 Total: **\$82,459.00**

**Total: \$82,459.00**

# SPECS BY LOCATION/TRADE

3/6/2012

Bidding Open Date: \_\_\_\_\_

Case Number: \_\_\_\_\_

Bidding Close Date: \_\_\_\_\_

Project Manager: \_\_\_\_\_

Initial: \_\_\_\_\_

Phone: \_\_\_\_\_

**Address: 1106 Rhode Island Street** **Unit: Unit 01**

**Location: 1 - General Requirements** Approx. Wall SF: 0 Ceiling/Floor SF: 0

Spec #	Spec	Quantity	Units	Unit Price	Total Price
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**Trade: 1 General Requirements**

<b>0002</b>	<b>GENERAL PROJECT NOTES</b>	1.00	AL		
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Where applicable, owner will choose paint colors, vinyl sheet goods, kitchen cabinet styles and colors, and light fixtures. (see #5 submittals below) Allowances for materials will be as follows:

1. Vinyl sheet goods - \$ 2.00 per square foot.
2. (Reserved)
3. Light fixtures - \$40.00 per fixture.

General Contractor will be responsible for the moving of all furniture and all appliances. The Contractor will be responsible for any damage to furniture and the replacement of all furniture to its original location. Cover all furniture for protection of finish. Also, all carpets will be covered and protected from construction trash.

Owner is responsible for the packing and removal of all small items from walls, cabinets and furniture from the work areas in a timely manner to facilitate protection of personal items and prevent delays in construction schedule.

All construction trash shall be kept cleaned up at all times. All plumbing and electrical work must be done by a licensed plumber and electrician. All work shall meet or exceed city codes of the City of Lawrence. Permits are required and inspections are required by the Building Safety Division of Planning and Development Services, City of Lawrence, KS. The General Contractor is responsible for repairs of wall, ceiling, and floor damage caused by subcontractors.

All equivalent or equal items will have to be approved by a Development Services Department representative, the Contractor, and the homeowner together. NO EXCEPTIONS. Please pay special attention to all parts of the "Specifications by Location and Trade". This document will explain, in more detail, about workmanship and what is expected for a quality job.

<b>0005</b>	<b>OWNER'S FINISH SELECTIONS &amp; SUBMITTALS</b>	1.00	DU		
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All new, replacement or repaired components installed for this project will receive a wear coating appropriate to the location and service of the component. Interiors will include stain & varnish, primer and paint. Exteriors will include stain sealer, prime & paint, metal wrap and siding. The owner shall select finish, colors, styles and types of materials from pre-mixed, in stock options. SUBMITTALS--The General Contractor and property owner shall submit to Community Development division of Planning & Development Services, a copy of the agreed upon colors, styles and types of materials PRIOR to job start.

<b>0030</b>	<b>WALL NAMING PROTOCOLS</b>	1.00	EA		
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Walls and attached components shall be identified with the letters A, B, C, D and so forth. Wall A is always the wall that is closest to the address elevation or the "street side" of the house. Moving clockwise, the walls are then B, C, D, E, etc. To name components, for example, a window as a subset of 4 windows on the D wall, the first window is Window 1D. (facing wall, left to right) The last is window 4D. These locational markers may also be combined with the adjectives: left, right, upper, lower. For example: Patch the upper right side window casing at opening D3.

<b>0031</b>	<b>CONSTRUCTION DEFINITIONS</b>	1.00	GR		
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"Install" means to purchase, set up, test and warrant a new component. "Replace" means to remove and dispose of original material, purchase new material, deliver, install, test and warrant. "Repair" means to return a building component to like new condition through replacement, adjustment and recoating of parts. "Reinstall" means to remove, clean, store and install a component.

<b>0032</b>	<b>SUBSTITUTION APPROVAL PROCESS</b>	1.00	GR		
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Any requests for substitutions of specified proprietary items must accompany the initial proposal and shall include: the manufacturer's specifications; full installation instructions and warranties. Community Development division of Planning &

Address: 1106 Rhode Island Street

Unit: Unit 01

Location: 1 - General Requirements

Approx. Wall SF: 0

Ceiling/Floor SF: 0

Spec #	Spec	Quantity	Units	Unit Price	Total Price
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Trade: 1 General Requirements

Development Services Department, after meeting with the owner will notify the contractor of decision at contract award.

<b>0035</b>	<b>VERIFY QUANTITIES/MEASUREMENTS</b>	1.00	GR	_____	_____
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All measurements (i.e SF of Drywall, or those provided with drawings) are for the contractor's convenience prior to a mandatory site inspection to verify all dimensions. All quantities (i.e.number of window units) are as stated. No claim for additional funds due to discrepancies in measurements or quantities shall be honored if not submitted at the time of the initial proposal.

<b>0036</b>	<b>BUILDING PERMITS REQUIRED</b>	1.00	EA	_____	_____
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The General Contractor is responsible for submitting a copy of this Community Development, Planning and Development Services Department prepared work write up, to the Building Safety Division, applying for, paying for and receiving required permits prior to starting any work. Contractors are responsible for calling for code required inspections, and closing all permits before final inspection and before any payments are made.

<b>0055</b>	<b>WORK TIMES</b>	1.00	GR	_____	_____
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Contractors and their Subcontractors shall schedule working hours between 8:00am and 6:00pm Monday through Friday. Requests to work on weekends and before or after these hours must be approved by the homeowner.

<b>0077</b>	<b>NEW MATERIALS REQUIRED</b>	1.00	GR	_____	_____
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All materials used in connection with this work write-up are to be new, of first quality and without defects - unless stated otherwise or pre-approved by Owner and Community Development division representative.

<b>0080</b>	<b>CODES AND ORDINANCES</b>	1.00	GR	_____	_____
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In the execution of the itemized scope of work, the contractor shall facilitate inspection and comply with all governing codes and ordinances of The City of Lawrence, The County of Douglas, and the State of Kansas pertaining to building construction, zoning, environmental protection, energy efficiency and worker safety.

<b>0090</b>	<b>1 YEAR GENERAL WARRANTY</b>	1.00	DU	_____	_____
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Contractor shall remedy any defect due to faulty material or workmanship and pay for all damage to other work resulting there from, which appear within one year from final payment. Further, General Contractor shall furnish owner with all manufacturers' and suppliers' written warranties covering items furnished under this contract prior to release of the final payment.

<b>0120</b>	<b>FINAL CLEAN</b>	8.00	RM	_____	_____
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Remove from site all construction materials, tools and debris. Sweep clean all exterior work areas. Vacuum all interior work areas, removing all visible dust, stains, labels and tags. Clean all windows referenced in specifications.

Trade: 9 Environmental Rehab

<b>9004</b>	<b>PROHIBITED PAINT REMOVAL METHODS</b>	1.00	EA	_____	_____
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The following paint removal methods are prohibited on all HUD-funded projects:

- Open flame burning or torching;
- Machine sanding or grinding without a HEPA local exhaust control;
- Abrasive blasting or sandblasting without a HEPA local exhaust control;
- Heat guns operating above 1,100 degrees Fahrenheit or charring the paint;
- Dry sanding or dry scraping except: dry scraping in conjunction with heat guns within one (1) foot of electrical outlets, or below the deminimus; and
- On site chemical paint removal in a poorly ventilated space using a volatile stripper that is a hazardous substance in accordance with regulations of the Consumer Product Safety Commission and/or a hazards chemical in accordance with the Occupational Safety and Health Administration.

<b>9007</b>	<b>CLEAN TO CLEARANCE</b>	1,200.00	SF	_____	_____
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Prior to final acceptance of the lead hazard reduction work and all rehabilitation work, the property shall be visually inspected for any remaining paint chips, dust and debris and lead dust wipe samples shall be obtained from floors, windows sills and window troughs. The contractor shall re-clean all applicable components and surfaces and pay for all additional clearance dust sampling if any dust sample results exceeded the thresholds of 40 ug/SF for floors, 250 ug/Sf for window sills and 400 ug/SF for window troughs.

<b>9023</b>	<b>CLEARANCE EXAMINATION</b>	1.00	EA	_____	_____
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Address: 1106 Rhode Island Street

Unit: Unit 01

Location: 1 - General Requirements

Approx. Wall SF: 0

Ceiling/Floor SF: 0

Spec #	Spec	Quantity	Units	Unit Price	Total Price
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Trade: 9 Environmental Rehab

Using a trained and certified lead paint inspector, a lead hazard risk assessor, or if approved, a sampling technician, one hour after completion of all lead hazard reduction, renovation and maintenance work, conduct a visual assessment for evidence of remaining paint chips, visible dust debris and residue. Randomly select four (4) floors, two (2) window sills and two (2) window troughs to dust wipe test as per protocol in the HUD Guidelines. Submit the dust samples, plus a blank sample, to an EPA-accredited lead analytical laboratory for determination of lead content. Provide the owner, occupants and this agency with the clearance report and a "Notice of Lead Hazard Reduction" within 15 days of achieving final clearance, in accordance with 23 CFR Part 35.

Location Total: \_\_\_\_\_

Location: 2 - Exterior

Approx. Wall SF: 0

Ceiling/Floor SF: 0

Spec #	Spec	Quantity	Units	Unit Price	Total Price
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Trade: 4 Site Work

0465	REMOVE TREE AND GRIND STUMP	1.00	EA	_____	_____
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Cut and remove tree to legal dump. Grind stump to 18" below grade. Install top soil and reseed all disturbed areas.

Trade: 5 Demolition & Disposal

0755	DEMO PORCH	112.00	SF	_____	_____
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Demolish entire porch including roof, columns/posts, deck, railing/walls, substructure, lattice and steps and dispose of in code legal dump. Rake yard clean. Patch trim and siding matching as closely as possible in like kind.

Trade: 7 Masonry

1350	MASONRY CHIMNEY--REBUILD	4.00	LF	_____	_____
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Tear down chimney to below lowest point on roof. Rebuild chimney using new 4" thick solid bricks without cored holes. Color of brick to match existing as close as possible. Chimney to a height required by the New York State Building Code. Install roof flashing, chimney cap and terra cotta flue liner.

Trade: 10 Carpentry

2585	SIDING--CLAPBOARD REPLACE	1,600.00	SF	_____	_____
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Remove damaged siding to the joint over nearest stud. Apply matching pine siding to walls with galvanized nails. Break all seams over studs. Prime ready for top coat.

2887	WINDOW--WOOD DBL GLZ	16.00	EA	_____	_____
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Dispose of window unit. Field measure, order and install a like "in kind" functioning wood, double glazed window and jamb including screen, caulk, interior casing and exterior trim. If applicable, provide snap-in or internal grill to match mullion pattern. Anderson 200 series or equal low maintenance exteriors.

Trade: 15 Roofing

4490	ROOF SHEATHING 1/2"	1,100.00	SF	_____	_____
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Install 1/2" CDX plywood sheathing nailed 8" on center using plywood clips.

4580	TEAR OFF AND REROOF SHINGLES	11.00	SQ	_____	_____
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Remove and dispose of all roofing & defective sheathing. Cut a 1" wide vent at ridge board. Allow for replacement of up to 5 sf of sheathing per 100 sf of roof using pine board or CDX plywood of matching thickness. Install 15 lb felt. Install preformed and pre-finished drip edge, and vent pipe boots. Install a 220 lb, three tab, fiberglass asphalt shingle with a 25 yr warranty. Replace all flashing. Install shingle-over ridge vent. No nail tips or wood splinters should be showing on exposed decking at porches and overhangs. If nails will protrude during normal installation notify homeowner and city representatives before proceeding further.

4620	FLASH CHIMNEY	1.00	EA	_____	_____
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Step flash top and down sides of chimney 1/2" into mortar joints using .027 aluminum or copper. Counter flash completed assembly with aluminum or modified bitumen. Guarantee assembly from leaks for 10 years.

Address: 1106 Rhode Island Street

Unit: Unit 01

Location: 2 - Exterior

Approx. Wall SF: 0

Ceiling/Floor SF: 0

Spec #	Spec	Quantity	Units	Unit Price	Total Price
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Trade: 15 Roofing

4635	<b>GUTTER--5" SEAMLESS ALUMINUM</b> Dispose of gutter. Install 5", K- type, seamless, .027 gauge aluminum gutter to service roof. Color choice by owner.	106.00	LF		
4640	<b>DOWNSPOUT--5" SEAMLESS ALUMINUM</b> Dispose of downspout. Install 5", square, seamless, .027 gauge, aluminum downspout. Strap at least 3' on center. Color choice by owner.	82.00	LF		
4665	<b>SPLASH BLOCK</b> Place concrete or plastic splash block at end of downspout.	5.00	EA		
4755	<b>FASCIA 1"X 6"</b> Install a 1"x 6", #2 pine fascia with bevel cut joints using galvanized finish nails. Caulk over joints, and prime.	110.00	LF		

Trade: 19 Paint & Wallpaper

5656	<b>PREP &amp; PAINT EXTERIOR WOOD</b> Cover ground with drop cloth. Scrape all loose, cracked, peeling and blistered paint. Remove all deteriorated glazing compound. Feather edges and dull gloss with sandpaper. Dispose of chips properly. Mask or remove exterior fixtures. Clean all surfaces to paint manufacturer's requirements. Caulk and fill holes. Reglaze sash where compound is missing. Spot prime and top coat with two coats of two colors (color choice by owners) of 100% acrylic or alkyd-modified latex, semi-gloss. If an airless sprayer is used, the first coat must be brushed or rolled into the surface to promote good adhesion. Where gutters and downspouts are to remain, painting of these should be included. Removal and replacement of storm windows should be included. Painting of wood shutters should be included. All thresholds, porch floors and stair treads should have two coats of high quality floor and deck enamel (color choice by owner) applied per manufacturer's recommendations.	1.00	DU		
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Location Total: \_\_\_\_\_

Location: 3 - Whole House

Approx. Wall SF: 0

Ceiling/Floor SF: 0

Spec #	Spec	Quantity	Units	Unit Price	Total Price
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Trade: 16 Conservation

4905	<b>INSULATE WALL--R-13 BATT</b> Staple 3-1/2" thick, R-13, foil faced fiberglass roll insulation to studs per manufacturer's specifications.	2,000.00	SF		
4910	<b>INSULATE WALL--R-19 BATT</b> Staple 6" thick, R-19, foil faced fiberglass wall insulation to studs per manufacturer's specifications.	1,100.00	SF		

Trade: 21 HVAC

6035	<b>FURNACE--GAS REPLACE/SIZE TO LOAD</b> Dispose of furnace in legal dump. Install an intermittent pilot, gas fired, forced air furnace with minimum AFUE rating of 80 to existing plenum and gas line to current code. Size unit for house load. Include new (5-1-1 or 5-2) programmable thermostat, flue pipe and shut-off valve.	1.00	EA		
6500	<b>CHIMNEY -- LINER</b> Install an insulated chimney liner that will support combustion gas venting of existing furnace and water heater.	1.00	EA		

Trade: 22 Plumbing

6735	<b>SEWER SERVICE--REPLACE</b> Replace the sewer line in a manner which will comply with all aspects of the current building code adopted by the City of Lawrence, Kansas. Contractor to apply and pay for all permits, repair concrete cuts. Backfill, seed and mulch disturbed yard areas.	75.00	LF		
7070	<b>WATER HEATER--40 GALLON GAS</b> Install a 40 gallon, glass lined, high recovery, insulated to minimum R-7, gas water heater with a 6 year warranty. Include	1.00	EA		

Address: 1106 Rhode Island Street

Unit: Unit 01

Location: 3 - Whole House

Approx. Wall SF: 0

Ceiling/Floor SF: 0

Spec #	Spec	Quantity	Units	Unit Price	Total Price
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Trade: 22 Plumbing

pressure and temperature relief valve, discharge tube to within 6" of floor or to outside of structure, vent, thimble, and gas piping from shut-off valve to fixture. Dispose of old water heater in code legal dump.

7120	<b>DRIPLESS CENTER--WASHER HOOK UP</b>	1.00	EA		
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Install PVC stand pipe, hot and cold hose connections, and 20 amp outlet on a separate circuit to service a washing machine.

7190	<b>WATER SUPPLY--1 BATH HOUSE</b>	1.00	EA		
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Remove all water supply from meter on, to code legal dump. Install type M copper supply lines with 3/4" main, 1/2" fixture grouping trunk, and 3/8" individual supply lines to service one 3-piece bath, kitchen & laundry area. Installation shall be complete, code compliant, fully usable, and include shut-off valves, chromed fixture supply lines & air gaps.

7210	<b>DRAIN/WASTE/VENT--1 BATH HSE</b>	1.00	DU		
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Remove all drain, waste and wet vent lines to code legal dump. Install schedule 40 PVC or cast iron DWV lines to service one 3-piece bath, kitchen and laundry area from the foundation perimeter to roof vent terminus.

Trade: 23 Electric

7470	<b>ELECTRIC SERVICE--150 AMP</b>	1.00	EA		
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Dispose of old electric service to code legal dump. Install a residential, 150 amp, single phase, 3 wire electric service. Include a main disconnect, 30 circuit panel board, meter socket, weather head, service cable, and ground rod and cable. Caulk exterior service penetration.

8110	<b>REWIRE TO CODE--PER ROOM</b>	6.00	RM		
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Rewire unit to current National Electric Code including but not limited to: surface mount GFI in bathroom & kitchen; 15 amp grounded receptacles on all usable walls; switched lights in all halls, kitchens, bathrooms and furnace areas; hard wired smoke detectors; cover plates; counter receptacles; and circuits. Fish all wire and repair all tear out. Does not include service entrance.

Location Total: \_\_\_\_\_

Location: 4 - Living Room

Approx. Wall SF: 480

Ceiling/Floor SF: 224

Spec #	Spec	Quantity	Units	Unit Price	Total Price
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Trade: 5 Demolition & Disposal

0705	<b>DEMO PLASTER</b>	700.00	SF		
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Seal doorways with 4 mil. plastic flaps. Protect floors with plywood over 4 mil. plastic or cloth tarps. Remove plaster lath and nails from walls & ceilings using half-mask respirators. Vacuum room prior to completing additional tasks.

Trade: 17 Drywall & Plaster

5265	<b>DRYWALL--3/8"</b>	700.00	SF		
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Hang, tape and 3 coat finish 3/8" drywall. Glue each framing member and screw or nail 8" on center. Run boards with long dimension horizontal. Sand ready for paint.

Trade: 19 Paint & Wallpaper

5565	<b>PREP &amp; PAINT VACANT ROOM</b>	1.00	RM		
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Remove/cover all hardware, fixtures not to be painted. Wet scrape loose, cracked, peeling, blistered surfaces. Feather edges & dull gloss surfaces with sandpaper. Clean all surfaces with TSP. Spot prime and top coat trim, ceiling, walls, doors & windows with owner's choice of premixed acrylic latex. Include any closets.

Trade: 20 Floor Coverings

5970	<b>CARPET AND PAD</b>	25.00	SY		
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Install FHA approved, nylon, plush carpet over a 1/2" medium density rebond pad w/ a minimum of seams. Stretch carpet to eliminate puckers, scallops & ripples. Include tackless strips, metal edge strips, and mending tape to cover entire floor including closets. On stairs, fasten carpet and pad at top and bottom of each riser. Owner's choice of stock color and

Address: 1106 Rhode Island Street

Unit: Unit 01

Location: 4 - Living Room

Approx. Wall SF: 480

Ceiling/Floor SF: 224

Spec #	Spec	Quantity	Units	Unit Price	Total Price
Trade: 20	Floor Coverings				
	pattern.				
Trade: 21	HVAC				
6325	HEAT DUCT AND REGISTER	1.00	EA		
	Install low velocity insulated metal duct work from main trunk to floor or wall register.				

Location Total: \_\_\_\_\_

Location: 5 - Den

Approx. Wall SF: 504

Ceiling/Floor SF: 196

Spec #	Spec	Quantity	Units	Unit Price	Total Price
Trade: 5	Demolition & Disposal				
0705	DEMO PLASTER	700.00	SF		
	Seal doorways with 4 mil. plastic flaps. Protect floors with plywood over 4 mil. plastic or cloth tarps. Remove plaster lath and nails from walls & ceilings using half-mask respirators. Vacuum room prior to completing additional tasks.				
Trade: 17	Drywall & Plaster				
5265	DRYWALL--3/8"	700.00	SF		
	Hang, tape and 3 coat finish 3/8" drywall. Glue each framing member and screw or nail 8" on center. Run boards with long dimension horizontal. Sand ready for paint.				
Trade: 19	Paint & Wallpaper				
5565	PREP & PAINT VACANT ROOM	1.00	RM		
	Remove/cover all hardware, fixtures not to be painted. Wet scrape loose, cracked, peeling, blistered surfaces. Feather edges & dull gloss surfaces with sandpaper. Clean all surfaces with TSP. Spot prime and top coat trim, ceiling, walls, doors & windows with owner's choice of premixed acrylic latex. Include any closets.				
Trade: 20	Floor Coverings				
5970	CARPET AND PAD	22.00	SY		
	Install FHA approved, nylon, plush carpet over a 1/2" medium density rebond pad w/ a minimum of seams. Stretch carpet to eliminate puckers, scallops & ripples. Include tackless strips, metal edge strips, and mending tape to cover entire floor including closets. On stairs, fasten carpet and pad at top and bottom of each riser. Owner's choice of stock color and pattern.				
Trade: 21	HVAC				
6325	HEAT DUCT AND REGISTER	1.00	EA		
	Install low velocity insulated metal duct work from main trunk to floor or wall register.				

Location Total: \_\_\_\_\_

Location: 6 - Bathroom

Approx. Wall SF: 208

Ceiling/Floor SF: 40

Spec #	Spec	Quantity	Units	Unit Price	Total Price
Trade: 5	Demolition & Disposal				
0705	DEMO PLASTER	250.00	SF		
	Seal doorways with 4 mil. plastic flaps. Protect floors with plywood over 4 mil. plastic or cloth tarps. Remove plaster lath and nails from walls & ceilings using half-mask respirators. Vacuum room prior to completing additional tasks.				
Trade: 17	Drywall & Plaster				
5265	DRYWALL--3/8"	250.00	SF		



**Address: 1106 Rhode Island Street** **Unit: Unit 01**

**Location: 6 - Bathroom** **Approx. Wall SF: 208** **Ceiling/Floor SF: 40**

Spec #	Spec	Quantity	Units	Unit Price	Total Price
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**Trade: 17 Drywall & Plaster**

Hang, tape and 3 coat finish 3/8" drywall. Glue each framing member and screw or nail 8" on center. Run boards with long dimension horizontal. Sand ready for paint.

**Trade: 19 Paint & Wallpaper**

**5560 PREP & PAINT BATHROOM** 1.00 RM \_\_\_\_\_  
Remove/cover all hardware and fixtures not to be painted. Wet scrape all loose cracked, peeling blistered surfaces. Clean surfaces with TSP. Fill all holes and cracks. Spot prime with acrylic latex. Apply top coat of owner's choice of premixed acrylic latex semi-gloss.

**Trade: 20 Floor Coverings**

**5930 UNDERLAY & VINYL SHEET GOODS** 40.00 SF \_\_\_\_\_  
Install 5/16" underlayment grade plywood, using 7d screw shank or cement coated nails, 6" on center allowing a 1/4" gap at wall. Install 070" thick, backed vinyl sheet goods w/ minimum seams, per manufacturer's recommendations. Caulk edges of vinyl w/clear silicone caulk to create positive seal. Install metal edge strips in openings & shoe molding or 4" vinyl base around perimeter.

**Trade: 21 HVAC**

**6325 HEAT DUCT AND REGISTER** 1.00 EA \_\_\_\_\_  
Install low velocity insulated metal duct work from main trunk to floor or wall register.

**Trade: 22 Plumbing**

**6865 FAUCET REPAIR--BATH** 1.00 EA \_\_\_\_\_  
Inspect valve seat, and grind until level or replace. Replace washers or rings and repack stem to refurbish faucet.

**6920 FOOTED TUB FAUCET** 1.00 EA \_\_\_\_\_  
Install dual control, "gooseneck" type metal faucet on free standing tub.

**7010 COMMODE--REPLACE** 1.00 EA \_\_\_\_\_  
Install 2 piece, close coupled, white, vitreous china, water saving commode made by American Standard, or equal. Include plastic or pressed wood white seat, supply pipe, shut-off valve, flap valve and wax seal. Allow for floor flange replacement if necessary. Use 14" rough-in when replacing wall hung commode, and 12" rough-in to replace close coupled commode.

**Location Total:** \_\_\_\_\_

**Location: 7 - Dining Room** **Approx. Wall SF: 342** **Ceiling/Floor SF: 88**

Spec #	Spec	Quantity	Units	Unit Price	Total Price
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**Trade: 5 Demolition & Disposal**

**0705 DEMO PLASTER** 450.00 SF \_\_\_\_\_  
Seal doorways with 4 mil. plastic flaps. Protect floors with plywood over 4 mil. plastic or cloth tarps. Remove plaster lath and nails from walls & ceilings using half-mask respirators. Vacuum room prior to completing additional tasks.

**Trade: 17 Drywall & Plaster**

**5265 DRYWALL--3/8"** 450.00 SF \_\_\_\_\_  
Hang, tape and 3 coat finish 3/8" drywall. Glue each framing member and screw or nail 8" on center. Run boards with long dimension horizontal. Sand ready for paint.

**Trade: 19 Paint & Wallpaper**

**5565 PREP & PAINT VACANT ROOM** 1.00 RM \_\_\_\_\_  
Remove/cover all hardware, fixtures not to be painted. Wet scrape loose, cracked, peeling, blistered surfaces. Feather edges & dull gloss surfaces with sandpaper. Clean all surfaces with TSP. Spot prime and top coat trim, ceiling, walls, doors & windows with owner's choice of premixed acrylic latex. Include any closets.

Address: 1106 Rhode Island Street

Unit: Unit 01

Location: 7 - Dining Room

Approx. Wall SF: 342

Ceiling/Floor SF: 88

Spec #	Spec	Quantity	Units	Unit Price	Total Price
Trade: 19	Paint & Wallpaper				
Trade: 20	Floor Coverings				
5930	UNDERLAY & VINYL SHEET GOODS	100.00	SF		
Install 5/16" underlayment grade plywood, using 7d screw shank or cement coated nails, 6" on center allowing a 1/4" gap at wall. Install 070" thick, backed vinyl sheet goods w/ minimum seams, per manufacturer's recommendations. Caulk edges of vinyl w/clear silicone caulk to create positive seal. Install metal edge strips in openings & shoe molding or 4" vinyl base around perimeter.					
Trade: 21	HVAC				
6325	HEAT DUCT AND REGISTER	1.00	EA		
Install low velocity insulated metal duct work from main trunk to floor or wall register.					
<b>Location Total:</b>					

Location: 8 - Kitchen

Approx. Wall SF: 450

Ceiling/Floor SF: 144

Spec #	Spec	Quantity	Units	Unit Price	Total Price
Trade: 5	Demolition & Disposal				
0705	DEMO PLASTER	600.00	SF		
Seal doorways with 4 mil. plastic flaps. Protect floors with plywood over 4 mil. plastic or cloth tarps. Remove plaster lath and nails from walls & ceilings using half-mask respirators. Vacuum room prior to completing additional tasks.					
Trade: 10	Carpentry				
3715	CABINET--WOOD BASE	16.00	LF		
Replace base cabinets. Install base cabinet with doors of solid birch or ash stiles and veneered plywood panels. Frame with solid birch or ash stiles, 1/4" veneered plywood sides and metal or plastic corner bracing. Drawers shall be made of wood or composition material. Owner's choice of two in-stock designs.					
3725	CABINET--WOOD WALL	16.00	LF		
Replace wall cabinets. Field measure and screw to studs, level and plumb, kitchen wall cabinet. Door to have solid wood stiles and plywood panels. Frame to have solid wood stiles, 1/4" plywood sides, metal or plastic corner bracing.					
Trade: 17	Drywall & Plaster				
5265	DRYWALL--3/8"	600.00	SF		
Hang, tape and 3 coat finish 3/8" drywall. Glue each framing member and screw or nail 8" on center. Run boards with long dimension horizontal. Sand ready for paint.					
Trade: 19	Paint & Wallpaper				
5555	PREP/PAINT KITCHEN--SEMI GLOSS	1.00	RM		
Remove/cover all hardware, fixtures not to be painted. Wet scrape loose, cracked, peeling, blistered surfaces. Feather edges & dull gloss surfaces w/sandpaper. Clean all surfaces with TSP. Fill all holes/cracks. Spot prime with acrylic latex. Apply top coat of owner's choice of premixed acrylic latex semi-gloss. Include any closets.					
Trade: 20	Floor Coverings				
5930	UNDERLAY & VINYL SHEET GOODS	150.00	SF		
Install 5/16" underlayment grade plywood, using 7d screw shank or cement coated nails, 6" on center allowing a 1/4" gap at wall. Install 070" thick, backed vinyl sheet goods w/ minimum seams, per manufacturer's recommendations. Caulk edges of vinyl w/clear silicone caulk to create positive seal. Install metal edge strips in openings & shoe molding or 4" vinyl base around perimeter.					
Trade: 21	HVAC				
6325	HEAT DUCT AND REGISTER	10.00	EA		

Address: 1106 Rhode Island Street

Unit: Unit 01

Location: 8 - Kitchen

Approx Wall SF: 450

Ceiling/Floor SF: 144

Spec #	Spec	Quantity	Units	Unit Price	Total Price
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Trade: 21 HVAC

Install low velocity insulated metal duct work from main trunk to floor or wall register.

Trade: 22 Plumbing

6835 SINK--DOUBLE BOWL COMPLETE

1.00 EA

Install a 33" x 22" x 7" double bowl, stainless steel, self rimming kitchen sink including a single control, metal bodied faucet with a "limited lifetime function and finish warranty" American Standard or equal and maximum flow of 2 gallons per minute, trap, supply lines, and shut-off valves.

Location Total: \_\_\_\_\_

Location: 9 - Rear Porch

Approx Wall SF: 322

Ceiling/Floor SF: 112

Spec #	Spec	Quantity	Units	Unit Price	Total Price
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Trade: 5 Demolition & Disposal

0760 DEMOLISH AND REMOVE

1.00 SF

Demolish specified portion of structure and dispose of debris from property to code legal dump.

Trade: 10 Carpentry

3590 STEPS/LANDING--REPL EXTERIOR

1.00 EA

Dispose of existing steps and landing. Construct a replacement unit with two 2"x 12" preservative treated pine stringers, 5/4" PTP stepping stock treads, on a solid concrete footer. Frame stairs 3' wide connecting to a 5'x 6' landing, of 2"x 6"s and 2"x 4" deck. Construct a wood handrail on one side 32" above tread nosing.

Location Total: \_\_\_\_\_

Location: 10 - Bedroom front

Approx Wall SF: 392

Ceiling/Floor SF: 192

Spec #	Spec	Quantity	Units	Unit Price	Total Price
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Trade: 5 Demolition & Disposal

0705 DEMO PLASTER

600.00 SF

Seal doorways with 4 mil. plastic flaps. Protect floors with plywood over 4 mil. plastic or cloth tarps. Remove plaster lath and nails from walls & ceilings using half-mask respirators. Vacuum room prior to completing additional tasks.

Trade: 17 Drywall & Plaster

5265 DRYWALL--3/8"

600.00 SF

Hang, tape and 3 coat finish 3/8" drywall. Glue each framing member and screw or nail 8" on center. Run boards with long dimension horizontal. Sand ready for paint.

Trade: 19 Paint & Wallpaper

5565 PREP & PAINT VACANT ROOM

1.00 RM

Remove/cover all hardware, fixtures not to be painted. Wet scrape loose, cracked, peeling, blistered surfaces. Feather edges & dull gloss surfaces with sandpaper. Clean all surfaces with TSP. Spot prime and top coat trim, ceiling, walls, doors & windows with owner's choice of premixed acrylic latex. Include any closets.

Trade: 20 Floor Coverings

5970 CARPET AND PAD

23.00 SY

Install FHA approved, nylon, plush carpet over a 1/2" medium density rebond pad w/ a minimum of seams. Stretch carpet to eliminate puckers, scallops & ripples. Include tackless strips, metal edge strips, and mending tape to cover entire floor including closets. On stairs, fasten carpet and pad at top and bottom of each riser. Owner's choice of stock color and pattern.

Address: 1106 Rhode Island Street

Unit: Unit 01

Location: 10 - Bedroom front

Approx Wall SF: 392

Ceiling/Floor SF: 192

Spec #	Spec	Quantity	Units	Unit Price	Total Price
Trade: 20	Floor Coverings				
Trade: 21	HVAC				
6325	HEAT DUCT AND REGISTER	1.00	EA		
Install low velocity insulated metal duct work from main trunk to floor or wall register.					
<b>Location Total:</b>					

Location: 11 - Bedroom Rear

Approx Wall SF: 392

Ceiling/Floor SF: 192

Spec #	Spec	Quantity	Units	Unit Price	Total Price
Trade: 5	Demolition & Disposal				
0705	DEMO PLASTER	600.00	SF		
Seal doorways with 4 mil. plastic flaps. Protect floors with plywood over 4 mil. plastic or cloth tarps. Remove plaster lath and nails from walls & ceilings using half-mask respirators. Vacuum room prior to completing additional tasks.					
Trade: 17	Drywall & Plaster				
5265	DRYWALL--3/8"	600.00	SF		
Hang, tape and 3 coat finish 3/8" drywall. Glue each framing member and screw or nail 8" on center. Run boards with long dimension horizontal. Sand ready for paint.					
Trade: 19	Paint & Wallpaper				
5565	PREP & PAINT VACANT ROOM	1.00	RM		
Remove/cover all hardware, fixtures not to be painted. Wet scrape loose, cracked, peeling, blistered surfaces. Feather edges & dull gloss surfaces with sandpaper. Clean all surfaces with TSP. Spot prime and top coat trim, ceiling, walls, doors & windows with owner's choice of premixed acrylic latex. Include any closets.					
Trade: 20	Floor Coverings				
5970	CARPET AND PAD	22.00	SY		
Install FHA approved, nylon, plush carpet over a 1/2" medium density rebond pad w/ a minimum of seams. Stretch carpet to eliminate puckers, scallops & ripples. Include tackless strips, metal edge strips, and mending tape to cover entire floor including closets. On stairs, fasten carpet and pad at top and bottom of each riser. Owner's choice of stock color and pattern.					
Trade: 21	HVAC				
6325	HEAT DUCT AND REGISTER	1.00	EA		
Install low velocity insulated metal duct work from main trunk to floor or wall register.					
<b>Location Total:</b>					

Location: 12 - Stairs

Approx Wall SF: 272

Ceiling/Floor SF: 42

Spec #	Spec	Quantity	Units	Unit Price	Total Price
Trade: 5	Demolition & Disposal				
0705	DEMO PLASTER	350.00	SF		
Seal doorways with 4 mil. plastic flaps. Protect floors with plywood over 4 mil. plastic or cloth tarps. Remove plaster lath and nails from walls & ceilings using half-mask respirators. Vacuum room prior to completing additional tasks.					
Trade: 10	Carpentry				
2520	HANDRAIL--REPLACE INTERIOR	25.00	LF		
Install 2" round hardwood handrail with braces screwed to studs and handrail.					

Address: 1106 Rhode Island Street

Unit: Unit 01

Location: 12 - Stairs

Approx. Wall SF: 272

Ceiling/Floor SF: 42

Spec #	Spec	Quantity	Units	Unit Price	Total Price
<b>Trade: 10 Carpentry</b>					
<b>Trade: 17 Drywall &amp; Plaster</b>					
5265	<b>DRYWALL--3/8"</b> Hang, tape and 3 coat finish 3/8" drywall. Glue each framing member and screw or nail 8" on center. Run boards with long dimension horizontal. Sand ready for paint.	350.00	SF		
<b>Trade: 19 Paint &amp; Wallpaper</b>					
5580	<b>PAINT STAIRWELL</b> Remove/cover all hardware, fixtures not to be painted. Wet scrape loose, cracked, peeling, blistered surfaces. Feather edges & dull gloss surfaces with sandpaper. Clean all surfaces with TSP. Spot prime and top coat trim, ceiling, walls, doors & windows with owner's choice of premixed acrylic latex.	1.00	RM		
<b>Trade: 20 Floor Coverings</b>					
5970	<b>CARPET AND PAD</b> Install FHA approved, nylon, plush carpet over a 1/2" medium density rebond pad w/ a minimum of seams. Stretch carpet to eliminate puckers, scallops & ripples. Include tackless strips, metal edge strips, and mending tape to cover entire floor including closets. On stairs, fasten carpet and pad at top and bottom of each riser. Owner's choice of stock color and pattern.	12.00	SY		

Location Total: \_\_\_\_\_

Unit Total for 1106 Rhode Island Street, Unit Unit 01: \_\_\_\_\_

Address Grand Total for 1106 Rhode Island Street: \_\_\_\_\_

Bidder: \_\_\_\_\_

## **Bobbie Walthall**

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**To:** Brian Jimenez  
**Subject:** RE: 1106 Rhode Island Update

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**From:** BBarl57849@aol.com [mailto:BBarl57849@aol.com]  
**Sent:** Monday, May 14, 2012 7:44 AM  
**To:** Brian Jimenez  
**Cc:** Julie Wyatt; rlbardland@yahoo.com  
**Subject:** 1106 Rhode Island Update

Mr. Brian Jimenez,

We have been very busy at the property the last 45-60 days, as I'm sure you are aware. This had included moving, sorting and disposing of large quantities of materials and items, both from all the structures as well as from the surrounding yard areas.

This last week we have formalized auction contract agreements with Mark Elston at Elston Auction Company, 785-218-7851. This consists of 2 auctions to be held in the near future. The initial auction is scheduled for May 26th and will concern the vehicles, dimension lumber items, steel and wire scrap as well as a number of other items. The follow up auction is scheduled for June 24th and will concern household items such as chairs, tables, kitchen items and such. Mark Elston has indicated that the way things typically go, everything should be removed and cleaned up within a couple weeks after the auctions, depending on the nature of the items. Most items will be removed fairly immediately to the sale date.

The timing of the auctions was predicated on openings available on weekends, due to the parking nightmare in the area that would have occurred during a weekday auction. Also, who would have thought that now would create such a auction timing backlog. Dates available when we started talking with Mark, were well into the summer. The 26th was really the first opening, and that of course is the start of Memorial day weekend.

We will be preparing for the upcoming auctions in the weeks to come, as well as continuing to improve the conditions at 1106. In the meantime, we are still assessing the structure conditions with other parties as to how we will be proceeding. I have been in touch with several contractors, architectural contacts, engineers and real estate personnel in proceeding with evaluations and decisions. Also, several people/groups have been in contact with us regarding the property.

A common thought has been the pending City Commission meeting on the 15th and the unknown direction those discussions will take. Hopefully, you and the city staff can be supportive of the efforts that we have recently undertaken regarding the property and help to relieve some of the pressures affecting the current situation. This would go a long ways towards making discussions more reasonable and productive. There has been an undercurrent of "this property situation is under severe duress and a decision has to be made within the next few day or we aren't interested" aspect to some of the discussions. I am not saying that we want things to go back to the way they were. We all know that the property needs some attention to return it to a productive and attractive state. It also is a large and potentially very costly project that is 140 years old and we all only get 1 chance with these decisions.

The family will be continuing discussions with interested parties in the coming weeks in regards to exactly how we will be proceeding with the property. Finalization of planning should be nearing completion in correlation with the auction timing of early/mid summer.

Should you have any questions or comments, please contact me.

Brian Barland  
2916 Flint Court  
Lawrence, KS 66047-3925

785-840-7464

# Memorandum

## City of Lawrence

### Planning & Development Services

**TO:** David L. Corliss, City Manager

**FROM:** Brian Jimenez, Code Enforcement Manager

**CC:** Scott McCullough, Director Planning & Development Services

**Date:** May 10, 2012

**RE:** 1106 Rhode Island

#### **Background**

On March 13, 2012, Resolution No. 6964, was adopted by the city commission setting a public hearing date of May 15<sup>th</sup>, 2012, to review staff's findings concerning the condition of the principal building (house) and the accessory structures (shed, garage, barn) located on the property. Staff provided the following pictures dated February 22, 2012, a memo dated March 6, 2012, and a cost analysis of rehabilitating the house for the City Commission to review.

As noted in the above mentioned memo, the house and accessory structures are listed on the National Register of Historic Places as contributing structures to the North Rhode Island Street Residential Historic District. Therefore, Lynne Zollner, Historic Resources Administrator, presented a memo dated April 13, 2012 to the Historic Resources Commission (HRC) at their meeting on April 19, 2012, that outlined staff's findings on the condition of the property as well as staff's recommended actions for HRC to consider. As a result of that meeting, Lynne Zollner provided a follow up memo to staff dated May 8, 2012, that identified HRC's findings on the matter.

It is important to note that a demolition permit would need to be reviewed and approved by HRC due to the structures being listed as contributing structures to the North Rhode Island Street Residential Historic District. Secondly, as noted in the memo dated May 8, 2012, HRC was not asked to conduct the required reviews under the State Preservation Law or Chapter 22 of the Code of the City of Lawrence, nor was the HRC asked to prejudge such required reviews if a permit request to repair or demolish is forthcoming.

Due to the severity of dilapidation of all structures located on the property, staff has prepared Resolution No. 6972 for the city commission to consider adopting which will declare the structures unsafe and dangerous resulting in the repair or demolition of the structures by July 16, 2012.

In addition to the structure violations, staff cited the property for exterior yard violations of the City's Environmental Code and has provided a memo dated May 3, 2012, updated pictures taken on May 9, 2012 and Resolution No. 6973 which orders the yard violations to be resolved. As noted in the memo, staff has learned that Mark Elston has been hired to perform two auctions at the property to remove most if not all of the miscellaneous storage located in the yards, accessory structures and the house.



Staff is recommending the deadline of July 13, 2012 to be set which will allow for the two auctions to be completed.

**Action Requested**

Approve Resolutions No. 6972 and 6973 which will begin the process of resolving all applicable City Code violations located within the property.

# Memorandum

## City of Lawrence

### Planning & Development Services

**TO:** David L. Corliss, City Manager

**FROM:** Brian L. Jimenez, Code Enforcement Manager

**CC:** Scott McCullough, Director Planning & Development Services

**Date:** March 6, 2012

**RE:** 1106 Rhode Island St.

#### **Action Requested**

Adopt Resolution No. 6964, setting a public hearing date of May 15, 2012, to review the condition of the dilapidated structures located on the property and to consider declaring the structures unsafe and ordering the repair or removal within a specified period of time.

#### **Background**

The property is a corner lot located at the southeast corner of 11<sup>th</sup> St. and Rhode Island St. and includes a principal building (white house) and several accessory structures located at rear of the property adjacent to the alley. The property has been owned by the Barland family for many years. The owner of record is Raymond F. Barland, who passed away in 2004. His surviving wife, Emma Barland, lives at 2305 Vermont St., Lawrence, Kansas.

Staff initiated enforcement action in the fall of 2010 by sending Ms. Barland a letter informing her that the property was severely blighted and that repairs and clean up needed to occur. Soon after the letter was sent, Robert and Brian Barland (sons) initiated contact with staff to discuss the property conditions. They informed staff that they were the designated family members who were in control of the property as their mother is not able to assist with the property due to her advanced age.

The brothers informed staff that they would provide a detailed plan of rehabilitation to staff by early spring of 2011. That plan was never provided therefore staff initiated contact in April of 2011. After several meetings with the brothers, a building permit was approved for a minor roof repair to the front porch. The roof was repaired and approved by City inspection staff. Unfortunately, this was the only improvement made to the property as staff continued to monitor the property and did not find any other noticeable improvements taking place. Staff initiated several email inquiries over the summer and fall of 2011 but did not receive any updates.

On January 20, 2012, staff emailed Robert Barland to inform him that staff would begin the process to pursue all avenues provided by law to abate all of the property conditions that are in violation of City code.

On January 23, 2012, Staff met with Brian Barland in response to the email. Brian acknowledged that

they had failed to follow through with their promise to staff that they would make significant improvements to the property. Brian stated he would like to have one more opportunity to provide staff with a detailed plan on how they could succeed with the massive undertaking of bringing the property into compliance with all applicable City codes. Staff emailed both brothers a list of questions that staff believed were important to answer to help determine if the brothers could succeed with the rehabilitation and cleanup of the property. A deadline of February 6, 2012 was identified. The deadline passed with no additional correspondence from the brothers.

On February 16, 2012, Staff returned a phone call that Brian Barland had placed the day before. Brian informed staff they had completed additional cleanup of the property but he did not go into details on what had been done. Staff told Brian the deadline had passed and that they did not answer the questions that were presented in the email. Brian stated he forgot about the email and that he did not know that staff wanted a response to the questions.

Staff informed Brian that staff has asked for consent to inspect the property on several occasions and that staff had been denied such request. Staff asked if consent would be given. Brian informed staff that they would not give consent to inspect the property. Staff informed Brian that the City would proceed ahead with presenting the property to the City Commission and would seek all legal avenues permitted by law to inspect the property.

On February 21, 2012, Staff obtained an administrative search warrant. Staff executed the warrant on February 22, 2012. The following narrative and attached [pictures](#) illustrates staff's discoveries during the inspection of the property.

### **Inspection Findings - House (Interior)**

The principal building (house) was inspected in its entirety in the presence of Brian and Robert Barland. The front porch, as previously mentioned, has a new roof. The porch is still supported by stacked bricks and should be supported by building code compliant piers that would require code compliant footings and an approved attachment to the piers.

The first floor of the house includes a living room, followed by what would be identified as a dining room and then the kitchen at the rear of the structure. There is a small bathroom off of the kitchen. There is an room addition off of the kitchen that is in very poor condition that could be best described as a makeshift storage room.

- **Living room** – Ceiling covering is coming down and there is furniture stored in the room. A chimney is located on the east wall which has an old opening for a vent that is covered by sheet metal.
- **Dining room** – There is a non-functional floor furnace that is vented into the chimney on the west wall of the room. Brian Barland stated this was the only source of heat for the first floor when the house was lived in. There is a large hole in the southeast corner of the ceiling that allows daylight into the room. The stairs to the second floor and to the basement are located in this room.
- **Kitchen** – There is significant ceiling rot which includes a large hole in the southeast corner of the room. Along the south wall of the room the ceiling shows signs of substantial water infiltration and mold.
- **Rear Addition** – This room is severely deteriorated and needs to be demolished. The room is not supported by a foundation but rather makeshift stacks of brick and/or stone. The rear door of the kitchen that leads to this room was secured by kitchen knives.
- **Staircase to 2<sup>nd</sup> floor** – There is crumbling plaster exposing lath wood strips.

- **East Bedroom** – There is daylight showing through on the east wall at the baseboard. The window on the east wall is broken out. There are many areas of the ceiling where the plaster has fallen and has exposed the wood lath.
  - **West Bedroom** – There are several areas where ceiling plaster has fallen down and has exposed the wood lath. There is no heat source for the upstairs as it appears there may have been vented heat appliances into the chimney at one time. The glass pane of the west window is completely gone.
  - **Basement** – Due to the amount of items stored within the basement and the obstacles that staff encountered it was deemed unsafe to attempt to inspect the basement foundation thoroughly.
- It is important to note that staff believes the house will need all new plumbing, electrical and mechanical systems to bring the property up to code to provide a safe and habitable dwelling unit. Additionally, there will mostly likely be structural issues that staff could not view that will need to be addressed. A building permit will need to be obtained to complete the vast majority of work.

### **House (Exterior)**

- **Foundation** - Overall, the foundation viewed from the exterior did not show significant issues that can often be seen a structure of this age. There were some cracks in the tuck point but that is not usual with stone foundations. Staff did observe large cracks/separation on the north wall near the gas meter.
- **Chimneys** – Staff did not go on the roof but it was apparent that both chimneys need attention as there are bricks that are dislodged.
- **North Wall** – There is wall separation on the wall that extends out from the main wall. This wall is the west wall of the bathroom.
- **Roof** - The entire roof is in very poor condition. It appears there is at least three layers of shingles that are in a deteriorated state. A complete removal and re-roofing will be required per building code. There has been a marginal attempt to install new sheathing paper on the south roof elevation of the kitchen.
- **Rear Addition** – As mentioned, the addition needs to be demolished. The construction is makeshift and there is significant wood rot.
- **East Wall** – There is missing siding and broken out window pane.
- **South Wall** – Window on south wall of kitchen is broken out.

### **Yard Conditions**

- **Fencing** – Is located along the south, west and north property lines. Fencing overall is dilapidated and was falling down on the south side. This area of fence is now being propped up by wood posts on 45 degree angles. This is only a temporary solution. The fence along the west and north sides is being assisted by metal wire that is holding the fencing up. The north side is failing and is leaning significantly.
- **Miscellaneous Storage** – There is a substantial amount of junk including wood and metal items stored throughout the yard.
- **Vehicle Storage** – There are currently 15 Packard vehicles stored on the property.

### **Accessory Structures**

- **Small Shed** – Is located on the southeast corner of property. This structure can be best described as “makeshift” in construction. It needs to be demolished.
- **“Lean-to”** – Is immediately north of the makeshift shed and is attached to the south side of the garage structure. The lean-to is in very poor condition and should be demolished.

- **Garage** - Is in poor condition and is a strong candidate to be demolished. Staff could not enter as the doors would not open. Staff did observe the roof to be severely dilapidated as there were numerous large holes where the roof had fallen in. There was also a significant amount of junk items stored within the structure.
- **White Barn** – Is located at the northeast corner of the property. The roof is in need of repair as it appears the roof originally had wood shingles that were at some point in time covered with rolled asphalt roofing. Staff observed the inside of this structure to be full of miscellaneous storage. Staff was able to climb the stairs to the second floor where more storage was found. Staff was not able to inspect the structure for structural integrity as the vast amount of storage prevented staff from entering the floor space of the structure.

### **Staff's Recommendation**

Staff has attempted to work with Brian and Robert Barland in bringing the property into compliance with City codes. They have demonstrated the inability to successfully clean up the property and to commence a substantial rehabilitation of the house. The scope of the blight and dilapidation of the structures located on the property is extensive. As the narrative describes and the pictures confirm, the property is blighted and it will take a monumental effort to bring the property into compliance with all applicable City codes.

It is important to note that the house and accessory structures located on the property are listed on the National Register of Historic Places as contributing structures to the North Rhode Island Street Residential Historic District. Therefore, any demolition order will need to be reviewed by the Historic Resources Commission (HRC) for their approval and/or recommendation. The HRC will review staff's findings at their April 19, 2012 meeting and their opinion on the matter will be presented to the City Commission at the hearing to be held on May 15, 2012.

Staff believes the makeshift shed and the lean-to are beyond repair and both should be demolished immediately. The garage and barn can be spared demolition but much like the house the costs to rehabilitate these two structures will be significant based on the conditions that staff observed.

It is staff's opinion that the house should first be considered to be saved, however; the rehabilitation will be costly as the estimate to bring the property to minimum code requirements is \$82,459.00 dollars. The detailed cost analysis was provided by Community Development staff. This estimate should be considered the bare minimum costs associated with the rehabilitation as it does not include any repair work that the foundation may require nor does it include any structural issues that staff could not view.

In closing, staff believes that without the appropriate financial resources, a continuous and resilient commitment by the Barland family or a new owner, the property will continue to be a considerable blighting influence on the surrounding neighborhood.

# Memorandum

## City of Lawrence

### Planning and Development Services

**TO:** Historic Resources Commission

**FROM:** Lynne Braddock Zollner, Historic Resources Administrator

**CC:** Scott McCullough, Director PDS  
Sheila Stogsdill, Assistant Director Planning  
Brian Jimenez, Code Enforcement Manager

**DATE:** April 13, 2012

**RE:** Item No. 5 1106 Rhode Island Street

- I. **Project/Item Description.** 1106 Rhode Island Street is a contributing structure to the North Rhode Island Street Residential Historic District listed in the National Register of Historic Places. The Lawrence City Commission passed Resolution 6964 to establish a time and place for a public hearing to determine if the property should be condemned and ordered repaired or demolished as unsafe or dangerous. The HRC is being asked to comment on the potential to repair or demolish the structures located at 1106 Rhode Island Street. The HRC is **not** being asked to conduct the required reviews under the State Preservation Law or Chapter 22 of the Code of the City of Lawrence, nor is the HRC being asked to prejudge such required reviews if a permit request to repair or demolish is forth coming.
- II. **History.** The history of the property is included in the attached document by Paul Caviness. The National Register nomination identifies that the dwelling is in very poor condition but that it retains a high degree of integrity. Both the dwelling and outbuildings contribute to the significance of the historic district.
- III. **Status.** The property is in poor condition and the entire property is used for storage. (See attached photos, memo, and rehabilitation costs from Code Enforcement.) The main structure is not secured from the elements and has missing windows. The roof is in very poor condition and there is a separation of the addition from the main structure that allows water into the interior. Staff inspection did not include a full evaluation of the basement due to the amount of stored items in the basement. The foundation appears to be in fair condition. The interior of the structure is in fair to poor condition but appears to maintain character defining features. The enclosed rear porch addition to the main structure is in very poor condition and staff is of the opinion it is not salvageable. The large barn structure on the property appears to be in fair condition. The other

outbuildings are in poor condition and a full assessment was not made due to the amount of storage materials. Overall, staff found the property to be in poor condition but the main structure and the barn maintain sufficient integrity to continue to contribute to the historic district.

IV. **City Commission Resolution 6964.** This resolution sets May 15, 2012 as the public hearing date to determine if the structure is unsafe and dangerous and whether it should be removed or repaired. (See attached resolution.) The HRC is asked to provide information to the City Commission for consideration in their determination.

V. **Funding.** It is important to recognize that these structures are listed in the National Register of Historic Places and the rehabilitation of the structures may be eligible for the Kansas Rehabilitation Tax Credit Program and if the property is to be income producing, the Federal Rehabilitation Tax Credit Program. The State tax credit program would provide a tax credit of 25% for qualified expenditures for the total cost of rehabilitation. Qualified expenditures include the majority of items listed in the rehab cost analysis including new roof, HVAC systems, plumbing, electrical, and all items that will rehabilitate the historic structure. New construction costs and landscaping are not eligible expenses.

If the proposed property is income producing, it would also be eligible for the 20% Federal Rehabilitation Tax Credit program. This program would provide a 20% tax credit on eligible expenses for the overall costs of the rehabilitation of the structures. Again, the major costs items identified in the rehabilitation cost analysis would qualify as expenditures for the credit.

There may also be grant opportunities for the property because it is listed in the National Register.

VI. **Action Request.** Staff recommends the HRC make the following findings, if appropriate, to be forwarded to the City Commission for consideration.

1. The property located at 1106 Rhode Island Street has a rich history that is significant to the history of the City of Lawrence.
2. The main structure and large barn structure located at 1106 Rhode Island Street retain sufficient integrity to continue to be contributing properties to the North Rhode Island Street Residential Historic District.
3. The enclosed rear porch addition on the main structure is in a severely deteriorated state and can be removed without harming the architectural integrity of the listed structure.
4. The garage structure cannot be fully evaluated at this time due to the amount of storage materials located in the structure. The parts of the structure that are visible are severely deteriorated. If this structure was to be rehabilitated it may in fact be a recreation and not a rehabilitation due to the amount of replacement material that would be required to rehabilitate the structure.
5. When evaluating the cost of the rehabilitation of the property, the rehabilitation tax credit programs should be considered.
6. Rehabilitation of significant historic properties, like the structures located at 1106 Rhode Island Street, is always preferred to demolition. Demolition of historic structures is rarely positive for a neighborhood because it destroys the relationships

between the structures, landscape features, and open space, and as a result the overall character of the area is diminished. Rehabilitation retains structures and their relationship to listed properties and the environs of the listed properties. If demolition is approved, it removes the opportunity for a future owner to rehabilitate the existing structures.



# Memorandum

## City of Lawrence

### Planning and Development Services

**TO:** Brian Jimenez, Code Enforcement Manager

**FROM:** Lynne Braddock Zollner, Historic Resources Administrator

**CC:** Scott McCullough, Director PDS  
Sheila Stogsdill, Assistant Director Planning

**DATE:** May 8, 2012

**RE:** 1106 Rhode Island Street

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- II. **HRC Findings.** At their meeting on April 19, 2012, the Lawrence Historic Resources Commission concurred with staff's evaluation that the property located at 1106 Rhode Island Street has a rich history that is significant to the history of the City of Lawrence and made the following findings of fact:
1. The main structure and large barn structure located at 1106 Rhode Island Street retain sufficient integrity to continue to be contributing properties to the North Rhode Island Street Residential Historic District.
  2. The enclosed rear porch addition on the main structure is in a severely deteriorated state and can be removed without harming the architectural integrity of the listed structure.
  3. The garage structure cannot be fully evaluated at this time due to the amount of storage materials located in the structure. The parts of the structure that are visible are severely deteriorated. If this structure was to be rehabilitated it may in fact be a recreation and not a rehabilitation due to the amount of replacement material that would be required to rehabilitate the structure.
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# Memorandum

## City of Lawrence

### Planning & Development Services

**TO:** David L. Corliss, City Manager

**FROM:** Brian Jimenez, Code Enforcement Manager

**CC:** Scott McCullough, Director Planning & Development Services

**Date:** May 3, 2012

**RE:** 1106 Rhode Island – exterior yard violations

#### **Action Requested**

Adopt Resolution No. 6973, declaring the exterior yard conditions at the property to be in violation of section 9- 601 of the city's Environmental Code and ordering the property owner to abate such conditions by July 13, 2012.

#### **Background**

Staff initiated enforcement in the fall of 2010 regarding the exterior yard and multiple structure violations at the property. As a result of non-compliance, staff is presenting the dilapidated structures and the exterior yard violations simultaneously on May 15, 2012. See staff's memo dated March 6, 2012 for further details regarding staff's actions to date on all violations within the property.

#### **Recent Developments**

On April 26, 2012, staff learned that Mark Elston of Elston Auction Company was recently contacted by the Barland family to perform two auctions. Staff contacted Mr. Elston and was advised that the first auction is to occur on May 26, 2012 and the second is to take place on June 24, 2012. The plan is to sell all of the vehicles and large salvage items on May 26<sup>th</sup> and all of the remaining items including those stored within the house and accessory structures on June 24<sup>th</sup>.

On May 3, 2012, staff re-contacted Mr. Elston and confirmed that he was still planning to perform the auctions and that the contracts were to be signed on this date. Mr. Elston advised he would inform staff if any issues came about that would prevent him from moving forward with conducting both auctions.

Staff is recommending the compliance date of July 13, 2012 for the exterior yard conditions to be compliant with city code. This date will allow for the Barland family to remove any remaining items that are in violation that were not sold at one of the two auctions. Failure to comply by that date will result in the city abating the remaining code violations.

1106 Rhode Island Street, 5/09/12









# Memorandum

## City of Lawrence

### Planning & Development Services

**TO:** David L. Corliss, City Manager

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**CC:** Scott McCullough, Director Planning & Development Services

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