City Council Communication

Department: Community Development CASE #OTB-22-001 Applicant: Tammy Grimm 319 North Millard Street Council Bluffs, IA 51503	Reso. of Intent No. _____ Reso. to Dispose No. _____	Set Public Hearing: 3/14/2022 Public Hearing: 3/28/2022

Subject/Title

Request: Public hearing on the request of Tammy Grimm to purchase City owned property legally described as Lot 10, Block 11, Crawford's Addition, City of Council Bluffs, Pottawattamie County, Iowa. The property was formerly addressed at 924 Avenue H.

Location: East of 926 Avenue H

Background/Discussion

The City has received an offer to purchase the property described above. The property is classified as 'transitional dispose' and 'buildable.' The applicant wishes to acquire the subject property in order to construct a single-family dwelling (detached). According to the *Inventory and Disposal Policy for Surplus City Property*, adopted by City Council on April 23, 2018, the property should be priced at the most recent assessed value, which on this property would be $9,800.00. The applicant has offered $9,800.00 to purchase the property, and has submitted a $980.00 down payment.

The subject property was acquired by the City of Council Bluffs in February of 2018 via a 657a Petition through the Iowa District Courts. As is stated in the adopted *Inventory and Disposal Policy for Surplus City Policy*, the property would be eligible for a forgivable mortgage as it has been actively marketed on the Surplus Property list for more than the required 24 months.

The following costs have been incurred on the subject property:

Permits and Inspections Division: Board Up:	$ 630.00
Permits and Inspections Division: Demolition:	$ 9,749.00
Permits and Inspections Division: Miscellaneous:	$ 580.00
Total	$ 10,959.00

The subject property is 33 feet wide by 130 feet deep, and contains 4,290 square feet in area. Since the subject property does not meet the minimum lot size requirements in the R-2/Two-Family Residential District, it is considered a nonconforming lot of record. As per Section 15.26.020 of the Municipal Code (Zoning Ordinance), "nonconforming lots of record existing at the effective date of the ordinance codified in this chapter shall be exempt, unless otherwise provided, from the minimum lot area and lot width requirements of each zoning district. Such lots may be developed with any principal use allowed by the regulations for the district and must comply with all other density regulations set forth by this chapter." Although the subject property is a nonconforming lot of record, it is considered buildable as a single-family structure can be constructed on the lot that meets all minimum R-2 District site development regulations.

The subject property is located within an AH flood zone. Any construction that occurs on the subject property shall comply with all applicable floodplain development regulations. As per the Chief Building Official, the

proposed home would have to be built without a basement, and the applicant would be required to obtain a flood development permit and certificate prior to construction.

Recommendation

The Community Development Department recommends disposal of the property legally described as Lot 10, Block 11, Crawford's Addition, City of Council Bluffs, Pottawattamie County, Iowa, to Tammy Grimm, subject to the following conditions:

1. The purchase price shall be $9,800.00, with the remaining balance beyond the submitted $980.00 down payment being forgiven by the City of Council Bluffs upon issuance of a Certificate of Occupancy for a completed home on the subject property.
2. Closing shall occur on the property within 60 days of the date of decision. The applicant shall have two years from the date of decision to construct a home on the subject property.

Attachments

Attachment A: Location/Zoning Map

Prepared by: Moises Monrroy, Planner, Community Development Department