



## Legislation Text

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**File #:** 20-2092, **Version:** 1

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**STRATEGIC PRIORITY:** Economic and Neighborhood Vitality  
**AGENDA DATE:** November 11, 2020  
**COUNCIL DISTRICT(S):** 4  
**DEPARTMENT:** Department of Sustainable Development and Construction  
**EXECUTIVE:** Dr. Eric A. Johnson

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### **SUBJECT**

Authorize acceptance of a zoning application on property with delinquent City liens located at 4304, 4310, 4314, 4318, and 4324 South Marsalis Avenue - Financing: No cost consideration to the City

### **BACKGROUND**

Section 51A-1.104.1 of the Development Code states "...when submitting an application, the applicant must submit proof, such as a tax certificate, that property taxes and any city fees, fines, or penalties are not delinquent on the subject property. Unless such proof is submitted, the application will be considered incomplete and returned to the applicant." The code allows a waiver of this requirement by two-thirds vote of the City Council. The waiver may be made if 1) it "will facilitate urban redevelopment, historic conservation, or an important planning objective;" 2) "a pending sale of the property is contingent on the zoning application, and the applicant can supply evidence, such as a contract of sale, that the taxes and any city fees, fines, or penalties will be paid at closing;" or 3) "the applicant can demonstrate financial hardship that makes payment of taxes impossible, and approval of a waiver will improve the applicant's ability to pay the taxes and any city fees, fines, or penalties."

The applicant, Patricia Hawkins, has requested a waiver of the requirement that City liens be paid prior to the acceptance of an application for a zoning case on 4304, 4310, 4314, 4318, and 4324 South Marsalis Avenue. The applicant indicates that she proposes to submit an application to change the zoning from an R-7.5(A) Single Family District to a commercial district. Currently the property is undeveloped.

The applicant indicates that the reason for the waiver is due to financial hardship.

As of the date of the application, the applicant indicates \$13,612.30 in City liens are owed on the properties dating from 2010 to 2020. Liens on 4304 South Marsalis Avenue total \$2,419.64 dating to 2010. Liens on 4310 South Marsalis Avenue total \$3,018.35 dating to 2010. Liens on 4314 South Marsalis Avenue total \$3,249.14 dating to 2010. Liens on 4318 South Marsalis Avenue total \$1,695.03 dating to 2012. Liens on 4324 South Marsalis Avenue total \$3,230.14 dating to 2010. No taxes are due on any of the lots.

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

This item has no prior action.

**FISCAL INFORMATION**

No cost consideration to the City.

**OWNER**

Patricia Hawkins

**MAP**

Attached