

**MINUTES
BUILDING BOARD OF APPEALS
March 19, 2015 2:00 p.m.
City Commission Chambers**

CALL TO ORDER

Chair Emig called the meeting to order at 2:00 p.m.

ROLL CALL OF BOARD MEMBERS

Members Present: Richard Emig, Chair, Charles Kiplinger, Vice Chair, Gary Wark, David Hyde, Emily Parfet

Members Absent: Linda Servis

City Staff: Robert McNutt, Building Official; Deanna Benthin, Recording Secretary

NEW BUSINESS

APPROVAL OF PREVIOUS MINUTES

Mr. Wark, supported by Mr. Kiplinger moved to approve the minutes of February 19, 2015 as submitted, approved by voice vote unanimously.

APPROVAL OF AGENDA

INITIAL HEARINGS

The following properties were presented to the board for a public hearing:

1825 Union Street

Mr. McNutt stated this property was presented at the February 19th, 2015 meeting to which the owner wasn't present so the meeting was postponed until today's meeting. This building was cited for structural issues, window damage, the roof has partially collapsed and there are interior wall issues also. At the last meeting it was required to have ownership representation present at this meeting. He referred to the recorded Quit Claim Deed in the Board's packet showing the deed transferred to Jonathan Hampton, who was present to speak on behalf of the property. He commented on the structural issues on the building, there was work previously started, there are roof issues, and he met on site with the owner earlier that morning. They are going to work with a licensed contractor and explained how they intended to make the repairs. He has a building permit application for the repairs. His original request was to see this building as a dangerous and blighted building, and the City's recommendation was to obtain new permits and commence either exterior structural repairs within ten days or demolition of the building by April 27, 2015. Due to the actions within the last thirty days, he feels the Board should listen to the owner and

then decide the outcome. He stated the building does have several issues and repairs are not something that can be delayed, but there has been good faith shown with new ownership and a permit being applied for and ask the Board to commit to a timeline.

Jonathan Hampton, 6330 East D Avenue, Richland, stated he was the new owner of the property, stating there was ice damage there and it needs work, he requested adequate time to make the repairs.

Chair Emig questioned what Mr. Hampton's time frame was he was requesting? Mr. Hampton stated he would like six months. Chair Emig asked if the house was occupied. Mr. Hampton stated no, but he would be occupying it when it was completed. Chair Emig questioned what repairs he was going to make. Mr. Hampton stated he was going to repair the joists, jack the roof up, rebuild a wall, install new windows, repair the foundation and install new drywall. He felt it would take six months to complete all the work. Chair Emig questioned if Mr. Hampton already had the funds for the work. Mr. Hampton stated he already has most of the materials purchased and is just waiting to begin the work. Chair Emig questioned Mr. McNutt what if any drawbacks he could foresee with giving six months to do the work.

Mr. McNutt stated his concern with giving six months is there is more than just replacing a wall that needs to be done. The flooring was removed, there's electrical work that needs to be done by a licensed contractor, floor joists need to be repaired. Mr. McNutt stated his opinion; however is that he would need to do frequent inspections to witness the progress so this project doesn't just stall. He realizes it will take at least six months to complete.

Chair Emig commented on the issues with the flooring, and had concerns if the owner had the funds to make the repairs discussed. Mr. Hampton stated he's been saving since last year. He already has the shingles and decking purchased.

Mr. Hyde commented six months is a long time to extend the work. A lot of the work is cosmetic in nature. He questioned if it would actually take six months to do the work. Mr. Hampton stated yes.

Ms. Parfet questioned if it would take six months to complete the structural issues or six months to make it habitable for occupancy?

Mr. McNutt stated it wouldn't take six months to make the structural repairs. Ms. Parfet questioned what the Board's responsibility was, to have the structural issues completed or for occupancy? Mr. McNutt stated in order to not have it be a blighted building that is any building that cannot be occupied for habitation. If the owner has the structural issues taken care of by June 1, 2015 and the outside of the house not in a blighted condition. He would then make sure that the building permit is closed and that the building can be occupied.

Mr. Wark questioned if Mr. Hampton could have the roof and foundation work done within a four month period? Mr. Hampton replied yes.

Mr. McNutt stated he didn't want to give them four months; it's too long, if it takes four months, and they probably won't complete the work. He wants the structural repairs, the roof, walls, and foundation done in three months.

Ms. Parfet questioned what time frame the contractors felt the work could be done in. Mr. Hampton stated his brother was a contractor and his dad would be helping.

Mr. Kiplinger questioned what actually needed to be done to the foundation? Mr. Hampton stated where the two rooflines come together, the wall has to be jacked up, rebuild that section, and rebuild the wall. Ice damage had buckled the wall. This damage was above the blocks.

Mr. McNutt stated they need to lift the roof up, the walls deteriorated; the foundation has tuck point issues, reset some blocks, repair the foundation, then repair the wall and floor to support the roof. It appears someone removed a wall and the roof sank. He clarified that ninety days or by June 1, 2015 to have the structural repairs completed, and occupancy by September 1, 2015. The building permit is valid for one hundred eighty days.

Mr. Jonathan Hampton, Sr. stated that ninety days should be sufficient, stating the previous tenant removed the wall that created the roof damage.

FINDING OF FACT

Mr. Wark moved the Finding of Fact as follows:

1. The Finding of Fact for 1825 Union shall include all information included in the notice of public hearing dated March 4, 2015. Mr. Jonathan Hampton was the new owner of the property, per the attached Quit Claim Deed. He stated the Mr. McNutt had been out to the property to verify the work done on the property and felt that the owner and contractors are headed in the right direction with the repairs. A building permit has been pulled for substantial renovations to the foundation, floors, walls and roof. Mr. McNutt was comfortable if the structural repairs are completed within three months then they could have three months to complete the interior work to obtain occupancy. Mr. Hampton, Sr. spoke at stated he agreed with the timeline.

Ms. Parfet supported the Finding of Fact.

Motion approved for the Finding of Fact by voice vote unanimously.

Mr. Hyde moved to approve the application, to accept the Staff Recommendations as stated with the change that all structural repairs be completed by June 1, 2015 and to have occupancy by September 1, 2015, supported by Mr. Wark.

Motion approved by voice vote unanimously.

1905 Union Street – This property is located in a Residential, Single Dwelling District (Use Zone RS-5) in the Northside neighborhood. The 44 X 99 (.100 acre) property contains a 528 sq.

ft. 1 story dwelling built in 1927. Nearby uses are residential dwellings. There are no historic considerations for this property. **Maude H. Richardson Martin, is** shown as Deed Holder and Taxpayer. There is no mortgage and owned by Maude H. Richardson Martin. Tax information as found: 2014 Summer Tax Amount: \$573.90 (includes \$359.00 Housing Lien) Base – March payoff not available at time of examination: 2014 Winter Tax Amount: \$106.28 Base – March payoff not available at time of examination. Invoices: \$60.97 Now due and payable 2013 taxes: \$437.55 March payoff

Mr. McNutt stated this building has been cited for exterior roofing issues since 2012, the ramp has deteriorated, is unstable and unsafe, the front porch is sagging and pulling away from the building, it has foundation issues.

Structural and exterior repairs for the building are estimated to cost approximately \$18,500. Estimated costs for demolition are approximately \$10,000. The 2014 SEV is \$9,200. According to Assessor records, the Estimated True Cash value of the land alone is approximately \$5,995 and that of the entire property \$15,195.

Staff recommends adoption of the following motion:

The Building Board of Appeals finds that the structure and grounds at 1905 Union Street constitutes a “Dangerous Building” and a blight due to the conditions and violations detailed in the 03/04/15 Building Board of Appeals Notice of Determination and Hearing.

The owner is ordered to obtain new permits and commence either demolition or exterior and structural repairs by March 26, 2015 and complete all exterior and structural repairs or demolition by April 27, 2015.

Further, if the required action is not completed by either deadline, the City is authorized by the Building Board of Appeals to take any and all legal actions necessary to cause full compliance and eliminate said danger and blight. This includes performing the demolition or repair, either by City personnel or by contracting with a third party; acquisition of the property through eminent domain for repair or demolition; action in a court of law; or other appropriate means to gain compliance. All costs associated with these actions shall be assessed against the property.

The estimated costs are as follows: Structural and exterior repairs \$18,500; Demolition at \$10,000. A charge of \$1,000 for administrative costs shall also be assessed against the property if direct City abatement becomes necessary.

Motion to approve the recommendation by Mr. Wark, supported by Mr. Hyde.

Vote: Approved by roll call vote.

FINDING OF FACT

Mr. Hyde moved the Finding of Fact as follows:

1. The Finding of Fact for 1905 Union Street shall include all information included in the notice of public hearing dated March 4, 2015 as stated by Mr.

McNutt in the information summary, no one was present to speak on behalf of the property.

Mr. Kiplinger supported the Finding of Fact.

Motion approved for the Finding of Fact by voice vote unanimously.

1021 N. Park Street – This property is located in a Residential, Multi-dwelling District (Use Zone RM-36) in the Northside neighborhood. The 65 X 99 (0.148 acre) property contains a 1677 sq. ft. 2 story dwelling built in 1915. Nearby uses are residential dwellings. There are no historic considerations for this property. **1021 N. Park Holdings** is shown as Deed Holder and Taxpayer. A 2015 Fee Simple Deed (\$1). There is no mortgage and is owned by 1021 N. Park Holdings. Tax information as found: 2014 Summer Tax Amount: \$923.93 Base – March payoff not available at time of examination: 2014 Winter Tax Amount: \$927.89 Base - March payoff not available at time of examination: Invoices: \$994.00 now due and payable; \$56.20

Mr. McNutt stated the there was a fire years ago and nothing has been done to the property since then. He doesn't feel the house can be repaired.

Structural and exterior repairs for the building are determined to be beyond repair. Estimated costs for demolition are approximately \$14,500. The 2014 SEV is \$26,500. According to Assessor records, the Estimated True Cash value of the land alone is approximately \$9,494 and that of the entire property \$35,994. The owner is ordered to obtain new permits and commence either demolition or exterior and structural repairs by March 26, 2015 and complete all exterior and structural repairs or demolition by April 27, 2015.

FINDING OF FACT

Mr. Wark moved the Finding of Fact as follows:

1. The Finding of Fact for 1021 N. Park shall include all information included in the notice of public hearing dated March 4, 2015 as stated by Mr. McNutt in the information summary, no one was present to speak on behalf of the property.

Ms. Parfet questioned if a notice was sent to the LLC. It was determined a notice was sent to the PO Box 461 Royal Oaks address which was returned and also the 1021 N. Park address also.

Mr. Wark, supported the Finding of Fact.

Motion approved for the Finding of Fact by voice vote unanimously.

Staff recommends adoption of the following motion.

The Building Board of Appeals finds that the structure and grounds at 1021 N. Park Street constitutes a "Dangerous Building" and a blight due to the conditions and violations detailed in the 03/04/15 Building Board of Appeals Notice of Determination and Hearing.

The owner is ordered to obtain new permits and commence either demolition or exterior and structural repairs by March 26, 2015 and complete all exterior and structural repairs or demolition by April 27, 2015.

Further, if the required action is not completed by either deadline, the City is authorized by the Building Board of Appeals to take any and all legal actions necessary to cause full compliance and eliminate said danger and blight. This includes performing the demolition or repair, either by City personnel or by contracting with a third party; acquisition of the property through eminent domain for repair or demolition; action in a court of law; or other appropriate means to gain compliance. All costs associated with these actions shall be assessed against the property.

The estimated costs are as follows: Structural and exterior repairs building is determined to be beyond repair: Demolition at \$14,500. A charge of \$1,000 for administrative costs shall also be assessed against the property if direct City abatement becomes necessary.

Mr. Wark moved to approve the application, to accept the Staff Recommendations as stated, supported by Mr. Hyde.

Motion approved by voice vote unanimously.

Vote: Approved by roll call vote.

ADJOURNMENT

Mr. Wark moved to adjourn the meeting and was supported by Mr. Hyde.

With a unanimous vote the meeting was adjourned at 2:40 p.m.

Submitted by: Deanna Benthin Date 5/21/15
BBA Recording Secretary
Deanna Benthin

Reviewed by: [Signature] Date 5/21/15
Building Official
Robert McNutt

Approved by: [Signature] Date 5/21/15
BBA Chair
Richard Emig