

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

**CALL TO ORDER**

Mr. 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, Linda Servis

**Members Absent:** David Hyde

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

**NEW BUSINESS**

Mr. McNutt stated Emily Parfet was approved to be a Board Member by the City Commission and would be attending the March, 2015 meeting.

**APPROVAL OF PREVIOUS MINUTES**

Mr. Emig approved the minutes of January 15, 2015 as submitted.

**APPROVAL OF AGENDA**

Mr. Emig approved the agenda as submitted.

Motion approved by roll call unanimously.

**INITIAL HEARINGS**

The following property was presented to the board for a public hearing:

**1003 Princeton** – This building is an accessory garage building on the property, located in a Single-Family District (Use Zone RM-36) in the Northside neighborhood. The 44' x 132' (0.133 acre) property contains a 396 sq. ft. garage (and 1019 sq. ft. house), built in 1905. Nearby uses are residential dwellings. There are no historic considerations for this property. **Willie Mae Watkins** is shown as Deed Holder and Taxpayer. A 2006 Mortgage (\$50,000) is on record with "MERS" /New Century Mortgage, with a Quit Claim Deed, Tax information as found: 2014 ~ \$179.56 taxes is due.

Mr. McNutt stated Ms. Watkins was before the Board due to the deteriorating condition of the garage. The City Inspection staff started citing this property back in 2005 from a service request

for inspection. He referred to the photographs showing the deterioration from the roof has started to cause problems in the northwest corner, the garage doors no longer function and it's inhabited by animals.

Structural and exterior repairs for the building are estimated to cost approximately \$5,500. Estimated costs for demolition are approximately \$3,200. The 2014 SEV for house and garage is \$13,200. According to Assessor records, the Estimated True Cash value of the land alone is approximately \$7,000 and that of the entire property \$20,200.

**Staff recommends adoption of the following motion:**

The Building Board of Appeals finds that the garage structure 1003 Princeton Street constitutes a "Dangerous Building" and a blight due to the conditions and violations detailed in the 01/29/15 Dangerous Building Notice of Determination and Hearing.

The owner is ordered to obtain new permits and commence either demolition or exterior and structural repairs by February 26, 2015 and complete all exterior and structural repairs or demolition by March 26, 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 –\$5,500; Demolition – \$3,200. A charge of \$1,000 for administrative costs shall also be assessed against the property if direct City abatement becomes necessary.

Willie Mae Watkins, the owner stated the garage did need to be torn down, and stated she had a licensed contractor scheduled to do the work. Mr. Emig stated that a valid permit needed to be obtained prior to work commencing. Ms. Watkins stated she had the application for the contractor to complete.

Mr. Wark questioned the time frame. Ms. Watkins stated the work should be done by the end of March, beginning of April. Mr. Emig stated the Board could give her until April 15, 2015 to have the garage demolished.

Mr. McNutt questioned who was going to do the demolition work. Ms. Watkins stated William Gothard was her contractor. Mr. McNutt stated that William Gothard was not currently a licensed demolition contractor with the City and would need to apply and obtain that licensing. He stated the City had no problem extending the deadline until April 15, 2015, but the permit and licensing needed to be obtained by February 26, 2015. He stated William Gothard does have a plumbing, mechanical and building contractor's license, but requires to be licensed as a demolition contractor; it's a \$55.00 licensing fee and needs to obtain the required insurance. Mr. Emig clarified that Ms. Watkins would contact William Gothard; inform him of the February 26, 2015 deadline and of the licensing requirements. Mr. McNutt requested if William Gothard does not obtain a valid permit and licensing that the City be authorized to order the demolition of the

garage. Mr. Emig clarified the requirements to Ms. Watkins and again reiterated the February 26, 2015 deadline. Ms. Watkins agreed.

**Motion to approve the recommendation by Mr. Wark, supported by Mr. Kiplinger.**

**Vote: Approved by roll call vote.**

Mr. McNutt had a discussion with the Board on the procedures on the request.

#### **FINDING OF FACT**

**Mr. Wark moved the Finding of Fact as follows:**

1. The Finding of Fact for 1003 Princeton shall include all information included in the notice of public hearing dated January 19, 2015. Ms. Watkins spoke on her behalf and indicated she plans on tearing the garage down and has a contractor, William Gothard to do the demolition. William Gothard currently is not licensed as a demolition contractor, but can apply and obtain a license.

**Mr. Kiplinger supported the Finding of Fact.**

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

**Mr. Wark moved to approve the application, to accept the Staff Recommendations as stated with the change of the demolition date being changed from March 26, 2015 to April 15, 2015. With the notation if William Gothard does not obtain a valid demolition permit and licensing that the City is authorized to order the demolition of the garage, supported by Mr. Kiplinger.**

Motion approved by voice vote unanimously.

**1825 Union** – Mr. John Hampton, 6330 E. D. Avenue, Richland, stated he was the father of Marlyce Hampton, owner of the property.

Mr. Emig stated Marlyce Hampton shows as the deed holder and tax payer of the property. Mr. Hampton stated he has been handling the property and overseeing the issues for his daughter. Mr. Emig questioned if the owner was present? Mr. Hampton stated she wasn't present, she was working. Mr. Emig stated unless he had power of attorney that the Board couldn't proceed, because Mr. Hampton couldn't speak on her behalf. Mr. Hampton commented he was going to do a Quit Claim Deed over to his son.

Mr. Emig commented the owner had to be present to speak to the issues.

Mr. McNutt stated Mr. Hampton had come into the office and met with him, he had informed Mr. Hampton that this was a legal proceeding and that the meeting would still be held. He asked Mr. Hampton to have his information ready to present to the Board on how they were going to handle this issue. Mr. McNutt stated he wasn't aware that the owner, Marlyce Hampton

wouldn't be present. Mr. McNutt stated that staff would recommend that they reschedule this request to the March 19, 2015 meeting. This would allow Mr. Hampton time to either legally transfer the property to his son, stating it would have to be on a legally notarized form. Mr. Emig encouraged Mr. Hampton to contact his attorney, or Legal Aide to help him with the Quit Claim Deed. Mr. Emig clarified that the property owner needed to be present at the March meeting.

Mr. McNutt stated if ownership is transferred prior to the next meeting to Mr. Hampton's son, John, it would be his legal right to apply for a building permit.

Mr. Wark questioned if ownership is transferred and proper permits pulled, and work is done would the city go back out to the property and obtain new photographs of the property? Mr. McNutt stated, after the work was done and Mr. Hampton called for an inspection he would go back to the property to verify the new work.

**Mr. Kiplinger made a motion to postpone this hearing until the March 19, 2015 meeting, supported by Mr. Wark.**

**Motion approved by voice vote unanimously.**

ANNOUNCEMENTS

ADJOURNMENT

Ms. Servis moved to adjourn the meeting and was supported by Mr. Kiplinger.

With a unanimous vote the meeting was adjourned at 2:37p.m.

Submitted by: Deanna Benthin Date 3/19/15  
DBB Recording Secretary  
Deanna Benthin

Reviewed by: [Signature] Date 3/19/15  
Building Official  
Robert McNutt

Approved by: [Signature] Date 3/19/15  
BBA Chair  
Richard Emig