

**MINUTES
BUILDING BOARD OF APPEALS
August 18, 2016 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, Linda Servis, Lyndia Bruckbauer

Members Absent: David Hyde, Emily Parfet

City Staff: Robert McNutt, Building Official; Carmela Hostiguin, Recording Secretary

NEW BUSINESS

APPROVAL OF PREVIOUS MINUTES

Mrs. Servis, seconded by Mr. Kiplinger moved to approve the minutes of August 18, 2016 as submitted, approved by voice call vote.

APPROVAL OF AGENDA

No changes to the Agenda

INITIAL HEARINGS

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

1318 N Rose

This property is located in a residential District (Use Zone RM-15) in the Northside neighborhood. The 44' X 165' (0.017 acre) property contains a 1047 sq. ft. 2 story residential building built in 1910. Nearby uses are residential dwellings. There are no historic considerations for this property.

Mr. McNutt stated this property has been vacant and abandoned for so many years, and it has so much deterioration that he believes it will collapse soon. The roof has failed and the elements

are getting inside. Mr. McNutt said that based on what he saw he would not be able to tell the board the estimated cost because of all the damage the structure has acquired. The approximate demolition cost is about \$13,500.

Staff recommends adoption of the following motion:

The Building Board of Appeals finds that the structure and grounds at 1318 N Rose Street constitutes a "Dangerous Building" and a blight due to the conditions and violations detailed in the 07/25/2016 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 August 26, 2016 and complete all exterior and structural repairs or demolition by September 23, 2016.

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 owner has the right to appeal the Board's decision within twenty-one days to the Circuit Court.

FINDING OF FACT

Mrs. Servis moved the Finding of Fact as follows:

1. The Finding of Fact for 1318 N Rose shall include all information included in the notice of public hearing dated July 25, 2016 and the summary information. The property has back taxes that are due. He house itself has been reported open to casual entry and is unsafe, stairway and facia. It is in general bad shape.

Mr. Kiplinger seconded the Finding of Fact.

There were no comments from the public.

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, seconded by Mrs. Servis.

Motion approved by roll vote unanimously.

Chair Emig closed the public hearing.

1018 Princeton

This property is located in a residential District (Use Zone RM-36) in the Northside neighborhood. The 40.5' X 97' (0.011 acre) property contains a 4,898 sq. ft. 2 story residential building built in 1905. Nearby uses are residential dwellings and commercial. There are no historic considerations for this property. **ANDREI ELASHIKAR & PRAKASH PATEL** is shown as Owners. Joseph Lee is shown as Land Contract holder. Land contract recorded July 16, 2013.

Mr. McNutt stated the violations prior to the 02/18/2016 fire, there was numerous calls form public safety and neighbors that people were living there. There was no proper electric service, nor mechanical system for heating. Several upstairs issues; the upstairs was condemned. The initial reports stated arson according the City Fire Marshal.

Structural and exterior repairs for the building are estimated to cost approximately \$80,000. Estimated costs for demolition are approximately \$14,200. The 2016 SEV is \$15,700. According to Assessor records, the Estimated True Cash value of the land alone is approximately \$4,898 and that of the entire property \$31,696.

Staff recommends adoption of the following motion.

The Building Board of Appeals finds that the structure and grounds at 1018 Princeton Street constitutes a "Dangerous Building" and a blight due to the conditions and violations detailed in the 07/25/2016 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 August 26, 2016 and complete all exterior and structural repairs or demolition by September 23, 2016.**

There were no comments from the public.

Chair Emig closed the public hearing.

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

1. The Finding of Fact for 1018 Princeton shall include all information included in the notice of public hearing dated July 25, 2016 and the summary information. Mr. Wark recommends the Build Board of Appeal's approval.

Mrs. Bruckbauer seconded the Finding of Fact.

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

Mrs. Servis asked if there have been any filed charges for the arson reported at this property, and Mr. McNutt stated no not that he has knows of.

Mr. Kiplinger moved to approve the application, to accept the Staff Recommendations as stated, seconded by Mr. Servis.

Motion approved by roll vote unanimously.

2124 Southern

This property is located in a residential District (Use Zone RM-15) in the Southside neighborhood. The 65' X 135' (0.020 acre) property contains an 876 sq. ft. 1 story residential building built in 1954. Nearby uses are residential dwellings. There are no historic considerations for this property.

DORSEY WARNER JR is shown as Owner. A 2016 Fee Simple Deed is on record. On March 1, 2016 the property was forfeited to the Kalamazoo County Treasurer for nonpayment of property taxes for the year 2014.

Mr. McNutt stated this property is extremely unsanitary/unsafe conditions inside of home. Unsafe electrical and structural deficiencies. Peeling paint, missing siding, and OSB over the windows and doors. Tarp over roof, roof has failed. Exposed electrical lines at rear of house. Open to casual entry, broken front windows, rear window and front door is open. Mr. McNutt stated that it is in his opinion that this structural is not savable.

Structural and exterior repairs for the building are estimated to cost approximately (There's no saving the structure, per Mr. McNutt) Estimated costs for demolition are approximately \$12,000. The 2016 SEV is \$33,800. According to Assessor records, the Estimated True Cash value of the land alone is approximately \$20,097 and that of the entire property \$67,562.

Staff recommends adoption of the following motion.

The Building Board of Appeals finds that the structure and grounds at 2124 Southern Street constitutes a "Dangerous Building" and a blight due to the conditions and violations detailed in the 07/26/2016 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 August 26, 2016 and complete all exterior and structural repairs or demolition by September 23, 2016.

There were no comments from the public.

Chair Emig closed the public hearing.

FINDING OF FACT

Mr. Kiplinger moved the Finding of Fact as follows:

1. The Finding of Fact for 2124 Southern shall include all information included in the notice of public hearing dated July 25, 2016 and the summary information. Mr. Kiplinger recommends the City Build Board of Appeal's approval.

Mrs. Bruckbauer seconded 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, seconded by Mr. Bruckbauer.

Motion approved by roll vote unanimously.

ANNOUNCEMENTS

ADJOURNMENT

Mr. Emig moved to adjourn the meeting.

With a unanimous vote the meeting was adjourned at 2:25 p.m.

Submitted by:  Date 10/7/16
 BBA Recording Secretary
 Carmela Hostiguin

Reviewed by:  Date 11/15/16
 Building Official
 Robert McNutt

Approved by:  Date 11/17/16
 BBA Chair
 Richard Emig