

**MINUTES
BUILDING BOARD OF APPEALS
December 21, 2017 @ 2:00pm
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, Emily Parfet, David Hyde

Members Absent: Lyndia Bruckbauer

City Staff: Robert McNutt, Building Official; Karleen Steppenwolf, Recording Secretary; Marcia Jones, City Attorney

NEW BUSINESS

APPROVAL OF PREVIOUS MINUTES

Mr. Hyde, seconded by Mr. Wark moved to approve the minutes of November 16, 2017 as amended, approved by voice call vote.

APPROVAL OF AGENDA

Mr. Kiplinger, seconded by Mr. Emig moved to approve the agenda as submitted.

Motion approved by roll call unanimously.

INITIAL HEARINGS

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

715 Woodward Ave

This property is located in a Residential, Multi Dwelling District (Use Zone RM-15) in the Northside neighborhood. The 39.5'x107' and 20'x103.5' (0.145 acre) property contains a 3,984 sq. ft. 2 story residential building built in 1900. Nearby uses are residential dwellings and commercial. There are no historic considerations for this property.

No one was present to represent this property.

Mr. McNutt stated that he wanted the board to be aware that 715 Woodward and 912 W North St are joined by property lines and are owned by the same party, but they are two separate properties/parcels. Mr. McNutt stated that there has been interest in the property to purchase and that is why there are several warranty deeds. The last building permit the city has is from a Scott Myers. There was an application to do some miscellaneous rehabilitation. Mr. Myers made a phone call to the office and asked Mr. McNutt if they could clean the building out. At that time the building was full of debris and the people had left. Mr. McNutt's interpretation of clean the building out was of garbage and debris. A month later Mr. McNutt went by the property and there were dumpsters there and they had not only cleaned out the garbage, but had also stripped and gutted it out, which exposed them to all new codes regarding repairs to the structure. At that time Mr. McNutt stopped what they were doing and had a conversation with the gentleman on site. Mr. McNutt stated that everything would have to be new; new electrical, new plumbing, new heating, new egress and fire suppression. At that point all permits were cancelled. It sits right now as a vacant and wall less shell. Both buildings have multiple entry doors and exits and the city has been there several times to board up the property. There are vagrants living in the property and they have broken the windows out. Mr. McNutt stated that 912 W North St. has a big hole that runs from basement to roof where the bathrooms have leaked. Mr. McNutt stated 715 Woodward bathrooms have leaked and have comprised the structure. Mr. McNutt stated that structurally both buildings floor systems are comprised. Mr. McNutt stated that he is unsure of how much it would cost to bring to code because the whole building needs to be sprinkled and there are several floors. Mr. McNutt stated that the buildings are unsafe and a fire hazard the way they sit now and are a danger to anyone that goes in there.

Structural and exterior repairs for the building are estimated to cost approximately \$400,000. Estimated costs for demolition are approximately \$32,000. The 2017 SEV is \$34,800. According to Assessor records, the Estimated True Cash value of the land alone is approximately \$32,480 and that of the entire property \$72,129.

There were no comments from the public.
Chair Emig closed the public hearing.

FINDING OF FACT

Mr. Hyde moved the Finding of Fact as follows:

1. The Finding of Fact for 715 Woodward Ave shall include all information included in the notice of public hearing dated November 28, 2017 and the summary information.

Mr. Wark 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 Ms. Parfet.

Motion approved by roll vote unanimously.

912 W North St

This property is located in a Residential, Multi Dwelling District (Use Zone RM-15) in the Northside neighborhood. The 74.5'x141' by 40.06'x68' by 13'x83.6' (0.395 acre) property contains a 8,143 sq. ft. 3 story residential building built in 1900. Nearby uses are residential dwellings and commercial. There are historic considerations for this property.

No one was present to represent this property.

Mr. McNutt stated that for the record 912 W North St is owned by the same people as 715 Woodward Ave. Mr. McNutt stated that we have the same issues with this property as with 715 Woodward, both properties are empty shells.

Structural and exterior repairs for the building are estimated to cost approximately \$810,000. Estimated costs for demolition are approximately \$48,000. The 2017 SEV is \$75,700. According to Assessor records, the Estimated True Cash value of the land alone is approximately \$49,757 and that of the entire property \$157,602.

There were no comments from the public.
Chair Emig closed the public hearing.

FINDING OF FACT**Ms. Parfet moved the Finding of Fact as follows:**

1. The Finding of Fact for 912 W North St shall include all information included in the notice of public hearing dated November 28, 2017 and the summary information.

Mr. Wark seconded the Finding of Fact.

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

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

Motion approved by roll vote unanimously.

1211 Lay Blvd

This house and garage is located in a Residential, Single Dwelling District (Use Zone RS-5) in the Edison neighborhood. The 44'x110' (0.111 acres) property contains a 1,535 sq. ft. 2 story residential building and detached garage built in 1917. Nearby uses are residential dwellings and commercial. There are no historic considerations for this property.

No one was present to represent this property.

Mr. McNutt stated that in 2008 when he was a Housing Inspector he became aware that this property had an extensive amount of termites. At that time it was a rental and an attempt to maintain the damage by an exterminator and Mr. McNutt understands that the termites were coming from another house on this block. It was determined that several houses on this block had termites. Mr. McNutt visited this property a week prior to meeting and you can still see the termite damage. It has extended to the roof, which means the termites started at the bottom and have worked their way to the roof. Mr. McNutt stated there were termite tunnels extending from the roof joists all the way to the basement. It's Mr. McNutt's opinion that this property does not have a lot of hope. Mr. McNutt stated it has delinquent taxes back to 2012 and it's a hazard.

Structural and exterior repairs for the house and garage are estimated to cost approximately \$76,750. Estimated costs for demolition are approximately \$17,200. The 2017 SEV is \$24,600. According to Assessor records, the Estimated True Cash value of the land alone is approximately \$10,641 and that of the entire property \$48,121.

There were no comments from the public.
Chair Emig closed the public hearing.

FINDING OF FACT**Ms. Servis moved the Finding of Fact as follows:**

1. The Finding of Fact for 1211 Lay Blvd shall include all information included in the notice of public hearing dated November 28, 2017 and the summary information.

Mr. Wark 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 Ms. Servis.

Motion approved by roll vote unanimously.

ANNOUNCEMENTS

Mr. Emig was wondering if the City should have the Housing Inspectors inspect after a fire. Mr. Emig stated that because the Housing Inspectors are more familiar with the building and they look for more things. The fire marshal/public safety also inspects and it seems redundant.

Mr. McNutt stated that the Housing Inspectors enforce housing/rental code (IPMC) and Chapter 17 City amendments to the code. The fire department/public safety is required by law to maintain an inspection of every commercial building in the City. In a sense there two separate entities. The fire inspectors go through very intense training to gain certification and they have to take continuous classes to stay certified. The Fire Marshall has asked Mr. McNutt to bring together the housing inspectors and fire inspectors and get them in at the same time. The law states that the fire marshal must inspect every year for ISO rating, while the housing inspectors only inspect every 2 or 3 years. Mr. McNutt stated it's to help keep the insurance down.

Mr. McNutt stated regarding 3719 Duke being pulled from agenda that the owners have cleaned the building and have pulled permits and are making great progress on this building.

ADJOURNMENT

Mr. Emig moved to adjourn the meeting and was seconded by Ms. Servis.

With a unanimous vote the meeting was adjourned at 2:45pm.

Submitted by: Karleen Steppenwolf Date 11/18/18
BBA Recording Secretary
Karleen Steppenwolf

Reviewed by: [Signature] Date 1/18/18
Building Official
Robert McNutt

Approved by: [Signature] Date 1/12/18
BBA Chair
Richard Emig