

**MINUTES
BUILDING BOARD OF APPEALS
March 16, 2017 2:00 p.m.
City Commission Chambers**

CALL TO ORDER

Chair Emig called the meeting to order at 2:00 p.m.
Gary Wark was excused at 2:30 for a prior engagement.

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 Bruckenaaur

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

NEW BUSINESS

518 S Rose St. – Madison Shepard, Office Manager at Lukeman Properties was present to represent the property along with Nelson Nave, Architect.

Lukeman Properties is seeking a variance to remove or repair the fire escape on the south side of the building. The property has 3 units. Lukeman Properties is asking to build a 3 tier fire escape on the west side with passage/egress through an interior bedroom with a simple thumb turn lock.

Nelson Nave spoke regarding the drawing of a new fire escape. Mr. Nave stated that you could climb out a window to get on the old escape. Mr. Nave offered preliminary sketches at the meeting for the board to look at. Mr. Nave stated that you can't put the escape on the side because there is not enough room, so he would like to go out the back or down the front where no variance would be needed. Mr. Nave stated that the back would be the best option with more room and could be done with some work. Mr. Nave stated that the tenants on the 3rd floor would be the only people going through the egress to the fire escape.

Mr. Nave stated that it's not historical, it can't go back to where it was because of setbacks and the back of the house would be preferred and is the best solution.

Bob McNutt is asking what variance you are asking for. Previous contractor was trying to obtain a permit, but was denied because structure is not sound and code book states alterations to structure of house will be needed. This house was a single family converted to a 3 unit house. The Rehab code says it must be built under Michigan code, which states stairs must be to grade

level or public right of way, have a means of egress and you can build when you don't have room. There is room at the back of the property so you can no longer build an escape, you will have to build stairs. Mr. McNutt also stated that egress is also an issue. You cannot go through bedrooms, bathrooms or sleeping areas to get to the fire escape. Mr. McNutt stated that an escape out back would require them to lose a bedroom. No permits have been issued. The rental certification has been extended until next BBA meeting. Mr. McNutt suggests denying the variance for a fire escape. Mr. McNutt stated a set of stairs could be constructed without a variance.

The City is open for ideas and it must meet code. The City has given them extensions to correct this issue. The tenants may need to be evicted.

The Board offered other solutions, but the variance is not cut and dried like most. Mr. McNutt has restricted on what they can do.

APPROVAL OF PREVIOUS MINUTES

Mr. Hyde , seconded by Mr. Wark moved to approve the minutes of November 17, 2016 and January 26, 2017 as submitted, approved by voice call vote.

AGENDA CHANGES

Lukeman Property proposal, 518 S Rose

INITIAL HEARINGS

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

1024 Clinton

This property is located in a Residential District (Use Zone RD-19) in the Southside neighborhood. The 44' X 96' (0.010 acre) property contains a 1,448 sq. ft. 2 story residential building built in 1910. Nearby uses are residential dwellings and commercial. There are no historic considerations for this property.

Mr. McNutt stated the property has been cited numerous times and the house is deteriorating. Staff recommends it's a dangerous and blighted property. The owners need to repair or demolish.

There was no one present to represent this property.

Structural and exterior repairs for the building are estimated to cost approximately \$80,000. Estimated costs for demolition are approximately \$13,800.00 The 2016 SEV is \$21,900. According to Assessor

records, the Estimated True Cash value of the land alone is approximately \$10,525 and that of the entire property \$44,660.

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 1024 Clinton shall include all information included in the notice of public hearing dated May 24, 2017 and the summary information.

Mr. Kiplinger seconded 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, seconded by Mr. Kiplinger.

Motion approved by roll vote unanimously.

1601 Princeton

This property is located in a Residential District (Use Zone RS-5) in the Northside neighborhood. The 43' X 79' (0.08 acre) property contains a 1,352 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 there are delinquent taxes on this property and it suffered a fire last fall. The fire was detrimental to the structure. The building cannot be repaired because of the damage to the structure. Staff recommends that it's a dangerous and blighted property. The owners need to obtain permits to demolish. The City is authorized to eliminate blight and danger of property.

No one was present to represent the property.

Structural and exterior repairs for the building are estimated to cost approximately \$0. Per the Building Official there will be no repairs due to fire damage. Estimated costs for demolition are approximately \$14,500. The 2016 SEV is \$15,300. According to Assessor records, the Estimated True Cash value of the land alone is approximately \$5,995 and that of the entire property \$34,064.

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 1601 Princeton shall include all information included in the notice of public hearing dated May 24, 2017 and the summary information.

Mrs. Servis seconded 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, seconded by Mrs. Servis.

Motion approved by roll vote unanimously.

ANNOUNCEMENTS

ADJOURNMENT

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

With a unanimous vote the meeting was adjourned at 2:47 p.m.

Submitted by: Karleen Steppenwolf Date 6/15/17
 BBA Recording Secretary
 Karleen Steppenwolf

Reviewed by: [Signature] Date 6/15/17
 Building Official
 Robert McNutt

Approved by: [Signature] Date 6/15/17
 BBA Chair
 Richard Emig