



## Agenda

**City of Kalamazoo – Building Board of Appeals  
241 W. South Street  
Kalamazoo**

**February 18, 2016**

**City Commission Chambers, City Hall**

**2:00 p.m.**

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- A. Call to Order:
- B. Roll Call:
- C. Communications and Announcements:
- D. Approval of the Minutes:
- E. Initial Hearings:
  - 1. 1316 Mills Street
  - 2. 1852 S. Burdick Street
- F. Re-hearings:
- G. Other Business:
  - The Election of Offices:
- H. Adjournment:

**MINUTES  
BUILDING BOARD OF APPEALS  
January 21, 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, David Hyde

**Members Absent:** Emily Parfet

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

**NEW BUSINESS**

**APPROVAL OF PREVIOUS MINUTES**

Mr. Hyde, seconded by Mr. Wark moved to approve the minutes of November 19, 2015 as submitted, approved by voice call vote.

**INITIAL HEARINGS**

None

**ANNOUNCEMENTS**

Mr. McNutt stated he wanted to discuss the current term limits. Mr. Kiplinger's term expires on 3/31/16 and he stated was willing to continue to serve on the Board.

**Ms. Servis moved a recommendation to reappoint Mr. Kiplinger for a second term to the City Commission, supported by Chair Emig.**

**Motion approved by voice vote unanimously.**

Reviewed the 2016 meeting dates held on the third Thursday of every month.

Mr. McNutt stated the City was trying to set up training for the City's Board's on the proper procedures on how to run a meeting, possibly at the City Library. It would be open to all of the

City’s Board members. Once the dates and times are determined more information will be sent out.

There was discussion on how the Housing Board of Appeals and the Dangerous Building Boards was combined into the Building Board of Appeals. Once the International Property Maintenance Code was adopted with amendments there haven’t been many requests to the Housing Board of Appeals.

Mr. McNutt gave a brief update on the following properties:

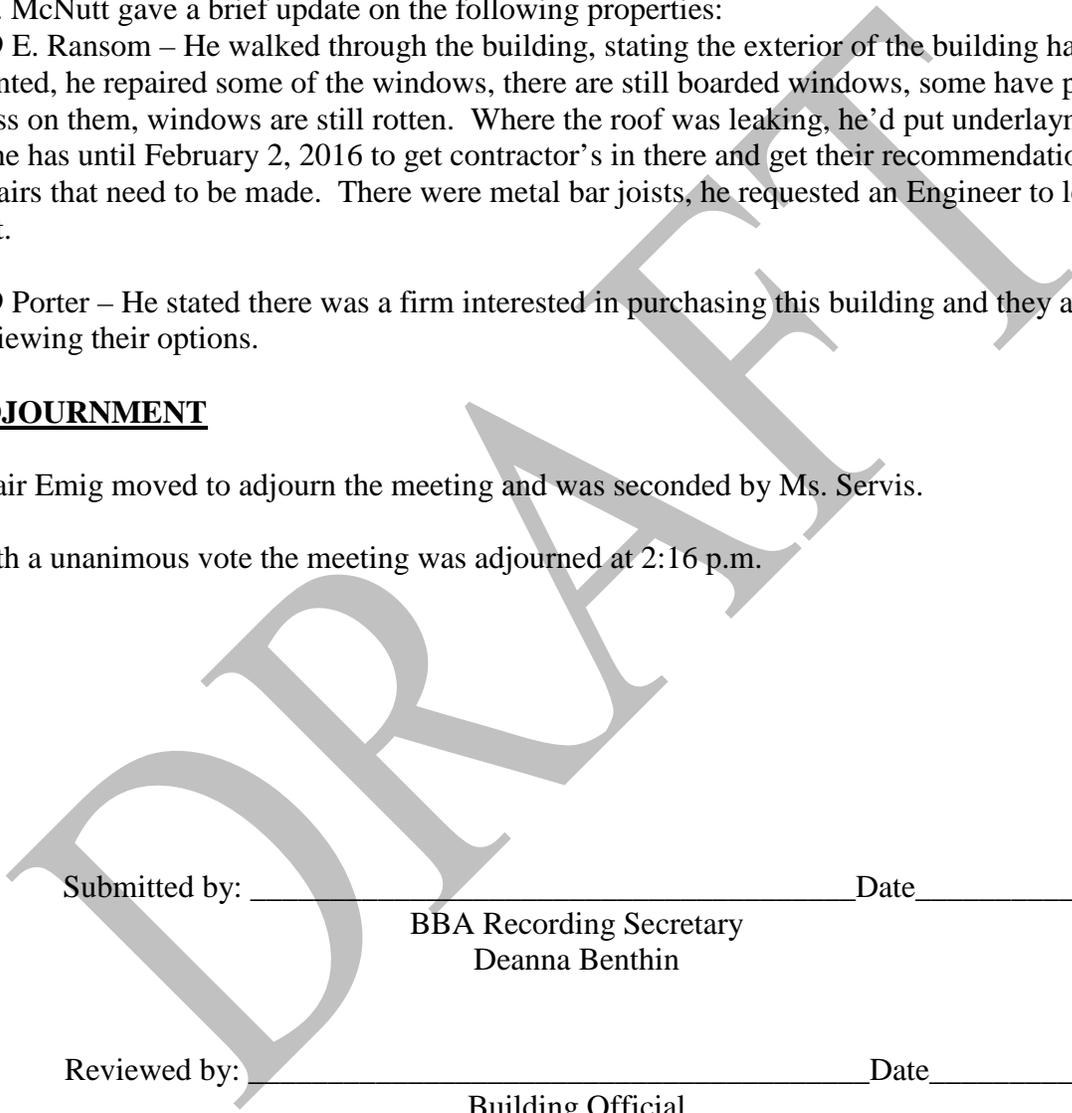
329 E. Ransom – He walked through the building, stating the exterior of the building had been painted, he repaired some of the windows, there are still boarded windows, some have plexi-glass on them, windows are still rotten. Where the roof was leaking, he’d put underlayment on it, he has until February 2, 2016 to get contractor’s in there and get their recommendations on the repairs that need to be made. There were metal bar joists, he requested an Engineer to look at that.

619 Porter – He stated there was a firm interested in purchasing this building and they are reviewing their options.

**ADJOURNMENT**

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

With a unanimous vote the meeting was adjourned at 2:16 p.m.



Submitted by: \_\_\_\_\_ Date \_\_\_\_\_

BBA Recording Secretary  
Deanna Benthin

Reviewed by: \_\_\_\_\_ Date \_\_\_\_\_

Building Official  
Robert McNutt

Approved by: \_\_\_\_\_ Date \_\_\_\_\_

BBA Chair  
Richard Emig



KALAMAZOO DEVELOPMENT CENTER

415 Stockbridge Avenue

Kalamazoo, MI 49001

Ph. 269.337.8026

[www.kalamazoo.org](http://www.kalamazoo.org)

**DANGEROUS BUILDING  
NOTICE OF DETERMINATION & HEARING**

02/03/2016

**HARBOUR PORTFOLIO VII LP  
8214 WESTCHESTER DR, STE 635  
DALLAS, TX 75225**

The building at **1316 MILLS ST, CCN# 06-23-323-198**, has been determined by the City Building Official to be a **DANGEROUS BUILDING** which is defined by 9-326(c) as being: any building or structure which, because of one or more violations of Chapter 9 Building Regulations and /or Chapter 17 Housing code of the City of Kalamazoo code of Ordinances, is unsafe for occupancy or to the general public; or is a visual blight adversely affecting the general welfare of the area. Conditions in violation include but are not limited to the following.

**VIOLATIONS: UNSAFE STRUCTURES SHALL BE TAKEN DOWN AND REMOVED OR MADE SAFE, AS THE BUILDING OFFICIAL DEEMS NECESSARY AND AS PROVIDED FOR IN THIS SECTION.** Building is condemned due to a structure fire. No person shall occupy/be present in condemned dwelling, dwelling unit or premises thereof if condemned or constitutes a nuisance.

Any and all conditions not yet resolved that were cited as violations in Correction Notice(s) dated on or about:  
DATES: 10/23/12, 6/12/14, 9/22/15, 12/19/15

**A HEARING IS SCHEDULED TO BE HELD BEFORE THE  
BUILDING BOARD OF APPEALS  
THURSDAY, FEBRUARY 18, 2016 AT 2:00 PM IN THE  
COMMISSION CHAMBERS, KALAMAZOO CITY HALL  
241 W. SOUTH ST, KALAMAZOO, MICHIGAN**

This hearing gives you the opportunity to dispute the City's determination. You have the right to be represented by legal counsel and may submit evidence and make arguments concerning the factual and legal issues of the case. You may request that the Board act to: 1) determine that the building is not a dangerous building, 2) determine that this letter is in error, illegal or unauthorized, 3) extend the deadline to perform the required repairs, or 4) modify the required repairs.

You will be billed a fee of **\$269** for the title search and review that has been completed on this property, and for one or more of the following fees: **\$161** for the referral to the DBB, **\$161** for the initial hearing, or **\$108** if this is a re-hearing.

If you have further questions, please contact us at the address or phone number above.

Sincerely,

A handwritten signature in blue ink that reads "Robert McNutt, D.B."

Robert McNutt  
Building Official

cc: CP&D Property File  
BBA Board Members

Larry Bradley  
650 Rex  
Kalamazoo, MI 49048

## BBA PROPERTY INFORMATION SUMMARY

For February 18, 2016

**1316 Mills Street** - This property is located in a Residential, Duplex District (Use Zone RD-19) in the Edison neighborhood. The 50' X 132' (0.150 acre) property contains a 1,744 sq. ft. 2 story Single family dwelling built in 1896. Nearby uses are residential dwellings, residential multi-family dwellings, commercial and religious structure. There are no historic considerations for this property.

**HARBOUR PORTFOLIO VII LP**, is shown as Deed Holder. A 2014 Land Contract (\$32,900) was filed on 12/29/14 with Larry H. Bradley, the taxpayer.

**2015 Summer Tax Amount: \$1,077.36 BASE, \$1,280.64 (Includes \$285.00 Housing Lien) NOW DUE AND PAYABLE**

**2015 Winter Tax Amount: \$982.15 PAYABLE THROUGH 2/14/2016**

**2014 TAXES: \$1,015.16 NOW DUE AND PAYABLE**

**INVOICES: \$401.04 DELIQU UTILITIES.** Check with the City Treasurer to see if additional interest and penalties have been applied.

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Structural and exterior repairs for the building are estimated to cost approximately \$65,000. Estimated costs for demolition are approximately \$15,500. The 2015 SEV is \$26,200. According to Assessor records, the Estimated True Cash value of the land alone is approximately \$13,679 and that of the entire property \$53,335.

Finding of Fact by: \_\_\_\_\_ Support: \_\_\_\_\_ Vote: \_\_\_\_\_

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

The Building Board of Appeals finds that the structure and grounds at 1316 Mills Street constitutes a "Dangerous Building" and a blight due to the conditions and violations detailed in the 02/03/2016 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 February 25, 2016 and complete all exterior and structural repairs or demolition by March 21, 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.

The estimated costs are as follows: Structural and exterior repairs – \$65,000; Demolition – \$15,500. A charge of \$1,000 for administrative costs shall also be assessed against the property if direct City abatement becomes necessary.

Motion by:

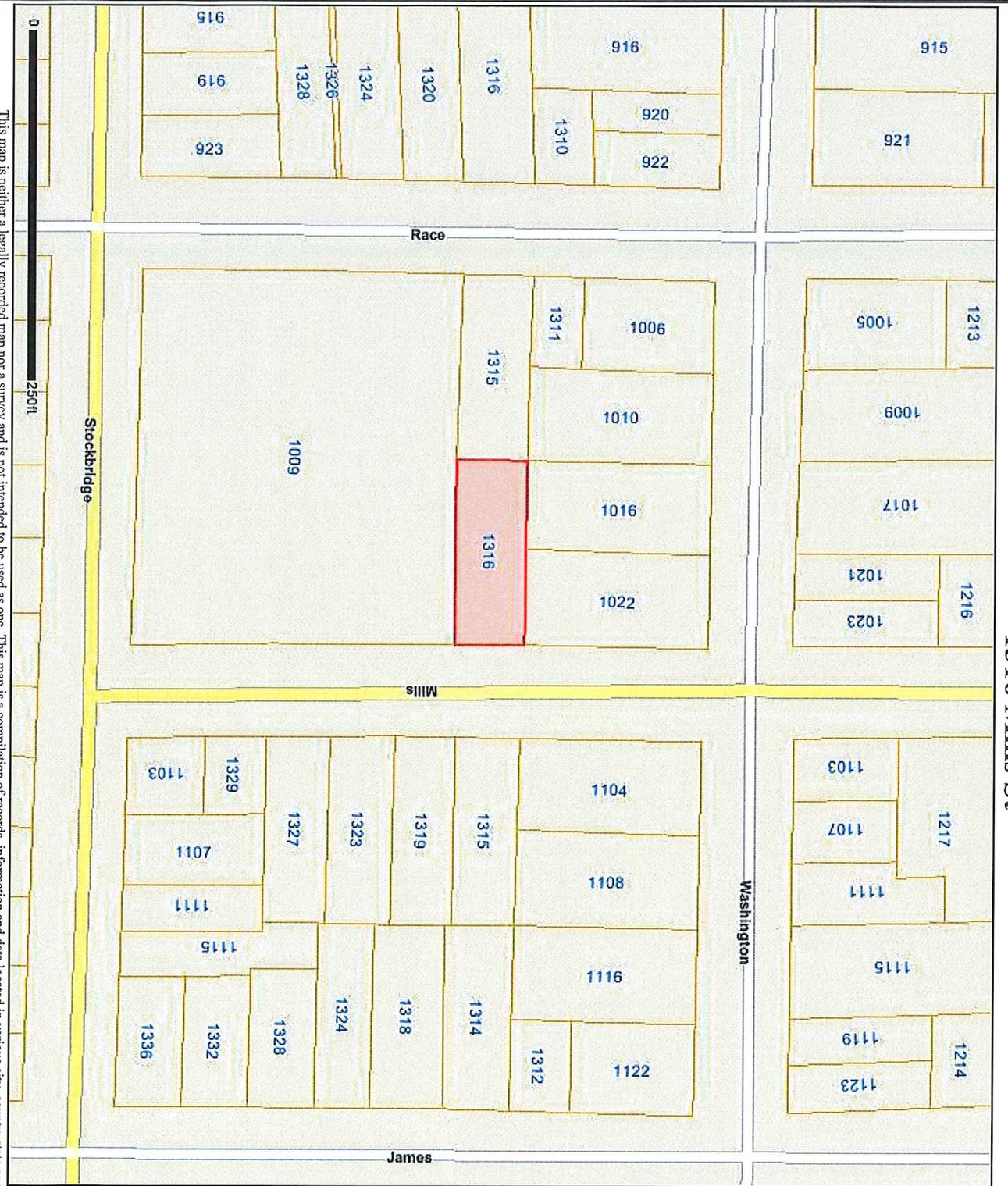
Second by:

Vote:



1316 Mills Street

# 1316 Mills St



- Selected Features
- County Boundary
- City Limits
- Construction Sites
- Streets
- Freeway
- Major Arterial
- Minor Arterial
- Ramp
- Trails
- Roads
- Streets
- Freeway
- Major Arterial
- Minor Arterial
- Ramp
- Roads
- Water Features
- Surface
- Culvert
- Water Features
- Parcels
- Municipalities
- Streets



This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and sources regarding the area shown, and is to be used for reference purposes only. Map Created: 2/8/2016



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**DANGEROUS BUILDING  
NOTICE OF DETERMINATION & HEARING**  
02/03/2016

**A-1 REFRG SALES & SERVICE INC  
1852 S BURDICK ST  
KALAMAZOO, MI 49001**

The building at **1852 S BURDICK ST, CCN# 06-27-136-003**, has been determined by the City Building Official to be a **DANGEROUS BUILDING** which is defined by 9-326(c) as being: any building or structure which, because of one or more violations of Chapter 9 Building Regulations and /or Chapter 17 Housing code of the City of Kalamazoo code of Ordinances, is unsafe for occupancy or to the general public; or is a visual blight adversely affecting the general welfare of the area. Conditions in violation include but are not limited to the following.

**VIOLATIONS:** STRUCTURES OR EXISTING EQUIPMENT THAT ARE INADEQUATELY MAINTAINED SHALL BE DEEMED UNSAFE, UNSANITARY OR DEFICIENT BECAUSE OF INADEQUATE EGRESS FACILITIES, CONSTITUTE A FIRE HAZARD, OR ARE OTHERWISE DANGEROUS TO HUMAN LIFE OR THE PUBLIC WELFARE. Several areas of the buildings walls and piers that support the beams and roof structure have cracks and shifted blocks. The walls are bowed, there are foundation movement, it will be required that the structure have an Engineer access it and give a report on how to correct the damage. The building has no electrical or mechanical services. The use and storage of flammable paints and solvents is a fire hazard also and compounds the danger.

Any and all conditions not yet resolved that were cited as violations in Correction Notice(s) dated on or about: DATES:  
1/24/13, 2/24/14, 8/12/15,

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This hearing gives you the opportunity to dispute the City's determination. You have the right to be represented by legal counsel and may submit evidence and make arguments concerning the factual and legal issues of the case. You may request that the Board act to: 1) determine that the building is not a dangerous building, 2) determine that this letter is in error, illegal or unauthorized, 3) extend the deadline to perform the required repairs, or 4) modify the required repairs.

You will be billed a fee of **\$269** for the title search and review that has been completed on this property, and for one or more of the following fees: **\$161** for the referral to the DBB, **\$161** for the initial hearing, or **\$108** if this is a re-hearing.

If you have further questions, please contact us at the address or phone number above.

Sincerely,

  
Robert McNutt  
Building Official

cc: CP&D Property File  
BBA Board Members

**BENNO'S WOODWORKING  
1852 S BURDICK ST  
KALAMAZOO, MI 49001**

## **BBA PROPERTY INFORMATION SUMMARY**

For February 18, 2016 meeting

**1852 S. Burdick Street** – This property is located in a Commercial Local Neighborhood District (Use Zone CN-1) in the Southside neighborhood. The 66' X 99' (0.016 acre) property contains a 4,356 sq. ft. 1 story commercial building built in 1916. Nearby uses are residential dwellings and commercial. There are no historic considerations for this property.

**A-1 REFRIGERATION SALES & SERVICE, INC.** is shown as Owner with no existing mortgages. There have been five Federal Tax Liens dating back to 2012.

Delinquent taxes showing as owed have been found and are payable to the County Treasures (Contact them for the exact amount): As of 02/01/16.

**2015 Summer Tax Amount: \$1,017.09 (includes \$150.00 Housing Lien) Base - \$1,118.79**

**FEBRUARY PAYOFF**

**2015 Winter Tax Amount: \$911.18 NOW DUE AND PAYABLE**

**2014 Taxes: \$2,187.62 FEBRUARY PAYOFF**

**2013 Taxes: \$2,494.43 FEBRUARY PAYOFF**

**Invoices: \$138.71; \$252.00 Due.** Check with the City Treasurer to see if additional interest and penalties

Any and all conditions not yet resolved that were cited as violations in Correction Notice(s) dated on or about: 1/24/13, 2/24/14 and 8/12/15.

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Structural and exterior repairs for the building are estimated to cost approximately \$85,000. Estimated costs for demolition are approximately \$23,200. The 2015 SEV is \$31,200. According to Assessor records, the Estimated True Cash value of the land alone is approximately \$31,975 and that of the entire property \$62,972.

Finding of Fact by: \_\_\_\_\_ Support: \_\_\_\_\_ Vote: \_\_\_\_\_

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

The Building Board of Appeals finds that the structure and grounds at 1852 S. Burdick Street constitutes a "Dangerous Building" and a blight due to the conditions and violations detailed in the 02/03/16 Building Board of Appeals Notice of Determination and Hearing.

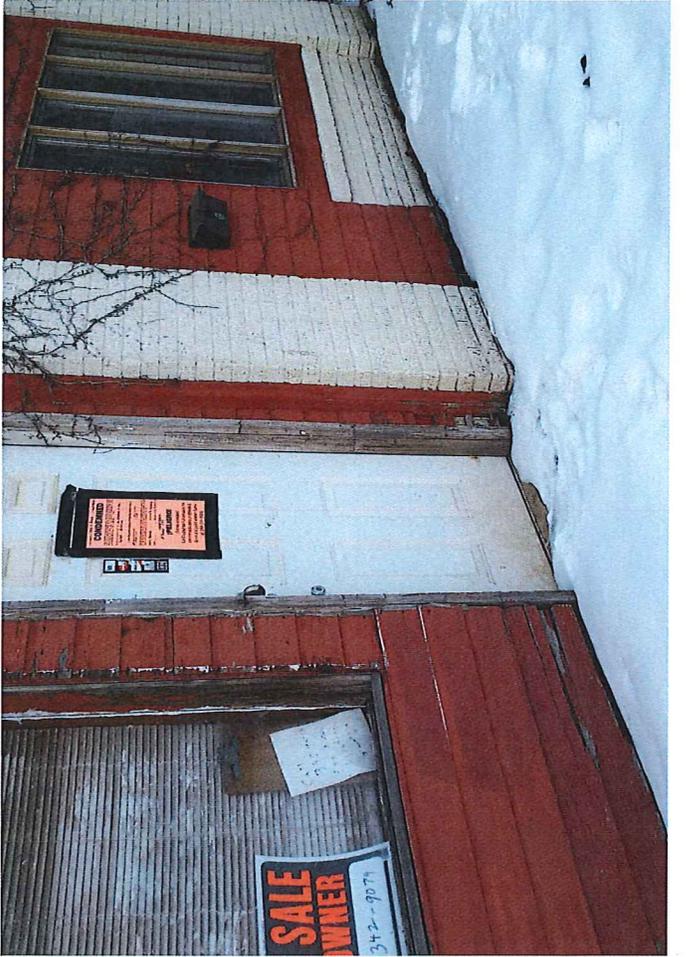
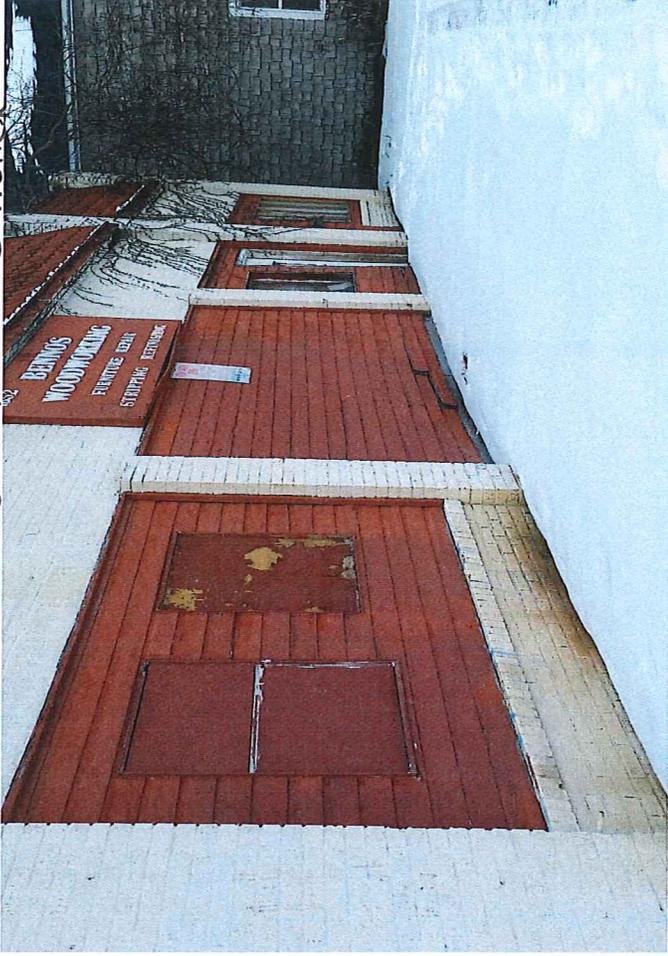
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The estimated costs are as follows: Structural and exterior repairs – \$85,000; Demolition – \$23,200. A charge of \$1,000 for administrative costs shall also be assessed against the property if direct City abatement becomes necessary.

Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_ Vote: \_\_\_\_\_

1852 S. Burdick



1852 S. Burdick

