

**DANGEROUS BUILDINGS HEARING
JANUARY 14, 2009
1:00 P.M.**

City Hall
Commission Chambers
10 N. Division Street
3rd floor – Room 301
Battle Creek, MI

Call to Order: Carman Hamilton, Hearing Officer, called the meeting to order at 2:03 p.m.

Members Present: Carman Hamilton, Hearing Officer

Members Absent: None

Staff Present: Jon Presecan, Code Officer, Dennis McKinley Code Compliance Administrator, Ralph Britton, Fire Inspector and Sandra Gray, Secretary

NEW BUSINESS

25 Annapolis Avenue (House): Calhoun County Treasurer, property owner, was not present.

Jon Presecan, Code Officer, stated that upon the inspection of the house, he found the following: house vacant 180 days, boarded and deteriorated masonry.

Carman Hamilton asked if there were any other comments. Hearing none, Mr. Hamilton stated that this property represents a hazardous condition in this neighborhood and the community as a whole; therefore, the Board has granted the property owner **(30) thirty days** to bring it into compliance and/or demolish the structure.

37 Battle Creek Avenue (House & Garage): John & Charlene Smith, property owners, were not present.

Jon Presecan, Code Officer, stated that upon the inspection of the house and garage, he found the following: vacant 180 days and boarded.

Carman Hamilton asked if there were any other comments. Hearing none, Mr. Hamilton stated that this property represents a hazardous condition in this neighborhood and the community as a whole; therefore, the Board has granted the property owner **(30) thirty days** to bring it into compliance and/or demolish the structure.

145 Battle Creek Avenue (House): Bodian Holdings LLC, property owner, was not present.

Jon Presecan, Code Officer, stated that upon the inspection of the house, he found the following: vacant 180 days, deteriorated chimney and siding.

Carman Hamilton asked if there were any other comments. Hearing none, Mr. Hamilton stated that this property represents a hazardous condition in this neighborhood and the community as a whole; therefore, the Board has granted the property owner **(30) thirty days** to bring it into compliance and/or demolish the structure.

107 Bennett Street (Structure): John Kenefick, property owner, was not present.

Jon Presecan, Code Officer, stated that upon the inspection of the structure, he found the following: vacant 180 days, exterior repairs needed.

Carman Hamilton asked if there were any other comments. Hearing none, Mr. Hamilton stated that this property represents a hazardous condition in this neighborhood and the community as a whole; therefore, the Board has granted the property owner **(30) thirty days** to bring it into compliance and/or demolish the structure.

119 Bennett Street (House): Sarah Klinger, property owner, was present.

Jon Presecan, Code Officer, stated that upon the inspection of the house, he found the following: vacant 180 days, missing siding and boarded.

Sarah Klinger stated that her father will patch, dry wall and replace the flooring. They have been in contact with Ed Harris, Electrical Inspector, to discuss the electrical issue. She asked who they needed to speak with to get the permits.

Jon Presecan, Code Officer, commented that they should speak with the Inspection Department for permits.

Sarah Klinger requested 90 days to correct the violations.

Carman Hamilton asked if there were any other comments. Hearing none, Mr. Hamilton stated that this property represents a hazardous condition in this neighborhood and the community as a whole; therefore, the Board has granted the property owner **(90) ninety days** to bring it into compliance and/or demolish the structure.

44 Boardman Avenue (House): Rose Acceptance Inc., property owner, was not present.

Jon Presecan, Code Officer, stated that upon the inspection of the house and garage, he found the following: vacant 180 days, boarded and deteriorated wood.

Carman Hamilton asked if there were any other comments. Hearing none, Mr. Hamilton stated that this property represents a hazardous condition in this neighborhood and the community as a whole; therefore, the Board has granted the property owner **(30) thirty days** to bring it into compliance and/or demolish the structure.

76 Clay Street (House & Garage): Shaun McCullum, within written consent, spoke on behalf of his father, Charlie McCullum.

Jon Presecan, Code Officer, stated that upon the inspection of the house and garage, he found the following: vacant 180 days, boarded, deteriorated soffit and siding.

Shaun McCullum stated that he would be helping his father with the repair work and thought that they would need at least five months.

Carman Hamilton asked if you have been in contact with anyone from the city regarding what would be needed to bring the property up to code? He also noted that the property has been vacant for at least six months and questioned why nothing has been done to the property.

Shaun McCullum replied that his father lives in Detroit and they had bought some materials but someone broke in and stole them. He stated that he goes over there and tries to make sure the outside is maintained but he has a home of his own to maintain.

Carman Hamilton stated that he would grant 90 days and if you need additional time, you can request it from the Housing Board of Appeals.

Carman Hamilton asked if there were any other comments. Hearing none, Mr. Hamilton stated that this property represents a hazardous condition in this neighborhood and the community as a whole; therefore, the Board has granted the property owner **(90) ninety days** to bring it into compliance and/or demolish the structure.

140 Cliff Street (House): Edward Gibson, property owner, was present.

Jon Presecan, Code Officer, stated that upon the inspection of the house, he found the following: vacant 180 days.

Edward Gibson supplied the Hearing Officer with an action plan and stated that he and Corey Carlson will do the majority of the work themselves.

Carman Hamilton asked how much time do you need.

Edward Gibson replied that the work would start in February and they'll need about 60 days.

Carman Hamilton asked if there were any other comments. Hearing none, Mr. Hamilton stated that this property represents a hazardous condition in this neighborhood and the

community as a whole; therefore, the Board has granted the property owner **(60) sixty days** to bring it into compliance and/or demolish the structure.

320 Cliff Street (House & Attached Garage): LaSalle Bank NA, property owner, was not present.

Jon Presecan, Code Officer, stated that upon the inspection of the house and attached garage, he found the following: new roof required.

Carman Hamilton asked if there were any other comments. Hearing none, Mr. Hamilton stated that this property represents a hazardous condition in this neighborhood and the community as a whole; therefore, the Board has granted the property owner **(30) thirty days** to bring it into compliance and/or demolish the structure.

25-27 W. Fountain Street (House): Joe Carpenter, property owner, was present.

Jon Presecan, Code Officer, stated that upon the inspection of the house, he found the following: vacant 180 days, deteriorated soffit, fascia and roof.

Joe Carpenter stated the house is going thru foreclosure and it should be settled by June 2009.

Carman Hamilton asked for a recommendation from the Code Compliance Administrator.

Dennis McKinley, Code Compliance Administrator, recommended a 45-day extension and we'll see where the property is in the process at that time.

Carman Hamilton asked if there were any other comments. Hearing none, Mr. Hamilton stated that this property represents a hazardous condition in this neighborhood and the community as a whole; therefore, the Board has granted the property owner **(45) forty-five days** to bring it into compliance and/or demolish the structure.

80 Jordan Street (House): Levi White, property owner, was not present.

Jon Presecan, Code Officer, stated that upon the inspection of the house, he found the following: severely fire damaged.

Ralph Britton, Fire Inspector, recommended that the house be demolished because it is a safety hazard to the surrounding neighborhood.

Carman Hamilton asked if there were any other comments. Hearing none, Mr. Hamilton stated that this property represents a hazardous condition in this neighborhood and the community as a whole; therefore, the Board has granted the property owner **(30) thirty days** to bring it into compliance and/or demolish the structure.

33 N. McCamly Street (Commercial Structure, Rear Section): Frank Magiera, property owner, was not present.

Jon Presecan, Code Officer, stated that upon the inspection of the commercial structure, rear section, he found the following: deteriorated foundation, masonry and broken glass.

Carman Hamilton asked if there were any other comments. Hearing none, Mr. Hamilton stated that this property represents a hazardous condition in this neighborhood and the community as a whole; therefore, the Board has granted the property owner **(30) thirty days** to bring it into compliance and/or demolish the structure.

34 Meachem Avenue (House & Garage): Lee Cornish, property owner, was present.

Jon Presecan, Code Officer, stated that upon the inspection of the house and garage, he found the following: vacant 180 days and boarded.

Lee Cornish stated that he recently purchased the house and someone broke in and stole the tub and sink. He stated that he felt he could get the work done in 90 days.

Carman Hamilton asked if there were any other comments. Hearing none, Mr. Hamilton stated that this property represents a hazardous condition in this neighborhood and the community as a whole; therefore, the Board has granted the property owner **(90) ninety days** to bring it into compliance and/or demolish the structure.

82 S. Wabash Avenue (House): Richard Weatherly, with written consent, spoke on behalf of Amy Mileski, property owner.

Jon Presecan, Code Officer, stated that upon the inspection of the house, he found the following: severely fire damaged.

Richard Weatherly stated Amy Mileski is working with the insurance company on a settlement and would request a 60 day extension to hopefully get it finalized. After that, they would begin looking at correcting the violations.

Ralph Britton, Fire Inspector, reported that the fire occurred on November 30, 2008 and it was ruled an arson. The fire was maintained in the room of origin and he would recommend that the owner be given the 60 days requested to follow thru with the insurance company.

Carman Hamilton asked if there were any other comments. Hearing none, Mr. Hamilton stated that this property represents a hazardous condition in this neighborhood and the community as a whole; therefore, the Board has granted the property owner **(60) sixty days** to bring it into compliance and/or demolish the structure.

PUBLIC COMMENTS: None.

BOARD/STAFF COMMENTS: None.

ADJOURNMENT:

Hearing Officer Hamilton adjourned the meeting at 1:50 p.m.

/sfg