

DANGEROUS BUIDLINGS HEARING
MAY 13, 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 1:02 p.m.

Members Present: Carman Hamilton, Hearing Officer

Members Absent: None

Staff Present: Pam Lawson, Code Officer, Dennis McKinley Code Compliance Administrator, and Sandra Gray, Secretary

NEW BUSINESS

93 Battle Creek Avenue (House & Garage): Fernando Hernandez, property owner, was present.

Pam Lawson, Code Officer, stated that upon the inspection, she found the following: deteriorated surfaces which include broken/missing window glass, peeling paint and bare surfaces. She noted that there are serious violations on the garage.

Fernando Hernandez stated he intends to demolish the garage and questioned what he needed to do that.

Pam Lawson, Code Officer, replied you should contact the Inspections Division and they will give you that information. Furthermore, you should schedule a safety inspection which would determine what if any other violations exist and need correcting. She stated that the violations would need to be corrected and a Certificate of Occupancy issued by the Inspections Division before any one could reside there.

Carman Hamilton asked how much time would you need.

Fernando Hernandez stated for the garage, about a month but is not sure how long it would take for the house.

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.

120 W. Bidwell Street (House & Garage): Jonas Mohnk, property owner, was not present.

Pam Lawson, Code Officer, stated that upon the inspection, she found the following: deteriorated surfaces which include siding, soffit and fascia, trim and peeling paint.

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.

19 Boardman Avenue (House): Wesley Hummel, property owner, was present.

Pam Lawson, Code Officer, stated that upon the inspection, she found the following: deteriorated surfaces, including roof, peeling paint and boarded windows.

Wesley Hummel submitted an action plan which states all work will be completed by December 1, 2009. His tenant moved out when they received the hearing notice because he thought the city would evict him.

Pam Lawson, Code Officer, recommended that Mr. Hummel schedule a safety inspection by contacting the Inspections Division. This safety inspection would determine what if any other violations exist and need correcting. She stated that the violations would need to be corrected and a Certificate of Occupancy issued by the Inspections Division before any one could reside there.

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.

121 W. Burnham Street (House): Glen Lower, property owner, was not present.

Pam Lawson, Code Officer, stated that upon the inspection, she found the following: deteriorated surfaces, boarded doors and windows and peeling paint.

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.

171 Cherry Street (House): Allen & Marcia Trigg, property owners, was not present.

Pam Lawson, Code Officer, stated that upon the inspection, she found the following: deteriorated surfaces including front porch decking and foundation, soffit and fascia, broken windows and peeling paint.

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.

57 W. Fountain Street (House): Calhoun County Treasurer, property owner, was not present.

Pam Lawson, Code Officer, stated that upon the inspection, she found the following: deteriorated surfaces, broken/missing guardrail, improper electrical installations and peeling paint.

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.

278 Hamblin Avenue (Structure): Mac Vanderbrink, property owner, was present.

Pam Lawson, Code Officer, stated that upon the inspection, she found the following: structural violations which include walls, roof and open eaves.

Mac Vanderbrink stated he has not plan of action because the state of the property is in the hands of the insurance company. Once they determine if it's salvalable, he will make a decision on what to do with it.

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.

467 Hamblin Avenue (House): Ada Marshall Estate, property owner, was not present.

Pam Lawson, Code Officer, stated that upon the inspection, she found the following: deteriorated surfaces, including roof and soffit, improper electrical wiring and framing of carport.

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.

265 W. Jackson Street (House): Linda Whitfield, property owner, was present.

Pam Lawson, Code Officer, stated that upon the inspection, she found the following: deteriorated/damaged surfaces, peeling paint, improper egress, missing window glass and gaps in foundation.

Linda Whitfield submitted a plan of action and quote for the repair work. She intends to repair the front porch, side steps and if possible, sell the house.

Carman Hamilton asked how much time is needed to do the repair work.

Linda Whitfield replied the work could be done by June 30, 2009.

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 **until June 30, 2009** to bring it into compliance and/or demolish the structure.

145 E. Kingman Avenue (House & Garage): Victor Smith, property owner, was not present.

Pam Lawson, Code Officer, stated that upon the inspection, she found the following: deteriorated surfaces which include peeling paint and broken handrail.

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 Lathrop Avenue (House & Garage): Secretary of Urban Development, property owner, was not present.

Pam Lawson, Code Officer, stated that upon the inspection, she found the following: deteriorated surfaces, peeling paint, missing or broken window glass and contacting foliage.

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.

169 Parish Street (House): Robert Cusack, property owner, was not present.

Pam Lawson, Code Officer, stated that upon the inspection, she found the following: broken and boarded windows, unpainted surfaces, structural violations and deteriorated surfaces.

Robert Cusack submitted a copy of the land contract, forfeiture notice for the land contract and proof service which states that Scott Weill is responsible for the property. He stated a lot of damage has been done to the house and he intends to take him to court. He went on to state that Mr. Weill's address is 16655 10 Mile Road, Battle Creek, Michigan and that he should get a copy of the hearing notices as well. Mr. Cusack felt that time should be given to be able to notify Mr. Weill's of the hearings since he is the responsible party.

Carman Hamilton stated he would give 30 days to allow Mr. Weill to be notified regarding the next hearing.

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.

342 Parkway Drive (House & Garage): Michael Brinneman, property owner, was not present.

Pam Lawson, Code Officer, stated that upon the inspection, she found the following: deteriorated surfaces, including roof, soffit and fascia, front porch decking, missing/boarded and broken window glass and peeling paint.

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.

401 Parkway Drive (Garage): Thomas Rogers and Sandra Rogers, property owners, were not present.

Pam Lawson, Code Officer, stated that upon the inspection, she found the following: deteriorated surfaces (roof, soffit/fascia), structural violations, missing window glass and door.

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.

411 Parkway Drive (House & Garage): Removed from agenda.

32 Richards Place (Garage): Nicole Rice, property owner, was present.

Pam Lawson, Code Officer, stated that upon the inspection, she found the following: structural violations, deteriorated surfaces (roof and siding) and peeling paint.

Nicole Rice stated they plan to demolish the garage and would need at least 60 days to accomplish this.

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) thirty days** to bring it into compliance and/or demolish the structure.

202 South Avenue (House): John Kenefick, property owner, was present.

Pam Lawson, Code Officer, stated that upon the inspection, she found the following: deteriorated surfaces, peeling paint, missing screens and window glass.

John Kenefick stated one of the violations is noted as being deteriorated surfaces and he wanted to know which surfaces.

Pam Lawson stated from the pictures, it looks like the roof.

John Kenefick stated the violations should say exactly that but it does not.

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.

159 Upton Avenue (Structure): Calhoun County Treasurer, property owner, was not present.

Pam Lawson, Code Officer, stated that upon the inspection, she found the following: deteriorated surfaces, sill plate, awning, peeling paint and broken window 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.

470 S. Washington Avenue (Garage): Vicki Gordon, property owner, was not present.

Pam Lawson, Code Officer, stated that upon the inspection, she found the following: deteriorated roof and other surfaces, electrical violations and peeling paint.

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.

PUBLIC COMMENTS:

BOARD/STAFF COMMENTS:

ADJOURNMENT:

The Hearing Officer adjourned the meeting at 2:40 p.m.

/sfg