

**HOUSING BOARD OF APPEALS MINUTES
JANUARY 16, 2008**

**CITY HALL
10 N. DIVISION STREET
COMMISSION CHAMBERS
3RD FLOOR – ROOM 311
BATTLE CREEK, MICHIGAN**

CALL TO ORDER: Carlyle Sims, Chairman, called the meeting to order at 1:30 p.m.

MEMBERS PRESENT: Carlyle Sims, Frank Ballard, Jackie Braman and Denise McCoy

MEMBERS ABSENT: Jim Bauer

STAFF MEMBERS PRESENT: Pam Lawson, Code Officer, Jon Presecan, Code Officer, Ralph Britton, Fire Inspector, Dennis McKinley, Code Compliance Administrator and Sandra Gray, Secretary

ADDITIONS/DELETIONS TO THE AGENDA:

Carlyle Sims asked if there were any additions or deletions to the agenda.
Sandra Gray, Secretary, stated there are none.

APPROVAL OF MINUTES: A motion was made by Jackie Braman, supported by Frank Ballard to approve the December 19, 2007 Minutes. All yes. Motion carried.

DANGEROUS BUILDINGS SHOW-CAUSE HEARINGS:

31 S. Wabash Avenue: Richard Lowe, property owner, was present.

This property was affirmed at the June 21, 2006 Housing Board of Appeals meeting and was in the demolition process. However, the current property owner contacted the City Attorney's office because it is his intent to bring the property into compliance. The City Attorney's Office recommended that he submit a request to the Code Compliance Administrator asking for a rehearing before the Housing Board of Appeals.

Carlyle Sims asked the property owner for his plan of action.

Kenneth Struble, Attorney, representing Mr. Lowe stated that his client is asking for an extension so that he may complete the necessary repairs. He stated that Kim Tuck has investigated the structure and Mr. Lowe anticipates having the interior work completed by April 1, 2008 and the exterior work completed by June 1, 2008. He estimates that the repair cost would be approximately \$5,500.

Jackie Braman commented that she is opposed to any additional extensions as the property has sat vacant for so long and is eyesore. She felt that the property owner has had ample time to correct the violations and it's not fair to the surrounding neighbors to have to look at it any longer.

A motion was made by Jackie Braman to reaffirm the order. This motion received no support.

A motion was made by Frank Ballard to modify the order for 60 days and that all violations needed to be completed except for the painting and the painting needed to be done by June 1, 2008. This motion received no support.

A motion was made by Denise McCoy, supported by Frank Ballard to modify the order until June 30, 2008 with the stipulation that the entire project had to be completed by June 30, 2008 and a Certificate of Occupancy issued by the Inspections Division.

Carlye Sims asked for a roll call vote:

Carlye Sims voted yes.
Frank Ballard voted yes.
Jackie Braman voted no.
Denise McCoy voted yes.
Motion carried.

OLD BUSINESS:

158 Meachem Avenue: Property owner was not present.

A motion was made by Denise McCoy, supported by Jackie Braman to deny the appeal due to the non-appearance of the property owner. All yes. Motion carried.

60 W. Rittenhouse Avenue: Lee Cornish, property owner, was not present.

A motion was made by Denise McCoy, supported by Jackie Braman to deny the appeal due to the non-appearance of the property owner. All yes. Motion carried.

NEW BUSINESS: None.

PUBLIC COMMENTS: None

BOARD AND STAFF COMMENTS:

ADJOURNMENT:

Chairman Sims adjourned the meeting at 2:45 p.m.

/sfg