

**HOUSING BOARD OF APPEALS MINUTES
JULY 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 1:32 p.m.

MEMBERS PRESENT: Carlyle Sims, Frank Ballard, Jim Bauer and Denise McCoy

MEMBERS ABSENT: Jackie Braman

STAFF MEMBERS PRESENT: Steve Bundle, Code Officer, Eric Campbell, Code Officer, Jeanette Cook, Code Officer, Doug Davis, Code Officer, Jason Francisco, Code Officer, Jon Presecan, Code Officer, Wayne Proudfit, Code Officer, Susan Bedsole, Director of Licensing and Compliance, Sandra Gray, Secretary

ADDITIONS/DELETIONS TO THE AGENDA:

Carlyle Sims, Chairman, asked if there were any additions or deletions to the agenda.
Sandra Gray, Secretary, stated the following properties have been removed:

Demolished: 189 N. Kendall Street

Complied: 16 Ann Avenue, 62 Ann Avenue, 105 W. Baldwin Avenue, 24 Bernardo Place, 21 W. Coolidge Avenue, 68 Vineyard Avenue, 691 N. Washington Avenue, 228 Wilds Avenue, 19 N. 21st Street, 99 Shellenberger Avenue, 105 Pleasant Avenue and 137 Wiltshire Avenue

Reschedule: 59 Highway Street, 159 Chestnut Street, 123 Ann Avenue, and 128 Pleasant Avenue

APPROVAL OF MINUTES: A motion was made by Jim Bauer, supported by Denise McCoy to approve the July 16, 2008 Minutes. All yes. Motion carried.

DANGEROUS BUILDINGS SHOW-CAUSE HEARINGS:

17 Fremont Street (House): Wesley Hummel, property owner, was not present.

A motion was made by Denise McCoy, supported by Jim Bauer affirm the order due to the non appearance of the property owner. All yes. Motion carried.

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

A motion was made by Jim Bauer, supported by Frank Ballard to affirm the order due to the non appearance of the property owner. All yes. Motion carried.

189 N. Kendall Street (Garage): Garage has been demolished.

213 Post Avenue (House): Citicorp Trust Bank, property owner, was not present.

A motion was made by Denise McCoy, supported by Jim Bauer to affirm the order due to the non appearance of the property owner. All yes. Motion carried.

253 Riverside Drive (Commercial Structure): Francis Apotheker, property owner, was present.

Francis Apotheker stated that he has obtained a building permit for the roof repair and estimates for the work to be done.

A motion was made by Jim Bauer, supported by Frank Ballard to affirm the order as the property owner has documented estimates and obtained a building permit. All yes. Motion carried.

It should be noted that the Code Officer will periodically inspect to make sure work is progressing.

66 Seivour Avenue (House): Richard Gore, Jr., property owner, was not present.

A motion was made by Jim Bauer, supported by Denise McCoy to affirm the order due to the non-appearance of the property owner. All yes. Motion carried.

OLD BUSINESS: None.

NEW BUSINESS:

22 Highway Street: John Vorva, property owner, was present.

A motion was made by Denise McCoy, supported by Jim Bauer to grant a 60-day extension. All yes. Motion carried.

59 Highway Street: Removed and rescheduled for next month.

13 Lourim Court: James Nicholls, property owner, was present.

A motion was made by Jim Bauer, supported by Frank Ballard to grant a 90-day extension. All yes. Motion carried.

43 Byron Street: Chidozie Ononiwu, property owner, was not present.

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

Mr. Ononiwu entered the meeting after the motion was supported and voted on. He apologized to the Board for not being here on time but had a prior commitment. Mr. Ononiwu asked the Board to reconsider their motion as he has plans to rehab the house.

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

A motion was made by Jim Bauer, supported the Denise McCoy to grant the property owner a 60-day extension. All yes. Motion carried.

120 Fremont Street: Sheri Hixson, property owner, was present.

A motion was made by Jim Bauer, supported by Frank Ballard to grant a 60-day extension. All yes. Motion carried.

91 Green Street: Raymond Estelle, property owner, was present.

A motion was made by Jim Bauer, supported by Frank Ballard to grant a 60-day extension. All yes. Motion carried.

148 Harvard Street: Michael Brandt, son of Neil Brandt spoke on his behalf, was present.

A motion was made by Jim Bauer, supported by Denise McCoy to grant a 60-day extension. All yes. Motion carried.

195 Hubbard Street: Ethel Cromwell, property owner, was not present.

A motion was made by Jim Bauer, supported by Frank Ballard to deny the appeal due to the non-appearance of the property owner. All yes. Motion carried.

195 Oneita Street: Shirley Bryant, property owner, was present.

A motion was made by Denise McCoy, supported by Jim Bauer to grant a 60-day extension. All yes. Motion carried.

59 Yuba Street: Raymond Estelle, property owner, was present.

A motion was made by Jim Bauer, supported by Frank Ballard to grant a 60-day extension. All yes. Motion carried.

245 Calhoun Street: Deborah Ensign, property owner, was present.

A motion was made by Jim Bauer, supported by Denise McCoy to grant a 60-day extension. All yes. Motion carried.

142 Central Street: Matthew Bush, property owner, was present.

A motion was made by Jim Bauer, supported by Frank Ballard to grant a 60-day extension. All yes. Motion carried.

159 Chestnut Street: Rescheduled for next month.

143 W Pitman Avenue: Jeffrey Gorham, property owner, was not present.

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

153 Third Street: Ronald Ernsberger spoke on behalf of the property owner.

A motion was made by Denise McCoy, supported by Jim Bauer to grant a 60-day extension. All yes. Motion carried.

51 Traverse Street: Rosella McCreary, property owner, was present.

A motion was made by Denise McCoy, supported by Jim Bauer to grant a 30-day extension. All yes. Motion carried.

16 Ann Avenue: Complied.

62 Ann Avenue: Complied.

77 Ann Avenue: Robert Moore, property owner, was not present.

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

123 Ann Avenue: Reschedule for next month.

139 Ann Avenue: Rochelle Hatcher, property owner, was present.

A motion was made by Jim Bauer, supported by Frank Ballard to grant a 90-day extension. All yes. Motion carried.

105 W. Baldwin Avenue: Complied.

96 Battle Creek Avenue: Stacy Powell, property owner, was present.

A motion was made by Jim Bauer, supported by Denise McCoy to grant a 90-day extension. All yes. Motion carried.

24 Bernardo Place: Complied.

80 Carl Avenue: Marilyn Rose, property owner, was present.

A motion was made by Jim Bauer, supported by Frank Ballard to grant a 60-day extension. All yes. Motion carried.

21 W. Coolidge: Complied.

182 Hudson Avenue: Linda Burnham, property owner, was present.

A motion was made by Jim Bauer, supported by Frank Ballard to grant a 60-day extension. All yes. Motion carried.

187 W. Manchester Street: Gus Stoltz, representative of the Adventist Historic Property, Inc., was present.

A motion was made by Jim Bauer, supported by Denise McCoy to grant a 60-day extension. All yes. Motion carried.

96 Maryland Drive: Deborah Sallee, property owner, was present.

A motion was made by Denise McCoy, supported by Frank Ballard to grant a 60-day extension. All yes. Motion carried.

668 W. Michigan Avenue: Ella Powell, property owner, was present.

A motion was made by Denise McCoy, supported by Jim Bauer to grant a 60-day extension. All yes. Motion carried.

120 Seivour Avenue: Debra Imus, property owner, was present.

Debra Imus stated she did not understand why she was cited because she does not believe that the violations noted are accurate.

Doug Davis, Code Compliance Officer, stated that he would recommend that this property be removed from the agenda which would allow him to revisit the property for another inspection. He gave the property owner his business card and asked that she contact him to schedule a time to meet with her.

A motion was made by Denise McCoy, supported by Jim Bauer to remove 120 Seivour Avenue from today's agenda and allow the code officer to revisit the property. All yes. Motion carried.

25 Vineyard Avenue: Shawnequa Armstrong spoke on behalf of her mother Rosemary Armstrong.

A motion was made by Denise McCoy, supported by Jim Bauer to grant a 30-day extension. All yes. Motion carried.

68 Vineyard Avenue: Complied.

548 N. Washington Avenue: The son of Juanita Mackaluso, spoke on her behalf.

A motion was made by Jim Bauer, supported by Denise McCoy to grant a 60-day extension. All yes. Motion carried.

691 N. Washington Avenue: Complied.

119 Wilds Avenue: Daniel Mann, property owner, was not present.

A motion was made by Jim Bauer, supported by Frank Ballard to deny the appeal due to the non-appearance of the property owner. All yes. Motion carried.

228 Wilds Avenue: Complied.

19 N. 21st Street: Complied.

4 S. Cedar Avenue: David & Amber Beck, property owners, were not present.

A motion was made by Jim Bauer, supported by Frank Ballard to deny the appeal due to the non-appearance of the property owners. All yes. Motion carried.

74 Lamora Avenue: William Vandegriff, property owner, was present.

A motion was made by Denise McCoy, supported by Jim Bauer to grant a 90-day extension. All yes. Motion carried.

64 Mosher Avenue: James Quinn, property owner, was present.

A motion was made by Denise McCoy, supported by Frank Ballard to grant a 60-day extension. All yes. Motion carried.

25 Oakley Street: Kim Rudd, spoke on behalf of Russell Moore.

A motion was made by Denise McCoy, supported by Frank Ballard to grant a 60-day extension. All yes. Motion carried.

18 Ridgemoor Avenue: Christopher Wolf, property owner, was present.

A motion was made by Jim Bauer, supported by Denise McCoy to grant a 60-day extension. All yes. Motion carried.

55 Shellenberger Avenue: Anthony Strukel, property owner, was not present.

A motion was made by Jim Bauer, supported by Frank Ballard to deny the appeal due to the non-appearance of the property owners. All yes. Motion carried.

99 Shellenberger Avenue: Complied.

58 Harris Avenue: Brian Watkins, property owner, was not present.

A motion was made by Jim Bauer, supported by Frank Ballard to deny the appeal due to the non-appearance of the property owners. All yes. Motion carried.

218 Iroquois Avenue: Sherry Wessel, property owner, was present.

A motion was made by Jim Bauer, supported by Denise McCoy to grant a 60-day extension. All yes. Motion carried.

335 Iroquois Avenue: Richard & Mary Markos, property owners, were not present.

A motion was made by Jim Bauer, supported by Frank Ballard to deny the appeal due to the non-appearance of the property owners. All yes. Motion carried.

503 Iroquois Avenue: David Wabindato, property owner, was present.

A motion was made by Jim Bauer, supported by Denise McCoy to grant a 60-day extension. All yes. Motion carried.

544 Lakeview Avenue: Karen Roebuck, property owner, was present.

A motion was made by Denise McCoy, supported by Frank Ballard to grant a 60-day extension. All yes. Motion carried.

12 Meachem Avenue: Edna Virgil-Knox, property owner, was present.

A motion was made by Denise McCoy, supported by Frank Ballard to grant a 60-day extension. All yes. Motion carried.

18 Pleasant Avenue: Frances Noud, property owner, was present.

A motion was made by Denise McCoy, supported by Jim Bauer to grant a 60-day extension. All yes. Motion carried.

54 Pleasant Avenue: John Pickford, property owner, was not present.

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

105 Pleasant Avenue: Complied.

110 Pleasant Avenue: Elizabeth Johnson, property owner, was present.

A motion was made by Jim Bauer, supported by Frank Ballard to grant a 60-day extension. All yes. Motion carried.

128 Pleasant Avenue: Reschedule for next month.

56 W. Territorial Road: Otha Brenke, property owner, was present.

A motion was made by Jim Bauer, supported by Denise McCoy to grant a 60-day extension. All yes. Motion carried.

137 Wiltshire Avenue: Complied.

PUBLIC COMMENTS: None.

BOARD AND STAFF COMMENTS: None.

ADJOURNMENT:

Chairman Sims adjourned the meeting at 3:40 p.m.

/sfg