

**HOUSING BOARD OF APPEALS MINUTES
APRIL 15, 2009**

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

CALL TO ORDER: Jackie Braman, Chairman, called the meeting to order at 1:08 p.m.

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

MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Eric Campbell, Code Officer, Jeanette Cook, Code Officer, Doug Davis, Code Officer, Jason Francisco, Code Officer, Pam Lawson, Code Officer, Todd Nowicki, Code Officer, Wayne Proudfit, Dennis McKinley, Code Compliance Administrator and Sandra Gray, Secretary

ADDITIONS/DELETIONS TO THE AGENDA:

Jackie Braman, Chairman, asked if there were any additions or deletions to the agenda.

Sandra Gray, Secretary, stated there are no additions or deletions to the agenda.

APPROVAL OF MINUTES: A motion was made by Carlyle Sims, supported by Denise McCoy to approve the March 18, 2009 Minutes. All yes. Motion carried.

DANGEROUS BUILDINGS SHOW-CAUSE HEARINGS:

184 S. 31st Street (House & Attached Garage): Robert Parker, property owner, was present.

A motion was made by Carlyle Sims, supported by Frank Ballard affirm the order due to no progress having been made on the property. All yes. Motion carried.

5 Bartlett Street (Structure): Terriell Mullen, 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.

22 Battle Creek Avenue (House): Benjamin Gonzales, property owner, was not present.

Alejandro Alcala provided the Board with a written statement from the property owner, Benjamin Gonzales, giving him authorization to speak on his behalf. Mr. Alcala stated he is in the process of buying the house from Mr. Gonzales and will be rehabbing the structure.

Pam Lawson, Code Officer, recommended that you schedule a safety inspection which would outline, in detail, the extent of the violations, if any.

A motion was made by Jim Bauer, supported by Denise McCoy to affirm the order. All yes. Motion carried.

26 Battle Creek Avenue (House): Allen & Marcia Trigg, property owners, were 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.

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

Sarah Klinger stated her father is assisting her in correcting the violations and should have the work done in 90 days or so.

Pam Lawson, Code Officer, stated building and plumbing permits have been issued and they appear to be making progress on correcting the violations.

A motion was made by Jim Bauer, supported by Denise McCoy to modify the order for 90 days. All yes. Motion carried.

40 Boardman Avenue (House): Paramount Land Holdings LLC, 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.

267 Cherry Street (House & Garage): Stephen and Judith Bridges, property owners, were not present.

Rebecca Bridges stated she was present to speak on behalf of this property.

Chairperson Braman asked if she had written authorization from the property owner.

Rebecca Bridges replied she did not.

Chairperson Braman commented without that written authorization, she would not be able to speak on the property.

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

76 Clay Street (House & Garage): Charlie McCullum, property owner, was not present.

Shaun McCullum stated he would be speaking on behalf of his father who has health issues and that he submitted a written note from his father at the dangerous buildings hearing. He stated that the work had been started but someone broke in and stole some of their supplies which set them back.

Sandra Gray, Secretary, confirmed that a written authorization had been received.

Pam Lawson, Code Officer, recommended that you schedule a safety inspection which would outline, in detail, the extent of the violations, if any.

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

106 Clay Street (House): Shonn Dreams, property owner, was present.

Shonn Dreams stated that it is his intent to repair 106 Clay Street and 37 Frisbie Avenue but would need additional time to save money and make the repairs.

A motion was made by Carlyle Sims, supported by Denise McCoy to affirm the order due to no progress having been made on the property. All yes. Motion carried.

120 Clay Street (House & Garage): Ramon Rangel, property owner, was not present.

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

148 Clay Street (House): Alora Ltd., 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.

46 Cliff Street (House): Mike McConnell, 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.

57 Corwin Street (House & Garage): Simone Watkins, property owner, was present.

Simone Watkins stated that she has obtained a building permit for the roof and siding on the house and garage.

Chairperson Braman asked how long would it take for the repairs to be completed.

Simone Watkins replied she was not sure but it is her intent to correct the violations and move in.

Pam Lawson, Code Officer, stated a safety inspection is required along with a new certificate of occupancy is needed.

Jim Bauer stated it would be his recommendation to affirm the order and if the property owner needed additional time, she could work the Code Compliance Division.

A motion was made by Jim Bauer, supported by Carlyle Sims to affirm the order. All yes. Motion carried.

397 Elm Street (House): Sue Miller, 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.

22 Franklin Street (House): Laretta Armstrong, property owner, was not present.

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

26 Franklin Street (House): Calhoun County Treasurer, 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.

165 Fremont Street (House): Specialty Properties Intl VIII LLC, 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.

37 Frisbie Avenue (House): Shonn Dreams, property owner, was present.

Shonn Dreams stated that it is his intent to repair 106 Clay Street and 37 Frisbie Avenue but would need additional time to save money and make the repairs.

A motion was made by Carlyle Sims, supported by Denise McCoy to affirm the order due to no progress having been made on the property. All yes. Motion carried.

101 Greenwood Avenue (House & Garage): Capital Equity Partners, 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.

112 Greenwood Avenue (House & Garage): LaVonza Wilson, property owner, was present.

LaVonza Wilson stated in 2002 she corrected the violations she had been cited for but has not done any of the work she has currently been cited for.

A motion was made by Carlyle Sims, supported by Jim Bauer to affirm the order due to no progress being made on correcting the current violations. All yes. Motion carried.

105 Harris Avenue (House): David Fredo, 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.

57 Harrison Street (House): Stephen J. Moore, 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.

53 Highway Street (House): IRA #29541, 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.

187 Howland Street (House): Samuel & Nora Morrow, property owners, were 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.

226 Howland Street (House): Lawrence Lawson, 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.

232 Howland Street (House): Emily Baker, 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.

56 Illinois Street (House): Johnny Farhat, 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.

78 Lathrop Avenue (House): Alora Ltd., 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.

234 Lathrop Avenue (House): A. J. Howard, 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.

236 Main Street (House): Battle Creek Public Schools, 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.

242 Main Street (House): David A. Elliott, property owner, was not present.

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

338 Main Street (House): Evelyn Porter, 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.

373 Main Street (House): Wells Fargo Bank NA, 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.

92 W. Manchester Street (House & Garage): Linda Whitfield, property owner, was not present.

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

95 S. McKinley Avenue (House & Garage): Danny Frever, 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.

34 Meachem Avenue (House & Garage): Leoma Haley, property owner, was not present.

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

305 Parish Street (House): Donald & Donna Goad, property owners, were not present.

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

19 Reed Court (House): Lucille Van Orthwick, property owner, was present.

Lucille Van Orthwick stated she has received several quotes but is unsure of whether or not she wants to rehab or demolish the house.

Chairperson Braman stated the safety inspection indicates that the house has the majority of the interior damaged by fire. The roof has at least 4 layers of roofing and will require complete replacement of the roof covering and major repair of the roof structure. All of the interior framing will need to be opened to the framing to repair structural and utility damage. Exterior soffit and fascia require repair or replacement. She stated that the estimated cost to repair is \$81,000 and

the SEV is \$21,707.

A motion was made by Jim Bauer, supported by Denise McCoy to affirm the order. All yes. Motion carried.

44 W. Rittenhouse Avenue (House): Florentina Callejas, property owner, was present.

Florentina Callejas stated the safety inspection has been done but she would need additional time to correct the listed violations.

Jim Bauer stated he would recommend affirming the order and have the property owner work with Code Compliance.

A motion was made by Jim Bauer, supported by Denise McCoy to affirm the order. All yes. Motion carried.

41 Tennyson Avenue (House): Nicole Young, property owner, was not present.

Crystal Gardner stated she bought the house from Nicole Young two weeks ago.

Chairperson Braman asked if you had a copy of the deed.

Crystal Gardner replied "no".

Chairperson Braman stated if you don't have written authorization, the Board could not allow you to speak on the property.

A motion was made by Jim Bauer, supported by Carlyle Sims to modify the order for 30 days to allow the transfer of ownership to take place. All yes. Motion carried.

112 Third Street (House): Loise & Blanche Wilson, property owners, were 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.

93 S. Union Street (House & Garage): Paramount Land Holdings LLC, 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.

380 W. Van Buren Street (Structure): Robert Benjamin, 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.

474 S. Washington Avenue (House): Robie Sr. & Alice De Palma, property owners, were not present.

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

436 Wentworth Avenue (House): Timothy Boman, property owner, was not present.

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

86 Wilkes Street (House): Gladys Bradley and A. D. & Alice Jennings, property owners, were 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:

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.

299 Capital Avenue NE: Property sold and removed from agenda.

182 Hudson Avenue: Complied.

96 Maryland Drive: Victor and Deborah Sallee, property owners, were present.

Victor Salle stated the painting should be done within the next 60 days.

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

18 Ridgemoor Avenue: Christopher Wolf, property owner, was not present.

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

57 W. Rittenhouse Avenue: Theodore Lone, property owner, was not present.

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

NEW BUSINESS:

30 Byron Street: Steve Robinson, property owner, was not present.

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

147 Miller Avenue: Removed from agenda.

244 W. Burnham Street: Stephen Brininstool, property owner, was present.

Stephen Brininstool stated more time is needed to correct the violations, except, the retaining wall. He stated if given a 60-day extension most of the violations should be corrected.

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

PUBLIC COMMENTS: None

BOARD AND STAFF COMMENTS: None

ADJOURNMENT:

Chairperson Braman adjourned the meeting at 2:58 p.m.

/sfg