

**HOUSING BOARD OF APPEAL MINUTES  
DECEMBER 16, 2009**

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

**CALL TO ORDER:** 1:06 p.m.

**MEMBERS PRESENT:** Denise McCoy, Vice Chairman, Jim Bauer and Carlyle Sims

**MEMBERS ABSENT:** Frank Ballard and Jackie Braman, Chairman

**STAFF MEMBERS PRESENT:** Steve Bundle, Code Officer, Jeanette Cook, Code Officer, Pam Lawson, Code Officer, Todd Nowicki, Code Officer, Dennis McKinley, Code Compliance Administrator and Sandra Gray, Secretary.

**ADDITIONS/DELETIONS TO THE AGENDA:**

Denise McCoy, Vice Chairman asked if there were any additions or deletions to the agenda.

Sandra Gray, Secretary, stated 16 N. Union Street has complied and is removed from today's agenda.

**APPROVAL OF MINUTES:**

Carlyle Sims noted that the October 21, 2009 minutes reflect no one attended the meeting for 163 and 233 W. Manchester Street but does recall that Duff Stoltz was in attendance for both properties.

A motion was made by Jim Bauer, supported by Carlyle Sims to approve the October 21, 2009 Minutes as amended with the noted correction. All yes. Motion carried.

**OLD BUSINESS:**

**52 E. Kingman Avenue:** Becky Wade, property owner, was present.

Becky Wade asked the Board for additional time because of the weather and her need to get the additional financing to make the repairs.

A motion was made by Carlyle Sims, supported by Jim Bauer to grant an extension until June 1, 2010. All yes. Motion carried.

**16 N. Union Street:** Complied

**63 Spring Street:** Thomas Graham, property owner, was present.

Thomas Graham stated he has made a lot of progress but would need additional time because of the weather.

Jeanette Cook, Code Officer, stated Mr. Graham has made a lot of progress and she has no problem with the Board granting additional time.

A motion was made by Carlyle Sims, supported by Jim Bauer to grant an extension until June 1, 2010. All yes. Motion carried.

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

Stephen Brininstool asked the Board for additional time because of the weather and his finances.

Carlyle Sims stated the Board has granted three extensions and he is not willing to grant another one because you have not made much progress.

Stephen Brininstool stated he is unemployed and trying to raise his children by himself. He stated he does not have a ladder to make the repairs needed for the roof so he needs to be able to find someone who would allow him to borrow their ladder and more time to save money to make the repairs.

A motion was made by Carlyle Sims, supported by Jim Bauer to grant an extension until June 2010 with no additional extensions. All yes. Motion carried.

**421 Surby Avenue:** Lloyd Williamson, property owner, was present.

Lloyd Williamson asked the Board for an extension because of the bad weather and the need to save money for the repairs.

A motion was made by Carlyle Sims, supported by Jim Bauer to grant an extension until June 2010 with no additional extensions. All yes. Motion carried.

**NEW BUSINESS:** None

**DANGEROUS BUILDINGS SHOW CAUSE HEARINGS:**

**103 Arthur Street:** Carlos Calderone, property owner, was not present.

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

**17 Cliff Street:** Alora Ltd., property owner, was not present.

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

**21 HighStreet:** Meia Burton and Carlos Calderone, property owners, were not present.

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

**308 N. Kendall Street:** Anthony and Tonya Grayer, property owners, were not present.

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

**225 W. Manchester Street:** Duff Stoltz, property owner, was present.

Pam Lawson, Code Officer, recommended that the Board affirm this order because this property is a part of the Adventist Historic Property Inc. and is a part of the tours provided by the village. If you affirm the order, she would ask that Mr. Stoltz stay in contact with her on the progress they are making.

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

**469 E. Michigan Avenue:** Robert Watson and Ollie Simpson, property owners, were not present.

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

**373 Riverside Drive:** Geraldine LaFountain, property owner, was not present.

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

**38 Riverview Avenue:** April Watts, property owner, was not present.

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

**37 SpringStreet:** Robert Babbitt, property owner, was present.

Robert Babbitt asked the Board for extension until June 2010.

Carlyle Sims asked if the safety inspection had been done.

Robert Babbitt replied “no”. He stated that he plans to correct all of the violations and then call for the inspection.

Pam Lawson, Code Officer, recommended that Mr. Babbitt schedule the safety inspection so that you’ll know in advance what violations need to be corrected.

A motion was made by Carlyle Sims, supported by Jim Bauer to modify the order for 90 days and to have the safety inspection scheduled and completed before the next meeting. All yes. Motion carried.

**33 Vale Street:** Denis Eldred, property owner, was not present.

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

**699 W. Van Buren Street:** Raymond Payne, property owner, was not present.

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

**PUBLIC COMMENTS:** None

**BOARD AND STAFF COMMENTS:** None

**ADJOURNMENT:**

Denise McCoy, Vice Chairman adjourned the meeting at 2:30 p.m.

/sfg