

**BOARD OF APPEALS
HEARING NOTICE AND AGENDA
May 18, 2022
CITY HALL
10 N. DIVISION STREET
3RD FLOOR – ROOM 301
BATTLE CREEK MI 49014**

Call to Order: 1:00 pm

Roll Call for Board Members: Eric Blair, John Sims, LE Johnson

Staff Members Present: Marcie Gillette, Community Services Director; Yolanda Johnson, Code Compliance Officer; Jerrod Lepper, Code Compliance Officer; Angie Sulak, Secretary

Additions/Deletions to the Agenda: 74 Battle Creek Ave removed from Agenda

Approval of Minutes: Mr. Sims made a motion to approve the December 15, 2021 minutes, seconded by Mr. Johnson. Approved.

Dangerous Buildings Show Cause Hearings:

- a. 180 Upton (House)
Building Inspector: Don Wilkinson
Marcie Gillette, Community Services Director, stated that the enforcement was opened due to a Battle Creek Police investigation. She stated that the property is in disrepair and uninhabitable. Mrs. Gillette stated that the cost of repair far exceeds the value of the property. The property was affirmed as a Dangerous Building by the Dangerous Building Official. In its current condition, Mrs. Gillette recommended affirming the property as a Dangerous Building. Mr. Sims motioned to affirm as written, second by Mr. Johnson. Affirmed

- b. 132 Surby (House)
Issue #EN21-03448 Fire
Building Inspector: Don Wilkinson
Property owner, Tom Beauregard, present. Mr. Beauregard had previously presented Mr. Wilkinson with an action plan to bring the property back into compliance. Mrs. Gillette stated that the City is continuing to work with the property owner to assist in bringing the property back to compliance.

The property was affirmed as a Dangerous Building by the Dangerous Building Official. In its current condition, Mrs. Gillette recommended affirming the property as a Dangerous Building. Mr. Sims motioned to affirm as written, second by Mr. Johnson. Affirmed

- c. 40 Ferndale Ct (House)
Issue #EN22-00144 Fire
Building Inspector: Don Wilkinson
Property owner not present.
Marcie Gillette, Community Services Director, stated that the property was heavily damaged by fire, and that no permits have been applied for and no correspondence has been received from the owner. Mrs. Gillette stated the property was affirmed as a Dangerous Building by the Dangerous Building Official. In its current condition, Mrs. Gillette recommended affirming the property as a Dangerous Building. Mr. Sims motioned to affirm as written, second by Mr. Johnson. Affirmed

New Business:

1. 71 Latta (House)
Issue #EN21-06055
Compliance Officer: Jerrod Lepper
Homeowner, Willie Croskey, present. Mr. Lepper stated that the appeal was the result of a housing code enforcement from December 2021. Minor damage was found to the door and adjoining area. Mr. Croskey stated that he has removed the door, and is continuing to complete the work that remains, but has suffered from illness and has had to take care of his mother. He requested a 60 day extension. Mr. Lepper stated he felt that was a reasonable request. Mr. Sims motioned for a 60 day extension, second by Mr. Johnson. 60 day extension granted.
2. 32 Bidwell (House)
Issue #EN22-05239
Compliance Officer: Jerrod Lepper
Homeowner, Debra Bowling, present. Mr. Lepper stated the appeal was the result of a property survey

completed March 2022. Mr. Lepper stated the violations for the property. Debra Bowling stated that she has replaced all the windows on the porch and that she is waiting on a new garage door. She stated she fixed it once after someone drove through it, and that someone has since drove through the replacement door. Ms. Bowling stated that she is waiting for doors to come back into stock. Mr. Sims motioned for a 60 day extension. Mr. Johnson asked if we could give the owner longer considering the circumstances of items not being in stock. Mrs. Gillette stated that we are able to grant an additional 30 day extension and work with the property owner as needed. Mr. Sims again motioned for a 60 day extension, second by Mr. Johnson. 60 day extension granted.

3. 106 Harris (House)
Issue #EN22-01623
Compliance Officer: Yolanda Johnson for Penny Hepler
Homeowner not present. Mrs. Johnson stated there were exterior violations found during the property survey. She has not received any communication from the owner, and suggested the findings stand as written. Mr. Sims asked if the property was a rental, as the owner does not live there. Mrs. Gillette stated it is under land contract. Mr. Sims motioned to affirm as written, second by Mr. Johnson. Affirmed.
4. 109 Arthur (House)
Issue #EN22-00882
Compliance Officer: Yolanda Johnson
Homeowner, Maria Torres de Oseguerra, present, along with Alexandria Torres as her interpreter. Mrs. Johnson stated there were exterior violations found during the property survey. Ms. Torres stated that Ms. Torred de Oseguerra has started working on repairing the violations, but has struggled to complete due to weather. Ms. Torres stated that the repairs are almost finished and that Mr. Torres de Oseguerra would like another month to complete. Mr. Sims motioned for a 60 day extension, second by Mr. Johnson. 60 day extension granted.
5. 104 Marjorie (House)
Issue #EN22-02648
Compliance Officer: Thomas Engles
Homeowner, Katelyn Hallock and Nicole Botimer, present. Mrs. Gillette stated that exterior violations

were found during the property survey. Reading a statement from Mr. Engles, she stated that no repairs have been made to date. Ms. Hallock stated that the support walls have been repaired and that due to Ms. Botimer's house arrest, she has been financially supporting her property and this one. Ms. Botimer stated that being on house arrest has enabled her to have time to work on the outside of the property. Mr. Sims motioned for a 60 day extension, second by Mr. Johnson. 60 day extension granted.

Public Comments: None

Board and Staff Members Comments: Mr. Sims inquired about the city's Paint Program and if it was still available. Mrs. Gillette stated the platform closed during Covid, and that if E-Paint is able to re-open, the program would be reinstated.

Adjournment: 1:30 pm

The City of Battle Creek will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered in the meeting upon reasonable notice to the City of Battle Creek. Individuals with disabilities requiring auxiliary aids or services should contact the City of Battle Creek by writing or calling the following:

Vicki Houser, City Clerk
10 N. Division Street
Battle Creek, Michigan 49014
(269) 966-3348/Voice/TDD
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