

**BOARD OF APPEALS
HEARING NOTICE AND AGENDA
January 20, 2021
CITY HALL
10 N. DIVISION STREET
VIA Zoom
3RD FLOOR – ROOM 301
BATTLE CREEK MI 49014**

Call to Order: 1:00pm

Roll Call for Board Members: Eric Blair, John Sims, Peter Pontoni, LE Johnson, Noris Lindsey

Staff Members Present: Jason Francisco, Code Compliance Manager; Don Wilkinson, Building Official; Angie Hubbard, Secretary

Additions/Deletions to the Agenda: 12152 Sonoma Rd

Approval of Minutes: Mr. Sims made a motion to approve the December 16, 2020 minutes, seconded by Mr. Pontoni. Approved.

Dangerous Buildings Show Cause Hearings:

- a. 635 Hamblin (House)
Building Inspector: Don Wilkinson
Property owner not present. Don Wilkinson, Building Official, stated the property was heavily damaged by fire and no permits have been applied for. The property was affirmed as a Dangerous Building by the Dangerous Building Official. In its current condition, Mr. Wilkinson recommended affirming the property as a Dangerous Building. Mr. Sims motioned to affirm as written, second by Mr. Johnson. Affirmed
- b. 203 Post (House)
Building Inspector: Don Wilkinson
Property owner not present. Don Wilkinson, Building Official, stated the property was heavily damaged by fire and no permits have been applied for. The property was affirmed as a Dangerous Building by the Dangerous Building Official. In its current condition, Mr. Wilkinson recommended affirming the property as a Dangerous Building. Mr. Sims motioned to affirm as written, second by Mr. Johnson. Affirmed

c. 409 Kendall St (House)

Building Inspector: Don Wilkinson

Property owner not present. Don Wilkinson, Building Official, stated the property was heavily damaged by fire and no permits have been applied for. The property was affirmed as a Dangerous Building by the Dangerous Building Official. In its current condition, Mr. Wilkinson recommended affirming the property as a Dangerous Building. Mr. Sims motioned to affirm as written, second by Mr. Johnson. Affirmed

Property owner, Duane Paul, joined meeting late. He requested a 30 day extension to remove porch, board up, and work on the inside. He stated the drywall was gone from the explosion. He believes the home is still sound enough to repair. Don Wilkinson stated that he must submit permits and will schedule a pre-inspection. Another vote was not taken.

d. 815 Riverside Dr (House)

Building Inspector: Don Wilkinson

Property owner, Erik Rowe, present. Don Wilkinson, Building Official, stated the property has no utilities and hasn't been up to code since 2019. The property was affirmed as a Dangerous Building by the Dangerous Building Official. In its current condition, Mr. Wilkinson recommended affirming the property as a Dangerous Building. Mr. Rowe stated that he was incarcerated from October 2019 through March 2020 and during that time the property was squatted. He was then in a serious auto accident and has not been able to make the repairs. He is asking for a 6-12 month extension. He has a meeting scheduled with a contractor and is more than willing to bring the property back up to code. Mr. Pontoni motioned to affirm as written, second by Mr. Sims. Motion did not pass by a vote of 2 Yes, 3 No. Mr. Johnson questioned the process of what it means to the homeowner if property is affirmed. Mr. Blair would like to see homeowner granted an extension given the extenuating circumstance of Mr. Rowe's condition. Mr. Sims stated that this process does not alter the

pathway for the homeowner to make repairs. If progress is made, the city works with the homeowner. Mr. Francisco stated, as a reminder, the board is to decide if the property meets the qualifications of a Dangerous Building and to ensure the process was followed by the Dangerous Building Official. Mr. Pontoni motioned to grant a 30 day extension, second by Mr. Johnson. Affirmed 30 day extension.

New Business: No new business

Public Comments: None

Board and Staff Members Comments: Jason Francisco, Code Compliance Manager, thanked the Board for their time and effort, and hopes to be meeting in person in the near future.

Adjournment: 1:29pm

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
/adh