

# Construction Board of Appeals

## Regular Meeting Minutes

Wednesday, November 18, 2015  
3:00 p.m., Conference Room A



City of South Haven

### 1. Call to Order by Morse at 3:00 p.m.

### 2. Roll Call

Present: Dibble, Heinig, Morse  
Absent: Stickland

Also present: Ross Rogien, Building Official

### 3. Approval of Agenda

Motion by Heinig, second by Dibble to approve the November 18, 2015 regular meeting agenda as presented.

All in favor. Motion carried.

### 4. Approval of Minutes – July 22, 2015

Motion by Heinig, second by Dibble to approve the July 22, 2015 regular meeting minutes as written.

All in favor. Motion carried.

### 5. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda

None at this time.

### 6. Appeal - 220 Superior Street

Anderson noted this is a situation with many neighbor complaints; raccoon infestation with raccoons in and out upper windows. The Building Official noticed the house; the hearing officer ruled that the house should be demolished. About  $\frac{3}{4}$  of the way into the time limit allowed for the home owner to demolish the house, the appellant called and changed his mind and wanted to repair the structure saying he wanted to appeal. Anderson informed him that the appeal would be scheduled; today was the soonest a hearing could be scheduled.

The appellant was told very clearly not to come without a plan, including a structural engineer, and a schedule for repairs to be completed.

This morning Anderson discovered a message on her phone; the appellant had called last evening saying he forgot about the meeting, and wanted to delay the meeting as he was in Chicago. Anderson told him the meeting would go forward and that he should have someone here. The home owner said he cannot get his contractor here, he's too busy, and he would send Anderson all the drawings.

Anderson distributed a copy of the one sheet of a drawing which the home owner identifies as a drawing of the current house as it stands now with the problem areas of the foundation highlighted. The home owner stated he would have the contractor send a schedule later. Anderson told the appellant that if the CBA approves the appeal, they will tell the appellant what the schedule will be.

According to a letter from the appellant dated October 13, 2015, the applicant said he would return with full plans, structural engineer and schedule but nothing had been received as of 2:30 p.m. today.

Rogien indicated that the drawing provided does not tell us anything. Dibble reminded that the home owner sent a letter to Anderson to which Anderson responded, "Yes, he sent us a formal request to appeal even though I told him that an appeal would be automatically scheduled. In the letter it was indicated that the home owner was "in contact with" a contractor and a structural engineer."

Dibble asked if the appellant followed through with the letter to which Anderson and Rogien responded that they have received nothing. Dibble commented that all that was sent was a floor plan. Discussion ensued regarding the fact that the appellant has not followed through with the requirements for the appeal and the "as-built" drawing submitted three minutes before the meeting by email. Dibble noted that the home owner said he couldn't get his contractor there and in the email he notes that they are looking for a contractor.

Dibble said he hates to make a judgement when the roof looks straight. Rogien noted there are holes in the walls and rotten windowsills. Rogien does not think the applicant has an idea how much money it will take to pull this off.

Anderson noted that when the hearing officer was here and explained the costs the appellant indicated he could not afford that. He was told by the hearing officer that he could tear it down and rebuild a small cottage less expensively than repairing the house.

Discussion ensued about giving the homeowner time to do the repairs and previous situations that were allowed to repair buildings after lengthy periods between contact. If more time is given and the work is not done before the deadline it could turn into another one of these long dragged out problem properties.

Questions ensued regarding the time period needed to allow the appellant to have the demolition done. Rogien and Anderson noted that we have to allow sixty (60) days (January 18, 2016) for a demolition. Dibble wondered about whether there were liens or back taxes and discussion ensued regarding how the demolition is funded if the CBA orders a demolition and the city has to bid out a demolition.

Motion by Dibble, second by Heinig to proceed with a demolition order to be completed by Jan 18, 2016 because the terms of the letter of October 13, 2015 submitted by the appellant were not carried out and the drawing sent today was a floor plan and does not call out any means of repair or have any detail included.

All in favor. Motion carried.

## **7. Adjourn**

Motion by Heinig, second by Dibble to adjourn at 3:44 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary