

# Construction Board of Appeals

## Regular Meeting Agenda

Wednesday, October 27, 2010  
4:00 p.m., Council Chambers



City of South Haven

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes – April 28, 2010
5. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda

### NEW BUSINESS

6. 759 Kalamazoo Street
7. 755 Kalamazoo Street
8. 721 St. Joseph Place
9. Adjourn

RESPECTFULLY SUBMITTED,

William K. Spaeth, AICP  
Planner / Zoning Administrator

South Haven City Hall is barrier free and the City of South Haven will provide the necessary reasonable auxiliary aids and services for persons with disabilities, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities at the meeting upon seven (7) days notice to the South Haven City

# Construction Board of Appeals

## Regular Meeting Minutes

Wednesday, April 28, 2010  
4:00 p.m., Council Chambers



City of South Haven

### 1. The meeting was Called to Order by Lundgren at 4:00 p.m.

Spaeth noted that a quorum is the majority of the board which in this case is two out of three members. It was also noted that in the absence of the Chairperson, a temporary Chairperson will need to be appointed.

### 2. Roll Call

Present: Brian Lundgren, Tim Stegeman  
Absent: Lewis

Lundgren noted that also present are Bill Spaeth, Zoning Administrator; Ross Rogien, Building Inspector; Marsha Ransom, Staff; John Davis, owner 829 Phillips

### 3. Approval of Agenda

Motion by Stegeman, second by Lundgren to approve the agenda with the addition of Item 3a. Select a Chairperson. All in favor. Motion carried.

### 3a. Select a Chairperson

Stegeman nominated Lundgren to be Chair by acclaim. There was no discussion.

### 4. Approval of Minutes – June 17, 2009 and March 24, 2010

Motion by Stegeman, second by Lundgren to approve both the June 17, 2009 Regular Meeting Minutes and the March 24, 2010 Regular Meeting Minutes. All in favor. Motion carried.

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

There were none.

### OLD BUSINESS

The following agenda item was heard by the Hearing Officer on February 24<sup>th</sup>, at which time the Hearing Officer issued an order which was subject to appeal to the Construction Board of Appeals pursuant to the Dangerous Building Ordinance provisions that each property owner has the right to appeal the Hearing Officer's Order, requesting that it not be enforced by the City or modified in extent or time limit. Said property owner is only required to attend the Construction Board of Appeals meeting if they want to appeal the Hearing Officer's Order.

**6. 829 Phillips – The property owner attended the March 24<sup>th</sup>, 2010 CBA meeting and the case was continued for 30 days to allow the owner to prepare a response to the Hearing Officer's order to be heard on April 28<sup>th</sup>, 2010.**

Davis stated he was here last month and since then he began cleaning up the cottage; Davis said he has taken out the carpeting and padding because it was water-soaked. Davis stated he doesn't think there has been that much rain but that it was caused by the firefighters. Davis noted that once the carpet was up he saw that the floor tiles were bad so he took those out; some were easy to pull up but he had to chip at some of them. Davis stated that he has air dried the cottage out and started taking a look. Davis thinks it might not cost that much to fix the cottage, relatively speaking.

Davis stated that he started calling contractors. Davis has called Greg Erickson three times and hasn't gotten a call back, noting that he has known Erickson for years and "I don't know why he wouldn't get back with me. I don't owe him any money or nothing. Maybe he has a problem with my gender orientation." Davis stated that he called John Getman and got an answering machine, then called again, and stated he thinks he was calling Getman, the first time he got an answering machine, but the second time it rang and rang. Davis called Flash Construction, the phone rang ten (10) times with no answer; called Shane Moore, the phone rang ten (10) times and no answer; Davis called 3-D Construction, left a message and no one called back; Davis called Hope Construction and left a message but nobody called back; Davis stated that he called Mike Hill Construction and left a message and didn't get a call back; and called Brian Morgan, talked to his wife and left a message with her but Morgan didn't get back with him. Davis stated that to him that isn't very professional. Davis stated that he does not understand why no one is getting back with him and cannot understand how people can be in business and not have an answering machine or someone answering the phone. Davis also stated he cannot understand and thinks it is unprofessional that these contractors don't reply to their messages. Davis noted no one has come and asked him to see inside; as far as he knows no one has inspected the interior of the cottage. Davis stated that if any or all of those present at the meeting want to come and take a look at it, they can come and see for themselves and see where Davis is with the cottage. Davis noted that he wants to get some contractors over there, but he is going through a lot of difficulty with that.

Spaeth noted that we called in an outside consultant to get an idea of the costs involved in renovation of the cottage. Spaeth asked Rogien to go over the cost/repair estimate from John Brush, who Spaeth noted is a valid licensed builder. Spaeth stated that Brush prepared a Code Compliance Check List for the City to determine costs versus value. Rogien, Building Inspector, said his estimation upon reviewing the cost/repair ratio was to tear it down.

Davis stated he didn't think it was fair. He stated he would need to go through the law and figure out all this about assessed value. Davis stated that for example, "Lets take my cottage and clone it and put it on the North Beach; it'll be worth a lot more over there. If they had \$10,000, let's just use that number, if they had \$10,000 worth of damage the City would do everything to help them rebuild, because that same cottage is going to be worth a lot more over on the North Side. If I have \$10,000 of damage and you say there is a rule that it is not worth enough that's not fair to the people with modest means. I may not have much but I have assets that I need to hold on to." Davis stated that the City is pushing him to demolish the cottage, but when the black people down the street from him had a fire a few years back, the City gave them all the time in the world to fix that up. Davis stated that he just

wants to have the opportunity to bring people in and see what he can do to fix this cottage up. Davis said, "Nobody has been through there that I know of, no one has come to me and asked to go through it. It would only take me about ten minutes to pull a few nails out so you could go in there and look it over."

Stegeman asked Rogien why the cottage should be demolished. Rogien said the foundation is bad and would have to be rebuilt; that's where you start and then . . . Stegeman interjected and asked if the foundation is 50% damaged. Rogien asked Stegeman if he had been there to look at the cottage to which Stegeman stated yes, he had. Rogien stated the foundation is way beyond 50% damaged and the cottage's repair cost is way beyond its value. Davis said the foundation is block on three (3) sides and stated that he has been in that basement and cement block doesn't burn.

Rogien said beyond the foundation, the framework is badly damaged, beyond just fixing; the framing would have to be redone. Lundgren stated that if you go down to Check List Item 11, Electrical Service, there is an issue of safety if the electrical service isn't completely replaced. Lundgren noted that the fire would have caused softening of the wiring insulation and if not completely replaced would be inviting another fire. Lundgren reiterated that this is a safety issue; asking how long the City can just leave a burnt out empty building. Lundgren stated that the cottage is virtually a total loss.

Spaeth stated there are two (2) reasons for the estimate of cost repair and what Davis has referred to is in the Zoning Ordinance in terms of determining whether a building permit is allowed to be issued. This Zoning Ordinance states that if a structure is destroyed by more than 60% of its value the Zoning Administrator can't issue a repair permit without granting a variance. Spaeth explained that the other reason for the evaluation of repair is in the context of the Dangerous Building Ordinance which lets the CBA know whether they can order a more expeditious demolition of this property; twenty-one (21) days instead of sixty (60) days. Those are two distinctly different issues.

Lundgren said in terms of trying to beat this price (the Code Compliance Check List), the structure would have to be torn down and rebuilt. Davis stated that he is not asking to tear down and rebuild, just to repair, because if the cottage were torn down it would have to be built to current setbacks. Davis stated that he does not think it is as bad as the board, Spaeth and Rogien are saying it is.

Spaeth pointed out that another item is the issue of notification. Notification always goes to the owner of record in the Assessor's office. Notifications regarding the cottage were sent to the owner of record, evidently from whom Davis apparently had purchased the property on contract, and the deed had not been transferred. The previous owner was notified and the family became very upset with getting multiple notifications and called Attorney George Dunn to authorize him to quit-claim the subject property over to the owner, John Davis, which deed was recorded February 11, 2010. Davis stated that is what he was saying, that he wasn't notified; he wasn't notified and now the City is putting pressure on him to move on this and he wasn't given enough time, and wasn't notified.

Lundgren stated that this is an additional meeting beyond the normal requirements. We are doing the right thing legally and there has been a cushion of time provided beyond the initial hearing, which Davis missed. Spaeth pointed out that the City's legal counsel did advise that an extra meeting be extended to the Applicant to allow for the missed notification and hearing, which is this April 28<sup>th</sup> meeting of the CBA.

Lundgren asked for clarification of what Davis had said previously regarding setbacks.

Spaeth stated that the property in question is zoned R-1B Single Family. Spaeth pointed out that there is already a second non-conforming multi-family dwelling on that property; under the current zoning, a second primary dwelling would not be allowed on this property. Lundgren asked even if a contractor were to come in and feel it could be rebuilt, a second building would not be permitted on this lot. Davis said, "I don't quite understand that. I would imagine whatever it is that is there would be grandfathered in. In 1998 we went through that, I went through that with the City and everything was up to code and everything passed." Lundgren pointed out that if there had not been a fire that would not be a question, but the property is substantially destroyed and now the question exists.

Lundgren stated he would entertain a motion to demolish in twenty-one (21) days, noting that it gets right down to the fact that a permit could not be granted even if someone felt they could renovate the cottage.

Spaeth pointed out that it is Article XIX Section 1901 sub-paragraph (b) of the Zoning Ordinance.

Stegeman said we have this estimate from one contractor, mainly to show the difference between that estimate and the value of the cottage. The question is whether it is worth that to Mr. Davis to rebuild the cottage. Lundgren clarified that if Davis had the money and could say 'let's start today' Spaeth could still not issue a permit. Spaeth agreed that he could not issue a permit, not without a zoning variance. Lundgren said he cannot see a legal path to preserve a non-conforming use. Lundgren stated that is the way non-conforming use works; when it gets destroyed it is not permitted any more.

Davis said, "At the end of the day you can talk legalities and rules but it goes back to fairness. I'm treated different because I don't have a cottage on the north side." Lundgren pointed out that a millionaire with a non-conforming three-story structure had to tear down their non-conforming structure. Davis said he can FOIA the City and see if there is proof of that. Davis stated, "You are saying it cannot be done and I am saying that is discriminatory. It is discrimination that assessments are different in different areas."

Stegeman asked Davis if Davis thinks his building is repairable. Davis said he does, but "that's just me," and he would like to have a contractor out to tell him. Davis said he cannot get anyone to come out. Davis said "I can't just take a Smith and Wesson and go grab a contractor and say, 'Hey, come take a look at this project.' I have more class than that."

Stegeman said we can proceed with the twenty-one (21) day removal and in the meantime Davis could contact contractors for the repairs. Stegeman noted that if after twenty-one (21) days nothing has been done the City would turn the order over to the court to be affirmed and then the court may order a demolition. Stegeman said Davis could build on that site because one (1) wall is probably okay. Spaeth said no, it has to be 40% okay. Stegeman said Davis could apply for a variance. Spaeth noted that if during that twenty-one (21) day period Davis asked for a variance, then we can determine that at that time. But, Spaeth noted, if after twenty-one (21) days nothing has been done, then the City turns the case over to the courts, and the owner can make his argument before a judge why the building should not be demolished; it would then be up to the judge to affirm or modify the order.

Davis said he was told by somebody in the neighborhood that had contacted an attorney, noting "Now I didn't hear this, so I don't know this, but it was said that the attorney said if you have one good wall standing you can rebuild." Stegeman said he knows this is so because his neighbor has a nonconforming house and he rebuilt that.

Davis asked, "What if the City pushes this and this drives me into bankruptcy? What about that?" Spaeth said after twenty-one (21) days if nothing is done, and the court orders demolition, then the City can contract to do the demolition and a lien will be placed on the property for the cost of the demolition. Davis said, "I've had trouble with the City for a long time about who I am, and my gender orientation and all of that, going to court and everything, does this have anything to do with that, about who I am?" Spaeth responded no.

Davis directly asked Spaeth, "What if you push this and this drives me into bankruptcy? What do you say to that?" Spaeth responded that he had no comment.

Stegeman asked if the board gives Davis the twenty-one (21) days, what other recourse does Davis have. Spaeth said Davis can continue to put together his argument but it would be to the court, not the Construction Board of Appeals, that if would need to be presented.

Stegeman said that if the board does this, we need to be clear about what Davis has to do and what his options are so he is not confused. Spaeth told Davis he can continue to pursue contractors after this board makes a decision, and then his next step will be to make that argument to the courts. Spaeth stated that Davis will get notification of those dates. Stegeman asked Spaeth if he would be willing to present a summary of the steps required after this meeting to which Spaeth responded, "Yes."

Lundgren said that he sees the Construction Board of Appeals as a technical body, noting that this building is substantially damaged and we have an estimated cost of repair that far exceeds the value of the structure. Lundgren noted that the board has given Davis extra time and at this point Lundgren thinks the board should do their job as a technical body. Lundgren noted that he is not a judge nor is he qualified to pursue some of these issues Mr. Davis has asked.

Stegeman asked if there is fencing around the cottage. Ross said the roof has a tarp over it; the door and windows are boarded up but it could be an attractive nuisance for neighborhood kids. Davis stated that he does not see that it would be dangerous. He further stated he has put boards over all the window and doors and nobody could get in there.

Motion by Stegeman, second by Lundgren to affirm the Hearing Officer's order of February 24, 2010 for the fire damaged structure to be demolished in twenty-one (21) days or May 24, 2010, and additionally that Mr. Spaeth supply a synopsis outline of what he just stated to Mr. Davis about the steps involved.

Davis stated that there has always been problems between him and the City, about who Davis is and his gender orientation, and stated that the City has treated him wrong. Davis reiterated that he thinks he can repair the cottage and he is being treated discriminatorily and it is unfair. Stegeman said a lot of people that call me are calling about buildings in better shape than yours is in, which is why the board has to spur this to move forward.

Lundgren called the question. All in favor. Motion carried.

Davis stated that he is not going to contact any contractors because Spaeth said it's a waste of time. Davis then stated that there has always been a problem between himself and the City, that the City has harassed him about who he is, and stated that he is very mad and he will be telling everyone. Davis exclaimed, "Don't think I won't!" (Mr. Davis pointed and shook his finger). Davis noted that he has always been discriminated against by the City and he thinks this whole thing is unfair and it is not right that the people of modest means are treated differently than those on the north side.

**7. Adjourn**

Motion by Stegeman, second by Lundgren to adjourn at 4:35 p.m. All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary

DRAFT



City of South Haven

## Agenda Item # 6

759 Kalamazoo Street

**Background Information:** This property has had a history of neglect. It has previously been scheduled before the Construction Board of Appeals back in 2006 and 2009, and been subsequently notified of ongoing deficiencies in its maintenance. The owner failed to carry out the last Hearing Officer's Order "that the structure on the subject property be repaired so that it meets the 2006 Michigan Building Code, and bring the first floor apartment up to code by July 24, 2010". The owner submitted a letter dated July 10, 2010, requesting additional time. The request was again scheduled for a Hearing Officer's meeting which was held on Sept. 29<sup>th</sup>. No application for a demolition permit has been submitted to date.

**Hearing Officer's Order:** That the structure on the subject property be demolished pursuant to the City's Demolition Specifications by Oct. 29<sup>th</sup>, 2010.

**Support Material:**

- 1) Repair Cost Comparison Sheet to State Equalized Value of Structure
- 2) Notice of right to appeal Hearing Officer's Order with said order attached.
- 3) Previous correspondence
- 4) Photos

RESPECTFULLY SUBMITTED,  
William K. Spaeth, AICP  
Planner / Zoning Administrator

759 KALAMAZOO  
CITY OF SOUTH HAVEN

COMPARISON SHEET  
OF  
STATE EQUALIZED VALUE OF BUILDING OR STRUCTURE  
TO ITS  
ESTIMATED COST OF REPAIR

PURSUANT TO SECTION 10-227 OF THE DANGEROUS BUILDINGS AND STRUCTURES ORDINANCE

The following calculation is presented to accurately compare the values as called for by the above referenced ordinance. The State Equalized Value (SEV) includes both the building or structure value along with the land value, and it is published by the Assessor's Office. This same source also publishes the Land Value alone. However the Land Value represents the anticipated value of the land if it were sold on the open market, while the SEV represents approximately half of what the property (with building or structure) would sell for on the open market. Therefore, the Land Value must be divided by two and subtracted from the SEV to accurately obtain the value that represents the SEV of the building or structure on the property. The ordinance then calls for the comparison of the estimated cost of repair to the SEV of the building or structure. If the repair estimate exceeds the SEV of the building or structure (which is approximately half the open market sales value), then the condition exists for "a rebuttable presumption that the building or structure requires immediate demolition".

PLEASE NOTE: This comparison does not prevent an order of demolition if the estimated cost of repair is less than the SEV, but rather allows the Construction Board of Appeals to order compliance with the order within 21 days instead of the 60 days prescribed by the ordinance.

|   |                 |
|---|-----------------|
| A. State Equalized Value of subject property .....                            | <u>\$43,900</u> |
| B. Assessor's Land Value .....  | <u>\$30,800</u> |
| C. Land Value divided by two .....  | <u>\$15,400</u> |
| D. SEV of building or structure (Property SEV minus half of Land Value) ..... | <u>\$28,500</u> |
| E. Estimated Cost of building or structure repair .....                       | <u>\$44,610</u> |

If the value on line 'E' above exceeds the value on line 'D' above, then "a rebuttable presumption that the building or structure requires immediate demolition exists".

The Construction Board of Appeals may order the demolition with a 21 day time limit.

The Construction Board of Appeals may not order the demolition with less than a 60 day time limit.

Prepared by: WILLIAM K. SPAETH Date: OCT. 20, 2010

**General Property Information**

[Back to Non-Printer Friendly Version] [Send To Printer]

Parcel: 80-53-144-010-00

|   |
|---|
| <b>Property Address</b> [collapse]        |
| 759 KALAMAZOO ST<br>SOUTH HAVEN, MI 49090 |

|   |                    |
|---|--------------------|
| <b>Owner Information</b> [collapse]                     |                    |
| MARTIN VERONICA<br>22348 M 140<br>SOUTH HAVEN, MI 49090 | <b>Unit:</b> 80-53 |

|  |
|--|
| <b>Taxpayer Information</b> [collapse] |
| SEE OWNER INFORMATION                  |

|   |                        |                               |          |
|---|------------------------|-------------------------------|----------|
| <b>General Information for Tax Year 2010</b> [collapse] |                        |                               |          |
| <b>Property Class:</b>                                  | 401                    | <b>Assessed Value:</b>        | \$43,900 |
| <b>School District:</b>                                 | 80010 - District 80010 | <b>Taxable Value:</b>         | \$12,316 |
| <b>State Equalized Value:</b>                           | \$43,900               | <b>Map #</b>                  | A660     |
| <b>BOAT SLIPS</b>                                       | 0                      | <b>Date of Last Name Chg:</b> |          |
| <b>Date Filed:</b>                                      | 01/01/199              | <b>Notes:</b>                 | N/A      |
| <b>Principal Residence Exemption (2010 May 1):</b>      | 0.0000 %               |                               |          |
| <b>Principal Residence Exemption (2010 Final):</b>      | 0.0000 %               |                               |          |
| <b>Principal Residence Exemption (2011 May 1):</b>      | 0.0000 %               |                               |          |

| Previous Year Info | MBOR Assessed | Final S.E.V. | Final Taxable |
|--------------------|---------------|--------------|---------------|
| 2009               | \$50,700      | \$50,700     | \$12,354      |
| 2008               | \$51,200      | \$51,200     | \$11,834      |

|                                    |          |                                 |            |
|------------------------------------|----------|---------------------------------|------------|
| <b>Land Information</b> [collapse] |          |                                 |            |
| <b>Acreage:</b>                    | 0.11     | <b>Frontage:</b>                | 50.00 Ft.  |
| <b>Zoning Code:</b>                | R-1A     | <b>Depth:</b>                   | 100.00 Ft. |
| <b>Land Value:</b>                 | \$30,800 | <b>Mortgage Code:</b>           | N/A        |
| <b>Land Improvements:</b>          | \$0      | <b>Lot Dimensions/Comments:</b> |            |
| <b>Renaissance Zone:</b>           | NO       |                                 |            |
| <b>ECF Neighborhood Code:</b>      | 00413    |                                 |            |

|  |  |
|--|--|
| <b>Legal Information for 80-53-144-010-00</b> [collapse] |  |
| A60 1-17 846-878 731-433 981-328 LOT 10 BLK 4 HOME ADD.  |  |

**Sales Information**

| 0 sale record(s) found. |            |            |         |         |               |            |
|-------------------------|------------|------------|---------|---------|---------------|------------|
| Sale Date               | Sale Price | Instrument | Grantor | Grantee | Terms Of Sale | Liber/Page |

**Building Information**

|  |
|--|
|  |
|--|

| <b>1 building(s) found.</b>               |               |                                |                            |            |
|---|---------------|--------------------------------|----------------------------|------------|
| Description                               |               | Floor Area                     | Yr Built                   |            |
| Residential Building 1                    |               | 1627 Sq. Ft.                   | 0                          |            |
| <b>General Information</b>                |               |                                |                            |            |
| <b>Floor Area:</b>                        | 1627 Sq. Ft.  | <b>Estimated TCV:</b>          | N/A                        |            |
| <b>Garage Area:</b>                       | 180 Sq. Ft.   | <b>Basement Area</b>           | 930 Sq. Ft.                |            |
| <b>Foundation Size:</b>                   | 930 Sq. Ft.   |                                |                            |            |
| <b>Year Built:</b>                        | 0             | <b>Year Remodeled:</b>         | 0                          |            |
| <b>Occupancy:</b>                         | Single Family | <b>Class:</b>                  | CDN/A                      |            |
| <b>Percent Complete:</b>                  | 100%          | <b>Tri-Level?:</b>             | NO                         |            |
| <b>AC w/Separate Ducts:</b>               | NO            | <b>Heat:</b>                   | Forced Air w/ Ducts        |            |
| <b>Bedrooms:</b>                          | 0             | <b>Wood Stove Add-on:</b>      | NO                         |            |
| <b>Style:</b>                             | 1 3/4 STORY   | <b>Water:</b>                  | N/A                        |            |
|   |               | <b>Sewer:</b>                  | N/A                        |            |
| <b>Area Detail - Basic Building Areas</b> |               |                                |                            |            |
| Height                                    | Foundation    | Exterior                       | Area                       | Heated     |
| 1.75 Story                                | Full Bsmnt.   | Siding                         | 930 Sq. Ft.                | 1.75 Story |
| <b>Area Detail - Overhangs</b>            |               |                                |                            |            |
| Height                                    | Exterior      | Area                           | Included in Size for Rates |            |
|   |               |                                |                            |            |
| <b>Basement Finish</b>                    |               |                                |                            |            |
| <b>Recreation:</b>                        | 0 Sq. Ft.     | <b>Recreation % Good:</b>      | 0                          |            |
| <b>Living Area:</b>                       | 0 Sq. Ft.     | <b>Living Area % Good:</b>     | 0                          |            |
| <b>Walk Out Doors:</b>                    | 0             | <b>No Concrete Floor Area:</b> | 0 Sq. Ft.                  |            |
| <b>Plumbing Information</b>               |               |                                |                            |            |
| <b>3-Fixture Baths:</b>                   | 2             |                                |                            |            |
| <b>Garage Information</b>                 |               |                                |                            |            |
| <b>Garage # 1</b>                         |               |                                |                            |            |
| <b>Area:</b>                              | 180 Sq. Ft.   | <b>Exterior:</b>               | Siding                     |            |
| <b>Foundation:</b>                        | 42 Inch       | <b>Common Wall:</b>            | Detached                   |            |
| <b>Year Built:</b>                        |               | <b>Finished?:</b>              | NO                         |            |
| <b>Auto Doors:</b>                        | 0             | <b>Mech Doors:</b>             | 0                          |            |
| <b>Deck Information</b>                   |               |                                |                            |            |
| <b>Treated Wood:</b>                      | 144 Sq. Ft.   | <b>Foundation:</b>             | Standard                   |            |

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# CODE COMPLIANCE CHECK LIST

pp 1 of 2

THE FOLLOWING ITEMS ARE TO BE ADDRESSED  
RELATIVE TO MEETING THE MINIMUM  
REQUIREMENTS OF THE CITY CODE AND MICHIGAN  
RESIDENTIAL BUILDING CODE.

Submitted By: John Brush Date: July 20<sup>th</sup>, 2010  
Phone No.- (269) 227-3469

Project Address: 759 Kalamazoo St.

1. General Conditions-project management, dumpsters,  
Chemical toilets, public protection. \$ 1,500.00
2. Foundation Rep/Replacement \$ 1,000.00
3. Exterior Decks/Porches \$ 3,385.00
4. Exterior Wall-Siding/Framing/Both \$ 4,000.00
5. Eaves/Boxed Enclosures \$ -0-
6. Roof Structure – 100% Needs to be re-roofed \$ 3,975.00  
Chimney's \$ 150.00
7. Windows-Repair/Replacement- 31 units \$ 9,950.00
8. Ext. Doors-Repair/Replacement- 3 units \$ 1,200.00
9. Interior Walls & Ceilings- 1650 S. F. \$ 8,250.00  
insulate and drywall
10. Floor Structure(s)- -0- S. F. \$ -0-

Repair Check List-continued . . .

2 of 2

|  |                     |
|--|---------------------|
| 11. Electrical Service-  | \$ <u>-0-</u>       |
| Electrical wiring system   | \$ <u>2,500.00</u>  |
| 12. Plumbing – Waste & Supply system   | \$ <u>-0-</u>       |
| - Fixtures   | \$ <u>-0-</u>       |
| - Wall Finishes (Tubs/Showers)   | \$ <u>-0-</u>       |
| 13. HVAC-Service line  | \$ <u>-0-</u>       |
| -Heat and/or AC equip. Rep/New   | \$ <u>2,200.00</u>  |
| 14. Accessory Structures-Repair/ Replace   | \$ <u>5,500.00</u>  |
| 15. Public Hazards-Conc. Slabs, Landscaping,<br>Structures, Etc.<br>Repair/Removal | \$ <u>1,000.00</u>  |
| Total Associated Costs -   | \$ <u>44,610.00</u> |

**Summary Statement: This house in my opinion could be repaired. The siding is in need of painting and some repairs. The entire roof is in need of replacement. The foundation needs some repair. The chimney needs some repair it's hard to tell just how much. All windows are in bad repair and should be replaced because of age. The electrical wiring should be gone over and repairs made. The heating system should be upgraded. The back porch, deck and garage should be removed and replaced because of disrepair and safety concerns. I could not see inside well to totally assess what all needed to be done but understood the upstairs was gutted and needed to be refinished. There could be additional requirements for the inside that would run the cost even higher, without going in it is impossible to know.**

Signed: John Brush 7/20/10

Company Name and Address: John Brush Builders, Inc.

6578 111<sup>th</sup>, Ave. Fenn. Mi. 49408

*R*



SENT CERT. & REG. MAIL 10/1/2010

MARTIN VERONICA  
22348 M 140  
SOUTH HAVEN, MI 49090

09/29/2010

Regarding: DANGEROUS BUILDING HEARING DETERMINATION

To Whom it may concern;

The City of South Haven's Building Inspector has found that the structure on the Subject Property identified below is dangerous and needs to be corrected as identified under "Infraction" below. You are hereby notified that the hearing before South Haven's Hearing Officer was conducted and the determination from said hearing is attached. You are hereby informed that should you not agree to comply with said determination within the deadline provided therein, you may appeal said determination to the Construction Board of Appeals (CBA) meeting date identified below, which is no later than 30 days after the Hearing Officer's hearing date. In the event you wish to appeal the Hearing Officer's determination, you are hereby instructed to present yourself to the CBA for your opportunity to show cause why the Hearing Officer's determination should not be complied with for the structure to be demolished, or otherwise made safe and maintained properly. **There shall be no further notifications from the City prior to the compliance date.**

**Subject Property:** 759 KALAMAZOO ST, SOUTH HAVEN  
Tax Parcel Number: 80-53-144-010-00

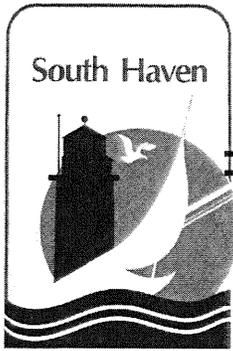
**Infraction:** STRUCTURE ON PROPERTY HAS NOT BEEN MAINTAINED PROPERLY AND MUST BE REPAIRED / BROUGHT BACK INTO COMPLIANCE WITH ALL CURRENT MICHIGAN BUILDING CODES OR BE DEMOLISHED. (ORD. 570)  
THE LAST ORDER OF THE HEARING OFFICER DATED FEB. 24, 2010 REQUIRING THAT THE FIRST FLOOR OF THE STRUCTURE BE BROUGHT INTO COMPLIANCE WITH THE MICHIGAN BLDG CODE BY JULY 24, 2010 HAS NOT BEEN COMPLIED WITH AND THE STRUCTURE REMAINS OUT OF COMPLIANCE.

**Construction Board of Appeals meeting date:** Wed. Oct. 27<sup>th</sup>, 2010 at 4pm at City Hall

The City of South Haven asks that you please be aware of the condition of your property at all times, and that you make proper arrangements for the maintenance of it. Therefore, it is incumbent upon you to correct the infraction and contact the building official to avoid any fines. The quality of life within all of our neighborhoods depends on the cooperation of every property owner, whether residential or commercial. We thank you in advance for your cooperation in correcting this infraction.

Respectfully,

Ross Rogien, Building Inspector  
Building Services Department (269) 637-0789



# City of South Haven

## Building Services Department

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1573  
Telephone (269) 637-0789 • Fax (269) 637-5319

### DANGEROUS BUILDING ORDINANCE HEARING OFFICER DECISION & ORDER

Hearing Date: 9/29/10 Subject Property: 759 KALAHAZOS

Owner or Owner's Representative Present: MARTIN VERONICA

Owner / Representative Address: 22348 M-140

Phone: 269-637-3541 E-mail: \_\_\_\_\_

**FINDINGS - The Owner / Representative agrees (yes) or disagrees (no) to the following:**      YES      NO

That he/she received notice of the hearing .....      

That he/she understands the purpose of this hearing .....      

That the subject property is in violation of one or more City Codes .....      

That the subject property dose not have an operable kitchen .....      

That the subject property dose not have an operable bathroom .....      

That the subject property dose not have a fully functioning electrical system .....      

That the subject property dose not have a fully functioning mechanical system .....      

That dangerous conditions exist on the subject property .....      

**Decision & Order:** The below signed Hearing Officer does hereby order the owner of the subject property...

To repair the subject property so that it meets the 2006 Michigan Building Code.

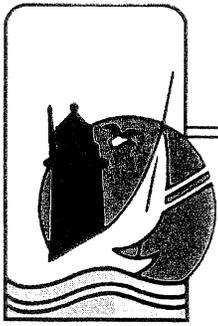
To demolish the subject property pursuant to the City's Demolition Specifications.

To \_\_\_\_\_

This order is to be completed by the date stated below or the City shall subsequently forward this case to the Construction Board of Appeals with an order for demolition of the subject property.

By: Craig Niephaus  
Craig Niephaus, City of South Haven Hearing Officer

Above Order to be completed by: 10/29/10  
Date



# City of South Haven

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1499

Telephone (269) 637-0700 • FAX (269) 637-5319

09/08/2010

MARTIN VERONICA  
22348 M 140  
SOUTH HAVEN, MI 49090

Regarding: DANGEROUS BUILDING HEARING NOTIFICATION

To Whom it may concern;

The City of South Haven's Building Inspector has found that the structure on the Subject Property identified below is dangerous and needs to be corrected as identified under "Infraction" below. You are hereby notified of the hearing date before South Haven's Hearing Officer in the Building Services Department offices. You are instructed to present yourself at said hearing to be given your opportunity to show cause why the Hearing Officer should not order the structure demolished, or otherwise made safe and maintained properly. **There shall be no further notifications from the City prior to the hearing date.**

**Subject Property:** 759 KALAMAZOO ST, SOUTH HAVEN  
Tax Parcel Number: 80-53-144-010-00

**Infraction:** STRUCTURE ON PROPERTY HAS NOT BEEN MAINTAINED PROPERLY AND MUST BE REPAIRED / BROUGHT BACK INTO COMPLIANCE WITH ALL CURRENT MICHIGAN BUILDING CODES OR BE DEMOLISHED. (ORD. 570) THE LAST ORDER OF THE HEARING OFFICER DATED FEB. 24, 2010 REQUIRING THAT THE FIRST FLOOR OF THE STRUCTURE BE BROUGHT INTO COMPLIANCE WITH THE MICHIGAN BLDG CODE BY JULY 24, 2010 HAS NOT BEEN COMPLIED WITH AND THE STRUCTURE REMAINS OUT OF COMPLIANCE.

**Hearing Date:** 09/29/2010 at 3pm City Hall 539 Phoenix Street

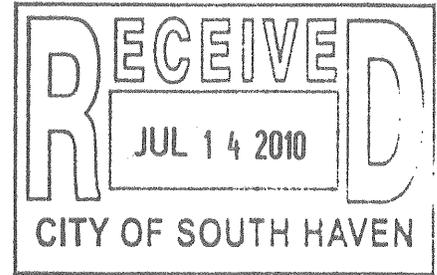
The City of South Haven asks that you please be aware of the condition of your property at all times, and that you make proper arrangements for the maintenance of it. Therefore, it is incumbent upon you to correct the infraction and contact the building official to avoid any fines. The quality of life within all of our neighborhoods depends on the cooperation of every property owner, whether residential or commercial. We thank you in advance for your cooperation in correcting this infraction.

Respectfully,

A handwritten signature in black ink, appearing to read "Ross Rogien", is written over a horizontal line.

ROSS ROGIEN  
Building Inspector, Building Services Department (269) 637-0763

July 10, 2010



To the Inspectors and Board of Housing for the City of South Haven.

I am writing this letter to request assistance for a situation that needs an immediate solution. For several years I have been financially stressed and unable to properly maintain the property I currently own at 759 Kalamazoo Street. I have been barely able to afford property taxes, maintenance and utility surcharge. My income for the past several years has been limited to my monthly disability, due to illness. My co owner in addition, to helping to raise our three minor children, had an income of around twenty five thousand dollars last year from his forty plus hour per week salary.

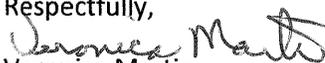
I have inquired into several lending sources. In addition I have tried a mortgage (which would be the first one since I currently owe no other funds on the property). These sources have been very discouraging.

I have previously felt that the goal of a partial renovation could be successful. Due to the limited Funds and no assistance available it seems impossible. I am in the process of seeking any and all options. I would even consider selling the only asset that could possibly help my family financially in the future.

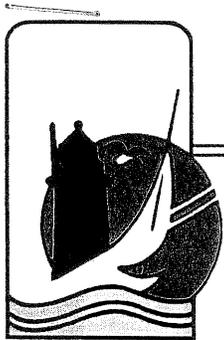
At this time I am requesting additional time to resolve this matter. Any suggestions, assistance Or solutions will be greatly appreciated situation.

My family and I are deeply stressed by this situation. I will be patiently waiting for your response, as I continue this matter.

Respectfully,

  
Veronica Martin

(269) 637-3541



City

City H

delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.

For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".

If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry.**

PS Form 3800, April 2002 (Reverse)

102595-02-M-1132

MARTIN VERONICA  
 22348 M 140  
 SOUTH HAVEN, MI 49090

04/16/2010

Regarding: DANGEROUS BUILDING - CONSTRUCTION BOARD OF APPEALS ACTION

To Whom it may concern;

The City of South Haven's Building Inspector has found that the structure on the Subject Property identified below is dangerous and needs to be corrected as specified under "Infraction" below. You were previously notified that the hearing before South Haven's Hearing Officer was held and a copy of the order from said hearing was provided to you. Further, you were notified that you had the ability to appeal said order to the Construction Board of Appeals (CBA) which was held within thirty (30) days of the Hearing Officer's order. You are now required to comply with the Hearing Officer's order by the "Required Action By" date stated below. Please be aware that the order may have been modified by the CBA which is also stated below. In the event that non-compliance persists after said date, the City shall take the necessary steps to carry out the order. **All associated costs resulting from the City having to take such action are the owner's responsibility, and shall be placed on the property in the form of a lien. There shall be no further notifications from the City prior to said action being taken.**

**Subject Property:** 759 KALAMAZOO ST,SOUTH HAVEN  
 Tax Parcel Number: 80-53-144-010-00

**Infraction:** CITY OF SOUTH HAVEN ORDINANCE NO. 570 PROPERTY MAINTENANCE, HOUSE IN DISREPAIR. POSTED AS NOT HABITABLE ON NOVEMBER 02,2004.

- (1). SECTION 2.5 VACANT PROPERTY.
- (2) SECTION 3.1 FOUNDATION, WALLS AND ROOF- EXTERIOR
- (3). SECTION 3.7 STRUCTURAL MAINTENANCE IN GENERAL.

**Required Action By:** 07/24/2010

(After which date the City is required to turn this case over to be affirmed by Court order.)

**Construction Board of Appeals Order:** REPAIR STRUCTURE PER CODE

(A draft copy of the CBA meeting minutes are enclosed.)

Please contact me at the below phone number should you have any questions regarding this matter.

Respectfully,

ROSS ROGIEN

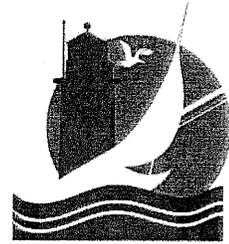
Building Inspector, Building Services Department (269) 637-0789

# Construction Board of Appeals

## Regular Meeting Minutes

Wednesday, March 24, 2010

4:00 p.m., Council Chambers



City of South Haven

### 1. The Meeting was Called to Order by Lewis at 4:05 p.m.

### 2. Roll Call

Present: Stegeman, Lewis

Absent: Lundgren

Bill Spaeth was present representing the Building Services Department of the City.

Spaeth explained that notices were sent for a hearing by a Hearing Officer which was held a month ago. The Hearing Officer heard each person that showed up, and made an order on all five cases. Mr. John Davis, the 829 Phillips representative, did not receive a notice because the transfer of the property wasn't done until after the Hearing Officer meeting.

- After the hearing with the Hearing Officer, property owners were given 30 days to appeal the Hearing Officer's order. In the notification letters, property owners are informed that if they wish to appeal the order of the Hearing Officer, held on February 24, 2010, they needed to come to this meeting of the Construction Board of Appeals.

Spaeth noted that Mr. Davis is the only one here, representing 829 Phillips; the other four have not shown up. In regards to this particular case, Spaeth stated that Mark Manning, the City's legal counsel, recommend that Mr. Davis be given another 30 days to prepare a response. Since the hearing officer is not here we would need to continue this case to a meeting to be held on April 28, 2010, at 4pm.

Spaeth pointed out that after the agenda and information packet was sent out, a cost estimate for repairs was prepared for the City and plugged into the SEV of the subject property (structure and building at 539 Phillips). That determination tells the board whether or not they can order a demolition under sixty (60) days or if the board must maintain the sixty (60) days time period. Spaeth will provide this estimate to Mr. Davis today so he can prepare his presentation for the next meeting.

Spaeth noted that the other four orders stand because the people didn't show up.

Lewis stated that the meeting will be postponed until April 28, 2010.

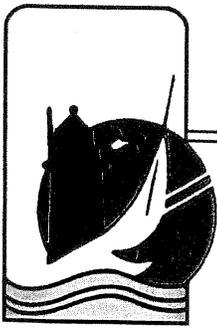
### 3. Adjourn

Motion by Stegeman, second by Lewis, to adjourn at 4:15 p.m. All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom

Recording Secretary



# City of South Haven

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1499  
Telephone (269) 637-0700 • FAX (269) 637-5319

## DANGEROUS BUILDING ORDINANCE HEARING OFFICER DECISION & ORDER

Hearing Date: 2/24/10 Subject Property: 759 KALAMAZOO

Owner or Owner's Representative Present: MARTIN VERONICA

Owner / Representative Address: 22348 N. 140

Phone: 269-637-3541 E-mail: \_\_\_\_\_

**FINDINGS - The Owner / Representative agrees (yes) or disagrees (no) to the following:** YES NO

- That he/she received notice of the hearing .....  YES  NO
- That he/she understands the purpose of this hearing .....  YES  NO
- That the subject property is in violation of one or more City Codes .....  YES  NO
- That the subject property dose not have an operable kitchen .....  YES  NO
- That the subject property dose not have an operable bathroom .....  YES  NO
- That the subject property dose not have a fully functioning electrical system .....  YES  NO
- That the subject property dose not have a fully functioning mechanical system .....  YES  NO
- That dangerous conditions exist on the subject property .....  YES  NO

**Decision & Order:** The below signed Hearing Officer does hereby order the owner of the subject property...

- To repair the structure at the subject property so that it meets the 2006 Michigan Building Code.
  - To demolish the structure at the subject property pursuant to the City's Demolition Specifications.
  - To repair or demolish the structure at the subject property pursuant to the above referenced codes.
  - To Bring 1<sup>st</sup> floor apt. to code (UPC 2006) by July 24
- 400 2010

This order is to be completed by the date stated below or the City shall subsequently forward this case to the Construction Board of Appeals with an **order for demolition of the subject property.**

By: Craig Niephaus  
Craig Niephaus, City of South Haven Hearing Officer

Above Order to be completed by: 7/24/10  
Date



City of South Haven

## Agenda Item # 6

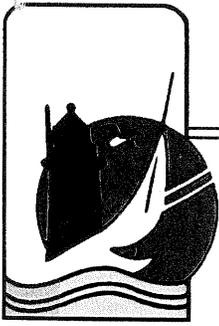
759 Kalamazoo

**Background Information:** This property has had a history of neglect. It has previously been scheduled before the Construction Board of Appeals back in 2006, and been subsequently notified of ongoing deficiencies in its maintenance.

**Hearing Officer's Order:** That the structure on the subject property be repaired so that it meets the 2006 Michigan Building Code, and bring the first floor apartment up to code by July 24, 2010

**Support Material:** 1) Notice of right to appeal Hearing Officer's Order with said order attached.  
2) Previous correspondence  
3) Photos

RESPECTFULLY SUBMITTED,  
William K. Spaeth, AICP  
Planner / Zoning Administrator



# City of South Haven

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1499

Telephone (269) 637-0700 • FAX (269) 637-5319

MARTIN VERONICA  
22348 M 140  
SOUTH HAVEN, MI 49090

02/26/2010

Regarding: DANGEROUS BUILDING HEARING DETERMINATION

To Whom it may concern;

The City of South Haven's Building Inspector has found that the structure on the Subject Property identified below is dangerous and needs to be corrected as identified under "Infraction" below. You are hereby notified that the hearing before South Haven's Hearing Officer was conducted and the determination from said hearing is attached. You are hereby informed that should you not agree to comply with said determination within the deadline provided therein, you may appeal said determination to the Construction Board of Appeals (CBA) meeting date identified below, which is no later than 30 days after the Hearing Officer's hearing date. In the event you wish to appeal the Hearing Officer's determination, you are hereby instructed to present yourself to the CBA for your opportunity to show cause why the Hearing Officer's determination should not be complied with for the structure to be demolished, or otherwise made safe and maintained properly. **There shall be no further notifications from the City prior to the compliance date.**

**Subject Property:** 759 KALAMAZOO ST, SOUTH HAVEN  
Tax Parcel Number: 80-53-144-010-00

**Infraction:** CITY OF SOUTH HAVEN ORDINANCE NO. 570 PROPERTY MAINTENANCE, HOUSE IN DISREPAIR. POSTED AS NOT HABITABLE ON NOVEMBER 02, 2004.

- (1). SECTION 2.5 VACANT PROPERTY.
- (2). SECTION 3.1 FOUNDATION, WALLS AND ROOF- EXTERIOR
- (3). SECTION 3.7 STRUCTURAL MAINTENANCE IN GENERAL.

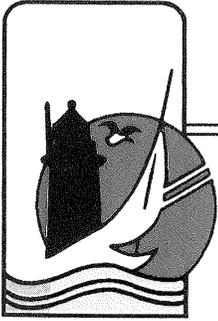
**Construction Board of Appeals meeting date:** March 24<sup>th</sup>, 2010 at 4pm at City Hall

The City of South Haven asks that you please be aware of the condition of your property at all times, and that you make proper arrangements for the maintenance of it. Therefore, it is incumbent upon you to correct the infraction and contact the building official to avoid any fines. The quality of life within all of our neighborhoods depends on the cooperation of every property owner, whether residential or commercial. We thank you in advance for your cooperation in correcting this infraction.

Respectfully,

A handwritten signature in black ink, appearing to read "Ross Rogien", is placed below the word "Respectfully,".

Ross Rogien, Building Inspector  
Building Services Department (269) 637-0789



# City of South Haven

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1499  
Telephone (269) 637-0700 • FAX (269) 637-5319

## DANGEROUS BUILDING ORDINANCE HEARING OFFICER DECISION & ORDER

Hearing Date: 2/24/10 Subject Property: 759 KALAMAZOO

Owner or Owner's Representative Present: MARTIN VERONICA

Owner / Representative Address: 22348 N-140

Phone: 269-637-3541 E-mail: \_\_\_\_\_

**FINDINGS - The Owner / Representative agrees (yes) or disagrees (no) to the following:**      **YES**      **NO**

- That he/she received notice of the hearing .....
- That he/she understands the purpose of this hearing .....
- That the subject property is in violation of one or more City Codes .....
- That the subject property dose not have an operable kitchen .....
- That the subject property dose not have an operable bathroom .....
- That the subject property dose not have a fully functioning electrical system .....
- That the subject property dose not have a fully functioning mechanical system .....
- That dangerous conditions exist on the subject property .....

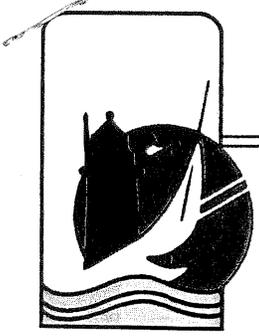
**Decision & Order:** The below signed Hearing Officer does hereby order the owner of the subject property...

- To repair the structure at the subject property so that it meets the 2006 Michigan Building Code.
  - To demolish the structure at the subject property pursuant to the City's Demolition Specifications.
  - To repair or demolish the structure at the subject property pursuant to the above referenced codes.
  - To Bring 1<sup>st</sup> floor apt. to code (MFC 2006) by July 24
- 400 2010

This order is to be completed by the date stated below or the City shall subsequently forward this case to the Construction Board of Appeals with an **order for demolition of the subject property.**

By: Craig Niephaus  
Craig Niephaus, City of South Haven Hearing Officer

Above Order to be completed by: 7/24/10  
Date



# City of South Haven

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1499

Telephone (269) 637-0700 • FAX (269) 637-5319

MARTIN VERONICA  
22348 M 140  
SOUTH HAVEN, MI 49090

02/05/2010

Regarding: DANGEROUS BUILDING HEARING NOTIFICATION

To Whom it may concern;

The City of South Haven's Building Inspector has found that the structure on the Subject Property identified below is dangerous and needs to be corrected as identified under "Infraction" below. You are hereby notified of the hearing date before South Haven's Hearing Officer in the Building Services Department offices. You are instructed to present yourself at said hearing to be given your opportunity to show cause why the Hearing Officer should not order the structure demolished, or otherwise made safe and maintained properly. **There shall be no further notifications from the City prior to the hearing date.**

**Subject Property:** 759 KALAMAZOO ST,SOUTH HAVEN  
Tax Parcel Number: 80-53-144-010-00

**Infraction:** CITY OF SOUTH HAVEN ORDINANCE NO. 570 PROPERTY MAINTENANCE, HOUSE IN DISREPAIR. POSTED AS NOT HABITABLE ON NOVEMBER 02, 2004.

- (1). SECTION 2.5 VACANT PROPERTY.
- (2) SECTION 3.1 FOUNDATION, WALLS AND ROOF- EXTERIOR
- (3). SECTION 3.7 STRUCTURAL MAINTENANCE IN GENERAL.

PRIOR NOTICES HAVE FAILED TO BRING THIS PROPERTY INTO CONFORMANCE

**Hearing Date:** Wednesday February 24<sup>th</sup>, 2010 at 4pm at City Hall 539 Phoenix Street

The City of South Haven asks that you please be aware of the condition of your property at all times, and that you make proper arrangements for the maintenance of it. Therefore, it is incumbent upon you to correct the infraction and contact the building official to avoid any fines. The quality of life within all of our neighborhoods depends on the cooperation of every property owner, whether residential or commercial. We thank you in advance for your cooperation in correcting this infraction.

Respectfully,



William K. Spaeth  
Zoning Administrator, Building Services Department (269) 637-0763

January 29th 2009

To whom!

I am verifying that I the owner of 759 Kalamazoo St. — So. Haven —

am in the process of trying to obtain a means to improve the property, — I am considering a home improvement, or Mortgage loan, or even liquidation. If you know of any assistance please let me know.

Thanks  
for patience  
Vernice Warts  
22348 m-140  
So. Haven  
269-637-3541

MARTIN VERONICA  
22348 M 140  
SOUTH HAVEN, MI 49090

01/15/2009

Dear Veronica

Per our conversation on Wednesday January 14, 2009, I need two things from you. First I need your phone number as a contact person. Second I need you to write or type a letter to the City of South Haven stating what your future plans are for the property at 759 Kalamazoo St.

I have granted you an extension until June, 30, 2009 you must notify the Building Department as to what the plans are for 759 Kalamazoo St.

If you have any question, please call me at (269) 637-0763

Respectfully;

DANIEL M. GOMEZ  
Code Enforcement Officer

MARTIN VERONICA  
22348 M 140  
SOUTH HAVEN, MI 49090

01/08/2009

Regarding: **Warning notification of Code Infraction**

Dear Property Owner;

A Code Infraction has been observed at your property within the City of South Haven identified below as the subject property. Attempts have been made to contact a responsible party at the property and via previous mail without successfully correcting the infraction. The specific Code Infraction is listed below and you, as the property owner of record, are the legally responsible party for correcting the infraction. Said infraction needs to be corrected immediately. Subsequently, you are required to contact the code enforcement official at the number below no later than ten (10) calendar days from the date of this letter. Should there be no substantive response from you by that time, the City shall move forward with enforcement proceedings which **shall include the issuance of a "Civil Infraction Notice of Violation" involving a \$50.00 per day per violation fine.**

**Subject Property:** 759 KALAMAZOO ST,SOUTH HAVEN  
Tax Parcel Number: 80-53-144-010-00

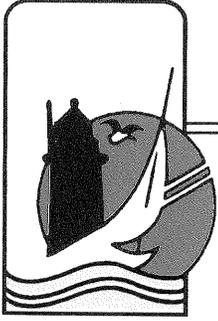
**Code Infraction:** CITY OF SOUTH HAVEN ORDINANCE NO. 570 PROPERTY MAINTENANCE, HOUSE IN DISREPAIR. POSTED AS NOT HABITABLE ON NOVEMBER 02,2004.

- (1). SECTION 2.5 VACANT PROPERTY.
- (2) SECTION 3.1 FOUNDATION, WALLS AND ROOF- EXTERIOR
- (3). SECTION 3.7 STRUCTURAL MAINTENANCE IN GENERAL.

THE CITY OF SOUTH HAVEN REQUEST INFORMATION AS TO THE FUTURE MAINTENANCE PLANS OF THE PROPERTY AT 759 KALAMAZOO ST.

The City of South Haven asks that you be aware of the condition of your property at all times, and that you make proper arrangements for the maintenance of it. **There will be no further notifications from the City prior to issuance of the "Civil Infraction Notice of Violation".** Therefore, it is incumbent upon you to correct the infraction to avoid any fines. The quality of life within all of our neighborhoods depends on the cooperation of every property owner, whether residential or commercial. Please correct this infraction.

Respectfully,  
DANIEL M. GOMEZ  
Code Enforcement Officer, Building Services Department (269) 637-0763



# City of South Haven

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1499

Telephone (269) 637-0700 • FAX (269) 637-5319

THURSDAY, NOVEMBER 20, 2008

LOCATION OF PROPERTY: 759 KALAMAZOO ST. – VACANT HOUSE

COMPLAINTS:

FILED AS PLACARD-

NOVEMBER 02, 2004

AT THE REQUEST OF THE TENANT, A SAFETY INSPECTION WAS PERFORMED AT THE ADDRESS IN THE LOWER UNIT. IT WAS DETERMINED THAT THE UNIT WAS UNFIT FOR HABITATION, FURNACE WAS TAGGED BY THE GAS COMPANY, BATHROOM COMPLETELY DEFICIENT, ELECTRICAL PROBLEMS, PLUMBING PROBLEMS, FRONT AND BACK STEPS ARE HAZARDOUS. ONE TENANT SUPPLIED SMOKE DETECTOR, BASEMENT WAS WET, POSSIBLY WITH SEWAGE, MOLD PRESENT AN A HOST OF OTHER DEFICIENCIES.

FILED AS REPOSTED AS NOT HABITABLE

NOVEMBER 05, 2004

REPOSTED WITH ANOTHER PLACARD AS THE FIRST ONE WAS RIPPED OFF FROM THE FRONT DOOR.

FILED AS REPORTED COMPLAINT

MARCH 14, 2008

NEIGHBOR CAME TO THE BUILDING DEPARTMENT TO EXPRESS CONCERN ABOUT BROKEN WINDOWS AND STRAY CATS (15 TO 20 CATS) GOING IN AND OUT OF THE HOUSE THROUGH A BROKRN WINDOW IN THE BASEMENT. BUILDING INSPECTOR ROSS ROGIEN NOTIFIED, OWNER WAS NOTIFIED BY BUILDING INSPECTOR ON THE CONDITION OF THE HOUSE. OWNER BOARDED THE BROKEN WINDOWS. CODE ENFORCEMENT OFFICER DAN GOMEZ REPOSTED AN OTHER PLACARD ON THE FRONT DOOR.

**MARTIN VERONICA  
22348 M 140  
SOUTH HAVEN, MI 49090**

**NOTICE OF HEARING  
DANGEROUS BUILDING  
AT  
759 KALAMAZOO ST, SOUTH HAVEN.**

THE BUILDING AT THE ABOVE NAMED ADDRESS IS CONSIDERED A DANGEROUS AND UNSAFE STRUCTURE AS DEFINED IN SECTION 10-223 OF THE CITY OF SOUTH HAVEN CODE OF ORDINANCES.

A HEARING IS SCHEDULED FOR OCTOBER 31, 2006 AT 2:00P.M., AT CITY HALL, 539 PHOENIX STREET, SOUTH HAVEN, MICHIGAN. YOU WILL HAVE THE OPPORTUNITY TO SHOW CAUSE AT THE HEARING WHY THE HEARING OFFICER SHOULD NOT ORDER THE BUILDING OR STRUCTURE DEMOLISHED, OTHERWISE MADE SAFE OR PROPERLY MAINTAINED.

AT THE HEARING, THE HEARING OFFICER SHALL TAKE TESTIMONY OF THE ENFORCING OFFICER, THE OWNER OF THE PROPERTY, AND ANY INTERESTED PARTY. NOT MORE THAN 5 DAYS AFTER COMPLETION OF THE HEARING, THE HEARING OFFICER SHALL RENDER A DECISION EITHER CLOSING THE PROCEEDINGS OR ORDERING THE BUILDING OR STRUCTURE DEMOLISHED, OTHERWISE MADE SAFE OR PROPERLY MAINTAINED.

IF THE OWNER, AGENT, OR LESSEE FAILS TO APPEAR THE CITY SHALL TAKE FURTHER ACTION AS SPECIFIED IN SECTION 10-227 OF ARTICLE IX, CITY OF SOUTH HAVEN CODE OF ORDINANCES.

IF YOU HAVE ANY QUESTIONS PLEASE CONTACT ME AT CITY HALL, OR 269-637-0789.

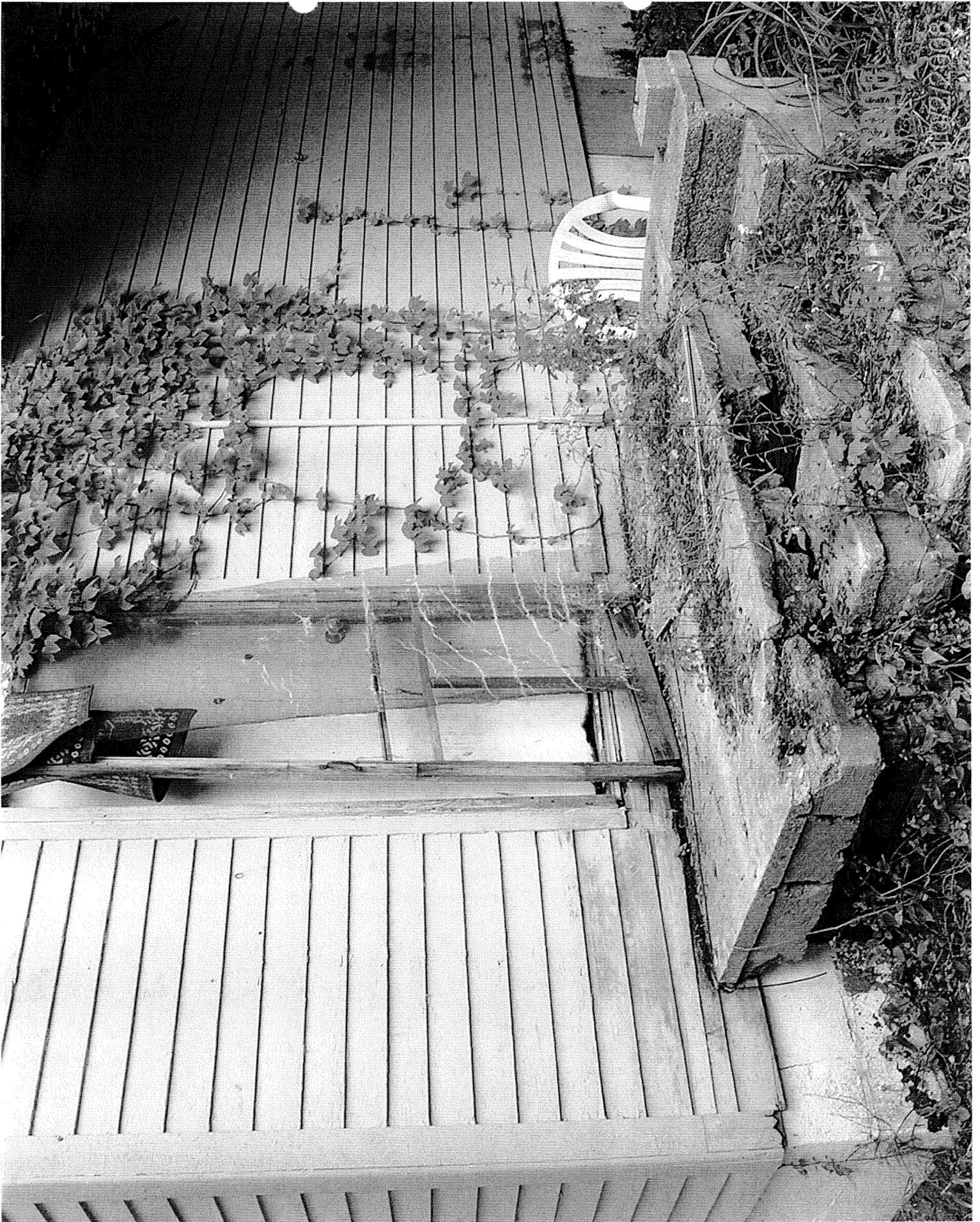
SINCERELY,

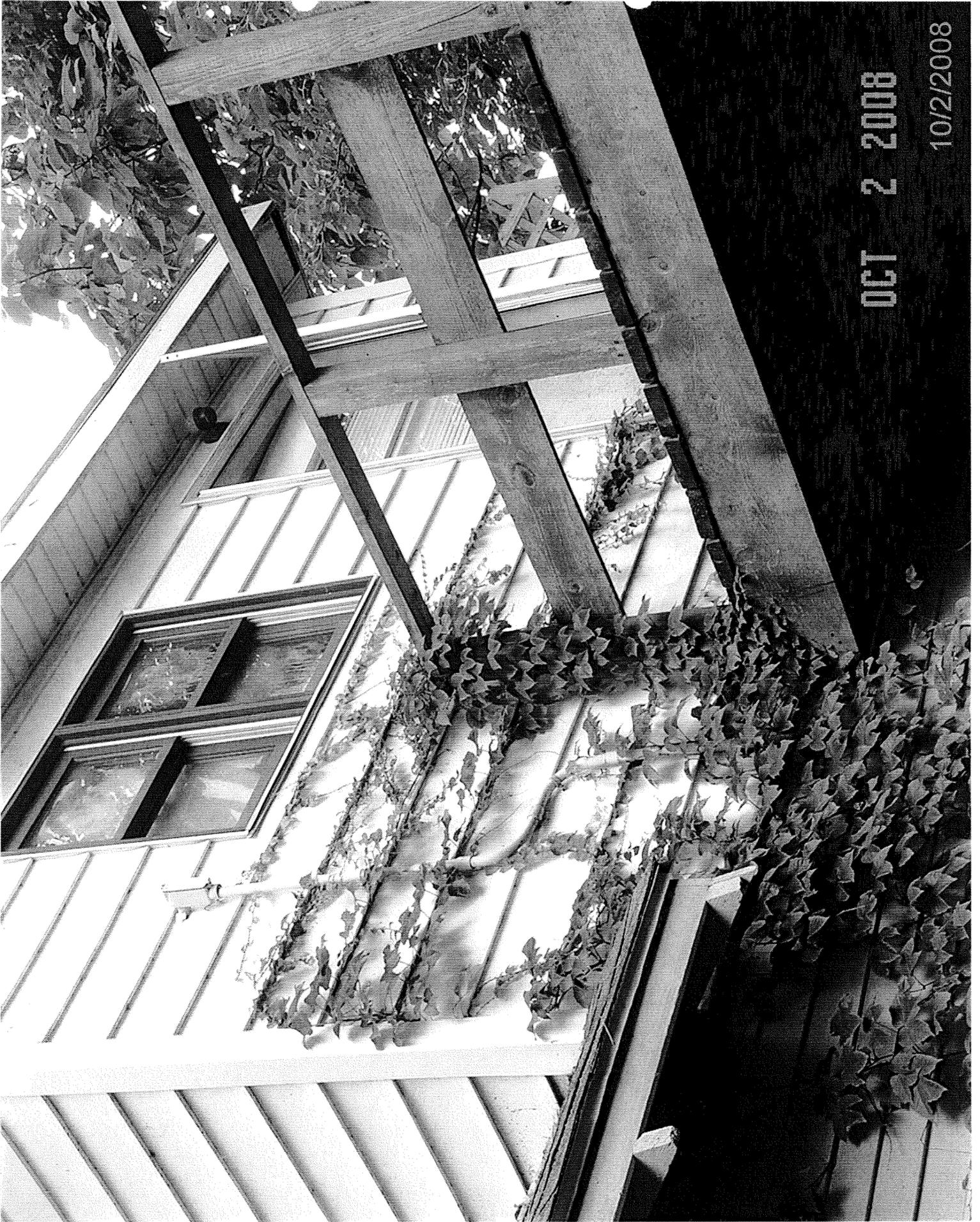
THOMAS FOUTS  
BUILDING INSPECTOR











OCT 2 2008  
10/2/2008



## Agenda Item # 7

755 Kalamazoo Street

**Background Information:** This property has had a history of neglect. The property was foreclosed on by the Fifth/Third Bank during the notification process, and subsequently purchased by the current owner. The new owner was issued a Building Permit on 6/22/2009 to re-roof the building and install new windows as well as remodel the interior. Construction activity started shortly thereafter with partial demolition of portions of the interior of the structure. The Building Inspector entered this note on the Permit Log on 4/12/2010:

THIS PROJECT HAS HAD NO ACTIVITY SINCE APPL. LAST SEPTEMBER PROJECT WAS CHECKED, AS WELL AS IN MID JANUARY AND AGAIN IN LATE FEBRUARY WITH NO ADDITIONAL WORK DONE. STATUS IS THE SAME AS OF 04-12-10. IF NO ACTIVITY BEGINS BY 5-31-10 DANGEROUS BUILDING NOTICE SHOULD BE SENT OUT. FOUNDATION ON NORTH AND SOUTH SIDES IN NEED OF SUBSTANTIAL REPAIR. MAJORITY OF FLOOR SYSTEM HAS BEEN REMOVED IN NORTH SIDE ENTRY AND LIVING AREA. CONDITION OF SEVERAL WALLS IS QUESTIONABLE.

The property was scheduled for a hearing on Sept. 29<sup>th</sup>, 2010.

**Hearing Officer's Order:** That the structure on the subject property be demolished pursuant to the City's Demolition Specifications by Oct. 29, 2010

**Support Material:**

- 1) Repair Cost Comparison Sheet to State Equalized Value of Structure
- 2) Notice of right to appeal Hearing Officer's Order with said order attached.
- 3) Previous correspondence
- 4) Photos

RESPECTFULLY SUBMITTED,  
William K. Spaeth, AICP  
Planner / Zoning Administrator

755 KALAMAZOO  
**CITY OF SOUTH HAVEN**

**COMPARISON SHEET  
OF  
STATE EQUALIZED VALUE OF BUILDING OR STRUCTURE  
TO ITS  
ESTIMATED COST OF REPAIR**

PURSUANT TO SECTION 10-227 OF THE DANGEROUS BUILDINGS AND STRUCTURES ORDINANCE

The following calculation is presented to accurately compare the values as called for by the above referenced ordinance. The State Equalized Value (SEV) includes both the building or structure value along with the land value, and it is published by the Assessor's Office. This same source also publishes the Land Value alone. However the Land Value represents the anticipated value of the land if it were sold on the open market, while the SEV represents approximately half of what the property (with building or structure) would sell for on the open market. Therefore, the Land Value must be divided by two and subtracted from the SEV to accurately obtain the value that represents the SEV of the building or structure on the property. The ordinance then calls for the comparison of the estimated cost of repair to the SEV of the building or structure. If the repair estimate exceeds the SEV of the building or structure (which is approximately half the open market sales value), then the condition exists for "a rebuttable presumption that the building or structure requires immediate demolition".

PLEASE NOTE: This comparison does not prevent an order of demolition if the estimated cost of repair is less than the SEV, but rather allows the Construction Board of Appeals to order compliance with the order within 21 days instead of the 60 days prescribed by the ordinance.

|   |                  |
|---|------------------|
| A. State Equalized Value of subject property .....                            | <u>\$37,700.</u> |
| B. Assessor's Land Value .....  | <u>\$30,800.</u> |
| C. Land Value divided by two .....  | <u>\$15,400.</u> |
| D. SEV of building or structure (Property SEV minus half of Land Value) ..... | <u>\$22,300.</u> |
| E. Estimated Cost of building or structure repair .....                       | <u>\$86,196.</u> |

If the value on line 'E' above exceeds the value on line 'D' above, then "a rebuttable presumption that the building or structure requires immediate demolition exists".

The Construction Board of Appeals may order the demolition with a 21 day time limit.

The Construction Board of Appeals may not order the demolition with less than a 60 day time limit.

Prepared by: William K Spaeth Date: Oct. 20, 2010

**General Property Information**

[Back to Non-Printer Friendly Version] [Send To Printer]

Parcel: 80-53-144-009-00

|   |            |
|---|------------|
| <b>Property Address</b>                   | [collapse] |
| 755 KALAMAZOO ST<br>SOUTH HAVEN, MI 49090 |            |

|  |                    |
|--|--------------------|
| <b>Owner Information</b>                                   | [collapse]         |
| SEY WILLIAM B<br>8156 TIMBER TRAIL<br>WHITE LAKE, MI 48386 | <b>Unit:</b> 80-53 |

|                             |            |
|-----------------------------|------------|
| <b>Taxpayer Information</b> | [collapse] |
| SEE OWNER INFORMATION       |            |

| <b>General Information for Tax Year 2010</b>  | [collapse]             |                               |                        |                    |  |                        |                       |          |  |          |              |      |  |          |                               |            |  |
|---|------------------------|-------------------------------|------------------------|--------------------|--|------------------------|-----------------------|----------|--|----------|--------------|------|--|----------|-------------------------------|------------|--|
| <table style="width:100%"> <tr> <td><b>Property Class:</b></td> <td>401</td> <td><b>Assessed Value:</b></td> <td>\$37,700</td> </tr> <tr> <td><b>School District:</b></td> <td>80010 - District 80010</td> <td><b>Taxable Value:</b></td> <td>\$37,700</td> </tr> <tr> <td><b>State Equalized Value:</b></td> <td>\$37,700</td> <td><b>Map #</b></td> <td>A659</td> </tr> <tr> <td><b>BOAT SLIPS</b></td> <td>0</td> <td><b>Date of Last Name Chg:</b></td> <td>07/26/2010</td> </tr> </table>  | <b>Property Class:</b> | 401                           | <b>Assessed Value:</b> | \$37,700           | <b>School District:</b>                            | 80010 - District 80010 | <b>Taxable Value:</b> | \$37,700 | <b>State Equalized Value:</b>                      | \$37,700 | <b>Map #</b> | A659 | <b>BOAT SLIPS</b>                                  | 0        | <b>Date of Last Name Chg:</b> | 07/26/2010 |  |
| <b>Property Class:</b>  | 401                    | <b>Assessed Value:</b>        | \$37,700               |                    |  |                        |                       |          |  |          |              |      |  |          |                               |            |  |
| <b>School District:</b>   | 80010 - District 80010 | <b>Taxable Value:</b>         | \$37,700               |                    |  |                        |                       |          |  |          |              |      |  |          |                               |            |  |
| <b>State Equalized Value:</b>   | \$37,700               | <b>Map #</b>                  | A659                   |                    |  |                        |                       |          |  |          |              |      |  |          |                               |            |  |
| <b>BOAT SLIPS</b>   | 0                      | <b>Date of Last Name Chg:</b> | 07/26/2010             |                    |  |                        |                       |          |  |          |              |      |  |          |                               |            |  |
| <table style="width:100%"> <tr> <td><b>Date Filed:</b></td> <td>01/01/199</td> <td><b>Notes:</b></td> <td>N/A</td> </tr> <tr> <td><b>Principal Residence Exemption (2010 May 1):</b></td> <td>0.0000 %</td> <td></td> <td></td> </tr> <tr> <td><b>Principal Residence Exemption (2010 Final):</b></td> <td>0.0000 %</td> <td></td> <td></td> </tr> <tr> <td><b>Principal Residence Exemption (2011 May 1):</b></td> <td>0.0000 %</td> <td></td> <td></td> </tr> </table>  | <b>Date Filed:</b>     | 01/01/199                     | <b>Notes:</b>          | N/A                | <b>Principal Residence Exemption (2010 May 1):</b> | 0.0000 %               |                       |          | <b>Principal Residence Exemption (2010 Final):</b> | 0.0000 % |              |      | <b>Principal Residence Exemption (2011 May 1):</b> | 0.0000 % |                               |            |  |
| <b>Date Filed:</b>  | 01/01/199              | <b>Notes:</b>                 | N/A                    |                    |  |                        |                       |          |  |          |              |      |  |          |                               |            |  |
| <b>Principal Residence Exemption (2010 May 1):</b>  | 0.0000 %               |                               |                        |                    |  |                        |                       |          |  |          |              |      |  |          |                               |            |  |
| <b>Principal Residence Exemption (2010 Final):</b>  | 0.0000 %               |                               |                        |                    |  |                        |                       |          |  |          |              |      |  |          |                               |            |  |
| <b>Principal Residence Exemption (2011 May 1):</b>  | 0.0000 %               |                               |                        |                    |  |                        |                       |          |  |          |              |      |  |          |                               |            |  |
| <table border="1" style="width:100%"> <thead> <tr> <th style="text-align:left">Previous Year Info</th> <th style="text-align:center">MBOR Assessed</th> <th style="text-align:center">Final S.E.V.</th> <th style="text-align:center">Final Taxable</th> </tr> </thead> <tbody> <tr> <td>2009</td> <td style="text-align:center">\$50,400</td> <td style="text-align:center">\$50,400</td> <td style="text-align:center">\$9,300</td> </tr> <tr> <td>2008</td> <td style="text-align:center">\$50,900</td> <td style="text-align:center">\$50,900</td> <td style="text-align:center">\$8,909</td> </tr> </tbody> </table> |                        |                               |                        | Previous Year Info | MBOR Assessed                                      | Final S.E.V.           | Final Taxable         | 2009     | \$50,400   | \$50,400 | \$9,300      | 2008 | \$50,900   | \$50,900 | \$8,909                       |            |  |
| Previous Year Info  | MBOR Assessed          | Final S.E.V.                  | Final Taxable          |                    |  |                        |                       |          |  |          |              |      |  |          |                               |            |  |
| 2009  | \$50,400               | \$50,400                      | \$9,300                |                    |  |                        |                       |          |  |          |              |      |  |          |                               |            |  |
| 2008  | \$50,900               | \$50,900                      | \$8,909                |                    |  |                        |                       |          |  |          |              |      |  |          |                               |            |  |

|  |                 |                                 |                  |           |                     |      |               |            |                    |          |                       |     |                           |     |                                 |  |                          |    |  |  |                               |       |  |  |  |
|--|-----------------|---------------------------------|------------------|-----------|---------------------|------|---------------|------------|--------------------|----------|-----------------------|-----|---------------------------|-----|---------------------------------|--|--------------------------|----|--|--|-------------------------------|-------|--|--|--|
| <b>Land Information</b>  | [collapse]      |                                 |                  |           |                     |      |               |            |                    |          |                       |     |                           |     |                                 |  |                          |    |  |  |                               |       |  |  |  |
| <table style="width:100%"> <tr> <td><b>Acreage:</b></td> <td>0.11</td> <td><b>Frontage:</b></td> <td>50.00 Ft.</td> </tr> <tr> <td><b>Zoning Code:</b></td> <td>R-1A</td> <td><b>Depth:</b></td> <td>100.00 Ft.</td> </tr> <tr> <td><b>Land Value:</b></td> <td>\$30,800</td> <td><b>Mortgage Code:</b></td> <td>N/A</td> </tr> <tr> <td><b>Land Improvements:</b></td> <td>\$0</td> <td><b>Lot Dimensions/Comments:</b></td> <td></td> </tr> <tr> <td><b>Renaissance Zone:</b></td> <td>NO</td> <td></td> <td></td> </tr> <tr> <td><b>ECF Neighborhood Code:</b></td> <td>00413</td> <td></td> <td></td> </tr> </table> | <b>Acreage:</b> | 0.11                            | <b>Frontage:</b> | 50.00 Ft. | <b>Zoning Code:</b> | R-1A | <b>Depth:</b> | 100.00 Ft. | <b>Land Value:</b> | \$30,800 | <b>Mortgage Code:</b> | N/A | <b>Land Improvements:</b> | \$0 | <b>Lot Dimensions/Comments:</b> |  | <b>Renaissance Zone:</b> | NO |  |  | <b>ECF Neighborhood Code:</b> | 00413 |  |  |  |
| <b>Acreage:</b>  | 0.11            | <b>Frontage:</b>                | 50.00 Ft.        |           |                     |      |               |            |                    |          |                       |     |                           |     |                                 |  |                          |    |  |  |                               |       |  |  |  |
| <b>Zoning Code:</b>  | R-1A            | <b>Depth:</b>                   | 100.00 Ft.       |           |                     |      |               |            |                    |          |                       |     |                           |     |                                 |  |                          |    |  |  |                               |       |  |  |  |
| <b>Land Value:</b>   | \$30,800        | <b>Mortgage Code:</b>           | N/A              |           |                     |      |               |            |                    |          |                       |     |                           |     |                                 |  |                          |    |  |  |                               |       |  |  |  |
| <b>Land Improvements:</b>  | \$0             | <b>Lot Dimensions/Comments:</b> |                  |           |                     |      |               |            |                    |          |                       |     |                           |     |                                 |  |                          |    |  |  |                               |       |  |  |  |
| <b>Renaissance Zone:</b>   | NO              |                                 |                  |           |                     |      |               |            |                    |          |                       |     |                           |     |                                 |  |                          |    |  |  |                               |       |  |  |  |
| <b>ECF Neighborhood Code:</b>  | 00413           |                                 |                  |           |                     |      |               |            |                    |          |                       |     |                           |     |                                 |  |                          |    |  |  |                               |       |  |  |  |

|   |            |
|---|------------|
| <b>Legal Information for 80-53-144-009-00</b>                                 | [collapse] |
| A659 10-1-17 677-917 1079-810 1500-999 1520-225 * LOT 9 BLOCK 4 HOME ADDITION |            |

**Sales Information**

| 2 sale record(s) found. |             |            |                           |                  |                  |            |
|-------------------------|-------------|------------|---------------------------|------------------|------------------|------------|
| Sale Date               | Sale Price  | Instrument | Grantor                   | Grantee          | Terms Of Sale    | Liber/Page |
| 04/17/8                 | \$0.00      | SD         | CRUZAN RON SHERIFF'S DEED | FIRTH THIRD BANK | FORCED SALE      | 1500/999   |
| 06/04/2009              | \$12,500.00 | WD         | FIFTH THIRD BANK          | SEY WILLIAM B    | POST FORECLOSURE | 1520/225   |

**Building Information**

| <b>1 building(s) found.</b>               |               |                                |                            |            |
|---|---------------|--------------------------------|----------------------------|------------|
| Description                               | Floor Area    | Yr Built                       |                            |            |
| Residential Building 1                    | 1695 Sq. Ft.  | 0                              |                            |            |
| <b>General Information</b>                |               |                                |                            |            |
| <b>Floor Area:</b>                        | 1695 Sq. Ft.  | <b>Estimated TCV:</b>          | N/A                        |            |
| <b>Garage Area:</b>                       | 0 Sq. Ft.     | <b>Basement Area</b>           | 516 Sq. Ft.                |            |
| <b>Foundation Size:</b>                   | 1114 Sq. Ft.  |                                |                            |            |
| <b>Year Built:</b>                        | 0             | <b>Year Remodeled:</b>         | 0                          |            |
| <b>Occupancy:</b>                         | Single Family | <b>Class:</b>                  | CDN/A                      |            |
|   |               | <b>Tri-Level?:</b>             | NO                         |            |
| <b>Percent Complete:</b>                  | 100%          | <b>Heat:</b>                   | Space Heater               |            |
| <b>AC w/Separate Ducts:</b>               | NO            | <b>Wood Stove Add-on:</b>      | NO                         |            |
| <b>Bedrooms:</b>                          | 0             | <b>Water:</b>                  | N/A                        |            |
| <b>Style:</b>                             | 1 3/4 STORY   | <b>Sewer:</b>                  | N/A                        |            |
| <b>Area Detail - Basic Building Areas</b> |               |                                |                            |            |
| Height                                    | Foundation    | Exterior                       | Area                       | Heated     |
| 1 Story                                   | Slab          | Siding                         | 210 Sq. Ft.                | 1 Story    |
| 1.5 Story                                 | Crawl Space   | Siding                         | 388 Sq. Ft.                | 1.5 Story  |
| 1.75 Story                                | Full Bsmnt.   | Siding                         | 516 Sq. Ft.                | 1.75 Story |
| <b>Area Detail - Overhangs</b>            |               |                                |                            |            |
| Height                                    | Exterior      | Area                           | Included in Size for Rates |            |
|   |               |                                |                            |            |
| <b>Basement Finish</b>                    |               |                                |                            |            |
| <b>Recreation:</b>                        | 0 Sq. Ft.     | <b>Recreation % Good:</b>      | 0                          |            |
| <b>Living Area:</b>                       | 0 Sq. Ft.     | <b>Living Area % Good:</b>     | 0                          |            |
| <b>Walk Out Doors:</b>                    | 0             | <b>No Concrete Floor Area:</b> | 0 Sq. Ft.                  |            |
| <b>Plumbing Information</b>               |               |                                |                            |            |
| <b>3-Fixture Baths:</b>                   | 1             |                                |                            |            |
| <b>2-Fixture Baths:</b>                   | 1             |                                |                            |            |
| <b>Fireplace Information</b>              |               |                                |                            |            |
| <b>Interior 2-Story:</b>                  | 1             |                                |                            |            |
| <b>Porch Information</b>                  |               |                                |                            |            |
| <b>CCP (1 Story):</b>                     | 98 Sq. Ft.    | <b>Foundation:</b>             | Standard                   |            |

**\*\*Disclaimer:** BS&A Software provides this Web Site as a way for municipalities to display information online and is not responsible for the content or accuracy of the data herein. This data is provided for reference only and WITHOUT WARRANTY of any kind, expressed or inferred. Please contact your local municipality if you believe there are errors in the data.  
[Privacy Policy](#)

# CODE COMPLIANCE CHECK LIST

pp 1 of 2

**THE FOLLOWING ITEMS ARE TO BE ADDRESSED  
RELATIVE TO MEETING THE MINIMUM  
REQUIREMENTS OF THE CITY CODE AND MICHIGAN  
RESIDENTIAL BUILDING CODE.**

**Submitted By: John Brush Date: July 20<sup>th</sup>, 2010  
Phone No.- (269) 227-3469**

**Project Address: 755 Kalamazoo St.**

- |  |                            |
|--|----------------------------|
| <b>1. General Conditions-project management, dumpsters,<br/>Chemical toilets, public protection.</b> | <b>\$ <u>6,500.00</u></b>  |
| <b>2. Foundation Rep/Replacement</b>   | <b>\$ <u>13,280.00</u></b> |
| <b>3. Exterior Decks/Porches</b>   | <b>\$ <u>3,000.00</u></b>  |
| <b>4. Exterior Wall-Siding/Framing/Both</b>  | <b>\$ <u>15,000.00</u></b> |
| <b>5. Eaves/Boxed Enclosures</b>   | <b>\$ <u>2,500.00</u></b>  |
| <b>6. Roof Structure -</b>   | <b>\$ <u>-0-</u></b>       |
| <b>Chimney's</b>   | <b>\$ <u>-0-</u></b>       |
| <b>7. Windows-Repair/Replacement- 18 units</b>   | <b>\$ <u>6,300.00</u></b>  |
| <b>8. Ext. Doors-Repair/Replacement- 3 units</b>   | <b>\$ <u>1,200.00</u></b>  |
| <b>9. Interior Walls &amp; Ceilings- <u>1660</u> S. F.</b>   | <b>\$ <u>8,300.00</u></b>  |
| <b>10. Floor Structure(s)- <u>800</u> S. F.</b>  | <b>\$ <u>4,800.00</u></b>  |

Repair Check List-continued . . .

2 of 2

|  |                     |
|--|---------------------|
| 11. Electrical Service-  | \$ <u>1,500.00</u>  |
| Electrical wiring system   | \$ <u>6,800.00</u>  |
| 12. Plumbing – Waste & Supply system   | \$ <u>4,600.00</u>  |
| - Fixtures   | \$ <u>790.00</u>    |
| - Wall Finishes (Tubs/showers)   | \$ <u>1,100.00</u>  |
| 13. HVAC-Service line  | \$ <u>-0-</u>       |
| -Heat and/or AC equip. Rep/New   | \$ <u>9,026.00</u>  |
| 14. Accessory Structures- <u>Repair/Replacement</u>                                | \$ <u>-0-</u>       |
| 15. Public Hazards-Conc. Slabs, Landscaping,<br>Structures, Etc.<br>Repair/Removal | \$ <u>1,500.00</u>  |
| Total Associated Costs -   | \$ <u>86,196.00</u> |

**Summary Statement: This house in my opinion should be torn down and replaced. The roof has been replaced recently and some remodeling has been started and then abandoned leaving the foundation open and exposed to the elements animals and people. The interior has been partially gutted leaving the walls to be supported on a bad foundation with much of the floor framing torn out and exposing the crawl space and basement. This leaves it structurally unsound and a hazard to anyone that could get inside. The basement entrance has some poorly constructed framing around it that would not keep out the elements. It has asbestos siding on much of the house that would need to be removed properly. There are a lot of old building materials**

**laying in piles in back of the house that pose a hazard to children.**

Signed: John Brush 7/20/10

Company Name and Address: **John Brush Builders, Inc.**

*JB*

**6578 111<sup>th</sup>, Ave.**

**Fennville, Mi. 49408**



SENT CERT. & REG. MAIL 10/1/2010

SEY WILLIAM B  
8156 TIMBER TRAIL  
WHITE LAKE, MI 48386

09/29/2010

Regarding: DANGEROUS BUILDING HEARING DETERMINATION

To Whom it may concern;

The City of South Haven's Building Inspector has found that the structure on the Subject Property identified below is dangerous and needs to be corrected as identified under "Infraction" below. You are hereby notified that the hearing before South Haven's Hearing Officer was conducted and the determination from said hearing is attached. You are hereby informed that should you not agree to comply with said determination within the deadline provided therein, you may appeal said determination to the Construction Board of Appeals (CBA) meeting date identified below, which is no later than 30 days after the Hearing Officer's hearing date. In the event you wish to appeal the Hearing Officer's determination, you are hereby instructed to present yourself to the CBA for your opportunity to show cause why the Hearing Officer's determination should not be complied with for the structure to be demolished, or otherwise made safe and maintained properly. **There shall be no further notifications from the City prior to the compliance date.**

**Subject Property:** 755 KALAMAZOO ST, SOUTH HAVEN

Tax Parcel Number: 80-53-144-009-00

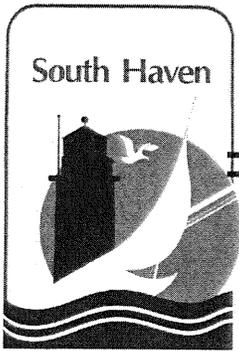
**Infraction:** STRUCTURE ON PROPERTY HAS NOT BEEN MAINTAINED PROPERLY AND MUST BE REPAIRED / BROUGHT BACK INTO COMPLIANCE WITH ALL CURRENT MICHIGAN BUILDING CODES OR BE DEMOLISHED. (ORD. 570) BLDG PERMIT PB090108 HAS HAD NO ACTIVITY SINCE APRIL OF 2009. PROJECT CHECKED IN MID JANUARY AND AGAIN IN LATE FEB. WITH NO ADDITIONAL WORK DONE. FOUNDATION ON NORTH AND SOUTH SIDE IS IN NEED OF SUBSTANTIAL REPAIR. MAJORITY OF FLOOR SYSTEM HAS BEEN REMOVED IN NORTH SIDE ENTRY AND LIVING AREA. STRUCTURAL CONDITION OF SEVERAL EXTERIOR WALLS ARE VERY QUESTIONABLE, AND PRESENT A SUBSTANTIAL POTENTIAL HAZARD.

**Construction Board of Appeals meeting date:** Wed. Oct. 27<sup>th</sup>, 2010 at 4pm at City Hall

The City of South Haven asks that you please be aware of the condition of your property at all times, and that you make proper arrangements for the maintenance of it. Therefore, it is incumbent upon you to correct the infraction and contact the building official to avoid any fines. The quality of life within all of our neighborhoods depends on the cooperation of every property owner, whether residential or commercial. We thank you in advance for your cooperation in correcting this infraction.

Respectfully,

Ross Rogien, Building Inspector  
Building Services Department (269) 637-0789



# City of South Haven

## Building Services Department

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1573  
Telephone (269) 637-0789 • Fax (269) 637-5319

### DANGEROUS BUILDING ORDINANCE HEARING OFFICER DECISION & ORDER

Hearing Date: 9/29/10 Subject Property: 755 KALAMAZOO

Owner or Owner's Representative Present: WILLIAM SEY

Owner / Representative Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**FINDINGS - The Owner / Representative agrees (yes) or disagrees (no) to the following:**    YES    NO

That he/she received notice of the hearing .....    

That he/she understands the purpose of this hearing .....    

That the subject property is in violation of one or more City Codes .....    

That the subject property dose not have an operable kitchen .....    

That the subject property dose not have an operable bathroom .....    

That the subject property dose not have a fully functioning electrical system .....    

That the subject property dose not have a fully functioning mechanical system .....    

That dangerous conditions exist on the subject property .....    

**Decision & Order:** The below signed Hearing Officer does hereby order the owner of the subject property...

To repair the subject property so that it meets the 2006 Michigan Building Code.

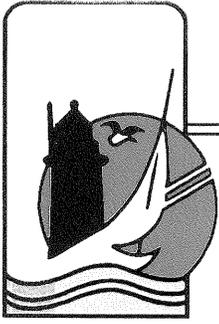
To demolish the subject property pursuant to the City's Demolition Specifications.

To \_\_\_\_\_

This order is to be completed by the date stated below or the City shall subsequently forward this case to the Construction Board of Appeals with an order for demolition of the subject property.

By: Craig Niephaus  
Craig Niephaus, City of South Haven Hearing Officer

Above Order to be completed by: 10/29/10  
~~9/29/10~~  
Date



# City of South Haven

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1499

Telephone (269) 637-0700 • FAX (269) 637-5319

09/08/2010

SEY WILLIAM B  
8156 TIMBER TRAIL  
WHITE LAKE, MI 48386

Regarding: DANGEROUS BUILDING HEARING NOTIFICATION

To Whom it may concern;

The City of South Haven's Building Inspector has found that the structure on the Subject Property identified below is dangerous and needs to be corrected as identified under "Infraction" below. You are hereby notified of the hearing date before South Haven's Hearing Officer in the Building Services Department offices. You are instructed to present yourself at said hearing to be given your opportunity to show cause why the Hearing Officer should not order the structure demolished, or otherwise made safe and maintained properly. **There shall be no further notifications from the City prior to the hearing date.**

**Subject Property:** 755 KALAMAZOO ST, SOUTH HAVEN  
Tax Parcel Number: 80-53-144-009-00

**Infraction:** STRUCTURE ON PROPERTY HAS NOT BEEN MAINTAINED PROPERLY AND MUST BE REPAIRED / BROUGHT BACK INTO COMPLIANCE WITH ALL CURRENT MICHIGAN BUILDING CODES OR BE DEMOLISHED. (ORD. 570) BLDG PERMIT PB090108 HAS HAD NO ACTIVITY SINCE APRIL OF 2009. PROJECT CHECKED IN MID JANUARY AND AGAIN IN LATE FEB. WITH NO ADDITIONAL WORK DONE. FOUNDATION ON NORTH AND SOUTH SIDE IS IN NEED OF SUBSTANTIAL REPAIR. MAJORITY OF FLOOR SYSTEM HAS BEEN REMOVED IN NORTH SIDE ENTRY AND LIVING AREA. STRUCTURAL CONDITION OF SEVERAL EXTERIOR WALLS ARE VERY QUESTIONABLE, AND PRESENT A SUBSTANTIAL POTENTIAL HAZARD.

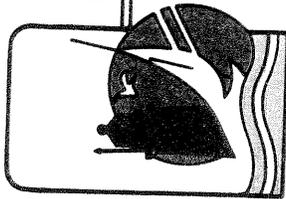
**Hearing Date:** 09/29/2010 at 3pm City Hall 539 Phoenix Street

The City of South Haven asks that you please be aware of the condition of your property at all times, and that you make proper arrangements for the maintenance of it. Therefore, it is incumbent upon you to correct the infraction and contact the building official to avoid any fines. The quality of life within all of our neighborhoods depends on the cooperation of every property owner, whether residential or commercial. We thank you in advance for your cooperation in correcting this infraction.

Respectfully,

A handwritten signature in black ink, appearing to read "Ross Rogien", is written over a faint, circular official stamp.

ROSS ROGIEN  
Building Inspector, Building Services Department (269) 637-0763



# City of South Haven

539 Phoenix Street • South Haven, Michigan 49090-1499

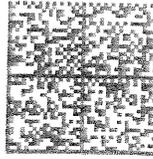
MAILED  
1st CLASS  
2nd CLASS  
RETURN

**CERTIFIED MAIL**

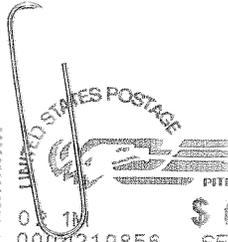


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FIRST CLASS



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MAILED  
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9-10-10  
J.R.S.

NIXIE

482 DE 1

00 09/29/10

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

EC: 4909014999

\*0990-01337-29-17

4909001499



FIFTH THIRD BANK  
38 FOUNTAIN SQUARE PLAZA MD 1090R9  
CINCINNATI, OH 45263

12/16/2008

Regarding: **Warning notification of Code Infraction**

Dear Property Owner;

A Code Infraction has been observed at your property within the City of South Haven identified below as the subject property. Attempts have been made to contact a responsible party at the property and via previous mail without successfully correcting the infraction. The specific Code Infraction is listed below and you, as the property owner of record, are the legally responsible party for correcting the infraction. Said infraction needs to be corrected immediately. Subsequently, you are required to contact the code enforcement official at the number below no later than ten (10) calendar days from the date of this letter. Should there be no substantive response from you by that time, the City shall move forward with enforcement proceedings which **shall include the issuance of a "Civil Infraction Notice of Violation" involving a \$50.00 per day per violation fine.**

**Subject Property:** 755 KALAMAZOO ST,SOUTH HAVEN  
Tax Parcel Number: 80-53-144-009-00

**Code Infraction:** CITY OF SOUTH HAVEN ORDINANCE NO. 570 PROPERTY MAINTENANCE, HOUSE IN DISREPAIR.

- (1). SECTION 2.5 VACANT PROPERTY
- (2). SECTION 3.1 FOUNDATION, WALLS AND ROOF-EXTERIOR
- (3). SECTION 3.7 STRUCTURAL MAINTENANCE IN GENERAL

THE CITY OF SOUTH HAVEN REQUEST INFORMATION AS TO THE FUTURE MAINTENANCE PLANS OF THE PROPERTY AT 755 KALAMAZOO ST.

The City of South Haven asks that you be aware of the condition of your property at all times, and that you make proper arrangements for the maintenance of it. **There will be no further notifications from the City prior to issuance of the "Civil Infraction Notice of Violation".** Therefore, it is incumbent upon you to correct the infraction to avoid any fines. The quality of life within all of our neighborhoods depends on the cooperation of every property owner, whether residential or commercial. Please correct this infraction.

Respectfully,

DANIEL M. GOMEZ  
Code Enforcement Officer, Building Services Department (269) 637-0763

O'BRYANT JEROME  
71012 M 43 HWY  
SOUTH HAVEN, MI 49090

11/19/2008

Regarding: Courtesy notification of Code Infraction

Dear Property Owner;

Please be aware that a Code Infraction has been observed at your property within the City of South Haven identified below as the subject property. Attempts have been made to contact a responsible party at the property without successfully correcting the infraction. The specific Code Infraction is listed below and you, as the property owner of record, are the legally responsible party for correcting the infraction. Said infraction needs to be corrected immediately. Subsequently, you are required to contact the code enforcement official at the number below no later than ten (10) calendar days from the date of this letter. Should there be no substantive response from you by that time, the City shall move forward with enforcement proceedings which may include the issuance of a "Civil Infraction Notice of Violation" involving fines and/or other penalties.

**Subject Property:** 755 KALAMAZOO ST,SOUTH HAVEN  
Tax Parcel Number: 80-53-144-009-00

**Code Infraction:** CITY OF SOUTH HAVEN ORDINANCE NO. 570- PROPERTY MAINTENANCE, HOUSE IN DISREPAIR.

- (1). SECTION 2.5 VACANT PROPERTY
- (2). SECTION 3.1 FOUNDATION, WALLS AND ROOF- EXTERIOR
- (3). SECTION 3.7 STRUCTURAL MAINTENANCE IN GENERAL
- (4). SECTION 4.4 INSECT SCREENS

THE CITY OF SOUTH HAVEN REQUEST INFORMATION AS TO THE FUTURE MAINTENANCE PLANS OF THE PROPERTY AT 755 KALAMAZOO ST.

The City of South Haven asks that you please be aware of the condition of your property at all times, and that you make proper arrangements for the maintenance of it. The quality of life within all of our neighborhoods depends on the cooperation of every property owner, whether residential or commercial. We thank you in advance for your cooperation in correcting this infraction.

Respectfully,

DANIEL M. GOMEZ  
Code Enforcement Officer, Building Services Department (269) 637-0763

PROPERTY IN FORECLOSURE SINCE NOV. 05, 2008  
NEW OWNER FIFTH THIRD BANK

O'BRYANT JEROME  
71012 M 43 HWY  
SOUTH HAVEN, MI 49090

08/19/2008

Dear Property Owner;

A Code Infraction has been observed at your property within the City of South Haven identified below as the subject property. All previous attempts that have been made to contact a responsible party at the property and via mail have failed to successfully correct the infraction. The specific Code Infraction is listed below and you, as the property owner of record, are the legally responsible party for correcting the infraction. **The City has now hired appropriate services to correct said infraction immediately, and the attached fine of \$50.00 per day per violation now needs to be paid along with a \$50.00 administrative fee and all associated costs that the City has incurred.** Should this code infraction be repeated within the next 12 months, the City shall move forward with further enforcement proceedings which shall include the issuance of a first repeat "Civil Infraction Notice of Violation" involving a \$250.00 per day per violation fine as well as the City hiring appropriate services to correct repeat infractions with no further notice.

**Subect Property:** 755 KALAMAZOO ST,SOUTH HAVEN  
Tax Parcel Number: 80-53-144-009-00

**Code Infraction:** VACANT HOUSE IN DISREPAIR, YARD NEEDS TO HAVE WEEDS CUT AND DEBRIS CLEANED AND REMOVED. IF IN TEN DAYS WEEDS ARE NOT CUT AND YARD DEBRIS REMOVED FROM PROPERTY. THE CITY WILL SEND LAWN BOYS TO CUT WEEDS AND CLEAN YOUR YARD AND REMOVE DEBRIS. AS A PROPERTY OWNER ON A VACANT HOUSE YOU ARE RESPONSIBLE FOR THE UP KEEP OF HOUSE AND YARD. THIS IS YOUR SECOND NOTICE.

You need to be aware of the condition of your property at all times, and you need to make proper arrangements for the maintenance of it. **There will be no further notifications from the City prior to issuance of the first repeat "Civil Infraction Notice of Violation" and the City hiring of appropriate services to correct repeated code infractions.** Therefore, it is incumbent upon you to prevent or immediately correct infractions to avoid further fines. All previous fines and costs are due and shall accumulate on the property until paid. The quality of life within all of our neighborhoods depends on the cooperation of every property owner, whether residential or commercial and you need to make arrangements to prevent such infractions from occurring.

Respectfully,

DANIEL M. GOMEZ  
Code Enforcement Officer, Building Services Department (269) 637-0763

O'BRYANT JEROME  
71012 M 43 HWY  
SOUTH HAVEN, MI 49090

07/30/2008

Regarding: Courtesy notification of Code Infraction

Dear Property Owner;

Please be aware that a Code Infraction has been observed at your property within the City of South Haven identified below as the subject property. The City typically attempts to contact a responsible party at the property to correct the infraction, however the specific Code Infraction is listed below and you, as the property owner of record, are the legally responsible party for correcting the infraction. **Said infraction needs to be corrected immediately.** Subsequently, you are required to contact the code enforcement official at the number below no later than ten (10) calendar days from the date of this letter. Should there be no substantive response from you by that time, the City shall move forward with enforcement proceedings which shall include the issuance of a "Civil Infraction Notice of Violation" involving a \$50.00 per day fine, as well as a \$50.00 administrative fee and all costs associated with the City having to hire appropriate services to correct said infraction.

**Subect Property:** 755 KALAMAZOO ST,SOUTH HAVEN  
Tax Parcel Number: 80-53-144-009-00

**Code Infraction:** PROPERTY NEEDS TO BE MOWED DUE TO LENGTH OF LAWN (SEC 30-92)

The City of South Haven asks that you please be aware of the condition of your property at all times, and that you make proper arrangements for the maintenance of it. **There shall be no further notifications from the City prior to issuance of the "Civil Infraction Notice of Violation"**. Therefore, it is incumbent upon you to correct the infraction and contact the code enforcement official to avoid any fines. The quality of life within all of our neighborhoods depends on the cooperation of every property owner, whether residential or commercial. We thank you in advance for your cooperation in correcting this infraction.

Respectfully,

DANIEL M. GOMEZ  
Code Enforcement Officer, Building Services Department (269) 637-0763

Thursday, April 3, 2008

O'BRYANT JEROME  
71012 M 43 HWY  
SOUTH HAVEN, MI 49090

RE: Violation of City of South Haven City Ordinance Section 30-91 on the Property Located at 755 KALAMAZOO ST, Property Tax ID # 80-53-144-009-00

A general city inspection was done on 04/02/08 of local properties and the property at 755 Kalamazoo St. has debris (pile of old building material) in the back yard of the property'

We would like to remind you that Section 30-91 (unwholesome Substances) of the City Ordinances, which states that.

- (1) Accumulation of rubbish, trash, refuse, junk and other abandoned materials, lumber and other things, partially dismantled, non-operating, wrecked, junked or discarded motor vehicle, construction vehicle, car parts, garden tools, building supplies, house hold appliances, toys or furniture;
- (2) Any condition which provides harborage for rats, mice, snakes and other vermin;

You have ten days to remove all the accumulation of debris from your back yard property located at 755 Kalamazoo St.

Failure to correct the violation by that date will result in further action by the city. possible actions include issuing municipal civil infraction tickets starting in the amount for \$50.00 and increasing each day that the violation continues.

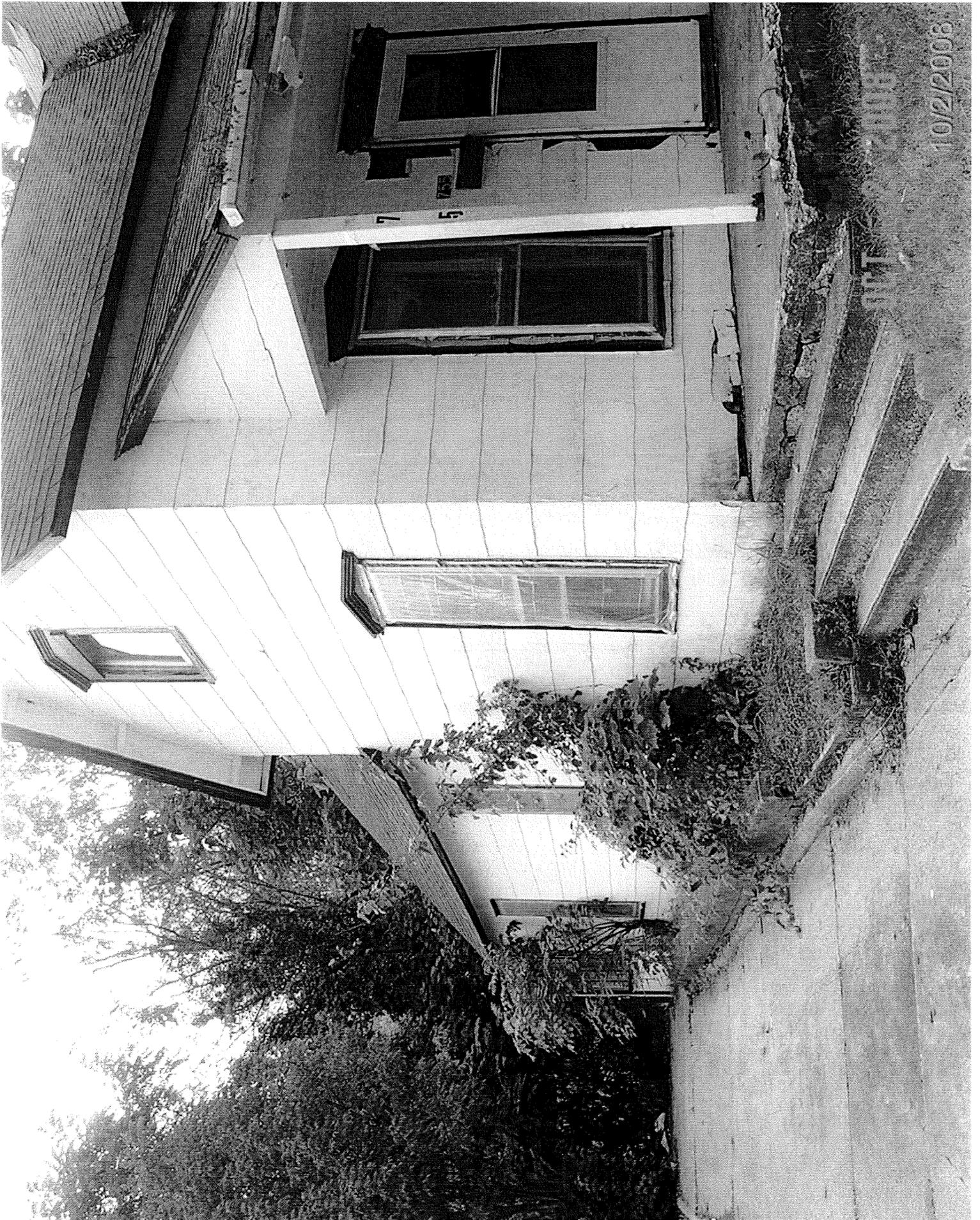
Thank you in advance for your cooperation. If you have any questions, please contact the Office of Code Enforcement.

Sincerely,

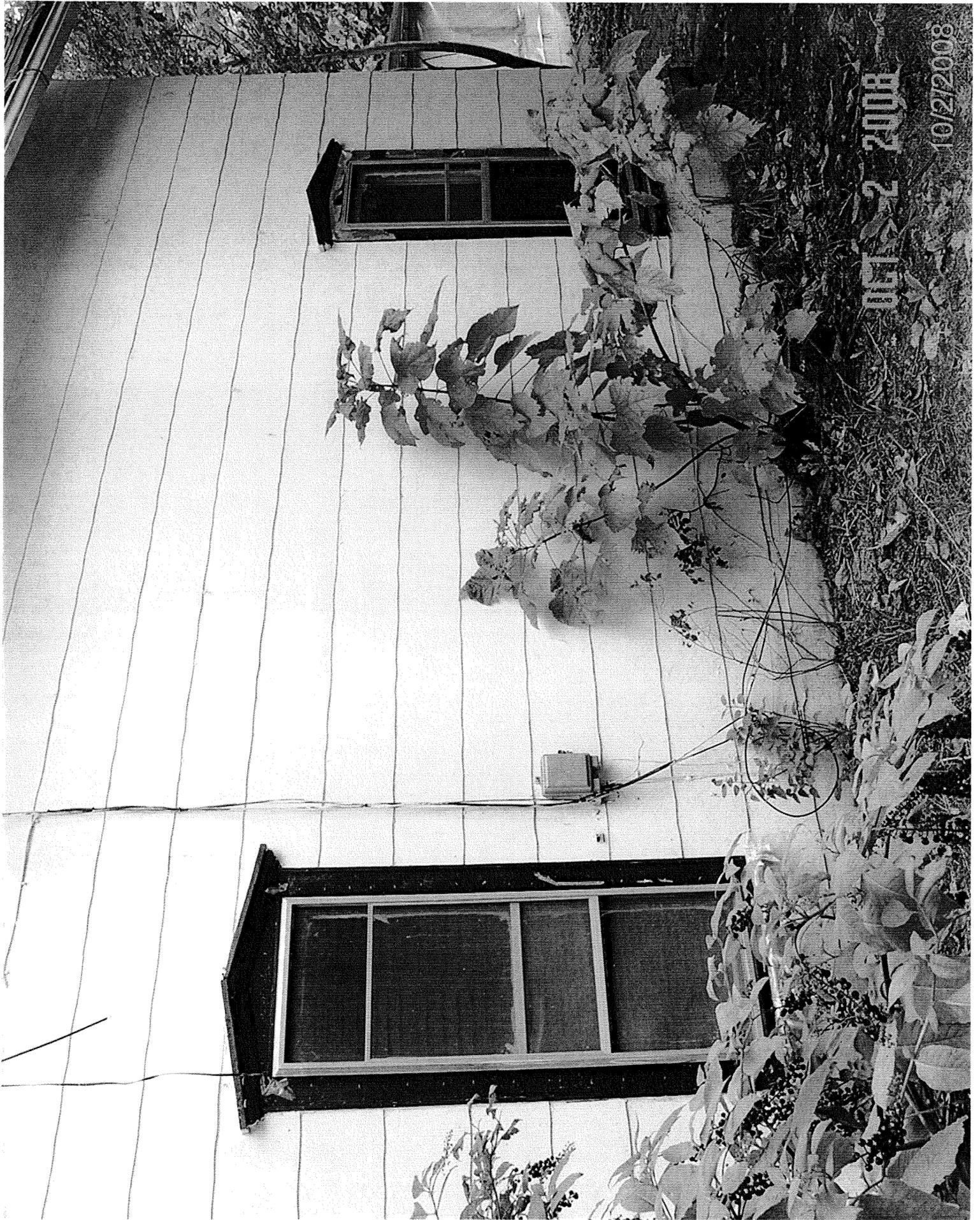
Office of Code Enforcement  
City of South Haven  
(269) 637-0763

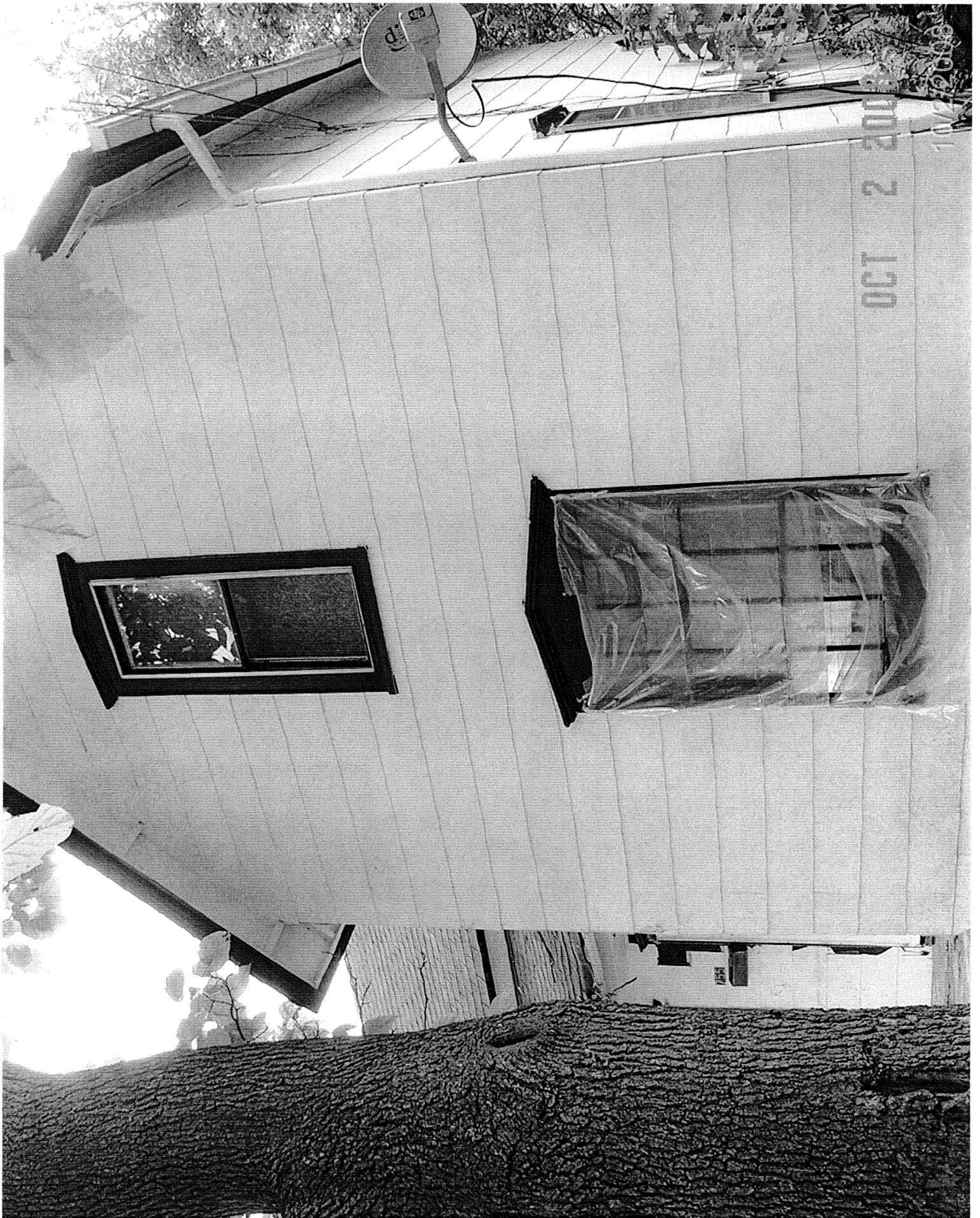














## Agenda Item # 8

721 St. Joseph Place

**Background Information:** This property has had a history of neglect. The structure is located on a non-conforming lot within the R-1B zoning district, and does not conform to that district's setback requirements. The structure has been vacant for a number of years and is currently in an estate being handled by a Trustee.

**Hearing Officer's Order:** That the structure on the subject property be demolished pursuant to the City's Demolition Specifications by Oct. 29, 2010

**Support Material:**

- 1) Repair Cost Comparison Sheet to State Equalized Value of Structure
- 2) Letter of response from Legal Rep.
- 3) Notice of right to appeal Hearing Officer's Order with said order attached.
- 4) Previous correspondence
- 5) Photos

RESPECTFULLY SUBMITTED,  
William K. Spaeth, AICP  
Planner / Zoning Administrator

721 ST. JOSEPH PL.  
**CITY OF SOUTH HAVEN**

**COMPARISON SHEET  
OF  
STATE EQUALIZED VALUE OF BUILDING OR STRUCTURE  
TO ITS  
ESTIMATED COST OF REPAIR  
PURSUANT TO SECTION 10-227 OF THE DANGEROUS BUILDINGS AND STRUCTURES ORDINANCE**

The following calculation is presented to accurately compare the values as called for by the above referenced ordinance. The State Equalized Value (SEV) includes both the building or structure value along with the land value, and it is published by the Assessor's Office. This same source also publishes the Land Value alone. However the Land Value represents the anticipated value of the land if it were sold on the open market, while the SEV represents approximately half of what the property (with building or structure) would sell for on the open market. Therefore, the Land Value must be divided by two and subtracted from the SEV to accurately obtain the value that represents the SEV of the building or structure on the property. The ordinance then calls for the comparison of the estimated cost of repair to the SEV of the building or structure. If the repair estimate exceeds the SEV of the building or structure (which is approximately half the open market sales value), then the condition exists for "a rebuttable presumption that the building or structure requires immediate demolition".

PLEASE NOTE: This comparison does not prevent an order of demolition if the estimated cost of repair is less than the SEV, but rather allows the Construction Board of Appeals to order compliance with the order within 21 days instead of the 60 days prescribed by the ordinance.

|   |                  |
|---|------------------|
| A. State Equalized Value of subject property .....                            | <u>\$44,600.</u> |
| B. Assessor's Land Value .....  | <u>\$49,000.</u> |
| C. Land Value divided by two .....  | <u>\$24,500.</u> |
| D. SEV of building or structure (Property SEV minus half of Land Value) ..... | <u>\$20,100.</u> |
| E. Estimated Cost of building or structure repair .....                       | <u>\$20,200.</u> |

If the value on line 'E' above exceeds the value on line 'D' above, then "a rebuttable presumption that the building or structure requires immediate demolition exists".

The Construction Board of Appeals may order the demolition with a 21 day time limit.

The Construction Board of Appeals may not order the demolition with less than a 60 day time limit.

Prepared by: WILLIAM K. SPAETH Date: OCT. 20, 2010

**General Property Information**

[Back to Non-Printer Friendly Version] [Send To Printer]

Parcel: 80-53-081-009-50

|   |
|---|
| <b>Property Address</b> <span style="float:right">[collapse]</span> |
| 721 ST JOSEPH PL<br>SOUTH HAVEN, MI 49090                           |

|   |                    |
|---|--------------------|
| <b>Owner Information</b> <span style="float:right">[collapse]</span>                        |                    |
| MONTGOMERY KERI M TRUSTEE FOR<br>HUNSAKER JOSHUA S<br>70478 CR 384<br>SOUTH HAVEN, MI 49090 | <b>Unit:</b> 80-53 |

|   |
|---|
| <b>Taxpayer Information</b> <span style="float:right">[collapse]</span> |
| SEE OWNER INFORMATION   |

|  |                        |                               |            |
|--|------------------------|-------------------------------|------------|
| <b>General Information for Tax Year 2010</b> <span style="float:right">[collapse]</span> |                        |                               |            |
| <b>Property Class:</b>   | 401                    | <b>Assessed Value:</b>        | \$41,600   |
| <b>School District:</b>  | 80010 - District 80010 | <b>Taxable Value:</b>         | \$41,600   |
| <b>State Equalized Value:</b>  | \$41,600               | <b>Map #</b>                  | A530       |
| <b>BOAT SLIPS</b>  | 0                      | <b>Date of Last Name Chg:</b> | 08/14/2009 |
| <b>Date Filed:</b>   | 01/01/199              | <b>Notes:</b>                 | N/A        |
| <b>Principal Residence Exemption (2010 May 1):</b>                                       | 0.0000 %               |                               |            |
| <b>Principal Residence Exemption (2010 Final):</b>                                       | 0.0000 %               |                               |            |
| <b>Principal Residence Exemption (2011 May 1):</b>                                       | 0.0000 %               |                               |            |

| Previous Year Info | MBOR Assessed | Final S.E.V. | Final Taxable |
|--------------------|---------------|--------------|---------------|
| 2009               | \$44,300      | \$44,300     | \$8,785       |
| 2008               | \$44,600      | \$44,600     | \$8,415       |

|   |          |                                 |            |
|---|----------|---------------------------------|------------|
| <b>Land Information</b> <span style="float:right">[collapse]</span> |          |                                 |            |
| <b>Acreage:</b>   | 0.12     | <b>Frontage:</b>                | 36.00 Ft.  |
| <b>Zoning Code:</b>   | R-1B     | <b>Depth:</b>                   | 143.00 Ft. |
| <b>Land Value:</b>  | \$49,000 | <b>Mortgage Code:</b>           | N/A        |
| <b>Land Improvements:</b>   | \$0      | <b>Lot Dimensions/Comments:</b> |            |
| <b>Renaissance Zone:</b>  | NO       |                                 |            |
| <b>ECF Neighborhood Code:</b>                                       | 00408    |                                 |            |

|  |
|--|
| <b>Legal Information for 80-53-081-009-50</b> <span style="float:right">[collapse]</span>  |
| A530 10-1-17 616-591 831-574 1520-827 * THE E 36' OF THE S 81.5' OF LOT 9 & THE E 36' OF THE N 61.5' LOT 10 BLK 1 ELKENBURG ADD. |

**Sales Information**

| <b>1 sale record(s) found.</b> |            |            |                        |                           |                  |            |
|--------------------------------|------------|------------|------------------------|---------------------------|------------------|------------|
| Sale Date                      | Sale Price | Instrument | Grantor                | Grantee                   | Terms Of Sale    | Liber/Page |
| 06/01/2009                     | \$1.00     | PR         | ESTATE OF MADSEN JESSE | MONTGOMERY KERI M TRUSTEE | NOT GOOD FOR ECF | 1520/827   |

**Building Information**

| <b>1 building(s) found.</b>               |               |                                |                            |          |
|---|---------------|--------------------------------|----------------------------|----------|
| Description                               |               | Floor Area                     |                            | Yr Built |
| Residential Building 1                    |               | 528 Sq. Ft.                    |                            | 0        |
| <b>General Information</b>                |               |                                |                            |          |
| <b>Floor Area:</b>                        | 528 Sq. Ft.   | <b>Estimated TCV:</b>          | N/A                        |          |
| <b>Garage Area:</b>                       | 0 Sq. Ft.     | <b>Basement Area</b>           | 0 Sq. Ft.                  |          |
| <b>Foundation Size:</b>                   | 528 Sq. Ft.   |                                |                            |          |
| <b>Year Built:</b>                        | 0             | <b>Year Remodeled:</b>         | 0                          |          |
| <b>Occupancy:</b>                         | Single Family | <b>Class:</b>                  | DN/A                       |          |
|   |               | <b>Tri-Level?:</b>             | NO                         |          |
| <b>Percent Complete:</b>                  | 100%          | <b>Heat:</b>                   | Forced Air w/ Ducts        |          |
| <b>AC w/Separate Ducts:</b>               | NO            | <b>Wood Stove Add-on:</b>      | NO                         |          |
| <b>Bedrooms:</b>                          | 0             | <b>Water:</b>                  | N/A                        |          |
| <b>Style:</b>                             | 1 STORY       | <b>Sewer:</b>                  | N/A                        |          |
| <b>Area Detail - Basic Building Areas</b> |               |                                |                            |          |
| Height                                    | Foundation    | Exterior                       | Area                       | Heated   |
| 1 Story                                   | Crawl Space   | Siding                         | 528 Sq. Ft.                | 1 Story  |
| <b>Area Detail - Overhangs</b>            |               |                                |                            |          |
| Height                                    | Exterior      | Area                           | Included in Size for Rates |          |
|   |               |                                |                            |          |
| <b>Basement Finish</b>                    |               |                                |                            |          |
| <b>Recreation:</b>                        | 0 Sq. Ft.     | <b>Recreation % Good:</b>      | 0                          |          |
| <b>Living Area:</b>                       | 0 Sq. Ft.     | <b>Living Area % Good:</b>     | 0                          |          |
| <b>Walk Out Doors:</b>                    | 0             | <b>No Concrete Floor Area:</b> | 0 Sq. Ft.                  |          |
| <b>Plumbing Information</b>               |               |                                |                            |          |
| <b>3-Fixture Baths:</b>                   | 1             |                                |                            |          |
| <b>Porch Information</b>                  |               |                                |                            |          |
| <b>CSEP (1 Story):</b>                    | 42 Sq. Ft.    | <b>Foundation:</b>             | Standard                   |          |

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[Privacy Policy](#)

# CODE COMPLIANCE CHECK LIST

pp 1 of 2

**THE FOLLOWING ITEMS ARE TO BE ADDRESSED  
RELATIVE TO MEETING THE MINIMUM  
REQUIREMENTS OF THE CITY CODE AND MICHIGAN  
RESIDENTIAL BUILDING CODE.**

**Submitted By: John Brush Date: July 19<sup>th</sup>, 2010  
Phone No.- (269) 227-3469**

**Project Address: 721 St. Joseph Pl.**

- |  |                           |
|--|---------------------------|
| <b>1. General Conditions-project management, dumpsters,<br/>Chemical toilets, public protection.</b> | <b>\$ <u>500.00</u></b>   |
| <b>2. Foundation Rep/Replacement</b>   | <b>\$ <u>9,000.00</u></b> |
| <b>3. Exterior Decks/Porches</b>   | <b>\$ <u>0.00</u></b>     |
| <b>4. Exterior Wall-Siding/Framing/Both</b>  | <b>\$ <u>2,500.00</u></b> |
| <b>5. Eaves/Boxed Enclosures</b>   | <b>\$ <u>1,500.00</u></b> |
| <b>6. Roof Structure – Front &amp; side porch- Re-Roof</b>   | <b>\$ <u>0.00</u></b>     |
| <b>Chimney's</b>   | <b>\$ <u>0.00</u></b>     |
| <b>7. Windows-Repair/Replacement- 7 units</b>  | <b>\$ <u>2,450.00</u></b> |
| <b>8. Ext. Doors-Repair/Replacement- 0 units</b>   | <b>\$ <u>0.00</u></b>     |
| <b>9. Interior Walls &amp; Ceilings- <u>-0-</u> S. F.</b>  | <b>\$ <u>0.00</u></b>     |
| <b>10. Floor Structure(s)- <u>-0-</u> S. F.</b>  | <b>\$ <u>0.00</u></b>     |

Repair Check List-continued . . .

2 of 2

|  |                     |
|--|---------------------|
| 11. Electrical Service-  | \$ <u>0.00</u>      |
| Electrical wiring system   | \$ <u>2,000.00</u>  |
| 12. Plumbing – Waste & Supply system   | \$ <u>500.00</u>    |
| - Fixtures   | \$ <u>0.00</u>      |
| - Wall Finishes (Tubs/Showers)   | \$ <u>0.00</u>      |
| 13. HVAC-Service line  | \$ <u>0.00</u>      |
| -Heat and/or AC equip. Rep/New   | \$ <u>0.00</u>      |
| 14. Accessory Structures-Repair/Replacement  | \$ <u>500.00</u>    |
| 15. Public Hazards-Conc. Slabs, Landscaping,<br>Structures, Etc.<br>Repair/Removal | \$ <u>1,250.00</u>  |
| Total Associated Costs -   | \$ <u>20,200.00</u> |

**Summary Statement: This house in my opinion could be repaired. The siding should be replaced. The foundation needs much repair or replacement. Because of the foundation deterioration the plumbing is exposed and could need some repair. There is a newer looking heating vent and since I was unable to enter the house I believe this is probably OK. The windows are old and should be replaced because of age. The electrical service appears to be older and may need some upgrades. There is a storage shed in the front that is open and could be a hazard to children. The landscape is overgrown and needs to be removed. When I first drove up to the site I couldn't even see the house until I walked through the bushes.**

Signed: John Brush 7/17/10

Company Name and Address: John Brush Builders, Inc.

*JR*

6578 111<sup>th</sup>, Ave. Fenn. Mi. 49408



***Burnham Law Office, P.L.C.***  
***Richard K. Burnham***

Center Building, Suite 1  
303 Paw Paw St.  
Paw Paw, MI 49079  
Phone: (269) 657-5566  
Fax: (269) 657-7576

995 Miller Road  
Plainwell, MI 49080  
Phone: (269) 685-8739  
Fax: (269) 657-7576

**REPLY TO PAW PAW OFFICE**

October 5, 2010

Mr. Ross Rogien  
Building Inspector  
City of South Haven  
539 Phoenix Street  
South Haven, MI 49090

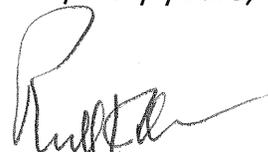
Re: Subject Property: 721 St. Joseph Place, South Haven  
Tax Parcel Number: 80-53-081-009-50

Dear Mr. Rogien:

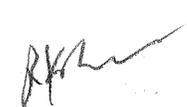
The above parcel has been placed into a trust for the benefit of Mr. Madsen's son, Joshua, of which I am the Trustee. We are in the process of selling the real estate and it is my understanding that the purchasers will be dealing with the repair/demolition of the property as they see fit.

If you should have any questions, please do not hesitate to contact me at my Paw Paw office.

Very truly yours,

  
Very truly yours,

RKB:ljh

*We anticipate  
compliance soon!*  




SENT CERT.  $\frac{1}{2}$  REG MAIL 10/1/2010

MONTGOMERY KERI M TRUSTEE FOR  
70478 CR 384  
SOUTH HAVEN, MI 49090

09/29/2010

Regarding: DANGEROUS BUILDING HEARING DETERMINATION

To Whom it may concern;

The City of South Haven's Building Inspector has found that the structure on the Subject Property identified below is dangerous and needs to be corrected as identified under "Infraction" below. You are hereby notified that the hearing before South Haven's Hearing Officer was conducted and the determination from said hearing is attached. You are hereby informed that should you not agree to comply with said determination within the deadline provided therein, you may appeal said determination to the Construction Board of Appeals (CBA) meeting date identified below, which is no later than 30 days after the Hearing Officer's hearing date. In the event you wish to appeal the Hearing Officer's determination, you are hereby instructed to present yourself to the CBA for your opportunity to show cause why the Hearing Officer's determination should not be complied with for the structure to be demolished, or otherwise made safe and maintained properly. **There shall be no further notifications from the City prior to the compliance date.**

**Subject Property:** 721 ST JOSEPH PL, SOUTH HAVEN  
Tax Parcel Number: 80-53-081-009-50

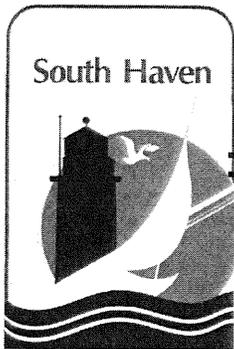
**Infraction:** STRUCTURE ON PROPERTY HAS NOT BEEN MAINTAINED PROPERLY AND MUST BE REPAIRED / BROUGHT BACK INTO COMPLIANCE WITH ALL CURRENT MICHIGAN BUILDING CODES OR BE DEMOLISHED. (ORD. 570)

**Construction Board of Appeals meeting date:** Wed. Oct. 27<sup>th</sup>, 2010 at 4pm at City Hall

The City of South Haven asks that you please be aware of the condition of your property at all times, and that you make proper arrangements for the maintenance of it. Therefore, it is incumbent upon you to correct the infraction and contact the building official to avoid any fines. The quality of life within all of our neighborhoods depends on the cooperation of every property owner, whether residential or commercial. We thank you in advance for your cooperation in correcting this infraction.

Respectfully,

Ross Rogien, Building Inspector  
Building Services Department (269) 637-0789



# City of South Haven

## Building Services Department

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1573  
Telephone (269) 637-0789 • Fax (269) 637-5319

### DANGEROUS BUILDING ORDINANCE HEARING OFFICER DECISION & ORDER

Hearing Date: 9/29/10 Subject Property: 721 ST. JOSEPH

Owner or Owner's Representative Present: JESSIE MADSEN

Owner / Representative Address: 303 Paw Paw St. South Haven, MI 49089

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**FINDINGS - The Owner / Representative agrees (yes) or disagrees (no) to the following:** YES NO

That he/she received notice of the hearing .....  YES  NO

That he/she understands the purpose of this hearing .....  YES  NO

That the subject property is in violation of one or more City Codes .....  YES  NO

That the subject property dose not have an operable kitchen .....  YES  NO

That the subject property dose not have an operable bathroom .....  YES  NO

That the subject property dose not have a fully functioning electrical system .....  YES  NO

That the subject property dose not have a fully functioning mechanical system .....  YES  NO

That dangerous conditions exist on the subject property .....  YES  NO

**Decision & Order:** The below signed Hearing Officer does hereby order the owner of the subject property...

To repair the subject property so that it meets the 2006 Michigan Building Code.

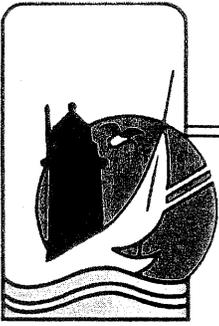
To demolish the subject property pursuant to the City's Demolition Specifications.

To \_\_\_\_\_

This order is to be completed by the date stated below or the City shall subsequently forward this case to the Construction Board of Appeals with an order for demolition of the subject property.

By: Craig Niephaus  
Craig Niephaus, City of South Haven Hearing Officer

Above Order to be completed by: 10/29/10  
Date



# City of South Haven

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1499

Telephone (269) 637-0700 • FAX (269) 637-5319

MONTGOMERY KERI M TRUSTEE FOR  
70478 CR 384  
SOUTH HAVEN, MI 49090

09/08/2010

Regarding: DANGEROUS BUILDING HEARING NOTIFICATION

To Whom it may concern;

The City of South Haven's Building Inspector has found that the structure on the Subject Property identified below is dangerous and needs to be corrected as identified under "Infraction" below. You are hereby notified of the hearing date before South Haven's Hearing Officer in the Building Services Department offices. You are instructed to present yourself at said hearing to be given your opportunity to show cause why the Hearing Officer should not order the structure demolished, or otherwise made safe and maintained properly. **There shall be no further notifications from the City prior to the hearing date.**

**Subject Property:** 721 ST JOSEPH PL, SOUTH HAVEN  
Tax Parcel Number: 80-53-081-009-50

**Infraction:** STRUCTURE ON PROPERTY HAS NOT BEEN MAINTAINED PROPERLY AND MUST BE REPAIRED / BROUGHT BACK INTO COMPLIANCE WITH ALL CURRENT MICHIGAN BUILDING CODES OR BE DEMOLISHED. (ORD. 570)

**Hearing Date:** 09/29/2010 at 3pm City Hall 539 Phoenix Street

The City of South Haven asks that you please be aware of the condition of your property at all times, and that you make proper arrangements for the maintenance of it. Therefore, it is incumbent upon you to correct the infraction and contact the building official to avoid any fines. The quality of life within all of our neighborhoods depends on the cooperation of every property owner, whether residential or commercial. We thank you in advance for your cooperation in correcting this infraction.

Respectfully,

A handwritten signature in black ink, appearing to read "Ross Rogien", is written over the typed name.

ROSS ROGIEN  
Building Inspector, Building Services Department (269) 637-0763

07/29/2010

JESSIE MADSEN  
C/O ATTORNEY RICHARD K. BURNHAM  
303 PAW PAW STREET SUITE ONE  
PAW PAW MI 49079

Regarding: Notification of Code Infraction

Dear Property Owner;

The City of South Haven asks that you please be aware of the condition of your property at all times, and that you make proper arrangements for the maintenance of it. The quality of life within all of our neighborhoods depends on the cooperation of every property owner. Please be aware that a Code Infraction has been observed at your property identified below as the subject property. The specific Code Infraction is listed below and you, as the property owner of record, are the legally responsible party for correcting the infraction. **Said infraction needs to be corrected immediately.**

**Subject Property:** 721 ST JOSEPH PL,SOUTH HAVEN

Tax Parcel Number: 80-53-081-009-50

**Code Infraction:** STRUCTURE ON PROPERTY HAS NOT BEEN MAINTAINED PROPERLY AND MUST BE REPAIRED / BROUGHT BACK INTO COMPLIANCE WITH ALL CURRENT MICHIGAN BUILDING CODES OR BE DEMOLISHED. (ORD. 570)

Subsequently, you are required to contact the code enforcement official at the number below no later than ten (10) calendar days from the date of this letter. Should there be no substantive response from you by that time, the City shall move forward with enforcement proceedings which may include the issuance of a "Civil Infraction Notice of Violation" involving a \$50.00 per day fine, and all costs associated with the City having to hire appropriate services to correct said infraction as well as a \$50.00 administrative fee.

**There shall be no further notifications from the City prior to these corrective actions being taken.**

Therefore, it is incumbent upon you to correct the infraction and contact the code enforcement official within the ten (10) calendar days to avoid any fines.

We thank you in advance for your cooperation in correcting this infraction.

Respectfully,

DANIEL M. GOMEZ  
Code Enforcement Officer, Building Services Department (269) 637-0763

06/08/2010

JESSIE MADSEN  
C/O ATTORNEY RICHARD K. BURNHAM  
303 PAW PAW STREET  
CENTER BLDG. SUITE ONE  
PAW PAW, MI 49079

Regarding: Notification of Code Infraction

Dear Property Owner;

The City of South Haven asks that you please be aware of the condition of your property at all times, and that you make proper arrangements for the maintenance of it. The quality of life within all of our neighborhoods depends on the cooperation of every property owner. Please be aware that a Code Infraction has been observed at your property identified below as the subject property. The specific Code Infraction is listed below and you, as the property owner of record, are the legally responsible party for correcting the infraction. **Said infraction needs to be corrected immediately.**

**Subject Property:** 721 ST JOSEPH PL,SOUTH HAVEN

Tax Parcel Number: 80-53-081-009-50

**Code Infraction:** PROPERTY NEEDS TO BE MOWED DUE TO LENGTH OF LAWN  
AND/OR WEEDS (SEC 30-92)

Subsequently, you are required to contact the code enforcement official at the number below no later than ten (10) calendar days from the date of this letter. Should there be no substantive response from you by that time, the City shall move forward with enforcement proceedings which may include the issuance of a "Civil Infraction Notice of Violation" involving a \$50.00 per day fine, and all costs associated with the City having to hire appropriate services to correct said infraction as well as a \$50.00 administrative fee.

**There shall be no further notifications from the City prior to these corrective actions being taken.**

Therefore, it is incumbent upon you to correct the infraction and contact the code enforcement official within the ten (10) calendar days to avoid any fines.

We thank you in advance for your cooperation in correcting this infraction.

Respectfully,

DANIEL M. GOMEZ  
Code Enforcement Officer, Building Services Department (269) 637-0763

05/24/2010

MONTGOMERY KERI M TRUSTEE FOR  
70478 CR 384  
SOUTH HAVEN, MI 49090

Regarding: Courtesy notification

Dear Property Owner;

Please be aware that the below stated condition has been observed at your property identified below as the subject property. The quality of life within all of our neighborhoods depends on the cooperation of every property owner. The City of South Haven asks that you please be aware of the condition of your property at all times, and that you make proper arrangements for the maintenance of it. City property records indicate that you, as the property owner of record, are the responsible party for the subject property, and therefore we ask that you please take the necessary steps to correct the condition as soon as possible.

**Subject Property:** 721 ST JOSEPH PL,SOUTH HAVEN  
Tax Parcel Number: 80-53-081-009-50

**Property Condition:** PROPERTY NEEDS TO BE MOWED DUE TO LENGTH OF LAWN  
AND/OR WEEDS (SEC 30-92)

We apologize if this letter has arrived after you have already taken care of this condition. The visual inspection of the neighborhood took place on the date of the letter, and it may have taken a day or so to arrive in your mailbox.

Thank you for your cooperation in keeping South Haven's neighborhoods a positive experience for all of our residents.

Respectfully,

DANIEL M. GOMEZ  
Code Enforcement Officer, Building Services Department (269) 637-0763



