

Construction Board of Appeals

Regular Meeting Minutes

Wednesday, September 14, 2016
3:00 PM, Conference Room A
City Hall, 539 Phoenix Street



1. Call to Order – Chair Morse

2. Roll Call

Present: Mark Dibble, Larry Heinig, Bob Stickland, Ed Morse
Absent: None

3. Approval of Agenda

Motion by Stickland, second by Dibble to approve the September 14, 2016 Regular Meeting Agenda as presented.

All in favor. Motion carried.

4. Approval of Minutes - July 27, 2016

Motion by Heinig, second by Dibble to approve the July 27, 2016 Regular Meeting Minutes as written.

All in favor. Motion carried.

5. Public Comment

None at this time

6. NEW BUSINESS

312 Edgell – Demolition Order

Anderson reviewed the background of this property including enforcement efforts which began on this vacant property began in 2011. The owner has not been responsive to the city demands that the property be brought back into code. On June 6, 2016, the city building inspector sent a hearing notice to the owner, Dennis Wooten, and posted it on the front of the structure. The certified letter was returned unopened. The hearing was

held on June 22, 2016 and the owner was not in attendance. The demolition was scheduled for not more than 21 days or July 13, 2016.

It was subsequently determined that the notice may have been mailed to the wrong owner and the process was restarted sending notice to and holding the hearing for Household Finance Corp of Florida. That owner also was a no show. The deadline for demolition was then moved back to August 5, 2016. That date has now passed.

During this process, there was some confusion as to who was actually the owner of the property. We are required to contact the most current address of the responsible person or person listed on the tax rolls. The person originally listed was Dennis Wooten. Mr. Wooten apparently lost the house to Household Finance Corp. We were later told that Mr. Wooten again owned the house. We asked the city assessor to work with Van Buren County to determine the actual owner of record. It was found that Household Finance Corp is in fact the current owner of record.

Before the city is allowed to demolish a private building, there are several requirements which need to be completed, according to City Code 570. The Construction Board of Appeals meeting is one of those requirements.

Anderson recommended that the hearing officer's demolition order be held up, noting 21 days is the minimum time required and that the board may give more time at their discretion.

Discussion ensued regarding the official owner of record being the one on the tax rolls with no official information telling us anyone but Household Finance is the owner. There was also discussion regarding a possible title search being done by the city attorney before demolition occurs.

Motion by Stickland to uphold the hearing officer's order for the owner to demolish on or before October 5, 2016 (21 days) or the city will proceed with demolition.

All in favor. Motion carried.

7. Adjourn

Motion by Heinig, Dibble to adjourn at 3:15 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom
Recording Secretary