

Minutes of the Dangerous Building Commission meeting held on Wednesday, August 10, 2005, at 2:00 p.m., at the Clay Township Hall, 4710 Pte. Tremble Rd., Algonac MI.

Chairman Uschwald called the meeting to order at 2:00 p.m.

Roll Call: Uschwald, Kot, Piotrowski, Miller, Salvador, Williams.

Also Present: Mike Kras, Building Official, Rick Edler, Fire Chief, Mainland.

Excused: Eder, Manos.

Moved by Kot, supported by Williams, MOTION CARRIED, to approve minutes of July 13th. AYES: ALL. NAYS: NONE. Excused: Eder, Manos.

UPDATE ON OLD CASES:

DB-2004-020 ROSANNE HARTMAN 9337 N CHANNEL DR.

Chairman Uschwald called Mike Kras as first witness to this case.

Kras: Last time this was before you, this case was tabled until this date. Let's find out what their intentions are.

Mark Sanborn: To date the entire contents have been emptied out of the residence. We have a permit to dredge from the D.E.Q., but can't start work until October 1, 2005. I talked to Mike Kras this afternoon, and stated that we want to put up a new structure. The old structure is in such disrepair, and he is in agreement with me. We are asking for an extension.

Miller: You are going to pull a permit to demolish the old structure?

Sanborn: Yes.

Kras: He's going to contact the Health Dept. for what he needs on the septic field that is already there, about putting a new structure on the property with existing septic field, and possibility of adding more lines. Mr. Sanborn is going to make all those contacts.

Miller: Do you want to monitor this, possibly give him sixty (60) days, or what?

Kras: That's not enough time, with the dredging not starting till after October. I suggest we bring this back in the spring. They are showing progress.

Miller: In the meantime, does the building have to be boarded up?

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Kras: No it's on an island. The property has been cleaned up. I think we should give them until the spring.

Uschwald: Is there another building on that island, or is that the only one?

Kras: It's the only one.

Kot: I would just like to mention that if everything looks like your going to build and demo, I suggest that you demo before the end of December, so the house will come off the tax roll.

Moved by Williams, supported by Miller, MOTION CARRIED, to postpone Case No. DB-2004-20, 9337 North Channel Dr. until April 2006, to allow time for dredging, septic field, etc.

SHOWCAUSE:

DB-2005-010 STATE OF MICHIGAN BALTIMORE HWY.

Chairman Leonard Uschwald called Mike Kras as first witness to this case.

Kras: State of Michigan property. We have had no action. My recommendation is that we send this to the Township Board for a resolution to demolish, and present it to the State. As you know the State has done nothing in the past, but I have talked with Tom Graf, and he said if we get enough of these state properties, maybe something can be done.

Williams: Do they want to sell some of these?

Kras: You would think so.

Miller: Have we sent other's to the board?

Miller: Have they been approved by the board?

Kras: Yes.

Moved by Kot, supported by Piotrowski, MOTION CARRIED, to send Case No. DB-2005-010 State of Michigan, Baltimore Hwy. to Township Board for a resolution to demolish. AYES: ALL. NAYS: NONE. Excused: Eder, Manos.

STATEMENT OF PARTICULARS

DB-2005-17 PERRY G. SHARROW 6615 HOLLAND RD.

Chairman Uschwald called Mike Kras as first witness to this case.

Kras: This accessory structure is in bad shape. I understand that there are some legal problems, but I still want to move forward on this case. I talked to the owner, and he mentioned the legal problems, and I told him that we would move forward to a Show Cause in sixty (60) days.

Moved by Miller, supported by Piotrowski, MOTION CARRIED, to have a show cause in sixty (60) days for Case No. DB-2005-17. AYES: ALL. NAYS: NONE. Excused: Eder, Manos.

DB-2005-18 JAMES/DONNA MAY 6533 HOLLAND RD.

Chairman Uschwald called Mike Kras as first witness to this case.

Kras: Accessory structure (shed), it's falling down. I suggest we have a show cause in sixty (60) days, on whether or not they should repair or demolish the shed.

Moved by Piotrowski, supported by Kot, MOTION CARRIED, to have a show cause in sixty (60) days. AYES: ALL. NAYS: NONE. Excused: Eder, Manos.

UPDATE ON OLD CASES:

DB-2004-14 TIMOTHY/JILL NELSON 7833 LAKE DR.

Chairman Uschwald called Mike Kras for an update on this case.

Kras: Received letter dated August 7, 2005. What's the board want to do with this?

Kot: They are working on it. Do you think we can bring this back in thirty (30) days. The estimate doesn't really say what they are going to do.

Kras: If and when they get the seawall, it's going to take six weeks to even get a permit. My suggestion is to give them at least sixty (60) days.

Moved by Miller, supported by Salvador, MOTION CARRIED, to table Case No. DB-2004-14, 7833 Lake Dr., for sixty (60) days. AYES: ALL. NAYS: NONE. Excused: Eder, Manos.

DB-2004-15 THOMAS/SALLY TAYLOR 6880 S CHANNEL DR.

Chairman Uschwald called Mike Kras as first witness to this case.

Kras: That building has been demolished. Seawall is in, and has done everything we have asked him to do. The foundation will be used for another building.

Miller: David and I were out there yesterday. The seawall is higher than the boathouse, and will have trouble getting in the boathouse.

Kras: We do not need to address that.

Moved by Kot, supported by Williams, MOTION CARRIED, to dismiss Case No. DB-2004-15. AYES: All. NAYS: None. Excused: Eder, Manos.

DB-2004-16 ROBERT/WILLIAM STACKPOOLE 6750 DICKINSON ISLAND

Chairman Uschwald called Mike Kras as first witness to this case.

Kras: Mr. Stackpoole called and said that the building is down, and property cleaned up.

Moved by Williams, supported by Piotrowski, MOTION CARRIED, to dismiss Case No. DB-2004-16, 6750 Dickinson Island. AYES: ALL. NAYS: NONE. Excused: Eder, Manos.

DB-2004-18 JAMES CHRISTENSEN SNI BORA

Chairman Uschwald called Mike Kras as first witness to this case.

Kras: No response. I suggest we write a letter that we recommend removal of the building at his expense.

Williams: Check to see if his taxes are paid.

Miller: Have you talked to him at all?

Kras: No.

Moved by Kot, supported by Miller, MOTION CARRIED, to have a letter sent by the building department notifying him that further action will be taken if we don't hear from

him, with all cost to be incurred by owner. AYES: ALL. NAYS: NONE. Excused: Eder, Manos.

DB-2004-22 FRANK/CARRIE SWARTZ, JR. 8176 ANCHOR BAY DR.

Chairman Uschwald called Mike Kras as first witness to this case.

Kras: They just built a new home there. He has requested after he got done with the home, he would be allowed to work on the boathouse, he needed some time. Completed home last month. Contractor came in, Tomcat Construction, wanted to know what he needed to get the boathouse fixed, which was about two weeks (2) ago. They are supposed to come in with plans. I would like to give them more time, to apply for a permit.

Moved by Miller, supported by Piotrowski, MOTION CARRIED, to table Case No. DB-2004-22, 8176 Anchor Bay Dr. for thirty (30) days. AYES: ALL. NAYS: NONE. Excused: Eder, Manos.

DB-2004-24 MARY ANDRES/MARGARET ANDRES 8602 MIDDLE CHANNEL

Chairman Uschwald called Mike Kras as first witness to this case.

Kras: The neighbor brought some pictures in. The owner is here, I'll let her explain what her intentions are.

Mary Andres: I bought a boat. I was up over the weekend, the grass is cut. We measured for new windows. We are going to side the front of the house. All the glass is cleaned up inside the cottage. Hauling away as much as I can. We have a pile started.

Miller: What are your recommendations, Mike?

Kras: This was supposed to be started back in May.

Mary Andres: I've had some family problems, my mother in-law lives with us now. I no I've been moving slowly, by I'm doing most of everything myself. About our neighbor, Greg, he's been giving us a hard time. I've also had vandalism.

Uschwald: Mike, structurally what does Mrs. Andres have to do?

Kras: The building is sound. It needs some attention. Doors and windows need to be secured. There will have to be some type of septic.

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Kot: Have you checked into the septic at all?

Mary Andres: No.

Uschwald: Are the windows and doors in place?

Mary Andres: Not now, but it will be by tomorrow. We are going back out there. The front door needs to be replaced. I have locks coming. We are going to start the siding on the front.

Uschwald: Mike, for the amount of work she is going to have to do, does she need a building permit?

Kras: Not for any of the things she is doing.

Uschwald: It's mostly cosmetic.

Miller: If she secures the building, and does some cosmetic work, then the next step she has to do is the septic. At the present time with no septic, is the place habitable?

Kras: The place has never had a septic field. They can't live in it. Just come up on the weekends.

Miller: When you get the cosmetic work done, whether or not you want to keep it or sell it, if you keep it, you will need a septic system.

Mary Andres: That's what I plan on doing.

Kras: You need to call Steve Demick, St. Clair County Health Dept.

Miller: Do you want to give her some more time Mike?

Kras: Yes.

Williams: As long as you can see she's working on it, I would give her more time.

Kras: I would like to see something in thirty (30) days.

Mary Andres: If I can get everything fixed up, then I will sue for possession. I want to keep the house.

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Miller: Mike, do you want to bring it back in thirty (30) days, to see if she has a septic system?

Williams: She doesn't need a septic permit to come before us; we just want to see her progress. We have nothing to do with the septic field. We just want to see how she has progressed.

Mike: She should contact Steve Demick, St. Clair County Health Dept. If he says she can't put a septic in, you don't have enough room, you are continuing to spend money on fixing it up, and can't get septic, you won't be able to use the cottage.

Mike continued to talk with Mary Andres in reference to septic.

Uschwald: Was there ever septic on that property?

Mary Andres: Yes. I think there was.

Miller: Check with Board of Health to see if you can get septic, otherwise there is no sense on continuing fixing up the building.

Mary Andres was given the number to the St. Clair County Health Dept. before she left the meeting.

Moved by Williams, supported by Piotrowski, MOTION CARRIED, to postpone for thirty days (30), to check progress of fixing up the cottage. AYES: ALL. NAYS: NONE. Excused: Eder, Manos.

DB-2005-01 RICHARD DAWSON 5360 S. CHANNEL DR.

Uschwald called Mike Kras as first witness to this case.

Kras: Received a letter dated August 8, 2005. He's requesting some more time.

Salvador: Jim and I were out there yesterday. It looks hazardous.

Kras: Nothing has been done, we should look at this in thirty (30) days.

Moved by Miller, supported by Salvador, MOTION CARRIED, to table Case No. DB-2005-01 for thirty (30) days. AYES: ALL. NAYS: NONE. Excused: Eder, Manos.

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DB-2005-02 LOUIS KOSSUCH GOOSE BAY

Chairman Uschwald called Mike Kras as first witness to this case.

Kras: There are new owners, and they have started cleaning it up. Because this is a new owner, we need to take this and re-file this under the new owners. My recommendation is we dismiss this case, and bring it under the new owners.

Kot: Louis Kossuch is the old owner?

Kras: Yes, John/Lucy Burby bought it.

Uschwald: How will you bring this back, under Statement of Particulars?

Kras: Yes.

Moved by Miller, supported by Piotrowski, MOTION CARRIED, to dismiss Case No. DB-2005-02, and bring it back under the new owners. AYES: ALL. NAYS: ONE.

Fire Chief, Rick Edler: What if it doesn't change ownership for two (2) years?

Kras: That's a good question.

Moved by Miller, supported by Salvador, MOTION CARRIED, to rescind previous motion to dismiss Case No. DB-2005-02. AYES: ALL. NAYS: NONE.

Edler: Mike, what's their intent?

Kras: Clean the property up, and tear the house down. The weeds are down, but it's been too hot to start taking the building down.

Edler: If the property is not sold, we won't have to start over with this case.

Moved by Miller, supported by Piotrowski, MOTION CARRIED, to postpone Case No. DB-2005-02 for sixty (60) days, to find out who the new owners are. AYES: ALL. NAYS: NONE. Excused: Eder, Manos.

DB-2005-04 WALTER O. HOPPER 8497 N CHANNEL DR.

Chairman Uschwald called Mike Kras as first witness to this case.

Kras: I have talked to him on a weekly bases. I haven't been out on the boat to check it out. Do you want to dismiss this?

Moved by Williams, supported by Kot, MOTION CARRIED, to table Case No. DB-2005-04 for thirty (30) days. AYES: ALL. NAYS: NONE. Excused: Eder, Manos.

Moved by Piotrowski, supported by Kot, MOTION CARRIED, to adjourn meeting at 3:10 p.m. AYES: ALL. NAYS: NONE. Excused: Eder, Manos.

Marie A. Johnson
Recording Secretary