

Minutes of the Clay Township Dangerous Building Commission meeting held on Wednesday, September 10, 2008, at the Clay Township Meeting Hall, 4710 Pte. Tremble Rd., Algonac MI.

Chairman Uschwald called the meeting to order at 2:05 p.m.

Roll Call: Leonard Uschwald, Mary Kot, Jim Miller, David Salvador, Georgia Williams, & John McQuade Excused: Don Drake, Rick Edler, and Jon Manos.

Also Present: Michael J. Kras, Building Official

Motion by Kot, supported by McQuade to amend agenda to add case #DB2004-023 – 5127 Pte. Tremble Rd. to Updates.

AYES: ALL. NAYS: NONE. Excused: Don Drake, Rick Edler, and Jon Manos.
MOTION CARRIED.

Motion by Miller, supported by Kot to approve the minutes of August 13, 2008.

AYES: ALL. NAYS: NONE. Excused: Don Drake, Rick Edler, and Jon Manos.
MOTION CARRIED.

SHOWCAUSE:

DB-2008-009 THOMAS/MARY ANN STOWERS 8536 ANCHOR BAY DR.

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

Kras: This building had a structural fire several months ago. I placed it on the dangerous building list two months after the fire and I have not heard anything from the owners.

Miller: When was the last time you wrote a letter to them?

Kras: We sent them a Showcause Hearing letter for this meeting. I have been out there on several occasions to see if anything has been done, because the neighbors next door were complaining of all the debris blowing around and nothing has been done as of yet, that I know about.

Williams: What would be the next procedure?

Kras: It would be a Title Search and table the case for 60 days.

Motion by Williams, supported by Miller that we order a Title Search and a Findings of Fact on case #DB2008-009 – 8536 Anchor Bay Drive and table for 60 days

AYES: ALL. NAYS: NONE. Excused: Don Drake, Rick Edler, and Jon Manos.
MOTION CARRIED.

DB-2008-010 KEITH/KATHLEEN WINGFIELD 8280 MAYBURY HWY

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

Kras: This building has been repaired as per Statement of Particulars. This case can be dismissed.

Motion by Miller, supported by Williams to dismiss case #DB2008-010.

AYES: ALL. NAYS: NONE. Excused: Don Drake, Rick Edler, and Jon Manos.
MOTION CARRIED.

STATEMENT OF PARTICULARS:

DB-2008-015 STEVE/LINDA MAHAC 6493 BENOIT RD.

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

Kras: There are two residential buildings on this property and I have put them both on Dangerous Building. This case concerns the main structure, the biggest structure. The owners did some work on this building to raise it, but they never completed the work or inspections. I am also including blight with this as they have not had any essential services for several years.

Williams: Has anyone answered you, Mike?

Kras: No.

Miller: David and I looked at them today and they are kind of bad. What do you recommend?

Kras: They could be repaired, but he is not doing anything. My recommendation is that we have a Showcause hearing in 60 days.

Motion by Miller, supported by Salvador to have a Showcause hearing on case #DB-2008-015 in 60 days.

AYES: ALL. NAYS: NONE. Excused: Don Drake, Rick Edler, and Jon Manos.
MOTION CARRIED.

DB-2008-016 STEVE/LINDA MAHAC 6493 BENOIT RD.

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

Kras: This is the smaller structure (648 sq. ft.) on the same property as the previous case. My recommendation is that we have a Showcause hearing in 60 days, but in 60 days if there is no work done on that building I will probably have Mr. McNamee notify them to vacate that building as it is uninhabitable. There is not any weather continuity to that building to keep the weather out.

Motion by Miller, supported by Kot to have a Showcause hearing on case #DB-2008-016 in 60 days.

AYES: ALL. NAYS: NONE. Excused: Don Drake, Rick Edler, and Jon Manos.
MOTION CARRIED.

DB-2008-017 JASON KUSZPIT 7320 JO CHAR

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

Kras: I have talked to the owner and he is willing to fix it up and bring it into compliance. I did advise him that it was a non-conforming building, a small trailer. There would be some standards that he would have to abide by. It would be the zoning standards, more than building standards. He would have to reinstall the water, electrical and gas, but if he wanted to do anything above and beyond 50% of the cost of the building then the zoning ordinance would take effect. He said he would keep in touch with me, but I still recommend a Showcause hearing in 60 days.

Motion by Salvador, supported by Williams to have a Showcause hearing on case #DB-2008-017 in 60 days.

AYES: ALL. NAYS: NONE. Excused: Don Drake, Rick Edler, and Jon Manos.
MOTION CARRIED.

UPDATES:

DB-2006-012 MELISSA FAIRCLOTH 7313 BEALANE RD.

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

Kras: I have been monitoring the situation over there and they have cleaned up quite a bit of the property. We do not have any permits in place yet as the building itself did need an egress door and some skirting around it. Most of that has been done except for the door. Ms. Faircloth is here and she can explain to you what she is doing.

Ms. Faircloth: I have not replaced the door, but I have put black sheeting over 95% of the property to stop the weeds from coming back. I also dug a drainage ditch and replaced the piping and I am continuing the process of emptying out the garage. I will have the door installed before winter.

Motion by Williams, supported by Kot to table case #DB-2006-012 for 60 days.
AYES: ALL. NAYS: NONE. Excused: Don Drake, Rick Edler, and Jon Manos.
MOTION CARRIED.

DB-2006-013 CON./ROB./CRAIG KASPARK 10535 ST. JOHNS DR.

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

Kras: This building has been taken down, so you can dismiss this case.

Motion by Williams, supported by Salvador to dismiss case #DB-2006-013
AYES: ALL. NAYS: NONE. Excused: Don Drake, Rick Edler, and Jon Manos.
MOTION CARRIED.

DB-2007-006 JULIE C. HODGE REV. LIV. TR. 7186 SOUTH CHANNEL DR.

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

Kras: This property is being worked on. I have been out there several times and noticed they have repaired the roof. I have been inside the building and they are repairing the floors. The permits have been pulled as of today. Mrs. Hodge is here today if you want to talk to her.

Miller: How far along are they Mike? Do you want to give them more time?

Kras: They are probably at 50%. I would recommend another 90 days.

Motion by Miller, supported by Williams to table case #DB-2007-006 for 90 days.
AYES: ALL. NAYS: NONE. Excused: Don Drake, Rick Edler, and Jon Manos.
MOTION CARRIED.

DB-2008-004 SUZANNE WINES 8080 ANCHOR BAY DRIVE

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

Kras: They have cleaned up a lot of the property, but have not fixed the building as of yet. The owners are here, so I will let them talk.

Dan Wines: I am the owner's son. There was a vehicle inside the building. I have sold the vehicle and I am just waiting for it to get picked up. I have dug the holes to replace the existing supports and removed the rotted out beams. I am working on it bit by bit. I had to move my family down to Florida as my wife got a job down there and her new employer needed her right now. I am back up here until I get this building straightened out for my mother and then I will go back to Florida to be with my family. I would appreciate some more time. The work will be done before winter.

Motion by Miller, supported by Salvador to table case #DB-2008-004 for 90 days.
AYES: ALL. NAYS: NONE. Excused: Don Drake, Rick Edler, and Jon Manos.
MOTION CARRIED.

DB-2004-023 WILLIAM DOUST 5127 PTE. TREMBLE RD.

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

Kras: The building has been removed. You can dismiss this case.

Motion by Salvador, supported by Williams to dismiss case #DB-2004-023.
AYES: ALL. NAYS: NONE. Excused: Don Drake, Rick Edler, and Jon Manos.
MOTION CARRIED.

Kras: We are going to bring back case# DB-2008-009, as the owner is here now.

DB-2008-009 THOMAS/MARY ANN STOWERS 8536 ANCHOR BAY DRIVE

Kras: This is the building that had the fire with all the debris blowing around and Mr. Stowers is here now to explain to you the situation.

Mr. Stowers: The house had a fire and there was some debris from when the firemen tore off the siding and there was some broken glass. The neighbor next door let me know that there was some glass blowing off the roof and onto his grass, but I have cleaned that all up about a month ago. I also did extensive weeding, bush trimming and tree trimming. I have also picked up all the debris.

Williams: Are you planning on repairing the house?

Mr. Stowers: Yes, I am working with the insurance company and we are still negotiating which way to go. The building is secure and no one can get into it.

Kras: I recommend that we continue with our original motion. He will still have 60 to 120 days before any Order of Compliance.

Members all agreed they would stand with original motion and just continue on. Mr. Stowers agreed and understood.

MEMBERS COMMENTS:

Members discussed with Mike Kras a couple of complaints they have personally received from citizens that might be dangerous buildings.

ADJOURNMENT:

Motion by Miller, supported by Williams to adjourn the meeting @ 2:50 pm.

AYES: ALL. NAYS: NONE. Excused: Don Drake, Rick Edler, and Jon Manos.

MOTION CARRIED.

Respectfully Submitted,

Patty Watson
Recording Secretary