

Code Enforcement-Housing Code Board of Appeals
City of Cedar Rapids
Wednesday, April 6, 2016 @ 2:00pm-Green Square Conference Room

MEMBERS PRESENT:

Al Aosse, Amanda Burns, Garry Grimm, Craig Stump, & Jim Thatcher

MEMBERS NOT PRESENT:

Claudette Roby & Sarah Coleman

INSPECTORS PRESENT:

Russ Howard, Coe Molumby, John Neff, & Lucas Pump, & Dennis Seemann

Councilman Scott Olson was not present

Appellant Eric Svalstad was present

ALSO PRESENT:

John Riggs-Building Services Manager, & Kevin Ciabatti-Director

Housing Code Board of Appeals was called to order on Wednesday, April 6, 2016 at 2:07 pm in the Greene Square conference room at the City Services Center located at 500 15th Avenue SW.

Garry Grimm moved to accept the Wednesday, January 6th 2016 minutes as reviewed. Craig Stump seconded. All ayes, motion carried.

H-2-2016-George Ducharme & Michael Williams-927 17th Ave SE

H-3-2016-Eric Svalstad-1612 K Ave NE

John Riggs suggested to change the order of hearings as Michael Williams had called John on 4/5/2016 and advised Cargill had just offered to purchase the property and George Ducharme had accepted Cargill's offer. John Riggs advised Michael Williams and George they would not need to attend today's hearing however John would need an official letter of sale from Cargill. Jim Thatcher moved to change order of appeals. Seconded by Amanda Burns.

Lucas Pump proceeded with evidence concerning 1612 K Ave NE stating he conducted the regular inspection on 1/21/2016 and re-inspected the property on March 2, 2016 and found everything to be in compliance except the ceiling height of 6' 3" which is 9" shorter than required 7' code height.

Garry Grimm asked about the egress windows. Lucas Pump states the room meets every other requirement-outlets, lighting and hard wired smoke detectors in and outside of the bedroom as there was a remodel conducted in 2003, however there was no egress window

permit on file in the Building Services Energov database. There was a bathroom permit pulled in 2015.

Eric states he purchased the property less than a year ago. Eric had filed a modification due to the fact that changing the ceiling height is not feasible for him and he is currently using it as a bedroom at this time.

Jim Thatcher asked if the ceiling height had changed. Lucas states judging by the height of the ceiling-there is no way to increase the ceiling height as it's the same height throughout the basement.

Jim Thatcher states the building inspections on 1/21/2004-passed inspection.

This property had never been a rental prior to Eric purchasing and making it a rental property.

Amanda did not think even if the property was inspected on a rental in the past that it would be good practice to pass through if the ceiling height was not sufficient.

John Riggs states a "grandfather" clause is not a definition in our code and the room will not be recognized as a bedroom even if the building permit states the room is a bedroom as the housing code states it's not a legal area to be used as a bedroom.

Jim Thatcher read over the housing code aloud and read section 101.3-the 7' minimum height needs to be met and moved that the room does not comply-nor count as a bedroom. Seconded by Amanda Burns. All ayes. Motion carried.

H-2-2016-927 17th Ave SE-George Ducharme

Dennis Seemann is the nuisance abatement inspector who sent notices for 927 17th Ave SE.

John Riggs was going to review the vacant and neglected properties code. However a week ago today-there was a roof permit pulled for the property. John wanted Dennis to review the property to bring board members up to the point where it was deemed vacant and neglected-for the record.

2/4/2016-Dennis took pictures and found the property to be vacant. Water has been disconnected since 2010 and sent out notices and vacant and neglected registration form.

3/7/2016-Dennis took pictures which still showed vacant and neglected.

3/10/2016-Dennis sent final notice for vacant and neglected property as the property has been vacant since 2002 and water had been off since 2010. The violations that existed were the roof and downspouts-which qualifies as neglected.

John Riggs then submitted a letter from Community Development-Jeff Hintz that states this property is not listed as a historical landmark nor is it in a historical district-and never has

been historical landmark. As mentioned earlier-Cargill approached the owner yesterday owner to purchase the property.

John Riggs recommended to place this property on hold for the next 60 days and monitor the progress. If the purchase deal is not completed or it appears to be falling apart and the roof is not repaired during this timeframe, we will require it to be registered and all other portions of this ordinance to be followed. It will not be brought back to this board. It did previously qualify based on our original assessment. Our department is giving an extension of time to comply of either fixing the roof or selling the property.

Garry Grimm noted the building permit is good through March 30, 2017. John states it still has to be registered as a vacant and neglected property. We are putting a 60 day hold on the property to allow them to work on a purchase of the property.

Dennis has requested official sale paperwork from the owner and gave them 4 days to give our department official paperwork of sale.

Amanda Burns moved to give the owner 60 days to get the purchase agreement-or a form of official paperwork of sale finalized and closed or to comply with the registration of vacant property and make the roof repair. If neither is completed-our office would be able to gain access to the structure. Seconded by Garry Grimm. All ayes. Motion carried.

Meeting adjourned 2:50 pm.

Recording Administrative Assistant, Shannon Day