

MINUTES OF HOUSING CODE APPEALS BOARD

DATE: 15 September 2009
TIME: 4:30 p.m.
PLACE: Housing and Community Development Department

Chairperson Robert Schaub called the meeting to order at 4:30 p.m. following staff assurance of compliance with Iowa Open Meeting Law.

Board Members Present:	Bill Kinsella David Young	Paul Newman Fred Miller	Robert Schaub
Staff Present:	Robert Boge Roger Benz	Tim Moler Tami Ernster	Tom Smith

Review and Certification of Minutes of 21 July 2009 Housing Code Appeals Board Meeting

Bill Kinsella motioned to approve the minutes. Paul Newman seconded. Motion passed 5-0.

Correspondence/Public Input

There was no correspondence or public input.

Consent Agenda

The consent agenda items are considered to be routine and non-controversial and all consent items will be normally voted upon in a single motion without any separate discussion on a particular item.

The following property owners have requested an extension of time to complete repairs. The Housing and Community Development staff concurs with the extension of time requested and respectfully requests Housing Appeals Board approval.

Gloria Melgard – owner of 2485 Asbury Road – extension to 9/20/09
Judge Properties - owner of 2555 Central Avenue – extension to 9/20/09
Felderman Business Associates – owner of 437½ Loras Boulevard – extension to 9/26/09
BRP Properties – owner of 745 W 5th Street – extension to 10/15/09
Joseph & Janice Healey – owner of 504 W 17th Street – extension to 10/16/09
Judge Properties – owner of 1005 Bluff Street – extension to 10/20/09
Richard Brenner – owner of 2874 Washington Street – extension to 11/30/09
Kevin Hammond – owner of 1491 Bluff Street – extension to 7/23/10

ALL DEFICIENCIES AND MOTIONS ARE IN ACCORDANCE WITH THE DUBUQUE HOUSING CODE UNLESS OTHERWISE STATED. EXTENSIONS OF TIME ARE GRANTED IN ACCORDANCE WITH TITLE 6 SECTION 6-9F(1) AND VARIANCES ARE GRANTED IN ACCORDANCE WITH TITLE 6 SECTION 6-9F(2).

Bill Kinsella motioned to approve the consent agenda. Paul Newman seconded. Motion passed 5-0.

New Business

CASE #1

Roger Richard, owner of 1513 and 1598 Washington Street, is requesting an extension of time until courts decide legality of Housing Department actions regarding inspections of these properties.

Mr. Richard's court case was heard in August and he was told to submit to a Housing Department Inspection. Mr. Richard's properties were inspected on September 1, 2009.

This is a GH Inspection.

Bill Kinsella moved to deny the appeal. David Young seconded. Motion passed 5-0.

Old Business

CASE #1

Mary Richards, owner of 1472 Locust Street, is requesting the order of the Housing Officer be reversed as this owner feels this property: received insufficient notice per Section 26-4, the building is currently in compliance with Section 26-10(g), the building complies with Section 26-9(f)(2)e and Section 26-3, and the order specifies inappropriate treatment per Section 26-10.

This case was tabled at the June 16, 2009, meeting and was asked to be brought off the table on the July 21, 2009 meeting. In order to provide Mrs. Richards thirty days notice to rehear her case, this case will be placed on the October 20, 2009 meeting.

This is a GH Inspection.

CASE#2

David Stuart, owner of properties at 1470 Locust, 1509 and 1511 Bluff, and 1589 and 1591 Bluff Street had his appeals accepted at the meeting of July 21, 2009. The appeals should actually have been dismissed. The action requested of the board is to: 1) rescind the previous motion; and 2) dismiss the appeals.

Paul Newman motioned to rescind the motion of accepting the appeals for the above addresses. David Young seconded. Motion passed 5-0.

David Young motioned to dismiss the appeals for the above addresses. Paul Newman seconded. Motion passed 5-0.

Information Sharing

The Housing Code Chapter 26 is replaced with Title 6 Chapter 6. A copy was distributed to the board members.

ADJOURNMENT

Paul Newman motioned to adjourn. David Young seconded. Motion passed 5-0. The meeting was adjourned at 5:00 p.m.

Minutes prepared by:



Tami Ernster
Permit Clerk

Respectfully submitted:



Robert Boge
Housing Inspection Supervisor