

**MINUTES OF HOUSING CODE APPEALS BOARD**

**DATE:** 20 December 2011  
**TIME:** 4:30 p.m.  
**PLACE:** Housing and Community Development Department

Chairperson Robert Schaub called the meeting to order at 5:05 p.m. following staff assurance of compliance with Iowa Open Meeting Law.

Board Members Present: Fred Miller Robert Schaub David Young  
Paul Newman

Staff Present: Robert Boge Tami Ernster Janet Walker  
Roger Benz Tim Moler

Public Present: Susan Pluym

**Review and Certification of Minutes of 15 November 2011 Housing Code Appeals Board Meeting**

David Young motioned to approve the minutes. Paul Newman seconded. Motion passed 4-0.

**Correspondence/Public Input**

A letter of resignation from Bill Kinsella was received and filed. The Chairperson asked that a letter of thanks for his years of service be sent to Mr. Kinsella.

**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.

Freedom Properties, owner of 1262 University #1, is requesting an extension until 5/31/12

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).

Paul Newman motioned to approve the consent agenda. David Young seconded. Motion passed 4-0.

**New Business**

**CASE #1**

Tod Hollenback, owner of 2850 White Street, is requesting an extension of time until January 15, 2012, to move water heater power to a "house" power box.

This is a S8 Annual Inspection.

Section 8 requested that the approval date be listed as January 5, 2012. It was anticipated that Mr. Hollenback would have the work completed within the next day or so. Paul Newman motioned to grant the extension the date to January 5, 2012. David Young seconded. Motion passed 4-0.

CASE #2

Susan Pluym, owner of 2044 White Street, is requesting an extension until September 1, 2012, to repair property extensively damaged by fire.

This is a General Housing Inspection.

David Young motioned to grant the extension to September 1, 2012. Paul Newman seconded. Motion passed 4-0.

CASE #3

Greg Neuwoehner, owner of 825 Kirkwood Street, is requesting an extension until June 1, 2012, to make small repairs in closet that require wet scraping and painting.

This is a General Housing Inspection.

Paul Newman motioned to grant the extension to June 1, 2012. David Young seconded. Motion passed 4-0.

CASE #4

Kurt Heine, K&J Assets, LLC, owner of 1856 Central Avenue, is requesting a variance for a second bedroom.

This is a Section 8 Referral.

The board was shown pictures of the through-wall grills that were installed for ventilation. David Young motioned to grant the variance. Paul Newman seconded. Motioned passed 4-0.

CASE #5

Craig and Amy Smith, owners of 441 Winona Street, are requesting the dismissal and expungement of any findings that a violation occurred, and/or no further action is required on the part of the owner.

This is a General Housing Initial.

The Housing Office was notified by the owner that this agenda item be removed from this agenda and put on the next one. Paul Newman motioned to postpone this item until the next agenda. David Young seconded. Motion passed 4-0.

CASE #6

Roger Richard, owner of 1598 Washington Street, is appealing the fact that a rental license is required. He specifies that this is a rent-to-own agreement and that no rental license should be required.

This is a General Housing Initial.

The City Legal Department has determined that the document that Mr. Richard provided is a lease agreement and not a land contract and therefore he would operating this property as a

rental. Paul Newman motioned to deny Mr. Richard's petition. David Young seconded. Fred Miller abstained. Motion passed 3-1.

**Old Business**

There was no business to discuss.

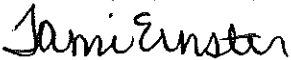
**Information Sharing**

There was no information to share.

**Adjournment**

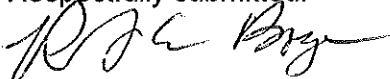
Paul Newman motioned to adjourn the meeting. David Young seconded. Motion passed 4-0. The meeting was adjourned at 5:30 p.m.

Minutes prepared by:



Tami Ernster  
Permit Clerk

Respectfully submitted:



Robert Boge  
Housing Inspection Supervisor