

## MINUTES OF HOUSING CODE APPEALS BOARD

**DATE:** 20 January 2015  
**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:	Fred Miller Mary Gotz	Robert Schaub	David Young
Staff Present:	Tami Ernster Ben Pothoff	Roger Benz Crenna Brumwell	Bob Boge
Public Present:	Dave Stuart	Stuart Hoover	Alexis Rettenberger

### Oath of Office

Frederick Miller and Mary Gotz affirmed their oath of office.

### Review and Certification of Minutes of 18 November 2014 Housing Code Appeals Board Meeting

David Young motioned to approve the minutes. Mary Gotz seconded. Motion passed 4-0.

### 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.

There were no consent agenda items.

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).

### New Business

#### CASE #1

Jake Willey, owner of 820 Rhomberg Avenue, is requesting an extension of time until January 31, 2015, to complete repairs. Owner would also like to request a variance for exhaust fans in the bathroom with no tub or shower.

This is a Section 8 Inspection.

Fred Miller motioned to table this item until the next meeting and request the owner bring estimates on time and costs to install the fan. David Young seconded. Motion passed 4-0.

**Old Business**

**CASE #1**

Brenda Husemann, owner of 576½ W Locust Street, is requesting a variance on ventilation of the bathroom.

This is a General Housing Inspection.

**New Business**

**CASE #2**

Dave Stuart, agent for 1509, 1511, 1589 and 1591 Bluff Street is requesting the Order of the Housing Officer be reversed on required repairs to the properties.


This is a General Housing Inspection.

Inspector Ben Pothoff was sworn in. Inspector Pothoff showed photographs of the exterior violations for the four addresses. Mr. Stuart spent some time requesting the Board to determine whether the properties were residential and whether the Housing Department has jurisdiction. Mr. Stuart was told the properties were classified as residential according to County records. Mr. Stuart debated that the properties could not be lived in and therefor would not be considered as residential. In addition, Mr. Stuart spent time debating the window violations. Mr. Stuart asked whether having a screened open window violated the housing code. Mr. Stuart was told, that screened windows were not a violation, however, the broken and missing windows on his properties were violations and the open windows would allow vermin to enter the property. Mr. Stuart responded the windows were open to dry out the property. Mr. Stuart also questioned the violations on the porch for 1589 Bluff. The Board expressed concern about bricks that may fall onto the sidewalk and cause a tripping hazard. Approximately twelve of the seventeen items of Mr. Stuart's appeal were discussed. Throughout his presentation, Mr. Stuart referenced the City Code, the Constitution, Iowa Administrative Code, HUD regulations and the Magna Carta. Chairman Bob Schaub asked that the balance of the discussed be postponed to the next meeting. David Young motioned to continue this item to the next available Board date. Mary Gotz seconded. Motion passed 4-0.

**Adjournment**

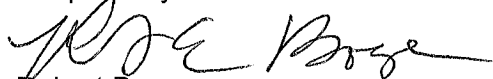
David Young motioned to adjourn the meeting. Mary Gotz seconded. Motion passed 4-0. The meeting was adjourned at 6:30 p.m.

Minutes prepared by:



Tami Ernster  
Permit Clerk

Respectfully submitted:



Robert Boge  
Housing Inspection Supervisor