

MINUTES OF HOUSING CODE APPEALS BOARD

DATE: 21 July 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 Paul Newman Robert Schaub
David Young Fred Miller

Staff Present: Robert Boge Janet Walker Tami Ernster

Public Present: Sondra Knabel Stock Cliff Stock Tom Swift
Mark Wulf Atty. Chris Soppe Dave Stuart

Review and Certification of Minutes of 16 June 2009 Housing Code Appeals Board Meeting

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

Correspondence/Public Input

An e-mail was received from Jim Matheos announcing his resignation from the Board due to a move to Ohio.

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.

Tom Cunningham – owner of 1575 Locust Street – extension to 7/30/09
Bonjour Estates - owner of 537 W 17th Street – extension to 8/9/09
Robert & Corinna Vohl – owner of 541 Loras Boulevard – extension to 8/15/09
Phil Ginter – owner of 1989 Asbury Road – extension to 9/1/09
Judge Properties – owner of 2141 White Street – extension to 9/15/09
Judge Properties – owner of 631½ University Avenue – extension to 9/15/09
Julie Lott – owner of 567 Arlington Street – extension to 9/15/09
Chris and Linda Stombaugh – owner of 1535 Bluff Street – extension to 9/15/09
Executive Management – owner of 2217 Queen Street – extension to 9/15/09

ALL DEFICIENCIES AND MOTIONS ARE IN ACCORDANCE WITH THE DUBUQUE HOUSING CODE UNLESS OTHERWISE STATED. EXTENSIONS OF TIME ARE GRANTED IN ACCORDANCE WITH SECTION 26-9.(f)(1) AND VARIANCES ARE GRANTED IN ACCORDANCE WITH SECTION 26-9.(f)(2).

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

New Business

CASE #1

Sondra M Knabel Stock, owner of 2045 W 3rd Street, is requesting a variance on the ceiling height for the second floor bedroom. The bedroom is 180 square feet with a ceiling height of 6'7". It appears that this room is original to the construction of the building and there is adequate light and ventilation.

This is a GH Inspection.

Bill Kinsella moved that due to unnecessary hardship and there being no immediate danger to occupants that the variance be approved. Dave Young seconded. Motion passed 5-0.

CASE #2

Dave Stuart, owner of 1470 Locust Street is requesting the order of the Housing Officer be reversed as owner feels this property is not subject to Chapter 26 of the Housing Code, the owner received insufficient notice per Section 26-4, the buildings are currently in compliance with Section 26-10(g), the buildings comply with Section 26-9(f)(2)e and Section 26-3, and the order specifies inappropriate treatment per Section 26-10.

This is a GH Inspection.

Mr. Boge reported to the Board that he received notice from Crenna Brumwell that the City's letters needed to be modified to include additional information on appeal rights. He stated that Mr. Stuart's appeals would need to be approved at this time. Bill Kinsella moved to approve the appeal. Paul Newman seconded. Motion passed 5-0.

CASE #3

Dave Stuart, owner of 1589 and 1591 Bluff Street is requesting the order of the Housing Officer be reversed as owner feels this property is not subject to Chapter 26 of the Housing Code, the owner received insufficient notice per Section 26-4, the buildings are currently in compliance with Section 26-10(g), the buildings comply with Section 26-9(f)(2)e and Section 26-3, and the order specifies inappropriate treatment per Section 26-10.

This is a GH Inspection.

Bill Kinsella moved to approve the appeal. Dave Young seconded. Motion passed 5-0.

Old Business

CASE #1

Dave Stuart, owner of 1509 and 1511 Bluff Street is requesting the order of the Housing Officer be reversed as owner feels this property is not subject to Chapter 26 of the Housing Code, the owner received insufficient notice per Section 26-4, the buildings are currently in compliance with Section 26-10(g), the buildings comply with Section 26-9(f)(2)e and Section 26-3, and the order specifies inappropriate treatment per Section 26-10.

This is a GH Inspection.

Dave Young moved to approve the appeal. Paul Newman seconded. Motion passed 5-0.

CASE#2

Dave Young moved that the appeal for 1472 Locust Street be taken off the table for the next meeting. Paul Newman seconded. Motion passed 5-0.

Information Sharing

There was no information to share.

ADJOURNMENT

David Young motioned to adjourn. Paul Newman seconded. Motion passed 5-0. The meeting was adjourned at 5:20 p.m.

Minutes prepared by:



Tami Ernster
Permit Clerk

Respectfully submitted:



Robert Boge
Housing Inspection Supervisor