

CITY OF PORTAGE CONSTRUCTION BOARD OF APPEALS

Minutes of Meeting – August 13, 2020

The City of Portage Construction Board of Appeals meeting of August 13, 2020 was called to order at 5:00 PM in City Council Chambers of Portage City Hall, 7900 South Westnedge Avenue, Portage, Michigan.

MEMBERS PRESENT:

William Leach; Gary Gilchrist; Sheldon Smith and George Theodoru. Bill Koopsen attended via teleconference.

MEMBERS ABSENT:

None

MEMBERS EXCUSED:

Todd Gasaway; Barney Martlew.

IN ATTENDANCE:

Terry Novak, Deputy Director of Building and Housing Services and Mike Beery, Senior Building Inspector. Assistant Fire Chief Larry Moore attended via teleconference.

APPROVAL OF MINUTES:

The minutes of August 8, 2019 were approved.

BOARD ACTION:

8833 Shaver Road – Show Cause Hearing

Deputy Director Novak informed the Board of the unsafe structure procedures and notifications in regard to the property. Novak provided background information pertaining to the property, including previous unsafe structure proceedings in 2013 due to the condition of the property. Novak advised at that time, the Board had attempted to work with the property owners, Evan Eichhorn and Lisa Calhoun in an effort to have the building repaired, however, Eichhorn died in 2017, and the building has continued to decline. Senior Building Inspector Mike Beery provided an overview of the condition of the building and its deficiencies, including broken windows, rotted wood and cracks in the concrete block walls. Several of the Board members spoke that they were familiar with the past history of the property and its ongoing blighted condition. The Board emphasized that prompt and complete corrective action for the building and site was required.

Steven Payne, spoke to the Board and advised that he was in a sales agreement to purchase the property and planned to restore the building. Payne provided a communication from Bruce Vander Weele, State of Michigan Professional Engineer indicating that although the building needed extensive repair, it was not structurally failing at this point. Novak advised that Vander Weele's communication had not been received by the Department of Community Development prior to the meeting. Payne stated that he had already improved the property by removing some of the overgrown vegetation and rubbish from the site. The discussion turned to the proposed use for the property and the need to provide fire sprinklers for the building. Payne indicated that he did not believe fire sprinklers would be required as municipal water was not readily available to the site. Assistant Fire Chief Moore advised to the contrary and stated that almost any use of the building would require that fire sprinklers be provided. Payne questioned if other buildings in the area were connected to municipal water. Novak affirmed that they did and that the businesses had brought water under the railroad tracks to their sites to meet fire suppression requirements. Payne stated that he needed to research the matter further to see if the purchase and repair of the building would be cost feasible and requested more time from the Board.

Novak advised the Board that Lisa Calhoun was still the owner of the property and that Payne only had a vested interest as a purchaser. Any order for the building from the Board would need to be directed to Calhoun as the current property owner. Calhoun spoke to the Board and wanted to make sure she understood the proceedings.

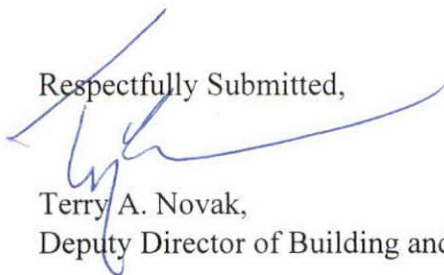
Attorney Christopher LaLonde addressed the Board and advised that he was representing the estate of Evan Eichhorn, which entailed 50 percent of the property ownership. LaLonde stated that as he was only recently brought into the matter, he too would request that any action on the property be postponed.

After further Board discussion, a motion was made by Member Leach that the matter be tabled for 30-days to allow Payne the opportunity to review the cost feasibility of the site. In addition, if Payne intended to purchase and repair the building, he would need to supply supporting documentation from contractors along with a timeframe for the repair. The motion was seconded by Member Smith. The motion passed unanimously.

ADJOURNMENT:

The Board meeting adjourned at 5:45.

Respectfully Submitted,



Terry A. Novak,
Deputy Director of Building and Housing Services