

# FEBRUARY 22, 2024 Board of Building Appeals Agenda

**Time: 2pm**

**Place: Peru City Hall: Common Council Room**

35 S. Broadway, Peru, Indiana 46970

## **BOARD:**

**PRESENT:** Derek Sharp, Jeff Gunning , Joe Molyneux, Garry Church, DeeDee Richards

**ABSENT:** None

**STAFF PRESENT:** Dustin Kern, Brenda Douglass, Bruce Carson, Bill Sheets

## **AGENDA:**

1. **CALL TO ORDER: 2:00 PM.**

2. **MINUTES FROM PREVIOUS MEETING Motion to Waive the Reading of the Minutes & Approve Them: Motion: DS, Second: JG. All approved.**

### 3. **OLD BUSINESS**

1     **304 E 2<sup>ND</sup> STREET**

**CITY OF PERU (FORMERLY ASHLEY & JESSE BOGGS)**

No one present. Case open since Aug 2018.

Demo of garage & house are complete.

**Motion to Close:** DS

**Second:** JM

**Approved: 5 to 0**

2     **340 COLUMBIA**

**MCMILLAN, EILEEN & GRANT (PCDC HOUSE)**

No one present. Case open since November 2018.

All work is done & certificate of occupancy was issued.

**Motion to Close:** DS

**Second:** DR

**Approved: 5 to 0**

**Motion to close:** DS

**Second:** JM

**Approved: 4 to 0**

3     **205 E 6<sup>TH</sup> STREET**

**OVERTON, WILLIAM / ANTHONY DANCE**

No one present. Case open since January 2022. Garage demolished by the City of Peru.

**Motion to Close:** DS

**Second:** JG

**Approved: 5 to 0**

- 4     **546 E 5<sup>TH</sup> STREET**                   **SCHOETTNER, DALE (FORMERLY ANGELA THACKERY)**  
No one present. Case open since May 2017.  
All work has been completed & a certificate of occupancy has been issued.  
**Motion:** DS  
**Second:** JG  
**Approved: 5 to 0**
- 5     **123 W 2<sup>ND</sup> STREET**                   **HOLLAND, STEVEN & DEONNA**  
No one present. Case open since July 2021.  
This case was supposed to be able to be closed. Owner is nearly complete with a minor punch list to complete. Shed has been demolished.  
**Motion** to table to the April 2024 meeting: DS  
**Second:** JG  
**Approved: 5 to 0**
- 6     **349 JACKSON**                           **COOPER, KRISTAINA**  
Kristina Cooper present. Case open since July 2023.  
All work has been completed. There is some concern about the metal skirting needing to be pinned down to prevent it from blowing away. Owner did not remove previous, just added the new metal.  
**Motion** to Close: DS  
**Second:** GC  
**Approved: 5 to 0**
- 7     **611 W 3<sup>RD</sup> STREET**                   **BENNETT, ARACELLI**  
No one present. Case open since January 2022.  
New contractor has made good progress. Punch list has been created for the remainder of the work to be completed. Contingent civil penalty for the completion of the final items to be done and inspected by June 10, 2024. No inspections will be done after June 10, 2024.  
**Motion** for \$1000 Civil Penalty Contingent on the Completion of all work by June 10, 2024: DS  
**Second:** DR  
**Approved: 5 to 0**
- 8     **131 E 8<sup>TH</sup> STREET**                   **DEVALL, JUSTIN II (FORMERLY LINDA DUTY)**  
No one present. Case open since: February 2020.  
SOR was submitted by the new owner. No work has begun yet. Contingent civil penalty for progress and inspections by a date determined by the Board.  
  
**Motion** for a \$1000 civil penalty to have progress & inspections by 6/10/2024 with the case returning to the

Board on June 20, 2024: DS

**Second:** JM

**Approved: 5 to 0**

9 23 S PARK LOTS 3, 4, 6,  
10, 12, 13, 14

**PARK, JAMES**

No one present. Case open since August 2022.

There has been no change. Bruce Carson performed interior inspections of the structures, including the house. Properties are still in James Parks name. No change. No contact. Would like demolition orders for all remaining structures other than Lot 3 & Lot 8. Would also like a \$5000 civil penalty.

**Motion for demolitions of Lot 4, Lot 6, Lot 10 (including the semi trailer and red shed), Lot 12, Lot 13, Lot 14,:** DS

**Second:** DR

**Approved: 5 to 0**

**Motion for \$5000 Civil Penalty to be applied due to willful disregard of an order to correct:** DS

**Second:** JG

**Approved: 5 to 0**

10 32 EWING

**BARRON, DALTON (FORMERLY CAROLYN DALY)**

No one present. Case open since September 2022.

Roofing permit pulled. Entire roof replaced. Debris entirely cleaned up. SOR submitted. Would like a contingent civil penalty to continue pushing for additional progress & inspections.

**Motion** for a \$1000 civil penalty contingent on more items completed and inspected and more items on the SOR selected to be done. To return to the April meeting: DS

**Second:** DR

**Approved: 5 to 0**

11 62 S MIAMI

**HARVEY, JEFFREY**

Jeff Harvey present. Case open since June 2015.

No calls had come in before February 12, 2024. On Tuesday, February 20, Jeff Harvey met with Bruce Carson. An attempt was made to get some sort of a timeframe, which was not able to be established. Jeff Harvey indicated that the best thing would be to put the property up for sale. Outside looks as nice as any other home in town. Multiple items are done inside but it has been a slow process and it is challenging to get fined & put money into fixing the home. It comes down to timeframes. Derek Sharp mentioned that the penalties were issued as contingencies so that Jeff Harvey could try to avoid the

finer. Derek Sharp asked if all work would stop now. Jeff Harvey indicated he would have to put some money into it for it to sell. He mentioned a new heating system that was purchased but not installed yet. Brenda Douglass mentioned that the last two items that were to be done on the SOR were still not done and had been in place for over a year. They were due in December of 2022. They included removing all of the non-construction debris and removing all the peeling paint. Derek Sharp asked if those two items could be complete by the April meeting. Jeff Harvey indicated that there were a few items that were asked to be removed that they removed, but we pick out small items that still need to be moved. Brenda Douglass explained that all of the non-construction items need to be removed (including pews/chairs and an upright piano). Derek Sharp indicated by doing this would be progress. Jeff Harvey indicated he would try to get those items accomplished by the April 8, 2023 deadline. Derek Sharp instructed that the case will not go away until Mr. Harvey has satisfied the SOR. Bruce Carson indicated that the house could probably sell now, as is, without more work being done.

**Motion** for the two items on the Schedule of Renovation completed and inspected by April 8, 2024 or a contingent civil penalty would be applied in the amount of \$1000: DS

**Second:** JG

**Approved: 4 to 0, 1 abstained (DR)**

**12 182 W 7<sup>TH</sup> STREET**

**OLESZKEWCYZ, GEORGE**

No one present initially but owner arrived later. Case open since July 2019.

Jeff Gunning noted that some progress has been made. Bruce Carson noted that old OSB was replaced and some Tyvek was done. Suggest contingent civil penalty for additional progress & inspections by June 10, 2024.

**Motion** to continue the last \$1000 civil penalty based on continued progress and inspections by April 8, 2024: DS

**Second:** JM

**Approved: 5 to 0**

**13 213 WASHINGTON**

**BOOTH (MONGOSA), CHRISTINA**

Christina Mongosa present. Case open since January 2023.

The office had not had any calls for inspections or seen any progress until a last minute inspection on February 21, 2024. Repaired the open insulation and wires on the western side. A window had been repaired also. There is

still work to be done. Wants to buy a new front door that will be bigger to allow for appliances to come in. Would like to go across and redo the front of the property. Will also be cleaning out items in the front that need to be moved out. Brenda Douglass will email Christina Mongosa a new SOR to be revised and have any inspections done by April 8, 2024 to have the case returned to the April 18, 2024 meeting. Owner clarified that there is not power to the shed unless an extension cord is plugged in. If the owner keeps the shed, they will run electrical to it.

**Motion** for debris to be gone by April 8, 2024. \$1000 Civil Penalty contingent on a new SOR being in place and progress & inspections by April 8, 2024 & back to April 18, 2024 meeting: DS

**Second:** JG

**Approved: 5 to 0**

14 230 COLUMBIA

**RASMUS, ALLEN & TERI**

Allen Rasmus present. Case open since October 2021. Paid his civil penalty. Has enough money for siding on the east side of the house. Peru Glass & Screen will help remove the vines on the front of the house with a bucket truck and with the siding. Some progress is being made currently. Derek Sharp would like a date they believe the work will be finished. Per Bruce Carson asked about the fence between the house and the neighbor. Mr. Rasmus said he would like to straighten the fence on the East side and get a dumpster for trash, etc. from the West side. Bruce Carson scheduled time to meet Mr. Rasmus onsite to discuss the work being done on Monday, February 26, 2024 at 11am.

**Motion** for \$1000 Contingent Civil Penalty for an SOR to be submitted, some siding run on North side, debris removed/dumpster a in place by April 8, 2024 and all the vines gone: DS

**Second:** JG

**Approved: 5 to 0**

15 18 LOGAN

**CONWAY, DENNIS LEE JR & ANGELA N**

Angela Conway was present. Case open since June 2023.

In October 2023, a demo order was issued. (10/19/2023) A hold was put on proceeding with that demo order to allow for the legal case to take place in December 2023. The owner, Mrs. Conway, just informed us that the hearing would not take place until December of 2024.

After more discussion, the Board agree to reaffirm the previous demolition order and agreed to allow the Building Department to seek demolition bids. Once a demolition bid has been accepted, the owner of the property will receive a letter advising there are ten days to remove all belongings. At the end of the ten day period, the demolition will begin. The Board and City Attorney indicated that the Finding of Fact detailing these actions be sent to the home owner where the home owner will be able to forward it on to the Bank/Insurance Company. Should the bank or insurance company wish to delay this process, they could file an intervention through the court system.

**Motion** to reaffirm the demolition order: DS

**Second:** JG

**Approved: 5 to 0**

16 564 W 5<sup>TH</sup>

**HOEPPNER, JOHN J JR**

No one present. Case open since October 2022.

The Board was advised that some work had been done, however, no permits were in place and the Schedule of Renovation had not been submitted. The Building Department indicated that a roofing permit would need to be pulled (at a \$40 cost) and the roof would need to be done (including inspections of the work).

**Motion** for an immediate \$1000 Civil Penalty and to have all the work completed and inspected before June 10, 2024 with the case returning to the Board for additional action or to be closed if all work was done on June 20, 2024: DS

**Second:** DR

**Approved: 5 to 0**

17 231 E 3<sup>RD</sup>

**BRIGHT KEY PROPERTIES**

Owner present. Case open since Feb 2017.

Garage structure has been demolished by the current owners.

**Motion** to close: DS

**Second:** JM

**Approved: 5 to 0**

18 906 W MAIN MULTIPLE LOTS

**SHERWOOD MHP, MWEST, ROBERT MILLER & KIMBERLY OVERPECK, AMBER BEAN, MW3, KIRK PARRISH, MARRAKESH, RAY & THELMA BEAN, MW2, KARA HOSLER, CLAUDE BULLINS, DIANNA MURAY, JAMIE ENYEART, EMERY MHP PARTNERS.**

No one present. Case open since January 2023.  
The Board was informed that no change had taken place in the park and Units 12, 41, 49, 50, 53 had deteriorated to the point that a demolition orders would be applicable.

**Motion** for immediate \$5000 Civil Penalty: DS

**Second:** DR

**Approved: 5 to 0**

**Motion** for DEMOLITION orders on 12, 41, 49, 50, 53: DS

**Second:** JM

**Approved: 5 to 0**

#### 4. NEW CASES:

**1 260 N DUKE LOT 36  
(GARAGE)**

**PARK, JAMES**

No one present. Case open since December 2023.  
The Board learned that the garage structure had burnt in August/September 2023. At the time of the meeting, the structure had not been removed and no communication from the Park owner had taken place.

**Motion** for a demolition order for the structure: DS

**Second:** JG

**Approved: 5 to 0**

**Motion Motion** for immediate \$1500 Civil Penalty: DS

**Second:** DR

**Approved: 5 to 0**

**2 100 E WARREN**

**GARDINEER, REBECCA L.**

Owner present. Case open since September 2023.  
It was discussed that on February 26, 2024, Rebecca Gardineer will meet with the Building Commissioner to discuss the Schedule of Renovation.

**Motion** \$1000 Civil Penalty contingent on the Schedule of Renovation being in place, progress & inspections by April 8, 2024: DS

**Second:** JG

**Approved: 4 to 0, 1 member had to leave.**

**3 107 W RIVERSIDE**

**JONES, CONNIE J**

Owner present with her contractor, Thomas Hiles. Case open since November 2023.

The Board learned the Schedule of Renovations had been submitted with notation that the work will be done by the end of March, 2024. The Board would like the case to come back to them April 18, 2024.

**Motion** for a \$1000 Contingent Civil Penalty to be applied if the progress & inspections are not done by April 8, 2024:

DS

**Second:** JM

**Approved: 4 to 0, 1 member had to leave.**

**4 554 W 7<sup>TH</sup> STREET**

**SNYDER, JEFFERY & FAITH**

Owner & contract purchaser present. Case open since December 2023.

The Contract purchaser, Max James was present and discussed the plan for the property.

**Motion** to table the case to April 18, 2024 in order to have the Schedule of Renovation in place & two items inspected or complete by April 8, 2024: DS

**Second:** JM

**Approved: 4 to 0, 1 member had to leave.**

**5 330 E CANAL**

**LODGE PROPERTIES LLC**

No one present. Case open since November 2023.

No change had taken place at the property & the garage continued to deteriorate. Requesting demolition order.

**Motion** for an immediate civil penalty in the amount of \$1000 be applied: DS

**Second:** JG

**Approved: 4 to 0**

**Motion** for demolition order on the garage: DS

**Second:** JG

**Approved: 4 to 0**

**6 108 E WARREN**

**BRYAN, ROBERT C**

No one present. Case open since December 2023. The Board learned the Miami County Health Department had issued a notice that the structure was uninhabitable due to a lack of an operational sewage system. According to their system, no change had been made at the property to lift that notice. Building Commissioner Carson met with Robert Bryan, current owner, earlier in February 2024.

At that time, the owner indicated his intention to sell the property as is. At the time of the meeting, the Board agreed to:

-Issue a Finding of Fact detailing the outcome of this meeting.



- Have the Finding of Fact recorded so that anyone purchasing the property would know the situation from a title search.
- Arrange for an interior inspection of the home with the home owner to better ascertain the extent of issues at the structure.
- Bring the case back to the Board of Building Appeals on June 20, 2024.

**Motion** to issue a finding of fact detailing the outcome of the meeting, record the finding of fact so anyone purchasing the property would know the situation and arrange for an interior inspection of the home: DS

**Second:** JM

**Approved: 4 to 0**

**7 262 W 7<sup>TH</sup> STREET**

**STEELE, TRAVIS W & AMY R. (BRINDLE REAL ESTATE)**

No one present. Case open since January 2022. The Board was advised the property sold to Brindle Real Estate and repairs had begun. The Board requested that an interior inspection be performed, Schedule of Renovations be submitting & a permit be in place by the new owner.

**Motion** for an SOR and permit be in place: DS

**Second:** JM

**Approved: 4 to 0**

**8 458 W 6<sup>TH</sup>**

**DL & NC INVESTMENTS, LLC**

Owner, Ronald Lopez present. Case open since October 2022.

The owner indicated the work was nearly complete.

**Motion** for a \$1000 civil penalty contingent on the final work being completed & inspected by June 10, 2024: DS

**Second:** JM

**Approved: 4 to 0**

**5. COMMUNICATION:**

- i. **616 W 2<sup>ND</sup>:** Update from December 2023 meeting. As of 2/2/2024, no response. Sent an email & certified letter to owners.
- ii. **291 N Broadway:** Last meeting was October 2023. \$5000 Immediate Civil Penalty. Owner passed in January 2024. Property is in Mike Rorvik's name.

**6. PUBLIC COMMENT** None.

7. **ADJOURN:** 3:52PM, MOTION: DS, SECOND: JM. APPROVED 4 TO 0

8. **NEXT MEETING: APRIL 18, 2024, 2PM**