

**MINUTES
BOARD OF DEVELOPMENT APPEALS AND REVIEW**

03/30/10

Attendance: Bob Brandt, Terri Haverly, John Herr, Mike Albertson, and Rich Huffman.
Absent: Gary Renner, Pat Wyss, and Lloyd LaCroix.

City staff present was as follows: Assistant City Attorney Mike Schad, Building Official Brad Solon, and Paralegal Maggie Paul.

Chairman Bob Brandt called the meeting to order.

APPROVE MINUTES OF PREVIOUS MEETING

Albertson moved to approve the minutes of the February 25, 2010, meeting. Second by Herr. Motion carried.

SET MEETING AGENDA

Huffman moved to move item No. 6 to the beginning of the agenda. Second by Albertson. Motion carried.

ACTING AS THE BUILDING CODE BOARD OF APPEALS:

HEAR COMPLAINT FROM RED ROCK MEADOWS HOMEOWNER'S ASSOCIATION REGARDING BASEMENT ON LOT 6, BLOCK 7, RED ROCK MEADOWS.

Building Official Brad Solon said the request for a demolition order on Lot 6, Block 7 of Red Rock Meadows was continued by this Board to July 1, 2010. In the meantime, his office has received complaints from the Red Rock Meadows Homeowner's Association regarding this lot. Solon was told by Dakotah Bank that the lot has been sold to Howie Construction. There is a house going up on the property. Solon said he notified the Bank that because of the demolition order, the property could not be transferred. After discussion, Huffman moved to dismiss the demolition order on Lot 6, Block 7, Red Rock Meadows. Second by Haverly. Motion carried.

ACTING AS THE INTERNATIONAL PROPERTY MAINTENANCE CODE BOARD OF APPEALS:

HEAR COMPLAINT FROM JACK AND JUNE LACROIX (TIME OUT LOUNGE) REGARDING THE WESTERN THRIFTY MOTEL, 617 AND 621 EAST NORTH STREET.

Building Official Brad Solon said Jack and June LaCroix (Time Out Lounge) are neighbors of the Western Thrifty Motel. They called and asked why the Western Thrifty Motel was not being demolished. Solon told them that the demolition order had been lifted by this Board. He said the property has been sold to Forest Thompson and there are workers on the property that are basically gutting the rooms. He pointed out to the Board that John Ashley is also up there working on the property. After further

discussion, Huffman moved to dismiss the complaint for failure of Jack and June LaCroix to appear. Second by Albertson. Motion carried.

HEAR APPEAL FROM SANDRA J. BETZ REGARDING 248 E. ST. FRANCIS STREET.

Building Official Brad Solon said the tenant at 248 E. St. Francis filed a complaint regarding the condition of the property. Staff went out and looked and the place is trashed. The siding is peeling off, the windows are no good, and the property is in a state of disrepair. The City then sent the owner a demolition order, and the property has been posted do not occupy. The owner of the property, Sandra J. Betz, filed an appeal and hired an attorney. Her attorney contacted the City Attorney's office stating that they have a buyer for the property who is willing to make all the improvements. Assistant City Attorney Schad pointed out to Betz's attorney the code section that makes transferring property with a demolition order illegal. South Dakota Housing holds the mortgage on the property, and they have requested that this item be continued in order to give them time to appear and protect their interest. Betz's attorney has also asked for a continuance. Albertson moved to authorize demolition of 248 E. St. Francis Street. Second by Haverly. Motion carried with Huffman abstaining.

HEAR APPEAL FROM MITCHELL MOEN REGARDING 1710 5TH STREET

Solon said the tenant called in and made a complaint regarding 1710 5th Street. The property owners are in the Air Force and do not live in Rapid City. He has talked to them several times, and they stated that they do not dispute the corrections that need to be made to the property with the exception of the drainage at the garage and the garage floor slab. They stated that the house is 50 years old and the drainage into the garage is going to happen. After further discussion, Huffman moved to authorize staff to send the property owners a letter stating that the DARB Board did not rule in their favor and that the improvements need to be made. Second by Haverly. Motion carried.

SET TIME AND DATE FOR NEXT MEETING

The next meeting of the DARB Board will be scheduled for April 27, 2010.

ADJOURN

The meeting adjourned at 7:45 a.m.