

City of Sandusky Housing Appeals Board  
March 26, 2019  
Meeting Minutes

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**The Chairman called the meeting to order at 4:00 p.m.**

The following members were present: Frank Valli, Janice Warner, Dana Gamblin, Sharon Johnson, and Mike Meinzer

City staff present: Brad Link and Amanda McClain -Code Enforcement Office; and Kelly Kromer-Clerk

Everyone that was going to speak and testify were asked to raise their right hand. Sworn in by Kelly Kromer.

**Approval of minutes from the previous meeting:**

January 29, 2019. Ms. Kromer indicated that the date on the minutes was incorrect and should read January 29, 2019. Ms. Gamblin moved to approve the minutes; Ms. Johnson seconded the motion, which carried unanimously.

**Old Business:** None

***New Business: First Item on the agenda is 19-02 Shameka Owens is appealing the nuisance write up at 102 Tyler St., Sandusky, Ohio 44870. Parcel Number 57-01970.000***

Ms. McClain stated that everyone should have a copy of the appeal. Ms. McClain read the appeal and stated that it was submitted by Shameka Owens.

Ms. McClain took to the podium and proceeded to give a PowerPoint presentation to the Board, in which she recommended denial of Ms. Owens appeal. The PowerPoint presentation was placed upon the record and is attached to these minutes and fully incorporated herein.

Ms. McClain submitted exhibits A, B, C, D, E, F, G, and H to the clerk, the exhibits were submitted to the Board and were placed upon the record.

***Discussion:***

Mr. Johnson asked for clarification. Ms. McClain stated that the citation was written out of the general offences code which is in chapter 531 of the codified ordinance and the only appeal that the Housing Appeals Board has legislative authority to hear is that of appeals under or anything cited under 1341 which is under the building code. Ms. Johnson asked if it's because she abated the issue. Ms. McClain responded no, that's not what she's appealing. She added that she is not sure what she is appealing as she did not get charged it's just not within jurisdiction of the board to hear this appeal.

Ms. Gamblin reiterated that the board only has jurisdiction over 1341. Ms. Owens stated that she is not appealing the write up. She stated that she is appealing the falsification of the continuous write-ups. She added that she is fine with not being able to speak about this, however she wants to make the board aware that there are different complaints being made falsely and that the file is being "padded" by Amanda sending Jahn and Dante. Ms. McClain stated that the board cannot listen to this as it is not in their jurisdiction.

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Ms. Gamblin stated that they are not able to hear this part due to the code numbers. Ms. McClain added that there is not anything wrote under 1341. Ms. Owens speaks more about how the trash was abated. Mr. Valli stated that they need to follow procedures.

Ms. Gamblin made a motion that under the code that was given to the board that they need to deny the appeal because it is not in the board's jurisdiction. Ms. Warner seconded the motion. Mr. Valli asked why this came to the committee. Ms. McClain stated that she filed the appeal and that we have to bring it here as it's a public record. Ms. McClain added that it's not the right place to bring it. The motion carried unanimously.

Ms. Owens asked what the code is that she can bring her comments and concerns to the board based on other complaints. Mr. Valli stated that the board can't answer that and that Amanda would have to research it. Ms. McClain stated that she would have to figure that out from the code. She stated that Ms. Owens was cited under 531 and that is criminal code, she added that if she didn't abated the violation within 5 days there would have been criminal charges. Ms. McClain stated that the right place to hear the appeal is at that point when you plea. Ms. McClain stated that Ms. Owens didn't actually receive the violation and that it was a complaint on the record. Ms. Owens stated that she is tired of complaints being added to her record when she isn't doing anything wrong. Mr. Valli stated that she is doing something wrong as there are pictures that show that it's a mess. Ms. Owens stated that the tenants moved out on the 3<sup>rd</sup> and that was the crews cleaning everything out. Mr. Valli stated that he looked again today and it was a mess again. Ms. Owens stated that the tenants are in change of their trash and that she let Jahn Farris know. She added that Mr. Farris now sends the complaints to the tenants. Ms. Owens stated that she doesn't want it on her record. Ms. McClain stated that it's not her record as it is a property record.

Ms. Gamblin stated that depending on what Ms. Owens is cited for that's what would determine if she came to the board or to the court. Ms. Owens asked where she would find the coded that the board is allowed to hear. Ms. Johnson stated that it's on the City website. Ms. Owens thanked the board and stated that she wanted to let the board know what was going on. Ms. Gamblin stated that everything that she said today will go on record.

***Second item on the agenda is 19-03 Vegard Vevstad is appealing the demolition of 613 W. Washington St, Sandusky, Ohio 44870. Parcel Number 59-01216.000.***

Ms. McClain took to the podium and proceeded to give a PowerPoint presentation to the Board. The PowerPoint presentation was placed upon the record and is attached to these minutes and fully incorporated herein.

Ms. McClain submitted exhibits A, B, and C, to the clerk, the exhibits were submitted to the Board and were placed upon the record.

**Discussion:**

Ms. Johnson asked what shape the roof was in and Mr. Link responded by saying that you cannot see the roof from the ground and that you would have to get up on the roof to get a better look. He added that the roof on the porch is in bad condition and you can see that from the second level.

Ms. Gamblin asked how many years this has been vacant. Ms. McClain stated 9 years that we know of. Ms. Johnson asked if the windows are open. Ms. McClain stated no. Mr. Link added that the openings are door openings or a very large window on the second floor.

Ms. McClain continued to give a PowerPoint presentation to the Board. Ms. McClain submitted exhibits D, E, E2, E3, E4, E5, E6, F, G, H, I, J to the clerk, the exhibits were submitted to the Board and were placed upon the record

Ms. Johnson asked if Mr. Byington has been contacted. Ms. McClain stated no because he is no longer the property owner. She added that they are concerned that it happened and are looking at the deterioration that has cause significant damage.

Ms. Warner left at 4:50 for the record

Ms. McClain continued to give a PowerPoint presentation to the Board. Ms. McClain submitted exhibits K, L, M, N, and O to the clerk, the exhibits were submitted to the Board and were placed upon the record. Ms. McClain stated that it is the recommendation of Code Compliance section 1341.18 (d)3 of the codified ordinances that it shall be demolished and the building official has determined that the structure is 71.72% damaged or deteriorated from its original value and its recommended that the Housing Appeals Board deny the appeal and order the demolition of the structure for the protection of the health, safety, and welfare of the neighboring property owners and the community at large. She added that the code has a variance component to it section 1341.07 (b) of the codified ordinances. The owner has hired an architect to draw plans for the rehabilitation of the structure. If the board decides to grant a variance Code Compliance strongly recommends that the owner meet all of the conditions set forth on the next slide in the presentation. If at any time any one of the conditions of the variance are not meet the Housing Appeals Board shall revoke the variance and deny the appeal and order the demolition of the structure.

**Discussion:**

Mr. Meinzer asked if in the last month has there been any effort to reduce the danger or make any progress on the building. Ms. McClain stated that this has all come about really quickly. From the time the City inspected January 10<sup>th</sup> until today nothing has been done on the property.

Mr. Vevstad took to the podium and stated that he is the representative of Ohio Lakeside Properties LLC. He stated that he bought the property late last year and found John Feick to provide plans. He added that Mr. Feick has plans drawn up and that his next step is complying.

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He stated that the building is in bad shape, however he would like to use the shell for apartments.

Ms. Gamblin asked Ms. Vevstad if he came out to look at the property before he purchased it. Mr. Vevstad stated that he looked at it as a shell to build apartments in. Ms. Gamblin asked what he saw about the building that she didn't see. He stated that he saw the brick structure was in good shape. He added that he knew it was gutted and basically would be a new building as he would have to make everything new inside the brick walls. Ms. Gamblin asked if Mr. Byington the previous owner told Mr. Vevstad that he repaired the roof. Mr. Vevstad responded by saying yes Mr. Byington told him it was.

Ms. Johnson asked how much it's going to cost. Mr. Vevstad stated that it will be in the neighborhood of \$200,000.00, however he is waiting for the architect to come up with the plans.

Mr. Feick took to the podium. He stated that Vegard purchased it in October and came to Mr. Feick late in that month to sign a contract to start drawings. He stated that Vegard lives in Chicago so they are not able to get together on a daily basis. He stated that they have a basic plan that Mr. Vevstad is ready to approve, however right after they got that done the notice of condemnation was placed on the door in early March. Mr. Feick stated at that point is when he filled out all the forms for Mr. Vevstad to file with the City for the appeal. Mr. Feick stated that he is disappointed because the Byington's owned the property for 8 years and for 8 years it's been in this condition. He added that Mr. Vevstad purchased the property in October and promptly got a citation. Mr. Feick asked what has taken so long and why for 8 years was nothing done. Ms. McClain stated that she is not sure if the sale is what elicited the complaint with Coffee with the Commissioners. Mr. Feick stated that Vegard is being treated very badly in this case and the person that had it before was given a "green light" to do anything. He added that no permits were taken out by the previous owner or drawings. He stated that the Building and Housing departments are aware of it and have done nothing until Vegard purchased the property. He stated that he feels someone is being singled out. Mr. Feick stated that he spoke with Matt Lasko and that he was told by Matt that he highly recommends that Mr. Feick stop work until he gets through the appeals process and either be granted a variance or if they decide to demo it he would have wasted a lot of money. Mr. Feick stated that he and Mr. Vevsted have put a stop on everything to wait and hear what the board says. Mr. Feick stated that there was either 8 or 10 apartments at one time depending on where you look. He said Mr. Vegard wants to make it 6. Mr. Feick stated that when Vegard purchased it, it was not deteriorated rather it was gutted. Mr. Feick stated that they have at least 2 months before the drawing work is completed and that there are 5 months or less of construction once they get started.

Ms. Gamblin asked if they have the plan approved. Mr. Feick stated they have started and have a basic plan and need to get with Vegard to make adjustments, however they have stopped all work due to the condemnation at the recommendation of the City. Ms. Gamblin

asked how much the cost would be. Mr. Feick stated they have not done any estimates because they don't have a final plan.

Mr. Meinzer asked if Mr. Feick was an engineer or an architect. Mr. Feick responded by saying he is an architect. Mr. Meinzer asked if there was an engineering on the staff. Mr. Feick stated that all of the structural work he does himself.

Ms. Johnson asked if this is a historical building. Mr. Feick stated he does not know that. Mr. Valli stated that it has never been designated as such.

Ms. Johnson asked him if he has restored older buildings. Mr. Vevstad stated that he has restored one in Huron. He stated that this is his retirement income.

Mr. Meinzer stated that our Chief building Official is our expert opinion and he has determined it to be 71% and it is 55% just on the structural, foundation, and exterior frame. He added that he is concerned about a variance because it's been a month and it has not been secured. He added that he doesn't see a hardship because he saw many properties purchased. Mr. Vevstad stated that in the report it stated that it is reparable if it is done correctly.

Mr. Valli asked roughly what he estimates. Mr. Feick stated if there is 6 apartments and if he puts \$50,000.00 in each one you're looking at \$300,000.00. Ms. Johnson asked if that prices him out of the area. Mr. Feick stated that if you try to sell it after one you would be in trouble, however if you kept it you would be okay.

General discussion was made at this time.

Ms. Johnson made a motion to deny the appeal due to the 71% deterioration. No seconded.

Ms. McClain stated that she is not opposed to the Housing Appeals board tabling this to allow Mr. Feick to come forth with solid plans and a solid dollar figure for rehabilitation. Mr. Feick stated that it will take longer than that possibly 2 months. Mr. Meinzer asked if they can get an engineer's evaluation of the property. Mr. Feick asked what the difference is if he does an evaluation himself or Mr. Thom. He stated that Mr. Thom is neither an architect nor engineer. Mr. Meinzer stated that he would like to see a certified structural engineer. Mr. Feick asked if he goes in and tells them how structurally solid it is or isn't would that be acceptable. Mr. Meinzer stated that would give the board something else to evaluate.

Ms. Gamblin made a motion to allow for this case to be tabled until June.

Ms. McClain stated that she would not recommended tabling it until June as we know the condition this building is in. She would ask that it be tabled until the April meeting. Mr. Feick stated that he can come back with the deterioration and give a rough estimate of what he thinks it would cost. He added that in a month he can give the assurances that the board needs to make sure the building is solid.

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Ms. Gamblin amended the motion to have a tentative plan by April 30<sup>th</sup> which will include the structural evaluation as well as the update from Mr. Feick.

Ms. McClain stated that she will ask that Mr. Thom be present.

Ms. Johnson stated that she is concerned because the board already has the evaluation from the housing inspector and now they are going to get it reevaluated by Mr. Feick who has a conflict of interest because he wants the job. Mr. Feick stated that he already has the job. Mr. Valli stated they will give him 30 days to see what he says and thinks.


Ms. McClain stated that Mr. Thom did say in his report that he didn't see any reason why it couldn't be rehabilitated however it will take a substantial amount of money.

Mr. Meinzer seconded the motion. No comments at this time. Roll call on the motion: Yeas: Frank Valli, Dana Gamblin, and Mike Meinzer. Naes: Sharon Johnson

**There was no further business before the Board. A motion was made by Ms. Johnson and seconded by Ms. Gamblin; the board voted unanimously to adjourn the meeting at 5:24 p.m.**

**Next meeting: April 30, 2019**

APPROVED:

  
Kelly L. Kromer, Clerk

  
Mr. Frank Valli, Chairman