

City of Sandusky Housing Appeals Board
February 23, 2021
Meeting Minutes

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The Chairman called the meeting to order at 4:30 p.m.

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

City staff present: Amanda McClain- Housing Manager, Dante Shipp- Code Compliance Inspector, Fire Marshall – Steve Rucker, and Kelly Kromer- Clerk

Audience members sworn in by Kelly Kromer

Old Business: 21-03 AMC Development LLC. is appealing the demolition of 213 Reese St., Sandusky, Ohio 44870. Parcel Number 57-00094.000

Ms. McClain stated that the appellant will be late to the meeting, however she wanted to get all of the due process and legalities out of the way before he came.

Ms. McClain took to the podium and proceeded to give a Power point 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

Kelly Kromer swore in more audience members as they entered the Commission Chambers at 4:33pm.

Ms. McClain submitted exhibits B, C, D, E, F, G, H, I, J, K, L, M

Ms. McClain presented the board and audience with up to date pictures of the property.

Robert Covington took to the podium on behalf of AMC Development. He stated that he began working for them 6 weeks ago. He stated that he wants to start in May by gutting the entire property. He added that he wants to seal the entire inside to take care of the smoke smell from the fire and only work on the interior.

DISCUSSION:

Mr. Covington stated that he will not be taking care of the roof, windows, and the siding. He stated that he sent them an estimate for all of the interior work.

Ms. Gamblin asked if Mr. Covington was a contractor. He stated that he came here from California and did work there. He stated that he is now living in Brimfield, Ohio. He stated that he wasn't aware that he need to have more than the quote with him. He stated that the owner wants to turn the property into an Airbnb. Ms. Gamblin stated that the board would need to see a plan and she's not sure that the area is zoned for an Airbnb.

Mr. Guendelsberger stated that it comes as a surprise to him as an Airbnb because now you're talking about a property that doesn't have a permanent resident. Ms. McClain stated that

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Angie is checking on the zoning. Mr. Guendelsberger asked what AMC Development has done to the property since they have owned it. He stated that he has only been by to look at the property and he is not sure what has been done. Ms. McClain stated that the gentleman that was going to be taking care of the property had issues with Covid and wasn't able to come to the last meeting. Ms. McClain added that she explained to Natalia on the phone that they needed to provide an extensive rehab plan and to show the financial capacity.

Ms. Warner stated that the bid seems low to take a burnt building and make it into an Airbnb. She added that they need to see plans.

Mr. Covington stated that he can talk to Natalia this evening to email all the needed information.

Code Compliance inspector Angela Kotsopoulos and Dante Shipp were both sworn in by Kelly Kromer.

Ms. Kotsopoulos took to the podium stated that it is zoned R2F which is not permitted for a transient rental. She stated that the only residential zone that is permitted is Roadside Residential. She stated that the transient overlay is in the Cove district which is not located near the property. Ms. Johnson asked if a transient rental is permitted. Ms. Kotsopoulos stated that it is not permitted.

Ms. Gamblin stated that Mr. Covington needs to speak with Natalia and provide in writing what they are going to do with the property. He stated that the other option would be to fix it and sell it. Ms. Johnson asked if they bought it after it had caught fire. Mr. Covington stated that they did. Ms. Johnson stated that it's in bad condition and will require a lot of money to fix. Mr. Covington stated that his quote was just for putting up walls and clean up the area and doesn't include flooring.

Mr. Guendelsberger stated that he has a problem with this because it has sat for so long and no attempt to fix the property has been made and that now the intention is to use it as an Airbnb which isn't permitted by the code. He stated that Mr. Covington doesn't have the information that he was supposed to bring with him to the hearing. He stated that they would have to wait until May just to do a minimal part of it. Mr. Covington stated that May is just for his part and he can't speak on the other parts of it such as the roofing, driveway, and landscaping. He stated that he is acting more as a general contractor.

Ms. Johnson asked how long the house has sat empty. Mr. Covington replied by saying since they purchased it in October 2020 from what he knows. Ms. Johnson asked why they haven't done anything with it. He stated that it may be because of Covid but he doesn't know for sure. Ms. Johnson asked if Mr. Covington is representing them and he stated "yes" to the best he can with the information he has been given. Mr. Guendelsberger stated that they have had since April of 2020 to call the City and ask if it was okay to do an Airbnb at this property. Mr. Guendelsberger stated that he is not in favor of this at all.

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Ms. Johnson made a motion to deny the appeal and the house be taken down. Mr. Guendelsberger seconded the motion. Roll call was taken Mr. Valli-yes, Mr. Guendelsberger-yes, Ms. Johnson-yes, Ms. Gamblin-yes, Ms. Warner-yes. Motion Passes.

Ms. Gamblin said to Mr. Covington that at this time it has been denied and there is another process that he can have Natalia look into.

Mr. Covington thanked them for their time.

Approval of minutes from the previous meeting:

January 26, 2021 No comments. Ms. Johnson moved to approve the minutes; Mr. Guendelsberger seconded the motion, which carried unanimously.

New Business: 21-04 Karl Whinnery is appealing the First and Second administrative penalty for 1021 Tiffin Ave., Sandusky, Ohio 44870. Parcel Number 58-01687.000

Ms. McClain took to the podium and proceeded to give a Power point 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, C, D, E, F, G, H, I, J, K,

Mr. Whinnery stated that there wasn't a date on the letter. Ms. Gamblin stated that Ms. McClain is speaking and he will get his turn.

Ms. McClain proceeded to give the presentation.

Ms. McClain submitted exhibits L, M, N, O and presented pictures from 2/23/21.

Mr. Whinnery gave a packet of information to place upon the record.

Mr. Karl Whinnery took to the podium and stated his address is 1021 Tiffin Ave. Sandusky, Ohio 44870. He stated that the property belonged to his mother Sally Whinnery. He added that the property was put into a trust and he was made the successor trustee for the property. He said the trust pretty much said if you pay the bills you can use the building.

Mr. Whinnery stated that he didn't just leave a piece of property and come in with a "dumbass" idea of an Airbnb on Reese St. He stated that he has a responsibility to keep the property up. He stated that he is a disabled senior citizen and the victim of a violent crime of arson fire. He stated that it was never investigated and he doesn't have any money. Mr. Whinnery read a letter that he wants on the record. The letter has been placed upon the record and is attached to these minutes and fully incorporated. Ms. Gamblin stopped Mr. Whinnery as she felt the letter was not pertaining to the administrative penalties.

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Mr. Whinnery wanted to talk about the meeting on the 16th regarding the nuisance as it was not just about the fire. Ms. Gamblin stated that he is here for the administrative penalties. Mr. Whinnery said "she falsified on the record". Ms. Gamblin said she did not. Ms. Gamblin stated that they are here to talk about the fire and the garage. Ms. Whinnery stated that the work is not done.

Mr. Whinnery passed a paper around and stated that he got a post card stating his property at 1021 Tiffin Ave. passed the triennial inspection. He read the post card to the board members. Ms. Gamblin asked the inspector what it pertains to. Mr. Shipp stated that he was fully aware of the garage issue, however when he did the triennial inspection it was the property/house. He added that the house was in good shape but it didn't include the garage because he said he already knew what was going on with the garage. He stated that the property passed the inspection and the garage did not. Ms. Gamblin stated that they are discussing the garage not the property. Mr. Whinnery stated that the property included the garage. Mr. Whinnery stated that all of the administrative stuff is no good.

Ms. Warner asked that everyone stay with the administrative penalties and that she doesn't want to hear any of the other stuff. She stated that the other things are for another court. Ms. Gamblin stated that they would like to see the garage done.

Mr. Guendelsberger stated that he has read through the paperwork and stated that Mr. Whinnery agreed that by November 30, 2020 the garage would be completed. Mr. Whinnery stated that he has materials in the garage and can't put them on in the winter time. Mr. Guendelsberger stated that he's only going to say this one time "you must be able to understand that we are dealing with two structures here, a rental which that postcard represents and a garage which encountered a fire." Mr. Whinnery stated that he doesn't understand that because the property includes the garage. Mr. Guendelsberger stated that Mr. Whinnery agreed the garage would be completed July 30th and Mr. Whinnery replied "right". Mr. Guendelsberger stated that he wanted Brad link off the inspection and he was removed and Dante Shipp was placed on the inspection and stated that the first inspection lead to the first penalty because the garage has not been completed and Mr. Whinnery replied "right". Mr. Guendelsberger stated that Mr. Whinnery agreed then to have it completed by November 30th and a second inspection was done which resulted in a second administrative penalty. Mr. Guendelsberger stated that's all we are here to discuss. Mr. Whinnery stated that the card should have never come to his house.

Ms. Gamblin stated that the bottom line is that they are there for the administrative penalty. Mr. Whinnery stated that he doesn't have any plans until spring to put the boards on or paint them and put the gutter on. Mr. Whinnery stated that he has a problem being charged for it and being a victim of a crime.

Ms. Johnson stated that she has questions. Ms. Johnson asked if there is insurance on the garage. Mr. Whinnery stated there was no insurance on the garage. She asked who has legal

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title of the property. Mr. Whinnery stated Sally did, but the trust does because Sally is not alive. Mr. Johnson asked what the reason is for the unclaimed mail. Mr. Whinnery stated that he took the insurance issue to Columbus and also had to fight with the mortgage company. He said they made him put a roof on the garage. Ms. Johnson asked if he is able to do the work himself on the garage. Mr. Whinnery stated that he is trying. He added that he has had 3 heart procedures since he has been back. He added that he got a little love from Covid and John as he had to investigate the fraud that he claimed and it was an administrative mistake. Mr. Whinnery stated that he accepted that, however he wanted an apology and wanted the letter out of his file as he didn't do this and is a victim. He stated that within 3 days after the meeting with Mr. Lasko, it was boarded up. Ms. Johnson asked if he is financially able to contract the work that has to be done. Mr. Whinnery stated that it is only 10 pieces of wood that has to go over the siding in the picture. He added that he is going to paint and sand the wood. He stated that he doesn't have the money to contract it out. He added that he has no insurance, no investigation from the Police.

Continued discussion regarding staying on topic.

Mr. Whinnery stated that its winter time and he can't put the boards up that don't have primer on them in the winter. He stated "that's common sense, you can buy a can of that at drug mart on the dumbass isle end cap for a \$1.99." Ms. Gamblin said "Okay thank you for that comment there" Mr. Whinnery said "you want to charge me the money for this, you want to take me to jail for..." Mr. Gamblin said "no one is going to jail"

Mr. Warner stated that she wanted to reiterate that they are just there for the appeal.

Mr. Gamblin asked the board what they would like to do.

Mr. Whinnery continued to ask why he got the card. Mr. Whinnery said to Mr. Guendelsberger "you can't be that incompetent" Mr. Whinnery said "I'm aloud to question him" Ms. Gamblin said "no, you're not". Mr. Gamblin stated that he is out of order.

Mr. Guendelsberger address Mr. Whinnery by asking him if he has spoken with Code Compliance as far as what is acceptable to boarding up the structure. Mr. Whinnery stated that he has the paneling in the garage and can't put it up because it won't go with the glue as it's too cold. Mr. Shipp stated that the card doesn't have anything to do with the garage. He stated that he specifies every write up whether it be a garage or residence. Mr. Shipp told him he does 3000 of them and his is no different.

Mr. Guendelsberger made a motion to deny the appeal of the first and second administrative penalties based on information contained within exhibits K and L and the fact that the revised compliance date of November 30, 2020 was not met and so ordered the repair of the garage to be in compliance with the Environmental Health Housing Code for the health, safety and welfare of the neighboring property owners and the community at large in addition all

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outstanding rental registration cost and all administrative penalty costs are to be collected in whatever manner is necessary in order to secure payment.

Ms. Warner seconded the motion; Roll call was taken Mr. Valli-abstain, Mr. Guendelsberger-yes, Ms. Johnson-yes, Ms. Gamblin-yes, and Ms. Warner-yes. Motion Passes.

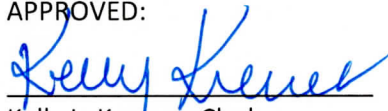
Mr. Whinnery asked what the card means. Ms. Gamblin stated that it means he kept up the property.

Discussion continued and was not able to be understood.

Mr. Whinnery stated that the property has the garage.

There was no further business before the Board. A motion was made by Mr. Guendelsberger and seconded by Ms. Warner; the board voted unanimously to adjourn the meeting at 5:47pm

APPROVED:



Kelly L. Kromer, Clerk



Mr. Frank Valli, Chairman