



**Tuesday, June 26, 2018, 4:00 pm
City Greenhouse**

- 1. Roll Call**
- 2. Approval of Minutes from March 27, 2018 & May 22, 2018 meetings**
- 3. Removal requests for review**
- 4. Old Business**
 - Tree Stats for June (see handout)
 - Letter was sent to Elaine Bostater regarding Ogontz St. trees the week of 5/28/18
- 5. New Business**
 - Tree Commission presence at the 4th of July celebration
 - Request from Mr. Fred Iles to waive penalty fee for tree violation (see documents)

If you are unable to attend, please contact 419.627.5884.

Frederick Iles
1793 Shaw Ave.
Akron, OH 44305
Cell 330-780-6028

May 18, 2018

Todd Gibson
Facilities & Properties Supervisor
City of Sandusky
1024 Cement Ave.
Sandusky, OH 44870

In re: 1032 Wayne St., Sandusky
Chapter 917.07 violation and \$100 penalty (copy enclosed)

Dear Mr. Gibson,

This letter is a follow-up to our telephone conversation on Monday, May 7th. I understand that failure to obtain the proper permit was technically wrong, but I still believe that I acted reasonably under the circumstances. Would you please cancel this violation and related penalty based on the following.

I purchased this property at the November 2017 Erie County Sheriff's Sale, and received a sheriff's deed filed on December 12, 2017. The property had not been lived in since 2013, and it was grossly run-down, including the tree out front that was severely neglected. The prior owner had been sick with a life-threatening illness and was living away either in the hospital or with family. My intention is to fix it up and resell it, a "rehab" project.

After I took possession of the property in December 2017, I repeatedly found vehicles parked in my driveway without permission. The principal violators were Cassandra Robinson, and her 17-year-old son, Chance, who live next door at 1030 Wayne St., in the downstairs of a multi-unit apartment owned by Hellas, LLC, with Daryll Philou being the owner/agent. My response was to verbally explain to Ms. Robinson that they were not authorized to park there. But they continued for a while. And in such instances when I would find their vehicles parked there, I would knock on their door, and politely ask them to move their vehicles. I never called the police on them. And eventually after over six such instances, they learned not to park in my driveway.

There already had been a shortage of off-street parking at the Hellas apartments at 1030 Wayne St. And after I started denying Mr. Philou's tenants the ability to continue parking in my driveway, that certainly created some ill will or hard feelings toward me. More on this later.

The tree in question is located on the tree law, but only about 14 feet from the front porch stoop. It is some type of red maple, and it had various low branches interfering with pedestrians and vehicles, and rubbing against the house. I was getting complaints from various passers-by and vendors visiting the property. People walking on the sidewalk had to duck under low branches. People parked on the street complained about branches scratching the paint on their vehicles. Low branches over the driveway were damaged by vehicles trying to enter the driveway.

Even today, there remains a bare spot about 13' by 9' on the tree lawn underneath the tree. This spot demonstrates just how low-hanging, and sun-blocking, some of the lower branches were. Also, it shows how hazardous the branches were.

Being from Akron, I have never lived or worked in Sandusky before. I was not aware of the local ordinance requiring a permit to trim trees on a tree lawn. But I never thought that I was "trimming" the tree. I always believed that the lower branches were obstacles that needed removed for safety reasons, and to protect my new roof on the house.

Then on March 12, 2018, I obtained a building permit from the Sandusky Building Department (copy enclosed) which covered the new roof and other improvements. During that permitting process, I explained the need to remove overgrown branches that were hitting the roofs. At that point, the City of Sandusky made no mention of any additional permit needed to remove branches from the tree lawn.

So without knowing that I needed a separate permit, I removed about 5-6 of the lowest branches. Such cuts were made at least several inches away from the trunk so the tree would not be harmed. Such cuts did not alter the shape of the tree, or affect the viability of the tree.

After the roof on the house was completed, I noticed that there was still one more branch that was rubbing against the new roof. So on or about April 10th, I tied a rope around the end of the branch so that it could be pulled away from the house and not cause any damage as it fell.

But I needed help from someone to pull the rope. There was a group of men, including Mr. Philou, standing in front of the neighboring house at 1030 Wayne St. I asked for help and one of Mr. Philou's associates came over and helped me by pulling on the rope as the branch was cut, preventing any further damage. But I believe that it was Mr. Philou who complained to the city, not because of the branch, but because of his dissatisfaction with me denying his tenants parking in my driveway. It was a "got-ya" thing.

In summary, I believe that there are good reasons to forgive me for this matter. Such reasons include:

1. No intention to violate, or knowledge of the ordinance.
2. I believed that the branches removed were authorized under the building permit that I obtained from the City covering the roof.
3. The tree was not re-shaped, damaged, or the viability affected.
4. The branches removed were obstacles, and their removal improved safety.
5. This is a first-time offense.
6. The person who complained, Mr. Philou, was acting on an irrational grievance relating to his tenants illegally parking in my driveway.

I am a law-abiding citizen and very proud of my life-long history of compliance with laws and regulations of all sorts. Also, I honorably served my country in the Army during the Vietnam era.

My intention is to fix-up an eye-sore, and resell it. In order to achieve this goal, it will require a huge investment of my time and money.

Presently, I am waiting to hear from your arborist. As per our telephone conversation, would you please advise him that he can call me at my cell 330-780-6028, and I will arrange to meet him at the property. Mondays and Tuesdays are the best days for me to meet with him.

Thank you very much for your time and consideration.

Very truly yours,

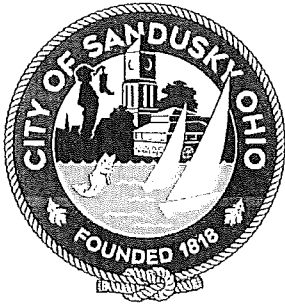
A handwritten signature in black ink, appearing to read 'Fred Iles', written in a cursive style.

Frederick Iles

encl.

-violation and penalty

-building permit



DEPARTMENT OF PUBLIC WORKS

222 Meigs Street
Sandusky, Ohio 44870
419.627.5829
www.ci.sandusky.oh.us

MAILED APRIL 13, 2018

~~February 27, 2018~~

Fredrick Iles
1793 Shaw Ave.
Akron, Ohio 44305

Dear Mr. Iles,

It has been brought to our attention that a tree was trimmed at 1032 Wayne Street. The City of Sandusky does not have a record of an application or a permit being issued for the said removal. You have been found in violation of Chapter 917.07 (Planting, Trimming, or Removing Trees) of the City of Sandusky Codified Ordinances.

917.07 Planting, Trimming, or Removing Trees

No person shall on any public area including tree lawns, plant, trim, or remove a tree without obtaining a written permit from the superintendent. Should the superintendent deny the issuance of a permit, an appeal may be filed with the City Tree Commission which may affirm or reverse the decision of the Superintendent.

The penalty for the violation is found in Chapter 917.99 (Penalty) of the City of Sandusky Codified Ordinances.

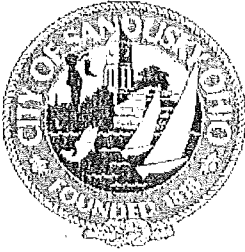
917.99 Penalty

Whoever violates any provision of this chapter shall be fined not to exceed one hundred dollars (\$100.00). In addition, the person shall replace the tree with a size and species recommended by the Sandusky City Tree Commission. Each tree affected by noncompliance with this chapter shall constitute a separate violation

Please call my office at 419.627.5884 to further discuss this matter.

Respectfully,

Todd Gibson Sr.
Properties and Facilities Superintendent



THE CITY OF SANDUSKY

PO Box 5002
Sandusky, Ohio 44871-5002
Phone #: 419-627-5893 Fax: 419-627-5892
Toll Free #: 1-888-292-1816

Invoice No. R18-138

INVOICE

Customer					
Name	FREDRICK ILES				
Attn:					
Address	1793 SHAW AVE				
City	AKRON	State	OH	ZIP	44305

Date	04/13/18
Invoice No.	R18-138
Account #	110 4850 49108
Amount Due	\$ 100.00

ACCOUNT #	DESCRIPTION	AMOUNT
110 4850 49108	2018 GENERAL SERVICES PENALTY FOR VIOLATION OF CHAPTER 917.07 (PLANTING, TRIMMING, OR REMOVING TREES)	\$100.00
TOTAL		\$ 100.00

PLEASE MAKE CHECKS PAYABLE TO : CITY OF SANDUSKY
REFER TO INVOICE NUMBER ON ALL CORRESPONDENCE.
PAST DUE AMOUNT IS DUE UPON RECEIPT OF INVOICE

After 5 days return to
City of Sandusky
Customer Accounting Office
P.O. Box 5002
Sandusky, Ohio 44871-5002

Address Service Requested

POSTAGE WILL BE PAID BY ADDRESSEE
NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



City of Sandusky
Department of Community Development
Division of Building Inspection
222 Meigs Street
Sandusky, OH 44870
Phone: (419) 627-5940 / building@ci.sandusky.oh.us

Certificate of Plan Approval : SAN180138

Parcel No. 5704560000

Project Address: 1032 WAYNE

Owner: FREDERICK ILES

Issued To: FREDERICK ILES

1793 SHAW AVE

1793 SHAW AVE

AKRON OH 44305

AKRON OH 44305

Use Group:

Project: CONST ALTERATIONS

Construction Type:

Structure: 1032 WAYNE ST

Building Official: STT

Permit Type: RCO ALTERATION

Plans Examiner:

Estimated Cost: \$0

Permit Date: 03/12/2018

Contractor:

Approved By: _____

Chief Building Official

Approved construction documents must be retained on the job and a copy of this approval kept posted until final inspection has been made. A certificate of occupancy is required and shall be issued after final inspection has been approved.

This approval is void if work is not started within twelve months or if work is suspended for more than six months. This approval is issued provided that the information submitted by the applicant is true and accurate.

Receipt Number: RN-0191364

Date Paid: 03/12/2018

Amount Received: 151.50

Payment Type: Cash

Check Number:

Received By: DSL

Inspections:

Either the homeowner or contractor doing the work should contact our office to schedule inspections required for your project. We ask that you contact our office at least twenty-four hours in advance. Please allow a half hour window before and after the scheduled time for the inspection. The inspectors strive to arrive at the scheduled appointment time, but sometimes unforeseen situations arise.

Please contact the inspectors directly to schedule your inspection.

Office/Inspector Hours 7:00 a.m. - 4:00 p.m.

Steven C. Brown, Inspector

Cell (419) 656-9477

Building, Mechanical, Plumbing, HVAC, Hydronic, Refrigeration, Medical Gas

Greg Capucini, Inspector

Cell (419) 656-9685

Electrical