

Minutes
Board of Building Appeals
September 17, 2020

Members Present:

Linda Chartrand
Levi Collins
Kim Parks

Others Present:

Lorenzo White, Appellant
Nancy Schmidt, Appellant
Joe Gorman, Building Inspector
Doug Ditto, Assistant Building Admin
Anthony DiPietro, Law Department

The meeting was called to order by at approximately 4:00 p.m. A quorum was present. *Levi Collins made a motion to appoint Linda Chartrand as the acting Chairman. Motion was seconded by Kim Parks. Motion carried.* The board reviewed the meeting Minutes of June 18 18, 2020. *Kim Parks made a motion to approve the Minutes of June 18, 2020 as printed. Motion was seconded by Levi Collins. Motion carried unanimously.*

APPEAL NUMBER 5-18 500-514 Nova Street, Lima, Ohio 45804

Appeal of Demolition Order #2018003409 dated June 11, 2018

Appellant: Lorenzo White

Those sworn to provide testimony were Doug Ditto, Joe Gorman, and Lorenzo White.

Doug Ditto submitted into evidence his Staff Report for 500-514 Nova Street. *Kim Parks made a motion to accept the staff report. Motion was seconded by Levi Collins. Motion carried unanimously.*

Doug Ditto reviewed his staff report. Mr. Ditto stated the building permit for 508-514 Nova has been closed and the work is completed. Mr. Ditto stated it is his recommendation to vacate the demolition order for 508-514 Nova Street.

Kim Parks made a motion to vacate the demolition order for the property known 508-514 Nova Street. Motion was seconded by Levi Collins. Motion carried unanimously.

Joe Gorman reviewed the inspection report for 500-506 Nova. Mr. Gorman stated there are windows and doors, the house is wrapped. Items that still need to be completed are interior drywall, plumbing, electrical, mechanical, siding, and step and railing in the front.

Mr. Ditto stated based on the work completed, it is the staff recommendation to stay the demolition order for 500-506 until January 21, 2021 to allow the appellant additional time.

Lorenzo White thanked the City and the Board for the opportunity to complete the first building. Mr. White stated they have tenants in all 4 units in the first building. Mr. White stated they are currently out of money for the second building, but should have additional funds by the end of September. They are hoping to have the second building completed in mid-December.

Levi Collins made a motion to stay the demolition order for the property known as 500-506 Nova Street until January 21, 2021 to allow the appellant more time to work on the structures. Motion was seconded by Kim Parks. Motion carried unanimously.

APPEAL NUMBER 1-20 928 East North Street, Lima, Ohio 45801
Appeal of Demolition Order #2020000035 dated January 3, 2020
Appellant: Nancy Schmidt

Those sworn to provide testimony were Doug Ditto, Joe Gorman, and Nancy Schmidt.

Doug Ditto submitted into evidence his Staff Report for 928 E. North Street. ***Levi Collins made a motion to accept the staff report. Motion was seconded by Kim Parks. Motion carried unanimously.***

Doug Ditto reviewed his staff report. Mr. Ditto stated the taxes are paid to date. Mr. Ditto stated there are no changes in the defects of the structures. Mr. Ditto stated the owner has applied for and received a permit for siding and alteration. Mr. Ditto stated there have been no inspections for work have been requested.

On September 15, 2020 Joe Gorman performed an interior and exterior inspection. Mr. Gorman provided an inspection report and photos as his evidence. Mr. Gorman noted the following: sections of exterior building siding removed, trees trimmed, vegetation removed, back door removed but not replace, and no interior work started.

Mr. Ditto stated based on the information presented, it is the staff's recommendation to uphold the demolition order for 928 E. North Street.

Nancy Schmidt mailed a letter to the board to be reviewed. ***Levi Collins made a motion to accept the letter. Motion was seconded by Kim Parks. Motion carried unanimously.***

Nancy Schmidt stated with what had happen with Covid and the spread of the disease, she stated she did not do the things that would take two people to do because she did not want to be responsible for anyone's life. Ms. Schmidt stated when she was ready to do the siding, Allen County was put on a watch list and she was afraid to move forward. Ms. Schmidt stated then it

got very hot and people were having heat strokes. Ms. Schmidt asked for additional time due to the virus. She stated she has people to do the work and the money to do it. Ms. Schmidt stated she would have had the work done had Covid not happened. Ms. Schmidt stated she needed to follow the Bible concerning the current circumstances.

Kim Parks asked about the back door. Ms. Schmidt replied stated she nailed a piece of wood on the back door and is planning to have Lowes install the front and back door. Ms. Parks asked Ms. Schmidt how long it would take to get 80% of the work done. Ms. Schmidt replied she could have it all done in two months. Linda Chartrand stated she did not understand as Covid is not going away tomorrow. Ms. Schmidt stated people are understanding and the Governor is starting to open up the state. Ms. Kim as stated if they were to give Ms. Schmidt more time, they would be upset if she came back and it was not done. Ms. Chartrand asked Ms. Schmidt is she understood the amount of work that is required to fix the property up. Ms. Schmidt replied she does understand as she has fixed a house up before. Ms. Chartrand asked Ms. Schmidt if she had the finances secured to pay for this to which Ms. Schmidt replied yes. Levi Collins noted Ms. Schmidt stated she had the finances, the help, and the means necessary to fix the structure at the last meeting. Mr. Collins stated Covid cannot be used as an excuse. Mr. Collins asked what the board should do if they allowed Ms. Schmidt additional time and she did not complete the work to which Ms. Schmidt replied they could tear the structure down if she did not complete the work.

Kim Parks made a motion to stay the demolition order for the structure known as 928 E North Street until January 21, 2021 with the understanding that the interior and exterior of the structure to be completed by the time of the January 21, 2021 meeting with regular updates to the Building Department. Motion was seconded by Levi Collins. Motion Defeated with 2 in favor and 1 against.

Roll call vote is as follows:

Kim Parks, Yea

Levin Collins, Yea

Linda Chartrand, Nay

Anthony DiPietro stated in City of Lima Codified Ordinance 1406.01 (c) *“In varying the application of any of the provisions of this Building Code or in modifying an order of the Building Commissioner, the affirmative votes of three members shall be required.”* Mr. DiPietro stated since there are not three votes, the demolition order is to be upheld as the current order is for demolition.

Ms. Schmidt asked Ms. Chartrand if there was anything she could do to change her mind. Ms. Chartrand replied she does not think Ms. Schmidt understands what she is getting herself into and does not want her to throw away her money.

Having no further business, Levi Collin motioned for the meeting to be adjourned. Motioned was seconded by Kim Parks. Motion carried unanimously.


Linda Chartrand, Acting Chair