

CITY OF PIQUA, OHIO
BOARD OF ZONING APPEALS MEETING MINUTES
MUNICIPAL GOVERNMENT COMPLEX
6:00 P.M. – TUESDAY, FEBRUARY 28, 2023

TO ORDER

At approximately 6:00 pm Chair Person David Fishback called the meeting to order. The Introductory Statement of BZA Duties were outlined as well as the order of business to be followed. Meeting conduct procedures were reviewed and those in attendance were sworn in. All present were asked to stand and raise their right hand. The Chairman administered an oath to all present to testify before the BZA asking them to swear or affirm to tell the truth, and to acknowledge their intent to abide by the oath administered by stating, "I do" or "opposed". All present stood and took the oath to tell the truth with all persons present stating "I do".

ROLL CALL

Members Present: David Fishback, Shannon Brandon, Wayde Davis, Nicholas Johnston
Members Absent: Wayne Davey

MEETING MINUTES

Approval of the minutes from the January 24, 2023 Board of Zoning Appeals Meeting were approved by voice vote.

NEW BUSINESS

RESOLUTION BZA 03-23

A resolution requesting a variance for a gravel drive at N44-101480, 1990 Covington Avenue.

Kyrsten French, City Planner, gave the staff report. The applicant owns adjacent properties. The south property houses the main business, and the north property is planned to store mulch. The gravel loop drive would connect the north property to the business parking lot. Future plans will include a storage building in the loop of the driveway and screening along R.M. Davis Drive. The applicant is looking for an engineer to complete storm runoff calculations for the project. Staff recommends approval of Resolution BZA 03-23.

The board deliberated and asked for clarification on what the code language states about property setbacks. Ms. French explained that the drive would be considered with a cross-access easement and would not need a variance to connect the two properties. As the north property gets developed the two properties may be replatted together.

There were no comments from the public.

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After no further public comment or deliberation, a motion was made to approve Resolution BZA 03-23 by Wayde Davis and was seconded by Shannon Brandon. Resolution BZA 03-23 was approved with a 4-0 vote.

RESOLUTION BZA 04-23

A resolution to consider the decision of the enforcing official concerning a demolition order for 410 Wood Street.

Kyrsten French noted the addendum to the meeting packet. A code violation for tall grass was filed before the demolition order was placed. Photos of the grass complaint and a December letter from the property owner's attorney were added. Interior photos from the realtor were also added.

Frank Patrizio, the City of Piqua Law Director, and Arron Morrison, the Code Compliance Coordinator, came forward to speak on the item. The City Development Department's contractor mowed the grass three times in 2022 for a cost of \$1,100. Previously, in 2021, the City Health Department's contractor mowed the grass. The property was vandalized with spray paint in the fall.

On November 18, 2022, Mr. Morrison was notified by the Miami County Auditor's office that they were going to move forward with foreclosure because of back taxes. The back taxes are approximately \$5,100.

On December 20, 2022, after receiving complaints, the property was condemned due to the spray paint vandalism, broken windows, unsecured garage and no utilities. At this time the Condemned Order, Order to Vacate and Demolition Order were mailed to the property owner listed with the Miami County Auditor's office. The orders were returned to the Development Department on January 3, 2023.

Andrew Spayde and Andrew Bonnette came forward to speak on the item. They are the contracted buyers for the property. They plan to renovate and resale the property. They have experience with similar projects and estimate that the property will be ready to resell a month after they take possession of the property.

Susan Swinehart, the estate's attorney, came forward to speak on the item. She stated that the property was ready to sell. Mr. Patrizio raised doubts about how quickly the property could be sold. Deed searches still need to be done to make sure no one else had claims on the property.

After no further public comment or deliberation, a motion was made to approve Resolution BZA 04-23 by Shannon Brandon based on the fact that the Code Compliance Coordinator followed the proscribed steps set forth in the International Property Maintenance Code and the City of Piqua Code and to property is an attracting nuisance. The motion was seconded by Wayde Davis. Resolution BZA 04-23 was approved with a 4-0 vote.

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RESOLUTION BZA 05-23

A resolution nominating and electing a Chair and Vice Chair of the Board of Zoning Appeals

Shannon Brandon nominated David Fishback as Chair of the Board of Zoning Appeals and Wayde Davis seconded the motion. David Fishback nominated Wayde Davis as Vice Chair of the Board of Zoning Appeals and Nicholas Johnston seconded the motion.

After no further public comment or deliberation, Shannon Brandon made a motion to approve Resolution BZA 05-23 which was seconded by David Fishback. Resolution BZA 05-23 was approved with a 4-0 vote.

OTHER BUSINESS

ADJOURNMENT

With no other business before the Board, a motion was made and seconded to adjourn the meeting. With all those present in favor the meeting was adjourned at approximately 6:45 P.M.

Comments requesting corrections, additions or deletions to the content of this record should be directed to Melissa Clune at mclune@piquaoh.gov.