CALL TO ORDER

ROLL CALL

MEETING MINUTES

Minutes of BZA Meeting from May 28, 2019

NEW BUSINESS

Resolution No. 03-19

A resolution to consider an appeal of the decision of the enforcing official regarding a notice of code violation and the condemnation of 620 Broadway

ADJOURNMENT
CALL TO ORDER

At approximately 6:00pm Chairperson Skip Murray called the meeting to order. The Chair read the Introductory Statement of BZA Duties and outlined the order of business to be followed. The Chair reviewed the meeting conduct procedures and swore in those persons in attendance. The Chairman asked all persons present to stand and raise their right hand. The Chairman administered an oath to all persons 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 persons present stood and took the oath to tell the truth with all persons present stating “I do”.

ROLL CALL

Members Present: Skip Murray, Cindy Pearson, Nate Funderburg, David Fishback
Members Absent:
Staff Members: Chris Schmiesing

MEETING MINUTES

Approval of the minutes of October 23, 2018 Board of Zoning Appeals Meeting. Minutes were approved.

NEW BUSINESS

Resolution No. BZA 01-19

A Resolution requesting a variance to allow for an 9 inch setback from the side lot line and a 6 foot setback from the rear lot line to the proposed accessory structure at the property located at 1036 Camp Street

Chris Schmiesing, Director of Development provided the Staff Report.

The applicant is requesting a variance to construct a 14’x20’ garage in the rear of his property on an existing foundation at the address 1036 Camp Street. The proposed garage will have a setback of 9” to the side yard and 6’ to the alley way. The applicant has consulted with the building department to confirm quality of foundation. The proposed setback is typical in this neighborhood. Considering the unique circumstances, staff has no objection to the variance.

Tyler Martin, 1036 Camp Street, applicant came forward and provided additional information on his plans for the new accessory building.

Ron Morissette, 917 Madison, neighbor came forward and noted that he has no objection with the structure in relation to the proximity to his lot line.
Hank Foster, 1040 Camp Street, neighbor came forward with no objection to the structure. He stated that he believes the applicant is adding value to the neighborhood.

Mr Fishback commended the applicant for adding value to the neighborhood and recognized the neighbors’ support.

Chairman Murray stated he is familiar with the area and he sees no problem with approving the variance request at this time.

After a short discussion a motion was made and seconded to approve the variance request. Resolution No. BZA 1-19 was approved on a 4-0 vote.

**Resolution No. BZA 02-19**

A Resolution requesting a setback variance to allow 11 foot setback from rear lot line to principal structure at the property located at 1005 Laura Drive.

Chris Schmiesing, Director of Development provided the Staff Report.

The applicant is requesting a variance to allow 11 foot setback from rear lot line to principal structure. The applicant owns a contiguous lot, on Christine Lane, behind the lot the home is situated on. There are no encroachment issues. The owner also proposed a 2’ allowance for width of current driveway. This is not thought to be an unreasonable request and staff has no objection to the variance.

After deliberation, a motion was made and seconded to approve the variance request. Resolution No. BZA 2-19 was approved on a 4-0 vote.

**OTHER BUSINESS**

None

**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 6:50 P.M.
WHEREAS, Antone Brown, owner of the property located at 620 Broadway in the City of Piqua, Ohio, has received a notice of code violation concerning the subject property; and

Whereas, the conditions cited by the notice of code violation resulted in the code compliance officer condemning the subject property; and,

Whereas, the owner of the subject property desires to appeal the decision of the enforcing officer concerning the notice of code violation and the condemnation of the subject property; and

Whereas, Chapter 150.106(F) of the City of Piqua Code of Ordinances identifies the Board of Zoning Appeals as the body designated to hear and decide upon all matters related to an appeal of an action taken by the code official in the administration and enforcement of the Property Maintenance Code;

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Piqua, Miami County, Ohio, the majority of all members appointed thereto concurring, that the Board of Zoning Appeals hereby affirms the decision of the enforcing official, as described in Exhibit “A” attached hereto.

Motion by ______________________________________________

Second by ______________________________________________

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<th>NAY</th>
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<tr>
<td>Mr. Nathaniel Funderburg</td>
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<tr>
<td>Mrs. Cindy Pearson</td>
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<tr>
<td>Mr. Skip Murray</td>
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</table>
Antone Brown, Manager
ALB Investments LLC
PO Box 1082
Tipp City, OH 45371

July 31, 2019

City of Piqua Code Compliance Coordinator
201 Water Street
Piqua, OH 45356

Reg: CVN 13152301541

Dear Sir:

In accordance with 91.22(A) I am appealing the determination of the enforcing official concerning the above matter. Presently I am waiting to receive the applicable codes via e-mail so that I may review them. Please advise me of any hearing date so that I may be present to defend myself.

Thank you for your attention to this matter.

Sincerely,

Antone Brown

RECEIVED
JUL 31 2019
CITY OF PIQUA
DEVELOPMENT DEPT.
NOTICE OF CODE VIOLATION

July 26, 2019

AJB Investments, LLC.
P.O. Box 1082
Tipp City, OH  45371

Parcel No: N44-005660    Case Number: CVN 13152301541
Property Address: 620-622 Broadway – Piqua, OH  45356

An inspection of the above referenced property has confirmed the existence of conditions that fail to conform to minimum acceptable standards for the maintenance of existing buildings, structures, premises, and facilities to protect the health, safety, and general welfare of the occupant or general public. Therefore, pursuant to City of Piqua Ordinances sections 91.20 and 105.999 the subject conditions are hereby declared a public nuisance and you are hereby ordered to correct/abate the areas of concern identified herein in accordance with the code section, standard, permit, and correct/abate by date indicated for each item.

As the owner of record of the referenced property you are responsible for ensuring the conditions identified by this notice are corrected/abated in accordance with this notice. Failure to correct/abate the violation conditions within the time specified may result in the enforcing official instituting legal proceedings and or directing summary action to abate the nuisance at the owner’s expense without further notice.

In accordance with 91.22(A) of the City of Piqua Code of Ordinances you may appeal the determination of the enforcing official concerning this matter by submitting such a request in writing to the City of Piqua Code Compliance Coordinator at 201 W. Water Street, Piqua, Ohio, within five (5) calendar days from the date of this notice.

Please contact this office at (937) 778-2049 within five (5) calendar days from the date of this notice so that we may discuss the actions necessary to remedy this matter.

Respectfully,

Aaron Morrison, Code Compliance Coordinator
NOTICE OF CODE VIOLATION

Case number: CVN 13152301541

**Area of Concern:** Application of Codes  
**Code Section:** Property Maintenance Code: 102.3  
**Standard:** Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the Piqua Building Code and the Piqua Zoning Code.  
**Permit(s) Required:** As Required

**Area of Concern:** Unsafe Structure  
**Code Section:** Property Maintenance Code: 108.1.1  
**Standard:** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.  
**Permit(s) Required:** As Required  
**Correct/Abate By Date:** September 26, 2019

**Area of Concern:** Unsafe Equipment  
**Code Section:** Property Maintenance Code: 108.1.2  
**Standard:** Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.  
**Permit(s) Required:** As Required  
**Correct/Abate By Date:** September 26, 2019

**Area of Concern:** Structure Unfit for Human Occupancy  
**Code Section:** Property Maintenance Code: 108.1.3  
**Standard:** A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.  
**Permit(s) Required:** As Required  
**Correct/Abate By Date:** September 26, 2019
NOTICE OF CODE VIOLATION

Case number: CVN 13152301541

Area of Concern: Vacant Structure and Land
Code Section: Property Maintenance Code: 301.3
Standard: All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.
Permit(s) Required: None
Correct/Abate By Date: September 26, 2019

Area of Concern: Glazing
Code Section: Property Maintenance Code: 304.13.1
Standard: Glazing materials shall be maintained free from cracks and holes.
Permit(s) Required: None
Correct/Abate By Date: September 26, 2019

Area of Concern: Administration; Permits General
Code Section: Zoning Code: 154.143(B)
Standard: No building or other structure shall be erected, moved, added to, enlarged, extended, converted, reconstructed, demolished, or structurally altered without the permits incidental and necessary to the enforcement of this chapter having been issued by the enforcing officer, the issuance of which may be held subject to compliance with any other requirement described within the city Code of Ordinances that is deemed applicable to the subject project by the enforcing official. No permit shall be issued except in conformity with the provisions of this chapter. The enforcing official may issue a comprehensive or consolidated permit approving one or more element of work subject to the requirements of this chapter.
Permit(s) Required: Zoning
Correct/Abate By Date: September 26, 2019
NOTICE OF CODE VIOLATION

CONDEMNED

**SECURE PROPERTY, OBTAIN PERMITS, AND RAZE/REPAIR PROPERTY**

- (PM)108.1.1 **UNSAFE STRUCTURE**
- (PM)108.1.2 **UNSAFE EQUIPMENT**
- (PM)108.1.3 **STRUCTURE UNFIT FOR OCCUPANCY**
- (PM)301.3 **UNSAFE/BLIGHTING STRUCTURE**
  (ZC)154.143(B) **OBTAIN ALL PROPER BUILDING PERMITS**
- (PM)108.1.1 **UNSAFE STRUCTURE**
- (PM)108.1.2 **UNSAFE EQUIPMENT**
- (PM)108.1.3 **STRUCTURE UNFIT FOR OCCUPANCY**
- (PM)304.13.1 **ALL BROKEN GLAZING**
NOTICE OF CODE VIOLATION

(PM)108.1.1
**UNSAFE STRUCTURE**

(PM)108.1.2
**UNSAFE EQUIPMENT**

(PM)108.1.3
**STRUCTURE UNFIT FOR OCCUPANCY**

(PM)301.3
**UNSAFE/BLIGHTING STRUCTURE**
(ZC)154.143(B)
**OBTAIN ALL PROPER BUILDING PERMITS**

Jul 24, 2019 at 3:19:50 PM

(PM)108.1.1
**UNSAFE STRUCTURE**

(PM)108.1.2
**UNSAFE EQUIPMENT**

(PM)108.1.3
**STRUCTURE UNFIT FOR OCCUPANCY**

Jul 24, 2019 at 3:20:58 PM

City of PIQUA
NOTICE OF CODE VIOLATION

(PM)108.1.1 **UNSAFE STRUCTURE**
(PM)108.1.2 **UNSAFE EQUIPMENT**
(PM)108.1.3 **STRUCTURE UNFIT FOR OCCUPANCY**

(PM)301.3 **UNSAFE/BLIGHTING STRUCTURE**
(ZC)154.143(B) **OBTAIN ALL PROPER BUILDING PERMITS**

City of PIQUA

Jul 24, 2019 at 3:20:51 PM

Jul 24, 2019 at 3:21:47 PM
August 16, 2019

*** PUBLIC HEARING NOTICE ***

Please be advised that the City of Piqua Board of Zoning Appeals will conduct a public hearing at the time and location stated below.

<table>
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<th>TIME:</th>
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<tr>
<td>DATE:</td>
<td>Tuesday, August 27, 2019</td>
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<tr>
<td>LOCATION:</td>
<td>Commission Chambers – 2nd Floor Municipal Government Complex 201 W. Water Street</td>
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This letter serves to notify persons who may have an interest in an agenda item to be discussed at the above referenced public hearing. A public hearing affords citizens and other parties with standing the opportunity to speak in favor of, or object to, an item submitted for consideration. If you desire to state your opinion concerning this matter and will be unable to attend the public hearing, please submit your statement in writing to this office prior to 5pm on the date of the meeting.


Please contact the Development Department at (937) 778-2049 if you have any questions pertaining to this notice.

Kyrsten French
City Planner
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