

BOARD OF ZONING APPEALS
MOTION SUMMARY
June 10, 2015

ITEM 1. Roll Call

Chairman Dick called the meeting to order at 7:00 p.m.

Members Present: Robert Badger, Adam Vaughn, Todd Daughenbauh, Crystal Brewer Councilman Joe DiGenova, Vice-Chairman Paul Junk, and Chairman Matt Dick

Staff Present: Lance Schultz, Zoning Administrator

ITEM 2. Approval of the Motion Summary of the Board of Zoning Appeals meeting held on March 11, 2015, as recorded and transcribed.

Motion: Vice-Chairman Junk moved to approve the Motion Summary for the April 8, 2015 meeting, seconded by Mr. Badger. Motion approved by a 7-0 vote.

ITEM 3. REGULAR BUSINESS

(A) 2015-0213:A request by Yoav and Schlomo Batch to appeal an administrative decision by the code official requiring the condemnation/demolition of 15 Flax Street on approximately 3.61 acres zoned M-1 (Light Manufacturing District) under the 2000 International Property Maintenance Code.

(1) This case needs to be removed from the table prior to any action taken by the Board.

Motion: Councilman DiGenova moved to remove 2015-0213 from the table, seconded by Mr. Vaughn. Motion approved by a 7-0 vote.

Chairman Dick swore in the following participants from the public:

James Mardis
6 Flax Street
Delaware, Ohio

Behzad Vedaie, Professional Engineer
IEG, Inc.
1901 E. Dublin-Granville Rd., Suite 304
Columbus, Ohio 43229

David Gordon, Attorney
82 North Franklin Street

Delaware, Ohio

Mr. Schultz provided a review of case 2015-0213, which included a map of the location, zoning map, and aerial photographs of the location from 2013. Mr. Schultz reviewed the discussion regarding 2015-0213 from the April 8, 2015 Board of Zoning Appeals meeting. Mr. Schultz reviewed the existing site plan and the Flax Street Property Improvement Plan provided by Mr. Vedaie. Mr. Vedaie confirmed that the Flax Street Property Improvement Plan was sent to Mr. Schultz approximately two weeks prior to the June 10, 2015 meeting. Mr. Schultz reviewed staff recommendations that improvements shall be completed by December 31, 2015 and meet all other City development improvements. Mr. Schultz also reviewed the requirement that the site is to be routinely mowed and clean of debris.

APPLICANT:

Behzad Vedaie, Professional Engineer
IEG, Inc.
1901 E. Dublin-Granville Rd., Suite 304
Columbus, Ohio 43229

David Gordon, Attorney
82 North Franklin Street
Delaware, Ohio

Mr. Badger voiced his concern, stating that he observed the property and found that the site was not being maintained as required. Mr. Gordon explained that the landscape company was stopped by a surrounding property owner stating that the landscape company was on their property.

Mr. Vedaie reviewed the contract for service for the hired landscape contractor. Mr. Vaughn requested that Mr. Vedaie provide a maintenance schedule to staff. Mr. Schultz is to have code enforcement staff monitor the site.

Mr. Schultz clarified that applicant must meet state building code.

Mr. DiGenova discussed the need to add stipulations to the recommendations for approval of an extension. Councilman DiGenova recommended that the applicant furnish a monthly report on progress of the building and present it to staff, and that there will be no further extensions after December 31, 2015 if the work is not completed per the "Flax Street Improvement Plan."

PUBLIC PARTICIPATION:

James Mardis
6 Flax Street
Delaware, Ohio

Mr. Mardis clarified on the location map the property boundaries. Mr. Mardis voiced his concerns regarding the septic tank and sewer lines. Mr. Schultz informed the Board that the City Engineer and Public Works Department will address these concerns when plans are submitted to ensure that the plans meet state and city code requirements.

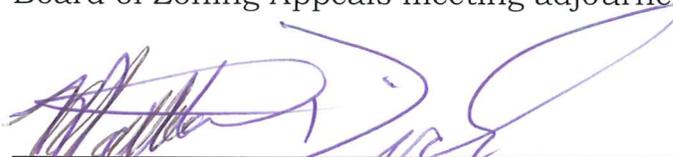
Motion: Councilman DiGenova moved to add the conditions that the applicant will provide monthly progress report and completion status to staff and that no further extension will be granted after December 31, 2015 to approve the applicant an extension to December 31, 2015 to have all the work completed as documented in the “Flax Street Property Improvement Plan” that achieves compliance with the 2000 International Property Maintenance Code and the minimum building and zoning requirements or staff will insert this case on the January 13, 2016 BZA meeting agenda and request the condemnation/demolition of the above mentioned buildings as originally proposed in the March 11, 2015 BZA staff report, seconded by Mr. Badger. Motion approved by a 7-0 vote.

ITEM 4. BOARD MEMBER COMMENTS AND DISCUSSION

ITEM 5. NEXT REGULAR MEETING: July 8, 2015

ITEM 6. ADJOURNMENT

Motion: Vice-Chairman Junk moved to adjourn the Board of Zoning Appeals meeting, seconded by Ms. Brewer. Motion was approved by a 7-0 vote. The Board of Zoning Appeals meeting adjourned at 7:54 p.m.



Matt Dick, Chairman



Elaine McCloskey, Clerk