

**MINUTES OF THE
COLUMBUS BUILDING COMMISSION
FEBRUARY 17, 2015**

The Columbus Building Commission met on Tuesday, February 17, 2015 at 1:00 p.m. in Conference Room H at 757 Carolyn Avenue. The following members were present: **Chairman William Lantz, David Morgan, Lynn Heflin, Mark Wagner and Mario Ciardelli.** Representing the City was **Bob Schutz**, Interim Chief Building Official. Toni Gillum was the Stenographer recording the hearing.

The first order of business was the review of the January 20, 2015 meeting minutes. **Mr. Morgan** made a motion to accept the minutes as written. **Mr. Ciardelli** seconded the motion. **MOTION CARRIED**

The first case on the agenda was **Adjudication Order A/O2015-005RMV** for the property located at 400 Nationwide Boulevard (Buggyworks Building). The applicant, **Miles Hebert of EMH&T** was present, as well as, **David Tyler with HOK**, on behalf of the owner, **Nationwide Realty Investors.** **Renee Van Sickle** was present representing the Department of Public Utilities, Division of Sewerage and Drainage. **Mr. Hebert** presented his case to request a variance to City of Columbus Code Section 1150.25, Fill and Grading in the floodway fringe. The proposed project will have the lowest adjacent grade to the building at or above the Flood Protection Elevation (FPE). The proposed improvements at 400 W. Nationwide Boulevard, will meet all other requirements of the City's flood code, except for the requirement for a twenty (20)-foot offset from the building at grade equal to the FPE. Due to the physical constraints of the site, including an alleyway and City-owned utilities, the proposed offset is between 4.8 and 6.6 feet. **Ms. Van Sickle** stated that she cannot recommend approval for the proposal, but, she recognizes that the applicant does have physical constraints. **Bob Schutz** stated that the City can support the request and that the proposal will actually fill less of the Flood Plain than if they were required to extend the fill out the 20 feet. So, the impact on the Flood Plain is lessened by this proposal. **Mr. Wagner** made a motion to approve the application for Adjudication Order A/O2015-005MV and grant a variance to Section 1150.25, Fill & Grading. **Mr. Ciardelli** seconded the motion.

MOTION CARRIED

The next order of business was a presentation by **Scott Messer**, the Director of Building & Zoning Services and **Wendi Bootes**, City Attorney's Office Representative. **Ms. Bootes** began by explaining that there has been a change to the City of Columbus Building Code Section 4111.90E that places an additional appeal into the purview of the **Columbus Building Commission.** This change was passed in December 2014, by City Council, and effective in the middle of January 2015. The appeal would be as a result of a **Finding of a Public Nuisance by Director Messer.** He explained that this finding would be the result of his determination that a Public Nuisance does exist, the issuance of a **Notice of Violation** to the owner of the property stating the conditions that cause the structure to be a public nuisance and advising the owner that the property must be abated. Any property owner who does not comply with the Notice of Violation may incur a civil penalty of up to \$1,000 per day for each calendar day thereafter that the owner fails to comply with the order to abate the public nuisance. The owner would then have the right to appeal this order, and the resulting fine, to the **Columbus Building Commission.** The Commission did have some questions for Ms. Bootes concerning who has the ability to grant a continuance to these appeals and whether continuances need to be addressed in front of the entire Commission to be granted. Ms. Bootes will research these questions and report her findings to the Commission.

There being no further business to come before the Board, the meeting was adjourned at 1:45 p.m.