

PROPERTY MAINTENANCE APPEALS BOARD
Monday, May 8, 2023 at 1:00 p.m.
141 N. Front St. Columbus, OH 43215
First Floor Conference Room

The Property Maintenance Appeals Board met at 141 N. Front Street – First Floor Conference Room, at 1:00 p.m. on May 8, 2023. The following members were present:

Pamela Palmer, Chair (absent during hearing of appeal PMA-496)

Patrick Dukes

Tiffanie Harris

Katie McCann, acting Chair

Tony Riffe

Scott Wolf

City Attorney Robert Tobias was present as counsel to the Board. Property Maintenance Inspection Specialist Cassandra Scurlock was present as Board Secretary.

Old Business:

None.

New Business:

PMA-496

The appellant, Attorney Brian Smith, counsel to Dawn Wyrz, was present. Mr. Wyrz was also present, husband of Dawn Wyrz. Code Enforcement was represented by Code Enforcement Officer Supervisor (CEOS), Deborah Coleman.

Board member Patrick Dukes administered oath.

CEOS Coleman provided testimony explaining the exhibits of the case packet and describing the current violations at the vacant property. The property had been issued notice for violation of vacant structure standards per CCC 4707.01 and 4707.03. CEOS Coleman advised the Board that owner of record per Auditor is deceased. Notice was issued to any relatives that were identified, including Dawn Wyrz, as an heir to the property. Board member McCann asked who Danny Rodgers is. CEOS Coleman said that is the grandson that moved out of the property. Board member Dukes asked about the process of land bank acquisition of the property. CEOS Coleman explained the process.

Attorney Brian Smith expressed that his client, Dawn Wyrz, is not an owner as defined by CCC 4703.01(E). He then read the code section, and said that his client does not conform to any part of the definition, and that his client does not have any interest in the property.

Board member Dukes asked if any of the people cited have expressed any interest in the property. CEOS Coleman said that none of those family members she has spoken to have expressed interest in the property.

Board member Dukes read CCC 4703.01(E), subsections 1-6, as a question to Attorney Brian Smith, who answered 'no' to each section on behalf of his client.

A finding of fact was made by the Board, to accept the evidence submitted and to accept the testimony as true and accurate. A motion for the finding of fact was made by Patrick Dukes and seconded by Scott Wolf. Motion grated 5-0.

A motion was made by Patrick Dukes and seconded by Scott Wolf grant the appeal, finding that Dawn Wyrasz is not an owner, by definition, of this property. Motion granted 5-0.

Grant Appeal, 5-0

PMA-504

The applicant was represented by Chris Heaton with Amarak fence company and Dennis Hecker with Lee's RV and Boat Storage company. The owner and resident at the house abutting the property, Mariam Sager, was also present. Code Enforcement was represented by Code Enforcement Officer Specialist (CEOS) Margaret Lafferty.

Board member Patrick Dukes administered oath.

The request is for a variance to CCC 4525.13, to allow an electric fence at 3790 Scioto Darby Creek Rd. Chris Heaton, with Amarak fence, said the electric fence would be located inside of the existing fence at the property. The business operating at that location is vulnerable to crime and theft. The electric fence is powered by a 12volt DC battery and charged by solar panel. Lee's RV and Boat Storage company are prone to theft, particularly catalytic converters.

Dennis Hecker said theft has been an increasing problem. He has owned the property since 1985. He has cameras and motion detector system, however thefts are still occurring. He wants the fence to protect customer's property. Board member McCann asked what type of hardship he may have if the variance is not approved. Mr. Hecker said that he will lose customers

Mrs. Stager, the neighbor residing at the abutting residential property, said she was there to speak in support of the installation of the electric fence. She said that the business is a responsible neighbor and they love having them located next door to their property. Mrs. Stager said she is not concerned about the fence. Mr. Heaton added that neighbors usually like their fences, because it will deter trespassers on their property.

CEOS Lafferty presented the Board with pictures of the property and the neighboring residential lot. CEOS Lafferty noted that the site plan requires screening. Mr. Hecker said they have the material to install the screening, and that will be done soon. Board member Riffe asked about the zoning for the property. CEOS Lafferty said it is zoned M2.

A finding of fact was made by the Board, to accept the evidence submitted and to accept the testimony as true and accurate. A motion for the finding of fact was made by Tony Riffe and seconded by Patrick Dukes. Motion grated 6-0.

A motion was made by Patrick Dukes and seconded by Scott Wolf to approve the variance, with the condition that the variance remains effective while the current tenant is operating business in the same/similar manner. Motion granted 6-0.

Variance Approved, with the condition that the variance remains effective while the current tenant is operating business in the same/similar manner, 6-0

PMA-502

The appellant, William Travis, was present. Code Enforcement was represented by Code Enforcement Officer (CEO) Jill Watts and Code Enforcement Assistant Administrator Edgar Dillon.

Board Chairperson Pamela Palmer administered oath.

Edgar Dillon provided testimony explaining the exhibits of the case packet. The property had been issued notice for violation of CCC 4525.11, identifying a dead/dying tree on premises.

Mr. Travis said that he received the violation notice and spoke to CEO Watts, but he was not convinced that the tree was dead. The violation notice was issued in March, when trees are in a dormant state. Mr. Travis provided pictures he took of the tree during the past weekend, showing leaves growing on the tree.

Board member McCann asked Mr. Travis if he accepts the City's arborist report, which specifies certain areas/branches that require trimming, but does not deem the entire tree to be dead. Mr. Travis said that he does accept it. Board member McCann asked Mr. Travis if 60 days would be an acceptable amount of time to get the tree trimmed. Mr. Travis agreed that would be adequate.

Mr. Travis also requested that his address be corrected to: 2895 Nuway Rd, Columbus, OH.

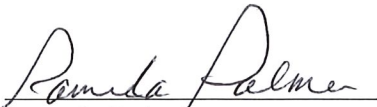
A finding of fact was made by the Board, to accept the evidence submitted and to accept the testimony as true and accurate. A motion for the finding of fact was made by Scott Wolf and seconded by Tiffanie Harris. Motion grated 6-0.

A motion was made by Katie McCann and seconded by Patrick Dukes to deny the appeal, with modification allowing an additional 60 days for compliance. Motion granted 6-0.

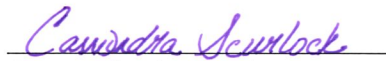
Deny Appeal, with modification to allow an additional 60 days for compliance, 6-0

A motion was made by Tony Riffe and seconded by Katie McCann to accept the meeting minutes from April 10, 2023. Approved 6-0

There being no further business, Pamela Palmer made a motion to adjourn the meeting at 2:06 pm. Meeting adjourned 6-0



Pamela Palmer
Chairperson



Cassondra Scurlock
Secretary