

**BUILDING & BUILDING CODES COMMITTEE MINUTES
MAY 17, 2016**

The Building & Building Codes Committee meeting was held on May 17, 2016, at North Royalton City Hall, 14600 State Road. The meeting was called to order at 6:50 p.m.

PRESENT: Committee Members: Chair John Nickell, Vice Chair Dan Kasaris, Larry Antoskiewicz; **Council:** Gary Petrusky, Dan Langshaw, Paul Marnecheck, Steve Muller; **Administration:** Mayor Robert Stefanik, Law Director Thomas Kelly, Community Development Director Thomas Jordan, Building Commissioner Dan Kulchytsky, Fire Chief Robert Chegan, Safety Director Bruce Campbell; **Other:** Louis Krzepina, Matt Mraz.

APPROVAL OF MINUTES

Moved by Mr. Kasaris, seconded by Mr. Antoskiewicz to **approve the April 19, 2016 minutes as received.**
Yeas: 3. Nays: 0. **Motion carried.**

UNFINISHED BUSINESS

1. Monument signs TCD

Mr. Jordan said that Mr. Kulchytsky spoke with Studio Graphique today. They will have a draft of the changes to the sign ordinance ready for the B&BC committee's first meeting in June.

2. Rental Registration

Mr. Kulchytsky presented the committee with an revised version of the Rental Registration code based on comments made at the last meeting. Mr. Jordan reviewed the changes which are highlighted on the handout. A copy of this handout is attached to these minutes. Moved by Mr. Kasaris, seconded by Mr. Antoskiewicz to **recommend this legislation be prepared and presented to Council.** Yeas: 3. Nays: 0. **Motion carried.**

NEW BUSINESS

**1. 1264.10 - Notice to Council and Planning Commission of Board decisions;
1264.11 - Appeals to Court**

Mr. Kasaris explained that 1264.10 has never been done and said that he doesn't think there is a need for it. Section 1264.11 states 10 days but should be amended to coincide with state law of 30 days, which is what the city has been doing anyhow. Mr. Nickell said that maybe the decisions could be sent to the Building and Building Codes Committee rather than Council. Mr. Antoskiewicz said that the Board of Zoning Appeals will already have a record of the decisions and the information can be obtained from this source if needed. Why be redundant and create another record. Discussion on how each Council rep follows the BZA agendas and minutes ensued. Mr. Nickell said that he was just thinking out loud and recommends deleting 1264.10 and amend 1264.11 to 30 days. Mr. Jordan said that regarding 1264.11 there may be some added language. Mr. Jordan said that he believes the state law language is 30 days after the acceptance of the minutes, which would actually be almost 60 days after the ruling. He said that they will add the correct language to this. Mr. Kasaris said that if you appeal an adverse decision, you can't appeal it until a decision is made and our decision isn't technically made until we have approved the minutes, because we can always go back and change it before the minutes are approved. Mr. Nickell asked if this would cause hardship on the applicant to have to wait 60 days. Mr. Antoskiewicz said that the BZA only meets once a month so they can't approve the minutes until the next meeting 30 days later. Mr. Nickell asked if something is approved at a BZA meeting, it is actually not official until the minutes are approved. Mr. Jordan said that we do not hold up building permits based on the ruling for 60 days. As long as the Building Commissioner and the secretary believe that the drawings comport with the ruling, they can proceed. It is just the minutes and an appeal we are talking about. This is just comporting with state law; he doesn't think that we can shorten this period. Mr. Antoskiewicz pointed out that the applicant wishing to appeal can do so immediately after the minutes are approved; they don't have to wait the additional 30 days. Mr. Langshaw said that he would like to see something in our code requiring BZA and

Planning Commission to send agendas electronically to Council members. He said that this is already being done, so it makes sense to have it somewhere in writing. He asked the Building Division to look into this. Getting back to the earlier discussion, Mr. Jordan asked if the committee will allow them to update our code to reflect the current state statute relative to the appeals period. Mr. Nickell said yes. The second was the notice of decisions to Council and eliminating 1264.10 in its entirety. Mr. Nickell said that he also agrees that we should amend our code to require BZA agendas be emailed to Council. Mr. Kulchytsky said that he believes that this is covered in our code under duties of the Secretary which states: "transmitting when necessary to other city officials all records of meetings, hearings conducted by the board when requested by the chairperson of the board or requested by other proper department heads." Mr. Jordan said that they will take Mr. Nickell's request that all BZA agendas be sent to Council and will comply with that under this section of the code.

Mr. Nickell asked for an update on the demolition on Patricia Drive. Mr. Jordan said that the city applied for and received money to demolish 6 structures; 3 out buildings and 3 houses. One out building was done by the owner and one house is currently being attempted to be repaired. He said there are two houses that have gained a lot of attention; one is on Stoney Creek. He said that the cars on the property were removed today and he anticipates that the structure will be demolished within a couple of weeks. The owner of the Patricia Drive house had requested additional time to clean it out on their own. That extension was granted and expired. The county will be returning with their agent to clean out the house prior to demolition this week or next week. He thought the Stoney Creek structure would come down about the same time. The structure on Bunker Road is anticipated to have the garage demolished by the end of this week. Mr. Kulchytsky said that regarding the house on Bunker Road, the new owner has pulled permits for roofing, interior electrical, interior alterations and they are proceeding with a full renovation. Mr. Nickell said that he appreciates all the efforts the Building Division is taking in these instances.

ADJOURNMENT

Moved by Mr. Kasaris, seconded by Mr. Antoskiewicz to adjourn the May 17, 2016 meeting. Yeas: 3. Nays: 0. **Motion carried. Meeting adjourned at 7:10 p.m.**

From: Donna Vozar
Sent: Friday, March 25, 2016 7:49 AM
To: Laura Haller; Dana Schroeder
Cc: Thomas Kelly; Robert Stefanik; Larry Antoskiewicz; Dan Kasaris
Subject: 1264 proposed amendments

Attached please find proposed amendments for council's consideration.
Donna

1264.10 NOTICE TO COUNCIL AND PLANNING COMMISSION OF BOARD DECISIONS.

Upon issuance by the Board of Zoning Appeals of any ruling, determination or order, the Secretary of the Board shall send, within three days of the date of such ruling, determination or order, a copy thereof to the Director of Legislative Services and to the Secretary of the Planning Commission, ~~who shall present such report at the next regular meeting.~~

1264.11 APPEALS TO COURT.

A person aggrieved by a decision of the Board of Zoning Appeals may, within ~~ten~~ (30) **thirty** days after the filing of such decision, appeal to the Court of Common Pleas of Cuyahoga County under Ohio R.C. Chapter 2506.

Laura Haller

From: Laura Haller
Sent: Tuesday, March 29, 2016 1:41 PM
To: Donna Vozar; Dana Schroeder
Cc: Thomas Kelly; Robert Stefanik; 'Dan Kasaris'; Dan Langshaw; 'Gary Petrusky'; 'John Nickell'; 'Larry Antoskiewicz'; 'Paul Marnecheck'; 'Steve Muller'
Subject: RE: 1264 proposed amendments

My two cents worth....this Section of the code has NEVER been followed. In the 28 years I've been here, I have never received any notification from the BZA about what they have ruled on. I personally see no need for this (it certainly has not been missed by anyone over the last few decades). Why create another public record? I suggest that we eliminate the section in its entirety.

Laura

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