

ZONING BOARD OF APPEALS  
December 8, 2009

**CALL TO ORDER:** 6:00 p.m. by Chairman Abent.

**ROLL CALL:** Chairman Abent, Vice Chairman Reed, Boardmember Konietzko and Alternate Emery.

Absent: Boardmember Patrick (excused), Potter (unexcused).

City staff present: Building Inspector Hummel and City Clerk King.

Chairman Abent welcomed Alternate Eric Emery and stated that he will be voting.

**APPROVAL OF MINUTES:** Motion by Boardmember Konietzko, second by Reed to approve the minutes of October 13, 2009, as presented. Carried. 4 Yeas. 0 Nays.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS**

**Hearing on Dangerous Building – 345 Horatio Street – Robert Sutcliffe**

Public Hearing Opened at 6:05 p.m.

Building Inspector Hummel read the letter sent to the owners of 345 Horatio. He gave a report on the condition of the property and shared pictures with the Board. The dwelling is dangerous because of the following:

- 1) **Section 108.2.1** – Some porches are not safe to walk on, some are missing
- 2) **Section 108.2.2** - Some porches have deteriorated and are not safe to walk on. Some foundation stones are loose.

- 3) **Section 108.2.3** – The front porch has been pulled off the house from a fallen branch.
- 4) **Section 108.2.5** – Portion of the interior floor has deteriorated and unsafe to walk on. Some foundation stones are loose.
- 5) **Section 108.2.6** – Falling plaster and mold from water damage.
- 6) **Section 108.2.7** – Is an attractive nuisance.
- 7) **Section 108.2.8** – Is unfit for human habitation.
- 8) **Section 108.2.9** – Is vacant and open at several doors a 30' x 40' pole barn (1200 sq. ft.)

The property owners refused delivery of notice and were not present. They were sent notice 2 separate times.

Public Hearing Closed at 6:17 p.m.

Boardmembers expressed regret that the owner has allowed a property of historical significance to deteriorate to this extreme.

**Motion by Boardmember Konietzko, second by Reed to order the building at 345 Horatio to be made safe within 30 days, due to the testimony of the building department, as defined as a dangerous building. Carried. 4 Yeas. 0 Nays.**

**PUBLIC COMMENT:** None.

**BOARDMEMBER COMMENTS:** Boardmember Konietzko admonished the ZBA Members to be vigilant about the language in motions.

**ADJOURNMENT:** Boardmember Reed moved to adjourn at 6:20 P.M.

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Michelle M. King, City Clerk