

2088 Dane Lane (Elais)

PRC Case # 18-05

Summary:

There are a total of eleven violations on this property. Four violations were requested by the board to be complied with on June 5th, 2018. Those violations pertain to outside storage, accessory structures, vegetation and brush piles. The Board requested the owner provide a detailed timeline on the remaining seven violations pertaining to rodent harborage, protective treatment, exterior walls, roof and drainage, decks, windows and doors and insect screens. Included in the timeline should be deadline dates including contingent dates in case of inclement weather.

The property has been vacant since 2012. The property has had numerous violations in the past several years. The violation(s) have not been permanently corrected and /or maintained causing them to re-occur.

Timeline:

2012

05-08 Mailed out letter for Code Violation(s) pertaining to vegetation

08-13 property maintenance complaint received

08-27 DB spoke with Sia about the property. Sia explained that she is taking care of James who is physically unable to live by himself and their mother. He is with Sia in Austin - left Bellbrook in July to seek treatment for a stroke. Sia hopes to return with James in September.

08-29 DB explained to Sia that a letter would be issued out of normal procedure. Sia gave permission to remove branches, trim bushes and remove garbage in driveway. DB said that we would try to get volunteers to help since James is disabled. DB explained that the holes in the buildings and animals getting into the house and shed would have to be treated by an exterminator and Sia understood that would be a cost. 08-29 email from Sia giving the city permission to clean up property

09-29 DB organized Volunteer Bellbrook to assist in cleaning up property

10-02 Sia in Bellbrook to address the raccoon problem

2013

07-01 property maintenance complaint received

07-13 letter mailed out for tall grass

07-23 email correspondence stating Sia is hiring contractors

09-06 Sia met with DB in the office. Sia is in Ohio for several weeks taking care of several family issues. She will be contacting a contractor about repairing the holes in the wall of the house and remove the vegetation.

09-20 DB inspected. No progress.

09-25 Sia called DB. She will trim bushes and clear gutters. Pest Control Company has set traps for 2 weeks. Contract will patch holes in walls.

09-26 Sia called to say she is working on brush and asked if city could help on picking up brush.

09-27 DB told Sia to put brush in piles or bags at end of driveway. Either volunteers or the city would remove the brush.

10-01 Sia called DB. Brush at end of driveway.

10-04 Sia called DB. Sia stated animal control done - no animals in house. Holes boarded by contractor. Leaving for TX on 10/5

10-09 DB inspected. Brush piles along road. Overgrown vegetation has been corrected. Holes in wall have been covered. Close case. Contact volunteers to remove brush.

2014

06-20 letter mailed out for tall grass

6-27 Sia called DB. Will be in are in the next week or two.

07-03 DB called and emailed Sia. MS approved mowing grass and removing admin fee as an option for Sia.

07-05 Sia emailed DB. She will be in Ohio at the end of this week. She declined the offer to mow the grass

7-07 property maintenance complaint received

07-14 Sia and Jim stopped in the office to see DB. DB discussed the current condition of property with Sia. Sia agreed to have the city cut the grass and remove a large tree limb from the property. DB contacted Service to perform the work

8-11 Service department inspected and found tall grass

8-14 DB called and spoke to Sia. She hopes to be here by the end of August to work on the house.

9-26 DB inspected and found tall grass. Sent email to Sia.

10-17 Sia and James visited office. Sia said they would mow.

2015

04-22 Complaint received

04-24 DB inspected. Grass cut, branched in piles, appears that there has been some activity. Hot tub needs new cover. Wall along chimney is further deteriorating. Need to contact Sia (sister) about current status of property.

05-15 DB inspected. Grass cut. Emailed Sia.

5-29 letter mailed out

8-26 email mailed out regarding tall grass

09-17 Sia and Jim visited the office and spoke with DB. They have been dealing with several police agencies and courts over property and probate issues. They hope to return in October to begin restoration of the house with the goal of selling the property in Dec/Jan. DB asked them to trim the bushes in the front of the house.

09-18 DB inspected. Bushes in front of house are overgrown. Grass ok.

11-13 DB inspected. No change.

12-20 received email mail from Sia. Plan to sell the house in 2016.

2016

01-16 DB inspected. No change.

2017

05-01 letter mailed out for tall grass

05-03 email correspondence stating property is getting worse

05-12 mailed out letter for code violation(s) pertaining to rodent harborage, accessory structure, exterior walls, roofs and drainage

05-15 Sia visited and spoke with Don B.

10-23 tall Grass, Service Department mowed

12-12 visited with Sia and James, Sia stated all work will be completed by 04-30-18

2018

02-23 mailed out letter and email sent for rodent harborage, accessory structure, exterior walls, roofs and drainage, exterior walls and vegetation

03-22 mailed out letter and sent email with a list of action needed for rodent harborage, accessory structure, exterior walls, roofs and drainage, exterior walls, doors and windows and vegetation

05-22 property went before the BPRC

05-23 mailed out motion letter **(see attached)**

05-31 received correspondence from James Elias and Sia's lawyer **(see attached)**

Staff Recommendation:

It is recommended that we do not allow the remaining seven violations to extend past a 30 day period and/or assess fines and since the house is vacant that all future violation(s) on the home get corrected within 30 days or fines will be assessed.



May 24, 2018

James Elias
5801 Carry Drive
Austin, TX 78757

Re: PRC Case #18-05

Dear Mr. Elias,

City of Bellbrook
15 East Franklin Street
Bellbrook, Ohio 45305

T (937) 848-4666
F (937) 848-5190

www.cityofbellbrook.org

This is to notify you that BPRC Case # 18-05, regarding the property located at 2088 Dane Lane, Bellbrook, has been reviewed by the Bellbrook Property Review Commission at a public hearing which was held on May 22, 2018. After public and board discussion of the case, the board directed the property owner to address **eleven total maintenance code violations** related to sections 1450.31 (Exterior Property areas) and 1450.32 (Exterior Structure Exterior Property areas) of the City of Bellbrook Property Maintenance Code.

The board directed that the following four violations be resolved **by June 5, 2018**:

- (g) Accessory structure – remove shed from property
- (j) Outside storage – remove garbage bags, skids, and all miscellaneous items under side porch and in front of shed.
- (d) Vegetation – cut and maintain grass and/or weeds. Trim and maintain bushes and trees around property.
- (l) Brush piles – remove from property.

Failure to resolve the above violations by the date given will result in penalties being assessed beginning June 6th, 2018.

Each penalty assessed will be a 1st offense rate of twenty-five (\$25.00) per day, per offense, or two hundred fifty dollars (\$250) per offense total. To avoid these penalties please resolve the violation(s) by stated date.

The board directed for the owner to provide a detailed maintenance plan for the remaining seven violations. The board suggested that a plan for inclement weather be included in the timeline. The maintenance plan shall be submitted to me by **Thursday, May 31st, 2018**. The board will review the plan and discuss it at the next Property Review Commission Hearing on **June 5th, 2018 at 6:15 PM**.

- (e) Rodent harborage – Abel 1 Pest control needs to provide detailed proof that there are no signs of rodents inside structure. All wholes on structure need to be sealed and maintained to prevent further rodent harborage. All screens under soffits need repaired to prevent further rodent infestation.
- (b) Protective treatment – scrape all peeling paint on structure and repaint to prevent further decay.

- (f) Exterior walls - Properly repair all holes on structure including but not limited to where brick meets the siding, siding, soffits, trim and wholes around outlets. The exterior brick walls of the chimney need fixed including filling in all masonry joints.
- (g) Roof and drainage – gutters need to be secured properly to house and repaired or replaced.
- (j) Stairways, deck, porches and balconies – repair back deck and take precautions to prevent further decay.
- (m) Window, skylight and door frames – All windows should be in good repair.
- (n) Insect screens – Screen in patio door needs repaired or door needs removed.

Please contact me with any questions regarding this notification. If the violation is resolved at any time during the penalty period please contact me immediately to conduct an inspection of the property. If civil penalties are assessed, you will receive an invoice from the city.

If civil penalties are not paid in full the city has a right to file a lien on said property (Sec. 1450.11(7)).

Thank You,

Melissa Jones
Code Enforcement Officer

2088 DANE LANE CODE VIOLATIONS

FEBRUARY 23, 2018 NOTICE:

Actions to be taken by 4/30/2018:

1. Trim or remove overgrown vegetation around the house.
2. Secure all holes in the walls and soffits of the house and shed to prevent rodents from entering.
3. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health.
4. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.
5. Repair the holes in the walls of the shed or remove the shed from the property.
6. Repair all holes in the walls and soffits of the house.
7. Repair the gutters on the house to prevent them from completely falling off of the fascia.
8. Remove and properly dispose of junk and trash around property.
9. Move mulch bags out of view.

MARCH 22, 2018 NOTICE:

Additional actions to be taken by 4/30/2018:

10. Remove all brush piles in front yard to rear yard, limit one per property.
11. Scrape all peeling paint on structure and/or shed and repaint to prevent further decay.
12. Properly repair all holes on structure including but not limited to where brick meets siding, soffits, trim and holes around outlets.
13. The cover for the chimney clean out needs to be put back and properly secured to structure.
14. Repair decking and take precautions to prevent further decay on all decking.
15. Replace missing windows out of storm door on front of residence.
16. All windows should be in good repair.
17. A portion of the screen is missing out of rear storm door and needs replaced.

2088 DANE LANE CODE VIOLATIONS

MAY 22, 2018 BELLBROOK PROPERTY REVIEW COMMISSION HEARING DIRECTIONS:

The board directed that the following four violations be resolved by June 5, 2018:

1. Accessory structure – remove shed from property.
2. Outside storage – remove garbage bags, skids, and all miscellaneous items under side porch and in front of shed.
3. Vegetation – cut and maintain grass and/or weeds. Trim and maintain bushes and trees around property.
4. Brush pile – remove from property.

The board directed for the owner to provide a detailed maintenance plan for the remaining seven violations by June 5, 2018, at 6:15 PM for review. The board suggested that a plan for inclement weather be included in the timeline.

1. Rodent harborage – Abel 1 Pest Control needs to provide detailed proof that there are no signs of rodents inside the structure. All holes on structure need to be sealed and maintained to prevent further rodent harborage. All screens under soffits need repaired to prevent further rodent infestation.
2. Protective treatment – scrape all peeling paint on structure and repaint to prevent further decay.
3. Exterior walls – Properly repair all holes on structure including but not limited to where brick meets the siding, siding, soffits, trim and holes around outlets. The exterior brick walls of the chimney need fixed including filling in all masonry joints.
4. Roof and drainage – gutters need to be secured properly to house and repaired or replaced.
5. Stairways, deck, porches, and balconies – repair back deck and take precautions to prevent further decay.
6. Window, skylight and door frames – All windows should be in good repair.
7. Insect screens – Screen in patio storm door needs repaired or door needs to be removed.

MAY 24, 2018 LETTER OF NOTIFICATION AND REQUEST FOR SUBMISSION OF MAINTENANCE PLAN TO MELISSA JONES, BELLBROOK CODE ENFORCEMENT OFFICER, BY May 31, 2018.

2088 DANE LANE CODE VIOLATIONS

STATUS AND RESOLUTION OF CODE VIOLATIONS:

VIOLATIONS CORRECTED/COMPLETED PRIOR TO MAY 22, 2018 BELLBROOK PROPERTY REVIEW COMMISSION HEARING:

1. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. (No active rodent infestation found)
2. Move mulch bags out of view. (Mulch applied to front flower bed and under trimmed bushes)
3. The cover for the chimney clean out needs to be put back and properly secured to structure. (Done)
4. Replace missing windows out of storm door on front of residence. (Door was removed)
5. A portion of the screen is missing out of rear storm door and needs replaced. (Door was removed)
6. Vegetation – cut and maintain grass. (Done. Brian Hinders has been contracted for this since the summer of 2017)
7. Vegetation – trim and maintain bushes and trees around property. (Done)
8. Roof and drainage – (The roof was not cited as a code violation, but a new roof had just been put on)

VIOLATIONS CORRECTED/COMPLETED AFTER MAY 22, 2018 BELLBROOK PROPERTY REVIEW COMMISSION HEARING UP TO May 31, 2018, WITH A JUNE 5, 2018 DEADLINE:

1. Trim or remove overgrown vegetation around the house. (Done. The area between the neighbor's fence and our side privacy fence has been trimmed/removed of overgrown vegetation)
2. Accessory structure – remove shed from property. (The shed has been torn down and removed from the property)
3. Outside storage – remove garbage bags, skids, and all miscellaneous items under side porch and in front of shed. (Garbage bags have been removed. Skids have been removed. Miscellaneous items in front of shed have been removed.)
4. Remove and properly dispose of junk and trash around property. (Done. The remaining items removed from the shed and placed in the covered patio area, which is fenced from view, are to be transported to Texas when the move is made. The February 23, 2018 Notice stated, "Outside storage. In residential zones, all outdoor storage shall be effectively screened from view and storage of miscellaneous items must be within enclosed structures or screened as required in the Zoning Code.")

5. Brush pile – remove from property. (Done)

VIOLATIONS CORRECTED/COMPLETED AFTER MAY 22, 2018 BELLBROOK PROPERTY REVIEW COMMISSION HEARING:

6. Secure all holes in the walls and soffits of the house and shed to prevent rodents from entering. (New soffit vents have been put on all around the house)
7. Repair the gutters on the house to prevent them from completely falling off of the fascia. (New gutters and downspouts have been put on the house)
8. Insect screens – Screen in patio storm door needs repaired or door needs to be removed. (Door has been removed)

We are doing our best to diligently resolve the remaining code violations and request at least 90 days to complete the work, with a 30 day rain contingency extension.

2135 Clearview Drive (Baker)

PRC Case# 18-06

Summary:

There is one violation on this property pertaining to exterior walls. In 2007 a permit was obtained for an addition on the rear of the structure. Mr. Baker was supposed to have all work finished within a year of obtaining permit. A property maintenance complaint was received in 2017 and letter(s) were issued for Mr. Baker to resolve violation.

Timeline:

2007

11-16 permit issued for the addition

2017

8-11 property maintenance complaint received

8-28 mailed out letter regarding complaint and requesting addition to be completed by 09-30

09-06 Mike Baker called to say that work has been done to clean up around the shed. Inspect again and call Mike at the beginning of October to see where he is at for completing the addition.

10-13 inspected and no change

10-16 DB spoke with Mike and he has done some work on the addition. Check back in early November.

11-21 - MJ Inspected addition it is not finished (looked like no work has been done).

11-28 Tried contacting Mike Baker. He was not in at the moment per person who answered the phone

12-06 - stopped by to check on progress. The weather proofing was redone on the addition but still no siding. MJ will send out another letter. MJ tried knocking on door and no one answered.

12-12 - Sent out another letter regarding addition. Previously, it was supposed to be completed on 09/30/2017. MJ is extending until 01/01/2018.

12-17 mailed out letter

12-19 no change to addition

2018

01-02 will re-mail out letter sending to PRCH in Feb., have not rcvd any communications from residence.

01-09 drove by home, no change to addition on back of home. MJ is giving until 01/30/2018 unless resident contacts us.

01-11 mailed out final letter

01-30 spoke with Mike baker. MJ gave him a deadline of 04/30/2018. If the addition is not done by then he will proceed with PRCH on 5/22/2018.

04-30 Rcvd phone call from Mike Baker regarding not able to have addition completed. He stated that due to weather and other circumstances he has not been able to have it done by requested date and will be getting it done in May. I tried returning his call and left a voicemail. Mike did call me back and we spoke about his circumstances with his wife being ill and sister passing. I did let Mike know that he does have until May 22nd, the date of the hearing to have it complete. I stated if the issue is resolved then there will be no case and I can let the PRC know. Mike said he will try his best to have it done. I did tell Mike that even if it is halfway done it will show the PRC his intent to complete it.

05-22 case went before the BPRC

05-23 motion letter mailed out (**see attached**)

Staff Recommendation:

The city will inspect on June 5th, 2018 to document the progress on the exterior walls of the addition. If progress is not sufficient the city recommends fines starting on June 6th and prosecution if not completed within 30 days.



May 24, 2018

Michael & Linda Baker
2135 Clear View Drive
Bellbrook, Oh 45305

Re: PRC Case #18-06

Dear Mr. & Mrs. Baker,

City of Bellbrook
15 East Franklin Street
Bellbrook, Ohio 45305

T (937) 848-4666
F (937) 848-5190

www.cityofbellbrook.org

This is to notify you that BPRC Case # 18-06, regarding the property located at 2135 Clear View Drive, Bellbrook, has been reviewed by the Bellbrook Property Review Commission at a public hearing which was held on May 22, 2018. After public and board discussion of the case, the board directed the property owner to address **one violation** of the maintenance code, Section 1450.32 Exterior Structure Exterior Property areas.

The board directed that the following violation needs to show progression by **June 5, 2018** or fines could be assessed:

(f) Exterior walls – Unfinished addition from 2007, Installation on the exterior walls need to be in progress.

The board will review the progression of the violation at the **June 5th, 2018 Property Review Commission Hearing held at 6:15PM** and determine if the suggested deadline date of July 31, 2018 will be acceptable.

Failure to resolve the above violations by the date given will result in penalties being assessed beginning June 6th, 2018.

Each penalty assessed will be a 1st offense rate of twenty-five (\$25.00) per day, per offense, or two hundred fifty dollars (\$250) per offense total. To avoid these penalties please show progression on the violation(s) by stated date.

Thank You,

Melissa Jones
Code Enforcement Officer