

Kathy Catazaro-Perry, Mayor

# Massillon

*City of Champions*

## BOARD OF BUILDING APPEALS

### AGENDA

Tuesday, May 16, 2023  
1:30 PM

Municipal Government Annex Building  
151 Lincoln Way East ~ Massillon, Ohio 44646

- **Call Meeting to Order**
- **Approval of Minutes from February 16, 2023 Meeting (attached)**
- **New Business**
  - **853 1<sup>st</sup> St NE – Property Maintenance Issues**
  - **179 24<sup>th</sup> St SE – Inspection on Existing Non-Conforming**
- **Old Business**
  - **220 2<sup>nd</sup> St NE – Demo following 30-Day Extension**
    - **(February 26, 2023)**
  - **869 16<sup>th</sup> St NE – Property Maintenance Issues, Demo order**
    - **(April 8, 2023)**
  - **1313 Walnut Road SE – Appeal Demo Order**
    - **(June 30, 2023)**
  - **1319 Walnut Road SE – Appeal Demo Order**
    - **(June 30, 2023)**
  - **514 Lincoln Way E – Demo Order**
    - **(April 30, 2023)**
  - **671 Fries SE – Demo Blighted Property, Approve Demo**
    - **(February 26, 2023)**
  - **518 4<sup>th</sup> St SW- Demo Blighted Property**
    - **(July 31, 2023)**
- **Meeting Adjourned**

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***CITY OF MASSILLON, OHIO***  
***Building Board of Appeals Meeting Minutes***  
***February 16, 2023***

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The Massillon City Building Board of Appeals Committee met on Thursday, February 16, 2023, at 9:30 AM at the Municipal Government Annex Building.

**Commission Members Present:** Engineering Dept; Chairman Greg McCue, Fire Dept; Chuck Ganoë, Building Dept; Travis Pfeffer, Health Dept; Terri Argent, Jeff Harris from Remax Edge Realty, Mark Fair with Ryan Homes

Code Officers; Trevor Griffiths, Chad Hennon, and Jim Johnson

**Commission Members NOT Present:** Building Dept; Frank Silla

**Other Attendees:** Law Dept; Edmond Mack, Engineering Admin; Kristin Sukosd, Economic Development Dept; David Maley

**Call to Order:** Chairman Greg McCue called the meeting to order at 9:30 AM. The first order of business was to approve the minutes from the last December 1, 2022, meeting. Greg McCue stated that there were a few roll call errors that needed revised. Capt. Ganoë will re-sign the minutes as Chairman at that December meeting once they are revised. Capt. Ganoë made a motion to accept the minutes with the revisions stated, seconded by Mark Fair. All present members were in favor, and the motion unanimously passed. Edmond Mack swore in all testimonies.

**New Business:**

***1. 671 Fries St SE – Demo Blighted Property, Approve Demo***

Code Officer Trevor Griffiths presented the case. Pictures of the completely dilapidated structure were shown. Per auditor's website, the owner is Portage Banc LLC. A 30-day demolition order was mailed on October 25, 2022, with no response. A second and final demolition order was posted and mailed on December 12, 2022, with no response. Mr. Griffiths asks the board to consider proceeding with the demolition order. Terri Argent made a motion to uphold the second and final 10-day demolition order, seconded by Jeff Harris. All present members were in favor, and the motion unanimously passed.

***2. 518 4<sup>th</sup> St SW – Demo Blighted Property***

This item was previously tabled at the December 1, 2022, meeting. Mark Fair made a motion to un-table this agenda item to be presented to the board, seconded by Terri Argent. All present members were in favor, and the motion unanimously passed. Code Officer Trevor Griffiths presented the case that was appealed by the owners, F&M Properties. A demolition notice was mailed on October 25, 2022, and a request for an appeal was issued by the owner.

The owner was unable to attend the December meeting and would like to move forward with their appeal today. Mr. Griffiths added that since the order was posted, there have been some improvements to the exterior and the property is currently secure. Mildred Kowell with F&M Properties was present and dispersed an itemized list of exterior and interior improvements that they intend to be ready for final inspection by July 31, 2023. Chairman Greg McCue asked if any building permits have been issued yet? Mrs. Kowell said she was told by Code Enforcement to wait until this meeting for approval first before obtaining any building permits. Mr. Griffiths added that there are trees currently disrupting the roof and the antenna on the roof. The tree needs maintained or removed for safety purposes and the chimney repairs need to be added to the plan of action. Mr. Jim Johnson recommends to the board that they accept the plan of action presented by the owners, with an extension of the 30-day notice to July 31, 2023, being the absolute deadline. Mr. Johnson said the permits need to start being pulled immediately following this meeting. Captain Charles Ganoe made a motion to accept the owner's plan of action with the final inspections completed by July 31, 2023, seconded by Jeff Harris. All present members were in favor, and the motion unanimously passed.

If not upheld, a final 10-day demolition order would be issued.

#### **Old Business:**

##### ***1. 220 2<sup>nd</sup> St NE – Update on Demo Order Following 30-day Extension.***

Code Officer Trevor Griffiths stated that this has been an ongoing open case since February 9, 2022. The structure has suffered further deterioration since then. There has been no more direction from Attorney Steven Franks representing the financial institution Shellpoint since the 30-day extension appeal was made in December 2022. Mr. Griffiths recommends continuing with the demolition order and asks that the law department hold the owner and Shellpoint responsible. Mr. Griffiths said the MCS (Mortgage Contracting Service) has been Code Enforcement's only point of contact. The final 10-day demolition order was previously on hold due to funding, but it is available now. Mark Fair made a motion to uphold and proceed with the original 10-day demolition order, seconded by Terri Argent. All present members were in favor, and the motion unanimously passed.

##### ***2. 869 16<sup>th</sup> St NE – Update on Property Maintenance Issues, Demo Order.***

Code Officer Trevor Griffiths stated there are ongoing property maintenance issues with the home, roof, and the detached garage roof. The house is in danger of taking in water if it hasn't already due to the curled and peeling shingles. Mr. Griffiths said there has been no contact and the owner has since passed away. A notice was posted regarding today's meeting and Mr. Griffiths was reached by the deceased owner's granddaughter on February 14, 2023, who has been occupying the home with her mother. Probate has not been initiated; the granddaughter is supposedly seeking advice from an attorney on moving forward with that. The granddaughter inquired about any city programs that could help with the funding of these repairs, Mr. Griffiths had told her that funding cannot be issued since the house is not in her name. The Terri Argent questioned the safety of having occupants living in those conditions. Mr. Griffiths said they do not know the interior conditions, but it appears they are keeping it ventilated by having windows open. The home needs proper ventilation and a new roof. The garage will possibly have to be demolished if prompt action is not taken. Chairman

Greg McCue suggested that the board move forward with a decision because this case has been drawn out. Chairman Greg McCue gave a summary of the last (2) years notices on this property. Chairman McCue recommends a 30-day stipulation to make progress, if not move forward with the demolition notice to the executor of the estate. If an executor cannot be determined at that time, a vacate order will be issued, and a recommendation from the Law Department to proceed with the demolition order. Code officer Jim Johnson requested a 45-days with the current workload in Code Enforcement. The original order for repairs from 2021 had not been addressed at all.

Jeff Harris made a motion to issue a notice pertaining to the original final notice that compliance on these repairs and corrections need to be made within 45 days or by April 8, 2023, seconded by Captain Charles Ganoe. All present members were in favor, and the motion unanimously passed.

**3. 1313 & 1319 Walnut Road SE – Update on Demo Order Appeal**

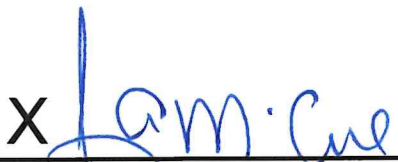
Code Officer Jim Johnson recommends extending the original demo order to June 30, 2023. The properties now officially have an owner, and they are no longer held up with probate issues. Progress has continued with the exterior of these homes. Mark Fair made a motion to extend the demolition order with a deadline date of June 30, 2023, for final completion on both properties, seconded by Jeff Harris. All present members were in favor, and the motion unanimously passed.

**4. 514 Lincoln Way E – Update on Demo Order**

Code Officer Jim Johnson said that the owners are working several days a week and expect to have the exterior completed by the end of March 2023. The interior is currently basically studded out and ready for drywall soon. It was mentioned that the property will need to be rezoned to O-1 before any occupancy takes place. The deadline of April 30, 2023 still remains in effect from the last meeting.

**Adjournment:**

Jeff Harris made a motion to adjourn, seconded by Mark Fair. Meeting adjourned at 10:27 AM.

X 

Greg McCue - CE, Engineering Manager  
Board of Appeals Chairman, City of Massillon