

Minutes
Nuisance Board of Appeals
Tuesday, October 16, 2007
2:00 p.m.
728 Second Street – Room 25
Portsmouth, Ohio 45662

The Nuisance Board of Appeals met in regular session at 2:00 p.m. in the City Engineering Department 728 Second Street-Room 25, Portsmouth, Ohio 45662. Board Members in attendance were Mayor James Kalb, City Solicitor David Kuhn and Howard Baughman.

Others Present:

Regina Hayden Home Federal S & L of Kentucky
Attorney Stephen Oliver 701 6th Street, Portsmouth, Ohio 45662

Item # 1 Ronald & Tina Greene
1625 Mabert Road
Portsmouth, Ohio 45662

Re: Status report of property located at 1621 Mabert Road, Portsmouth, Ohio 45662

Discussion: James Kalb asked Larry Justice, Housing Inspector for his recommendation on the property and Mr. Justice's recommendation is that the Board grant Mr. & Mrs. Greene the 15 days they are requesting. Mr. Justice stated they have already purchased the property at 1611 Mabert Road and as it states in the letter the Engineering Department received October 12, 2007 from Ronald Greene's Aunt Dale Nelson the purchase agreement is that they had to allow 15 days for moving purposes to get the current tenant out of the house at 1611 Mabert Road.

Mr. Kalb inquired whether or not Mr. & Mrs. Greene are going to have the property at 1621 Mabert Road razed and Mr. Justice answered yes, stating from his understanding Mr. & Mrs. Greene have already hired a contractor to raze the house. Mr. Justice informed the Board that the 15 days requested will put them to October 31, 2007. Mr. Justice informed the Board that Mr. & Mrs. Green are doing everything they can to abide by the rules of the Nuisance Board of Appeals.

David Kuhn made a motion to continue Item # 1 to the November 20, 2007 Nuisance Board Meeting. Howard Baughman seconded the motion. The vote was 3-0.

Item # 2 Southern Ohio Rental Properties
68 Burkes Lane
Wheelersburg, Ohio 45694

Re: Johnson & Oliver representing Home Federal Savings & Loan Association requests the Nuisance Board of Appeals please forgo any demolition or condemnation on the property located at 2136 7th Street, Portsmouth, Ohio 45662.

Discussion: Stephen Oliver, Attorney representing Home Federal S & L informed the Board that when Home Federal received the initial letter they just had a mortgage interest; and just last week Home Federal received the property through sheriffs sale and will acquire the property as soon as the sheriff schedules a deed. Mr. Oliver said Home Federal acquires a piece of property their intent is to sell the properties because; they are not in the business of owning real estate. He said what Home Federal would like to do at this time is secure the structure, clean it up and try to sell it with the understanding that whoever purchases the property will have to make all the necessary improvements and bring the property up to code. Board member Howard Baughman questioned whether or not the property could be brought up to code stating he drove by the property today and the window in the front is open and Mrs. Haden said the window does need boarded up but they were not able to do so until the sale. Larry Justice, Housing Inspector stated that there are new codes in affect which are the 1, 2, & 3 Family Dwelling Code as well as the Property Maintenance Code and Mr. Justice informed the Board that if a piece of property is boarded the Property Maintenance Code states the structure has to be maintained to where it is livable. Mr. Justice informed Mrs. Hayden that something needs to be done with the property because he can not leave the property in the condition it is in. He said the garage in the back of the property is atrocious and is concerned that someone will gain entry and get hurt. Mrs. Hayden said when Home Federal receives a deed they have every intention to do something with the property, but for now they are able to board up the structure and clean up the trash.

Board Member David Kuhn inquired whether or not Home Federal has someone in mind who would be interested in purchasing these types of properties and who are willing to make all necessary repairs and bring the properties up to code and Mrs. Hayden answered yes. Mr. Kuhn said the Board is willing to grant thirty to sixty days, but the Board does not want to get into a long term period of time where the property is just setting there and nothing happens. Mr. Oliver stated with Home Federal's track record once they have a deed they do take care of the properties to make them marketable until they are sold. Mr. Kalb inquired about a time line to acquire a deed from a sheriff's auction and Mr. Oliver said it takes about thirty (30) days to acquire a deed. Mr. Baughman inquired about the plumbing and Mrs. Hayden informed Mr. Baughman that the plumbing on several occasions has been removed. Mr. Kalb inquired whether or not Home Federal has the right to have the house secured and Mr. Justice answered yes. Mrs. Hayden said they will have the house secured as soon as possible and once they obtain the deed she will have Kathy to contact Mr. Justice to see what else needs to be done. Mr. Kuhn inquired about the weeds and Mr. Justice said the grass and the weeds are maintained although looking at the pictures of the structure it is clear there is foundation damage which needs to be addressed as soon as possible. Mr. Justice also stated at anytime a house sets vacant more than a couple f weeks in the City of Portsmouth people go in a strip out

anything they can and sell it and again he informed Mrs. Hayden that the property still needs to be maintained.

Mr. Kalb informed Mrs. Hayden that after the deed is received and the property is sold all the requirements will apply to the new owner and Mr. Kuhn answered yes, stating all requirements shall be disclosed to the new owner of property and that they shall obtain a building permit from the Engineering Department and they will have ninety (90) days to complete all the necessary repairs.

Howard Baughman made a motion to continue item # 2 for thirty (30) days to allow Home Federal time to receive a deed to the property. David Kuhn seconded the motion. The vote was 3-0.

Cc: Board Members
Petitioner(s)
Health Department
Fire Department
City Clerk/City Council
File