Chesapeake VIRGINIA

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CITY OF CHESAPEAKE
LOCAL BOARD OF BUILDING CODE APPEALS
Meeting Minutes for May 16, 2018

MEMBERS OF THE BOARD:

Mr. Kevin Ball, Chairman- present
Mr. Murray Goodwin –present
Mr. Gerald Martin – present
Mr. Robert Hudson – present
Mr. Eric Stichler – present

CITY OF CHESAPEAKE, DEPARTMENT OF DEVELOPMENT AND PERMITS

Mr. John King, Zoning Administrator
Mrs. Meredith Jacobi, Assistant City Attorney
Mrs. Allison Harper, Secretary

APPELLANTS

Karen Lindsey/Executor of the Estate-2445 Strawberry Lane

MINUTES

The meeting was called to order at 5:36pm, by Chairman Ball. Mr. King thoroughly explained to the board members a timeline of events beginning January 26, 2018 and ending April 10, 2018 of action that had been taken by the city in regards to the demolition of property address 2445 Strawberry Lane. Mr. King requested that the board upholds the notice of violation issued on March 26, 2018 and if the board allows additional time to complete repairs, it is suggested that the property owner is given a deadline of 30 days to obtain the engineer's report and contractor's agreement, 60 days to obtain required permits and 180 days for the structure to be repaired, inspected and issue a new Certificate of Occupancy or grant the city authority to demolish the property. Mr. King also stated that the structure had been posted as unsafe and it is unlawful to enter the structure unless permission is received by the Department of Development and Permits. Mr. King, Code Official, had not been contacted for further discussion of the process and procedures after the Demolition Notice was sent to the residence.

Meredith Jacoby, Assistant City Attorney, concurs with the Zoning Administrator. Mrs. Jacobi has also stated that the court documents relating to the Estate of William and Marjorie Lindsey are irrelevant to this appeal, but it was confirmed that Karen Lindsey, as the Executor of the Estate, holds responsibility of the property located at 2445 Strawberry Lane.

Ms. Karen Lindsey, Executor of the Estate, 2445 Strawberry Lane, stated that a fire took place at the residence on January 25, 2018. Since the fire, her family has been displaced to several locations due to

the damage that occurred to the home. Ms. Lindsey exclaimed that she was not aware of the process or procedures that needed to be followed after the event of the fire and when she returned to her home on several occasions, she found the demolition notices from the City of Chesapeake. Also, Ms. Lindsey was not aware that it was unlawful for her to enter the home after receiving the Notice of Unsafe Structure. She had previously been in contact with Michele Throckmorton, Code Enforcement Administrator of the Department of Development and Permits and Jay Tate, Director of Development and Permits, in regards to the Code Enforcement procedures of the Department. It was further explained in detail by the Board to Ms. Lindsey what specific steps that need to be taken to repair the structure. Ms. Lindsey plans to move forward with the repair process.

APPEAL 18-02 – 2445 Strawberry Lane

Due to the structure's deteriorated condition, City recommends repair of the structure or demolition.

Mr. Gerald Martin presented a motion to uphold the Notice of Violation given to the property owner on March 26, 2018 along within a 270 day timeframe from the date of the hearing, May 16, 2018, the engineer's report and contractor's agreement need to be obtained, the structure needs to be permitted, repaired and inspected, and a new Certificate of Occupancy needs to be issued. A waiver of liability(s) will need to be requested and approved by the City (John T. King, III, Code Office or his designee) for entry of the property. If the repairs are not completed within the 270 day timeframe and the appellant does not decide to demolish the structure, the City of Chesapeake will perform the demolition of the structure at 2445 Strawberry Lane.

Mr. Robert Hudson seconded the motion. The motion passed by unanimous vote of the Board.

There being no other business before the Board, the meeting adjourned at 7:04 pm.

Respectfully submitted for approval by Allison Harper, Secretary.

Allison Harper — Name

5/21/18 — Date

Minutes reviewed and approved by LBBCA.

Name

5/21/18 — Date