



**David Hays**

Code Enforcement Officer,  
City of Westerville

64 East Walnut Street  
Westerville, Ohio 43081  
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**NOTICE OF VIOLATION**

January 29, 2018

Charles A. and Gayle Moon  
PO Box 1177  
Westerville, Ohio 43086

CERTIFIED MAIL RECEIPT # 7013 1090 0001 9708 7917

Mr. and Mrs. Moon,

As identified in correspondence dated June 13, 2017; the City of Westerville is in receipt of complaints regarding the conditions of your property located at 46-48 North State Street, Westerville, Ohio, 43081, parcel identification numbers 080-000383-00 and 080-000384-00. Inspections of your property revealed the following violations of Westerville City Code.

The front (west) façade and side (north) façade exhibit disrepair and deterioration including but not limited to water penetration, vertical cracking, stair-step cracking, loose mortar, missing mortar, loose bricks, missing bricks, and tilting/detaching bricks. Westerville Property Maintenance Code § 304.1 requires the exterior of a structure to be maintained in good repair and structurally sound so as not to pose a threat to public health, safety or welfare. Westerville Property Maintenance Code § 304.2 requires all exterior surfaces to be maintained in good condition. Westerville Property Maintenance Code § 304.2 also requires all exterior siding and masonry joints to be maintained weather resistant and water tight. Westerville Property Maintenance Code § 304.6 requires all exterior walls to be maintained free from holes, breaks, loose or rotting materials, and be maintained weatherproof to prevent deterioration. Westerville Property Maintenance Code § 108.1.5 defines as a dangerous structure or premises any portion of a building that has been damaged by deterioration, neglect or any other cause to such an extent that it is likely to partially or completely become detached or dislodged. Westerville Property Maintenance Code § 304.1.1 defines as an unsafe condition any siding or masonry joints that are not maintained weather resistant or water tight; structural members that exhibit evidence of deterioration; exterior walls that exhibit holes, cracks, breaks; exterior walls that are not properly anchored or are not capable of supporting all loads or resisting all load effects; and/or wall facings that are not properly anchored or incapable of supporting all loads or resisting all load effects.

The steel header at 46 North State Street exhibits disrepair and movement. Westerville Property Maintenance Code § 304.1 requires the exterior of a structure to be maintained in good repair and structurally sound so as not to pose a threat to public health, safety or welfare. Westerville Property Maintenance Code § 304.2 requires all exterior surfaces to be maintained in good condition. Westerville Property Maintenance Code § 304.4 requires structural members to be maintained free of deterioration and shall be capable of safely supporting all dead and live loads. Westerville Property Maintenance Code § 304.6 requires all exterior walls to be maintained free from holes, breaks, loose or rotting materials, and be maintained weatherproof to prevent deterioration. Westerville Property Maintenance Code § 304.1.1 defines as unsafe any structural members that exhibit evidence of deterioration; exterior walls that exhibit holes, cracks, breaks; exterior walls that are not properly anchored or are not capable of supporting all loads or resisting all

load effects and/or wall facings that are not properly anchored or incapable of supporting all loads or resisting all load effects.

The roof, gutters and downspouts exhibit deterioration and disrepair resulting in leaks at one or more locations on the interior of the structure. Westerville Property Maintenance Code § 304.7 requires the roof and flashing to be sound, tight and not have defects that admit rain. Additionally, roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Westerville Property Maintenance Code § 304.1.1 defines as unsafe any roof or roofing component having defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that exhibits disrepair or deterioration.

In order to resolve these violations, you are required to immediately comply with the recommendations identified in the attached *Engineering Letter* dated January 4, 2018 prepared by Robert W. Miller, PE, of New Avenue Architects & Engineers. Please be advised a Certificate of Appropriateness (application attached) and a Commercial Building Permit (application attached) are required prior to commencement of work. Please submit a Certificate of Appropriateness application and Commercial Building Permit application no later than **February 14, 2018**.

If you wish to request an opinion as to the existence of a violation, as is your right under Westerville Codified Ordinance § 1107.02, you may do so by submitting a written request for opinion within 15 days of receipt of this correspondence. Please submit the written request to:

The Westerville Board of Zoning Appeals  
64 East Walnut Street  
Westerville, Ohio 43081

Re-inspections will begin on or after **February 14, 2018** in order to verify compliance. Instances of noncompliance will result in charges being filed in a Court of proper jurisdiction. Questions, comments or concerns regarding this matter may be directed to 614-901-6660 or [David.Hays@westerville.org](mailto:David.Hays@westerville.org).

Respectfully,

David W. Hays  
Code Enforcement Officer

attachments:      January 4, 2018 Engineering Letter  
                                 Certificate of Appropriateness application  
                                 Commercial Building Permit application

copies (without attachment) furnished to:

Whit's Frozen Custard	Meza Wine Shop
46 North State Street	48 North State Street
Westerville, Ohio 43081	Westerville, Ohio 43081