

APPLICATION
ARCHITECTURAL BOARD OF REVIEW/SIGN REVIEW BOARD
BOARD OF BUILDING STANDARDS

Property Address 15609-17 DETROIT Business Name NONE
Owner Name & Phone ARBERIA LLC 216-355-6632 Owner Address C/O KUSTIM DANTI MANAGER 2040 ARTHUR AVENUE WESTLAKE, OH 44145
Project Description COMMERCIAL PROPERTY w/ 6 APTS. + 3 STORE FRONTS

Incomplete or Late Applications will not be Accepted. (See calendar on page 2 for deadlines)

ACTION REQUESTED (Check all that apply)

Architectural Board of Review - (Commercial \$50.00, Residential \$25.00)

Examples: Modifications to the exterior of a building, new construction, commercial landscaping, installation or modification of fencing, parking lot modification. See Building Code Chapter 1327 for complete regulations.

Sign Review Board - (\$25.00)

New signs and modifications, replacement or upgrades to existing sign. See Chapter 1329 for sign regulations.

Board of Building Standards - (\$25.00)

All requests for variances to the Building Code. See Building Code Chapter 1327 for complete regulations.

Submission Requirements:

Architectural Board of Review: 1-7, 9, 10 Sign Review Board: 1-4, 6, 8, 9, 10 Board of Building Standards: 1-5, 9, 10

1. A detailed written description of the request signed by the applicant/owner. *APPEAL OF 1/31/11 DECISION DECLARING PROPERTY A PUBLIC NUISANCE*
2. Letter of Authorization from property owner, if different from the applicant.
3. A scaled site plan detailing elements of the proposal and showing adjacent properties and uses. (3 copies, 8.5 x 11)
4. Photos of the existing conditions.
5. Scaled elevations, sections and perspectives of proposed building improvements. (3 copies color, 8.5 x 11)
6. Material samples.
7. Manufacturer's cut sheets for lighting, fencing and any other architectural element. (3 copies color, 8.5 x 11)
8. Scaled and dimensioned drawings of all signage including location, colors and materials. (3 copies color, 8.5 x 11)
9. Authorization for Property Access signed by the Owner. (Pg. 2 of this application form)
10. Fee(s)

Applicant Name (Print Clearly): ARBERIA LLC Company
Applicant Address: 2040 ARTHUR AVENUE WESTLAKE, OH 44145
Phone: 216 355 6632 Fax: _____ E-mail: TIM DANTI@ATT.NET
Signature: *[Signature]* TIM DANTI MAN. MGR. Date: 1/31/11

OFFICE USE ONLY: Application Reviewed and Accepted by: *[Signature]* Date: 1/31/11

File History: _____
Bldg. Dept. Remarks: APPEAL OF THE RECIANTION OF PUBLIC NUISANCE ISSUED 1/20/11 BY THE BUILDING DEPT.



JEFFREY T. ASHBY
ASST. DIRECTOR of PUBLIC SAFETY
216/529-6280

DIVISION OF HOUSING & BUILDING
12650 DETROIT AVENUE • LAKEWOOD, OHIO 44107 • 216/529-6270 • FAX 216/529-5930
website : www.one.lakewood.com

January 21, 2011

REGULAR US MAIL & CERTIFIED US MAIL

Arberia, LLC
c/o 2040 Arthur Ave.
Westlake Ohio 44145

Attn: Kujtim Dauti, Statutory Agent

**YOU HAVE BEEN IDENTIFIED AS A POSSIBLE LIEN HOLDER IN THE PROPERTY KNOWN AS
15609-17 DETROIT AVE AKA 15613 DETROIT AVE., LAKEWOOD, OH 44107 PARCEL #313-25-005**

Per Ordinance 40-09, Section 1306.521 and 1306.522 the building structure at this location has been **Declared a Public Nuisance**. A copy of the ordinance has been enclosed for review.

This letter serves as written notice of our **Intent to Repair or Demolish** under the above stated ordinances, and specifically, pursuant to Lakewood Codified Ordinance 1306.522 (f).

Due to repeated inspections of the property and/or court appearances, whereby the owner failed, neglected, or refused to comply with previous Correction Notice(s) and/or shutoff orders of utilities due to non-payment, this structure has been deemed unsafe to occupy, is vacant, constitutes a fire and safety hazard by reason of inadequate maintenance and dilapidation. Latest issued "Correction Notice" attached.

Under Section 1306.522 (e) (1) A. The owner, agent or person in control of a public nuisance structure shall have a **Right to Appeal** this order to the Lakewood City Board of Building Standards and Building Appeals **within ten (10) days of the service of this notice** and B. The Board of Building Standards and Building Appeals shall hold and conduct a public hearing within twenty (20) days of the receipt of the notice of appeal. Under Ohio Revised Code 119.13 a party or affected person may be represented by an attorney.

Contact the Lakewood Building Department at 12650 Detroit Ave., Lakewood, OH between the hours of 8AM-5PM, Monday through Friday, should you wish to file a written appeal.

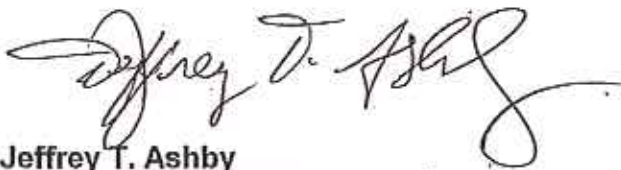
Unless the public nuisance is brought into compliance by the manners outlined, the City **may proceed with abatement, including demolition, no sooner than February 1, 2011.**

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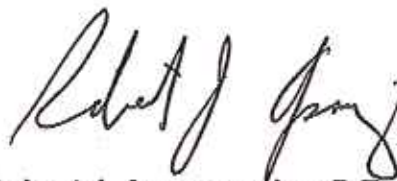
Abatement of the nuisance structure can be achieved by correction of the violations to the minimum standards of the Codified Ordinances of Lakewood, Ohio, the Revised Code, and Ohio Administrative Code, including the Ohio Fire Code, or by demolition and removal of the public nuisance structure.

Should the owner not abate the nuisance within the required time, the Commissioner or designee may take the appropriate action to repair or remove the nuisance structure, including demolition. Costs of the abatement are the responsibility of the property owner(s) and will be collected by the City per the ordinance provisions.

FAILURE TO ABATE THE NUISANCE PER THIS NOTICE COULD RESULT IN PROSECUTIVE ACTION OR OTHER PENALTY AS PROVIDED BY LAW.



Jeffrey T. Ashby
Assistant Director of Public Safety
City of Lakewood



Robert J. Apanasewicz, P.E.
Assistant Building Commissioner
City of Lakewood

Attachments:

- Ordinance 40-09 Section 1306.521 and 1306.522
- Correction Notice dated 5/7/09

c: ✓ File Copy
Law Dept.
Planning & Development Dept.



CORRECTION NOTICE FILE COPY

12650 Detroit Avenue • 44107

Building Commissioner: (216) 529-6270
Commercial Division: (216) 529-6278
Housing Division: (216) 529-6285
Fax: (216) 529-5930
www.ci.lakewood.oh.us

ANTHONY AMATO
1435 MIDDLETOWN ROAD
HUDSON, OHIO 44236

DATE: 5/7/09
ZONING DISTRICT: C2
TYPE OF STRUCTURE: 3B
AUTHORIZED OCCUPANCY: 6 D/U, 3 BUSINESS
PRESENT OCCUPANCY: 5 D/U, 3 BUSINESS
PARKING SPACES AVAILABLE: N GARAGE Y OPEN

RE: 15609-17 DETROIT

TYPE OF INSPECTION: Annual • Certificate of Occupancy • Complaint • DCD Program

Dear M/M AMATO:

A recent inspection of the above noted property disclosed the following corrections are necessary for safe, sanitary, and proper maintenance standards as required by the Codified Ordinances of the City of Lakewood (Ord. 85-78).

The personnel of the Division of Housing and Building want to cooperate with you in keeping this city a fine place to reside. Efforts in maintaining this property are appreciated. The enforcement of Lakewood's Codes is critical to the future of our city, and our department is prepared to work with you to make the following corrections.

EXTERIOR CORRECTIONS

- 1. Remove unlicensed/immobile vehicle (1143.09)
- 2. Cease parking on lawn (1143.02(f))
- 3. Remove unapproved furniture from porch/patio/deck (1306.31)
- 4. Remove debris/unsightly material from yard area(s) (1306.31)
- 5. Remove debris/unsightly material from porches (1306.31)
- 6. Store firewood 8 inches above grade (1779.01(f))
- 7. Provide house numbers a minimum of 4" high (1313.04(b))
- 8. Provide sufficient garbage/rubbish containers with lids (1306.2627)
- 9. Remove dead tree/branches (1306.31)
- 10. Maintain lawn/landscaping (1306.31)
- 11. Provide/repair/replace steps (1306.30(b)(1))
- 12. Provide materials that match and conform (1306.30(b)(2))
- 13. Provide/maintain gutters/downspouts (1306.29(c))
- 14. Seal downspouts to storm sewer (1306.29(c))
- 15. Maintain/provide lattice (1306.30(b)(1))
- 16. Repair/replace porch decking/trim (1306.30(b)(1))
- 17. Provide/maintain porch ceiling/pillars/rails (1306.30(b)(1))
- 18. Maintain/provide doors/windows/screens (1306.25/29(a))
- 19. Repair soffit/fascia (1306.30(b)(1))
- 20. Maintain Siding (1306.30(b)(1))
- 21. Repair/Replace roof (1306.29(c))
- 22. Maintain foundation/exterior walls (1306.29(a))
- 23. Maintain chimney (1306.30(a))
- 24. Repair/replace driveway/service walk (1306.31)
- 25. Maintain fence (1306.31)
- 26. Maintain living fence 3 ft. maximum height (1153.02)
- 27. Raze and rebuild/repair garage (1306.30(b))
- 28. Maintain garage/siding/trim/windows/doors (1306.30(a))
- 29. Paint exterior surfaces where weathered/peeling (1306.30(c))
- 30. Paint/stain steps/porch (1306.30(c))
- 31. Paint/stain bare/new surfaces (1306.30(c)(3))
- 32. Provide/maintain handrail on stairs (1306.29(e))
- 33. Remove cooking appliance/device from porches (1306.31/60)
- 34. Remove temporary holiday lighting (1306.22)

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INTERIOR CORRECTIONS

- 35. Provide/maintain automatic door closures (1306.55) **hall entrys**
- 36. Provide/maintain fire-rated doors (1306.55)
- 37. Maintain emergency lighting/exit signs (4101.3401.2)
- 38. Provide/maintain CO detector within 24 hours. CO detector shall be hard wired or 110 v A.C.(plug in) (1331.01(d))
- 39. Provide/maintain smoke detector within 24 hours. Smoke detectors shall be hard-wired or sealed, tamper proof, long life battery type. (1331.01(a)) **throughout.**
- 40. Maintain Window(s) operable/in good repair (1306.29(d))
- 41. Maintain interior doors operable (1306.32(a)) **throughout**
- 42. Repair plaster (1306.29(c))
- 43. Maintain walls/floors/ceiling structurally sound (1306.29(a)) **apts, halls**
- 44. Provide/maintain handrail for all stairs (1306.29(e))
- 45. Maintain bath floor/walls impervious to water (1306.29(h))
- 46. Remove debris from interior (1306.29(k)) **BSMT/ throughout**
- 47. Provide/maintain approved heating facilities (1306.18(19))
- 48. Provide dirt leg for HWT/furnace (1306.29(f))
- 49. Provide proper pitch of flue pipe (1306.29(g))
- 50. Seal flue pipe at chimney (1306.29(i))
- 51. Provide approved flue pipe material (1306.29(j))
- 52. Provide full size HWT T & P valve runoff pipe (1306.29(l))
- 53. Maintain plumbing fixture(s) (1306.29(g)(8))
- 54. Replace waste pipes (1306.29(g)(7))
- 55. Repair/replace water supply pipes/valves (1306.29(g)(4))
- 56. Bond the water meter (NEC 250.68(b))
- 57. Provide approved installation of elec. conductors (NEC 300.4)
- 58. Eliminate improper splices (NEC 300.15)
- 59. Eliminate extension cord used as permanent wiring (NEC 400.8)
- 60. Eliminate dead end wiring/exposed live parts (NEC 90.4)
- 61. Replace broken/missing switch/receptacle covers (NEC 406.5404.9(A))
- 62. Correct reverse polarity/grounding of receptacle (NEC 200.11/250.146)
- 63. Maintain receptacles/switches/fixtures (1306.22) **globe all lights in common areas/occupable rooms**
- 64. Ground three-prong receptacle(s) (NEC 406.3(D))
- 65. Seal unused openings in all boxes/panels (NEC 110.12(A))
- 66. Provide covers to all junction boxes (NEC 314.28(C))
- 67. Remove two wires under one lug (NEC 110.14(A))
- 68. Maintain/provide G.F.C.I. receptacle(s) (NEC 210.8(A)and(D)) **BTR/KIT at sink countertop**
- 69. Ground all panel boards (NEC 250.80 & 408.40)
- 70. Reduce fuses to 15/20/30 amperes (NEC 240.4(d))
- 71. Provide equipment grounding bar (NEC 408.40)
- 72. Provide grounded receptacle for appliances (NEC 250.114)
- 73. Secure elec. equipment to surface (NEC 110.13(A))
- 74. Provide working clearance at electrical equipment (NEC 110.26(A)(1))
- 75. Secure required permit (1306.62)(1306.63) **electrical**
- 76. Secure/post the housing license (1306.43(a)) (1306.45)
- 77. Provide/post the custodian's name, hours & location (1306.33(e))
- 78. Provide for re-inspection at **10:00AM** on **6/12/09** (1306.50)

CITY OF LAKEWOOD CORRECTION NOTICE P. 3 DATE: 5/7/09 Re: 15609-17 DETROIT

79. Certificate of Occupancy inspections required for each storefront/business.(1306.52(a))

80. No occupancy permitted in apartment #2 without prior authorization from Lakewood Building Department.(1306.49(a))

81.

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84.

If you have any questions on complying with the aforementioned correction(s) noted by (X) #39 by 5/14/09 ; correction(s) all others by 6/12/09; and correction(s) by , or if I may be of any assistance, do not hesitate to contact me.

Property owners may qualify for financial assistance for major building corrections. Please contact the Division of Community Development at (216) 529-4663 for information about financial assistance.

This was a VISUAL INSPECTION. The city assumes no liability or responsibility for failure to report violations that may exist and makes no guarantee whatsoever that future violation(s) cannot or will not occur.

Prior to the start of work, permits are required for electrical, plumbing, heating, air conditioning, building, fencing, paving, and/or demolition work.

Thank you for your anticipated cooperation.



Phone: 216.529.6282

E-mail: Timothy.McDonough@lakewoodoh.net

Abbreviations used: BDR-bedroom, KIT-kitchen, BTRM-bathroom, LVRM-living room, DNR-dining room, CLR-cellar, AT-attic, D/U-dwelling unit

CC: KUJTIM DAUTI & AZIZ UKSHINI
1435 EAST 47TH ST.
CLEVELAND, OHIO 44115

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DIVISION OF HOUSING AND BUILDING
 12650 DETROIT AVENUE • LAKEWOOD, OHIO 44107 • 216/529-5270 • FAX 216/529-5930
 Website: www.onelakewood.com

EDWARD F. FITZGERALD
 PROJECT ADMINISTRATOR FOR NEW LAKEWOOD
 ACTING BUILDING COMMISSIONER
 216/529-6297

ASSISTANT BUILDING COMMISSIONER
 COMMERCIAL DIVISION - 216/529-6274

JAMES J. FILLAR
 ASSISTANT BUILDING COMMISSIONER
 HOUSING DIVISION • 216/529-6285

AFFIDAVIT

RE: 15609-17 DETROIT
 (Address)

In consideration of the issuance of a Certificate of Occupancy for the above captioned property, we (I) agree to correct violation(s) # ALL
 by 7/11/09 and violation(s) # _____
 by _____ listed in the correction notice(s) dated 5/7/09.
 We (I) acknowledge receipt of a copy of this notice(s).

The undersigned, having been duly sworn, says that all statements contained in foregoing affidavit are true.

KUJTIM TIM BAUTI
 (Name -- PLEASE PRINT)

X [Signature]
 (SIGNATURE)

2040 ARTHUR AVE
 (Current Address -- PLEASE PRINT)

X [Signature]
 (SIGNATURE)

WESTLAK OH 44145
 (City) (State) (ZIP Code)

SAME ABOVE
 (Address -- AFTER PROPERTY TRANSFER)

Tentative title transfer 6/5/09
 (Should be within 10 days of this affidavit)

(216) 355 - 6632
 (Telephone Number)

Copy of Driver's License

Subscribed and sworn to before me this 16th day of June, 2009,
 by Kujtim Tim Bauti

[Signature]
 NOTARY PUBLIC

WALTER V. MAYNARD My commission expires 10/18/11
 Notary Public, State of Ohio, Cuy. Cty.
 My commission expires Oct. 18, 2011

(Revised 1/09)

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