



## ***Operations Committee - Board of Representatives***

Joseph Coppola, Jr., Chair

John Zelinsky, Jr., Vice Chair

# **Committee Report**

**Date:** Thursday, May 19, 2016

**Time:** 7:00 p.m.

**Place:** Republican Caucus Room, 4<sup>th</sup> Floor, Government Center, 888 Washington Boulevard

The Operations Committee met as indicated above. In attendance were Chair Coppola, Vice Chair Zelinsky and Committee Member Reps. Buckman, Coleman, Giraldo and Liebson. Absent or excused were Committee Member Reps. Adams, Mahoney and McMullen. Also present were Norman Cole, Land Use Bureau; and Jim Lunney, Zoning Enforcement Officer.

Chair Coppola called the meeting to order at 7:00 p.m.

<b>Item No.</b>	<b>Description</b>	<b>Committee Action</b>
1. O29.062	REVIEW; Zoning Enforcement Procedures and Status of Enforcement Activities Related to Current Construction Projects. 02/03/16 – Submitted by Rep. Buckman 02/08/16 – Held at Steering 03/30/16 – Held in Committee 04/20/16 – Report Made & Held in Committee	<b>Report Made</b>

Mr. Buckman explained that he asked that this item be put on the agenda given recent news articles in order to be informed about recent activities and procedure.

Mr. Cole stated that the issue in the news is the building of a development in the wrong location. There was nothing wrong in the procedure followed. Prior to the building permit being issued, the plans were approved and the construction plans matched the approvals. He believes that the problem was the result of the surveyor using the wrong plan and laying out the building incorrectly and the failure to submit the as built plans to the Building Department for approval by the zoning official before backfilling. The construction workers noticed the mistake. There was no error by the City. The builder was notified of the steps they needed to follow, but failed to. It cost the developer \$3 million to fix the error.

In response to questions from the Committee, Mr. Lunney and Mr. Cole stated:

- Most people comply with permit requirements
- They try to do a final inspection
- They do review drainage
- The Land Use Department relies on the Building Department to bring things to their attention that might be zoning issues
- Violations are tracked
- The Land Use Bureau is short staffed
- They work with other departments that have enforcement ability, such as the Health Department and other agencies that can deal with safety issues
- Items are prioritized, in general, in the order they come in, unless there is a life safety issue or the Law Department requires an immediate responses
- There is no limit to the number of related individuals in a single family home
- There may only be 4 unrelated people in a single family home who count as a family
- A family of related individuals may have 2 boarders
- They assist developers seeking to comply with regulations

- <sup>1</sup>2. O29.067      REVIEW; Update on Progress of Amended Outdoor Dining Ordinance, [Chapter 214, Article V of the Code of Ordinances](#).      **Report Made**  
05/04/16 – Submitted by Reps. Zelinsky and Liebson

Mr. Lunney stated that

- there are only 14 businesses that have applied for outdoor patios, but the City has collected almost \$11,000 instead of \$1400
- the Building Department is signing for ADA compliance, not building compliance
- It is starting to go more smoothly and it will go more smoothly in the future
- There is no issue with bathrooms

3. O29.068      ORDINANCE for publication; Amendment of [Chapter 214, Article II of the Code of Ordinances](#), Encroachments and Excavations, to require any person or entity opening streets and digging more than three trenches to repave the street rather than require the City to do the repaving.      **Held in Committee 5-0-0**  
05/04/16 – Submitted by Rep. Zelinsky

A motion to hold Item No. 3 was made, seconded and approved by a vote of 5-0-0 (Reps. Coppola, Zelinsky, Buckman, Coleman and Liebson in favor).

Chair Coppola adjourned the meeting at 8:06 p.m.

Respectfully submitted,  
Joe Coppola, Chair

*This meeting is on [video](#).*

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<sup>1</sup> Video Time Stamp 00:58:16