

had either complied, been rescheduled, or were recommended by staff for an extension of time on the Consent Agenda: Cases #2008050010, #2008050015, #2008060160, #2008040197, #2008060035, #2008060119, #2008070034, #2008050137, #2008070303, #2008070299, #2008070287, #2008070042, #2008050114, #2008050156, #2008060099, #2008040203, #2008060084, #2008070122, #2008070110, #2008070171, #2008070184, #2008070119, #2008030107, #2007090125, #2008040182 and #2008040191 - 30 day extension until October 24, 2008. Cases #2008050216 and #2006110064 - 60 day extension until November 21, 2008. Cases #2008060136, #2008070141, #2008070127, #2008070142, #2008070205, #2008070215, #2008040180, #2008080017, #2008080040, #2008080086, #2008080084, #2008080121, #20080900309 and #2008070077 were rescheduled.

In compliance were Cases: #2008070283, #2008070035, #2008070211, #2008070096, #2008060087, #2008040102, #2008060145, #2008070078, #2008070140, #2008070214, #2008070317, #2008070328, #2008070107, #2008080098, #2008070350, #2008080052, #2008070016, #2008080054, #2008080055, #2008080070, #2008080101, #2008070347, #2008080033, #2008080020, #2008080007, #2008070364, #2008070353, #2008080063, #2008070340, #2008080060, #2008080087, #2008080077, #2008030023, #2008030018, #2008030045, #2008030044, #20080030022, #2008050215, #2008060114, #2008070120, #2008060132, #2008070015, #2008070041, #2008070159, #2008070235, #2007120030 and #2007120026.

Mr. Wixon noted there were two additions to the agenda, those being a Release of Lien hearing for Case #2007060120, Francois Pelletier; and Case #2008050078, Gifford Gardens LLC (Tenant – Lenny Wells), for which he recommended under Consent a 30 day extension until October 24, 2008.

Chairman Petrulak advised if anyone present had heard their name or case number called for a Consent item and wanted their case to be heard, they should get with their Code Enforcement Officer and the Board would accommodate their request.

1:13:48

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Owens, the Board voted unanimously (5-0) to accept the Consent Agenda with the revisions and recommendation.

with what she maintained were natural plants of up to three feet in height.

The Respondent said she was mowing her lawn and the area in question was a garden with herbs, wildflowers and other natural vegetation than served as a buffer from the street.

Discussion followed.

Mr. Wixon recommended the Board find a repeat violation and grant the Respondent 30 days, until October 24, 2008, to cut the yard down to 12 inches or less.

2:40:00

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Stetser, the Board voted unanimously (5-0) to approve staff's recommendation.

It is noted for the record the Respondent was present for this hearing.

LIEN RELEASE REQUESTS

2:40:31 **Case #2002030047 – Wal-Mart Stores Inc.**

Mr. DeBlois recalled this case had last been before the Board on May 19, 2008 regarding a lien dating back to August 24, 2002, as outlined in the backup on file in the Commission Office. He reported as of September 19, 2008 the Respondent had come into compliance on the site plan nonconformance and landscape maintenance violations. Mr. DeBlois advised under the \$100 per day fine that had accrued since the Order was first entered in 2002, the fine would be \$221,800 for 2,218 days of noncompliance.

Attorney Susan Motley, representing the Respondent, noted back in May, 2008 Mr. DeBlois had recommended a flat fine of \$10,000 contingent on the Respondent coming into full compliance with the revised landscape plan by October 27, 2008, and if compliance was not achieved the fine would revert to the original amount. She related the final determination was to continue the hearing and the Respondent could apply for reduction of the fine when compliance was achieved. Attorney Motley reminded the members when the Respondent was first cited for the landscape violations, they had spent over \$100,000 in trying to correct the situation; however nobody had gotten a final sign-off for the work done in 2002. She urged the

It is noted for the record the Respondent was not present for this hearing.

3:24:37 **Case #2008070018 – Virginia Thompson**

Inspector Carter Solomon submitted a photograph into evidence, which is on file in the Commission Office, and confirmed the junk vehicle and overgrown weeds violations were in compliance but there was still junk, trash and debris on the property. Mr. Wixon recommended the Board find the violations and grant 30 days, until October 24, 2008, for compliance.

3:24:49

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Owens, the Board voted unanimously (5-0) to approve staff's recommendation.

It is noted for the record the Respondent was not present for this hearing.

3:24:56 **Case #2008070138 – David Conran**

Inspector Carter Solomon submitted photographs into evidence, which are on file in the Commission Office. She advised the boat/trailer storage was in compliance and the remaining issues were a junk vehicle and junk, trash and debris. Mr. Wixon recommended the Board find the violations and grant 30 days, until October 24, 2008, for compliance.

3:25:47

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Owens, the Board voted unanimously (5-0) to approve staff's recommendation.

It is noted for the record the Respondent was not present for this hearing.

3:25:53 **Case #2008030145 – Bank of America**

Attorney Vitunac recommended this case be rescheduled and the property posted in order to get the property owner involved.

3:27:40 **Case #2008070258 – Modabi Homes of Florida City LLC**

Inspector Carter Solomon submitted a photograph into evidence, which is on

the Commission Office. She related the overgrown weeds violation was in compliance but there was still a zoning district use violation for outside storage, along with junk, trash and debris. Mr. Wixon recommended the Board find the violation and grant 30 days, until October 24, 2008, for compliance.

3:33:52

ON MOTION BY Mr. Owens, SECONDED BY Mr. Suthard, the Board voted unanimously (5-0) to approve staff's recommendation.

It is noted for the record the Respondent was not present for this hearing.

3:33:58 **Case #2008080013 – James Rifenberg**

Inspector Davis submitted a photograph and an Affidavit of Service dated September 22, 2008 into evidence, which are on file in the Commission Office. She advised this involved a sign violation and zoning district use violation involving more than three garage sales in one year. Inspector Davis noted the property was currently in compliance but she wanted a Continuing Order for future violations.

3:34:50

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Garone, the Board voted unanimously (5-0) to find compliance and enter a Continuing Order.

It is noted for the record the Respondent was not present for this hearing.

3:35:04 **Cases #2008080043 – Frederick & Rita Mensing**

Inspector Davis stated she had received a complaint from a neighbor about an occupied recreation vehicle (RV) on the subject property, and the individual had since moved out of the RV and into a dilapidated mobile home that was to be removed off of the site. She submitted aerial photographs and an e-mail from Mr. Glenn Schuessler of the IRC Environmental Health Department into evidence, which are on file in the Commission Office.

Mr. Wixon recommended the Board find the violation and grant 60 days, until November 21, 2008, for the Respondent to remove the dilapidated mobile home and cease any living quarters in the RV, and obtain required permits and inspections for a new mobile home.

staff's recommendation.

It is noted for the record the Respondent was not present for this hearing.

3:57:41 **Case #2008040201 – Citi Mortgage Inc.**

Inspector Jefferson reported this case was in compliance.

3:58:06 **Case #2008030056 – Jorge Simon**

Inspector Jefferson submitted photographs into evidence, which are on file in the Commission Office, and noted the junk, trash and debris violation was in compliance. Mr. Wixon related this case had originally come to the Board on May 19, 2008 and the Respondent had been granted 60 days to obtain after-the-fact permits for a building addition, and subsequently additional extensions were granted. He confirmed nothing had been done and recommended the fine be imposed.

3:59:44

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Garone, the Board voted unanimously (5-0) to approve staff's recommendation.

It is noted for the record the Respondent was not present for this hearing.

3:59:53 **Case #2008050162 – Donald Arlo Bess**

Inspector Carter Solomon reported the Board had first heard this case on July 28, 2008, at which time First Horizon Home Loan had already taken possession and an Order was entered against the bank to mow the overgrown weeds. She continued a 30 day extension was granted in August, 2008, but nothing had been done.

4:00:33

ON MOTION BY Mr. Owens, SECONDED BY Mr. Suthard, the Board voted unanimously (5-0) to impose the fine.

It is noted for the record the Respondent was not present for this hearing.

4:00:39 **Case #2008020052 – Natalie Geisler**

Inspector Jefferson submitted photographs into evidence, which are on file in the Commission Office, and advised the commercial vehicle violation had been resolved; however there was still junk, trash and debris on the property. Mr. Wixon recapped an Evidentiary hearing had been held on April 28, 2008, with three extensions being granted. He recommended the fine be imposed.

4:02:14

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Owens, the Board voted unanimously (5-0) to approve staff's recommendation.

It is noted for the record the Respondent was not present for this hearing.

4:02:22 **Case #2008040068 – Jamie Lyn Rouse & Steven Cocchia**

Mr. Wixon advised this case had first been before the Board on May 19, 2008 for junk, trash and debris, and since nothing had been done towards compliance he recommended the fine be imposed.

4:03:08

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Owens, the Board voted unanimously (5-0) to approve staff's recommendation.

It is noted for the record the Respondent was not present for this hearing.

4:03:41 **Case #2008050130 – Mike Oliver (Deutsche Bank Trustee)**

Inspector Davis related the Board had granted several extensions for the junk, trash and debris and overgrown weeds violations; however no progress had been made and she recommended the fine be imposed.

4:04:04

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Owens, the Board voted unanimously (5-0) to approve staff's recommendation.

There being no further business, the meeting was adjourned at 5:10 p.m.