

## **CODE ENFORCEMENT BOARD**

A meeting of the Indian River County (IRC) Code Enforcement Board (the Board) was held in the Commission Chambers at the County Administration Building, 1840 25th Street, Vero Beach, Florida on Monday, July 23, 2007, at 1:30 p.m.

Present were Chairman Joe Garone, General Contractor Appointee; Karl Zimmermann, Realtor Appointee; Joe Petrulak, Subcontractor Appointee; John Owens, Engineer Appointee; Cliff Suthard, Member-at-Large Appointee (left at 2:00 p.m. and returned at 2:15 p.m.); and Dana Stetser, Architect Appointee.

Absent was Vice Chairman Keith Hedin, Businessman Appointee (excused).

Also in attendance was IRC staff: Roland DeBlois, Environmental and Code Enforcement Chief; Don Wixon, Code Enforcement Coordinator; Betty Davis, Debbie Clifford, Vanessa Carter Solomon and Rose Teague, Code Enforcement Officers. Others present: Attorney Suzanne Vitunac, Attorney for the Board and Reta Smith, Recording Secretary.

### **Call to Order**

Chairman Garone called the meeting to order and the secretary called the roll, establishing that a quorum was present.

### **Approval of Minutes of June 25, 2007**

**ON MOTION BY Mr. Suthard, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to approve the minutes of June 25, 2007 as presented.**

### **Attorney's Overview of Board Purpose and Procedures**

Attorney Vitunac gave a brief overview of the procedures and purpose of the Code Enforcement Board.

### **Agenda Additions or Deletions, Consent Items**

Mr. Roland DeBlois, IRC Environmental and Code Enforcement Chief, reported the following cases had either complied, been rescheduled, or were

recommended by staff for an extension of time on the Consent Agenda: Cases #2007010081, #2006030250, #2006060026, #2007010021, #2007040077, #2007030038, #2007050050, #2007050052, #2007040107 - 30 day extension until August 24, 2007. Case #2005110098 - 60 day extension until September 21, 2007. Case #2007030017 – 90 day extension until October 19, 2007. Cases #2007040059, #2007060029, #2007060043 and #2007060042 were rescheduled.

In compliance were Cases: #2007040028, #2006110084, #2007040018, #2007040173, #2007040189, #2006040063, #2007030065, #2007020106, #2006120006, #2007020114, #2007040010, #2007060009, #2007060061, #2007060063, #2007060057, #2007060071, #2007050097, #2007050099, #2007040157 and #2007050040.

Mr. DeBlois noted under Administrative Hearings, Case #2007060118 for Conor, Inc. had been resolved, and there was one other Administrative Hearing and a Lien Release Requests on the Agenda.

Respondent Sandra Snow, Case #2007040107, stated even though Mr. DeBlois had recommended a 30 day extension under Consent, she would like her case to be heard today.

**ON MOTION BY Mr. Suthard, SECONDED BY Mr. Petrulak, the Board voted unanimously (6-0) to accept the Consent Agenda, with the exception of Case #2007040107.**

Chairman Garone advised if anyone else was present who wanted their case to be heard today, they should speak to their Code Enforcement Officer.

### **Swearing in of Those Who Will Testify**

The secretary proceeded to administer the testimonial oath to everyone who would be testifying at today's hearings.

### **Case #2004060050 – Emma E. Jackson**

Mr. DeBlois recapped this Compliance hearing involved a case that had first come to the Board in November, 2004, for illegal mobile homes on a property in the Oslo area of the County. The Board's Order at that time was to require the Respondent to remove the unoccupied mobile home before January 21, 2005, and to remove the occupied mobile home on or before May 20, 2005. Mr. DeBlois

related the Respondent had come into compliance with the first tier of the Order and removed the unoccupied mobile home by January 21, 2005, but inadvertently a compliance hearing was not scheduled for the second tier date of May 20, 2005. He continued the second mobile home was still on the property and compliance was never achieved, so the Respondent had been re-noticed and brought before the Board at this time.

Inspector Kelly Zedek, IRC Code Enforcement Officer, submitted photographs into evidence, which are on file in the Commission Office, and confirmed there was still one trailer on the subject property.

The Respondent maintained the mobile home was legal because it had an address, but Mr. DeBlois disagreed. A lengthy discussion ensued.

Mr. Suthard temporarily left the meeting at 2:00 p.m.

Mr. DeBlois recommended an extension of 90 days, until October 19, 2007, for removal of the second mobile home.

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

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

### **Case #2006120071 – Jimmie Lee & Martha Turner**

Mr. DeBlois related this had to do with outside storage of tires, and the Board had granted an extension until Friday, July 20, 2007, for the Respondent to remove the tires and clean up the property.

Mr. Suthard returned to the meeting at 2:15 p.m.

Inspector Debbie Clifford, IRC Code Enforcement Officer, submitted photographs into evidence, which are on file in the Commission Office. She testified the Respondent had removed some tires and had provided her with 15 receipts from the landfill where he was disposing of them.

The Respondent stated he was working diligently to remove all the tires from the property. Mr. DeBlois recommended the Board grant an extension of 30 days, until August 24, 2007, for compliance.

**ON MOTION BY Mr. Owens, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to approve staff's recommendation.**

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

**Case #2007040107 – Sandra Snow**

Mr. DeBlois recalled this case had first come to the Board on June 25, 2007, for a mobile home that had been storm damaged and junk, trash and debris. He related there had been a two-tier compliance date until July 20, 2007, for the Respondent to remove the junk, trash and debris and obtain County permits to repair the mobile home, and subsequently until September 21, 2007, to repair the mobile home in accordance with the issued permits.

Inspector Betty Davis, IRC Code Enforcement Officer, submitted photographs into evidence, which are on file in the Commission Office. She testified the Respondent had been told by County Building Department staff they did not issue permits for mobile homes, but she needed permits from the Department of Motor Vehicles. Inspector Davis explained the Building Department did issue permits for the roof-over the Respondent was working on, and she needed to acquire permits for that aspect of the repairs. She noted there was still a shredded blue tarp on the site and piles of aluminum on the ground.

The Respondent submitted photographs into evidence, along with her account of what had transpired, and this is on file in the Commission Office. She read from her account and maintained she was being harassed. The Respondent said she was not adding to the mobile home, but was repairing it and did not need permits.

A discussion followed about what type of repair work was being done on the mobile home. Mr. DeBlois recommended an extension of 30 days, until August 24, 2007, for the matter to be resolved by the Building Department, the Respondent and Code Enforcement staff. Mr. Zimmermann recommended a meeting take place on the site with the Respondent present.

**ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Suthard, the Board voted unanimously (6-0) to approve staff's recommendation.**

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

## **ADMINISTRATIVE HEARINGS**

### **Case #2007070044 – Dollarwise Investments Inc.**

Mr. DeBlois related this had to do with illegal signs in the County right-of-way, and staff had issued a citation to the tenant, MJM Carwash & Detail. Inspector Zedek submitted photographs into evidence, which are on file in the Commission Office. She testified she and other Code Enforcement staff had warned the Respondent, but she had later observed signs in the right-of-way and had issued a citation in the amount of \$200 for the dates of June 23, 2007 and June 29, 2007.

The Respondent, Mr. Mitchell Miller of MJM Carwash & Detail, stated he had moved the sign out of the right-of-way after originally being told about the violation. He claimed the adjoining gasoline station personnel had placed the signs on their site after that. Mr. DeBlois advised if the sign was on the business property or on the right-of-way, it was still illegal.

Mr. Zimmermann thought Mr. Miller had only been advised the sign was a violation in the right-of-way, and was not aware it was a violation wherever it was placed.

**ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Suthard, the Board voted unanimously (6-0) to rescind the fine.**

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

### **Case #2006060111 – Damien & Bonnie Gilliams**

Mr. DeBlois recapped at the June 25, 2007, meeting the Board had granted an extension until June 28, 2007, for the Respondent to mow the overgrown weeds and until July 20, 2007, to provide the County with a copy of a contract for dock repair and a projected completion date. Inspector Davis confirmed the grass had been cut.

The Respondent testified he had received a promise from a licensed contractor to start the dock repair on August 15, 2007, and it was expected to be completed within 15 to 30 days after that, subject to weather conditions.

It was noted six extensions had been allowed since this case had originally been before the Board in August, 2006.

**ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Owens, the Board voted (5-1) to grant an extension of 30 days, until August 24, 2007. Mr. Suthard in opposition.**

A discussion ensued and Attorney Vitunac asked the Board to clarify its motion.

**ON AMENDED MOTION BY Mr. Zimmermann, AMENDED SECOND BY Mr. Owens, the Board voted (5-1) to grant an extension of 30 days, until August 24, 2007, to begin the repair and bring the dock into compliance, dependant on weather situations. During that period of time, a copy of the signed contract will be given to Inspector Davis. Mr. Suthard in opposition.**

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

**Case #2007050033 – James & Carol Beath**

Mr. DeBlois noted everything had been resolved except for a junk vehicle on the site. Inspector Vanessa Carter Solomon, IRC Code Enforcement Officer submitted a photograph into evidence, which is on file in the Commission Office.

The Respondent said she would remove the vehicle from the property. Mr. DeBlois recommended a 60 day extension, until September 21, 2007, for compliance.

**ON MOTION BY Mr. Suthard, SECONDED BY Mr. Petrulak, the Board voted unanimously (6-0) to approve staff's recommendation.**

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

**Case #2007030116 – Barry Kazukauskas**

The Respondent acknowledged he was in violation and asked for an extension of 30 days to resolve the junk vehicle and junk, trash and debris violations.

**ON MOTION BY Mr. Suthard, SECONDED BY Mr. Petrulak, the Board voted unanimously (6-0) to find a violation and allow the Respondent 30 days, until August 24, 2007, for compliance.**

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

**Case #2007060125 – John Thomas Gideon**

Inspector Davis said she had received complaints from the neighbors about construction material stored on the site. The Respondent's wife reported her husband was in the construction business and he was collecting concrete blocks to build a garage/workshop on the property. She submitted photographs into evidence, which are on file in the Commission Office.

Mr. DeBlois noted there was no active building permit related to the construction material so it would not be allowed. He recommended the Board find a violation for junk, trash and debris and grant an extension of 90 days, until October 19, 2007, to either apply for a permit or remove the debris.

**ON MOTION BY Mr. Owens, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to approve staff's recommendation.**

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

**Case #2007060011 – Destination Sebastian LLC**

Mr. DeBlois related this Evidentiary hearing involved sheds constructed without permits.

The Respondent's representative, Mr. George Tederowski of G.T. Custom Builders, advised it was necessary to get approval from the Department of Environmental Protection (DEP) in order to get after-the-fact permits for the sheds. He said he had obtained IRC Planning Department approval and had a unity of title, but he was waiting on DEP approval and needed an extension.

Mr. Suthard wondered what would happen if the DEP did not approve the sheds. Mr. DeBlois recommended an extension of 60 days, until September 21, 2007, to either obtain a permit from DEP, along with all other necessary permits, or remove the structures.

**ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Suthard, the Board voted unanimously (6-0) to approve staff's recommendation.**

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

**Case #2007050102 – William Montgomery & Theresa Mykytyn**

Inspector Carter Solomon submitted a photograph into evidence, which is on file in the Commission Office, and described a van that appeared to be a junk vehicle. The Respondent stated he would not get his license back for three years, so he could not obtain a tag for the vehicle. Mr. DeBlois advised the vehicle would have to be removed or stored in an enclosed space and recommended 90 days, until October 19, 2007, for compliance.

**ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to approve staff's recommendation.**

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

Chairman Garone called a break at 3:25 p.m. and the meeting reconvened at 3:35 p.m.

**Case #2007050089 – Ethel Gordon**

Mr. Don Wixon, IRC Code Enforcement Coordinator, related this Evidentiary hearing had to do with a junk vehicle, junk, trash and debris and a collapsed pool enclosure that may or may not be still attached to a house in the rear yard. Inspector Carter Solomon submitted photographs into evidence, which are on file in the Commission Office. She described the debris on the property and stated no work had been done to repair the pool enclosure.

The Respondent testified the automobile was a 1973 Camaro that he was in the process of restoring and he could not put it in the garage because he was using it to store all his pool furniture, etc. He stated he had medical problems and asked for an extension of time to remove the vehicle and junk, trash and debris and to repair the pool enclosure. Mr. Wixon recommended an extension of 90 days, until October 19, 2007, for compliance.

Mr. Zimmermann opined leaving the pool enclosure for another 90 days during hurricane season might be a problem, adding the original damage took place over two years ago and nothing had been done.

A discussion followed about how much work it would take to restore the pool enclosure and whether the pool itself was accessible to neighborhood children.

Mr. DeBlois revised staff's recommendation to allow the Respondent three days, until July 26, 2007, to secure access to the pool; 30 days, until August 24, 2007, to obtain a permit to repair the screen enclosure and secure the pool structure material to abate any storm hazard; and 90 days, until October 19, 2007, for removal of the junk vehicle, junk, trash and debris, and completion of repair to the pool enclosure.

Mr. Zimmermann expressed doubts about whether the pool enclosure could be rebuilt and reattached to the house because of new building codes.

**ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Suthard, the Board voted unanimously (6-0) to approve staff's recommendation.**

It is noted for the record the Respondent's son, Mr. Matthew Gordon, was present for this hearing.

### **Case #2007050025 – Frank & Joyce Larkins**

Mr. DeBlois summarized this was an Evidentiary hearing for a stormwater drainage violation on residential property in Walking Horse Hammock subdivision. Inspector Teague submitted a photograph into evidence, which is on file in the Commission Office, and pointed out concrete bags that had been placed in a swale to control flooding from surrounding properties. She testified Mr. D. Howard in the IRC Engineering Department had visited the site and told her the concrete bags would have to be removed.

The Respondent protested the swale behind his house did not drain because surrounding swales had been filled in and the water ran onto his property and remained in his drainage ditch. The Respondent read from correspondence he had in his possession between himself and the homeowners' association, and wanted to know why his neighbors had not received citations. He testified he had had placed 15 bags of cement in the swale in 2006 and was told by Mr. Don Keith of the IRC Engineering Department that he had every right to raise the level of the entire swale

behind his house to a level higher than the home to the north of him so the water would drain in that direction.

A discussion ensued about whether regrading the swales to raise the elevation was the same as putting in concrete bags without a permit or approval.

Mr. DeBlois recommended the Board grant 30 days, until August 24, 2007, for the Respondent to resolve the issue through coordination with the IRC Engineering Department, in order to either gain approval or remove the concrete bags from the swale. The Respondent stated he had sold the house and would be vacating the property, but he did not want the new homeowner to be responsible for the violation.

A lengthy discussion followed. Mr. DeBlois said he would withdraw the case since the Respondent was not the current owner of the property. He noted this case had been referred to his department by IRC Engineering staff and he would meet with them to see what needed to be done and if necessary cite the new owner, adding Mr. Larkins could be involved if he wanted to.

#### **Case #2007020058 – Michael & Lakeisha Williams**

Mr. DeBlois related this was a situation where the Respondent had established a day care center at a single-family residence without County approval and enclosure of a garage without a permit. Inspector Teague submitted a photograph into evidence, which is on file in the Commission Office. She testified the home occupation permit allowed five children, but she had received numerous complaints about 29 children at one time being kept at the residence. The IRC Health Department had advised the Respondent she would need to obtain site plan approval to maintain the day care with that number of children, or cease the use. Inspector Rose Teague, IRC Code Enforcement Officer, added the Respondent had a permit for the garage, so the no building permit issue had been resolved.

The Respondent stated she was in the process of purchasing property in a commercially-zoned district and would be relocating the day care business. Mr. DeBlois recommended the Board find a violation and grant an extension of 90 days, until October 19, 2007, for compliance.

**ON MOTION BY Mr. Suthard, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to approve staff's recommendation.**

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

**Case #2007030107 – First Developers Corporation**

Inspector Teague submitted photographs into evidence, which are on file in the Commission Office. Mr. DeBlois noted the County's weed ordinance required a platted subdivision to be 50% developed in order to enforce weed issues on the individual lots, and since that was not the case the weed violation would be withdrawn. Inspector Teague added the sign violation had been resolved, and landscape maintenance was the only remaining issue.

Inspector Davis explained to the Respondents, Mr. Gil and Mr. Ronald Rabal, the replacement landscape had to meet certain requirements.

A lengthy discussion followed. Mr. DeBlois recommended 60 days, until September 21, 2007, to allow for Code Enforcement staff to meet with IRC Senior Planner John McCoy and coordinate with the Respondent in order to finalize and replace any deficient landscape in accordance with the revised site plan.

**ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Suthard, the Board voted unanimously (6-0) to approve staff's recommendation.**

It is noted for the record the Respondents were present for this hearing.

**Case #2007050048 – R. J. & Pecola Wilson**

Mr. DeBlois confirmed this Evidentiary hearing related to a burnt structure on single-family residential property that constituted a health/safety issue. Inspector Teague submitted an Affidavit of Service and photographs into evidence, which are on file in the Commission Office.

The Respondent's daughter, Mrs. Vickie King, testified about a year ago she had secured the property, but a neighborhood child had torn the boards down. She said she would re-secure the property until she hired an engineer. Mr. DeBlois recommended 30 days, until August 24, 2007, for the Respondent to re-secure the structure and 90 days, until October 19, 2007, to either obtain building permits to restore the structure or to make progress towards removal.

**ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Suthard, the Board voted unanimously (6-0) to approve staff's recommendation, with the Board to retain jurisdiction in the case.**

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

**Case #2007040154 – Kenneth Chapman**

Inspector Davis submitted a photograph into evidence, which is on file in the Commission Office. She summarized she had received complaints from neighbors about two sheds and junk, trash and debris, and there was still one illegal shed and some lumber and lawn furniture on the site.

The Respondent asked if he could get an after-the-fact permit to keep the remaining shed. Inspector Davis explained if the Respondent was building a home he could get a temporary use for one year. Mr. DeBlois recommended an extension of 90 days, until October 19, 2007, for the Respondent to remove the structure.

**ON MOTION BY Mr. Suthard, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to approve staff's recommendation.**

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

**LIEN RELEASE REQUESTS**

**Case #2006060077 – Kimberly & Carla Rumsby**

Mr. DeBlois noted since the Respondents were not present, the Board need not proceed with this case.

Chairman Garone called a recess at 5:03 p.m. and the meeting was reconvened at 5:13 p.m.

**Case #2007020147 – Rene Lizbeth Arencibia**

Mr. DeBlois recapped this Compliance hearing had to do with the Respondent planting palm trees on the dune, and the Board had entered an Order requiring removal of the palm trees or obtain a permit to replant something else that tied to stabilization of the dune. Inspector Carter Solomon testified the palms were still there and she had not been successful in contacting the Respondent or her attorney.

**ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Suthard, the Board voted unanimously (6-0) to impose the fine.**

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

**Case #2007010063 – Home Depot USA Inc.**

Mr. DeBlois related this had to do with landscape maintenance and site plan nonconformance for a case that had originally come to the Board in January, 2007, with extension since that time. Inspector Davis confirmed the property was not in compliance and Mr. DeBlois recommended the fine be imposed.

**ON MOTION BY Mr. Suthard, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to approve staff's recommendation.**

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

**Case #2007020008 – Lone Cabbage Trading Co. Inc.**

Mr. DeBlois recapped this Compliance case involved illegal signs, site plan nonconformance and landscape maintenance violations. Inspector Davis advised the sign issue had been resolved, but nothing had been done regarding the landscape. Mr. DeBlois recommended the Board find no compliance on the landscape violation and impose the fine.

**ON MOTION BY Mr. Suthard, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to approve staff's recommendation.**

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

**Case #2007040171 – LLC Sebastian Riverwalk Investors**

Inspector Davis advised this case was in compliance.

**Case #2006120082 – Lewis Barton**

Mr. DeBlois recalled this had to do with a vacant lot and material the Respondent claimed he was saving for construction. The Board had given him ten

days at last month's meeting to remove the debris that did not belong there, but the situation had not changed. Mr. DeBlois recommended the fine be imposed.

**ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (6-0) to approve staff's recommendation.**

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

**Case #2007040068 – Root Bros. Inc.**

Mr. DeBlois confirmed this Compliance hearing was for junk, trash and debris on a vacant lot being used to store and bury concrete and other material under the premise it was clean fill. Inspector Teague submitted photographs into evidence, which are on file in the Commission Office. Mr. DeBlois noted the Respondents were not at the Evidentiary hearing last month, but this had occurred over time and had been an ongoing problem. He recommended an extension of 30 days, until August 24, 2007, to remove any material that was not clean fill from the property.

**ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Owens, the Board voted unanimously (6-0) to approve staff's recommendation.**

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

**Case #2007050077 – Eddie & Erma Ruth Wyatt**

Mr. DeBlois related this Compliance hearing was for junk vehicles and junk, trash and debris. Inspector Teague confirmed nothing had been done towards compliance.

**ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Suthard, the Board voted unanimously (6-0) to impose the fine.**

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

**Case #2007040143 – Apostolic Church of Jesus, Inc.**

Mr. Wixon recapped this case had come to the Board on June 25, 2007, at which time it was ordered the Respondent obtain current registration for the junk bus

and demonstrate its roadworthy condition, or remove it from the property. Inspector Teague testified the bus was still on the property and did not have a tag. Mr. Wixon recommended a 30 day extension, until August 24, 2007, in order for Inspector Teague to try and make contact with the Respondent and resolve the violation.

**ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Suthard, the Board voted unanimously (6-0) to approve staff's recommendation.**

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

**Case #2007030039 – Vera Farms Inc. (50%) & Jackson Universal Inc. (50%)**

Mr. DeBlois reported this was a sign violation on agricultural property that had been to the Board last month on June 25, 2007. Inspector Clifford submitted a photograph into evidence, which is on file in the Commission Office. Attorney Vitunac advised the tenant, Tami Gay, should not have been named on the Order. She said the Board would have to amend its previous Order to drop her name because there was no service, although the Respondent had received service. Mr. DeBlois recommended the Board grant an extension of 30 days, until August 24, 2007, and as part of the process staff would remove the tenant's name.

**ON MOTION BY Mr. Suthard, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to approve staff's recommendation.**

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

**Case #2007050093 – Robert Zitzman**

Inspector Davis testified the Respondent had been present at a hearing on June 25, 2007, for junk vehicles, junk, trash and debris and a structure built without permits. She confirmed nothing had been done and Mr. DeBlois recommended the fine be imposed.

**ON MOTION BY Mr. Suthard, SECONDED BY Mr. Petrulak, the Board voted unanimously (6-0) to approve staff's recommendation.**

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

**Case #2004040170 – Jim Mcalhany**

Mr. DeBlois recapped this Compliance hearing had to do with an illegal shed, commercial vehicle at a residence, junk, trash and debris and an illegal business on residential property. Inspector Davis testified everything had been taken care of except for the Respondent obtaining a permit for the shed. Mr. DeBlois recommended the fine be imposed.

**ON MOTION BY Mr. Owens, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to approve staff's recommendation.**

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

**Case #2007030006 – Jeni & Gary Williams Sr.**

Inspector Davis explained this Evidentiary hearing involved a house that had received storm damage to its roof. Mr. DeBlois recommended an extension of 30 days, until August 24, 2j007, for the Respondents to obtain permits to repair or demolish the structure, with the Board to retain jurisdiction in the case.

**ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to approve staff's recommendation.**

It is noted for the record the Respondents were not present for this hearing

**Case #2007060120 – Francois Pelletier**

Inspector Davis related this involved Celtic Builders and she had received numerous complaints about zoning district use and overgrown weeds violations. She mentioned the Respondent had been cited before at another location and this should actually have been a repeat violation, so she would only recommend 10 days for compliance, until August 3, 2007.

**ON MOTION BY Mr. Suthard, SECONDED BY Mr. Petrulak, the Board voted unanimously (6-0) to approve staff's recommendation.**

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

**Case #2007050159 – Timmy Lee Riggs**

Inspector Davis advised there was no service on this case.

**Case #2007060010 – Sebastian Properties LLC**

Inspector Davis confirmed this case was in compliance.

**Case #2007060060 – Estellar G. Mitchell**

Inspector Clifford reported she had not had contact with the Respondent and the junk vehicle was still on the premises. Inspector Carter Solomon stated her aunt lived next door to the subject property and the tenant had moved to Georgia. After some discussion, Mr. DeBlois decided to reschedule the case.

**Case #20070143 – Bradley & Maureen Leu & Joseph Biedenharn**

Inspector Carter Solomon advised the junk vehicle and junk, trash and debris violations had been taken care of, and the only remaining issue was a housing code violation. She was not sure if the violation had been resolved due to construction in the area, and Mr. DeBlois said he would reschedule the case.

**Case #2007060017 – Theodore Arendas & Glen Miller**

Inspector Carter Solomon related the Respondent told her he would remove the junk vehicle within 60 days.

**ON MOTION BY Mr. Owens, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to find a violation and grant an extension of 60 days, until September 21, 2007, for compliance.**

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

**Case #2007060094 – David & Jamie Jackson**

Inspector Teague advised she had not received service on this case.

**Case #2007040138 – Robert Wood**

Mr. DeBlois said this case had been rescheduled.

**Case #2007040194 – David Feriend**

Inspector Teague submitted an Affidavit of Service and a photograph into evidence, copies of which are on file in the Commission Office. She related the Respondent had asked for time to take care of the junk, trash and debris violation. Mr. DeBlois recommended 30 days, until August 24, 2007, for compliance.

**ON MOTION BY Mr. Suthard, SECONDED BY Mr. Petrulak, the Board voted unanimously (6-0) to approve staff's recommendation.**

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

**Authorization for Notices to Appear**

**ON MOTION BY Mr. Owens, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to approve Authorization for Notices to Appear for August, 2007.**

There being no further business, the meeting was adjourned at 5 5:41 p.m.