

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, 1801 27th Street, Building "A", Vero Beach, Florida on Monday, February 25, 2008 at 1:30 p.m.

Present were Chairman Joe Petrulak, Subcontractor Appointee; John Owens, Engineer Appointee; Cliff Suthard, Member-at-Large Appointee; Karl Zimmermann, Realtor Appointee; Keith Hedin, Businessman Appointee and Dana Stetser, Architect Appointee.

Absent was Joe Garone, General Contractor Appointee (unexcused).

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, Kelly Zedek and Rose Jefferson, Code Enforcement Officers. Others present: Attorney Suzanne Vitunac, Attorney for the Board and Reta Smith, Recording Secretary.

1:44:32 Call to Order

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

1:45:00 Approval of Minutes of January 28, 2008

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Suthard, the Board voted unanimously (6-0) to approve the minutes of January 28, 2008 as presented.

1:53:23 Attorney's Overview of Board Purpose and Procedures

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

1:54:07 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 #2007120011, #2007100188, #2007090015, #2007080104, #2007070110, #2007090017, #20071000141, #2007090150, #2007100169, #2007120104, #2007060027, #2006090053, #20071100117 and #2007120086 (for first tier) - 30 day extension until March 21, 2008. Case #2007110139, - 60 day extension until April 25, 2008. Cases #2007040118 and #2007030091 - 90 day extension until May 16, 2008. Cases #2008010048, #2007100065 and #2007080055 were rescheduled.

In compliance were Cases: #2007110121, #2007110109, #2007110062, #2007110112, #2007110113, #2007120093, #2007110132, #2008010036, #2008010055, #2008010017, #2008010034, #2007080076, #2007090098, #2007090114, #2007090141, #2007060125, #2007120017, #2007120020, #2007070008, #2007100155, #2007090104, #2007100062, #2007100196, #2007120022, #2007120064 (first tier), #2007120061 (first tier), #2007120116 (first tier), #2007120110, #2007120090 and #2008010060.

Mr. DeBlois pointed out there was an addendum to the agenda under Lien Release Requests for Case #2007060110, Dale Muchler, and requested this case be heard at the beginning of today's meeting

2:01:05

ON MOTION BY Mr. Owens, SECONDED BY Mr. Hedin, the Board voted unanimously (6-0) to accept the Consent Agenda with the addition and recommendations.

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.

2:01:29 **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.

LIEN RELEASE REQUESTS

2:01:45 **Case #2007060110 – Dale Muchler**

Mr. DeBlois recapped this had come to the Board for Evidentiary hearing in

August, 2007 for junk vehicles and an unpermitted gibney storage unit, and ultimately in October, 2007 the Board had entered an Order Imposing Fine with a beginning date for the fine of October 20, 2007. He continued this case had been brought to the Board at the January 28, 2008 meeting, at which time the Board had acknowledged compliance after 14 days and set the fine at \$1,400. Mr. DeBlois noted the Respondent was not present at the January 28th meeting, but he was here today with additional information.

The Respondent asked for all fines to be rescinded due to the fact he did his best to comply with getting rid of the gibney unit and it was sold on October 17, 2007, with the buyer promising to remove it within a week or so. The Respondent testified he had written a letter to Code Enforcement staff on October 17, 2007 stating the unit was sold but the new owner needed time to remove it. He said he had phoned the IRC Code Enforcement office on October 17, 18 and 23, 2007, and had not heard anything back until October 23, 2007.

Mr. DeBlois noted the letter was addressed "To Whom It May Concern", and conceded if his office had received it at the time of the Compliance hearing on October 22, 2007 he would probably have recommended an extension, and based on the testimony he had no objection to rescindment of the fine.

2:09:49

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

2:10:08 **Case #2007070040 – Levid Rosabal & Isabel Sotomayor**

Mr. Don Wixon, IRC Code Enforcement Coordinator, related this Evidentiary hearing was for a junk vehicle violation. Mrs. Vanessa Carter Solomon, IRC Code Enforcement Officer, submitted a photograph into evidence, which is on file in the Commission Office.

The Respondent testified he had just received final inspection for a garage he had built to house the vehicle and he would be moving the automobile into the garage today.

2:12:29

ON MOTION BY Mr. Suthard, SECONDED BY Mr.

Zimmermann, the Board voted unanimously (6-0) to find a violation and set 30 days, until March 21, 2008, for compliance.

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

2:13:22 **Case #2007100194 – George & Charlotte Council**

Mr. Wixon advised this case was in compliance.

2:13:50 **Case #2007100212 – Corienne Stevens (Trustee)**

Mr. Wixon related this Evidentiary hearing concerned junk vehicles, junk, trash and debris and zoning district use violations. Inspector Carter Solomon testified the Respondent's granddaughter, Ms. April Cremcaw, who was the tenant, was a member of a car club and neighbors had complained for some time about vehicles being repaired and associated noise on the property. She confirmed the junk, trash and debris had been cleaned up and submitted photographs into evidence, which are on file in the Commission Office.

Attorney Scott Allison, representing the Respondent, did not think there was a prerequisite for his client to tell the County who the vehicles belonged to, noting all the vehicles on the property were registered and had a valid license.

Discussion followed about proving there had previously been junk vehicles on the property.

Mr. DeBlois noted automobile repairs would have to customarily be associated with a residence, and there was constant car repair causing noise and nuisance to neighbors that was related to a car club and involved zoning use.

Discussion ensued.

Mr. DeBlois stressed this had been ongoing for over a year and testimony had been given there was a car club with associated repairs taking place on the property. He acknowledged those issues had subsided, but had concern about car club activity occurring at the site in the future beyond what was customarily associated with a residence on the property. Mr. DeBlois recommended the Board find current compliance and issue a Continuing Order in the event auto repairs recurred in the future.

2:33:19

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Suthard, the Board voted unanimously (6-0) to find compliance at this time, but issue a Continuing Order concerning car repairs that did not fit the definition of repairs on the owners' vehicles.

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

2:35:30 **Case #2007100110 – Jodi Rea**

Mrs. Debbie Clifford, IRC Code Enforcement Officer, related she had received a complaint about a garage being enclosed without a permit. She submitted photographs into evidence, which are on file in the Commission Office.

The Respondent stated she had taken out screening and put in windows and a door, adding she had hired an engineer to look at the work and would be getting permits if necessary.

Mr. Wixon recommended 60 days, until April 25, 2008, to obtain the permit and an additional 30 days, until May 16, 2008, for all final inspections.

2:42:40

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

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

2:43:37 **Case #2007120046 – Joseph King, Jr.**

Mr. Wixon confirmed this case was in compliance.

2:44:27 **Case #2008010059 – Gerald & Joanne Duhaime**

Mr. DeBlois summarized this Evidentiary hearing had to do with construction of an open patio built off the rear of a house without permits. He noted there was a 34 foot wide drainage and landscape easement and a nine foot pedestrian easement along the southern property lines which from the edge of the Respondent's house to the south property line. Mr. DeBlois clarified this meant any construction in the back yard entailed obtaining not only building permits, but either a release of easement or

a covenant agreement. He added part of the process involved contacting the homeowner's association, who had an interest in the easement. He confirmed the Respondent had applied for release of easement but this was ultimately denied because the homeowners association objected to the release, so the patio needed to be removed.

Ms. Kelly Zedek, IRC Code Enforcement Officer, submitted photographs and copies of structural drawings into evidence, which are on file in the Commission Office. She stated based on information the Respondent had turned into the Building Division and what was in the photograph the original after-the-fact permit had been revoked, because what was actually on-site did not coincide with the drawings, which the Respondent described as a sand box.

Discussion followed.

The Respondent explained the structure was seven feet off the house and consisted of pavers placed on beach sand and it was not bothering anybody.

Mr. DeBlois said if the Respondent could provide a letter from the full board of the homeowners' association the addition could be reconsidered; however he had received a letter saying they were not in favor of the project. He noted the other agencies were okay with the release of easement, and it was only the homeowners' association that rejected the ultimate release. Mr. DeBlois recommended an extension of 30 days, until March 21, 2008, for the Respondent to gain authorization from the total board of the homeowners' association for release of the easement or remove the structure, with an additional 30 days, until April 25, 2008, to complete the process in the event approval from the homeowners' association was obtained.

3:10:10

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

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

3:14:23 **Case #2007090125 – High Ridge Mobile Park Inc. (Tenant: Daniel & Barbara Presley)**

Mr. Wixon explained this was for a junk vehicle, junk, trash and debris and no building permit for a shed. Inspector Zedek submitted a photograph into evidence,

which is on file in the Commission Office. She confirmed the junk vehicle and junk, trash and debris violations were in compliance, but the Respondent needed to obtain an after-the-fact permit for the shed.

The Respondent agreed to pull a permit.

3:17:42

ON MOTION BY Mr. Hedin, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to allow 60 days, until April 25, 2008, for the Respondent to obtain a building permit and inspections.

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

3:18:40 **Case #2007120032 – Gal Gershovski**

Mr. Wixon recapped this Compliance hearing had first come to the Board on January 28, 2008, regarding a health and safety hazard for dead pine trees on the subject property, at which time the Respondent was given a 30 day extension. Ms. Rose Jefferson, IRC Code Enforcement Officer, submitted a photograph into evidence, which is on file in the Commission Office, and noted the trees had still not been removed.

Mr. Mike Miranda of Miranda Construction testified he had been hired by the Respondent to build two investment homes on the subject property. He related he had hoped a loan would be approved by the bank so the entire lot could be cleared at once instead of doing it piece-meal, and confirmed he had contracted with a company to have the cluster of dead trees in the center cut down.

Discussion followed about a time-frame for removal of the trees. Mr. Suthard felt the fine should be imposed because of the safety hazard.

3:28:40

ON MOTION BY Mr. Hedin, SECONDED BY Mr. Zimmermann, the Board voted (5-1) to grant an extension of one week, until March 3, 2008, for removal of the dead trees. Mr. Suthard in opposition.

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

Chairman Petrulak called a recess at 3:20 p.m. and the meeting reconvened at 3:30 p.m.

3:31:19 **Case #2007100119 – Miguel Gonzalez & Anai Palmero**

Inspector Carter Solomon related there was no service on this case.

3:31:38 **Case #2007100178 – CLO Holdings, Inc.**

Ms. Vanessa Carter Solomon, IRC Code Enforcement Officer, stated the yard had been mowed but there was still debris remaining on the property. Mr. DeBlois recommended an extension of 30 days, until March 21, 2008, for compliance.

3:32:18

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 not present for this hearing.

3:32:25 **Case #2007120042 – John Wirth, Jr.**

Inspector Carter Solomon reported the Respondent had a number of brick pavers in his front yard, and recommended an extension of 30 days, until March 21, 2008, for compliance.

3:33:09

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to find a violation and set 30 days for compliance.

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

3:33:19 **Case #2007120087 – Gifford Gardens LLC**

Inspector Zedek confirmed she had not received service.

3:33:34 **Case #2007120083 – Gifford Gardens LLC**

Inspector Zedek stated she had not received service on this case.

3:33:40 **Case #20071200080 – Ball Groves LLC**

Inspector Zedek submitted photographs into evidence, which are on file in the Commission Office. She described land clearing debris and commercial dumpsters had been stored on the property, but 90% of it had been removed. Mr. DeBlois recommended 30 days, until March 21, 2008, for compliance.

3:35:34

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Hedin, 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.

3:35:55 **Case #2007110074 – Angel Rivas**

Inspector Carter Solomon submitted a photograph into evidence, which is on file in the Commission Office, and related the Respondent had enclosed his back patio without permits.

3:36:33

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Hedin, the Board voted unanimously (6-0) to find a violation and grant 30 days, until March 21, 2008, to apply for and obtain the permit, and 60 days, until April 25, 2008, to finalize the project.

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

Mr. DeBlois announced someone was present for the Anderson Release of Lien Request, and requested the Board hear the case at this time.

3:36:53 **Case #2006080073 – James Anderson FBO 92nd Avenue Trust**

Mr. DeBlois recollected this had come to the Board on January 28, 2008 as the County's first case to be heard under the new public nuisance provision, whereby if a property was considered a serious threat to health, safety and welfare and a fine had been

imposed the Board could recommend to the Board of County Commissioners (BCC) that the County proceed with abatement of the nuisance. He continued since the Board entered its order determining public nuisance and directing abatement, the owner had hired a contractor to clean up the property and start rejuvenating it as a reconstruction site.

Mr. Chris Flagg testified he had recently met with the owner and a contractor, who was going to revise the plan and reactivate the building permit to complete the structure.

Mr. DeBlois noted under the new provisions of the ordinance even when the CEB affirmed the nuisance and made its recommendation to the BCC, it said the process would occur no sooner than 30 days after the Board's determination. He felt it was now a moot point to direct the County to clean up the property because this had been done by the Respondent, who lived in California and said he was not aware the violations had not been taken care of due to the notices being sent to the wrong address.

Mr. DeBlois summarized the junk, trash and debris and overgrown weeds violations that were cited in the original Order had been resolved, and the issue was now the fine that had accrued since October 21, 2006.

3:48:18

ON MOTION BY Mr. Zimmermann to find the Respondent in compliance at this time and hold the fine in abatement, but not take any action at this time on reducing the fine until permits were issued.

Discussion followed.

Attorney Vitunac noted the original Order was just about junk, trash and debris and overgrown weeds, and if the Respondent did not follow through with obtaining permits to finish the building staff could issue a new notice to correct violations dealing with access of the structure and the permits.

Mr. DeBlois recommended the Board acknowledge compliance and set the fine at \$47,800, and if the Respondent wanted to request a reduction the case could be rescheduled.

3:54:20

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.

3:54:45 **Case #2007120109 – William Allen Brooks**

Inspector Carter Solomon advised there was no service on this case.

3:54:58 **Case #2007100207 – Charles & Beverly Savoree**

Inspector Zedek said she had service on the mortgage company that had filed foreclosure proceedings, but the final judgment was not complete and the owners had advised they had filed bankruptcy. Mr. DeBlois confirmed a Notice of Violation for overgrown weeds and an unpermitted garage had been issued to both the Respondents and the bank's attorney.

Discussion ensued about who would be responsible.

Attorney Vitunac did not think anything could be done today, but recommended getting service on the Respondents because staff had not received notice there was bankruptcy protection.

3:59:07 **Case #2007110061 – Bryan K. Chesser**

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

3:59:18 **Case #2007120059 – Fred & Theresa Wenisch**

Inspector Clifford related this was an overgrown weeds violation and the Respondent had promised to mow the grass within 30 days.

3:59:46

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to find a violation and grant an extension of 30 days, until March 21, 2008, for compliance.

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

3:59:53 **Case #2007120058 – Kenneth Holms, Jr.**

Inspector Clifford stated this involved overgrown weeds, and Mr. DeBlois recommended 30 days, until March 21, 2008, for compliance.

4:00:34

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Stetser, 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.

4:00:45 **Case #2007090010 – Marcia Nettles**

Inspector Carter Solomon submitted an Affidavit of Service-dated February 15, 2008, which is on file in the Commission Office. She observed the overgrown weeds violation was in compliance and the Respondent was working on removing the junk, trash and debris. Mr. Wixon recommended the Board grant an extension of 60 days, until April 25, 2008.

4:01:29

ON MOTION BY Mr. Stetser, 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.

4:01:37 **Case #2008010049 – John & Margaret Schumacher**

Ms. Betty Davis, IRC Code Enforcement Officer, testified the Respondents had done a lot of work, but there were still violations for encroachment/obstruction in right-of-way, illegal vehicle parking in right-of-way, boat/trailer storage, junk vehicle and junk, trash and debris. Mr. DeBlois recommended 30 days, until March 21, 2008, for compliance.

4:02:40

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

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

4:02:49 **Case #2007120036 – Felix Sanchez**

Inspector Jefferson submitted an Affidavit of Service dated February 14, 2008 and photographs into evidence, which are on file in the Commission Office, and described junk, trash and debris on the subject property.

4:03:13

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to find a violation and recommended 30 days, until March 21, 2008, for compliance.

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

4:03:59 **Case #2008010059 – Toma A. Fettig**

Inspector Clifford stated she had received complaints from neighbors about illegal vehicle parking in the right-of-way, and submitted photographs into evidence, which are on file in the Commission Office. Mr. DeBlois recommended 30 days, until March 21, 2008, for compliance.

4:05:39

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Hedin, 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.

4:05:44 **Case #2008010004 – HSBC Bank USA (Trustee)**

Inspector Carter Solomon submitted photographs into evidence, which are on file in the Commission Office, and testified the Respondent had been cited for swimming pool maintenance and pool enclosure violations. Mr. DeBlois considered this an immediate hazard and recommended 48 hours, until February 17, 2008, to secure the structure and 60 days, until April 25, 2008, to obtain full permits for either a screen enclosure or a fence.

4:07:23

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 not present for this hearing.

4:07:35 **Case #2007110039 – John H. Menzel**

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

4:07:57 **Case #2007120026 – Johnny Roy Chambliss**

Inspector Zedek related the Respondent was basically running a junk yard in his back yard, and submitted photographs into evidence, which are on file in the Commission Office. She acknowledged the Respondent had made some progress but there was a lot of work to be done to come into compliance with the junk, trash and debris, junk vehicles and overgrown weeds violations. Mr. DeBlois recommended 30 days, until May 16, 2008, for compliance.

4:09:03

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Hedin, 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.

4:09:10 **Case #2007100160 – Franklin & Connie Reed**

Inspector Jefferson submitted an Affidavit of Service dated February 6, 2008 and a photograph into evidence, which are on file in the Commission Office, and described an overgrown yard on what appeared to be an abandoned lot. Mr. DeBlois recommended 30 days, until March 21, 2008, for compliance.

4:09:52

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Hedin, 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.

4:10:04 **Case #2007100164 – Rachael Watson**

Inspector Jefferson submitted an Affidavit of Service dated February 6, 2008 and a photograph into evidence, which are on file in the Commission Office. She recommended an extension of 30 days, until March 21, 2008, for the Respondent to mow the overgrown weeds.

4:10:21

ON MOTION BY Mr. Hedin, 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.

4:10:27 **Case #2007110044 – Christina Shwed**

Inspector Davis related this case involved overgrown weeds on an abandoned property that was in foreclosure, adding she had received service from Wells Fargo Bank but had not had the opportunity to speak with anyone. She recommended 30 days, until March 21, 2008, for compliance.

4:10:53

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Hedin, 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.

4:11:18 **Case #2008020043 – Jocelyn Lewis**

Inspector Carter Solomon stated she had not received service on this case.

4:11:28 **Case #2007120025 – Johnny Roy Chambliss**

Inspector Zedek submitted photographs into evidence, which are on file in the Commission Office. She observed the Respondent had cleaned up quite a bit of the property and recommended 30 days, until March 21, 2008, for resolution of the junk vehicle and junk, trash and debris violations.

4:11:58

ON MOTION BY Mr. Hedin, 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.

4:12:11 **Case #2007090125 – High Ridge Mobile Park Inc. (Tenant: Emilio Marquez Pantaleon)**

Inspector Zedek related she had no service on this case.

4:32:30 **Case #2007030001 – Kenneth Holmes**

Mr. DeBlois recapped this Compliance hearing originally came to the Board in June, 2007 for a dilapidated structure. He noted the Respondent had indicated he intended to tear down the structure or pull permits to fix it up, but nothing had been done after a number of extensions. Inspector Davis submitted a photograph into evidence, which is on

file in the Commission Office. She observed the roof had been taken off the building, but no permits had been submitted and the Respondent was not returning her phone calls. She added there was still a small amount of junk, trash and debris on the property.

Mr. DeBlois recommended the fine be imposed.

4:14:58

ON MOTION BY Mr. Hedin, SECONDED BY Mr. Stetser, 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.

4:15:34 **Case #2007060097 – Michael & Joan Purdy**

Mr. DeBlois recapped this Compliance hearing was about a boat lift added to a dock without an electrical permit and there were issues from a zoning standpoint as to the location of the boat lift. Inspector Jefferson confirmed as of 1:20 p.m. today no permit had been pulled.

Mr. DeBlois recommended the fine be imposed.

4:17:12

ON MOTION BY Mr. Hedin, 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.

4:17:31 **Case #20070900978 – High Ridge Mobile Home Park, Inc. (Tenant: Miguel Sandoval)**

Mr. DeBlois related this case originally came to the Board in November, 2007 for a porch addition to a mobile home. Inspector Zedek said the porch was still there and no permit had been submitted or issued.

Mr. DeBlois recommended the fine be imposed.

4:19:29

ON MOTION BY Mr. Hedin, 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.

4:19:57 **Case #2007090065 – Martin Santellanes (Violator: Ground Force Equipment Service, Inc.)**

Mr. DeBlois summarized Ground Force Equipment Service, Inc. had done some concrete or paving work on the subject property and in the process had broken up the sidewalk and various public improvements in the right-of-way. He noted nothing had been done and recommended the fine be imposed.

4:21:52

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.

4:22:09 **Case #2007110004 – Augustin Pop**

Inspector Carter Solomon related she had not heard from the Respondent regarding the overgrown weeds violation. She noted last week his attorney had faxed a letter stating the Respondent had filed for bankruptcy and it was now up to the lender to foreclose, but she checked the records and the bank had not filed any foreclosure proceedings. Mr. DeBlois recalled this had gone for Evidentiary hearing last month, and recommended the fine be imposed to see where it led.

4:23:14

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Hedin, 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.

4:23:29 **Case #2007100025 – Donna Skinner**

Inspector Davis related quite a bit of progress had been made since she had initially cited this case, but there was still some junk, trash and debris on the property. Mr. DeBlois recommended 30 days, until March 21, 2008, for compliance.

4:25:21

ON MOTION BY Mr. Zimmermann, 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.

4:25:37 **Case #2007100217 – Charlie L. Jones**

Inspector Clifford recapped this involved a burned structure that was cited for overgrown weeds and junk, trash and debris. She confirmed the lawn had been mowed and 90% of the site had been cleaned up and recommended 30 days, until March 21, 2008, for compliance in the junk, trash and debris violation.

4:26:34

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Stetser, 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.

LIEN RELEASE REQUESTS

4:26:44 **Case #2007070023 – Kelly Construction & Development, Inc.**

Mr. DeBlois referred to a letter from the Respondent dated November 26, 2007, contained in the backup on file in the Commission Office. He confirmed the property came into compliance on November 21, 2007, which was 32 days after the fine was imposed, and recommended the Board acknowledge compliance and set the fine at \$3,200.

4:28:01

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Stetser, 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.

4:28:49 **Case #2007040172 – Libni & Loida Valdivia & Obed Cruz**

Mr. DeBlois recapped this case originally came to the Board in June, 2007 for junk vehicles and junk, trash and debris, and the fine was imposed as of August 25, 2007. He advised the Respondents' representatives had provided photographs verifying the property came into compliance eight days after imposition of the fine and recommended the Board to find the property in compliance and set the fine at \$800.

4:30:17

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

