



12:11:39 **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 #2010100153, #2011030054, #2011030103, #2011040134, #2011050192, #2011050109, and #2011050004 - 30 day extension until August 19, 2011. Cases #2010050118, #2011010082, #2010120054, #2011020073, #2011030074, and #2011050046 - 60 day extension until September 23, 2011. Cases #2011040210, #2011050137, #2011050050, and #2011060159 were rescheduled.

In compliance were Cases #2011030153, #2011030224, #2011030147, #2011050091, #2011050102, #2011050131, #2011040183, #2011030230, #2011050057, #2011040007, #2011050216, #2011060102, #2011060104, #2011060114, #2011060122, #2011060153, #2011060135, #2011060070, #2011060022, #2011050217, #2011030167, #2011030236, #2011040171, #2011040063, #2011040170, #2011050011, #2011030250, #2011020103, #2011040065, #2011040052, #2011050140, #2011010001, and #2011070010.

Mr. DeBlois announced there was a Lien Release Request but the Respondent was not yet present. He would address that case when the Respondent was in attendance.

12:19:41

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

12:19:59 **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.

**EVIDENTIARY HEARINGS**

12:20:32 **Case #2011040145 – Kristen Eileen McCartney**

Ms. Rose Jefferson, IRC Code Enforcement Officer, related this property had violations of illegal use of a recreational vehicle and a deck constructed without a permit. The recreational vehicle issue had been resolved and the Respondent had told her she would need some time to obtain a permit for the completed deck. Aerial

photographs of the property were shown and submitted into evidence prior to, and after December, 2008, showing the deck had been added to the property. Staff recommended granting 30 days, until August 19, 2011, to obtain the after-the-fact deck permit.

12:22:23

**ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Owens, the Board voted unanimously (6-0) to grant 30 days, until August 19, 2011, to obtain the after-the-fact deck permit.**

The Respondent was not present for this hearing.

12:22:37 **Case #2011040180 – Keith L. Mason (AD)**

Inspector Jefferson testified this property had a violation of a commercial vehicle being stored on residential property. She posted the property on July 15, 2011, and submitted an Affidavit of Service along with photographs into evidence. Staff requested granting 30 days, until August 19, 2011 to remove the commercial vehicle from the property.

12:23:34

**ON MOTION BY Mr. Suthard, SECONDED BY Mr. Petrulak, the Board voted unanimously (6-0) to grant 30 days, until August 19, 2011, to remove the commercial vehicle from the property.**

The Respondent was not present for this hearing.

12:23:44 **Case #2011030142 – Mills Properties, LLC**

Mr. DeBlois recapped this concerned a business called OTG Liquidation Center with a sign violation; zoning district use violation; and a junk vehicle violation.

Ms. Kelly Buck, IRC Code Enforcement Officer, related she served notice on the business on July 14, 2011, and on Mills Properties, LLC on July 14, 2011.

Mr. DeBlois stated the junk vehicle and zoning district use violations had been resolved.

Inspector Buck submitted into evidence photographs showing the initial OTG

Liquidation Center sign for which a permit had been obtained dated April 1, 2011. The second photograph taken July 21, 2011, shows a new facade sign that did not have a permit. The owner of the business stated he would be applying for a sign permit within the next 30 days.

Mr. DeBlois recommended the Board grant 30 days, until August 19, 2011 for the Respondent to obtain an after-the-fact sign permit and comply with that permit.

12:26:45

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

The Respondent was not present for this hearing.

12:27:28     **Case #2011050207 – Chris & Regina D. Petrizzi**

Ms. Vanessa Solomon, IRC Code Enforcement Officer, related this case involved overgrown weeds, junk, trash, and debris violations. Currently, the junk, trash and debris violation was in compliance with the overgrown weeds remaining. She submitted photographs into evidence and noted there was someone living in the residence. Staff recommended granting 30 days, until August 19, 2011 to bring the property into compliance.

12:28:41

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

The Respondent was not present for this hearing.

12:28:52     **Case #2011050062 – Merrily & Allison Quincoces**

Inspector Solomon testified this property was posted on July 15, 2011 after attempts of certified and first class mail were unsuccessful. She submitted an Affidavit of Service and photographs into evidence. The property was a vacant residence in foreclosure with overgrown weeds, junk, trash and debris. The junk, trash and debris had been resolved but the grass on the property exceeded the 12-inch height limit. Staff requested granting 30 days, until August 19, 2011 for the overgrown violation to be resolved.

12:29:59

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

The Respondent was not present for this hearing.

12:30:10 **Case #2011050034 – Virginia Rose Waldron**

Inspector Jefferson related this case involved an overgrown weeds violation on a portion of the Respondent's property and submitted photographs into evidence. Service on the owner was accomplished on July 5, 2011. She recommended granting 30 days, until August 19, 2011 to bring the property into compliance.

12:33:16

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

The Respondent was not present for this hearing.

12:33:23 **Case #2011050023 – Gwendolyn Sheppard**

Inspector Jefferson testified this was a vacant house with an overgrown weeds violation. She posted the property on July 15, 2011 after attempts at certified and first class mail were unsuccessful. An Affidavit of Service and photographs were submitted into evidence.

Mr. DeBlois recommended granting 30 days, until August 19, 2011, to bring the property into compliance.

12:35:17

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

The Respondent was not present for this hearing.

12:35:40 **Case #2011050233 – Richard J. & Ross Tieder**

Ms. Betty Davis, IRC Code Enforcement Officer, related this case involved a

hazardous structure consisting of a vacant building with junk, trash and debris and structure maintenance violations. She posted the property on July 14, 2011 after attempts at certified and first class mail were unsuccessful. An Affidavit of Service and photographs were submitted into evidence.

Inspector Davis stated she had spoken with Mrs. Tieder and she requested 60 days as she was obtaining bids for demolition of the structure and clearing of the junk, trash, and debris. Staff could support granting 60 days, until September 23, 2011 to bring the property into compliance.

12:37:31

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

The Respondent was not present for this hearing.

12:37:42     **Case #2011050251 – BAC Home Loans Servicing LP**

Inspector Davis testified this was a vacant residence with an overgrown weeds violation. Service on the owner was accomplished on July 5, 2011. She submitted a photograph into evidence and recommended granting 30 days, until August 19, 2011 to bring the property into compliance.

12:37:59

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

The Respondent was not present for this hearing.

12:38:11     **Case #2011060045 – S&S Rentals, LLC**

Inspector Davis related this was a Sunoco Gas Station with landscape and site plan nonconformance violations. Service on the owner was accomplished on July 5, 2011. She submitted photographs into evidence showing dead and dying trees and landscape. Staff requested 30 days, until August 19, 2011 to achieve compliance.



The Respondent was not present for this hearing.

12:42:56 – **Case #2011040203 – Albino Sandra Chapa**

Inspector Davis related this was an overgrown yard of a vacant home that was not yet in foreclosure. She posted the property on July 14, 2011 after attempts at certified and first class mail were unsuccessful. An Affidavit of Service and a photograph were submitted into evidence. Staff recommended granting 30 days, until August 19, 2011, to bring the property into compliance.

12:43:31

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

The Respondent was not present for this hearing.

12:43:39 **Case #2011050097 – Mattie C. Singleton**

Inspector Buck testified she had received Certified Mail service on this case on July 21, 2011 and inquired if that was sufficient time for this case to be heard today.

Mr. DeBlois stated in the past, 10 days of certified service was required and this would not meet that timeframe.

Attorney Hancock recommended tabling this case until the August 22, 2011 meeting.

12:44:41

**ON MOTION BY Mr. Suthard, SECONDED BY Mr. Petrulak, the Board voted unanimously (6-0) to table this case until August 22, 2011.**

The Respondent was not present for this hearing.

12:44:49 **Case #2011050047 – Kenneth Holmes**

Inspector Buck stated she had service of Certified Mail on the Respondent on July 14, 2011 and she posted the property on July 13, 2011 for violations of boat/trailer storage on residential property and erection of a shed on the adjoining



vacant lot.

Discussion was held regarding the vacant lot adjacent to the Respondent's property which he was leasing to a tenant. The tenant was using the vacant lot which was not owned by Mr. Holmes, to drive across and store the trailers, boat, and the shed. It was determined that the property lines were not clear and the case should be withdrawn until the questions could be answered.

12:50:24

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

The Respondent was not present for this case.

### **COMPLIANCE HEARINGS**

12:50:52 **Case #2010060002 – Terrence, Jamard & Thaddeus Lee**

Mr. DeBlois recapped this case originally came before the Board as an Evidentiary Hearing in July, 2010 with violations of unpermitted residential addition; a junk vehicle truck and trailer storage on the property; and junk, trash, and debris. The Board required the Respondent to acquire an after-the-fact building permit for the addition or remove the structure and obtain registrations for the junk vehicles or remove those vehicles from the property. Several extensions were granted, with the latest in April, 2011.

Inspector Davis testified the junk, trash, and debris and the junk vehicle violations had been resolved, but the addition remained without an after-the-fact permit. A photograph was submitted into evidence.

Mr. DeBlois recommended the fine be imposed for the unpermitted structural addition in the amount of \$100 per day beginning July 23, 2011.

12:53:01

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

The Respondent was not present for this hearing.

12:53:04 **Case #2011040075 – Susanna Chapter No. 63 OES**

Mr. DeBlois related this case involved junk, trash, and debris violations resulting from a burnt structure on the property. The case came before the Board in May, 2011 as an Evidentiary Hearing after due notice to the Respondent. The Board ordered the Respondent to remove the accumulation of junk and debris from the burnt structure and dispose of it at an approved facility.

Inspector Buck testified the status of the property was unchanged and submitted photographs into evidence.

Mr. DeBlois opined the fine of \$100 per day beginning July 23, 2011 should be imposed since there had been no progress on the case.

12:54:51

**ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (6-0) to impose the fine as recommended by Staff.**

The Respondent was not present for this case.

12:55:06 **Case #2011040031 – Brian Harry & Barbara Elaine Dale**

Inspector Solomon testified this case initially came to the Board as an Evidentiary Hearing on May 23, 2011 with a violation of an enclosed garage and a walkway that was poured without building permits. The Board granted 60 days, until July 22, 2011, for compliance. To date, there had been no contact from the Respondents or application for building permits. Staff recommended the \$100 per day fine be imposed beginning July 23, 2011.

12:56:08

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

The Respondent was not present for this hearing.

12:56:16 **Case #2011030025 – Miguel Gonzalez & Anai Palermo**

Inspector Solomon recapped this case initially came to the Board on June 27, 2011 for an Evidentiary Hearing regarding junk, trash and debris violations. The





Hearing on June 27, 2011 with a junk, trash and debris violation. There had been no progress made on clearing the violation so staff recommended the fine be imposed at \$100 per day with a start date of July 23, 2011.

01:04:12

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

The Respondent was not present for this hearing.

01:04:48 **Case #2011070011 – Henry Rodrigues**

Inspector Solomon recapped this was a vacant residence with an overgrown weeds violation. This was a repeat violation of a previous Board Order with an original order entered on September 28, 2009 for a number of issues which included the overgrown weeds violation. The main issue is the Respondent lives elsewhere and he purchased this property as a foreclosure with the intent of fixing the property up and leasing it. The Respondent has never gotten around to improving the property and since the initial 2009 Order, he had been cited several times.

Inspector Solomon submitted photographs into evidence and recommended the fine be imposed of \$100 per day with a start date of July 22, 2011 because that was the day the submitted photographs were taken showing the property was not in compliance.

01:06:55

**ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (6-0) to impose the fine as recommended by staff.**

The Respondent was not present for this hearing.

### **LIEN RELEASE REQUEST**

01:07:18 **Case #2008010013 – Ana Chavalo (Trust Company (TRS) Deutsche Bank NA**

Mr. DeBlois stated this case had been put on the agenda at the request of the bank. Since no one was present, he recommended finding the property in compliance today and then if the bank would like to come back at another meeting to

discuss a possible reduction in the amount of fine that could be addressed at that time.

Mr. DeBlois continued this case dated back to April, 2008 where there was an Evidentiary Hearing concerning overgrown weeds and junk, trash, and debris violations. The case came back to the Board for a Compliance Hearing on May 19, 2008 and at that time staff reported the violations had not been resolved and as a result the Board imposed a fine of \$100 per day with a start date of May 17, 2008.

Inspector Jefferson inspected the property and verified compliance on June 14, 2011 when she was in the area, but there was no way to determine if compliance had been reached prior to that date. Based on the flat calculation of fines, there were 1,123 days in noncompliance which totaled \$112,300. Since there was not a bank representative present, staff would recommend the Board acknowledge compliance and set the fine.

01:09:58

**ON MOTION BY Suthard, SECONDED BY Mr. Petrulak, the Board voted unanimously (6-0) to Acknowledge Compliance as of June 14, 2011 and setting the fine at \$112,300.**

The Respondent nor the bank representative were present for this hearing.

#### **Authorization for Notices to Appear**

01:10:14

**ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Zimmerman, the Board voted unanimously (6-0) to authorize the Notices to Appear for cases leading up to the August 22, 2011 meeting.**

There being no further business, the meeting was adjourned at 2:31 p.m.