

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, March 24, 2014 at 1:30 p.m.

Present were Chairman **Pete Clements**, General Contractor Appointee; **Tony Gervasio**, Member-at-Large Appointee; **Joe Petrulak**, Subcontractor Appointee; **Karl Zimmermann**, Realtor Appointee; and Vice-Chairman **Aaron Bowles**, Engineer Appointee.

Let the record show there is a vacancy for an Architect Appointee and a Businessman Appointee.

Also in attendance was IRC staff: Roland DeBlois, Environmental and Code Enforcement Chief; Andrew Sobczak, Senior Planner; Betty Davis, Vanessa Carter Solomon and Kelly Buck, Code Enforcement Officers; Attorney David Hancock, Attorney for the Board; and Reta Smith, Recording Secretary.

9:58:10 **Call to Order**

Chairman Clements called the meeting to order and led all in the Pledge of Allegiance. The secretary called the roll, establishing that a quorum was present.

9:59:04 **Approval of Minutes of February 24, 2014**

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to approve the minutes of February 24, 2014 as presented.

9:59:23 **Attorney's Overview of Board Purpose and Procedures**

Attorney David Hancock, Attorney for the Board, gave a brief overview of the procedures and purpose of the Code Enforcement Board.

10:07:19 **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 #2013100135, #2013100095, #2013090134, #2013120003, #2013100151, #2013120012, #2913070138, #2014010014, #2013110008, #2013100092, #2014010004, #2013120020 and #2014010091 - 30 day extension until April 25, 2014. Cases #2013070079, #2013060019, #2013020065, #2013080131, #2012110095, #2013050016, #2012100236, #2013120006 and #2012080061 - 60 day extension until May 16, 2014. Cases #2013100109, #2014020132, #2014030013 and #2014030036 were rescheduled.

In compliance were Cases #2013110015, #2013090121, #2013100155, #2014010018, #2014020098, #2014020035, #2014020021, #2014020047, #2014010066, #2014010095, #2013120046, #2011070009, #2013040032, #2013040057, #2013060111, #2013120018, #2013080097, #2014010055, #2013120054 and #2013090162.

Mr. DeBlois noted there was an addendum to the agenda for a Lien Release Request and two Compliance Hearings.

10:15:46

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to accept the Consent Agenda with the revisions.

10:16:06 **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.

Chairman Clements observed there were not many Respondents present today and he decided to call up people from each side of the Commission Chambers, rather than go through all of the names on the agenda

EVIDENTIARY HEARINGS

10:17:02 **Case #2013100037 – Jeramy Zych**

Ms. Vanessa Carter Solomon, IRC Code Enforcement Officer, submitted one photograph taken March 20, 2014 into evidence and related the Respondent had constructed a detached carport without required permits. She added it appeared the property was a double lot and she thought it might be necessary for the Respondent

to apply for a unity of title in order to build on the adjacent lot.

Mr. DeBlois recommended an extension of 60 days, until May 16, 2014, for the Respondent to obtain the necessary permit and after-the-fact approval.

Respondent Mr. Jeramy Zych said he had engineer's drawings and would do what was necessary to bring the structure up to code.

10:20:44

ON MOTION BY Mr. Bowles, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violation and grant an extension of 60 days, until May 16, 2014, for compliance or a possible \$100 per day fine.

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

10:22:12 **Case #2013070120 – Tracy Sabol**

Ms. Betty Davis, IRC Building Inspector, submitted an Affidavit of Service indicating the property had been posted on March 14, 2014 and one aerial photograph into evidence, and testified this case came to her attention when a neighbor complained about a storage shed built without permits. She confirmed the Respondent had submitted a survey but needed a rear lot setback of 20 feet in order to retain the structure and was working with staff towards compliance.

Respondent Mr. Tracy Sabol said he had rebuilt the shed after the 2004 hurricanes and asked for time to try to resolve the violation.

Inspector Davis recommended an extension of 90 days, until June 20, 2014, for compliance.

10:26:45

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Gervasio, the Board voted unanimously (5-0) to find the violation and grant an extension of 90 days, until June 20, 2014, for compliance or a possible \$100 per day fine.

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

Mr. DeBlois advised this case involved a property zoned limited commercial that had previously been a bowling alley and then was transformed to a pawn shop through the permitting process; however illegal land clearing and tree removal had occurred without required permits, as well as a sign violation, structural alterations, vehicle storage and sales issues and junk, trash and debris.

Inspector Davis submitted an Affidavit of Service indicating the property had been posted on March 14, 2014 and described the conditions on the site.

Mr. DeBlois recapped during the course of the site plan submittal for application and review process there was a tree survey done with a proposed development of the property; however land clearing occurred subsequent to staff receiving the tree survey submitted by the Respondent and before issuance of any permit for land clearing.

Mr. Andrew Sobczak, IRC Senior Planner, submitted three photographs and two copies of a tree survey into evidence, and testified there were 44 protected oak trees over four inches in diameter removed from the site.

Mr. DeBlois submitted into evidence a copy of Section 927.17 of the County Code and noted Section Four specified a fine of \$1,000 per tree; however per Subsection Nine there was an opportunity for the Respondent to apply for an after-the-fact permit if the land clearing could be justified as meeting the criteria of the code. He submitted into evidence a memorandum dated March 20, 2014 outlining how County staff had concluded approximately eight trees could have been saved under the context of the development and showing how the fine was calculated for the illegal land clearing.

Mr. DeBlois indicated fines, based on the point system, would be as follows:

- \$960 for triple after-the-fact permit fees
- \$8,000 for removal of eight protected trees not justified for removal under the conceptual development plan
- \$3,750 for illegal land clearing not justified under the conceptual development plan

Mr. DeBlois summarized the total fines amounted to \$12,710 and advised there was an opportunity for the Respondent to offset all or a portion of \$8,000 of the total fine with the on-site replacement of trees of a similar quality to those that were

removed.

Mr. Joseph Paladin, representing the Respondent, testified the plan was to mitigate the trees with more than the required minimum and they would work to comply on the remainder of the violations.

Mr. DeBlois recommended the Board impose a \$12,710 fine with an opportunity to offset the \$8,000 fine for tree removal with mitigation plantings on site; and an extension of 30 days, until April 25, 2014, for the Respondent to obtain all required permits and bring the property into compliance.

Mr. Bowles advised he would abstain from voting on this case and submitted a Voting Conflict Form 8B, which is on file in the Commission Office.

10:50:17

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (4-0) to find the violations and impose a \$12,710 fine with an opportunity to offset the \$8,000 fine for tree removal with mitigation plantings on site; and to grant an extension of 30 days, until April 25, 2014, for the Respondent to obtain all required permits and bring the property into compliance or a fine of \$100 per day. Mr. Bowles abstained.

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

10:51:35 **Case #2014020013 – Odessa Clark**

Ms. Kelly Buck, IRC Code Enforcement Officer, submitted two photographs taken March 24, 2014 into evidence and related this case had to do with a swimming pool enclosure violation and no building permit for an enclosed garage, noting the junk vehicles violation had complied. She recommended an extension of seven days, until March 31, 2014, for compliance of the pool enclosure and 90 days, until June 20, 2014, for the Respondent to obtain after-the-fact permits and final inspection for the garage.

10:54:41

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Gervasio, the Board voted unanimously (5-0) to find the violations for no building permit and swimming pool enclosure and grant an extension of seven days, until March 31, 2014, for compliance of the pool enclosure violation and 90 days, until June 20, 2014, for the Respondent to obtain after-the-fact permits and final inspection or a possible \$100 per day fine.

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

COMPLIANCE HEARINGS

10:56:31 **Case #2014020125 – D.R. Horton Inc.**

Mr. DeBlois confirmed this was a repeat violation of a Board Order dating back to October 28, 2013 for a sign violation erected in public right-of-way.

Inspector Buck submitted two photographs taken on March 18, 2014 into evidence and advised the Respondent had removed the signs within the time granted in the previous case in October, 2013; however on February 25, 2014 she had observed signs had again been placed in the right-of-way and on the site without permits. She testified she had sent out a Notice of Repeat Violation on February 27, 2014 and service was confirmed by certified mail on March 4, 2014, and she observed the sign was still in the right-of-way on March 4, March 6, March 12, March 18, 2014 and at approximately 8:30 a.m. on March 24, 2014. Inspector Buck stated she had received an email from Mr. Howard Darvin, the Respondent's representative, at 9:30 a.m. on March 24, 2014 in which he stated the signs had been removed and he would be obtaining sign permits.

Mr. DeBlois noted Mr. Howard Darvin was present at the October 28, 2013 hearing and recommended a \$100 per day fine be imposed from the date of service, March 4, 2014, until the signs were removed on March 24, 2014, which was 20 days for a total fine of \$2,000.

Mr. Darvin stated he had been having ongoing struggles with two previous sign companies but had recently switched to a local sign company called Signs by Tomorrow and was hopeful the permit packages would be submitted within the next few days.

11:04:31

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the sign violation existed for 20 days from March 4, 2014 until March 24, 2014, and impose a \$100 per day fine in the total amount of 2,000.

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

11:07:56 **Case #2013120041 – Arnold & Sara Ann Svelling**

Mr. DeBlois recapped this case originally came the Board on February 24, 2014 at which time the Board had granted the Respondent until March 21, 2014 to remove the accumulation of junk, trash and debris, verify the junk vehicles were roadworthy or remove them, remedy a dog barking noise complaint disturbing neighbors and cease harboring more than four animals on the subject property or maintain compliance by not allowing more than two dogs outside of the residence at any given time.

Inspector Davis submitted four photographs into evidence and confirmed the Respondent had built a new fence along his front property; however the older fence still existed in the rear yard where the dogs were kept and she had received calls up until the compliance date of March 21, 2014 from neighbors about noise from the barking dogs. She added there was still some junk, trash and debris on the site and there was also an issue of whether the junk vehicle was actually a commercial vehicle.

Respondent Mr. Kris Svelling testified he had gotten rid of six dogs on March 22, 2014 and there were six dogs remaining. He said he had an invisible fence around the property and understood he could have two dogs outside running loose while the other dogs were enclosed in an outside kennel.

Discussion followed.

Mr. DeBlois advised there were two approaches staff could take: one using the strict decibel level and the other if the barking dog noise was a disturbance to people of normal sensitivity. He noted staff had not received any complaints after the compliance date when six dogs had been removed from the property.

Attorney Warren Dill, representing neighbor Ms. Donna Keys, maintained a

barking dog issue did not require a decibel meter and specifically addressed barking noises from dogs. He acknowledged Mr. Svelling had made wonderful progress to clean up the property and it was good that some dogs had been removed; however the problem could be resolved if an enclosure was put around the kennel to keep the noise down.

Mr. DeBlois recommended an extension of 30 days, until April 25, 2014, for compliance in the remaining violations including addressing the barking dog situation.

11:24:58

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find non-compliance and grant an extension of 30 days, until April 25, 2014, for compliance or a possible \$100 per day fine.

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

EVIDENTIARY HEARING

11:26:15 **Case #2013070092 – Ernest Forrest**

Inspector Carter Solomon summarized the Respondent had rebuilt a residence without obtaining a Certificate of Occupancy (C.O.) because he had some issues that had to be addressed with the IRC Engineering Department, and in the meantime the building permit and right-of-way permit had expired.

The Respondent said the house had passed all the inspections required by the IRC Building Department and the issue was a berm that had been constructed in the front yard to be used for landscaping. He testified the berm had been removed over the past weekend and he felt the property was in compliance.

Mr. DeBlois recommended an extension of 60 days, until May 16, 2014, for the Respondent to reactivate the permits and obtain a C.O. or be subject to a \$100 per day fine.

11:34:33

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Gervasio, the Board voted unanimously (5-0) to find the violation and grant an extension of 60 days, until May 16, 2014, for Respondent to reactivate the expired permits and obtain a C.O. or a possible \$100 per day fine.

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

LIEN RELEASE REQUESTS

11:35:23 **Case #2013020121 – Anne & Thomas Keeler (Bank of New York Mellon)**

Mr. DeBlois recalled the evidentiary hearing on this case took place on April 22, 2013 for overgrown weeds, and the Board granted until May 17, 2013 for compliance. He continued when the case came back on June 24, 2013 after one Order Granting Extension, upon hearing nothing had been done the Board imposed a \$100 per day fine with a start date of June 22, 2013. Mr. DeBlois confirmed compliance as of March 18, 2014, which was the passage of 269 days for a flat fine of \$26,900.

Mr. Richard Van Zyl of ReMax Realty, representing the bank, testified he had taken over the property on February 28, 2014 but had not been aware of the fine until last week and the property was now under contract.

Mr. DeBlois noted the bank had been notified from the beginning of this case and it had taken almost one year for compliance to be attained, and recommended the fine be set at 10% of the flat fine, for an amount of \$2,690.

11:40:15

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Zimmermann, the Board voted unanimously (5-0) to find compliance and set the fine at 10% of the flat fine for an amount of \$2,690 to cover administrative costs and in consideration of the length time the violation had existed.

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

11:41:38 **Case #2013090106 – Kelly Construction & Development, Inc.**

Mr. DeBlois summarized this case had first been the Board on October 28, 2013 for overgrown weeds and one extension was granted until November 20, 2013. He continued when it came back for a compliance hearing on January 27, 2014 and staff testified the violation had not been resolved the Board imposed a \$100 per day fine with a start date of December 21, 2013. Mr. DeBlois verified compliance as of February 20, 2014, which was 61 days for a flat fine calculation of \$6,100.

Respondent Mr. Chad Kelly testified the wrong lot had been mowed and he thought the violation had been taken care of prior to December 22, 2013, and asked for a reduction of the fine.

Mr. DeBlois recommended the fine be set at \$2,000 to cover administrative costs.

11:47:24

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted (3-2) to find compliance and set the fine at \$2,000 to cover administrative costs. Chairman Clements and Mr. Bowles opposed.

Attorney Hancock advised the motion had to be approved by at least four members of a seven member Board and therefore the motion failed, which meant the fine would still be accruing because there was no action.

Respondent Kelly protested his company owned many properties in the County and they were always maintained in a timely manner.

Mr. Petrulak stressed the importance of not setting a precedent for any particular case.

Mr. DeBlois pointed out the certified mail receipt for the initial Notice of Violation was dated September 26, 2013, with one extension granted in November, 2013, and the property had not come into compliance until February, 2014, so a number of months had passed before the compliance hearing in January, 2014.

Discussion followed.

11:54:53

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Zimmermann, the Board voted (4-1) to find compliance and set the fine at \$2,000 to cover administrative costs. Mr. Bowles opposed.

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

11:56:29 **Case #2013040055 – Odyssey (II) DP V, LLC**

Mr. DeBlois indicated this case first came to the Board on June 24, 2013 for landscape maintenance and site plan non-conformance violations, at which time the Respondent was granted until August 23, 2013, with three subsequent Orders Granting Extension recommended by staff before it came to the Board for a compliance hearing on January 27, 2014. He advised at that time upon hearing there were still some landscape deficiency issues the Board imposed a \$100 per day fine with a start date of January 25, 2014. Mr. DeBlois verified compliance as of March 21, 2014, which was 55 days of non-compliance for a flat fine of \$5,500.

Mr. Braxton Bone, representing the Respondent, said there had been irrigation problems at the site as well as some misunderstanding about exactly what the issues were as far as the quality of plants, etc. He appealed to the Board for a reduction of the fine amount.

Inspector Davis acknowledged there had been a problem with the landscape contractor and a certain amount of miscommunication with the Respondent's representative; however once she had started working with him directly compliance was attained in a timely manner.

Mr. DeBlois recommended a fine in the amount of \$2,600 to cover administrative costs.

12:01:13

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find compliance and set the fine at \$2,600 to cover administrative costs.

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

12:02:03 **Case #2011090013 – Cape Investment Group Inc.**

Mr. DeBlois recapped this case originally came to the Board on October 24, 2011, at which time the Respondent was granted 30 days, until November, 25, 2011, to mow overgrown weeds on a vacant lot. He continued when it came back for a compliance hearing on November 28, 2011 and staff reported nothing had been done, the Board imposed a \$100 per day fine with a start date of November 26, 2011. Mr. DeBlois verified compliance as of February 20, 2014, which was the passage of 817 days for an accrued flat fine in the amount of \$81,700.

Inspector Buck testified the case could have complied before the February 20, 2014 date because it was recently sold at a tax deed auction.

Mr. DeBlois recommended a fine in the amount of \$1,700 to cover administrative costs.

12:05:49

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Bowles, the Board voted unanimously (5-0) to find compliance and set the fine at \$1,700 to cover administrative costs.

It is noted for the record the new owner, Mr. G. Ewar, was present for this hearing.

12:08:35 **Case #2011090012 – Omni Venture Inc.**

Mr. DeBlois related this case involved the purchase by the same individual as the previous case having to do with a property adjacent to the lot in the prior case and with similar circumstances. He recapped both cases had gone to the Board for overgrown weeds at the same time for evidentiary and compliance hearings and the fine calculation was for an identical period of time of 817 days of non-compliance for a fine amount of \$81,700. Mr. DeBlois stated administrative costs would be \$1,700; however because they were adjacent properties with the same new owner the Board might take this into consideration as far as the amount of the fine was concerned.

12:10:47

ON MOTION BY Mr. Bowles to find compliance and set the fine at \$300.

The motion failed for lack of a second.

Chairman Clements noted this case involved a separate lot with a different original owner and cautioned about the setting of a precedent.

12:11:32

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find compliance and set the fine at \$1,700 to cover administrative costs.

It is noted for the record the new owner, Mr. G. Ewar, was present for this hearing.

12:14:05 **Case #2011010035 – Eric & Gayle Winer**

Mr. DeBlois summarized this case had originally been to the Board on February 28, 2011 for overgrown weeds and junk, trash and debris, at which time the Board granted the Respondents until April 22, 2011 to comply. He indicated the case came back for a compliance hearing on April 25, 2011, and upon hearing nothing had been done the Board imposed a \$100 per day fine with a start date of April 23, 2011. Mr. DeBlois confirmed compliance had been verified as of January 31, 2014, which was the passage of 1,014 days for a flat fine of \$101,400.

Ms. Bonita Colson, representing the Respondents, asked for a reduction of the fine amount.

Mr. DeBlois recommended the fine be set at \$1,700 to cover administrative costs.

12:18:59

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Gervasio, the Board voted unanimously (5-0) to find compliance and set the fine at \$1,700 to cover administrative costs.

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

Chairman Clements called a recess at 3:50 p.m. and reconvened the meeting at 3:58 p.m.

EVIDENTIARY HEARINGS

12:19:43 **Case #2013110048 – A & P Auto Salvage LLC**

Inspector Buck confirmed service on the registered agent on March 12, 2014 and submitted one photograph into evidence, and stated the case had to do with a zoning district use violation for outdoor storage of vehicles and U-Hauls on a commercial property without approvals. She confirmed the Respondent had removed the U-Hauls and a number of vehicles and applied for administrative approval for outside storage use; however IRC staff had sent out a discrepancy letter on January 30, 2014 and had not heard back from the applicant.

Mr. DeBlois recommended an extension of 60 days, until May 16, 2014, for the Respondent to either obtain administrative approval or cease the outdoor storage use.

12:21:32

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Gervasio, the Board voted unanimously (5-0) to find the violation and grant an extension of 60 days, until May 16, 2014, for compliance or a possible \$100 per day fine.

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

12:21:45 **Case #2013060092 – Liliana Beatriz Santamaria**

Inspector Carter Solomon submitted two photographs into evidence and confirmed service via certified mail on March 12, 2014. She described an addition built on the rear of the residence without permits and recommended an extension of 90 days, until June 20, 2014, for compliance.

12:23:01

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Bowles, the Board voted unanimously (5-0) to find the violation and grant an extension of 90 days, until June 20, 2014, for compliance or a possible \$100 per day fine.

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

12:23:16 **Case #2014010037 – Julio & Ordonez Campoverde**

Inspector Carter Solomon confirmed service by certified mail on March 12, 2014 and submitted two photographs into evidence. She advised the cited violations were for two junk vehicles and junk, trash and debris, adding she would withdraw the zoning district use violation, and recommended an extension of 60 days, until May 16, 2014, for compliance.

12:24:54

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violations for junk vehicles and junk, trash and debris and grant an extension of 60 days, until May 16, 2014, for compliance or a possible \$100 per day fine.

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

12:25:05 **Case #2014010022 – Terri Moody-Floyd & Ruthie Moody**

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

12:25:19 **Case #2014020077 – William Bryant**

Inspector Davis submitted an Affidavit of Service indicating the property had been posted on March 14, 2014 and two photographs into evidence, and described junk, trash and debris and overgrown weeds on the subject property. She reported the Respondent had done quite a bit of work towards compliance and recommended an extension of 30 days, until April 25, 2014, for compliance.

12:26:34

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violations and grant an extension of 30 days, until April 25, 2014, for compliance or a possible \$100 per day fine.

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

12:26:47 **Case #2014020062 – Audrey Moore (Green Tree Servicing LLC)**

Inspector Carter Solomon submitted an Affidavit of Service indicating the

property had been posted on March 14, 2014 and two photographs into evidence showing overgrown weeds at a vacant residence. She noted the property was in foreclosure and confirmed she had received certified service on March 18, 2014 from the bank, and indicated she had not had contact with either the owner or the bank. Inspector Carter Solomon recommended an extension of 30 days, until April 25, 2014, for compliance.

12:27:45

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Gervasio, the Board voted unanimously (5-0) to find the violation and grant an extension of 30 days, until April 25, 2014, for compliance or a possible \$100 per day fine.

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

12:27:52 **Case #2014020036 – Sheree Layne**

Inspector Carter Solomon submitted an Affidavit of Service indicating the property had been posted on March 14, 2014 and two photographs into evidence and advised the cited violations were for overgrown weeds and junk, trash and debris. She reported she had recently learned the Respondent was deceased and the property was in foreclosure and she planned to contact the bank, and recommended an extension of 60 days, until May 16, 2014, for compliance.

12:29:09

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Bowles, the Board voted unanimously (5-0) to find the violations and grant an extension of 60 days, until May 16, 2014, for compliance or a possible \$100 per day fine.

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

12:29:22 **Case #2014020058 – Cecilia Garza (Nationstar Mortgage Company LLC)**

Inspector Carter Solomon confirmed service on Nationstar Mortgage Company LLC on March 13, 2014 and submitted an Affidavit of Service indicating the property had been posted on March 14, 2014 and two photographs into evidence. She related the cited violations were for junk, trash and debris and

overgrown weeds on a vacant property, and confirmed the overgrown weeds violation had been resolved but there was still some trash remaining on the site. Carter Solomon indicated a representative of the bank contacted her and said they had submitted bids to finish the work on the property, and she recommended an extension of 30 days, until April 25, 2014, for compliance.

12:30:46

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violation for junk, trash and debris and grant an extension of 30 days, until April 25, 2014, for compliance or a possible \$100 per day fine.

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

12:30:54 **Case #2014020049 – David Henson (Bank of America, N.A.)**

Inspector Carter Solomon confirmed service on the Bank of America, N.A. on March 17, 2014 and submitted an Affidavit of Service indicating the property had been posted on March 14, 2014 and two photographs into evidence. She described overgrown weeds and junk, trash and debris on the vacant property and recommended an extension of 30 days, until April 25, 2014, for compliance.

12:32:06

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Bowles, the Board voted unanimously (5-0) to find the violations and grant an extension of 30 days, until April 25, 2014, for compliance or a possible \$100 per day fine.

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

12:32:23 **Case #2014010070 – Henry Rodrigues**

Inspector Buck testified the property had been posted on March 6, 2014 and submitted one photograph taken March 24, 2014 into evidence, and related the property had been cited for overgrown weeds and junk, trash and debris. She stated the Respondent had promised to take care of the violations and recommended an extension of 30 days, until April 25, 2014, for compliance.

evidence and related she had spoken to the owner, Mr. Shannon Cook, and advised him he needed to apply for administrative approval to define the areas allowing outdoor storage; however when she visited the site on March 24, 2014 the property was in the same condition.

Mr. DeBlois recommended the Board find non-compliance and enter a \$100 per day fine with a start date of March 22, 2014.

12:39:17

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Gervasio, the Board voted unanimously (5-0) to find non-compliance and enter a \$100 per day fine with a start date of March 22, 2014.

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

12:39:37 **Case #2014020008 – LaCrystal DeMario & Antonio Yorker**

Inspector Buck indicated this case had first been to the Board on February 14, 2014 as a repeat violation for overgrown weeds, at which time an extension of 30 had been granted until March 21, 2014. She submitted two photographs taken March 24, 2014 into evidence and noted nothing had been done and she had not had any contact with the property owners, and recommended the Board find non-compliance and enter a \$100 per day fine with a start date of March 22, 2014.

12:40:33

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Bowles, the Board voted unanimously (5-0) to find non-compliance and enter a \$100 per day fine with a start date of March 22, 2014.

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

12:40:43 **Case #2014010048 – Lynn & Suzanne Akerley (Wells Fargo Bank, N.A.)**

Inspector Carter Solomon summarized this case originally came to the Board on February 24, 2014, at which time the Board granted seven days to resolve the zoning district use violation by removing the roosters and until March 21, 2014 to resolve the swimming pool maintenance violation. She reported nothing had been done and recommended the \$100 per day fine be imposed with a start date of March

