

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, January 26, 2015 at 1:30 p.m.

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

Absent was **Stephen Boehning**, Engineer Appointee and **David Myers II**, Businessman Appointee (both excused).

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

Also in attendance was Attorney Jennifer Peshke, Attorney for the Board; IRC staff: Roland DeBlois, Environmental and Code Enforcement Chief; Betty Davis, Vanessa Carter Solomon, Rose Jefferson and Kelly Buck, Code Enforcement Officers; and Reta Smith, Recording Secretary.

9:07:31 **Call to Order**

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

9:07:46 **Approval of Minutes of**

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to approve the minutes of May 18, 2014 as presented.

9:08:10 **Attorney's Overview of Board Purpose and Procedures**

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

9:15:35 **Agenda Additions or Deletions, Consent Items**

Chairman Zimmermann noted Reta Smith, the recording secretary was retiring

and this would be her last CEB meeting. The Board members thanked Reta for her service and presented her with a gift card.

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 #2014070175, #2014040012, #2015020018, #2015030030, #2015040071, #2015020056, #2015030058, #2015030059, #2015040031, #2014090140, #2013120009, #2015030078, #2015010101, #2014080009 and #2015010048 - 30 day extension until July 24, 2015. Cases #2015010068, #2015010103, #2013070120, #2015010004, #2015010096 and #2014030039 - 60 day extension until August 21, 2015. Cases #2012015030073, #2015040037 and #2014100120 were rescheduled.

In compliance were Cases #2015030008, #2015030109, #2015030110, #2015040140, #2015030080, #2015030095, #2015050016, #2015050006, #2015050020, #2015050008, #2015040156, #2015050082, #2015050103, #2015020107, #2015020043, #2015020090, #2015040076, #20-15030039, #2014080003, #2014070238 (first tier), 2015040082, #2015020106, #2014070102, #2014080132, #2015040057, #2015020013, #2015010105, #2015030070, #2015020133 and #2014060021.

Mr. DeBlois recommended the Administrative Hearings be heard at 2:30 p.m. and the Lien Release Requests be heard at 3:00 p.m. or later. He noted there was also one Rehearing Request for Case #2014060097, Gregg J. Deaquair on today's agenda.

9:26:36

ON MOTION BY Mr. Clements, SECONDED BY Mr. Petrulak, the Board voted unanimously (4-0) to accept the Consent Agenda with the revisions.

9:27:00

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.

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

COMPLIANCE HEARINGS

9:55:07 **Case #2013100068 – Hotoniel Bedolla**

Mr. DeBlois recapped this case originally came to the Board on April 28, 2014, at which time the members found a violation for a building modification without permits and granted 60 days for the Respondent to obtain after-the-fact permits and final inspection approvals or bring the structure back to its previous condition, with a number of extensions subsequently being granted.

Inspector Buck reported as of June 19, 2015 no permits had been submitted; however the Respondent told her his architect now had the plans to apply for a permit.

Respondent Mr. Hotoniel Bedolla testified the engineer had to review the plans and told him he would be getting a permit at the end of this week.

Chairman Zimmermann expressed surprise at the number of extensions allowed since this violation was first noticed.

Mr. DeBlois said staff had previously recommended extensions based on the Respondent's explanations of his efforts to get structural and engineering drawings completed. Inspector Buck added the Respondent had run into problems with prior companies hired to do the work, and the property was being converted back to a single-family residence.

Mr. DeBlois recommended one more extension of 30 days, until July 24, 2015, for compliance and stressed no more extensions would be supported by staff unless substantial progress had been made.

10:00:54

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Petrulak, the Board voted unanimously (4-0) to find non-compliance and grant an extension of 30 days, until July 24, 2015, for compliance or a \$100 per day fine would be imposed.

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

10:01:50 **Case #2015020060 – Eligha Pryor, Jr.**

Mr. DeBlois noted although the agenda referenced Respondent Pryor, this case also involved Wells Fargo Bank as indicated on the Order. He recalled the bank had a representative at a number of hearings related to this case involving the securing of an incomplete pool and vacant house and other structures built without current permits. Mr. DeBlois confirmed there had already been an Order Imposing Fine entered at the May 18, 2015 meeting because of the shorter time frame the Board gave for the bank to fence the pool, and this hearing related to the remaining issue of the expired permits for a utility structure.

Mr. DeBlois advised when this first came to the Board on March 23, 2015 a foreclosure was in process and the bank gained title to the property as of March 31, 2015, so when the fine was entered Mr. Pryor, Jr. no longer owned the property. He recommended the Board release Eligha Pryor, Jr. from the lien and keep it against Wells Fargo Bank, and recommended the existing fine be rescinded and the scope expanded to include the pool and the remaining violation through an amendment to the previous Order Imposing Fine.

Mr. Gervasio wondered if the Board could impose a second fine because he felt the bank was ignoring the previous directions. Attorney Jennifer Peshke, Attorney for the Board, advised the Board could not impose anything more than its statutory authority allowed. Mr. DeBlois suggested entering a new Order Imposing Fine for no building permits with a separate Order releasing Mr. Pryor, Jr.

10:11:34

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Petrulak, the Board voted unanimously (4-0) to release Eligha Prior, Jr. from the previous lien imposed on May 18, 2015.

10:12:04

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Clements, to find Wells Fargo Bank in non-compliance for no building permit and enter a \$100 per day fine with a start date of June 20, 2015.

Mr. Petrulak was uncomfortable because the Board had never imposed two fines on the same case in the past, and although he understood Mr. Gervasio's frustration he would not be able to support such a motion.

Mr. DeBlois pointed out there were two separate compliance dates, one for the pool and the other for the remaining violation.

Discussion ensued.

10:18:43

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Clements, the Board voted (3-1) to find Wells Fargo Bank in non-compliance for no building permit and enter a \$100 per day fine with a start date of June 20, 2015. Mr. Petrulak opposed.

It is noted for the record Mrs. Verna Manning-Pryor, wife of Eligha Pryor, Jr., was present for this hearing.

ADMINISTRATIVE HEARINGS

10:20:13 **Case #2014060013 – L.P. Rina Properties, LLC (Violator: Mark & Deborah Steffler d/b/a One Stop Shop-Lighten Up Inc.)**

Mr. DeBlois noted this case related to property in a plaza at 8108 U.S. Highway #1, with L.P. Rina Properties, LLC being the owner of the plaza and Citation #1165 issued by the IRC Building Department to the tenant business One Stop Shop-Lighten Up Inc. (One Stop).

Ms. Betty Beatty-Hunter, IRC Contractor License Investigator, testified she had visited One Stop on May 26, 2015 after receiving a complaint about work being done by an unlicensed contractor without a permit, at which time she met Respondent Deborah Steffler who told her Mr. David Patti was doing the work and he worked for Meins General Contracting. She referred to photographs contained in the backup and related upon learning Meins Contracting had nothing to do with the job she had issued a citation with a \$500 fine for each violation, for a total amount of \$1,000, to Respondents Mark and Deborah Steffler.

Respondent Mr. Mark Steffler said he told Ms. Beatty-Hunter he had done the work himself because he was not aware a permit was necessary to build the wall, and his wife Debby later tried to get an acquaintance, Mr. David Patti, to pull an after-the-fact permit to get him out of trouble

10:33:19

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Petrulak, the Board voted unanimously (4-0) to uphold Citation #1165 in the amount of \$1,000.

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

10:34:59 **Case #2015060015 – L.P. Rina Properties, LLC (Violator: David Wade Patti)**

Mr. DeBlois related this case involved a citation issued to Mr. David Wade Patti for unlicensed contracting, uninsured contracting and no permit at the same address as the previous case, and each offence came with a \$500 fine for a total amount of \$1,500.

Inspector Beatty-Hunter reiterated she had received information from Mrs. Steffler that Mr. Patti worked for Meins Contracting and was doing the work. She confirmed she had not personally observed Mr. Patti doing work on the subject site.

Respondent Mr. David Patti testified Mr. & Mrs. Steffler were friends of his and he told them he could help them pull a permit and had gone to see Inspector Beatty-Hunter in her office, at which time he received a citation. He stressed he had not done any physical construction work on the subject premises.

Inspector Beatty-Hunter related Mr. Meins of Meins General Contracting told her he had nothing to do with work at the subject location; but he still held insurance on Mr. Patti and would pick up the permit for him and put him on his payroll to do the job in question.

Respondent Patti stated he was a full-time employee of Meins General Contracting.

Mr. Gervasio noted the Board had sworn testimony from the Respondent Patti and there was no real evidence that he ever worked on the property.

10:39:53

ON MOTION BY Mr. Gervasio, SECONDED BY Chairman Zimmermann, the Board voted (3-1) not to uphold Citation #1166. Mr. Petrulak opposed.

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

10:42:11 **Case #2015060009 – James & Rose Montgomery (Violator: Edward Mark Brossman)**

Mr. DeBlois noted the Respondents were not present and recommended the Board hear the case while IRC staff was present. He recapped this case had to do with a citation issued on May 8, 2015 to Respondent Brossman for unlicensed contracting and uninsured contractor violations for interior and exterior painting of a home on the subject property.

Inspector Beatty-Hunter explained she had not issued a citation to the homeowner because she felt the woman believed she had hired a licensed contractor. She stated she had brought a case involving Respondent Brossman to the Board in April, 2015 for the same violation at another location and he had not shown up for that hearing. Inspector Beatty-Hunter continued she had seen Respondent Brossman painting in the garage and he ran inside the subject premises when he saw her pull up to the house.

Mr. Gervasio referred to an Affidavit dated February 19, 2015 contained in the backup and signed by Respondent Brossman acknowledging that he could not paint without a license.

10:46:20

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Petrulak, the Board voted unanimously (4-0) to uphold Citation #1162 in the amount of \$1,000.

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

Ms. Beatty-Hunter introduced the Board members to Mr. David Checchi who had recently been hired as an IRC Contractor License Investigator.

10:48:05 **Case #2015050071 – Bankers Maintenance and Inspection LLC**

Mr. DeBlois explained this case involved a citation in the amount of \$600 issued for six days at \$100 per day fine for an illegal portable electronic sign without permits.

Ms. Vanessa Carter Solomon, IRC Code Enforcement Officer, confirmed service via certified mail on June 10, 2015. She submitted one photograph into

evidence showing a sign placed in the bed of a truck on the premises and verified the truck and sign had been parked in the same place on the subject property for six days.

10:51:47

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Gervasio, the Board voted unanimously (4-0) to approve Citation #2015050071 in the amount of \$600.

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

LIEN RELEASE REQUESTS

10:53:00 **Case #2013040147 – Ronald Masse (Deutsche Bank National Trust)**

Mr. DeBlois summarized this case originally came to the Board on August 26, 2013, at which time Ronald Masse was cited as the property owner and Deutsche Bank was noticed as the foreclosing bank. He continued the violations were for overgrown weeds and junk, trash and debris at a vacant house and when the case came back for a compliance hearing on October 28, 2013 after one extension, upon hearing nothing had been done the Board entered a \$100 per day fine with a start date of October 26, 2013.

Mr. DeBlois verified compliance as of June 9, 2015, which was 591 days of compliance for a flat fine in the amount of \$59,100; 10% of which would be \$5,910 or administrative costs calculated at \$2,000. He advised the new property owner had approached staff to get the lien amount reduced and noted a Certificate of Title had been issued to the bank on November 27, 2013.

Respondent Pasquale Capra, the current owner, stated he had obtained title from Deutsche Bank on March 31, 2014, at which time the site was in compliance and he knew nothing about the lien until he went to put the property up for sale.

Discussion ensued.

Mr. DeBlois noted there was a passage of approximately five months between when the fine was imposed until Mr. Capra had purchased the property, which was \$15,000; and 10% of that amount would be \$1,500. He recommended the fine be set at \$2,000 to cover administrative costs.

11:03:40

ON MOTION BY Mr. Clements, SECONDED BY Mr. Petrulak, the Board voted unanimously (4-0) to find compliance and set the fine at \$2,000 to cover administrative costs.

It is noted for the record the current property owner was present for this hearing.

REHEARING REQUEST

11:05:17 **Case #2014060097 – Gregg Deaquair**

Mr. DeBlois recapped this case came to the Board for an evidentiary hearing in October, 2014 for an house addition built without permits, at which time the Board granted the Respondent until January, 2015 to resolve the violations. He continued several extensions had been granted and the case came back for a compliance hearing on April 27, 2015, at which time upon learning nothing had been done the \$100 per day fine was imposed with a start date of April 25, 2015.

Mr. DeBlois referred to a letter in the backup from engineer Mr. Randy Mosby advising he had been retained by the Respondent in March, 2015 to obtain after-the-fact permits; however he had inadvertently missed the April, 2015 meeting and was requesting a rehearing.

Mr. Mosby said he was not aware of the April hearing; however the drawings were now complete and he would apply for a permit this week. He asked that the fine be rescinded.

Mr. Gervasio pointed out the owner was aware of both the violation and the fine but had not attended any of the hearings. He noted there was an assumption that if Mr. Mosby had attended the April 27, 2015 meeting the Board would not have imposed the fine, but it might not have had any effect at all on whether the fine was imposed because the Respondent originally built the extension without a permit.

Mr. DeBlois interjected if it was known the Respondent was making progress towards compliance, staff may have recommended an extension on consent.

11:33:47

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to deny the Rehearing Request and uphold the \$100 per day fine.

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

COMPLIANCE HEARING

11:16:01 **Case #2015040058 – Sebastian Riverwalk Investors, LLC (Corporation Service Company)**

Ms. Betty Davis, IRC Code Enforcement Officer, related this case originally came to the Board on April 27, 2015 for site plan non-conformance and landscape maintenance violations and the Respondent was given until June 19, 2015 for compliance. She submitted six photographs into evidence and described dead and substandard replacement vegetation along the perimeter of the site and up against the building, adding there were at least 50-60 shrubs that needed to be replaced.

Mr. DeBlois observed it had been two months since this case first came to the Board and recommended the \$100 per day fine be imposed.

A representative for the respondent said Mr. Bill Blakesly had replanted a total of 27 shrubs along the hedges and had asked him to be present at this meeting because was out of town. He asked Inspector Davis to meet him on site and inform him what needed to be done.

Mr. Petrulak pointed out the Respondent had only been granted 60 days and was not granted an extension and he felt there had been other cases where an extension had been allowed in similar circumstances.

Inspector Davis advised the Respondents were repeat violators.

11:23:23

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Clements, the Board voted (2-2) to find non-compliance and impose a \$100 per day fine with a start date of June 20, 2015. Mr. Petrulak and Chairman Zimmermann opposed.

The motion failed.

11:24:17

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Clements, the Board voted (3-1) to find non-compliance and grant an extension of 60 days, until August 21, 2015, for compliance or a \$100 per day fine would be imposed. Mr. Gervasio opposed.

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

EVIDENTIARY HEARINGS

11:25:45 **Case #2015030072 – Mattie Singleton (Tenant)**

Inspector Davis submitted an Affidavit of Service indicating the property had been posted on June 12, 2015 and one photograph into evidence. She advised Respondent Mattie Singleton was deceased; however her granddaughter, Ms. Valerie Andrews, was representing her interests. Inspector Davis indicated she had received complaints that someone was living in a recreation vehicle (RV) on the rear of the house and had cited the property for no building permit, unsafe building, junk, trash and debris, health and safety hazard and RV illegal use. She confirmed the addition to the RV had been removed and nobody was living in the RV and the illegal shed had been torn down but there was still a port-o-let in the rear of the property, and recommended an extension of 30 days, until July 24, 2015, for compliance.

11:28:31

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to find the violations and grant an extension of 30 days, until July 24, 2015, for compliance or a \$100 per day fine would be imposed.

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

11:28:42 **Case #2014120013 – James & Melissa Elmore**

Inspector Carter Solomon confirmed service via certified mail on June 10, 2015 and stated the cited violation was for no building permit for an addition to a

house on the subject property. She advised the Respondents had applied for an after-the-fact permit last week and recommended an extension of 90 days, until September 25, 2015, for the permit to be issued and finalled out.

11:29:27

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to find the violation and grant an extension of 90 days, until September 25, 2015, for compliance or a \$100 per day fine would be imposed.

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

11:29:42 **Case #2015040109 – Secretary of Veterans Affairs**

Inspector Davis confirmed service on May 4, 2015 and submitted one photograph into evidence. She indicated she had cited the property for property maintenance, overgrown weeds, no building permit and junk, trash and debris and recommended an extension of 30 days, until July 24, 2015, for compliance.

11:30:58

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Gervasio, the Board voted unanimously (4-0) to find the violations and grant an extension of 30 days, until July 24, 2015, for compliance or a \$100 per day fine would be imposed.

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

11:31:22 **Case #2015010097 – William Saenz (Tenant)**

Inspector Carter Solomon submitted five photographs into evidence and described miscellaneous junk, trash and debris on the subject property. She recommended an extension of 30 days, until July 24, 2015, for compliance.

Respondent Mr. William Saenz stated his tenant was building an aquaponic garden system and a fence permit had been obtained. The tenant testified the wood and other material on site was to be used as a base for a natural ecological community garden.

Mr. Clements advised the Respondent to check with IRC staff to make sure

the garden would be allowed if the grade of site was to be altered and the drainage pattern changed.

Mr. DeBlois noted the fence would screen the back yard from the street.

11:40:59

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Petrulak, the Board voted unanimously (4-0) to find the violation and grant an extension of 30 days, until July 24, 2015, for compliance or a \$100 per day fine would be imposed.

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

11:41:26 **Case #2015040035 J.P. Morgan Chase Bank**

Mr. DeBlois said this case would be rescheduled because of lack of verification of service on the Wichita Falls, Texas bank.

11:45:10 **Case #2015040073 – Zhu Ying Li**

Inspector Carter Solomon confirmed service via certified mail on June 12, 2015 and submitted one photograph into evidence. She related the overgrown weeds violation was in compliance and all that remained was junk, trash and debris on the subject property.

11:46:07

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Gervasio, the Board voted unanimously (4-0) to find the violation for junk, trash and debris and grant an extension of 30 days, until July 24, 2015, for compliance or a \$100 per day fine would be imposed.

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

11:46:24 **Case #2015050009 – Daniel Hall**

Inspector Carter Solomon advised she had no service on this case.

11:46:43 **Case #2015050015 – Tax Receivables Corporation**

Inspector Buck submitted one photograph taken on June 16, 2015 into evidence and confirmed service on June 8, 2015. She described overgrown weeds on the subject property and said she had not had contact with anyone, and recommended an extension of 30 days, until July 24, 2015, for compliance.

11:47:33

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to find the violation and grant an extension of 30 days, until July 24, 2015, for compliance or a \$100 per day fine would be imposed.

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

COMPLIANCE HEARINGS

11:47:51 **Case #2014120142 – Helen Cooper**

Ms. Rose Jefferson, IRC Code Enforcement Officer, recapped this case had initially been to the Board on March 23, 2015 for property maintenance, unsafe building, health and safety hazard/public nuisance, overgrown weeds and junk, trash and debris violations. She indicated the Board granted until April 27, 2015 for the junk, trash and debris and overgrown weeds, and 60 days to apply for and obtain permits to repair or demolish the fire damaged residence.

Inspector Jefferson reported as of this morning no progress had been made. Mr. DeBlois noted there was one extension granted for the first of the two-tier compliance dates, bringing it to May 18, 2015. He recommended a \$100 per day fine be imposed with a start date of May 16, 2015.

11:51:04

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Petrulak, the Board voted unanimously (4-0) to find non-compliance and impose a \$100 per day fine with a start date of May 16, 2015.

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

11:51:26 **Case #2015030018 – Sean Mulanax**

Inspector Jefferson summarized this case originally came to the Board on April 27, 2015 for no building permit for sheds constructed on the subject property. She submitted two photographs into evidence and confirmed no permits had been applied for and she had not had contact with the Respondent, and recommended the fine be imposed.

11:51:59

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Gervasio, the Board voted unanimously (4-0) to find non-compliance and impose a \$100 per day fine with a start date of June 20, 2015.

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

11:52:15 **Case #2015030048 – John & Sherry Cusano (The Bank of New York Mellon)**

Inspector Jefferson advised this case initially came to the Board on May 18, 2015 for health and safety hazard/public nuisance, junk, trash and debris and overgrown weeds violations, at which time the Board granted 30 days, until June 19, 2015, to resolve the junk, trash and debris and overgrown weeds and seven days, until May 25, 2015 to remove a refrigerator from the subject property. She submitted three photographs into evidence and said she was at the site this morning and nothing had been done, and recommended the fine be imposed with a start date of May 25, 2015.

11:53:58

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to find non-compliance and impose a \$100 per day fine with a start date of May 26, 2015.

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

11:54:12 **Case #2015040014 – McCracken Enterprises LLC**

Inspector Carter Solomon recalled this case first came to the Board on May 18, 2015 for overgrown weeds. She submitted two photographs taken on June 22, 2015 into evidence and confirmed nothing had been done and she had not had any

contact with the property owner. Inspector Carter Solomon recommended the fine be imposed with a start date of June 20, 2015.

11:54:55

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to find non-compliance and impose a \$100 per day fine with a start date of June 20, 2015.

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

11:55:09 **Case #2014100009 – Nighat Chagani**

Inspector Carter Solomon advised this case originally came to the Board on January 26, 2015 for unpermitted construction in the right-of-way and no building permit for a shed. She noted the Respondent had applied for a right-of-way permit but failed the inspection and nothing had been submitted since. Inspector Carter Solomon advised the Respondent was in the process of trying to obtain a covenant because the shed was in an easement. She submitted one photograph into evidence and recommended the \$100 per day fine be imposed with a start date of June 20, 2015.

11:56:30

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to find non-compliance and impose a \$100 per day fine with a start date of June 20, 2015.

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

11:56:48 **Case #2012100094 – Robert & Jane Ford**

Inspector Carter Solomon submitted one photograph into evidence and summarized this case had to do with the Respondent using a lot he owned across the street from his auto repair business for overflow parking of cars waiting to be repaired. She reported the Respondent had submitted for site plan approval but one of the conditions will be the lot can only be used by the employees and customer parking; however there was an RV parked on the site.

Mr. DeBlois recommended the \$100 per day fine be imposed with a start date of June 20, 2015.

