

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, July 24, 2017 at 1:30 p.m.

Present were Chairman **Stephen Boehning**, Engineer Appointee; Vice-Chairman **Pete Clements**, General Contractor Appointee; **Karl Zimmermann**, Realtor Appointee; and **Bruce Redus**, Member-at-Large Appointee.

David Myers II, Businessman Appointee and **Joe Petrulak**, Subcontractor Appointee, were absent.

Let the record show that 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, Kelly Buck, Vanessa Carter Solomon and Rose Jefferson, Code Enforcement Officers; and Lisa Carlson, Recording Secretary.

4:47:25 **Call to Order**

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

4:48:23 **Approval of Minutes**

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to approve the minutes of June 26, 2017 as presented.

4:48:34 **Attorney's Overview of Board Purpose and Procedures**

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

4:54:04 **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 #2017060039 and #2017060041 – 14-day extension until August 7, 2017. Cases #2017010085, #2017010004, #2017040170, #2016050001, #2015060062, #2017030170, #2017010009, #2017020090, #2017030073, #2017040139, #2016120045, #2017020141, #2017030047, #2017040026, #2017040071, #2017040117 and #2017040073 – 30-day extension until August 25, 2017. Cases #2014060097, #2016110043 and #2017030072 – 60-day extension until September 22, 2017. Cases #2017050120, #2017030146 and #2017060058 have been rescheduled.

In compliance were Cases #2017040003, #2017050063, #2017050074, #2017040138, #2017050085, #2017060135, #2017060158, #2017060169, #2017060037, #2017060044, #2017060068, #2017060094, #2017010086, #2017020032, #2017020105, #2016090140, #2017050052, #2017020039, #2017060085, #2017040045, #2017040046, #2017040054, #2017040011, #2015070003 and #2017030023.

Mr. DeBlois recommended that the Lien Release Requests be heard at 3:00 p.m. or later and noted that there is an Addendum to the agenda that contains one Compliance Hearing.

5:04:23

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

5:04:45 **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

5:04:52 **Case #2017020126 – Terri L. Cass**

Ms. Rose Jefferson, IRC Code Enforcement Officer, submitted three photographs into evidence as well as an Affidavit of Service indicating that the

property had been posted on July 14, 2017 after attempts of certified and first-class mail were unsuccessful. She testified that this case involved debris and junk vehicle violations as well as unpermitted shed, fence and rooming house violations. She recommended a sixty-day extension, until September 22, 2017, for the Subject Property to be brought into compliance.

Respondent Ms. Terri L. Cass disputed the junk vehicle and rooming house violations and requested assistance in obtaining the after-the-fact permits. Inspector Ms. Rose Jefferson offered to accompany her to the Building Department the next day to aid her through the permitting process.

5:27:55

ON MOTION BY Mr. Clements, SECONDED BY Mr. Zimmermann, the Board voted unanimously (4-0) to find the violation and grant an extension of sixty days, until September 22, 2017, for compliance or a \$100 per day fine would be imposed.

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

5:28:32 **Case #2017050115 – Beverly A. Morse**

Ms. Betty Davis, IRC Code Enforcement Officer, reported that this case involved an unlicensed vacation rental property. She recommended a sixty-day extension, until September 22, 2017, for the Subject Property to be brought into compliance.

Mr. Roland DeBlois explained the background and some of the requirements for short-term vacation rentals in this county.

Representative for the Respondent, Ms. Janine Kenworthy, asked for guidance from the county in the form of recommendations for vendors and agreed to the proposed sixty-day extension.

5:35:11

ON MOTION BY Mr. Clements, SECONDED BY Mr. Zimmermann, the Board voted unanimously (4-0) to find the violation and grant an extension of sixty days, until September 22, 2017, for compliance or a \$100 per day fine would be imposed.

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

5:36:04 **Case #2017050149 – Federal National Mortgage Association**

Inspector Ms. Betty Davis submitted three photographs into evidence and stated that this case involved debris and safety hazard violations at a burned vacant structure. She recommended a ninety-day extension, until October 20, 2017, for the Subject Property to be brought into compliance by demolition.

Respondent Mr. Michael McLaughlin asked for a four-month extension in order to allow time for demolition.

5:43:51

ON MOTION BY Mr. Clements, SECONDED BY Mr. Redus, the Board voted unanimously (4-0) to find the violation and grant an extension of ninety days, until October 20, 2017, for compliance or a \$100 per day fine would be imposed.

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

5:44:22 **Case #2017050058 – Karen E. & Buddy L. Taylor Jr.**

Inspector Ms. Rose Jefferson submitted two photographs into evidence as well as an Affidavit of Service indicating that the property had been posted on July 14, 2017 after attempts of certified and first-class mail were unsuccessful. She advised that this case involved an unpermitted shed and an unsecured swimming pool enclosure. She stated that the shed has been removed and recommended a seven-day extension, until July 31, 2017, to address the pool enclosure safety hazard and a thirty-day extension, until August 25, 2017 for the Subject Property to be brought into compliance by obtaining an after-the-fact permit for the swimming pool enclosure.

Representative for U.S. Bank National Association, Ms. Halina Cegielski, requested a sixty-day extension due to the active foreclosure case on the Subject Property. She added that the property remains owner-occupied.

5:52:59

ON MOTION BY Mr. Clements, SECONDED BY Mr. Zimmermann, the Board voted unanimously (4-0) to

find the violation and grant an extension of seven days, until July 31, 2017, for compliance regarding the swimming pool enclosure safety hazard and thirty days, until August 25, 2017, for total compliance by obtaining an after-the-fact permit for the swimming pool enclosure or a \$100 per day fine would be imposed.

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

5:53:22 **Case #2017050001 – Karen E. & Buddy L. Taylor Jr.**

Inspector Ms. Rose Jefferson submitted five photographs into evidence as well as an Affidavit of Service indicating that the property had been posted on July 14, 2017 after attempts of certified and first-class mail were unsuccessful. She testified that this case involved overgrown weeds, debris and junk vehicle violations and recommended a sixty-day extension, until September 22, 2017 for the Subject Property to be brought into compliance.

Representative for U.S. Bank National Association, Ms. Halina Cegielski, agreed to the proposed sixty-day extension.

5:55:19

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to find the violation and grant an extension of sixty days, until September 22, 2017, for compliance or a \$100 per day fine would be imposed.

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

5:55:52 **Case #2017020101 – Mosley Family Grocery LLC**

Mr. Roland DeBlois explained that this case involved repeated noise and vibration violations, presented the requirements of County Code Sections 974.03 and 974.04 and asked the Board to issue a Continuing Order in order to ensure continued compliance.

Representative for the Indian River County Sheriff's Department, Lieutenant

Ken Campbell, testified regarding the noise violations that have occurred on several weekends since the fall of 2016 due to music played outside the Subject Property by a disc jockey. He stated that he and his subordinates have talked to the Respondents numerous times regarding complaints and he played video recordings for the Board which were entered into evidence. He added that since the Respondents were cited, they have not employed a disc jockey at their parties but rather have played music from radios with no complaints.

Respondent Mr. William Mosley contended that all of the noise complaints originated from the same person who is new to the area. He went on to explain that the music is being played for an older crowd who appreciate old school music and that he would like to work within the community to coexist with neighbors.

6:22:39

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to find current compliance and grant a Continuing Order for compliance or a \$100 per day fine would be imposed.

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

COMPLIANCE HEARINGS

6:23:49 **Case #2017010089 – Mosley Family Grocery LLC**

Ms. Kelly Buck, IRC Code Enforcement Officer, submitted two photographs into evidence and explained that this case involved debris, right-of-way encroachment, unpermitted building additions and junk vehicle violations that originally came before the Board on May 22, 2017. She stated that there has been some progress toward compliance and recommended a thirty-day extension, until August 25, 2017, for the Subject Property to be brought into compliance.

Respondent Mr. William Mosley disclosed that due to illness and logistical problems, he has had some struggles in coming into full compliance.

6:31:34

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Redus, the Board voted unanimously (4-0) to find the violation and grant an extension of thirty days, until August 25, 2017, for compliance or a \$100 per day fine would be imposed.

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

LIEN RELEASE REQUESTS

6:32:24 **Case #2016050037 – Keith A. Moskowitz**

Mr. Roland DeBlois summarized that this case related to zoning district use, site plan and sign violations that originally came before the Board on November 28, 2016. After two extensions, a fine was imposed on April 22, 2017 when compliance was not met. Compliance has not yet been achieved after a passage of 93 days which would be a flat fine of \$9,300 so far with administrative costs being \$2300.

Respondent Mr. Keith Moskowitz defended the reasons for the parking issues and road paving on properties adjacent to the Subject Property. He explained that the costs for hiring an engineer in order to obtain Administrative Approval were substantial as will be the upcoming changes to conform to it. He went on to say that he has put four of his properties up for sale in order to fund the project but needs the liens released from them in order to sell them.

Inspector Ms. Kelly Buck submitted one photograph taken that morning into evidence that depicted a vehicle allegedly owned by the Respondent illegally parked on the neighboring property. Discussion followed as to strategies that would discourage this illegal parking.

Mr. Roland DeBlois recommended issuing Partial Lien Releases for the four properties to be identified by the Respondent that are for sale.

7:00:17

ON MOTION BY Mr. Zimmermann, SECONDED by Mr. Redus, the Board voted unanimously (4-0) to issue Partial Release of Liens for four properties owned by the Respondent not yet identified but that will be named and provided to Staff.

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

EVIDENTIARY HEARINGS

7:01:19 **Case #2017060069 – Paul R. & Michele E. Lucas**

Ms. Vanessa Carter Solomon, IRC Code Enforcement Officer, submitted one photograph into evidence as well as an Affidavit of Service indicating that the property had been posted on July 14, 2017 after attempts of certified and first-class mail were unsuccessful. She informed the Board that this case involved overgrown weeds at a vacant property and recommended a thirty-day extension, until August 25, 2017, for the Subject Property to be brought into compliance.

Respondent Mr. Paul Lucas explained that because the Subject Property is made up of field grass, it must be mowed with a bush hog and the one his vendor uses will be out of commission until the second week in September of 2017.

7:05:21

ON MOTION BY Mr. Zimmermann to find the violation and grant an extension of thirty days, until August 25, 2017, for compliance or a \$100 per day fine would be imposed. There was no second to the motion. MOTION FAILED.

7:08:51

ON MOTION BY Mr. Clements to find the violation and grant an extension of forty-five days, until September 11, 2017, for compliance or a \$100 per day fine would be imposed. There was no second to the motion. MOTION FAILED.

7:09:41

ON MOTION BY Mr. Redus, SECONDED BY Mr. Zimmermann the Board voted (3-1) to find the violation and grant an extension of thirty days, until August 25, 2017, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed. Mr. Clements was the opposing vote.

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

7:10:49 **Case #2017070030 – Wal-Mart Stores East LP**

Inspector Ms. Betty Davis entered nine photographs into evidence and reported that this case involved landscape maintenance and zoning district use violations. She recommended a sixty-day extension, until September 22, 2017 for the Subject Property to be brought into compliance.

Walmart representatives Mr. Joe Lindsay and Mr. Mike Mourly agreed to the proposed sixty-day extension.

7:15:50

ON MOTION BY Zimmermann, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to find the violation and grant an extension of sixty days, until September 22, 2017, for compliance or a \$100 per day fine would be imposed.

It is noted for the record that Representatives for Respondent were present for this hearing.

7:16:49 **Case #2017060049 – Walter W. Sgarrini**

Inspector Ms. Vanessa Carter Solomon submitted two photographs into evidence as well as an Affidavit of Service indicating that the property had been posted on July 14, 2017 after attempts of certified and first-class mail were unsuccessful. She testified that this case involved overgrown weeds, debris and a junk vehicle and recommended a thirty-day extension, until August 25, 2017, for the Subject Property to be brought into compliance.

Respondent Mr. Walter Sgarrini agreed to the proposed extension of thirty days.

7:20:10

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to find the violation and grant an extension of thirty days, until August 25, 2017, for compliance or a \$100 per day fine would be imposed.

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

7:21:22 **Case #2017050061 – Adams Homes of Northwest Florida Inc.**

Inspector Ms. Vanessa Carter Solomon submitted one photograph into evidence as well as an Affidavit of Service indicating that the property had been posted on July 14, 2017 after attempts of certified and first-class mail were unsuccessful. She testified that this case related to landscape maintenance issues

and recommended a sixty-day extension, until September 22, 2017, for the Subject Property to be brought into compliance.

Respondents Mr. Mark Shields and Mr. Steve Nickle agreed to the proposed extension of sixty days to replant the subdivision buffer and asked for a copy of the site plan in order to determine the number and types of plants that were required.

7:25:25

ON MOTION BY Mr. Clements, SECONDED BY Mr. Zimmermann, the Board voted unanimously (4-0) to find the violation and grant an extension of sixty days, until September 22, 2017, for compliance or a \$100 per day fine would be imposed.

It is noted for the record that Representatives for the Respondent were present for this hearing.

7:25:42 **Case #2017060190 – Rebecca Petruzzi-Rogers**

Inspector Ms. Vanessa Carter Solomon submitted eight photographs into evidence as well as an Affidavit of Service indicating that the property had been posted on July 14, 2017 after attempts of certified and first-class mail were unsuccessful. She testified that this case related to a vacant lot that was cleared causing damage without a right-of-way permit as well as the storage of a commercial vehicle on the Subject Property. She recommended a thirty-day extension, until August 25, 2017, for the Subject Property to be brought into compliance.

Respondent Ms. Rebecca Petruzzi-Rogers agreed to remove the commercial vehicle from the Subject Property and requested assistance in obtaining the right-of-way permit. Inspector Ms. Vanessa Carter Solomon offered to put her in touch with the county Engineering Department the next day.

7:41:25

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to find the violation and grant an extension of thirty days, until August 25, 2017, for compliance or a \$100 per day fine would be imposed.

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

Chairman Boehning called a five-minute recess at 4:25 p.m.

7:52:02 **Case #2017030192 – Titone Properties LLC**

Inspector Ms. Vanessa Carter Solomon submitted one photograph into evidence as well as an Affidavit of Service indicating that the property had been posted on July 14, 2017 after attempts of certified and first-class mail were unsuccessful. She described debris and junk vehicle violations and recommended a thirty-day extension, until August 25, 2017, for the Subject Property to be brought into compliance.

7:53:25

ON MOTION BY Mr. Clements, SECONDED BY Mr. Zimmermann, the Board voted unanimously (4-0) to find the violation and grant an extension of thirty days, until August 25, 2017, for compliance or a \$100 per day fine would be imposed.

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

7:53:22 **Case #2017050117 – 1890 East Sandpiper Road LLC**

Inspector Ms. Betty Davis testified that this case involved vacation rental property violations. She recommended a thirty-day extension, until August 25, 2017, for the Subject Property to be brought into compliance.

7:53:55

ON MOTION BY Mr. Clements, SECONDED BY Mr. Zimmermann, the Board voted unanimously (4-0) to find the violation and grant an extension of thirty days, until August 25, 2017, for compliance or a \$100 per day fine would be imposed.

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

7:54:12 **Case #2017050121 – Coalby Arms LLC**

Inspector Ms. Betty Davis testified that this case involved vacation rental

property violations. She recommended a thirty-day extension, until August 25, 2017, for the Subject Property to be brought into compliance.

7:54:45

ON MOTION BY Mr. Clements, SECONDED BY Mr. Zimmermann, the Board voted unanimously (4-0) to find the violation and grant an extension of thirty days, until August 25, 2017, for compliance or a \$100 per day fine would be imposed.

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

7:54:42 **Case #2017050057 – Bernardo Hernandez**

Inspector Ms. Rose Jefferson submitted two photographs into evidence as well as an Affidavit of Service indicating that the property had been posted on July 14, 2017 after attempts of certified and first-class mail were unsuccessful. She testified that this case related to commercial vehicles parked at a residence and a dilapidated shed. She recommended a thirty-day extension, until August 25, 2017, for the Subject Property to be brought into compliance.

7:55:45

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to find the violation and grant an extension of thirty days, until August 25, 2017, for compliance or a \$100 per day fine would be imposed.

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

7:55:52 **Case #2017020140 – Richard T. Owens**

Inspector Ms. Rose Jefferson submitted one photograph into evidence testified regarding unpermitted fence and boat/trailer storage violations. She recommended a thirty-day extension, until August 25, 2017, for the Subject Property to be brought into compliance.

7:56:45

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to find the violation and grant an extension of thirty days,

until August 25, 2017, for compliance or a \$100 per day fine would be imposed.

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

7:56:52 **Case #2017030193 – Barbara A. Loeffler**

Inspector Ms. Kelly Buck testified regarding unpermitted fence, debris and boat/trailer storage violations. She recommended a sixty-day extension, until September 22, 2017, for the Subject Property to be brought into compliance.

7:58:05

ON MOTION BY Mr. Clements, SECONDED BY Mr. Zimmermann, the Board voted unanimously (4-0) to find the violation and grant an extension of sixty days, until September 22, 2017, for compliance or a \$100 per day fine would be imposed.

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

7:58:22 **Case #2017030156 – W.W. & Ruby L. Bishop**

Inspector Ms. Vanessa Carter Solomon submitted three photographs into evidence as well as an Affidavit of Service indicating that the property had been posted on July 14, 2017 after attempts of certified and first-class mail were unsuccessful. She described debris and overgrown weed violations and recommended a thirty-day extension, until August 25, 2017, for the Subject Property to be brought into compliance.

7:59:25

ON MOTION BY Mr. Clements, SECONDED BY Mr. Zimmermann, the Board voted unanimously (4-0) to find the violation and grant an extension of thirty days, until August 25, 2017, for compliance or a \$100 per day fine would be imposed.

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

8:00:02 **Case #2017030011 – Curtis & Tracy Chupik**

Inspector Ms. Vanessa Carter Solomon submitted one photograph into

evidence as well as an Affidavit of Service indicating that the property had been posted on July 14, 2017 after attempts of certified and first-class mail were unsuccessful. She described a junk vehicle violation and recommended a sixty-day extension, until September 22, 2017, for the Subject Property to be brought into compliance.

8:00:55

ON MOTION BY Mr. Clements, SECONDED BY Mr. Zimmermann, the Board voted unanimously (4-0) to find the violation and grant an extension of sixty days, until September 22, 2017, for compliance or a \$100 per day fine would be imposed.

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

8:00:59 **Case #2017060075 – Cumberland Farms Inc.**

Inspector Ms. Betty Davis submitted five photographs into evidence and recommended landscape maintenance violations. She recommended a thirty-day extension, until August 25, 2017, for the Subject Property to be brought into compliance.

8:02:25

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to find the violation and grant an extension of thirty days, until August 25, 2017, for compliance or a \$100 per day fine would be imposed.

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

8:02:52 **Case #2017060194 – Noe & Susana Zamora**

Inspector Ms. Betty Davis explained that this case involved repeated noise and vibration violations and asked the Board to issue a Continuing Order in order to ensure continued compliance.

8:03:39

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to find current compliance and grant a Continuing Order for

compliance or a \$100 per day fine would be imposed.

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

8:03:52 **Case #2017060188 – Robert P. & Dawn K. Mellin**

Inspector Ms. Betty Davis testified regarding boat/trailer storage violations and asked the Board to issue a Continuing Order in order to ensure continued compliance.

8:04:05

ON MOTION BY Mr. Clements, SECONDED BY Mr. Zimmermann, the Board voted unanimously (4-0) to find current compliance and grant a Continuing Order for compliance or a \$100 per day fine would be imposed.

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

8:04:19 **Case #2017060071 – Helena maria (LE) & Maria C. Mahoney**

Inspector Ms. Vanessa Carter Solomon submitted two photographs into evidence and described fence violations on the Subject Property. She recommended a thirty-day extension, until August 25, 2017, for the Subject Property to be brought into compliance.

8:05:25

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to find the violation and grant an extension of thirty days, until August 25, 2017, for compliance or a \$100 per day fine would be imposed.

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

8:05:52 **Case #2017060072 – Kevin S. Hawkins**

Inspector Ms. Vanessa Carter Solomon submitted two photographs into evidence as well as an Affidavit of Service indicating that the property had been posted on July 14, 2017 after attempts of certified and first-class mail were unsuccessful. She described an overgrown weed violation on a vacant lot and

recommended a thirty-day extension, until August 25, 2017, for the Subject Property to be brought into compliance.

8:06:55

ON MOTION BY Mr. Clements, SECONDED BY Mr. Zimmermann, the Board voted unanimously (4-0) to find the violation and grant an extension of thirty days, until August 25, 2017, for compliance or a \$100 per day fine would be imposed.

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

8:07:12 **Case #2017060034 – Pablo Zamarripa Jr.**

Inspector Ms. Betty Davis explained that this case involved repeated noise and zoning use violations. She asked the Board to issue a Continuing Order in order to ensure continued compliance.

8:07:39

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to find current compliance and grant a Continuing Order for compliance or a \$100 per day fine would be imposed.

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

COMPLIANCE HEARINGS

8:07:49 **Case #2017010001 – Charles H. Akers Jr. & Betty Jo P. Akers**

Inspector Ms. Vanessa Carter Solomon explained that this case originally came before the Board on April 24, 2017 for unpermitted building modifications. She stated that after a ninety-day extension, there has been no progress towards compliance and recommended that a \$100 per day fine be imposed with a start date of July 22, 2017.

8:08:34

ON MOTION BY Mr. Clements, SECONDED BY Mr. Zimmermann, the Board voted unanimously (4-0) to find the violation and impose a \$100 per day fine beginning July 22, 2017.

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

8:08:49 **Case #2017040105 – NMT Investments LLC**

Inspector Ms. Vanessa Carter Solomon submitted two photographs into evidence explained that this case originally came before the Board on May 22, 2017 for an overgrown weed violation. She stated that after one extension, there has been no progress towards compliance and recommended that a \$100 per day fine be imposed with a start date of July 22, 2017.

8:09:14

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Clements, the Board voted unanimously (4-0) to find the violation and impose a \$100 per day fine beginning July 22, 2017.

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

LIEN RELEASE REQUESTS

8:09:54 **Case #2012120003 – Wabasso Tackle**

Mr. Roland DeBlois summarized that this case related to site plan and unpermitted building modification violations that originally came before the Board in February of 2013. After two extensions, the fine was imposed on July 20, 2013 when compliance was not met. After a foreclosure, compliance was achieved by demolition on May 8, 2017 after a passage of 1,388 days for a flat fine of \$138,800 with administrative costs being \$2300. He recommended reducing the fine to administrative costs of \$2300.

8:13:17

ON MOTION BY Mr. Zimmermann, SECONDED by Mr. Redus, the Board voted unanimously (4-0) to acknowledge compliance and reduce the fine to administrative costs of \$2300.

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

8:14:24 **Authorization for Notices to Appear**
ON MOTION BY Mr. Zimmermann, SECONDED BY Mr.

Clements, the Board voted unanimously (4-0) to authorize the Notices to Appear for cases leading up to the August 28, 2017 meeting.

Adjournment

There being no further business, the meeting was adjourned at 5:02 p.m.