

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, August 27, 2018 at 1:30 p.m.

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

Mr. David Myers II, Businessman Appointee, was absent.

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

Also, in attendance was Ms. Jennifer Peshke, Attorney for the Board; IRC staff: Mr. Roland DeBlois, Environmental and Code Enforcement Chief; Mr. Thomas Allred, Ms. Rose Jefferson, Ms. Kelly Buck and Ms. Vanessa Carter Solomon, Code Enforcement Officers; Ms. Cindy Corrente, Utility Services Finance Manager; Mr. David Checchi, Contractor License Investigator; and Ms. Lisa Carlson, Recording Secretary.

2:31:06 **Call to Order**

Chairman Pete 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.

2:32:15 **Approval of Minutes**

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Boehning, the Board voted unanimously (5-0) to approve the minutes of July 23, 2018 as presented.

2:32:25 **Attorney's Overview of Board Purpose and Procedures**

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

2:38:10 **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 #2018030071, #2017090056, #2018010001, #2017060225, #2018060019, #2018060157, #2018050165, #2018060075, #2018050069, #2018050067, #2018060113, #2018040092, #2018050276, #2018050021 and #2012100236 – thirty-day extension until September 21, 2018. Cases #2017060191, #2018040135, #2017110040 and #2018060092 – sixty-day extension until October 19, 2018. Cases #2018060204, #2018060188 and #2012060035 were rescheduled.

In compliance were cases #2018050189, #2017120092, #2018060081, #2018060065, #2018060031, #2018060158, #2018060098, #2018050082, #2018050069, #2018050067, #2018060113, #2018040080, #2018060105, #2018070143, #2018070144, #2018060186, #2018070025, #2018070028, #2018070190, #2018060180, #2018040058, #2018020056, #2018040078, #2018040089, #2018050137 (1st tier compliance only), #2018030112 (1st tier compliance only), #2018050118, #2018020181, #2018040098, #2018060114, #2018080033, #2018050002 and #2018080002.

Mr. DeBlois recommended that the Administrative Hearings be heard at 2:30 p.m. and that the Lien Release Requests be heard at 3:00 p.m. or later.

2:48:39

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

2:48:54 **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

2:49:44 **Case #2018050110 – CBAN LLC**

Ms. Rose Jefferson, IRC Code Enforcement Officer, entered one photograph into evidence and explained that this case involved the storage of shipping containers on the Subject Property without administrative site plan approval. She recommended a sixty-day extension, until October 19, 2018, for the Subject Property

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

Respondent Mr. Tony Ricci testified that the site approval process had begun and agreed to the proposed sixty-day extension.

2:52:00

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Redus, the Board voted unanimously (5-0) to find the violation and grant an extension of sixty days, until October 19, 2018, 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.

2:53:22 **Case #2018050113 – Ann Marie Cotton**

Ms. Kelly Buck, IRC Code Enforcement Officer, entered an Internet wedding venue advertisement into evidence and advised that weddings were being held at this residential property without a temporary use permit. She recommended a sixty-day extension, until October 19, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

Respondent Ms. Ann Marie Cotton indicated that she had applied for the temporary use permit in January 2018, but that it had not yet been approved.

2:57:30

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Redus, the Board voted unanimously (5-0) to find the violation and grant an extension of sixty days, until October 19, 2018, 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.

2:57:54 **Case #2018030073 – Organic Fountain LLC**

Ms. Vanessa Carter Solomon, IRC Code Enforcement Officer, entered one photograph and correspondence between the Respondent and the Community Development Department into evidence as well as an Affidavit of Service indicating that the Subject Property has been posted on August 17, 2018 after attempts of certified and first-class mail were unsuccessful. She revealed that this case involved

a planter partition at the outdoor seating area of a restaurant and recommended a sixty-day extension, until October 19, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

Respondents Mr. Dustin Barnes and Ms. Lea Barnes asked for clarification as to where the planter could be placed and agreed to the sixty-day extension.

3:07:25

ON MOTION BY Mr. Redus, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violation and grant an extension of sixty days, until October 19, 2018, for compliance or a \$100 per day fine would be imposed.

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

3:07:54 **Case #2018060011 – Fieldstone Ranch HOA Inc.**

The secretary administered the testimonial oath to the Respondents in this case that had arrived after the beginning of the meeting.

Mr. Roland DeBlois provided a detailed overview of this case involving landscape buffer maintenance and a fence on the perimeter of a residential subdivision. He discussed homeowner concerns about the height of the landscape buffer relative to the elevations of the houses, concluding that the height does comply with county code. He recommended a ninety-day extension, until November 23, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

Inspector Ms. Kelly Buck entered eighteen photographs into evidence that depicted progress by the homeowner's association in remediating the buffer maintenance issues.

Respondent Mr. Michael Granger agreed to the proposed ninety-day extension.

Mr. Ernest Washburn, homeowner at the subdivision, voiced his concerns regarding the height of the landscape buffer.

3:36:14

ON MOTION BY Mr. Petrulak, SECONDED BY Mr.

Redus, the Board voted (3-2) to find the violation and grant an extension of ninety days, until November 23, 2018, for compliance or a \$100 per day fine would be imposed. Mr. Zimmermann and Mr. Boehning were the opposing votes. Motion carries.

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

ADMINISTRATIVE HEARINGS

3:37:13 Case #2018060115 – MHC Heron Cay LLC and T.N.T. Aluminum Construction, Inc. [Violator]

The secretary administered the testimonial oath to Mr. David Checchi, IRC Contractor License Investigator, as he had arrived after the beginning of the meeting.

Investigator Mr. David Checchi indicated that this case involved unpermitted remodeling work performed on a residential structure.

Respondent Mr. Thomas Schaffer stated that he has been a contractor in Indian River County for thirty-four years and apologized for his oversight in beginning the work on the remodel before the permit was issued.

3:47:41

ON MOTION BY Mr. Boehning, to uphold Citation #0387. There was no second to this motion.

3:48:40

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Redus, the Board voted unanimously (5-0) to uphold Citation #0387 but rescind the fine.

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

EVIDENTIARY HEARINGS

3:50:24 Case #2018060181 – Benjamin and Kristin Goldberg

Inspector Ms. Vanessa Carter Solomon entered a 2006 Residential Pool Permit into evidence as well as an Affidavit of Service indicating that the Subject

Property had been posted on August 17, 2018 after attempts of certified and first-class mail were unsuccessful. She described this case involving an open swimming pool permit with no final inspections and recommended a ninety-day extension, until November 23, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

Respondents Mr. Dennis Matherre and Ms. Kristin Goldberg commented that they were unaware that the permit issued to the previous homeowners in 2006 had not been closed.

4:00:10

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Zimmermann, the Board voted unanimously (5-0) to find the violation and grant an extension of ninety days, until November 23, 2018, for compliance or a \$100 per day fine would be imposed.

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

4:00:44 **Case #2018070154 – VB Custom Homes LLC**

Inspector Ms. Vanessa Carter Solomon entered one photograph into evidence as well as an Affidavit of Service indicating that the Subject Property had been posted on August 17, 2018 after attempts of certified and first-class mail were unsuccessful. She stated that this case involved overgrown weeds and construction material storage on a vacant lot and recommended a thirty-day extension, until September 21, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

Neighboring homeowner Mr. Robert Knauer was present for the hearing to show his concern regarding the violations.

4:04:40

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violation and grant an extension of thirty days, until September 21, 2018, 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.

4:05:24 **Case #2018070141 – Pinnacle Groves Ltd**

Inspector Ms. Kelly Buck entered two photographs into evidence and described a dilapidated fence and yard debris on the Subject Property. She added that the Respondent has been responsive in correcting the violations and recommended a sixty-day extension, until October 19, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

Representatives for the Respondent, Ms. Ocean Morales and Ms. Emily Rivera agreed to the proposed sixty-day extension.

4:08:40

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Redus, the Board voted unanimously (5-0) to find the violation and grant an extension of sixty days, until October 19, 2018, for compliance or a \$100 per day fine would be imposed.

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

LIEN RELEASE REQUESTS

4:09:24 **Case #2017120038 – Ro-Ed Corp**

Mr. Roland DeBlois reviewed the details of this case that originally came before the Board on March 26, 2018 for overgrown weeds and property maintenance violations at a former fire station. A fine was imposed on June 23, 2018 when compliance had not been accomplished. Compliance was achieved on July 2, 2018 after a passage of ten days for a flat fine of \$1,000. Due to a recent change of ownership of the Subject Property, he recommended rescindment of the fine.

Representative for the Respondent, Attorney Mr. Cal Brown, agreed to the proposed fine rescindment.

4:15:40

ON MOTION BY Mr. Petrulak, SECONDED by Mr. Boehning, the Board voted unanimously (5-0) to rescind the fine.

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

4:15:54 **Case #2007060047 – Thomas S. Parker**

The secretary administered the testimonial oath to the Respondent in this case as he had arrived after the beginning of the meeting.

Mr. Roland DeBlois reviewed the details of this case that originally came before the Board on October 22, 2007 for an unpermitted barn structure. After ten extensions, a fine was imposed on March 21, 2009 when compliance had not been accomplished. Compliance was achieved by demolition on January 8, 2016 after a passage of 2,119 days for a flat fine of \$211,900 with administrative fees being \$4,700. The Subject Property was appraised by the IRC Tax Assessor in 2017 at \$55,990. He recommended reducing the fine to administrative costs of \$4,700.

Respondent Mr. Thomas S. Parker agreed to the proposed fine reduction.

4:24:50

ON MOTION BY Mr. Zimmermann, SECONDED by Mr. Petrulak, the Board voted unanimously (5-0) to acknowledge compliance and reduce the fine to administrative costs of \$4,700.

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

4:25:44 **Case #2004060149 – Edward Mims**

Mr. Roland DeBlois provided an overview of this case that originally came before the Board on July 26, 2004 for a variety of violations including junk vehicles, debris, overgrown weeds and a recreational vehicle storage. A fine was imposed on January 22, 2005 when compliance had not been accomplished. Compliance was verified aerially in April of 2012 after a passage of 2,649 days for a flat fine of \$264,900 with administrative fees being \$2,300. The Subject Property was appraised by the IRC Tax Assessor in 2017 at \$21,873. He concluded that as a recent foreclosure scrubbed the lien, he recommended acknowledging compliance, setting the fine at administrative costs of \$2,300 and issuing a Partial Release of Lien for the Subject Property.

Current owner of the Subject Property, Respondent Mr. Anibal Maliani agreed to the proposed reduction of the fine.

4:32:17

ON MOTION BY Mr. Petrulak, SECONDED by Mr. Boehning, the Board voted unanimously (5-0) to acknowledge compliance, reduce the fine to administrative costs of \$2,300 and issue a Partial Release of Lien for the Subject Property.

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

4:32:34 **Case #2017120110 – Colonial Heights Acquisition LP**

The secretary administered the testimonial oath to the Respondent in this case that she had arrived after the beginning of the meeting.

Mr. Roland DeBlois reviewed the details of this case that originally came before the Board on February 26, 2018 for fence and landscape buffer violations. After one extension, a fine was imposed on June 23, 2018 when compliance had not been accomplished. Compliance was achieved on August 23, 2018 after a passage of sixty-one days for a flat fine of \$6,100 with administrative fees being \$2,000. He recommended acknowledging compliance and setting the fine at administrative costs of \$2,000.

Representative for the Respondent, Ms. Nancy Magnoski, agreed to the proposed fine reduction.

4:36:50

ON MOTION BY Mr. Boehning, SECONDED by Mr. Zimmermann, the Board voted unanimously (5-0) to acknowledge compliance and reduce the fine to administrative costs of \$2,000.

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

Chairman Mr. Pete Clements called a five-minute recess at 3:35 p.m.

COMPLIANCE HEARINGS

4:43:24 **Case #2017020017 – Whispering Palms MHC LLC**

Mr. Roland DeBlois reminded the Board that this case originally came before

them on November 27, 2017 for violations related to the mobile home community's rainfall discharges draining into the County's sewer system. He noted that the Respondent provided a Revised Action Plan to the County on April 17, 2108 which was the basis for several approved extensions of time toward compliance. He went on to say that at the August 24, 2018 meeting, the Board granted an extension of thirty days, until August 24, 2018 to identify and resolve inflow aspects of the repairs; and, an extension of sixty days, until September 21, 2018, to resolve infiltration issues.

Ms. Cindy Corrente, IRC Utility Services Finance Manager, entered a monthly billing summary into evidence and discussed the current status of the project, concluding that she continues to seek detailed progress reports from the Respondents in order to better evaluate repairs. She added that progress on the project remains quite slow with a great deal of work remaining.

Representative for the Respondent, Attorney Mr. Anthony Mangoniello, reviewed details of recent progress towards compliance.

Representative for the Respondent, engineer Mr. Earl Masteller, President of Underground Infrastructure Solutions Inc., clarified details of the project.

Representative for the Respondent, Mr. Robert Foress, President of Southeast Services of the Treasure Coast Inc., detailed recent work performed on the Subject Property by his company and his strategies to complete the project.

Extensive discussion followed with Board members voicing their continued frustration at the Respondent's lack of steady progress.

Mr. Roland DeBlois recommended an extension of sixty days, until October 19, 2018 to identify and resolve inflow and infiltration repairs and provide a report detailing work accomplished.

5:42:14

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Zimmermann, the Board voted (4-1) to grant an extension of sixty days, until October 19, 2018, to identify and resolve all inflow and infiltration issues and provide a report detailing work accomplished. Mr. Boehning was the opposing vote.

It is noted for the record that Representatives for the Respondent were

present for this hearing.

5:43:04 **Case #2018050316 – Suncor Vero Beach LLC & Suncor Ft Pierce**

Inspector Ms. Vanessa Carter Solomon entered three photographs into evidence and reminded the Board that this case came before them on July 23, 2018 for an unsecured and unmaintained swimming pool on a vacant residential property. She advised that the swimming pool has been secured and that the Respondent is in the process of renewing the swimming pool permit. She recommended a thirty-day extension, until September 21, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

Representative for the Respondent, Mr. Joseph Paladin, President of Black Swan Consulting and Management Corporation, agreed to the proposed thirty-day extension.

5:48:20

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Zimmermann, the Board voted unanimously (5-0) to find the violation and grant an extension of thirty days, until September 21, 2018, for compliance or a \$100 per day fine would be imposed.

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

5:48:34 **Case #2018070030 – Suncor Vero Beach LLC & Suncor Ft Pierce**

Inspector Ms. Vanessa Carter Solomon entered one photograph into evidence and informed the Board that this case came before them on July 23, 2018 for an unsecured and unmaintained swimming pool on a vacant residential property. She acknowledged that the swimming pool has been secured and that the Respondent is in the process of renewing the swimming pool permit. She recommended a thirty-day extension, until September 21, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

Representative for the Respondent, Mr. Joseph Paladin, President of Black Swan Consulting and Management Corporation, agreed to the proposed thirty-day extension.

5:49:10

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Zimmermann, the Board voted unanimously (5-0) to find the violation and grant an extension of thirty days, until September 21, 2018, for compliance or a \$100 per day fine would be imposed.

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

5:49:24 **Case #2018050170 – Stephen & Ursula Zahn**

Mr. Roland DeBlois informed the Board that this case came before them on June 25, 2018 for unpermitted building modifications to a mobile home. He went on to say that as the Subject Property is not zoned for a mobile home and under the County's legal nonconformity regulations, once the structure was reconstructed beyond the limit of fifty percent, it lost its grandfathering ability and the Board therefore ordered it to be removed from the Subject Property by August 24, 2018.

Mr. Thomas Allred, IRC Code Enforcement Officer, entered three photographs into evidence showing the mobile home that remains on the Subject Property.

Respondent Mr. Stephen Zahn asked for a sixty-day extension to complete the removal of the mobile home from the Subject Property.

Mr. Roland DeBlois recommended a sixty-day extension, until October 19, 2018, for the Subject Property to be brought into compliance by removing the mobile home or a \$100 per day fine would be imposed.

5:63:36

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Redus, the Board voted unanimously (5-0) to find the violation and grant an extension of sixty days, until October 19, 2018, 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.

5:52:57 **Case #201500066 – Full Gospel Assembly Inc. of Vero Beach**

Mr. Roland DeBlois entered ten photographs and a Site Plan into evidence and summarized that this case was a Repeat Violation for three parking infractions

(March 11, May 27, and June 30, 2018) and was based on photographs received from neighbors of the Subject Property. It is a violation of a Continuing Order adopted February 23, 2015. In addition, the Respondent was cited for unauthorized construction activities occurring after eight p.m.

Representatives of Full Gospel Assembly Inc. of Vero Beach assured the Board that the construction activities after eight p.m. have ceased and that they are in the process of adding additional parking to the Subject Property.

Discussion ensued regarding ways to avoid parking violations until additional parking is secured.

Mr. DeBlois recommended finding the violations of March 11, May 27, and June 30, 2018 and imposing a fine of \$100 per violation for a total of \$300.

6:10:48

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted (4-1) to find the violations of March 11, 2018, May 27, 2018 and June 30, 2018 and impose a fine of \$100 per violation for a total of \$300. Chairman Clements was the opposing vote.

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

EVIDENTIARY HEARINGS

6:12:18 **Case #2018070024 – Dagoverto and Maria Covarrubias**

The secretary administered the testimonial oath to the Respondents in this case that they had arrived after the beginning of the meeting.

Inspector Mr. Thomas Allred entered three photographs into evidence as well an Affidavit of Service indicating that the Subject Property had been posted on August 15, 2018 after attempts of certified and first-class mail were unsuccessful. He reported that this case related to debris and commercial vehicles on a residential property and recommended a ninety-day extension, until November 23, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

Through an interpreter, Respondent Mr. Dagoverto Covarrubias explained that he needs time to make repairs on the commercial equipment in order to have it

towed. He agreed to the proposed extension of ninety days.

6:15:55

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violation and grant an extension of ninety days, until November 23, 2018, 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.

6:18:12 **Case #2018050106 – Sarah L. & Osteen James O’Sullivan**

Inspector Ms. Vanessa Carter Solomon entered one photograph into evidence and noted that this case related to debris on a residential property. She recommended a thirty-day extension, until September 21, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

6:19:05

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violation and grant an extension of thirty days, until September 21, 2018, 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.

6:19:34 **Case #2018060143 – Edward and Jean O’Brian**

Inspector Ms. Rose Jefferson entered one photograph into evidence as well as an Affidavit of Service indicating that the Subject Property had been posted on August 17, 2018 after attempts of certified and first-class mail were unsuccessful. She reported that this case related to overgrown weeds on a vacant lot and recommended a thirty-day extension, until September 21, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

6:19:55

ON MOTION BY Mr. Redus, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violation and grant an extension of thirty days, until September 21, 2018, 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.

6:20:04 **Case #2018060140 – Kevork and Patricia Ursulean**

Inspector Mr. Thomas Allred entered three photographs into evidence and summarized that this case involved overgrown weeds and junk vehicles as well as zoning use violations. He recommended a sixty-day extension, until October 19, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

6:20:55

ON MOTION BY Mr. Boehning, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violation and grant an extension of sixty days, until October 19, 2018, 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.

6:21:04 **Case #2018060130 – Edwin P. Gorka**

Inspector Ms. Vanessa Carter Solomon entered four photographs into evidence as well as an Affidavit of Service indicating that the Subject Property had been posted on August 17, 2018 after attempts of certified and first-class mail were unsuccessful. She discussed this case involving overgrown weeds, debris and a fallen tree and recommended a thirty-day extension, until September 21, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

6:22:35

ON MOTION BY Mr. Boehning, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violation and grant an extension of thirty days, until September 21, 2018, 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.

6:22:44 **Case #2018010064 – Michael Rowland O’Sullivan**

Inspector Ms. Vanessa Carter Solomon entered three photographs into evidence as well an Affidavit of Service indicating that the Subject Property had been posted on August 17, 2018 after attempts of certified and first-class mail were unsuccessful. She detailed this case relating to debris and weeds as well as an egress obstruction and recommended a sixty-day extension, until October 19, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

6:23:55

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Zimmermann, the Board voted unanimously (5-0) to find the violation and grant an extension of sixty days, until October 19, 2018, 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.

6:24:04 **Case #2018060116 – William E. (AD) Kinkade and Sandra Kinkade (AD)**

Inspector Ms. Rose Jefferson entered one photograph into evidence as well an Affidavit of Service indicating that the Subject Property had been posted on August 17, 2018 after attempts of certified and first-class mail were unsuccessful. She stated that this case related to overgrown weeds and recommended a thirty-day extension, until September 21, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

6:25:15

ON MOTION BY Mr. Boehning, SECONDED BY Mr. Zimmermann, the Board voted unanimously (4-0) to find the violation and grant an extension of thirty days, until September 21, 2018, for compliance or a \$100 per day fine would be imposed. Mr. Redus was not present for this vote.

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

6:25:24 **Case #2018060202 – Agnes Jenkins Warner and Randolph Warner**

Inspector Ms. Kelly Buck entered two photographs into evidence and

described that this case relating to debris and boat/trailer storage violations. She recommended a thirty-day extension, until September 21, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

6:26:55

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Boehning, the Board voted unanimously (4-0) to find the violation and grant an extension of thirty days, until September 21, 2018, for compliance or a \$100 per day fine would be imposed. Mr. Redus was not present for this vote.

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

6:27:14 **Case #2018070083 – Catherine Sullivan**

Inspector Ms. Vanessa Carter Solomon entered five photographs into evidence as well an Affidavit of Service indicating that the Subject Property had been posted on August 17, 2018 after attempts of certified and first-class mail were unsuccessful. She reported that this case related to overgrown weeds and property maintenance violations at a vacant residence and recommended a thirty-day extension, until September 21, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

6:28:55

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Boehning, the Board voted unanimously (5-0) to find the violation and grant an extension of thirty days, until September 21, 2018, 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.

6:29:04 **Case #2018070029 – Patricia Morton Hartman**

Inspector Mr. Thomas Allred entered three photographs into evidence and summarized that this case involved overgrown weeds and junk vehicles as well as boat/trailer storage violations. He recommended a sixty-day extension, until October 19, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

6:30:25

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Zimmermann, the Board voted unanimously (5-0) to find the violation and grant an extension of sixty days, until October 19, 2018, 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.

6:30:34 **Case #2018070045 – Priscilla D. Baker**

Inspector Mr. Thomas Allred entered three photographs into evidence and testified that this case involved overgrown weeds, debris and junk vehicle violations. He recommended a thirty-day extension, until September 21, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

6:31:05

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Zimmermann, the Board voted unanimously (5-0) to find the violation and grant an extension of thirty days, until September 21, 2018, for compliance or \$100 per day fines would be imposed.

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

6:31:24 **Case #2018070012 – Humberto Gamez**

Inspector Mr. Thomas Allred entered three photographs into evidence and revealed that this case involved debris and commercial equipment storage on a residential property. He recommended a sixty-day extension, until October 19, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

6:32:35

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Boehning, the Board voted unanimously (5-0) to find the violation and grant an extension of sixty days, until October 19, 2018, 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.

6:32:44 **Case #2018070060 – Lockwood Land Development Group LLC**

Inspector Ms. Rose Jefferson entered one photograph into evidence as well as an Affidavit of Service indicating that the Subject Property had been posted on August 17, 2018 after attempts of certified and first-class mail were unsuccessful. She informed the Board that this case involved a gate placed in the county right-of-way and recommended a thirty-day extension, until September 21, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

6:34:42

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Boehning, the Board voted unanimously (5-0) to find the violation and grant an extension of thirty days, until September 21, 2018, 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.

6:34:54 **Case #2018010094 – Brenda Turcotte**

Inspector Ms. Vanessa Carter Solomon entered three photographs into evidence as well an Affidavit of Service indicating that the Subject Property had been posted on August 17, 2018 after attempts of certified and first-class mail were unsuccessful. She advised that this case related to junk vehicles, debris and property maintenance violations and recommended a sixty-day extension, until October 19, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

6:36:35

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Boehning, the Board voted unanimously (5-0) to find the violation and grant an extension of sixty days, until October 19, 2018, 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.

6:36:44 **Case #2018080042 – Mark Anthos**

Inspector Ms. Vanessa Carter Solomon entered six photographs into evidence as well an Affidavit of Service indicating that the Subject Property had been posted on August 17, 2018 after attempts of certified and first-class mail were unsuccessful. She noted that this case related to debris and property maintenance violations and recommended a thirty-day extension, until September 21, 2018, to remove the debris, and a ninety-day extension, until November 23, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

6:38:25

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Boehning, the Board voted unanimously (5-0) to find the violation and grant an extension of thirty days, until September 21, 2018, to remove the debris, and an extension of ninety-days, until November 23, 2018 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

6:38:42 **Case #2016120067 – Triple C & T Investments Inc.**

Inspector Ms. Kelly Buck clarified that this case originally came before the Board on February 27, 2017 for violations relating to unpermitted structures, roofs and building additions as well as zoning use violations. She pointed out that there has been no recent progress towards compliance and recommended that a \$100 per day fine be imposed with a start date of August 25, 2018.

6:39:50

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Zimmermann, the Board voted unanimously (5-0) to find the violation and impose a \$100 per day fine beginning August 25, 2018.

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

6:39:54 **Case #2015060142 – Frederick Miller and Edward Miller**

Inspector Ms. Kelly Buck entered one photograph into evidence and commented that this case originally came before the Board on October 26, 2015 for a variety of violations related to a salvage yard. She stated that the Subject Property

has since been split between the two brothers but as there has been no recent progress toward compliance, she recommended that a \$100 per day fine be imposed with a start date of August 25, 2018.

6:42:24

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Redus, the Board voted unanimously (5-0) to find the violation and impose a \$100 per day fine beginning August 25, 2018.

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

6:42:34 **Case #2018020165 – Charlie L. and Mary Ann Jones**

Inspector Ms. Kelly Buck entered one photograph into evidence and explained that this case originally came before the Board on April 23, 2018 for debris violations. She indicated that there has been no recent progress toward compliance and recommended that a \$100 per day fine be imposed with a start date of August 25, 2018.

6:43:24

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violation and impose a \$100 per day fine beginning August 25, 2018.

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

6:43:34 **Case #2017070106 – Joseph M. Anderson**

Inspector Ms. Rose Jefferson detailed this case that originally came before the Board on March 26, 2018 for a variety of violations including debris, junk vehicles and unpermitted structures. She added that there has been no recent progress toward compliance and recommended that a \$100 per day fine be imposed with a start date of August 25, 2018.

6:44:34

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Boehning, the Board voted unanimously (5-0) to find

the violation and impose a \$100 per day fine beginning August 25, 2018.

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

6:44:44 **Case #2018040112– McCracken Enterprises LLC**

Inspector Ms. Vanessa Carter Solomon testified that this case originally came before the Board on June 25, 2018 for an unpermitted air conditioner unit. She went on to say that there has been no recent progress toward compliance and recommended that a \$100 per day fine be imposed with a start date of August 25, 2018.

6:45:24

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violation and impose a \$100 per day fine beginning August 25, 2018.

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

6:45:34 **Case #2018080025 – Marlon Pearsall Jr. and Jacqueline R. Pearsall**

Inspector Ms. Vanessa Carter Solomon entered three photographs into evidence as well an Affidavit of Service indicating that the Subject Property had been posted on August 17, 2018 after attempts of certified and first-class mail were unsuccessful. She clarified that this Repeat Violation originally came before the Board on April 23, 2018 for a variety of debris and overgrown weed violations. She affirmed that there has been some progress toward compliance and recommended a thirty-day extension, until September 21, 2018, for the Subject Property to be brought into compliance or a \$100 per day fine would be imposed.

6:46:45

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Boehning, the Board voted unanimously (5-0) to find the violation and grant an extension of thirty days, until September 21, 2018, 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.

6:46:54 **Case #2018080125 – Paul R. and Michele E. Lucas**

Inspector Ms. Vanessa Carter Solomon entered two photographs into evidence as well an Affidavit of Service indicating that the Subject Property had been posted on August 17, 2018 after attempts of certified and first-class mail were unsuccessful. She pointed out that is a Repeat Violation that originally came before the Board on July 24, 2017 for overgrown weeds. She concluded that there has been no recent progress toward compliance and recommended that a \$100 per day fine be imposed with a start date of August 17, 2018.

6:48:14

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Redus, the Board voted unanimously (5-0) to find the violation and impose a \$100 per day fine beginning August 17, 2018.

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

LIEN RELEASE REQUESTS

6:48:24 **Case #2002060002 – Thomas Robert Blucher**

Mr. Roland DeBlois summarized that this case related to site plan nonconformance, junk vehicle and debris violations that originally came before the Board on July 22, 2002. It came into partial compliance in October 2004 and an \$1,800 fine was imposed. On November 20, 2004, a \$100 per day fine was imposed when compliance was not met. Compliance was achieved on December 17, 2013 after a passage of 3,314 days for a flat fine of \$331,400 with administrative costs being \$3,200. On June 27, 2017, the Board acknowledged compliance and reduced the fine to ten percent of the \$33,140 flat fine plus the \$1,800 ordered in 2004. He concluded that as a recent foreclosure scrubbed the lien, he recommended issuing a Partial Release of Lien for the Subject Property.

6:49:27

ON MOTION BY Mr. Zimmermann, SECONDED by Mr. Petrulak, the Board voted unanimously (5-0) to issue a Partial Release of Lien for the Subject Property.

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

6:49:48 **Authorization for Notices to Appear**

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Redus, the Board voted unanimously (5-0) to authorize the Notices to Appear for cases leading up to the September 24, 2018 meeting.

Adjournment

There being no further business, the meeting was adjourned at 5:50 p.m.