CODE ENFORCEMENT BOARD MEETING
SEPTEMBER 22, 2016

ALPHARETTA CITY HALL
COUNCIL CHAMBERS
2 PARK PLAZA
3:30 PM

I. CALL TO ORDER

II. ROLL CALL

III. PUBLIC HEARING MINUTES

A. Approval of January 28, 2016 Code Enforcement Board Meeting Minutes

IV. PUBLIC HEARING

A. CE160064 115 Laurelwood Lane Smith

V. ADJOURNMENT

CODE ENFORCEMENT BOARD MEETING SUMMARY
MEETING OF JANUARY 28, 2016

PUBLISHED: MONDAY, FEBRUARY 8, 2016
PUBLISHED BY: DAWN CROWLEY
OFFICE OF COMMUNITY DEVELOPMENT
WWW.ALPHARETTA.GA.US
678.297.6079

The public is advised the following minutes are not a verbatim transcription of business presented at the Code Enforcement Board meeting of the date shown, but are a synopsis of pertinent information. The public is further advised that the recording of said meeting is a matter of public record and is available to be heard at the City of Alpharetta Community Development Department during normal business hours.

The purpose of this Board is to hear testimony and review evidence related to alleged violations of the City Codes and ordinances. It is the responsibility of the Board to judicially consider such evidence and make findings of fact related to the enforcement of the Codes and ordinances.

I. Call to Order:

Meeting was called to order by Chairman Smith at 3:30 p.m.

II. Roll Call:

Board:

Fred Smith
Phil Kingry
Wayne Rand
Richard Freeman
Mark Wingate
Jim Cregge

Staff:

Sam Thomas
Steve Domozick
Jason Warford
Bret Schroeder
Dawn Crowley

III. Approval of September 24, 2015 Minutes:

MOTION TO ACCEPT THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2015.
By: Jim Cregge
Seconded: Phil Kingry
Vote: (5-0-1) (Cregge, Kingry, Smith, Freeman, Wingate)
(Rand abstained)

The City Attorney, Mr. Sam Thomas, swore in all parties.

IV. Items from Staff

A. Election of Officers

Code Enforcement Officer Bret Schroeder requested that the Board elect a Chairman and Vice Chairman to the Code Enforcement Board for the calendar year 2016.

I WOULD LIKE TO MAKE A MOTION TO NOMINATE MR. FRED SMITH AS THE CHAIRMAN.
By: Jim Cregge
Seconded: Phil Kingry
Vote: (5-0-1) (Cregge, Kingry, Rand, Freeman, Wingate)
(Smith abstained)

I WOULD LIKE TO NOMINATE WAYNE RAND FOR VICE CHAIR.
By: Phil Kingry
Seconded: Jim Cregge
Vote: (5-0-1) (Kingry, Cregge, Smith, Freeman, Wingate)
(Rand abstained)

B. Electronic Packets

Code Enforcement Officer Bret Schroeder notified the Board that all of the City Boards, including City Council have shifted from paper packets to electronic packets. Officer Schroeder informed the Board that for the next Code Enforcement Board meeting, the packets will be in electronic format.

V. Items from the Board

A. Code Enforcement Board Meeting Dates

The Board discussed in detail the impact of changing the Code Enforcement meetings from 3:30 pm on the 3rd Thursday's of each month.

I WOULD LIKE TO MOTION THAT WE MAINTAIN THE MEETING DATE AND TIME THE SAME.
By: Wayne Rand
Seconded: Richard Freeman
Vote: Unanimous (6-0) (Rand, Freeman, Smith, Kingry, Wingate, Cregge)

A. Old Business
CEB-15-05 **302 North Main Street**

Board member, Mr. Wayne Rand recused himself from the case.

Mr. Brian Patton, the property owner of 302 North Main Street approached and thanked the Board for allowing him to appear before them. Mr. Patton testified that he did not receive the Notice of Violation or the Summons to Appear notices. Mr. Patton stated that when he checked his post office box on October 20th, he saw the Final Order that was posted marked October 2nd, which was one day after the order deadline. Mr. Patton further testified that once he received the Final Order he reached out to Officer Domozick and brought the property into compliance within two days. Mr. Patton asked the Board for some sort of reprieve, under the circumstances.

Mr. Patton had the Board look at the post marked envelope during his testimony.

Officer Steve Domozick reviewed the Code Enforcement process with the Board and explained the fines in regard to the case.

The Board asked questions of both Mr. Patton and Officer Domozick.

I WOULD LIKE TO MAKE A MOTION TO KEEP THE FINES IN PLACE AS THEY ARE CURRENTLY POSTED.
By: Jim Cregge
Seconded: Phil Kingry
Vote: Unanimous (5-0) (Cregge, Kingry, Smith, Freeman, Wingate)

Mr. Creege asked staff what the procedure is for Board members placing items on the agenda. Officer Bret Schroeder suggested that when the meeting notification is received, a Board member could request an agenda item at that time.

Having no further business, the meeting adjourned at 4:10 p.m.

CE160064

115 LAURELWOOD LANE

2 PARK PLAZA
ALPHARETTA, GA 30009
PHONE: 678.297.6000
WWW.ALPHARETTA.GA.US

May 5, 2016

John H Sellers
115 Laurelwood Lane
Alpharetta, GA 30004

Dear John H Sellers,

On Monday, May 2nd, Code Enforcement noted high grass and weeds on your property and left a courtesy notice in your mailbox. Code Enforcement also noted the condition of your front porch and steps as a high priority safety issue.

Therefore, in addition to cutting your grass and weeds, please contact the City of Alpharetta Building Department as soon as possible but, no later than Friday, May 13th, 2016 to begin the process of acquiring the necessary permits to repair your structure.

Contact Jeremy Edmondson, City of Alpharetta Plans Examiner, at (678)-297-6084 or at jedmondson@alpharetta.ga.us

Please feel free to contact me with any additional questions or concerns at the number or email address listed below.

Thank you for your cooperation in quickly addressing this serious safety issue.

Sincerely,

Beau Smith
Code Enforcement Officer
City of Alpharetta
(678)-297-6087
besmith@alpharetta.ga.us

MAYOR
DAVID BELLE ISLE

COUNCIL MEMBERS
D.C. AIKEN
MICHAEL CROSS
JIM GILVIN
MIKE KENNEDY
DONALD F. MITCHELL
CHRIS OWENS

CITY
ADMINISTRATOR
ROBERT J. REGUS

2 PARK PLAZA
ALPHARETTA, GA 30009
PHONE: 678.297.6000
WWW.ALPHARETTA.GA.US

June 28, 2016

John H Sellers
115 Laurelwood Lane
Alpharetta, GA 30004

Dear John H Sellers,

On Thursday May 5th a letter was sent to you regarding the high grass and weeds on your property and the condition of your front porch and steps as a high priority safety issue and in violation of the **City of Alpharetta Property Maintenance Code 304.10**. There was no response back and no work has been done to correct this issue except for cutting the front yard of the property.

This is the last notification you will receive before being issued a formal notice of violation. To avoid a formal notice of violation you can contact Jeremy Edmondson, City of Alpharetta Plans Examiner, at (678)-297-6084 or at jedmondson@alpharetta.ga.us to begin the process of acquiring the necessary permits to repair your structure as well as cutting the high grass and weeds below 12 inches behind the house.

If there are any extenuating circumstances preventing you from correcting this issue immediately or if there are any additional questions or concerns please contact me at the number or email address listed below.

Sincerely,

Beau Smith
Code Enforcement Officer
City of Alpharetta
(678)-297-6087
besmith@alpharetta.ga.us

MAYOR
DAVID BELLE ISLE

COUNCIL MEMBERS
JASON BINDER
JIM GILVIN
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2 PARK PLAZA
ALPHARETTA, GA 30009
PHONE: 678.297.6000
WWW.ALPHARETTA.GA.US

August 1, 2016

John H Sellers
729 Hall Creek Rd
Hiawassee, GA 30546

RE: 115 Laurelwood Lane Alpharetta, GA 30009

Dear John Sellers:

Per the Fulton County Tax Assessor's website, you are listed as the owner of the above referenced property.

Could you please contact me at your earliest convenience regarding your property at 115 Laurelwood Lane.

Thanks,

Beau Smith
Code Enforcement
City of Alpharetta
(678)-297-6087
besmith@alpharetta.ga.us

MAYOR
DAVID BELLE ISLE

COUNCIL MEMBERS
JASON BINDER
JIM GILVIN
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DAN MERKEL
DONALD F. MITCHELL
CHRIS OWENS

CITY
ADMINISTRATOR
ROBERT J. REGUS

05/02/2016

05/02/2016

Notice
City of Alpharetta
Code Enforcement Division
A City Code Enforcement Officer was at your property on 6-16-16
Codes Enforcement requests you contact us at your earliest convenience at the number listed below to discuss:
High grass and weed and front porch in need of repair.
Call as soon as possible.
Hours: Monday - Friday: 8am - 4pm
Officer Smith # 604
Phone 678-297-6087
06/16/2016

115
06/16/2016

08/30/2016

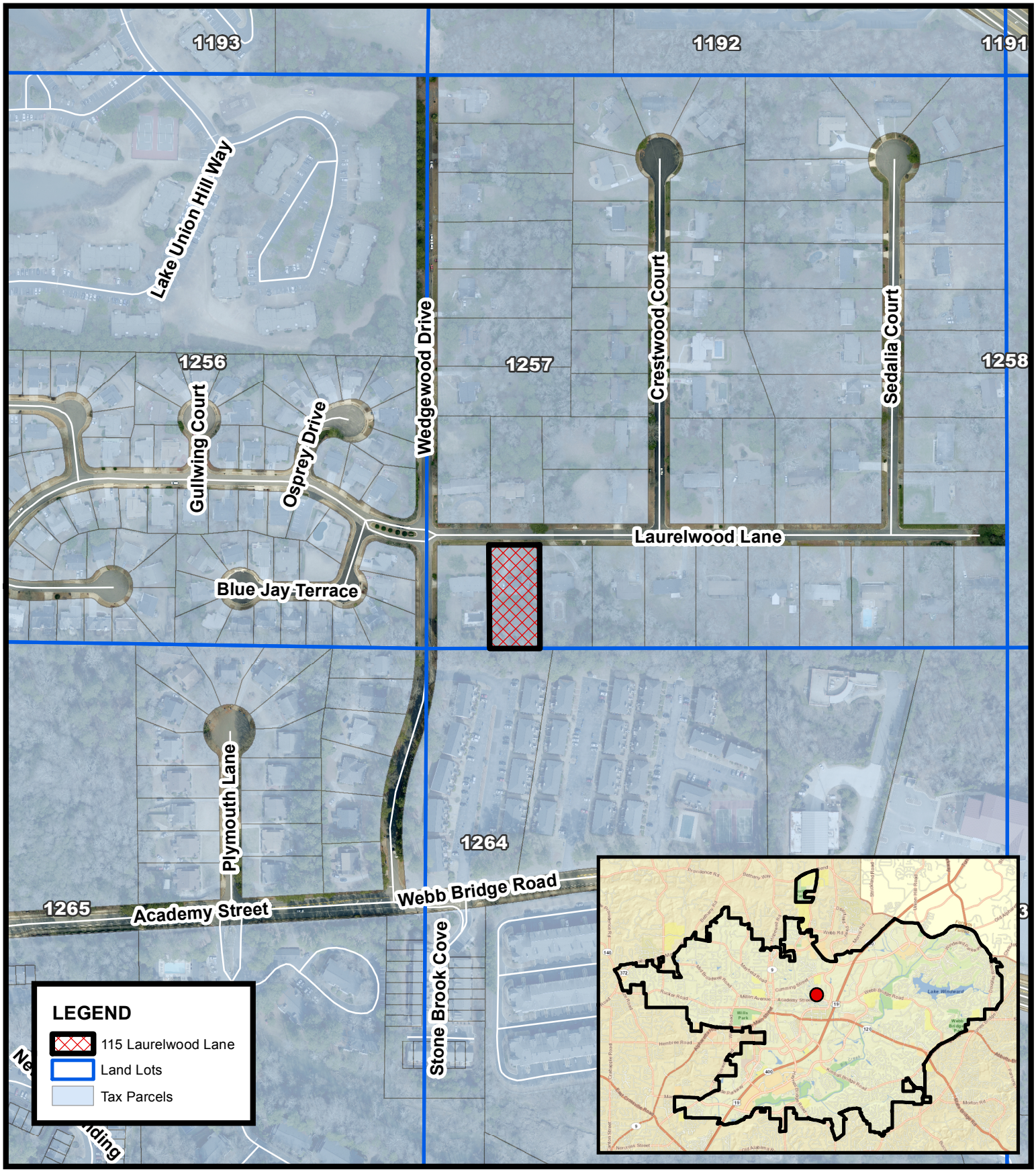
08/22/2016

08/30/2016

08/30/2016

08/30/2016

05/02/2016



D/LL: 2/2/1257

Location Map
115 Laurelwood Lane

THE CITY OF ALPHARETTA GEORGIA

Location Map Provided by:
Community Development - GIS

2 PARK PLAZA
ALPHARETTA, GA 30009
PHONE: 678.297.6000
WWW.ALPHARETTA.GA.US

August 22, 2016

John H Sellers
729 Hall Creek Rd
Hiawasee GA,30546

Re: **NOTICE OF VIOLATION #5073**

Mr. Sellers

Fulton County tax records indicate you are the owner at 115 Laurelwood Lane, Alpharetta, Georgia 30009.

Due to a lack of response from multiple written attempts to contact you regarding code violations on your property, you are receiving a NOTICE OF VIOLATION.

The attached Notice of Violation references the front porch of the structure on your property in disrepair and high grass and weeds throughout your property.

The City of Alpharetta Property Maintenance Code (CPMC) Section 304.10, states "Every exterior stairway, deck, porch, balcony, and all appurtenances attached thereto, shall be maintained structurally sound and in good repair, with proper anchorage and capable of supporting the imposed loads. Additionally, the CPMC Section 302.4 states "**ALL** premises yards and exterior property shall be maintained free from weeds in excess of 12 inches in height."

You are required to contact the City of Alpharetta Plans Examiner at (678)-297-6084 no later 11:00am August 30th, 2016 to obtain a building permit for the required structural repairs. Additionally, **ALL** yards must be cut and maintained below 12 inches in height no later than August 30th 2016.

If you have any questions regarding this notice, please contact me at the telephone number or e-mail address listed below.

Respectfully,

Beau Smith
City of Alpharetta Code Enforcement
678-297-6087
besmith@alpharetta.ga.us

MAYOR
DAVID BELLE ISLE

COUNCIL MEMBERS
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DONALD F. MITCHELL
CHRIS OWENS

CITY
ADMINISTRATOR
ROBERT J. REGUS

City of Alpharetta Codes Enforcement
2 Park Plaza - Alpharetta, GA 30009
Tel: 678-297-6080 Fax: 678-297-6081

NOTICE OF VIOLATION

5073

Date: 8/22/16 Time: 11:00 AM PM Case No. _____

Location: 115 Laurelwood Lane

Suite/Apt. No.: _____ Alpharetta, Georgia Zip: 30009

Owner / Occupant: John H Sellers

You are hereby notified the above stated property has been inspected by City of Alpharetta Codes Enforcement Officials and has been found in violation of below listed codes or ordinances. You are further notified to correct violation(s) listed below within the time limits stated herein. Failure to correct such violation(s) within the time limits granted herein may subject you to fines, jail or further prosecution as determined by the city Municipal Court or Codes Enforcement Board.

Violation Description: Front Porch in disrepair and High Grass and weeds in excess of 12 inches throughout property.

Recommended Correction: See attached Letter for corrections to porch and yard.

Corrections must be completed by:
11:00 A.M. / P.M. on the 30th day of August 20 16

Violation: ☒ CPMC ☐ UDC ☐ City Code **Section:** 302.4 + 304.10

Type of Delivery: ☐ Hand Delivery ☐ U.S. Mail ☐ Courier ☐ Other _____

X: _____
Signature of Recipient

Notifying Officials Certification

The undersigned, being a City of Alpharetta Georgia codes enforcement official, deposes or states that he or she has reasonable grounds to believe and does believe the person(s) and property named herein are in violation as set forth herein and contrary to law.

Comments: _____

Citing Officer: B. Smith Badge No. 604

Signature: B. Smith Tel. No. 678-297- 6087

08/22/2016

08/30/2016

08/30/2016

SECTION 302
EXTERIOR PROPERTY AREAS

302.1 Sanitation. All exterior property and premises shall be maintained in a clean, safe, and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

302.2 Grading and drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: Approved retention areas and reservoirs.

302.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces, and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

302.4 Yards. All premises yards and exterior property shall be maintained free from weeds in excess of 12 inches in height. All noxious weeds shall be prohibited.
Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

SECTION 304
EXTERIOR STRUCTURE

304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound, and sanitary so as not to pose a threat to the public health, safety, or welfare.

304.2 Protective treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks, and fences shall be maintained in good condition. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting, or other protective covering or treatment. Peeling, flaking, and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

304.3 Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

304.4 Structural members. All structural members shall be maintained free from deterioration and shall be capable of safely supporting the imposed dead and live loads.

304.5 Foundation walls. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials and maintained weatherproof and properly surface coated where required to prevent deterioration.

304.7 Roofs and drainage. The roof and flashings shall be sound, tight, and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.8 Decorative features. All cornices, belt courses, corbels, terra cotta trim, wall facings, and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

304.9 Overhang extensions. All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch, balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

2 PARK PLAZA
ALPHARETTA, GA 30009
PHONE: 678.297.6000
WWW.ALPHARETTA.GA.US

August 30, 2016

John H Sellers
729 Hall Creek Rd
Hiawasee GA,30546

Re: **SUMMONS TO APPEAR #5263**

Mr. Sellers

Fulton County tax records indicate you are the owner of 115 Laurelwood Lane, Alpharetta, Georgia 30009.

Due to a lack of response from multiple written attempts to contact you regarding code violations on your property as well as no response to the NOTICE OF VIOLATION that was sent to you and posted on your property, you are receiving the attached SUMMONS TO APPEAR before the City of Alpharetta Code Enforcement Board on Thursday September 22nd, 2016 at 3:30 PM in the Council Chambers located in Alpharetta City Hall at 2 Park Plaza, Alpharetta, Georgia 30009.

If you have any questions regarding this summons, please contact me at the telephone number or e-mail address listed below.

Respectfully,

Beau Smith
City of Alpharetta Code Enforcement
678-297-6087
besmith@alpharetta.ga.us

MAYOR
DAVID BELLE ISLE

COUNCIL MEMBERS
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CITY
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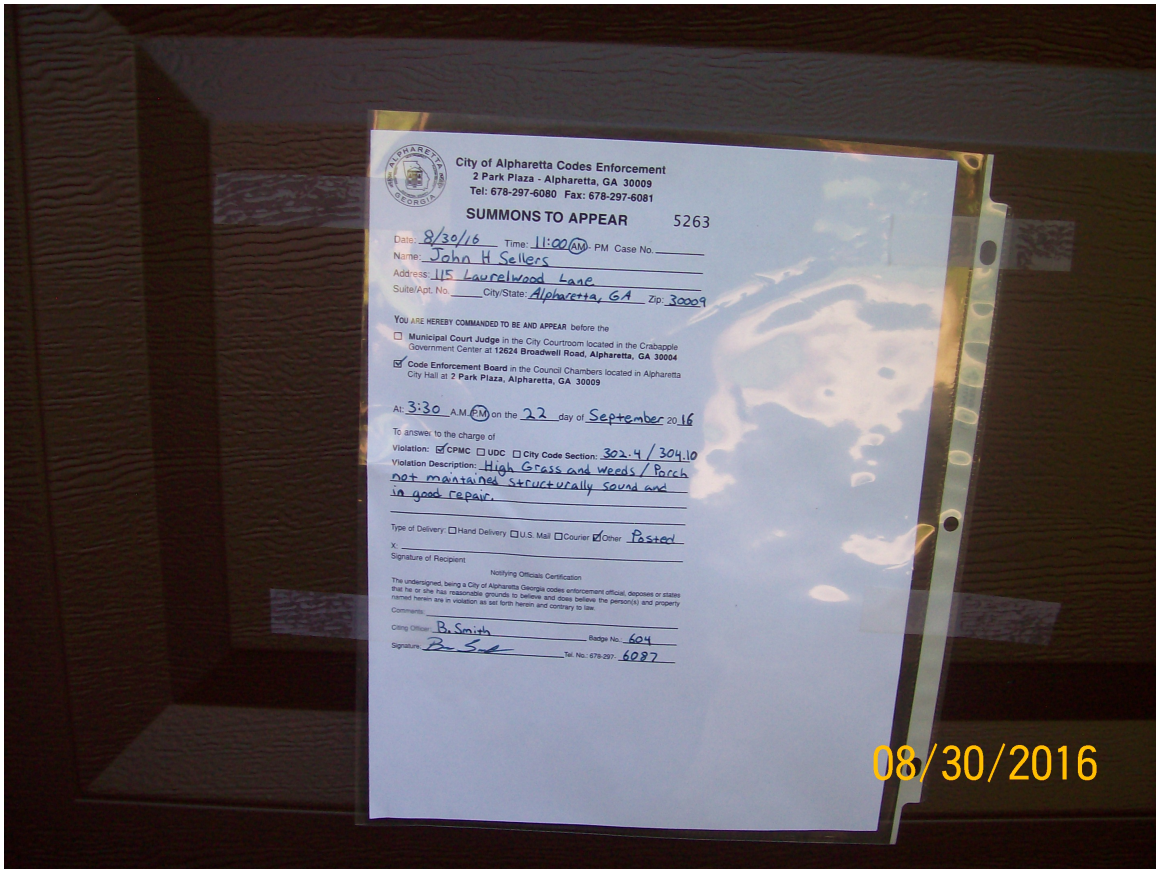
ROBERT J. REGUS



City of Alpharetta Codes Enforcement
2 Park Plaza - Alpharetta, GA 30009
Tel: 678-297-6080 Fax: 678-297-6081

SUMMONS TO APPEAR 5263

Date: 8/30/16 Time: 11:00 AM PM Case No. _____
Name: John H Sellers
Address: 115 Laurelwood Lane
Suite/Apt. No. _____ City/State: Alpharetta, GA Zip: 30009

YOU ARE HEREBY COMMANDED TO BE AND APPEAR before the

☐ **Municipal Court Judge** in the City Courtroom located in the Crabapple Government Center at **12624 Broadwell Road, Alpharetta, GA 30004**

☑ **Code Enforcement Board** in the Council Chambers located in Alpharetta City Hall at **2 Park Plaza, Alpharetta, GA 30009**

At: 3:30 A.M. P.M. on the 22 day of September 20 16

To answer to the charge of

Violation: ☑ **CPMC** ☐ **UDC** ☐ **City Code Section:** 302.4 / 304.10

Violation Description: High Grass and weeds / Porch not maintained structurally sound and in good repair.

Type of Delivery: ☐ Hand Delivery ☐ U.S. Mail ☐ Courier ☑ Other Posted

X _____
Signature of Recipient

Notifying Officials Certification

The undersigned, being a City of Alpharetta Georgia codes enforcement official, deposes or states that he or she has reasonable grounds to believe and does believe the person(s) and property named herein are in violation as set forth herein and contrary to law.

Comments: _____

Citing Officer: B. Smith Badge No. 604

Signature: B. Smith Tel. No.: 678-297- 6087

08/30/2016