



CODE ENFORCEMENT BOARD MEETING FEBRUARY 24, 2022

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

- I. CALL TO ORDER**
- II. SWEARING-IN CEREMONY**
 - A. Swearing-In for Roger Bauer**
- III. ROLL CALL**
- IV. ELECTION OF OFFICERS 2022**
 - A. Election of Chair and Vice-Chair**
- V. PUBLIC HEARING MINUTES**
 - A. Approval of Meeting Minutes from February 27, 2020**
- VI. PUBLIC HEARING**
 - A. CE210532 Heather Mora and Adam Jordan 200 Summerfield Dr**
CE210532 involves the regular parking of an RV at the residence.
- VII. ADJOURNMENT**



CODE ENFORCEMENT BOARD MEETING SUMMARY MEETING OF FEBRUARY 27, 2020

PUBLISHED: MONDAY, MARCH 25, 2020

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 Officer Bret Schroeder at 3:30 p.m.

II. Roll Call:

Board:

Fred Smith
Wayne Rand
Barbara Oswald
Robyn MacDonald
Jill McMullan

Staff:

Sam Thomas
Beau Smith
Wes Webb
Frank Jackson
Bret Schroeder
Dawn Crowley

III. Items from Staff

A. New Board Members Sworn In

B. Election of Officers

Code Enforcement Manager Bret Schroeder requested that the Board elect a Chairman, Vice Chairman to the Code Enforcement Board for the calendar year 2020.

I'D LIKE TO NOMINATE MR. SMITH. *(FOR CHAIRMAN)*

By: Barbara Oswald

Vote: (4-0-1) (Oswald, Rand, MacDonald, McMullan) (Oswald Abstained)

I WOULD LIKE TO NOMINATE MRS. OSWALD. *(FOR VICE CHAIRMAN)*

By: Fred Smith

Vote: (4-0-1) (Smith, Rand, MacDonald, McMullan) (Smith Abstained))

IV. Approval of December 12, 2019 Minutes:

MOTION TO ACCEPT THE MINUTES OF THE MEETING OF DECEMBER 12, 2019.

By: Barbara Oswald

Seconded: Jill McMullan

Vote: (4-0-1) (Oswald, McMullan, Smith, MacDonald) (Rand Abstained)

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

A. Presentation to Mr. James Cregge

The Board and Staff thanked Mr. Cregge for his years of dedicated service to the City of Alpharetta's Code Enforcement Board.

B. New Business

CE190081

115 Laurelwood Lane

Code Enforcement Officer Beau Smith presented the case for the City. Officer Smith went over the timeline with the Board as follows:

08/06/2019	Complaint received regarding high grass and weeds, as well as rotting wood and failing gutters. A violation of the City Property Maintenance Code sections 308.1, 304.6, 304.7, 302.4.
08/20/2019	Officer Smith re-inspected the property and found only the front yard and been cut. A Notice of Violation was issued.
11/22/2019	The property remained out of compliance and a Summons to Appear was issued for non-compliance of the City Property Maintenance Code sections 308.1, 304.6, 304.7, 302.4.
2/27/2020	Officer Smith went to the property for a follow up evidence inspection and found that the property remained out of compliance.

Photographic evidence was shown throughout the testimony.

I MAKE A MOTION THAT WE THE BOARD AS A MATTER OF FACT AND THE CONCLUSION OF LAW FIND THE DEFENDANT GUILTY OF VIOLATIONS OF CODE 308.1, 304.6, 304.7, 302.4 IN THIS CASE.

By: Fred Smith

Seconded: Barbara Oswald

Vote: Unanimous (5-0) (Smith, Oswald, Rand, MacDonald, McMullan)

HAVING FOUND THE DEFENDANT GUILTY OF VIOLATING 308.1, 304.6, 304.7, 302.4, I MAKE A MOTION THAT THE BOARD TAKE THE FOLLOWING ACTION IN THIS CASE, THAT WE ISSUE A CEASE AND DESIST ORDER AND IF THE DEFANDANT DOES NOT BRING THE PROPERTY INTO COMPLIANCE BY MARCH 30TH, THAT A FINE OF \$50.00 (FIFTY DOLLARS) A DAY WILL BE IMPOSED UNTL THE PROPERTY COMES INTO COMPLIANCE AND THAT THIS PROPERTY IS A HEALTH AND SAFETY ISSUE.

By: Fred Smith

Seconded: Barbara Oswald

Vote: Unanimous (5-0) (Smith, Oswald, Rand, MacDonald, McMullan)

CE200008

151 Wills Lane

Code Enforcement Officer Beau Smith presented the case for the City. Officer Smith went over the timeline with the Board as follows:

01/07/2020	Responding to a complaint Officer Smith found several inoperable vehicles located at the property. This is a violation of City Property Maintenance Code section 302.8.
1/24/2020	Officer Smith issued a verbal warning.
1/29/2020	The property remained out of compliance and a Summons to Appear was issued.
02/27/2020	Officer Smith went to the property for a follow up evidence inspection and found that the property remained out of compliance.

Photographic evidence was shown throughout the testimony.

The owner of the property, Ms. Lori Hull and her son Mr. David Hull approached. They testified that all the vehicles are currently gone. Ms. Hull further testified that the truck in the back yard had been stuck due to the weather but will be gone as soon as possible. Ms. Hull apologized and notified the Board that her son will be moving out and her vehicle will be the only one to remain at the property.

The Board discussed the violations with the owner and her son.

I MAKE A MOTION THAT WE THE BOARD AS A MATTER OF FACT AND THE CONCLUSION OF LAW FIND THE DEFENDANT GUILTY OF VIOLATION 302.8 THAT THE DEFENDANT HAS BEEN CHARGED WITH IN THIS CASE.

By: Barbara Oswald

Seconded: Wayne Rand

Vote: Unanimous (5-0) (Oswald, Rand, Smith, MacDonald, McMullan)

HAVING FOUND THE DEFENDANT GUILTY OF VIOLATING 302.8, I MAKE A MOTION THAT THE BOARD TAKE THE FOLLOWING ACTION IN THIS CASE, THAT WE ISSUE A CEASE AND DESIST ORDER TO THE DEFENDANT IN THE MATTER. THE PROPERTY HAS 30 DAYS TO COME INTO COMPLIANCE AND IF THE PROPERTY FALLS OUT OF COMPLIANCE AFTER THAT PERIOD, THERE WILL BE A \$100.00 (ONE-HUNDRED DOLLAR) A DAY FINE.

By: Fred Smith

Seconded: Wayne Rand

Vote: Unanimous (5-0) (Smith, Rand, Oswald, MacDonald, McMullan)

CE200003

560 North Main Street

Code Enforcement Officer Beau Smith presented the case for the City. Officer Smith went over the timeline with the Board as follows:

01/10/2020	After responding to a complaint, Officer Smith found several violations. A Notice of Violation was issued for non-compliance of City Property Maintenance Code sections 308.1, 308.2, 304.15, 504.1, 604.3.1.1.
01/22/2020	Officer Smith re-inspected the property and found it remained significantly out of compliance. A Summons to Appear was Issued.
02/27/2020	Officer Smith went to the property for a follow up evidence inspection and found that the property remained out of compliance.

Photographic evidence was shown throughout the testimony.

The owner of the property, Ashish Balyan and Archina approached. They testified that the accumulation of trash had been removed, the lumber and limbs have been cleared out, the fixtures have been taken care of. Archina testified that there had been confusion with the sanitation accounting, but it has been resolved; a dumpster has been put back in place and the dumpster enclosure cleaned out. Mr. Balyan further testified the asphalt at the property was to be removed as part of a prior project, the contractor had been paid but the asphalt remains. A lawyer has been retained and the issue will be worked out as soon as possible. Mr. Balyan explained to the Board that the slow leak was due to a boiler; that boiler has been shut off and no other leaks have been found.

The Board discussed the violations with the property owners.

I MAKE A MOTION THAT WE THE BOARD AS A MATTER OF FACT AND THE CONCLUSION OF LAW FIND THE DEFENDANT GUILTY OF 308.1, 308.2, 304.15, 504.1, 604.3.1.1 IN THIS CASE.

By: Barbara Oswald

Seconded: Jill McMullan

Vote: Unanimous (5-0) (Oswald, McMullan, Smith, Rand, MacDonald)

MR CHAIRMAN HAVING FOUND THE DEFENDANT GUILTY OF VIOLATING 308.1, 308.2, 304.15, 504.1, 604.3.1.1 IN THIS CASE, I MAKE A MOTION THAT THE BOARD TAKE THE FOLLOWING ACTION IN THIS CASE, THAT WE ISSUE A CEASE AND DESIST ORDER TO THE DEFENDANT IN THE MATTER. IF THE DEFENDANT DOES NOT BRING THE PROPERTY INTO COMPLIANCE BY 30 DAYS THAT A FINE OF \$50.00 (FIFTY DOLLARS) PER DAY, INCLUDE THIS A HEALTH AND SAFETY ISSUE.

By: Barbara Oswald

Seconded: Wayne Rand

Vote: Unanimous (5-0) (Oswald, Rand, Smith, MacDonald, McMullan)

Having no further business, the meeting adjourned at 4:47 p.m.



COMMENTS SUMMARY

Report Generated on: 2/16/2022 8:45:51AM

Page 1 of 1

Case Type: Code Enforcement-Complaints
Project Name: RV Visible from the Street
Location: 200 Summerfield Drive

Permit / Case Number
CE210532

Comment by	Date	Comment
BESMITH	9/15/21	Code Enforcement received a complaint via a phone call to look into several properties throughout the neighborhood for inoperable vehicles, recreational vehicles, playground equipment in front yards and dog agility course in a front yard.
BESMITH	9/15/21	Code Enforcement found a RV stored on the property in an area visible from the street . Code Enforcement addressed the issue with the property owner. She stated that she would like to speak with the Code Enforcement manager due to previous conflicting messages. She should be reaching out to Code Enforcement within a week timeframe to provide a plan to correct the violation.
BESMITH	9/15/21	Code Enforcement issued a verbal notice to the property owner to respond back within a week with a plan for compliance.
BESMITH	9/27/21	Property still remains out of compliance. Code Enforcement spoke with the owner and she stated that they are still working on a solution to achieve compliance. Code Enforcement directed the property owner to provide Code Enforcement an update no later than Monday, October 4th 2021.
BESMITH	10/11/21	Code Enforcement reinspected the property and it remained out of compliance.
BESMITH	10/11/21	A notice of violation was issued to the property owner . 7 days were allowed to provide a plan for compliance to Code Enforcement. Once the plan is provided then 30 days will be provided to have the plan implemented and the property brought into compliance. If no plan is provided within 7 days, a Summons will be issued.
BESMITH	12/3/21	Code Enforcement inspected the property for compliance. A cover was put over the RV as well as a few artificial trees, and lattice was placed in front to try and cover to try and make the Recreational Vehicle(RV) not visible from the street. Code Enforcement was still able to see the RV from the street from several different angles .
BESMITH	12/3/21	A summons was issued to the property owner (Heather M Mora & Adam Christopher Jordan). Adam Christopher Jordan signed for the Summons to Appear . The date provided for the hearing was Thursday, January 27, 2022 at 3:30pm.

2.5.4 Locational criteria for parking.

A. Location on Other Property. If the required parking cannot reasonably be provided on the same lot on which the principal use is conducted, such parking may be provided on other off-street property provided such property lies within 500 feet of the main entrance to the principal use. Such parking shall be associated with the principal use and shall not thereafter be reduced or encroached upon in any manner.

B. Location of Required Parking in Residential Districts. Required parking spaces in residential districts shall be subject to applicable area regulations pertaining to setbacks (front, side and rear yard), lot coverage, and accessory and principal structures.

Required parking spaces in 'For-Sale' residential districts shall be contained within a carport, garage or completely enclosed building, in addition:

Each 'For Sale' dwelling unit shall have a minimum 18' long and 10' wide paved driveway, as measured from the garage to the back of sidewalk, or back of curb where a sidewalk is not provided.

Ordinary passenger vehicles and non-commercial pickup trucks may be parked on a paved driveway providing ingress and egress to the lot or on a paved parking space provided that the maximum width of the total paved area cannot exceed 40 (forty) feet.

One (1) business vehicle not prohibited by the provisions of this Ordinance from parking within a residential district and one or more recreational vehicles or boats, or boat trailers may be parked or stored in an area not visible from a street.

The regular parking or storage of any business vehicle, any vehicle used in connection with a home occupation, or any vehicle with a carrying capacity of more than one-and-one-half (1½) tons is prohibited in any residential district. Pickup or panel trucks, used to provide daily transportation to and from work, are allowed in all residential districts.

C. Parking and Storage of Certain Vehicles. No automobile, truck, motorcycle, trailer or other vehicle of any kind or type without current license plates shall be parked or stored on any lot in a residential district except in a completely enclosed building.

1. Any person who, as of the effective date of this Article (6/94), has established a long-standing practice of parking or storing boats or recreational vehicles which is not in compliance with the provisions of C(1), above, may continue such practice as a lawful nonconforming use, subject only to the provisions of any applicable district regulations.
2. Any person may apply to the Director of Community Development for a variance to the provisions of C(1), above pertaining to the parking and storage of boats or recreational vehicles. Variances shall be granted only in the case of extreme hardship or unusual circumstance, as contrasted with merely granting an advantage or a convenience. The factors to be taken into consideration by the Director may include the following:

DIRECTION
249 deg(T)

34.03804°N
084.28291°W

ACCURACY 5 m
DATUM WGS84



200 Summerfield Dr

CE210532

12/3/21, 10:54:53 AM

DIRECTION
254 deg(T)

34.03787°N
084.28294°W

ACCURACY 5 m
DATUM WGS84



200 Summerfield Dr

10/11/21, 1:14:47 PM

DIRECTION
244 deg(T)

34.03792°N
084.28288°W

ACCURACY 5 m
DATUM WGS84



200 Summerfield Dr

10/11/21, 1:14:29 PM

DIRECTION
240 deg(T)

34.03801°N
084.28253°W

ACCURACY 50 m
DATUM WGS84



200 Summerfield
Dr

9/14/21,
12:45:55 PM

DIRECTION
216 deg(T)

34.03815°N
084.28230°W

ACCURACY 65 m
DATUM WGS84



200 Summerfield Dr

9/14/21, 12:37:13 PM

DIRECTION
220 deg(T)

34.03790°N
084.28255°W

ACCURACY 50 m
DATUM WGS84



200 Summerfield
Dr

9/27/21,
11:52:58 AM

DIRECTION
245 deg(T)

34.03799°N
084.28288°W

ACCURACY 5 m
DATUM WGS84



200 Summerfield Dr

CE210532

12/3/21, 10:54:37 AM

DIRECTION
255 deg(T)

34.03798°N
084.28277°W

ACCURACY 5 m
DATUM WGS84



200 Summerfield Dr

CE210532

12/3/21, 10:54:23 AM

DIRECTION
190 deg(T)

34.03810°N
084.28294°W

ACCURACY 5 m
DATUM WGS84



200 Summerfield Dr

CE210532

12/3/21, 10:55:09 AM

DIRECTION
257 deg(T)

34.03797°N
084.28280°W

ACCURACY 5 m
DATUM WGS84



200 Summerfield Dr

CE210532

12/3/21, 10:54:27 AM

DIRECTION
237 deg(T)

34.03815°N
084.28230°W

ACCURACY 65 m
DATUM WGS84



200 Summerfield Dr

9/14/21, 12:37:16 PM

DIRECTION
235 deg(T)

34.03807°N
084.28226°W

ACCURACY 65 m
DATUM WGS84



200 Summerfield
Dr

9/14/21,
12:46:11 PM

DIRECTION
246 deg(T)

34.03799°N
084.28288°W

ACCURACY 5 m
DATUM WGS84



200 Summerfield Dr

CE210532

12/3/21, 10:54:40 AM

DIRECTION
256 deg(T)

34.03794°N
084.28279°W

ACCURACY 10 m
DATUM WGS84



200 Summerfield Dr

10/11/21, 1:14:19 PM

DIRECTION
251 deg(T)

34.03804°N
084.28291°W

ACCURACY 5 m
DATUM WGS84



200 Summerfield Dr

CE210532

12/3/21, 10:54:56 AM



City of Alpharetta Codes Enforcement

2 Park Plaza - Alpharetta, GA 30009

Tel: 678-297-6080 Fax: 678-297-6081

NOTICE OF VIOLATION 5595

Date: 10/11/2021 Time: 1:00 AM - PM Case No. CE210532

Location: 200 Summerfield Dr

Suite/Apt. No.: _____ Alpharetta, Georgia Zip: 30022

Owner / Occupant: Heather M Mora + Jordan Adam Christopher

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, liens or further prosecution as determined by the city Municipal Court or Codes Enforcement Board.

Violation Description: Recreational Vehicle stored in an area visible from the street.

Recommended Correction: Provide code enforcement with a plan for compliance by date listed below. Plan must be implemented within 30 days (October 17th 2021)

Corrections must be completed by:

4:00 A.M. / P.M. on the 18th day of October 20 21

Violation: ☐ CPMC ☒ UDC ☐ City Code Section: 2.5.4(B)

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- 6174

Summerfield Neighborhood Voicemail Complaint Transcribed

Voicemail Received: September 14, 2021 11:17:56 AM EDT

Officer O'Donnell received the voicemail and was forwarded to Officer B. Smith

This is Mary Beth Brannen, my number 's (770) 826-1094. I live in Summerfield Subdivision, 275 Summerfield and we have a circle (about 60 homes) and they've got several people that are really, I think doing things that are against code and I would love for you to drive around the subdivision and maybe give them some messages, a couple of them have like toys in the front yard and one of them have dog trial sort of, it's just a big mess in their front yard and then several of them and I think they're new, they've got these motorhomes and stuff parked in their driveway and this one house has had the car parked in it's driveway for years and it has not moved and I think that's against code. We just need some attention over here and if you could call me back, I'll be glad to give you more information or just do a drive through and see what you think before you call anyhow, thank you so much for your services, bye.



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

SUMMONS TO APPEAR

5066

Date: 12/03/2021 Time: 11:15 AM PM Case No. CE210532
Name: Heather M Mora + Adam Christopher Jordan
Address: 200 Summerfield Dr
Suite/Apt. No. _____ City/State: Alpharetta Georgia Zip: 30022

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./PM on the 27th day of January 2022

To answer to the charge of

Violation: ☐ CPMC ☒ UDC ☐ City Code Section: 2.5.4 (B)

Violation Description: Recreational Vehicle stored in an area visible from the street.

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: [Signature] Tel. No.: 678-297- 6174