



CODE ENFORCEMENT BOARD MEETING FEBRUARY 24, 2022

DEPARTMENT OF COMMUNITY DEVELOPMENT
ALPHARETTA CITY HALL | 2 PARK PLAZA
3:30 P.M.

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

Code Enforcement Manager Bret Schroeder called the meeting to order at 3:30 p.m.

II. SWEARING-IN OF NEW BOARD MEMBERS

Edward Howden, the Assistant City Attorney, swore in new Board Members Roger Bauer and Leander Murphy to serve on the Code Enforcement Board.

III. ROLL CALL

Board Members Present:

Fred Smith
Robyn MacDonald
Roger Bauer
Dick Freeman
Leander Murphy

Board Members Absent:

Wayne Rand
Jill McMullan

Staff:

Bret Schroeder, Code Enforcement Manager
Beau Smith, Enforcement Officer
Frank Jackson, Code Enforcement Officer
Jacob O'Donnell, Code Enforcement Officer
Grayson Smith, Code Enforcement Officer

Ryan Sabia, Code Enforcement Officer
Jennifer Baptie, Permit Tech
Alexandra Callum, Planning + Zoning Coordinator
Edward Howden, Assistant City Attorney

IV. ITEMS FROM STAFF

- Code Enforcement Manager Bret Schroeder introduced the Board to the Code Enforcement Officers.

V. ELECTION OF CHAIR, VICE-CHAIR, AND TREASURER

- ❖ Board Member Freeman offered a motion to nominate Board Member Smith to continue as Chair of the Board.
 - The motion was approved 4-0-1, with Board Member Smith abstaining.
- ❖ Chairman Smith offered a motion to nominate Board Member MacDonald to serve as Vice-Chair of the Board.
 - Board Member Freeman seconded the motion.
 - The motion was approved 4-0-1, with Board Member MacDonald abstaining.
- ❖ Chairman Smith offered a motion to nominate Board Member Freeman to serve as Treasurer.
 - Board Member Bauer seconded the motion.
 - The motion was approved 4-0-1, with Board Member Freeman abstaining.

VI. APPROVAL OF MEETING MINUTES

- ❖ Vice-Chair MacDonald offered a motion to approve the meeting minutes of February 20, 2020.
 - Treasurer Freeman seconded the motion.
 - The motion was approved 3-0-2, with Board Members Murphy and Bauer recusing themselves because they were not present for the meeting.

VII. NEW BUSINESS

A. CE210532 / 200 Summerfield Drive

- Code Enforcement Officer, Beau Smith, came forward to present the item.
 - The code violation is RV storage in an area visible from the street.
 - We received a voicemail regarding the neighborhood in question, and RV parking was one of the concerns.
 - We found there was an RV visible from the street. When Code Enforcement stopped by, the residents said they were given permission to keep the RV there from a former CE officer.
 - However, it was still determined it was a code violation.

- A verbal notice was given to the property owner- she was given a week to take action.
- Code Enforcement inspected the property again, and the owner said she was still working on a solution.
- Once the plan was provided within 7 days, an additional 30 days would be provided to implement the plan.
- Some artificial trees and lattice were placed to try and make the RV not visible. However, it was still noticeable.
- The Code Enforcement Board discussed the following:
 - You mentioned they had gotten approval. Did anyone say it was okay for them to have the vehicle? No- there was no variance given by the city. The homeowners said Officers Webb and Baptie said if there was a cover, it would be fine. The officers said they never granted approval with a covering.
 - Is the RV being placed in the backyard a violation of any other part of Code? No, if it is not visible.
 - You mentioned artificial trees were placed in front of the RV. Was there an insufficient amount? The message relayed was that they could use trees, but it was not specified on artificial or real.
- The homeowners, Heather Mora and Adam Jordan, came forward to present the item.
 - Originally, we had Officer Baptie come out September 2018. She said she saw the camper and that it was visible from the street. She said we can put up a fence- that was really the only suggestion. The fence suggestion did not make sense because we can only put up a 6-foot fence.
 - We had a camper cover, and we talked with her to make sure this was okay before we purchased. She said yes if it stays near the cover space on the camper.
 - She came by a few weeks later and said it was perfect.
 - When she first arrived, the warning was given. No further warning or citation was given after we purchased the cover.
 - Officer Webb came by July 2019. He said he saw the camper and said we weren't in compliance. He said he would talk to Officer Baptie. He came back and said that permission was given.
 - Officer Smith came out, and the cover was off.
 - We looked into trees, but that would be hundreds of dollars additional.
 - We put artificial trees in. We were told to put it at the back of the house, but we have a swimming pool.
 - Officer Smith said there were no records of the previous officers coming out.

- We have done everything we have been asked to do to be compliant with the Code.
- The Code Enforcement Board discussed the following:
 - Everything was verbal- there was nothing in writing? We have the first notice that was given- September 2018. We purchased the cover in November.
 - What has the city offered when people must build a fence that high? There's a 6-foot height limit. I don't believe anything beyond 6 feet in this situation would be permitted.
 - In that neighborhood, we have worked with several vehicles out there.
 - You said there was complaints- was this one complaint? Yes, It started with one complaint.
 - We would much rather have a fence than artificial trees- that's something we can discuss.
 - Officer Schroeder- we would ask the Board to give us 100 days- 90 days being for a public hearing.
 - You mentioned the swimming pool- is it such a position there's no way no move it behind?
 - Are there other 8 or 9-foot fences in the neighborhood? I don't think specifically in that neighborhood.
 - Is there an active HOA? No.
 - Have you looked at places to park until the issue could be resolved? Yes, but there's a cost to it, and bad things happen if you park off-site. It could create financial burden.
- ❖ Chairman Smith: Having found the defendant in violation of Code 2.5.4 B, I make a motion that the defendant be found guilty.
 - Board Member Bauer seconded the motion.
 - The motion was approved unanimously (5-0).
- The following was discussed by the Board:
 - If I were a neighbor, I don't know that I would want a 10-foot fence built. The public hearing can be an opportunity for neighbors to give their opinion.
 - Are the three options to move it, cover it up well with artificial trees, or build a fence with Staff and neighbor approval?
 - Trees really can't be an option because there can't be enough to properly cover it.
- ❖ Chairman Smith: Having found the defendant guilty of Code 2.5.4 B, I make the motion for the Board to take the following actions:
 1. Issue a cease and desist.
 2. The defendant will work with Code Enforcement on obtaining a variance for the property.

- 3. There will be a plan of action to have this issue resolved by June 1, 2022.
- 4. If the property is not under compliance by then, there will be a fine of \$25 per day.

- The motion was seconded by Robyn MacDonald.
- The following was discussed by the Board:
 - Should we have some dates established, such as: "By 3/1/2022, there shall be a written plan?"
 - I would go higher than \$25 per day on the penalty.
- ❖ Board Member Bauer offered a friendly amendment to raise the violation amount to \$50, as well as a written plan must be submitted to the City by 3/1/2022.
- The following was discussed by the Board:
 - To clarify, the due date should be a week from today, so the due date should be 3/3/2022.
 - Board Member Freeman seconded the friendly amendment.
 - The friendly amendment was approved 4-1, with Vice-Chair MacDonald opposing the friendly amendment.
- The following was discussed by the Board:
 - I don't think the amount should be \$50 a day. I think that is too high.
 - What about raising the prices after a certain number of days?
- Board Member Bauer withdrew his friendly amendment.
- ❖ Chairman Smith offered a motion to refer to the original motion made.
 - Board Member seconded the motion.
 - The motion was approved unanimously (5-0).

VIII. ADJOURNMENT

- ❖ Treasurer Freeman offered a motion to adjourn the meeting.
 - Vice-Chair MacDonald seconded the motion.
 - The motion was approved unanimously (5-0).

The meeting adjourned at 4:30 p.m.

Respectfully submitted,

Alexandra Callum

Alexandra Callum, Planning + Zoning Coordinator