



# CODE ENFORCEMENT BOARD MEETING APRIL 25, 2024

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

- I. **CALL TO ORDER**
- II. **Election of Officers for 2024**
- III. **ROLL CALL**
- IV. **PUBLIC HEARING MINUTES**
- V. **PUBLIC HEARING**
  - A. CEB230602 Scotchie's 5815 Windward  
Violation of Outdoor storage
  - B. CEB240083 Mr. Borck 200 Dania Dr.  
Accumulated rubbish, Tree Ordinance violation
- VI. **ADJOURNMENT**



**ORF II WINDWARD CROSSING LLC**  
**Scotchies Restaurant LLC**  
**10/02/23 CASE CE230602**  
**5815 WINDWARD PKWY**

# Timeline

- } 10/02/2023 – Initial communication to business owner, discussing the option of moving smoker in and out everyday.
- } 10/03/2023-Business owner spoke with Code Enforcement manager and made an agreement to move smoker in and out daily to become compliant.
- } 10/23/2023 – Courtesy Notice to Property Management about Code Violations by phone. Fourteen (14) days given for compliance.
- } 11/07/2023 – Notice of Violation issued to Property Management, Property Owner and business owner.
- } 11/20/2023 Summons to Appear issued to business entity and Pinnacle Leasing and Management.
- } 11/21/2023 Meeting with Property Owner Mr. Marupudi to discuss code violations and Summons to Appear.
- } 11/22/2023 Business owner received a copy of the Summons to Appear.

# Timeline Continued

- ▶ 12/13/2023 - Property management asked for a few reasonable options to bring property into compliance. Code Enforcement gave three options for compliance with no results.
- ▶ 1/05/2024 – Business owner has put the property owner in violation for storing a food trailer on the property as well as his smoker.
- ▶ 1/23/2024 – Property management asked for an extension to bring property into compliance. Code Enforcement granted more time.
- ▶ 3/19/2024 – Code Enforcement met with the property owner again to discuss the violations.
- ▶ 3/28/2024 – Code Enforcement met with property owner and business owner to issue a Summons to Appear for a hearing date on April 25<sup>th</sup>, 2024.

# Zoning Violations "CUP"

## } Zoned Community Unit Plan

- Outside storage prohibited
- 10/02/2023 Code Enforcement requested that all outside storage(Smoker) to be removed from the property



# Zoning Violations "CUP"



# Zoning Violations "CUP"





# Notice of Violation



2 PARK PLAZA  
ALPHARETTA, GA 30009  
PHONE: 678.297.6000  
www.alpharetta.ga.us

Case Number: CE230602

Date: 11/07/2023

Pinnacle Leasing and Management  
C/O Laura Austin  
5865 N POINT PARKWAY STE 350  
ALPHARETTA GA 30022

RE : Notice of Violation for 5815 Windward Parkway

Dear Laura Austin,

Please be advised that the above-referenced property has been inspected by a Code Enforcement Officer from the City of Alpharetta, and the following violation(s) were noted on 11/07/2023.

- Property Zoning classification CUP, outside storage is not permitted. (UDC 2.2.11)
- Property Maintenance Code Section 302.3 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.

To avoid a Summons to appear at the next meeting of the City's Code Enforcement Board, please bring the property into compliance by the date specified on the attached Notice by undertaking the following corrective actions.

Remove outside storage from the property. Outside storage includes smoker/grill stored in parking lot. All parking lots need to be free from all hazardous materials.

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

Sincerely,

JOSHUA MCADAMS  
Code Enforcement Officer Badge # 614  
City of Alpharetta

jmcadams@alpharetta.ga.us

MAYOR  
Jim Gilvin

MAYOR Pro Tem  
Dan Merkel

COUNCIL MEMBERS  
Jason Binder  
Douglas J. DeRito  
John Hipes  
Donald F. Mitchell  
Brian Will

CITY ADMINISTRATOR  
Chris Lagerboom



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

## NOTICE OF VIOLATION 5520

Date: 11/7/2023 Time: 8:15 (AM) PM Case No. CE230602

Location: 5815 Windward Parkway

Suite/Apt. No.: 210 Alpharetta, Georgia Zip: 30005

Owner / Occupant: ORF # Windward Pkwy / Kevin Bothe

Pinnacle Leasing and Management C/O Laura Austin  
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: Zoning Requirements  
outside storage

Recommended Correction: Remove Smoker/Grill  
from the property.

Corrections must be completed by:  
4:00 A.M. / (P.M.) on the 17th day of November 20 23

Violation:  CPMC  UDC  City Code Section: 2.2.11

Type of Delivery:  Hand Delivery  U.S. Mail  Courier  Other \_\_\_\_\_

x: Signature Not Available

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: Josh McAdams Badge No.: 614

Signature: Josh McAdams Tel. No.: 678-297- 6029



# NOV and Summons



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

## NOTICE OF VIOLATION 5520

Date: 11/7/2023 Time: 8:15 AM PM Case No. CE230602

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Citing Officer: Josh McAdams Badge No.: 614

Signature: Josh McAdams Tel. No.: 678-297-6029



City of Alpharetta Codes Enforcement  
2 Park Plaza - Alpharetta, GA 30009  
678-297-6086

## SUMMONS TO APPEAR

Date: 11/20/2023 Time: 12:45 AM - PM Case No. CE230602

Name: ORF II Windward Crossing LLC / Pinnacle Leasing and Management

Address: 5815 Windward Pkwy

Suite/Apt.No. 210 City/State: Alpharetta, GA Zip: 30005

YOU ARE HEREBY COMMANDED TO BE AND APPEAR before the

Municipal Court Judge in the City Courtroom at 13690 Highway 9, Milton, Georgia 30004

\*In Lieu of attending court, you may pay fine in Community Development at City Hall\*

Server: \$625

Business: Owner, Manager, Supervisor \$1,200

Code Enforcement Board in Council Chambers  
Alpharetta City Hall at 2 Park Plaza, Alpharetta, Georgia 30009

At: 3:30 A.M. / PM on the 25th day of January 20 24

To answer to the charge of

Violation:  CPMC  UDC  City Code Section: UDC 2.2.11 / PMC 302.3

Violation Description: Property Zoning Classification CUP,

outside Storage is not permitted. PMC 302.3 All sidewalks,

walkways, driveways and parking spaces shall be kept in a proper

state of repair and maintained free from hazardous conditions.

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

X: [Signature]

Signature of Recipient

Notifying Officials Certification

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

Comments:

Citing Officer: Josh McAdams Badge No.: 614

Signature: Josh McAdams Tel. No.: 678-297-6029

- 1/23/2023 – Property management requested more time two days before date of summons.




Wes Allen <wallen@plnms.com>

To: McAdams, Joshua; Sridhar Marupudi

Cc: scotchies0677@gmail.com; Schroeder, Bret; O'Donnell, Jacob

Retention Policy COA Ten Year Retention (10 years)

 You replied to this message on 1/23/2024 3:53 PM.



Tue 1/23/2024 3:44 PM

Expires 1/20/2034

Hey Josh –

Can you extend this one more month? I mentioned to you prior that Michael was going to be out for the month on paternity leave.

I spoke to Scotchie's on Saturday and he let me know he was working on pricing to add wheels to his grill. Right now it is not mobile according to him.

The other items are in process. The grease container company no showed on us at least twice that I'm aware of. That extra trash container was added b Egg Roll Boyz and I've asked them to remove it & cancel the contract.

I think with a few more weeks we can make some good progress here if not resolve all items.

Wes

Thanks,

J. Wes Allen | Principal

Pinnacle Leasing and Management, LLC

Cell: 404.375.0745 - [www.PLNMS.com](http://www.PLNMS.com)


- 1/23/2023 – Code Enforcement granted more time and asked for a specific date of compliance.
- 2/23/2023 is the compliance date that property management provided.



Wes Allen <[wallen@plnms.com](mailto:wallen@plnms.com)>  
To McAdams, Joshua; Sridhar Marupudi  
Cc [scotchies0677@gmail.com](mailto:scotchies0677@gmail.com); Schroeder, Bret; O'Donnell, Jacob

Retention Policy COA Ten Year Retention (10 years)

Expires 1/20/2034

 You replied to this message on 1/24/2024 8:04 AM.

Thank you.

If we could have until Friday, 2/23, that should be sufficient to resolve the open items here.

Thanks,

J. Wes Allen | Principal  
Pinnacle Leasing and Management, LLC  
Cell: 404.375.0745 - [www.PLNMS.com](http://www.PLNMS.com)

*Please Note: It is understood that if any of the matters described in this electronic mail describe a business transaction, including, without limitation an agreement containing any monetary terms, such terms are merely a description of certain basic terms of a proposed transaction and not a legal written agreement other than electronic mail between the applicable parties.*

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**From:** McAdams, Joshua <[jmcadams@alpharetta.ga.us](mailto:jmcadams@alpharetta.ga.us)>

**Sent:** Tuesday, January 23, 2024 3:53 PM

**To:** Wes Allen <[wallen@plnms.com](mailto:wallen@plnms.com)>; Sridhar Marupudi <[smarupudi@octavehi.com](mailto:smarupudi@octavehi.com)>

**Cc:** [scotchies0677@gmail.com](mailto:scotchies0677@gmail.com); Schroeder, Bret <[bschroeder@alpharetta.ga.us](mailto:bschroeder@alpharetta.ga.us)>; O'Donnell, Jacob <[JODonnell@alpharetta.ga.us](mailto:JODonnell@alpharetta.ga.us)>

**Subject:** RE: Update

Wes,

I think we can accommodate that if you can provide us with a specific date.

Thanks,  
Officer McAdams



➤ 1/24/2023 – Code Enforcement granted March 1<sup>st</sup>, 2023, for compliance.



Wes Allen <wallen@plnms.com>  
To: McAdams, Joshua; Sridhar Marupudi  
Cc: scotchies0677@gmail.com; Schroeder, Bret; O'Donnell, Jacob; Liz Butler; Michael Guski  
Retention Policy: COA Ten Year Retention (10 years)

Expires: 1/21/2034

**i** This message needs your attention  
• Someone new is on this email.  
Mark as Safe Report this Email Powered by Mimecast

Thank you. Will keep you updated on this.

Thanks,

J. Wes Allen | Principal  
Pinnacle Leasing and Management, LLC  
Cell: 404.375.0745 - [www.PLNMS.com](http://www.PLNMS.com)

*Please Note: It is understood that if any of the matters described in this electronic mail describe a business transaction, including, without limit an agreement containing any monetary terms, such terms are merely a description of certain basic terms of a proposed transaction and not a written agreement other than electronic mail between the applicable parties.*

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From: McAdams, Joshua <[jmcadams@alpharetta.ga.us](mailto:jmcadams@alpharetta.ga.us)>  
Sent: Wednesday, January 24, 2024 8:04 AM  
To: Wes Allen <[wallen@plnms.com](mailto:wallen@plnms.com)>; Sridhar Marupudi <[smarupudi@octavehi.com](mailto:smarupudi@octavehi.com)>  
Cc: [scotchies0677@gmail.com](mailto:scotchies0677@gmail.com); Schroeder, Bret <[bschroeder@alpharetta.ga.us](mailto:bschroeder@alpharetta.ga.us)>; O'Donnell, Jacob <[JODonnell@alpharetta.ga.us](mailto:JODonnell@alpharetta.ga.us)>  
Subject: RE: Update

Code Enforcement is giving till March 1<sup>st</sup>. Please keep me updated on any developments with the property.

**VIOLATIONS:**

- Grease Traps moved to proper enclosure or removed completely
- Dumpster stored in proper enclosures or removed completely
- Clothing donation box removed from the property
- Smoker needs to be stored in the proper area or removed completely
- Food trailer needs to be removed from the property (This is new as 01/05/2024)
- Storage containers need to be removed from the property

Thanks,  
Officer McAdams

# Zoning Violations "CUP"




# Zoning Violations "CUP"



# Summons

## } Summons to Appear

- Code Enforcement allotted more time to bring property into compliance with no results.
- Code Enforcement reissued a Summons To Appear on March 28<sup>th</sup>, 2024, for a hearing date on April 25<sup>th</sup>, 2024.



**City of Alpharetta Codes Enforcement**  
2 Park Plaza – Alpharetta, GA 30009  
678-297-6086

**SUMMONS TO APPEAR**

Date: 3/28/2024 Time: 8:00 AM PM Case No. CE 230602

Name: ORF II Windward Crossing LLC/Pinnacle Leasing and Management  
 Kevin Bate  
 Address: 5815 Windward Parkway

Suite/Apt. No. 210 City/State: Alpharetta, GA Zip: 30005

YOU ARE HEREBY COMMANDED TO BE AND APPEAR before the

Municipal Court Judge in the City Courtroom at 13690 Highway 9, Milton, Georgia 30004  
 \*In Lieu of attending court, you may pay fine in Community Development at City Hall\*  
 \_\_\_\_\_ Server: \$625  
 \_\_\_\_\_ Business: Owner, Manager, Supervisor \$1,200

Code Enforcement Board in Council Chambers  
 Alpharetta City Hall at 2 Park Plaza, Alpharetta, Georgia 30009

At: 3:30 A.M. / PM on the 25<sup>th</sup> day of April, 2024

To answer to the charge of

Violation:  CPMC  UDC  City Code Section: UDC 2.2.11 / Pmc 302.3

Violation Description: Property Zoned CUP, outside storage is not permitted  
Pmc 302.3 - All Sidewalks, Walkways, Driveways and Parking Spaces  
shall be kept in proper state of repair and maintained free from  
hazardous conditions

Type of Delivery:  Hand Delivery  U.S. Mail  Courier  Other: \_\_\_\_\_

X: \_\_\_\_\_  
 Signature of Recipient: [Signature]

Notifying Officials Certification

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

Comments: \_\_\_\_\_

Citing Officer: Josh McAdams Badge No.: 6014

Signature: [Signature] Tel. No.: 678-297-6086

**Thank You  
Any Questions?**

**Randall Gregory Borck**  
**200 Dania Drive**  
**Case # CE240083**



# Timeline

- 9/12/2023 - Code Enforcement gave a verbal notice for accumulated rubbish/yard debris, with instructions to start actively spreading mulch or to remove from property completely.
- 10/02/2023 - Spoke with property owner again with instructions to actively spread mulch or remove from the property completely. Property owner stated the mulch is for gardening purposes.
- 2/02/2024 - Code Enforcement issued a Courtesy Notice. Fourteen (14) days was allotted for compliance.
- 2/27/2024 - Notice of Violations was issued for accumulated rubbish/yard debris and tree conservation. March 29<sup>th</sup>, 2024 was the deadline for compliance. Code Enforcement gave options to actively spread the mulch or have mulch removed completely from the property.
- 4/02/2024 - Summons To Appear was issued and signed by the property owner.

# Accumulated Rubbish/Yard Debris

## ➤ Accumulated Rubbish/Yard Debris PMC 308.1

- All exterior property shall be free from all accumulated rubbish.
- **Rubbish**-Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.
- 9/12/2023 - Code Enforcement requested for all accumulated rubbish to be removed or to start actively spreading.



# Tree Conservation

## ➤ Tree Conservation Requirements UDC 3.2.1.B4

- No person shall Construct a concrete, asphalt, brick or gravel sidewalk, significantly compact the soil, place fill material, or create other impervious or semi-impervious surfaces around any tree so as to cut off air, light or water from the roots of the tree so as to adversely impact the tree's root system.



# Accumulated Rubbish/Tree Conservation



# Accumulated Rubbish/Tree Conservation



# Accumulated Rubbish/Tree Conservation



# NOV and Summons



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

## NOTICE OF VIOLATION 5746

Date: 2/27/2024 Time: 10:00 (AM) PM Case No. CE240083  
Location: 200 Dania Drive  
Suite/Apt. No.: \_\_\_\_\_ Alpharetta, Georgia Zip: 30009  
Owner / Occupant: Gregory Borck

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:** Accumulated Rubbish / Yard debris  
-Tree Conservation / Cutting off air, light, or water  
from the roots.

**Recommended Correction:** Remove of actively spread  
Mulch.  
-Remove mulch out of Right-of-way

**Corrections must be completed by:**  
4:00 A.M. / (PM) on the 29th day of March 20 24

Violation:  CPMC  UDC  City Code Section: 308.1 / 3.2.1.B4

Type of Delivery:  Hand Delivery  U.S. Mail  Courier  Other: \_\_\_\_\_

X: Randall Bank All rights reserved  
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: Josh McAdams Badge No.: 614

Signature: Josh McAdams Tel. No.: 678-297- 6081



**City of Alpharetta Codes Enforcement**  
2 Park Plaza - Alpharetta, GA 30009  
678-297-6086

## SUMMONS TO APPEAR

Date: 4/2/2024 Time: 2:55 AM - (PM) Case No. CE240083  
Name: Randall Gregory Borck  
Address: 200 Dania Drive  
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 at 13690 Highway 9, Milton, Georgia 30004

\*In Lieu of attending court, you may pay fine in Community Development at City Hall\*  
\_\_\_\_ Server: \$625  
\_\_\_\_ Business: Owner, Manager, Supervisor \$1,200

Code Enforcement Board in Council Chambers  
Alpharetta City Hall at 2 Park Plaza, Alpharetta, Georgia 30009

At: 3:30 A.M. / (PM) on the 25th day of April 20 24

To answer to the charge of

Violation:  CPMC  UDC  City Code Section: 308.1 / 3.2.1.B4

Violation Description: Accumulated Rubbish / yard debris  
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Comments: \_\_\_\_\_

Citing Officer: J. McAdams Badge No.: 614

Signature: Josh McAdams Tel. No.: 678-297- 6081

Thank you,  
Any questions?