CONSTRUCTION AND PROPERTY MAINTENANCE
CODE BOARD OF APPEALS

The Construction and Property Maintenance Code Board of Appeals meeting was held on September 23, 2026, at 3:30 p.m. with Mr. Rocha presiding. The members present were Mr. Boggerty and Mr. Campana. Staff members present were Mr. Kopp, Ms. Brown, Mr. Wood, Ms. Duca, Ms. Rivera, and Ms. Martin.

ADOPTION OF AGENDA

Mr. Campana moved for approval of the agenda. The motion was seconded by Mr. Boggerty and unanimously carried.

Appeal of Case #25-00003259 and Related Fines - 118 Mitscher Road

Ms. Sierra Brown, Code Enforcement Officer, reviewed the case history for 118 Mitscher Road.

Mr. Rodger Detrick stated that he was working to bring the property into compliance and that substantial improvements had been made. He explained that poison ivy and poison oak in the backyard caused a medical reaction that delayed manual removal. He also applied commercial-grade vegetation treatment and intended to remove the dead growth during the fall.

Mr. Detrick stated that the fence fell during a windstorm because the posts had rotted. He had removed the fallen portion from the neighboring property and placed it in the center of his yard for disposal. He stated that a backhoe had also been used to clear part of the backyard, but vegetation had grown over the resulting pile.

Mr. Detrick described financial and family circumstances that had limited his ability to complete the work. He stated that he recently changed jobs and now had a more regular schedule, which would allow him to work on the property on weekends. He emphasized that he had not ignored the notices and requested additional time rather than further fines.

Responding to the Board, Ms. Brown clarified that deteriorated or fallen sections of the six-foot wooden privacy fence had to be replaced or the fence had to be removed. Replacement with a different material would require a permit. She further stated that all overgrown vegetation in the front, rear, and side yards had to be removed. The neighboring chain-link fence was not part of the violation.

Mr. Eddie Kopp recommended pausing enforcement and the $1,000 citation for 90 days to allow the property to be brought into full compliance. He explained that no additional fines would be issued during this time. If the violations remain after 90 days, the $1,000 citation would be reinstated and enforcement would resume.

Mr. Campana moved to stay enforcement and hold the $1,000 citation in abeyance for 90 days. If the property is not in compliance at the end of the 90-day period, the citation will be reinstated, and Code Enforcement action will resume. The motion was seconded by Mr. Boggerty and unanimously carried.

Appeal of Case #25-00005073 and Related Fines - 1200 North Dupont Highway

Ms. Brown reviewed the case history for the Thomasson Building at 1200 North Dupont Highway.

Khalid Zerrad, a DSU representative, stated that the University had been working in good faith but had to complete the State funding, design, and procurement processes. He stated that bid documents were submitted to the State on June 22, 2026, and the project was advertised in July, but the proposal was not received until September 15, 2026. A meeting with the lowest bidder was scheduled for September 25, 2026. Mr. Zerrad stated that the contractor proposed completing the demolition within 60 days and that DSU expected the project to be completed by the end of the year.

Responding to Ms. Brown, Mr. Zerrad acknowledged that monthly updates had not been provided and agreed to send updates to Ms. Brown going forward.

Mr. Campana moved to stay enforcement and hold related fines in abeyance until December 31, 2026, with DSU providing monthly progress updates to Code Enforcement. The motion was seconded by Mr. Boggerty and unanimously carried.

Appeal of Case #26-00002654 and Related Fines - 151 North Queen Street

Mr. Kopp, Chief Code Enforcement Officer, presented the case on behalf of Code Enforcement Officer John England.

Ms. Mosley, appearing remotely for Elaine and Coleman Investments LLC, stated that the property was a rental and had been involved in an eviction. The owner regained possession on July 7, 2026, and appealed after receiving notice that the property had been placed on the Vacant Building Registry. She stated that the property was ready to rent except for an exterior door issue, but utilities and the rental license could not be restored because outstanding charges on another property triggered the City's Clean Hands requirements.

Mr. Kopp stated that the property met the definition of a vacant building because it lacked utilities and did not have a current rental license. He explained that the Board could decide whether the property was vacant and whether to retain or waive the $375 fee, but the Board could not override the Clean Hands requirements associated with other outstanding taxes, utilities, or fees.

Mr. Kopp explained that the owner could contact Customer Service to establish a formal payment agreement for the outstanding charges. A formal agreement could provide a path toward resolving the Clean Hands restriction, restoring utilities, and obtaining the required rental license.

Mr. Campana moved to accept staff's recommendation to stay enforcement and hold the $375 vacant building fee in abeyance for 30 days, allowing the property owner time to establish a payment agreement with Customer Service and restore utilities. If a payment agreement is not established and utilities are not restored within 30 days, enforcement will resume and the $375 fee will be reinstated. The motion was seconded by Mr. Boggerty and unanimously carried.

Appeal of Case #26-00000341 and Related Fines - 36 Arbor Drive

Mr. Kopp, Chief Code Enforcement Officer, presented the case on behalf of Code Enforcement Officer John England.

Mr. Kopp clarified that Case #26-00000341 concerned the dangerous building and condemnation matter, while a separate vacant building case also existed. The condemnation was based on the

lack of active utilities and conditions observed at the property. An interior inspection was required to lift the condemnation and verify that the property was safe.

Mr. Dennis described the circumstances surrounding his wife's illness and death and his extended periods away from the property. He stated that the electric service had been disconnected over a small unpaid balance and that frozen plumbing caused damage during the winter. He further stated that electricity and heat had since been restored and that the property was being repaired, including drywall, carpet, and flooring work.

Ms. Brown and Mr. Kopp explained that a property without active utilities could be condemned as uninhabitable under the 2009 International Property Maintenance Code, as adopted by the City.

Responding to Mr. Dennis, Mr. Kopp stated that the current work described appeared cosmetic and might not prevent the condemnation from being lifted. He recommended a visual interior inspection to confirm that utilities had been restored and that no life-safety or structural concerns remained. The required vacant building inspection could be conducted at the same time.

Mr. Campana moved to accept staff's recommendation to stay enforcement and allow 30 days to schedule an interior inspection with Code Enforcement. If the inspection confirms that the property is in compliance, the citation associated with the condemnation case will be lifted. The motion was seconded by Mr. Boggerty and unanimously carried.

The meeting adjourned at 5:09 p.m.

Andre M. Boggerty
Chairman

AB/rm