

CONSTRUCTION AND PROPERTY MAINTENANCE CODE BOARD OF APPEALS

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

ADOPTION OF AGENDA

Mr. Boggerty stated that prior to accepting the agenda, there was a request for modification Item #2, Residential Code Violation Appeal (Chapter 22 - Buildings and Building Regulations, Article III - Building Code, Section 22-61(b) International Residential Code Adopted, 2009 - Section R302.1 - Exterior Walls) - Appeal of Denied Building Permit - 321 Charring Cross Drive would be moved to Item #1.

Mr. Rocha moved for approval of the amended agenda, seconded by Mr. Neil, and unanimously carried.

2009 Property Maintenance Code Violation: Property Maintenance Code Violation (2009 International Property Maintenance Code - Chapter 3 - General Requirements, Section 302.1 - Sanitation) - Appeal of Violation - 510 Carol Street

Mr. Matthew Layfield, Code Enforcement Officer, reviewed the case history for 510 Carol Street.

Responding to Mr. Boggerty, Mr. Coombes stated that he did not understand how the debris constituted a violation, as it was not scattered toward the alleyway and was contained within a landscaping trailer. He explained that his children were removing bicycles from the trailer in order to repair them using parts from other bicycles stored there. He further asked if scrap metal could not be kept in the landscaping trailer, where it should be stored instead.

Responding to Mr. Boggerty, Mr. Coombes clarified that he does scrap metal on the side and referred to the picture showing that the grill, which was not the issue, was his actual grill and that he pulled it into his garage.

Mr. Coombes stated that he had cleaned up the debris when the citation was issued, so from late October till Christmas, he was busy at work, working 12-hour shifts from Monday through Saturday. He noted that he had no time in between to take care of the debris. He also added that once he had the time, he immediately cleaned up the debris.

Responding to Mr. Rocha, Mr. Layfield stated that Mr. Coombes does have a backyard. He noted that if Mr. Coombes had put a tarp over the debris, it probably would have solved the issue, but there was no communication to be had.

Responding to Mr. Campana, Mr. Coombes stated that he finds scrap metal as he can and loads the metal back and forth from work.

Responding to Mr. Rocha, Mr. Coombes clarified that the facility pays by weight, and the last load he took, he received \$34.

Mr. Coombes noted that other neighbors in his neighborhood have scrap metal all over their backyard and have had it there since he moved into his home.

Responding to Mr. Coombes, Mr. Neil stated that the Code Enforcement Officers were great and empathetic, but he would have to let them know the status and that he needed more time.

Responding to Mr. Rocha, Mr. Coombes stated that a prior violation was a dryer in the alleyway between four (4) and five (5) years ago.

Eddie Kopp, Chief Code Enforcement Officer, stated that he wanted to clarify a few points regarding the previous case, which was from November 16, 2023, case number #23-4983 for exterior, and that it would be similar. He stated for the record that the purpose of the 2009 International Property Maintenance Code - Chapter 3 - General Requirements, Section 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.

Mr. Kopp stated that was what was being appealed today. He further stated, for the record, that Section 1.11 states that the application for appeal shall be based on the claim, the true intention of the code order, rules legally adopted; they are incorrectly interpreted. The provision of the code does not fully apply, or the requirements of the code are adequately satisfied by other needs, so that would be the intent of the appeal.

Mr. Boggerty made a motion to restore the \$11.00 fee to cover mailing costs associated with the documentation process. The motion was seconded by Mr. Rocha.

Responding to Mr. Campana, Mr. Layfield stated that the fine was \$100.00.

Mr. Boggerty moved to amend the motion to deny the appeal for 510 Carol Street. The \$11.00 fee to cover mailing costs associated with the documentation process remains in effect. The motion was seconded by Mr. Rocha and unanimously carried.

2009 Property Maintenance Code Violation: Property Maintenance Code Violation (2009 International Property Maintenance Code - Chapter 3 - General Requirements, Section 302.1 - Sanitation) - Appeal of Violation - 226 Winterberry Drive

Mr. Kopp recommended on behalf of the city that Item #2 be denied due to the no-show of the appellant.

Mr. Rocha moved to deny the appeal for 226 Winterberry Drive. The motion was seconded by Mr. Campana and unanimously carried.

Responding to Mr. Rocha, Ms. Wheeler stated that she had spoken with the appellant and informed him of the meeting date and time, and he had agreed to attend, but she was unaware of why he did not appear.

Mr. Boggerty moved for an adjournment of the Construction and Property Maintenance Code Board of Appeals meeting; hearing no objection, the meeting adjourned at 4:09 p.m.

The meeting adjourned at 4:09 p.m.

Andre M. Boggerty
Chairman

AB/cw