

CITY OF NORTH SALT LAKE  
LAND USE APPEAL AUTHORITY  
SEPTEMBER 16, 2020

**FINAL**

Glenn Bronson called the meeting to order at 5:05 p.m.

STAFF PRESENT: Sherrie Llewelyn, Community Development Director; Glenn Bronson, Appeal Authority/Hearing Officer; Kurt Imig, Code Enforcement Officer.

OTHERS PRESENT: Elisa Love, resident.

1. CASE N19-01013. ELISA LOVE & CHAD TERRY AT 71 EAST 250 NORTH-VIOLATION OF CITY CODE SECTION 4-2-2; 10-1-42; AND 10-6-2

At 5:18 p.m. Glenn Bronson stated that as Elisa Love and Chad Terry were not in attendance he would enter an order in default which would consist of granting the request the City had asked for.

Glenn Bronson asked if Ms. Love and Mr. Terry had remedied the property from the last order that he had issued. Kurt Imig responded affirmatively and said that it had been temporarily remedied.

**Glenn Bronson determined that the owners were in violation of City Code Section 4-2-2, 4-2-4, and had defaulted on those violations. The City of North Salt Lake is authorized to enter the property, abate the remaining violations, and assess the property owner the cost of the abatement. The City will give the property owner notice of no less than seven (7) days prior to acting on the abatement order.**

Mr. Bronson clarified that the compliance deadline was August 16<sup>th</sup>, which was ten days after the date of notice and that it had been 30 days.

**Ms. Love arrived at 5:21 p.m.**

Glenn Bronson explained to her that due to her lateness he had entered a default and intended to grant the request the City had asked for. He said he would be willing to hear anything Ms. Love had to say.

Elisa Love stated that she brought some pictures of the property and said that the gate that fell had been removed. She said there was only one violation still in place, which was the unlicensed vehicle and that she had spoken to Kurt Imig about that today. Ms. Love said they would be

moving the vehicle to the garage tomorrow but were waiting on replacement parts. She said she really could not afford a fine.

Kurt Imig commented that his request would be to post the photos on the shared screen beginning with July 13<sup>th</sup> through September 14<sup>th</sup>. He explained he would like to ask questions pertaining to the photos and the property to determine if compliance had been achieved.

The above-named photos were presented on a shared screen to those present.

Kurt Imig described the first photo shown and said it was taken July 23, 2020 of the Dodge parked in the driveway near the garage. He said the gate was destroyed and removed which was one of the violations Ms. Love had spoken about. Mr. Imig said that both the destroyed and removed gate along with the vehicle were still a violation as of 14<sup>th</sup> of September. He then spoke on photos from July 23<sup>rd</sup> and August 5<sup>th</sup> which he explained were of the south side of the property and addressed the next compliant which was the debris that remained from the fencing.

Glenn Bronson commented that he had reviewed the photos in the file.

Kurt Imig spoke on a photograph from September 14<sup>th</sup> and said the material that was in the photo was the debris that had been removed from the fence that was still in the front and back yard of the property and was the second violation/cause for action. He clarified that behind the maple tree there was wood panels that were from the old fence and not removed. Mr. Imig said this was the debris on the property that was visible from the street.

Glenn Bronson said that per the photo from September 14<sup>th</sup> that the vehicle and the debris were shown to remain on the property. He allowed Ms. Love to share any photos that she had.

Elisa Love explained that her neighbor was installing a fence and had removed panels from her fence. She stated she did not remove all of the panels near the new fence posts. Ms. Love said that her neighbor's fence would be completed tomorrow at that panel would be removed from the property. She said she did bring other photos and could show them to those present.

Glenn Bronson said that additional photos would not be necessary at this time as Ms. Love had indicated some remedial action had occurred. He explained that he would give the City the opportunity to verify this.

Kurt Imig asked if the panels were discarded and removed from the property or stored on the property. Elisa Love replied that the panels were stored in the garage, as she would be using the wood for a project. She said she had a wood chipper and was chipping a lot of the wood from the windstorm, etc.

Kurt Imig requested a time to do an inspection of the property to ensure compliance. Glenn Bronson replied that this was appropriate

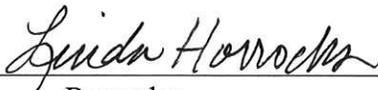
**Glenn Bronson revised his earlier determination. Mr. Bronson determined that the property was still in violation, as Ms. Love had conceded, of sections 4-2-2 and 4-2-4 in regard to debris on the property and an abandoned vehicle. He issued an abatement order that the City is authorized to abate the violations and assess the cost to the landowner. The City will give the property owner no less than seven (7) days prior notice. A prior civil penalty of \$200 was issued in December 2019. Mr. Bronson stated that the City indicated that remedial action had been done in part but due to new violations he issued a new civil penalty of \$500. He said that if Ms. Love can establish with the City that the actions have been remediated completely within ten (10) days then the fee would be waived. If remediation was not done completely to the City's approval within ten (10) calendar days from today that civil penalty would stand. The order of abatement would stand in any event at the City's discretion if at any time the remediation does not occur as Ms. Love indicated it would the City could abate the nuisance.**

Glenn Bronson clarified that the penalties could go on per day up until a \$5,000 penalty was accrued. He said the City could report that remediation had not occurred within ten days and re-notice this hearing and request additional penalties. Mr. Bronson explained that it was in Ms. Love's best interest to remediate the property.

## 2. ADJOURN

Glenn Bronson adjourned the meeting at 5:36 p.m.

Approved as directed and reviewed by Administrative Law Judge, Glenn Bronson.



---

Recorder