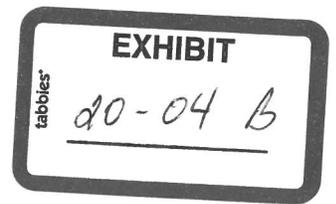




**TOWN OF ELSMERE
APPEAL TO THE BOARD OF ADJUSTMENT**

Any person directly affected by a decision of the Code Enforcement Official or a notice or order issued under this Code shall have the right to appeal to the Board of Adjustment of the Town of Elsmere, provided that a written application for appeal is based on a claim that the true intent of this code or the rules legally adopted there under has been incorrectly interpreted or the provisions of this code do not fully apply. Additionally, an application for appeal may be based on a claim that an action other than what is required by the Code: 1) provides the same or better protections than what the Code requires and 2) will not cost the Town of Elsmere any more money than enforcing the code as written. If the appellant proves that an action other than what is required by the code meets these two requirements, the Board of Adjustment may, in its discretion, either enforce the Code as written or permit the proposed alternative action.

Date this Appeal was filed: 1-28-2020	Petition Number:
Date of the Original Action:	Tax Parcel Number: 19-00800-092
Subject Property Address: 1358 Maple Ave	Wilmington, DE 19805
Property Owner's Name: Joseph + Patricia Turtoro	Phone Number: 302-239-5354
Property Owners Address: 519 Cabot Dr. Hockessin, DE 19707	
Applicant's Name: SAME	
Applicant's Address: SAME	
Specific Item Being Appealed: (ex: Citation Number, Petition Number, Order Number, Etc.) √ 2000178	
Reason for the Appeal: P CITATION √ 2000178 HAS CAUSED A REPEAT PUBLIC NUISANCE	
Relief sought: VOID CITATION √ 2000178	
Applicant's Signature: Joseph P. Turtoro	Date: 2-5-2020



Town of Elsmere
Wilmington, DE. 19805
February 2, 2020

Appealing to the Board of Adjustments

We are appealing to the Board of Adjustments for 1358 Maple Avenue.

All issues addressed have been corrected immediately once tenant was notified. Never had to pay fine since Violation was fixed promptly.

Tenant has had a stroke and has small children and is limited on mobility.

Neighbor has called office numerous times complaining and has expressed an unfriendly attitude toward tenant. Since neighbor is familiar with rules he makes calls immediately to office about any situation.

Code and Enforcement has been to property 2 times to inspect because it was claimed that there was Water leaks in property. None was ever found.

We do not feel that bug infestation was caused from our unit. Since units are attached bugs could come from any attached unit. We have had the unit treated many times in 2018 and a few times in 2019. Due to tenant having a stroke and bedridden with small children around we did not do as many Treatments in 2019

Exterminator noticed that property for sale near unit and that repairs or Construction at that address could stir up any type of bug.

Joseph & Patricia Turtoro
302-239-5354



THE TOWN OF ELSMERE CODE ENFORCEMENT DEPARTMENT

*******CITATION*******

EXHIBIT
 tabbies
20-04 C

11 Poplar Avenue - Elsmere, DE 19805 Phone: 302-998-2215 Fax: 302-998-9920

RESPONSIBLE PARTY TURTORO JOSEPH R JR & PATRIC 519 CABOT DR HOCKESSIN, DE 19707	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black;">CITATION #</td> <td style="border-bottom: 1px solid black;">V2000178</td> </tr> <tr> <td style="border-bottom: 1px solid black;">OFFICER</td> <td style="border-bottom: 1px solid black;">V Morgan</td> </tr> <tr> <td style="border-bottom: 1px solid black;">VIOLATION DATE</td> <td style="border-bottom: 1px solid black;">01/28/20</td> </tr> <tr> <td style="border-bottom: 1px solid black;">PROPERTY ADDRESS</td> <td style="border-bottom: 1px solid black;">1358 MAPLE AV</td> </tr> <tr> <td style="border-bottom: 1px solid black;">ABATEMENT DATE</td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>	CITATION #	V2000178	OFFICER	V Morgan	VIOLATION DATE	01/28/20	PROPERTY ADDRESS	1358 MAPLE AV	ABATEMENT DATE	
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OFFICER	V Morgan										
VIOLATION DATE	01/28/20										
PROPERTY ADDRESS	1358 MAPLE AV										
ABATEMENT DATE											

On the above date, the Code Enforcement Department performed an inspection of the above referenced property. During this inspection, a violation of the Town of Elsmere Code was discovered. The nature of this civil citation is described below.

Specific Violation	Code Section	Due No Later Than	Amount Due
Infestation in unsanitary conditions. Must be treated by a licensed pest control company,	IPMC12-309.1 Infestation	2/28/2020	\$ 100.00

HOW YOU CAN AVOID PAYING THE FINE

If you have not received any citations for any violation within the last 12 months, the fine may be waived. You must take the required corrective action and abate the situation and bring proof of your actions to the Town's Code Enforcement Office within 48 hours of the violation date. If, in the opinion of the Code Enforcement Officer, the situation has been resolved and the violation no longer exists, the fine portion and only the fine portion of this summons, may be waived. The record of a violation occurring shall remain and the property may still be subject to fines associated with being deemed a repeated public nuisance.

*******CITATION INFORMATION*******

In order to process your payment, please write the property address in violation in the memo section of the check or money order, and then mail it with the voucher below. You may also pay your fee in person at Town Hall, 11 Poplar Ave. Elsmere, DE 19805.

ABATEMENT COST

If the violation noted above is not corrected by 4:00 pm. on the "ABATEMENT DATE" listed above, the Town will take action to abate the violation. If this becomes necessary, in addition to the fine already assessed, you will owe to the Town the costs of the abatement.

Should you have any questions please contact the Code Enforcement Department at (302) 998-2215.

The "Amount Due" associated with this violation is a civil penalty and is due by no later than the "Due No Later Than." Additionally, if the violation is not abated by the "Abatement Date" shown above, the Town will take action to correct the violation. If this becomes necessary, you will be responsible for the payment of all abatement costs incurred by the Town. You must pay the amount due by the date shown below, even if the violation has been corrected.

Please return this section with your payment.

DUE NO LATER THAN	PARCEL NUMBER	CITATION NUMBER	AMOUNT DUE
2/28/2020	19-00800-092	V2000178	\$ 100.00

Mail Your Payment To:
The Town of Elsmere
Finance Department
11 Poplar Avenue
Elsmere, DE 19805

Each 24-hour period that the condition giving rise to this citation continues is subject to a separate citation and an additional civil penalty.

You have the right to appeal this violation by submitting a written application to the Town of Elsmere's Board of Adjustment within twenty (20) days of the date of this violation.

MEANS OF APPEAL ARE SHOWN ON THE BACK OF THIS FORM.



THE TOWN OF ELSMERE CODE ENFORCEMENT DEPARTMENT

*******CITATION*******

EXHIBIT
 20-04 D

11 Poplar Avenue - Elsmere, DE 19805 Phone: 302-998-2215 Fax: 302-998-9920

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VIOLATION DATE	02/03/20										
PROPERTY ADDRESS	1358 MAPLE AV										
ABATEMENT DATE											

On the above date, the Code Enforcement Department performed an inspection of the above referenced property. During this inspection, a violation of the Town of Elsmere Code was discovered. The nature of this civil citation is described below.

Specific Violation	Code Section	Due No Later Than	Amount Due
THIS PROPERTY HAS BEEN DEEMED A REPEATED PUBLIC NUISANCE FOR THE FOLLOWING VIOLATION DATES: 4/01/2019, 4/02/2019 AND 1/28/2020.	CH 145 Repeat Public Nuisance Property	3/03/2020	\$ 1,000.00

HOW YOU CAN AVOID PAYING THE FINE

If you have not received any citations for any violation within the last 12 months, the fine may be waived. You must take the required corrective action and abate the situation and bring proof of your actions to the Town's Code Enforcement Office within 48 hours of the violation date. If, in the opinion of the Code Enforcement Officer, the situation has been resolved and the violation no longer exists, the fine portion and only the fine portion of this summons, may be waived. The record of a violation occurring shall remain and the property may still be subject to fines associated with being deemed a repeated public nuisance.

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Please return this section with your payment.

DUE NO LATER THAN	PARCEL NUMBER	CITATION NUMBER	AMOUNT DUE
3/03/2020	19-00800-092	V2000188	\$ 1,000.00

Mail Your Payment To:
The Town of Elsmere
Finance Department
11 Poplar Avenue
Elsmere, DE 19805

Each 24-hour period that the condition giving rise to this citation continues is subject to a separate citation and an additional civil penalty penalty.

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MEANS OF APPEAL ARE SHOWN ON THE BACK OF THIS FORM.



Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, NCCDE GIS

1358 Maple Ave

Author:

New Castle County Delaware GIS: <http://gis.nccde.org>
 Disclaimer: For informational purposes only - not to be used as official documentation.



tabbles* **EXHIBIT**
 20-04 E

