

# Exhibit "10"

We are writing to request the application that is needed to request and appeal under Chapter 1.44 BMC. As per the chapter it states that we need an application. Please advise how we are to obtain the application to file with the city clerk.

## **1.44.040 Procedure for appeal.**

A. Any interested person may, within the time limits set forth in BMC [1.44.060](#), file an application for appeal with the city clerk. Said application shall contain sufficient information to identify the party, its interest in the matter, and the reasons for requesting an appeal.

Bernard A Morris

Rio Vista Shop LLC

JUN 09 2023

CITY OF BURLINGTON  
PLANNING DEPT.

Have been served with a Notice of Violation -1724 Rio Vista Ave, Burlington.

As owner of this property, I, Bernard Morris am requesting an appeal of this notice of violation by an administration decision under Chapter 1.44 BMC. I am requesting the City of Burlington Hearing Examiner in accordance with the procedures in this Title 14A BMC to set forth an appeal.

Reasons for the appeal are to go over the violations that have been listed on the summary of Violations Dated May 26, 2023.

1. BMC 17.01.110 to use the structure without first obtaining permits. This structure has been used for the same purposes that was set forth when we took over the property over 10yrs ago.
2. The property at 1724 Rio Vista is zoned MUR-1, for which we have not been able to locate the code on the city of Burlington website. And have not been updated and cannot reference what it is stating that we are in violation of.
3. Building and tenant space numbers were observed on numerous doors per the request of the Fire Marsh walk through which was done previously.
- 4.Re: Occupancy permits. The main occupants of the buildings have not changed since we took over the building.
5. City of Burlington records indicate that the property is not connected to the municipal sewer system not from lack of trying on our part. We have requested to be connected but have been denied due to various issues

outside of our control such as needing its own address which we still have not been able to obtain.

6. The observation of things being stored outdoors, and such items constitute a nuisance and is prohibited in the MUR-1 zone. I have not been able to locate the details of this code on your website. We have since talked with tenants regarding the store of things outside but would like to have the MUR-1 zone to refer to and hand out to the tenants to get this properly resolved.

7. We are currently getting the inoperable vehicles removed and other automotive parts off the property.

The correction actions requested are part of our appeal. The Fire Marsh has already walked through the building and the issues were addressed.

We are currently going through and finding the pre-existing documents of conversations with Margaret and Sharon Alder LLC regarding the issues that need to be addressed in this appeal. As to what our understanding of the property use code and what was exactly in the annexation.

Could I please we please be put on a schedule for an appeal hearing with the City of Burlington Hearing Examiner.

Sincerely

Bernard Morris

