

# TAB 1

**PERSSON & COHEN, P.A.**  
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**RECEIVED**  
FEB 02 2011  
**CITY HALL**

**ATTN: DEANNA ROBERTS**  
**CITY OF PALMETTO**  
**P. O. BOX 1209**  
**PALMETTO, FL 34220-1209**

**February 1, 2011**

**ACCT. # PALMETTO**

**RE: CODE ENFORCEMENT BOARD**

<b>DATE</b>	<b>DESCRIPTION</b>	<b>HOURS</b>	<b>ATTY</b>
1-25-2011	Review agenda, attend regular meeting of the code enforcement board.	1.25	DPP
<b>TOTAL HOURS</b>		<hr/> 1.25	
<b>Total Fees for Above Services:</b>			\$200.00
 <b>DISBURSEMENTS:</b>			
<b>Total Disbursements:</b>			<hr/> \$0.00
<b>Total Fees &amp; Disbursements</b>			\$200.00
<b>Previous Balance</b>			\$144.00
<b>Payments</b>			<u>\$144.00</u>
<b>Balance Due Now</b>			\$200.00

**Draft Minutes**  
**CODE ENFORCEMENT BOARD**  
**January 25, 2011**  
**6:00 p.m.**

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**CODE ENFORCEMENT BOARD MEMBERS**

CHARLIE LEONARD, CHAIR  
ROBERT ROTONDO, VICE CHAIR  
TOM DEVITO

PHIL HOFFMANN  
ROSE QUIN-BARE  
BOB RICKEY  
ROBERT WESTBROOK

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Mr. Leonard called the meeting to order at 6:00 p.m.  
The roll was called. All members were present for the meeting.  
All persons intending to testify or address the Board were duly sworn.

**1. OATH OF OFFICE FOR NEW BOARD MEMBER – Rose Quin-Bare**

Rose Quin-Bare took the Oath of Office and was welcomed as a new member of the Code Enforcement Board.

**2. ELECTION OF OFFICERS FOR 2011**

**MOTION: Mr. Rickey moved, Mr. Hoffmann seconded, and motion carried unanimously to approve Mr. Leonard as the Chair of the Code Enforcement Board.**

**MOTION: Mr. Rickey moved, Mr. Hoffmann seconded, and motion carried unanimously to approve Robert Rotondo as Vice Chair of the Code Enforcement Board.**

**3. APPROVAL OF AGENDA**

**MOTION: Mr. Rickey moved, Mr. Hoffmann seconded, and motion carried unanimously to approve the January 25, 2011 agenda.**

**4. CONSENT AGENDA**

- A. Expenses: Code Enforcement Board legal expenses through November 2010.
- B. Minutes: November 30, 2010.

**MOTION: Mr. Rickey moved, Mr. Hoffmann seconded, and motion carried unanimously to approve the January 25, 2011 Consent Agenda.**

**5. PUBLIC HEARINGS**

**A. Case No. 11-01**

Superior Bank  
25 South Links Avenue  
Sarasota, FL 34236

Violation Location: 325 8<sup>th</sup> Avenue West, Palmetto, FL 34221  
Codes Violated: Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article I Nuisances, Section 16-26, Section 16-26 (2), & (4) and Section 16-27(a), (b), & (c); Chapter 17, Housing, Article II, Housing Standards, Section 17-28 Palmetto Property Maintenance Code; Chapter 3 General Requirements (Section 301.3, 304.1, 304.13, 304.15 and 305.3), Chapter 5 Plumbing Facilities (504.1), Chapter 6 Mechanical And Electrical Requirements (603.1 & 605.1):

Discussion: Code Enforcement Director Bill Strollo testified that his credentials are on file with the Clerk of the Board. He stated the property that is the subject of the case is an abandoned motel, formerly known as the Riverside Motel, and it is located at 325 8<sup>th</sup> Avenue West in Palmetto. Superior Bank is the current owner having foreclosed on the former owner, Riverside Ventures. Superior Bank received the Certificate of Title on March 23, 2010.

Riverside Ventures bought the property for a condo development. The motel was closed off by a fence; however, the rooms could not be secured and were being used by vagrants.

Mr. Strollo presented a history of the violations at this location beginning June 8, 2009. The City's position as far back as July 2009 was to have the building demolished.

Rana Johnson, Vice President, Superior Bank, addressed the Board on behalf of the Respondent. She informed the Board that the bank had been investigating other ways of curing the violation besides demolition, due to the cost, but the bank is now moving forward with demolishing the building. Asbestos mitigation is in process now, and the demolition company will be applying for a permit with the City tomorrow. She asked the Board for 45 days to complete the process and also for relief from costs.

Mr. Strollo recommended that the bank be found in violation but be given adequate time to demolish the buildings.

Mr. Leonard closed the public hearing for deliberation. He reopened the hearing to present the Board's findings.

**MOTION: Mr. Rotondo moved, Mr. Hoffmann seconded, and motion carried unanimously to find the Respondent, Superior Bank, in violation of the City of Palmetto Code of Ordinances; to direct the Respondent to correct the violation within sixty (60) days, or by March 26, 2011; to schedule a hearing for March 29, 2011, following the expiration of the date certain for compliance; and, to consider administrative costs in the amount of \$705.00 at the March 29, 2011 hearing.**

Mr. Strollo said he will monitor the progress of the case.

B. Case No. 11-02  
Superior Bank  
25 South Links Avenue  
Sarasota, FL 34236

Violation Location: 320 9<sup>th</sup> Avenue West, Palmetto, FL 34221  
Codes Violated: Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26 (2), & (4) and Section 16-27(a), (b), & (c); Chapter 17, Housing, Article II, Housing Standards, Section 17-8 Palmetto Property Maintenance Code; Chapter 3 General Requirements (Section 301.3, 304.1, 304.13, 304.15 and 305.3):

Mr. Strollo testified that the property that is the subject of this case is an abandoned rental house. Superior Bank foreclosed on the former owners, Riverside Ventures. This case relates to the prior case, CEB 11-01. The tenants vacated the house and left behind overgrowth and debris, and the garage was left unsecured. On March 19, 2010, someone broke into the house and was stripping the wiring from the building. Palmetto Police Department and Code Enforcement secured the building and notified Superior Bank. Again, the bank was looking for a

way to cure the violation without demolishing the structure (as in Case 11-01). Ms. Johnson addressed the Board on behalf of Superior Bank. She said the house is adjacent to the motel and is really one property. The bank will demolish this structure at the same time it schedules the demolition of the Riverside Motel.

Mr. Strollo recommended that the bank be found in violation. He is not assessing costs. They will be considered with Case No. 11-01. He recommends the Respondent be given sixty days to demolish the property.

Mr. Leonard closed the hearing for deliberation. He reopened the hearing to present the Board's finding.

**MOTION: Mr. Rotondo moved, Mr. Hoffmann seconded, and motion carried unanimously to find the Respondent, Superior Bank, in violation of the City of Palmetto Code of Ordinances; to direct the Respondent to correct the violation within sixty (60) days, or by March 26, 2011; and, to schedule a hearing for March 29, 2011, following the expiration of the date certain for compliance.**

C. Case No. 11-03  
Phillip L. Brewer  
203 9<sup>th</sup> Street West  
Palmetto, FL 34221

Violation Location: 203 9<sup>th</sup> Street West, Palmetto, FL 34221  
Codes Violated: Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26 (2), (3) & (7), and Section 16-27(a), (b), & (c); Chapter 17, Housing, Article II, Housing Standards, Section 17-28 Palmetto Property Maintenance Code; Section 304 Exterior Structure; Section (304.1) General; Section (304.2) Protective Treatment; Section (304.10) Stairways, Decks, Porches & Balconies; and Section (304.13) Window, Skylight, and Door Frames

Mr. Strollo told the Board he was withdrawing this case. He informed the Board that a representative of Albertelli Law Firm, attorney for the plaintiff in the foreclosure, HSBC, was in the audience. This property has been going through foreclosure since 2008. Today, Saxon Mortgage, the property maintenance company, stepped in and secured the property. They cleaned up the garbage and debris in the yard. They do not own the property yet. He's unsure of the status of the foreclosure case, but the property has been brought into compliance.

#### 6. OLD BUSINESS

CEB 10-19	Seekins/St. Andre	Report of Compliance
CEB 10-20	Peffley/Emrick	Administrative Order and Report of Compliance

Mr. Strollo reported that these prior cases have been brought into compliance.

#### 7. NEW BUSINESS

None

#### 8. PUBLIC COMMENTS

None

9. ADJOURNMENT

**MOTION: Ms. Quin-Bare moved, Mr. Hoffmann seconded, and motion carried unanimously to adjourn the meeting.**

The meeting was adjourned at 7:07 p.m.

Minutes approved:

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Charles W. Leonard, Chair