

TAB 14



# City of Palmetto Agenda Item

Meeting Date

11/7/11

Presenter:

Jim Freeman

Department:

Code Enforcement

Title:

**Rickert Properties** appeal of the \$5,000.00 fine imposed by the Code Enforcement Board against the former property owners of 221 3<sup>rd</sup> Avenue Drive West, Palmetto, Florida.

The property that was the subject of the code enforcement action, CEB 11-05, is located at 221 3<sup>rd</sup> Avenue Drive West, Palmetto, Florida, PID 31029.0025/9, Township 34S, Range 17E, Section 23.

The Respondents at the time of the hearings were Steven E. Gatton and Linda L. Gatton, 6880 East Harrold Road, Churubusco, Indiana. The code violation concerned a deteriorating boathouse at that address; this boathouse was condemned by the City Building Department on January 24, 2011. The boathouse posed a safety hazard for other properties in the neighborhood due to its dilapidated condition.

Following the initial hearing of CEB 11-05 on March 29, 2011, the Code Enforcement Board issued the Administrative Order directing the Respondents, Steven & Linda Gatton, to secure the requisite building permits to either repair or demolish the boathouse by April 8, 2011. All relative work was to be completed within thirty days of the issuance of the permits. Administrative costs incurred by the City in the prosecution of this case in the amount of \$388.20, plus applicable recording fees, were assessed against the Gattons on March 29, 2011.

The second public hearing on this case was held on May 31, 2011. At that time the City of Palmetto Code Enforcement Board found the violation to be irreversible or irreparable, and imposed a \$5,000.00 fine against the Gattons for not repairing or demolishing the boathouse. The Board further ordered that if the Gattons failed to demolish the boathouse within the next thirty days, then the City of Palmetto shall have the building demolished, with any costs incurred by the City being filed as a lien against the property.

Superior Bank National Association held a mortgage on this property, and they entered into an agreement with the Code Enforcement Board to delay the City's demolition of the property. They requested the suspension of the thirty day time frame cited in the Board's Order Imposing Fine and Lien dated May 31, 2011. Superior Bank reported the Gattons intended to transfer title of this property to the Bank, and once the Bank took possession they would proceed with the demolition of the structure. A date certain for the boathouse demolition by the Bank was established as August 30, 2011.

Superior Bank notified Code Enforcement on July 27, 2011 that they could not guarantee they would be able to meet the date certain, and they recommended the City proceed with the demolition. On July 29, 2011 Will Robinson representing Wayne Rickert contacted Bill Strollo to advise that Mr. Rickert was in the process of purchasing the boathouse property. Mr. Robinson was advised of Superior Bank's decision to withdraw from the CEB Stipulation, and he was told the City would proceed with the demolition of the boathouse. Mr. Robinson was aware of the CEB imposed costs and fines, and he inquired regarding the process to appeal the fine. Ownership of the property was transferred from the Gattons to Pegel Point, LLC on August 12, 2011.

The boathouse was demolished by G&S Construction on September 7, 2011.

Please refer to the attached document for the lien total vs. hard costs.

Budgeted  
Amount:

\$0.00

Budget Page  
No(s):

Available  
Amount:

\$0.00

Expenditure  
Amount:

\$0.00

Additional Budgetary  
Information:

Funding  
Source(s):

Sufficient Funds Available: ☐ Yes ☐ No

Budget Amendment Required: ☐ Yes ☐ No

Source:

City Attorney  
Reviewed:

☐ Yes  
☐ No  
☐ N/A

Advisory Board  
Recommendation:

☐ For  
☐ Against  
☐ N/A

Consistent  
With:

☐ Yes  
☐ No  
☐ N/A

Potential  
Motion/  
Direction  
Requested:

**Staff Contact:**

Bill Strollo, Jim Freeman		
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**Attachments:**

XL Spread Sheet liens. hard costs; CEB case reports - NOV, AO, OIF, CEB Stipulation, pictures.
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## 221 3rd Ave Drive West

	Lien and Costs	Hard Costs	Description
Code Lien and Fine	\$ 6,114	\$ 1,208	\$388(officer time), \$500 asbestos survey, \$320 attorney
Utility Lien	\$ 95	\$ 95	Utilities
Demolition of Boat House*	\$ 3,415	\$ 3,415	\$3,415 to G&S for Demo
Additional Code Enforcement Time(since lien filed)	\$ 1,075	\$ 1,075	Officer time
	<b>\$ 10,699</b>	<b>\$ 5,793</b>	
* Paid by CRA			

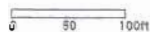






EXHIBIT "A"

**PALMETTO**

516 8th Avenue West  
P.O. Box 1209  
Palmetto, Florida 34220-1209  
Phone (941) 723-4570  
Fax: (941) 723-4576  
Suncom: 516-0829  
E-mail: [chgeneral@palmettofl.org](mailto:chgeneral@palmettofl.org)  
Web: [www.palmettofl.org](http://www.palmettofl.org)

**CODE ENFORCEMENT**

**NOTICE OF VIOLATION**

CERTIFIED MAIL/RETURN RECEIPT REQUESTED  
CERTIFIED MAIL NO.7009 2250 0000 2638 9926 and Regular Mail

Steven E. Gatton  
Linda L. Gatton  
6880 East Harrold Rd  
Churubusco, IN 46723-9769

**RE: City of Palmetto, Petitioner, v. Steven E. & Linda L. Gatton**  
**Address of Violation: 221 3rd Avenue West, Palmetto, FL 34221**

**Legal Description:** LOT 4, 5 AND 6 OF J H RIVIERE'S ADD TO PALMETTO, TOGETHER WITH ALL RIPARIAN RIGHTS APPURTENANT THERETO AND THAT FILLED AREA LYING S OF LOT 6 IF EXTENDED TO A CHANNEL AND THAT PORTION OF AN ISLAND LYING S OF SD CHANNEL AND BETWEEN THE N & S BOUNDARY LINES OF SD LOT 6 IF EXTENDED, LESS OR 1658 PG 2776 DESC AS FOLLOWS: THAT PORTION OF LOTS 4, 5 AND 6 OF J H RIVIERE'S ADD TO PALMETTO, PB 1 PG 137, BEING MORE PARTICULARLY DESC AS FOLLOWS: BEG AT A 5/8" IRON PIPE FOUND MARKING THE INTERSECTION OF THE S R/W LN OF 4TH ST W AND THE W R/W LN OF 3RD AVE W, SD PT OF INTERSECTION BEING THE NE COR OF SD LOT 5; TH S 00 DEG 16 MIN 42 SEC E ALONG SD W R/W LN, ALSO BEING THE E LN OF SD LOT 5, A DIST OF 150.00 FT TO THE PT OF INTERSECTION OF SD W R/W LN AND THE S R/W LN OF 3RD ST DR W, SD PT OF INTERSECTION ALSO BEING THE NW COR OF SD LOT 6; TH N 89 DEG 22 MIN 32 SEC E ALONG SD S R/W LN, A DIST OF 50.00 FT TO A CONCRETE MONUMENT MARKING THE NE COR OF SD LOT 6; TH S 00 DEG 16 MIN 42 SEC E ALONG THE MONUMENTED E LN OF SD LOT 6, A DIST OF 55.66 FT; TH S 85 DEG 36 MIN 37 SEC W 78.33 FT; TH S 06 DEG 35 MIN 13 SEC W, 50.28 FT; TH N 83 DEG 42 MIN 57 SEC W ALONG THE OUTSIDE FACE OF AN EXISTING CONCRETE SEAWALL AND ITS ELY EXTENSION, A DIST OF 67.20 FT TO A PT ON THE W LN OF AFOREMENTIONED LOT 4; TH N 00 DEG 04 MIN 34 SEC W ALONG SD W LN, A DIST OF 253.70 FT TO THE NW COR OF AFOREMENTIONED LOT 4, ALSO BEING A PT ON THE S R/W LN OF 4TH ST W; TH E ALONG SD S R/W LN A DIST OF 100.00 FT TO THE POB. ALSO LESS OR 1667 P 4198 DESC AS: COM AT A 5/8" IRON PIPE MARKING THE INTERSEC OF THE S R/W LN OF 4TH ST W & THE W R/W LN OF 3RD AVE W, SD PT OF INTERSEC BEING THE NE COR OF LOT 5 OF JH RIVIERES ADD TO PALMETTO, AS PER PLAT THEREOF REC IN PB 1 PG 137; TH S 00 DEG 15 MIN 42 SEC E, ALNG SD W R/W LN, ALSO BEING THE E LN OF SD LOT 5 A DIST OF 150 FT TO THE NW COR OF LOT 6 OF SD SUB; TH N 89 DEG 22 MIN 32 SEC E, ALNG THE S R/W LN OF 3RD ST DR W, A DIST OF 50 FT TO A CONC MON MARKING THE NE COR OF SD LOT 6; TH S 00 DEG 16 MIN 42 SEC E, ALNG THE MONUMENTED E LN OF SD LOT 6 & ITS SLY EXTENSION, A DIST OF 483.59 FT FOR A POB; TH CONT S 00 DEG 16 MIN 42 SEC E, ALNG SD EXTENDED E LN, A DIST OF 48.84 FT TO A CROSS CUT ON A CONC SEAWALL CAP; TH N 39 DEG 22 MIN 20 SEC W, ALNG THE CENTER OF SD SEAWALL, A DIST OF 37.88 FT; TH N 50 DEG 34 MIN 33 SEC E, 30.80 FT TO THE POB. ALSO LESS THAT PART INCLUDED IN OR 1886/3955 DESC AS FOLLOWS: A PARCEL OF LAND IN SEC 23, BEING DESC AS FOLLOWS: COMM AT A 5/8" IRON PIPE MARKING THE INTERSECTION OF THE S R/W LN OF 4TH ST W & THE W R/W LN OF 3RD AVE W, SD PT OF INTERSECTION BEING THE NE COR OF LOT 5, J H RIVIERE'S ADD TO PALMETTO, PER PL BK 1, PG 137, PRMCFL; TH S 00 DEG 16 MIN 42 SEC E, ALG SD W R/W LN, ALSO BEING THE E LN OF SD LOT 5, A DIST OF 150.00 FT TO THE NW COR OF LOT 6 OF SD SUB; TH N 89 DEG 22 MIN 32 SEC E, ALG THE S R/W LN OF 3RD ST DR W, A DIST OF 50.00 FT TO A CONCRETE MONUMENT MARKING THE NE COR OF SD LOT 6; TH S 00 DEG 16 MIN 42 SEC E, ALG THE MONUMENTED E LN OF SD LOT 6 AND IT'S SLY EXT, A DIST OF 423.78 FT FOR A POB; TH S 40 DEG 44 MIN 57 SEC E, 46.40 FT, TH S 50 DEG 34 MIN 33 SEC W, 71.77 FT TO THE

OUTSIDE FACE OF AN EXISTING CONCRETE BLK SEAWALL; TH N 39 DEG 22 MIN 20 SEC W, ALG SD OUTSIDE FACE, A DIST OF 47.19 FT; TH N 51 DEG 13 MIN 39 SEC E, 70.66 FT TO THE POB. ALSO LESS OR 1886/4942 DESC AS FOLLOWS: A PARCEL OF LAND IN SEC 23, BEING DESC AS FOLLOWS: COMMENCE AT A 5/8" IRON PIPE MARKING THE INTERSECTION OF THE S R/W LN OF 4TH ST W & THE W R/W LN OF 3RD AVE W, SD PT OF INTERSECTION BEING THE NE COR OF LOT 5 JH RIVIERES ADD TO PALMETTO, PER PLAT THEREOF REC IN PL BK 1, PG 137 PRMCFL, TH S 00 DEG 16 MIN 42 SEC E, ALG SD W R/W LN, ALSO BEING THE E LN OF SD LOT 5, A DIST OF 150.00 FT TO THE NW COR OF LOT 6 OF SD SUB; TH N 89 DEG 22 MIN 32 SEC E, ALG THE S R/W LN OF 3RD ST DR W, A DIST OF 50.00 FT TO A CONCRETE MONUMENT MARKING THE NE COR OF SD LOT 6; TH S 00 DEG 16 MIN 42 SEC E, ALG THE MONUMENTED.

**PI#: 31029.0025/9 Township 34S, Range 17E, Section 23**

Steven E. Gatton and Linda L. Gatton:

The purpose of this letter is to provide you with notice that based upon investigation of alleged violations of City Code, and upon inspection by the undersigned, it has been determined that a violation of the City Code is occurring at the above-referenced property. The Code provisions that are in violation and the nature of the violations are as follows:

Palmetto Code of Ordinances, Chapter 7, Buildings and Building Regulations, Article VII, Dangerous and Unsafe Buildings, Section 7-153(a) Unfit or Unsafe Dwellings or Structures Declared a Nuisance; Section 7-153(b)(1), (5), and (6); Section 7-153(c):

- Sec. 7-153(a). When a dwelling or other structure, or any portion thereof, including accessory buildings, may imperil the health, safety, welfare and morals of the occupants thereof or of the surrounding areas, upon inspection by the administrative official of the land use and development regulations, or his designee, such official shall require the repair, demolition or removal thereof.
- Sec. 7-153(b)(1). Dwellings or structures, or portions thereof, including accessory buildings, that are structurally unsafe, unstable.
- Sec. 7-153(b)(5). Constituting a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence, or abandonment.
- Sec. 7-153(b)(6). Dangerous to life or property.

**DESCRIPTION OF VIOLATION:**

- The above referenced property is unfit and unsafe and poses a danger to the health, safety and welfare of surrounding property. The building was condemned by the City of Palmetto's Building Department on January 24, 2011.

**TO REMEDY THESE VIOLATIONS**, you must accomplish the following action within ten (10) days of receipt of this Notice. The corrective action necessary is as follows:

- You must apply for a permit to complete all necessary repairs to bring the condemned building into compliance or apply for a permit to demolish the entire structure.



- You must apply for the permit within ten (10) days. Work must be completed within thirty (30) days of the date of the issuance of the permit to include repair or demolishing the structure.

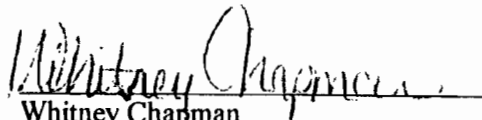
**THIS IS NOTICE** that a failure to accomplish corrective action and remedy the violations above within the time provided will result in referral of this matter to the City's Code Enforcement Board for a hearing. If, after the hearing by the Code Enforcement Board, violations are determined, such violations may be punishable by a fine not to exceed Two Hundred and Fifty Dollars (\$250.00) per day for a first violation and a fine not to exceed Five Hundred Dollars (\$500.00) per day for a repeat violation, in addition to and including, all costs incurred by the City as a result of such enforcement action.

It is the intent of this Notice to assist you in correcting the violations and avoid the necessity of a hearing before the Code Enforcement Board. If you have any specific questions regarding the violations please contact me at Palmetto City Hall either in person or by telephone at (941) 723-4570 ext. 124.

**PLEASE GOVERN YOURSELF ACCORDINGLY.**

**DATED**, this 1<sup>st</sup> day March 2011.

**CITY OF PALMETTO, FLORIDA**

  
Whitney Chapman  
Code Enforcement Officer

Cc: 221 3<sup>rd</sup> Avenue Drive West, Palmetto, FL 34221  
(address of violation/seasonal residence)

LAW OFFICE OF HARLAN R. DOMBER, P.A.

HARLAN R. DOMBER  
BOARD CERTIFIED REAL ESTATE ATTORNEY

RECEIVED

MAR 25 2011

CITY HALL

SUITE L-1  
3900 CLARK ROAD  
SARASOTA, FLORIDA 34233  
TELEPHONE (941) 923-9930  
1-800-804-9930  
FAX (941) 923-3400  
E-MAIL: HDOMBER@AOL.COM

March 24, 2011

**By E-Mail to [chgeneral@palmettofl.org](mailto:chgeneral@palmettofl.org), by Telefacsimile Transmission to 723-4576,  
and By U.S. Certified Mail, Return Receipt Requested, and By U.S. First Class Mail**

City Clerk  
City of Palmetto, Florida  
P.O. Box 1209  
Palmetto, FL 34220-1209

Re: City of Palmetto vs. Steven E. Gatton and Linda L. Gatton; Code Enforcement  
Board Case No. CEB 11-05

Dear Sirs:

Please be advised I have been engaged by the Respondents, Steven E. Gatton and Linda L. Gatton, to represent them in the above-captioned Code Enforcement Board action. The Respondents respectfully request a postponement of the hearing on March 29, 2011 for a period of ninety (90) days, and as grounds therefor state as follows:

1. Respondent Linda L. Gatton has a life threatening medical condition, and was required to undergo heart surgery on March 18, 2011, for which she was obligated to return to Indiana so the procedure could be performed by her attending surgeon. She was accompanied by her husband, Steven E. Gatton, and requires his assistance in Indiana at the present time. Both Mr. and Mrs. Gatton are located in Indiana at this time, and will be unable to return to Florida in time for the scheduled hearing date.
2. As further grounds for the postponement of the hearing, Respondents have made a good faith effort to comply with the Notice of Violation of March 1, 2011 as established by the following:
  - A. The damage suffered by the Respondent's boat house was caused by a recent violent windstorm, not due to the neglect of the property owner, and the storm occurred while the Respondents were absent from the property. The boat house is a historic structure on the bank of the Manatee River. It is a valuable resource to the community as well as to the Respondent. The Respondent intends to make the necessary repairs to restore the boat house.

- B. Immediately upon receipt of the Notice of Violation, the Respondent procured a permit from the City of Palmetto for the demolition of the boathouse roof. Upon receipt of the permit, the Respondent quickly completed the removal of the roof and the debris on the site. In addition, the Respondent filed an application with the City of Palmetto Building Department for additional permits for the repairs to the roof trusses, for replacement of the roof, and for the repair of the damaged portion of the concrete wall.
- C. As a part of the permit application process and at the request of the City of Palmetto Building Department Manager Roger Titus, the Respondent hired an engineer to visit the site and produce a report to document the requisite repairs to the damaged trusses and damaged portion of the concrete wall. The cost of the site visit and report was \$625.00. Under plans signed and sealed on March 10, 2011, Milan S. Slovak, P.E. (P.E. License # 67628), of R&S Professional Engineering Services, LLC, of 3300 26<sup>th</sup> Street West, Bradenton, Florida, described the requisite repairs and determined that the damaged portion of the concrete wall was non-load bearing. The engineer's report was delivered to the City of Palmetto Building Department by the Respondent on or about March 11, 2011. A copy of the engineer's report is enclosed herewith.
- D. The projected cost of the materials to effect the repairs is \$1,000.00. Once the permits are granted, the timeframe to accomplish the repairs is estimated at three (3) weeks. Once the Respondent is able to return to Palmetto and conclude the permitting process with the City of Palmetto Building Department, the Respondent should be able to complete the repairs without need of a Code Enforcement Board hearing.

In conclusion, the postponement of the hearing is reasonably required by the Respondent in recognition of the medical emergency of Linda L. Gatton, and the postponement of the hearing is reasonably justified in recognition of Respondent's diligent efforts to rectify the violation as described in the Notice and the likelihood that the violation will be cured without need of an enforcement hearing.

Please note that I am in receipt of the first page of the Notice of Hearing. It is apparent from the text that the Notice of Hearing was contained on at least two pages. Kindly provide me with a copy of the complete Notice of Hearing for my file.

City Clerk  
City of Palmetto, Florida  
March 24, 2011  
Page Three

The Respondents and I look forward to your favorable consideration of the request for postponement of the hearing.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. Domber', with a long horizontal stroke extending to the right.

Harlan R. Domber

Enclosure as noted

cc: Mr. and Mrs. Steven E. Gatton  
Roger Titus, CBO, Building Official, City of Palmetto Building Department  
Whitney Chapman, Code Enforcement Officer, City of Palmetto



**Deanna Roberts**

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**From:** William Strollo  
**Sent:** Friday, March 25, 2011 9:13 AM  
**To:** hdomber@aol.com  
**Cc:** Whitney Ewing; Deanna Roberts; Roger Titus  
**Subject:** City of Palmetto vs. Steven E. Gatton and Linda L. Gatton, CEB 11-05  
**Attachments:** Notice of Hearing.tif

Mr. Domber:

Attached as per your request please find the Notice of Hearing on the above referenced case. I will present your request for a ninety day postponement of these proceedings to the Board on the scheduled hearing date, but I will also present my opposition to the length of the requested postponement.

The damage to your client's boathouse is a direct result of neglect. In March of 2009 Mr. Gatton was permitted to make temporary repairs to the roof of this structure by the Palmetto Building Department; he was expected to return to the City to complete permitted repairs within the year. Had he complied with these arrangements with the Building Department, we would not be facing this crisis today.

The engineering report Mr. Gatton submitted to the Building Official, Roger Titus, was inadequate for Mr. Titus to issue a permit to rehab this structure. Mr. Gatton was advised by me and Mr. Titus that he needed full engineering reports to demonstrate that the boathouse was structurally sound or identify what repairs were necessary to achieve compliance with the building code. To date, this document has not been submitted, and therefore the issuance of a building permit has been delayed.

Mr. Gatton's presence at the site is not required to bring this structure into compliance. He should consider hiring a licensed contractor to secure the requisite permits and assure that the structure is properly repaired.

Your request for a ninety day postponement will bring us into hurricane season. This structure, in its dilapidated condition, poses a real threat to the health and safety of the other residents in this area.

As I stated earlier, if you or Mr. Gatton are not present at this CEB Hearing, I will present your postponement request with the above comments.

Bill Strollo  
Director, Code Enforcement  
City of Palmetto  
(941) 723-4570

## Deanna Roberts

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**From:** HDomber@aol.com  
**Sent:** Monday, March 28, 2011 8:09 AM  
**To:** William Strollo  
**Cc:** Whitney Ewing; Deanna Roberts; Roger Titus  
**Subject:** Re: City of Palmetto vs. Steven E. Gatton and Linda L. Gatton, CEB 11-05

Dear Mr. Strollo:

Thank you for your message. I just became engaged by Mr. and Mrs. Gatton in response to the Notice of Violation on March 1st. Since that date, Mr. Gatton diligently pursued the permits and hired an engineer to provide what he believed to be the requested information for the City of Palmetto Building Department. With permitting, the roof was removed. The debris has been cleared from the site. Due to Mrs. Gatton's surgery, Mr. and Mrs. Gatton needed to return to Indiana. Mr. Gatton knows that he needs to return to Florida as soon as his wife's condition stabilizes. I will encourage him to have his engineer speak directly with Building Official Roger Titus to ascertain the City's conditions for issuance of the requisite permits to restore the boathouse.

Sincerely,

Harlan R. Domber, Esquire  
Law Office of Harlan R. Domber, P.A.  
3900 Clark Road, Suite L-1  
Sarasota, FL 34233  
(941) 923-9930/(800) 804-9930  
Fax: (941) 923-3400  
E-mail: [hdomber@aol.com](mailto:hdomber@aol.com)

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In a message dated 3/25/2011 9:13:32 A.M. Eastern Daylight Time, wstrollo@palmettofl.org writes:

**POINT PAPER**  
**CEB HEARINGS, MARCH 29, 2011**  
**CEB 11-05**

**Steven E. Gatton & Linda L. Gatton, 6880 East Harrold Road, Churubusco, Indiana:**

The property that is the subject of this code enforcement case is a boathouse located at 221 3<sup>rd</sup> Avenue Drive West, Palmetto, Florida, PI 31029.0025/9, Township 34S, Range 17E, Section 23. The Respondents, Steven E. Gatton and Linda L. Gatton, are identified as the owners of the property through the Manatee County Property Appraiser's and Tax Collector's web sites.

On March 4, 2009 a cease & desist order was issued by me for work on this boathouse without a permit. The Building Department allowed Mr. Gatton to continue covering his roof temporarily prior to his return home to Indiana. The deterioration of this temporary covering and supporting sub-roof is the basis for the current case.

On January 19, 2011 the complainant reported that pieces of the deteriorating roof on the Respondents' boathouse were hitting their home that is adjacent to this property. CE Officer Chapman visited the site, documenting the deteriorated condition of this structure. On January 24, 2011 the structure was condemned by the Building Official, and a letter was issued by Code Enforcement to the owners directing them to secure permits for either the demolition or the repair of this structure within thirty days. Contact was also made with Mr. Gatton's sister-in-law who was advised that repairs or demolition were needed immediately.

Mr. Gatton returned to Palmetto and contacted the Building Department on January 31, 2011. A permit was issued on February 9, 2011 for the demolition of the roof only. Mr. Gatton planned to remove all of the rotted wood from the roof and cover the structure with a tarp while he returned to Indiana. He advised me on February 14<sup>th</sup> of his intent to totally repair this boathouse, but he needed to return home for his wife's surgery.

On March 1, 2011 a Notice of Violation was issued directing the Respondents to secure a permit to complete all necessary repairs to the building or obtain a permit to completely demolish the structure within ten days. The NOV also required the Respondents to complete all work on the structure within thirty days of the issuance of the permit. On March 1, 2011, the NOV was mailed certified & regular to the Respondents' Indiana home & regular mail to the Palmetto address; the NOV was also posted on the property and at City Hall on that date.

A site inspection on March 10, 2011 revealed a stack of plywood sheathing and a pile of 2X6s on site. In addition, a new roof rafter had been installed on the roof. The workers on site, Mr. Gatton's brother and brother-in-law, were directed to cease all activity, and the Building Official was summoned to inspect the site. Both workers were told they cannot add any new wood to the structure without a building permit.

On March 14, 2011 the Notice for tonight's hearing was mailed certified & regular to the Respondents' Indiana home & regular mail to the Palmetto address; the NOH was also hand

delivered and explained to Mr. Gatton and posted at City Hall on that date. Mr. Gatton stated he had to return to Indiana to renew his supply of his medication and to be available for his wife after her surgery. He stated he would be unavailable for this hearing, but he would send his attorney to represent him.

The structure has remained basically unchanged since activity was stopped on March 10<sup>th</sup>. Mr. Gatton has submitted an application for a building permit, but this was rejected since he was required to obtain an engineering report for the entire structure, and the scope of the submitted report focused on the roof only.

**Recommendation:**

It is recommended the Respondents, Steven E. Gatton and Linda L. Gatton, be found in violation of the City of Palmetto Code of Ordinances as they pertain to Section 7-153 of Chapter 7, and that they secure the requisite building permit within the next ten days; all work, either demolition or repair, must be completed within thirty days of securing the aforementioned permit. It is further recommended that the City's costs for processing this case, plus any applicable recording fees, be assessed against the Respondents at this time.

**Total Costs to the City as of March 23, 2011:**

Code Enforcement Officers	8.83 hours @ \$40.00/hour = <b>\$353.20</b>
Administration Costs	1 hour @ \$35.00/hour = <b><u>35.00</u></b>
<b>Total Costs</b>	<b>\$388.20</b>



# PALMETTO

516 8th Avenue West  
P.O. Box 1209  
Palmetto, Florida 34220-1209  
Phone (941) 723-4570  
Fax: (941) 723-4576  
Suncom: 516-0829  
E-mail: [chgeneral@palmettofl.org](mailto:chgeneral@palmettofl.org)  
Web: [www.palmettofl.org](http://www.palmettofl.org)

## **BEFORE THE CODE ENFORCEMENT BOARD OF THE CITY OF PALMETTO, FLORIDA**

**CERTIFIED MAIL/RETURN RECEIPT REQUESTED  
REGULAR MAIL**

### **CITY OF PALMETTO**

A political subdivision of the

State of Florida

**Petitioner,**

**vs.**

**Case No. 11-05**

Steven E. Gatton

Linda L. Gatton

6880 East Harrold Road

Churubusco, IN 46723-9769

**Respondent**

**Re Violation Location:** 221 3<sup>rd</sup> Avenue West, Palmetto, Florida

### **Legal Description:**

LOT 4, 5 AND 6 OF J H RIVIERE'S ADD TO PALMETTO, TOGETHER WITH ALL RIPARIAN RIGHTS APPURTENANT THERETO AND THAT FILLED AREA LYING S OF LOT 6 IF EXTENDED TO A CHANNEL AND THAT PORTION OF AN ISLAND LYING S OF SD CHANNEL AND BETWEEN THE N & S BOUNDARY LINES OF SD LOT 6 IF EXTENDED, LESS OR 1658 PG 2776 DESC AS FOLLOWS: THAT PORTION OF LOTS 4, 5 AND 6 OF J H RIVIERE'S ADD TO PALMETTO, PB 1 PG 137, BEING MORE PARTICULARLY DESC AS FOLLOWS: BEG AT A 5/8" IRON PIPE FOUND MARKING THE INTERSECTION OF THE S R/W LN OF 4TH ST W AND THE W R/W LN OF 3RD AVE W, SD PT OF INTERSECTION BEING THE NE COR OF SD LOT 5; TH S 00 DEG 16 MIN 42 SEC E ALONG SD W R/W LN, ALSO BEING THE E LN OF SD LOT 5, A DIST OF 150.00 FT TO THE PT OF INTERSECTION OF SD W R/W LN AND THE S R/W LN OF 3RD ST DR W, SD PT OF INTERSECTION ALSO BEING THE NW COR OF SD LOT 6; TH N 89 DEG 22 MIN 32 SEC E ALONG SD S R/W LN, A DIST OF 50.00 FT TO A CONCRETE MONUMENT MARKING THE NE COR OF SD LOT 6; TH S 00 DEG 16 MIN 42 SEC E ALONG THE MONUMENTED E LN OF SD LOT 6, A DIST OF 55.66 FT; TH S 85 DEG 36 MIN 37 SEC W 78.33 FT; TH S 06 DEG 35 MIN 13 SEC W, 50.28 FT; TH N 83 DEG 42 MIN 57 SEC W ALONG THE OUTSIDE FACE OF AN EXISTING CONCRETE SEAWALL AND ITS ELY EXTENSION, A DIST OF 67.20 FT TO A PT ON THE W LN OF AFOREMENTIONED LOT 4; TH N 00 DEG 04 MIN 34 SEC W ALONG SD W LN, A DIST OF 253.70 FT TO THE NW COR OF AFOREMENTIONED LOT 4, ALSO BEING A PT ON THE S R/W LN OF 4TH ST W; TH E ALONG SD S R/W LN A DIST OF 100.00 FT TO THE POB. ALSO LESS OR 1667 P 4198 DESC AS: COM AT A 5/8" IRON PIPE MARKING THE INTERSEC OF THE S R/W LN OF 4TH ST W & THE W R/W LN OF 3RD AVE W, SD PT OF INTERSEC BEING THE NE COR OF LOT 5 OF JH RIVIERES ADD TO PALMETTO, AS PER PLAT THEREOF REC IN PB 1 PG 137; TH S 00 DEG 15 MIN 42 SEC E, ALNG SD W R/W LN, ALSO BEING THE E LN OF SD LOT 5 A DIST OF 150 FT TO THE NW COR OF LOT 6 OF SD SUB; TH N 89 DEG 22 MIN 32 SEC E, ALNG THE S R/W LN OF 3RD ST DR W, A DIST OF 50 FT TO A CONC MON MARKING THE NE COR OF SD LOT 6; TH S 00 DEG 16 MIN 42 SEC E, ALNG THE MONUMENTED E LN OF SD LOT 6 & ITS SLY EXTENSION, A DIST OF 483.59 FT FOR A POB; TH CONT S 00 DEG 16 MIN 42 SEC E, ALNG SD EXTENDED E LN, A DIST OF 48.84 FT TO A CROSS CUT ON A CONC SEAWALL CAP; TH N 39 DEG 22 MIN 20 SEC W, ALNG THE CENTER OF SD SEAWALL, A DIST OF 37.88 FT; TH N 50 DEG 34 MIN 33 SEC E, 30.80 FT TO THE POB. ALSO LESS THAT PART INCLUDED IN OR 1886/3955 DESC AS FOLLOWS: A PARCEL OF LAND IN SEC 23, BEING DESC AS FOLLOWS: COMM AT A 5/8" IRON PIPE MARKING THE INTERSECTION OF THE S R/W LN OF 4TH ST W & THE W R/W LN OF 3RD AVE W, SD PT OF INTERSECTION BEING THE NE COR OF LOT 5, J H RIVIERE'S ADD TO PALMETTO, PER PL BK 1, PG 137, PRMCFL; TH S 00 DEG 16 MIN 42 SEC E, ALG SD W R/W LN, ALSO BEING THE E LN OF SD LOT 5, A DIST OF 150.00 FT TO THE NW COR OF LOT 6 OF SD SUB; TH N 89 DEG 22 MIN 32 SEC E, ALG THE S R/W LN OF 3RD ST DR W, A DIST OF 50.00 FT TO A CONCRETE MONUMENT MARKING THE NE COR OF SD LOT 6; TH S 00 DEG 16 MIN 42 SEC E, ALG THE MONUMENTED E LN OF SD LOT 6 AND IT'S SLY EXT, A DIST OF 423.78 FT FOR A POB; TH S 40 DEG 44 MIN 57 SEC E, 46.40 FT, TH S 50 DEG 34 MIN 33 SEC W, 71.77 FT TO THE OUTSIDE FACE OF AN EXISTING CONCRETE BLK SEAWALL;

TH N 39 DEG 22 MIN 20 SEC W, ALG SD OUTSIDE FACE, A DIST OF 47.19 FT; TH N 51 DEG 13 MIN 39 SEC E, 70.66 FT TO THE POB. ALSO LESS OR 1886/4942 DESC AS FOLLOWS: A PARCEL OF LAND IN SEC 23, BEING DESC AS FOLLOWS: COMMENCE AT A 5/8" IRON PIPE MARKING THE INTERSECTION OF THE S R/W LN OF 4TH ST W & THE W R/W LN OF 3RD AVE W, SD PT OF INTERSECTION BEING THE NE COR OF LOT 5 JH RIVIERES ADD TO PALMETTO, PER PLAT THEREOF REC IN PL BK 1, PG 137 PRMCFL, TH S 00 DEG 16 MIN 42 SEC E, ALG SD W R/W LN, ALSO BEING THE E LN OF SD LOT 5, A DIST OF 150.00 FT TO THE NW COR OF LOT 6 OF SD SUB; TH N 89 DEG 22 MIN 32 SEC E, ALG THE S R/W LN OF 3RD ST DR W, A DIST OF 50.00 FT TO A CONCRETE MONUMENT MARKING THE NE COR OF SD LOT 6; TH S 00 DEG 16 MIN 42 SEC E, ALG THE MONUMENTED. **Township 34S, Range 17E, Section 23**

**Parcel ID #:** **PI#: 31029.0025/9**

## **ADMINISTRATIVE ORDER IMPOSING LIEN**

**THIS MATTER** came before the City of Palmetto Code Enforcement Board for Public Hearing on March 29, 2011, at 6:00 p.m. at Palmetto City Hall, after due notice to the Respondent.

### **FINDINGS OF FACT:**

The Code Enforcement Board of the City of Palmetto finds as a matter of fact that:

- The above referenced property is unfit and unsafe and poses a danger to the health, safety and welfare of surrounding property. The building was condemned by the City of Palmetto's Building Department on January 24, 2011.

### **CONCLUSIONS OF LAW:**

1. The Code Enforcement Board is properly convened. Notice has been given and all conditions precedent have been satisfied.
2. Codes Violated: Palmetto Code of Ordinances Chapter 7, Buildings and Building Regulations, Article VII, Dangerous and Unsafe Buildings, Section 7-153(a) Unfit or Unsafe Dwellings or Structures Declared a Nuisance; Section 7-153(b)(1), (5), and (6); Section 7-153(c):

## **ORDER**

The Respondents, Steven E. Gatton and Linda L. Gatton, are found in violation of the Palmetto Code of Ordinances as noticed and directed to secure the requisite building permit within the next ten days, or by April 8, 2011, and complete all work within thirty days of securing the permit. If the aforementioned action is not taken within the time specified, a fine of up to \$250.00 per day may be imposed for each day the violation continues past the date and time specified herein. The Respondent is entitled to notice and an opportunity to be heard prior to a fine being assessed. **Administrative costs incurred by the City in the prosecution of this case in the amount of \$ 388.20, plus any applicable recording fees, are hereby assessed. Upon recording, such costs shall constitute a lien and shall continue with interest accruing. A Public Hearing will be held on May 31, 2011, to determine if the violation has been corrected by the date certain.**

A certified copy of this Administrative Order may be recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors-in-interest or assigns if the violation concerns real property and the findings therein shall be binding upon the violator and, if the violation concerns real property, any subsequent purchasers, successors-in-interest or assigns.

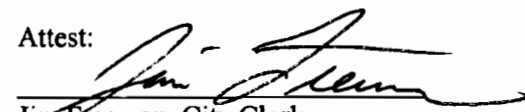
Any aggrieved party may appeal this Administrative Order to the Circuit Court in and for Manatee County. Such appeal shall not be a hearing *de novo*, but shall be limited to appellate review of the record created before the Code Enforcement Board. An appeal shall be filed within thirty (30) days of the execution of this Administrative Order

Done and ordered this 29<sup>th</sup> day of March, 2011.

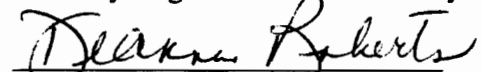
**CITY OF PALMETTO  
CODE ENFORCEMENT BOARD**

  
Charles W. Leonard, Chair

Attest:

  
Jim Freeman, City Clerk

I hereby certify that a true copy of the foregoing Administrative Order Imposing Lien has been furnished to the Respondents by Certified Mail/ Return Receipt Requested and by Regular Mail this 31st day of March, 2011.

  
Deanna Roberts, Clerk of the Board

## Deanna Roberts

---

**From:** William Strollo  
**Sent:** Wednesday, March 30, 2011 1:59 PM  
**To:** HDomber@aol.com  
**Cc:** Whitney Ewing; Deanna Roberts  
**Subject:** RE: City of Palmetto vs. Steven E. Gatton and Linda L. Gatton, CEB 11-05

Mr. Domber,

The Code Enforcement Board elected to hold the public hearing as scheduled last evening. They found your clients in violation of City codes, imposed administrative costs totaling \$388.20, gave the Gattons ten days to secure a permit to repair or demolish the boathouse, and directed that all work be completed within thirty days of the issuance of the permit. I requested that the Board's Secretary forward a copy of the Administrative Order to you when it is signed by the Chairman later this date.

Ms. Roberts will e-mail a copy to you and forward a hard copy regular mail.

Bill Strollo

**From:** HDomber@aol.com [mailto:HDomber@aol.com]  
**Sent:** Wednesday, March 30, 2011 1:04 PM  
**To:** William Strollo  
**Subject:** Re: City of Palmetto vs. Steven E. Gatton and Linda L. Gatton, CEB 11-05

Dear Mr. Strollo:

At your earliest convenience, kindly inform me of the Code Enforcement Board's determination at last evening's hearing.

Sincerely,

Harlan R. Domber, Esquire  
Law Office of Harlan R. Domber, P.A.  
3900 Clark Road, Suite L-1  
Sarasota, FL 34233  
(941) 923-9930/(800) 804-9930  
Fax: (941) 923-3400  
E-mail: [hdomber@aol.com](mailto:hdomber@aol.com)

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**Statement Required by U.S. Treasury Department:** To the extent this message contains tax advice, the U.S. Treasury Department requires us to inform you that any advice in this letter is not intended or written by our firm to be used, and cannot be used by any taxpayer, for the purpose of avoiding any penalties that may be imposed under the Internal Revenue Code. Advice from our firm relating to Federal tax matters may not be used in promoting, marketing or recommending any entity, investment plan or arrangement to any taxpayer.

In a message dated 3/25/2011 9:13:32 A.M. Eastern Daylight Time, [wstrollo@palmettofl.org](mailto:wstrollo@palmettofl.org) writes:

| Mr. Domber:



# **PALMETTO**

516 8th Avenue West  
P.O. Box 1209  
Palmetto, Florida 34220-1209  
Phone (941) 723-4570  
Fax: (941) 723-4576  
Suncom: 516-0829  
E-mail: [chgeneral@palmettofl.org](mailto:chgeneral@palmettofl.org)  
Web: [www.palmettofl.org](http://www.palmettofl.org)

## **BEFORE THE CODE ENFORCEMENT BOARD OF THE CITY OF PALMETTO, FLORIDA**

**CERTIFIED MAIL/RETURN RECEIPT REQUESTED  
REGULAR MAIL**

### **CITY OF PALMETTO**

A political subdivision of the  
State of Florida

#### **Petitioner**

vs.

**Case No. CEB 11-05**

Steven E. Gatton  
Linda L. Gatton  
6880 East Harrold Road  
Churubusco, IN 46723-9769

#### **Respondents:**

## **ORDER IMPOSING FINE AND LIEN**

**Violation Location:** 221 3<sup>rd</sup> Avenue West  
Palmetto, Florida 34221

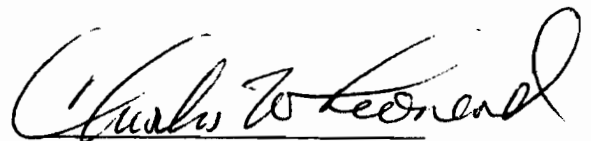
On May 31, 2011, the Code Enforcement Board (CEB) of the City of Palmetto conducted a duly noticed Public Hearing in regard to the above Respondents. Following receipt of sworn testimony and other evidence, the Board makes the following findings:

1. The Respondents were found in violation of the City of Palmetto Code of Ordinances at a hearing held on March 29, 2011. A copy of the Board's Order is attached hereto and incorporated herein as Exhibit "A".

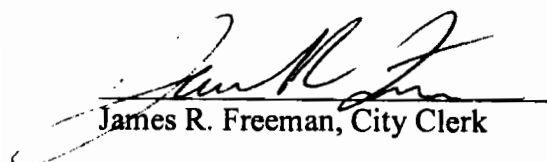
## ORDER

Based on the foregoing, the Code Enforcement Board finds the violation to be irreversible or irreparable, and imposes a fine of \$5,000. The Board further orders the condemned building to be demolished within thirty days by the Respondents. Should the Respondents fail to demolish the building within thirty days, then the City of Palmetto shall have the building demolished, with any costs incurred by the City being filed as a lien on the property. A certified copy of this Order shall be recorded in the Public Records of Manatee County and any other county within the State of Florida where the Respondents have real or personal property, and it shall thereafter constitute a lien upon any real or personal property owned by the violator. Upon petition to the circuit court by the City, such Order may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the personal property, but such Order shall not be deemed to be a court judgment except for enforcement purposes. **A fine imposed pursuant to this Order shall continue with interest accruing until the violator comes into compliance, or until judgment is rendered in a suit to foreclose on a lien created herein, whichever occurs first.**

Date: May 31, 2011

  
Charles W. Leonard, Chair  
Code Enforcement Board

Attest:

  
James R. Freeman, City Clerk

2. The Order required the Respondents to comply with the Palmetto Code of Ordinances, as cited, by securing a building permit by April 8, 2011, and completing work within thirty days. The Order was sent to the Respondents by Certified Return Receipt Requested U.S. Mail and Regular U.S. Mail on March 31, 2011.
3. The Respondents were notified in that Order that the Code Enforcement Board would hold a hearing on May 31, 2011, to determine whether the Respondents were in compliance with the Order, and if not, whether to impose a fine.
4. At the May 31, 2011 Hearing, the City of Palmetto Code Enforcement Director, Bill Strollo, testified that the Respondents had not complied with the Palmetto Code of Ordinances as ordered by the Administrative Order dated March 29, 2011.

### **CONCLUSIONS OF LAW**

1. The hearing has been properly notified and convened. A quorum is present and voting.
2. Section 2-87 of the Code of Ordinances states that:
  - (2) In determining the amount of the fine, if any, the CEB shall consider the following factors:
    - a. The gravity of the violation;
    - b. Any actions taken by the violator to correct the violation;
    - c. Any previous violations committed by the violator.
3. The prior Administrative Order of this Board, dated March 29, 2011, was not complied with by the date set forth in the Administrative Order.
4. The Board has considered the three factors cited above in arriving at its determination to impose a fine.

# PALMETTO

516 8th Avenue West  
P.O. Box 1209  
Palmetto, Florida 34220-1209  
Phone (941) 723-4570  
Fax: (941) 723-4576  
Suncom: 516-0829  
E-mail: [chgeneral@palmettofl.org](mailto:chgeneral@palmettofl.org)  
Web: [www.palmettofl.org](http://www.palmettofl.org)

## BEFORE THE CODE ENFORCEMENT BOARD OF THE CITY OF PALMETTO, FLORIDA

### CITY OF PALMETTO

A political subdivision of the  
State of Florida

**Petitioner,**

vs.

Steven E. Gatton

Linda L. Gatton

6880 East Harrold Road  
Churubusco, IN 46723-9769

**Respondent**

I, THE CITY CLERK OF THE CITY OF PALMETTO,  
FLORIDA, DO HEREBY CERTIFY THAT THE  
ABOVE AND FOREGOING IS A TRUE AND  
CORRECT COPY OF THE ORIGINAL THEREOF  
ON FILE IN MY OFFICE WITNESS MY HAND AND  
SEAL OF SAID CITY THIS 29 DAY OF JUNE  
A.D., 2011

*Diane Proder*  
CITY CLERK, CITY OF PALMETTO, FLORIDA  
Deputy Clerk- Administration

Case No. 11-05

Re Violation Location: 221 3<sup>rd</sup> Avenue Drive West, Palmetto, Florida

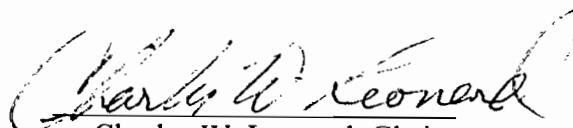
## Code Enforcement Board Stipulation

The City of Palmetto Code Enforcement Board and Superior Bank National Association hereby stipulate and agree to the following terms:

1. Superior Bank National Association has been notified of the City of Palmetto Code Enforcement Board's decisions in the case of the City of Palmetto vs. Steven E. Gatton and Linda L. Gatton, Case No. CEB 11-05.
2. This agreement involves the CEB ordered demolition of the condemned boathouse located on the Gattons' property at 221 3<sup>rd</sup> Avenue Drive West, Parcel ID# 31029.0025/9.
3. The Gattons have stated their intent to transfer ownership of this property to Superior Bank National Association.
4. Once title to the property referenced in item 2 is transferred to Superior Bank National Association, the Bank agrees to demolish the boathouse no later than August 30, 2011.
5. The City of Palmetto Code Enforcement Board agrees to suspend the thirty-day demolition time frame imposed in the Order Imposing Fine and Lien dated May 31, 2011 in order to permit Superior Bank National Association to complete the demolition of this structure no later than August 30, 2011.



6. Superior Bank National Association shall notify the Code Enforcement Board no later than 5:00 p.m. on July 15, 2011 whether they will accept title to the property. In the event Superior Bank National Association does not accept title, or fails to notify the Code Enforcement Board in accordance with this paragraph, the extension granted herein shall be null and void and the City shall proceed forthwith with all costs being assessed in accordance with stipulation #7 below.
7. If the demolition of the boathouse is not accomplished by August 30, 2011, the City of Palmetto will schedule demolition of this structure with all costs incurred by the City being filed as a lien on this property.



Charles W. Leonard, Chair  
Code Enforcement Board

Attest:

By: Diane Ponder

Diane Ponder, Deputy Clerk-Administration

Witnesses:

Christophe Blanchard

Signature

Christophe Blanchard

Print Name

Milton W. McLare

Signature

Milton W. McLare

Print Name



Ross A. Vollmer

Superior Bank National Association

(Name and Title of Bank Representative)

Vice President

## William Strollo

---

**From:** William Strollo  
**Sent:** Wednesday, July 27, 2011 2:59 PM  
**To:** 'Ross Vollmer'  
**Cc:** Whitney Chapman; Jim Freeman; Deanna Roberts; Jeff Burton  
**Subject:** RE: Steven Gatton Property

Ross,

Thank you for the update regarding the Gatton property @ 221 3<sup>rd</sup> Avenue Drive West, Palmetto, Florida. The City of Palmetto will commence arrangements for the demolition of the boathouse & attached structures at this time.

Bill Strollo  
Director, Code Enforcement

**From:** Ross Vollmer [<mailto:ross.vollmer@superiorbank.com>]  
**Sent:** Wednesday, July 27, 2011 2:47 PM  
**To:** William Strollo  
**Subject:** Steven Gatton Property

Bill,

Thank you for working with the bank. It is a pleasure working with you.

However, at this time Superior Bank N.A. can not fully comply with item #6 in the case order 11-05 dated June 29, 2011. Per our phone discussion I believe the bid from G&S i/a/o \$3,415.00 is reasonable. I understand the cities desire to move forward with the demolition process as we move further into the 2011 hurricane season. I am aware that the cost of demolition will be part of an overall claim on the property.

Superior Bank N.A. does not have ownership of the property and can not guarantee that it will be able to meet the main condition of order 11-05 (demolition by August 30, 2011). Therefore, I recommend that you continue to move forward with the demolition process as scheduled.

Again, thank you for working with the bank and keeping me informed of your progress.

Ross

Ross Vollmer  
Vice President Business Banking  
Ph. 941-741-2096  
Fax. 941-741-0812  
2207 Manatee Ave. W.  
Bradenton, FL 34205  
[Ross.Vollmer@superiorbank.com](mailto:Ross.Vollmer@superiorbank.com)

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Property Appraiser's  
Parcel Identification Number: 31029.002519

Prepared by and Return to:  
William C. Robinson, Jr.  
Blalock Walters, P.A.  
802 11th St. W.  
Bradenton, FL 34205

AFFIXED HERETO ARE DOCUMENTARY  
STAMPS IN THE AMOUNT OF \$689.50

Do not use this space

### **WARRANTY DEED**

**THIS INDENTURE** made the 12<sup>th</sup> day of August, 2011, by and between STEVEN E. GATTON and LINDA L. GATTON, husband and wife, whose address is 6880 East Harrold Road, Churubusco, IN 46723, hereinafter called the **Grantor**, and Pegel Point, LLC, a Florida limited liability company, whose address is 5517 21<sup>ST</sup> Avenue West, Suite H, Bradenton, FL 34209, hereinafter called the **Grantee**:

(Whenever used herein the terms "Grantor" and "Grantee" include all parties in this instrument and their heirs, legal representatives and assigns of individuals, and the successors and assigns of corporation).

**WITNESSETH:** That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, conveys, remises, releases and transfers unto the Grantee the following described land situate in Manatee County, Florida (the "Property") to wit:

**Legal Description is attached hereto as Exhibit "A".**

Grantor covenants that the Property is not now, nor has it ever been, its homestead, nor is it contiguous to its homestead property.

**SUBJECT TO** zoning and other governmental regulations; and valid easements, restrictions, reservations and covenants of record.

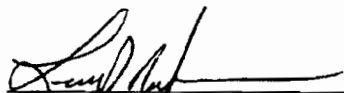
**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**TO HAVE AND TO HOLD** the same in fee simple forever.

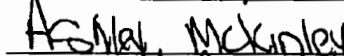
**AND** the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 2010.

IN WITNESS WHEREOF, the said Grantor has hereunto executed this deed on the day and year first above written.

Signed, sealed and delivered in our presence:



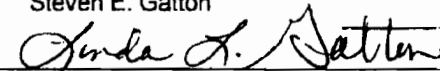
Print Name: ASHLEY D. ROBERTSON



Print Name: ASHLEY MCKINLEY



Steven E. Gatton



Linda L. Gatton

STATE OF INDIANA

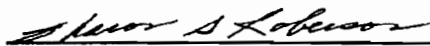
COUNTY OF ALLEN

The foregoing instrument was subscribed and sworn to before me this 7th day of August, 2011 by Steven E. Gatton and Linda L. Gatton, husband and wife,

☒ who is personally known to me,

☐ who produced \_\_\_\_\_ as identification, and who acknowledged before me that he/she executed the same freely and voluntarily for the purposes therein expressed.

My Commission Expires:



Signature

SHARON A. ROBERTSON

Print Name

NOTARY PUBLIC - STATE OF INDIANA

Commission No. \_\_\_\_\_

MY COMMISSION EXPIRES  
8-26-12

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

A PORTION OF LOTS 5 AND 6, J.H. RIVIERE'S ADDITION TO PALMETTO, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 137 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND LANDS LYING SOUTH OF SAID LOTS, BEING FURTHER DESCRIBED AS FOLLOWS;

COMMENCE AT THE NORTHEAST CORNER OF LOT 6, J.H. RIVIERE'S ADDITION TO PALMETTO, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 137 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S00°16'42"E, ALONG THE EAST LINE OF SAID LOT 6, A DISTANCE OF 55.66 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S00°16'42"E, ALONG SAID LINE AND ITS SOUTHERLY EXTENSION, A DISTANCE OF 164.25 FEET; THENCE S89°43'18"W, 1.12 FEET TO A POINT ON THE FACE OF AN EXISTING SEAWALL; THENCE N00°07'23"E, ALONG SAID SEAWALL FACE, A DISTANCE OF 39.55 FEET, SAID LINE HEREINAFTER REFERRED TO AS LINE "A"; THENCE CONTINUE, ALONG THE FACE OF EXISTING SEAWALLS, THE FOLLOWING COURSES AND DISTANCES: N86°20'13"W, 75.73 FEET; N65°38'56"W, 7.09 FEET; N01°49'59"W, 18.20 FEET; N85°55'54"W, 7.30 FEET; THENCE ALONG THE FACE OF AN EXISTING SEAWALL AND ITS NORTHERLY EXTENSION, N03°26'35"E, A DISTANCE OF 29.32 FEET TO THE FACE OF AN EXISTING SEAWALL; THENCE CONTINUE ALONG SAID SEAWALL FACE, THE FOLLOWING COURSES AND DISTANCES: N03°12'09"W, 3.36 FEET; N06°13'38"W, 10.40 FEET; THENCE LEAVING SAID SEAWALL FACE, S83°29'48"E, 5.86 FEET; THENCE N06°35'13"E, 50.28 FEET; THENCE N85°36'37"E, 78.33 FEET TO THE POINT OF BEGINNING. CONTAINING 10,090 SQUARE FEET OR 0.23 ACRE, MORE OR LESS. TOGETHER WITH RIPARIAN RIGHTS LYING WEST OF AFORESAID LINE "A" TO OPEN WATERS OF THE MANATEE RIVER AND BOUNDED ON THE NORTH BY THE AFOREDESCRIBED PARCEL.

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

PARCEL 1:

A PARCEL OF LAND IN SECTION 23, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS: COMMENCE AT A 5/8" IRON PIPE MARKING THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF 4th STREET WEST AND THE WEST RIGHT-OF-WAY LINE OF 3rd AVENUE WEST, SAID POINT OF INTERSECTION BEING THE NORTHEAST CORNER OF LOT 5, J.H. RIVIERE'S ADDITION TO PALMETTO, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 137, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S00°16'42"E, ALONG SAID WEST RIGHT-OF-WAY LINE, ALSO BEING THE EAST LINE OF SAID LOT 5, A DISTANCE OF 150.00 FEET TO THE NORTHWEST CORNER OF LOT 6 OF SAID SUBDIVISION; THENCE N89°22'32"E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF 3RD STREET DRIVE WEST, A DISTANCE OF 50.00 FEET TO A CONCRETE MONUMENT MARKING THE NORTHEAST CORNER OF SAID LOT 6; THENCE S00°16'42"E, ALONG THE MONUMENTED EAST LINE OF SAID LOT 6 AND ITS SOUTHERLY EXTENSION, A DISTANCE OF 259.44 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S00°16'42"E, ALONG SAID SOUTHERLY EXTENSION, A DISTANCE OF 43.94 FEET; THENCE S75°38'08"W, 81.09 FEET TO THE OUTSIDE FACE OF AN EXISTING CONCRETE BLOCK SEAWALL; THENCE N16°20'05"E, ALONG SAID OUTSIDE FACE, A DISTANCE OF 40.14 FEET TO THE POINT OF CURVATURE OF A CURVE; CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 34.93 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE AND SAID OUTSIDE FACE, THROUGH A CENTRAL ANGLE OF 73°44'26", A DISTANCE OF 44.96 FEET (CHORD = 41.92 FEET; CHORD BEARING = N52°48'04"E) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N89°40'15"E, ALONG SAID OUTSIDE FACE, A DISTANCE OF 33.66 FEET TO THE POINT OF BEGINNING.

ALSO:

PARCEL 1A:

A PARCEL OF LAND IN SECTION 23, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 6, J.H. RIVIERE'S ADDITION TO PALMETTO, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 137 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S00°16'42"E, ALONG THE EAST LINE OF SAID LOT 6 AND ITS SOUTHERLY EXTENSION, A DISTANCE OF 219.91 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S00°16'42"E, ALONG SAID LINE, A DISTANCE OF 39.15 FEET; THENCE S89°40'15"W, 1.40 FEET TO A POINT ON THE FACE OF AN EXISTING SEAWALL; THENCE N00°07'23"E, ALONG SAID SEAWALL FACE, A DISTANCE OF 39.15 FEET, SAID LINE HEREINAFTER REFERRED TO AS LINE "B"; THENCE N89°43'18"E, 1.12 FEET TO THE POINT OF BEGINNING. TOGETHER WITH RIPARIAN RIGHTS LYING WEST OF AFORESAID LINE "B" TO OPEN WATERS OF THE MANATEE RIVER AND BOUNDED ON THE SOUTH BY THE AFORE-DESCRIBED PARCEL 1.



## PALMETTO

Tasks eFM Customers Reports **Code Enforcement** Setup GIS Maps Help

Welcome, Bill Strollo

## Code Enforcement

Code Enforcement Home

Advanced Search

Location Search

Create Case

Daily Time Sheet

Check Time Sheet

## Contacts

Contacts

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## CE Case Details

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CE Case Details

View Print Version

Print Field Report

☐ include photos

## CE Case CE11-58

CE Case #: CE11-58

eFM Case #: N/A

Case assigned to: Strollo, Bill

Priority: MED

Location APN: 3102900259

✓ 221 3RD AVENUE DR W

Palmetto, FL 34221 [\(map\)](#)

Property Type: Residential

SPD: 1

WARDS: 3

CRA: TRUE

Custom Fields Foreclosure?: No

Vacant?: No

[edit](#)

Status: Closed: City Abated

Date Opened-Closed: 01/19/2011 - 09/07/2011

Follow Up Date

Follow Up Action CEB 11-05/May 30th

Open Violations

Quick Edit

Full Edit

Time Tracking

Clone Case

## Violations

Date	Violation	Submitted By	Status	Disposition	Notes
01/19/2011	Permits Required	Chapman, Whitney	Closed	Compliance	
01/19/2011	Dangerous Structures	Chapman, Whitney	Closed	Compliance	
01/19/2011	Unfit or Unsafe Buildings	Chapman, Whitney	Closed	Compliance	

## History

Date	Entered By	Action/Note/Activity
09/07/2011 10:55:01 AM	Strollo, Bill	Changed violation disposition to Compliance
09/07/2011 10:55:01 AM	Strollo, Bill	Status changed: Violation Unfit or Unsafe Buildings Closed with disposition Compliance
09/07/2011 10:54:16 AM	Strollo, Bill	Changed violation disposition to Compliance
09/07/2011 10:54:16 AM	Strollo, Bill	Status changed: Violation Dangerous Structures Closed with disposition Compliance
08/23/2011 10:17:28 AM	Strollo, Bill	Changed violation disposition to Compliance
08/23/2011 10:17:28 AM	Strollo, Bill	Status changed: Violation Permits Required Closed with disposition Compliance
01/19/2011 02:33:06 PM	Chapman, Whitney	Added: Permits Required
01/19/2011 02:33:06 PM	Chapman, Whitney	Added: Dangerous Structures
01/19/2011 02:33:06 PM	Chapman, Whitney	Added: Unfit or Unsafe Buildings

## Status and Follow Up

Status	Follow Up Date	Follow Up Action
Closed: City Abated		CEB 11-05/May 30th

## History

Entry Date	Employee	Description
09/14/2011 12:53:49 PM	Strollo, Bill	Added .5 case hours for Whitney Chapman on 2011-09-14.
09/14/2011 12:53:23 PM	Strollo, Bill	Added 22.5 case hours for Bill Strollo on 2011-09-14.
09/07/2011 11:00:06 AM	Strollo, Bill	Case Status changed to Closed: City Abated
09/07/2011 11:00:06 AM	Strollo, Bill	Followup Date removed.

## Chapman, Whitney Initial Case Status Complaint Filed

## Notes

Entry Date	Entered By	Action Date	Note
09/13/2011 04:25:04 PM	Strollo, Bill	09/13/2011	Met with Bryce & Gary Parks @ the site of the former boathouse. Gary stated Terry West had another contractor salvage the aluminum from the structures & remove several concrete slabs. New owner to be advised he needs to secure gate & post no trespassing signs due to compromised slab in front of seawall.
09/07/2011 10:59:36 AM	Strollo, Bill	09/07/2011	Site visit. Boathouse has been demolished; all debris has been removed from the site. Spoke to Phil Hoffmann, property manager for Pegel Point. Discussed plans for site; at this point, lots will provide seasonal rental for RVs following rehab of site.
09/07/2011 10:57:23 AM	Strollo, Bill	09/07/2011	Clerk of the Court. Obtained copy of deed transferred from Gatton to Rickert properties, August 2011. Property Appraiser still lists Gatton as owner.
08/31/2011 11:14:12 AM	Strollo, Bill	08/31/2011	Site visit. No changes to exterior. No silt fences yet. Front-end loader now on site. Recheck next week.
08/31/2011 10:56:36 AM	Strollo, Bill	08/30/2011	Old business @ CEB Hearings. Latest photos presented. Board Member Phil Hoffman commented property now owned by the Park. City still will demo property with costs passed mon to the current owner.
08/30/2011 11:43:30 AM	Chapman, Whitney	08/30/2011	No change from condition of property noted on 8/23/11. Pics taken to compare w/ Bill just in case. Bulldozer on site. No activity.
08/23/2011 10:22:19 AM	Strollo, Bill	08/23/2011	Site inspection. Roll-off on site. The attached, manufactured shed has been removed in addition to another free standing shed. Pictures taken.
08/16/2011 12:29:49 PM	Strollo, Bill	08/16/2011	T. From Gary Parks. He already sent the DEP letter of intent. Finishing up another job & awaiting delivery of non-permeable barrier to protect river from demolition debris. Anticipates completing demolition w/in next two weeks. Stated Terry West contacted him to demo other sheds.
08/16/2011 12:25:13 PM	Strollo, Bill	08/16/2011	ADG review. Permit 11-0543 issued Aug 10, 2011.
08/16/2011 09:22:35 AM	Strollo, Bill	08/16/2011	VM to Gary Parks advising of Rickert interest & requesting return call.
08/16/2011 09:20:18 AM	Strollo, Bill	08/16/2011	T. From Terry West. Rickert took title to the property yesterday. Inquired regarding demo - what structures involved, time frame. Referred to Building department regarding inquiry of how many mobile homes may be situated on the property; referred to Gary Parks, G&S Construction regarding demolishing remaining buildings on the property.
08/16/2011 09:17:26 AM	Strollo, Bill	08/15/2011	VM from Terry West, Rickert Properties. Rickert now owns the property. West requests a call @ 238-8258.
08/15/2011 08:23:13 AM	Strollo, Bill	08/15/2011	E-mail to Neal with the asbestos survey & CE8 docs attached.
08/15/2011 08:22:46 AM	Strollo, Bill	08/15/2011	T. From Building Official. He requests copies of the asbestos survey to include with the demolition permit.
08/12/2011 09:43:10 AM	Strollo, Bill	08/12/2011	Site visit. Electric service terminated by FPL; line to the mast cut. Locks have been removed from the attached structures. Call G&S next week for time frame.
08/12/2011 08:53:00 AM	Strollo, Bill	08/12/2011	ADG review. Permit 11-0529 issued August 9, 2011 to Parrish Plumbing to cap water & sewer. Inspected by Building Department August 9. Permit 11-0543 issued August 10, 2011 to G&S Construction to demolish the boathouse.
08/10/2011 02:36:47 PM	Strollo, Bill	08/10/2011	T. To Kerry Collings. She was advised the present owner given the opportunity to repair or demo this boathouse. She was advised this building along with the two attached structures will be demolished shortly.
08/10/2011 02:34:18 PM	Strollo, Bill	08/10/2011	VM from Kerry Collings who is interested in purchasing the property & rebuilding the boathouse. Requests call @ 773-1570.
08/10/2011 08:29:38 AM	Strollo, Bill	08/09/2011	Review with Bryce. FPL cut service to the boathouse & the plumbers were issued a permit. They will leave water service on the site for the wet demolition.
08/08/2011 02:08:16 PM	Strollo, Bill	08/08/2011	T. Call from Ron Brooks, 545-5229. Still attempting sale of property; inquired regarding costs of demolition. Advised we have an estimate of \$3,415.00. Advised we hope to proceed w/in next two weeks.
08/05/2011 11:00:49 AM	Strollo, Bill	08/05/2011	Site inspection. Locks still on both attached metal buildings. Call Ron Brooks before actual demo. Grass will become issue/marginal at present.
08/05/2011 10:16:07 AM	Strollo, Bill	08/05/2011	T. To Gary Parks, 737-1653. Advised power line runs directly to the mast on the boathouse; no one living on site. He has arranged for the plumber to terminate service.
08/05/2011 10:14:12 AM	Strollo, Bill	08/05/2011	E-mail from Building Official. He has been in contact with Gary Parks of G&S Construction who attempted to stop service at the boathouse. Gary inquiring if someone living on site who might be affected by the cessation of service; FPL reports account active.

08/02/2011 12:10:41 PM	Strollo, Bill	08/02/2011	With Building Official, Neal Mazzei. Advised that G&S would be in to submit demolition permit application; Neal advised this is City ordered demolition. In prior position, Neal has had frequent contacts with company owner, Gary Parks; he will call Gary to check on progress.
07/29/2011 02:15:17 PM	Strollo, Bill	07/29/2011	E-mail to Will Robinson forwarding asbestos assessment report.
07/29/2011 02:14:43 PM	Strollo, Bill	07/29/2011	T. From Will Robinson, 748-0100. He represents Wayne Reikert who is in the process of purchasing this property; believes title will change hands next week. He stated he was aware that boathouse must be demolished by Aug. 30th. Advised Superior Bank notified the City they would be unable to meet that deadline & forwarded that information via e-mail. City moving forward with immediate demolition through G&S Construction. Will requested copy of asbestos abatement assessment. Inquired regarding reducing fine; advised it would have to be considered by the full City Commission.
07/28/2011 10:23:00 AM	Strollo, Bill	07/28/2011	T. With Jenny @ CRA. She will prep the P.O. She will call G&S for written bid rather than e-mail. She will advise when P.O. approved & request Finance Fax it to G&S.
07/28/2011 10:20:56 AM	Strollo, Bill	07/28/2011	VM & e-mail to Ron Brooks advising of developments. E-mail response from Ron - he will remove the locks next week.
07/28/2011 10:20:02 AM	Strollo, Bill	07/28/2011	E-mail from Gary Parks advising he will contact DEP and arrange for the permitting. Returned e-mail to Gary with OIF, CEB Stipulation & E-mail exchange with Superior Bank, rendering extension of time null & void. Jenny @ CRA copied in addition to Nixa & Neal.
07/27/2011 03:42:57 PM	Strollo, Bill	07/27/2011	E-mail to Gary Parks, G&S Construction advising we wish to engage their services. Proof of insurance requested. Gary also advised of neighbors' concerns & need to proceed immediately.
07/27/2011 03:03:33 PM	Strollo, Bill	07/27/2011	E-mail to Ross @ Superior Bank advising the City will proceed with demolishing the boathouse & attached structures.
07/27/2011 03:02:45 PM	Strollo, Bill	07/27/2011	E-mail from Superior Bank. They will be unable to meet the August 30, 2011 deadline as they are not in possession of the property.
07/27/2011 02:14:14 PM	Strollo, Bill	07/27/2011	T. From Ross Vollmer. Superior Bank is attempting to arrange a dual closing - accepting transfer of the property from Gatton & transferring property to Wayne Rickert. He stated Rickert aware of requirement to demolish structure. Advised CE has received two bids to demo - \$5,460.00 & \$3,415.00. Ross stated he will send e-mail advising City may demo now & void prior stipulation.
07/27/2011 12:57:24 PM	Strollo, Bill	07/27/2011	T. To Ross Vollmer. Tied up in a meeting at this time; he will call CE later this pm.
07/19/2011 08:17:59 AM	Strollo, Bill	07/18/2011	E-mail to Ross Vollmer attaching asbestos survey & requesting update from the bank.
07/18/2011 03:56:42 PM	Strollo, Bill	07/18/2011	T. From Chandra, ESC. She spoke to Max Grendal, Florida DEP, Tampa, (813) 632-7600, X 116. He stated that a wet demolition would be allowed, but the demolition company must file a notification form ten business days in advance of the demolition. Mr. Grendal will assist the demolition company in completing the notification if they are not familiar with it. Chandra stated that the following asbestos abatement companies also perform total demolitions, & they would be familiar with the procedures: Cornerstone, Eric Penrose, 1-800-613-5450, (c) (813) 613-6347; Abatement & Demolition Services, Mark Fohn, 1-800-275-5426.
07/18/2011 03:47:48 PM	Strollo, Bill	07/18/2011	Faxed copy of invoice for \$500.00 referred to Cheryl; she will need original when received.
07/18/2011 03:21:58 PM	Strollo, Bill	07/18/2011	T. To Scott Russell, ESC. He stated that due to the low level of asbestos on the site, Chandra will contact FI DEP in Tampa to determine if a wet demolition may be done to the site. This would eliminate the need for an asbestos abatement company to address that issue before actual demolition. Chandra to call CE with results of this discussion with DEP.
07/18/2011 03:18:17 PM	Strollo, Bill	07/18/2011	Received Faxed report from Environmental Safety Consultants, Inc. Asbestos detected @1.5% in the black/white/silver rolled roofing and mastic located along the foundation edge of the exterior walls.
07/14/2011 10:22:00 AM	Strollo, Bill	07/14/2011	Copied on Finance response to Rin Brooks' request for payout amount on City liens. Mr. Brooks advised of lien amount, plus anticipated costs for asbestos assessment & possible demolition costs. CEB OIF forwarded with e-mail.
07/13/2011 02:28:24 PM	Strollo, Bill	07/13/2011	On site with Environmental Safety Consultants, Ross Vollmer of Superior Bank, & Ron Brooks of Manatee Properties. Environmental Consultants will test samples taken & report back in several days with the results; she will Fax & mail results to CH. Ross Vollmer stated the Bank continues to pursue taking over property from Gatton. Appraisal returned with higher evaluation than the \$98K owed by Gatton. Advised City will pay for this asbestos assessment & pass through costs as part of Gatton Lien. Advised CE will also pursue estimates for demolition. Ross states Bank intends to demolish structures once they take possession. Ron Brooks stated Gatton lowered asking price, & he has received several inquiries. He was referred to Finance Department to determine exact amount of City liens. Also advised OIF recorded with Clerk of the Court. Anyone purchasing this property would be required to demolish structure immediately. Viewed the interior of both attached metal

sheds. Roof rafters of South shed rotted. Ron Brooks advised that anything remaining in the boathouse & attached sheds would be discarded by the demolition company.

07/12/2011 02:23:10 PM	Strollo, Bill	07/12/2011	Received signed contract endorsed by Jeff Burton. Faxed contract to Environmental Safety.
07/12/2011 10:49:15 AM	Strollo, Bill	07/12/2011	T. To Ross Vollmer. Advised of asbestos assessment scheduled for tomorrow; he received a call from Ron Brooks re. same & he plans to be on site. Ross stated he has received waiver from Gatton, & is awaiting appraiser's evaluation of the property. Stated everything moving on transfer of property.
07/12/2011 10:45:23 AM	Strollo, Bill	07/12/2011	T. To Environmental Safety consultants. Advised vendor application will be mailed to them; they need to complete & return same in order to assure payment.
07/12/2011 10:44:14 AM	Strollo, Bill	07/12/2011	With Donna in Finance; company not on City vendor list. She will e-mail application to escinc@verizon.net to expedite payment once invoice received.
07/12/2011 10:42:35 AM	Strollo, Bill	07/12/2011	With Zack @ CRA. Jenny still out of office; Jeff in meeting. He will have Jeff sign proposal & return to CE.
07/12/2011 10:41:36 AM	Strollo, Bill	07/12/2011	Received Faxed proposal from Environmental Safety Consultants, \$500-700.00 for 19 samples. Request I endorse & return to them.
07/11/2011 03:17:09 PM	Strollo, Bill	07/11/2011	T. To realtor, Ron Brooks, 545-5229. Advised we need access to all buildings for asbestos assessment on Wednesday, July 13, 2011 @ 12:30pm. He will arrange access to the buildings.
07/11/2011 08:34:19 AM	Strollo, Bill	07/11/2011	T. From Environmental Safety Consultants. She will draw up contract for \$500-700.00 estimate; will include 19 samples. Any samples required over this amount would cost additional \$20.00/sample. She will Fax contract. Inspection scheduled for Wednesday, July 13, 2011 @ 12:30pm. Arrange to have buildings opened by realtor.
07/13/2011 08:05:26 AM	Strollo, Bill	07/08/2011	Site inspection with City Clerk.
07/08/2011 09:29:53 AM	Strollo, Bill	07/08/2011	VM left for Environmental Safety Consultants, 795-2399, requesting an asbestos assessment pre-demolition.
07/08/2011 09:18:38 AM	Strollo, Bill	07/08/2011	Call to Air Quality Environmental, 1-866-295-6653; spoke to Donna who referred me to site tech, Eric. Eric now states estimate would be \$600-800 which is more than was previously quoted. Recheck other bids.
07/08/2011 09:02:21 AM	Strollo, Bill	07/08/2011	With Antoinette @ CRA. Jenny out this week on personal leave; she does not know when she is expected to return.
07/06/2011 09:42:52 AM	Strollo, Bill	07/06/2011	E-mail to Jenny requesting notification as to when assessment scheduled.
07/06/2011 09:40:26 AM	Strollo, Bill	07/06/2011	T. From Ross Vollmer, Superior Bank. He signed stipulation for Superior Bank. Awaiting receipt of appraisal of property. Bank proceeding to assume ownership of property. Ross advised that City will schedule an asbestos assessment & the cost will be included in the lien. Advised of locked metal buildings and accessibility through the realtor. Ross will drop off the signed stipulation today @ CH.
07/06/2011 08:13:49 AM	Strollo, Bill	07/06/2011	CEB Attorney fee of \$360.00 forwarded to Finance for payment. Two hours chargeable to this case; \$320.00 to be added as pass through to the lien on this property.
07/06/2011 11:14:37 AM	Strollo, Bill	07/05/2011	Site visit. No change in condition of property; no activity.
06/30/2011 02:37:01 PM	Strollo, Bill	06/30/2011	T. From appraiser valuing property in preparation of bank take over. His contact is Ross Vollmer @ Superior Bank. Discussed current status - boathouse must be demolished. Inquired regarding costs - advised no estimates until asbestos assessment is conducted next week.
06/29/2011 11:47:10 AM	Strollo, Bill	06/29/2011	With bank officer @ Superior Bank, 2207 Manatee Avenue West. Hand delivered CEB/Superior Stipulation for Ross Vollmer's review. Bank officer stated Ross on vacation until July 5, 2011.
06/29/2011 10:54:25 AM	Strollo, Bill	06/29/2011	Review with Char & Diane. They will forward the OIF for recording by the Clerk of the Court.
06/29/2011 10:51:23 AM	Strollo, Bill	06/29/2011	E-mail to Jenny with contact info for asbestos assessment; also included contact info for demolition estimate from Glasgow, USA Fence.
06/29/2011 10:30:26 AM	Strollo, Bill	06/29/2011	T. To Jenny @ CRA. Discussed developments in case; she will schedule the asbestos assessment with Air Quality Environmental, Inc. who presented lowest bid, has in-house lab, and offers quickest turnaround time. Will e-mail info to Jenny who will begin scheduling on July 5, 2011.
06/29/2011 10:16:40 AM	Strollo, Bill	06/29/2011	T. To Manatee Properties, 545-5229. Spoke to Ron Brooks who has keys to the padlocked structures. He will open locks when inspections scheduled; needs 1/2 day prior notice.
06/29/2011 10:03:05 AM	Strollo, Bill	06/29/2011	E-mails to Mark forwarding Stipulation, OIF, AO, NOH & NOV. Pictures of boathouse also forwarded under separate e-mail.
06/29/2011 10:00:19 AM	Strollo, Bill	06/29/2011	VM to Ross Vollmer on cell phone. When Vollmer's direct line called, message changed to he is on vacation until July 5, 2011.
06/29/2011 09:59:09 AM	Strollo, Bill	06/29/2011	Review with Jeff Burton. They will cover cost of asbestos

			assessment & request estimates for demolition once access available.
06/29/2011 09:53:27 AM	Strollo, Bill	06/29/2011	T. To Mark Barneyby. Discussed case. He requests documents to review. Advised we need access to all structures; what else is required to proceed with demolition.
06/29/2011 09:41:00 AM	Strollo, Bill	06/28/2011	Case CEB 11-05 opened as old business @ CEB Hearings this evening. Lengthy discussion of case events - Gattons reportedly transferring title to Superior Bank, Bank's request to postpone demolition no later than August 30, 2011. Cases & another neighbor, George Strawn, 329A 4th Street West, testified against the extension. CEB issued stipulation with Superior Bank. CE stated same would be hand delivered to Superior Bank tomorrow. If Bank does not accept title to the property or notify CEB by July 15, 2011, agreement will be null & void and the City will proceed with demolition. CEB directed CE to proceed with estimates for asbestos assessment & demolition. Advised both attached metal storage structures are locked, prohibiting access. Proceed thru City Attorney.
06/28/2011 02:45:25 PM	Strollo, Bill	06/28/2011	No response at Ross' direct line in the bank, 741-2096. No message left.
06/28/2011 02:37:55 PM	Strollo, Bill	06/28/2011	Forwarded prior e-mail containing stipulation to original recipient, Ross Vollmer, requesting he respond to acceptability of document.
06/28/2011 01:19:18 PM	Strollo, Bill	06/28/2011	Site visit. No changes. Metal manufactured structures attached to original boathouse both posted with condemned notices. Also, both pad locked & no access. Boathouse cannot be locked, & door opened for interior pictures. Will have to resolve the locked issues prior to scheduling any asbestos survey; company will need access to both manufactured units in addition to boathouse. Pictures taken. Case to be brought up as "old Business" at the CEB hearings tonight.
06/28/2011 10:49:37 AM	Strollo, Bill	06/28/2011	T. Call to two asbestos survey companies. They estimate costs for the survey between \$500-900.00. Neither company performs actual asbestos abatement.
06/28/2011 09:26:38 AM	Strollo, Bill	06/28/2011	VM to Ross Vollmer. Request return call today regarding the Gatton property; provided my cell phone number.
06/28/2011 09:22:54 AM	Strollo, Bill	06/28/2011	T. To Jenny @ CRA. She contacted Dana Site Development Paving (722-4913), Palmetto Asphalt & Demolition (729-6540), & Forristall (729-8150) for quotes. They all advised her that an asbestos abatement study must be performed prior to demolition. Without the findings of the study, none of the companies would provide an estimate for the demolition.
06/23/2011 08:53:05 AM	Strollo, Bill	06/23/2011	E-mail to CEB Attorney with stipulation for case attached for review. Will be forwarded to Ross Vollmer for review after David's review.
06/21/2011 11:23:17 AM	Strollo, Bill	06/21/2011	E-mail from bank forwarded to Mayor & CEB Attorney.
06/21/2011 11:22:50 AM	Strollo, Bill	06/21/2011	E-mail response from Ross confirming Gatton's intent to transfer title & bank's intent to demo property by August 30, 2011. They have ordered an appraisal of the property & there are additional internal steps bank must take.
06/21/2011 10:34:02 AM	Strollo, Bill	06/21/2011	E-mail to CEB Attorney, David Persson, forwarding e-mail to Vollmer; David asked if new case required if title transferred & demo not initiated.
06/21/2011 10:32:12 AM	Strollo, Bill	06/21/2011	E-mail to Ross Vollmer, Superior Bank, requesting confirmation of discussion - Gatton to transfer title to Superior Bank, Bank will demo building no later than requested extension date of August 30, 2011.
06/21/2011 10:29:26 AM	Strollo, Bill	06/21/2011	Review with Mayor Bryant. Advised of current developments Gatton/Superior Bank. CE will write to Superior Bank to confirm discussion of yesterday. Mayor requested review of situation by CEB attorney.
06/20/2011 12:21:09 PM	Strollo, Bill	06/20/2011	T. From Peggy Case. Advised of bank's interest & request. She is very unhappy with potential postponement until August 30th. Stated she has been dealing with this long enough & will present her complaints to the CEB on June 28th; case scheduled as Old Business due to bank request.
06/20/2011 10:58:39 AM	Strollo, Bill	06/20/2011	T. To Ross Vollmer. He states Gatton will be turning property over to them. They are in the process of updating the title search, and they anticipate resolving the matter shortly. Mr. Vollmer stated he plans to have building demolished no later than August 30, 2011. Asked to keep CE apprised.
06/20/2011 10:52:19 AM	Strollo, Bill	06/20/2011	Letter referred to CEB Secretary to include as Old Business on the June 28th meeting.
06/20/2011 10:51:26 AM	Strollo, Bill	06/17/2011	Letter from Ross Vollmer, Superior Bank. Requests extension to August 30, 2011 to resolve code violation.
06/20/2011 10:47:40 AM	Strollo, Bill	06/14/2011	T. From Ross A. Volmer, VP Business Banking, Superior. He stated Gatton will be turning over the property to the bank. Superior requesting additional time to resolve code violations. Told to write to me with details of plan.
06/14/2011 11:11:20 AM	Strollo, Bill	06/14/2011	Review with Building Official, Roger Titus. Condemned structure relates to entire building including sheds/storage buildings attached

to boat house.

06/13/2011 02:51:44 PM	Strollo, Bill	06/13/2011	Copies of OIF & pictures of boathouse provided to Jenny @ CRA. She will notify CE when contractors scheduled to visit site for estimates.
06/13/2011 12:50:27 PM	Strollo, Bill	06/13/2011	E-mail from Jenny Silvero, CRA. She will solicit bids for the demolition.
06/10/2011 02:51:19 PM	Strollo, Bill	06/10/2011	Review with Jeff. Refer to Jen in CRA for bids.
06/10/2011 02:47:18 PM	Strollo, Bill	06/10/2011	Site visit. No change in property. Condemned placards affixed to all of the structures attached to the boathouse.
06/10/2011 02:46:27 PM	Strollo, Bill	06/10/2011	At CRA with Antoinette. Jeff in meeting & is unavailable.
06/10/2011 02:45:55 PM	Strollo, Bill	06/10/2011	Review with Whitney. She sent two e-mails to Jeff requesting demo bids; no response.
06/09/2011 12:47:18 PM	Chapman, Whitney	06/09/2011	Certified OIF returned signed by June Bufkin on 6/4/11.
06/06/2011 10:51:56 AM	Chapman, Whitney	06/06/2011	Site visit w/ Bryce. Peggy Case wanting info on use of property if they purchase it. Referred to Lorraine. Bryce posted property as condemned again. Pics taken.
06/06/2011 10:50:40 AM	Chapman, Whitney	06/01/2011	Posted OIF on property; pics taken.
06/01/2011 08:35:49 AM	Chapman, Whitney	06/01/2011	Emailed Roger & Bryce urgent request to re-post property CONDEMNED.
05/31/2011 06:57:13 PM	Strollo, Bill	05/31/2011	Property needs to be posted with OIF & Building Department's condemned notice.
05/31/2011 06:56:30 PM	Strollo, Bill	05/31/2011	Subsequent to hearing informant stated Gatton refused to pay \$5,000.00 for downpayment on engineering report. Engineer advised him total cost for report would be \$7,500.00. Informant also stated bank will be foreclosing in two months on the \$100,000.00 balloon mortgage the Gattons' have on the property.
05/31/2011 06:54:12 PM	Strollo, Bill	05/31/2011	Public Hearing for CEB 11-05 held @ CH. Neighbors, Leo & Peggy Case testified before CEB. CE requested \$5,000.00 fine for irreparable violation. Requested CEB give Gattons 30 days to demolish structure or City will demo structure. Motion for the Board to fine & order demo as recommended. CRA to be contacted for demo funding.
05/31/2011 03:34:47 PM	Strollo, Bill	05/31/2011	No change to boathouse. Mailbox secured with electrical tie to prohibit delivery of mail to that address.
05/18/2011 12:37:10 PM	Strollo, Bill	05/18/2011	Site inspection. Both RVs have been removed from this lot. For sale sign posted in front of property by fence. Pictures taken.
05/16/2011 09:12:13 AM	Strollo, Bill	05/16/2011	Review with Deanna. She processed lien for admin costs last week. She will check with Finance to confirm same has been recorded with County. Advised Gatton selling property.
05/16/2011 09:07:10 AM	Strollo, Bill	05/16/2011	T. From Peggy Case. Gatton removed the mobile homes from his property. He parked one of them on the vacant lot adjacent to his property, and parked his mobile home on a lot in Jet Park. Peggy claims Gatton left at 4:00pm on May 14, 2011 & advised neighbors he would not return. Also reportedly advised others in neighborhood that City would not allow him to rebuild the boathouse.
05/13/2011 02:50:58 PM	Strollo, Bill	05/13/2011	T. To Peggy Case, 721-8284. Gatton has posted for sale sign on property, and has been removing his personal property. She was advised he has not contacted the Building Department, but that two interested buyers spoke to Roger, who advised them that structure must be demolished or re-built.
05/13/2011 02:47:57 PM	Strollo, Bill	05/13/2011	VM from Peggy Case.
05/12/2011 10:36:53 AM	Strollo, Bill	05/12/2011	No change to structure.
05/12/2011 10:36:34 AM	Strollo, Bill	05/12/2011	With neighbor, Peggy Case. She stated Gatton left with wood he had stored in shed. No construction activity, but contractor on site twice yesterday reviewing condition of boathouse with owner.
05/12/2011 10:33:52 AM	Strollo, Bill	05/12/2011	With neighbor, George Powers. Inquiring re. status. Advised of CEB referral & potential fines for non-compliance. George stated Gatton just left with load of wood.
05/12/2011 09:53:14 AM	Strollo, Bill	05/12/2011	ADG review. No new permits issued for this property.
05/11/2011 08:43:43 AM	Strollo, Bill	05/11/2011	T. From neighbor, Peggy Case. Gatton arrived yesterday with his cousin. She will advise regarding any activity at site.
05/04/2011 09:21:41 AM	Strollo, Bill	05/04/2011	Red Mercedes 560SL convertible parked in front of property & gate open. However, no activity noted; no change in condition of building.
05/04/2011 08:31:16 AM	Strollo, Bill	05/04/2011	ADG review. No additional permits issued for this property.
04/25/2011 12:56:14 PM	Strollo, Bill	04/25/2011	Site visit. No change/no activity. ADG check - no permits issued after roof demolition.
04/21/2011 11:08:09 AM	Strollo, Bill	04/21/2011	Site visit. No change, no activity.
04/18/2011 11:42:37 AM	Strollo, Bill	04/18/2011	With neighbor. She reports last week three engineers inspected property.
04/18/2011 11:34:50 AM	Strollo, Bill	04/18/2011	No change in condition of property; no activity; does not appear that Gatton or mfamily have returned to this location.
04/11/2011 11:38:47 AM	Strollo, Bill	04/11/2011	Site inspection. No change to building/no activity.



04/07/2011 12:30:16 PM	Strollo, Bill	04/07/2011	Received return receipt for certified copy of AO; signed April 4, 2011.
04/04/2011 11:29:40 AM	Strollo, Bill	04/04/2011	Pictures of posting on property.
04/04/2011 10:58:53 AM	Strollo, Bill	04/04/2011	AO posted @ CH & on property.
04/04/2011 10:58:32 AM	Strollo, Bill	04/04/2011	AO e-mailed & mailed to Mr. Domber by Deanna.
03/30/2011 02:02:30 PM	Strollo, Bill	03/30/2011	E-mail inquiry from Gattons' attorney, Harlan Domber, regarding last evenings CEB hearing. E-mail response advising of the results. Mr. Domber also advised a copy of the AO would be e-mailed to him & sent regular mail.
03/30/2011 08:42:06 AM	Strollo, Bill	03/30/2011	E-mail to Deanna requesting she forward copy of AO to Gatton's attorney, Harlan Domber, via e-mail & regular mail. CE to post AO on property & at CH.
03/30/2011 08:40:21 AM	Strollo, Bill	03/29/2011	CEB Hearing on case CEB 11-05. Read Mr. Domber's request for 90 day postponement. Objected to same stating damage due to neglect, Gatton advised of what was needed to secure permit by both Building & CE Departments, inadequate engineering report, ongoing problem since 2009, Gatton does not need to be present to rebuild or demo structure, hurricane season approaching. CEB elected to proceed with hearing. Peggy & Leo case also testified - claiming problem with this building since 2004 & Mrs. Gatton's surgery postponed. CEB found Gattons in violation of City codes and imposed \$388.20 in admin costs. Gattons have ten days to secure permit to repair or demo structure and thirty days thereafter to complete all work.
03/29/2011 11:20:10 AM	Strollo, Bill	03/29/2011	Site visit. No activity; no additional work on the boathouse. Area cleared of debris. Pictures taken. Pictures also taken from the Case's property.
03/28/2011 08:35:23 AM	Strollo, Bill	03/28/2011	E-mail response from Harlan Domber. He will encourage Mr. Gatton to have his engineer speak directly with the Building Official to determine the City's conditions for issuance of the requisite permits to restore the boathouse.
03/25/2011 09:46:25 AM	Strollo, Bill	03/25/2011	T. To Peggy Case who planned to attend this hearing; advised of requested postponement for 90 days. She stated Gatton's cousin left this morning but planned to return to help with the re-building. Cousin reportedly advised her that Mrs. Gatton's surgery has been postponed.
03/25/2011 09:24:42 AM	Strollo, Bill	03/25/2011	T. To Roger. Gatton advised a number of times that he needed engineering report on all of the structural elements of the building. He needed a report stating the building was structurally sound or what could be done to achieve that objective.
03/25/2011 09:22:48 AM	Strollo, Bill	03/25/2011	E-mail response to Mr. Domer with NOH attachment. Advised I will present his request for postponement to the CEB at the time of the hearing, but I will oppose it. Damage is due to neglect, Gatton did not submit the requisite documents to secure a building permit, and Gatton does not need to be here for the building to be brought into compliance. Hurricane season will arrive during the requested postponement.
03/24/2011 04:20:41 PM	Strollo, Bill	03/24/2011	Received request for postponement via Fax from Gatton's attorney, Harlan R. Domber. Requests a postponement of ninety days. Also requests second page of the NOH.
03/23/2011 09:41:46 AM	Strollo, Bill	03/23/2011	Point Paper for the CEB Hearing scheduled for March 29th prepared - CEB 11-05.
03/23/2011 09:40:47 AM	Strollo, Bill	03/23/2011	Property Appraiser & Tax Collector search. Gattons listed as owners.
03/22/2011 12:29:17 PM	Strollo, Bill	03/22/2011	Site inspection. No activity. No change to structure.
03/22/2011 12:28:50 PM	Strollo, Bill	03/22/2011	ADG check. Demo roofing still only permit issued for this site.
03/18/2011 01:41:25 PM	Strollo, Bill	03/18/2011	Site visit. No changes; no activity. Gatton's friend still present in RV parked on site.
03/17/2011 12:02:36 PM	Chapman, Whitney	03/17/2011	Received certified card for NOH back signed. Placed in file.
03/14/2011 11:57:18 AM	Strollo, Bill	03/14/2011	With Steve Gatton. NOH HD to Steve. Stated he already received it. Explained CEB Hearing scheduled for March 29th. Stated he has to return to Indiana for wife's surgery on Friday; also he is running out of his medications - stated he takes 22 perscriptions. Steve stated his attorney will represent his interests at this hearing. Told that Roger needs additional documentation from the engineer. Claims he went to Building Dept this AM, but Roger not in office. They will return today @ 12:30pm.
03/14/2011 10:45:11 AM	Strollo, Bill	03/14/2011	With Roger. He is expecting Gatton @ Building Department this AM. He submitted application for building repair, but permit will not be issued w/out additional documentation. Only partial engineering report - needs to address entire structure including other side of roof, concrete seawall repairs where building supported. Advised of scheduling case for CEB.
03/14/2011 08:48:58 AM	Strollo, Bill	03/14/2011	NOH posted @ CH.
03/14/2011 08:47:54 AM	Strollo, Bill	03/14/2011	ADG check. No permits issued after roof demolition.
03/11/2011 04:20:04 PM	Strollo, Bill	03/11/2011	Site inspection. No change from last visit. Gatton's brother & brother-in-law still at this location.
03/11/2011 04:19:07 PM	Strollo, Bill	03/11/2011	NOH mailed certified & regular.

03/11/2011 03:01:08 PM	Strollo, Bill	03/11/2011	NOH Issued this date. Post @ CH & property Monday.
03/10/2011 02:09:56 PM	Chapman, Whitney	03/10/2011	Certified card returned signed by Linda Garron on 3/5/11.
03/10/2011 12:06:09 PM	Strollo, Bill	03/10/2011	E-mail to Deanna requesting to have this case scheduled before the March 29, 2011 CEB as case number CEB 11-05.
03/10/2011 12:05:00 PM	Strollo, Bill	03/10/2011	As per Gatton's brother, engineer who inspected building & who is providing engineering report is Luis A. Rosario, R & S Professional Engineering Services, (941) 755-7080.
03/10/2011 10:44:15 AM	Strollo, Bill	03/10/2011	T. To Peg Case. Advised of developments. She will continue observing operation.
03/10/2011 10:43:38 AM	Strollo, Bill	03/10/2011	Site inspection. One roof rafter has been installed. Pile of 2X6s and pile of plywood sheathing on site. Spoke to workers who were cutting rafters to size. Gatton's brother & brother-in-law claim to be journeymen carpenters from Indiana. The stated engineer checked building & plans to submit his engineering for the building permit today. Roger contacted to inspect building. Both individuals directed to cease all building activity. They are permitted to tie rafters together by 2X4s to temporarily stabilize roof, but they cannot add any more boards/lumber to the roof until a permit is issued. Advised citations would be issued if construction continues. Pictures taken.
03/10/2011 09:53:02 AM	Strollo, Bill	03/10/2011	VM from Peggy Case. Gatton received sheathing & trusses last night & has already begun installing them.
03/09/2011 11:03:47 AM	Strollo, Bill	03/09/2011	VM from Peggy Case. Workers, who must be friends of Gatton because they stayed overnight, removed rotted rafter - did not replace it. They are now working on removing piece of concrete from seawall; drilling into it. Update.
03/08/2011 04:19:06 PM	Strollo, Bill	03/08/2011	T. From Peggy Case. Gatton has two men working on roof; tore off all of the old debris. They are now waiting for Gatton to return. Advised nothing has changed regarding obtaining permits, total demo or rebuild.
03/04/2011 01:56:02 PM	Strollo, Bill	03/04/2011	T. To Peggy Case. Advised of NOV, ten days to obtain complete demo or rebuild permit. Advised Gatton probably would be scheduled for the March CEB Hearings.
03/04/2011 11:56:39 AM	Strollo, Bill	03/04/2011	Site visit. More of roof & sub-roof removed. Posted NOV has been removed.
03/04/2011 11:55:38 AM	Strollo, Bill	03/04/2011	VM from Peggy Case requesting return call.
03/01/2011 03:03:25 PM	Chapman, Whitney	03/01/2011	NOV mailed cert. & reg. to Indiana address of owners. NOV mailed reg. service to local address of property.
03/01/2011 12:15:57 PM	Strollo, Bill	03/01/2011	NOV posted on property & at CH. Pictures taken.
03/01/2011 11:53:24 AM	Strollo, Bill	03/01/2011	Site visit. No one present at the boathouse for intended HD of NOV. Dog present in RV; post property & CH with NOV.
03/01/2011 11:52:11 AM	Strollo, Bill	03/01/2011	Property Appraiser & Tax Collector search by Whitney. NOV issued - secure permit to repair or demo w/in ten days. Complete work w/in thirty days. Certified & regular copies to address of record in Indiana. Copy to be mailed to location of violation/boathouse.
03/01/2011 10:47:04 AM	Chapman, Whitney	03/01/2011	Peggy Case CH spoke w/ Bill. Told she met w/ Roger regarding Gatton tarping the roof and worried that it won't hold up in hurricane season. Roger referred her to Bill. Bill is going to have Roger pull the permit on the basis that he can't just repair the roof. He must demo the entire structure or complete all repairs needed to make it structurally sound. Issuing NOV for demo/repairs only.
02/23/2011 02:23:50 PM	Strollo, Bill	02/23/2011	Pictures in the 2008 file involved installation of a boat lift. Pictures of March 2009 & current pictures involve deteriorated roof. Roof pictures e-mailed to Peggy Case at her request.
02/23/2011 02:12:15 PM	Strollo, Bill	02/23/2011	T. From Peggy Case; requests public access for records of current CE case plus pictures from the roof damage in 2008 & current pictures. Advised pictures will be e-mailed to her @ pj10case@yahoo.com. I will drop off current case history on CE 11-58. Peggy state he has 15 bags of sacrete & Gatton will be repairing seawall this weekend. Also has lumber on property to repair roof. Advised permit only good for demolition of roof; tarp to cover roof would not require a permit. Ms. Case had additional questions & was referred to the Building Department for answers.
02/14/2011 04:04:34 PM	Strollo, Bill	02/14/2011	With Mr. Gatton working on his RV. States he will tear out the rotten wood and place tarp over structure; must return to Indiana for wife's next series of surgeries. States he is receiving estimates from several builders who state boat house may be restored. Told Building Department will require engineering report before permits issued. Tarp will only be temporary because he intends to fully repair boat house.
02/14/2011 12:20:28 PM	Strollo, Bill	02/14/2011	T. From Phil Hoffmann. Gatton working on rebuilding boat house all weekend.
02/14/2011 08:29:59 AM	Strollo, Bill	02/11/2011	E-mail from Bryce. Demolition permit issued for roofing on Feb. 9, 2011. Copy of permit 110104 forwarded.
02/09/2011 04:12:48 PM	Chapman, Whitney	02/09/2011	No activity; no change.
02/07/2011 04:12:58 PM	Strollo, Bill	02/07/2011	T. Call to Peggy Case. No work being done, but owner & people going in & out of building. Advised engineering report needed before building Department will issue a permit. She will advise if

she notices any construction activity.

02/07/2011 04:08:39 PM	Strollo, Bill	02/07/2011	VM from Peggy Case inquiring regarding Gatton property; requests call @ 721-8284.
02/04/2011 02:52:58 PM	Chapman, Whitney	02/04/2011	No activity. No change to structure. Emailed Jim to request title search to prepare for demo.
02/02/2011 11:10:05 AM	Chapman, Whitney	02/02/2011	No activity. Gatton's RV, car, and two boat trailers in fence. Building in same condition.
02/03/2011 08:59:12 AM	Strollo, Bill	01/31/2011	T. from Phil Hoffmann, manager for Pegel Point. He stated Gatton has a number of people on the property checking the condition of the dock house. Phil advised permits required for any work at that location. Engineering report required by Building Department before they permit any repairs.
01/31/2011 10:14:33 AM	Strollo, Bill	01/31/2011	T. From Bryce. Gatton just left the Building Department; wanted a permit to repair his roof. Roger out of office & Bryce not familiar with situation. Told building condemned & Gatton must secure permits to repair or demolish the structure. Building Official advised CE that engineering report would be required before permit to repair is issued. Latest pictures of interior & placard forwarded to Bryce. He may delay Issuing permit pending Roger's return.
01/26/2011 04:30:36 PM	Chapman, Whitney	01/26/2011	Peggy Case also called to say there is an RV that was towed onto property. Heard they had electrical problems and Gatton told him that he could stay there. Told Mrs. Case to let us know if they are doing anything in the boat house because nobody is supposed to be using it.
01/26/2011 04:27:10 PM	Chapman, Whitney	01/26/2011	Another call from resident Dan Mobley (729-9080 or 812-4475) of Jet. Said boat house is a danger to residence and wants something done. Called and explained that property is condemned and we are in process.
01/26/2011 11:22:11 AM	Chapman, Whitney	01/26/2011	Property has further damage due to last nights severe weather. Pics taken. Spoke to Case re: case again.
01/26/2011 08:25:30 AM	Chapman, Whitney	01/26/2011	Mailed notice to owner requesting demo or repairs w/in 30 days due to condemnation.
01/24/2011 10:46:33 AM	Strollo, Bill	01/24/2011	With the Cases'. Advised building condemned. No work should be done on the property w/out first obtaining a permit.
01/24/2011 10:45:17 AM	Strollo, Bill	01/24/2011	With owner's sister-in-law. She has contacted owner, and he is leaving for Florida on Jan. 27th. Sister-in-law advised repairs needed immediately; do not wait for notices from CE or Building Dept.
01/24/2011 10:43:09 AM	Strollo, Bill	01/24/2011	On site with Building Official. Boat house condemned by Roger. States roof trusses must be removed - deteriorated. Owner will need engineering report before permits issued to repair. Pictures taken.
01/20/2011 09:44:37 AM	Chapman, Whitney	01/20/2011	Spoke to Mrs. Case. Told her process for repair or replacement of shed roof. Also explained that we are going to try and have the Gatton boat house condemned and demolished. We will keep her informed on the progress of the case.
01/19/2011 04:22:43 PM	Chapman, Whitney	01/19/2011	Pics taken.
01/19/2011 04:21:39 PM	Chapman, Whitney	01/19/2011	Walked Case property and took pics of violations. Boat house is danger to neighbors. Dock and fence are falling down. Seawall is breaking apart. Case mentioned talking to a young man that is in touch with Gatton and that he doesn't have the money to come down this year. Case wants something in motion by months end otherwise she will hire an attorney, call 8 On Your Side and sue the City for not taking action on this property owner. She was very nice to me but very concerned and angry that he has "been allowed to get away with this". Case also stated that years ago, Roger Titus was going to buy Gatton's property from him but didn't and she can't help but think that was why Gatton has been allowed to slip through the system. Told her I would keep her updated on progress.
01/19/2011 02:33:06 PM	Chapman, Whitney	01/19/2011	Complaint from Peggy Case @ 721-8284. Neighbor of Mr. Gatton. Very upset that Mr. Gatton has not been forced to properly repair his boat house. The minor repairs he made to boat house are no longer in place. The materials from the roof are flying off and hitting her property. She is afraid someone will be injured by flying debris. She has numerous dated pictures showing structure and damage. Unpermitted fence on his property and she is very upset that he wasn't required to get a permit but the BD told them that a repair to their shed would require engineering report. Pictures of fence provided. Also complaining that the pine trees are ruining their chain fence. Told her if they are on her property they can cut them back. Told her I would come out and take pictures. Will advise Bill of issues and proceed with action against owner if deemed to be dangerous.

**History**

Entry Date	Employee	Description
		Change case note from: T. From Will Robinson, 748-0100. He represents Wayne Reikert who is in the process of purchasing this property; believes title will change hands next week. He stated he was aware that boathouse is demolished by Aug. 30th. Advised Superior Bank notified the City they would be unable to meet that deadline & forwarded that information via e-mail. City moving forward with immediate demolition through G&S Constructic requested copy of asbestos abatement assessment. to: T. From Will Robinson, 748-0100. He represents Wayne

07/29/2011 02:16:24 PM	Strollo, Bill	who is in the process of purchasing this property; believes title will change hands next week. He stated he was that boathouse must be demolished by Aug. 30th. Advised Superior Bank notified the City they would be unable to meet that deadline & forwarded that information via e-mail. City moving forward with immediate demolition through G&S Construction. Will request copy of asbestos abatement assessment. Inquired regarding reducing fine; as would have to be considered by the full City Commission.
07/12/2011 02:23:28 PM	Strollo, Bill	Change case note from: Received signed contract endorsed by Jeff Burton. Faxed contract to Environmental Safety. Received signed contract endorsed by Jeff Burton. Faxed contract to Environmental Safety.
06/21/2011 10:30:03 AM	Strollo, Bill	Change case note from: Review with Mayor Bryant. Advised of current developments Gatton/Superior Bank. CE will write to Superior Bank to confirm discussion of yesterday. to: Review with Mayor Bryant. Advised of current developments Gatton/Superior Bank. CE will write to Superior Bank to confirm discussion of yesterday. Mayor requested review of situation by CEB attorney.
01/19/2011 04:22:24 PM	Chapman, Whitney	Change case note from: Walked Case property and took pics of violations. Boat house is danger to neighbors. Dock and fence are falling down. Seawall is breaking apart. Case mentioned talking to a young man that is in touch with Gatton and that he doesn't have the money to come down this year. Case wants something in motion by month end otherwise she will hire an attorney, call 8 On Your Side and sue the City for not taking action on this property owner. She was very nice to me but very concerned and angry that he has "been allowed to get away with this". Case stated that years ago, Roger was going to buy Gatton's property from him but didn't and she can't help but think that was why Gatton has been allowed to slip through the system. Told her I would keep her updated on progress. Walked Case property and took pics of violations. Boat house is danger to neighbors. Dock and fence are falling apart. Case mentioned talking to a young man that is in touch with Gatton and that he doesn't have the money to come down this year. Case wants something in motion by month end otherwise she will hire an attorney, call 8 On Your Side and sue the City for not taking action on this property owner. She was very nice to me but very concerned and angry that he has "been allowed to get away with this". Case also stated that years ago Titus was going to buy Gatton's property from him but didn't and she can't help but think that was why Gatton has been allowed to slip through the system. Told her I would keep her updated on progress.

## Attachments

Date	Title	Description	Uploaded By	Upload Date	Inactive
03/04/2011	<b>NOV to Gatton</b>	Demolish completely or rebuild	Strollo, Bill	03/04/2011 01:41:07 PM	
Inactive photos are not included in Case Report					

## History

Entry Date	Employee	Description
03/04/2011 01:41:07 PM	Strollo, Bill	Case file titled 'NOV to Gatton' dated 2011-03-04 00:00:00 added.

## Forms

Select Form: --Select--

[Start Form](#)

## History

Link	Name	Generation Date	Generated By
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## Location

Validated: Yes ✓

Last Validated on: 2011-01-19 14:33:06

Address	APN	Additional Information	Census Tract	Block Group	LowModPct	CDRG Eligible	Property Type	Location Field(s)
221 3RD AVENUE DR W	3102900259		001300	1		NO	Residential	SPD: 1 WARDS: 3 CRA: TRUE
Palmetto FL 34221								

## Contacts

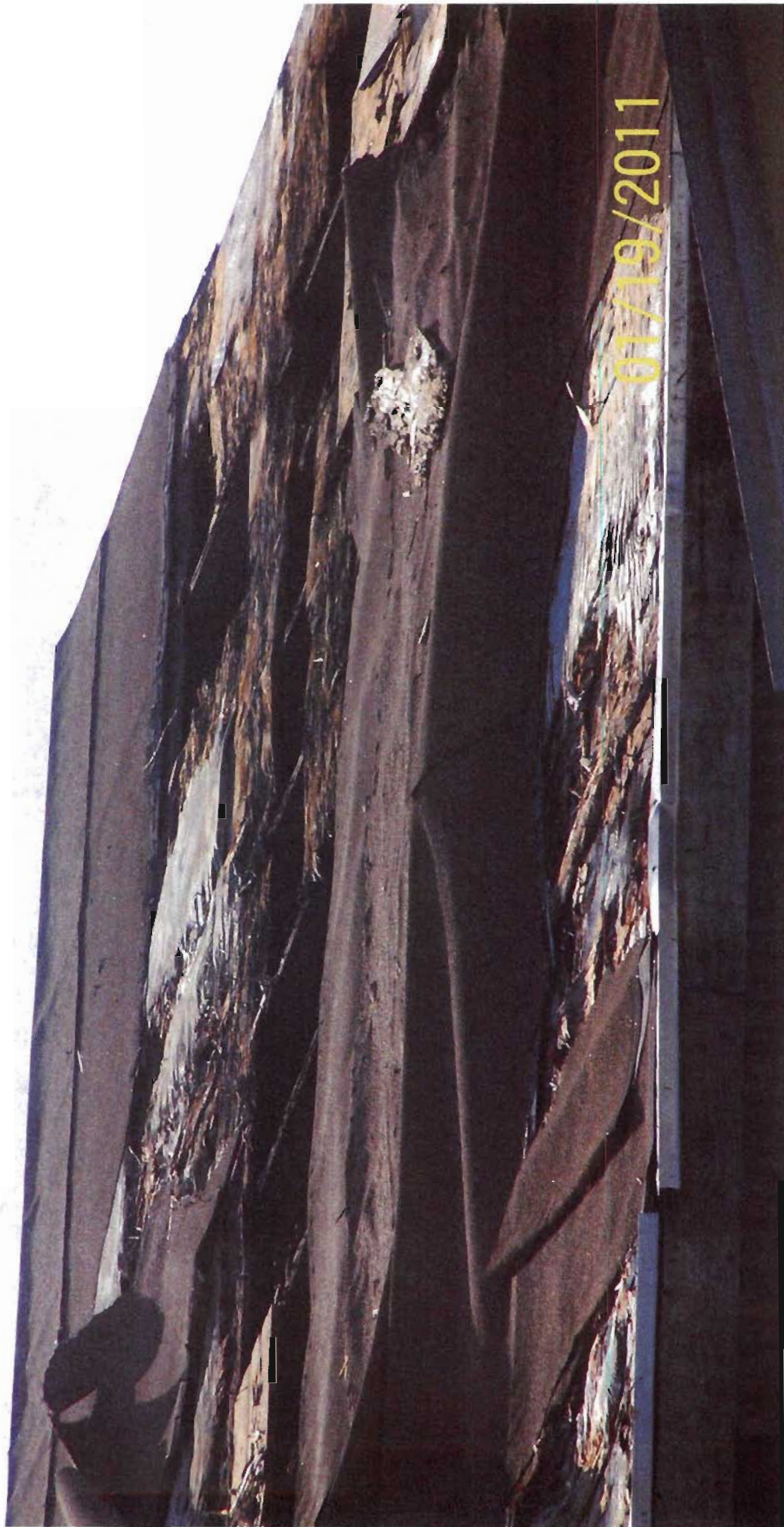
Initiation: Complaint

Contact Role	Name/Business	Address	Phone
Property Owner	<b>GATTON, STEVEN E. GATTON, LINDA L</b>	6880 E HARROLD RD CHURUBUSCO IN 46723	
Complainant	<b>Leo Case, Jr., Peggy Case</b>	329 4th Street West Palmetto FL 34221	Home: (941) 721-8284
Mortgage Company	<b>Superior Bank, NA, Ross Vollmer</b>	2207 Manatee Avenue West Bradenton FL 34205	Work: (941) 741-2096 Cell: (941) 726-1722 Fax: (941) 714-0812

## Time Tracking

CE Officer	Date	Hours
Strollo, Bill	09/14/2011	22.50
Chapman, Whitney	09/14/2011	0.50
Strollo, Bill	03/23/2011	8.33
Chapman, Whitney	03/23/2011	0.50
<b>Total</b>		<b>31.83</b>











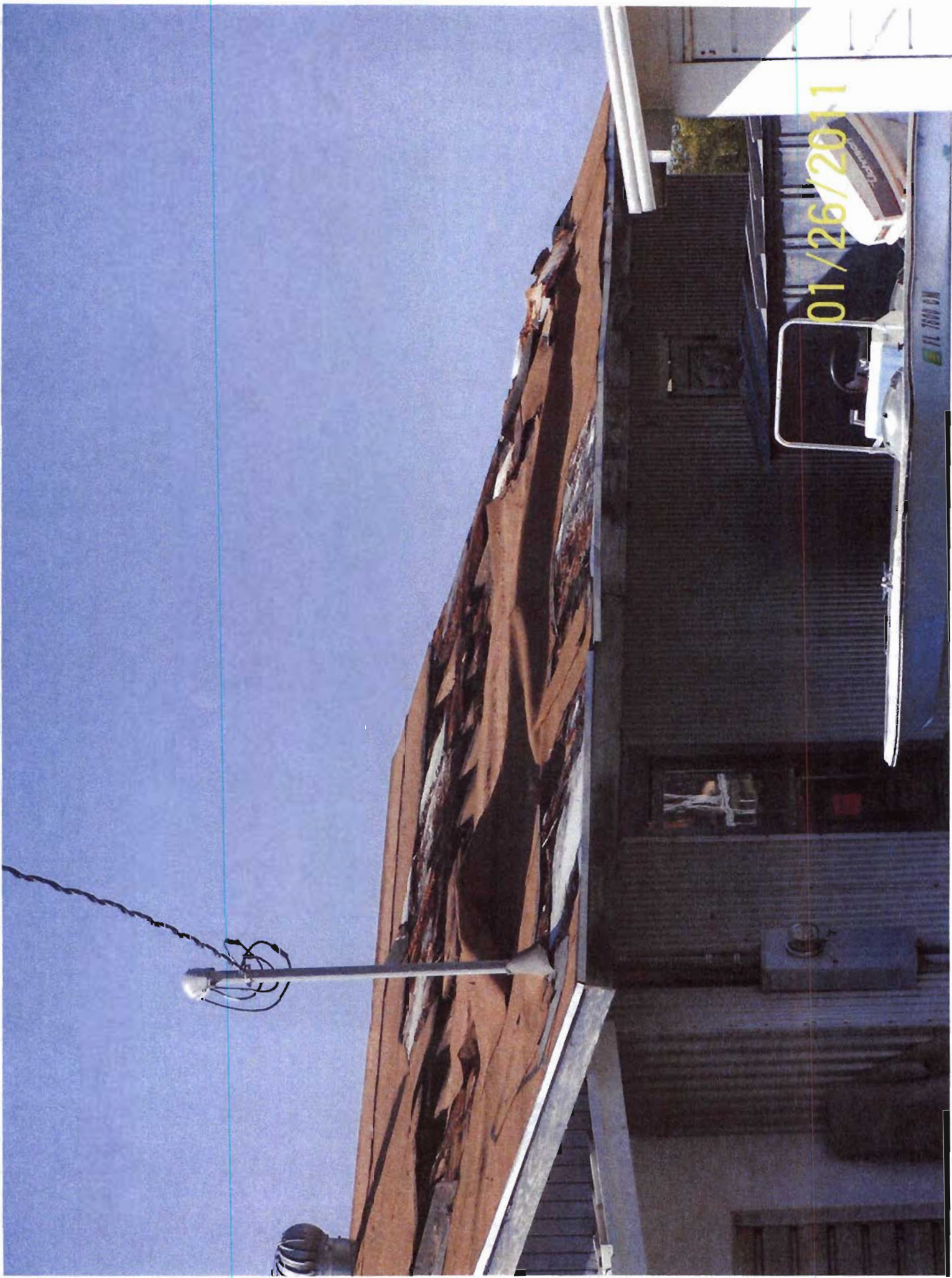
01/24/2011







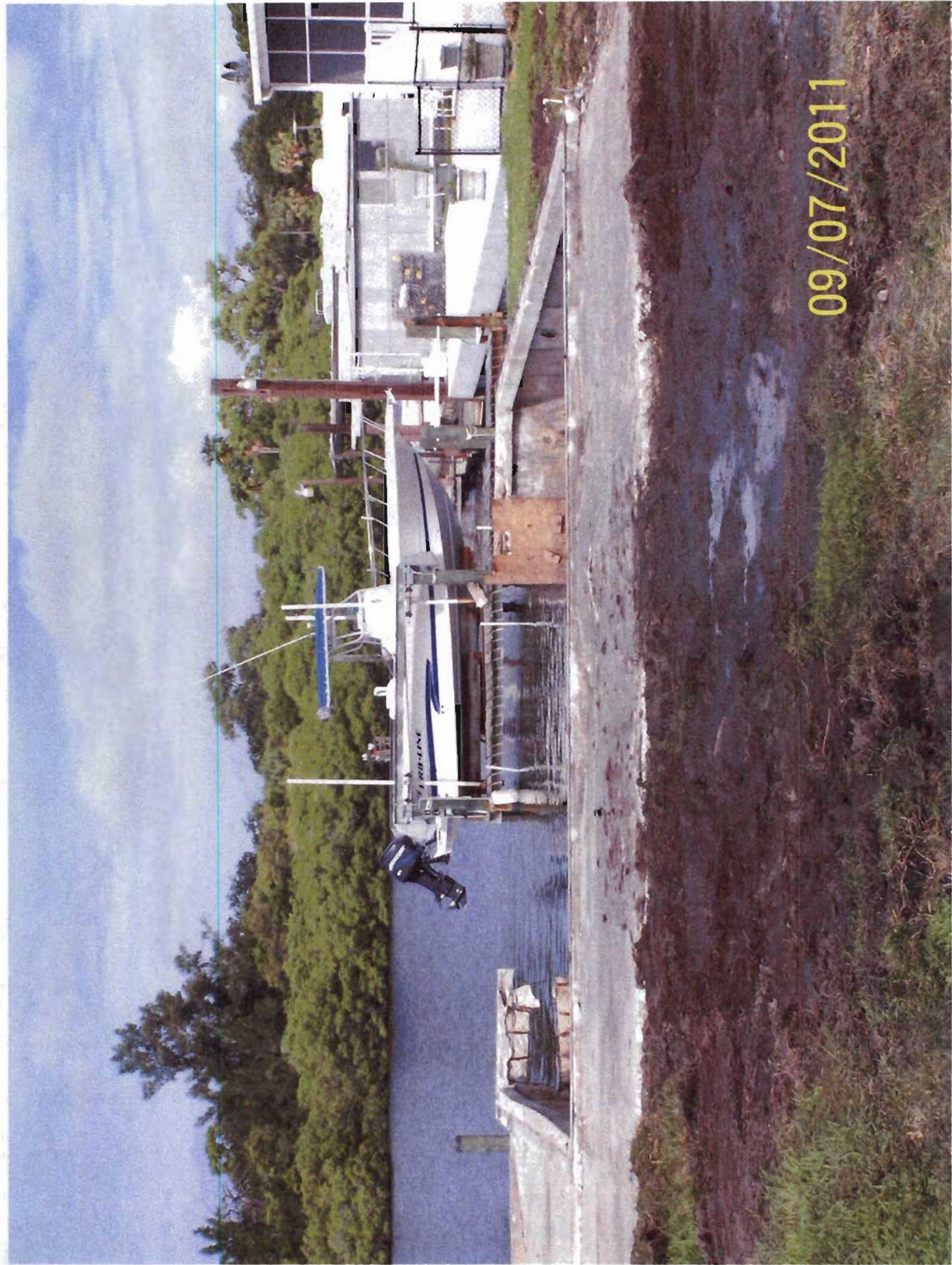






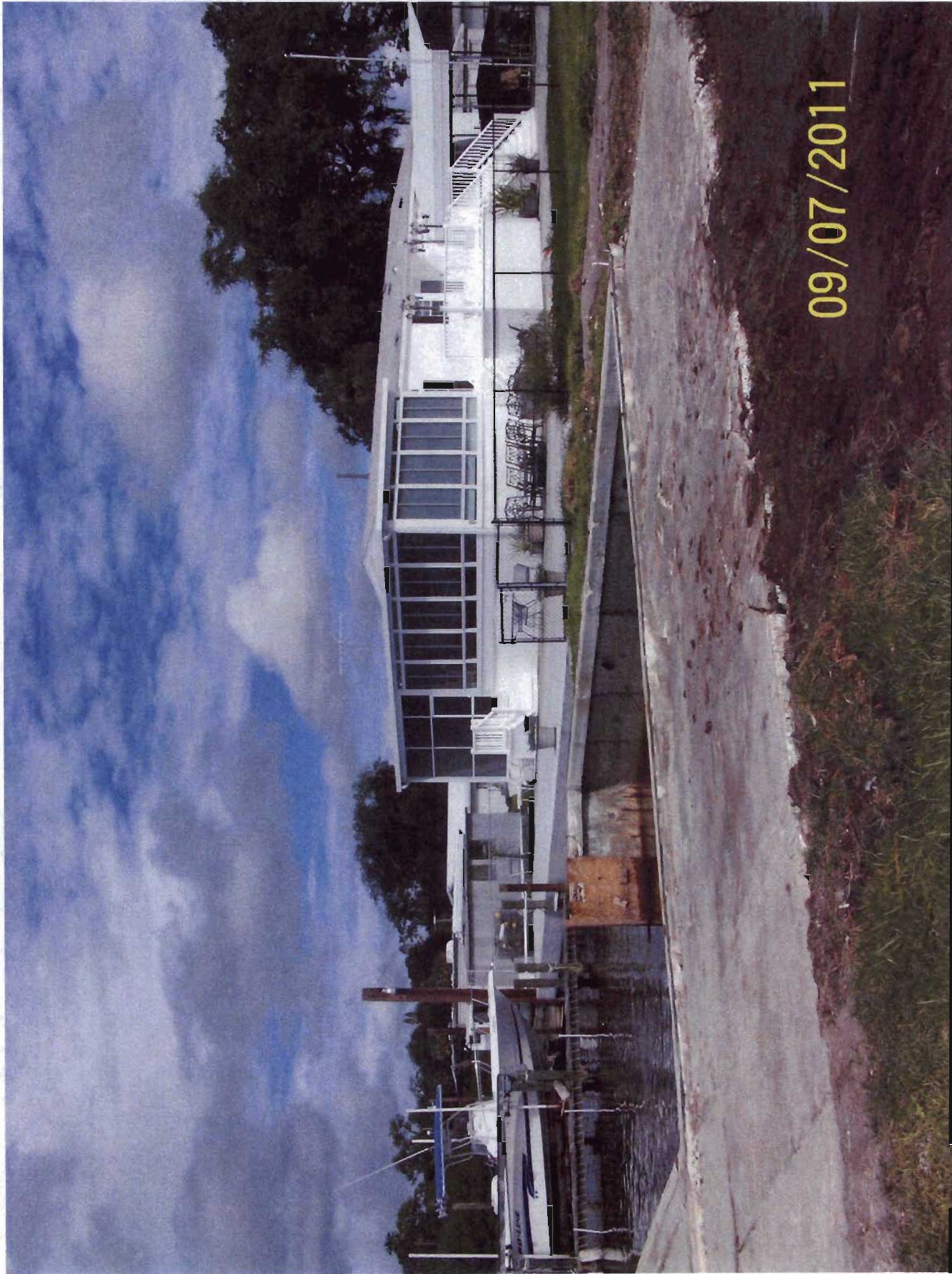






09/07/2011





09/07/2011