

**Minutes
Code Enforcement Board
August 26, 2008**

Board Members Present:

Charlie Leonard, Chair
Phil Hoffmann, Vice Chair
Scott Dougherty
Bob Rickey

Board Members Absent:

Jim Bailey

Staff and Others Present:

Bill Stollo, Code Enforcement Director
Whitney Ewing/Code Enforcement Officer
David Persson, Code Enforcement Board Attorney
Deanna Roberts, Clerk of the Board

Mr. Leonard called the meeting to order at 6:00 p.m. All persons testifying or wishing to address the Code Enforcement Board were sworn in.

1. APPROVAL OF AGENDA

MOTION: Mr. Hoffmann moved, Mr. Dougherty seconded and motion passed unanimously to approve the August 26, 2008 agenda.

2. APPROVAL OF CONSENT AGENDA

MOTION: Mr. Dougherty moved, Mr. Hoffmann seconded and motion passed unanimously to approve the August 26, 2008 Consent Agenda.

Mr. Stollo explained the new format for the agenda packages. They will now contain a copy of the Notice of Hearing and the codes relevant to the cases, but the Notice of Violation and the Point Paper will be handed out the night of the meeting. All evidence will be presented at the meeting. This will preclude any prejudging of the cases.

3. PUBLIC HEARINGS

A. Case No. 07-12 (Continued from September 25, 2007)

Doug R. Bloomer
Danette Kay Bloomer
2015 10th Street West
Palmetto, Florida 34221

Violation Location: 2015 10th Street West, Palmetto, Florida, 34221
Codes Violated: Palmetto Code of Ordinances, Chapter 16, Article II, Nuisances, Section 16-26, Section 16-26(2), Section 16-26(3), and Section 16-27(a) & (b); Chapter 7, Article XI, Minimum Maintenance Standards, Section 7-243(a); Appendix B, Zoning Code, Article III, Definitions, Section 3.2 and Article VI, Supplemental Regulations, Sec. 6.6. Screening of Open Storage, (a) & (b).

Violation Description: Debris and materials are accumulated in the front yard of this house. A refrigerator, debris and materials are stored in front of the garage doors. Grass and weeds are overgrown in the yards of this house.

Mr. Strollo reminded the Board that this case was heard on September 25, 2007, and the Board voted to continue this case pending any further violations. This property had been brought into compliance by the scheduled hearing date. Mr. Strollo asked that this case be closed. He has issued a new Notice of Violation to this Respondent to be presented to the Board this evening as Case No. 08-07

MOTION: Mr. Hoffmann moved, Mr. Dougherty seconded and motion passed unanimously to close Case No. 07-12.

Case No. 08-07

Danette Bloomer
P.O. Box 213
Palmetto, Florida 34221

Violation Location: 1016 11th Avenue West, Palmetto, Florida
Codes Violated Palmetto Code of Ordinances, Chapter 16, Article II, Nuisances, Section 16-26, Section 16-26(2), Section 16-26(3), and Section 16-27(a) & (b); and Chapter 7, Article XI, Minimum Maintenance Standards, Section 7-243(a).

Mr. Leonard opened the public hearing.

Mr. Strollo reminded the Board that Ms. Bloomer had been found in violation of City Codes at her home in two previous cases: CEB 07-01 and 07-12. The current case involves rental property owned by the Respondent. On July 30, the property at 1016 11th Avenue West was found to be overgrown and debris and materials were accumulated on the front porch of the house. A Notice of Violation was mailed on July 31 and a Notice of Hearing was mailed on August 6. Mr. Strollo presented proof of service for the record. Mrs. Bloomer contacted him on August 13 and informed him the house was in foreclosure. He advised her that the proceedings were still open, so she remains the owner of record. She agreed to bring the property into compliance and did so on August 14, 2008. He recommended that she be found in violation as a repeat violator and fined for the fourteen days the property was in violation.

Mrs. Bloomer addressed the Board. She reiterated that the property is in foreclosure; it is vacant and has been subject to vandalism. She agreed to continue the upkeep on this property and one other rental property in the City that she owns. She asked the Board for mercy.

Mr. Leonard closed the public hearing for deliberation.

MOTION: Mr. Dougherty moved, Mr. Hoffmann seconded and motion passed unanimously to find that the Respondent's property is overgrown with grass weeds and debris and materials are accumulated on the front porch of this house; to conclude as a matter of law that the Respondent is a repeat violator and has violated Sections of the Code of Ordinances of the City of Palmetto, Florida, as read into the record at the August 26, 2008, meeting of the Code Enforcement

Board; to forego a fine in this case; and, to authorize the Chairman of the Code Enforcement Board to sign the completed Administrative Order handed down by the Board at the August 26, 2008, meeting.

Case No. 08-06

Ezekiel Thomas Bonds
Mary Ellis Bonds
11650 Erie Road
Parrish, Florida 34219-8700

Violation Location: 507 14th Avenue West, Palmetto, Florida
Codes Violated: Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article II, Nuisances, Section 16-26, Section 16-26(3) and Sections 16-27(a) & (b); Chapter 7, Buildings and Building Regulations, Article XI, Minimum Maintenance Standards, Section 7-243(a).

The property has been brought into compliance and the Respondents' have provided Mr. Stollo with a maintenance schedule to keep the property up. In view of that, he withdrew the case.

Case No. 08-08

Ruth Russo
1809 9th Street West
Palmetto, Florida 34221

Violation Location: 1809 9th Street West, Palmetto, Florida
Codes Violated: Palmetto Code of Ordinances, Chapter 16, Article II, Nuisances, Section 16-26, Section 16-26(3), and Section 16-27(a) & (b); and Chapter 7, Article XI, Minimum Maintenance Standards, Section 7-243(a).

Mr. Leonard opened the public hearing.

Mr. Stollo told the Board that this property was the subject of Code Enforcement action on October 30, 2007 (CEB 07-14). The Respondent was found in violation and fined. The property was brought into compliance on April 28, 2008. Total costs and fines assessed totaled \$8,140.00 as of this meeting, not including monthly interest charges. A lien has been filed.

On August 8, 2008, a Notice of Violation was issued charging the Respondent as a repeat violator. The property was severely overgrown again. The front yard is now in compliance, but the back yard is still overgrown. Mr. Stollo recommends finding the Respondent in violation as a repeat violator and imposing a fine for the days the property was not in compliance.

Mr. Leonard closed the public hearing for deliberation.

MOTION: Mr. Hoffmann moved, Mr. Rickey seconded and motion passed unanimously to find as a matter of fact that the Respondent's property is overgrown with grass and weeds; to conclude as a matter of law that the Respondent is a repeat violator and has violated Sections of the Code of

Ordinances of the City of Palmetto, Florida, as read into the record at the August 26, 2008, meeting of the Code Enforcement Board; to impose a fine of \$100.00 per day commencing August 8, 2008, and continuing until the violation is corrected; and, to authorize the Chairman of the Code Enforcement Board to sign the completed Administrative Order handed down by the Board at the August 26, 2008, meeting.

4. OLD BUSINESS

Mr. Strollo updated the Board on some old cases.

CEB 07-11 Ewing/Babcock/Appeal of Order Imposing Fine

The Respondents appealed the fine to the City Commission. Due to noticing issues, Mr. Strollo recommended to the Commission that the costs and fines be waived. The Commission agreed.

CEB 06-09 Palmetto Palms Owners Association, Inc. /Report of Compliance

The fine imposed by the Board totaled over \$100,000. The City foreclosed on the property and the property now belongs to the City.

CEB 07-15 Genesis Development Partners, LLC/Report of Compliance

The City remedied the violation under the Nuisance Ordinance and liened the property for costs. The City resolved the safety issues: the exposed, polluted pool and the burnt out apartment. Genesis is being fined \$250.00 per day beginning in January. The remaining minor issues were resolved by Genesis and the property is now in compliance. At a meeting with the Respondents and the Public Works Director, Mr. Strollo agreed to show the property in compliance effective the date the City took action which meant the compliance date would be backdated about three months; nevertheless, the accrued fine still stands at about \$18,000. The mortgage company will put that amount in escrow and the City should be able to recover the fine money and the costs for curing the violation.

CEB 08-03 Consortium Waterfront Properties, Inc./Report of Compliance

The Respondent has obtained a permit and commenced construction on the house effective August 20, 2008. The fine stops that date, but interest continues to accrue.

The Board asked for an update on Bella Tramonto. Mr. Strollo said the property has been cleared, but the trailer is still on the property. Bella Tramonto is currently under a bank foreclosure.

5. NEW BUSINESS

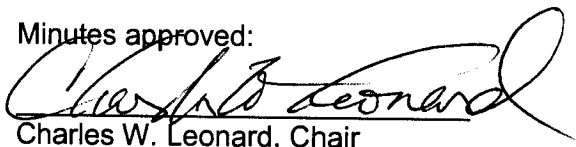
Workshop for Code Enforcement Board Members Report – Phil Hoffmann

Mr. Hoffmann found the workshop informative and interesting. He brought back copies of the workshop and Florida Statute 162 for the Board members. If the opportunity is available next year, he recommends that another Board member attend.

MOTION: Mr. Hoffmann moved, Mr. Dougherty seconded and motion passed unanimously to adjourn the meeting.

The meeting was adjourned at 7:10 p.m.

Minutes approved:



Charles W. Leonard, Chair