

**MINUTES
CODE ENFORCEMENT BOARD
April 28, 2009**

Board Members Present:

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

Staff and Others Present:

Bill Stollo, Code Enforcement Director
Whitney Ewing, Code Enforcement Officer
David Persson, Code Enforcement Board Attorney
Deanna Roberts, Administrative Assistant

Mr. Leonard called the meeting to order at 6:02 pm. All persons testifying or wishing to address the Code Enforcement Board were sworn in.

1. APPROVAL OF AGENDA

MOTION: Mr. Rickey moved, Mr. Hoffmann seconded and motion carried unanimously to approve the April 28, 2009 agenda.

2. APPROVAL OF CONSENT AGENDA

A. Expenses: Code Enforcement Board legal expenses through March 2009.
B. Minutes: March 31, 2009

MOTION: Mr. Rickey moved, Mr. Hoffmann seconded and motion carried unanimously to approve the April 28, 2009 Consent Agenda.

3. PUBLIC HEARINGS

Case No. 09-04

Timothy M. Carroll
Lucy M. Carroll
1102 23rd Ave. W.
Palmetto, FL 34221

Violation Location: 1102 23rd Ave. W., Palmetto, FL 34221
Codes Violated: Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article 11 Nuisances, Section 16-26, Section 16-26(4), and Section 16-27(a), (b) & (c), Chapter 7, Buildings and Building Regulations, Article VIII, Fences, Section 7-182(g)(1), Article XI, Minimum Maintenance Standards and Guidelines, Section 7-242(a).

Mr. Leonard opened the public hearing.

Mr. Stollo reviewed the case for the Board. It was heard by the Board at the last hearing on March 31, 2009. An Administrative Order was issued by the Board finding the Respondents in violation of the City Code of Ordinances and given them until April 20, 2009 to correct the violation. The case was scheduled for tonight's hearing to determine if the violation had been corrected and to consider administrative costs. He informed the Board he issued a Report of Compliance effective April 1, 2009, and he recommended that costs not be assessed. Case closed.

B. Case No. 09-07

(TAB 3)

Albert E. Hobbs, Jr.
Kimberly Hobbs
1207 23rd Avenue West
Palmetto, Florida 34221

Violation Location: 1207 23rd Avenue West, Palmetto, Florida
Codes Violated: Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26, (1), (2), (3), & (4), and Section 16-27(a), (b), & (c), Chapter 7, Buildings and Building Regulations, Article XI, Minimum Maintenance Standards and Guidelines, Section 7-237 (a)(2), Building abutting streets or public areas. Section 7-242 (a) Requirements for structures. Section 7-252(a) Removal of graffiti:

Mr. Leonard opened the public hearing. Mr. Strollo informed the Board that the house had been in foreclosure, but the case was dismissed. The property is vacant. A Notice of Violation was issued on February 17, 2009, citing overgrown property, garbage and debris in the yard, yard waste in the back yard, stagnant water in a pond and graffiti on the walls of a deteriorating shed in the rear. As of Monday, April 27, the property remained unchanged. He recommended the Respondents be found in violation of the Code of Ordinances, directed to bring the property into compliance within ten days, and that costs in the amount of \$265.00 be assessed. He submitted a log of time spent on the case.

MOTION: Mr. Hoffmann moved, Mr. Rickey seconded and motion carried unanimously to:

Find as a matter of fact that:

- **The water feature at the front of the home is full of stagnant water and is breeding mosquitoes**
- **There is trash and debris scattered all over the property.**
- **The back yard at the fence line is overgrown and full of weeds.**
- **The shed is not structurally sound. The roof of the shed is caving in.**
- **The north side of the home has accumulated mildew on the siding.**
- **There is graffiti painted on the dilapidated shed in the back yard.**

To conclude as a matter of law that the Respondent has violated Sections of the Code of Ordinances of the City of Palmetto, Florida, as read into the record at the April 28, 2009, meeting of the Code Enforcement Board; and

To order that the Respondent shall comply with the City Code of Ordinances by correcting the violation within ten days of this hearing, or by May 8, 2009. Failure to correct the violation in the time specified may result in the imposition of a fine of up to \$250.00 per day for each day the violation continues past the date and time specified herein for corrective action; and

To assess administrative costs incurred by the City in the prosecution of the case in the amount of \$265.00, plus any applicable recording fees; and

To schedule a public hearing on May 26, 2009, at 6:00 p.m. to determine if the violation has been corrected; and

To authorize the chairman of the Code Enforcement Board to sign the completed Administrative Order handed down by the Board at the April 28, 2009 meeting.

(TAB 4)

C. Case No. 09-08

Juan Barrera Mendez
Augustina Morales Debarrerra
1210 Dr. Martin Luther King, Jr. Place
Palmetto, Florida 34221

Violation Location: 1210 Dr. Martin Luther King, Jr. Place
Codes Violated: Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article II
Nuisances, Section 16-26, Section 16-26 (12) and Section 16-27(a), (b), & (c);
Chapter 18 Junked, Wrecked, Abandoned Property, Section 18-1 and 18-3:

Mr. Strollo asked the Board to reschedule this case due to late notice.

MOTION: Mr. Hoffmann moved, Mr. Rickey seconded, and motion carried unanimously to reschedule the case to the next hearing.

4. Old Business

Case No. 08-12 Gordon

Overgrowth and yard waste were cleaned up, but the screens are still torn leaving the pool unprotected. The property manager for the mortgage company said they would repair the screens, but so far no action has been taken.

5. NEW BUSINESS

None.

6. PUBLIC COMMENTS

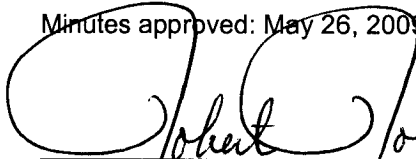
None

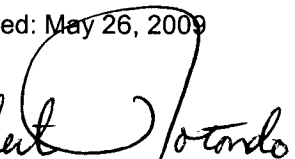
7. ADJOURNMENT

MOTION: Mr. Hoffmann moved, Mr. Rickey seconded, and motion carried unanimously to adjourn the meeting.

Meeting adjourned at 6:17 p.m.

Minutes approved: May 26, 2009


Charles W. Leonard, Chair


Robert Rotondo, Vice-Chair