

MINUTES
CODE ENFORCEMENT BOARD
April 26, 2011
6:00 p.m.

CODE ENFORCEMENT BOARD MEMBERS

CHARLIE LEONARD, CHAIR
ROBERT ROTONDO, VICE CHAIR
TOM DEVITO

PHIL HOFFMANN
ROSE QUIN-BARE
BOB RICKEY
ROBERT WESTBROOK

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

The Board Clerk announced that she is in receipt of signed Voting Conflict forms from Mr. Hoffmann and Mr. Devito who recused themselves from voting at the March 29, 2011 meeting.

1. APPROVAL OF AGENDA

MOTION: Mr. Hoffmann moved, Mr. Rickey seconded, and motion carried unanimously to approve the April 26, 2011 Agenda.

2. CONSENT AGENDA

- A. Expenses: Code Enforcement Board legal expenses through March 2011.
- B. Minutes: March 29, 2011.

MOTION: Mr. Hoffmann moved, Mr. Rickey seconded, and motion carried unanimously to approve the April 26, 2011 Consent Agenda.

3. PUBLIC HEARINGS

Case No. 11-07 was moved up on the agenda as Mr. Dunbar was present for the meeting.

C. Case No. 11-07

Christopher Lee Dunbar
3008 16th Avenue East
Palmetto, Florida 34221

Violation Location: 214 12th Street West, Palmetto, Florida
Codes Violated: Palmetto Code of Ordinances, Chapter 7 Buildings And Building Regulations, Article VII Dangerous And Unsafe Buildings, Section 7-151, Section 7-153(a), (b1 through 7), & (c); Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26 (2), (3), (4), & (12) and Section 16-27(a), (b), & (c); Chapter 17, Housing, Article II, Housing Standards, Section 17-28 Palmetto Property Maintenance Code; Section 304 Exterior Structure; Section (304.1) General; Section (304.2) Protective Treatment; Section (304.7) Roofs & Drainage; Section (304.9) Overhang Extensions and Section (304.13) Window, Skylight, and Door Frames:

Code Enforcement Director Bill Strollo testified that his qualifications are on file with the Board secretary. He provided the Board with a history of the case. The house has been vacant for well over a year. A citizen complained of suspected drug activity. While meeting with the

complainant, Mr. Stollo observed debris and that the house was in need of maintenance. The suspected drug activity was referred to the Palmetto Police Department. On March 15, 2011, Building Official Roger Titus condemned the shed and said the house was structurally sound but in need of repair. A Notice of Violation was issued on March 16, 2011 and a Notice of Hearing was mailed on April 11, 2011. Significant progress has been noted on the property. The shed was dismantled, and debris has been removed and placed on the street for pickup.

The Respondent, Christopher Dunbar, 3008 16th Avenue East, Palmetto, Florida, was present for the meeting. He said he has begun working on the property. The shed has been torn down. A neighbor had removed the fence, and people started dumping on the lot. He plans to get a permit to continue the work on the roof. He just needs time to fix it up. Mr. Hoffmann asked him how much time he needed to complete the work. He said about two months. In answer to Mr. Hoffmann's question, he said there is no water and electric to the property currently.

Mrs. Quin-Bare commented that the current condition of the property is an invitation to vagrants. Mr. Stollo said he can mention it to the police department, and they can keep an eye on it. Mr. Dunbar said that family members and neighbors check on the property frequently.

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

MOTION: **Mr. Rickey moved, Mr. Hoffmann seconded, and motion carried unanimously to find the Respondent, Christopher Lee Dunbar, in violation of the City of Palmetto Code of Ordinances as they pertain to unfit or unsafe structures, nuisances and the Palmetto Property Maintenance Code; to direct the Respondent to correct the violation within sixty days, or by June 25, 2011; to consider the City's costs for processing this case in the amount of \$345.00, plus any applicable recording fees, at the June 28, 2011 meeting; and, to schedule a hearing for June 28, 2011, to determine if the violation has been corrected.**

A. Case No. 11-04

Daniel W. Lynch
Cynthia J. Lynch
316 Crescent Court East
Bradenton, Florida 34208-1736

Violation Location: 1405 11th 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, Requirements for Structures, Section 7-242(a):

Mr. Leonard opened the public hearing.

Mr. Stollo testified his qualifications are on file with the Board secretary. He presented a history of the case which was first heard on March 29, 2011. Mr. Lynch was directed to correct the violation by April 12, 2011. Administrative costs of \$428.20 were assessed. A foreclosure is still pending on the property. The unsafe pool was referred to Public Works and they sealed the gaps in the cage. Mosquito Control was contacted and treated the pool. Otherwise, there has been no improvement in the condition of the property. Mr. Stollo has contact with Wells Fargo

via email; they have received all notices for this case. The emails go to a property maintenance company hired by the bank. The bank does not yet own this property. There is major work remaining to upgrade the property.

Mr. Strollo testified that the Respondents missed the date certain of April 12, 2011 to correct the violation. He recommended a fine.

MOTION: Mr. Rickey moved, Mr. Westbrook seconded, and motion carried 6-0, with one abstention, to find that the Respondents are in violation of codes as noticed; that they did not correct the violation by April 12, 2011 as directed; thereby, the Board imposes a fine of \$250.00 per day commencing April 13, 2011 and continuing until the violation is corrected.

Mr. Devito recused himself from the vote. He has a Voting Conflict Form on file with the Clerk of the Board for this case which first came before the Board at the March 29, 2011 meeting.

B. Case No. 11-06

Stacey E. Stinton
Niel L. Stinton
1315 6th Street West
Palmetto, Florida 34221

Violation Location: 1315 6th Street West, Palmetto, Florida
Codes Violated: Appendix B, Zoning Code, Article III, Definitions, Section 3.2 and Article VI, Supplemental Regulations, Sec. 6.6 Screening of Open Storage, (a) & (b); Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26 (2) and Section 16-27(a), (b), & (c); Chapter 18 Junked, Wrecked, Abandoned Property, Section 18-1 and 18-3:

Mr. Strollo withdrew this case. The property owners have been cooperating.

4. OLD BUSINESS

Case No. 11- 05 Gatton/ Administrative Order and update from Director Bill Strollo

Mr. Strollo declined comment on the case as the Respondent was not noticed for tonight's meeting. The case will come back to the Board at the May 31, 2011 meeting.

5. NEW BUSINESS

Mr. Devito asked Mr. Persson to clarify whether or not Board members can bring violations to Mr. Strollo's attention. Mr. Persson said that you can report a property, but then you should recuse yourself from any vote on the issue.

6. PUBLIC COMMENTS

None

7. ADJOURNMENT

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

The meeting was adjourned at 6:55 p.m.

Minutes approved:

Charles W. Leonard

Charles W. Leonard, Chair