

CODE ENFORCEMENT BOARD

March 26, 2013

6:00 p.m.

Board Members Present:

Charlie Leonard, Chair
Robert Rotondo, Vice Chair
Phil Hoffmann
Rose Quin-Bare
Bob Rickey (entered at 6:12 p.m.)
Robert Westbrook

Staff Present:

Bill Strollo, Code Enforcement Director
David Persson, Code Enforcement Board Attorney
Deanna Roberts, Clerk of the Board

Mr. Leonard called the March 26, 2013 meeting to order at 6:02 p.m. A moment of silence was observed, followed by the Pledge of Allegiance.

The roll was called. Mr. Rickey was absent for the roll call, but entered at 6:12 p.m.

All persons intending to testify or speak before the Code Enforcement Board were duly sworn.

1. APPROVAL OF AGENDA

MOTION: Mrs. Quin-Bare moved, Mr. Hoffmann seconded, and the motion carried unanimously to approve the March 26, 2013 Agenda.

2. CONSENT AGENDA

A. Minutes: February 26, 2013
B. Legal expenses through February 2013

MOTION: Mr. Hoffmann moved, Mrs. Quin-Bare seconded, and the motion carried unanimously to approve the March 26, 2013 Consent Agenda.

3. PUBLIC HEARINGS

A. Case No. 13-01

Estate of Donald M. Poe
1213 5th Street West
Palmetto, Florida 34221

Violation Location: 1213 5th Street West, Palmetto, Florida

Codes Violated: Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26(4), 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 304.6 Exterior Walls; Section 308 Extermination, Section 308.1 Infestation:

Mr. Leonard opened the public hearing.

Code Enforcement Director Bill Strollo testified that he had been sworn and that his credentials are on file with the secretary to the Board. He reminded the Board that this is the second public hearing on this case. The owner of record, Donald Poe, is deceased. The house has been vacant since 2005 following a house fire and Mr. Poe's incarceration prior to his death. There is a reverse mortgage on the home, and the current mortgage holder is Champion Mortgage.

This matter first came to the Board on February 26, 2013, and the Board found the property was in a state of disrepair, requiring the expertise of certified contractors in the fields of carpentry and pest control. In addition, at the time of the last hearing, a tree was trimmed and all of the branches were piled up along the side of the house. Mr. Strollo issued a Notice of Sanitary Nuisance on March 5 and sent it to National Field Network, the property maintenance company. They did clear up the debris.

The property maintenance company also arranged for the fascia to be repaired. Mr. Strollo opined that the work was substandard and only partially in compliance. Not all the issues he cited were addressed. He does not feel they are in compliance. He stated that the bank [Champion] does not yet own the property.

A neighbor complained that the house caused an infestation of termites in his home.

Mr. Rickey entered the meeting.

Mr. Strollo said the tax assessor's website shows that all back taxes were paid by Seelink Reverse Mortgage.

In response to Mr. Rickey's question regarding the livability of the house, Mr. Strollo said the house is deteriorating due to termite damage, and the Building Department would have to have access to enter the home to determine if it is still habitable.

Mr. Strollo recommended a fine because the property is not in compliance. Mr. Rotondo asked what needed to be done to bring it into compliance. Mr. Strollo said it needs to be inspected and treated for termites so that it does not cause problems for surrounding homes.

Mr. Leonard closed the public hearing for deliberation by the Board. Following deliberation, he reopened the hearing to present the Board's findings.

MOTION: Mr. Rotondo moved, Mr. Hoffmann seconded, and motion carried 5-1 to find that the Respondent, Estate of Donald M. Poe, violated the Code of Ordinances as noticed; to find that the Respondent did not correct the violation within the date and time specified in the Administrative Order dated February 26, 2013; to require that the building be inspected within ten days by a Florida licensed termite inspector, and failing a clear termite report, to provide proof of treatment within thirty days; and, if the aforementioned action is not taken in the time specified, a fine of \$50.00 per day will be imposed commencing March 26, 2013, continuing until the violation is corrected. Mrs. Quin-Bare voted nay.

4. OLD BUSINESS

None

5. NEW BUSINESS

Mr. Strollo informed the Board that he is retiring on June 4. He thanked the Board for its support and encouragement over the years. The Board expressed disappointment but congratulated him on his retirement.

6. PUBLIC COMMENTS

None

7. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:51 p.m.

Minutes approved: April 30, 2013

Charles W. Leonard

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