

Minutes
CODE ENFORCEMENT BOARD
July 30, 2013

Board Members Present:

Charlie Leonard, Chair
Robert Rotondo, Vice Chair
Phil Hoffmann
Bob Rickey
Robert Westbrook

Board Members Absent:

William Price
Rose Quin-Bare

Staff Present:

Whitney Chapman, Code Enforcement Officer
Kelly Fernandez, Code Enforcement Board Attorney
Deanna Roberts, Clerk of the Board

Mr. Leonard called the July 30, 2013 meeting of the Code Enforcement Board to order at 6:01 p.m. A moment of silence was observed, followed by the Pledge of Allegiance. The roll was called. All persons wishing to testify or speak before the Board were duly sworn.

1. APPROVAL OF AGENDA

MOTION: Mr. Hoffmann moved, Mr. Rickey seconded, and the motion carried unanimously to approve the July 30, 2013 Agenda.

2. CONSENT AGENDA

- A. Minutes: May 28, 2013
- B. Legal expenses through May 2013

MOTION: Mr. Hoffmann moved, Mr. Rickey seconded, and the motion carried unanimously to approve the July 30, 2013 Consent Agenda.

3. PUBLIC HEARINGS

A. Case No. 13-03

Oscar Vela
Leticia Munivez Vela
1308 11th Avenue West
Palmetto, Florida 34221

Violation Location: 1308 11th Avenue West, Palmetto, Florida

Codes Violated: Palmetto Code of Ordinances, 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), (3) & (12), Section 16-27(a), (b), & (c).

Mr. Leonard opened the public hearing. Code Enforcement Officer Whitney Chapman testified she had been sworn prior to her testimony and that her credentials are on file with the Clerk of the Board.

Ms. Chapman briefed the Board on the history of this case. The property is in the foreclosure process but has been stalled due to Mr. Vela's declaration of bankruptcy. Code Enforcement action has been taken against the owners of this property on four separate occasions in 2009 and 2011 for overgrowth, open storage, abandoned vehicles, dilapidated fences and garbage and debris, with two hearings scheduled. Both were cancelled due to the property being brought into compliance.

A site inspection on May 28, 2013 revealed that the residential property was overgrown, there was open storage of personal belongings and garbage and debris in the front and side yards. The owners did not comply with a request to correct the violations. On June 5, 2013 a Notice of Violation was issued. As of June 17, 2013 the property remained in the same condition. A Notice of Hearing was sent on June 27, 2013 for a July 30, 2013 Code Enforcement Board hearing. A site visit on July 1, 2013 showed the property in compliance.

In response to Mr. Rotondo's question, Ms. Chapman stated that the property had not been posted with the Notice of Violation.

Ms. Chapman recommended that the Respondents be found in violation of the City's Code of Ordinances, and that the City's costs of \$325.00 for processing this case, plus any applicable recording fees, be assessed against the Respondents. She recommended notice through an Administrative Order that any subsequent violations would be treated as repeat violations.

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

MOTION: Mr. Rickey moved, Mr. Hoffmann seconded, and motion carried unanimously to find the Respondents, Oscar Vela and Leticia Munivez Vela, in violation of City of Palmetto Code of Ordinances; to find the property in compliance as of July 1, 2013; to notice the Respondents through an Administrative Order that any subsequent violations will be treated as repeat violations, subject to a fine not-to-exceed \$500.00 per day; and, to waive costs incurred in the processing of this case in the amount of \$325.00, at this time.

4. OLD BUSINESS

None

5. NEW BUSINESS

Ms. Chapman informed the Board that Code Enforcement will now fall under the supervision of the Deputy Director of Public Works Javier Vargas. The hours of operation at this time are 8:00 – 5:00 p.m. Monday through Friday. The search for a new Code Enforcement officer continues. Applications are still being accepted.

6. PUBLIC COMMENTS

None

7. ADJOURNMENT

The meeting was adjourned at 6:29 p.m.

Minutes approved: February 25, 2014

Charles W. Leonard

Charles W. Leonard, Chair