

MINUTES
CODE ENFORCEMENT BOARD
April 25, 2017
6:00 p.m.

Code Enforcement Board Members Present:

Charlie Leonard, Chair
Robert Rotondo, Vice Chair
Bradley Bowermaster
Travis Longpre
Joe Tanner
Robert Westbrook

Staff Present

Regina Kardash, Attorney for Code Enforcement Board
Kathy Riley, Code Enforcement Officer
Penny Johnston, Executive Assistant

Chairman Charlie Leonard called the meeting to order at 6:00 p.m., followed by a moment of silence and the Pledge of Allegiance. The roll was called showing Ms. Quin-Bare was absent from the meeting.

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

New Board member Bradley Bowermaster recited the oath of office into the record.

1. APPROVAL OF AGENDA

MOTION: Mr. Rotondo moved, Mr. Westbrook seconded, and the motion carried unanimously to approve the April 25, 2017 Agenda.

2. PUBLIC COMMENTS

none

3. CONSENT AGENDA

- A. Minutes: February 28, 2017 Code Enforcement Board
- B. Legal Expenses through March 2017

MOTION: Mr. Rotondo moved, Mr. Longpre seconded, and the motion carried unanimously to approve the April 25, 2017 Consent Agenda.

4. PUBLIC HEARINGS

A. Case No. 17-01

William L. Davis (Estate of)
c/o Terry Davis
P.O. Box 1535
Palmetto, Florida 34220-1535

Violation Location: 915 18th Avenue Drive West, Palmetto, Florida 34221

Codes Violated: Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26 (2, 3, & 12) and Section 16-27(a), (b), & (c); Chapter 18, Junked, Wrecked, Abandoned or Vacant Property, Article I- In General, Section 18.1, and Article X- Planned Development District Multi-Use (PD-MU), Sec. 10.3 (a,q), Permitted principal and accessory uses and structures and Appendix B- Zoning Code, Article III Definitions, Sec.3.2 Definition of Terms, Parking Accessory:

Code Enforcement Officer Kathy Riley testified that she had been sworn and that her credentials were on file with the Clerk of the Board. She presented a PowerPoint showing recent photos from March 28, 2017 compared to photos taken April 25, 2017. The presentation was attached to and has been made a part of these minutes. Terry Davis, 1600 1st Avenue West, Bradenton, FL is the daughter of property owner and realizes they are out of compliance and said they were very sorry. She stated the Davis family still intended to sell the lot, depending on the outcome of this meeting. Guy and Lisa Pessina, 4349 Pompano Lane, Palmetto, explained they were willing to buy the lot, but were unwilling to pay fees established prior to the sale. Mr. and Mrs. Pessina requested thirty (30) days from the sale of the property to clean the property, and assured the Board they would take full responsibility for cleaning the lot.

MOTION: Mr. Rotondo moved, Mr. Tanner seconded, and the motion carried unanimously to find the Respondent, William L. Davis (Estate of) represented by Terry Davis, still in violation of the City of Palmetto Code of Ordinances, as noticed; but to extend the date of compliance to May 30, 2017, reserving the right to impose administrative fees and costs.

B. Case No. 17-04

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

Violation Location: 1315 6th Street West, Palmetto, Florida 34221

Codes Violated: Palmetto Code of Ordinances, Chapter 6, Animals, Article I-In General, Section 6-3, Noisy Animals as a Nuisance, Chapter 6, Article II, Livestock and Fowl, Section 6-29, Sanitation of lots, stables, sheds and Section 6-31, Fowl; Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26 (2), 16-26 (3), 16-26 (8) and 16-26 (12) and Section 16-27(a), (b), & (c) Prohibition and Enforcement; Chapter 17 Housing, Article II, Housing Standards, Section 17-28, Palmetto Property Maintenance Code; Section 301.2 Responsibility, Section 302.1 Sanitation and Section 302.5 Rodent Control; Chapter 18, Junked, Wrecked, Abandoned or Vacant Property, Article I-In General, Section 18.1, Definitions; Appendix B, Zoning Codes, Article III, Supplemental Regulations Section 3.2 Definition of terms; Appendix B, Zoning Codes, Article VI, Supplemental Regulations Section 6.5, Parking of recreational vehicles, Appendix B, Zoning Codes, Article VI, Supplemental Regulations Section 6.8 Accessory structures and Florida Building Code 5th Edition (2014) Building- Chapter 1, Scope and Administration, Part 1, Scope and Application Section 105 Permits, A-105.1 Required:

Code Enforcement Officer Kathy Riley submitted a PowerPoint presentation which was attached to and has been made a part of these minutes. Mrs. Riley stated Ms. Stinton met with Code Enforcement on April 12, 2017 to confirm the carport was in compliance; turkeys were still a nuisance; the small car needed to be registered; the motorhome needed to be removed; and Ms. Stinton still needed to contact Mr. Mazzei, the Building Official to address the multiple accessory structures in the backyard. Stacey Stinton spoke of the difficulty to remove the large items. Ms. Stinton displayed pictures of items that had been removed, which were attached to

and made a part of these minutes. She stated she would travel to Georgia after the car and motor home were removed. She confirmed the lawn would be maintained during her absence. Ms. Stinton agreed to meet with Mr. Neil Mazzei, the City Building Official. Mr. Rotondo stated the Respondent needed to address issues with the car, motor home, wood pile, and turkey plus meet with the Building Official. Board suggested they review this case monthly, expecting routine lawn maintenance until she returns in October.

MOTION: Mr. Rotondo moved, Mr. Tanner seconded, and the motion carried unanimously to continue this case to May 30, 2017 with the understanding that Ms. Stinton will have the Chevy removed, the motorhome removed, the wood pile removed, turkeys removed, and have a meeting with the Building Official to discuss unpermitted structures.

5. OLD BUSINESS

Case Number: CEB16-02 Sarasota Investment Trust/ Order Imposing Fine

Code Enforcement Officer Riley stated the property was still out of compliance. The bus was still on the property; the skateboard ramp was down but the wood was still on the property; items that were supposed to be removed were still behind the fence near 4th Street and piled near the hairdresser's business on 10th Avenue. Mrs. Riley said the foreclosure process was reopened to include a small additional property. Attorney Kardash mentioned the only issues included in the foreclosure action would be items actually ordered by the Code Enforcement Board. Mrs. Kardash opined that the City may have failed to defend the lien during the original foreclosure action, but several factors would need to be reviewed.

6. NEW BUSINESS

None

Chairman Leonard adjourned the meeting at 7:41 p.m.

Minutes approved:

Charles W. Leonard

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