

MINUTES
CODE ENFORCEMENT BOARD
August 29, 2017
6:00 p.m.

Code Enforcement Board Members Present:

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

Staff Present:

Kelly Fernandez, Attorney for Code Enforcement Board
Daniel Bull, Code Enforcement Officer
Kathy Riley, Code Enforcement Officer
Penny Johnston, Executive Assistant

Chairman Charlie Leonard called the meeting to order at 6:01 p.m. The roll was called showing Ms. Quin-Bare and Mr. Bowermaster were absent from the meeting. Chairman Leonard called for a moment of silence, followed by the Pledge of Allegiance.

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

1. APPROVAL OF AGENDA

MOTION: Mr. Tanner moved, Mr. Longpre seconded, and the motion carried unanimously to approve the August 29, 2017 Agenda.

2. CONSENT AGENDA

- A. Minutes: July 25, 2017
- B. Legal Expenses – August 1, 2017

MOTION: Mr. Rotondo moved, Mr. Westbrook seconded, and the motion carried unanimously to approve the August 29, 2017 Consent Agenda.

3. PUBLIC HEARINGS

A. Case No. 17-06

Palmetto Property Ventures LLC
3339 West Kennedy Boulevard
Tampa, FL 33609

Violation Location: 449 10th Avenue West, Palmetto, FL 34221
Codes Violated: Chapter 10, Section 10.114 (a) – Permits Required; Florida Building Code 5th Edition (2014) Building - Chapter 1, Scope and Administration, Part 1, Scope and Application- Section 105 Permits, A-105.1.

Attorney Fernandez pointed out that an Administrative Order was inadvertently entered prior to the Board hearing the case.

MOTION: Mr. Rotondo moved, Mr. Tanner seconded, and the motion carried unanimously to rescind the Administrative Order on Case No. 17-06.

Code Enforcement Officer Kathy Riley submitted photographs taken 8/25/17 from the same angle as the original 7/15/2015 photo showing the air conditioner unit had been moved and was currently visible from the roof line. She noted a meeting was held 8/16/17 with Eric Griffin, Attorney Michael Valen, City Planner Karla Owens, Building Official Robert Welch and Code Enforcement Officer Riley regarding what needed to be done for the property to come into compliance. Mrs. Riley stated a permit application was faxed at 3:50 p.m. August 29th, 2017 to the Public Works Department, but payment had not been received for the permit, work had not been completed, nor had it passed final inspection. Mrs. Riley stated the Respondent was still in violation but working to move the unit ten (10) feet and lower it, in order to come into compliance.

MOTION: Mr. Tanner moved, Mr. Longpre seconded, and the motion carried unanimously that based on the sworn testimony and evidence presented, the Board finds the Respondent in violation of Chapter 10, Section 10.114(a)- Permits Required, Florida Building Code 5th Edition (2014) Building Chapter 1, Scope and Administration, Part 1, Scope and Application- Section 105 Permits, A-105.1 of the City Code of Ordinances, and that the Respondent be given until September 26, 2017 to correct the listed violations.

B. Case No. 17-08
Cynthia Rae Woodall
507 12th Street West
Palmetto, FL 34221

Violation Location: 507 12th Street West, Palmetto, FL 34221
Codes Violated: Chapter 16, Section 16.26(2) - Accumulation of Garbage

Code Enforcement Officer Riley spoke to DiDi Hager from Habitat for Humanity. Ms. Hager stated Habitat does not lawfully own the property and was not interested in a deed in lieu. Mrs. Riley noted the lawn was cut but trash and hot tub were still on property. She also noted a Lis Pendens had been filed 10/14/2016.

MOTION: Mr. Rotondo moved, Mr. Tanner seconded, and the motion carried unanimously that based on the sworn testimony and evidence presented, the Board finds the Respondent has not brought the property into compliance in accordance with the previous order entered by this Board on July 25, 2017. A fine is hereby imposed in the amount of \$10.00 per day beginning August 29, 2017 and terminating on the day the property is found to be in compliance by the Code Enforcement inspector. Administrative costs incurred in the processing of the case in the amount of \$314.60 will be assessed. A certified copy of this order shall be recorded in the Public Records of Manatee County, and thereafter shall constitute a lien against the property and upon any other real or personal property owned by the Respondent.

C. Case No. 17-09

June M. Adams
P.O. Box 1903
Palmetto, FL 34220-1903

Violation Location: 301 14th Street West, Palmetto, FL 34221
Codes Violated: Chapter 18, Section 18.1 - Junked, Wrecked, Abandoned Property

Code Enforcement Officer Riley stated a wrecked 2004 GMC needed to be registered or removed by August 15, 2017. As of August 16th, the car was still on the property, disassembled and unregistered. At a second site visit August 21, 2017, the car had been removed.

MOTION: Mr. Tanner moved, Mr. Rotondo seconded, and the motion carried unanimously that based on the sworn testimony and evidence presented, the Board finds the Respondent has brought the property into compliance in accordance with the previous order entered by this Board on July 25, 2017. Administrative costs incurred by the City in the prosecution of this matter in the amount of \$294.60 plus any applicable recording fees will be assessed. A certified copy of this order shall be recorded in the Public Records of Manatee County, and thereafter shall constitute a lien against the property and upon any other real or personal property owned by the Respondent. The Respondent is put on notice that future violations of Code Section 18.1 will cause the Respondent to be deemed a repeat violator and subject to a fine of up to \$500.00 per day for each new violation.

D. Case No. 17-10

Francisco Mancera
P.O. Box 1973
Holmes Beach, FL 34218

Violation Location: 1113 12th Street West, Palmetto, FL 34221
Codes Violated: Chapter 16 – Section 16.26(2)- Accumulation of Garbage

Code Enforcement Officer Riley stated a portion of the trash had been removed but home was still in violation. This vacant property has been used as a dumping area, however the property owner is still responsible. There is no utility bill or trash service established at this address, so owner would have to make arrangements to pay for clean-up.

MOTION: Mr. Rotondo moved, Mr. Tanner seconded and the motion carried unanimously that based on the sworn testimony and evidence presented, the Board finds the Respondent in violation of Section 16.26(2) of the City Code of Ordinances, and that the Respondent be given until September 18, 2017 to correct the violation by containing the trash, debris, and building materials to dispose of it by removing it from the property or having it hauled to an appropriate facility. Should the Respondent fail to comply with this order within the timeframe set forth herein, a fine may be imposed of up to \$250.00 per day for each day the violation continues beyond the time specified herein for compliance.

E. Case No. 17-11
Raymond E. Loggins
1903 5th Street West
Palmetto, FL 34221

Violation Location: 1903 5th Street West, Palmetto, FL 34221
Codes Violated: Chapter 18 – Section 18.1- Junked, Wrecked, Abandoned Property
Appendix B Art VI, Section 6.5(a)- Parking of domestic and commercial vehicles and recreational vehicles.

Code Enforcement Officer Daniel Bull spoke of a dismantled black Jeep SUV on the side of the property and a recreational vehicle parked in front, which is connected to utilities while work is being done. June 28th, 2017, the owner Mr. Loggins stated he would disconnect the RV and relocate it to the rear of the property. July 12, 2017, the SUV and RV were still there. July 24th, the owner claimed he would screen the black dismantled vehicle. August 8th inspection revealed the RV was moved but was still connected to utilities. Manatee County Health Department employee Terry Strickland spoke with female occupant about waste water being improperly discharged, but the woman ordered Ms. Strickland off the property. A new privacy fence was erected without a permit, which is not being heard in front of the Board at this date. Code Enforcement Officer Bull asked for a continuance until September 26th in order for Mr. Loggins to speak before the Board. Mr. Longpre commented that we cannot prove the violations are occurring behind the fence. Mr. Bull commented that Mr. Loggins claimed he had tapped into the cleanout to dump the sewage.

MOTION: Mr. Tanner moved, Mr. Westbrook seconded, and the motion carried unanimously that based on the sworn testimony and evidence presented, the Board finds the Respondent was in violation of the City Code of Ordinances as noted for the RV, but subsequently came in to compliance.

MOTION: Mr. Tanner moved, Mr. Rotondo seconded, and the motion carried unanimously that the Respondent be found in violation of the City Code of Ordinances as noted, and that the Respondent be given until September 25, 2017 to correct the violation by repairing the vehicle to an operative condition or removing it from the City of Palmetto. Should the Respondent fail to comply with this order within the timeframe set forth herein, a fine may be imposed of up to \$250.00 per day for each day the violation continues beyond the time specified herein for compliance.

F. Case No. 17-12
Brandia S. Presha
Alexander Presha
914 27th Street East
Bradenton, FL 34208-3121

Violation Location: 914 27th Street West, Palmetto, FL 34221
Codes Violated: Chapter 18 – Section 18.1- Junked, Wrecked, Abandoned Property

Case 17-12 was withdrawn by Code Enforcement Officer Bull because the property came into compliance.

4. OLD BUSINESS

Attorney Fernandez shared training documents on Code Enforcement Board Authority and Procedures. She also shared a brief summary of the Sunshine Laws and Public Records training. Both articles are made a part of these minutes.

5. NEW BUSINESS

None

6. PUBLIC COMMENTS

None

7. ADJOURNMENT

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

Minutes approved: September 26, 2017

Robert Rotondo

Robert Rotondo, Vice-Chairman