

MINUTES
CODE ENFORCEMENT BOARD
December 5, 2017
6:00 p.m.

Code Enforcement Board Members Present:

Charlie Leonard, Chair
Travis Longpre
Joe Tanner
Robert Westbrook

Code Enforcement Board Members Absent:

Robert Rotondo, Vice-Chair
Bradley Bowermaster
Rose Quin-Bare

Staff Present:

Regina Kardash, 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. Mr. Leonard asked for a moment of silence, followed by the Pledge of Allegiance. The roll was called revealing there was a quorum, but Robert Rotondo, Bradley Bowermaster and Rose Quin-Bare were absent from the meeting.

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 December 5, 2017 Agenda.

2. CONSENT AGENDA

- A. Minutes: October 31, 2017
- B. Legal Expenses – November 2, 2017

MOTION: Mr. Tanner moved, Mr. Longpre seconded, and the motion carried unanimously to approve the December 5, 2017 Consent Agenda.

3. PUBLIC HEARINGS

A. Case No. 17-23

A-Awesome Towing/ Tom MacDonald/ T-Bolted Inc.
5711 17th Street East
Bradenton, FL 34203

Violation Location: 313 9th Street Drive West, Palmetto, FL 34221
Codes Violated: Chapter 7, Section 7.182(g,1) – Fences

Code Enforcement Officer Kathy Riley stated that during the site visit 12/05/17, she found the property had come into compliance.

MOTION: Mr. Tanner moved, Mr. Longpre seconded, and the motion carried unanimously to find the Respondents in compliance of Chapter 7, Section 7.182(g,1) of the City Code of Ordinances, and no further action is needed.

B. Case No. 17-24
Rick P. Manning
507 18th Avenue West
Palmetto, FL 34221

Violation Location: 507 18th Avenue West, Palmetto, FL 34221
Codes Violated: Chapter 16, Section 16.26 – Nuisance Defined, Chapter 17, Section 17-28, Section 304.1 – Exterior Structure, Section 17-28, Section 304.1.1(8)-Unsafe Conditions

Code Enforcement Officer Riley provided a power point presentation which is attached and made a part of these minutes. She stated the original site visit was performed 09/25/16 revealing an overgrown yard and caved-in roof. A neighbor, Mr. Earl Anderson, offered to help but had no response from Mr. Manning. Mr. Anderson contacted Code Enforcement inquiring if permit fees could be reduced or waived, for the sake of widow Mrs. Karen Manning. He called again stating he had other people offering to help with repairs or with financial assistance. Dee Hager from Habitat for Humanity was also willing to help, but the Respondent did not reply. Re-inspection today revealed the house is still in violation. Rick P. Manning said he has no money, no driver's license, no job, and claimed there is nothing he can do.

Respondent's mother, Karen Manning, stated part of the house is boarded off because it is not safe, but she feels safe in the other part of the house. Officer Riley stated Habitat for Humanity had quoted approximately \$3,249 to repair the roof, or the Respondent could apply for a cap-loan in the amount of \$4,500 with a minimum 10% down-payment. The term of the loan would be no more than five (5) years with 0% interest. Officer Riley recommended the Board find the respondent in violation, and that administrative fees of \$217.80 be assessed to the Respondent. Board member Mr. Westbrook mentioned the health concerns of perhaps having mildew or mold in portions of the house. Another neighbor, David Cadmos volunteered during this meeting to help tarp the roof in order to prevent additional water intrusion, and to perhaps give the Respondent another month to make improvements.

MOTION: Mr. Longpre moved, Mr. Tanner seconded, and the motion carried unanimously that the Board continue the case until the next scheduled Code Enforcement Board meeting on January 30, 2018 to give the respondent time to come into compliance.

C. Case No. 17-04
Niel L. and Stacey Stinton
1315 6th Street West
Palmetto, FL 34221

Violation Location: 1315 6th Street West, Palmetto, FL 34221
Codes Violated: Palmetto Code of Ordinances, 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

Code Enforcement Officer Riley reminded the Board that the Respondent had been given multiple opportunities and extensions to correct the violations. There is an outstanding lien on the property currently in the amount of \$257.80. Building Official Robert Welsh is scheduled to meet with the Respondent at 2:00 p.m. on December 7, 2018 with the option to (1) make the accessory structures permanent structures or (2) select one structure to keep with appropriate documentation and empty and dismantle the other non-permanent structures. The Building Official gave the Respondent until January 29, 2018 to complete either option including a final inspection with the Building Official in order to come into compliance. Code Enforcement Officer Riley recommended the Board continue this case until January 30, 2018.

MOTION: Mr. Tanner moved, Mr. Longpre seconded, and the motion carried unanimously that the Board continue the case until the next scheduled Code Enforcement Board meeting on January 30, 2018 to give the respondent time to come into compliance.

D. Case No. 17-14

WD-CEM Holdings, LLC
4618 Bayshore Boulevard NE
St. Petersburg, FL 33703

Violation Location: 115 10th Street West, Lot 62, Palmetto, FL 34221
Codes Violated: 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 Daniel Bull stated a permit application had been submitted but Building Official Robert Welsh denied the permit, as the structure was built prior to getting the permit. Mr. Espinosa was the engineer that drew the plans for the addition, and agreed an engineer must certify that the structure was built true to the plans. Mr. Bull recommended the Board give the Respondent until January 29, 2018 to complete the certification process and receive an approved permit.

MOTION: Mr. Tanner moved, Mr. Longpre seconded, and the motion carried unanimously that the Board continue the case until the next scheduled Code Enforcement Board meeting on January 30, 2018 in order for the Respondent to come into compliance with the Palmetto Code of Ordinances.

E. Case No. 17-15

Maria C. Diaz-Arrayo
1202 6th Avenue West
Palmetto, FL 34221

Violation Location: 1202 6th Avenue West
Codes Violated: Chapter 7, Section 7.7.182 – Fences

Code Enforcement Officer Daniel Bull stated the fence had been damaged but this was part of an insurance claim. The fence has since been repaired, and the property is in compliance.

MOTION: Mr. Tanner moved, Mr. Longpre seconded, and the motion carried unanimously that the Board find the Respondent in compliance with the Palmetto Code of Ordinances. JT/jt 4-0

F. Case No. 17-20
Roni Sue Rankin
1802 7th Street West
Palmetto, FL 34221

Violation Location: 1802 7th Street West, Palmetto, FL 34221
Codes Violated: Section 6.8- Accessory Structures

Code Enforcement Officer Kathy Riley stated the original site visit was 8/22/17, a proper permit was issued 11/27/17 and the final inspection was approved 12/01/17. Mrs. Riley stated the property is in compliance. David Cadmos is the husband to the Respondent.

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 compliance and no further action is needed.

G. Case No. 17-21
William Rogers
1313 5th Street West
Palmetto, FL 34221

Violation Location: 1313 5th Street West, Palmetto, FL 34221
Codes Violated: Section 6.8- Accessory Structures

Code Enforcement Officer Kathy Riley stated the original site visit was performed 8/24/17, and the Respondent has submitted an appropriate permit and it is currently going through the review process for approval. Mrs. Riley recommended the Board find the Respondent in 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 compliance of Section 6.8 of the City Code of Ordinances and no further action is needed.

4. Old Business

Annual Review of Rules of Procedures

Resolution CEB2017-01: A Resolution of the Code Enforcement Board of the City of Palmetto, amending its rules of procedure for the conduct of its meetings and hearings; making findings of facts; repealing and adopting rules of procedure; and providing an effective date.

Attorney Regina Kardash remarked that Resolution CEB 2017-01 was similar to the previous resolution, with only a few minor changes. This resolution allows the agenda to be sent by email or regular mail; the agenda can have non-agenda public comments at the beginning of the meeting; and it is allowable to establish two different fine amounts or tiered penalty fees, still based on considerations of gravity and actions taken to comply. There will be an annual review each January.

MOTION: Mr. Longpre moved, Mr. Tanner seconded, and the motion passed unanimously to approve Resolution CEB2017-01.

5. NEW BUSINESS

None

6. PUBLIC COMMENTS

None

Mr. Westbrook apologized for his silence this meeting, but he was impeded due to complications with his eye sight. He will be able to read and participate more after the surgery. Chairman Charlie Leonard adjourned the meeting at 7:24 p.m.

Minutes approved: January 30, 2018

Charles W. Leonard

Charles W. Leonard, Chair