

MINUTES
CODE ENFORCEMENT BOARD
January 30, 2018
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:

David Persson, 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 6:02 p.m. followed by a moment of silence and the Pledge of Allegiance. Roll was called revealing six Board members were present. Rose Quin-Bare resigned from the Board effective December 7, 2017.

All people speaking before the Board were duly sworn.

1. APPROVAL OF AGENDA

MOTION: Mr. Bowermaster moved, Mr. Tanner seconded, and the motion passed 6-0 to approve the January 30, 2018 Agenda.

2. CONSENT AGENDA

- A. Minutes: December 5, 2017
- B. Legal Expenses – December 1, 2017 and January 4, 2018

MOTION: Mr. Tanner moved, Mr. Bowermaster seconded, and the motion passed 6-0 to approve the January 30, 2018 Consent Agenda.

3. PUBLIC COMMENTS for non-agenda items

None

4. ELECTION OF 2018 OFFICERS

MOTION: Mr. Tanner nominated Charles Leonard as Chair of the Code Enforcement Board, and Mr. Rotondo seconded, and the motion passed 6-0 to approve Charles Leonard as the 2018 Chair of the Code Enforcement Board.

MOTION: Mr. Tanner nominated Travis Longpre as Vice Chair of the Code Enforcement Board, and Mr. Rotondo seconded, and the motion passed 6-0 to approve Travis Longpre as the 2018 Vice Chair of the Code Enforcement Board.

5. Resolution CEB2017-01

Mrs. Johnston, Clerk of the Board recalled that Resolution CEB2017-01 was adopted December 5, 2017, but as part of an annual review, the Board is acknowledging the 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.

6. PUBLIC HEARINGS

A. Case No. 18-01

Pantelis Lazarakis
4029 Longhorn Drive
Sarasota, FL 34233

Violation Location: 1009 11th Avenue West, Palmetto, FL 34221
Codes Violated: Article VI, Section 6.8- Accessory structures

Code Enforcement Officer Dan Bull gave a brief history of the case and stated that the property owner had brought the property into compliance since receiving the Notice of Hearing.

MOTION: Mr. Longpre moved, Mr. Tanner seconded, and the motion carried unanimously that based on the sworn testimony and evidence presented, the Board finds the Respondent in compliance of Article VI, Section 6.8 of the City Code of Ordinances, and that no further action is required.

B. Case No. 18-02

T-Bolted, Inc.
313 9th Street Drive West
Palmetto, FL 34221

Violation Location: 313 9th Street Drive West, 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 Kathy Riley stated the property owner Thomas MacDonald had a deteriorated fence and shed without a permit. The fence was repaired and the property was mowed, however the unpermitted shed is still on the property and no application has been received by the Building Department. Officer Riley opined that the respondent was still in violation of City codes and that the administrative costs were currently \$154.60.

MOTION: Mr. Bowermaster moved, Mr. Rotondo seconded, and the motion carried unanimously that based on the sworn testimony and evidence presented, the Board finds the Respondent in violation of the City Code of Ordinances, and that the Respondent be given until February 27, 2018 to correct the violation by submitting an application and supporting documentation, and receiving approval for the required permit, or remove the shed from the property.

C. Case No. 18-03

Bradley Zarle, Natalie Marie Andrews, and Roberta Streeter
707 17th Avenue West
Palmetto, FL 34221

Violation Location: 707 17th Avenue West, Palmetto, FL 34221
Codes Violated: Article XI, Section 7-244 – Requirements for Temporary Coverings

Officer Kathy Riley stated plywood had been covering the windows long after the hurricane season, but Respondent Bradley Zarle explained he rented a ladder to hang the 5/8th inch plywood, but hurt himself in the process which was why it had taken a long time to remove the hurricane protection.

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 Article XI, Section 7-244 of the City Code of Ordinances, and that no further action is required.

D. Case No. 18-04

Kevin R. Goodman
1219 6th Street West
Palmetto, FL 34221

Violation Location: 1219 6th Street West, Palmetto, FL 34221
Codes Violated: Sec 6.8 – Accessory structures

Code Enforcement Officer Kathy Riley stated the Respondent had submitted a completed development permit has been submitted.

MOTION: Mr. Tanner moved, Mr. Bowermaster seconded, and the motion carried unanimously that based on the sworn testimony and evidence presented, the Board finds the Respondent not in violation of Section 6.8 of the City Code of Ordinances, and that no further action is needed.

E. Case No. 18-05

Jacob Stinton
7264 Spencer Parrish Road
Parrish, FL 34219

Violation Location: 1514 7th Street West, Palmetto, FL 34221
Codes Violated: Chapter 17, Section 17-28, Section 304.1- Exterior Structure, Chapter 17, Section 17-28, Section 304.7- Roofs and drainage

Code Enforcement Officer Kathy Riley stated there had been a hole in the roof, however a permit was issued and approved for a complete remodel.

MOTION: Mr. Bowermaster moved, Mr. Longpre seconded, and the motion passed 6-0 that based on the sworn testimony and evidence presented, the Board finds the Respondent no longer in violation of the City Code of Ordinances, and that no further action is needed.

F. 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 Kathy Riley stated neighbor, David Cadmus has been repairing the roof. The sheeting and dry-in inspection were completed, and the final inspection is scheduled for tomorrow, January 31, 2018. Mr. Dan Bull and Mr. Anderson helped with the repairs.

MOTION: Mr. Tanner moved, Mr. Longpre seconded, and the motion carried unanimously to continue Case 17-24 until February 27, 2018 at 6:00 p.m. or as soon thereafter as same can be heard in these chambers.

G. 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 Kathy Riley reminded the Board that Mrs. Stinton had recently paid the balance on a previous lien, and that Mrs. Stinton had been given numerous opportunities and extensions to bring the property into compliance. Mrs. Riley gave a brief history of the case and stated that the property owner had brought the property into compliance.

MOTION: Mr. Tanner moved, Mr. Bowermaster seconded, and the motion passed 6-0 that based on the sworn testimony and evidence presented, the Board finds the Respondents have brought the property into compliance in accordance with the previous order entered by this Board on July 25, 2017 and no further action is needed.

H. 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 gave a brief history of this case and stated the property had been brought into compliance by the Respondent submitting a permit and on December 6th the permit was approved.

MOTION: Mr. Bowermaster moved, Mr. Longpre seconded, and the motion carried unanimously that based on the sworn testimony and evidence presented, the Board finds the Respondent no longer violation of Section 105 Permits, A-105.1 of the City Code of Ordinances, and that no further action is needed.

7. OLD BUSINESS

Cynthia Rae Woodall, located at 507 12th Street West in Palmetto had a utility lien and a code lien, Code Case 17-08. The property changed ownership and the new owner's attorney felt the liens were unenforceable. After review by the City Clerk and the City Attorney, the liens were found unenforceable and the City of Palmetto has released the code and utility liens against this property.

8. NEW BUSINESS

Robert Rotondo asked about the phone call from the Mayor to each Board member regarding the City using a Special Magistrate rather than a Code Enforcement Board. Chairman Charles Leonard admitted he was aggravated by not being notified before it hit the news, but he was proud of the work the Board had done. Board members will continue to dedicate their time and efforts until they are informed differently.

Chairman Leonard adjourned the meeting at 7:02 p.m.

Minutes approved: February 27, 2018

Charles W. Leonard

Charles W. Leonard, Chair