

MINUTES
CODE ENFORCEMENT HEARING

City Hall
516 8th Avenue West
Palmetto, FL 34221

Special Magistrate: Regina Kardash, Esq.
July 31, 2018
6:00 p.m.

Special Magistrate Regina Kardash called the meeting to order at 6:00 p.m. followed by a moment of silence and the Pledge of Allegiance. She announced that the Code Enforcement Hearing was a quasi-judicial proceeding in which she would be making her legal decisions and findings of fact based on the relevant evidence presented during the hearing in accordance to the City Code of Ordinances.

All people wishing to speak during the Hearing were duly sworn.

1. ADDITIONS OR DELETIONS TO AGENDA

Magistrate Ms. Kardash moved Case 18-27 (item E) to the beginning of the agenda, followed by Case 18-22 (item C), and then continued the agenda as prepared, to accommodate Respondents attending the Hearing.

2. APPROVE MINUTES

Special Magistrate approved the minutes from the June 26, 2018 hearing.

3. PUBLIC HEARINGS

A. Case No. 18-12

Masonic Lodge #487
2603 7th Avenue East
Palmetto, FL 34221

Violation Location: 1607 3rd Avenue West, Palmetto, FL 34221
Codes Violated: Chapter 17, Section 17-28, Section 304.1 – Exterior Structure; Section 304.2 – Protective treatment; Section 304.6 – Exterior walls; Section 304.7 – Roofs and drainage; Section 304.13 – Window, skylight and door frames; Section 304.13.1 - Glazing

Code Enforcement Officer Kathy Riley reviewed the details of the case, including a utility lien from the City of Palmetto. Evidence was presented for the Magistrate's consideration and made a part of these minutes. May 29, 2018 the case was continued until this meeting allowing for the completion of the quit claim deed, and transfer of ownership. Mrs. Riley opined there still had been no cooperation from the lodge administrator, Mr. Dixon. Re-inspection showed the property was still in violation of the five (5) City Codes listed above. Special Magistrate Kardash questioned if the building was a hazard or if it should be demolished.

SETTLEMENT: Respondent has taken no action to bring the property into compliance as previously ordered by the Board on March 27, 2018 for violation of the City Code of Ordinances. A fine is hereby imposed in the amount of \$20.00 per day, per violation beginning August 1, 2018 and

terminating on the day the property is found to be in compliance by the Code Enforcement Officer.

Magistrate Kardash extended leniency by not beginning the fine May 29, 2018 as originally ordered, nor assessing administrative costs incurred by the City in the prosecution of this matter currently in the amount of \$450.20 plus any applicable recording fees.

B. Case No. 18-20

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

Violation Location: 115 10th Street West, Lot 5A, Palmetto, FL 34221
Codes Violated: Chapter 17, Article II, Section 304.1 – Exterior Structure; Section 304.4 – structural members; Section 304.6 – Exterior walls; Chapter 18, Section 18.1 – Junked, Wrecked, Abandoned Property

Code Enforcement Officer Daniel Bull reviewed the details of the case in Lone Oak Mobile Home Park. Evidence was presented for the Magistrate's consideration and made a part of these minutes. Lone Oak was awarded ownership by the County Courts in late April. Woodrow Dulin is the owner of WD-CEM Holdings, and now the owner of both the land and the residence. The case was heard May 29, 2018 and continued until July 31, 2018. Respondent has met with the Building Official, but there still has been no permit application nor compliance. Respondent requested additional time for engineering plans and then to apply for permit.

STIPULATION: Respondent is in violation of four (4) violations of the City Code of Ordinances as listed above, and the Respondent is given until September 24, 2018 to correct the violations by repairing the residence and registering the mobile home trailer with the FL Department of Motor Vehicles.

C. Case No. 18-22

Louis P. Thomas III Family
PO Box 906
Palmetto, FL 34220-0906

Violation Location: 400 11th Street Drive West, Units E & F, Palmetto, FL 34221
405 11th Street Drive West, Units A, B & C, Palmetto, FL 34221
Codes Violated: Chapter 17, Section 17-28, Section 304.3 – Premises Identification; Section 304.7 – Roofs; Section 304.14 – Insect screens; Section 304.18.2 – Windows

Code Enforcement Officer Kathy Riley spoke about the condition of the property identified as PID #2631600000. Photos shown were a typical representation of the code violations within the 29 dwellings. Re-inspections revealed all the buildings had been painted, trash had been removed, windows and sidewalks were repaired. Evidence was presented for the Magistrate's consideration and made a part of these minutes. The Respondent had been given until July 30th to come into compliance by adding identifying numbers, repairing roofs, and finish repairing windows. Permits have been pulled for roof and window repair. Recent re-inspection showed properties still need screens, but there has been tremendous cooperation and improvements. Keith Thomas is one of the property owners, and had been sworn. Property has been in the family for generations. Mr. Thomas said he was embarrassed that the property had gotten so run down. "Nowhere else but Palmetto" grace from Code Enforcement Officer was very much

appreciated. Special Magistrate Kardash summarized the roof, window and screen progress and requested a written account for each of the 29 units of the completed improvements as well as the pending work.

STIPULATION: Respondent is still in violation of the City Code of Ordinances, and the Respondent is given until September 24, 2018 to provide a written account of the work already performed, as well as the work and time frame for the work pending for each unit, in an effort to bring the property into compliance.

D. Case No. 18-26

Walter and Lauren Ellis
502 7th Avenue West
Palmetto, FL 34221

Violation Location: 502 7th Avenue West, Palmetto, FL 34221
Codes Violated: Article VI, Section 6.8- Accessory structures
Code Enforcement Officer Kathy Riley reviewed details of the case and opined that the property in compliance.

SETTLEMENT: Special Magistrate determined the property was in compliance.

E. Case No. 18-27

Tammy Bullock Hartley
1611 10th Street West
Palmetto, FL 34221

Violation Location: 1611 10th Street West, Palmetto, FL 34221
Codes Violated: Chapter 7, Section 7.240- Requirements for roofs; Chapter 17, Section 17-28, Section 304.1- Exterior Structure; Section 17-28, Section 304.7- Roofs and drainage

Code Enforcement Officer Kathy Riley stated the property previously had a tarp over the roof but has added a coating of sealant to the roof to repair the leak. Officer Riley felt the roofing material was appropriate and the property has come into compliance. The Building Official provided an Affidavit of roof repair which was made a part of these minutes. Mr. Jackie Corley, Ms. Hartley's husband, was pleased with the results of the product and was intending to apply sealant to the balance of his roof, as he could afford. Special Magistrate Kardash advised Mr. Corley to contact the Building Department prior to making any future changes to the roof.

SETTLEMENT: Special Magistrate determined the property was in compliance.

F. Case No. 18-28

Patricia M. Pless
1115 6th Street West
Palmetto, FL 34221

Violation Location: 1115 6th Street West, Palmetto, FL 34221
Codes Violated: Chapter 7, Section 7.238 (a) - Windows

Code Enforcement Officer Kathy Riley reviewed the details of the case, stating the property had been overgrown and had a broken window, but the window has been fixed and property has been

mowed. Evidence was presented for the Magistrate's consideration and made a part of these minutes.

SETTLEMENT: Special Magistrate determined the property was in compliance.

G. Case No. 18-29
Gulfcoast Holding Group, LLC
1850 14th Avenue East
Palmetto, FL 34221

Violation Location: Skyway Classics, 1700 14th Ave E, Unit #102, Palmetto, FL 34221
Codes Violated: Article II, Section 19-31 – Term and expiration of business tax
Code Enforcement Officer Dan Bull reviewed the details of the case and stated 7/19/18 the Respondent submitted and paid for a business tax license. The evidence was presented for the Magistrate's consideration and made a part of these minutes.

SETTLEMENT: Special Magistrate determined the property was in compliance.

H. Case No. 18-30
Brandia Presha
914 27th Street East
Bradenton, FL 34208

Violation Location: 1401 2nd Avenue West, Palmetto, FL 34221
Codes Violated: Chapter 15, Section 15.7(b) – Yard, Waste Cans & Bundles
Code Enforcement Officer Daniel Bull stated the respondent owes back taxes for 2016 and 2017, and has a utility lien against this property from the City of Palmetto. Original site visit May 22, 2018 revealed a large pile of branches in front of property. Respondent was ordered to remove within 14 days. As of 7/31/18, re-inspection revealed the yard waste had not been removed. Respondent assured Mr. Bull that the contractor will be picking up 8/01/18. Evidence for this case was presented for the Magistrate's consideration and made a part of these minutes.

STIPULATION: Respondent is still in violation of Chapter 15, Section 15.7(b) of the City Code of Ordinances, and the Respondent is given until August 27, 2018 to bring the property into compliance.

4. OLD BUSINESS
none

5. NEW BUSINESS

Special Magistrate Regina Kardash stated cases that come into compliance once they have been scheduled for hearing must be dealt with in some manner. She suggested we can list the Compliance cases by case number in the agenda in order to dispose of those cases in one motion in the beginning of the meeting. A written order is still required for each case.

Magistrate Kardash adjourned the meeting at 7:33 p.m.

Approved: August 28, 2018

Regina A. Kardash
Regina A. Kardash
Special Magistrate