

MINUTES
CODE ENFORCEMENT HEARING

City Hall
516 8th Avenue West
Palmetto, FL 34221

Special Magistrate: Regina Kardash, Esq.
September 25, 2018
6:00 p.m.

NO AUDIO RECORDING IS AVAILABLE FOR THIS HEARING.

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 explained 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

None.

2. APPROVE MINUTES

A. Minutes: August 28, 2018

Special Magistrate Kardash approved the Minutes as presented.

3. PUBLIC HEARINGS

A. Compliance Cases

None.

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 Dan Bull quickly reviewed the case, finishing that the Respondent had recently pulled the permit and registered the vehicle as required, so going forward the matter would be handled by the Building Department.

SETTLEMENT: The Respondent has brought the property into compliance as ordered on July 31, 2018, the case is closed and no further action is needed.

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 reviewed the details of the case and recent photos, which have been made a part of these minutes. Screens are just about finished and will be installed all on one day. Mrs. Riley noted the remarkable improvement in the property, that units are all identified, roofs are almost completed, and remaining roofing permits have been pulled and will be valid for 6 months. The roofing contractor is working as fast as his schedule and weather allows. Mr. Keith Thomas brought a screen to illustrate the work in progress. Impact-resistant windows should be received and installed by mid-October. Magistrate Kardash was impressed with the great strides that have been made. She concurred that the Respondent has a timeline and a plan for completion.

SETTLEMENT: Magistrate Kardash continued the Hearing until November 27, 2018.

D. Case No. 18-33

Kevin R. Frazier
525 4th Street West
Palmetto, FL 34221

Violation Location: 525 4th Street West, Palmetto, FL 34221
Codes Violated: Article VI, Section 6.8- Accessory structures

Code Enforcement Officer Kathy Riley shared pictures and details of the case which have been made a part of these minutes. Mr. Frazier was aware that he needed to submit a development permit for an accessory structure. Officer Riley's site visit September 25th revealed the accessory structure is still on the property and the required permit has not been submitted. Mr. Frazier defended the strength of his structure and explained that he felt Commissioners, neighbors, and others are against him. He stated the structure had been there since 1998, and feels the structure should be "grandfathered in." He claimed he would take the case to a higher court if he has to, in order to find justice.

STIPULATION: Magistrate Kardash stated she will research when the code went into enactment to verify if the temporary structure is subject to the code ordinance. If the structure DOES require a permit, the Respondent will be given thirty days to bring the property into compliance.

4. OLD BUSINESS

A. CEB 18-06 Estate of Judy Dianne Matthews
606 7th Avenue West, Palmetto, FL

Code Enforcement Officer Riley stated the trash, shed and fence violations had been brought into compliance August 3rd, but the roof is still in violation. An Affidavit of Partial Compliance will be issued and recorded with the County. Special Magistrate Kardash recommended to let the

lien continue to accrue. Staff was encouraged to contact City attorney, Mr. Barnebey to review and secure the City's interest in the lien. No additional Administrative Order was needed, but staff will mail Partial Compliance with original order attached.

B. CEB 18-16 George Windunas
415 14th Avenue West, Palmetto, FL

Special Magistrate Kardash asked to verify that the code liens had been recorded 10/24/16, in OR Book 2644, Page 3973, and recorded 07/05/18 in OR Book 2736, Page 5869. Code Enforcement Officer Riley stated the property is registered as vacant with someone living inside. Ms. Kardash surmised the City attorney could consider foreclosure 90 days from 06/26/18, the date the fine was imposed.

C. CEB 18-21 Andrew Saulo
320 8th Street West, Palmetto, FL

Special Magistrate Kardash confirmed the City cannot start foreclosure proceedings on the property because it is a homestead. The City can only let the lien continue. Ms. Kardash reminded staff to create a "tickler file" to keep track of liens in effect for 90 days, whether the property is homesteaded, and the value of lien in regard to cost of property. She opined the City probably would not foreclose until the lien exceeded \$30,000 – 40,000 dollars.

5. NEW BUSINESS

None.

Special Magistrate Kardash adjourned the Hearing at 6:57 p.m.

Minutes approved: October 30, 2018

Regina A. Kardash

Regina A. Kardash, Special Magistrate