

**MINUTES
CODE ENFORCEMENT HEARING**

City Hall, 516 8th Avenue West, Palmetto, FL 34221

**Special Magistrate: Regina Kardash, Esq.
January 29, 2019
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.

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

1. ADDITIONS OR DELETIONS TO AGENDA

No changes were made to the agenda.

2. APPROVE MINUTES

Magistrate Kardash approved the November 7, 2018 Minutes. There was no Code Enforcement Hearing scheduled for December 2018.

3. PUBLIC HEARINGS

A. Compliance Cases

Special Magistrate Kardash determined the following cases had come into compliance.

- C. Case No. 18-37- Goodman
- D. Case No. 18-41- Amba Estates Palmetto

B. Case No. 18-36

Chanhsy Chanthyasack
4760 72nd Avenue North
Pinellas Park, FL 33781

Violation Location: 1025 27th Avenue West, Palmetto, FL 34221
Codes Violated: Article III, Section 7-31, Florida Building Code 6th Edition (2017) Building – Chapter 1, Scope and Administration, Part 1, Scope and Application- Section 105 Permits, A-105.1 Required

Code Enforcement Officer Dan Bull reviewed details and photos of the case. Evidence was presented for the Magistrate's consideration and made a part of these minutes. The original hearing was scheduled November 27, 2018 and the City was pursuing an administrative search warrant to determine if the building was an unsafe/ unfit structure. The hearing was continued until January 29, 2019. The initial site visit was in May 2018. For clarification, Chanhsy is the property owner and Pivon is her son, representing himself as the owner. December 21, Pivon agreed to meet with the Building Official, Jimmy Strickland December 26, 2018, whence Mr. Strickland determined the building was in far worse condition than expected and should be demolished. Owner was instructed that he would need a Demolition Permit, and a licensed contractor would be required to demolish the structure. Police were called to the property December 30 for work being done. December 31, Building Official and Building Inspector saw

the structure was shored up with ratchet straps and 2x4's. Windows and doors had been removed, other work had been done, in spite of Stop Work order. Pivon was seen cutting into the roof with a chain saw and banging a sledge hammer against the walls. Insurance and bond companies would not provide coverage. The January 2, 2019 site visit revealed the entire building was down with orange fence around the premises. Owner wanted to speak with Mrs. Karla Owens, Development Services Director. January 3, the City filed an injunction against the owner so debris would not be hauled away to check for contaminants. January 7, 2019 Code Enforcement Officer Bull went with the environmental inspector safety consultant. Structure debris tested negative for asbestos. January 29, 2019, Pivon applied for a permit, but Respondent has not paid for permit and still needs to contact fire department for final inspection, plus pay for double permit fees.

STIPULATION: The property is still in violation of Article III, Section 7-31, and the Respondent is given until February 8th, 2019 to bring the property into compliance. The case will be heard again February 26, 2019. If the Respondent has not submitted a complete permit application to include supporting documentation and full payment of all permit fees within the time frame set forth herein, a fine will be imposed in the amount of \$250.00 per day beginning February 8th and terminating on the day the property is found to be in compliance by the Code Enforcement Officer. In addition, impose administrative costs incurred by the City in the prosecution of this matter in the amount of \$3476.00, to date of this meeting, not to include legal fees for the injunction. Code Enforcement will provide an Affidavit of Costs at the next hearing.

C. Case No. 18-37

Carolyn B. Goodman, TC
5134 Lescot Lane
Orlando, FL 32811

Violation Location: 1108 3rd Avenue West, Palmetto, FL 34221
Codes Violated: Chapter 15, Section 15.7(b) – Yard, Waste Cans & Bundles

SETTLEMENT: The Respondent has brought the property into compliance and no further action is needed.

D. Case No. 18-41

Amba Estates Palmetto FL, LLC
30 Compass Isle
Fort Lauderdale, FL 33308

Violation Location: 945 8th Avenue West, Palmetto, FL 34221
Codes Violated: Chapter 19, Section 19.220- Portable storage container, Section 19.222 (3)- duration of time allowed

SETTLEMENT: The Respondent has brought the property into compliance and no further action is needed.

4. OLD BUSINESS

Lawrence Henry
401 17th Street West
Palmetto, FL 34221

Code Enforcement case 12-08 has continuing utility bills but the code enforcement violation has come into compliance. Magistrate Kardash suggested the City Attorney could consider foreclosure because of the utility debt. The structure is boarded up but the yard is maintained.

Marie Phillips
1501 11th Avenue West
Palmetto, FL 34221

Magistrate Kardash noted a long list of violations and multiple utility liens. Structure was posted unfit / unsafe and the building was evacuated. Lawn maintenance has been maintained. Both Code Enforcement Officers opined the property should be torn down, but it is currently for sale as a handyman special. Ms. Kardash did not recommend this property for foreclosure.

5. NEW BUSINESS

Code Enforcement Officer Dan Bull will be leaving City employment Tuesday, February 5, 2019.

Special Magistrate Regina Kardash adjourned the meeting at 6:31 p.m.

Minutes approved: February 26, 2019

Regina A. Kardash

Regina A. Kardash, Special Magistrate