

**MINUTES
CODE ENFORCEMENT HEARING**

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

**Special Magistrate: Regina Kardash, Esq.
May 28, 2019
6:00 p.m.**

Special Magistrate Regina Kardash called the meeting to order at 6:01 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 the legal decisions and findings of fact based on 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

Case No. 19-06 was moved to the beginning of the meeting to accommodate the attendees in the audience.

2. APPROVE MINUTES

Magistrate Kardash approved the April 30, 2019 Minutes as written.

3. PUBLIC HEARINGS

A. Compliance Cases

Magistrate Kardash heard the remaining cases in order as printed on the agenda with the exception of Case No. 19-06 being moved to the first case.

B. Case No. 19-01

Andrew Sliazas and Zigmond J Sliazas, Estate of
1012 27th Avenue West
Palmetto, FL 34221

Violation Location: 1012 27th Avenue West, Palmetto, FL 34221

Codes Violated: Chapter 18, Section 18-1- Definitions – Abandoned motor vehicle or vessel; Section 18-3 – Abandoned personal property, motor vehicles and vessels declared nuisances; disposal; Section 18-7 – Storage of Abandoned motor vehicles or vehicles on privately owned property; Section 18-8 Evidence; Section 18-9 – Enforcement and responsibility for disposition for abandoned motor vehicles or vessels

Code Enforcement Officer Kathy Riley reviewed details and photos of the case. Evidence was presented for the Magistrate's consideration and made a part of these minutes. Ms. Riley stated the vehicle was removed and the property was brought into compliance on May 13, 2019.

SETTLEMENT: Magistrate Kardash determined the property was in compliance, no fines or administrative costs were assessed and no further action is needed.

C. Case No. 19-02

Amended to Reflect New Owner

US Bank National Association

GSAA Home Equity Trust 2006-9 Asset Backed

8950 Cypress Waters Blvd.

Coppell, TX 75019

Violation Location: 1110 25th Avenue West, Palmetto, FL 34221

Codes Violated: Chapter 7, Section 7.181 (3-a,b) – Unsafe fence

Code Enforcement Officer Kathy Riley reviewed details and photos of the case. Evidence was presented for the Magistrate's consideration and made a part of these minutes. March 22, 2019, the property changed ownership and the new owner was duly noticed. The fence is dilapidated and the property is overgrown. The original Respondent was given 14 days to come into compliance. Inspection today revealed property is still not in compliance of the City Code of Ordinances, Chapter 16, Section 16.26(3); Chapter 17, Section 17-28, Section 304.1; and Chapter 7, Section 7.181(3a,b).

STIPULATION: The Respondent was given thirty (30) days to come into compliance of all three violations, to include the overgrowth, the soffit, and the fence. Fines will be considered at the June 25, 2019 meeting.

D. Case No. 19-03

James E. Bonelli

PO Box 1883

Palmetto, FL 34220

Violation Location: 1224 24th Avenue West, Palmetto, FL 34221

Codes Violated: Chapter 18, Section 18-1- Definitions – Abandoned motor vehicle or vessel; Section 18-3 – Abandoned personal property, motor vehicles and vessels declared nuisances; disposal; Section 18-7 – Storage of Abandoned motor vehicles or vehicles on privately owned property; Section 18-8 Evidence; Section 18-9 – Enforcement and responsibility for disposition for abandoned motor vehicles or vessels

Code Enforcement Officer Kathy Riley reviewed details and photos of the case. Evidence was presented for the Magistrate's consideration and made a part of these minutes. The vehicle was removed by May 7, 2019 and the property is now in compliance.

SETTLEMENT: Magistrate Kardash determined the property was in compliance, and no further action is needed.

E. Case No. 19-04

Marie Phillips

PO Box 51081

Sarasota, FL 34232

Violation Location: 301 15th Street West, Palmetto, FL 34221

Codes Violated: Chapter 7, Section 7.181 (3-a,b) - Unsafe fence; Section 7.238 (a, 1-3) – Windows; Chapter 16, Section 16.26 (2) – Accumulation of Garbage; Section 16.26 (3) – Overgrown Property; Chapter 17, Section 17-28 –

Palmetto Property Maintenance Code; Section 17-28, Section 304.1 – Exterior Structure; Section 17-28, Section 304.2 – Protective Treatment; Section 17-28, Section 304.13.1 Glazing

Code Enforcement Officer Kathy Riley mentioned the property had a utility lien but no foreclosure yet recorded. Ms. Riley reviewed the details and photos of the case. Evidence was presented for the Magistrate's consideration and made a part of these minutes. Mr. Phillips opined at the previous hearing that the property could be improved with additional time. The fence had been removed, property was mowed, debris from the rear yard was placed in the front yard but in a manner that Waste Management would not pick up. The broken window is still not repaired, soffit and fascia are still not fixed. Ms. Riley opined the property is still in violation of the City Code of Ordinances as listed above.

STIPULATION: Magistrate Kardash deemed the windows, accumulation of garbage, fascia and soffit are still in violation of the City Code of Ordinances and the Respondent was given thirty (30) days to come into compliance.

F. Case No. 19-06

Anh Nguyen
12637 Totorica Circle
Riverton, UT 84096

Violation Location: 1212 Dr. Martin Luther King Jr. Place, Palmetto, FL 34221
Codes Violated: Chapter 16, Section 16.26(2)– Accumulation of Garbage; Section 16.26(3)- Overgrown Property; Chapter 17, Section 17-28.304.1- Exterior Structure; Chapter 18, Section 18-1- definitions- Abandoned motor vehicle or vessel; Section 18-3- Abandoned personal property, motor vehicles and vessel declared nuisances; disposal; Section 18-6- Immunity of city personnel; Section 18-7- Storage of abandoned motor vehicle; Section 18-8- Evidence; Section 18-9- Enforcement and responsibility for disposition

Code Enforcement Officer Kathy Riley reviewed details and photos of the case. Evidence was presented for the Magistrate's consideration and made a part of these minutes. The Respondent lives in Utah and Lisa Grassi from Wagner Realty is the local property manager. Wagner Realty is the property manager, and although improvements have been made since the original Notice of Violation, the property is still overgrown, the soffit, fascia, and garage door still need repair. The vehicle has been removed. The Property Manager indicated the tenant is no longer at the residence.

Property Manager Lisa Grassi stated the lawn care has been a continual problem with this tenant. Owners asked tenants to vacate, but tenant promised she would maintain the house. After numerous delays and empty promises. The Property Manager had the vehicles towed, and hired another company to clear the property of trash and mow the lawn. Tenant was evicted May 21, 2019. Property Manager is asking for an extension to fix the unknown damage inside the house, as well as the issues that are seen from the curb. Magistrate Kardash summarized the three issues remain the garbage out front, overgrown lawn and exterior structure of the garage door.

STIPULATION: Magistrate Kardash continued the case for 30 days, allowing more time for the resolution of the three remaining issues, Chapter 16, Section 16.26(2); Section 16.26(3); and Chapter 17, Section 17-28.304.1. The Respondent will need to either have resolution or have a contract to get the work done by the next Hearing date of June 25, 2019.

G. Case No. 19-07

Mario Alvarado
Francisco Sanchez
Juana Sanchez
Amalia Sanchez
1218 Dr. Martin Luther King Jr. Place
Palmetto, FL 34221

Violation Location: 1218 Dr. Martin Luther King Jr. Place, Palmetto, FL 34221
Codes Violated: Chapter 7, Section 7-244- Requirements for Temporary Coverings; Chapter 16, Section 16.26(3)- Overgrown Property; Chapter 17, Section 17-28, Chapter 3, Section 304.13.2- Openable Windows; Section 308.2.2- Refrigerators; Chapter 18, Section 18-1- Definitions- Abandoned motor vehicles or vessel; Section 18-3- Abandoned personal property, motor vehicles and vessels declared nuisances; disposal; Section 18-6- Immunity of city personnel; Section 18-7- Storage of abandoned motor vehicles or vehicles on privately owned property; Section 18-8- Evidence; Section 18-9- Enforcement and responsibility for disposition for abandoned motor vehicles or vessels

Code Enforcement Officer Kathy Riley reviewed details and photos of the case. Evidence was presented for the Magistrate's consideration and made a part of these minutes. Ms. Riley stated the site visits revealed an inoperable vehicle, an abandoned refrigerator, and April 1st, boards were first observed on the windows. Follow-up visits revealed the vehicle and refrigerator had been removed, but boards were still on the windows. May 28th re-inspection showed all but one window was brought into compliance.

STIPULATION: Magistrate Kardash will be taking the matter under advisement and issuing a written ruling within 15 days of this hearing.

4. OLD BUSINESS

None

5. NEW BUSINESS

None

Magistrate Kardash adjourned the meeting at 6:57 p.m.

Minutes approved: June 25, 2019

Regina A. Kardash

Regina A. Kardash, Magistrate