

**MINUTES
CODE ENFORCEMENT HEARING**

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

**Special Magistrate: Regina Kardash, Esq.
July 30, 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. 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

Special Magistrate Kardash approved the June 25, 2019 Minutes as written.

3. PUBLIC HEARINGS

A. Compliance Cases

The cases were heard in order as printed on the Agenda.

B. Case No. 19-08

Arturo Chavez Jr., Norma Chavez and Joanna Madrid
713 16th Street West
Palmetto, FL 34221

Violation Location: 713 16th Street West, Palmetto, FL 34221

Codes Violated: Chapter 28, Section 28.52 – Commercial Vehicles; Section 6.5- Parking of domestic and commercial vehicles and recreational vehicles

Code Enforcement Officer Kathy Riley reviewed details and photos pertaining to the case, specifically the commercial vehicle parked on the road in a residential area. Evidence was presented for the Magistrate's consideration and made a part of these minutes. Mrs. Riley reported Mrs. Norma Chavez was very cooperative, even helping Mrs. Riley measure the dimensions of the commercial trailer. The GMC vehicle previously with flat tires and in inoperable condition is currently in compliance. The commercial vehicle was moved across the street to a neighbor's property at 706 16th Street West.

Mrs. Riley and Magistrate Kardash discussed the commercial vehicle temporarily moving, although it is not stored in an enclosed structure. A chain link fence is not considered an enclosed structure, and the neighbor at 706 16th Street West has also been sent a notice of violation.

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

C. Case No. 19-09

Jessie Lee Mays
1403 3rd Avenue West
Palmetto, FL 34221

Violation Location: 1403 3rd 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 Required; Chapter 15, Section 15.7 (b)- Yard, Waste Cans & Bundles; Chapter 16, Section 16.26 (2)- Accumulation of Garbage; Section 16.26 (6)- The unauthorized accumulation or maintenance of lumber, stone, concrete, sand or any other building or construction material on a lot

Code Enforcement Officer Kathy Riley submitted details and photos pertaining to this case for the Magistrate's consideration, and the evidence was made a part of these minutes. The original site visit March 28, 2019 revealed sheds that had been erected without a permit, an accumulation of trash as well as an accumulation of lumber, concrete and construction material. The Respondent's grandson, Arthur Smith is living at the property. Mr. Smith came into Public Works and stated the shed had been there for years. Ms. Karla Owens Development Services Director met with Arthur Smith and informed him that he needed to contact the Building Official. Multiple re-inspections revealed little change in the condition of the property, and no request for permit. The Respondent stated his grandmother, Ms. Mays is 90 years old and she would give him Power of Attorney. However, Ms. Jessie Lee Mays passed away August 3rd, 2009. Property should not be "homesteaded" and the tax department will be making a correction in the records going back to 2010.

July 3, 2019, a corrected Notice of Violation was mailed. Arthur Smith accepted the revised Notice of Violation July 19, 2019, listing four code violations. The Respondent's grandson still had not requested a permit, nor removed the shed. The trash, yard waste, and construction material is still on the property.

STIPULATION: The property is in violation of all four codes as sited, the Respondent is given until August 26, 2019 to bring the property into compliance and the case will be heard at the August 27, 2019 Code Enforcement Hearing.

4. OLD BUSINESS

D. 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 pertaining to the case, specifically the unsafe fence. Evidence was presented for the Magistrate's consideration and made a part of these minutes. Bank was given until June 27th to come into compliance. Re-

inspection revealed the fence was still dilapidated. Re-inspected today revealed the property is now in compliance. The Bank had been cooperative, even though process took longer than expected. The City is not seeking administrative costs.

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

E. 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 of this case, which were submitted for the Magistrate's consideration, and made a part of these minutes. There is one violation, but two issues, specifically Chapter 7, Section 7-244- Requirements for Temporary Coverings; and Chapter 17, Section 17-28, Chapter 3, Section 304.12.2- Openable Windows. The plywood is still covering the window, and the property is still in non-compliance.

SETTLEMENT: Magistrate Kardash deemed the property remains in violation and will impose a \$20.00/ day fine retroactive to the July 25, 2019 until such date the property is brought into compliance.

5. NEW BUSINESS

The next Code Enforcement Hearing is scheduled for August 27, 2019.

Magistrate Kardash adjourned the meeting at 6:40 p.m.

Minutes approved: August 27, 2019

Regina A. Kardash

Regina A. Kardash, Magistrate