

**MINUTES
CODE ENFORCEMENT HEARING**

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

**Special Magistrate: Regina Kardash, Esq.
December 3, 2019
6:00 p.m.**

Magistrate Kardash called the meeting to order at 6:00 p.m., followed by a moment of silence and the Pledge of Allegiance. Ms. Kardash explained the quasi-judicial procedures of this hearing. All people planning to address the Magistrate were duly sworn.

1. ADDITIONS OR DELETIONS TO AGENDA

Magistrate Kardash called Item D first, and then continued with Item B because respondents were in attendance.

2. APPROVE MINUTES

A. Minutes: Citation Appeal November 13, 2019

B. Minutes: Code Enforcement Hearing October 29, 2019

Magistrate Kardash approved the 11.13.19 Citation Appeal Minutes and the 10.29.19 Code Enforcement Hearing Minutes as written.

3. PUBLIC HEARINGS

A. Compliance Cases

Magistrate Kardash followed the agenda with the exception of hearing Item D first.

B. Case No. 19-25

Luc and Marie Francois
1695 14th Avenue West
Palmetto, FL 34221

Violation Location: 1695 14th Street West, Palmetto, FL 34221

Codes Violated: Appendix B, Article VI, Section 6.7 (b)- Swimming pools, Enclosure; as described in Chapter 4 Florida Building Code, Section 454.2.17- Residential swimming barrier; Chapter 16, Section 16.26(14)- trees, shrubs, or other landscaping that threaten or endanger

Code Enforcement Officer Kathy Riley reviewed details and photos pertaining to the case. Evidence was presented to Magistrate Kardash for her consideration and made a part of these minutes. The initial site visit August 8, 2019 revealed a swimming pool with a questionable barrier, and a palm tree that needed to be removed. After multiple re-inspections and two suggested solutions, Mrs. Riley stated the palm tree has been removed but the swimming pool is still not screened or fenced.

Son, Guy Francois spoke on behalf of the family. He opined even a cat cannot squeeze through the child safety fence. Magistrate Kardash received a copy of the swimming pool fence violations and will review the building codes.

STIPULATION: Magistrate Kardash continued this case to January 28, 2020. The Respondent was asked to bring photos showing how the fence is mounted and proof that it is secure.

C. Case No. 19-27

L. Edwin Rodgers
PO Box 51081
Sarasota, FL 34232-0309

Violation Location: 800 6th Avenue West, Palmetto, FL 34221
Codes Violated: Chapter 7, Section 7.238 (a)- Windows

Code Enforcement Officer Kathy Riley reviewed details and photos pertaining to the case. Evidence was presented to Magistrate Kardash for her consideration and made a part of these minutes. Mrs. Riley reported the Landlord said the windows would be fixed by October 9-10. Multiple site visits including one as late as December 3, 2019 revealed the windows are still in violation.

No one appeared on behalf of L. Edwin Rodgers. The property was found in violation and the Respondent was given 30 days to come into compliance.

STIPULATION: The Respondent was given until January 3, 2020 to repair or replace the windows. The case will be heard again on January 28, 2020.

D. Case No. 19-28

Ignacio Chanelo
Reveca Chanelo
1202 Dr. Martin Luther King Jr. Place
Palmetto, FL 34221

Violation Location: 1202 Dr. Martin Luther King Jr. Place, Palmetto, FL 34221
Codes Violated: Article III, Section 7-31- Florida Building Code adopted by reference; 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 Kathy Riley reviewed details and photos pertaining to the case. Evidence was presented to Magistrate Kardash for her consideration and made a part of these minutes. The initial site visit July 29, 2019 revealed an unpermitted shed and an abundance of trash or debris. The August 21, 2019 site visit revealed an unpermitted fence. On October 1, 2019, a permit application was received at Public Works for a fence and three wooden sheds. Only the fence was approved. Daughter Marisol Chanelo-Alvarado translated on behalf of the family at the Hearing. Previous violations have been resolved, only the sheds are in violation.

Ignacio wondered why the sheds are being targeted. He claims he was given permission a few years ago from the Building Department as long as the shed was not taller than the house. He agreed to take the sheds down, but he will need time.

STIPULATION: The Respondents were given until January 28, 2020 to provide an engineer statement for the three (3) sheds or remove the three (3) sheds from the property.

4. OLD BUSINESS

E. Case No. 19-23

Katherine A. Funk Frandanisa
8624 Artillery Road
Manassas, VA 20110

Violation Location: 505 and 507 14th Avenue West, Palmetto, FL 34221
Codes Violated: Chapter 7, Section 7.181 (1, 3- a, b) Definitions; Chapter 16, Article II- Nuisances, Section 16-27 (a, b, c) – Prohibition and enforcement

Code Enforcement Officer Kathy Riley reviewed details and photos pertaining to the case. An email from Allen Tusing indicated the Respondent sent notarized permission for the City to remove the wall at a cost not to exceed \$800.

SETTLEMENT: Magistrate Kardash continued the case until January 28, 2019, allowing the City more time to complete the removal of the wall.

F. Case No. 19-24

Nicholas Joseph Florio
1409 7th Street West
Palmetto, FL 34221

Violation Location: 1409 7th Street 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 Permits, A-105.1- Required

Code Enforcement Officer Kathy Riley reviewed details and photos pertaining to the case. Evidence was presented to Magistrate Kardash for her consideration and made a part of these minutes. This case was first heard October 29, 2019 and continued to December 3, 2019 to allow more time for the respondent to get a permit for his shed.

STIPULATION: The Respondent was found in violation of the City Code of Ordinances as cited and given seven (7) days to get permit.

5. NEW BUSINESS

The next Code Enforcement Hearing is scheduled for Tuesday, January 28, 2020.

Magistrate adjourned the meeting at 6:59 p.m.

Minutes approved: January 28, 2020

Regina A. Kardash

Regina A. Kardash, Magistrate