

**ABBREVIATED MINUTES**  
**CODE ENFORCEMENT BOARD**  
 April 8, 2008

The City of Bradenton Code Enforcement Board met in regular session on April 8, 2008 at 2:30 P.M. in the City Hall Council Chambers, 101 Old Main Street, Bradenton, Florida.

**ATTENDANCE**

**Code Enforcement Board Members** (shaded area indicates excused absence):

Chairperson Jeff Ragan	Vice Chairperson Robert Grant	Gerald Fisher	Richard Coury	

<b>Planning &amp; Community Development</b>	<b>Code Enforcement</b>	<b>Fire</b>	<b>Police</b>	<b>Other</b>
Michael Huang, Planner	Volker Reiss, Compliance Manager Cheryl Landers, Barbara Hogan, Victor Perez F.A.C.E. Certified Code Officers Mark Runnals, Code Officer			City Attorney Bill Lisch

**PRELIMINARIES**

- 1) Meeting called to order by Chairperson Ragan at 2:32 p.m.
- 2) Member Coury made the motion to accept the minutes from February 8, 2008 as presented by staff. Seconded by Member Fisher. Motion carried 4-0.

- 3) The following persons were sworn in by Laura Anderson: Volker Reiss, Barbara Hogan, Cheryl Landers, Mark Runnals, Barbara Hogan, Julio Masias, Lori Baker, Anongsay Chantamart, Michael Glasgow, Suzanne Carter, Matt Kezar, Michael Glasgow, Mark Barnebey, Scott Clark and Mary Ann Boehm.

**UNFINISHED BUSINESS:**

**08-012 Linda L. Davis – Jay Davis – Julio Masias Jr.**  
**Address: 506 22<sup>nd</sup> Avenue West/DP#4514610007**  
**Violation: Sections 302.7 from Ordinance #2821**

Cheryl Landers, Code Enforcement Officer entered photographs into evidence. The case was continued from the March 11, 2008 Code Board Hearing. Officer Landers stated the property was inspected on August 27, 2007. At that time staff found the a substandard carport, missing smoke detectors, stove in disrepair, interior doors in disrepair, plumbing fixtures in disrepair, and the water in the shower does not drain properly. The property owner received the Letter of Violation on August 30, 2007. The property was re-inspected on December 7, 2007 and all the violations remained. The property owner received the Notice of Hearing on January 11, 2008. The property was re-inspected on March 31, 2008 and the carport remained in violation, all other violations have been corrected. Officer Landers explained the violation through the photographs displayed. Officer Landers stated that the property owner allowed her to inspect the interior of the structure and was found in compliance. Staff recommends 60 days for code compliance with a fine of \$75.00 per day until full compliance is reached.

Attorney Lori Baker approached the Board, she stated that the property owner has a contract from a contractor to repair the carport, the property owner is requesting 90 days for code compliance to allow for any problems.

**Actions**

Member Grant made the motion to find case #08-012 in violation of Section 302.7 from Ordinance #2821. Seconded by Member Coury. Motion carried 4-0.

Member Grant made the motion to allow the property owner 90 days for code compliance with a fine of \$75.00 per day until full compliance is reached. Seconded by Member Coury. Motion carried 4-0.

## HEARINGS:

**08-016      Suzanne Carol Carter**  
**Address:    1112 17<sup>th</sup> Street West/DP#4385400009**  
**Violation:   Section 1, subsection A, parts 2 & 3 from Ordinance**  
**#2821.**

Cheryl Landers, Code Officer entered photographs into evidence. Officer Landers stated the property was inspected on October 15, 2007. At that time staff found the exterior of the structure contained chipped and peeling paint and rotted siding. The property owner received the Letter of Violation on November 1, 2007. The property was re-inspected on December 6, 2007 and the violations remained, The Notice of Hearing was returned unclaimed which was then posted on the property and City Hall on March 18, 2008 and sent via regular mail. Officer Landers explained the violations through the photographs displayed. Staff recommends 30 days for code compliance with a fine of \$75.00 per day until full compliance is reached.

Ms. Suzanne Carter approached the Board; she stated that she had purchased the paint, but within six weeks the bank will be foreclosing on the property. Ms. Carter stated that she does not have the financial means to hire help for the repairs, and will be out of the house within weeks.

Volker Reiss, Compliance Manager stated that staff would not object to more than 30 days for code compliance.

After some further discussion Mr. Reiss stated that staff would not have any problem tabling the case.

### Actions

Member Fisher made the motion to table the case. Seconded by Member Coury. Motion carried 4-0.

**08-018      Glenda F. Halty**  
**Address:    918 17<sup>th</sup> Street West/DP#4381700006**  
**Violation:   Chapter 18, Section 18-31 from the City Code of**  
**Ordinances.**

Case tabled until the May 13, 2008 Code Board Hearing.

**08-019 Christine Shannon**  
**Address: 644 11<sup>th</sup> Avenue East/DP#4587100001**  
**Violation: Sections 304.13, 302.7 and 304.6 from Ordinance #2821.**

Volker Reiss, Compliance Manager asked for the case to be withdrawn as the property is in code compliance.

**08-022 Esperanza Enriquez**  
**Address: 802 28<sup>th</sup> Street Cir East/DP#1164500009**  
**Violation: Chapter 38, Section 38-62 from the City Code of Ordinances.**

Case tabled until the May 13, 2008 Code Board Hearing.

**08-023 Deutsche Bank National Trust Co.**  
**Address: 2918 Sandpointe Dr./DP#5079702808**  
**Violation: Sections 307.1 and 302.4 from Ordinance #2821.**

Barbara Hogan, Code Enforcement Officer entered photographs into evidence. Officer Hogan stated the property was inspected on February 2, 2008. At that time staff found abandoned items in the yard and the property overgrown. The property owner received the Letter of Violation on February 8, 2008. The property was re-inspected on March 11, 2008 and the violations remained. The property owner received the Notice of Hearing on March 17, 2008. Officer Hogan explained the violations through the photographs displayed. Staff recommends 10 days for code compliance with a fine of \$100.00 per day until full compliance is reached.

### **Actions**

Member Grant made the motion to find case #08-023 in violation of Section 307.1 and 302.4 from Ordinance #2821. Seconded by Member Fisher. Motion carried 4-0.

Member Grant made the motion on case #08-023, giving the property owner 10 days for code compliance with a fine of \$100.00 per day until code compliance is reached. Seconded by Member Fisher. Motion carried 3-1 with Chairperson Ragan in opposition.

**08-024 Classie M. Cooper – Luverne Cooper Jr.**  
**Address: 801 19<sup>th</sup> Street Court East/DP#1311800005**  
**Violation: Sections 304.2, 302.7 and 304.6 from Ordinance #2821.**

Case tabled until the May 13, 2008 Code Board Hearing.

## **VI. OTHER BUSINESS:**

**07-063 Anongsay Chanthamart**  
**Address: 1601 15<sup>th</sup> Street West/DP#4412100002**

Volker Reiss, Compliance Manager stated that the Board found the case in violation on November 13, 2007, allowing the property owner 30 days for code compliance. Staff has issued an Affidavit of Non-Compliance along with an Order Imposing Penalty/Fine, as of March 3, 2008 the property is in code compliance. The property owner is here is request a reduction or elimination of the fine.

Attorney Maryann Boehm, the representative for Mr. Anongsay Chanthamart approached the Board; she stated that her client has been earnestly working to repair the property. Ms. Boehm went on to say that the property is a duplex and the property owner resides there. Attorney Boehm displayed photographs of the property, asking that the fine be removed or reduced.

Volker Reiss stated that staff does not object to reducing the fine.

### **Actions**

Member Grant made the motion to reduce the fine to \$480.00. Seconded by Member Coury. Motion carried 3-1 with Chairperson Ragan in opposition.

**07-029 Michael S. Glasgow – LH Glasgow**  
**Address: 802 6<sup>th</sup> Street West/DP#3274700008**

**07-030 Michael S. Glasgow – LH Glasgow**  
**Address: 808 6<sup>th</sup> Street West/DP#3274800006**

Volker Reiss, Compliance Manager stated that the fine had been imposed but the Board ordered not to have the lien recorded. The case will be on the next agenda of the Planning Commission for the outdoor storage.

Attorney Mark Barnebey, representative for Michael Glasgow asked that the lien not be recorded. Mr. Barnebey went on to say that the property owner has been working with the City and the case will be heard at the April 16, 2008 Planning Commission Meeting and the final decision to be made at the May 14, 2008.

## **Actions**

Member Fisher made the motion to extend the case until June 10, 2008. Seconded by Member Coury. Motion carried 4-0.

Chairperson Ragan stated for the record that both case 07-029 and 07-030 were heard simultaneously.

**07-066      Lagoinvest Florida Partnership, LLC**  
**Address:    1401 Village Green Pkwy/DP#3899900009**

Volker Reiss, Compliance Manager stated that the case was brought before the Board on November 13, 2007 and was given 60 days to bring the property into code compliance. An affidavit of non-compliance was issued on February 13, 2008 and staff is asking that the lien in the amount of \$11,585.50 be recorded.

Scott Clark, Representative for Lagoinvest Florida Partnership, LLC approached the Board. Mr. Clark stated that a sewer cap permit has been issued and currently bids are being accepted. Mr. Clark explained the lengthy procedure involved in removing a structure. Photographs on the structures were disbursed for the Board for review.

Volker Reiss, Compliance Manager stated that the issue before the Board is to impose the fine and impose the lien as presented by staff for the ongoing violations on the property.

## **Actions**

Member Coury made the motion to record the lien as presented by staff. Seconded by Member Fisher. Motion carried 4-0.

**07-027      Andre Sas**  
**Address:    1011 13<sup>th</sup> Street West/DP#4366800003**

Volker Reiss, Compliance Manager stated that staff requests the Board to authorize foreclosure action on the recorded fine.

Mr. Andre Sas approached the Board; he stated that he recently became aware of the recorded lien. Mr. Sas went on to say that he applied for a permit by a contractor and was under the impression that the fine had stopped.

Officer Landers explained the process the City has for permits and stated that Mr. Sas's permit had been cancelled due to lack of inspection request from the property owner or the contractor.

Member Grant asked if the Board needs to motion on the case for staff to proceed with the foreclosure action. Mr. Reiss explained the events leading to the foreclosure and stated that the property remains in violation due to lack of proper permitting and staff does request the Board to authorize the foreclosure.

Mr. Sas stated that lack of finances has limited him from continuing with the repairs on the property and he was not aware that the permit would expire.

### **Actions**

Member Grant made the motion for staff to authorize the foreclosure. Seconded by Member Coury. Motion carried 4-0.

**07-071      Manuel Verdia**  
**Address:    1518 17<sup>th</sup> Avenue West/DP#4403700000**

Volker Reiss, Compliance Manager stated that staff is here to ask the Board to impose the Order Imposing Penalty/Fine in the amount of \$9,150.00.

Property owner was not present, no action taken by the board, fine to be imposed.

### **VII. STAFF/BOARD COMMENTS**

Volker Reiss announced that City Council will be appointing Mr. Al Youmans as a new code board member.

### **VII. ADJOURMENT:**

Meeting adjourned at 4:00 p.m.

Next scheduled meeting –May 13, 2008.

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**Jeff Ragan, Chairperson**  
**Code Enforcement Board**

Note: This is not a verbatim record. A recorded disc is available upon request for a \$10.00 service charge.