

ABBREVIATED MINUTES
CODE ENFORCEMENT BOARD
January 19, 2010

The City of Bradenton Code Enforcement Board met in regular session on January 19, 2010 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):

Chairman Robert Grant	Vice- Chairman Richard Coury	Gerald Fisher	Al Youmans	Glyn Oldham
Larry Denyes	Fred Hayo			

Planning & Community Development	Code Enforcement	Fire	Police	Other
	Volker Reiss, Compliance Manager Victor Perez, Mark Runnals, F.A.C.E. Certified Code Officers			Attorney Alan Prather

PRELIMINARIES

- 1) Meeting called to order by Chairman Grant at 2:31 p.m.
- 2) Member Fisher made the motion to accept the minutes from December 15, 2009 as presented by staff. Seconded by Member Oldham. Motion carried 6-0.
- 3) The following persons were sworn in by Laura Anderson: Volker Reiss, Mark Runnals, Thomas Fenton, Gerson Cadet, Hyrum Short and Rick McGuire.

UNFINISHED BUSINESS:

None at this time.

HEARINGS:

10-001 Donald E. Gray / Robin M. Gray
Address: 1915 7th Avenue West/DP#3429700002/Ward 3
Violation: Section 501.7.A from Ordinance #2627.

Volker Reiss, Compliance Manager stated that the property is in code compliance.

10-002 Hyrum Short
Address: 311 10th Avenue Drive East/DP#4613700006/Ward 5
Violation: Sections 308.1, 302.4, 605.1, 304.15, 302.7, 504.3 and 304.13 from Ordinance #2906 and Section 1, subsection A, parts 2 & 3 and Section 1, subsection B, part 3 from Ordinance #2821.

Mark Runnals, Code Enforcement Officer entered photographs into evidence. Officer Runnals stated the property was inspected on October 6, 2009. At that time staff found the property contained trash and debris, overgrowth along fence line, missing cover on electrical box, exterior doors not fitted properly, and the fence in disrepair, exterior missing siding, rotted and missing rim joists, substandard plumbing, broken windows and missing window screens. The Notice of Violation was received by the property owner on October 21, 2009. A re-inspection was done on December 7, 2009 and all violations remained. The Notice of Hearing was received by the property owner on December 15, 2009. Officer Runnals explained the violations through the photographs displayed. Staff recommends 60 days for code compliance with a fine of \$200.00 per day until full compliance is reached.

Mr. Hyrum Short approached the Board; he stated that he resides out of state but agrees with the violations, and will be making the necessary repairs needed for code compliance.

Member Hayo recommended that Mr. Short replace the cover on the electrical box as soon as possible for obvious safety reasons.

Actions

Member Fisher made the motion to find case #10-002 in violation of Sections 308.1, 302.4, 605.1, 304.15, 302.7, 504.3 and 304.13 from Ordinance #2906 and Section 1, subsection A, parts 2 & 3 and Section 1, subsection B, part 3 from Ordinance #2821. Seconded by Member Oldham. Motion carried 6-0.

Member Fisher made the motion on case #10-002, giving the property owner 90 days for code compliance with a fine of \$200.00 per day until full compliance is reached. Seconded by Member Oldham. Motion carried 6-0, the code board members requested that Mr. Short repair the electrical box immediately which he agreed.

10-003 Gerson Cadet
Address: 713 23rd Street East/DP#1335300008/Ward 5
Violation: Sections 304.7, 304.2, 304.13, 302.7, 304.6 and 504.3 from
Ordinance #2906 and Chapter 70, Section 70-67 from the City
Code of Ordinances.

Mark Runnals, Code Enforcement Officer entered photographs into evidence. Officer Runnals stated that the property was inspected on October 6, 2009. At that time staff found the roof rotted and decayed, broken and missing windows, chipped and peeling paint, fence in disrepair, missing and rotted siding, the plumbing has improper connections and raw sewage leakage, and the water meter has been removed which now requires a backflow device. The Notice of Violation was received by the property owner on October 19, 2009. A re-inspection was done on November 12, 2009 and all violations remained. The property owner was present at the hearing. Officer Runnals explained the violations through the photographs displayed. Staff recommends 30 days for code compliance with a fine of \$150.00 per day until full compliance is reached.

Mr. Gerson Cadet approached the Board; he stated that the property is in foreclosure. Attorney Alan Prather reviewed the documents brought by Mr. Cadet regarding the foreclosure. Mr. Prather added that the property is in the earliest steps of the foreclosure, and at this time Mr. Cadet is the current property owner.

Mr. Cadet asked for a continuance on the case.

Actions

Member Denyes made the motion on case #10-003 in violation of Sections 304.7, 304.2, 304.13, 302.7, 304.6 and 504.3 from Ordinance #2906 and Chapter 70, Section 70-67 (b) from the City Code of Ordinances. Seconded by Member Oldham. Motion carried 6-0.

Member Denyes made the motion on case #10-003, giving the property owner 30 days for code compliance with a fine of \$150.00 per day until full compliance is reached. Seconded by Member Oldham. Motion carried 6-0.

OTHER BUSINESS:

09-056 Sean Fenton
Address: 931 16th Street West/DP#4380100000

Volker Reiss, Compliance Manager stated that the property owner requests an extension of time for code compliance. Mr. Reiss stated that the property owner's father, Mr. Thomas Fenton is here as a representative for the property owner.

Mr. Thomas Fenton approached the board; he stated that his son is in the army and would like a six month extension of time for code compliance.

Mr. Reiss stated that staff is not opposed to an extension of time

Actions

Member Fisher made the motion on case #09-056, extending the time for code compliance to 120 days. Seconded by member Denyes. Motion carried 6-0.

09-060 Donald L. McLucas Jr. / Jan L. McLucas
Address: 1403 13TH Street West/DP#4429700000

Volker Reiss, Compliance Manager stated that staff is here to request the Board to impose the fine; which was received by the property owner. Mr. Reiss explained the case history and concluded that the property remains in violation.

No action required by the Board. The fine is imposed.

09-054 Marianne McLauchlan / Erin Hall McLauchlan
Address: 711 23rd Street East/DP#1335400006

Volker Reiss, Compliance Manager stated that staff requests the Board to impose the fine; which was posted on the property. Mr. Reiss explained the case history and concluded that the property remains in violation.

No action required by the Board. The fine is imposed.

STAFF/BOARD COMMENTS:

ADJOURNMENT:

Mr. Reiss stated that Mr. Rick McGuire is in attendance under the assumption that he was on the agenda as the contractor for Ms. Callans to request as extension of time. Mr. Reiss went on to say that the request was not received in time for this month's agenda and Ms. Callan's attorney has not been notified.

Attorney Alan Prather concurred that the request be placed on the February's agenda.

Mr. Reiss informed the Board that staff has requested a special magistrate to hear the red light appeals because of the volume of appeals predicted.

Meeting adjourned at 3:47 p.m.

Next scheduled meeting –February 16, 2010.

Robert B. Grant Jr., Chairman
Code Enforcement Board

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