

**ABBREVIATED MINUTES**  
**CODE ENFORCEMENT BOARD**  
**July 20, 2010**

The City of Bradenton Code Enforcement Board met in regular session on July 20, 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			

<b>Planning &amp; Community Development</b>	<b>Code Enforcement</b>	<b>Fire</b>	<b>Police</b>	<b>Other</b>
Tim Polk, Director Ruth Seewer, Development Review Mgr.	Volker Reiss, Compliance Manager Victor Perez, Cheryl Landers Barb Hogan Mark Runnals, F.A.C.E. Certified Code Officers			Attorney William Lisch

**PRELIMINARIES**

- 1) Meeting called to order by Chairman Grant at 2:32 p.m.
- 2) Flag salute led by Chairman Grant.
- 3) Member Oldham made the motion to accept the minutes from June 15, 2010 as presented by staff. Seconded by Member Fisher. Motion carried 6-0.
- 4) The following persons were sworn in by Laura Anderson: Hyrum Short, Andrew Lasky, Will Robinson, Sue Kolze, Barbara Hogan, Tim Polk, Mark Runnals, Ruth Seewer and Cheryl Landers.

## **UNFINISHED BUSINESS:**

### **10-100 – 10-201 Rousch Field Limited Partnership Bradenton Village**

Volker Reiss, Compliance Manager updated the Board on the events leading to today. Mr. Andrew Lasky, representing Bradenton Village, approached the Board; he stated he understood that a revised PDP is required for compliance of the landscaping and the structures need to be painted. The newly revised PDP is being comprised by John Moody and Associates and should be completed by the end of August, and then presented to the city for approval. Mr. Lasky stated that they retained a paint technical adviser from Sherwin Williams to inspect the structures and he found that none of the paint is failing functionally, although areas of the stucco is cracked and would need to be addressed. Mr. Lasky added that a paint plan of five years is in the works.

Cheryl Landers, Code Enforcement Officer approached the Board; she stated that staff had not heard from anyone from Bradenton Village since the original case was heard in May, and staff opposes the five year paint plan.

Attorney Will Robinson approached the Board; he stated that the problem with communication has been recognized and will be addressed. Mr. Robinson added that progress has been made, and all parties are working for the same goal.

Tim Polk, Director of Planning and Community Development stated that Bradenton Village is a quality housing development and both parties intend to maintain the property as an award winning development. Mr. Polk added that from his previous employment with housing development, a maintenance schedule is necessary.

### **Actions**

Member Fisher made the motion to continue the case to the September 21, 2010 Code Board Hearing. Seconded by Member Oldham. Motion carried 6-0.

## **HEARINGS:**

**10-029 Camilla Woods**  
**Address: 807 3<sup>rd</sup> Avenue East/DP#3138800002/Ward 4**  
**Violation: Section 304.2 from Ordinance #2906.**

Cheryl Landers, Code Enforcement Officer entered photographs into evidence. Officer Landers stated that the property was inspected on March 29, 2010. At that time staff found the following violations; the exterior contains mold and mildew and chipped and peeling paint, the rear door is decayed and in disrepair,

boarded windows, the upstairs railing is corroded and contains chipped and peeling paint. The Notice of Violation was received by the property owner on April 1, 2010. A re-inspection was done on June 14, 2010 and the exterior of the property remained in violation with chipped and peeling paint. The Notice of Hearing was received by the property owner on June 23, 2010. 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.

### **Actions**

Member Denyes made the motion to find case #10-029 in violation of Section 304.2 from Ordinance #2906. Seconded by Member Youmans. Motion carried 6-0.

Member Denyes made the motion on case #10-029, giving the property owner 60 days for code compliance with a fine of \$75.00 per day until full compliance is reached. Seconded by Member Youmans. Motion carried 6-0.

**10-030            Kolze Enterprise Inc.**  
**Address:        604 25<sup>th</sup> Avenue West/DP#4526800000/Ward 3**  
**Violation:       Sections 304.2, 605.1, 308.1, 304.7 and 304.10 from Ordinance**  
**#2906 and Chapter 5, Schedule 5.1.1 from Ordinance #2913**  
**and Section 1, subsection G, part 1 from Ordinance #2821.**

Barbara Hogan, Code Enforcement Officer entered photographs into evidence. Officer Hogan stated that the property was inspected on May 11, 2010. At that time staff found the following violations; the exterior walls are stained, exterior chipped and peeling paint, front porch trellis unpainted, exterior light fixtures in disrepair and missing globes, extension cords used on the front porch, substandard electrical cord, unregistered vehicle stored on the property, abandoned items stored in the yard, wood fence in disrepair, unregistered trailer stored in yard, rotted fascia boards, rotted boards on front porch, screens in disrepair, trash cans are stored in front, and dead tree limbs and yard waste in yard. The Notice of Violation was received by the property owner on May 18, 2010. A re-inspection was done on June 22, 2010 and all the violations remained. Staff again inspected the property on July 13, 2010 and following violations remained; exterior walls are stained, exterior chipped and peeling paint, extension cords being used on the front porch, abandoned items stored in the yard, unregistered trailer in yard, rotted fascia boards, rotted boards on the front porch, trash cans stored in front and dead tree limbs and yard waste in the yard. The Notice of Hearing was received by the property owner on June 25, 2010. Officer Hogan explained the violations through the photographs displayed, adding that the abandoned vehicle had been removed. Staff recommends 30 days for code compliance with a fine of \$125.00 per day until full compliance is reached.

Mrs. Sue Kolze approached the Board; she stated that she has been trying to maintain the property over the years. Mrs. Kolze went on to say that the neighborhood has active gang activity and property values have dropped, but she will continue to work on the property.

### **Actions**

Member Denyes made the motion to find case #10-030 in violation of Sections 304.2, 605.1, 308.1, 304.7, 304.10 from Ordinance #2906, and Section 1, subsection G, part 1 from Ordinance #2821 and Schedule 5.1.1 from Ordinance #2913. Seconded by Member Fisher. Motion carried 6-0.

Member Denyes made the motion on case #10-030, giving the property owner 60 days for code compliance with a fine of \$125.00 per day until full compliance is reached. Seconded by Member Fisher. Motion carried 6-0.

**10-031          Francis First, LLC**  
**Address:        602 22<sup>nd</sup> Avenue West/DP#451500000/Ward 3**  
**Violation:       Section 302.4 from Ordinance #2906.**

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

**10-032          US Bank National Association**  
**Address:        1314 22<sup>nd</sup> Street West/DP#4115100002/Ward 3**  
**Violation:       Sections 301.3, 302.7, 308.1, 302.4, 304.13 from Ordinance**  
**#2906 and Section 1, subsection A, parts 2 &3 from Ordinance**  
**#2821.**

Cheryl Landers, Code Enforcement Officer entered photographs into evidence. Officer Landers stated that the property was inspected on April 26, 2010. At that time staff found the following violations; the exterior contains mold and mildew, the structure is not secure, swing set is in disrepair, storage cabinet stored on property, abandoned items stored on property, overgrown yard and broken windows. The Notice of Violation was received by the property owner on May 3, 2010. A re-inspection was done on June 10, 2010 and staff found the swing set and the storage shed had been removed and all other violations remained. The Notice of Hearing was received by the property owner on June 28, 2010. Officer Landers explained the violations through the photographs displayed. Staff recommends 30 days for code compliance with a fine of \$250.00 per day until full compliance is reached.

## **Actions**

Member Denyes made the motion to find case #10-032 in violation of Sections 301.3, 308.1, 302.4 and 304.13 from Ordinance #2906 and Section 1, subsection A, parts 2 & 3 from Ordinance #2821. Seconded by Member Hayo. Motion carried 6-0.

Member Denyes made the motion on case #10-032, giving the property owner 30 days for code compliance with a fine of \$250.00 per day until full compliance is reached. Seconded by Member Hayo. Motion carried 6-0.

**10-033          Wells Fargo Bank National Association**  
**Address:        1804 18<sup>th</sup> Street West/DP#4224800005/Ward 3**  
**Violation:       Sections 302.4, 302.7, 304.15 and 301.3 from Ordinance #2906.**

Volker Reiss, Compliance Manager asked that the case be continued to the August 17, 2010 Code Board Hearing.

## **Actions**

Member Fisher made the motion to continue the case to the August 17, 2010 Code Board Hearing. Seconded by Member Oldham. Motion carried 6-0.

## **OTHER BUSINESS:**

**10-002          Hyrum Short**  
**Address:        311 10<sup>th</sup> Avenue Drive East/DP#4613700006**

Volker Reiss, Compliance Manager summarized the events of the case, stating that the property remains in violation and staff requests the fine be imposed.

Mr. Hyrum Short approached the Board; he stated that he has been working on the violations after the original hearing in January 2010. Mr. Short went on to say that he had been working without applying for permits and admitted that was a mistake. Mr. Short stated that he has been in contact with a general contractor, and he plans to live in the house, he stated that the building department refused to issue him a homeowner/contractor building permit.

Chairman Grant explained that if the fine is imposed, Mr. Short has the option to come back before the Board and request a reduction or eliminate the fine.

## **Actions**

Member Fisher made the motion to impose the fine. Seconded by Member Hayo. Motion carried 6-0.

**STAFF/BOARD COMMENTS:**

Volker Reiss, Compliance Manager stated that Mr. Coury has an excused absence.

**ADJOURNMENT:**

Meeting adjourned at 4:10 p.m.

Next scheduled meeting –August 17, 2010.

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**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.