

**ABBREVIATED MINUTES  
CODE ENFORCEMENT BOARD  
November 18, 2008**

The City of Bradenton Code Enforcement Board met in regular session on November 18, 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	Al Youmans

<b>Planning &amp; Community Development</b>	<b>Code Enforcement</b>	<b>Fire</b>	<b>Police</b>	<b>Other</b>
Ruth Seewer, Dev. Review Manager.	Volker Reiss, Compliance Manager Cheryl Landers, Barbara Hogan, Victor Perez F.A.C.E. Certified Code Officers			City Attorney Bill Lisch Attorney Bob Schermer

**PRELIMINARIES**

- 1) Meeting called to order by Chairperson Ragan at 2:30 p.m.
- 2) Member Grant made the motion to accept the minutes from October 21, 2008 as presented by staff. Seconded by Member Coury. Motion carried 4-0.

- 3) The following persons were sworn in by Laura Anderson: Volker Reiss, Cheryl Landers, Barbara Hogan, Ruth Seewer, Will Robinson, Scott Kallins, Marissa Jackson and John Maser.

**HEARINGS:**

**08-075          John E. Maser/Joan Maser**  
**Address:        3701 17<sup>th</sup> Avenue West/DP#4061800001/Ward 2**  
**Violation:      Sections 307.1, 302.4, 302.7, Section 1, subsection A,**  
**parts 2 & 3 from Ordinance #2821.**

Barbara Hogan, Code Enforcement Officer entered photographs into evidence. Officer Hogan stated the property was inspected on June 2, 2008. At that time staff found the gutters in disrepair, abandoned items in the yard, overgrown yard, chain link fence in disrepair, an odor emitting from the house and dirty exterior walls. The Letter of Violation was hand delivered to the property owner on September 2, 2008. The property was re-inspected on October 7, 2008 and all violations remained. The Notice of Hearing was hand delivered to the property owner on October 22, 2008. Officer Hogan 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. John Maser approached the Board; he stated that he has been ill, but he has been working to clean up the property. The paint products are from his business, and he will have the paint cans removed. Mr. Maser explained he needed more time for code compliance.

Member Grant asked if Mr. Maser agreed with the violations presented by staff, which he stated he does.

**Actions**

Member Coury made the motion to find case #08-075 in violation of Section 307.1, 302.4, 302.7, Section 1, subsection A, parts 2 & 3 from Ordinance #2821. Seconded by Member Grant. Motion carried 4-0.

Member Coury made the motion on case #08-075, giving the property owner 60 days for code compliance with a fine of \$150.00 per day until code compliance is reached. Seconded by Member Grant. Motion carried 4-0.

**08-076          Barbara Lasser**  
**Address:        3221 1<sup>st</sup> Avenue West/DP#3510700002/Ward 2**  
**Violation:      Sections 304.2, 304.7, 502.1, 704.2 and 305.3 from**  
**Ordinance #2821.**

Barbara Hogan, Code Enforcement Officer entered photographs into evidence. Officer Hogan stated the property was inspected on June 25, 2008. At that time staff found the exterior of the structure contains chipped and peeling paint, loose and rotted soffit and fascia, missing kitchen sink, inoperable smoke detectors, construction work done without proper permits, and the interior walls have chipped and peeling paint. The Letter of Violation was hand delivered to the property owner on July 28, 2008. A re-inspection was done on September 29, 2008 and the violations remained. The Notice of Hearing was hand delivered to the property owner on October 28, 2008. Officer Hogan explained the violations through the photographs displayed. Officer Hogan stated that at the time the photographs were taken it was discovered some of the violations have been corrected. Staff recommends 30 days for code compliance with a fine of \$75.00 per day until full compliance is reached.

### **Actions**

Member Coury made the motion to find case #08-076 in violation of Section 304.2 and 704.2 from Ordinance #2821. Seconded by Member Grant. Motion carried 4-0.

Member Coury made the motion on case #08-076, giving the property owner 30 days for code compliance with a fine of \$75.00 per day until full compliance is reached. Seconded by Member Grant. Motion carried 4-0.

**08-077          Catherine L. Mabie/Land Trust known as 109 9<sup>th</sup> St Trust**  
**Address:        109 9<sup>th</sup> Street East/DP#3216700009/Ward 4**  
**Violation:      Sections 304.7 and 304.13 from Ordinance #2821.**

Cheryl Landers, Code Enforcement Officer entered photographs into evidence. Office Landers stated the property was inspected on July 23, 2008. At that time staff found the exterior of the structure contained chipped and peeling paint; the roof decking was substandard, inoperable windows, rotted exterior walls, overgrown yard, and improper window glazing. The Letter of Violation was received by the property owner on July 29, 2008. A re-inspection was done on October 9, 2008 and the substandard roof decking and inoperable windows remained in violation. The Notice of Hearing was received by the property owner on November 1, 2008. Officer Landers 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.

### **Actions**

Member Grant made the motion to find case #08-077 in violation of Sections 304.7 and 304.13 from Ordinance #2821. Seconded by Member Coury. Motion carried 4-0.

Member Grant made the motion on case #08-077, giving the property owner 30 days for code compliance with a fine of \$150.00 per day until full compliance is reached. Motion carried 4-0.

**08-079          Kenneth Jackson/Marissa Lynn Jackson**  
**Address:        1015 27<sup>th</sup> Street Ct East/DP#1397100007/Ward 5**  
**Violation:       Chapter 38, Section 38-82 from the City Code of Ordinances.**

Cheryl Landers, Code Enforcement Officer entered photographs into evidence. Officer Landers stated the property was inspected on June 18, 2008. At that time staff found abandoned vehicles stored on the property. The property owner received the Letter of Violation on July 14, 2008. The property was re-inspected on September 8, 2008 and the abandoned vehicles remained. The Notice of Hearing was received by the property owner on November 8, 2008. Officer Hogan explained the violations through the photographs displayed. Officer Hogan stated that she had spoken to the property owner on November 17, 2008 while taking photographs for the Code Enforcement Board, Officer Hogan questioned him about the abandoned vehicle, and he stated that he has had some medical problems. Staff recommends 10 days for code compliance with a fine of \$75.00 per day until full compliance is reached.

Mr. Marissa Jackson approached the Board; she asked what staff considered to be an abandoned vehicle. Mr. Volker Reiss, Compliance Manager explained the City Code on abandoned vehicles. Mrs. Jackson went on to say that the vehicle will be towed to have it repaired.

### **Actions**

Member Grant made the motion to find case #08-079 in violation of Chapter 38, Section 38-82 from the City Code of Ordinances. Seconded by Member Youmans. Motion carried 4-0.

Member Grant made the motion on case #08-079, giving the property owner 10 days for code compliance with a fine of \$75.00 per day until full

compliance is reached. Seconded by Member Youmans. Motion carried 4-0.

**08-080      Fitzroy Buckley Sr.**  
**Address:    110 6<sup>th</sup> Street East/DP#3149200002/Ward 4**  
**Violation:   Section 108.1.4 from Ordinance #2821.**

Cheryl Landers, Code Enforcement Officer entered photographs into evidence. Officer Landers stated the property was on May 28, 2008. At that time staff found the exterior of the structure contained chipped and peeling paint, a non-conforming storage building, and operating a business from home. The Letter of Violation was received by the property owner on June 28, 2008. A re-inspection was done on August 18, 2008 and the non-conforming storage remained in violation. The Notice of Hearing was received by the property owner on October 23, 2008. Officer Landers explained the violations through the photographs displayed. Staff recommends 30 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 #08-080 in violation of Section 108.1.4 from Ordinance #2821. Seconded by Member Youmans. Motion carried 4-0.

Member Grant made the motion on case #08-080, giving the property owner 30 days for code compliance with a fine of \$100.00 per day until full compliance is reached. Seconded by Member Youmans. Motion carried 4-0.

**08-081      Marjani D. Jones**  
**Address:    320 15<sup>th</sup> Street East/DP#3198500054/Ward 4**  
**Violation:   Sections 304.15, 304.13, 307.1, 304.13.2, 605.1 and**  
**Section 1, subsection B, part 3 from Ordinance #2821.**

Volker Reiss, Compliance Manager stated that property owner was not duly serviced.

**08-082      Marianne McLauchlan/Erin Hall McLauchlan**  
**Address:    711 23<sup>rd</sup> Street East/DP#1335400006/Ward 5**  
**Violation:   Section 302.4 from Ordinance #2821.**

Cheryl Landers, Code Enforcement Officer entered photographs into evidence. At that time staff found the yard overgrown. The Letter of Violation was received by the property owner on July 23, 2008. A re-inspection was done on October 14, 2008 and the property remained in

violation. The Notice of Hearing was received by the property owner on October 23, 2008. Officer Landers explained the violations through the photographs displayed. Staff recommends 10 days for code compliance with a fine of \$75.00 per day until full compliance is reached.

### **Actions**

Member Youmans made the motion to find case #08-082 in violation of Section 302.4 from Ordinance #2821. Seconded by Member Coury. Motion carried 4-0.

Member Youmans made the motion on case #08-082, giving the property owner 10 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.

**08-083          Sunset Retreats Inc./William Stewart, R.A.**  
**Address:        1003 1<sup>st</sup> Street East/DP#4622100008/Ward 5**  
**Violation:       Section 302.4 from Ordinance #2821.**

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

### **VI.    OTHER BUSINESS:**

**08-069          Robert E. Lee**  
**Address:        337 22<sup>nd</sup> Street Ct NE**

Volker Reiss, Compliance Manager stated that Susan Lee requested by letter an extension of time for code compliance. Mr. Reiss stated that Mr. Lee is incarcerated; the letter from Susan Lee has been included with the packets for review. Mr. Reiss asks the Board to deny the request for extension.

### **Actions**

Member Coury the motion to deny an extension of time. Seconded by Member Grant. Motion carried 4-0.

**07-055          Kali Building Inc./Melton H. Little, R.A.**  
**Address:        725 Manatee Avenue West**

Volker Reiss, Compliance Manager stated that staff is here to ask the Board to impose the Order Imposing Penalty/Lien; which has been received by the property owner in the amount of \$22,135.50. Mr. Reiss explained the circumstances concerning the case. Attorney Lisch stated that the owners have requested through City Council for an extension of

time. Attorney Lisch recommend the Board take no action at this time until City Council has made a decision.

Attorney Will Robinson approached the Board; he stated that he has spoken to Attorney Bill Lisch as a representative for the property owner who questions the condition of the building.

### **Actions**

Member Grant made the motion to remove the case from the agenda. Seconded by Member Youmans. Motion carried 4-0.

Volker Reiss, Compliance Manager asked that the property owner would maintain the property until a decision has been made concerning the outcome of the structure.

**08-051      Delia Mejia/Antonio E. Novoa**  
**Address:    921 21<sup>st</sup> Street East**

Volker Reiss, Compliance Manager stated that the property owner has not been duly serviced.

### **VII.    STAFF/BOARD COMMENTS**

Volker Reiss, Compliance Manager informed the Board that Mark Runnals is attending F.A.C.E Level II training.

Happy Thanksgiving from staff.

### **VII.    ADJOURNMENT:**

Meeting adjourned at 4:00 p.m.

Next scheduled meeting –December 16, 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.