

ABBREVIATED MINUTES
CODE ENFORCEMENT BOARD
 May 19, 2009

The City of Bradenton Code Enforcement Board met in regular session on May 19, 2009 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				

Planning & Community Development	Code Enforcement	Fire	Police	Other
	Volker Reiss, Compliance Manager Cheryl Landers, Barbara Hogan, Mark Runnals Victor Perez F.A.C.E. Certified Code Officers			Attorney Bill Lisch Attorney Robert Schermer

PRELIMINARIES

- 1) Meeting called to order by Chairman Grant at 2:31 p.m.
- 2) Member Coury made the motion to accept the minutes from April 21, 2009 as presented by staff. Chairman Grant asked that a correction be

made, noted by secretary. Seconded by Member Fisher. Motion carried 6-0.

- 3) The following persons were sworn in by Laura Anderson: Volker Reiss, Cheryl Landers, Mark Runnals, Barbara Hogan, Ronald Davis, Rachel Davis, Christian Robins, Terri Freeman, and Joyce Barber.

UNFINISHED BUSINESS:

None at this time.

HEARINGS:

09-028 Joyce Barber
Address: 1612 14th Avenue West/DP#4399500000/Ward 3
Violation: Chapter 18, Section 18-31 from the City Code of Ordinances.

Cheryl Landers, Code Enforcement Officer entered photographs into evidence. Officer Landers stated the property was inspected on December 22, 2008. At that time staff found the garage has been converted into a living unit without obtaining proper permits. The Letter of Violation was received by the property owner on December 24, 2008. A re-inspection was done on April 2, 2009 and a permit had not been issued for the room conversion. The Notice of Hearing was received by the property owner on April 23, 2009. Officer Landers explained the violations through the photographs displayed, and explained she had been working with the property owner to resolve the violations. Staff recommends 10 days for code compliance with a fine of \$75.00 per day until full compliance is reached.

Mrs. Joyce Barber approached the Board; she stated that the plumbing was there when the house was purchased; she also stated that the permit has been renewed. After some further discussion, staff confirmed that a permit has been issued and ask that the case be removed from the agenda.

09-030 Ronald L. Davis
Address: 616 12th Avenue West/DP#4331600009/Ward 5
Violation: Sections 304.2, 304.6, 304.10, 304.1, 307.1, 308.1, 302.3, 504.1, 304.13, 304.15, 301.3 and Section a, subsection B, part 3 from Ordinance #2821.

Volker Reiss, Compliance Manager entered photographs into evidence. Officer Reiss stated the property was inspected on February 24, 2009. At that time staff found the exterior of the structure contains chipped and

peeling paint, rotted siding, sections of the exterior walls unpainted, missing siding, the front porch is leaning, the floor threshold is rotted, rotted rim joists, termite damage, the foundation is shored up with wood pieces and cinder blocks, litter in yard, walkway to front door lifted and cracking, substandard plumbing system, rotted window frames, broken rear window, the rear door was improperly installed, boarded windows, and an unsecured rear window. The Letter of Violation was received by the property owner on March 5, 2009. A re-inspection was done on April 6, 2009 and the rear window had been secured and the exterior litter removed, with all other violations remaining. The Notice of Hearing was received by the property owner on April 22, 2009. Officer Reiss explained the violations through the photographs displayed. Officer Reiss stated that the city's building official inspected the property and he concluded the exterior and interior are in such disrepair that the property owner would need engineering plans before permits would be issued. Staff recommends 90 days for code compliance with a fine of \$200.00 per day until full compliance is reached.

Mr. Davis approached the Board; he stated that he purchased the property as an investment property to renovate and sell. Mr. Davis stated that he had been in contact with Barbara Hogan, Code Enforcement Officer to discuss violations and needed repairs. A permit was approved by the planning department to start the work. Mr. Davis met with Darin Cushing, the then-building official who approved the permit. Mr. Davis hired an engineer to draw the plans showing the improvements, which was reviewed by the current building official, Richard Justice; who was working for the city as the building official.

Mr. Davis requested six months of additional time to find a solution for the property and for financial reasons. After further discussion the board motioned on the case.

Actions

Member Coury made the motion to find case #09-030 in violation of Sections 304.2, 304.6, 304.10, 304.1, 308.1, 302.3, 504.1, 304.13, 304.15 and Section 1, subsection B, part 3 from Ordinance #2821. Seconded by Member Fisher. Motion carried 6-0.

Member Coury made the motion on case #09-030, 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 Fisher. Motion carried 6-0.

09-031 Zano, Inc.
Address: 1709 4th Avenue East/DP#1247000100/Ward 4
Violation: Sections 304.2 and 304.7 from Ordinance #2821 and

Chapter 18, Section 18-31 from the City Code of Ordinances.

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

**09-032 Deutsche Bank Trust Company Americas
Formerly known as Bankers Trust Company
As Trustee and Custodian for NATIXIS 2007
Address: 2520 7th Avenue East/DP#1351200108/Ward 5
Violation: Section 304.13 from Ordinance #2821 and Chapter 18,
Section 18-31 from the City Code of Ordinances.**

Mark Runnals, Code Enforcement Officer entered photographs into evidence. Officer Runnals stated that the property was inspected on February 3, 2009. At that time staff found the structure contains broken and boarded windows, and two accessory structures erected without proper permits. A Letter of Violation was received by the property owner on February 19, 2009. A re-inspection was done on March 23, 2009 and a permit had not been issued for the remaining accessory structure. The Notice of Hearing was received by the property owner on April 27, 2009. Officer Runnals 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 Coury made the motion on case #09-032 in violation of Chapter 18, Section 18-31 from the City Code of Ordinances. Seconded by Member Youmans. Motion carried 6-0.

Member Coury made the motion on case #09-032, 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 Youmans. Motion carried 6-0.

VI. OTHER BUSINESS:

**09-012 Christian D. Robins and Alan Wilson Siver
Address: 303 29th Street West**

Volker Reiss, Compliance Manager stated that staff is here to request the Board to impose the Order Imposing Penalty/Fine; which has been received by the property owner. Mr. Reiss explained the circumstances concerning the case, concluding that the property remains in violation.

Mr. Robins approached the Board; he stated that he agreed the house does need repairs. Mr. Robins went on to say that financially the repairs are a long way away, but he is and will continue to keep the integrity of the house.

Actions

Member Fisher made the motion that no action be taken by the Board at this time. Seconded by Member Oldham. Motion carried 6-0.

VII. STAFF/BOARD COMMENTS

Election of Officers.

Attorney Lisch stated that Vice-Chairman Grant automatically fills the Chairman's term, the Board will need to elect a new Vice-Chairman.

Member Fisher made the motion to elect Member Richard Coury as Vice-Chairman. Motion carried unanimously.

Volker Reiss, Compliance Manager congratulating both Mr. Grant and Mr. Coury on their new nominations.

Mr. Reiss stated that some of the code enforcement staff will be attending a conference and training seminar in Naples in June.

Also, Mr. Ragan was awarded ambassador of the City and given a key to the City by Mayor Poston at the last City Council Meeting.

VII. ADJOURMENT:

Meeting adjourned at 3:50 p.m.

Next scheduled meeting –June 16, 2009.

Robert Grant, Chairman
Code Enforcement Board

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