

**ABBREVIATED MINUTES
CODE ENFORCEMENT BOARD**

February 12, 2008

The City of Bradenton Code Enforcement Board met in regular session on February 12, 2008 at 2:33 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	

Planning & Community Development	Code Enforcement	Fire	Police	Other
	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 2:33 p.m.
- 2) Member Grant the motion to accept the minutes from January 8, 2008 as presented by staff. Seconded by Member Coury. Motion carried 3-0, Chairperson Ragan abstained from voting due to absence.

- 3) The following persons were sworn in by Laura Anderson: Volker Reiss, Barbara Hogan, Cheryl Landers, Reverend James Golden, and Julio Masias.

UNFINISHED BUSINESS:

None at this time.

HEARINGS:

**08-010 Ward Temple A M E Church Inc.
Reverend James Golden, R.A.
Address: 303 10th Avenue West/DP#431340006
Violation: Sections 304.15, 504.1, 305.4, 604.3, 304.13, 704.1, 305.3,
302.7, 605.1, 305.1 and Section 1, subsection A, parts 2
& 3 from Ordinance #2821.**

Volker Reiss, Compliance Manager stated that he received a letter from the owner last week requesting 180 day continuance, Mr. Reiss asked if The Board would like the letter entered into evidence. The Reverend Golden approached the Board with his request for additional time.

Reverend Golden stated that he has a commitment from a local contractor, and the repairs exceed \$30,000.00, the church does not have the resources at this time but stated that he is confident that he will be able to receive the money in that time frame. Reverend Golden went on to say that this is the first time they have been before any civil authorities. Reverend Golden stated that the repairs will be done without removing any tenants, and their intent is to complete all the violations rather than one at a time.

After some discussion about procedures the code enforcement staff, Reverend Golden, City Attorney Bill Lisch, and the Board members, made the conclusion for staff to present their case

Cheryl Landers, Code Enforcement Officer entered photographs into evidence. Officer Landers stated the property was inspected on August 29, 2007 and November 19, 2007. At that time staff found the following violations at the multi-unit residence; substandard back door, substandard electrical outlets, damaged stucco, substandard plumbing fixtures, substandard flooring, substandard indoor light fixtures, exterior light fixtures in disrepair, window frames in disrepair, exterior walls are dirty, missing soffit boards, abandoned vehicles, inoperable smoke alarm, holes in interior walls, substandard wheel chair ramp, broken window sills, water heater in disrepair, substandard closet doors, damaged sewer clean out, inoperable stove, and no visible address. The property owner was notified

of the violations on August 29, 2007 and again on January 7, 2008 was given 60 days for code compliance. The property owner received the Letter of Violation and the Notice of Hearing on January 9, 2008. Officer Landers explained the violations through the photographs displayed. Staff recommends 90 days for code compliance with a fine of \$150.00 per day until full compliance is reached.

Reverend Golden again approached the Board; he stated that the contract he has would compound all the units that are in need of repair, but none of the repairs can be made without the adequate finances. Reverend Golden went on to say that as the pastor of the church he is doing the best he could for his tenants and church members, and the request for 180 days remains. Reverend Golden acknowledged that the described violations exist.

Tim Polk, Director of Community Development stated that staff has presented their case proficiently, but does not object to a 180 day extension.

Member Grant stated that he also is a landlord and understands the situation presented to Reverend Golden, but his concern is that the board does not want to set precedence with this case.

Actions

Member Fisher made the motion on case #08-010 allowing the property owner 60 days continuance. Seconded by Member Coury. Motion carried 3-1 with Member Grant in opposition.

08-012 Linda Davis – Jay Davis – Julio Masias Jr.
Address: 506 22nd Avenue West/DP#4514610007
Violation: Sections 302.7, 605.1, 704.1, 305.3, 504.1 and 504.3 from
Ordinance #2821.

Cheryl Landers, Code Enforcement Officer entered photographs into evidence. 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 29, 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. Officer Landers explained the violations through the photographs displayed stating that the structure is vacant. Officer Landers stated she has spoken to the property owner in the past, but recently her

calls have not been returned. Staff recommends 30 days for code compliance with a fine of \$150.00 per day until full compliance is reached.

Mr. Julio Masias approached the Board; he stated that he occupies the structure and the violations have been repaired with the exception of the overhang. Mr. Masias stated that he contacted the City and Darin Cushing; Building Official inspected the property and stated that the violations have been corrected and in the future he would need to replace the overhang.

Volker Reiss, Compliance Manager stated that he was not aware of his conversation with Mr. Cushing, and asked for a continuance until the March Code Board Hearing.

Actions

Member Fisher made the motion to extend the case until the March hearing. Seconded by Member Grant. Motion carried 4-0.

08-013 Carlven Hall - Regina Denise Damon
Address: 1620 1st Avenue East/DP#1257600104
Violation: Section 1, subsection G, part 1 and Section 1,
subsection a, parts 2 & 3 from Ordinance #2821.

Volker Reiss, Compliance Manager withdrew the case, property is in code compliance.

08-014 Hung Nguyen
Address: 521 22nd Avenue West/DP#4616000009
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 October 24, 2007. At that time staff found patio doors removed from the garage without permits. The property owner received the Letter of Violation on October 27, 2007. A re-inspection was done on January 2, 2008, and a permit had not been issued. The property owner received the Notice of Hearing on January 11, 2008. Officer Landers explained the violation 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 Grant made the motion to find case #08-014 in violation of Chapter 18, Section 18-31 from the City Code of Ordinances. Seconded by Member Fisher. Motion carried 4-0.

Member Grant made the motion on case #08-014, giving the property owner 10 days for code compliance with a fine of \$75.00 per day until code compliance is reached. Seconded by Member Fisher. Motion carried 4-0.

08-015 Aerlinda Reyes
Address: 2805 9th Avenue East/DP#1165100007
Violation: Sections 605.1, 302.4, 307.1, 304.3, Section 1, subsection B, part 3 from Ordinance #2821 and Chapter 38, Section 38-82 and Chapter 18, Section 18-31 from the City Code of Ordinances.

Barbara Hogan, Code Enforcement Officer entered photographs into evidence. Officer Hogan stated the vacant property was inspected on June 20, 2007. At that time staff found the electrical exterior light fixture in disrepair, abandoned vehicles, the yard overgrown, a trailer stored in the front, outside storage of roofing material, boarded windows, no visible address, and interior demolition done without permits. Staff sent a certified Letter of Violation to the property owner which was returned unclaimed, subsequently, the property and City Hall were posted with the Letter of Violation on July 16, 2007 and sent to the property owner via regular mail. A re-inspection done on December 13, 2007 and all violations remained. The property and City Hall were posted with the Notice of Hearing on January 11, 2008 and sent via regular mail. Officer Hogan explained the violations through the photographs displayed and stated that the permits had been issued for the interior demolition. Staff recommends 30 days for code compliance with a fine of \$150.00 per day until full compliance is reached.

Actions

Member Fisher made the motion to find case #08-015 in violation of Sections 605.1, 302.4, 307.1, 304.3, Section 1, subsection B, part 3 from Ordinance #2821 and Chapter 38, Section 38-82 from the City Code of Ordinances. Seconded by Member Coury. Motion carried 4-0.

Member Fisher made the motion on case #08-015, giving the property owner 30 days for code compliance with a fine of \$150.00 per day until

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

VI. OTHER BUSINESS:

07-073 LaSalle Bank National Association
Address: 2102 20th Street West/DP#4273100000

Volker Reiss, Compliance Manager stated that staff is here to ask the Board to impose the Order Imposing Penalty/Lien in the amount of \$4,135.50.

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

VII. STAFF/BOARD COMMENTS

None at this time.

VII. ADJOURMENT:

Meeting adjourned at 4:20 p.m.

Next scheduled meeting –March 11, 2008.

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.