

**ABBREVIATED MINUTES
CODE ENFORCEMENT BOARD
March 17, 2009**

The City of Bradenton Code Enforcement Board met in regular session on March 17, 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):

Chairperson Jeff Ragan	Vice Chairperson Robert Grant	Gerald Fisher	Richard Coury	Al Youmans
Glyn Oldham				

Planning & Community Development	Code Enforcement	Fire	Police	Other
Ruth Seewer, Review Mgr.	Volker Reiss, Compliance Manager Cheryl Landers, Barbara Hogan, Mark Runnals F.A.C.E. Certified Code Officers			Attorney Bill Lisch

PRELIMINARIES

- 1) Meeting called to order by Chairperson Ragan at 2:30 p.m.
- 2) Member Coury made the motion to accept the minutes from February 12, 2009 as presented by staff. Seconded by Member Youmans. Motion carried 4-0.

- 3) The following persons were sworn in by Laura Anderson: Volker Reiss, Cheryl Landers, Barbara Hogan, Mark Runnals, Ruth Seewer, John Maser, Jaqueline Wright, Shelagh Inglesby, Brie Inglesby and John Wright.

UNFINISHED BUSINESS:

Chairperson Ragan asked for an update on case #07-055 which was brought before the code enforcement board in December 2007, property known as the Kali Building, Inc. Mr. Reiss explained that the case is in the appeals process with City Council.

Chairperson Ragan asked for an update on the Village Green golf course property. Mr. Reiss stated that Mr. Clark, representative for the property owner asked that the request for a reduction or removal of the lien be placed on the April 21, 2009 agenda.

Chairperson Ragan welcomed Mr. Glyn Oldham as a new Code Enforcement Board Member.

HEARINGS:

09-008 Ersula Baptiste
Address: 2018 7th Avenue East/DP#1297800003/Ward 5
Violation: Sections 602.2 and 504.1 from Ordinance #2821.

Volker Reiss, Compliance Manager asked that the case be withdrawn from the agenda.

09-013 Elizabeth Ann Veysey
Address: 1210 16th Avenue West/DP#4433200005/Ward 3
Violation: Sections 304.2, 304.7, 605.1 and 302.7 from Ordinance #2821.

Volker Reiss, Compliance Manager stated that the property has been recently sold, and the new owners intent to demolish the structure, requests case removed from the agenda.

09-014 John S. Wright
Suzanne Wright
Address: 4907 14th Avenue East/DP#1127248902/Ward 4
Violation: Sections 302.7, 304.6 and 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 November 7, 2008. At that time staff found the wooden fence gate in disrepair, siding on gable end is rotted, the exterior contained mold and mildew and missing aluminum fascia. The Letter of Violation was received by the property owner on December 9, 2008. A re-inspection was done on February 9, 2009 and all the violations remained. The Notice of Hearing was received by the property owner on February 11, 2009. Officer Hogan 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.

Mr. John Wright approached the Board; he stated that the boat is legally stored on the property. Mr. Wright explained his views about the alleged violations. After further explanation, Mr. Wright explained he has been working a lot of hours and does not have time for the repairs to the siding. Mr. Wright agreed with the violations shown on the photographs, he asked for 60 days for code compliance.

Actions

Member Grant made the motion to find case #09-014 in violation of Sections 302.7, 304.6 and Section 1, subsection A, parts 2 & 3 from Ordinance #2821. Seconded by Member Coury. Motion carried 5-0.

Member Grant made the motion on case #09-014, giving the property owner 60 days for code compliance with a fine of \$100.00 per day until full compliance is reached. Seconded by Member Coury. Motion carried 5-0.

09-015 Paul Chapin
Address: 2925 7th Avenue West/DP#3534000159/Ward 2
Violation: Sections 304.2, 304.7, 304.13, 306.1, 304.6, 302.7 and
304.4 from Ordinance #2627.

Barbara Hogan, Code Enforcement Officer entered photographs into evidence. Officer Hogan stated that the property was inspected on October 15, 2008. At that time staff found the exterior of the structure contains chipped and peeling paint, rotted fascia boards, rotted window frames and sills, rear stair risers are without handrails, rotted, cracked and missing siding, substandard roof, substandard well pump, and substandard exterior walls. A Letter of Violation was sent to the property owner and was returned unclaimed, which was then posted on the property and City Hall on December 22, 2008 and sent via first class mail. A re-inspection was done on February 9, 2009 and the violation remained. The Notice of Hearing was sent to the property owner and was returned

unclaimed, which was then posted on the property and at City Hall on February 10, 2009 and sent via first class mail. Officer Hogan 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.

Member Youmans asked if staff has had any communication with Mr. Chapin. Volker Reiss, Compliance Manager stated that he had spoken to Mr. Chapin after the property was posted with the Notice of Hearing; he requested an additional 90 days, at which time Mr. Reiss informed him the case would be placed on the March 17th agenda.

Member Grant asked staff if they were aware that Mr. Paul Chapin is a local contractor. Staff acknowledged that they are aware of Mr. Chapin's profession.

Actions

Member Youmans made the motion on case #09-015 in violation of Sections 304.2, 304.7, 304.13, 306.1, 304.6, 302.7 and 304.4 from Ordinance #2821. Seconded by Member Grant. Motion carried 5-0.

Member Youmans made the motion on case #09-015, 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 Grant. Motion carried 4-1 with Chairperson Ragan in opposition.

**09-017 Eula Madison Estate/Personal Representative
Jason DePaola
Address: 1110 2nd Street East/DP#4629100001/Ward 5
Violation: Sections 302.4, 307.1, 304.6 and 304.2 from Ordinance
#2821.**

Mark Runnals, Code Enforcement Officer entered photographs into evidence. Officer Runnals stated that the property was inspected on November 13, 2008. At that time staff found an overgrown backyard and landscaping, trash and debris on the property, rotted exterior walls, and exterior of the structure contains chipped and peeling paint. A Letter of Violation was hand delivered to the representative of the property owner on December 2, 2008. A re-inspection was done on January 6, 2009 and all the violations remained. A Notice of Hearing was hand delivered to the representative of the property owner on January 9, 2009. 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.

Actions

Member Coury made the motion to find case #09-017 in violation of Sections 302.4, 307.1, 304.6 and 304.2 from Ordinance #2821. Seconded by Member Youmans. Motion carried 5-0.

Member Coury made the motion on case #09-017, 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 5-0.

09-019 Jaqueline Wright/Lawrence Wright
Address: 813 12th Avenue West/DP#4342100169/Ward 3
Violation: Sections 305.3, 604.3, 704.1, 304.3, 308.1, 307.1, 302.7,
504.1 and 605.1 from Ordinance #2821.

Cheryl Landers, Code Enforcement Officer entered photographs into evidence. Officer Landers stated the property was inspected on October 10, 2008 when staff was called out by the Bradenton Police Department. At that time staff found the following violations; the kitchen and bathroom cabinets contain mold and mildew and are in disrepair, there are holes in the walls, mold on the garage walls, drywall in disrepair, missing tiles in bathrooms, damaged tiles in kitchen area and living room, substandard electrical covers and outlets, inoperable smoke detectors, incomplete address on structure, structure infested with cockroaches, abandoned items stored on the property, garage door in disrepair, broken window on garage door, bathroom plumbing fixtures in disrepair, bathtub and shower not draining properly, the air conditioning unit in disrepair, and the connection to washer in garage is in disrepair. The Letter of Violation was received by the property owner on October 21, 2008. A re-inspection was done on February 18, 2009 and the violations remained. The Notice of Hearing was received by the property owner on February 21, 2009. Officer Landers explained the violations through the photographs taken on October 10, 2008 emphasizing that the police had been conducting a raid. Officer Landers displayed a set of photographs that were taken on Monday, March 16, 2009 showing the exterior violations.

Volker Reiss, Compliance Manager asked for the violations that have been corrected, Officer Landers stated that the address is in code compliance, but staff could not inspect the interior, the sections of code that are in violation are sections 305.3, 704.1, 307.1, 302.7 and 605.1 from Ordinance #2821.

Ms. Jaqueline Wright approached the Board; she stated that her cousin will repair the window. Chairperson Ragan asked how much time she

needs to bring the property in code compliance. Ms. Wright explained she is on her own with no help from her ex-husband. Ms. Wright stated that the trucking company across the street is causing the window on the garage to break.

Member Grant asked about the interior violations. Ms. Wright said the interior is in code compliance and the mold has been removed. Member Grant asked a series of questions regarding the interior; Ms. Wright confirmed that the violations had existed.

Volker Reiss, Compliance Manager asked is the structure has been treated for insects, Ms. Wright stated she has used Sears, but now has her own means of exterminating.

Actions

Member Grant made the motion to find case #09-019 in violation of Sections 305.3, 704.1, 307.1, 302.7 and 605.1 from Ordinance #2821. Seconded by Member Coury. Motion carried 5-0.

Member Grant made the motion on case #09-019, giving the property 90 days for code compliance with a fine of \$50.00 per day until full compliance is reached. Seconded by Member Coury. Motion carried 4-1 with Chairman Ragan in opposition.

VI. OTHER BUSINESS:

**07-071 Shelagh Inglesby
 Brie Inglesby
Address: 1518 17th Avenue West**

Volker Reiss, Compliance Manager explained the circumstances of this case. The case was found in violation by the Board when it was owned by Manuel Verdia and the fine had accrued, but a lien was not recorded because the property was a homestead. Since that time the Inglesbys' have purchased the property and have been issued permits for the renovations.

Ms. Shelagh Inglesby and Ms. Brie Inglesby approached the Board; they stated that the property was purchased from the bank. Mr. Lisch stated that the fine is not attached to the property and no action is needed by the Board.

**08-049 Tyrving P. Perkins
Address: 1004 15th Street East**

Property owner was not present. Attorney Lisch stated that no action is required by the board for staff to follow legal process when a property has not been brought into code compliance.

08-075 John E. Maser
Joan Maser
Address: 3701 17th Avenue 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.

Mr. Maser approached the Board; he stated he has been ill. Mr. Maser stated that he has done a lot of work on the property; he explained the process of disposing paint legally.

Volker Reiss displayed photographs that were taken today, showing the violations.

Actions

Member Coury made the motion to impose the fine as presented by staff. Seconded by Member Grant. Motion carried 5-0.

VII. STAFF/BOARD COMMENTS

Volker Reiss, Compliance Manager welcomed Mr. Glyn Oldham as a new Code Enforcement Board Member.

Mr. Reiss shared that he has attended various meetings with other municipalities from Hillsborough and Pinellas discussing various topics concerning code enforcement issues, and stated that our Code Enforcement Board rates high compared to others.

VII. ADJOURNMENT:

Meeting adjourned at 4:17 p.m.

Next scheduled meeting –April 21, 2009.

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.