

ABBREVIATED MINUTES
CODE ENFORCEMENT BOARD
February 16, 2010

The City of Bradenton Code Enforcement Board met in regular session on February 16, 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			

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

PRELIMINARIES

- 1) Meeting called to order by Chairman Grant at 2:35 p.m.
- 2) Member Oldham made the motion to accept the minutes from January 19, 2010 as presented by staff. Seconded by Member Fisher carried 6-0.
- 3) The following persons were sworn in by Laura Anderson: Volker Reiss, Mark Runnals and Barbara Hogan.

UNFINISHED BUSINESS:

None at this time.

HEARINGS:

10-005 Clark Freeman
Address: 522 31st Street West/DP#3519600005/Ward 2
Violation: Sections 304.13 and 304.3 from Ordinance #2906.

Barbara Hogan, Code Enforcement Officer entered photographs into evidence. Officer Hogan stated that the property was inspected on August 4, 2009. At that time staff found the structure contained broken windows and missing an address, and a boat stored in the front yard. The Notice of Violation was sent to the property owner and returned unclaimed. The Notice of Violation was then posted on the property and City Hall on November 24, 2009 and via first class mail. A re-inspection was completed on December 21, 2009 and all violations remained. The Notice of Hearing was posted on the property and City Hall on January 12, 2010 and sent via first class mail. Officer Hogan explained the violations through the photographs displayed, stating that the boat has been removed and the house displays an address. 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 #10-005 in violation of Section 304.13 from Ordinance #2906. Seconded by Member Fisher. Motion carried 6-0.

Member Coury made the motion on case #10-005, 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 Fisher. Motion carried 6-0.

10-006 Cynthia D. Green
Address: 1314 22nd Street West/DP#4115100002/Ward 3
Violation: Sections 308.1 and 302.4 from Ordinance #2906.

Volker Reiss asked that the Board continue the case for staff to verify ownership.

Actions

Member Fisher made the motion to continue the case. Seconded by Member Coury. Motion carried 6-0.

10-007 William A. Posey
Address: 220 28th Street West/DP#3459000059/Ward 2
Violation: Sections 605.1, 302.4, 304.10 from Ordinance #2906 and Section 1, subsection A, parts 2 & 3 from Ordinance #2821, Schedule 501A from Ordinance #2627 and Chapter 38, Section 38-81, Chapter 38, Section 38-62, Chapter 18, Section 18-31 from the City Code of Ordinances.

Volker Reiss stated that the property is in code compliance.

10-008 Community Outreach World of Deliverance Ministries
Dexter N. McDonald, Registered Agent
Address: 650 27th Street East/DP#1159700101/Ward 5
Violation: Section 302.4 from Ordinance #2906 and Section 38-36 from the City Code of Ordinances.

Mark Runnals, Code Enforcement Officer entered photographs into evidence. Officer Runnals stated that the property was inspected on September 22, 2009. At that time staff found the retention pond overgrown and the drainage ditches altered and blocked. The Notice of Violation was sent to the property and returned unclaimed. The Notice of Violation was posted on the property and City on December 17, 2009 and sent via first class mail. A re-inspection was done on January 5, 2010 and the violations remained. The Notice of Hearing was hand delivered to the property owner on January 12, 2010. Officer Runnals explained the violations through the photographs displayed. Staff recommends 30 days for code compliance with a fine of \$200.00 per day until full compliance is reached.

Actions

Member Oldham made the motion to find case #10-008 in violation of Section 302.4 from Ordinance #2906 and Chapter 38, Section 38-36 from the City Code of Ordinances. Seconded by Member Fisher. Motion carried 6-0.

Member Oldham made the motion on case #10-008, giving the property owner 30 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.

10-009 14th Street Properties LLC
Ken McKeithen, Registered Agent
Address: 947 13th Street West/DP#4364800005/Ward 3
Violation: Sections 308.1 and 302.4 from Ordinance #2906.

Barbara Hogan, Code Enforcement Officer entered photographs into evidence. Officer Hogan stated that the property was inspected on December 10, 2009. At that time staff found the lot overgrown and the property contained abandoned

items. Staff notified the property owner of the violations via telephone on December 10, 2009. A re-inspection was done on January 14, 2010 and the violations remained. The Notice of Violation and Notice of Hearing was received by the property owner on January 21, 2010. Officer Hogan explained the violations through the photographs displayed. Staff recommends 10 days for code compliance with a fine of \$100.00 per day until full compliance is reached.

Actions

Member Fisher made the motion on case #10-009 in violation of Sections 308.1 and 302.4 from Ordinance #2906. Seconded by Member Coury. Motion carried 6-0.

Member Fisher made the motion on case #10-009, giving the property owner 10 days for code compliance with a fine of \$100.00 per day until full compliance is reached. Seconded by Member Coury. Motion carried 6-0.

OTHER BUSINESS:

09-055 Ryan Newberry
Address: 1108 2nd Street West/DP#4298300007

Volker Reiss, Compliance Manager stated that the property owner requests an extension of time for code compliance. Mr. Reiss provided a summary of the case; he stated that a copy of the letter received by staff from the property owner requesting the extension of time had been included with the packet supplied.

Mr. Reiss stated that staff is opposed to an extension of time since there has not been any attempt shown to correct the violations.

Actions

Member Fisher made the motion on case #09-055; denying an extension for code compliance. Seconded by Member Oldham. Motion carried 6-0.

09-044 Eric E. Julien
Address: 2514 3rd Avenue West/DP#3404300000

Volker Reiss, Compliance Manager stated that staff has not received proper service, case to be heard at a later date.

09-045 Vascam Realty Group LLC Podunk Land Trust Mgmt
Scott W. VanNess, Registered Agent
Address: 114 10th Avenue East/DP#4622010058

Volker Reiss, Compliance Manager stated that the documents required by staff request that the Board impose the fine, although Mr. Reiss explained that a permit has been issued for demolition of the structure, which should be completed within 30 days. Mr. Reiss asked the board to continue the case.

Actions

Member Denyes made the motion to continue the case. Seconded by Member Coury. Motion carried 6-0.

09-025 Daniel Camargo Perez
Address: 2805 9th Avenue East/DP#1165100007

Volker Reiss, Compliance Manager stated that the documents requesting that the Board impose the fine have been provided to the property owner. The attorney for the property owner has requested a continuance due to a scheduling conflict.

Actions

Member Denyes made the motion to continue the case. Seconded by Member Coury. Motion carried 6-0.

STAFF/BOARD COMMENTS:

Volker Reiss, Compliance Manger provided an overview of the 2009 Code Enforcement Activity Report which was included with the information provided to the Code Board Members.

ADJOURMENT:

Meeting adjourned at 3:30 p.m.

Next scheduled meeting –March 16, 2010.

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.