

ABBREVIATED MINUTES
CODE ENFORCEMENT BOARD
June 18, 2013

The City of Bradenton Code Enforcement Board met in regular session on June 18, 2013 at 2:30 P.M. in the City Hall Council Chambers, 101 Old Main Street, Bradenton, Florida.

ATTENDANCE

Code Enforcement Board members present:

Chairman Robert Grant, Vice Chairman Richard Coury, Fred Hayo, Glyn Oldham, Xena Vallone and Al Youmans

Excused:

James Bruen

Legal counsel for Code Enforcement Board:

William Lisch, Esq.

PRELIMINARIES

- 1) Meeting called to order by Chairman Robert Grant at 2:32 P.M.
- 2) Pledge of Allegiance led by Chairman Robert Grant.
- 3) Mr. Coury made the motion to accept the minutes from May 21, 2013 as presented by staff. Second by Mr. Oldham. Motion carried 6-0.

WITNESSES SWORN IN:

Volker Reiss, Mark Runnals, Barbara Hogan, Jose Lebron, Brady Woods, Patrick Bryant and Robert Beeman.

HEARINGS:

13-038 E. Richard Cole
Linda J. Cole
Address: 2010 19th Avenue West

Mr. Volker Reiss stated that the property is in compliance and the case is removed from the agenda.

13-039 SFR 2012-1 Florida LLC
Address: 1805 19th Avenue West

The property owner was not present. Barbara Hogan, Code Enforcement Officer whose credentials are on file, entered seven photographs into evidence. She displayed the photographs and explained the violations.

Actions

Mr. Hayo moved to find the property owner in violation of Sections 308.1, 302.4, 304.13 and 302.7 from ordinance no. 2936 and Section 1 (A)(2)(3) from ordinance no. 2821. Second by Mr. Oldham. Motion carried 6-0.

Mr. Hayo moved to give the property owner 30 days for code compliance with a fine of \$250.00/day thereafter. Second by Mr. Oldham. Motion carried 6-0.

13-040 American Water Oaks, Inc.
Address: 108 9th Avenue East

The property owner was not present. Mark Runnals, Code Enforcement Officer whose credentials are on file, entered two photographs into evidence. He displayed the photographs and explained the violations.

Actions

Mr. Youmans moved to find the property owner in violation of Section 1 (G)(3) from ordinance no. 2821. Second by Mr. Hayo. Motion carried 6-0.

Mr. Youmans moved to give the property owner 30 days for code compliance with a fine of \$100.00/day thereafter. Second by Mr. Hayo. Motion carried 6-0.

13-041 Kyle Porter
Address: 2218 10th Street West

The property owner was not present. Barbara Hogan, Code Enforcement Officer whose credentials are on file, entered eight photographs into evidence. She displayed the photographs and explained the violations.

Actions

Mr. Oldham moved to find the property owner in violation of Sections 302.7, 308.1, 304.6, 304.13.2, 704.2, 304.10, 108.1.3, 301.3 and 302.4 from ordinance no. 2936, Section 18-31 and Section 38-36 from the City Code of Ordinances and Section 1 (A)(2)(3) from ordinance no. 2821. Second by Mr. Coury. Motion carried 6-0.

Mr. Oldham moved to give the property owner 30 days for code compliance with a fine of \$250.00/day thereafter. Second by Mr. Coury. Motion carried 6-0.

**13-042 Jose A. Sarmiento
Anabell Sarmiento**
Address: 2020 3rd Avenue East

Mr. Volker Reiss stated that the property is in compliance and the case is removed from the agenda.

13-043 Teresa L. Solorzano

Address: 113 25th Street West

The property owner's representative, Robert Beeman, was present. Barbara Hogan, Code Enforcement Officer whose credentials are on file, entered one photograph into evidence. She displayed the photographs and explained the violations.

Mr. Beeman spoke about the violations.

Actions

Ms. Vallone moved to find the property owner in violation of Section 303.1 from ordinance no. 2936. Second by Mr. Oldham. Motion carried 6-0.

Ms. Vallone moved to give the property owner 30 days for code compliance with a fine of \$75.00/day thereafter. Second by Mr. Oldham. Motion carried 6-0.

13-044 BTS Properties 2 LLC

Address: 410 20th Street East

Mr. Volker Reiss stated that he spoke to the property owner, who is out of town, and asked if it could be continued until the next Code Enforcement Board Hearing. Mr. Reiss requested a continuance until the July 16, 2013 Code Enforcement Board Hearing.

Actions

Mr. Coury moved to continue the case until the July 16, 2013 Code Board Hearing. Second by Mr. Youmans. Motion carried 6-0.

13-045 Thomas A. Miller

Joyce M. Miller

Address: 2305 9th Avenue West

The property owner was not present. Barbara Hogan, Code Enforcement Officer whose credentials are on file, entered two photographs into evidence. She displayed the photographs and explained the violations.

Actions

Mr. Hayo moved to find the property owner in violation of Sections 308.1 and 302.4 from ordinance no. 2936 and Chapter 5.0, Section 5.1.2.7 from the Land Use Regulations. Second by Mr. Youmans. Motion carried 6-0.

Mr. Hayo moved to give the property owner 10 days for code compliance with a fine of \$100.00/day thereafter. Second by Ms. Vallone. Motion carried 6-0.

13-046 Sandra Hernandez
Address: 1724 6th Avenue East

The property owner was not present. Mark Runnals, Code Enforcement Officer whose credentials are on file, entered nineteen photographs into evidence. He displayed the photographs and explained the violations.

Actions

Mr. Hayo moved to find the property owner in violation of Section 1 (A)(2)(3) and Section 1 (B)(3) from ordinance no. 2821, Sections 302.7, 308.1, 604.3, 504.1, 602.3, 304.14, 305.3, 504.3, 304.7, 304.10, 108.1.3, 108.1.4 and 304.15 from ordinance no. 2936 and Section 38-62 from the City's Code of Ordinances. Second by Mr. Coury. Motion carried 6-0.

Mr. Hayo moved to give the property owner 30 days for code compliance with a fine of \$250.00/day thereafter. Second by Mr. Coury. Motion carried 6-0.

OTHER BUSINESS:

11-051 Daryl Brown
Address: 1104 19th Avenue West

The new property owner's representative, Patrick Bryant, was present. Mr. Reiss asked the board to reduce or eliminate the fine contingent upon the property being sold and brought into compliance and the fine to be paid. Mr. Reiss stated that staff is not opposed to a reduction of fine.

Mr. Patrick Bryant, the new property owner's representative, spoke about the violations and would like 60 - 90 days to come into compliance and reduce the fine, so they can sell it.

Actions

Mr. Coury moved to reduce the fine to \$900 and give the new owner 90 days to come into compliance. Motion dies for a lack of a second.

Mr. Oldham moved to reduce the fine to \$1,200 and to give the new owner until September 18, 2013 to come into compliance and to pay the fine. Second by Mr. Hayo. Motion carried 5-1 (Mr. Robert Grant in opposition).

13-011 Joan E. Samson
Address: 1213 31st Street West

The property owner was not present. Volker Reiss, Compliance Manager summarized the events of the case, stating that the property remains in violation and staff requests the fine be imposed.

No action was taken and the fine is imposed.

13-013 Emerson Carey Jr.
Address: 134 11th Avenue East

The property owner was not present. Volker Reiss, Compliance Manager summarized the events of the case, stating that the property remains in violation and staff requests the fine be imposed.

No action was taken and the fine is imposed.

STAFF/BOARD COMMENTS:

Mr. Reiss introduced our new Code Enforcement Officer, Jose Lebron.

ADJOURNMENT:

Meeting adjourned at 3:51 P.M.

Next scheduled meeting – July 16, 2013

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.