

ABBREVIATED MINUTES
CODE ENFORCEMENT BOARD
August 16, 2016

The City of Bradenton Code Enforcement Board met in regular session on August 16, 2016 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 Fred Hayo, Glyn Oldham, Al Youmans (left at 3:50 P.M.), Xena Vallone and George Vojvodich.

Excused:

None

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. Hayo made the motion to accept the minutes from July 19, 2016 as presented by staff. Second by Ms. Vallone. Motion carried 6-0.

WITNESSES SWORN IN:

Volker Reiss, Mark Runnals, Mike Maginness, Jose Lebron, Jermaine Agurs, Ben Baker, Michael DiCristo, Francis Summer-Steele and Jason Levy.

OLD BUSINESS:

15-115 Children's Academy of Southwest Florida Inc.
Address: 928 25th Street West/P.I. # 4106300009/Ward 3

The property owner's representative, Ben Baker, was present. Mark Runnals, Code Enforcement Officer whose credentials are on file, entered seven photographs into evidence. He displayed the photograph and explained the violations.

The property owner's representative, Ben Baker, spoke about the violations.

Actions

Mr. Hayo moved to find the property owner in violation of Sections 302.4, 304.2 and 304.7 from ordinance no. 2936 and Section 1 (B)(3), Section 1 (B)(1) and Section 1 (A)(2)(3) from ordinance no. 2821. Second by Ms. Vallone. Motion carried 6-0.

Mr. Hayo moved to give the property owner 90 days for code compliance with a fine of \$200.00/day thereafter. Second by Ms. Vallone. Motion carried 6-0.

15-116 Children's Academy of Southwest Florida Inc.
Address: 2415 9th Avenue West/P.I. # 4105200059/Ward 3

The property owner's representative, Ben Baker, was present. Mark Runnals, Code Enforcement Officer whose credentials are on file, entered four photographs into evidence. He displayed the photograph and explained the violations.

The property owner's representative, Ben Baker, spoke about the violations.

Actions

Mr. Hayo moved to find the property owner in violation of Sections 308.1 and 302.4 from ordinance no. 2936. Second by Ms. Vallone. Motion carried 6-0.

Mr. Hayo moved to give the property owner 90 days for code compliance with a fine of \$200.00/day thereafter. Second by Ms. Vallone. Motion carried 6-0.

15-117 Children's Academy of Southwest Florida Inc.
Address: 2403 9th Avenue West/P.I. # 4103500007/Ward 3

The property owner's representative, Ben Baker, was present. Mark Runnals, Code Enforcement Officer whose credentials are on file, entered two photographs into evidence. He displayed the photograph and explained the violations.

The property owner's representative, Ben Baker, spoke about the violations.

Actions

Mr. Hayo moved to find the property owner in violation of 2403 9th Ave. W.: Sections 304.7 and 302.4 from ordinance no. 2936 and Section 1 (A)(2)(3) from ordinance no. 2821. 2405 9th Ave. W.: Sections 302.4 and 304.7 from ordinance no. 2936 and Section 1 (A)(2)(3) from ordinance no. 2821. 2407 9th Ave. W.: Sections 108.1.5.7, 108.1.5.9 and 304.7 from ordinance no. 2936. 2409 9th Ave. W.: Sections 108.1.5.3 and 302.4 from ordinance no. 2936. Second by Ms. Vallone. Motion carried 6-0.

Mr. Hayo moved to give the property owner 90 days for code compliance with a fine of \$200.00/day thereafter. Second by Ms. Vallone. Motion carried 6-0.

15-118 Children's Academy of Southwest Florida Inc.
Address: 2417 9th Avenue West/P.I. # 4103600005/Ward 3

The property owner's representative, Ben Baker, was present. Mark Runnals, Code Enforcement Officer whose credentials are on file, entered three photographs into evidence. He displayed the photograph and explained the violations.

The property owner's representative, Ben Baker, spoke about the violations.

Actions

Mr. Hayo moved to find the property owner in violation of Sections 108.1.5.9, 108.1.5.7, 308.1 and 302.4 from ordinance no. 2936 and Section 1 (A)(2)(3), Section 1 (B)(3) and Section 1 (B)(1) from ordinance no. 2821. Second by Ms. Vallone. Motion carried 6-0.

Mr. Hayo moved to give the property owner 90 days for code compliance with a fine of \$200.00/day thereafter. Second by Ms. Vallone. Motion carried 6-0.

15-119 Children's Academy of Southwest Florida Inc.
Address: 2419 9th Avenue West/P.I. # 4103900009/Ward 3

The property owner's representative, Ben Baker, was present. Mark Runnals, Code Enforcement Officer whose credentials are on file, entered three photographs into evidence. He displayed the photograph and explained the violations.

The property owner's representative, Ben Baker, spoke about the violations.

Actions

Mr. Hayo moved to find the property owner in violation of Sections 108.1.5.9, 108.1.5.7, 304.2 and 304.15 from ordinance no. 2936 and Section 1 (A)(2)(3), Section 1 (B)(3) and Section 1 (B)(1) from ordinance no. 2821. Second by Ms. Vallone. Motion carried 6-0.

Mr. Hayo moved to give the property owner 90 days for code compliance with a fine of \$200.00/day thereafter. Second by Ms. Vallone. Motion carried 6-0.

15-120 Children's Academy of Southwest Florida Inc.
Address: 2421 9th Avenue West/P.I. # 4104400009/Ward 3

The property owner's representative, Ben Baker, was present. Mark Runnals, Code Enforcement Officer whose credentials are on file, entered three photographs into evidence. He displayed the photograph and explained the violations.

The property owner's representative, Ben Baker, spoke about the violations.

Actions

Mr. Hayo moved to find the property owner in violation of Sections 108.1.5.9 and 108.1.5.7 from ordinance no. 2936 and Section 1 (A)(2)(3), Section 1 (B)(3) and Section 1 (B)(1) from ordinance no. 2821. Second by Ms. Vallone. Motion carried 6-0.

Mr. Hayo moved to give the property owner 90 days for code compliance with a fine of \$200.00/day thereafter. Second by Ms. Vallone. Motion carried 6-0.

16-060 X-Lent Auto Body Shop

Address: 1426 9th Street West

The property owner's representative, Jason Levy, was present. Michael Maginness, Code Enforcement Officer whose credentials are on file, entered no photographs into evidence. He displayed the photograph and explained the violations.

The property owner's representative, Jason Levy, spoke about the violations.

Actions

Ms. Vallone moved to find the property owner in violation of Table 4.7 from the Bradenton Form Based Code. Second by Mr. Oldham. Motion carried 6-0.

Ms. Vallone moved to give the property owner until June 30, 2017 for code compliance with a fine of \$200.00/day thereafter. Second by Mr. Hayo. Motion carried 6-0.

HEARINGS:

16-063 Batworthy Inc.

Address: 2003 14th Street West

Mr. Volker Reiss asks that we continue the case until the September 20, 2016 Code Enforcement Board Hearing.

Actions

Mr. Oldham moved to continue this case until the September 20, 2016 Code Enforcement Board Hearing. Second by Mr. Youmans. Motion carried 6-0.

16-064 APGF LLC

Address: 1217 17th Street West

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

Actions

Mr. Vojvodich moved to find the property owner in violation of Section 1 (A)(2)(3) from ordinance no. 2821 and Sections 302.7, 304.7, 304.14, 304.6 and 304.2 from ordinance no. 2972. Second by Mr. Youmans. Motion carried 5-0 (Mr. Hayo recuses himself).

Mr. Vojvodich moved to give the property owner 30 days for code compliance with a fine of \$200.00/day thereafter. Second by Mr. Youmans. Motion carried 5-0 (Mr. Hayo recuses himself).

16-065 Federal National Mortgage Association

Address: 1106 3rd Street West

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

Actions

Mr. Hayo moved to find the property owner in violation of Sections 302.7, 304.10, 304.2, 304.14, 304.15, 304.6 and 308.1 from ordinance no. 2972, Section 38-36 from the City's Code of Ordinances, Section 1 (A)(2)(3) and Section 1 (B)(1) from ordinance no. 2821 and Chapter 5.0, Section 5.1.1 from the Land Use Regulations. Second by Mr. Vojvodich. Motion carried 5-0.

Mr. Hayo moved to give the property owner 30 days for code compliance with a fine of \$250.00/day thereafter. Second by Mr. Vojvodich. Motion carried 5-0.

16-066 Elgee Properties Inc.

Address: 1225 9th Street West

Mr. Volker Reiss asks that we continue the case until the September 20, 2016 Code Enforcement Board Hearing.

Actions

Mr. Oldham moved to continue this case until the September 20, 2016 Code Enforcement Board Hearing. Second by Mr. Hayo. Motion carried 5-0.

16-067 Misha SRQ LLC

Address: 716 20th Street East

Mr. Volker Reiss asks that we continue the case until the September 20, 2016 Code Enforcement Board Hearing.

Actions

Mr. Youmans moved to continue this case until the September 20, 2016 Code Enforcement Board Hearing. Second by Mr. Hayo. Motion carried 5-0.

16-069 Mario Carnevali

Address: 2019 23rd Avenue West

Mr. Volker Reiss stated that there was not good service to the respondents.

OTHER BUSINESS:

16-003 Joy L. Julian

Address: 2513 8th Avenue West

Mr. Volker Reiss summarized the events of the case and requested for additional time to come into compliance.

Actions

Mr. Oldham moved to give the property owner an additional 90 days to come into compliance. Second by Mr. Hayo. Motion carried 5-0.

**13-049 Alejandro Hernandez
 Juana Cazares**

Address: 2101 15th Avenue East

The new property owner, Frances Summer-Steele, was present. Mr. Volker Reiss summarized the events of the case.

The new property owner, Frances Summer-Steele, spoke about the violations and asked for a reduction in the fine.

Actions

Ms. Vallone moved to reduce the fine to \$4,500 if paid by September 20, 2016. Second by Mr. Oldham. Motion carried 5-0.

16-156 Michael S. DiCristo

Address: 1539 8th Avenue West

The property owner, Michael DiCristo, was present. Mr. Volker Reiss summarized the events of the case.

The property owner, Michael DiCristo, spoke about the violations and asked for additional time to come into compliance.

Actions

Ms. Vallone moved to give the property owner 90 days to come into compliance. Second by Mr. Hayo. Motion carried 5-0.

STAFF/BOARD COMMENTS:

Mr. Volker Reiss said that staff is still looking for another member for the Code Enforcement Board.

ADJOURNMENT:

Meeting adjourned at 4:01 P.M.
Next scheduled meeting – September 20, 2016

**Robert B. Grant Jr., Chairman
Code Enforcement Board**

Note: This is not a verbatim record. A recorded disc is available upon request.