

**DUNEDIN CODE ENFORCEMENT BOARD  
REGULAR MEETING OF TUESDAY, JUNE 5, 2018  
CITY HALL – 542 MAIN STREET – 2:00PM**

**PRESENT:** Chair Michael Bowman and Vice-Chair Lowell Suplicki; Members Arlene Graham and Dave Pauley; Alternate Members Joe Mackin and Wade Davenport

**ABSENT:** Members Ken Carson, William Motley and Bunny Dutton

**ALSO PRESENT:** Assistant City Attorney Randy Mora, Secretary to the Board Joan McHale, Code Enforcement Inspector Michael Kepto, Code Enforcement Inspector Tom Colbert, Michelle Gilbert, Pinellas County Sheriff's Deputy Livernois and eighteen attendees.

Chair Bowman called the meeting to order at 2:00 P. M. and explained the purpose of this Board and meeting procedures to those in attendance.

**APPROVAL OF MINUTES**

Approval of the Minutes from Regular Meeting of May 1, 2018

**MOTION:** Vice-Chair Suplicki moved to approve the minutes of the regular meeting of the May 1, 2018. Second was made by Mr. Mackin.

**VOTE:** Motion carried unanimously.  
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Ms. McHale swore in Code Enforcement Inspector Michael Kepto and Code Enforcement Inspector Tom Colbert.

**AFFIDAVITS OF COMPLIANCE**

Chair Bowman advised those in attendance these are cases the Board would not be hearing today and if their case number was called, they did not need to attend the meeting unless they were attending for a request for fine reduction.

1. DCEB 17-483 City vs. CHRISTOPHER E MOZDY JR
2. DCEB 17-539 City vs. CRISTOPHER STEVENS / SHERIDAN MC NEEL
3. DCEB 17-663 City vs. JOHN P KALLIVAS REV TRUST
4. DCEB 17-888 City vs. WEBSTER E BAKER JR / LOIS D BAKER
5. DCEB 18-20 City vs. CAROL DANG EST
6. DCEB 18-181 City vs. PARAMOUNT COURT LLC
7. DCEB 18-211 City vs. DANIEL D / KATHRYN A CARLSON *(Also Affidavit of Non-Compliance)*
8. DCEB 18-285 City vs. BEVERLY R MILLHEIM
9. DCEB 18-294 City vs. CHARLES D CARVER
10. DCEB 18-298 City vs. JEFFREY STEPHEN ZULICK
11. DCEB 18-308 City vs. MARIAN I REIMANN
12. DCEB 18-422 City vs. STELLA MAZUR

**MOTION:** Vice-Chair Suplicki moved to accept the Affidavits of Compliance. Second was made by Mr. Pauley.

**VOTE:** Motion carried unanimously.  
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**OLD BUSINESS**

Chair Bowman explained this old business and the Board would not be rehearing the case, only anything new in the case.

**1. DCEB 17-537 City vs. KELLY A EICHHORN**

*68 Nicholas Dr*

Violation of the International Property Maintenance Code Section 304.7 ROOFS AND DRAINAGE

Ms. McHale swore in Kelly Gaunt, owner.

Mr. Colbert reviewed case DCEB 17-537:

- At the meeting of January 9, 2018 this Board ordered compliance by May 23, 2018 or a fine of \$150.00 per day would be imposed.
- As of inspection on May 24, 2018 the violations remain.
- An Affidavit of Non-Compliance is being submitted for consideration.

Ms. Gaunt stated she was requesting another extension as she has a lawsuit with her homeowner's insurance that just finished. She thought it would have been over by now and settled for her to move forward with the repairs on her roof. She received a letter from her lawyer stating the suit has been settled on the 25<sup>th</sup> so she will be getting the funds to repair the roof within 20 days. The suit was pushed off because of medical reasons and funding issues.

Mr. Colbert stated he had no further information; however, it sounds as though there are some legitimate issues and the City would be receptive to extending the compliance date.

When Vice-Chair Suplicki inquired about receiving the funds, Ms. Gaunt stated 20 days and she has three estimates for the roof and she has spoken with the company she will be using and hopefully in a month she can get the repairs started, as soon as possible.

Vice-Chair Suplicki noted this time of year the roofers might not be able to schedule the work right away and wanted to be sure to give enough time and he suggested 60 days and Mr. Colbert had no objection.

**MOTION:** Vice-Chair Suplicki moved in case DCEB 17-537 to extend the Compliance date to August 22, 2018.

Ms. Graham inquired if the compliance date was long enough.

Mr. Pauley verified with Mr. Colbert compliance would be met once the tarp is removed.

Vice-Chair Suplicki amended his motion to September 19, 2018. Mr. Mackin seconded the amended motion.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman advised Ms. Gaunt to call Mr. Colbert when the roofers start work in order for him to inspect and issue an Affidavit of Compliance.

2. **DCEB 17-608 City vs. PAIGE GIRARD**

*717 Scotland St*

Violation of the Dunedin Code of Ordinances Section 34-1(A) OFFENSIVE ACCUMULATION

Violation of the International Property Maintenance Code Section 302.4 OVERGROWTH OF WEEDS/GRASS

Violation of the International Property Maintenance Code Section 303.1 SWIMMING POOL MAINTENANCE

Ms. McHale swore in Richard Girard, brother of the property owner.

Mr. Kepto reviewed case DCEB 17-608:

- At the meeting of April 3, 2018 this Board ordered compliance by May 23, 2018 or a fine of \$100.00 per day would be imposed.
- As of inspection on May 24, 2018 the violations remain.
- An Affidavit of Non-Compliance is being submitted for consideration.

Mr. Girard explained they have a contract for sale of the house and they are trying to get it done by next Wednesday and "his feet are to the fire" in regard to the fines and he was here to find if there was any way out of it.

Chair Bowman explained the issue is these violations and fines came into effect with Paige Girard the owner of the house and not those are going to be put onto someone else.

Mr. Girard explained the buyers were aware of the issues.

Mr. Kepto advised he has been in contact with both of these people and his last contact with the owner indicated they have come to the point they cannot handle the maintenance of the house any longer and were going to sell the house. He would recommend extending the compliance date for a short time if they are going to sell and from that point it will be a race for the recording of the lien. It is an investor buying the property and he is aware of what needs to be done.

When Vice-Chair Suplicki asked the closing date, Mr. Girard stated they are trying for next week.

When Mr. Pauley asked if there is still water in the pool, Mr. Girard stated it is pumped out and he has been pumping it out as it accumulated and poured bleach in any small residual amount and he does not think it is a source of mosquitoes. Mr. Pauley stated his concern was children falling into the pool and Mr. Girard stated the fence has been secured. Mr. Kepto noted the photographs were the old ones.

**MOTION:** Vice-Chair Suplicki moved in case DCEB 17-608 to extend the Compliance date to July 5, 2018. Second was made by Ms. Graham.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman advised Mr. Girard to stay in touch with Mr. Kepto to let him know what is happening.

3. **DCEB 18-29 City vs. JAMIE HIRCOCK**  
*1351 Ohio Ave*  
Violation of the Florida Building Code Section 105.1 BUILDING PERMIT REQUIRED  
Violation of the International Property Maintenance Code Section 304.1 MAINTENANCE OF STRUCTURES  
Violation of the International Property Maintenance Code Section 304.2 PROTECTIVE TREATMENT  
Violation of the International Property Maintenance Code Section 304.7 ROOFS AND DRAINAGE  
Violation of the International Property Maintenance Code Section 308.1 ACCUMULATION OF RUBBISH/GARBAGE

Chair Bowman determined the respondent was not present.

Mr. Kepto reviewed case DCEB 18-29:

- At the meeting of April 3, 2018 this Board ordered compliance by May 6, 2018 or a fine of \$250.00 per day would be imposed.
- As of inspection on May 7, 2018 the violations remain.
- An Affidavit of Non-Compliance is being submitted for consideration.

**MOTION:** Mr. Pauley moved in case DCEB 18-29 to accept the Affidavit of Non-Compliance. Second was made by Ms. Graham.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

4. **DCEB 18-211 City vs. DANIEL D / KATHRYN A CARLSON**  
*434 Highland Ct*  
Violation of the Florida Building Code Section 105.1 BUILDING PERMIT REQUIRED

Chair Bowman determined the respondent was not present.

Mr. Kepto reviewed case DCEB 18-211:

- At the meeting of May 1, 2018 this Board ordered compliance by May 11, 2018 or a fine of \$200.00 per day would be imposed.
- As of inspection the property records on May 14, 2018 the violations remain.
- An Affidavit of Non-Compliance is being submitted for consideration.

**MOTION:** Mr. Davenport moved in case DCEB 18-211 to accept the Affidavit of Non-Compliance. Second was made by Ms. Graham.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

5. **DCEB 18-244 City vs. BARBARA M CHABRECEK EST**  
*133 Sky Loch Dr W*  
Violation of the International Property Maintenance Code Section 304.1 MAINTENANCE OF STRUCTURES  
Violation of the International Property Maintenance Code Section 304.7 ROOFS AND DRAINAGE  
Violation of the International Property Maintenance Code Section 305.3 INTERIOR SURFACES

Chair Bowman determined the respondent was not present.

Mr. Kepto reviewed case DCEB 18-244:

- At the meeting of May 1, 2018 this Board ordered compliance by May 30, 2018 or a fine of \$250.00 per day would be imposed.
- As of inspection on May 22, 2018 the violations remain.
- An Affidavit of Non-Compliance is being submitted for consideration.

**MOTION:** Mr. Mackin moved in case DCEB 18-244 to accept the Affidavit of Non-Compliance. Second was made by Mr. Davenport.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

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### NEW BUSINESS

1. **DCEB 16-234 City vs. JANICE GEILHART**  
*1335 Davis Rd*  
Violation of the Dunedin Code of Ordinances Section 34-1(A) OFFENSIVE ACCUMULATION

Ms. McHale swore in Janice Geilhart, owner.

Mr. Colbert reviewed case DCEB 16-234:

- The violation existed on a single family residential property that is currently occupied by the owner.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected by Mr. Kepto on March 9, 2016 and a notice of violation was sent to the owner with a requested compliance date of March 20, 2016.
- The violation includes the open or outdoor storage or display of assorted personal items including, but not limited to interior furniture, chairs, shelves, rugs, carpets, wood, papers, tarps or any other similar or personal items as prohibited.
- This property was not in compliance by the requested compliance date and has been ongoing. He is hoping there is an understanding of the ordinance now with the property owner.
- This case is the result of citizen complaints.

Mr. Colbert submitted into evidence photographs taken on March 9, 14 and 21, 2016; May 22, 2017; January 25, 2018; February 9, 12 and 20, 2018, March 22, 2018; April 30, 2018 and May 14, 2018. He recommends the Board find the respondent was in violation after the requested compliance date; however, is currently in compliance in order for any future violations within 5 years to be considered repeat violation.

Ms. Geilhart stated she was sorry if she offended anyone and if anyone has complained she would like to know in order to send an apology letter. She is 61 years old and from Michigan and her parents live here, her father just turned 90 and her mother is 89 and she should have gone back already and she is doing the best she can; she bought this house and has done nothing but work on it as much as she can. She hopes there is credit where it is due; it looks nice and she has pictures. She helps her parents and to distress she works on old furniture and makes it new and put it away. She has furniture under a nice shade tree out front as she has no shade in the back and she was told as long as she put it away at night if she is working on something that it is fine.

Chair Bowman explained the furniture cannot be setting out there during the day; there have been complaints from neighbors and there cannot be a pile of stuff in the driveway.

Ms. Geilhart stated she was not aware of that and she is trying and wants to make everyone happy. She thinks this is the nicest house in the three block area.

Chair Bowman commented the pictures look good, but the items just cannot be setting out and that has to stop.

Ms. Geilhart state she did not know because the last time she went in they told her what she was doing wrong and they said as long as it is put away at night, so she works out there and then she puts it away at night. She knows it now and she is trying to do the best. She stated regarding the repeat, what happened was when she first moved here she had one yard sale in 7 years; the first time she was setting things out for the yard sale in the driveway and the neighbor called in a complaint and she got the letter of offensive accumulation; she came down and showed them her permit to legally have the yard sale and they said as long as everything was put away to disregard that, that was one time. Then another time, nothing grew under that big oak tree.

Chair Bowman stated her understood there were some circumstances before; however, from here on she cannot do that. He commented she obviously has a neighbor or someone who is calling in right away and he confirmed with Ms. Geilhart she knows now what she can and cannot do.

When Ms. Geilhart stated she could not even sand a piece of furniture in the front yard it was suggested she could do it in the garage.

**MOTION:** Ms. Graham moved to find case DCEB 16-234 was in violation of the Dunedin Code of Ordinances Section 34-1(A) after the requested compliance date of March 20, 2016 on the Notice of Violation; however, is now in compliance. Any future violation will be considered a repeat violation and subject to fines of up to \$500.00 per day. Second was made by Mr. Pauley.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none

Chair Bowman reviewed the Finding and Order of the Board.

Ms. Geilhart stated she is afraid that whoever is calling, if she even cleaning her van in the driveway, is she going to get in trouble or does she need to call Code Enforcement. Chair Bowman explained if she is cleaning out her van that is not going to be a problem, but if she has "127" things setting in the driveway

that is going to be a problem. He suggested any time she is in doubt about what she can do to call the City and they will let her know.

Ms. Geilhart asked about the repeat violation and stated the first time she originally had a permit to have a sale, so why does that count against her. Chair Bowman explained there are several pictures at different times. Ms Geilhart stated there are a few of them that were garbage days, she can prove all that, she just does not want it to be a repeat when she does not believe that it is. Chair Bowman stated as long as she does not repeat it everything is fine; it is considered a repeat meaning she is in compliance now, but if it happens again then she has repeated and that is when she can get fined; as long as it does not happen she is good.

Ms. Geilhart asked where she could find out about her little boat she was told she had to put behind a fence and if there are rules in black and white. Chair Bowman explained these are questions she needed to ask the City the Board could not answer all her questions. She also had a question about the tarp.

2. **DCEB 16-662 City vs. MARIE A PANOGOTOPULOS**  
*1621 Summit Way*  
Violation of the International Property Maintenance Code Section 303.1 SWIMMING POOL  
MAINTENANCE

Chair Bowman determined the respondent was not present.

Mr. Colbert reviewed case DCEB 16-662:

- The violation exists on a single family residential property that is currently occupied by the owner.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected on July 21, 2016 and a notice of violation was sent to the owner with a requested compliance date of August 7, 2016.
- The violation includes the swimming pool water not being maintained in a clean and sanitary manner; the pool water is green and black in color, there is algae and plantlike material on the surface of the water.
- This case is based on a valid complaint by the next door neighbor due to the condition of the water that has been ongoing for a long time attracting snakes, mosquitoes and so forth.

Mr. Colbert submitted into evidence photographs taken on July 21, 2016 and May 1, 2018. He recommends a compliance date of June 10, 2018 or a fine of \$250.00 per day thereafter for non-compliance.

**MOTION:** Mr. Davenport moved to find case DCEB 16-662 based on testimony, evidence and facts presented in law that at the time of the alleged violation the International Property Maintenance Code Section 303.1 was in full force and effect and the Respondent is found in violation thereof and that the Respondent shall come into compliance by June 10, 2018 or suffer a fine of \$250.00 per day. Second was made by Vice-Chair Suplicki.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

3. **DCEB 17-70 City vs. VICTOR M CARRANZA**

*1247 Texas Ave*

Violation of the International Property Maintenance Code Section 302.8 INOPERATIVE MOTOR VEHICLES

Chair Bowman determined the respondent was not present.

Mr. Colbert reviewed case DCEB 17-70:

- The violation existed on a single family residential property that is currently occupied by the owner.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected on February 1, 2017 and a notice of violation was sent to the owner with a requested compliance date of February 12, 2017.
- The violation includes the open parking or storage of inoperative vehicles to include, but not limited to vehicles that do not display a current license tag as prohibited in a residential area.

Mr. Colbert submitted into evidence photographs taken on February 1, 2017; April 26, 2018 and May 14, 2018. He recommends the Board find the respondent was in violation after the requested compliance date; however, is currently in compliance in order for any future violations within 5 years to be considered repeat violation.

**MOTION:** Ms. Graham moved to find case DCEB 17-70 was in violation of the International Property Maintenance Code Section 302.8 after the requested compliance date of February 12, 2017 on the Notice of Violation; however, is now in compliance. Any future violation will be considered a repeat violation. Second was made by Vice-Chair Suplicki.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none

Chair Bowman reviewed the Finding and Order of the Board.

4. **DCEB 17-870 City vs. DON A / CYNTHIA G BRINSON**

*2057 Nigels Dr*

Violation of the Land Development Code Section 105-27.1.1(f) BOATS, RVS., TRAILERS

Ms. McHale swore in Don Brinson

Mr. Kepto reviewed case DCEB 17-870:

- The violation existed on a single family residential property that is currently occupied by the owner.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected on November 14, 2017 and a notice of violation was sent to the owner with a requested compliance date of December 4, 2017.
- The violation includes the open parking or storage of any boat as prohibited in a residential area.

Mr. Kepto submitted into evidence photographs taken on May 10, 2018 and May 14, 2018. He recommends the Board find the respondent was in violation after the requested compliance date; however, is currently in compliance in order for any future violations within 5 years to be considered repeat violation.

Mr. Brinson stated:

- He cannot dispute that the boat was there when Mr. Kepto came by. His wife pulled up and saw Mr. Kepto out front and he went out to talk with Mr. Kepto.
- The boat now is a small 15-foot that he and his son own together, the boat was there, but when Mr. Kepto came back and he thought after hours and hung a notice of violation on the front door the boat was gone; before he even received the violation he moved the boat. He did not think a smaller boat further to the back of his house was a violation, but apparently it is. The boat will not be there again and it was gone before he was even noticed on his door and long before he received the certified mail.
- He spoke to all his neighbors and not one said they called on it, but it won't be there again.

Chair Bowman stated it is a violation unless the boat is fenced in which could be done. He noted there is a four-day difference in the pictures on the stamp date showing the boat on May 10 and on May 14. Mr. Brinson stated he had no idea on that. Chair Bowman explained on a repeat violation if it does not happen again then nothing happens.

**MOTION:** Mr. Pauley moved to find case DCEB 17-870 was in violation of the Land Development Code Section 105-27.1.1(f) after the requested compliance date of December 4, 2017 on the Notice of Violation; however, is now in compliance. Any future violation within the next 5 years will be considered a repeat violation. Second was made by Mr. Mackin.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none

Chair Bowman reviewed the Finding and Order of the Board.

Chair Bowman explained as long as the boat does not come back everything is okay or put a fence up.

**5. DCEB 18-155 City vs. ARNTON / JUDY CASH**

*2803 Jarvis Cir*

Violation of the International Property Maintenance Code Section 303.1 SWIMMING POOL MAINTENANCE

Ms. McHale swore in A. A. Buck Cash

Mr. Colbert reviewed case DCEB 18-155:

- The violation exists on a single family residential property that is currently occupied by the owner.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected on January 11, 2018 and a notice of violation was sent to the owner with a requested compliance date of February 25, 2018.
- The violation includes the swimming pool water that is not being maintained in a clean and sanitary manner. The pool water appears to be green in color.

- On May 15, 2018 he believed he spoke with Mr. Cash on the phone and had not had any contact with him from the first violation notice or the Code Enforcement Board notices. Mr. Cash advised him he puts chlorine in the pool occasionally and that the pool filtration system has not worked the summer before last.

This case is the result of a neighbor complaint due to mosquitoes and so forth.

Mr. Colbert submitted into evidence photographs taken on January 11, 2018. He recommends a compliance date of June 14, 2018 or a fine of \$250.00 per day thereafter for non-compliance.

Mr. Cash stated:

- The filtration system has always worked; it was not disabled since last year sometime.
- Regarding the chlorine it is liquid he has been putting in the pool and not the tablets that go into the filter system.
- He is a procrastinator and he has let it go too long, but now it is blue and he will keep it that way.

Chair Bowman verified with Mr. Cash then he would have no problem meeting the June 14 recommended compliance date.

**MOTION:** Vice-Chair Suplicki moved to find case DCEB 18-155 based on testimony, evidence and facts presented and that at the time of the alleged violation the International Property Maintenance Code Section 303.1 was in full force and effect and the Respondents are found in violation thereof and that the Respondents shall come into compliance by June 14, 2018 or suffer a fine of \$250.00 per day. Second was made by Mr. Pauley.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

Chair Bowman reminded Mr. Cash to make sure on June 14, 2018 the pool water is looking blue.

6. **DCEB 18-189 City vs. RONALD J / RHONDA A DE SANTIS**  
*1655 Chaplene Ct*  
Violation of the Land Development Code Section 105-27.1.1(f) BOATS, RVS., TRAILERS

Chair Bowman determined the respondent was not present.

Mr. Kepto reviewed case DCEB 18-189:

- The violation existed on a single family residential property that is currently occupied by the owner.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected by Mr. Colbert on February 13, 2018 and a notice of violation was sent to the owner with a requested compliance date of February 21, 2018.
- The violation includes the open parking or storage of any utility trailer in a residential area as prohibited.

Mr. Kepto submitted into evidence photographs taken on May 2, 2018 and May 10, 2018. He recommends the Board find the respondent was in violation after the requested compliance date; however, is currently in compliance in order for any future violations within 5 years to be considered repeat violation.

**MOTION:** Ms. Graham moved to find case DCEB18-189 was in violation of the Land Development Code Section 105-27.1.1(f) after the requested compliance date of February 21, 2018 on the Notice of Violation; however, is now in compliance. Any future violation will be considered a repeat violation. Second was made by Mr. Mackin.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none

Chair Bowman reviewed the Finding and Order of the Board.

**7. DCEB 18-227 City vs. JOSHUA P GOLD**

*690 San Salvador Dr*

Violation of the Land Development Code Section 105-27.1.1.1(A) RIGHT OF WAY STANDARDS

Ms. McHale swore in Joshua Gold, owner.

Mr. Colbert reviewed case DCEB 18-227:

- The violation exists on a single family residential property that is currently occupied by the owner.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected on February 19, 2018 and a notice of violation was sent to the owner with a requested compliance date of February 25, 2018.
- The violation includes the parking of vehicles in the right-of-way as prohibited; this includes the grass area between the roadway and the sidewalk.

Mr. Colbert submitted into evidence photographs taken on February 19, 2018 and April 19 and 23, 2018. He recommends a compliance date of June 6, 2018 or a fine of \$50.00 per day thereafter for non-compliance.

Mr. Gold stated he moves his out so his child can play in the driveway and ride his bike and not go out in the road. Other than that he does not leave it there unless he has to and usually at night he pulls it in the driveway.

Chair Bowman stated he understood the reason; however, Mr. Gold cannot do that.

When Mr. Gold said he would just park in the yard, Chair Bowman explained he could not do that either.

Mr. Gold stated there are a lot of cars on the road and he doesn't want his child going in the road. Chair Bowman explained the problem is there are codes against parking in the right-of-way and parking in the front yard and he would just have to figure out some other way. Mr. Gold said he could park next door at the church.

**MOTION:** Mr. Davenport moved to find case DCEB 18-227 based on testimony, evidence and facts presented in law in violation of the Land Development Code Section 105-27.1.1.1(A) and that the Respondent shall come into compliance by June 6, 2018 or suffer a fine of \$50.00 per day. Second was made by Ms. Graham.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

Mr. Gold suggested the Inspectors come and talk with the homeowners and they would not have to deal with so much paperwork; when they drive by he waves and so forth; they just need to be more with the people and just come and talk to them.

Mr. Colbert explained if the resident calls after receiving the notice to discuss the matter they would not have to attend the meeting. He noted the Inspectors quite often call or talk with residents.

8. **DCEB 18-249 City vs. CHRISTOPHER E MOZDY JR**  
*1511 Gladys Cir*  
Violation of the International Property Maintenance Code Section 302.8 INOPERATIVE MOTOR VEHICLES

Chair Bowman determined the respondent was not present.

Mr. Colbert reviewed case DCEB 18-249:

- The violation exists on a single family residential property that is currently possibly occupied by tenants.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected on March 1, 2018 and a notice of violation was sent to the owner with a requested compliance date of March 16, 2018.
- The violation includes the open parking or storage of inoperative vehicles to include, but not limited to vehicles that have body damage or do not display a current license tag as prohibited.
- This property is the source of many complaints for basic neglect of the property. The white care shown in one of the photographs submitted had a license tag that expired in April 2017. He spoke to the person living there at the time who was still driving the car; that care is now gone and the pickup truck remains. The City has had no contact with the property owner from any of the letters, certified letters, postings and so forth.

Mr. Colbert submitted into evidence photographs taken on March 1, 2018, April 6, 2018 and May 11, 2018. He recommends a compliance date of June 6, 2018 or a fine of \$200.00 per day thereafter for non-compliance.

**MOTION:** Ms. Graham moved to find case DCEB 18-249 in violation of the International Property Maintenance Code Section 302.8 and that the Respondent shall come into compliance by June 6, 2018 or suffer a fine of \$200.00 per day. Second was made by Mr. Pauley.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting nay. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

**9. DCEB 18-292 City vs. USA FED NATL MTG ASSN**  
*149 Skyloch Dr E*

Violation of the International Property Maintenance Code Section 304.6 WALLS, EXTERIOR

Violation of the International Property Maintenance Code Section 304.7 ROOFS AND DRAINAGE

Violation of the International Property Maintenance Code Section 304.13.1 WINDOWS – BROKEN, GLAZING

Violation of the International Property Maintenance Code Section 305.3 INTERIOR SURFACES

Chair Bowman determined the respondent was not present.

Mr. Kepto reviewed case DCEB 18-292:

- The violations exist on a single family residential property that is currently vacant.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected on March 16, 2018 and a notice of violation was sent to the owner with a requested compliance date of April 16, 2018.
- This case is the result of a
- The violations include:
  - The exterior walls are in a state of disrepair, there is a hole from what appears to have been a wall air conditioner unit that is no longer in place.
  - The roof is in disrepair as evidenced by heavy vegetation growth on the roof and the water intrusion stains on the interior ceiling.
  - Window glass is broken or missing.
  - The interior ceiling has evidence of water intrusion and black growth on the ceiling. A report from a certified mold specialist will be required to determine if the growth contains mold and if so the report should also indicate the proper means of treatment.

Mr. Kepto submitted into evidence photographs taken on June 10, 2017, March 15, 2018, April 16, 2018. He recommends a compliance date of June 22, 2018 or a fine of \$250.00 per day thereafter for non-compliance.

When Mr. Pauley inquired if the property is currently secure, Mr. Kepto stated it is; however, it should be kept in mind this property is in Sky Loch Villas and the units are attached; therefore, if there is mold it could spread to other units.

Vice-Chair Suplicki verified with Mr. Kepto the owner has not responded and Mr. Kepto advised the City had started a case before FNMA took the property over and liens were running on the previous owner which was an estate; so a new case was started with FNMA.

**MOTION:** Mr. Pauley moved to find case DCEB 18-292 based on testimony, evidence and facts presented in violation of the International Property Maintenance Code Section 304.6, Section 304.7, Section 304.12.1 and Section 305.3 and that the Respondent shall come into compliance by June 22, 2018 or suffer a fine of \$250.00 per day. Second was made by Ms. Graham.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

10. **DCEB 18-352 City vs. LINDA B VAN KAMPEN / MARY H ROBINSON**  
*1615 Cinnamon Ln*  
Violation of the International Property Maintenance Code Section 302.8 INOPERATIVE MOTOR VEHICLES

Chair Bowman determined the respondent was not present.

Mr. Colbert reviewed case DCEB 18-352:

- The violation existed on a single family residential property that is currently occupied by the owner.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected on March 27, 2018 and a notice of violation was sent to the owner with a requested compliance date of April 8, 2018.
- The violation includes the open parking or storage of inoperative vehicles to include, but not limited to vehicles that do not display a current license tag and vehicles with low tires as prohibited.

Mr. Colbert submitted into evidence photographs taken on March 27, 2018 and May 15, 2018. He recommends the Board find the respondent was in violation after the requested compliance date; however, is currently in compliance in order for any future violations within 5 years to be considered repeat violation.

When Mr. Pauley inquired if the vehicle was out of state, Mr. Colbert stated he thought it was a Florida tag, but one was missing a decal; however, both vehicles have been removed.

**MOTION:** Ms. Graham moved to find case DCEB 18-352 was in violation of the International Property Maintenance Code Section 302.8 after the requested compliance date of April 8, 2018 on the Notice of Violation; however, is now in compliance. Any future violation will be considered a repeat. Second was made by Mr. Davenport.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none

Chair Bowman reviewed the Finding and Order of the Board.

11. DCEB 18-370 City vs. MELINDA S SAAF-NICEWONGER/WILLIAM J. NICEWONGER  
2467 Del Rio Way  
Violation of the Florida Building Code Section 105.1 BUILDING PERMIT REQUIRED

Ms. McHale swore in William (Jim) Nicewonger.

Mr. Colbert reviewed case DCEB 18-370:

- The violation exists on a single family residential property that is currently occupied by the owner.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected on April 5, 2018 and a notice of violation was sent to the owner with a requested compliance date of April 20, 2018.
- The violation includes a permit required for the above ground swimming pool, utility shed and free standing screen enclosure.

Mr. Colbert submitted into evidence photographs taken April 2018 from the internet concerning the advertisement for the property. He recommends a compliance date of June 17, 2018 or a fine of \$250.00 per day thereafter for non-compliance.

Mr. Nicewonger stated:

- He is working on the permitting now. He just got the letter of no-conflict from Duke Energy for the pool.
- He had some questions he needed to take up with Building.
- The screen enclosure is actually a chicken coop and he has a question about that.
- He was going to request a 30-day extension.

Mr. Colbert advised he checked with the Building Official who indicated due to the size of the chicken coop it is considered a screen enclosure that would require a permit. He had no issue with extending the recommended compliance date as Mr. Nicewonger is working on it.

Chair Bowman discussed with Mr. Nicewonger he was aware of everything he needed to submit to the City and Mr. Nicewonger stated he had some questions and he would go to the Building Department today and also he does not think there is an issue in term of hiring someone or doing the work himself as the pool is above ground and the chicken coop he might have to take down.

**MOTION:** Mr. Davenport moved to find in case DCEB 18-370 based on testimony, evidence and facts presented in law that at the time of the alleged violation the Florida Building Code Section 105.1 was in full force and effect and the Respondents are found in violation thereof and that the Respondents shall come into compliance by July 17, 2018 or suffer a fine of \$250.00 per day. Second was made by Mr. Mackin.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

Chair Bowman advised Mr. Nicewonger if he is running behind to contact Mr. Colbert and when everything is complete to contact him, which is to get the permit in hand.

12. **DCEB 18-375 City vs. TRACEE / GRACE E CRAWFORD**  
*500 New York Ave, Unit 6*  
Violation of the Dunedin Code of Ordinances Section 10.4 ANIMALS OR FOWL/NOISE, ODOR

Ms. McHale swore in Tracee Crawford, owner and Debbie Crawford, daughter of the owner.

Mr. Kepto reviewed case DCEB 18-375:

- The violation exists on a single family residential property that is currently occupied by the owner.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected on April 5, 2018 and a notice of violation was sent to the owner with a requested compliance date of April 15, 2018.
- This case is the result of a citizen complaint.
- The violation includes the strong odor of cat urine or the ammonia type smells associated with unclean cat waste that is offensive and is an annoyance to the neighbors.
- There were no photographs to be taken.
- Witnesses were present who might testify.
- He has had several contacts with the owner. This was probably one of the worst smells he has ever encountered as they entered the adjacent apartment; your eyes are watering from the ammonia smell coming from the subject unit. He returned to the office to research the odor and found it is a health hazard to some people and does cause a reaction for some people. He is not sure how the people in the adjacent apartment live there with that strong of an odor.

Mr. Kepto recommends a compliance date of June 15, 2018 or a fine of \$150.00 per day thereafter for non-compliance.

Mr. Colbert added that he was with Mr. Kepto on that inspection and his sinuses are usually clogged all the time, but it hit him very strong and he also could not imagine anyone living in that apartment with that odor.

Ms. McHale swore in Jill Woodard of 500 New York Avenue #5.

Ms. Woodard stated she has lived here almost eleven years Tracee has been her next door neighbor for that time period and have had no problems, but she has cats. The first eight years she was working full time and the last three years she has been at home every day with some serious medical problems and has smelled the odor constantly 24/7. She called and they talked about it and was very nice about saying about it and about possibly selling to her sister or brother and getting help to remodel, but nothing has been done and she even said there was a problem with her disposal, but the odor is not coming from that. There would be days when she was working and she would come home and the ammonia odor would take her breath away and she would turn on fans and use sprays and candles, but nothing overcomes that odor. She cannot have friends over; she had family over and her daughter did not know how she could stand it. It is mainly coming in her kitchen wall; she opens her cabinets and it is like something is right there.

Vice-Chair Suplicki clarified that the units are condominiums, owner occupied.

Mr. Kepto stated he has had a number of conversations with the owner who feels she can take care of this herself, but he has suggested to her numerous times he thought this needs to be done professionally by sealing the walls or using some kind of deodorizer that will have a long lasting effect.

Ms. Debbie Crawford advised Tracee wanted her to speak for her. She stated there has been a problem and Tracee has not been living there for a while because she is helping to take care of their elderly mother and she only is relieved a couple of hours a day to go home. She has been trying to get things done including removing the carpet and that might have made the problem worse because the baseboard between the floor and the wall came off. She thinks that is where the problem is. She just got back yesterday to see where things were standing. The smell is not as bad as when the carpet was there, but it is still really bad. She found last night there are a lot of things like the furniture and they are going to throw it away and there are a lot of things the cats crawl up on that need to be thrown away. She did take a cleaner there last night to do an area they did not realize that was open to next door behind the stove and she cleaned that area and could really tell a difference in that space. They would like to be given some time as she only has time to help on weekends; they have hired someone to provide relief on weekends to care for their mother.

Chair Bowman explained the issue is the neighbor has had this problem going on for quite a while and Ms. Crawford has been aware of it for quite a while.

Ms. Tracee Crawford stated she was taking care of it until she got in the situation with their mother, but now they have day care too and she will have the time.

Ms. Debbie Crawford stated she thought it was the beginning of May when they learned of the complaints and her sister had already been trying to take care of it herself.

In response to the question from Chair Bowman, Mr. Kepto advised he was there April 5, 2018 and Chair Bowman noted this has been going on for months.

Mr. Kepto asked if the respondent would tell the Board how many cats she has and if she does any cat sitting at the property.

Ms. Tracee Crawford stated she did and she has four cats of her own and the older one might be the issue. She is a dog groomer and she does babysit her customers' dogs and cats.

Chair Bowman commented the neighbor has had to put up with this for months and he has a difficult time giving much time to get this done and it sounds like a professional needs to come in.

Mr. Davenport commented he has six animals, four cats and two dogs and asked how many animals are in the apartment right now. Ms. Crawford stated six cats, no dogs and she clarified their mother does not live there. Mr. Davenport noted then there are six animals left on their own for however long each day with no supervision. Ms. Crawford said it was an emergency because their mother fell and broke her arm. Ms. Tracee Crawford responded yes. Mr. Davenport noted this has been going on for months.

Ms. Debbie Crawford reiterated most of the furniture is gone and the carpet is gone.

Mr. Kepto request the Board consider as part of their ruling that this would be taken care of by a professional that can address the situation properly.

Chair Bowman stated he thought if the Board sets a time frame for when it has to be done; if they somehow can take care of it themselves he did not know that the Board could dictate they have to bring in someone else. The problem is the issue has to be taken care of. He stated personally he has a problem with making their neighbor put up with this much longer, so in his opinion something would need to be done very quickly, not a month or something; he would steer toward a very short time frame.

Ms. Debbie Crawford stated what they were looking at, if at all possible was for this weekend to haul everything else out, use this new cleaner she found and if that does not resolve the problem. They would like a professional and have gone on Google to try to figure out who that would be and she found information that it was not a health hazard; though she believes it is. She found lots for other types of hazards, but not with this.

Chair Bowman suggested she was probably going to have to get on the phone with someone.

Mr. Davenport asked Ms. Woodard if there is a homeowners' association and what is the policy on pets. Ms. Woodard stated two cats and one dog. He is hearing there are six cats which is against the HOA rules and asked if she has talked to the HOA about it and Ms. Woodard stated they are not a strict HOA and they think the neighbors can work it out and they are aware of it and several will not come to her house because of the odor. Mr. Davenport commented now it has become a health issue. Ms. Woodard commented Tracee always she is trying to take care of it, but nothing gets done.

Mr. Pauley asked if the homeowners' association has a board of directors and if there has been any documentation in writing as to the violations of the rules; Ms. Woodard said no and Mr. Pauley suggested she needed to do that.

When Mr. Pauley inquired about Ms. Crawford caring for dogs and if they come into her place and she said she has been watching them at her mother's because she has been staying there.

Chair Bowman explained the concern of the Board is to get it done and in a very quick manner.

Vice-Chair Suplicki commented the restoration companies usually have machines that can extract and they use a solution, there are many restoration companies.

When Ms. Graham asked how often she changes the litter boxes, Ms. Crawford said about every three days and Ms. Graham stated she has two cats and she changes hers twice a day and there is no odor. She suggested getting rid of the cats.

Ms. Tracee Crawford stated she wants to do the restoration and all because she wants to sell and get a little house. Ms. Debbie Crawford stated she really needs to help and she only has the weekends and June 15 would not give them time to hire someone.

**MOTION:** Mr. Davenport moved to find in case DCEB 18-375 based on testimony, evidence and facts presented in law that at the time of the alleged violation the Dunedin Code of Ordinances Section 10.4 was in full force and effect and the Respondents are found in violation thereof and that the Respondents shall come into compliance by June 15, 2018 or suffer a fine of \$250.00 per day. Second was made by Ms. Graham.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

Chair Bowman explained this has gone on for way too long and if they cannot get it cleaned up this weekend he would suggest hiring someone the next week to get in there or it is going to get very expensive.

13. **DCEB 18-379 City vs. RICHARD SAMLIN**  
*1648 San Charles Dr*  
Violation of the Land Development Code Section 105-27.1.1(h)1 PARKING-FRONT YARD

Chair Bowman determined the respondent was not present.

Mr. Colbert reviewed case DCEB 18-379:

- The violation existed on a single family residential property that is currently occupied by the owner.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected on April 4, 2018 and a notice of violation was sent to the owner with a requested compliance date of April 12, 2018.
- The violation includes the parking of vehicles in the front yard as prohibited in a residential area.
- He spoke with the property owner who understands he cannot park in the front yard area.

Mr. Colbert submitted into evidence photographs taken on April 4, 11 and 20, 2018. He recommends the Board find the respondent was in violation after the requested compliance date; however, is currently in compliance in order for any future violations within 5 years to be considered repeat violation.

**MOTION:** Vice-Chair Suplicki moved to find in case DCEB18-379 based on testimony, evidence and facts presented in law that at the time of the alleged violation the Land Development Code Section 105-27.1.1(h)1 was in full force and effect and the Respondent was in violation thereof after the requested compliance date of April 12, 2018 on the Notice of Violation; however, is now in compliance. Any future violation within the next 5 years will be considered a repeat violation. Second was made by Ms. Graham.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none

Chair Bowman reviewed the Finding and Order of the Board.

14. **DCEB 18-420 City vs. DAVID MC COMAS**  
*1130 Idlewild Dr N*  
Violation of the Florida Building Code Section 105.4.1 BUILDING PERMIT INTENT

Chair Bowman determined the respondent was not present.

Mr. Kepto reviewed case DCEB 18-420:

- The violation exists on a single family residential property that is currently vacant.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected on April 11, 2018 and a notice of violation was sent to the owner with a requested compliance date of May 11, 2018.
- This case is the result of a citizen complaint.
- The violation includes Permit #09-1556 which has been reinstated several times and has expired some time ago; the original intent of the permit has not been satisfied. The permit needs to be reissued or reinstated at the direction of the Building Official.
- The owner did some work and did not finish it, pulled a permit for the work and it expires and he reinstates it.

Mr. Kepto recommends a compliance date of June 22, 2018 or a fine of \$250.00 per day thereafter for non-compliance.

When Vice-Chair Suplicki asked if the respondent has made contact, Mr. Kepto advised not this time.

**MOTION:** Mr. Davenport moved to find in case DCEB 18-420 based on testimony, evidence and facts presented in law that at the time of the alleged violation the Florida Building Code Section 105.4.1 was in full force and effect and the Respondent is found in violation thereof and that the Respondent shall come into compliance by June 22, 2018 or suffer a fine of \$250.00 per day. Second was made by Ms. Graham.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

15. **DCEB 18-421 City vs. DAVID MC COMAS**

*1130 Idlewild Dr N*

Violation of the International Property Maintenance Code Section 304.1 MAINTENANCE OF STRUCTURES

Violation of the International Property Maintenance Code Section 304.2 PROTECTIVE TREATMENT

Violation of the International Property Maintenance Code Section 304.6 WALLS, EXTERIOR

Violation of the International Property Maintenance Code Section 304.15 DOORS, EXTERIOR

Violation of the International Property Maintenance Code Section 305.3 INTERIOR SURFACES

Violation of the International Property Maintenance Code Section 502.1 REQUIRED FACILITIES

Violation of the International Property Maintenance Code Section 504.1 PLUMBING – GOOD REPAIR

Violation of the International Property Maintenance Code Section 603.1 MECHANICAL EQUIP GOOD ORDER

Chair Bowman determined the respondent was not present.

Mr. Kepto reviewed case DCEB 18-421:

- The violations exist on a single family residential property that is currently vacant.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected on April 4, 2018 and a notice of violation was sent to the owner with a requested compliance date of May 13, 2018.
- This case is the result of a citizen complaint.
- The violations include:
  - The soffit or eaves are incomplete and some are separating from the main structure.
  - Paint is peeling or missing in various areas of the exterior walls and trim areas.
  - The exterior walls are in various states of disrepair as evidenced by cracking, open cracks, missing stucco and so forth.
  - The door on the side of the garage is in disrepair and appears to be an interior type door and it is rotting and dilapidated.
  - The interior drywall is missing paint or is unfinished.
  - The structure is missing the required facilities including, but not limited to bathroom and kitchen.
  - The sewer pipe in the rear wall is corroded and is missing a protective cap.
  - All of the required mechanical equipment for a living dwelling unit is not installed.
- Each of the violations were cited individually because the owner is playing the game of pulling a permit, he lets it expire and nothing is ever done other than obtaining the permit.

Mr. Kepto submitted into evidence photographs taken on April 4, 2018. He recommends a compliance date of July 15, 2018 or a fine of \$250.00 per day thereafter for non-compliance.

**MOTION:** Mr. Davenport moved to find in case DCEB 18-421 based on testimony, evidence and facts presented in law that at the time of the alleged violations the International Property Maintenance Code Section 304.1, Section 304.2, Section 304.6, Section 304.15, Section 305.3, Section 502.1, Section 504.1 and Section 603.1 were in full force and effect and the Respondent is found in violation thereof and that the Respondent shall come into compliance by July 15, 2018 or suffer a fine of \$250.00 per day. Second was made by Ms. Graham.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

16. **DCEB 18-441 City vs. LUIS COLON**  
*986 Cedarwood Ave*  
Violation of the Dunedin Code of Ordinances Section 34-1(A) OFFENSIVE ACCUMULATION

Chair Bowman determined the respondent was not present.

Mr. Kepto reviewed case DCEB 18-441:

- The violation exists on a single family residential property that is currently occupied by the owner.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.

- The property was inspected on April 16, 2018 and a notice of violation was sent to the owner with a requested compliance date of April 22, 2018.
- The violation includes the outdoor storage of assorted items including, but not limited to tires, interior chairs, Christmas tree stand, etc. as prohibited.
- The mail did come back to the City; however, was posted at the property.

Mr. Kepto submitted into evidence photographs taken on April 16, 2018 and May 10, 2018. He recommends a compliance date of June 17, 2018 or a fine of \$150.00 per day thereafter for non-compliance.

**MOTION:** Mr. Pauley moved to find case DCEB 18-441 based on testimony, evidence and facts presented in violation of the Dunedin Code of Ordinances Section 34-1(A) and that the Respondent shall come into compliance by June 17, 2018 or suffer a fine of \$150.00 per day. Second was made by Vice-Chair Suplicki.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

17. **DCEB 18-463 City vs. LIZ MURTAGH BOUTIQUE LLC**  
*764 Main St*  
Violation of the Land Development Code Section 103-60.1 ZONING USE

Chair Bowman determined the respondent was not present.

Mr. Colbert reviewed case DCEB 18-463:

- The violation existed on a commercial property that is currently occupied by the owner.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected on April 18, 2018 and a notice of violation was sent to the owner with a requested compliance date of May 13, 2018.
- The violation includes the exterior storage of travel trailers as prohibited in the Downtown Core zoning district.
- Shortly after the violation notice went out he received an irate phone call from the property owner who advised she was renting these travel trailers from her business. He advised her that does not meet the zoning requirements of that area. The property owner ended the phone call stating he could speak with her attorneys. After multiple conversations with two attorneys within the last 24 hours the travel trailers have been removed.

Mr. Colbert submitted into evidence photographs taken on February 19, 2018 and May 14, 2018. He recommends the Board find the respondent was in violation after the requested compliance date; however, is currently in compliance in order for any future violations within 5 years to be considered repeat violation.

**MOTION:** Mr. Davenport moved to find case DCEB 18-463 based on testimony, evidence and facts presented in law was in violation of the Land Development Code Section 103-60.1 after the requested compliance date of May 13, 2018 on the Notice of

Violation; however, is now in compliance. Any future violation will within the next 5 years will be considered a repeat violation. Second was made by Ms. Graham.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none

Chair Bowman reviewed the Finding and Order of the Board.

18. **DCEB 18-465 City vs. DANIEL R/JENNI L BOLDUC**  
*2458 Bayshore Blvd (TC)*  
Violation of the Florida Building Code 105.1 BUILDING PERMIT REQUIRED

Mr. Colbert advised the City would like to remove this case from the agenda as permit has been issued and the property is in compliance.

19. **DCEB 18-480 City vs. WANDA E PROSSER**  
*631 Oakwood Dr (MK)*  
Violation of the International Property Maintenance Code Section 302.4 OVERGROWTH OF WEEDS/GRASS

Mr. Kepto advised the City would like to remove this case from the agenda as this case is in compliance and the owner has explained the circumstances and she has made arrangements so this does not recur.

20. **DCEB 18-496 City vs. STAVROS CORP / BANAGW CORP**  
*1860 Main St*  
**REPEAT** Violation of the Land Development Code Section 105-29.1.3 SIGNS PROHIBITED

Ms. McHale swore in Dave Post of 1828 Main (tenant)

Mr. Kepto reviewed case DCEB 18-496:

- The violation existed on a commercial property that is currently occupied by a tenant.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected on April 24, 2018 and a notice of repeat violation was sent to the owner of record notifying them of the repeat violation.
- The violation includes the placement or usage of signage that is not permitted and consists of any of the attached list is prohibited. This includes any temporary signs, snipes signs supported by wire stands or any sandwich type board sign and any inflatable signs for advertisement. Also attached was the City ordinance which is several pages of prohibited signage.
- The Code Enforcement Board heard this same violation on September 1, 2015 regarding DCEB 15-255 and the Board ruled the violation did occur and any future violation would be a repeat violation with a higher fine.

Mr. Kepto submitted into evidence photographs taken on April 24, 25, 26 and 30, 2018. He recommends the Board find a repeat violation has occurred beginning on April 23 and ending on April 30, 2018 and impose a daily repeat fine of \$300.00 per day.

Mr. Post stated he would not put snipes signs out anymore anywhere because they do not work and they do everything on line; all their marketing is on line. He is guilty but he is not a representative of that

corporation; he just leases the property. The signs are not actually on their property if they are between the sidewalk and asked if that is the City property.

Mr. Kepto explained that is correct; however, it is the property owner who is responsible for that property.

Mr. Post commented that everyone drives around Dunedin and they see all the snipe signs and he sat through this whole proceeding and he is the only person and that seems strange to him. He has pictures and pictures of snipe signs and he even has a picture of a City of Dunedin snipe sign for the recreation center. He has pictures of six or seven signs of other martial arts schools and he is the only one here; this place should be loaded with snipe sign cases.

Chair Bowman commented it is hit and miss, some months there will be several and some months when there are none and most violations seem to run that way. He wishes the Board did not see them because with the rules out there it is pretty cut and dry of what can and cannot be done.

Mr. Pauley clarified the Mr. Post is the tenant on the property and it is his business on the property.

Chair Bowman the violation goes to the property owner. He advised it is a repeat violation which means the fine could be \$1.00 to \$500.00.

Mr. Post commented he does a lot of good in the city of Dunedin and the Board should come to see the kids and the adults in the martial arts.

Mr. Kepto explained:

- When this individual opened the business several years ago he approached him when he saw the illegal signs and advised of the ordinance and Mr. Post demanded a copy so that was hand delivered to him and that did not seem to solve the problem.
- He then sent a violation letter that solved the problem for a very short time and he still sees some of the signs pop up usually around the time school is about to be out for the summer.
- It is an ongoing problem and this individual has been to the Board before for the same violation.
- He has talked with the property owner who feels it is unfair that he is penalize and it does go back to the property owner who has a lease with a person who is being allowed to violate the ordinance causing the owner to be penalized.

Mr. Post stated on the day Mr. Kepto is speaking of, at the same location, same address there is a dance studio there and he came and took his signs down and said it was a violation and when he asked about their signs, Mr. Kepto walked away and did not take those, just his two signs and left their two signs and they were violating the same code.

Mr. Kepto stated he probably extended that owner the same courtesy he did Mr. Post with a contact first and they took care of the issue. He noted Mr. Post is here today because the issue has not been addressed.

**MOTION:** Mr. Davenport moved to find case DCEB 18-496 based on testimony, evidence and facts presented in law the Respondent was in repeat violation of the Land Development Code Section 105-29.1.3 on April 23, 2018 through April 30, 2018 and is now in compliance and that the Respondent shall suffer a fine of \$300.00

per day for those 7 days documented for a total of \$2,100.00. Second was made by Ms. Graham.

Vice-Chair Suplicki noted there were 4 days of pictures; therefore, the assumption is the signs were not taken down on the other days. Mr. Kepto stated he has received reports the signs were not removed until the after the day he took the last picture.

**VOTE:** Motion carried 4 – 2 with Ms. Graham, Messrs. Mackin, Pauley and Davenport voting aye. Chair Bowman voting nay. Voting nay, Vice-Chair Suplicki.

Chair Bowman reviewed the Finding and Order of the Board.

21. **DCEB 18-497 City vs. MATDUN LLC**  
*1612 St. Catherine Dr E*  
Violation of the Land Development Code Section 105-27.1.1(f) BOATS, RVS., TRAILERS  
Violation of the Land Development Code Section 105-27.1.1(h) 1 PARKING-FRONT YARD

Chair Bowman determined the respondent was not present.

Mr. Colbert reviewed case DCEB 18-497:

- The violations existed on a single family residential property that is currently occupied by tenants.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected on April 20, 2018 and a notice of violation was sent to the owner with a requested compliance date of May 6, 2018.
- The violations include the open parking or storage of boats as prohibited in a residential area and the parking of vehicles as prohibited in a residential area.

Mr. Colbert submitted into evidence photographs taken on April 20, 2018 and May 9 and 14, 2018. He recommends the Board find the respondent was in violation after the requested compliance date; however, is currently in compliance in order for any future violations within 5 years to be considered repeat violation.

When Mr. Pauley referred to the second to the last photograph submitted and inquired whether or not the fence that is shown leaning is in compliance, Mr. Colbert advised it was not installed properly and has been removed as well as the boat.

**MOTION:** Vice-Chair Suplicki moved to find case DCEB 18-497 was in violation of the Land Development Code Section 105-27.1.1(f) and Section 105-27.1.1(h) 1 after the requested compliance date of May 6, 2018 on the Notice of Violation; however, is now in compliance. Any future violation within the next 5 years will be considered a repeat violation. Second was made by Mr. Mackin.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none

Chair Bowman reviewed the Finding and Order of the Board.

22. DCEB 18-569 City vs. MARK G MONTGOMERY  
240 Broadway  
REPEAT Violation of the International Property Maintenance Code Section 302.8 INOPERATIVE MOTOR VEHICLES

Ms. McHale swore in Mark Montgomery.

Mr. Kepto reviewed case DCEB 18-569:

- The violations existed on a single family residential property that is currently controlled by the owner.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected on May 7, 2018 and a notice of repeat violation was sent to the owner of record notifying him of the repeat violation.
- The repeat violation includes the open parking or storage of inoperative vehicles to include, but not limited to vehicles that do not display a current license tag as prohibited.
- The Code Enforcement Board heard this same violation on September 5, 2017 regarding DCEB 17-497 and ruled the violation did occur and any future violation would be a repeat violation with a higher fine.
- This is one of the Jeeps the City has been citing at several of the Respondent's other properties, they just get moved from one property to another. This one is in compliance now, but was moved to 240 Broadway.

Mr. Kepto submitted into evidence photographs taken on May 7, 8, 10, 11, 14 and 15, 2018. He recommends the Board finds the repeat violation occurred beginning May 7, 2018 and a daily fine of \$400.00 per day ending on May 15, 2018.

Mr. Montgomery stated:

- He has a business, Boondocks at 456 Skinner and these Jeeps sat there for a long time, kind of like Jeeps in front of Bill Jackson' Sports.
- When this problem occurred he started trying to get the titles and the legal paperwork to get tags; it is very complicated and he has still not been able to get the tags corrected.
- He came up with the solution of constructing a fence at the 1015 Martin Luther King property he has and they are behind that now and legal; he showed a picture. The problem is permanently solved now.
- He thought it was a repeat violation if he put the Jeeps back there because that was where the previous violations was. The only reason they sat there was because he was waiting for a fence permit.
- His count is for four days they were there.
- It has been a source of great stress for him already incurring \$4,000 in fines at previous locations; he was hoping based on the fact the problem has been permanently solved that he could get the lowest fine permitted and settle this matter.
- He put up a fence and painted it to match the buildings; he called Mr. Colbert and told him about it.

Mr. Montgomery clarified with Chair Bowman the repeat violation does not go with the property, it goes with the person and that is because of people moving things around.

Mr. Montgomery stated rather than trying to get the tags he should have come up with the solution of a fence a long time ago.

Mr. Kepto stated his understanding that Mr. Montgomery has made the office at 1019 MLK into a storage facility and he would have to check with the zoning department. He thinks the issue here today is the residential property at 240 Broadway had one of those inoperative vehicles at the property May 7 through May 15.

Chair Bowman explained any other issues would have to be dealt with later on.

**MOTION:** Vice-Chair Suplicki moved to find case in DCEB 18- 569 based on testimony, evidence and facts presented the Respondent was in repeat violation of the International Property Maintenance Code Section 302.8 on May 7, 2018 through May 15, 2018 and is now in compliance and that the Respondent shall suffer a fine of \$100.00 per day for those 8 days documented for a total of \$800.00. Second was made by Mr. Mackin.

Vice-Chair Suplicki explained his rationale in consideration of the ongoing situation and Code Inspectors finding these vehicles to different properties; however, based on the testimony the violation should not happen again.

**VOTE:** Motion fails with a tie at 3 - 3 with Messrs. Mackin and Suplicki voting aye. Chair Bowman voting aye. Voting nay, Ms. Graham, Messrs. Pauley and Mr. Davenport.

**MOTION:** Mr. Mackin moved to find case DCEB 18-569 based on testimony, evidence and facts presented in law the Respondent was in repeat violation of the International Property Maintenance Code Section 302.8 on May 7, 2018 through May 15, 2018 and is now in compliance and that the Respondent shall suffer a fine of \$150.00 per day for those 8 days documented for a total of \$1,200.00. Second was made by Vice-Chair Suplicki.

**VOTE:** Motion carried 4 - 2 with Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, Ms. Graham and Mr. Davenport.

Chair Bowman reviewed the Finding and Order of the Board.

23. **DCEB 18-572 City vs. WILLIAM JARMOLYCH**  
*568 Patricia Ave*

**REPEAT** Violation of the International Property Maintenance Code Section 302.8 INOPERATIVE MOTOR VEHICLES

Chair Bowman determined the respondent was not present.

Mr. Kepto reviewed case DCEB 18-572:

- The violation existed on a single family residential property that is currently occupied by tenants.

- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected on February 16, 2018 and a notice of repeat violation was sent to the owner of record notifying them of the repeat violation.
- The repeat violation includes the open parking or storage of any inoperative motor vehicle as prohibited to include vehicles that do not display a current license plate, vehicles with flat tire or no tires. Working on any vehicle in a residential area is prohibited unless the repair is conducted inside a fully enclosed structure.
- The Code Enforcement Board heard this same violation on March 1, 2017 regarding DCEB 15-825 and the Board ruled the violation did occur and any future violation would be a repeat violation with a higher fine.
- There are current liens on this property which City Attorney Trask is negotiating and that has been ongoing for an extended period of time.

Mr. Kepto submitted into evidence photographs taken on February 16, 19 and 21, 2018 and May 8, 11 and 14, 2018. He recommends the Board find the repeat violation occurred beginning February 16, 2018 and a daily repeat fine of \$350.00 per day ending on May 14, 2018.

When Chair Bowman noted the number of days in violation, Mr. Kepto explained the City is getting no responsibility from the owner to maintain the property and apparently all they are doing is collecting rent and not looking at the property.

Chair Bowman added up the days to be 87 days.

Mr. Kepto stated there was the same issue in the past with the owner claiming the information was not being received even though it was being sent to the house and calling the owner on the phone. This just shows how does a person rent property and let an abandoned car sit in the driveway without taking any action; it is neglect by the owner.

Vice-Chair Suplicki verified with Mr. Kepto the property has been posted.

**MOTION:** Mr. Davenport moved to find in case DCEB 18-572 based on testimony, evidence and facts presented in law the Respondent was in repeat violation of the International Property Maintenance Code Section 302.8 on February 16, 2018 through May 14, 2018 and is now in compliance and that the Respondent shall suffer a fine of \$350.00 per day for those 87 days documented for a total of \$30,450.00. Second was made by Mr. Pauley.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none

Chair Bowman reviewed the Finding and Order of the Board.

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**OTHER BUSINESS**

- 1. Request for Fine Reconsideration**  
DCEB 17-958 City vs. SHERRY DAY  
650 Oranewood Dr (MK)  
Current Owner: Sherry Day  
Outstanding Fine as of 6/5/18: \$5,060.33

Chair Bowman determined the respondent Sherry Day was present.

Chair Bowman explained that requests for fine reduction are done in writing and if the Board had any questions the respondent would be asked to be sworn in to address the Board.

Time was provided for the Board members to review the written request for fine reduction.

When Mr. Mackin inquired as to a summary of what work was being done without permits, Mr. Kepto advised:

- It was a total renovation of the interior, hot water heater, electrical, drywall and so forth.
- The property was purchased by an investor trying to flip the property.

**MOTION:** Mr. Pauley moved in case DCEB 17-958 to deny the request for fine reduction.  
Second was made by Ms. Graham.

**VOTE:** Motion carried with Ms. Graham, Messrs. Mackin, Pauley, Davenport and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none

Chair Bowman reviewed the decision of the Board.

\* \* \* \* \*

Staff Comments

Mike Kepto introduced the new addition to Code Enforcement City Staff, Michelle Gilbert.

Meeting adjourned at 4:20 P. M.

**NOTE:** This meeting was recorded and those recordings are a part of the official file.

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Michael Bowman, Chair  
Dunedin Code Enforcement Board