

**DUNEDIN CODE ENFORCEMENT BOARD
REGULAR MEETING OF TUESDAY, AUGUST 7, 2018
CITY HALL – 542 MAIN STREET – 2:00 PM**

PRESENT: Chair Michael Bowman and Vice-Chair Lowell Suplicki; Members Arlene Graham, Ken Carson, William Motley and Bunny Dutton; Alternate Members Joe Mackin and Wade Davenport

ABSENT: Member Dave Pauley

ALSO PRESENT: City Attorney Tom Trask, Secretary to the Board Joan McHale, Code Enforcement Inspector Michael Kepto, Code Enforcement Inspector Tom Colbert, Director of Planning and Development Greg Rice, Pinellas County Sheriff's Deputy Jagoda and ten attendees.

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

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APPROVAL OF MINUTES

Approval of the Minutes from Regular Meeting of Tuesday, July 10, 2018.

MOTION: Mr. Carson moved to approve the minutes of the regular meeting of Tuesday, July 10, 2018. Second was made by Vice-Chair Suplicki.

VOTE: Motion carried unanimously.

Ms. McHale swore in Code Enforcement Inspectors Michael Kepto and Tom Colbert.

AFFIDAVITS OF COMPLIANCE

Chair Bowman advised those in attendance that 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 16-512 City vs. FRANK / ANNE MONGELLUZZI
2. DCEB 17-547 City vs. USA FED NATL MTG ASSN
3. DCEB 17-747 City vs. T & G PROPERTY MANAGEMENT OF CENTRAL FLORIDA
4. DCEB 17-942 City vs. THOMAS J LOLLIS JR
5. DCEB 18-533 City vs. SUNUP HOLDINGS LLC

MOTION: Mr. Motley moved to accept the Affidavits of Compliance. Second was made by Ms. Graham.

VOTE: Motion carried unanimously.

OLD BUSINESS

1. DCEB 17-608 City vs. PAIGE GIRARD
717 Scotland St (MK)
Recommend Quash Order of 6/13/18

Mr. Kepto advised City staff is requesting the Board quash their previous order of June 13, 2018. The property had changed ownership and the lien has not been recorded.

MOTION: Mr. Motley moved in case DCEB 17-608 to quash the previous Order of the Board of June 13, 2018. Second was made by Ms. Graham.

VOTE: Motion carried with Ms. Dutton, Ms. Graham, Messrs. Carson, Motley, Mackin, and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

2. **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

Chair Bowman explained the Board would not be rehearing the case, only any new information. Ms. McHale swore in William James Nicewonger.

Mr. Colbert reviewed case DCEB 18-370:

- At the meeting of June 5, 2018 this Board ordered compliance by July 17, 2018 or a fine of \$250.00 per day would be imposed.
- As of inspection of the permit records on July 18, 2018 the violation remains.
- An Affidavit of Non-Compliance is being submitted for consideration.

Mr. Nicewonger stated:

- He called Mr. Colbert on July 17th to explain they had not been able to meet the recommendations.
- Now the chicken coop is gone and the pool is gone and he is working on removing the shed.
- It has taken so long because of medical issues and a death within the family.
- He is trying to comply as quickly as possible and requested a little more time to get the shed down.

When Ms. Dutton inquired regarding the type of violation, Chair Bowman noted in lieu of the building permit everything is being removed.

Mr. Nicewonger acknowledged he did not realize because of the size the chicken coop required a permit and he removed it.

Mr. Colbert advised once the shed is removed there would be compliance and noted once that is done Mr. Nicewonger should call the City for re-inspection, an Affidavit of Compliance can be issued and then he can submit a request for reduction in fines.

Mr. Motley asked Mr. Nicewonger if he understood once this Affidavit of Non-Compliance is accepted, once it is in compliance he must come back to the Board to ask for a reduction in the fines.

MOTION: Mr. Carson moved in case DCEB 18-370 to accept the Affidavit of Non-Compliance. Second was made by Ms. Dutton.

VOTE: Motion carried with Ms. Dutton, Ms. Graham, Messrs. Carson, Motley, Mackin, and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman explained to Mr. Nicewonger explained the fine is going to start running and as soon as he gets the work done to call Mr. Colbert who will come out and inspect and stop the violation and then the next month, if Mr. Nicewonger fills out the paperwork he can come back to the Board and ask for the fine to be waived.

3. 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

Ms. McHale swore in David McComas of 3797 Presidential Court, Palm Harbor.

Mr. Kepto reviewed case DCEB 18-421:

- At the meeting of June 5, 2018 this Board ordered compliance by July 15, 2018 or a fine of \$250.00 per day would be imposed.
- As of inspection on July 16, 2018 the violations remain.
- An Affidavit of Non-Compliance is being submitted for consideration.

Mr. McComas stated:

- He received the notice from the City; however, he has not done anything with the home in while.
- The property belongs to his Aunt who is 89 years and lives with him.
- He owns a construction company and he has hired a special contractor and some of the work has been done and by the end of the month they will have it completed.

Chair Bowman verified with Mr. McComas the work was done with permits.

Chair Bowman explained what is normally done is what was done in the last case, as soon as everything is done the respondent calls Mr. Kepto to inspect.

In response to the question from Mr. Motley, Mr. McComas explained permits were obtained for the entire structure. Mr. McComas acknowledged he assumed they were working under the permits pulled a couple of years ago, he did not know if the stucco repairs need to have a permit. Mr. Motley suggested checking with the Building Department to find out if a permit is required.

When Mr. Motley asked if there was a reason this house sat for a couple of years with nothing being done, Mr. Comas explained all the work he has done including the grass is being mowed every week; however, it will not be occupied.

MOTION: Ms. Graham moved in case DCEB 18-421 to accept the Affidavit of Non-Compliance. Second was made by Mr. Carson.

VOTE: Motion carried with Ms. Dutton, Ms. Graham, Messrs. Carson, Motley, Mackin, and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman explained to Mr. McComas to call the City as soon as the work is done in order for the fine to stop running.

4. **DCEB 18-437 City vs. RESITL1 BORROWER LLC C/O ALTISOURCE ASSET MGMT CORP**
757 Pinewood Dr
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 18-437:

- At the meeting of July 10, 2018 this Board ordered compliance by July 27, 2018 or a fine of \$250.00 per day would be imposed.
- As of inspection on July 30, 2018 the violation remains.
- An Affidavit of Non-Compliance is being submitted for consideration.

MOTION: Mr. Mackin moved in case DCEB 18-437 to accept the Affidavit of Non-Compliance. Second was made by Ms. Dutton.

VOTE: Motion carried with Ms. Dutton, Ms. Graham, Messrs. Carson, Motley, Mackin, and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

5. **DCEB 18-555 City vs. BARBARA J DE VIVO**
621 Pinewood Dr
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 18-555:

- At the meeting of July 10, 2018 this Board ordered compliance by July 27, 2018 or a fine of \$100.00 per day would be imposed.
- As of inspection of the property records on July 30, 2018 the violation remains.
- An Affidavit of Non-Compliance is being submitted for consideration.

MOTION: Ms. Dutton moved in case DCEB 18-555 to accept the Affidavit of Non-Compliance. Second was made by Mr. Motley.

VOTE: Motion carried with Ms. Dutton, Ms. Graham, Messrs. Carson, Motley, Mackin, and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

6. **DCEB 18-562 City vs. CHARLES A / JAN M SCHNEIDER**
2050 Pinehurst Rd
Violation of the International Property Maintenance Code Section 303.1 SWIMMING POOL MAINTENANCE
Violation of the International Property Maintenance Code Section 302.8 INOPERATIVE MOTOR VEHICLES

Ms. McHale swore in Richard Goodwin.

Mr. Colbert reviewed case DCEB 18-562:

- At the meeting of July 10, 2018 this Board ordered compliance by July 11, 2018 or a fine of \$250.00 per day would be imposed.
- As of inspection on July 12, 2018 the violations remain.
- An Affidavit of Non-Compliance is being submitted for consideration.

Mr. Goodwin stated:

- All of the tags are on the cars and he has the registrations.
- The pool has been emptied and he will try to get it acid washed, but the rains have delayed it.
- Everything should be complete by the end of the month.

Chair Bowman verified with Mr. Goodwin all the cars are operable.

Mr. Colbert stated he discussed earlier with Mr. Goodwin there is one car, a black antique care he believes still does not have a tag, so it is still in violation. Mr. Goodwin explained that vehicle was sold to someone out-of-state who has not been able to pick it up yet.

Chair Bowman explained as with previous cases usually in these instances the case is found in non-compliance and then when everything is done the respondent is to let the City know.

MOTION: Ms. Graham moved in case DCEB 18-562 to accept the Affidavit of Non-Compliance. Second was made by Mr. Motley.

VOTE: Motion carried with Ms. Dutton, Ms. Graham, Messrs. Carson, Motley, Mackin, and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reiterated as soon as everything is done including the pool to call Mr. Colbert.

NEW BUSINESS

1. DCEB 18-348 City vs. CHARLES D CARVER

649 Pinewood Dr

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

Ms. McHale swore in Charles Carver.

Mr. Kepto reviewed case DCEB 18-348:

- The violations exist 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 28, 2018 and a notice of violation was sent to the owner with a requested compliance date of July 15, 2018.
- The violations include the soffits or eaves are in disrepair as evidenced by the rotting wood and the missing or torn soffit screens; paint is peeling or missing from the exterior of the house, including, but not limited to the walls, trim, soffits and eaves; the exterior walls show evidence of shifting or settlement as evidenced by severe cracks or separation, a permit will be required to repair the exterior walls; however, prior to a permit being issued a report will be required from a licensed engineer to determine the stability of the foundation and the cause of the wall failure this report should also include the recommended means of repair to the exterior walls and foundation.
- This particular area is known for confirmed sinkhole activity.

Mr. Kepto submitted into evidence photographs taken on May 9, 2016 and May 10, 2018. He recommends a compliance date of October 19, 2018 or a fine of \$-150.00 per day thereafter for non-compliance.

Mr. Carver stated his friend is working on the house.

Ms. McHale swore Nicholas Archontakis, Friend.

Mr. Archontakis stated:

He had before and after pictures of the work being done on the house.

He did not know the history of the situation with the sinkhole.

When Chair Bowman asked if he had spoken to an engineer about the looking at the house, Mr. Carver stated it was his parents house and they are passed away and that some college students from the University were doing a sinkhole survey or something and they came to the house and looked all around and ran ground things and found some small sinkholes all around his house.

When Chair Bowman asked if he had checked with his homeowner's insurance, Mr. Carver stated his mother had checked and they will not insure a house within so many miles of a sinkhole; they will insure the contents of the house. Chair Bowman explained he has to get an engineer to see what has to be done to seal it up and it cannot be left that way, it is just going to get works. Mr. Carved stated Mr. Archontakis probably knows someone.

Mr. Archontakis stated he would make inquiries for an estimate.

Mr. Kepto explained he spoke to the owner several years ago and because nothing was seen to be happening is why they cited the violation. He has seen the man helping painting and covering over the cracks, but that is not going to solve the issues.

Mr. Motley clarified with Mr. Kepto the respondent would have to have permits and a contractor.

Chair Bowman and Mr. Carver and Mr. Archontakis acknowledged they understood they needed to have someone look at the house and determine what needs to be done for repairs; this is not something that can just be patched. He noted the City has recommended a compliance date of October 19, 2018 so that gives them a couple of months to get moving on the situation and they should stay in contact with the City to let them know what is going on.

Mr. Carson verified with Mr. Carver he is living in the house.

Mr. Motley asked if he had been inside the house and Mr. Kepto advised he had not. When Mr. Motley asked if he thought it was safe, Mr. Kepto stated that would be a call to be made by an engineer; however, there is some extreme structural damage obvious on the exterior.

MOTION: Mr. Carson moved to find case DCEB 18-348 in violation of the International Property Maintenance Code Section 304.1, Section 304.2 and Section 304.6 and that the Respondent shall come into compliance by October 19, 2018 or suffer a fine of \$100.00 per day. Second was made by Ms. Graham.

VOTE: Motion carried with Ms. Dutton, Ms. Graham, Messrs. Carson, Motley, Mackin and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

Chair Bowman explained to Mr. Carver and Mr. Archontakis to keep in touch with Mr. Kepto and call him when the Engineer comes to the house and let him know what is happening. He noted October 19th can come quickly.

2. **DCEB 18-495 City vs. JOEL DEUTSCH**
1237 New York Ave (TC)
Violation of the International Property Maintenance Code Section 302.4 OVERGROWTH OF WEEDS/GRASS

Chair Bowman determined the respondent was not present.

Mr. Colbert reviewed case DCEB 18-495:

- The violation existed on a single family residential property that is currently occupied by the owner or tenants.
- Ownership was confirmed by the County Tax Rolls and Pinellas County Property Appraisers' Office.
- The property was inspected on April 19, 2018 and a notice of violation was sent to the owner with a requested compliance date of May 3, 2018.
- The violation includes grass or weeds exceeding 10 inches in height.

Mr. Colbert submitted into evidence photographs taken on April 19, 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. Dutton moved to find case DCEB 18-495 based on testimony, evidence and facts presented was in violation of the International Property Maintenance Code Section 302.4 after the requested compliance date of May 3, 2018 on the Notice of Violation; however, is now in compliance. Any future violation will be considered a repeat violation. Second was made by Ms. Graham

VOTE: Motion carried with Ms. Dutton, Ms. Graham, Messrs. Carson, Motley, Mackin and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

3. **DCEB 18-574 City vs. ANTHONY A / ALEXANDRA D ZABROSKE**
235 Milwaukee Ave
Violation of the Florida Building Code Section 105.1 BUILDING PERMIT REQUIRED
Violation of the Land Development Code Section 105-27.1.1(f) BOATS, RV'S, TRAILERS (stated incorrectly on the Agenda)

Ms. McHale swore in Anthony Zabroske.

Mr. Kepto reviewed case DCEB 18-574:

- 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 May 10, 2018 and a notice of violation was sent to the owner with a requested compliance date of May 21, 2018.
- As of inspection on August 6, 2018 the violation remains.
- The violation includes the open parking or storage of any recreational vehicle equipment in front of a residential property except from Friday 6:00 p.m. to Monday 8:00 a.m. and then only on an approved or permitted surface; also the open parking or storage of any utility trailer in a residential area as prohibited.

Mr. Kepto submitted into evidence photographs taken on July 9, 2018, July 10, 2018, July 16, 2018, and July 26, 2018. He recommends a compliance date of August 8, 2018 or a fine of \$150.00 per day thereafter for non-compliance.

Chair Bowman noted the violation on the agenda is Building Permit Required. City Attorney Trask advised the agenda is inaccurate and the Notice of Violation and Request for Hearing is accurate which should be followed.

Mr. Zabroske stated:

- He has been cited several times for boats and trailers.
- He had a boat waiting for a slip at the Marina that was there for about 2 weeks and was cited and it is gone.
- He was cited for this boat that has been there for about a month and it is gone now.
- The pictures show that the neighbor in the back park on the grass, they have trailers and he is not sure how this works with the violation if it is driving around or someone gets a call, but it seems that some people are getting cited and others are not.

Chair Bowman explained it could be either the inspector driving around or someone calling. He noted the Board sees probably a dozen of these type violations every month, so people are getting cited.

MOTION: Mr. Carson moved to find case DCEB 18-574 in violation of the Land Development Code Section 105-27.1.1(f) and that the Respondents shall come into compliance by August 9, 2018 or suffer a fine of \$150.00 per day. Second was made by Vice-Chair Suplicki.

VOTE: Motion carried with Ms. Dutton, Ms. Graham, Messrs. Carson, Motley, Mackin, and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

4. **DCEB 18-585 City vs. TRIPLE B INVESTMENTS LLC**
240 Causeway Blvd
Violation of the Florida Building Code Section 105.4.1 BUILDING PERMIT INTENT

Ms. McHale swore in Joe Londot, Owner of 6610 Seafarer Drive, Tampa, FL 33615.

Mr. Colbert reviewed case DCEB 18-585:

- The violation exists 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 City of Dunedin permit records were inspected on May 15, 2018 and a notice of violation was sent to the owner with a requested compliance date of June 3, 2018.
- The violation includes building permit intent, the property has two expired building permits identified as #16-4172 – Sign Commercial and #16-3199 – Addition Commercial.

Mr. Colbert recommends a compliance date of August 19, 2018 or a fine of \$250.00 per day thereafter for non-compliance.

Mr. Londot stated one of the reasons those permits expired were due to actions by this Board on a previous case wherein they were cited for something that is not against the Code and he was never allowed to testify on his own behalf even after a hearing here on five different times. He never once testified on this case.

When Chair Bowman asked if he was here when the case was initially called, Mr. Londot stated he was not and that he called that day and the secretary acknowledged receipt of a letter written July 7, 2015. At the time that was the day of the meeting and he was coming to tell his side; however, he was having dental work done and broke a temporary crown that day and had to have a root canal done and he called and spoke with Greg Rice who told him everyone was at lunch and he would pass on the message to the Board. He went to the dentist and then wrote the letter. The letter basically asked to be set to appear at the August meeting and he never received any notice to appear.

Mr. Londot stated:

- He was never allowed to testify and what has happened he was cited and fined for something that is not against the Code; subsequently the City fined him \$25,000, filed a lien against his property for that amount and shut down his construction project because when the bank holding the construction funds learned of the lien they refused to pay his contractor who quit as a crucial stage of the construction.
- The masons found a grease trap when preparing to pour the slab and they spoke with the Building Inspector who said to fill the hole with concrete which they did, but they forgot to plug the hole of the grease trap that goes to the sewer line and they poured 12 feet of concrete down his sewer line and then the contractor quit because he couldn't get paid. They went through months being unable to use the water.
- He was never allowed to testify on his own behalf and the letter he received said since he was not here the decision was to find him in violation and started the fine at \$250.00 a day.
- The subsequent letters were when he petitioned the City in writing trying to follow the guidelines established, subsequent letters inviting him back in to speak, "you are hereby ordered to appear before the Dunedin Code Enforcement Board on that date to answer these charges and to present your side of the case"; every time he tried to speak the lawyer said the case was already heard and there was nothing left to hear, it was on the agenda.
- He was just trying to get here to answer these charges and was never allowed to do so. The lien went forward and then as a matter of consequence he guesses, he received a letter that the City was going to auction off his building to satisfy a \$25,000 lien. They are running a very tight budget on this building already and it was a 7-Eleven store that when he bought it people were living in it and was full of residential construction materials allowed under residential code, but not under commercial code, so they put \$50,000 more into the building than expected, they had to tear out

the ceiling and re-insulate, tear out the floors and so forth. This \$25,000 was something they really needed to complete the job.

Chair Bowman stated there is 6 months on the permits and there was no action for 6 months.

Mr. Londot stated he brought in another contractor and paid him some money, got the permits transferred over and after Hurricane Irma he took off, disappeared.

Mr. Londot stated:

- Everything is done and as soon as he received the notice from Mr. Colbert he immediately set a meeting with Mr. May of the Building Department and explained the situation. He needs to get the Certificate of Occupancy and get this done. He presented the letter from Mr. May outlining what needed to be done with some applications to extend the permit, reactivate the permits and he is in the process of doing that now, he just got it a few days ago. He stated it is almost impossible to find a contractor since the hurricane and the hurricane damaged the roof they repaired so they had to put on a new roof and that took 8 months, the roof was a separate permit that has been signed off.
- What is left to be attended to is about 12 feet of plumbing and he has contacted at least a dozen plumbers and scheduled two to come out and Mr. May told him the City just needed to have the plumber run the camera down there to certify it was a good job, and they are coming tomorrow morning.
- The Mechanical final is ready to go as well as the Engineering, Fire and the Sign just needs an inspection.

Chair Bowman noted these permits expire after 6 months.

Mr. Kepto stated he is glad everything is ready to go, but it has not gone yet. The citation is for the Commercial Sign Permit #16-4172 expired August 29, 2017, almost a year ago and the Permit #16-3199 for the Addition and the final inspection has not occurred and that expired August 1, 2017.

Mr. Londot stated he had no idea permits even expired. Chair Bowman explained it is after 6 months of no activity, so that means there was no activity since February 2017. Mr. Londot stated he is not a commercial contractor and does not know about that, but has hired commercial contractors to get this done and paid a lot of money.

Chair Bowman asked when Mr. Londot thought he would be in a position to have some action on the permit. Mr. Londot stated the application Mr. May provide gives him two options, an additional 4 months or 120 days or an additional 6 months or 180 days and they were going to ask for the additional 4 months/120 days. Chair Bowman asked when can he have the permit in hand which is what the violation is for, Mr. Londot stated however long it takes the City to reinstate the permit which he was told it depended on their work load. Mr. Londot stated if he had at least 30 days he thought he could get it done.

Mr. Kepto stated the City has heard over and over everything is ready to go and all Mr. Londot needs to do is reinstate the permit and the can go to the office immediately and start that process and once both permits are reinstated that takes care of this case.

Mr. Londot noted he has to get the applications signed by the contractor and the plumbing contractor coming out tomorrow; he does not have a contractor for the structure or Engineering and he does not even

know what the engineering is. He thinks he can get the permits reinstated in two weeks and he would be happy to do that; his problem is he was fined \$25,000 for something that was not against Code.

Chair Bowman explained the \$25,000 situation Mr. Londot has to take to someone other than this Board, possibly the City Attorney or City Commission.

Mr. Mackin asked how long he thinks it will take a contractor to sign on and Mr. Londot stated he can get the sign and the plumbing done, but for building he does not have anyone lined up and that was only brought to his attention a couple of weeks ago and he is working as fast as he can.

Mr. Kepto noted he thought the letter went out on May 15, 2018 informing of the violations. Mr. Londot stated the letter had July 18, 2018 is the letter stating his permits were expired. Mr. Kepto noted the Notice of Violation went out May 15, 2018 with a compliance date of June 3, 2018. Mr. Londot stated he did not have that in his file of the City of Dunedin.

MOTION: Vice-Chair Suplicki moved in case DCEB 18-585 based on testimony, evidence and facts presented in law that at the time of the alleged violations 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 September 7, 2018 or suffer a fine of \$250.00 per day. Second was made by Ms. Graham.

VOTE: Motion carried with Ms. Dutton, Ms. Graham, Messrs. Carson, Motley, Mackin, and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

Chair Bowman explained Mr. Londot got his 30 days for both permits to be sure and speak with Mr. May and get both permits set.

5. DCEB 18-598 City vs. TASIAS INC

2763 Jarvis Cir

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

Chair Bowman determined the respondent was not present.

Mr. Colbert reviewed case DCEB 18-598:

- 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 May 24, 2018 and a notice of violation was sent to the owner with a requested compliance date of June 8, 2018.
- This case is the result of neighborhood complaints.
- The violations include grass or weed in excess of 10 inches in height and the swimming pool water is not being maintained in a clean and sanitary manner, the pool water is green in color and further the pool filtration system does not appear to be operational.

- The property appears to be owned by an investment company out of the state of New York; he has had no contact with the property owner through correspondence.

Mr. Colbert submitted into evidence photographs taken on May 24, 2018 and June 29, 2018. He recommends a compliance date of August 9, 2018 or a fine of \$250.00 per day thereafter for non-compliance.

MOTION: Mr. Motley moved to find case DCEB 18-598 based on testimony, evidence and facts presented in law in violation of the International Property Maintenance Code Section 302.4 and Section 303.1 and that the Respondent shall come into compliance by August 9, 2018 or suffer a fine of \$250.00 per day. Second was made by Ms. Graham.

VOTE: Motion carried with Ms. Dutton, Ms. Graham, Messrs. Carson, Motley, Mackin and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

Vice-Chair Suplicki stepped away from the dais.

6. **DCEB 18-602 City vs. THOMAS J / MARJORIE A STEWART**
616 Dogwood Ct (MK)
Violation of the Florida Building Code 105.1 BUILDING PERMIT REQUIRED

Chair Bowman determined the respondent was not present.

Mr. Kepto advised in case DCEB 18-602 after reviewing with a supervisor the City requests postponing to the October 2, 2018 Code Enforcement Board meeting.

MOTION: Mr. Mackin moved in case DCEB 18-602 to postpone to October 2, 2018. Second was made by Mr. Motley.

VOTE: Motion carried 6-0 with Ms. Dutton, Ms. Graham, Messrs. Carson, Motley and Mackin, voting aye. Chair Bowman voting aye. Voting nay, none. (Vice-Chair Suplicki had stepped away from the dais.)

Chair Bowman reviewed the Finding and Order of the Board.

7. **DCEB 18-616 City vs. FOUR WIRE LLC**
745 Kirkland Cir
Violation of the Florida Building Code 105.1 BUILDING PERMIT REQUIRED

Ms. McHale swore in Renee Johnson, Owner of 479 Main Street, Dunedin and Paul Mercer, Contractor of 2238 Stacy Court, Dunedin.

Mr. Kepto reviewed case DCEB 18-616:

- 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 May 31, 2018 and a notice of violation was sent to the owner with a requested compliance date of June 22, 2018.
- The violations includes a building permit required for the renovations of the structure to include, but not limited to upgraded or renovated bathrooms and kitchen installation, installation of decks and any other alterations such as doors or windows.
- As of August 4, 2018 a permit was submitted and was in plan review. The Deputy Building Official questioned him about the permit and indicated there were plans, but it was floor plans with nothing on it and he did not know what the permit was for.

Mr. Kepto submitted into evidence photographs taken from the Google Street View 2011 and photos from the Real Estate advertisement on the internet along with the ad from the internet. He recommends a compliance date of August 31, 2018 or a fine of \$250.00 per day thereafter for non-compliance.

Ms. Johnson representing Four Wire LLC stated this is a house she and her friends purchased to resell and they have been working there but there was nothing she thought had to be permitted. She thought everything was just cosmetic.

Mr. Mercer stated he was just contracted and submitted some as-built plans; obviously he was not involved in the work. This morning he received some actions that need to be addressed on the as-built plans and resubmitted within a couple of hours. He acknowledged in response to Chair Bowman that August 31st should be no problem to obtain the permit.

Mr. Motley clarified the permit would be for general renovations and it has been explained everything that was done to the house by Ms. Johnson.

Chair Bowman clarified for the Board once they obtain the permit they are in compliance and any other issues should be discussed with the Building Department.

MOTION: Mr. Carson moved to find case DCEB 18-616 in violation of the Florida Building Code Section 105.1 and that the Respondent shall come into compliance by August 31, 2018 or suffer a fine of \$200.00 per day. Second was made by Mr. Motley.

VOTE: Motion carried with Ms. Dutton, Ms. Graham, Messrs. Carson, Motley, Mackin, and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

Chair Bowman advised to show the permit to Mr. Kepto as soon as it is obtained.

8. DCEB 18-629 City vs. MESA VERDE ASSETS LLC
1660 Country Ln
Violation of the International Property Maintenance Code Section 303.1 SWIMMING POOL
MAINTENANCE

Ms. McHale swore in Ryan Pick, Representative wit Mesa Verde Assets LLC of 19126 Autumn Woods Ave

Mr. Colbert reviewed case DCEB 18-629:

- 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 May 30, 2018 and a notice of violation was sent to the owner with a requested compliance date of June 22, 2018.
- This case is the result of a neighborhood complaint.
- The violation includes the swimming pool water is not being maintained in a clean and sanitary manner, the pool water is green in color.

Mr. Colbert submitted into evidence photographs taken on May 30, 2018 and July 12, 2018. He recommends a compliance date of August 9, 2018 or a fine of \$250.00 per day thereafter for non-compliance.

Mr. Pick stated:

- The notice was sent to Austin, Texas, so it did not get to him until June 22, 2018.
- He immediately went to the property and there was no power to the home and someone from the City had someone meet him and turn the power on. There was leak somewhere so they shut it down.
- They identified the leak on June 27th that was an open hose leading to where it should have been plugged into a refrigerator that was no longer there.
- Then they had someone come out to take care of the pool and on July 13th the pool was clean after a few pools and there will be continued treatment of the pool until the property goes under construction.
- He acknowledged the August 9th compliance date was not a problem.

MOTION: Mr. Motley moved to find in case DCEB 18-629 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 August 9, 2018 or suffer a fine of \$250.00 per day. Second was made by Ms. Graham.

VOTE: Motion carried with Ms. Dutton, Ms. Graham, Messrs. Carson, Motley, Mackin and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

9. DCEB 18-646 City vs. KIMNECT HOLDINGS LLC
1215 Davis Rd

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

Chair Bowman determined the respondent was not present.

Mr. Colbert reviewed case DCEB 18-646:

- The violation existed 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 June 11, 2018 and a notice of violation was sent to the owner with a requested compliance date of June 22, 2018.

- The violation includes grass or weeds exceeding 10 inches in height.
- The property owner was present earlier today and he explained the process and she chose not to stay for the hearing; he gave the best advice possible to keep the grass cut, a simple solution.

Mr. Colbert submitted into evidence photographs taken on June 11, 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 to be considered repeat violation.

MOTION: Vice-Chair Suplicki moved to find case DCEB 18-646 was in violation of the International Property Maintenance Code Section 302.4 after the requested compliance date of June 22, 2018 on the Notice of Violation; however, is now in compliance. Any future violation in the next five years will be considered a repeat violation. Second was made by Ms. Graham.

VOTE: Motion carried with Ms. Dutton, Ms. Graham, Messrs. Carson, Motley, Mackin and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

10. **DCEB 18-655 City vs. CHARLES W DEAN**
2045 Woodward Ave
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 18-655:

- 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 June 11, 2018 and a notice of violation was sent to the owner with a requested compliance date of June 20, 2018.
- This case is the result of complaints in the neighborhood for front yard parking and this was one.
- The violation includes the parking of vehicles in the front yard area as prohibited in a residential area.
- He received a call from the property owner who was very cooperative and concerned and also a call was received from the tenant that was a very positive conversation. There should be no future problems.

Mr. Colbert submitted into evidence photographs taken on June 11, 2018 and June 29, 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 to be considered repeat violation.

MOTION: Ms. Dutton moved to find case DCEB 18-655 was in violation of the Land Development Code Section 105-27.1.1(h)1 after the requested compliance date of June 20, 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. Dutton, Ms. Graham, Messrs. Carson, Motley, Mackin and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

11. **DCEB 18-667 City vs. DARRELL RAGANS**
1334 New York Ave
Violation of the Land Development Code Section 105-27.1.1(f) BOATS, RV'S, TRAILERS

Chair Bowman determined the respondent was not present.

Mr. Colbert reviewed case DCEB 18-667:

- 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 June 26, 2018 and a notice of violation was sent to the owner with a requested compliance date of July 3, 2018.
- The violation includes the open parking or storage of utility trailers as prohibited in a residential area.

Mr. Colbert submitted into evidence photographs taken on June 26, 2018 and July 17, 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. Mackin moved to find case DCEB 18-667 *based on testimony, evidence and facts presented* was in violation of Violation of the Land Development Code Section 105-27.1.1(f) after the requested compliance date of July 3, 2018 on the Notice of Violation; however, is now in compliance. Any future violation within five years will be considered a repeat violation. Second was made by Ms. Dutton.

VOTE: Motion carried with Ms. Dutton, Ms. Graham, Messrs. Carson, Motley, Mackin and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

12. **DCEB 18-678 City vs. TCV M6 LLC**
150 Broadway
Violation of the Florida Building Code Section 105.1 BUILDING PERMIT REQUIRED

Ms. McHale swore in Anthony Santabarbara agent for TCV M6 LLC of 10836 Kitten Trail, Hudson, FL 34669.

Mr. Kepto reviewed case DCEB 18-678:

- 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 June 18, 2018 and a notice of violation was sent to the owner with a requested compliance date of July 20, 2018.
- The violation includes a building permit required for the installation or construction of the new concrete parking area in front of the structure.

Mr. Kepto submitted into evidence photographs taken on June 17, 2013 and June 28, 2018. He recommends a compliance date of August 31, 2018 or a fine of \$200.00 per day thereafter for non-compliance.

Mr. Santabarbara stated they are in the process of filing for a permit and they are waiting for a survey and should be able to comply by the end of this month.

When Chair Bowman asked if he could have it done by the 31st Mr. Santabarbara said yes that he spoke with Engineering and Zoning and they should be okay.

When Vice-Chair Suplicki inquired if with just a cursory look the Cit found no problems, Mr. Santabarbara stated no, that they were in the setbacks and he did not touch the apron or the county sidewalk.

MOTION: Ms. Graham moved to find case DCEB 18-678 in violation of the Florida Building Code Section 105.1 and that the Respondent shall come into compliance by August 31, 2018 or suffer a fine of \$200.00 per day. Second was made by Mr. Motley.

VOTE: Motion carried with Ms. Dutton, Ms. Graham, Messrs. Carson, Motley, Mackin, and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

Chair Bowman explained Mr. Santabarbara should take Mr. Kepto's information and if there is any problem keep him informed as to what is happening.

13. DCEB 18-693 City vs. KELLIE L ANDREWS
2029 Woodward Ave

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 18-693:

- 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 June 29, 2018 and a notice of violation was sent to the owner with a requested compliance date of July 11, 2018.
- This case is the result of a
- The violation includes the parking of vehicles in the front yard area as prohibited in residential area.

Mr. Colbert submitted into evidence photographs taken on June 29, 2018 and July 9 & 17, 2018. He recommends a compliance date of August 8, 2018 or a fine of \$50.00 per day thereafter for non-compliance.

In response to the question from Ms. Dutton, Mr. Colbert advised there has been no contact from the residents.

MOTION: Mr. Carson moved to find case DCEB 18-693 in violation of the Land Development Code Section 105-27.1.1(h)1 and that the Respondent shall come into compliance by August 8, 2018 or suffer a fine of \$50.00 per day. Second was made by Ms. Graham

VOTE: Motion carried with Ms. Dutton, Ms. Graham, Messrs. Carson, Motley, Mackin and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

14. **DCEB 18-699 City vs. LENNY D / MICHELLE L DAWKINS**
684 Dexter 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. Kepto reviewed case DCEB 18-699:

- The violations exist 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 9, 2018 and a notice of violation was sent to the owner with a requested compliance date of July 15, 2018.
- The violation includes the parking or storage of vehicles in the front yard area as prohibited in residential area unless the parking is on an approved or permitted surface.

Mr. Kepto submitted into evidence photographs taken on July 9, 2018 and July 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 to be considered repeat violation.

MOTION: Ms. Graham moved to find case DCEB 18-699 was in violation of the Land Development Code Section 105-27.1.1(h)1 after the requested compliance date of July 15, 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. Motley.

VOTE: Motion carried with Ms. Dutton, Ms. Graham, Messrs. Carson, Motley, Mackin and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

15. **DCEB 18-716 City vs. VASILE LIARIKOS**
236 Grove Cir S
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 18-716:

- 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 17, 2018 and a notice of violation was sent to the owner with a requested compliance date of July 23, 2018.
- This case is the result of a number of complaints.
- The violation includes the open parking or storage of any recreational equipment or vehicle in front of a residential property as prohibited except from Friday 6:00 p.m. to Monday 8:00 a.m.
- As of yesterday the boat was still in violation and also blocking a public sidewalk.

Mr. Kepto submitted into evidence photographs taken on July 17, 2018 July 26, 2018. He recommends a compliance date of August 8, 2018 or a fine of \$200.00 per day thereafter for non-compliance.

When Vice-Chair Suplicki asked if there has been no contact, Mr. Kepto stated not this time; however, this respondent has been cited for the violation previously, but it has never been to the Board.

MOTION: Ms. Graham moved to find case DCEB 18-716 in violation of the Land Development Code Section 105-27.1.1(f) and that the Respondent shall come into compliance by August 8, 2018 or suffer a fine of \$200.00 per day. Second was made by Ms. Dutton.

VOTE: Motion carried with Ms. Dutton, Ms. Graham, Messrs. Carson, Motley, Mackin and Suplicki voting aye. Chair Bowman voting aye. Voting nay, none.

Chair Bowman reviewed the Finding and Order of the Board.

OTHER BUSINESS

None.

Meeting adjourned at 3:30 P. M.

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

Michael Bowman, Chair
Dunedin Code Enforcement Board