

ANNOTATED AGENDA
CODE ENFORCEMENT BOARD
JANUARY 27, 2010 - 9:00 A.M.
CITY COUNCIL CHAMBERS

1. CALL TO ORDER/ANNOUNCEMENTS

- A. Roll Call
- B. Next Scheduled Meeting - February 24, 2010

2. APPROVAL OF MINUTES

- A. Meeting of December 23, 2009

APPROVED

3. NEW BUSINESS

A. **09-38357 – CODE COMPLIANCE OFFICER – RANDY WRIGHT**

Respondent: James P. Quinn & Charlene Okomski

Address of Violation: 1101 Rum Cay Court

Violation of Chapter 7, Section: 7-32 (a) (1), Failure to obtain building permit for a fence; and

Violation of Chapter 26, Section: 8.11 (c), Grass and/or weeds over twelve inches in height; and

Violation of Chapter 20, Section: 20-1 (a), Mulch and plantings in the right-of-way; and

Violation of Chapter 26, Section: 8.11 (b), Broken screen in the lanai of the property.

GUILTY; CEASE & DESIST ORDER FOR FUTURE VIOLATIONS, SUBJECT TO \$250/DAY FINE; ELIMINATE VIOLATIONS w/in 5 DAYS OR UP TO \$250/DAY FINE

B. **09-38540 – CODE COMPLIANCE OFFICER – MARICELA PERDOMO**

Respondent: Dr. Olawale O. Idewu

Address of Violation: 103 West Marion Avenue

Violation of Chapter 26, Section: 17.5 (c) Non-conforming signs, Change of use and ownership.

GUILTY; CEASE & DESIST ORDER FOR FUTURE VIOLATIONS, SUBJECT TO \$250/DAY FINE; SUBMIT VARIANCE APPLICATION w/in 7 DAYS OR REMOVE SIGN; REMOVE SIGN IF VARIANCE APPLICATION DENIED

C. **09-36633 – CODE COMPLIANCE OFFICER – RANDY WRIGHT**

Respondent: Mediterranean Landing Condominium Association, Inc.
% Ariana R Fileman, Registered Agent

Address of Violation: 1323 Mediterranean Drive

Violation of Chapter 26, Section: 3.13 (e) Brick pavers abutting the entire length of the seawall; and

Violation of Chapter 26, Section: 8.13 (a) Brick pavers are not an approved ground cover for the drainage facilities.

CONTINUED TO BOARD'S NEXT MEETING

D. 09-37059 – CODE COMPLIANCE OFFICER – DAWN LEWIS

Respondent: David A. & Susan E. Graham

Address of Violation: 210 Venezia Court

Violation of Chapter: 26-8-13(a), (b), and (c) Improper ground cover in required drainage area; and

Violation of Chapter: 7-32(a) (1) Construction of a fence without a valid building permit.

Violation of Chapter: 26-3.13(m) Installing a fence in a way not consistent with the requirements of this ordinance.

GUILTY; CEASE & DESIST ORDER FOR FUTURE VIOLATIONS, SUBJECT TO \$250/DAY FINE; ELIMINATE VIOLATIONS BY 03/15/10

E. 09-38638 – CODE COMPLIANCE OFFICER – RANDY WRIGHT

Respondent: Sylvia Ware Longmire

Address of Violation: 520 Ida Avenue

Violation of Chapter 26, Section: 8.26 P.O.D. storage unit in the side yard.

GUILTY; CEASE & DESIST ORDER FOR FUTURE VIOLATIONS, SUBJECT TO \$250/DAY FINE; ELIMINATE VIOLATIONS w/in 14 DAYS

4. **UNFINISHED BUSINESS**

5. **OLD BUSINESS**

A. HEARING IMPOSING PENALTY

09-38260 – ZONING OFFICIAL – TERI TUBBS

Respondent: Linda-Louise (for the family Christian)

Address of Violation: 2543 Brazilia Court

Violation of Chapter: 26-3.13(m), Installing a fence in a way not consistent with the requirements of this ordinance; and

Violation of Chapter 7-32(a)(1), Construction of a fence without a valid building permit.

IMPOSED \$6,750 FINE [\$250/DAY FOR 27 DAYS OF NON-COMPLIANCE (12/31/09 TO 01/26/10)]; FINE TO CONTINUE TO RUN UNTIL PROPERTY BROUGHT INTO COMPLIANCE

B. HEARING IMPOSING PENALTY

09-38379 - CODE COMPLIANCE OFFICERS – MARICELA PERDOMO & RANDY WRIGHT

Respondent: B Gordon Johnston Jr.

Address of Violation: 825 Via Tunis

Violation of Chapter 26, Section: 8.11(e), Weeds over twelve (12) inches in height throughout landscaping ; and

Violation of Chapter 26, Section: 8.11(g), Outside storage between bushes and throughout the property; and

Violation of Chapter 26, Section: 3.13(n), Trash cans stored outside of walled-in area.

CONTINUED PENALTY HEARING TO BOARD'S NEXT MEETING

C. ** HEARING IMPOSING PENALTY

**10-38950 – CODE COMPLIANCE OFFICER – RANDY WRIGHT
REPEAT VIOLATION**

Respondent: Sylvia Ware Longmire

Address of Repeat Violation: 520 Ida Avenue

Violation of Chapter 9A, Section: 9A-12(a) Outside storage of personal property.

**IMPOSED FINE OF \$1,025 [\$25/DAY FOR 41
DAYS OF NON-COMPLIANCE (12/02/09 TO
01/11/10)]**

6. OTHER BUSINESS

A. REQUEST FOR FINE REDUCTION

08-34472 – PLANS EXAMINER JOHN SMITH

RESPONDENT: Charles and Kim Dwyer – new owners

Address of Violation: 401 Belvedere Court

Violation of Chapter 7, Section: 7-31 (A) Additions, amendments and modifications to Building Code; and

Violation of Chapter 7, Section: 7-31 (A) (1) Failure to obtain a building permit.

**REDUCED FINE FROM \$42,400 TO \$10,000;
RESPONDENT TO ALSO BEAR COSTS OF
PREPARING & RECORDING SATISFACTION OF
LIEN & ADMINISTRATIVE COSTS OF \$116.73
(4 to 3 vote)**

7. MEMBER COMMENTS

8. ADJOURNMENT

NOTE: If a person decides to appeal any decision made by the Code Enforcement Board, such person will need a record of proceedings, and for such purpose, the person may need to ensure that a verbatim record of proceedings is made which record indicates the testimony and evidence upon which the appeal is to be based.

DISTRIBUTION: Board Members (7); Alternates (2); Councilmembers (5), City Manager, City Attorney, City Clerk, Police Department, Board Attorney, Building Official, Growth Management Director, Zoning Official, Press.

In accordance with the Americans with Disabilities Act and Florida Statute 286.26, special accommodations may be made by contacting the Office of the City Clerk at (941) 575-3369.