

**CODE ENFORCEMENT BOARD  
MEETING  
OCTOBER 28, 2020**

**MEMBERS PRESENT:** John Chalifoux, Chairman  
Henry Bauman, Nora Giardina, Timothy Heggan,  
Carol Perry, Paul Sacilotto, Edward Weiner

**OTHERS PRESENT:** Board Attorney Kelly Fernandez  
Lisa Hannon, Zoning Official  
David McCarty, Code Compliance Supervisor  
Allen McDaniel, Code Compliance Officer  
Nick Falkner, Code Compliance Officer  
Lavosia Price, Code Compliance Officer  
Alan Russo, Taylor Smith, Terry Morrison,  
Christine Heid, Joe Saywall, Cathy Getz

**CALL TO ORDER/ANNOUNCEMENTS**

- Mr. Chalifoux called the meeting to order at 9:00 a.m.
- A. Roll Call
- B. Next Scheduled Meeting
- 1. November 17, 2020

**APPROVAL OF MINUTES**

- A. September 16, 2020
- Mr. Bauman MOVED, Mr. Sacilotto SECONDED approval of the September 16, 2020, minutes. MOTION CARRIED UNANIMOUSLY.

**NEW BUSINESS**

- Recording Secretary Pues swore in all participants.
- A. CONTEST OF CITATION - 20-77649 - CODE COMPLIANCE OFFICER – ALLEN MCDANIEL  
CITATION NO. 10172  
Respondent: Alan L. Russo  
Address of Violation: 83 Hibiscus Drive  
Violation of Chapter 26, Section 3.13 (L) Boat Trailer, No Permit; Violation of Chapter 9A,  
Section 9A-13 (c) 8
- Mr. Alan Russo, respondent, entered a plea of not guilty.
- Mr. Allen McDaniel, Code Compliance Officer, displayed photographs of the subject property, located within City limits, stating inspections on September 24, 2020, and September 25, 2020, found an unpermitted trailer parked on the driveway of the property and no permit had been requested for same. He stated a warning citation was issued to the respondent on September 26, 2020; however, an inspection on September 28, 2020, found an expired permit on the trailer and the violation remained. He

explained a citation for \$100 was issued to the respondent on that date and a request to contest the citation was received from Mr. Russo on September 30, 2020. He then submitted an invoice for case costs incurred in the amount of \$7.35.

- Mr. Bauman MOVED, Mr. Heggan SECONDED the City presented a prima facie case. MOTION CARRIED UNANIMOUSLY.
- Mr. Russo asserted trailers were not allowed to be parked for two consecutive nights according to his interpretation of the Code, emphasizing his trailer was not in violation.
- Ms. Perry confirmed the trailer was no longer stored at the location.
- Board Attorney Kelly Fernandez verified a trailer could be parked for two consecutive nights if a no-cost permit was obtained from the City.
- Ms. Taylor Smith, Police Officer, explained she was dispatched to the subject property since there was a reoccurring incident with a trailer and two jet skis being parked in the driveway without a permit. She verified on September 26, 2020, at approximately 4:00 a.m. she witnessed the violation and issued the written warning.
- Discussion ensued regarding the interpretation of the Code as it related to overnight parking, with members confirming a permit for same was valid between 7:00 p.m. and 7:00 a.m. for up to two consecutive days at no cost within the overlay district only.
- Mr. Heggan MOVED, Mr. Bauman SECONDED to find the respondent guilty, to order the fine in the amount of \$100 be imposed and be paid immediately upon receipt of the Order, and to require payment of case costs incurred in the amount of \$7.35. MOTION CARRIED UNANIMOUSLY.

B. HEARING IMPOSING PENALTY – IRREPARABLE VIOLATION – 20-75924 – CODE COMPLIANCE OFFICER – NICK FALKNER

Respondents: Dana W. & Lauralee L. Carr

Address of Irreparable Violation: Right-of-Way at 665 Macedonia Drive

Irreparable Violation of Chapter 26, Section 11.6 (c) Sign on Right-of-Way

- Mr. Chalifoux entered a plea of not guilty on behalf of the absent respondent.
- Mr. Nick Falkner, Code Compliance Officer, displayed photographs of the violation, explaining on March 5, 2020, an inspection found a sign in the subject right-of-way (ROW), located within City limits, which was an irreparable violation. He noted the sign was removed and disposed of, then reviewed the City's efforts to notify the respondents of the violation, penalty hearing and continuances of same. He submitted an invoice for case costs incurred in the amount of \$16.62.
- Ms. Giardina MOVED, Mr. Sacilotto SECONDED the City had presented a prima facie case. MOTION CARRIED UNANIMOUSLY.

- Mr. Chalifoux recalled City Council had issued a moratorium on enforcement of the sign ordinance and directed staff to reevaluate same, noting violations heard this date occurred prior to that time.
  - Mr. Weiner opined the configuration of the subject property made the sign appear to be located outside the ROW.
  - Mr. Bauman indicated the sign appeared further away from the ROW in comparison to other cases where signs were installed by realtors who were provided instructions on placement of signs.
  - Mr. Chalifoux agreed, noting property owners weren't provided with the same information as members of the Board of Realtors.
  - Ms. Giardina MOVED, Ms. Perry SECONDED to find the respondent guilty of an irreparable violation, to impose a fine of \$50, to require payment of the fine within 10 days of receipt of this order, to require payment of case costs incurred in the amount of \$16.62 within 10 days, and to issue a Cease & Desist Order for any future violations, subject to a fine not to exceed \$500 per day plus applicable interest.
  - Mr. Bauman spoke in favor of finding the respondent guilty of an irreparable violation and not imposing a fine, opining the property owner attempted to correct the violation.
  - VOTING AYE: Chalifoux, Giardina, Perry.
  - VOTING NAY: Bauman, Heggan, Sacilotto, Weiner.
  - MOTION FAILED.
  - Mr. Bauman MOVED, Mr. Sacilotto SECONDED to find the respondent guilty of an irreparable violation, to impose a fine of \$0, to require payment of case costs incurred in the amount of \$16.62 within 30 days, to issue a Cease & Desist Order for any future violations, subject to a fine not to exceed \$500 per day plus applicable interest.
  - Mr. Chalifoux opined there should be some penalty since a violation had occurred.
  - VOTING AYE: Bauman, Heggan, Sacilotto, Weiner.
  - VOTING NAY: Chalifoux, Giardina, Perry.
  - MOTION CARRIED.
- C. HEARING IMPOSING PENALTY –IRREPARABLE VIOLATION - 20-75930 - CODE COMPLIANCE OFFICER – LAVOSIA PRICE JR.
- Respondents: Five Star Realty, Responsible Party  
 Zarif Malaty & Mounir Tawadrous, Property Owners
- Address of Irreparable Violation: Right-of-Way at 3560 Mondovi Court  
 Irreparable Violation of Chapter 26, Section 11.6 (c) Sign on Right-of-Way
- Mr. Chalifoux entered a plea of not guilty on behalf of the absent respondent.

- Mr. Lavosia Price, Code Compliance Officer, displayed photographs of the violation, explaining on March 5, 2020, an inspection found a sign in the subject ROW, located within City limits, which was an irreparable violation. He noted the sign was removed and disposed of, then reviewed the City's efforts to notify the respondents of the violation, penalty hearing and continuances of same. He submitted an invoice for case costs incurred in the amount of \$83.85.
- Mr. Bauman MOVED, Mr. Sacilotto SECONDED the City had presented a prima facie case. MOTION CARRIED UNANIMOUSLY.
- Mr. Weiner pointed out the close proximity of the sign to the ROW was clearly visible, noting there had been numerous violations against Five Star Realty.
- Ms. Giardina MOVED, Ms. Perry SECONDED to find the respondent guilty of an irreparable violation, to impose a fine of \$100, to require payment of the fine within 10 days of receipt of this order, to require payment of case costs incurred in the amount of \$83.85 within 10 days, to issue a Cease & Desist Order for any future violations, subject to a fine not to exceed \$500 per day plus applicable interest. MOTION CARRIED UNANIMOUSLY.

D. HEARING IMPOSING PENALTY –IRREPARABLE VIOLATION - 20-75972 - CODE COMPLIANCE OFFICER – LAVOSIA PRICE JR.

Respondents: Five Star Realty, Responsible Party

Zarif Malaty & Mounir Tawadrous, Property Owners

Address of Irreparable Violation: Right-of-Way at 3648 Tripoli Boulevard

Irreparable Violation of Chapter 26, Section 11.6 (c) Sign on Right-of-Way

- Mr. Chalifoux entered a plea of not guilty on behalf of the absent respondent.
- Mr. Price displayed photographs of the violation, explaining on March 5, 2020, an inspection found a sign in the subject ROW, located within City limits, which was an irreparable violation. He noted the sign was removed and disposed of, then reviewed the City's efforts to notify the respondents of the violation, penalty hearing and continuances of same. He submitted an invoice for case costs incurred in the amount of \$83.85.
- Mr. Heggan MOVED, Mr. Sacilotto SECONDED the City had presented a prima facie case. MOTION CARRIED UNANIMOUSLY.
- Ms. Perry MOVED, Mr. Bauman SECONDED to find the respondent guilty of an irreparable violation, to impose a fine of \$100, to require payment of the fine within 10 days of receipt of this order, to require payment of case costs incurred in the amount of \$83.85 within 10 days, to issue a Cease & Desist Order for any future violations, subject to a fine not to exceed \$500 per day plus applicable interest. MOTION CARRIED UNANIMOUSLY.

E. HEARING IMPOSING PENALTY –IRREPARABLE VIOLATION - 20-75975 - CODE COMPLIANCE OFFICER – LAVOSIA PRICE JR.

Respondents: Re/max Harbor Realty  
Dennis Fairchild, Responsible Party  
William M. Holmes, Jr. Trust, Property Owner

Address of Irreparable Violation: Right-of-Way at 3607 Kassandra Drive  
Irreparable Violation of Chapter 26, Section 11.6 (c) Sign on Right-of-Way

- Mr. Price requested this case be dismissed, noting the property was sold.
- Mr. Heggan MOVED, Mr. Sacilotto SECONDED to dismiss the case. MOTION CARRIED UNANIMOUSLY.

F. HEARING IMPOSING PENALTY –IRREPARABLE VIOLATION - 20-75850 - CODE COMPLIANCE OFFICER – LAVOSIA PRICE JR.

Respondents: Michael Saunders & Company  
Karen Brown, Respondent/Responsible Party  
Louis P. Florio, III, Property Owner

Address of Irreparable Violation: Right-of-Way at 3567 Tripoli Boulevard  
Irreparable Violation of Chapter 26, Section 11.6 (c) Sign on Right-of-Way

- Mr. Chalifoux entered a plea of not guilty on behalf of the absent respondent.
- Mr. Price displayed photographs of the violation, explaining on March 1, 2020, an inspection found a sign in the subject ROW, located within City limits, which was an irreparable violation. He noted the sign was removed and disposed of, then reviewed the City's efforts to notify the respondents of the violation, penalty hearing and continuances of same. He submitted an invoice for case costs incurred in the amount of \$38.40.
- Mr. Heggan MOVED, Ms. Perry SECONDED the City had presented a prima facie case. MOTION CARRIED UNANIMOUSLY.
- Mr. Weiner pointed out the sign was clearly in the ROW.
- Ms. Giardina MOVED, Ms. Perry SECONDED to find the respondent guilty of an irreparable violation, to impose a fine of \$100, to require payment of the fine within 10 days of receipt of this order, to require payment of case costs incurred in the amount of \$38.40 within 10 days, to issue a Cease & Desist Order for any future violations, subject to a fine not to exceed \$500 per day plus applicable interest. MOTION CARRIED UNANIMOUSLY.

G. HEARING IMPOSING PENALTY –IRREPARABLE VIOLATION - 20-75915 - CODE COMPLIANCE OFFICER – LAVOSIA PRICE JR.

Respondents: Allison James Estates and Homes,  
Terry Morrison, Respondent/Responsible Party  
PG Florida Partners, LLC, III, Property Owner

Address of Irreparable Violation: Right-of-Way at 3524 Mondovi Court

Irreparable Violation of Chapter 26, Section 11.6 (c) Sign on Right-of-Way

- Ms. Terry Morrison, respondent, entered a plea of not guilty.
- Mr. Price displayed photographs of the violation, explaining on March 5, 2020, an inspection found a sign in the subject ROW, located within City limits, which was an irreparable violation. He noted the sign was removed and disposed of, then reviewed the City's efforts to notify the respondents of the violation, penalty hearing and continuances of same. He submitted an invoice for case costs incurred in the amount of \$40.29.
- Mr. Heggan MOVED, Ms. Perry SECONDED the City had presented a prima facie case. MOTION CARRIED UNANIMOUSLY.
- Ms. Morrison noted she was aware of the restrictions for installing signs, asserting the landscapers had relocated same.
- Mr. Heggan pointed out the grass around the sign had not been mowed.
- A brief discussion ensued regarding those responsible for the placement of signs.
- Ms. Morrison indicated the sign was originally in a permitted location for a lengthy period of time, reiterating landscapers relocated same prior to the violation.
- Mr. Chalifoux noted the tall grass around the sign made it appear as though same had not been moved, concluding property owners and realtors were responsible for the correct placement of signs.
- Ms. Perry MOVED to find the respondent guilty of an irreparable violation, to impose a fine of \$75, to require payment of the fine within 10 days of receipt of this order, to require payment of case costs incurred in the amount of \$40.29 within 10 days, and to issue a Cease & Desist Order for any future violations, subject to a fine not to exceed \$500 per day plus applicable interest.
- MOTION DIED due to a lack of SECOND.
- Ms. Giardina MOVED, Mr. Heggan SECONDED to find the respondent guilty of an irreparable violation, to impose a fine of \$50, to require payment of the fine within 10 days of receipt of this order, to require payment of case costs incurred in the amount of \$40.29 within 10 days, and to issue a Cease & Desist Order for any future violations, subject to a fine not to exceed \$500 per day plus applicable interest.
- Mr. Chalifoux opined the cost should be consistent with previous fines imposed.

- VOTING AYE: Giardina, Heggan, Perry.
- VOTING NAY: Bauman, Chalifoux, Sacilotto, Weiner.
- MOTION FAILED.
- Mr. Weiner MOVED, Mr. Sacilotto SECONDED to find the respondent guilty of an irreparable violation, to impose a fine of \$100, to require payment of the fine within 10 days of receipt of this order, to require payment of case costs incurred in the amount of \$40.29 within 10 days, and to issue a Cease & Desist Order for any future violations, subject to a fine not to exceed \$500 per day plus applicable interest.
- Ms. Giardina noted members had imposed lower fines previously when respondents attended meetings to present their case.
- VOTING AYE: Chalifoux, Sacilotto, Weiner.
- VOTING NAY: Bauman, Giardina, Heggan, Perry.
- MOTION FAILED.
- Mr. Bauman concurred with Ms. Giardina.
- Mr. Weiner commented historically fines were \$100 for violations related to signs in the ROW.
- Mr. Sacilotto MOVED, Mr. Weiner SECONDED to find the respondent guilty of an irreparable violation, to impose a fine of \$100, to require payment of the fine within 30 days of receipt of this order, to require payment of case costs incurred in the amount of \$40.29 within 30 days, to issue a Cease & Desist Order for any future violations, subject to a fine not to exceed \$500 per day plus applicable interest.
- VOTING AYE: Chalifoux, Sacilotto, Weiner.
- VOTING NAY: Bauman, Giardina, Heggan, Perry.
- Mr. Bauman pointed out \$50 had been imposed previously according to the minutes.
- MOTION FAILED.
- Mr. Bauman MOVED, Ms. Perry SECONDED to find the respondent guilty of an irreparable violation, to impose a fine of \$50, to require payment of the fine within 30 days of receipt of this order, to require payment of case costs incurred in the amount of \$40.29 within 30 days, and to issue a Cease & Desist Order for any future violations, subject to a fine not to exceed \$500 per day plus applicable interest.
- VOTING AYE: Bauman, Giardina, Heggan, Perry, Sacilotto.
- VOTING NAY: Chalifoux, Weiner.
- MOTION CARRIED

H. 20-76382 - CODE COMPLIANCE OFFICER – NICK FALKNER

Respondents: Clara S. Flack, TR., Property Owner  
Wraymond Saulsberry, Responsible Party

Address of Violation: 517 Wood Street

Violation of Chapter 9, Section 9-2 (d) Unlicensed Vehicle; and Violation of Chapter 26, Section 8.11 (e) 1, 2, 3, 4 Dead Trees; and Violation of Chapter 9, Section 9-2 (a); and Violation of Chapter 26, Section 8.14 (b) Outside Storage; and Violation of Chapter 9, Section 9-2 (h) Tall Grass/Weeds

- Mr. Chalifoux entered a plea of not guilty on behalf of the absent respondent.
- Mr. Falkner displayed several photographs of the subject property, located within City limits, stating a July 6, 2020, inspection found a vehicle with expired tags on the driveway of the property, dead palm trees with tall grass and/or weeds around same along with outside storage. He reviewed the City's efforts to bring the property into compliance, noting inspections on September 10, 2020, and October 27, 2020, found the violations remained. He submitted an invoice for case costs incurred in the amount of \$34.32.
- Mr. Heggan MOVED, Mr. Bauman SECONDED the City had presented a prima facie case. MOTION CARRIED UNANIMOUSLY.
- Mr. David McCarty, Code Compliance Supervisor, verified the property owner resided out of state with health concerns and the subject property was occupied by a relative of the property owner.
- Mr. Falkner explained there had been verbal agreements which were not honored by Mr. Wraymond Saulsberry, responsible party, regarding arrangements to bring the property into compliance.
- Ms. Perry noted she drove by the property which required significant work.
- Mr. Heggan MOVED, Ms. Giardina SECONDED to find the respondent guilty, to issue a Cease & Desist Order for any future violations, to order the property be brought into compliance within 30 days and to require payment of case costs incurred in the amount of \$34.32 within 30 days, subject to a fine of \$250 per day plus applicable interest. MOTION CARRIED UNANIMOUSLY.

I. 20-76854 - CODE COMPLIANCE OFFICER – NICK FALKNER

Respondents: San Rocco Condominium

Address of Violation: 3918 San Rocco Drive

Violation of Chapter 26, Section 8.11 (a) Dirty Roof

- Mr. Chalifoux entered a plea of not guilty on behalf of the absent respondent.



- Mr. Falkner displayed several photographs of the subject property, located within City limits, stating a July 28, 2020, inspection found more than 20% of the roof of the building structure and two car ports were not maintained to be free from dirt and/or mold. He reviewed the City's efforts to bring the property into compliance, noting inspections on September 10, 2020, and October 27, 2020, found the violation continued to exist. He submitted an invoice for case costs incurred in the amount of \$9.06.
- Mr. Bauman MOVED, Mr. Sacilotto SECONDED the City had presented a prima facie case. MOTION CARRIED UNANIMOUSLY.
- Mr. Heggan MOVED, Ms. Perry SECONDED to find the respondent guilty, to issue a Cease & Desist Order for any future violations, to order the property be brought into compliance within 30 days and to require payment of case costs incurred in the amount of \$9.06 within 10 days, subject to a fine of \$250 per day plus applicable interest.
- Mr. Weiner opined the respondent had enough time to bring the property into compliance and 30 days would not capture the attention needed for the violation.
- MOTION DIED.
- Mr. Heggan MOVED, Mr. Weiner SECONDED to find the respondent guilty, to issue a Cease & Desist Order for any future violations, to order the property be brought into compliance within 10 days and to require payment of case costs incurred in the amount of \$9.06 within 10 days, subject to a fine of \$250 per day plus applicable interest. MOTION CARRIED UNANIMOUSLY.

J. 20-77286 - CODE COMPLIANCE OFFICER – NICK FALKNER

Respondents: Christine S. Heid, Trustee

Address of Violation: 2805 Gussie Street

Violation of Chapter 9, Section 9-2 (h) Tall Grass/Weeds

- Ms. Christine Heid, respondent, entered a plea of not guilty.
- Mr. Falkner displayed several photographs of the subject property, located within City limits, stating an August 13, 2020, inspection found tall grass and/or weeds throughout the property. He reviewed the City's efforts to bring the property into compliance, noting an inspection on September 10, 2020, found the violation remained. He stated an October 27, 2020, inspection found the property had been mowed; however, grass and/or weeds remained throughout the landscape areas and trees of the property. He requested a Cease & Desist for future violations and submitted an invoice for case costs incurred in the amount of \$11.55.
- Mr. Heggan MOVED, Mr. Sacilotto SECONDED the City had presented a prima facie case. MOTION CARRIED UNANIMOUSLY.

- Ms. Heid explained the tenant who resided at the property was not maintaining the landscaping as agreed upon. She indicated she was planning to sell the property and hire a landscaper in the meantime, confirming the property would be in compliance within 30 days.
  - Mr. Sacilotto MOVED, Ms. Giardina SECONDED to find the respondent guilty, to issue a Cease & Desist Order for any future violations, to order the property be brought into compliance within 30 days and to require payment of case costs incurred in the amount of \$11.55 within 10 days, subject to a fine of \$250 per day plus applicable interest. MOTION CARRIED UNANIMOUSLY.
- K. 20-77440 - CODE COMPLIANCE OFFICER - LAVOSIA PRICE JR.  
 Respondents: Branch Burnt Store Associates, LP  
 Address of Violation: 3941 Tamiami Trail  
 Violation of Chapter 9, Section 9-2 (h) Tall Grass and/or Weeds
- Mr. Chalifoux confirmed staff had requested this case be dismissed.
  - Mr. Weiner MOVED, Mr. Sacilotto SECONDED to dismiss the case. MOTION CARRIED UNANIMOUSLY.
- L. 20-76179 - CODE COMPLIANCE OFFICER - ALLEN MCDANIEL  
 Respondents: John & Pauline A. Berry  
 Address of Violation: 11 Sabal Drive  
 Violation of Chapter 26, Section 8.11 (a) Dirty Roof
- Mr. McDaniel verified the property was in compliance and requested dismissal of same.
  - Mr. Weiner MOVED, Mr. Sacilotto SECONDED to dismiss the case. MOTION CARRIED UNANIMOUSLY.
- M. 20-76713 - CODE COMPLIANCE OFFICER - NICK FALKNER  
 Respondents: Robert A. Pekar Sr. & Cecilia Pekar  
 Address of Violation: 3806 Bordeaux Drive  
 Violation of Chapter 26, Section 8.11 (a) Dirty Roof
- Mr. Chalifoux entered a plea of not guilty on behalf of the absent respondent.
  - Mr. Falkner displayed several photographs of the subject property, located within City limits, stating a July 6, 2020, inspection found more than 20% of the roof was not maintained to be free from dirt and/or mold. He reviewed the City's efforts to bring the property into compliance, noting inspections on September 23, 2020, and October 27, 2020, found the violation continued to exist. He submitted an invoice for case costs incurred in the amount of \$11.55.
  - Mr. Sacilotto MOVED, Mr. Bauman SECONDED the City had presented a prima facie case. MOTION CARRIED UNANIMOUSLY.

- Mr. Falkner stated the property owner had indicated the roof was scheduled for replacement on August 10, 2020; however, a permit had not been applied for and there had been no contact from the respondent as of this date.
- Mr. Heggan MOVED, Ms. Perry SECONDED to find the respondent guilty, to issue a Cease & Desist Order for any future violations, to order the property be brought into compliance within 10 days and to require payment of case costs incurred in the amount of \$11.55 within 10 days, subject to a fine of \$250 per day plus applicable interest. MOTION CARRIED UNANIMOUSLY.

**UNFINISHED BUSINESS**

A. HEARING IMPOSING ADDITIONAL PENALTY - 19-72543 - CODE COMPLIANCE OFFICER – NICK FALKNER

Respondent: Aaron Doby

Address of Violation: 710 Monaco Drive

Violation of Chapter 26, Section 8.11 (a) Dirty Roof

- Mr. Chalifoux entered a plea of not guilty on behalf of the absent respondent.
- Mr. Falkner provided the history of the Compliance Order issued to the respondent on August 28, 2019, noting an inspection on October 7, 2019, found corrective action ordered by the Board had not been taken in that more than 20% of the roof was not maintained to be free from dirt and/or mold. He then displayed photographs of the subject property, located within City limits, and reviewed the City's efforts to notify the respondents of the violation, penalty hearing and continuance of same. He stated additional inspections on November 18, 2019, July 6, 2020, September 15, 2020, and October 27, 2020, found the violations remained, concluding the property had been in noncompliance for an additional 344 days and submitted an invoice for additional case costs incurred in the amount of \$44.88.
- Ms. Perry inquired whether contact had been made with the respondent.
- Mr. Falkner replied on July 24, 2020, the property owner indicated the roof would be replaced soon and staff would be contacted with an update regarding same; however, a permit had not been applied for and there had been no contact from the respondent as of this date.
- Mr. Weiner MOVED, Mr. Bauman SECONDED to find the respondent in violation of the Compliance Order, to impose a fine of \$68,800, representing \$200 per day for 344 days plus applicable interest, with the fine continuing to run until the respondent came into compliance, and to require payment of total case costs incurred in the amount of \$44.88. MOTION CARRIED UNANIMOUSLY.

B. HEARING IMPOSING PENALTY – REPEAT VIOLATION - 20-77115 - CODE COMPLIANCE OFFICER – ALLEN MCDANIEL

Respondent: Robert L. & Deltah M. Corsini

Address of Repeat Violation: 717 West Marion Avenue

Repeat Violation of Chapter 9, Section 9-2 (a); and Repeat Violation of Chapter 26, Section 8.14 (b) Outdoor Storage

- Mr. McDaniel provided a brief history of the Cease & Desist Order issued to the respondent on January 29, 2020. He then displayed photographs of the subject property, located within City limits, stating an inspection on July 23, 2020, found the violation for outdoor storage continued to exist; therefore, the property was in repeat violation. He reviewed the City's efforts to bring the property into compliance, noting an inspection on September 15, 2020, and October 27, 2020, found the violation remained. He stated on September 16, 2020, the Board found the property was in noncompliance for 55 days of repeat violation; however, the Board continued the case to this date and suspended fines from running until October 27, 2020. He concluded the property remained in noncompliance for 55 days and submitted an invoice for case cost incurred in the amount of \$7.65.
- Mr. Joe Saywall, respondent's tenant, stated he resided at 708 West Olympia Avenue and the outdoor storage was owned by the respondent's daughter who resided at 710 West Marion Avenue. He explained the respondent was attempting to bring the property into compliance; however, her daughter continued to store items after they had been cleared.
- Mr. Chalifoux recalled the respondent's daughter assured the Board at the September 16, 2020, meeting the property would be brought into compliance.
- Mr. Bauman stated the property remained in violation and he was opposed to additional leniency for same.
- Mr. Weiner MOVED, Mr. Bauman SECONDED to find the respondent in repeat violation, to impose a fine of \$11,000, representing a fine of \$200 per day for 55 days, and to require payment of total case costs incurred in the amount of \$7.65. MOTION CARRIED UNANIMOUSLY.

C. HEARING IMPOSING PENALTY - 20-77116 - CODE COMPLIANCE OFFICER – ALLEN MCDANIEL

Respondent: Deltah M. Corsini – Croome

Address of Violation: 708 710 West Olympia Avenue

Violation of Chapter 9, Section 9-2 (a); and Violation of Chapter 26, Section 8.14 (b) Outdoor Storage

- Mr. McDaniel provided a brief history of the Compliance Order issued to the respondent on September 16, 2020, noting September 28, 2020, and October 27, 2020, inspections found corrective action ordered by the Board had not been taken in that outdoor storage remained on the property. He then displayed photographs of the subject property, located within City limits, and reviewed the City's efforts to bring the property into compliance. He concluded the property was in noncompliance for 30 days and submitted an invoice for total case costs incurred in the amount of \$19.50.
- Mr. Saywall confirmed some of the outdoor storage at 708 West Olympia had been removed.
- Mr. Bauman reiterated the respondent's daughter agreed to bring the property into compliance.
- Mr. Chalifoux clarified the property owner was responsible for the violation, concluding the property was still in noncompliance even with some of the items removed.
- Mr. Weiner MOVED, Mr. Sacilotto SECONDED to find the respondent in violation of the Compliance Order, to impose a fine of \$6,000, representing \$200 per day for 30 days of noncompliance plus applicable interest, with the fine continuing to run until the respondent came into compliance, and to require payment of total case costs incurred in the amount of \$19.50. MOTION CARRIED UNANIMOUSLY.

**STAFF COMMENTS**

- None.

**COMMITTEE/BOARD COMMENTS**

- Mr. Bauman questioned staff's process for estimating case costs, determining dirty roofs and the process for reporting vehicles parked on lawns.
- Staff responded to Mr. Bauman's inquiries.

**CITIZENS' COMMENTS**

- Ms. Cathy Getz expressed appreciation to members for their attempts to bring the properties located on Olympia Avenue and Marion Avenue into compliance.

**ADJOURNMENT**

- Meeting Adjourned: 11:22 a.m.

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John Chalifoux, Chairman

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Leah Pues, Recording Secretary