

APPROVED BY THE Board _____/_____/_____

**MUNICIPAL CODE ENFORCEMENT BOARD
MINUTES OF APRIL 26, 2018**

Members Present:

LeAnne Lake, Chair
Barbara Sofarelli
Roxana Marsh, Vice-Chair
Carrie Shelby
Douglas Whittington
Bret Shortridge

Staff Present:

Isabella Sobel, City Staff Attorney
Robert Klute, Assistant Dir of Comm Dev
Robert Hatton, Building Official
Pete Jensen, CCEO
Jenna Knapstein, CEO
Jeff Blakey, CEO
Chase Bergeron, CEO
Charles Barkman, CEO
Mary Gouge, Board Support Specialist

Commissioner Carroll was present.

Codes:

CCEO (Chief Code Enforcement Officer)
CEO (Code Enforcement Officer)
COO (Code of Ordinances)
NOV (Notice of Violation)

CDC (Comprehensive Development Code)
PMC (Property Maintenance Code)
FBC (Florida Building Code)
BOARD (Code Enforcement Board)

Copies of the referenced Property Maintenance Code is on the Dais before each Board Member.

Note to Minutes: All people that spoke before the Code Enforcement Board had been sworn in. The Board had a quorum. There were six Board Members present.

CALL TO ORDER

Chair Lake called the Code Enforcement Board meeting to order at 1:31 p.m. Chair Lake advised that all cell phones to be turned off and to stand for the Pledge of Allegiance.

APPROVAL OF THE MINUTES

Approval of the minutes for March 29, 2018 was presented for approval.

Ms. Sobel read into the record the Voting Conflict of Ms. Shelby at the March 29, 2018 meeting abstained from voting in case number CE2017-01667. Motion made by Marsh, seconded by Shelby, to approve the March 29, 2018 minutes as printed. **Approved 6/0**

AGENDA REVIEW – CASES NOT BEING HEARD

CCEO Jensen stated that the following cases will not be presented before the Board.

05 CE2018-00253 PANOVA, LIDIYA TRAYCHEVA
Bergeron 1017 10TH AVE NW LARGO, FL 33770
CDC 18.2.5.B(6) EXTERIOR PROPERTY AREAS (ACCESSORY STRUCTURES)
CDC 18.2.5.C5 EXTERIOR STRUCTURE (ROOFS DRAINAGE)

Quasi-Judicial Board: Ms. Sobel stated that the cases that are being presented before the Code Enforcement Board are quasi-judicial in nature and while they are open to the public only those authorized individuals or those called as witnesses can speak before the Board today.

FIRST ORDERS

11 CE2018-00256 BAILEY, VICTORIA
Knapstein 14130 ROSEMARY LN 5315 LARGO, FL 33774

CDC 18.2.4.F.1.C STRUCTURE UNFIT FOR HUMAN OCCUPANCY

CEO Knapstein spoke on behalf of the City who read the staff report into the record and advised the condition of the residence when she had to red tag the property. She read the staff report into the record. She advised that Ms. Bailey had to vacate the residence until the residence was in a condition that was livable.

Present to speak to the Board as witnesses for Staff were Mr. Michael Boutzoukas, the firm of Becker & Poliakoff, P.A., 1511 Westshore Blvd., Tampa, FL for the association, and tenants, Ms. Mary Rantel and Mr. Roger Pedersen. Both Ms. Rantel and Mr. Pedersen gave testimony regarding the conditions that they have found which affects their units.

Ms. Rantel advised that there was a water pipe leaking which caused water leaking into her unit. Her and her plumbing had to gain access inside Ms. Bailey's unit. As a nurse, she advised the Board of the condition of Mr. Bailey's unit and she felt the contamination would affect her and others due to the common areas that affect everyone could cause disease. The odor was really bad due to the unsanitary condition.

Mr. Pedersen stated that he lives in the condo directly below where Ms. Bailey lives. He stated that there were at least 8 rats which his exterminator had to plug up the entry point. He stated that there are bugs and flies.

Mr. Boutzoukas stated that the rat problem still exists. This unit interconnects with buildings 5 and 6, comprising of 110 units. He stated that he would like the Board to stipulate that this case be noted as a reoccurring violation. He stated that Ms. Bailey has been cooperative with regards to the association and the exterminating companies. Mr. Boutzoukas knows that this Board is limited in what they can do; however, by ensuring that this Board makes a stipulation if this property has reoccurring violations of this nature that it saves the process time and the incentives are increased fines.

Present to represent the property was Ms. Victoria Bailey and her attorney, Mr. Theodore "Ted" Schofner, an elder law attorney. Ms. Bailey deferred the statement to Mr. Schofner. He stated that she cared for her father who way dying and this took a tremendous toll on her. He advised that when she received the "red tag", she immediately started the process to remedy the situation and she moved out of the residence to a hotel. He stated that the property is currently in compliance, these problems occurred in the past and will not happen in the future, and that there is an Affidavit of Compliance. He does not want Ms. Bailey to be considered as a "repeat violator".

Ms. Bailey apologized to everyone and tried to set the record straight with regards to several comments. Her father has been dead for three years. She was in failing health and is trying to get better. The company, ServPro threw out everything that was in the unit from clothes, furniture, linens, everything. She stated that the unit has been sanitized. She has secured the services of Merry Maids. She lived at a hotel until she was allowed back into the unit, April 20, 2018.

Chair Lake closed the public portion of the hearing.

Motion made by Whittington, seconded by Sofarelli, in Case No. CE2018-00256 to find the Respondent(s), Victoria Bailey, in violation of the City of Largo Comprehensive Development Code Section 18.2.4.1.C for the property located at 14130 Rosemary Lane #5315 Largo, FL 33774; and to assess a fine of \$250.00 per day beginning on May 4, 2018 until compliance is achieved. **Approved 6/0**

Chair Lake advised Ms. Bailey that next time the fines would begin immediately. Chair Lake asked those in the audience when they leave to do so quietly.

Commissioner Carroll left to assist to disperse the audience and then returned.

07 CE2018-00236 SULESKY, JOSHUA A
Bergeron 1017 BEVERLY AVE NW LARGO, FL 33770

COO 11-75 INOPERATIVE VEHICLES
2010 FLORIDA BUILDING CODE SEC. 105 BUILDING WITHOUT PERMITS AS ADOPTED BY REFERENCE IN
CDC 18.1.1A

CEO Bergeron spoke on behalf of the City. He read the staff report into the record. CEO Bergeron reviewed aerial photos and street views from 2015 which showed no sheds on the property. There were no building permits that have been issued for a shed. CEO Bergeron received a call from the respondent that there would be updated vehicle tags on the vehicles and that a building permit for the shed would be obtained. CEO Bergeron stated that on Monday, April 23, 2018, the vehicles were found in compliance; however, Mr. Sulesky still needs to acquire a building permit for the shed.

Present to represent the property was Mr. Joshua Sulesky. He stated that he could not locate the shed's requirements for the shed and that Pinellas County does not require a permit for a shed that is under 100 square feet. Mr. Sulesky stated that he has submitted an application for the shed, BCP1803-0054; the plans examiner still required additional information to grant approval. CCEO Jensen stated that the large container on the property needs to be removed. Mr. Sulesky stated that he has this container as it is housing building materials for a proposed addition.

Chair Lake closed the public portion of the hearing.

Motion made by Shelby, seconded by Whittington, in Case No. CE2018-00236 to find the Respondent, Joshua A. Sulesky, in violation of the 2010 Florida Building Code Section 105 and the City of Largo Code of Ordinances Section 11-75 for the property located at 1017 Beverly Avenue Northwest Largo, Florida 33770; and to assess a fine of \$100.00 per day beginning July 2, 2018 until compliance is achieved; and to order the Respondent to contact the Code Enforcement Division to arrange for a re-

inspection of the property to verify compliance with the Board's order. **Approved 6/0**

08 CE2018-00235 JOCK, SCOTT T
Blakey 1968 TEMPLE TERR CLEARWATER, FL 33764

COO SEC. 11-47 DUTY OF OWNERS AND OCCUPANTS

CEO Blakey spoke on behalf of the City. He read the staff report into the record. He observed TV's in the driveway, a vehicle with no plate, and a tire, toilet, construction materials along the side yard.

Present to represent the property was Scott Jock. Mr. Jock stated the fence has been replaced so that you cannot see the items in the side yard. The vehicle(s) have been tagged. He did not realized that he was required to notify Code Enforcement for a re-inspection.

Ms. Marsh asked Mr. Jock if he just put up the privacy fence to hide the items that were view in the photos. Mr. Jock stated that he did put up the side fence to match the other side fence on the other side of this property. Mr. Jock stated that all the items have been removed and an inspector can verify.

Chair Lake closed the public portion of the hearing.

Motion made by Whittington, seconded by Marsh, in Case No. CE2017-00235 to find the Respondent, Scott T. Jock, in violation of the City of Largo Code of Ordinance Section 11-47 for the property located at 1968 Temple Terrace Clearwater, FL 33764; and to assess a fine of \$25.00 per day beginning May 10, 2018 until compliance is achieved; and to order the Respondent to contact the Code Enforcement Division to arrange for a re-inspection of the property to verify compliance with the Board's order. **Approved 6/0**

AFFIDAVIT OF COMPLIANCE/NON-COMPLIANCE & SECOND ORDERS

Second Orders either did not come into compliance or came into compliance but did not pay the fines.

03 CE2018-00122	LUKE, THOMAS C JR	REPEAT VIOLATOR – In Compliance
Bergeron	704 4TH AVE NW LARGO, FL 33770	Fine Ran: 01/23/2018 – 03/16/2018
		52 days @ \$25.00 a day
		Fine Due: \$1,300.00

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COO 11-47 DUTY OF OWNERS AND OCCUPANTS (DEBRIS)

Present to represent the property was Thomas C. Luke, Jr. He stated that Code Enforcement did not come back to check. When they did there were additional items still needed to be removed.

Both CCEO Jensen and CEO Bergeron spoke on behalf of the City.

Chair Lake closed the public portion of the hearing.

Motion made by Sofarelli, seconded by Marsh, in Case No. CE2018-00122 to find the Respondent(s), Thomas C. Luke, Jr., corrected the violation(s) but did not pay the fine of \$1,300.00 and to accept Affidavit of Compliance/Non-Compliance. **Approved 6/0**

REQUEST FOR REDUCTION

20 CE2018-00122	LUKE, THOMAS C JR	REPEAT VIOLATOR – In Compliance
Bergeron	704 4TH AVE NW LARGO, FL 33770	Fine Ran: 01/23/2018 – 03/16/2018 52 days @ \$25.00 a day Fine Due: \$1,300.00
COO 11-47 DUTY OF OWNERS AND OCCUPANTS (DEBRIS)		Admin. Fee: \$103.79 G

Present to represent the property was Thomas C. Luke, Jr. Mr. Luke previously explained the problems and timeline in bringing the violation into compliance. He asked the Board to reduce the fine to the lowest amount that they could reduce the fine.

CCEO Jensen stated, speaking on behalf of the City, that staff has no objection to the reduction of the fines.

Chair Lake closed the public portion of the hearing.

Motion made by Marsh, seconded by Sofarelli, in Case No. CE2018-00122 for the property located at 704 4th Ave NW Largo, FL 33770 to accept the Affidavit of Compliance, the Respondent(s), Thomas C. Luke, Jr., corrected the violation(s) but did not pay the fine of \$1,300.00 and to approve the Request for Reduction; reduce the fine of \$1,300.00 to \$500.00; inclusive of the administrative fee; order that the Respondent(s) to pay the reduced fine of \$500.00 within 30 calendar days of this order, or by May 25, 2018, and if not paid in 30 calendar days or by May 25, 2018, the original fine amount will be due. **Approved 6/0.**

19 2016010038	LUKE, THOMAS C JR	In Compliance
Knapstein	704 4TH AVE NW LARGO, FL 33770	Fine Ran: 07/05/2016 – 07/13/2016 8 days @ \$75.00 a day Fine Due: \$600.00 Admin. Fee: \$86.46 G

COO 11-47, DUTY OF OWNERS AND OCCUPANTS (DEBRIS)
COO 11-48, (OVERGROWTH) REMOVAL OF EXCESSIVE GROWTH OF WEEDS AND DEBRIS
CDC 18.2.5.B.6, EXTERIOR PROPERTY AREAS (ACCESSORY STRUCTURES)

Present to represent the property was Thomas C. Luke, Jr. Mr. Luke previously explained the problems and timeline in bringing the violation into compliance. He asked the Board to reduce the fine to the lowest amount that they could reduce the fine.

CCEO Jensen stated, speaking on behalf of the City, that staff has no objection to the reduction of the fines.

Chair Lake closed the public portion of the hearing.

Motion made by Shortridge, seconded by Sofarelli, in Case No. CE2018-00122 for the property located at 704 4th Ave NW Largo, FL 33770 to accept the Affidavit of Compliance, the Respondent(s), Thomas C. Luke, Jr., corrected the violation(s) but did not pay the fine of \$600.00 and to approve the Request for Reduction; reduce the fine of \$600.00 to \$350.00; inclusive of the administrative fee; order that the Respondent(s) to pay the reduced fine of \$350.00 within 30 calendar days of this order, or by May 25, 2018, and if not paid in 30 calendar days or by May 25, 2018, the original fine amount will be due.
Approved 6/0.

12 CE2018-00190 GRACE CHRISTIAN FELLOWSHIP OF FLORIDA INC
Knapstein 811 9TH AVE SW LARGO, FL 33770

CDC 18.2.5.C1 EXTERIOR STRUCTURE (PROTECTIVE TREATMENT)
CDC 18.2.5.C14 EXTERIOR STRUCTURE (DOORS)
CDC 18.2.5.C5 EXTERIOR STRUCTURE (ROOFS DRAINAGE)
COO SEC. 11-47 DUTY OF OWNERS AND OCCUPANTS

CEO Jenna Knapstein spoke on behalf of the City. She read the staff report into the record.

Present to speak on behalf of the property was Ms. Rebecca Evans, an officer of the church and one of the founding members of the church. The church purchased the property and has submitted a letter verifying that their contractor will demolish the structure. She stated that they are waiting on a survey.

Due to the possibility of asbestos in the building, there was concern that additional time would be required.

Chair Lake closed the public portion of the hearing.

Motion made by Marsh, seconded by Shelby, in Case No. CE2018-00190 to find the Respondent(s), Grace Christian Fellowship of Florida Inc., in violation of the City of Largo Comprehensive Development Code Sections 18.2.5.C1, 18.2.5.C14, 18.2.5.C5 as well as the Code of Ordinances Section 11-47 for the property located at 811 9th Avenue Southwest Largo, FL 33770; and assess a fine of \$250.00 per day beginning on August 1, 2018 until compliance is achieved; and to order the Respondent's to contact the Code Enforcement Division to arrange for a re-inspection of the property to verify compliance with the Board's order. **Approved 6/0**

10 CE2018-00370 LEAHY, KIM S
Knapstein 12120 CROFT DR E LARGO, FL 33774

CDC 16.4.4B(3) DUTY TO FENCE POOL
COO SEC. 11-21 MAINTENANCE OF POOLS, SPAS, PONDS AND FOUNTAINS

CEO Jenna Knapstein spoke on behalf of the City. She read the staff report into the record. CCEO Jensen explained that Ms. Leahy has several options, i.e. fix the pump or demolish the pool with a

permit and since she has this pool she also has to obtain a fence permit in order to maintain this fence due to life safety because of the pool. Ms. Knapstein stated that the entire side of the fence was not erected. CCEO Jensen stated that housing usually does not lend for pools.

Present to represent the property was Ms. Kim S. Leahy. She explained that she does not have the money to repair the pool pump and she has been throwing into the pool the pool dunks which release chemicals into the water to kill the mosquitoes. She stated that she cannot demolish the pool.

Chair Lake closed the public portion of the hearing.

Motion made by Sofarelli, seconded by Marsh, in Case No. CE2018-00370 to find the Respondent, Kim S. Leahy, in violation of the City of Largo Comprehensive Development Code Section 16.4.4B(3) as well as Code of Ordinances Section 11-21 for the property located at 12120 Croft Drive East Largo, FL 33774; and to assess a fine of \$150.00 per day beginning on June 27, 2018 until compliance is achieved; and to order the Respondent to contact the Code Enforcement Division to arrange for a re-inspection of the property to verify compliance with the Board's order. **Approved 6/0**

14 CE2018-00138 FUSILLO, DOLORES & FUSILLO, MARK
Knapstein 2242 6TH AVE SW LARGO, FL 33770

CDC 18.2.4F(1)c. STRUCTURE UNFIT FOR HUMAN OCCUPANCY

CEO Knapstein spoke on behalf of the City. She read the staff report into the record. CCEO Jensen stated that Mr. Fusillo has not had power for over two years; he keeps putting papers on top of the red tag or keeps removing same; he goes into the rear entrance everyday; it has been difficult to catch him in the act of entrance into the residence; the times when he is discovered, he has been given citations; he has been found to break the seals on both the water and the power.

Present to represent the property was Mr. Mark Fusillo. Mr. Fusillo thanked Code Enforcement for their patience and that he is sorry for his past transgressions. He indicated that he was in the process to obtain funds from the Navy, a military pension, to turn the utilities on.

A question was raised as to how long can the property remain uninhabitable. CCEO Jensen stated that is the next step and there could be foreclosure in the process.

Chair Lake closed the public portion of the hearing.

Motion made by Shortridge, seconded by Shelby, in Case No. CE2018-00138 to find the Respondents, Dolores and Mark Fusillo, in violation of the City of Largo Comprehensive Development Code Section 18.2.4F(1)c. for the property located at 2242 6th Avenue Southwest Largo, FL 33770; and to assess a fine of \$250.00 per day beginning on May 4, 2018 until compliance is achieved; and to order the Respondent's to contact the Code Enforcement Division to arrange for a re-inspection of the property to verify compliance with the Board's order. **Approved 6/0**

CONSENT DOCKET

The Respondents in the following cases came into compliance by the date Ordered by the Board. There are no fines due. Request the Board to accept the Affidavits of Compliance.

01 CE2017-01831 LOPESI PROPERTIES LLC In Compliance
Bergeron 269 3RD ST NW LARGO, FL 33770
CDC 18.2.5.B6 EXTERIOR PROPERTY AREAS
CDC 18.2.5.C EXTERIOR STRUCTURE (GENERAL)
CDC 18.2.7.D(1) PLUMBING FIXTURES AND SYSTEMS
CDC 18.2.5.D1 INTERIOR STRUCTURE (STRUCTURAL MEMBERS)

02 CE2017-01667 HANDVILLE, KYLE J In Compliance
Barkman 321 SHIRLEY DR LARGO, FL 33770
COO 11-75 INOPERATIVE VEHICLES

Ms. Sobel stated that Ms. Shelby will be abstain from voting, conflict of voting in the Kyle J. Handville case.

Motion made by Marsh, seconded by Whittington, to approve the consent docket without board discussion and including staff background provided in the code enforcement board packets.
Approved 5/0/1 with Shelby abstaining

AFFIDAVIT OF COMPLIANCE/NON-COMPLIANCE & SECOND ORDERS (continued)

04 CE2017-01626	EVANS, ROBERT WAYNE	Non Compliance
Knapstein	12840 SEMINOLE BLVD 22 LARGO, FL 33778	Was to comply on or before 04/17/2018 Fine is \$25.00 a day Fine Starts 04/18/2018 B
COO 11-47 DUTY OF OWNERS AND OCCUPANTS (DEBRIS)		
COO 11-48 EXCESSIVE GROWTH OF WEEDS AND DEBRIS		

There was no one present to represent the property.

Chair Lake closed the public portion of the hearing.

Motion made by Shelby, seconded by Whittington, in Case No. CE2017-01626 to find the Respondent(s), Robert Wayne Evans, did not corrected the violation(s) on or before April 17, 2018 and to accept Affidavit of Non-Compliance. **Approved 6/0**

FIRST ORDERS

06 CE2018-00243 WINIFRED L GODWIN / GWENDOLYN E BURGOYNE
Bergeron 1361 ESSEX DR CLEARWATER, FL 33756
CDC 18.2.5.B(6) EXTERIOR PROPERTY AREAS (ACCESSORY STRUCTURES)
COO SEC. 11-47 DUTY OF OWNERS AND OCCUPANTS
COO 11-48 EXCESSIVE GROWTH OF WEEDS AND DEBRIS

CEO Bergeron spoke on behalf of the City. He read the staff report into the record. CCEO Jensen stated notice was given as required.

There was no one present to represent the property.

Chair Lake closed the public portion of the hearing.

Motion made by Marsh, seconded by Whittington, in Case No. CE0218-00243 to find the Respondents, Winifred L. Godwin / Gwendolyn E. Bourgoyne, in violation of the City of Largo Code of Ordinances Sections 11-47 and 11-48, and the Comprehensive Development Code Section 18.2.5.B(6) for the property located at 1361 Essex Drive Clearwater, Florida 33756; and to assess a fine of \$100.00 per day beginning on May 11, 2018 until compliance is achieved; and to order the Respondents to contact the Code Enforcement Division to arrange for a re-inspection of the property to verify compliance with the Board's order. **Approved 6/0**

15 CE2018-00101 WINSCHUH, DOROTHY J EST
Knapstein 710 14TH AVE SW LARGO, FL 33770

CDC 18.2.5.C5 EXTERIOR STRUCTURE (ROOFS DRAINAGE)

CEO Knapstein spoke on behalf of the City. She read the staff report into the record. CCEO Jensen stated notice was given as required.

There was no one present to represent the property.

Chair Lake closed the public portion of the hearing.

Motion made by Shortridge, seconded by Shelby, in Case No. CE2018-00101 to find the Respondent's, Dorothy J Winschuh Estate, in violation of the City of Largo Comprehensive Development Code Section 18.2.5.C5 for the property located at 710 14th Avenue Southwest Largo, FL 33770; and to assess a fine of \$50.00 per day beginning May 4, 2018 until compliance is achieved; and to order the Respondent's to contact the Code Enforcement Division to arrange for a re-inspection of the property to verify compliance with the Board's order. **Approved 6/0**

Commissioner Carroll left chambers at 3:30 p.m. and returned at 3:04 p.m.

16 CE2018-00031 JEFFERS, CHRISTOPHER & ZYVOLOSKI, DANIELLE
Knapstein 2201 LAUREN DR LARGO, FL 33774

COO 11-78 PARKING OR STORAGE OF CERTAIN TYPES OF VEHICLES PROHIBITED IN RESIDENTIAL AREAS

CEO Knapstein spoke on behalf of the City. She read the staff report into the record. CEO Knapstein stated notice was given as required.

CCEO Jensen gave the presentation and stated that for the past 3½ years the City of Largo has been involved in an ongoing abandoned/neglected structure located at 511 Cleveland Avenue. On October 3, 2014, the Code Board set forth an ongoing fine of \$50.00 per day that ran for 1,272 days. There are also lot mow liens and Board-up liens attached to said property as part of the city's ongoing actions. Currently the property is in compliance as of March 28, 2018 but there is still a large unpaid fine and liens for the property.

As part of this ongoing case the City of Largo is considering as part of it's process, a foreclosure action against this property. Code Enforcement Manager, Tracey Schofield, is asking this Board to review this case and approved or deny a motion to forward this case to the full City Commission for their review and final decision on whether or not to move forward with the foreclosure process.

Verified by Ms. Sobel that the City is the primary lien holder on the property.

Motion made by Shelby, seconded by Sofarelli, in case no 2014080007 for the property located at 511 Cleveland Ave. Largo, FL 33770 to find that the violations against Respondent(s), Glenn A. Packer, have been corrected, but the fine of \$63,600.00 has not been paid and to accept the Affidavit of Compliance.

Approved 6/0

Motion made by Shelby, seconded by Sofarelli, to further move that the City of Largo Municipal Code Enforcement Board authorizes the city attorney to foreclose on the code enforcement lien against Respondent(s) Glenn A. Packer on the property located at 511 Cleveland Ave., Largo, FL 33770 pursuant to section 9.72(c) of the Largo City Code, and recommends that the City Commission authorize the city attorney to foreclosure on the code enforcement lien, and any other liens running in favor of the City Commission, on the property located at 511 Cleveland Ave. Largo, FL 33770.

Approved 6/0

XI. OTHER

There was no other business to be presented before the Code Enforcement Board; however, Ms. Gouge required Ms. Shelby's signature on the conflict of voting document.

XII. ADJOURN

Chair Lake, finding that there was no further presentations to present before the Board, called for the meeting to adjourn, time was 3:11 p.m.

Respectfully submitted,
Mary Gouge, Board Support Specialist