

THE CITIZEN CODE ENFORCEMENT BOARD
NOTICE OF HEARING
TO BE HELD AT 4:30 P.M.
JANUARY 17, 2017
CITY HALL CITY COMMISSION CHAMBERS
210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA

Members:

Rex Huffman (Chair)

Justin Traub

Michael Slayton

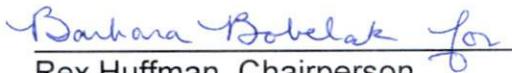
Wade Mahood

Georgina Nelson

Andrea S. Truslow

Zachary J. Bass

THIS SHALL SERVE AS YOUR OFFICIAL NOTIFICATION of a hearing of the Citizens Code Enforcement Board, to be held on **TUESDAY, JANUARY 17, 2017 at 4:30 P.M.** in the **CITY HALL, CITY COMMISSION CHAMBER, 210 SAMS AVENUE, NEW SMYRNA BEACH, FLORIDA**, for consideration of the following:


Rex Huffman, Chairperson
Citizens Code Enforcement Board



The Citizen Code Enforcement Board

Regular Meeting

<http://www.cityofnsb.com/>

~ Agenda ~

Admin

Tuesday, January 17, 2017

4:30 PM

Commission Chambers

I. ROLL CALL

II. DISCLOSURE OF EX PARTE COMMUNICATIONS

III. APPROVAL OF MINUTES

Consider approval of the minutes for the regular meeting held December 6, 2016.

IV. SWEARING OF CITY STAFF

V. OLD BUSINESS

Barb C2016-14423: Rosemary Moore 904 Wilkins Street Served

City Code of Ordinance:

Sec. 26-914 Property Maintenance Required.

Sec. 26-914. (8) Landscaping. Maintain all yards and landscaping by watering, cutting, pruning, and mowing all lawns and vegetation. Yards and lawns shall be kept free of weeds.

Sec. 26-914. (9) Trash and debris. The property shall be kept free of trash and debris. Trash and debris shall be removed from the property within seven days of placement on the property.

Sec. 26-914. (13) Outdoor storage. Outdoor storage of materials of value shall not be permitted to be located between the street and the building nor closer than three feet to any side or rear lot line. Materials of value shall be stored in a safe and sanitary manner, shall not be scattered about and shall not have openings nor be stacked in a manner which may provide harborage for vermin. The setback requirements contained herein are in addition to any other setback requirements required under the city.

Sec. 70-38. Obstruction and encroachments on public street. It shall be unlawful for any person to close, obstruct or encroach upon, under any pretense, any of the squares, streets or sidewalks of the city; however, nothing contained in this section shall be so construed as to prevent merchants and others in receiving and delivering their goods and wares in the usual manner, or prevent the erection of scaffolds and ladders or for storing material for the purpose of building and repairing.

November 8, 2016: The Board found Rosemary Moore and/or entity in violation of Sec. 26-914 (8), Sec. 26-914 (9), Sec. 26-914 (13) and Sec. 70-38 of the City Code of Ordinance and gave until the 22nd day of November to bring the property into full compliance.

December 6, 2016: The Board made a motion to continue this case to the January 17, 2017 meeting.

Erin C2016-14054: Rueben L. Albinson 550 Washington Street Served
Sec. 26-914 Property Maintenance Required.

November 8, 2016: The Board found Rueben L. Albinson and/or entity in violation of Sec. 26-914 of the City Code of Ordinance and gave until the 22nd day of November to bring the property into full compliance.

December 6, 2016: The Board found Rueben L. Albinson and/or entity in violation of Sec. 26-914 of the City Code of Ordinance and gave an extension of the original compliance date until December 30, 2016 to bring the property into full compliance.

Megan C2016-14496: Sowa Properties, LLC 810 Magnolia Street Served
 City Code of Ordinance Sec. 74-146 Local Business License Tax Imposed

December 6, 2016: The Board found Sowa Properties, LLC in violation of Sec. 74-146 of the City Code of Ordinance and gave until December 20, 2016 to bring the property into full compliance.

Erin C2016-13855: Donald Haase 907 N. Atlantic Ave. Served
 C2016-14022: Dale W. Armstrong 836 E. 20th Ave. Served

City Code of Ordinance: Part III. Land Development Regulations Article V Zoning Districts Sec. 504.02 Specific Regulations by District - R-3 Single Family and Two-Family Residential.

December 6, 2016: The Board found Donald Haase in violation of Part III. Land Development Regulations Article V Zoning Districts Sec. 504.02 Specific Regulations by District - R3 Single Family and Two-Family Residential and gave until December 20, 2016 to bring the property into full compliance.

December 6, 2016: The Board found Dale A. Armstrong in violation of Part III. Land Development Regulations Article V Zoning Districts Sec. 504.02 Specific Regulations by District - R3 Single Family and Two-Family Residential and gave until December 20, 2016 to bring the property into full compliance.

Erin C2016-13909: Melissa Grace Latty 105 Asire Rd. Served
 C2016-13925: Margaret Boomer 407 Florida Ave. Served

City Code of Ordinance: Sec. 74-146 Local Business License Tax Imposed

December 6, 2016: The Board found Melissa Grace Latty in violation of Sec. 74-146 of the City Code of Ordinances, and gave until December 20, 2016 to obtain a Business Tax

Receipt in order to bring the property into full compliance.

December 6, 2016: The Board found Margaret Boomer in violation of Sec. 74-146 of the City Code of Ordinances, and gave until December 20, 2016 to obtain a Business Tax Receipt in order to bring the property into full compliance.

Erin C2016-13827: Paulis & Rima Klimas 801 E. 8th Ave. Served

City Code of Ordinance: Part III. Land Development Regulations Article V Zoning Districts Sec. 504.02 Specific Regulations by District - R-2 Single Family Residential.

December 6, 2016: The Board found Paulis and Rima Klimas in violation of Sec. 74-146 of the city Code of Ordinances, and gave until December 20, 2016 to obtain a Business Tax Receipt in order to bring the property into full compliance.

Megan C2016-13967: Robert Hart 537 Ball Street Served

City Code of Ordinance: Part III. Land Development Regulations Article VIII Supplementary Regulations Sec. 802.04 Storage on residential lots - recreational equipment

International Property Maintenance Code: Sec. 302.8 Motor Vehicles

December 6, 2016: The Board found Robert Hart in violation of Sec. 802.04 and Sec. 302.8 of the City Code of Ordinances Land Development Regulations and gave until December 20, 2016 to bring the property into full compliance.

VI. NEW BUSINESS

Barb C2016-13132: Kathleen Brown 111 N. Peninsula Ave. Served

City Code of Ordinance:

Sec. 26-914. Property maintenance required.

Sec. 26-914. (2) Exterior surfaces.

Sec. 26-914. (3) Protection of exterior surfaces.

Sec. 26-914. (9) Trash and debris.

Sec. 26-914. (13) Outdoor storage.

November 8, 2016: The Board made a motion to postpone case C2016-13132 until January 17, 2017.

Erin C2016-14476: Rodney Fryer 111 10th Street Served

City Code of Ordinance: Sec. 26-914 (13) Outdoor storage.

Erin C2016-14497: Nuvview IRA, Inc.: Glen Mather &
FBO Pamela S. McKain 1513 Palmetto Street Served
City Code of Ordinance: Part III. Land Development Regulations Article VIII Supplementary
Regulations Sec. 802.04 Storage on residential lots - recreational equipment.

Erin C2016-14503: Frank Epitropoulos 2505 Auburn Avenue Served
City Code of Ordinance: Part III. Land Development Regulations Article VIII Supplementary
Regulations
Sec. 802.02 Storage on residential lots - recreational equipment.
Sec. 302.8 Motor Vehicles.
Sec. 26-914. Property maintenance required.
Sec. 26-914. (2) Exterior surfaces.
Sec. 26-914. (5) Exterior attachments.
Sec. 26-914. (6) Accessory improvements.
Sec. 26-914. (8) Landscaping.
Sec. 26-914. (9) Trash and debris.
Sec. 26-914. (13) Outdoor storage.

Barb C2016-14459: David M. Scalise 2500 Belmont Ave. Served
City Code of Ordinance:
Sec. 26-914. (8) Landscaping.
Sec. 26-914. (9) Trash and debris.
Sec. 26-914. (11) Swimming pools.

VII. REPEAT BUSINESS

VIII. REQUEST TO APPEAR

IX. DISCUSSION

X. ADJOURNMENT

THE CITY OF NEW SMYRNA BEACH – CODE ENFORCEMENT

**CONSIDER APPROVAL OF THE MINUTES
FOR THE REGULAR MEETING HELD
DECEMBER 6, 2016.**

JANUARY 17, 2017

Background

The code Enforcement Board held a regular meeting on December 6, 2016. Attached are the official minutes for approval.

Recommendation

MINUTES OF THE CITIZENS CODE ENFORCEMENT BOARD
HEARING
HELD AT 4:30 P.M. – December 6, 2016
CITY COMMISSION CHAMBERS, CITY HALL,
210 SAMS AVE, NEW SMYRNA BEACH, FLORIDA

- I. The Hearing of December 6, 2016, was called to order at 4:30 p.m. Answering to roll call were:

Rex Huffman (Chairman)

Justin Traub (Vice Chair)

Michael Slayton

Wade Mahood

Georgina Nelson

Andrea S. Truslow

Zachary J. Bass

Also present were Code Enforcement Officer Barbara Bobelak, Assistant City Attorney Greg McDole, Code Enforcement Officer Erin Elliot, Code Enforcement Officer Megan Wilk, and Administrative Specialist II Tammy Dickerson. Michael Slayton and Georgina Nelson were absent, excused.

II. DISCLOSURE OF EX PARTE COMMUNICATIONS:

Members of the Citizens Code Enforcement Board were asked to please disclose, for the record, the substance of any ex parte communications that occurred prior to this public hearing.

Mr. Huffman stated that there were none.

III. APPROVAL OF MINUTES

November 8, 2016

Mr. Bass made a motion to approve the minutes of the November 8, 2016 hearing as written; seconded by Mr. Mahood. Motion passed on roll call vote 7-0.

IV. SWEARING OF CITY STAFF

Tammy Dickerson, Administrative Specialist II, swore in staff and the representatives for the cases to be heard.

V. **OLD BUSINESS:**

C2016-14031

Scott & Wendy Spencer

402 Lincoln Avenue

City Code of Ordinance:

Sec. 504.02 Specific Regulations by District - R-2 Single-Family Residential District.

Mr. Huffman noted for the record that no one was present to represent this case.

Mr. Huffman asked staff for a recommendation.

Officer Elliott stated that it is staff's recommendation that the Board find Mr. Spencer in compliance of Sec. 504.02 of the City Code of Ordinances as of November 9, 2016.

Mr. Huffman asked what was done in order to be brought into compliance.

Officer Elliott stated that they provided a list of people who are using their property for family vacation and they changed the website to reflect that they are renting the property for thirty (30) or more days.

Mr. Traub made the motion to find case C2016-14031 in compliance of Sec. 504.02 of the City Code of Ordinances as of November 9, 2016; seconded by Mr. Slayton. Motion carried unanimously on roll call vote 7-0.

C2016-14340

Kirk C. Culver

410 Louise Avenue

City Code of Ordinance:

Sec. 70-38. Obstruction and Encroachment On Public Streets.

Sec. 26-914. (13) Outdoor Storage

Mr. Huffman noted for the record that no one was present to represent this case.

Mr. Huffman asked staff for a recommendation.

Officer Bobelak testified that Mr. Culver has kept in touch throughout the cleanup process.

Officer Bobelak stated that it is staff's recommendation that the Board find the property in compliance of Sec. 70-38 and Sec. 26-914. (13)

Mr. Slayton made a motion to find case C2016-14340 in compliance of Sec. 70-38 and Sec. 26-914 of the City Code of Ordinances; seconded by Ms. Truslow. Motion carried unanimously on roll call 7-0.

C2016-14423**Rosemary Moore****904 Wilkins Street**City Code of Ordinance:

Sec. 26-914 Property Maintenance Required.
 Sec. 26-914. (8) Landscaping.
 Sec. 26-914. (9) Trash and debris.
 Sec. 26-914. (13) Outdoor storage
 Sec. 70-38. Obstruction and encroachments on public street

Mr. Huffman asked if there was anyone present to represent the case.

Benny Lewis Moore was present.

Mr. Huffman asked staff for a recommendation.

Officer Bobelak testified that Mr. Moore has worked hard on cleaning up the property, but there are still a few things that need to be cleaned up towards the back of the yard. He will be moving and said that when he moves the property will be cleaned up by then.

Officer Bobelak stated that it is staff's recommendation that the Board allow two more weeks for the property to come into compliance, which is December 20, 2016. If it is not in compliance at that time, then a fine can be set.

The Board members discussed with Mr. Moore the timeframe needed to come into compliance. Mr. Moore explained his current situation.

Officer Bobelak requested that the case be continued to the next meeting to be held on January 17, 2017.

Mr. Traub made a motion to continue this case to the January 17, 2017 meeting; seconded by Mrs. Nelson. Motion carried unanimously on roll call vote 7-0.

C2016-14054**Rueben L. Albinson****550 Washington Street**City Code of Ordinance:

Sec. 26-914 Property Maintenance Required.

Mr. Huffman asked if there was anyone present to represent the case.

Rueben Albinson was present.

Mr. Huffman asked staff for a recommendation.

Officer Elliott testified that Mr. Albinson has worked on the property and the porch has greatly improved, but there is still a little room for improvement. However, the backyard is still not mowed and it's been six months or more since it has been mowed.

Officer Elliott stated that it is staff's recommendation that the Board find Mr. Albinson in non-compliance with the board order, and recommends a fine of \$25 per day until the property is brought into full compliance.

Mr. Albinson addressed the Board and stated that he disagrees with Officer Elliott's statement. He stated that he has a small lawnmower and medical issues. He stated that he did do what he was asked to do.

Mr. Huffman asked how long since the property has been mowed.

Officer Elliott stated that it's been six months since the property was mowed.

Mr. Albinson stated that his little lawnmower won't cut the yard and that he financially can't afford hired help.

A member from the audience stood up and stated that he could cut the grass for Mr. Albinson, tomorrow if necessary.

Mr. Huffman recommended to give Mr. Albinson until the end of the month to cut his grass.

Officer Elliott asked if the compliance date is to be set for December 30, 2016.

Mr. Bass made a motion to extend the compliance date to December 30, 2016; seconded by Mr. Traub. Motion carried unanimously on roll call vote 7-0.

Mr. Albinson asked the Board about road signs to be placed on his street.

Mr. Huffman stated that this is not the place to request that, that he needs to contact the police department.

Mr. Huffman addressed the audience and recommended that the next cases to be heard should be the ones where there are people present to represent the cases.

VI. NEW BUSINESS:

C2016-14482: Elizabeth Whitten 897 S. Myrtle Avenue

City Code of Ordinance:

Part III. Land Development Regulations Article VIII Supplementary Regulations Sec. 803.00
Regulations Pertaining to Accessory Buildings and Incidental Uses
Sec. 42-15. Bonfires & Outdoor Rubbish Fires

Mr. Huffman asked if there was anyone present to represent the case.

Elizabeth Whitten was present.

Mr. Huffman asked staff for a recommendation.

Officer Elliott testified that on November 17, 2016, she received another call from a neighbor that the man is still living in sheds and burning at night. She sent a certified letter to property owner and posted the property. On November 9, 2016, she received another complaint call from a neighbor. She and Officer Bobelak went to the property and the man who was living on the property was there. He invited them onto the property and Officer Elliott stated that they explained to him that he could not camp there, burn there, or stay overnight there in the sheds. She stated that they observed a bed set up in the shed, and he said that he had been staying there overnight. Between November 9, 2016 and November 22, 2016 there were several complaints regarding to man staying on property. On November 22, 2016, a neighbor called and informed Officer Elliott that over the weekend the man stopped staying at the property, and that he is still in and out, but he is no longer sleeping there. Officer Elliott stated that she visited and posted the property for notice of hearing on this date as well.

Officer Elliott stated that it is staff's recommendation that the Board find the property in non-compliance from November 2, 2016 to November 21, 2016, and in compliance as of November 22, 2016.

Mr. Traub made a motion to find the case C2016-14482 in non-compliance of Sec. Sec. 803.00 and Sec. 42-15 from November 2, 2016 to November 21, 2016, and in compliance as of November 22, 2016; seconded by Mr. Mahood. Motion carried unanimously on roll call vote 7-0.

C2016-14022: Dale W. Armstrong 836 E. 20th Avenue

City Code of Ordinance:

Part III. Land Development Regulations Article V Zoning Districts Sec. 504.02 Specific Regulations by District - R-3 Single Family and Two-Family Residential.

Mr. Huffman asked if there was anyone present to represent the case.

Dale Armstrong was present.

Mr. Huffman asked staff for a recommendation.

Officer Elliott testified that a certified letter was sent to the property owner on September 1, 2016 and that Code Enforcement has had been monitoring the website VRBO and found that this property was listed as a short term rental. Various listings state one night minimum, 3-7 night minimum, and 3-8 night minimum. Also, some of the reviews by guests indicate stays of less than 30 days at a time. Officer Elliott further testified that the website also indicated weekly rates and that on November 14, 2016, she checked the VRBO website and it was still listed as a short term rental. Officer Elliott stated that a notice of hearing was sent and posted in November 15, 2016 and that the first communication that she had with the property owner was on December 1, 2016. The listing on VRBO was removed and the property is now in compliance.

Mr. Armstrong stated that he has been in compliance since he received the notice on July 21, 2016.

Mr. Huffman stated that the property was being advertised, but it was not being occupied.

Mr. Armstrong stated that someone was there, a friend. He also stated that VRBO does not prove whether someone is there or not there and that he does not when any negative records associated with his name.

Mr. Huffman asked if the property has ever been out of compliance.

Mr. Armstrong stated that it was until July 21, 2016, and has been in compliance since.

A discussion occurred regarding whether or not this property was in compliance since July 21, 2016.

Mr. Traub suggested that all notices should state to the property owner to stop all advertising of the rental property.

Officer Bobelak stated that the verbiage of the notices can be changed. However, she feels that the property owner is responsible for what they are doing at their property.

Further discussion occurred regarding the current situation with short-term rentals within the City.

Officer Elliott stated that it is staff's recommendation that the Board find the property in in non-compliance from July 21, 2016 through November 30, 2016, and in compliance as of December 1, 2016.

Mr. Mahood made a motion to find case C2016-14022 in non-compliance of Sec. 504.02 of the City Code of Ordinances from July 21, 2016 through November 30, 2016, and in compliance as of December 1, 2016; seconded by Mr. Bass. Motion carried unanimously on roll call vote 7-0.

<u>C2016-13782:</u>	Sowa Properties, LLC	302 Washington Avenue
<u>C2016-14313:</u>	Sowa Properties, LLC	511 Yupon Drive
<u>C2016-14265:</u>	Sowa Properties, LLC	1416 Live Oak Street
<u>C2016-14266:</u>	Sowa Properties, LLC	1609 Live Oak Street
<u>C2016-14304:</u>	Sowa Properties, LLC	4105 Saxon Drive
<u>C2016-14305:</u>	Sowa Properties, LLC	810 Magnolia Street

City Code of Ordinance:

Section 74-146 Local Business License Tax Imposed.

Mr. Huffman asked if there was anyone present to represent the case.

Mr. Huffman noted for the record that no one was present to represent the following cases.

Mr. Huffman asked staff for a recommendation.

Officer Wilk stated that it is staff’s recommendation that the Board find all of the properties in non-compliance of Sec. 74-146 from November 7, 2016 until today, December 6, 2016, except for case C2016-14496, 810 Magnolia Street. This property will have a non-compliance date as of December 20, 2016, to obtain a business license.

Mr. Huffman asked for clarification that the Board does not need to worry about how long the properties were in non-compliance.

Officer Wilk stated that the properties were in non-compliance from November 7, 2016 to December 6, 2016.

Mr. Mahood asked if the business license states that the rental property is for thirty days or more.

Officer Wilk stated yes, the business license does make that statement.

Mr. Traub made a motion to find all of the properties currently in compliance, except for 810 Magnolia Street, which will be given a two-week extension until December 20, 2016, and found in non-compliance of Section 74-146 Local Business License Tax Imposed of the City Code of Ordinances from November 7, 2016 to

December 6, 2016; seconded by Ms. Truslow. Motion carried unanimously on roll call vote 7-0.

C2016-13855: Donald Haase 907 N. Atlantic Avenue

City Code of Ordinance:

Part III. Land and Development Regulations Article V Zoning Districts Sec. 504.02 Specific Regulations by District – R-3 Single-Family and Two-Family Residential.

Mr. Huffman asked if there was anyone present to represent the case.

Mr. Huffman noted for the record that no one was present to represent the case.

Mr. Huffman asked staff for a recommendation.

Officer Elliott testified that certified mail was sent on September 1, 2016 and that this property is working on obtaining their business license. Officer Elliott stated that she did a property inspection and it passed.

Officer Elliott stated that it is staff's recommendation that the Board find the property in non-compliance of Part III. Land and Development Regulations Article V Zoning Districts Sec. 504.02 Specific Regulations by District – R-3 Single-Family and Two-Family Residential of the City Code of Ordinances, as of June 29, 2016 until November 20, 2016, and give the property owner until December 20, 2016 to obtain their business license tax receipt.

Mr. Slayton made a motion to find case C2016-13855 in non-compliance of Sec. 504.02 of the City Code of Ordinances and give the property owner until December 20, 2016 to bring the property into full compliance; seconded by Mr. Mahood. Motion carried unanimously on roll call vote 7-0.

C2016-13859: Edmond and Deborah Vanlint 211 Crawford Rd.

City Code of Ordinance:

Part III. Land and Development Regulations Article V Zoning Districts Sec. 504.02 Specific Regulations by District – R-3 Single-Family and Two-Family Residential.

Mr. Huffman asked if there was anyone present to represent the case.

Mr. Huffman noted for the record that no one was present to represent this case.

Mr. Huffman asked staff for a recommendation.

Officer Elliott testified that the violation of the rental property was discovered on June 29, 2016.

Officer Elliott stated that it is staff's recommendation that the Board find the property in non-compliance of Part III. Land and Development Regulations Article V Zoning Districts Sec. 504.02 Specific Regulations by District – R-3 Single-Family and Two-Family Residential of the City Code of Ordinances from June 29, 2016 until December 2, 2016, and find the property in compliance as of December 3, 2016.

Ms. Truslow made a motion to find the property in non-compliance from June 29, 2016 through December 2, 2016 of Sec. 504.02 of the City Code of Ordinances, and in compliance as of December 3, 2016; seconded by Mr. Bass. Motion carried unanimously on roll call vote 7-0.

C2016-13916: James and Leah Jeffries 809 Carol Avenue

City Code of Ordinance:

Part III. Land and Development Regulations Article V Zoning Districts Sec. 504.02 Specific Regulations by District – R-3 Single-Family and Two-Family Residential.

Mr. Huffman asked if there was anyone present to represent the case.

Mr. Huffman noted for the record that no one was present to represent this case.

Mr. Huffman asked staff for a recommendation.

Officer Elliott testified that the property was found in non-compliance as of July 12, 2016.

Officer Elliott stated that it is staff's recommendation that the Board find the property in non-compliance of Part III. Land and Development Regulations Article V Zoning Districts Sec. 504.02 Specific Regulations by District – R-3 Single-Family and Two-Family Residential of the City Code of Ordinances from July 12, 2016 through November 30, 2016 and found in compliance as of December 1, 2016.

Mr. Slayton made a motion to find the property in non-compliance of Sec. 504.02 of the City Code of Ordinances from July 12, 2016 through November 30, 2016 and found in compliance as of December 1, 2016; seconded by Mr. Traub. Motion carried unanimously on roll call vote 7-0.

C2016-14054: Melissa Grace Latty 105 Asire Road

City Code of Ordinance:

Sec. 74-146 Local Business License Tax Imposed

Mr. Huffman asked if there was anyone present to represent the case.

Mr. Huffman noted for the record that no one was present to represent this case.

Mr. Huffman asked staff for a recommendation.

Officer Elliott stated that it is staff's recommendation that the Board find the property in non-compliance of Sec. 74-146 Local Business License Tax Imposed of the City Code of Ordinances from July 12, 2016 and given until December 20, 2016 to have the property inspected, and also complete the steps to obtain a Business Tax Receipt

Ms. Truslow made a motion to find the property in non-compliance as of July 12, 2016 of Sec. 74-146 of the City Code or Ordinances, and the property owner be given until December 20, 2016 to obtain a Business Tax Receipt; seconded by Mr. Bass. Motion carried unanimously on roll call vote 7-0.

C2016-14054: Margaret Boomer 407 Florida Avenue

City Code of Ordinance:
Sec. 74-146 Local Business License Tax Imposed

Mr. Huffman asked if there was anyone present to represent the case.

Mr. Huffman noted for the record that no one was present to represent this case.

Mr. Huffman asked staff for a recommendation.

Officer Elliott testified that she spoke to the property owner this afternoon and owner was under the impression that their property manager was handling this for them, and the property manager was not.

Officer Elliott stated that it is staff's recommendation that the Board find the property in non-compliance of Sec. 74-146 Local Business License Tax Imposed of the City Code of Ordinances from July 12, 2016 and give until December 20, 2016 to have the property inspected, and also complete the steps to obtain a Business Tax Receipt

Mr. Slayton made a motion to find the property in non-compliance as of July 12, 2016 of Sec. 74-146 of the City Code or Ordinances, and the property owner be given until December 20, 2016 to obtain a Business Tax Receipt; seconded by Mr. Traub. Motion carried unanimously on roll call vote 7-0.

C2016-13827: Paulis and Rima Klimas 801 E. 8th Avenue

City Code of Ordinance:
Part III. Land Development Regulations Article V Zoning Districts Sec. 504.02 Specific Regulations by District - R-2 Single Family Residential.

Code Enforcement Board Minutes
December 6, 2016
Page 10 of 14

Part III. Land Development Regulations Article V Zoning Districts Sec. 504.02 Specific Regulations by District - R-2 Single Family Residential.

Mr. Huffman asked if there was anyone present to represent the case.

Mr. Huffman noted for the record that no one was present to represent this case.

Mr. Huffman asked staff for a recommendation.

Officer Elliott testified that this property was in non-compliance at the time that it was sold and it now has new property owners and to allow the new property owners time to bring the property into compliance.

Officer Elliott stated that it is staff's recommendation that this property be found in non-compliance Part III. Land Development Regulations Article V Zoning Districts Sec. 504.02 Specific Regulations by District - R-2 Single Family Residential from July 21, 2016 through November 30, 2016 and found in compliance as of December 1, 2016.

Mr. Traub made a motion to find the property in non-compliance from July 21, 2016 to November 30, 2016 of Sec. 74-146 of the City Code or Ordinances, and found in compliance as of December 1, 2016; seconded by Ms. Truslow. Motion carried unanimously on roll call vote 7-0.

C2016-14191: United States Corp. Agents Inc. HL Hacienda LLC, Robin Hillman, Catherine Longo 813 E. 6th Avenue

City Code of Ordinance:

Part III. Land Development Regulations Article V Zoning Districts Sec. 504.02 Specific Regulations by District - R-2 Single Family Residential.

Officer Elliott stated that it is staff's recommendation that this case be withdrawn.

C2016-13967: Robert Hart 537 Ball Street

City Code of Ordinance:

Part III. Land Development Regulations Article VIII Supplementary Regulations Sec. 802.04 Storage on residential lots - recreational equipment

International Property Maintenance Code: Sec. 302.8 Motor Vehicles

Mr. Huffman asked if there was anyone present to represent the case.

Mr. Huffman noted for the record that no one was present to represent this case.

Mr. Huffman asked staff for a recommendation.

Officer Wilk testified that there is recreational equipment in the yard as well as trailers that do not have tags.

Officer Wilk stated that it is staff’s recommendation that this property be found in non-compliance Part III. Land Development Regulations Article VIII Supplementary Regulations Sec. 802.04 Storage on residential lots - recreational equipment and given until December 20, 2016 to come into compliance.

Ms. Truslow made a motion to find the property in non-compliance of Sec. 802.04 and Sec. 302.8 of the City Code or Ordinances, and given until December 20, 2016 to come into compliance; seconded by Mr. Bass. Motion carried unanimously on roll call vote 7-0.

C2016-14317: Fred and Jewell Palmer 310 Inwood Avenue

- City Code of Ordinance:
- Sec. 26-914 Property Maintenance Required
- Sec. 26-914. (6) Accessory Improvements
- Sec. 26-914. (9) Trash and debris
- Sec. 26-914. (13) Outdoor Storage

Mr. Huffman asked if there was anyone present to represent the case.

Mr. Huffman noted for the record that no one was present to represent this case.

Mr. Huffman asked staff for a recommendation.

Officer Elliott stated that it is staff’s recommendation that this property be found in non-compliance of Sec. 26-914 (6) Accessory Improvements, Sec. 26-914 (9) Trash and debris; Sec. 26-914 (13) Outdoor Storage, from September 14, 2016 through December 5, 2016 and found in compliance as of today, December 6, 2016.

Mr. Slayton made a motion to find the property in non-compliance of Sec. 26-914 (6) Accessory Improvements, Sec. 26-914 (9) Trash and debris and Sec. 26-914 (13) Outdoor Storage of the City Code or Ordinances, and found in compliance as of December 6, 2016; seconded by Ms. Truslow. Motion carried unanimously on roll call vote 7-0.

VII. REPEAT BUSINESS:

NONE

VIII. COMMENTS FROM BOARD MEMBERS AND STAFF:

VIII. ADJOURNMENT:

Mr. Bass made the motion to adjourn; seconded by Mr. Traub. All agreed and the hearing adjourned at 5:29 p.m.