

**CODE ENFORCEMENT BOARD
REGULAR MEETING
FEBRUARY 14, 2022**

The City of Lake Wales Code Enforcement Board held an in person meeting on February 14, 2022 at 5:33 p.m. in the City Commission Chamber located in the City Administration Building.

ATTENDANCE

**Code Enforcement Board Members
(Shaded area indicates absence):**

Dwight Wilson Chairperson	Ralph Marino Vice-Chair	Sara Jones	Rodney Cannon	Bruce Austell	Courtney Schmitt	Julia Paul
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Albert (Chuck) Galloway, Jr. – City Attorney
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City Staff: Development Services Department
Jose Lozada– Code Compliance Officer Fany Lozano – Recording Secretary Mark J. Bennett – Development Services Director

- 1) **CALL TO ORDER** – Meeting called to order at 5:33 pm
- 2) **EXPLANATION OF ATTENDANCE REQUIREMENTS**

Vice-Chairperson Marino stated the following:
Board Members, we are currently experiencing a high rate of absenteeism to our meetings. In order to ensure that we have a quorum it is very important that we are all here to make our decisions. In accordance with ordinance 2-15 (e), of the Code of Ordinances as provided to you by the Board Secretary which states as follows:

Absence from three (3) consecutive regular meetings of a board, commission or committee shall automatically operate to vacate the seat of a member unless such absence is excused by the board, commission, or committee by motion duly passed and recorded in the official minutes.

Going forward when the secretary calls out a Board member during roll call and that member is not present the board will now declare the absence EXCUSED or UNEXCUSED. If any Board Member will be absent, please make sure to notify the Board Secretary in advance so that she can let us know why you are absent.

Do we have any Board discussion or questions on this?
There was no discussion from the Board and Mr. Marino called for roll call.

3) **ROLL CALL** – A quorum was present.

Ms. Lozano did the attendance roll call. Mr. Wilson was not present and Ms. Lozano stated that she did not know why Mr. Wilson was not present and asked for a motion to excuse or unexcuse the absence. Ms. Jones asked if we could make the motion at the end of the meeting. Mr. Marino stated that Mr. Wilson sometimes is late because of traffic and it is not like him to not notify us if he will not be here. Ms. Lozano stated that we will wait and we will ask for the motion at the end of meeting.

4) **EXPLANATION OF PROCEDURES** – Chairperson

Mr. Marino explained the procedures for the meeting and read the pledge of Civility as posted on the public podium.

5) **APPROVAL OF MINUTES – Regular Meeting – November 8, 2021**

Mr. Marino asked for a motion to approve the minutes. Ms. Jones made a motion to approve the minutes. Ms. Paul seconded the motion. All voted in favor, the motion passed unanimously.

6) **ADMINISTER OATH/MISCELLANEOUS ITEMS**

6.1 Administer Oath:

Board secretary administered the oath to staff.

Ms. Lozano asked Mr. Marino to swear her in as she may have to provide testimony on some of the cases that will be heard tonight. Mr. Marino administered the oath to Ms. Lozano.

Ms. Lozano declared for the record that Mr. Wilson has arrived and is present to this meeting.

Mr. Wilson presided over the rest of the meeting as the Chairperson of the Board.

7) **REVISIONS**

Ms. Lozano notified the Board that item number 8.1 on the agenda will not be heard tonight, and that we can move on to item 8.2 on the agenda.

8) CASE(s) NEW BUSINESS

- 8.1** Case # 2020-00302
City of Lake Wales VS Robert L. Richardson and Gloria Story Richardson
309 Sessoms Ave W
PID: 27-30-02-000000-034020
Violation(s): N/A (Request for Reduction)

Property owner was not present for this request for reduction. Case was not heard.

- 8.2** Case # 2004-00003
City of Lake Wales VS Fahmy Faten
435 Alabama St
PID: 27-29-34-874000-003040
Violation(s): N/A (Request for Reduction)

Mina Grace, representative for the property owner was present to provide testimony. Ms. Lozano administered the oath to all persons mentioned above.

Code Compliance Officer Jose Lozada presented the case and notified the Board that this is a request for reduction of the administrative fines currently attached to this premises. He stated that the premises is in compliance and that staff recommends the Board reduce the administrative fine from \$1,633,000.00 to 5% which equals \$81,650.00 plus the costs of enforcement of \$117.86 for a total settlement of \$81,767.86. He also stated that he recommends that the Board look at a fair number for both parties involved.

Mr. Grace addressed the Board and stated that he is the son-in-law of the property owner and that his mother in law acquired the property via a land auction. He stated that he does not have evidence as to when the structure was demolished but is aware that a tree fell on the house. He stated that they have had the tree cleared and have maintained the premises in compliance. He stated that this issue was not known until they tried to sell the property recently. He stated that \$81,000 is no where near what the value of the property is and is asking for a reasonable reduction. Mr. Marino stated that he drove by the property and that it looks really good. Mr. Cannon asked if the premises has been maintained in compliance. Mr. Lozada responded yes. Ms. Jones made a motion to reduce the administrative fine to 0.1% which equals to \$1,633.00 plus the costs of enforcement for a total settlement of \$1,750.86. Mr. Marino seconded the motion. Ms. Lozano restated the motion to include that payment must be made by 3/9/2022 otherwise; the approved reduction will revert to the original amount. All voted in favor. The motion passed unanimously.

8.3 Case # 2021-00091
City of Lake Wales VS Sharon Rhooms
428 Johnson Ave E
PID: 27-30-01-883000-04406023
Violation(s): 23-524. Fences and Hedges

Sharon Rhooms, Property owner was present to provide testimony.
Ms. Lozano administered the oath to all persons mentioned above.

Code Compliance Officer Jose Lozada presented the case. He stated that this case is for a fence that has been installed without a permit. He stated that the property owner obtained a permit for a wooden picket fence but has allowed that permit to expire and that the violation presented today is for the temporary fence that still exists on the premises. He stated that:

STAFF REQUESTS THE BOARD:

- 1) Find that all cited violations were allowed to exist past the date for correction and
- 2) Find that Proper Notice has been afforded to the Property Owner and,
- 3) Find that all Procedural requirements have been met.

AND STAFF RECOMMENDS THE BOARD:

- 1) Impose a fine in the amount of \$ 75.00 (per day), every day the violation exists effective today, and authorize an Administrative Lien be placed against the property until such time as all violations are corrected, and an Affidavit of Compliance is issued by a representative acting for the city, and restitution is made for all fines and costs incurred by the city to present this case or Board's Discretion.

Ms. Rhooms addressed the Board and stated that her intention is to install a fence. She stated that she is a small business owner and that she has been trying to fill the gaps financially for the last two years because of COVID. She stated that the reason that she installed the temporary fence is because there are obscene posters on the neighbor's fence and that the obscene signs affect her business. She stated that this is a temporary solution to continue business and is asking for more time. She stated that she has lost business because of the neighboring sign which has a gun on it. Mr. Wilson asked if she runs a bed and breakfast. Ms. Rhooms stated bed but not breakfast. Ms. Paul asked how much more time does she need. Ms. Rhooms responded until April. Mr. Cannon asked if the violation is for the mesh fence. Mr. Lozada responded yes and that Ms. Rhooms is not required to have a fence and that if she just removes the temporary fence she will be in compliance. Ms. Jones asked if the violation came to be because the temporary fence was there. Mr. Lozada stated that this complaint came in as fence without a permit for the temporary fence. Mr. Cannon asked if Ms. Rhooms can put up her own parking signs to block the offensive signs. Ms. Rhooms stated that when she puts signs up, her neighbor moves their signs as well so they are visible. Ms. Jones asked Ms. Rhooms when she intends to apply for the permit. Ms. Rhooms is asking for time until April. Ms. Jones made a motion to accept staff recommendations but extended the deadline to comply for 90 days (5/15/2022). Ms. Paul seconded the motion. All voted in favor. The motion passed unanimously.

8.4 Case # 2021-00340
City of Lake Wales VS L Mireya Penaloza CPA PA
309 Weaver Ave
PID: 27-30-02-906000-002220
Violation(s): 12-233.2 Grading and Drainage; 12-233.4 Weeds, Grass and Overgrowth;
12-233.5 Dead Trees, limbs, branches, and accumulated landscaping materials. ; 23-215
Land Alteration Permit

Property owner/representative was not present to provide testimony.

Code Compliance Officer Jose Lozada presented the case. He stated that the major cause of violation is that the property owner altered the land and now the dirt and sand is eroding onto the road because they changed the slope of the land without an alteration permit. He stated that:

STAFF REQUESTS THE BOARD:

- 1) Find that all cited violations were allowed to exist past the date for correction and
- 2) Find that Proper Notice has been afforded to the Property Owner and,
- 3) Find that all Procedural requirements have been met.

AND STAFF RECOMMENDS THE BOARD:

- 1) Impose a fine in the amount of \$ 250.00 (per day), every day the violation exists effective today, and authorize an Administrative Lien be placed against the property until such time as all violations are corrected, and an Affidavit of Compliance is issued by a representative acting for the city and restitution is made for all fines and costs incurred by the city to present this case or Board's Discretion.

Ms. Jones asked about the drainage issues and if the cost to clean the drainage system is being documented in the file. Mr. Lozada responded that as of yet no but that staff is getting ready to abate the violations that are currently affecting the right of way and the gutter on the street. Ms. Jones made a motion to accept staff recommendations. Mr. Marino seconded the motion. All voted in favor. The motion passed unanimously.

8.5 Case # 2021-00036
City of Lake Wales VS Francisco Rojas
41 W Sessoms Ave
PID: 27-30-02-901000-001150
Violation(s): Multiple Violations

Property owner/representative was not present to provide testimony.

Code Compliance Officer Jose Lozada presented the case. He stated that there are multiple violations at these premises. He stated that the City has abated previous violations at these premises. He stated that:

STAFF REQUESTS THE BOARD:

- 1) Find that all cited violations were allowed to exist past the date for correction and
- 2) Find that Proper Notice has been afforded to the Property Owner and,

3) Find that all Procedural requirements have been met.

AND STAFF RECOMMENDS THE BOARD:

1) Impose a fine in the amount of \$ 250.00 (per day), every day the violation exists effective today and authorize an Administrative Lien be placed against the property until such time as all violations are corrected, and an Affidavit of Compliance is issued by a representative acting for the city and restitution is made for all fines and costs incurred by the city to present this case or Board's discretion.

Mr. Wilson asked that if we end up tearing this property down and the fines accumulate into the millions, will the lien be placed on the property taxes. Ms. Lozano nodded yes. Mr. Cannon asked Mr. Lozada if he has been inside the structure. Mr. Lozada stated that he has been inside this building several years ago, but not recently. Mr. Lozada stated that in the photos you can observe that the balcony has completely collapsed. Mr. Marino stated that it is completely unsafe at this time. Mr. Lozada stated that the property is fenced in but it is a dilapidated structure. Mr. Wilson asked if the building is secure. Mr. Lozada responded yes. Mr. Wilson asked if the property taxes are being paid. Mr. Lozada responded that he did not know. Ms. Jones asked if there has been contact with the property owner. Mr. Lozada responded that several years ago there was contact on an unrelated case but not in recent years. Mr. Cannon asked if anything has been returned with the green card. Mr. Lozada responded that some notices are hit and miss and sometimes notices do come back unclaimed and some don't. Mr. Cannon made a motion to accept staff recommendations. Ms. Jones seconded the motion. All voted in favor. The motion passed unanimously.

8.6 Case # 2021-00280
City of Lake Wales VS Nashena S. Walker
244 D Street
PID: 27-29-35-88000-005120
Violation(s): Multiple Violations *Demolition*

Nashena Walker, Property owner was present to provide testimony.
Ms. Lozano administered the oath to all persons mentioned above.

Code Compliance Officer Jose Lozada presented the case and its history. He stated that this case was previously tabled from the October 2021 to be brought before the Board in January 2022. The January meeting was postponed, and this case moved to the February meeting for tonight. He stated that as previously presented this case is for an unsafe structure and there are multiple violations at this premises. He stated that:

STAFF REQUESTS THE BOARD:

1) Find that all cited violations were allowed to exist past the date for correction and
2) Find that Proper Notice has been afforded to the Property Owner and,
3) Find that all Procedural requirements have been met.

AND STAFF RECOMMENDS THE BOARD:

1) Authorize the Code Compliance Division to initiate the demolition process.

Ms. Walker addressed the Board and stated that she has been working with a woman by the name of Dorothy Dott who is trying to help her to declare the structure a Historical Site. She stated that she has completed two applications and is waiting on a response from Tallahassee, and that if they respond that the structure is not historical she will demolish the structure. Ms. Jones asked for some sort of indication as to the timeframe for a response and if they will offer her any money to restore the home. Ms. Walker responded that she did not have an exact timeframe and that Ms. Dott is working on this for her. Mr. Austell asked Ms. Walker if she plans on living in the home. Ms. Walker responded yes. Mr. Wilson asked Ms. Walker if she had been in communications with Mr. Starling from CRA (Community Redevelopment Agency). Ms. Walker responded yes. Mr. Wilson asked what was the conversation about with CRA. Ms. Walker stated the same thing as she has stated that Ms. Dott is helping her. Mr. Marino asked Ms. Walker how she obtained the home. Ms. Walker stated that she inherited the home. Ms. Schmitt stated that she would have liked to have seen the documentation of the communication as it would have been helpful with making the decision. Ms. Walker responded she has text messages. Mr. Wilson asked about Mr. Starling again and if he made any mention of there being any potential to repair the home. Ms. Walker responded that Mr. Starling did not say if there is or isn't and that if she makes repairs then maybe she may qualify for something. Mr. Wilson stated to Ms. Walker that at the last meeting she stated that she would look to demolish the structure on her own and that she would obtain bids and asked her if she did obtain those bids. Ms. Walker responded that she did but that the bids were too high. Mr. Marino made a motion to accept staff recommendations and then asked what happens if the City demolishes the structure, would that impact the future sale of the home. Mr. Galloway stated that the service will impact the sale of the home as well as the other lien that is attached to this premise. Mr. Wilson stated that this case came before the Board 4 or 5 months ago and that he hoped that Ms. Walker would have had a conversation about funding with CRA. Mr. Cannon stated that an additional month of communication has been granted since the last meeting was postponed. Ms. Jones explained that if the City chooses to demolish the home, it would be at the price of the contractor that the City chooses versus what Ms. Walker may have been quoted, and if the City demolishes the structure Ms. Walker would be responsible for the lien. Ms. Walker asked for extra time. Mr. Wilson asked Ms. Walker how much more time is needed. Ms. Walker responded 30 to 60 days. Ms. Jones amended Mr. Marino's motion to delay/table this case for 30 days. Mr. Wilson advised Ms. Walker that during this time she should communicate with Mr. Starling and anyone that can assist her with getting this completed and to provide documentation. Ms. Jones clarified that the motion as amended makes the order effective in 30 days, and stated that the current motion will not accomplish the objective to allow Ms. Walker to produce the documentation needed to prove that the structure is a historical site. Mr. Lozada stated that Mr. Starling has stated that Ms. Walker does not qualify for any programs offered by the CRA and that all Mr. Starling did was help Ms. Walker complete an application. Mr. Bennett stated that to follow up on Mr. Lozada's statement CRA does not have a program to rehabilitate a structure. Mr. Marino's motion was rescinded and Ms. Jones made a motion to table this case to the next meeting of 3/14/2022 expecting the property owner to provide documentation about the historical process. Ms. Paul seconded the motion. All voted in favor. The motion passed unanimously.

8.7 Case # 2021-00080
City of Lake Wales VS BMS Holdings LLC
101 Washington Ave
PID: 27-29-35-879000-005104
Violation(s): Multiple Violations *Demolition*

Eric Sean-Paul Spivey representative was present to provide testimony.
Ms. Lozano administered the oath to all persons mentioned above.

Code Compliance Officer Jose Lozada presented the case. He stated that there are multiple violations at this premises and that the Board previously issued an order to this case in September of 2021 that fines will start to accrue for non-compliance. He stated that since that order a permit was obtained for doors and windows, which did not address or correct all of the other violations that still exist on this premise. He stated that:

STAFF REQUESTS THE BOARD:

- 1) Find that all cited violations were allowed to exist past the date for correction and
- 2) Find that Proper Notice has been afforded to the Property Owner and,
- 3) Find that all Procedural requirements have been met.

AND STAFF RECOMMENDS THE BOARD:

- 1) Authorize the Code Compliance Division to initiate the demolition process.

Mr. Spivey addressed the Board and stated that he is a real estate broker who represents the property owner for this premise and some others within the City. He stated that the porch on the structure was bowed outward and that they obtained a permit for the removal of the porch in the front of the structure. He asked the Board for 60 days to bring the premises into compliance. He stated that he as a contractor on board and that BMS Holdings has recently worked on a nearby property at 131 B Street and that the structure is down to wall heaters that need to be installed. He stated that BMS Holdings is working as quickly as they can. Ms. Jones asked if 60 days is sufficient time to cure all violations. Mr. Spivey responded yes and provided the Board with a timeline to get things done to insure that the final inspection passes. Mr. Lozada stated that all the previous work that has been done was shotty work and it actually compromised the structure. Mr. Lozada stated that all of the structural supports are termite rotted and that this company owns several properties in the City that are nuisance properties. Mr. Wilson asked if the structure may not be structurally repairable. Mr. Lozada stated that a structural engineer will have to look at the structure. Mr. Spivey stated that he will have a structural engineer look at it and that he does not believe that a few structural beams cannot be remediated. Mr. Spivey stated that he feels that they are doing better and that they have 3 other properties that they are currently working on. Mr. Wilson pointed out that in today's photos there is construction debris on the premises and that there is no pride in part of the property owner about cleaning up. Mr. Spivey stated that he has been alerted to that and that his contractor did not do it, but it will get done. Mr. Cannon agreed and stated that he can see overgrowth. Mr. Spivey stated that roughly 40 yards in-front of the structure does not belong to them and agreed that maintenance could be better. Mr. Marino asked Mr. Spivey when he would communicate with the engineer. Mr. Spivey responded next week. Mr. Marino stated that he fears that if the engineer finds that this building cannot be repaired where will we be at then. Mr. Spivey responded that if the engineer says

nothing can be done then the building will have to come down but it will be done and they will lay out what has to be done. Mr. Wilson stated that he notices a lockbox on the main structure but that the storage facility is wide open and that the owner has no pride to ensure that he keeps things clean and asked Mr. Spivey if there is a third property that they own. Mr. Spivey responded yes and that they are working on that property as well. Mr. Spivey stated that he was hoping that Mr. Lozada would agree with him about the 131 B street property and the progress that has been made. Mr. Wilson stated that in regards to the third property, it is not being maintained and that about 3 or 4 months ago, it was articulated that maintenance is needed. Mr. Lozada stated that this premise is currently being advertised for rent in its current state for several months. Mr. Spivey responded that they are advertising early in hopes to have someone move in on May 5th. Ms. Jones made a motion as follows:

1. Respondent shall have one week (2/21/2022) to correct the violations of
 - a. Cutting the Grass
 - b. Removing all of the junk and trash
 - c. Securing the structures

If respondent fails to comply with the mentioned provisions, it will result in the demolition order going into effect on 2/21/2022.

Should the respondent comply with the above mentioned provisions, then the respondent shall have 60 days (4/15/2022) to achieve complete compliance. Failure to achieve complete compliance by 4/15/2022 will result in the demolition order going into effect on 4/15/2022.

There was open discussion of the location of the shed. It was recommended that the property owner get a survey of the premises as the current aerial shows that the shed is on this premises.

Mr. Cannon seconded the motion. All voted in favor. The motion passed unanimously.

Mr. Wilson gave the floor to Mr. Bennett prior to calling the next case. Mr. Bennett briefly addressed the Board and stated that he wanted to speak with the Board about the foreclosure process. He stated that Ms. Rowland handed out an article from St. Petersburg in which it explains St. Pete's process and how foreclosure is used to redevelop property. He stated that we recognize that foreclosure is a serious option and that it is not our intent to take people's property but that we are trying to accomplish redevelopment, and that through the foreclosure process the clouded title on property is cleared, therefore promoting redevelopment. He stated that when property comes into the ownership of CRA (Community Redevelopment Agency) they issue requests for proposals. He stated that the City does not want to hold on to these properties and that staff is open to suggestions that the Board may have. Mr. Wilson took back the floor and we proceeded to hear the rest of the cases.

8.8 Case # 2009-00001 CEB# 2009-032
City of Lake Wales VS Jimmie Moore
307 E St
PID: 27-29-34-873500-001090
Violation(s): N/A *Foreclosure*

Jimmie Moore property owner was present to provide testimony.
Ms. Lozano administered the oath to all persons mentioned above.

Code Compliance Officer Jose Lozada presented the case. He stated that this case is to request foreclosure on the administrative fines currently owed to the City. He stated that there have been numerous abatements on this premise and that the city demolished the structure at the property owner's expense. He stated that the total amount due to the City for all fines and service is \$803,284.14 He stated that:

STAFF REQUESTS THE BOARD:

- 1) Find that all cited violations were allowed to exist past the date for correction and
- 2) Find that Proper Notice has been afforded to the Property Owner and,
- 3) Find that all Procedural requirements have been met.

AND STAFF RECOMMENDS THE BOARD:

- 1) Authorize the Code Compliance Division to initiate the foreclosure process.

Mr. Moore addressed the Board and stated that he lived in Lake Wales 10 years ago and moved to Daytona Beach. He stated that he had money invested in the property and that he had rented it out. He stated that because of the distance he was unable to check on the property and that the property was destroyed by the renters. He stated that when he retired he intended to redo the building to live in it or rent it. He stated that people broke into the building and pulled out all of the copper and that he could not rehab the structure because of his health issues. He stated that the Board has been patient with the problem of overgrowth, and even when the building was badly damaged. He stated that when he was ordered to demolish the structure he did not have the funds and looked into obtaining a loan and was unable to obtain funds, and he told the City to demolish the structure and that he would pay the cost which he did in the amount of about \$20,000.00. He stated that his children are not interested in the property and that he was going to sell it but he was unable to find someone willing to buy it. He stated that when he received the last notification he immediately cleared the property but feels that he is not in a good position to sell it. He stated that he can no longer maintain the premises nor does he have the desire to. He stated that at this time whatever decision is made he will have to live with it. Ms. Jones asked if all service liens have been paid. Mr. Lozada responded all but one. Mr. Wilson stated that maybe the decision should be to table this case to allow Mr. Moore to pay the liens. Mr. Cannon stated that the \$800 thousand would be open and due. Ms. Jones stated that the liens would transfer with the property and that whoever buys it would have to deal with those liens. Ms. Jones asked if there has been an attempt to sell the property. Mr. Moore stated that the children are no longer interested and he would like to sell the property as has done all that he can do. There was open discussion from the Board about selling the property and how the new owner would have to request a reduction hearing if Mr. Moore was able to sell the property. Ms. Lozano stated that the liens do hinder the sale of the property and that the Board may entertain a motion for settlement at this time to an amount that would be fair for both parties. Ms. Jones made a motion to reduce

the lien to \$1,000 to include the service lien (\$328.67) and for payment to be made within 45 days (3/31/2022). Mr. Marino seconded the motion. All voted in favor. The motion passed unanimously.

8.9 Case # 2003-00001 CEB# 03-021
City of Lake Wales VS Agnes Frazier
610 Dr J A Wiltshite Ave W
PID: 27-29-34-873000-002100
Violation(s): N/A *Foreclosure*

Property owner/representative was not present to provide testimony.

Code Compliance Officer Jose Lozada presented the case and its history. He stated that this case is being presented to request foreclosure for the fines owed to the City. He stated that there was a previous foreclosure order issued on this case back in 2003 and that due to the age of the order, staff is requesting a newer order. He stated that the total amount owed to the City for all fines and services is \$1,357,619.37. He stated that:

STAFF REQUESTS THE BOARD:

- 1) Find that all cited violations were allowed to exist past the date for correction and
- 2) Find that Proper Notice has been afforded to the Property Owner and,
- 3) Find that all Procedural requirements have been met.

AND STAFF RECOMMENDS THE BOARD:

- 1) Authorize the Code Compliance Division to initiate the foreclosure process.

Mr. Cannon asked if there was a foreclosure order issued back in 2003 why is the case being presented today. Mr. Lozada responded because we would like a newer order. Mr. Cannon made a motion to accept staff recommendation. Ms. Jones seconded the motion. All voted in favor. The motion passed unanimously.

8.10 Case # 2004-00004 CEB# 04-024
City of Lake Wales VS Kaminos Real Estate LLC
116 Twin Lake Blvd
PID: 27-30-02-905000-000080
Violation(s): N/A *Foreclosure*

Iraklis Papadopoulos, property owner was present to provide testimony.
Ms. Lozano administered the oath to all persons mentioned above.

Code Compliance Officer Jose Lozada presented the case and its history. He stated that this case is being presented to request foreclosure for the fines owed to the City. He stated that the total amount owed to the City for all fines and services is \$286,111.97. He stated that:

STAFF REQUESTS THE BOARD:

- 1) Find that all cited violations were allowed to exist past the date for correction and
- 2) Find that Proper Notice has been afforded to the Property Owner and,
- 3) Find that all Procedural requirements have been met.

AND STAFF RECOMMENDS THE BOARD:

- 1) Authorize the Code Compliance Division to initiate the foreclosure process.

Mr. Papadopoulos addressed the Board and stated that he recently purchased the property and asked for a mutual agreement that works for both parties so that he can retain the property and develop it in the future. Ms. Jones asked Mr. Papadopoulos when he purchased the property. Mr. Papadopoulos responded January. Ms. Schmitt asked Mr. Papadopoulos if he was aware of any liens. Mr. Papadopoulos responded no. Ms. Jones asked if there was a proposed settlement. Mr. Papadopoulos responded whatever the Board thinks is fair. Mr. Marino asked what the zoning is and if there is any intention to develop the lot. Mr. Papadopoulos stated that it is residential and that it depends on what can be developed there, and that there is no timeframe for development. Ms. Jones made a motion to reduce the fine to 0.5% which equals to \$1,430 plus the costs of enforcement of \$111.97 for a total settlement of \$1,541.97 and then amended her motion to a total settlement of \$1,000.00 with payment within 30 days. Ms. Paul seconded the motion. All voted in favor. The motion passed unanimously.

9) PUBLIC COMMENTS AND PETITIONS

Mr. Wilson opened the floor for public comments.

Thaddos T. McBurrows of 930 East Street addressed the Board and stated that he wants to obtain a permit and was denied and wants to know what route he needs to take to save his property. Ms. Jones asked who he needs to speak to. Mr. Lozada stated that there was a demolition order issued for the property owned by Mr. McBurrows back in June of 2020 and that Mr. McBurrows can only obtain a demolition permit at this time since the Division has started the demolition process. Mr. McBurrows stated that he wants to obtain a permit to save the property and that all he needed was a septic tank and plans, and that he has done all of those things and that he has been denied. Ms. Jones asked if the City has a process to take property off the demolition list if the property comes into compliance, and it can be rehabbed. Ms. Lozano responded that the property is not in compliance and that the demolition order is final. Ms. Lozano stated that the property owner was given the opportunity to correct the problem since June 25, 2020, and staff has started the demolition process, and once the process starts it does not stop, and that the options to the property owner are that he will have to obtain his own demolition permit to try to beat the City to the demolition or the City will demolish. Ms. Lozano also reminded the Board that this case is not on the agenda, and that no action can be taken during the communications and petitions portion of the agenda. Mr. Galloway stated that the appeal window has passed and that he should have appealed within 30 days of the order to the Circuit Court, and that there is no other vehicle for this purpose. Mr. McBurrows stated that he has complied with the order and replaced the septic tank that cost him \$7,500.00. Ms. Jones stated to Mr. McBurrows that there is nothing legally that the Board can do for him at this time. Mr. McBurrows stated that he does not understand because the property can be repaired. Mr. Bennett stated that Mr. McBurrows is welcome to set up a meeting with him but that there is

nothing that can be done at this time as it has already been explained. Mr. Wilson stated that having a meeting is a more appropriate arena. Ms. Lozano let Mr. McBurrows know that she will call him tomorrow to schedule that meeting. Mr. McBurrows asked when was the deadline. Ms. Jones stated that it was when the demolition order was put in place. Mr. Wilson restated that there is nothing that the Board can do at this time.

Terry Christian, tax payer addressed the Board and asked about the cost of demolition for Mr. Moore's property which was over \$20,000.00. He stated that it was too much as it was a small building that was about 900-1,200 square feet. Ms. Jones stated that we do not have that information in-front of us at this time, but that the premises was demolished by the City and Mr. Moore paid the City for the demolition. Mr. Wilson stated that it was two buildings. Mr. Christian stated that it was a bit alarming for him to hear the amount that was paid for the demolition and then thanked the Board for their time.

10) BOARD/STAFF COMMENTS/OTHER BUSINESS

Ms. Lozano thanked the Board for their time and attending the meeting on Valentine's Day.

Mr. Lozada also thanked the Board for their time and service.

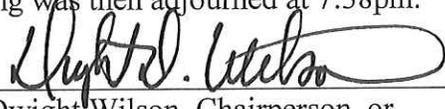
Mr. Bennett stated that he appreciates the Board and thanked them for coming up with the solution of a settlement concept on the foreclosure cases heard tonight. He stated that he thought it was the best approach.

Ms. Jones expressed concern over the length of time that it has taken to demolish the structure for Mr. McBurrows and that we may need to come up with a process to complete these sooner. Mr. Marino asked what happens to the land once we demolish. It was explained that a lien is placed on the premises and then the premises can be foreclosed on if no payment is made to the City. Ms. Lozano stated that all demolition orders are final, and that going forward all demolitions will be processed sooner, and that property owners will only be able to obtain a demolition permit, and that the reason why this one has taken so long is because when this order was issued, the property owner was instructed by the Board to continue to work towards compliance and that so long as he did, demolition would not occur. Mr. McBurrows stopped working towards compliance and it was decided that the demolition process should proceed in accordance with the order. Mr. Lozada stated that there have not been any contractors that have come in to apply for any permits on Mr. McBurrows' case. Ms. Jones stated that his case is not her concern, and that her concern is the holes in the system and making sure there is a procedure in place so these things do not fall through the cracks.

Mr. Wilson stated that he appreciates the sharing of the foreclosure article with the Board. He stated that as a lot of Cities move towards development, affordable housing doesn't even exist for working class folks anymore. St. Petersburg is struggling with gentrification and there is nowhere to live in St. Petersburg. He stated that we do a good job at educating residents with their rights.

11) **ADJOURNMENT**

With no further business to discuss, the meeting was then adjourned at 7:38pm.



Dwight Wilson, Chairperson or
Ralph Marino, Vice Chairperson

Attest:



Fany Lozano, Recording Secretary