



CODE COMPLIANCE HEARING

City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Wednesday, May 25, 2022 at 10:00 AM

CODE COMPLIANCE HEARING MINUTES

NOTE: THESE MINUTES ARE CONDENSED. FOR DETAILS OF THE HEARING, A RECORDING IS AVAILABLE AT THE CITY CLERK'S OFFICE IN CITY HALL.

STAFF ATTENDEES

Jennifer Nix, Special Magistrate
Drew Smith, City Attorney
Stacey Salemi, Code Compliance Officer
Brett Sollazzo, Administrative Assistant
John Freeburg, Police Chief
Shannon Patterson, Police Chief of Staff

CALL TO ORDER

Special Magistrate Jennifer Nix called the meeting to order at 10:00am. She introduced herself and explained the procedure for the code compliance meeting.

APPROVAL OF MINUTES

Special Magistrate Jennifer Nix reviewed and approved the previous Code Compliance meeting minutes from February 23, 2022. Special Magistrate Jennifer Nix reviewed and approved the Parking Citation agenda meeting minutes from February 23, 2022.

ADMINISTRATION OF OATH

City Attorney Drew Smith swore in those giving testimony, including Code Compliance Officer Salemi.

CODE COMPLIANCE CASES

- 1. Case number 21500050**
Suncoast Building Materials 101 Mary Jess Road.
Tax Parcel No: 13-23-29-0000-00-005

Respondent, William Johns, was notified by Certified Mail and the Respondent was in chamber. As of May 25, 2022 the property is in compliance and no longer in violation. The City made a statement that the property at 101 Mary Jess Road Edgewood, FL 32809, owned by Suncoast Building Materials was in violation of City Code Sec. 134-405 Special Exceptions for hours of operation, and requested the hearing continue to present a finding of violation.

Respondent testified that he posted the hours of operations for all employees, but the fuel truck would return to the property after 6:00pm. The Respondent requested an email of confirmation from the fuel truck driver to confirm the hours of operation. Respondent said he would do whatever the City needed to comply.

Special Magistrate Nix found that all required notices were provided for the proceedings, and found that the Respondent was in violation of City Code Sec. 134.405 Special Exceptions for hours of operation, but

that Respondent had brought the Property into compliance at the time of the hearing. As the property is in compliance with City Code, further hearings are not required, and no fine was imposed. Future violations shall be classified as repeat violations, requiring further proceedings, and fines may be imposed.

2. Case number 22500090

**Baileys Real Estate LLP 5156 S. Orange Avenue
Tax Parcel No: 13-23-29-0000-00-007**

Respondent, Trisha Bailey, was notified of the Hearing by certified mail and was in chamber. As of May 25, 2022 the property is in compliance and no longer in violation. The City asserted that the property at 5156 S. Orange Avenue Edgewood, FL 32809, owned by Bailey's Real Estate LLP was in violation of 2021 IPMC 302.7 Accessory Structure, and 304.2 Protective Treatment, and requested the hearing continue to present a finding of violation.

Code Compliance Officer Salemi observed broken and/or vandalized gates and tarps on multiple occasions throughout the months of March 2022 through May 2022 with photographic evidence. As of May 25, 2022, the gates have been repaired, along with the black tarp. There was also no sign of graffiti.

Respondent, Trisha Bailey, testified that there is no electricity for security cameras. Respondent stated that all violations were corrected, and asked that if a fine is imposed to have it waived due to cost to repair the gates and remove the graffiti. Attorney Smith confirmed that the City will not seek a fine.

Special Magistrate Nix found that all required notices were provided for the proceedings, and found that while the Respondent was in violation of 2021 IPMC 302.7 Accessory Structure, and 304.2 Protective Treatment, but Respondent had brought the Property into compliance at the time of the hearing. Further hearings are not required, and no fine was imposed. Future violations shall be classified as repeat violations, requiring further proceedings, and fines may be imposed.

3. Case number 22500063

**Robbie J Ford Trust 5603 Commerce Drive
Tax Parcel No: 24-23-29-5533-00-090**

Respondents were notified of the Hearing by certified mail and were in chamber. Robbie Ford and James Ford testified on behalf of Respondent. The City testified that the property was in violation of City Code Sec. 62-57 Regulation Standards of Disabled Vehicles. Code Compliance Officer Salemi observed disabled vehicles on multiple occasions throughout the months of February 2022 through May 2022 with photographic evidence. As of May 25, 2022, all disabled vehicles were removed and the property is in compliance.

Attorney Smith stated that the City corrected the Business Tax Receipt (BTR) which states the exact number of disabled vehicles allowed. Officer Salemi stated that per code, businesses with a mechanic's license can have up to three disabled vehicles per bay; vehicles have to be at least 150ft away from street, and cannot be there for longer than 60 days.

Respondents Robbie Ford and James Ford testified that they understood the violation. Respondent stated the property is rented and they ensured that the tenants are aware of the required code.

Attorney Smith directed the Respondents to provide Officer Salemi their direct contact information so she can reach out as a courtesy before any violations are processed. Special Magistrate Nix clarified that a phone call is a courtesy, and that the law states the City can move forward with a violation without warning.

Special Magistrate Nix found that all required notices were provided for the proceedings, and found that the Respondents were in violation of City Code Sec. 62-57 Regulation Standards of Disabled Vehicles, but that the Property was in compliance at the time of the hearing. Further hearings are not required and no fine was imposed. Future violations shall be classified as repeat violations, requiring further proceedings, and fines may be imposed.

4. Case Number 21500039

Equity Trust Company

Paul Jaszczenski Ira 5501 S. Orange Avenue

Tax Parcel No: 24-23-29-7332-00-052

Respondent, Paul Jaszczenski, was notified of the Hearing by certified mail and was in chamber. The City testified that the property at 5501 S. Orange Avenue Edgewood, FL 32809, owned by Equity Trust Co Property is in violation of 2015 IPMC 304.1 which requires that the exterior structure shall be maintained in good repair; and 304.7 Roofs and drainage.

The City observed a branch had fallen on the building on August 23, 2021, damaging the roof. A hole observed on August 30, 2021. A courtesy notice was sent on September 23, 2021 to replace the roof. A tarp was placed on the roof on November 16, 2021. A notice of violation was sent on November 23, 2021, with a compliance date of December 21, 2021.

The Respondent was granted an extension to comply. On March 15, 2022, Officer Salemi contacted Mr. Jaszczenski stating the City cannot wait for the repair or sale of the property any longer. The Respondent stated he will demo the building. As of May 25, 2022, the tarp was not properly secured to the roof, and the demolition of the building has not occurred; thus the property was not in compliance. The Respondent testified that the building is for sale and did not know that tarps were unacceptable. The roof would need a full repair but he will demolish the building. The respondent submitted the initial permit information to the County.

Attorney Smith stated the City is not seeking fines, and would like to provide the respondent with 60 days to cure the violation.

Special Magistrate Nix found that all required notices were provided for the proceedings, and found the Respondent in violation of 2015 IPMC 304.1 Exterior structure shall be maintained in good repair and 304.7 Roofs and drainage. The Respondent has until August 12, 2022 to correct the violation on the property. Respondent shall be responsible for providing notice that the violation was corrected to Officer Salemi. If the violation is not corrected, a fine of \$75 per day will be instated until in compliance. Future violations shall be classified as repeat violations, requiring further proceedings, and fines may be imposed.

5. Case number 22500041

Marvin Owens Estate 5180 Stratemeyer Drive

Tax Parcel No: 13-23-29-4527-00-990

The respondent was notified of the Hearing by certified mail the executor of the estate, Kyle Owens, was in chamber. City staff asserted the property is in violation of City Code Sec. 30-24 for excessive growth of grass weeds and brush on property, and 2021 IPMC 302.7 Accessory Structures.

Attorney Smith said the violation involves overgrowth of grass and vegetation along the property. Respondent has made efforts to correct, and contracted someone to take care of the property. Attorney Smith suggested 30 days to correct violations.

Code Compliance Officer Salemi first observed excessive growth of grass and vegetation on March 8, 2022. On March 11, 2022, Officer Salemi observed fence falling over. Some effort was made to rectify the issue, as of May 25, 2022, but the property was still out of compliance.

The Respondent testified that he lives two hours away and cannot keep up with the property himself; he hired landscapers to care for the property. The Respondent is looking for a new landscape company.

Attorney Smith stated the City is not seeking fines, and would like to provide the respondent with 30 days to cure the violation. After 30 days, a fine of \$50 will be paid daily until the violation is corrected.

Special Magistrate Nix found that all required notices were provided for the proceedings, and found the Respondents in violation of City Code Sec. 30-24 Excessive growth of grass weeds and brush on property and 2021 IPMC 302.7 Accessory structures. The Respondent has until June 27, 2022 to correct the violation on the property. Respondent shall be responsible for providing notice that the violation was corrected to Officer Salemi. If the violation is not corrected, a fine of \$50 per day will be instated until in compliance. Future violations shall be classified as repeat violations, requiring further proceedings, and fines may be imposed.

- 6. Case number 22500032**
5500 Chenault Avenue Garner Residence
Tax Parcel No: 23-23-29-4653-00-130

The property owner of 5500 Chenault Avenue relocated. The City dismissed the case.

- 7. Case number 22500066**
5238 Laval Drive Valles Residence
Tax Parcel No: 13-23-29-4529-00-080

City staff continued the case until the next hearing date.

ADJOURNMENT

The next hearing will be Wednesday, July 27, 2022 at 10:00am.

Special Magistrate Nix adjourned the Hearing at 11:04 AM.

Jennifer Nix, Special Magistrate

Date

Sandra Riffle, Interim City Clerk

Date