

A Code Board Hearing was held on **January 23, 2025**
was called to order at *1:32 PM*, Adjourned *3:10 PM*.

Present:

Wayne Pasik
Stephen Butera
Jimmy Canton
Robert Cohen
Todd L'Herrou
Richard Burgess
Joseph Schulz

Resolution of Original Agenda:

Minutes Approved – No minutes to approve

Postponed Cases are as follows:

24-5530; 24-10329; 24-10380; 24-11322; 24-11806; 24-12586; 24-12675

Compliance or Closed Cases are as follows:

24-11830; 24-11844; 24-12259; 24-12303; 24-12322; 24-12329; 24-12303; 24-12586; 24-12790;
24-12890; 24-13385; 24-13390

Case 2 24-11071–

40 SW 8th Avenue
Mchugh Francis Jr.

Code Officer Delinda Witkowski testified regarding work permit/superseded exceeding scope of work which is a violation of 2.4.13 (B) + 4.6.7 (J) (6). Mrs. Witkowski presented eleven photographs that are pertaining to this violation.

Lawonda Warren, Assistant City Attorney, questioned the code officer about the photos and admitted exhibits into evidence without objection.

Robert Cohen asked questions to Assistant City Attorney

The city recommends a reset for 30 days.

Joseph Schulz made a motion to approve the recommendations for 30 days. Seconded by Todd L'Herrou.

Old Business

Case 14 13-42459-

5043 N.W. 5th St.

Paulina Perez

Code Supervisor Phil Cartwright testified regarding fence installed without proper permits. The case is in compliance. The property received multiple fines totaling \$34,750.00 and the property owner is requesting a reduction of liens.

Assistant Attorney and Board members discuss the reduction of the lien and question if the property is now in compliance. Kevin Wagner, special magistrate, explained to the board as a rule that the case is required to in compliance for lien reduction request.

The city recommends a reduction of 90%.

Joseph Schulz made a motion to reduce lien amount from \$34,750.00 to \$3,475.00 within 30 days. Seconded by Stephen Butera.

Case 1 24-10830–

523 Angler Dr.

Jean R Cajuste & Chrisnante Exantus

Code Officer Jude LeConte II testified regarding new addition to the home without proper permits which violates code 2.4.13 (B). Mr. LeConte observed that the owner added a one bedroom, one bathroom addition to the home. Mr. LeConte presented six photographs that are pertaining to this violation.

Lawonda Warren, Assistant City Attorney, questioned the code officer about the photos and admitted exhibits into evidence without objection.

The Board questioned whether the new addition has adequate foundation and about safety of the addition. Assistant Attorney advised there were no permits applied for and inspections done.

The city recommends a 30 day to apply for and obtain the proper permits, remove the addition to the property or a \$100.00 daily fine thereafter for non-compliance.

Todd L'Herrou made a motion giving the property owner 30 days to correct the violation or a \$100.00 daily fine. Seconded by Jimmy Canton.

Board Polled Failed 4-3

| | |
|------------------------|-----|
| <i>Wayne Pasik</i> | No |
| <i>Stephen Butera</i> | No |
| <i>Jimmy Canton</i> | No |
| <i>Robert Cohen</i> | No |
| <i>Todd L'Herrou</i> | Yes |
| <i>Richard Burgess</i> | Yes |
| <i>Joseph Schulz</i> | Yes |

Stephen Butera made a motion giving the property owner 30 days to correct the violation or a \$200.00 daily fine. Seconded by Joseph Schulz.

Board Polled Passes 7-0

| | |
|------------------------|------------|
| <i>Wayne Pasik</i> | Yes |
| <i>Stephen Butera</i> | Yes |
| <i>Jimmy Canton</i> | Yes |
| <i>Robert Cohen</i> | Yes |
| <i>Todd L'Herrou</i> | Yes |
| <i>Richard Burgess</i> | Yes |
| <i>Joseph Schulz</i> | Yes |

Case 3 24-11844– Closed prior to Code Board

Case 4 24-12303– In compliance prior to Code Board

Case 5 24-12321

903 S.W. 6th Ave

James Leger & Minocol Leger

Code Officer Jude LeConte II testified regarding multiple vehicles with flat tires which violates code 4.6.11 outside storage violation. Mr. LeConte presented seven photographs that are pertaining to this violation. Lawonda Warren, Assistant City Attorney, questioned the code officer about the photos and admitted exhibits into evidence without objection. Mr. LeConte confirmed that he has spoken with the owner twice concerning the violation.

The city recommends 30 days to inflate all tires or a \$100.00 daily fine thereafter for non-compliance.

Board members, Lawonda Warren and Kevin Wagner discussed if inflating the tires would be sufficient to bring this violation into compliance because it is parked on landscape.

Robert Cohen made a motion giving the property owner 30 days to correct the violation or a \$50.00 daily fine. Seconded by Todd L'Herrou.

Case 6 24-12322– Closed prior to Code Board

Case 7 24-12393

1546 Audubon Blvd

William J. Johnson

Code Officer Connor Lee testified regarding unscreened trailer in driveway, which is a violation of 4.6.13 (B) (3) + (B) (8). Code Officer presented ten photographs that are pertaining to this violation.

Lawonda Warren, Assistant City Attorney, questioned Code Officer if the photos were related to a recreational vehicle and unscreened trailer and admitted exhibits 1 through 10 into evidence without objection. Mr. Lee confirmed that he has spoken with the owner and the homeowner is aware of the violation.

The city recommends 15 days to come into compliance or \$50.00 daily fine.

The Board members, Code Supervisor, Assistant Attorney and Special Magistrate discussed the location and definition of screening of the recreational vehicle and trailer.

Jimmy Canton made a motion giving the property owner 15 days to correct the violation or a \$50.00 daily fine. Seconded by Stephen Butera.

Case 8 24-12675– Postponed until the next Code Board hearing

Todd L’Herrou made a motion to postpone this case until the next Code Board hearing. Seconded by Stephen Butera.

Case 9 24-12838

28 Salina Ave
Delmuda LLC
% Richard Critchfield, R/A

Code Officer Delinda Witkowski testified regarding tree removal permit which is a violation of 4.6.19. Code Officer presented seven photographs that are pertaining to this violation.

Lawonda Warren, Assistant City Attorney, questioned Code Officer if the photos were related to the removal of trees and admitted exhibits 1 through 7 into evidence without objection. Mrs. Witkowski confirmed that she has spoken with the property owner and management via phone and email.

The city recommends 30 days to come into compliance or \$100.00 daily fine.

The Board member questioned whether the trees are being preserved, being reused or if the property owner replaced them with new trees. Code Officer confirmed that the trees were removed and replaced with new trees.

Todd L’Herrou made a motion giving the property owner 30 days to correct the violation or a \$100.00 daily fine. Seconded by Robert Cohen.

For the record Joseph Schultz left at 2:38 pm and Jimmy Canton arrived after roll call at 1:40 pm.

Case 10 24-13437

42 N.W. 9th Ave.

Venice Graham & Miller Graham ZSA Z

Code Officer Delinda Witkowski testified regarding work without building permit which is a violation of 2.4.13 (B). Code Officer presented seven photographs that are pertaining to this violation.

Lawonda Warren, Assistant City Attorney, questioned Code Officer if the photos were related to the work without building permit and admitted exhibits 1 through 7 into evidence without objection. Mrs. Witkowski confirmed that she had spoken with the property owner via phone.

The city recommends 30 days to come into compliance or \$100.00 daily fine.

A permit application was submitted but a permit number was not assigned at the time of the hearing. Code Officer Witkowski advised that plumbing and electrical work was not included in the original permit application.

The Board members discussed concerns of the original permit application not including the plumbing and electrical work and the homeowner may be required to apply for additional permits to come into compliance.

Jimmy Canton made a motion giving the property owner 60 days to correct the violation or a \$50.00 daily fine. Seconded by Stephen Butera.

Case 11 24-3389

135 S.E. 5th Ave.

Bright Anne S TR & Bright

Nicholas R TR & Henry S TR

Code Supervisor Phil Cartwright testified regarding maintenance of building and exterior walls which is a violation of 7.1.4 (C) (1) (A) + 100.08 (A & B). Code Officer presented three photographs that are pertaining to this violation.

Lawonda Warren, Assistant City Attorney, questioned Code Officer if the photos were related to the maintenance of building and exterior walls and admitted exhibits 1 through 3 into evidence without objection.

The city recommends finding the property is still out of compliance, a lien the property in the accrued amount of \$38,600.00 and continue \$200.00 daily fine.

Todd L'Herrou made a motion to lien the property in the accrued amount of \$38,600.00 and continue \$200.00 daily fine. Seconded by Stephen Butera.

Case 12 24-6320

523 Angler Dr.

Jean R. Cajuste & Exantus Chrisnante

Code Officer Jude LeConte II testified regarding outside storage and right-of-way sodding which is a violation of 4.6.11 + 4.6.16 (H) (1) (E). Code Officer presented four photographs that are pertaining to this violation.

Lawonda Warren, Assistant City Attorney, questioned Code Officer if the photos were related to the outside storage and right-of-way sodding admitted exhibits 1 through 4 into evidence without objection.

Jude LeConte II confirmed that he had spoken with the property owner concerning this violation.

The city recommends finding the property is still out of compliance, a lien the property in the accrued amount of \$12,900.00 and continue \$100.00 daily fine.

Stephen Butera made a motion to lien the property in the accrued amount of \$12,900.00 and continue \$100.00 daily fine. Seconded by Todd L'Herrou.

Case 13 24-7022

28 N.W. 7th Ave.

Joseph P Cadet

Code Officer Delinda Witkowski regarding removing trees without proper permit which is a violation of 4.6.19 (E) (1). Code Officer presented four photographs that are pertaining to this violation.

Lawonda Warren, Assistant City Attorney, questioned Code Officer if the photos were related to the violation and admitted exhibits 1 through 4 into evidence without objection.

Delinda Witkowski confirmed that he had spoken with the property owner concerning this violation.

The city recommends finding the property is still out of compliance, a lien the property in the accrued amount of \$6,600.00 and continue \$50.00 daily fine.

Todd L'Herrou made a motion to lien the property in the accrued amount of \$6,600.00 and continue \$50.00 daily fine. Seconded by Jimmy Canton.

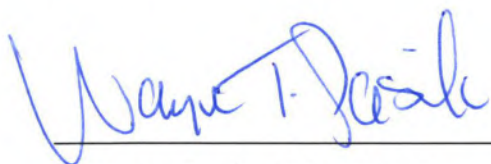
Board Member Wayne Pasik was nominated to be the new Chair and Todd L'Herrou was nominated to be the Vice Chair.

Adjourned at 3:10 pm

Code Board Hearing
January 23, 2025
Meeting Minutes

The undersigned is the Secretary of the Code Board, and the information provided herein is the minutes of the meeting of said Code Board on January 23, 2025, which minutes were formally approved and adopted by the Board on April 10, 2025

ATTEST:



Wayne Pasik CHAIRMAN

CODE BOARD LIAISON

NOTE TO READER: If the minutes you have received are not completed as indicated above, this means they are not the official minutes of the (Board Name). They will become official minutes only after review and approval, which may involve some amendments, additions, or deletions.