

PASCO COUNTY CONSTRUCTION BOARD

Regular Meeting

MINUTES

October 15, 2008

**THE MINUTES WERE PREPARED
IN AGENDA ORDER AS
PUBLISHED AND NOT IN THE
ORDER IN WHICH THE ITEMS WERE HEARD**

**West Pasco Government Center, Board Room
7530 Little Road
New Port Richey, FL**

Members

George Maniates - Chairman
Jamie Soderland – Vice Chairman
George Black – **Absent**
Bob Carroll
Woody Tucker - **Absent**
Joel Stevenson
Mike Currie
Ruth Ludaker - **Absent**
Tom Gottberg

Advisory Staff

Cynthia M. Jolly, P.E.
Development Director
Timothy J. Moore - Absent
Building Official
Rune Lero
Training Officer
Debra Russo
Board Secretary

Legal Counsel
Kristi Wooden
County Attorney

I. Call to Order

Chairman Maniates called the meeting to order at 9:31 a.m.

Chairman Maniates led the Pledge of Allegiance.

Mr. Rune Lero gave the Invocation.

1. Roll Call

Mr. Tim Moore, Building Official, called the roll. Mr. George Black, Ms. Ruth Ludaker and Mr. Woody Tucker were absent.

2. Administration of Oath

Ms. Russo administered the oath to all those who planned to testify.

II. Minutes

1. Request to approve Minutes of July 23, 2008 and August 20, 2008 Pasco

County Construction Board.

MR. STEVENSON MOVED approval of the minutes for July 23, 2008 and August 20, 2008; **MR. GOTTBURG SECONDED.**

Chairman Maniates called on the motion; the vote was unanimous and the motion carried.

III. Proposed Rules and Regulations or Other Business

1. Building Official's Comments

Mr. Lero said that would conclude the agenda. He suggested they adjourn for lunch and return for the Workshop.

MR. GOTTBURG MOVED to adjourn; **MR. CURRIE SECONDED.**

Chairman Maniates called on the motion; the vote was unanimous and the motion carried.

2. County Attorney's comments:

None

IV. New Cases

1. PCCB2008-317 Harold R. Pope Living Trust
Address: 12514 5th Isle Hudson Fl
Violation Address: 7235 Maryland Ave Hudson Fl
Violation: APPEAL OF BUILDING OFFICIAL'S DECISION (painting)

Mr. Moore read the case into the record.

Ms. Eloise Taylor, Attorney for the applicant, stated her name for the record.

Ms. Wooden asked Ms. Taylor if she also represented the Trust.

Ms. Taylor said yes and explained further. She explained that the violations existed at the time the applicant had purchased the property. She continued with an explanation of the history of the case. The applicant was requesting 6 months to come into compliance.

Staff recommended the Board find a violation existed and allow 180 days to come into compliance or face an appropriate per day fine.

MS. SODERLAND MOVED to find a violation existed and allow 180 days to come into compliance or face a \$100.00 per day fine; **MR. GOTTBURG SECONDED.**

Chairman Maniates called on the motion; the vote was unanimous and the motion carried.

2. PCCB2008-346 Richard & Brenda Davis
Address: 1323 Grenlea Dr Holiday Fl
Violation Address: 1323 Grenlea Dr Holiday Fl
Violation: 10 x 12 Structure

Mr. Moore stated this case was in compliance; no action taken.

3. PCCB2008-347 Roger Collins
Address: 34049 Harris Hill Rd Dade City Fl
Violation Address: 34049 Harris Hill Rd Dade City Fl
Violation: Failure to remove a structure as per affidavit of permit #649065.

Mr. Moore stated this case was in compliance; no action taken.

4. PCCB2008-349 John Davenport Sr. & John Davenport Jr.
Address: PO Box 655 Sydney Fl
Violation Address: 9551 Starline Dr Dade City Fl

Violation: Mobile Home setup and placement

Mr. Moore read the case into the record.

Mr. Lero requested this item be heard in absentia.

MR. STEVENSON MOVED to hear the case in absentia; **MR. GOTTBORG SECONDED.**

Chairman Maniates called on the motion; the vote was unanimous and the motion carried.

Mr. Lero explained this was a PID that came to him on August 14, 2008 and a Short Form Notice of Violation was left at the site on August 27, 2008. He explained that the applicant had obtained a permit. He continued to explain the proper guidelines to follow and the Pasco County codes that needed to be met when setting up a mobile home and placing it. He said that this did not meet the Pasco County requirements. He continued to explain the history of the case through photographs on the overhead projector.

Staff recommended the Board find violations existed and require them to be brought to Pasco County code and to remove the mobile home from Pasco County within 30 days or face an appropriate per day fine.

MR. CURRIE MOVED to find violations existed and allow 30 days to remove the structure from Pasco County or face a \$250.00 per day fine; **MR. STEVENSON SECONDED.**

Chairman Maniates called on the motion; the vote was unanimous and the motion carried with Mr. Carroll being absent from the vote.

5. PCCB2008-350 Hagman Groves Inc.
Address: PO box 1908 Lutz Fl
Violation Address: 7715 Land O Lakes Fl
Violation: New Air Condition

Mr. Moore read the case into the record.

Mr. Roy Hagman stated his name for the record. He said that it was his understanding that the permits had been pulled for the violation and it was waiting for inspection. He said it was scheduled for inspection on this date.

Ms. Kristi Wooden, Senior Assistant County Attorney, asked Mr. Roy Hagman what his relationship was to the applicant. She asked if he was an Officer of Hagman Groves, Inc.

Mr. Hagman said he was an Officer of Hagman Groves, Inc.

Mr. Lero explained this came to him as a PID. He gave a brief explanation of the case and confirmed that the inspection had been scheduled.

Staff recommended the Board find a violation existed and mandate the applicant to pass all inspections within 30 days or face an appropriate day fine.

MR. GOTTBURG MOVED to find a violation existed and to mandate that all inspections were passed within 30 days or face a \$150.00 per day fine; **MR. CURRIE SECONDED.**

Chairman Maniates called on the motion; the vote was unanimous and the motion carried.

6. PCCB2008-351 Walter & Betty Smith
Address: 40245 Jerry Rd Zephyrhills Fl
Violation Address: 40311 Jerry Rd Zephyrhills Fl
Violation: Unfinished storage to habitable room, finished enclosed aluminum porch to habitable room, carport with tin roof, & finished screen porch enclosed with windows & doors.

Mr. Moore read the case into the record.

Mr. Lero requested this case be heard in absentia.

MR. CARROLL MOVED to hear the case in absentia; **MR. STEVENSON SECONDED.**

Chairman Maniates called on the motion; the vote was unanimous and the motion carried.

Mr. Lero explained this was a PID. A Short Form Notice of Violation was left at the site on August 20, 2008. He gave a brief history of the case through photographs on the overhead projector. He said the homeowner had obtained a demo permit, number 672935. He said he had conversations with the applicant's daughter and she indicated it was their intention to remove the violation.

Staff recommended the Board find a violation existed and to remove the violation and successfully pass all inspections in 60 days or face an appropriate per day fine.

MR. CURRIE MOVED to find a violation existed and to require the violation be removed within 60 days and successfully pass all inspections or face a \$150.00 per day fine; **MR. GOTTBURG SECONDED.**

Chairman Maniates called on the motion; the vote was unanimous and the motion carried.

7. PCCB2008-352 Hugh Ward
Address: 1036 Croydon Ln Holiday Fl
Violation Address: 1036 Croydon Ln Holiday Fl
Violation: Wooden deck, above ground pool & screen room

Mr. Moore read the case into the record.

Mr. Hugh Ward stated his name for the record. He said that the violations existed on the property when he purchased it. He did not realize that they were not permitted and he had an issue with a neighbor who turned him into Code Compliance. He said the screen room had been taken down and he had paid fees to get the plans drawn up for the other violations so he could apply for a permit.

Mr. Lero explained this was a PID. He discussed the violations through photographs on the overhead projector with the applicant. He said that he would send someone to the property to verify the screen room was taken down.

Staff recommended the Board find a violation existed and allow 180 days to come into compliance or face an appropriate per day fine.

MR. STEVENSON MOVED to find a violation existed and allow 180 days to come into compliance or face a \$150.00 per day fine; **MR. GOTTBURG SECONDED.**

Chairman Maniates called on the motion; the vote was unanimous and the motion carried.

8. PCCB2008-353 Milagros Vazquez & Antonlin Cruz
Address: 4370 Craftsbury Dr New Port Richey Fl
Violation Address: 4370 Craftsbury Dr New Port Richey Fl
Violation: Expired Permit#650395 with unresolved inspections

Mr. Moore read the case into the record.

Mr. Eddie Bennett, Building Inspector, stepped outside the Boardroom to see if the applicant was present.

Staff recommended since the applicant was not present they would come back to this item and hear it in absentia.

This item was revisited and Staff said they were dismissing the case.

9. PCCB2008-354 Ed & Tamara Claxton
Address: 3351 Bluebird Dr Holiday Fl
Violation Address: 3351 Bluebird Dr Holiday Fl
Violation: Above ground pool & wooden deck

Mr. Moore read the case into the record.

Mr. Lero requested this case be heard in absentia.

MR. CARROLL MOVED to hear the case in absentia; **MR. GOTTBURG SECONDED.**

Chairman Maniates called on the motion; the vote was unanimous and the motion carried.

Mr. Lero explained this was a PID and a Short Form Notice of Violation was left at the site on October 15, 2008. He read a letter to the Board from the applicant explaining that they had obtained a permit number 674002 and that they intended to come into compliance. He gave a brief history of the case through photographs on the overhead projector.

Staff recommended the Board find a violation existed and allow 180 days to come into compliance or face an appropriate per day fine.

MR. GOTTBURG MOVED to find a violation existed and allow 180 days to come into compliance or face a \$150.00 per day fine; **MR. CARROLL SECONDED.**

Mr. Maniates called on the motion; the vote was unanimous and the motion carried.

10. PCCB2008-355 Constantin & Viorica Noe & Joseph & Victoria Fornito
Address: 2918 Deer Run N Clearwater Fl
Violation Address: 12910 Fifth Isle Hudson Fl
Violation: Re-roof

Mr. Moore read the case into the record.

Mr. Joseph Fornito stated his name for the record. He said that he had purchased the property with hopes to use it as a retirement home. He said that since it was not his primary residence he was not able to pull a permit. He was working with a gentleman who told him he had pulled a permit when in fact he had not. He continued with further explanation of the history. He requested 30 days to come into compliance.

Staff said that they would accept Mr. Fornito's testimony the way it was.

MR. CURRIE MOVED to find a violation existed and allow 45 days to come into compliance or face a \$150.00 per day fine; **MS. SODERLAND SECONDED.**

MR. CURRIE MOVED to amend his prior motion to include obtaining a permit and passing all inspections; **MS. SODERLAND SECONDED.**

Chairman Maniates called on the motion; the vote was unanimous and the motion carried.

11. PCCB2008-356 Lisa Marilyn Provo-Won
Address: 17230 Chinaberry Rd Lutz Fl
Violation Address: 17506 Driftwood Dr Lutz Fl
Violation: Front Door

Mr. Moore read the case into the record.

Ms. Lisa Provo-Won stated her name for the record. She said she was not aware that she needed a permit to replace the door. She requested 15 days to come into compliance.

Staff said there was a permit received by the applicant and recommended the applicant successfully pass all inspections within 45 days or face an appropriate per day fine.

MR. STEVENSON MOVED to find a violation existed and allow 45 days to come into compliance to include successfully passing all inspections or face a \$150.00 per day fine; **MR. GOTTBURG SECONDED.**

Chairman Maniates called on the motion; the vote was unanimous and the motion carried.

V. Continued Cases:

None

VI. Request for Reduction of Fines / Extension of Time

1. CCEB2006-059 Russell Burr
Address: 2755 t Andrew Blvd Tarpon Springs Fl
Violation Address: 4710 Rowan Rd New Port Richey Fl
Request for Waiver/Reduction of fine

Mr. Moore read the case into the record.

Mr. Russell Burr stated his name for the record. He gave a brief explanation on the matter and explained why he was requesting the reduction of fines.

Mr. Lero explained this case was originally heard on March 16, 2006. He said the applicant had come before the Board again on March 18, 2008 to request the reduction

of fines and it was denied at that time. He said the applicant had maintained close contact with his office.

Staff recommended the fine be reduced to cover Staff time of \$500.00 and a period of 23 months of non-compliance at \$100.00 per month for a total of \$2,850.00 payable in 30 days.

MR. STEVENSON MOVED to reduce the fine to \$2,850.00 payable in 30 days; **MR. GOTTBURG SECONDED.**

Chairman Maniates called on the motion; the vote was unanimous and the motion carried.

2. CCEB2007-014 Lee & Christine Bierman
Address: 12051 Carver Ave New Port Richey Fl
Violation Address: 12051 Carver Ave New Port Richey Fl
Request for Waiver/Reduction of fine

Mr. Moore read the case into the record.

Ms. Christine Bierman stated her name for the record.

Mr. Michael Bierman stated his name for the record.

Ms. Russo administered the oath to Mr. and Ms. Bierman.

Mr. Bierman explained to the Board his reasons for asking for a reduction in fines. He said there was a paper processing issue that took a little longer than he expected.

Mr. Lero showed a letter from the applicant to the Board on the overhead projector. He said that the case has been in non-compliance for 518 days. He continued to explain the permit process with the Board.

Staff recommended the Board find a violation existed and reduce the fine to cover Staff time at \$500.00 and \$100.00 per month for 17 months of non-compliance for a total of \$2,200.00 payable in an appropriate timeframe.

MR. STEVENSON MOVED to reduce the fines to \$2,200.00 payable in 30 days; **MS. SODERLAND SECONDED.**

Chairman Maniates called on the motion; the vote was unanimous and the motion carried with Mr. Carroll voting nay.

3. PCCB2008-106 Hernan Turcios
Address: 15411 E Lake Burrell Dr Lutz Fl

Violation Address: 5022 Green Key Rd New Port Richey Fl
Request for Extension of time

Mr. Moore read the case into the record.

Mr. Hernan Turcios stated his name for the record. He said that he had lost his job and because of that he did not have the funding to complete the project.

Mr. Lero said this was originally heard on April 16, 2008. The applicant was not present and was given 180 days to obtain permitting and successfully pass all inspections. He said the permit was actually obtained on March 13, 2008 but there had been no inspections to date. He showed a letter to the Board that his office had received on the overhead projector.

Discussion followed regarding what, if anything had been constructed and what type of progress had been made by the applicant.

Mr. Lero gave further explanation of the violations through photographs on the overhead projector.

Discussion followed regarding the existing permit and whether or not that could be extended. It was decided that it could not be extended but a new one could be issued regarding the existing violations.

Staff recommended the Board find a violation existed and allow an extension of time.

MR. CARROLL MOVED to find violations existed and allow an extension of 120 days to obtain a permit for the existing violations, successfully pass all inspections or face a \$200.00 per day fine; **MR. GOTTBURG SECONDED.**

Chairman Maniates called on the motion; the vote was unanimous and the motion carried.

4. PCCB2008-117 Tim Mertens
Address: 4539 Floramar Ter New Port Richey Fl
Violation Address: 4529 Floramar Ter New Port Richey FL
Request for Extension of time

Mr. Moore read the case into the record.

Mr. Lero said the applicant was present but he had to leave to meet with his employer. He showed a letter from the applicant to the Board on the overhead projector. He explained that the applicant had intentions of completing the project and was requesting a 6 month extension in order to come into compliance.

MR. CURRIE MOVED to find a violation existed and allow a 120 day extension to come into compliance or face a \$150.00 per day fine; **MR. STEVENSON SECONDED.**

Chairman Maniates called on the motion; the vote was unanimous and the motion carried with Mr. Carroll voting nay.

VII. Hearing of Appeals

1. PCCB2008-384 Hurricane Shelter **Appeal of Hurricane Shelter/Bathroom Fixture Counts**

Mr. Moore gave a presentation on the overhead projector and the Board members followed along with the documentation that was handed out to them by Staff. He explained the floor plan and the plumbing code to the Board. He showed the Florida Code to the Board on the overhead projector and explained that according to the code, there would not be enough plumbing fixtures allotted for the Hurricane Shelter.

Discussion followed regarding the option of obtaining a variance and whether or not that would be in compliance. Further discussion followed regarding the option of the applicant to appeal the decision of the Building Official.

Mr. Sam Orwood, representative for Spring Engineering, stated his name for the record. He gave a general overview of the Hurricane Shelter project. He listed the number of proposed plumbing fixtures allotted for the project. They were before the Board to request a waiver on the number of water closets required for the women's restroom only. He explained that the square footage he had differed from that of Mr. Moore's. What they were proposing was in compliance according to the square footage number they had.

Discussion followed regarding the number of water closets necessary for the project according to the allotted square footage. Further discussion followed regarding the management of the shelter to ensure that not more than a 1,000 people would be allowed in the shelter at one time.

Mr. Orwood said that they were requesting to reduce the fixture count for the water closets only.

Mr. Dan Johnson, Assistant County Administrator, Public Services, gave a brief overview of the matter. He explained that the ICC500 code had not been finalized and that changes were still occurring.

Discussion followed regarding the ICC500 and where it was in the process of being adopted.

MS. SODERLAND MOVED to uphold the Building Official's decision of denial; **MR. STEVENSON SECONDED.**

Chairman Maniates called on the motion; the vote was unanimous and the motion carried.

VIII. Consent Agenda

IX. Unfinished Business – LIENS TO BE SIGNED BY CHAIRMAN

John Decosmo	CCEB2006-013
Peggy Sigler	CCEB2006-021
Donnie Morgan	CCEB2006-060
Thomas Sorrentino	CCEB2006-238
Christopher Miyashiro	CCEB2006-305
Migdalia Cabrera	CCEB2007-096
Michael Kessler	CCEB2007-136
Debbie Pomp	CCEB2007-223
Jessie Fuentes	CCEB2007-340
Christopher Patti	PCCB2008-094

X. Old Business Status Review

THE BOARD RECESSED AT 10:55 A.M. AND RECONVENED AT 11:11 A.M.. ALL BOARD MEMBERS WERE PRESENT.

XI. Adjournment

MR. GOTTBURG MOVED to adjourn; **MR. CURRIE SECONDED.**

Chairman Maniates called on the motion; the vote was unanimous and the motion carried.

The meeting adjourned at 12:01 p.m.

PASCO COUNTY CONSTRUCTION BOARD
REGULAR MEETING
October 15, 2008

(SEAL)

Prepared by:

Vickie Perez, Deputy Clerk