

**PASCO COUNTY CONSTRUCTION BOARD**

**Regular Meeting**

**MINUTES**

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

**March 16, 2011**

Historic Pasco County Courthouse,  
Board Room, Second Floor,  
37918 Meridian Avenue, Dade City, Florida

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**Members**

Joel Stevenson, Chairman  
Tom Gottberg, Vice-Chairman  
Bob Carroll  
Ruth Ludaker - **ABSENT**  
George Maniates  
Jamie Soderland - **ABSENT**  
Woody Tucker

**Advisory Staff**

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

**Legal Counsel**

Kristi Wooden  
Senior Assistant County Attorney

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**I. Call to Order**

Chairman Stevenson called the meeting to order at 9:35 a.m.

1. Pledge of Allegiance

Mr. Rune Lero led the Pledge of Allegiance to the Flag.

2. Invocation – Rune Lero

Mr. Lero gave the Invocation.

3. Roll Call

Mr. Jim Lloyd called the roll. Ms. Ruth Ludaker and Ms. Jamie Soderland were absent.

4. Administration of Oath

Ms. Brenda White, Deputy Clerk, administered the oath to those who planned to present testimony.

**II. Minutes**

1. Request to Approve Minutes of **January 19, 2011** Pasco County Construction Board

Chairman Stevenson requested a motion for approval of the minutes.

**MR. TUCKER MOVED** approval of the minutes of January 19, 2011; **MR. MANIATES SECONDED.**

Chairman Stevenson 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

None.

2. County Attorney's Comments:

None.

**IV. New Cases**

1. **PCCB2010-387**                      **Universal Plaza Center LLC**  
Address:                              1089 Virginia Street Dunedin, Florida 34698-7326  
Violation Address:                **3535 Universal Plaza New Port Richey, Florida 34652-0000**  
Violation:                            ***remodeling (commercial to include electrical, mechanical, plumbing, firewall)***

Mr. Lloyd read the case into the record.

Mr. Lero requested the case be dismissed as they had obtained the necessary permits.

**MR. MANIATES MOVED** to dismiss the case; **MR. GOTTBURG SECONDED.**

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

**2. PCCB2011-065**            **North Buena Vista Civic Association Inc**  
Address:                    2039 Orange Drive Holiday, Florida 34691-4239  
Violation Address:       **2039 Orange Drive Holiday, Florida 34691-4239**  
Violation:                   ***Interior remodel; enclosing of window; electric***

Mr. Lloyd read the case into the record.

Ms. Carol Beavers stated her name and address for the record. She indicated she was President of the company. She pled guilty and stated she did not realize a permit was needed for what they had done. They were working to correct the issue and hoped to have a permit issued within a week.

Mr. Lero reviewed pictures of the violation. He recommended the Board accept the guilty plea, find them in violation, allow 180 days to obtain the permits and successfully pass all inspections or face an appropriate per day fine.

**MR. TUCKER MOVED** to accept the guilty plea, allow 180 days to come into compliance and pass all final inspections or pay a \$150.00 per day fine; **MR. GOTTBURG SECONDED.**

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

**3. PCCB2011-067**            **Laura E Alvarez**  
Address:                    37847 Avalon Drive Zephyrhills, Florida 33541-8014  
Violation Address:       **37844 Tucker Road 37847 Avalon Drive Zephyrhills, Florida 33541-8014**  
Violation:                   ***structure (approx 26'x36' two story to include electric, plumbing, and mechanical); structure (approx 16'x24' with flat roof against block wall); structure (approx 8'x14' block wall to include open framing roof); structure (approx 8'x12' shed with shingle roof); concrete block wall to include columns, and gates (approx 300ft)***

Mr. Lloyd read the case into the record.

Ms. Laura Alvarez stated her name and address for the record. She plead guilty. She spoke regarding what actions were being taken to correct the violation.

Mr. Lero reviewed pictures of the violations at the site. He asked Ms. Alvarez if she would be correcting all of the violations.

Ms. Alvarez stated she would correct the violations.

Mr. Lero recommended the Board accept the guilty plea, find the homeowner in violation, allow 180 days to obtain the permits and successfully pass all of the inspections or face an appropriate per day fine.

**MR. TUCKER MOVED** to accept the guilty plea, find the homeowner in violation, allow 180 days to come into compliance and pass all final inspections, or pay a \$150.00 per day fine; **MR. GOTTBURG SECONDED.**

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

**4. PCCB2011-068** Fred J & Bonita F Taylor  
Address: Post Office Box 5004 Hudson, Florida 34674-5004  
Violation Address: **6905 Hudson Avenue 6907 Hudson Avenue Hudson, Florida 34667-0000**  
Violation: **room addition**

Cases PCCB2011-068 and PCCB2011-083 were heard together.

Mr. Lloyd read the case into the record.

Ms. Bonita Taylor stated her name and address for the record and noted her husband Mr. Fred Taylor was also present. She pled not guilty.

Mr. Lero explained this item came in as a Public Information Department complaint. This property was a rental unit. Originally Staff was sent a complaint regarding minimum housing. Once Staff visited the site, it was determined that work had taken place on the property without the benefit of a permit and there were two separate areas done without permits. The building was a duplex with two different addresses and with two different violations. This case was associated with case number PCCB2011-083, which was Agenda Item 14. He reviewed a diagram of the site and reviewed photographs of the violations. Staff felt there was a violation of unpermitted work.

Extensive discussion followed between Mr. and Mrs. Taylor, Staff and the Board Members regarding: the purchase of the property in February 2003; at the time of the sale, a conventional loan was done which included title searches and inspections; the replacement of the roof in December 2003; a structural modifications had been done to the property other than the replacement of the roof in 2003; Ms. Taylor had researched the Pasco County Central Permitting Department records and the Property Appraiser's records; prior improvements and permits obtained; the Permitting Department's procedure to retire all permits after ten years; and Ms. Taylor stated they did not have the funds to correct the violation.

Ms. Wooden explained according to the County's Ordinance, every day that something was unpermitted, it was considered a new violation. Only the present property owner had the authority to cure the violation. The Ordinance imposed an affirmative duty on the homeowner to obtain an "after the fact" permit for any construction that existed on the property which was not properly permitted at the time it was undertaken.

Mr. Lero explained the physical files were only required to be kept a certain number of years depending on the file. Staff could tell what permits were issued electronically. Items prior to 1985 were not brought to the Board. He spoke further regarding the process followed to determine whether a permit had been issued.

**MR. CARROLL MOVED** for Case Number CCEB2011-068 and CCEB2011-083 to find the homeowner guilty of the violation of having the work done without the benefit of a permit, allow six months to bring the property into compliance including all final inspections, or face a \$150.00 per day fine; **MR. GOTTBURG SECONDED.**

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

**5. PCCB2011-070** James P & Patricia **Birren**  
Address: 18933 Shettle Road Land O Lakes, Florida 34637-6046  
Violation Address: **12423 US Highway 19 Hudson, Florida 34667-0000**  
Violation: ***commercial remodeling (to include firewall, electrical, and plumbing)***

Mr. Lloyd read the case into the record.

Mr. Lero requested the case be heard in absentia and to accept all evidence submitted. He noted Staff had good service as indicated by the green card return receipt.

**MR. GOTTBURG MOVED** to hear the case in absentia and accept the evidence; **MR. TUCKER SECONDED.**

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

Mr. Lero explained the complaint came to Staff through Building Inspections. A short form Notice of Violation had been left at the property. The case was originally heard by the Board on January 20, 2010. The Birrens' were not present at the hearing and the Board allowed 180 days to obtain permits and pass the required inspections, or face a \$200.00 per day fine. The violation at that time involved the post and beam reframing on the front of the structure. Since that time, the homeowner had decided to go back inside the structure and do additional remodeling work, including electrical and plumbing without the benefit of the permit. The Board had already taken care of the outside violation and there was an ongoing and accruing fine. For the current violation he recommended the Board find them in violation, allow 180 days to obtain their permit and to successfully pass all inspections, or face a \$250.00 per day fine.

**MR. GOTTBURG MOVED** approval of Staff's recommendation to find them in violation, allow 180 days to obtain their permit and to successfully pass all inspections, or face a \$250.00 per day fine; **MR. TUCKER SECONDED.**

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

**6. PCCB2011-071                      Gulf Harbors Civic Association Charitable Fund Inc**  
Address:                                4610 Floramar Terrace New Port Richey, Florida 34652-3316  
Violation Address:                **4610 Floramar Terrace New Port Richey, Florida 34652-3316**  
Violation:                                **Structure (deck)**

Mr. Lloyd read the case into the record.

Mr. Lero requested the case be heard in absentia and to accept all evidence submitted. He noted Staff had good service as indicated by the green card, return receipt to the incorporation and to the registered agent.

**MR. TUCKER MOVED** to hear the case in absentia and to accept all evidence; **MR. GOTTBURG SECONDED.**

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

Mr. Lero explained the case came to Staff as a customer service complaint. Staff left a short form Notice of Violation for not obtaining the appropriate permits at the site. He had been contacted by a contractor who was working with an engineer who was trying to complete the work. He recommended they be found in violation, allow 180 days to

obtain the permits and successfully pass all of the inspections, or face a \$250.00 per day fine.

**MR. GOTTBURG MOVED** approval of Staff's recommendation to find them in violation, allow 180 days to obtain the permits and successfully pass all of the inspections, or face a \$250.00 per day fine; **MR. TUCKER SECONDED.**

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

**7. PCCB2011-072** Frances Maxine & Joseph **Dozier**  
Address: 3100 Drum Road Zephyrhills, Florida 33541-5010  
Violation Address: **3100 Drum Road Zephyrhills, Florida 33541-5010**  
Violation: ***mobile home (approx 12'x30' park model yellow); structure (approx 12'x36' addition to doublewide); structure (approx 10'x64' open porch to doublewide); structure (approx 4'x8' shed); structure (approx 16'x20' carport); mobile home (approx 12'x30' light brown dark trim); structure (approx 12x16 shed); structure (approx 8'x10' shed); structure (approx 12'x28' carport addition to doublewide)***

Mr. Lloyd read the case into the record.

Mr. Jim Dozier stated his name and address for the record. He explained he would be representing his mother and father. He pled not guilty.

Ms. Frances Dozier stated her name and address for the record. She authorized her son to speak on her behalf.

Mr. Lero displayed various photographs. He noted there were three different violations on three different parcels and that the cases would be heard separately. He explained the first case to be discussed was PCCB2011-072.

Mr. Gary Smith, Building Inspector for Pasco County, stated he had taken the pictures displayed by Mr. Lero. He reviewed the various violations listed for the case and showed the specific location of the structures in violation on the site. The violations were a result of complaints received. He found that no permits had been obtained for any of the violations.

Discussion followed regarding the history of the property; in 1986 the property had not been split; there were three mobile homes located on the property in 1986; additions to the mobile homes; no park models were shown on the property in 1985; in 1995 there were only two mobile homes located on the property; the division of the property; an

aerial view of the property showing the additions to the mobile, but not showing all of the sheds; and the various photographs/aerials showing the structures on the property.

There were no questions by the Board Members.

Mr. Dozier said he had stated he was not guilty. He was not guilty but noted his father probably was guilty. His father was currently in Hospice. He understood the property needed to be cleaned up and had asked Mr. Smith to review the violations and he had refused. At some point, someone needed to show him everything that needed to be taken care of after his father passed away and after probate. Violations were placed on the door and he contacted Staff to meet at the property. He stated they had refused. His father was terminal. He did not agree with his father's actions, and that his father felt he had the right to do as he wished with his property. He was trying to help his mother take care of the situation.

Mr. Carroll asked Staff if the finding of fact would withstand the probate process.

Ms. Wooten said presuming the Board found him in violation and made an Order to rectify the situation, the Order would be recorded and would attach to the land.

Mr. Dozier stated they were aware of the issue and would come into compliance.

**MR. CARROLL MOVED** to find the homeowner guilty of all of the violations without the benefit of the permits, allow 180 days to cure the violations, obtain the permit, and to have final inspections or pay \$150.00 per day fine; **MR. GOTTBURG SECONDED.**

Mr. Tucker asked if the homeowner was required to pass the final inspections.

**MR. CARROLL AMENDED THE MOTION** to include passing all final inspections; **MR. GOTTBURG SECONDED THE AMENDED MOTION.**

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

**8. PCCB2011-073** JR & HA **Dozier** TW & AL Dozier & Kenneth V Davis & G Melody & J & F Maxine Dozier  
Address: 3100 Drum Road Zephyrhills, Florida 33541-5010  
Violation Address: **3104 Drum Road Zephyrhills, Florida 33541-0000**  
Violation: ***mobile home (approx 12'x30' park model log look); mobile home (approx 12'x30' park model blue)***

Mr. Jim Lloyd read the case into the record.



Mr. Jim Dozier stated his father was guilty. The violation involved one park model which needed to be removed from the property. The violation would be corrected once his father passed away.

**MR. TUCKER MOVED** to accept the guilty plea, find the homeowner in violation of the items without a permit, allow 180 days to come into compliance and pass all final inspections or pay \$150.00 per day fine; **MR. MANIANTES SECONDED.**

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

**9. PCCB2011-074** Timothy W **Dozier** & Annette L Dozier  
Address: 5848 Frontier Drive Zephyrhills, Florida 33540-7612  
Violation Address: **3102 Drum Road Zephyrhills, Florida 33541-0000**  
Violation: ***structure (approx 10'x13' shed); structure (approx 8'x10' shed)***

Mr. Jim Lloyd read the case into the record.

Mr. Jim Dozier stated his father was guilty of constructing the sheds. He noted the sheds would be disposed of once his father passed away.

**MR. GOTTBORG MOVED** to accept the guilty plea, find the homeowner in violation, allow 180 days to obtain all permitting/demolitions, and pass all final inspections or face a \$150.00 per day fine; **MR. MANIANTES SECONDED.**

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

Mr. Dozier felt someone in the Building Department could have come to the property and meet with them regarding the violations. Instead he was told "you'll see the Board". He was disappointed in the overall response.

**10. PCCB2011-075** **Jordan Road SR 52 LLC**  
Address: 7472 Erwin Road Coral Gables, Florida 33143-6223  
Violation Address: **31725 State Road 52 San Antonio, Florida 33576-0000**  
Violation: ***remodeling (to include electric, plumbing & mechanical)***

Mr. Lloyd read the case into the record.

Mr. Lero requested the case be heard in absentia and to accept all evidence submitted. He noted Staff had good service as indicated by the green card, return receipt to the LLC and to the registered agent.

**MR. GOTTBORG MOVED** to hear the case in absentia and to accept all evidence; **MR. TUCKER SECONDED.**

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

Mr. Lero explained this case was heard last month and involved unlicensed contractors completing work without the proper permits. Conversations had taken place with a few different individuals and they were working with a permitting service that was attempting to get the necessary engineering items. He recommended they be found in violation, allow 180 days to obtain a permit and successfully pass all of the inspections, or face a \$250.00 per day fine. He requested the Board Members also recognize the photographs being shown as pictures of the violation.

**MR. TUCKER MOVED** approval of Staff's recommendation to find them in violation, allow 180 days to obtain a permit and successfully pass all of the inspections, or face a \$250.00 per day fine; **MR. MANIATES SECONDED.**

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

**11. PCCB2011-078**                      Richard A & Catherine J **Wood**  
Address:                              13808 217th Road Live Oak, Florida 32060-5337  
Violation Address:                **12137 Albany Avenue Hudson, Florida 34667-0000**  
Violation:                            ***preset (mobilehome); set-up (mobile home)***

Mr. Jim Lloyd read the case into the record.

Mr. Richard A. Wood stated his name and address for the record. He pleaded not guilty.

Mr. Lero stated the case came to Staff as a customer service complaint. The complaint was issued for failure to obtain the permits. Staff left a short form Notice of Violation for not obtaining a permit for the setup of the mobile home. To date, no application or permits had been obtained. He reviewed photographs of the site and noted the site was a salvage yard. The mobile home was located within the salvage yard.

Mr. Wood said he had a junk yard license and this was an official junk yard. He junked items such as mobile homes, RVs, cars, automobiles, planes and helicopters.

Chairman Stevenson asked if there was power to the structure. He asked how did they determine the structure was not just being junked.

Mr. Wood stated there was no power to the structure.

Mr. Gary Smith, Building Inspector, stated he was familiar with the property. A complaint was received. When he posted the red tag a lady came to the door of the structure and it appeared she had been asleep. It appeared someone was living in the structure and it appeared to have been set up.

Discussion followed between the Board Members regarding utilities to the site; the same mobile home was on the property three years ago; Staff thought the building was occupied; and how long it normally took to scrape a mobile home.

Mr. Wood stated the mobile home had been located on the property approximately three years in the same location. The time necessary to scrap items varied. This site had been used long before zoning was in place in the County. There were no utilities attached to the structure. The structure was sitting on blocks because he needed to remove the wheels and tires to move in another mobile home.

Mr. Lero explained the structure was sitting on blocks and was not just pulled in. There was a conflict because if something was moved onto a parcel there needed to be a pre-set inspection in order for it to be located on the property. Mr. Smith saw the home sitting on blocks and someone coming out of the structure. He felt it could be scraped. The Board could make an appropriate determination.

Mr. Maniates said without utilities attached to the structure and with the question of whether the structure was just on blocks, it was difficult to support a violation.

Discussion followed regarding the Staff member being on site early in the morning and waking someone up and that some employees slept in trucks.

**MR. MANIATES MOVED** to find the homeowner not in violation; **MR. TUCKER SECONDED.**

Chairman Stevenson called on the motion; the motion carried with Mr. Carroll voting nay.

<b>12.PCCB2011-080</b>	<b>Shuron Miller</b>
Address:	3540 Fyfield Court Land O Lakes, Florida 34638-8106
Violation Address:	<b>3540 Fyfield Court Land O Lakes, Florida 34638-8106</b>
Violation:	<b><i>outdoor kitchen (to include electric, plumbing, framing)</i></b>

Mr. Lloyd read the case into the record.

Ms. Shuron Miller stated his name and address for the record. She plead guilty to the violation and indicated it was her intention to correct the violations. She had already applied for the permits and had been meeting with Staff.

Mr. Lero explained he met with the plans examiner. Ms. Miller was in the process of correcting the violation. It appeared they were trying to work through the process. He recommended they be found in violation, be given 180 days to obtain the permit and successfully pass all their inspections or face an appropriate per day fine.

**MR. TUCKER MOVED** to accept the homeowner's guilty plea, find them in violation of the outdoor kitchen without a permit, allow 180 days to come into compliance and pass all final inspections, or face a \$150.00 per day fine; **MR. GOTTBURG SECONDED.**

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

<b>13.PCCB2011-082</b>	<b>Russell J Miller</b>
Address:	8033 Paperbark Lane Port Richey, Florida 34668-7022
Violation Address:	<b>13025 Lake Karl Drive Hudson, Florida 34669-0000</b>
Violation:	<b><i>mobile home</i></b>

Mr. Lloyd read the case into the record.

Mr. Lero requested the case be heard in absentia and to accept all evidence submitted. He noted Staff had good service as indicated by the green card, return receipt.

**MR. TUCKER MOVED** to hear the case in absentia and to accept all evidence; **MR. GOTTBURG SECONDED.**

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

Mr. Lero explained this complaint came in as a building inspection complaint. Staff left a short form Notice of Violation on site. He noted there was a Board Order dated October 20, 2010 regarding a building and items located at the side of a structure. He referred to photographs of the property and spoke regarding the debris located on the site. He spoke regarding another individual involved with the property that had purchased the property, but had not yet recorded the property into his name. This individual had placed the units on the property and was aware that he would be required to obtain the necessary permits. He recommended they be found in violation, allow 180 days to obtain the permits and successfully pass of their inspections, or face a \$250.00 per day fine.

**MR. GOTTBURG MOVED** approval of Staff's recommendation to find the homeowner in violation, allow 180 days to obtain the necessary permits and successfully pass their inspections, or face a \$250.00 per day fine; **MR. TUCKER SECONDED.**

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

**14. PCCB2011-083** Fred J & Bonita F Taylor  
Address: Post Office Box 5004 Hudson, Florida 34674-5004  
Violation Address: **6907 Hudson Avenue Hudson, Florida 34667-0000**  
Violation: **room additions**

Cases PCCB2011-068 and PCCB2011-083 were heard together. All discussion and motions made regarding this item are noted under agenda item number four.

**15. PCCB2011-084** Patricia Ann Schifone Trust Patricia Ann Schifone Trustee  
Address: 6323 Tower Drive Hudson, Florida 34667-1754  
Violation Address: **6323 Tower Drive Hudson, Florida 34667-1754**  
Violation: **structure (approx 10'x14'); structure (approx 8'x10' to include electric**

Mr. Lloyd read the case into the record.

Mr. John Schifone gave his name and address for the record. He noted Ms. Patricia Schifone was deceased and that he was the trustee.

Mr. Lero recommended the case be heard in Ms. Schifone's absence.

**MR. MANIATES MOVED** to hear the case in abstencia; **MR. GOTTBURG SECONDED.**

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

Mr. Lero explained the case came to Staff as a customer service complaint. Staff left a short form Notice of Violation for two sheds. During the course of this process, Mr. Schifone had come in and spoken with Ms. Russo regarding the issues. He reviewed photographs of the violations. He recommended the homeowner be found in violation, be allowed 180 days to obtain the permits and successfully pass the inspections, or face an appropriate per day fine.

Mr. Schifone spoke regarding the sheds and stated he planned to come into compliance.

**MR. TUCKER MOVED** to find the homeowner in violation of the structures without a permit, allow 180 days to come into compliance and pass all final inspections, or face a \$150.00 per day fine; **MR. GOTTBURG SECONDED.**

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

**16.PCCB2011-085**      Erica Poole  
Address:                13845 Whitby Road Hudson, Florida 34667-7165  
Violation Address:    **13845 Whitby Road Hudson, Florida 34667-7165**  
Violation:              ***structure (approx 10'x12' shed); structure (approx 20'x24' carport)***

Mr. Lloyd read the case into the record.

Ms. Erica Poole gave her name and address for the record.

Mr. Richard Galloway, Ms. Poole's husband, gave his name and address for the record.

Ms. Poole said the location listed for the carport was incorrect.

Mr. Galloway explained the carport was purchased in 2004 and spoke regarding the location of the carport. He spoke regarding the shed and explained that everything had been removed from the shed. He was waiting to see what could be done.

Ms. Poole said they had obtained the permit necessary to dismantle the shed.

Discussion followed regarding the location of the carport; the Board's decision superseded the permit; and diagrams of the area.

Mr. Lero withdrew the carport from the original complaint. If necessary, another complaint would be refiled with the correct parcel ID listed.

**MR. CARROLL MOVED** to remove the carport structure from this complaint; **MR. MANIATES SECONDED.**

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

Mr. Lero recommended for the shed that the homeowner be found in violation, be allowed 180 days to obtain the permit and successfully pass the inspection or remove the shed, or face an appropriate per day fine.

**MR. TUCKER MOVED** to find the homeowner in violation of the shed without a permit, allow 180 days to come into compliance and pass final inspections, or face a \$150.00 per day fine; **MR. GOTTBURG SECONDED.**

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

Mr. Tucker noted the homeowner could also come into compliance by removing the shed.

**17.PCCB2011-086** James H & Sharyn M **Munn**  
Address: Post Office Box 2506 Land O Lakes, Florida 34639-2506  
Violation Address: **15138 Toni Terrace Hudson, Florida 34669-0000**  
Violation: ***structure (approx 14'x20' detached garage); structure (approx 10'x10' shed plywood); structure (approx 12'x20' addition to detached garage); structure (approx 14'x10' addition to front of detached garage); structure (approx 12'x14' addition to detached garage); structure (approx 8'x10' deck to mobile home); structure (approx 8'x30' addition to mobile home)***

Mr. Lloyd read the case into the record.

Mr. James Munn gave his name and address for the record. He pleaded guilty.

Mr. Lero recommended the Board accept Mr. Munn's guilty plea, find him in violation, allow 180 days to obtain the permits and successfully pass all of the inspections, or face an appropriate per day fine.

**MR. TUCKER MOVED** to accept the homeowner's guilty plea, find him in violation of the various items without a permit, allow 180 days to come into compliance and pass all final inspections, or face a \$150.00 per day fine; **MR. GOTTBURG SECONDED.**

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

**18.PCCB2011-087** Lee **Michie**  
Address: 18827 Firethorn Drive Spring Hill, Florida 34610-3938  
Violation Address: **17618 Haddock Drive Spring Hill, Florida 34610-0000**  
Violation: ***Mobile home pre-set; mobile home set-up; structure (carport)***

Mr. Lloyd read the case into the record.

Mr. Lee Michie gave his address and stated his name for the record. He pleaded guilty.

Mr. Lero explained the notice included an incorrect address.

Mr. Michie indicated he would waive any objection to correcting the address.

**MR. TUCKER MOVED** to accept the guilty plea and find him in violation of the items listed without a permit, allow 180 days to come into compliance and pass all final inspections, or face a \$150.00 per day fine; **MR. GOTTBURG SECONDED.**

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

**19.PCCB2011-088**      Barbara W **Smith**  
Address:              15812 Hays Road Spring Hill, Florida 34610-3813  
Violation Address:    **15812 Hays Road Spring Hill, Florida 34610-3813**  
Violation:             ***Mobile home pre-set; mobile home set-up***

Mr. Lloyd read the case into the record.

Ms. Barbara Smith gave her name and address for the record.

Mr. Daniel Jackson gave his name and address for the record.

Ms. Smith and Mr. Jackson plead guilty.

Mr. Lero recommended the Board accept the guilty plea, find them in violation, allow 180 days to obtain their permits and successfully pass their inspections, or face an appropriate per day fine.

**MR. TUCKER MOVED** to accept their guilty plea, find them in violation of the mobile home pre-set and mobile home setup without a permit, allow 180 days to come into compliance and pass all final inspections, or face a \$150.00 per day fine; **MR. GOTTBURG SECONDED.**

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

**20.PCCB2011-089**      Filippa **Cracolici**  
Address:              9135 Glen Moor Lane Port Richey, Florida 34668-4945  
Violation Address:    **9135 Glen Moor Lane Port Richey, Florida 34668-4945**



Violation: ***windows; structure (approx 16'x20' to include doors and windows)***

Mr. Lloyd read the case into the record.

Mr. Lero requested the case be heard in absentia and to accept all evidence submitted. He noted Staff had good service as indicated by the green card, return receipt.

**MR. TUCKER MOVED** to hear the case in absentia and to accept all evidence; **MR. GOTTBURG SECONDED.**

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

Mr. Lero explained the case came to Staff through the Customer Service Department. Staff left a short form Notice of Violation for not having the appropriate permits for the structure and for the windows. A permit had been obtained on March 10, 2011 for the windows and the permit for the structure was being reviewed. Staff recommended the homeowner be found in violation, allow 180 days to obtain the permits and successfully pass all final inspections, or face a \$250.00 per day fine. He also requested the Board recognize the photographs being presented into evidence.

**MR. TUCKER MOVED** approval of Staff's recommendation to find the homeowner in violation, allow 180 days to obtain the permits and successfully pass all final inspections, or face a \$250.00 per day fine, and that the photographs reviewed be presented into evidence; **MR. GOTTBURG SECONDED.**

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

**21.PCCB2011-090** Vincent D & Linda S Leone  
Address: 2716 Musky Mint Drive Land O Lakes, Florida 34638-7226  
Violation Address: **2742 Musky Mint Drive Land O Lakes, Florida 34638-0000**  
Violation: ***screen porch (to include slab); jacuzzi***

Mr. Lloyd read the case into the record.

Mr. Lero requested the case be heard in absentia and to accept all evidence submitted. He noted Staff had good service as indicated by the green card, return receipt.

**MR. TUCKER MOVED** to hear the case in absentia and to accept all evidence; **MR. GOTTBURG SECONDED.**

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

Mr. Lero explained the case came in as a customer service complaint. Staff left a short form Notice of Violation. He withdrew the Jacuzzi violation from the complaint. A permit had been issued for the screened porch and the inspections were being scheduled. He recommended they be found in violation, that the Jacuzzi be removed from the complaint, allow 180 days to successfully pass all final inspections, or face a \$150.00 per day fine.

**MR. GOTTBURG MOVED** approval of Staff's recommendation to find the homeowner in violation, to remove the Jacuzzi from the complaint, allow 180 days to successfully pass all final inspections, or face a \$150.00 per day fine; **MR. TUCKER SECONDED.**

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

**22.PCCB2011-091**                      **Daidalos Enterprises Corp**  
Address:                              362 Westwinds Drive Palm Harbor, Florida 34683-1043  
Violation Address:                **4128 Baden Drive Holiday, Florida 34691-0000**  
Violation:                            ***remodeling (to include structural, electrical, mechanical, and plumbing)***

Mr. Lloyd read the case into the record.

Mr. James Daidalos gave his name and address for the record. He pled guilty.

Mr. David Renczkowski gave his name and address for the record.

Mr. Lero recommended the Board accept the guilty plea, to find them in violation of not having the appropriate permits, require them to obtain the permit and successfully pass all inspections within 180 days, or face an appropriate per day.

**MR. TUCKER MOVED** to accept the guilty plea, find them in violation of the items without a permit, allow 180 days to come into compliance and pass all final inspections, or face a \$150.00 per day fine; **MR. GOTTBURG SECONDED.**

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

Mr. Lero introduced Mr. Dan Kimball who was an electrical inspector for the County.

**23.PCCB2011-098**

**Larry T. Bagwill**

Address: 3616 Floramar Terrace New Port Richey, Florida 34652-0000

Violation Address: **7530 Little Road Port Richey, Florida 34668-3361**

Violation: ***Violation or probation***

Mr. Lloyd read the case into the record.

Mr. Larry Bagwill gave his name and address for the record.

Mr. Lero explained Mr. Bagwill had been required to come back before the Board. At the last hearing, the Board placed Mr. Bagwill on probation. The probationary action was for any actions that would have been outside of the Statute or Ordinance. Shortly after the last Board meeting he was notified that the check Mr. Bagwill had written to Pasco County to pay a red tag had been returned. Although this was something that happened at the same time as the Board was dealing with his license, the Board had advised him to be on probation. Mr. Bagwill eventually took care of the fees involved with the check, but it was not until Mr. Bagwill received the letter from Staff requesting him to attend this Board hearing. He felt this was a violation of his probation.

Mr. Bagwill explained a check he was given had not gone through and as a result he had three checks that bounced. Once he received notice of the issue, he quickly corrected the problem. He was very upset over this and noted it was a \$45.00 check. His license meant everything to him; it was his livelihood.

Discussion followed between Mr. Bagwill, Staff and the Board Members regarding fiscal responsibility; the time frames involved; the notice the Clerk's Office sent regarding the check; the process followed; actions available to the Board could include suspension of Mr. Bagwill's permitting privileges; Mr. Bagwill was preparing to complete a door permit for someone who had paid a deposit; the current Board Order; and disciplining another contractor was a difficult situation.

**MR. MANIATES MOVED** to take no action at this time, but to duly note this violation;  
**MR. TUCKER SECONDED.**

Ms. Wooten clarified the finding was that Mr. Bagwill violated the order, but that the motion was to not modify the Board's previous order or take any additional action.

Mr. Maniates stated that was correct.

Mr. Gottberg asked if a stipulation could be included that if there was one more violation he would lose his license.

Ms. Wooten said that could not be included as a stipulation. If this motion failed, another motion could be made to replace the Board's previous order. She would prefer the Board take the factual instances as they were presented to the Board and make a determination at that time, if he was found guilty of the factual allegations, what would

be the appropriate punishment. She restated the motion was to find he did violate the Board's Order, based upon the facts presented to this Board, but that the Board did not wish to take any action to modify the 18 months probation or to impose any additional penalties.

Mr. Maniates and Mr. Tucker were in agreement with the restated motion.

Discussion followed regarding an extension of the probation time.

**MR. MANIATES AMENDED THE MOTION** to find that Mr. Bagwill violated the Board Order and as a penalty for violating the Board Order, the probation was extended for an additional six months from the original Board Order; **MR. TUCKER SECONDED THE AMENDMENT.**

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

Mr. Bagwill thanked the Board for their action.

**V. Continued Cases:**

None

**VI. Request for Reduction of Fines / Extension of Time**

None

**VII. Hearing of Appeals**

None

**VIII. Consent Agenda**

None

**IX. Unfinished Business**

None

**X. Old Business Status Review**

1. Liens to be signed by Chairman

- A. PCCB2010-246      Annette Emond-Maciejewski
- B. PCCB2008-149      Mason Chickonski
- C. PCCB2009-346      Robert Emanuel
- D. PCCB2010-097      Travis Frost

Mr. Lloyd requested authorization for the Chairman to sign the noted liens.

**MR. TUCKER MOVED** to authorize the Chairman to sign the liens; **MR. GOTTBURG SECONDED.**

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

**THE BOARD RECESSED AT 11:46 A.M. AND RECONVENED AT 12:00 P.M. ALL BOARD MEMBERS WERE PRESENT.**

**XI. Adjournment**

**MR. GOTTBURG MOVED** to adjourn the meeting; **MR. TUCKER SECONDED.**

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

The meeting adjourned at 12:10 p.m.

PASCO COUNTY CONSTRUCTION BOARD  
REGULAR MEETING  
MARCH 16, 2011

*Office of Paula S. O'Neil, Clerk and Comptroller*

Prepared by: \_\_\_\_\_  
Donalee Schmidt, Lead Board Clerk  
Board Records Department