

**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**

**February 20, 2008 at 9:30 a.m.**

West Pasco Government Center, Board Room  
7430 Little Road  
New Port Richey, Florida

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**Members**

Woody Tucker      Chairman  
George Maniates    Vice-Chairman  
George Black  
Bob Carroll  
Thomas Gottberg  
Joel Stevenson  
Michael Currie

**Advisory Staff**

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

**Alternate Members**

Ruth Ludaker - **Absent**

**Legal Counsel**

Kristi Wooden,  
Senior Assistant County Attorney

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**I. Call to Order**

Chairman Tucker called the meeting to order at 9:33 a.m.

**1. Pledge of Allegiance**

Chairman Tucker led the Pledge of Allegiance to the Flag.

## **2. Invocation**

Mr. Rune Lero gave the Invocation.

## **3. Roll Call**

Ms. Timothy Moore called the roll. Ms. Ruth Ludaker was absent. Mr. George Black and Mr. Bob Carroll both arrived to the meeting 9:42 a.m.

## **4. Administration of Oath**

Ms. Russo administered the Oath to those who planned to give testimony.

## **II. Minutes**

1. Request to Approve October 17, 2007 Pasco County Construction Board Minutes.

**MR. MANIATES MOVED** approval; **MR. GOTTBURG SECONDED.**

Chairman Tucker 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. Moore introduced Mr. Michael Currie, who was replacing Mr. Bob Kennedy. He was the electrical representative.

### **2. County Attorney's Comments**

None.

## **IV. Hearing of Appeals**

1. **PCCB2008-066** **Bruce Copes**  
**Address 110 Jasmine Cir Safety Harbor Fl**  
**APPEAL OF BUILDING OFFICIAL'S DECISION (Gen. Contr)**

Mr. Paul Ferita read the case into the record.

Mr. Bruce Copes stated his name and address for the record and indicated he had been sworn.

Mr. Lero explained the reason for the appeal of the Building Official's decision; the items they looked at in the matrix; Mr. Copes' history of payments; and his credit history. He gave a brief background on the case. Mr. Copes was rejected because of his financial stability aspect.

Mr. Copes explained the two bankruptcies he filed in the State of Mississippi and how it took him approximately two years to satisfy the bankruptcy.

Mr. George Black and Mr. Bob Carroll arrived to the meeting at 9:42 a.m.

Mr. Currie explained the Florida Law regarding contractors.

Mr. Copes spoke regarding how subcontractors in Mississippi had no legal rights in 1994.

Mr. Maniates noted what the Administrative Code stated about unpaid debts.

Mr. Lero explained the Statute that referred to the requirements of licenser. He read portion of Chapter 18 of the Florida Statute into the record and explained.

There was general discussion regarding the type of information that Mr. Copes could provide that would aid in his request for the appeal; Mr. Copes indicated that he had no open accounts with suppliers.

**MR. MANIATES MOVED** to uphold the Building Official's decision; **MR. GOTTBURG SECONDED.**

There was discussion regarding Mr. Copes being able to reapply at any point in time.

**MR. MANIATES AMENDED** his motion to state that Mr. Copes had the capability of reapplying; **MR. CURRIE SECONDED.**

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

**2. PCCB2008-098 Tuan Nguyen**  
**Address 533 Regal Mist Lp Trinity Fl**  
**APPEAL OF BUILDING OFFICIAL'S DECISION (Tile Contr)**  
**FS**

Mr. Paul Ferita read the case into the record.

Mr. Tuan Nguyen stated his name and address for the record and indicated he had been sworn.

Mr. Lero explained the appeal; the reason why the Building Official recommended denial was based upon his work experience; the letter he received stating Mr. Nguyen was a subcontractor for Keith Construction since late 2002 and how it was non-descript as far as the amount of time he worked for them; invoices of jobs that were submitted by Mr. Nguyen; Mr. Nguyen's net worth being greater than \$130,000.00; the financial stability questions that Mr. Nguyen answered; the credit report that showed a Civil Judgment on October 2003, which had been deleted from his file; and the number of accounts Mr. Nguyen had.

Mr. Nguyen explained that he was a subcontractor and that he had all the documents to prove that. He had been in the Union since 1994. He presented documentation of his work history to the Board for their review. He indicated he was a tile contractor.

**MR. MANIATES MOVED** to receive and file documentation that was presented by Mr. Nguyen; **MR. GOTTBERG SECONDED.**

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

The Board reviewed the documentation presented by Mr. Nguyen. Chairman Tucker listed the items that were a part of the documentation.

Mr. Lero showed and explained some of Mr. Nguyen's invoices.

There was general discussion regarding the invoices of jobs that were submitted by Mr. Nguyen and meeting the four years of consistent tile work.

Mr. Nguyen showed his union card to prove to the Board that he had worked consistently.

**MR. BLACK MOVED** to review Mr. Nguyen's Union card; **MR. GOTTBERG SECONDED.**

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

Mr. Maniates said the Union Card was acceptable, because it was on Schedule "C" and the income was warranted.

**COMMISSIONER MANIATES MOVED** to overturn the Building Official's decision and allow Mr. Nguyen to take the tile exam based on the information provided by Mr. Nguyen; **MR. GOTTBERG SECONDED.**

Chairman Tucker called on the motion; the motion carried with Mr. Carroll voted nay.

**3. Discussion on the requirement of permits for Water Softeners.  
RICHARD HUGHES (BOBS OK PLUMBING)**

Mr. Richard Hughes stated his name, address and occupation for the record. He explained that he had searched the Code book on where to place water softeners, but there was nothing in the Code book. Pasco County was one of the few Counties in the area that required a permit for water softeners, which they based that on the Requirement of Drains, Building Code 611.4 Waste or Discharge from Reverse Osmosis. He read the section into the record.

Mr. Gottberg stated that he would have to abstain from voting on this matter because of personal reason.

Mr. Moore said Florida Building Code 105 explained what required a permit and what did not. An alteration to a plumbing system did require a permit. It gave exceptions of what did not, including emergency repairs, cleaning traps, et cetera. Installing a water softener did not fall in any of the exemptions from permitting. He thought the writers of the Code intended this to be a permitted item. Additionally, Florida Statute 49 was the Statute that governed licenses. Florida Statute 49 never spoke about permitting. He read Florida Statute 49 parenthesis fifteen in the record and explained.

Mr. Hughes explained why he disagreed with Mr. Moore's determination.

There was discussion regarding the Florida Building Code and the Pasco County Code; Staff requesting direction from the Board whether or not this should come back to the Board as a formally interpretation request, did they want it to be sent to the Florida Building Commission, or did they think the Code was clear enough based on the Statute as it was written; and why water softeners and drainage should be permitted.

Chairman Tucker asked if this item needed to be voted on.

Kristi Wooden, Senior Assistant County Attorney, said this was not something that they needed to vote on. The Board needed to only express their opinion, Mr. Hughes then could determine whether he wanted to formally appeal the Building Official's decision, at which time the Building Official would prepare an opinion package. Also, the Board could direct the Building Official to submit the issue for review and comment by the Florida Building Official's Association.

Mr. Hughes requested a written interpretation by the Building Official.

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

**1. CCEB2006-095                      John Flaherty**  
**Address 14912 Edgewater Cir Hudson FI**  
**Violation Address: 14912 Edgewater Cir Hudson FI**  
**REQUEST FOR WAIVER/REDUCTION OF FINE**

Mr. Ferlita read the case into the record.

Ms. Debra Russo, Board Secretary, swore in Mr. John Flaherty.

Mr. John Flaherty stated his name and address for the record. He said he could not obtain a permit because of his job situation and financial problems, he was now able to obtain the permit and he paid all the necessary fees.

Mr. Lero stated that Mr. Flaherty was in excess of the Board Order of 403 days at \$100.00 per day. Mr. Flaherty kept him updated on everything he did to come into compliance. He explained the original violation. Currently, the accrued amount was \$40,300.00 plus the interest and filing fees. Mr. Flaherty had obtained the permit and was in compliance. His permit was properly open and active.

There was general discussion regarding what had taken place during the course of Mr. Flaherty applying for the permit and getting the plans for this issue.

Mr. Lero recommended the fine be reduced to \$500.00 with an appropriate amount of time to pay.

**MR. BLACK MOVED** to reduce the fine to \$500.00 payable within 30 days or it would revert back to the original fine; **MR. STEVENSON SECONDED.**

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

**2. CCEB2006-112                      Robert Keene**  
**Address 4946 Land O Lakes FI**  
**Violation Address: 5817 Ehren Cutoff Land O Lakes FI**  
**REQUEST FOR EXTENSION OF TIME**

Mr. Ferlita read the case into the record.

Mr. Lero requested a motion to continue the case. No date was given.

**MR. STEVENSON MOVED** to continue case PCCB2008-077; **MR. GOTTBORG SECONDED.**

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

**3. CCEB2006-196 Teresita Tiglao**  
**Address 10341 Azalea Dr Port Richey FI**  
**Violation Address: 10341 Azalea Dr Port Richey FI**  
**REQUEST FOR WAIVER/REDUCTION OF FINE**

Mr. Ferlita read the case into the record.

Ms. Teresita Tiglao stated her name and address. She explained the reason she was requesting a waiver or reduction of fine was due to financial difficulties.

Mr. Lero gave the history of the case. It came to the County as a PID in April 2006. A short form Notice of Violation was left on the property April 2006. The violation was for failure to obtain a permit for irrigation. Ms. Tiglao was not present at the Board hearing on August 2006 at which time the owner was given 30 days to come into compliance or face a \$100 per day fine. As of today, the fine plus the interest and filing fee amounted to \$49,000.

**MR. MANIATES MOVED** to reduce the fine to \$250.00 payable within 90 days or it would revert back to the original fine; **MR. GOTTBURG SECONDED.**

Chairman Tucker called on the motion; the motion carried with Mr. Black, Mr. Carroll, and Mr. Stevenson voting nay.

**4. CCEB2007-273 Matthew Sampson**  
**Address 4732 Capron St New Port Richey FI**  
**Violation Address: 4732 Capron St New Port Richey FI**  
**REQUEST FOR EXTENSION OF TIME**

Mr. Ferlita read the case into the record.

Mr. Currie indicated he knew Mr. Matthew Sampson and would abstain from voting,

Mr. Matthew Sampson stated his name and address. He said when he purchased the house, there were three existing violations. Two of the violations had been taken care of by obtaining a demolition permit. He did not have the money to go through the permitting process for the remaining two. He listed some of the things he had done to try to come into compliance. He requested 60 days to come into compliance.

Mr. Lero gave the history of the case. It came to the County as a PID in July 2007. He listed the four violations and explained. The Board had given Mr. Sampson until January 20, 2007 to come into compliance. Mr. Sampson was currently 30 days beyond what the Board Order was. He recommended the Board give Mr. Sampson 60 to 90 days to come into compliance or face an appropriate per day fine.

There was general discussion regarding what would be an appropriate extension of time for Mr. Sampson to come into compliance.

**MR. CARROLL MOVED** to allow eight (8) months to come into compliance or face a \$250.00 per day fine; **MR. MANIATES SECONDED.**

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

**5. CCEB2007-322 Robert Govoruhk & Kristen Ainsworth  
Address 9303 Spare Dr New Port Richey FI  
Violation Address: 9247 Spare Dr New Port Richey FI  
REQUEST FOR EXTENSION OF TIME**

Mr. Ferlita read the case into the record.

Ms. Kristen Ainsworth stated her name and address for the record. She was before the Board to request the Board to lower her fees. They demolished the building because they were having financial difficulties and could no longer afford to obtain the necessary permits and repairs for it. The building was demolished approximately three weeks ago.

Mr. Lero gave the history of the case. The Board Order directed Ms. Ainsworth to be in compliance by January 17, 2008 or face a \$150.00 per day fine. Staff would have to confirm that the building had been removed.

**MR. CARROLL MOVED** to dismiss the case and the accrued fine based on the County confirming that the violation did not exist. If the building was not removed the case would revert back to the original case; **MR. BLACK SECONDED.**

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

**6. CCEB2007-323 Carole Levine  
Address 6526 Margaret Dr Port Richey FI  
Violation Address: 6526 Margaret Dr Port Richey FI  
REQUEST FOR EXTENSION OF TIME**

Mr. Ferlita read the case into the record.

Ms. Carole Levine stated her name and address for the record. She was before the Board to request a 90-day extension to come into compliance. The reason for her request was due to financial difficulties.



Mr. Lero showed pictures of the violation and explained. When the Board first heard the case, they gave her 90 days to come into compliance, which was January 17, 2008, or face a \$100.00 per day fine. Currently, Ms. Levine was 32 days of non-compliance with a \$3,200.00 accrued fine.

There was general discussion regarding the steps that Ms. Levine had taken to come into compliance; and whether or not Ms. Levine, due to her financial status, would be able to afford either the permit or the removal of the shed within 90 days.

**MR. GOTTBURG MOVED** to allow 120 days to come into compliance by obtaining the necessary permits or the structure should be removed or face a \$50.00 per day fine; **MR. MANIATES SECONDED.**

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

**7. CCEB2007-367 Christopher Higginbotham**  
**Address 8129 Royal Hart Dr New Port Richey FI**  
**Violation Address: 8129 Royal Hart Dr New Port**  
**Richey FI**  
**REQUEST FOR EXTENSION OF TIME**

Mr. Ferlita read the case into the record.

Mr. Christopher Higginbotham stated his name and address for the record. He stated he was before the Board to request a 90 day extension to come into compliance. He had obtained the permit for the windows and had hired an engineer to review the plans for the sunroom. He stated he would be removing the shed that was over the easement.

Mr. Lero said originally the Board gave him 90 days to come in compliance; the date to comply was February 15, 2008. He was four days into non-compliance at a \$100.00 per day fine.

**MR. MANIATES MOVED** to grant an extension of time of 90 days at which time he needed to be in complete compliance, including final inspection, or face a \$100.00 per day fine; **MR. BLACK AND MR. GOTTBURG SECONDED.**

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

**8. PCCB2008-002 Sherry Gemberling**  
**Address 15250 Little Ranch Rd Springhill FI**  
**Violation Address: 15250 Little Ranch Rd Springhill FI**  
**REQUEST FOR EXTENSION OF TIME**

Mr. Ferlita read the case into the record.

Ms. Sherry Gemberling stated her name and address for the record. She stated she was before the Board to request an extension of time of six months. Her original time would be up on March 9, 2008. She was trying to sell the double-wide mobile home that was on the property in order to come into compliance.

Mr. Lero said a replacement mobile home permit was issued to the property. This was the case regarding a sinkhole on the property. He explained the discussion that was held at the Board hearing on January 9, 2008. Originally, this Board gave Ms. Gemberling 60 days to come into compliance or face a \$150 per day fine.

**MR. STEVENSON MOVED** to grant the extension of time of six months to come into compliance or face a \$150.00 per day fine; **MR. MANIATES SECONDED.**

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

**9. CCEB2006-215 Jessica Willis**  
**Address 4047 Citrus Dr New Port Richey Fl**  
**Violation Address 4047 Citrus Dr New Port Richey Fl**  
**REQUEST FOR WAIVER/REDUCTION OF FINE**

Mr. Ferlita read the case into the record.

Mrs. Jessica Willis stated her name and address for the record. She was requesting a waiver because she was now in compliance.

Mr. Lero explained the original case that came to the Board on August 2006, which she was given 90 days to come into compliance. At the end of the 90 days, Mrs. Willis came back to the Board to request an extension of time for 90 days, which was granted. She ended up being in non-compliance of 159 days and with a fine of \$15,900.00, plus the interest and the filing fees. Mrs. Willis had done everything that was required of her to come into compliance

Mrs. Willis explained to the Board why it took her so much time to come into compliance and how she did not know she was in violation until she received a letter from the County.

**MR. BLACK MOVED** to waive the fine; **MR. MANIATES SECONDED.**

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

**THE BOARD RECESSED AT 11:26 P.M. AND RECONVENED AT 11:39 P.M. ALL MEMBERS PREVIOUSLY IN ATTENDANCE WERE PRESENT.**

**VI. New Cases**

- 1. PCCB2008-034 Port Hudson Mariana LLC  
Address 1611 Gunn Hwy Odessa FI  
Violation Address: 14333 Crabtrap Ct Hudson FI  
Violation: Multiple Violations**

Mr. Ferlita read the case into the record.

Mr. Lero recommended this case be continued. He would bring it back if it was not in compliance.

**MR. GOTTBURG MOVED** to continue the case; **MR. STEVENSON SECONDED.**

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

- 2. PCCB2008-036 Charol Arazo  
Address 6415 N Hale Ave Tampa FI  
Violation Address: 14711 Geneva Dr Odessa FI  
Violation: Mobile Home Set Up**

Mr. Moore read the case into the record.

Ms. Charol Arazo stated her name and address for the record. She indicated she was aware of the allegations made by the County with respect to the property. She thought the company that moved the mobile home onto her property had obtained the permits, because she had paid them \$3,800.00. She hired another company that moved mobile homes to reapply for the permits for her. She stated the permits were not in, but she had a reference number.

Mr. Lero stated the permit was ready for pickup.

There was general discussion regarding the preset mobile home permit and the setup permit; the estimated crown elevation; and the amount of time it would take Ms. Arazo to come into compliance.

**MR. MANIATES MOVED** to find a violation existed, allow six months to come into compliance, including final inspection, or face a \$100.00 per day fine; **MR. CURRIE SECONDED.**

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

**3. PCCB2008-037 Benjamin & Shannon Gallon  
Address 6549 Louise Ave Hudson FI  
Violation Address: 6549 Louise Ave Hudson FI  
Violation: Concrete Block Wall with Footer**

Mr. Ferlita read the case into the record.

Mr. Lero asked if the Board would hear the case in absentia and accept evidence as he had good service as indicated by a green card, return receipt.

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

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

Mr. Lero stated the case came to Staff as a PID on November 19, 2007. A short form Notice of Violation was left on the property on November 20, 2007. He showed pictures of the violation and explained. To date, there were no permit applications or any permits that had been issued. He recommended the Board allow 60 days to obtain the permits or face a minimum of a \$150.00 per day fine.

**MR. BLACK MOVED** to find a violation existed, allow 60 days to come into compliance or face a \$150.00 per day fine; **MR. CARROLL SECONDED.**

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

**4. PCCB2008-038 Stavros & Elefteria Demopoulos  
Address 7851 Duet Ct New Port Richey FI  
Violation Address: 7851 Duet Ct New Port Richey FI  
Violation: Expired Permit # 628480 with unresolved  
Inspections**

Mr. Ferlita read the case into the record.

A gentleman indicated he had a letter from Stavros and Elefteria Demopoulos stating that he could represent them on their behalf. He presented the letter to the County Attorney for her review.

Ms. Kristi Wooden, Senior Assistant County Attorney, reviewed the letter and stated the letter was acceptable.

The gentleman stated he was aware of the allegation made by the County with respect to this property.

Mr. Lero explained to the gentleman that the charge that was in front of him was for the violation of an expired permit for a garage door that had never been inspected.

The gentleman stated the owner did not have a garage door, because a wall had been put in to make it into a living place.

Mr. Stevenson asked if the owner had a permit for the wall.

The gentleman said no and explained why. He requested an extension of time to come into compliance.

Mr. Lero said they received a Public Information Department compliant. Staff responded to the compliant and left a short form Notice of Violation. When they visited the property the garage door was still up and they noticed there was work taking place inside of the garage. He did not have any proof as to what was taking place in the garage which was the reason he did not bring charges against them. He suggested this case be dismissed so that he could recharge the owner with converting to habitable space.

The Board addressed various items including how they were going to handle the existing permits, the wall that was built behind the garage door, the pictures that showed the garage door, and whether or not the owners would be present after they were recited.

**MR. STEVENSON MOVED** to dismiss the case so a new compliant could be filed against the owners; **MR. GOTTBERG SECONDED.**

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

**5. PCCB2008-040 Galt Enterprise LLC**  
**Address 450 N Park Rd #606 Hollywood Fl**  
**Violation Address: 2084 Woodruff Lp Lutz Fl**  
**Violation: New Windows**

Mr. Ferlita read the case into the record.

Mr. Lero asked if the Board would hear the case in absentia and accept evidence as he had good service as indicated by a green card, return receipt.

**MR. BLACK MOVED** to hear the case in absentia; **MR. GOTTBERG SECONDED.**

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



Mr. Lero asked if the Board would hear the case in absentia and accept evidence as he had good service as indicated by a green card, return receipt.

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

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

Mr. Lero stated the case came to Staff as a PID on November 27, 2007. A short form Notice of Violation was left on the property on November 30, 2007. He showed pictures of the violation and explained. A permit application was applied for on January 15, 2008. He recommended the Board allow 180 days to obtain the permits or face a minimum of a \$200.00 per day fine.

**MR. CARROLL MOVED** to find a violation existed, allow 180 days to come into compliance or face a \$200.00 per day fine; **MR. BLACK SECONDED.**

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

**8. PCCB2008-049 Louis Georgeo**  
**Address Po Box 971 Tarpon Springs Fl**  
**Violation Address: 1249 Ash Ct Holiday Fl**  
**Violation: New Windows, & Garage to habitable room.**

Mr. Ferlita read the case into the record.

Mr. Lero asked if the Board would hear the case in absentia and accept evidence as he had good service as indicated by a green card, return receipt.

**MR. BLACK MOVED** to hear the case in absentia; **MR. GOTTBERG SECONDED.**

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

Mr. Lero stated the case came to Staff as a PID on November 30, 2007. A short form Notice of Violation was left on the property on December 5, 2007. He showed pictures of the violation and explained. To date, there were no permit applications or any permits that had been issued. He recommended the Board allow 180 days to obtain the permits or face a minimum of a \$200.00 per day fine.

**MR. CARROLL MOVED** to find a violation existed, allow 180 days to obtain the permit and successfully pass all of the final inspections or face a \$200.00 per day fine; **MR. GOTTBERG SECONDED.**

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

9.     **PCCB2008-050**                   **Mark & Susan Delage**  
          **Address 18471 Clay Hill Rd Dade City Fl**  
          **Violation Address: 18471 Clay Hill Rd Dade City Fl**  
          **Violation: 16x35 Aluminum Carport, 2 story structure**

Mr. Ferlita indicated the above case was in compliance.

10.    **PCCB2008-051**                   **Chris & Joanne Malissovass**  
          **Address 764 Samantha Dr Palm Harbor Fl**  
          **Violation Address: 4219 US Hwy 19 New Port Richey Fl**  
          **Violation: Remodeling interior ( commercial )**

Mr. Ferlita read the case into the record.

Mr. Lero asked if the Board would hear the case in absentia and accept evidence as he had good service as indicated by a green card, return receipt.

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

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

Mr. Lero stated the case came to Staff as a PID on December 11, 2007. He showed pictures of the violation and explained. To date, there were no permit applications or any permits that had been issued. A permit for the re-roofing had been obtained. He recommended the Board allow 180 days to obtain the permits or face a minimum of a \$250.00 per day fine.

**MR. CURRIE MOVED** to find a violation existed, allow 180 days to obtain the permit and successfully pass all of the final inspections or face a \$250.00 per day fine; **MR. BLACK SECONDED.**

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

11.    **PCCB2008-053**                   **Glenn & Virginia Fasting**  
          **Address 3532 Bradford Dr Holiday Fl**  
          **Violation Address: 3532 Bradford Dr Holiday Fl**  
          **Violation: Construction on Finished Screen Porch**



Mr. Ferlita read the case into the record.

Mr. Glenn Fasting stated his name and address for the record. He was aware of the allegations made by the County with respect to his property and he pled guilty. He stated it would take approximately 60 days to come into compliance or he would return the violation back to its original state. He would be doing the construction himself.

**MR. GOTTBORG MOVED** to find a violation existed, allow six months to come into full compliance or face a \$150.00 per day fine; **MR. BLACK SECONDED.**

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

**12. PCCB2008-055 Fred & Karen Henry**  
**Address 6823 20<sup>th</sup> St Zephyrhills Fl**  
**Violation Address: 6823 20<sup>th</sup> St Zephyrhills Fl**  
**Violation: Unfinished detached utility shed with shed roof & above ground pool.**

Mr. Ferlita read the case into the record.

Mr. Lero asked if the Board would hear the case in absentia and accept evidence as he had good service as indicated by a green card, return receipt.

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

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

Mr. Lero stated the case came to Staff as a PID on December 10, 2007. A short form Notice of Violation was left on the property on December 11, 2007. He showed pictures of the violation and explained. To date, there were no permit applications or any permits that had been issued. He recommended the Board allow 180 days to obtain the permits or face a minimum of a \$200.00 per day fine.

**MR. STEVENSON MOVED** to find a violation existed, allow 180 days to obtain the permit and successfully pass all of the final inspections or face a \$200.00 per day fine; **MR. BLACK SECONDED.**

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

**13. PCCB2008-056 Jeffrey & Sheila McKinney**  
**Address 1102 Normandy Blvd Holiday Fl**  
**Violation Address: 1102 Normandy Blvd Holiday Fl**

**Violation: 3x8 plastic shed, 8x12 wooden shed with Electric & Garage to Habitable room**

Mr. Ferlita read the case into the record.

Mr. Jeffery McKinney stated his name and address for the record. He was aware of the allegations made by the County with respect to his property and he pled guilty. He stated it would take approximately 90 days to come into compliance. He was going to remove the shed, relocate the plastic shed because it was on the easement, and hire a contractor to bring the habitable room into compliance.

**MR. MANIATES MOVED** to find a violation existed, allow six months to come into full compliance or face a \$100.00 per day fine; **MR. BLACK SECONDED.**

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

**14. PCCB2008-057 Eric & Danny Murphy**  
**Address 18224 Thomas Blvd Hudson FI**  
**Violation Address: 18224 Thomas Blvd Hudson FI**  
**Violation: Pre-set Mobile Home Inspection & Mobile Home setup.**

Mr. Ferlita read the case into the record.

Mr. Eric Murphy stated his name and address for the record. He was aware of the allegations made by the County with respect to his property and stated that he did not believe that the violation was applicable at the time because he was not setting up a mobile home; the mobile home was purchased for a sale only. He indicated he had a demolition permit.

Mr. Lero stated the mobile home was on the property without the benefit of a permit. He recommended that the Board order Mr. Murphy to remove the mobile home within a specified period of time or face an appropriate per day fine.

Mr. Murphy indicated it would take approximately six weeks to remove the mobile home.

**MR. STEVENSON MOVED** to find a violation existed, allow 30 days to come into compliance or face a \$100.00 per day fine.

There was discussion regarding the days to come into compliance.

**MR. STEVENSON AMENDED THE MOTION** to allow 60 days to come into compliance or face a \$100.00 per day fine; **MR. MANIATES SECONDED.**

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

**15. PCCB2008-064                      Hossein Afghani & Joseph Barness**  
**Address 5729 Sweet Cherry Ln Land O Lakes Fl**  
**Violation Address: 33004 Bonds Ln Wesley Chapel Fl**  
**Violation: Electric & Framing**

Mr. Ferlita read the case into the record.

Mr. Hossein Afghani and Joseph Barness both stated their name and address for the record. They both were not aware of the allegation made by the County with respect to this property. They both owned the property.

Mr. Afghani said when they purchased the property they did not know that the tenants who were living in one of the mobile homes had an agreement for deed with the previous owner until it caught on fire. After the fire, they decided to remove the mobile home because they did not want the tenants to continue living in it that was when they found out that the tenants had applied for a permit. He indicated this was a legal issue and it would take them approximately 11 months to solve this matter.

Mr. Lero stated the tenant tried to obtain the permits for damages that was caused by the fire. The power had been disconnected from the structure. He displayed and explained photographs of the violation.

There was discussion regarding how the owners could come into compliance; how the owners were having problems with the tenants; the condition and the liability of the mobile home; and the possibility of the owners going through a foreclosure procedure.

Ms. Wooden explained that this Board had no jurisdiction to order the owners to demolish the unit because it would infringe on his tenants rights. She suggested the Board choose an appropriate time for them to come into compliance.

Mr. Barness presented documentation for the Boards' review.

**COMMISSIONER BLACK MOVED** to receive and file the documents presented by Mr. Barness; **MR. STEVENSON SECONDED.**

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

Ms. Wooden reviewed the documentation and stated that nothing would change what she had stated.

**MR. STEVENSON MOVED** to allow 180 days to come into compliance, obtain a permit for either the electric and framing or a permit to demolish, or face a \$150.00 per day fine; **MR. MANIATES SECONDED.**

There was general discussion regarding the necessary permits that were needed to come into compliance.

**MR. STEVENSON AMENDED** the motion to require that the owners successfully pass all of their final inspections or remove the unit from the property; **MR. MANIATES SECONDED.**

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

**VII. Continued Cases:**

**PCCB2007-420                      Dennis L Flick**  
**Address 2835 Wilson Rd Land O Lakes Fl**  
**Violation Address: 2837 Wilson Rd Land O Lakes Fl**  
**Violation: 14x18 Block Building, 14x18 Detached Garage,**  
**14x24 Wooden Deck, Finished Carport, & Finished Screen**  
**Aluminum Porch**  
**Parcel: 26-26-18-0000-02100-0000**

Mr. Paul Ferita read the case into the record.

Mr. Lero said this case was not on the agenda. The case was originally heard on December 18, 2007. He explained the violation.

Mr. Dennis L. Flick was present and stated his name and address for the record; he indicated he had been sworn. He went before a Judge on January 8, 2008 to determine if he owned the property. At this time, a decision had not been rendered by the Judge; therefore he would like a continuance.

There was general discussion why Mr. Flick had to take this matter to Court.

**MR. BLACK MOVED** to continue the case to April 4, 2008 and to waive his right of notice; **MR. STEVENSON SECONDED.**

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

**LIENS TO BE SIGNED AND FILED**

CCEB2004-154  
CCEB2005-002  
CCEB2005-010  
CCEB2005-041  
CCEB2005-201  
CCEB2005-127  
CCEB2005-284  
CCEB2006-163  
CCEB2006-177

Darryll & Lynn Colvin  
Dennis Abrahamsen  
Miguel Dejesus  
Milton Wilcox F Trust  
Lerae J Conro  
Pedra Medrano Salazar  
Darlene Jordon & Anthony Michael  
Skyle V LLC  
No Name Given

Mr. Lero indicated case number CCEB2006-177 was added to the list; a name was not given. He requested a motion to authorize the Chairman to sign the above cases.

**MR. BLACK MOVED** to find a violation existed, allow 180 days to come into compliance or face a \$100.00 per day fine; **MR. MANIATES SECONDED.**

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

**VIII. Consent Agenda**

**IX. Unfinished Business**

None

**X. Old Business Status Review**

**XI. Adjournment**

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

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

The meeting adjourned at 12:47 p.m.

PASCO COUNTY CONSTRUCTION BOARD  
REGULAR MEETING  
FEBRUARY 20, 2008

(SEAL)

Prepared by: \_\_\_\_\_  
Elaine H. Hicks, Deputy Clerk