



**CODE ENFORCEMENT BOARD
MINUTES: WEDNESDAY, JULY 7, 2021**

The City of Florence, Kentucky Code Enforcement Board met at 10:00 a.m. on Wednesday, July 7, 2021 in the Council Chamber of the Florence Government Center with Code Enforcement Board Chairman, Jim Johnson presiding.

CALL TO ORDER & ROLL CALL:

Chairman Johnson called the meeting to order and requested a roll call. Present were the following five (5) Board members: David Spille, Lance Howard, Rick Rowland, Bill Sharp, and Jim Johnson.

Also present: Thomas Nienaber, Assistant City Attorney; Brandi Roundtree, Assistant City Clerk; Jeremy Kleier, Community Services Superintendent; David Rose, Code Enforcement Officer; Rodney Deno, Code Enforcement Officer; Mike Macaluso, Code Enforcement Officer; Randy Childress, Fire Marshall; and Ki Ransdall, Police Officer. In the audience: Ruth Hussey, contesting; Christina Griffith, contesting; Jesse Espinoza, contesting; Stacy Deason, contesting; Steven Young, contesting; Sean Ferrara, contesting; and Qiang Li, contesting.

APPROVAL OF MINUTES:

Chairman Johnson called for a motion to approve the minutes of the June 2, 2021 meeting of the Code Enforcement Board. Board Member Sharp motioned to accept the minutes as read with a second from Board Member Rowland. **Motion carried by unanimous vote.**

SWEARING IN:

The Code Enforcement Officers were sworn in by Chairman Johnson.

CONTESTED CASES (8):

**Contested Case # 2021-47-OC
73 Cavalier Blvd.**

**City of Florence vs. Ruth Hussey, DO
Citation # MM-2021-74**

Officer Macaluso presented the case as follows: 4/6/21 sent notice for an occupational license violation. 4/23/21 no change, first citation was issued. Followed up with finance department on 7/7/21 Dr. Hussey has an occupational license and is now in compliance. Mr. Spille motioned to dismiss the citation. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

**Contested Case # 2021-145-ZG
15 Stonegate Drive**

**City of Florence vs. Marco & Bertina Bahena
Citation # DR-2021-51**

No vote was needed as a result of no one appearing at Code Board to contest the citation. Officer Rose upheld the citation due to non-compliance.

**Contested Case # 2021-118-NU
8408 US 42
Contested by: Christina Griffith**

**City of Florence vs. Griffith Holdings, LLC
Citation # DR-2021-46**

Officer Rose presented the case as follows: 3/22/21 observed high weeds and grass, sent first notice. Two additional notices were sent. 4/15/21 issued citation. Grass has been cut; however, there are still weeds behind the accessory structure that need to be trimmed.

Christina Griffith appeared on behalf of Griffith Properties, LLC and stated she is not sure where her property line ends but will speak to her landscaper and make sure he gets the weeds trimmed. Mr. Spille made a motion to continue the case to the August 4, 2021 hearing. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

CITY OF FLORENCE CODE ENFORCEMENT BOARD
MINUTES OF JULY 7, 2021
Page 2

Ms. Griffith inquired about another property that she owns that has open violations. She stated the building was painted "warm gray" according to Sherwin Williams. She also stated she received a letter from Sherwin Williams stated the color of the building is "warm gray". Officer Macaluso stated that is his case and the county interprets what color "warm gray" is and the color of her building is not approved. Officer Macaluso further stated that someone from the Boone County Planning Commission has met the contractor at the property and confirmed that the color of the building is not in the approved color scheme. Ms. Griffith was advised to contact the Boone County Planning Commission regarding the color of her building.

Contested Case # 2021-203-PM
7405 Liberty Court

City of Florence vs. Jesse Espinoza
Citation # RD-2021-35

Officer Deno presented the case as follows: 5/10/21 observed soffit missing from corner of home and exterior damage on flashing, sent first notice. 6/15/21 no change, issued citation. Mr. Espinoza contacted Melissa Kramer, City Clerk, on 6/15/21 stating repairs have been completed. Inspection completed 6/16/21, property is in compliance. Mr. Spille motioned to dismiss the citations. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

Contested Case # 2021-181-ZG
241 Surfwood Drive

City of Florence vs. Stacy & Amy Deason
Citation # DR-2021-84

Officer Rose presented the case as follows: Case is a zoning permit violation. Originally the Boone County Planning Commission had approved the structure in Mr. Deason's backyard. However, the Planning Commission did not view the structure before granting approval. The structure in Mr. Deason's yard is different from what the Planning Commission approved. Officer Rose spoke with Mr. Deason regarding the structure and Mr. Deason informed Officer Rose the structure had been approved by the Boone County Planning Commission. At this time, the structure is still standing and the property is not in compliance.

Stacy Deason appeared and stated he purchased a bass boat and wanted something to cover the boat. He sent a request to the Boone County Zoning and Planning Commission to ensure he was in compliance with all zoning regulations. Mr. Deason states he did not mislead the Planning Commission about what structure he wanted to place in his yard. Mr. Deason provided a copy of the approval for a carport to be placed in his driveway.

Mr. Spille requested clarification and wanted to know if the structure in the driveway is not what the permit was for. Officer Rose stated the structure in Mr. Deason's driveway is a temporary structure, not a permanent carport. Mr. Deason confirmed the structure is not anchored to his driveway.

After reviewing the permit provided by Mr. Deason, Mr. Johnson clarified the permit is for a carport which is considered a permanent structure. Mr. Deason agreed and stated the structure he purchased was listed as a carport on Amazon. Mr. Deason inquired as to whether he could permanently anchor the structure to the driveway to come into compliance. Officer Macaluso stated the structure is not a permanent structure due to the material the structure is made out of, the canvas on the structure makes it temporary, not permanent. Officer Macaluso further stated if the structure had been made out of plywood and some kind of metal or wood siding it would be considered a permanent structure but since it has the canvas, it is considered a temporary structure. Mr. Deason stated the frame of the structure is galvanized steel. Officer Macaluso stated if the canvas was removed and a more permanent material was used, they may be able to consider it a permanent structure; however, it would still have to be approved by the Boone County Planning Commission. Mr. Rowland inquired if the zoning regulations state material differences or is that something that is being interpreted by the Code Enforcement Officer. Community Services Superintendent Jeremy Kleier stated the Boone County Planning Commission approves the permits; therefore, they interpret the zoning regulations, not the code officers. Officer Macaluso reviewed the zoning regulations and they do not list specific materials.

Mr. Spille asked if Mr. Deason had submitted plans or drawings of the structure to the County for approval. Mr. Deason stated he only submitted drawings of where the structure would be placed on the property. Mr. Spille requested confirmation the County did not know what exact structure was being placed on the property. Mr. Deason confirmed he only told the county what kind of structure was being placed on the property; he did not show them the exact structure that was being placed.

CITY OF FLORENCE CODE ENFORCEMENT BOARD
MINUTES OF JULY 7, 2021
Page 3

Mr. Spille inquired as to how Mr. Deason plans to come into compliance. Mr. Deason stated he is willing to take the structure down if it is not in compliance. Mr. Spille made a motion to give Mr. Deason 30 days to remove the structure and once the structure is removed dismiss the fine without having to reappear at the next hearing. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

Mr. Deason inquired if he is able to put a permanent structure up to replace the temporary structure. Mr. Spille advised him to provide a blueprint drawing to the Boone County Planning Commission to ensure the structure is in compliance. Officer Rose also suggested he have someone come out to his property to ensure the new structure is in compliance.

Contested Case # 2020-354-PM
67 Stonegate Drive

City of Florence vs. Steven & Rose Young
Multiple Citations

Officer Rose presented the case as follows: Former Code Officer DeCarlo initiated the case April 2020 with exterior wall conditions, accessory structure conditions, fence conditions, and swimming pool conditions. Mr. Young requested a hearing for the October Code Enforcement Hearing case was heard and continued to the November and December Hearings giving Mr. Young more time to complete repairs and come into compliance. Mr. Young failed to appear at the December hearing and citations were upheld. Inspection completed by Officer DeCarlo on 12/10/20, no change. Officer Rose began issuing citations on this property on 5/10/21. Property is not in compliance, no repairs have been completed.

Steven Young appeared and state some of the facts Officer Rose presented are incorrect and the fence has been repaired and he has started painting the garage. Mr. Young builds swimming pools for a living and his busy season starts in March and goes through the beginning of July. He stated he has been unable to complete the repairs this past spring due to all of the rain which also put him behind in his business as well. He further stated he is taking a two week vacation from his job and would like to use that time to complete all repairs on his property. The house is going on the market to be sold soon so the repairs will need to be completed before that time.

Mr. Johnson inquired as to why it has taken over a year to complete the repairs. Mr. Young stated his father lives in Arizona and fell ill so he had to go to Arizona to take care of him over the winter and beginning of spring. Also, he is building a new house and most of his free time is taken up by working that instead of his current home.

Mr. Young stated most repairs will be completed within two weeks; however, he will not be able to repair the pool until he received his shipment of Diamond Brite, which is expected in three weeks. He further stated he will keep in contact with Officer Rose and let him know when repairs are completed.

Mr. Spille made a motion to continue the case to the August 4, 2021 hearing. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

Contested Case # 2021-135-PM
28 New Uri Ave.

City of Florence vs. Sean Ferrara
Citation # RD-2021-15

Officer Deno presented the case as follows: 1/21/21 observed downspout issue and broken window, first notice issued; 2/23/21 no change, second notice issued. First citation issued on 3/30/21. Mr. Ferrara called Officer Deno and let him know that there was an issue with the mail and he had not received the notices. Mr. Ferrara completed repairs and property is now in compliance. Mr. Spille motioned to dismiss the citation. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

Contested Case # 2021-204-PM
8049 Connector Drive
Contested by: Qiang Liu

City of Florence vs. Florence Center Associates
Citation # RD-2021-36

Officer Deno presented the case as follows: 4/6/21 observed flaking paint and grease and rust runs on freezer in rear of property. 6/15/21 issued first citation. Once citation was posted on the property, Mr. Li called Officer Deno regarding the citation. The property manager had received the notice but did not forward Mr. Li, the tenant. The freezer has been cleaned and painted and the property is now in compliance. Mr. Spille motioned to dismiss the citation. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

CITY OF FLORENCE CODE ENFORCEMENT BOARD
MINUTES OF JULY 7, 2021
Page 4

Case No.	City of Florence vs.	Citation Location	Citation No.
2021-67-AC	Donald Webster	Meadow Lane	2678
2021-68-AC	Dylan Riley	Meadow Lane	2679
2021-69-AC	Mackenzie Hawkins	Anchor Way	2681
2021-70-AC	Jonathan David	Hollywood Drive	2683
2021-71-AC	Donald Webster	Meadow Lane	2684
2021-72-AC	Dylan Riley	Meadow Lane	2685
2021-73-CM	Michael Fuller	13 Gibbons Street	2704PD
2021-74-HR	Edward R Ward	102 Thomas Street	2706
2021-75-HR	Edward R Ward	102 Thomas Street	2707
2021-76-SM	Michael Short	7732 Ravenswood	2838
2021-77-SM	Penny Lynn Gaylord	36 Alan Court	2839
2021-78-TJ	Jason D Glover	Shenandoah Drive	2926
2021-79-TJ	Edward D McLaughlin	305 St. Jude Circle	2927
2021-80-TJ	Kevin J. Waddell	305 St. Jude Circle	2928

No one appeared to contest the stated parking violations. Mr. Sharp motioned to uphold all parking violations. Mr. Howard followed with a second. **Motion was carried by unanimous vote.**

ANIMAL CONTROL CASES: (0) NONE

OCCUPATIONAL LICENSE CASES: (7) PAID (1)

Case No.	City of Florence vs.	Citation Location	Citation No.
2021-57-OC	Rodney Gillum	28 Shelby Street	MM-2021-85
2021-58-OC	Healthland Dental	7303 US 42	MM-2021-86
2021-59-OC	CH Florence KY Landlord LLC	6935 Houston Road	MM-2021-87
2021-60-OC	Royal Prestige	73 Cavalier Blvd.	MM-2021-88
2021-61-OC	Karuna Touch and Healing PLLC	75 Cavalier Blvd.	MM-2021-89PD
2021-62-OC	Correa Family LLC	7205 Houston Road	MM-2021-91
2021-63-OC	Fisher Ludlow/Nucor	6900 Houston Road	MM-2021-90

Officer Macaluso requested the citation for Case # 2021-57-OC, Rodney Gillum, 28 Shelby Street, be dismissed. The business is filed under Mr. Gillum's social security number and is operating under a DBA and the citation should be dropped. Mr. Howard motioned to dismiss the case. Mr. Sharp followed with a second. **Motion was carried by unanimous vote.**

FIRE PREVENTION CASES: (0) NONE

CITATIONS ISSUED – NO RESPONSE – FINAL ORDER: (50) PAID (8)

Case No.	City of Florence vs.	Citation Location	Citation No.
2021-160-NU	Sam's Club	4949 Houston Road	DR-2021-62
2021-161-ZG	COLE LO Florence KY LLC	4800 Houston Road	DR-2021-63PD
2021-162-NU	Meijer Investment, LLC	370 Meijer Drive	DR-2021-64
2021-163-NU	C&D Property of Florence LLC	4911 Houston Road	DR-2021-65

CITY OF FLORENCE CODE ENFORCEMENT BOARD
 MINUTES OF JULY 7, 2021
 Page 5

2021-164-NU	Hau San Si Tou	2739 Chateau Court	DR-2021-66
2021-165-ZG	Sandra Ante	8567 Winthrop Circle	DR-2021-67
2021-166-ZG	James & Ann Adams	9230 Gunpowder Road	DR-2021-68PD
2021-167-ZG	Donald Laake	9437 Gettysburg Lane	DR-2021-69PD
2021-168-ZG	Lawrence Hogan	113 Joann Drive	DR-2021-70
2021-169-ZG	Tom Gill	7800 Commerce Drive	DR-2021-71
2021-170-PM	TGK Realty LLC	6901 Burlington Pike	DR-2021-72
2021-171-PM	Village at South Fork Creek	50 Rio Grande Circle	DR-2021-73
2021-172-ZG	Sandra Ante	8567 Winthrop Circle	DR-2021-74
2021-173-ZG	Masha Houthouser	136 Yealey Drive	DR-2021-75PD
2021-174-NU	Doyle & Annamarie Head Living Trust	40 Wallace Ave.	DR-2021-76
2021-175-ZG	Lawrence Hogan	113 Joann Drive	DR-2021-77
2021-176-ZG	GT Enterprise	8780 US 42	DR-2021-78PD
2021-177-ZG	Carla Lavon Finkleday Coleman	2762 Running Creek Drive	DR-2021-80
2021-178-PM/ZG	Steven & Rose Young	67 Stonegate Drive	DR-2021-81
2021-179-NU	Broadway Circle LLC	7600 Burlington Pike	DR-2021-82PD
2021-180-PM/ZG	Dactyl Investment Limited	7560 - 7570 Burlington Pike	DR-2021-83
2021-181-ZG	Stacy & Amy Deason	241 Surfwood Drive	DR-2021-84
2021-182-ZG	Sandra Ante	8567 Winthrop Circle	DR-2021-85
2021-183-NU	Jonathan Clark	50 Kathryn Ave.	DR-2021-86
2021-184-NU/ZG	Rosemary Wilshire	5 Lakeshore Drive	DR-2021-87
2021-185-ZG	Lawrence Hogan	113 Joann Drive	DR-2021-88
2021-186-ZG	Shane Burns	40 Barnwood Court	DR-2021-89
2021-187-ZG	Richard McDonald	8433 Pheasant Drive	DR-2021-90
2021-188-ZG	Lowes Home Improvement	4800 Houston Road	DR-2021-91
2021-189-NU	Golden Corral Corporation	4770 Houston Road	DR-2021-92
2021-190-NU/PM	L&G Brookhaven LLC	7414 Turfway Road	DR-2021-93
2021-191-NU/PM	C&D Property of Florence LLC	4911 Houston Road	DR-2021-94
2021-192-ZG	Frances Williams	8438 Pheasant Drive	DR-2021-95
2021-193-NU	Kelly Bricking	25 Homestead Drive	DR-2021-96
2021-194-NU/PM	C&D Property of Florence LLC	4911 Houston Road	DR-2021-97
2021-195-NU	Dwayne E. Hall	7721 Hollywood Lane	RD-2021-26
2021-196-PM	Estate of J K Sebree, C/O Jay & Thelma Utz	222 Main Street	RD-2021-27
2021-197-PM/ZG	Landings Properties Leasing LLC	76 Miriam Drive	RD-2021-28
2021-198-NU	Love My Home LLC	100 Lee Street	RD-2021-29PD
2021-199-NU	Charles E Dickerson	12 Burk Avenue	RD-2021-30
2021-200-NU	Kelly N Antrobus	131 Raintree Rd	RD-2021-31
2021-201-ZG	Craymon Maples	918 Virginia Ave.	RD-2021-32
2021-202-NU/ZG	Charles & Rachel Ritter	109 Lee Street	RD-2021-34
2021-203-PM	Jesse C. Espinoza	7405 Liberty Court	RD-2021-35
2021-204-PM	Florence Center Associated	8049 Connector Drive	RD-2021-36
2021-205-PM	TI KC Bravo LLC	7774 Ravenswood Drive	RD-2021-37
2021-206-NU	Burlington Realty LLC	Burlington Pike	RD-2021-38

CITY OF FLORENCE CODE ENFORCEMENT BOARD
MINUTES OF JULY 7, 2021
Page 6

2021-207-PM	SFR3-AIC LLC	24 Beverly Place	RD-2021-39
2021-208-NU	Kelly N Antrobus	131 Raintree Rd	RD-2021-40
2021-209-ZG	George M. Whitson, Trustee	7828 US 42	RD-2021-41
2021-210-ZG	Florence Center Associated	8085 Connector Drive	RD-2021-42PD

Officer Rose requested the citation for Case # 2021-169-ZG, Tom Gill, 7800 Commerce Drive be dismissed. Mr. Sharp motioned to dismiss the case. Mr. Howard followed with a second. **Motion was carried by unanimous vote.**

OTHER:

Officer Macaluso requested Case # 2021-97-OC/PM/ZG, Ann Griffith, 5 Dell Street be dismissed. There was a typo in the citation and the property owner has made a lot of progress on correcting the violations on the citation. Mr. Spille motioned to dismiss the case. Mr. Sharp followed with a second. **Motion was carried by unanimous vote.**

CONTINUED CASES (0) NONE

ATTORNEY'S REPORT:

Mr. Nienaber stated 410 Kentaboo Avenue sold for \$32,000.00 at the Master Commissioner Sale.

37 Grand Avenue and Burger King will be going to City Council soon. Still waiting on the title report for the Burger King property to proceed.


10 Valley Drive is still pending with the court systems.

ADJOURNMENT:


Chairman Johnson reminded the Board the next meeting will be held on August 4, 2021.

There being no further business to come before the Board, Chairman Johnson called for a motion to adjourn. Board Member Sharp so moved, with a second from Board Member Howard. **Motion passed with unanimous approval of the Board**, the time being 10:33 a.m.

ATTEST:


Melissa Kramer, Secretary

APPROVED:


Jim Johnson, Chairman

