



**CODE ENFORCEMENT BOARD
MINUTES: WEDNESDAY, AUGUST 4, 2021**

The City of Florence, Kentucky Code Enforcement Board met at 10:00 a.m. on Wednesday, August 4, 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 Marshal; and Chris Billiter, Police Officer. In the audience: Richard McDonald, contesting; Lonnie Gray, contesting; Craymon Maples, contesting; Ronald Remley, contesting; Douglas Noetzel, contesting; Steve Young, continued case; and Christina Griffith, continued case.

APPROVAL OF MINUTES:

Chairman Johnson called for a motion to approve the minutes of the July 7, 2021 meeting of the Code Enforcement Board. Board Member Sharp motioned to accept the minutes as read with a second from Board Member Howard. **Motion carried by unanimous vote.**

SWEARING IN:

The Code Enforcement Officers were sworn in by Chairman Johnson.

CONTESTED CASES (8):

**Contested Case # 2021-187-ZG
8433 Pheasant Drive**

**City of Florence vs. Richard McDonald
Citation # DR-2021-90**

Officer Rose presented the case as follows: Several courtesy notices have been issued over the past year for a trailer being stored on the driveway and/or in the grass. 6/21/21 observed trailer being stored in driveway, issued citation. Trailer has been removed and property is now in compliance.

Richard McDonald appeared and stated the trailers are not stored at the property, they are just there for a few days at a time when he is working on equipment that needs to be transported with a trailer. He stated the trailer is only at the property three (3) weeks out of the year.

Mr. Johnson recommended to Mr. McDonald that he should contact the Code Officer if the trailer is going to be at the property for an extended period of time. Mr. McDonald stated he was unaware of the fact he could call and speak with the code officer with regard to the temporary placement of the trailer. Mr. Howard reiterated to Mr. McDonald to notify the code officer motioned to dismiss the citation. Mr. Spille followed with a second. **Motion carried by unanimous vote.**

**Contested Case # 2021-48-OC
73 Cavalier Blvd., Suite 203
Contested by: Carlos Riz**

**City of Florence vs. Royal Prestige
Multiple Citations**

Officer Macaluso presented the case as follows: Royal Prestige did not appear. Officer Macaluso stated the business is now in compliance. Mr. Howard motioned to dismiss the citations. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

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Contested Case # 2021-229-ZG
7762 Blue Orchard Court
Contested by: Jeffrey Motz

City of Florence vs. Barbara Jean Barney
Citation # RD-2021-43

Officer Deno presented the case as follows: 6/9/21 observed trailer being stored on front driveway, sent first notice. No response was received, first citation issued on 6/29/21. Officer Deno received a call from current homeowner, Jeffrey Motz. Courtesy notice and citation were mailed to previous homeowner. Mr. Motz requested what needed to be done to come into compliance. Officer Deno informed Mr. Motz that the trailer needed to be stored on the concrete pad in the rear of the property. Trailer is now being stored on that concrete pad and the property is in compliance.

Mr. Spille motioned to dismiss the citation. Mr. Howard followed with a second. **Motion carried by unanimous vote.**

Contested Case # 2021-171-PM
50 Rio Grande Circle
Contested by: Lonnie Gray

City of Florence vs. Village at South Fork Creek
Citation # DR-2021-73

Officer Rose presented the case as follows: Property has multiple violations. Property owners have made tremendous progress over the past few months. Officer Rose and Mr. Gray walked the property together, not all of the violations are in compliance but the work is being done. Officer Rose requested 60 - 90 days to provide them more time to complete all repairs and come into compliance.

Lonnie Gray appeared on behalf of Village at South Fork Creek and stated he is requesting more than 90 days to complete repairs. Mr. Johnson advised Mr. Gray to stay in contact with Officer Rose and if he needed more time he could come to the November meeting to request additional time. Mr. Spille made a motion to continue the case to the November 3, 2021 hearing. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

Contested Case # 2021-201-ZG
918 Virginia Ave.

City of Florence vs. Craymon Maples
Citation # RD-2021-32

Officer Deno presented the case as follows: 3/23/21 Officer DeCarlo observed a gravel driveway from the street to the rear of the house where the poured driveway begins and more gravel beside and behind the detached garage, first notice sent. 5/14/21 no change, 2nd notice issued. 6/8/21 no change, Officer Deno issued first citation. The driveway on the property ends at the rear of the house and there is gravel from the end of the driveway to the street, which has been grandfathered in due to the age of the gravel driveway. However, the gravel in the rear of the property behind and around the side of the detached garage was not grandfathered in and was considered abandoned.

Mr. Maples informed Officer Deno that was gravel in that area at one time. Officer Deno reviewed aerial photographs of the area from 2016 and 2009, during that time period the area was covered in grass and the gravel was not being maintained. In an aerial photographs from 2002 it is difficult to tell if the area was covered in grass or gravel. Due to the length of time the area was covered in grass and the gravel was not being maintained, the area is considered abandoned and the area must now meet current code standards. Currently, the property is not in compliance.

Mr. Howard inquired as to what it would take to bring the property into compliance. Officer Deno informed him that Mr. Maples would have to either remove the gravel or pave the surface with concrete or asphalt. Mr. Howard requested confirmation that it would just have to be the area around the backside of the house around the detached garage. Officer Deno confirmed that the front part of the driveway was grandfathered in.

Craymon Maples appeared and stated his family moved in the house in 1971. In the 1980's his family built the detached garage and had the whole area graveled. Mr. Maples had moved out of the house long ago; however, his father recently passed and he moved back in the house to take care of his mother. Mr. Maples stated he was not sure when his father stopped maintaining the gravel in the rear of the property. He confirmed that it had been grass for a number of years; however, when he had the new gravel placed in the yard, some of the previous gravel remained. He further stated he cannot afford to concrete or asphalt the whole gravel area.

Mr. Howard requested confirmation from the Code Officers that even if Mr. Maples could provide proof that the area was gravel previously, the gravel area would still be considered abandoned due to the number of years the gravel was no longer being maintained and had been covered by grass. Officer Macaluso confirmed that in order to be preexisting nonconforming it would have to be gravel prior to 2004 and consistently maintained since that time. Due to the fact the gravel area was not maintained it is considered abandoned and must now comply with current standards.

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Mr. Johnson explained to Mr. Maples that the property is not in compliance and there is a fine on the property. Mr. Johnson stated that the Board is able to provide him time to come into compliance. Mr. Maples inquired if he could keep paying the fines and keep the property in its current condition. He stated that he has put a lot of money and work into the property and does not want to change it. Officer Macaluso informed him that the first citation is \$50.00, the second citation increases to \$150.00, and the third citation increases again to \$300.00. Furthermore, he would be cited on a weekly basis.

Mr. Spille recommended Mr. Maples contact Boone County Planning Commission before doing any additional work to the property to ensure he is in compliance with any future projects.

Mr. Johnson stated Mr. Maples could keep paying the fines; however, at a certain point the property would be considered a persistent situation and the board could take further action.

Mr. Spille made a motion to continue the case to the January 5, 2022 hearing. Mr. Rowland followed with a second.
Motion carried by unanimous vote.

Contested Case # 2021-212-NU 41 Meadow Wood Drive

City of Florence vs. Ronald Remley Citation # DR-2021-99

Officer Rose presented the case as follows: 6/14/21 received a complaint from a neighbor for high weeds, grass, trash, and debris, issued first citation. Checked the property this morning, trash and debris has been removed; however, the grass and weeds are not in compliance.

Ronald Remley appeared and stated he has not had time to finish the yard. He was working on the yard and the lawn mower ran out of gas. He requested a continuance.

Mr. Spille made a motion to continue the case to the September 1, 2021 hearing. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

Contested Case # 2021-231-NU/ZG 411 Mt. Zion Road Contested by: Douglas Noetzel

City of Florence vs. Speedway, LLC Multiple Citations

Officer Deno presented the case as follows: 6/3/21 received complaint for high weeds; outside storage; and trash and debris, first notice was issued. 6/30/21 no change, issued first citation. 7/8/21 no change, second citation issued. Property is now in compliance. Mr. Johnson confirmed that the first citation was paid; however, the second citation in the amount of \$450.00 is still owed.

Douglas Noetzel appeared on behalf of Speedway, LLC and requested the citation be dismissed. The time between the first and second citations was a holiday weekend and they were unable to find a landscaping company to address the issue in that short period of time.

Mr. Howard motioned to dismiss the citation. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

Contested Case # 2021-234-NU 36 Miriam Drive

City of Florence vs. Matthew Demarcus Citation # RD-2021-48

Officer Deno presented the case as follows: 6/14/21 observed high weeds and grass in the rear of the property, first notice issued. 7/8/21 no change, citation issued. Mr. Demarcus contacted Officer Deno after the citation was issued and wanted to know the status of the property. Mr. Demarcus stated the house is a rental and the tenants had informed him that the property was in compliance. Officer Deno informed Mr. Demarcus the property was not being maintained, Mr. Demarcus hired a landscaping company to maintain the property. The property is now in compliance. Officer Deno requested the citation be dismissed.

Mr. Sharp motioned to dismiss the citations. Mr. Howard followed with a second. **Motion carried by unanimous vote.**

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PARKING CASES: (13) PAID (4)

Case No.	City of Florence vs.	Citation Location	Citation No.
2021-81-JS	Susan Mathis	6023 Spicewood Avenue	2581 PD
2021-82-JS	Larry Hill	6110 Spicewood	2583
2021-83-CM	Nathan Stepp	9 Vivian Drive	2708
2021-84-PC	Zachary Haag	Cedarwood	2910 PD
2021-85-PC	Kevin Lalcey	Blue Orchard	2911 PD
2021-86-CM	Hannah Scale	7450 Fair Court	2913
2021-87-CM	Misty Beavers	Fair Court	2914
2021-88-CM	Gloria Hinton	Fair Court	2916
2021-89-CM	Lucas Garcia	Fair Court	2917 PD
2021-90-PC	Larry Hill	Spicewood	2918
2021-91-PC	Morning Dew Sales	61 Grand Ave	2919
2021-92-PC	Tyler Smith	Summer Place	2921
2021-93-PC	Thomas Stuntebeck	South Fork Park	2922

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: (11) PAID (0)

Case No.	City of Florence vs.	Citation Location	Citation No.
2021-64-OC	Landings Properties Leasing LLC	76 Miriam Drive	MM-2021-92
2021-65-OC	Love My Home LLC	100 Lee Street	MM-2021-93
2021-66-OC	Oxford House Sturgill	40 Kathryn Ave	MM-2021-94
2021-67-OC	De La Cruz Homes	6603 Dixie Highway	MM-2021-96
2021-68-OC	Sanitation Specialist	75 Cavalier Blvd	MM-2021-97
2021-69-OC	Spry Massage LLC	75 Cavalier Blvd	MM-2021-98
2021-70-OC	Total Package Express	75 Cavalier Blvd	MM-2021-99
2021-71-OC	Cor Tech	75 Cavalier Blvd	MM-2021-100
2021-72-OC	Gold Financial Services	75 Cavalier Blvd	MM-2021-101
2021-73-OC	Fitness Studio	75 Cavalier Blvd	MM-2021-102
2021-74-OC	Total Tan	7220 Burlington Pike	MM-2021-103

Officer Macaluso requested case # 2021-16-OC, JPL- Florence KY LLC, 8032 Burlington Pike be reopened and dismissed. The business files under their parent company. Mr. Howard made a motion to reopen the case. Mr. Sharp followed with a second. **Motion carried by unanimous vote.** Mr. Howard made a motion to dismiss the citation. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

FIRE PREVENTION CASES: (0) NONE

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CITATIONS ISSUED – NO RESPONSE – FINAL ORDER: (35) Paid (3)

Case No.	City of Florence vs.	Citation Location	Citation No.
2021-211-ZG	JW Acquisitions	8747 US 42	DR-2021-98
2021-212-NU	Ronald Remley	41 Meadow Wood Drive	DR-2021-99
2021-213-ZG	Villages of Florence	470 Stratton Drive	DR-2021-100
2021-214-ZG	Value Place Florence LLC	40 Cavalier Blvd	DR-2021-101
2021-215-ZG	Lawrence Hogan	113 Joann Drive	DR-2021-102
2021-216-ZG	Cole AA Florence KY, LLC	8707 US 42	DR-2021-103
2021-217-ZG	Lowes Home Improvement	4800 Houston Road	DR-2021-104
2021-218-NU	Benenson FLO KY LLC	4949 Houston Road	DR-2021-105 PD
2021-219-ZG	Florence Airport HP LLC	5910 Merchants Street	DR-2021-106 PD
2021-220-ZG	Sandra Ante	8567 Winthrop Circle	DR-2021-107
2021-221-NU/PM	L&G Brookhaven LLC	7414 Turfway Road	DR-2021-108
2021-222-NU/PM	C&D Property of Florence LLC	4911 Houston Road	DR-2021-109
2021-223-ZG	Carla Lavon Finkleday Coleman	2762 Running Creek Drive	DR-2021-110
2021-224-ZG	GE Enterprise	8780 US 42	DR-2021-111
2021-225-NU	Jonathan Clark	50 Kathryn Ave.	DR-2021-112
2021-226-ZG	Lawrence Hogan	113 Joann Drive	DR-2021-113
2021-227-ZG	Value Place Florence LLC	40 Cavalier Blvd	DR-2021-114
2021-228-NU/PM	C&D Property of Florence LLC	4911 Houston Road	DR-2021-115
2021-229-ZG	Barney Barbara Jean	7762 Blue Orchard Court	RD-2021-43
2021-230-PM	TI KC Bravo LLC	7774 Ravenswood Drive	RD-2021-44
2021-231-NU/ZG	Speedway LLC	411 Mt. Zion Road	RD-2021-45 PD
2021-232-PM	VB One LLC	104 Saint Jude Circle	RD-2021-46
2021-233-NU/PM	Estate of J K Sebree, C/O Jay & Thelma Utz	222 Main Street	RD-2021-47
2021-234-NU	Matthew B. Demarcus	36 Miriam Drive	RD-2021-48
2021-235NU/ZG	Speedway LLC	411 Mt. Zion Road	RD-2021-49
2021-236-PM	VB One LLC	104 Saint Jude Circle	RD-2021-50
2021-237-PM	TI KC Bravo LLC	7774 Ravenswood Drive	RD-2021-51
2021-238-NU	Kelly N Antrobus	131 Raintree Rd	RD-2021-52
2021-239-NU/PM	Estate of J K Sebree, C/O Jay & Thelma Utz	222 Main Street	RD-2021-53
2021-240-PM	Harold & Betty Fortner	7705 Walnut Creek Drive	RD-2021-54
2021-241-ZG	Landings Properties Leasing LLC	76 Miriam Drive	RD-2021-55
2021-242-PM	TI KC Bravo LLC	7774 Ravenswood Drive	RD-2021-56
2021-243-PM	Estate of J K Sebree, C/O Jay & Thelma Utz	222 Main Street	RD-2021-57
2021-244-NU	Frank L. Michel	7420 US 42	RD-2021-58
2021-245-NU	Kelly N Antrobus	131 Raintree Rd	RD-2021-59

Officer Rose requested citations for 113 JoAnn Drive regarding the car parked on grass be dismissed. Issued notices and from the street and the neighbor's yard, it appeared that the car was parked on the grass; however, once the owner contacted Officer Rose, it was evident that the vehicle was parked on a concrete slab in the rear of the house. Therefore, Officer Rose requested seven (7) citations (DR-2021-58, DR-2021-60, DR-2021-70, DR-2021-77, DR-2021-88, DR-2021-102, and DR-2021-113) be dismissed. Mr. Howard made a motion to dismiss the citations. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

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CONTINUED CASES (6):

Continued Case # 2021-46-ZG
8403 Stratford Court

City of Florence vs. Kevin Lubrano
Citation # DR-2021-12

Officer Rose presented the case as follows: The fence has been moved 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.**

Continued Case # 2021-123-PM/ZG
283 Main Street
Represented by: Sara True

City of Florence vs. Church of Scientology
Citation # MM-2021-41

Officer Macaluso presented the case as follows: Ms. True emailed Officer Macaluso that she was not able to attend the meeting and requested additional time. He stated they are making progress on the violations and need 30 more days to complete all repairs. Mr. Spille made a motion to continue the case to the September 1, 2021 hearing. Mr. Howard followed with a second. **Motion carried by unanimous vote.**

Continued Case # 2019-345-PM/ZG
10 Kennedy Court

City of Florence vs. Willard & Shirley McClintock
Multiple Citations

Officer Rose presented the case as follows: Received a phone call from Mr. & Mrs. McClintock's daughter stating they had a plumbing issue on the inside of the house that put all of the repairs on the outside of the house behind. Officer Rose requested the case be continued until the October hearing. Mr. Howard made a motion to continue the case to the October 6, 2021 hearing. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

Continued Case # 2020-354-PM
67 Stonegate Drive

City of Florence vs. Steven & Rose Young
Multiple Citations

Officer Rose presented the case as follows: Case has been going on since April 2020. As of this morning, the property is still not in compliance.

Mr. Howard requested a list of current violations that are not in compliance. Officer Rose stated there is siding missing on the home and the accessory structure; railings missing on the deck; pool is in disrepair.

Steven Young appeared and stated he has been working on the property. He stated the soffit and trim on the gable end was completed this morning. The trim for the detached garage is being made at Corken Steel and will be ready for pick up on Tuesday. The deck is being removed and he will build a new deck. He is still waiting on Diamond Brite to tile the pool and, due to shortages, will take longer. The siding on the back of the house has been completed.

Mr. Young stated he is continuing to make repairs. Mr. Spille stated he would make one more motion for continuance to provide Mr. Young additional time. Mr. Young requested 60 days to complete all of the repairs.

Mr. Spille made a motion to continue the case to the October 6, 2021 hearing and if not in complete would uphold the fines. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

Mr. Johnson advised Mr. Young that there is a city expense in the amount of \$46.00. Mr. Spille informed Mr. Young that there are \$2,247.00 in previous citations that the board has previously ruled on that cannot be addressed. The total of the current citations is \$850.00, not including the city expense previously mentioned.

Mr. Young inquired about code violations on his neighbor's property and with regard to the sewer drain by his driveway which had sunken down into the street. Officer Rose recommended Mr. Young ensure his own property is in compliance. Officer Macaluso informed Mr. Young they would look into the sewer drain.

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Continued Case # 2021-118-NU
8408 US 42
Represented by: Christina Griffith

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

Officer Rose presented the case as follows: Landscapers missed the high weeds and grass behind the building leading to the citation being issued. Property is now in compliance. Mr. Spille motioned to dismiss the citation. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

Continued Case # 2021-181-ZG
241 Surfwood Drive

City of Florence vs. Stacy & Amy Deason
Citation # DR-2021-46

Officer Rose presented the case as follows: Mr. Deason removed the temporary structure not approved. Property is now in compliance. Mr. Sharp motioned to dismiss the citation. Mr. Howard followed with a second. **Motion carried by unanimous vote.**

ATTORNEY'S REPORT:

Mr. Nienaber stated the property on Kentaboo sold for \$32,000. He is in discussion with the attorney regarding liens and disbursement of the funds from the sale of the property.

With regard to previous foreclosure recommendations hearing dates for 7718-7736 US 42, 37 Grand Ave., and 7836 US 42 will be scheduled.

Mr. Spille inquired with regard to the status of 10 Valley Drive. Service upon Mr. Foltz has not been achieved, but will be moving the case forward.

ADJOURNMENT:

Chairman Johnson reminded the Board the next meeting will be held on September 1, 2021.

There being no further business to come before the Board, Chairman Johnson called for a motion to adjourn. Board Member Howard so moved, with a second from Board Member Sharp. **Motion passed with unanimous approval of the Board**, the time being 10:55 a.m.

ATTEST:


Melissa Kramer, Secretary

APPROVED:


Jim Johnson, Chairman

CITY OF
FLORENCE
KENTUCKY