



**CODE ENFORCEMENT BOARD
MINUTES: WEDNESDAY, JULY 6, 2022**

The City of Florence, Kentucky Code Enforcement Board met at 10:00 a.m. on Wednesday, July 6, 2022 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: Jim Johnson, Chairman; Rick Rowland, (Vice-Chairman); David Spille; Lance Howard; and Bill Sharp.

Also present: Thomas Nienaber, Assistant City Attorney; Brandi Roundtree, Assistant City Clerk; Jeremy Kleier, Community Services Superintendent; Jacob Carpenter, Code Enforcement Officer; Rodney Deno, Code Enforcement Officer; Mike Macaluso, Code Enforcement Officer; Randy Childress, Fire Marshal; and Kevin Duncan, Police Officer.

In the audience: Milan Patel, contested case; Joe Massa, contested case; David Williams, continued case; Randall Trahan, continued case; and Todd McMurtry, Attorney for Realty Income Properties 19, LLC, continued case.

APPROVAL OF MINUTES:

Chairman Johnson called for a motion to approve the minutes of the June 1, 2022 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.

REAPPOINTMENT OF BOARD MEMBERS:

Board Members David Spille and Lance Howard were sworn in for a new term by Assistant City Attorney Thomas Nienaber.

CONTESTED CASES (3):

**Contested Case # 2022-168-PM/ZG
7961 US 42
Contested by: Milan Patel**

**City of Florence vs. 7961 US Highway 42 Florence, LLC
Citation # 22-463-1**

Officer Deno presented the case as follows: Inspection was completed on 3/14, observed accessory structure in disrepair, conditional use violation, and disabled vehicles on the property. Courtesy notice mailed same day. Inspection completed this morning, all disabled/unlicensed vehicles have been removed, and accessory structure has been repaired. Property is in compliance.

Milan Patel appeared on behalf of 7961 US Highway 42 Florence, LLC and stated the owners allowed customers to store their disabled vehicles at the property until they were able to repair the vehicles. After the courtesy notice was received, the property owners allowed the customers time to remove the vehicles from the property. The vehicles have all been removed and they will no longer allow customers use their property for disabled vehicles.

Board Member Spille made a motion to dismiss the citation. Board Member Sharp seconded the motion. **Motion carried by unanimous vote.**

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Contested Case # 2022-123-NU/PM/SW
7912 Dream Street
Contested by: Joe Massa

City of Florence vs. ARC CAFÉ USA 001, LLC
Citation # 22-473-1/ 22-473-2

Officer Rodney Deno presented the case as follows: Inspection completed on 3/14, observed protective treatment on siding in disrepair, trash and debris, and watercourse trash and debris, first notice sent. First citation was issued on 4/21 and upon re-inspection, issued second citation was issued on 5/3. Inspection completed this morning, trash and debris has been removed; however, the protective treatment on the siding has not been repaired. Property is not in compliance.

Joe Massa appeared on behalf of ARC CAFÉ USA 001, LLC and stated the trash and debris needs to be cleaned up every day and they are addressing the ongoing issue. Mr. Massa explained the protective treatment on the siding has not been repaired due to the rotting wood behind the vinyl siding. The contractor has informed Mr. Massa the wood is rotted on the side of the building all the way to the gutter and a section of the wood on the roof is also rotted. This will all need to be replaced before the vinyl siding can be repaired.

Board Member Spille inquired as to how long the repairs will take. Mr. Massa informed the board that his contractor is working on his property in Fairfield and as soon as those repairs are completed, he will begin work on the property in Florence. The contractor stated repairs will take sixty (60) days due to the materials being difficult to obtain at this time.

Board Member Spille made a motion to continue the case sixty (60) days. Board Member Sharp followed with a second. **Motion carried by unanimous vote.**

Contested Case # 2022-177-NU
50 Circle Drive

City of Florence vs. Jonathan Foster
Citation # 22-852-1

Officer Deno presented the case as follows: Received complaint from resident on 5/23 for high grass in the rear of the property, notice sent. First citation issued on 6/1. Property sold during this time and the PVA had not been updated at the time the citation was issued. Therefore, the citation was issued to previous property owner. Property is currently in compliance. Board Member Rowland made a motion to dismiss the citation. Board Member Sharp followed with a second. **Motion carried by unanimous vote.**

PARKING CASES: (2) PAID (0)

Case No.	City of Florence vs.	Citation Location	Citation No.
2022-53-KS	Ryan Williams	122 Honeysuckle	808
2022-54-DJ	Sylvia Santos	7762 Blue Orchard	882

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

ANIMAL CONTROL CASES: (0) NONE

OCCUPATIONAL LICENSE CASES: (23) Paid (0)

Case No.	City of Florence vs.	Citation Location	Citation No.
2022-306-OC	Sam Briggs	7210 Turfway Road	22-677-1
2022-307-OC	Gina Brock	7210 Turfway Road	22-678-1
2022-308-OC	Kathryn Bronk-Horst	7210 Turfway Road	22-679-1
2022-309-OC	Abbie Brown	7210 Turfway Road	22-680-1
2022-310-OC	Lori Brownfield	7210 Turfway Road	22-681-1
2022-311-OC	Anthony Brucato	7210 Turfway Road	22-682-1
2022-312-OC	Denise Brumer	7210 Turfway Road	22-683-1
2022-313-OC	Jaimie Bubb	7210 Turfway Road	22-684-1
2022-314-OC	Jake Burdine	7210 Turfway Road	22-685-1

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2022-315-OC	Ron Burmeister	7210 Turfway Road	22-686-1
2022-316-OC	Correa Family LLC	7205 Houston Road	21-614-12
2022-317-OC	Furhaven	7130 New Buffington Road	22-775-1
2022-318-OC	Spirit Spe Portfolio 2004-6, LLC	7843 US 42	22-779-1
2022-319-OC	Rally's	7843 US 42	22-780-1
2022-320-OC	Christina Griffith	8400-8414 US 42	22-260-2
2022-321-OC	J&L Furniture, Inc.	7851 Tanners Lane	22-273-2
2022-322-OC	Greg's Affordable Car Repair	7851 Tanners Lane	22-306-2
2022-323-OC	Defy Kentucky LLC	4999 Houston Road	22-618-2
2022-324-OC	VB One LLC	104 St. Jude Circle	21-2164-10
2022-325-OC	Cole Be Portfolio I LLC	8020 US 42	22-256-3
2022-326-OC	Vereit Mt. Florence KY, LLC/Cole AA Florence KY LLC	8707 US 42	22-259-3
2022-327-OC	Mike's Fish and Chicken Turfway	7269 Turfway Road	22-308-2
2022-328-OC	Source Providers Inc.	4175 Aero Parkway	21-2213-9

FIRE PREVENTION CASES: (0) NONE**CITATIONS ISSUED – NO RESPONSE – FINAL ORDER: (40) Paid (2)**

Case No.	City of Florence vs.	Citation Location	Citation No.
2022-164-NU/ZG	Bank One NA c/o ICG ORE	4899 Houston Road	22-740-1
2022-165-PM/NU/ZG	Estate of Marilyn J. Foltz	10 Valley Drive	22-359-13
2022-166-PM/NU	VB One LLC	27 Orchard Drive	22-795-1
2022-167-NU/ZG	Home Depot USA	99 Spiral Drive	21-2711-1
2022-168-PM/ZG	7961 US Highway 42 Florence LLC	7961 US 42	22-463-1
2022-169-PM/OC/ZG	Kirkwood Investments LLC	8435-8435 US 42	22-752-2
2022-170-PM/NU/ZG	FD Group 2, LLC	7502 Dixie Highway	22-761-2
2022-171-PM/NU/ZG	Estate of Marilyn J. Foltz	10 Valley Drive	22-359-14
2022-172-PM/NU/ZG	Rex Residential Property Owner A LLC	21 Lakeshore Drive	22-688-3
2022-173-PM/ZG	JCNK Properties LLC	509 Kentaboo Ave.	22-888-1
2022-174-NU	Rex Residential Property Owner A LLC	21 Lakeshore Drive	22-891-1
2022-175-ZG	Kroger Limited Partnership I	7685 Mall Road	21-2710-5
2022-176-NU	Joseph & Dottie Krebs	108 Raintree Road	22-841-1 PD
2022-177-NU	Jonathan Foster	50 Circle Drive	22-852-1
2022-178-PM/NU/ZG	Vincent Burns	26 Julia Ave.	22-663-2
2022-179-PM	FD Group 2, LLC	7502 Dixie Highway	22-96-5 PD
2022-180-PM/NU/ZG	FD Group 2, LLC	7502 Dixie Highway	22-761-3
2022-181-ZG	Sandra Ante	8567 Winthrop Circle	20-467-35
2022-182-NU	7708 Dixie LLC	7708 Dixie Hwy	22-882-1
2022-183-PM/NU/ZG	Rex Residential Property Owner A LLC	21 Lakeshore Drive	22-688-4
2022-184-NU	Roman Stetter	7340 Hopeful Road	22-892-1
2022-185-PM	Broadway Circle LLC	7592 Burlington Pike	22-701-1
2022-186-ZG	Kroger Limited Partnership I	7685 Mall Road	21-2710-6
2022-187-NU/ZG	Home Depot USA	99 Spiral Blvd.	21-2711-2
2022-188-NU	Kroger Limited Partnership I	7685 Mall Road	21-2899-7
2022-189-SW/NU/PM	Evergreen Apartments Oracle LP	8535-8551 Evergreen Drive	22-278-2
2022-190-ZG	Turfway Plaza Associates	7285 Turfway Road	22-862-1
2022-191-PM/ZG	Willard & Shirley McClintock	10 Kennedy Court	20-357-10
2022-192-PM	Willard & Shirley McClintock	10 Kennedy Court	22-59-6
2022-193-ZG	Adrian Gomez Diaz	511 Kentaboo Ave.	22-800-1
2022-194-NU	Zachary T. Jones	4 St. Jude Circle	22-843-1

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2022-195-NU/ZG	Oscar L. Frye IV	8481 Pheasant Drive	22-889-1
2022-196-NU	Roman Stetter	7340 Hopeful Road	22-892-2
2022-197-PM	Helen Cheyne	210 Center Park Drive	22-961-1
2022-198-PM	Katherine Darlington	8333 Tamarack Drive	22-721-1
2022-199-PM	Steven & Rose Young	67 Stonegate Drive	20-435-7
2022-200-ZG/NS/PM	Estate of Marilyn J. Foltz	10 Valley Drive	22-359-15
2022-201-SW/NS	MABEF LLC	7503 Industrial Road	22-415-2
2022-202-PM	Turfway Plaza Associates, LLC	7285 Turfway Road	22-538-2
2022-203-NS	Susan Taylor	501 Kentaboo Avenue	22-708-2

Officer Macaluso requested Case # 2022-271-OC, Citation # 21-2699 issued to Jessa Powers, located at 60 Cavalier Blvd., be reopened and dismissed. Mrs. Powers has an occupational license under the name Jessa Hardin, LLC. Board Member Howard made a motion to reopen the case. Board Member Sharp followed with a second. **Motion carried by unanimous vote.** Member Howard made a motion to dismiss the citation. Board Member Sharp followed with a second. **Motion carried by unanimous vote.**

CONTINUED CASES (6):

Continued Case # 2020-397-ZG
7641 Dixie Highway
Represented by: Greg Cervenka, Attorney

City of Florence vs. Florence DG, LLC
Multiple Citations

Officer Macaluso presented the case as follows: Received email from Attorney Cervenka requesting additional time to plan the landscaping and submit plans to the Boone County Planning Commission. Officer Macaluso requested the case be continued for thirty (30) days. Board Member Howard made a motion to continue the case for thirty (30) days. Board Member Sharp followed with a second. **Motion carried by unanimous vote.**

Continued Case # 2021-131-ZG
404 St. Jude Circle
Represented by: David Williams

City of Florence vs. Williams Family Living Trust
Multiple Citations

Officer Rodney Deno presented the case as follows: Case began in March with a disabled vehicle. Case was continued due to property owner being in the process of evicting the tenants. Inspection completed on 7/5, property is in compliance. Board Member Spille inquired as to the \$46.00 city expense. Officer Deno explained the \$46.00 fee is for a lien filed on the property.

David Williams appeared on behalf of Williams Family Living Trust and stated the house was rented to the tenants in September 2020. The tenants paid rent October 2020 and did not pay rent after that. The Sheriff went to the property on 5/27 to evict the tenants. The tenants then moved the vehicle to the street where it was eventually towed by the city.

Board Member Spille made a motion to dismiss the citations and uphold the city expense in the amount of \$46.00. Board Member Sharp followed with a second. **Motion was carried by unanimous vote.**

Continued Case # 2022-96-ZG
5980 Merchants Street
Represented by: Todd McMurtry, Attorney

City of Florence vs. Realty Income Properties 19, LLC
Citation # 21-3005-1

Officer Carpenter presented the case as follows: Citation was issued due to conditional use violation, damaged vehicles were being stored outside of the designated storage area. Inspections were completed on Friday, Tuesday, and this morning, vehicles are being moved to the designated storage area within the 24 hour period. Property is in compliance.

Todd McMurtry, Attorney, and Randall Trahan, Regional Vice President of Caliber Collision, appeared on behalf of Realty Income Properties 19, LLC. Cars are moved around the property to be worked on during the day and all cars are placed in the designated storage area at the end of the work day. Mr. McMurtry stated they have date stamped photographs showing the vehicles are moved to the designated storage area at the end of every business day.

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Board Member Spille inquired if they are still working with Boone County Planning and Zoning to expand the storage area. Mr. McMurtry replied yes and stated they are experiencing some difficulty.

Board Member Howard made a motion to dismiss the citation. Board Member Sharp followed with a second. **Motion was carried by unanimous vote.**

Continued Case # 2020-413-PM/ZG
7505 Sussex Drive
Represented by: Marshall Dosker, Attorney

City of Florence vs. Reyton Sussex, LLC
Multiple Citations

Officer Macaluso presented the case as follows: Officer Macaluso requested a continuance to the August Meeting. Board Member Spille made a motion to continue the case to the August Meeting. Board Member Rowland followed with a second. **Motion carried by unanimous vote.**

Continued Case # 2022-133-NU
37 Goodridge Drive

City of Florence vs. Burr Travis III
Citation # 22-613-1

Officer Deno presented the case as follows: Received a phone call from Mr. Travis' father stating Mr. Travis was unable to attend as he was in the hospital. Officer Deno informed him of the city expense. His father informed Officer Deno that he will be maintaining the property until his son is able to recover. Property is currently in compliance.

Board Member Spille made a motion to uphold the citation. Board Member Sharp followed with a second. **Motion was carried by unanimous vote.**

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

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

Officer Deno presented the case as follows: Property is now in compliance. Board Member Spille made a motion to dismiss the citation. Board Member Rowland followed with a second. **Motion was carried by unanimous vote.**

ATTORNEY'S REPORT:

Assistant City Attorney Thomas Nienaber advised no new developments on any litigation to report.

ADJOURNMENT:

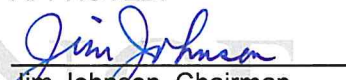
Chairman Johnson reminded the Board the next meeting will be held on August 3, 2022.

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 10:32 a.m.

ATTEST:


Melissa Kramer, Secretary

APPROVED:


Jim Johnson, Chairman

