



**CODE ENFORCEMENT BOARD
MINUTES: WEDNESDAY, AUGUST 3, 2022**

The City of Florence, Kentucky Code Enforcement Board met at 10:00 a.m. on Wednesday, August 3, 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; Jacob Carpenter, Code Enforcement Officer; Rodney Deno, Code Enforcement Officer; Mike Macaluso, Code Enforcement Officer; and Randy Childress, Fire Marshal.

In the audience: Joel Rose, contested case; Gina Smith and John Siedenbergh, continued case; Julie Cascaden, continued case; and Marshall Dosker, Attorney for Repton Sussex, LLC, continued case.

APPROVAL OF MINUTES:

Chairman Johnson called for a motion to approve the minutes of the July 6, 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.

CONTESTED CASES (2):

**Contested Case # 2022-126-ZG
7529 Sussex Drive
Contested by: Joel Rose**

**City of Florence vs. Columbia Sussex Properties
Citation # 22-465-1 & 22-465-2**

Officer Deno presented the case as follows: Inspection completed on 3/14/22, observed unlicensed/disabled vehicle, trailers, and semi-trucks parking in an employment district. Follow up inspection completed on 7/20/22, no change. Inspection completed this morning, trailers remain parked on the lot. To permit the trailers on the lot, an approved site plan would need to be submitted. The current site plan does not permit trailer parking/storage. Property is not in compliance.

Joel Rose appeared on behalf of Columbia Sussex Properties. Mr. Rose has been in communication with the Boone County Planning Commission. BCPC has requested an email describing the vehicles he wishes to store on the property. Mr. Rose is not the sole owner of the property and the property is in litigation in Probate Court in Florida and Boone County. He would like to sell the property but has no authority at this time until the probate matter is litigated.

Board Member Spille inquired as to why semi-trucks are parked on the lot. Mr. Rose stated the semi-truck owners live in the apartment building across the street and he leases the parking spaces to them.

Mr. Rose is aware the parking lot is in need of repair; however, repairs cannot be completed until the probate matter is settled. All tenants of the building have been removed and they only part of the property being used is the parking lot. Mr. Rose informed the owner of the trailer to remove the trailer; however, the owner has not complied at this time.

Board Member Spille inquired if the zoning will need to be changed to permit the vehicles to be stored on the lot. Officer Deno stated the current zoning allows storage of the vehicles. The Boone County Planning Commission is requesting

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a letter stating the vehicles' nature and the amount that will be stored. There needs to be verification of the vehicles being stored and Mr. Rose is unable to sign as the owner of the property until the litigation is completed.

Board Member Spille motioned to continue the case thirty days. Board Member Rowland followed with a second. **Motion carried by unanimous vote.**

Contested Case # 2022-185-PM
7592 Burlington Pike
Contested by: Amjad Hanieh

City of Florence vs. Broadway Circle LLC
Citation # 22-701-1 & 22-701-2

Officer Jacob Carpenter presented the case as follows: Property was cited for two dead trees. Officer Carpenter spoke with the owner and they removed two dead tree; however, not the trees that were causing safety issues. Officer Carpenter requested the case be continued thirty (30) days to allow the owner time to remove the correct trees. Board Member Howard motioned to continue the case thirty (30) days. Board Member Sharp followed with a second. **Motion carried by unanimous vote.**

PARKING CASES: (4) PAID (0)

Case No.	City of Florence vs.	Citation Location	Citation No.
2022-55-TL	Alden Gill	Lloyd Ave.	12
2022-56-MR	Gary & Pamela Vest	Achates Drive	2420
2022-57-AC	Victoria Jackson	Robert Ave.	2692
2022-58-LT	Leslie Corneio	6033 Spicewood	2956

No one appeared to contest the stated parking violations. Board Member Spille 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: (45) Paid (1)

Case No.	City of Florence vs.	Citation Location	Citation No.
2022-329-OC	Furhaven	7130 New Buffington Road	22-775-2 PD
2022-330-OC	Broadstone RL Portfolio LLC	7921 Dream Street	22-197-4
2022-331-OC	Marc and Melanie Collins	7000 Houston Road	22-223-4
2022-332-OC	Kentucky Motor Service Inc.	7232 Burlington Pike	22-225-3
2022-333-OC	Insight Kentucky Partners II LP	7906 Dixie Hwy	22-227-2
2022-334-OC	HCII-68 Cavalier Boulevard LLC	68 Cavalier Blvd	22-229-4
2022-335-OC	Harvey D. Cohen Trust	7688 Mall Road	22-230-4
2022-336-OC	Spirit Spe Portfolio 2004-6, LLC	7843 US 42	22-234-3
2022-337-OC	Correa Family LLC	7205 Houston Road	21-614-13
2022-338-OC	J.L. Bayridge Inc. DBA Red Wing Shoe	8071 Connector Drive	21-616-11
2022-339-OC	Cole Be Portfolio I LLC	8020 US 42	22-256-4
2022-340-OC	Greg's Affordable Car Repair	7851 Tanners Lane	22-306-3
2022-341-OC	Mike's Fish and Chicken Turfway	7269 Turfway Road	22-308-3
2022-342-OC	Comprehensive Logistics Company LLC	4175 Aero Parkway	22-531-4
2022-343-OC	Defy Kentucky LLC	4999 Houston Road	22-618-3
2022-344-OC	Pate Prop and Trucking	71 Cavalier Blvd.	21-2274-6
2022-345-OC	Quest Properties	71 Cavalier Blvd.	21-2286-6
2022-346-OC	Southern Cross	71 Cavalier Blvd.	21-2341-4
2022-347-OC	Wealth Wave	71 Cavalier Blvd.	21-2394-6
2022-348-OC	Sunrise Florence, Inc.	30 Cavalier Court	22-35-5
2022-349-OC	SRL International Corp.	71-75 Cavalier Blvd.	22-37-2

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2022-350-OC	Ralph Dinn	7430 US 42	21-2316-1
2022-351-OC	Stephanie Frost	4895 Houston Road	22-173-1
2022-352-OC	Karisa Ibarra	4895 Houston Road	22-174-1
2022-353-OC	DD's Pizza	71 Cavalier Blvd.	21-2214-6
2022-354-OC	Harrison Roofing	71 Cavalier Blvd.	21-2263-6
2022-355-OC	Miranda Beyer	7210 Turfway Road	22-645-1
2022-356-OC	Natasha Bintz	7210 Turfway Road	22-653-1
2022-357-OC	Andre Bogle	7210 Turfway Road	22-656-1
2022-358-OC	Chelsea Boutelle	7210 Turfway Road	22-673-1
2022-359-OC	Lisa Brannen	7210 Turfway Road	22-674-1
2022-360-OC	Hunter Bray	7210 Turfway Road	22-675-1
2022-361-OC	Missy Bricking	7210 Turfway Road	22-676-1
2022-362-OC	Commonwealth Dental PSC	7348 US 42	20-314-1
2022-363-OC	Aire Serv of Florence	71 Cavalier Blvd.	21-2140-6
2022-364-OC	Source Providers Inc.	4175 Aero Parkway	21-2213-10
2022-365-OC	Christee's Home Care	71 Cavalier Blvd.	21-2215-6
2022-366-OC	Bengles Tots 24-7 Learning	8045-8133 Connector Drive	22-16-4
2022-367-OC	Phil Krabbe	4895 Houston Road	22-170-1
2022-368-OC	Muniz Gualpa LLC	8 Drexel Ave.	22-31-4
2022-369-OC	Panda Express Inc.	6805 Houston Road	22-32-4
2022-370-OC	Mauricio Grocery LLC	225 Main Street	22-33-4
2022-371-OC	Digitau USA, Inc. dba Voipnw PBX	8140 Dream Street	22-51-4
2022-372-OC	Harihar, LLC dba Subway	7107-7129 Turfway Road	22-56-3
2022-373-OC	FX Florence Road, LLC	6985 Houston Road	22-58-5

FIRE PREVENTION CASES: (0) NONE**CITATIONS ISSUED – NO RESPONSE – FINAL ORDER: (44) Paid (5)**

Case No.	City of Florence vs.	Citation Location	Citation No.
2022-204-ZG	Kroger Limited Partnership I	7685 Mall Road	21-2710-7 PD
2022-205-NU/ZG	Home Depot USA	99 Spiral Blvd.	21-2711-3
2022-206-NU/PM/ZG	Estate of Marilyn J. Foltz	10 Valley Drive	22-359-16
2022-207-NU	Estate of Marilyn J. Foltz	10 Valley Drive	22-670-1
2022-208-NU/ZG	Penny Lanette Moore	13 Bell Ave.	22-827-1
2022-209-NU	Randy Dick	60 Miriam Drive	22-1029-1
2022-210-NU	Rex Residential Property Owner A LLC	21 Lakeshore Drive	22-1070-1
2022-211-NU	PRZ F1, KY LLC	8559 US 42	22-1072-1
2022-212-NU/PM/ZG	Vincent Burns	26 Julia Ave.	22-663-3
2022-213-NU/PM/ZG	Rex Residential Property Owner A LLC	21 Lakeshore Drive	22-688-5
2022-214-NU	Robert & Carolyn Hall	18 Lee Street	22-1048-1
2022-215-PM	Broadway Circle LLC	7592 Burlington Pike	22-701-2
2022-216-NU	Maher and Sons, LLC	9 Edwards Ave.	22-928-1
2022-217-ZG	Kroger Limited Partnership I	7685 Mall Road	21-2710-8 PD
2022-218-NU/ZG	Home Depot USA	99 Spiral Blvd.	21-2711-4
2022-219-NU/PM/ZG	Estate of Marilyn J. Foltz	10 Valley Drive	22-359-17
2022-220-NU	Estate of Marilyn J. Foltz	10 Valley Drive	22-670-2
2022-221-NU/ZG	Penny Lanette Moore	13 Bell Ave.	22-827-2 PD
2022-222-NU/PM	VB One LLC	8377 Juniper Lane	22-1014-1
2022-223-NU/PM/ZG	VB One LLC	83 Goodridge Drive	22-1066-1
2022-224-NU	Morris Adkins	86 Goodridge Drive	22-1068-1

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2022-225-NU	Estate of Marilyn J. Foltz	10 Valley Drive	22-670-3
2022-226-NU/PM/ZG	Steven Long	28 Lynn Street	22-930-1
2022-227-ZG	Sandra Ante	8567 Winthrop Circle	20-467-36
2022-228-OL/ZG	MABEF LLC	7503 Industrial Road	21-3132-2
2022-229-PM	Real Invest LLC	20 Shelby Street	22-948-1
2022-230-ZG	Real Estate Development LLC	7631-7639 Dixie Hwy.	21-2999-2
2022-231-ZG	Olivia Salcido	7101-7107 Dixie Hwy	22-506-1 PD
2022-232-NU/PM	Rex Residential Property Owner A LLC	21 Lakeshore Drive	22-688-6
2022-233-PM	Helen Cheyne	210 Center Park Drive	22-961-2
2022-234-NU	Mountain Agency, LLC	949 Burlington Pike	22-924-1
2022-235-NU	Kroger Limited Partnership I	7685 Mall Road	21-2899-8 PD
2022-236-NU/PM/ZG	Estate of Marilyn J. Foltz	10 Valley Drive	22-359-19
2022-237-NU	Estate of Marilyn J. Foltz	10 Valley Drive	22-670-4
2022-238-ZG	Van Biak Z Sang	215 Main Street	21-3062-2
2022-239-ZG	Charles and Rachel Ritter	109 Lee Street	22-585-2
2022-240-PM/ZG	Kirkwood Investments LLC	8435-8439 US 42	22-752-3
2022-241-NU	Maher and Sons, LLC	9 Edwards Ave.	22-928-2
2022-242-PM	Turfway Plaza Associates	7285 Turfway Road	22-538-3
2022-243-ZG	CVH Florence LLC	7843 US 42	22-559-2
2022-244-ZG	Anthony Jones	15 Miriam Drive	22-1263-1
2022-245-NU/ZG	Oscar L. Frye IV	8481 Pheasant Drive	22-889-2
2022-246-ZG	JCNK Properties LLC	509 Kentaboo Ave.	22-1270-1
2022-247-PM	Katherine Darlington	8333 Tamarack Drive	22-721-2

CONTINUED CASES (3):

Continued Case # 2020-341-PM/ZG

7410-7415 Eagle Creek Court

Represented by: Gina Smith/ John Siedenisberg

City of Florence vs. Dutch Properties, Inc.

Multiple Citations

Officer Macaluso presented the case as follows: Officer Macaluso stated there has been no change to the property.

Gina Smith and John Siedenisberg appeared on behalf of Dutch Properties, Inc. Mr. Siedenisberg stated they are waiting on final plans from the architect. A site plan cannot be submitted without the plans from the architect. They are not able to use the original site plan from 2006 due to the outdated standards and changing from three buildings on the property to two buildings.

Board Member Spille inquired as to the additional violations identified on the agenda summary. Officer Macaluso confirmed all violations are in compliance with the exception of the site plan violation. Once construction begins, the property owner has six months to complete the project. The first two buildings were built and construction stopped; therefore, they are in violation of the site plan. The current owner of the property, purchased the property and completed the second building and discovered the wetland issues. The backside is overgrown and there is no way to access the property until the site plan is approved.

Officer Macaluso advised the board that once the new site plan is submitted, the Boone County Planning Commission could deny the site plan or ask for revisions. Mr. Siedenisberg stated Viox and Viox is working on the civil part of the site plan. They are waiting on confirmation from the architect to proceed with submission of the revised site plan.

Mr. Siedenisberg requested additional time to obtain approval of the revised site plan. Officer Macaluso confirmed once the revised site plan is approved, the case will be closed and the property will be in compliance. Board Member Spille motioned to continue the case to the December meeting. Board Member Sharp followed with a second. **Motion carried by unanimous vote.**

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Continued Case # 2020-397-ZG
7641 Dixie Highway

City of Florence vs. Florence DG, LLC
Multiple Citations

Officer Macaluso presented the case as follows: Dollar General's attorney contacted him last week and explained they were having issues with Boone County. Florence DG, LLC owns the property next to the Dollar General. They do not want to claim responsibility. Through agreement with the Boone County, Dollar General will complete the required landscaping and will provide a new site plan for the landscaping. Officer Macaluso requested a continuance of sixty days on behalf of Florence DG, LLC. Board Member Rowland motioned to continue the case sixty days. Board Member Howard followed with a second. **Motion 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: Inspection completed. All violations have been corrected with the exception of the parking lot and sidewalk repairs. Officer Macaluso identified photographs and stated they are not in compliance due to parking lot issues.

Attorney Marshall Dosker and Julie Cascaden, property manager, appeared on behalf of Reyton Sussex LLC. Mr. Dosker stated the challenge has been obtaining people to perform the work. There has also been financial hardships in maintaining the property. They are trying to obtain new tenants to alleviate some of the financial strain on maintaining the property. Some of the curbs have been repaired and he believes the pictures shown by Officer Macaluso were old. Officer Macaluso confirmed the photographs were taken last month and have not been updated since repairs have been completed. Mr. Dosker stated some of the curbs have been repaired; sealing and striping of the parking lot has been repaired; landscaping has been updated and the dead tree has been removed.

Mr. Dosker requested additional time to complete the repairs on the parking lot and sidewalks. Board Member Howard motioned to continue the case sixty days. Board Member Rowland followed with a second. **Motion carried by unanimous vote.**

ATTORNEY'S REPORT:

Assistant City Attorney Nienaber stated Steve Foltz has been served and the case for 10 Valley Drive is now proceeding.

Pine Lake Apartments, now known as Lake House Apartments, is completing all repairs and a Settlement Agreement has been reached.

ADJOURNMENT:

Chairman Johnson reminded the Board the next meeting will be held on September 7, 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 10:38 a.m.

ATTEST:


Melissa Kramer, Secretary

APPROVED:


Jim Johnson, Chairman

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