



**CODE ENFORCEMENT BOARD  
MINUTES: WEDNESDAY, APRIL 5, 2023**

The City of Florence, Kentucky Code Enforcement Board met at 10:00 a.m. on Wednesday, April 5, 2023 in the Council Chamber of the Florence Government Center with Code Enforcement Board Vice-Chairman, Rick Rowland presiding.

**CALL TO ORDER & ROLL CALL:**

Vice-Chairman Rowland called the meeting to order and requested a roll call. Present were the following three (3) Board members: Rick Rowland, (Vice-Chairman); Lance Howard; and Bill Sharp. Chairman Jim Johnson and Board Member David Spille were absent.

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 Ki Ransdall, Police Officer.

In the audience: Jose M. Tineo Hernandez, contested case; Amanda LePage, contested case; Mohamed Zinedinn, contested case; Loc Nguyen, contested case; Silas Hamed, contested case; Ann Miller, Attorney for Tower Place Properties; Phyllis Mauntel, contested case; John Sedenberg, continued case; Chevetta Fitch, continued case and Michael Constantino, continued case.

**APPROVAL OF MINUTES:**

Vice-Chairman Rowland called for a motion to approve the minutes of the March 1, 2023 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 Vice-Chairman Rowland.

**CONTESTED CASES (7):**

**Contested Case # 2023-31-NU/PM/ZG  
8 Smith Street**

**City of Florence vs. Jose M. Tineo Hernandez  
Multiple Citations**

Officer Deno presented the case as follows: Received a phone call and photographs from police department regarding status of property. Inspection completed on 12/14/22. Observed vehicle being parked on grass; trash and debris throughout property; unlicensed/disabled vehicle on property; and unsafe/unsanitary conditions. Courtesy notice was sent. All repairs have been completed with the exception of the vehicle still being parked on an unpaved surface in the front of the property. Additionally, the area in the front of the house is covered with gravel. Officer Deno stated the gravel is not in compliance and will need to be removed.

Jose M. Tineo Hernandez appeared and stated he does not speak English very well. Officer Deno informed Mr. Hernandez the gravel needs to be removed and the car needs to be parked in a different place for the property to be in compliance. Board Member Howard inquired as to whether Mr. Hernandez understood what needs to be done to bring the property into compliance. Mr. Hernandez confirmed he understood and requested additional time to bring the property into compliance.

Board Member Howard made a motion to continue the case 30 days. Board Member Sharp followed with a second. **Motion carried by unanimous vote.**

CITY OF FLORENCE CODE ENFORCEMENT BOARD  
MINUTES OF APRIL 5, 2023  
Page 2

**Contested Case # 2023-80-OC**  
**71-75 Cavalier Blvd.**

**City of Florence vs. Amanda LePage, LMT**  
**Citation # 22-1291-1**

Officer Macaluso presented the case as follows: 7/27/22 received notification from the Finance Department that the occupational license was not in compliance, courtesy notice sent. First citation was issued on 1/9/23. Occupational license is currently in compliance.

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

**Contested Case # 2022-829-OC**  
**71-75 Cavalier Blvd.**  
**Contested by: Carlos Riz**

**City of Florence vs. Royal Prestige**  
**Citation # 22-1215-1**

Officer Macaluso presented the case as follows: 7/20/22 received notification from the Finance Department that the occupational license was not in compliance, courtesy notice sent. First citation was issued on 12/13/22. Occupational license is currently in compliance.

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

**Contested Case # 2023-29-ZG**  
**8415 US 42**  
**Contested by: Cynthia Fischer**

**City of Florence vs. CTF Enterprises LLC**  
**Multiple Citations**

Officer Deno presented the case as follows: 1/20/23 observed unlicensed/disabled vehicle on property, sent courtesy notice. Follow up inspection completed on 2/7/23, no change, first citation issued. 2/24/23 another inspection completed, property not in compliance, 2<sup>nd</sup> citation issued. Officer Deno received notification from Cynthia Fischer that they were not receiving the notices in the mail and the tenants were not relaying citations posted on the property. Once Ms. Fischer was made aware of the violation, she had the vehicle removed from the property. Property is currently in compliance. Officer Deno requested the citations be dismissed.

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

**Contested Case # 2023-375-OC**  
**8020 Action Blvd.**  
**Contested by: Mohamed Zineddin**

**City of Florence vs. Islamic Center of NKY**  
**Citation # 23-277-1**

Officer Macaluso presented the case as follows: 2/3/23 received notification from the Finance Department that the occupational license was not in compliance, courtesy notice sent. First citation was issued on 3/1/23. Officer Macaluso stated the Islamic Center of Northern Kentucky is a 501C organization. A fee is not required, but an occupational license is required to be on file. Property is currently not in compliance.

Mohamed Zineddin appeared on behalf of the Islamic Center of Northern Kentucky. Mr. Zineddin stated the Islamic Center has been in business for 15 years and was unaware they needed an occupational license due to the business being a nonprofit.

Officer Macaluso requested that the citation be dismissed as long as Mr. Zineddin completes the occupational license application today. Board Member Howard made a motion to dismiss the citation upon confirmation that the occupational license is brought into compliance today. Board Member Sharp followed with a second. **Motion carried by unanimous vote.**



CITY OF FLORENCE CODE ENFORCEMENT BOARD  
MINUTES OF APRIL 5, 2023  
Page 3

**Contested Case # 2022-421-OC**  
**71-75 Cavalier Blvd.**

**City of Florence vs. Loc Nguyen**  
**Multiple Citations**

Officer Macaluso presented the case as follows: 7/20/22 received notification from the Finance Department that the occupational license was not in compliance, courtesy notice sent. First citation was issued on 8/17/22 with three additional citations being issued. Occupational license is currently in compliance.

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

**Contested Case # 2022-354-ZG**  
**114 Colonial Drive**

**City of Florence vs. Silas Hamed**  
**Multiple Citations**

Officer Carpenter presented the case as follows: Inspection completed on 9/7/22, fence was in disrepair, courtesy notice sent. First citation issued on 10/10/22 and second citation issued on 3/23/23. Property is currently in compliance.

Silas Hamed appeared and requested both citations be dismissed.

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

**PARKING CASES: (5) PAID (0)**

Case No.	City of Florence vs.	Citation Location	Citation No.
2023-10-BB	Ryan Biehl	Tee Street	2607
2023-11-CB	Clifton Wallace Benson III	133 Lloyd	2764
2023-12-JS	Daniel Mukalenge	Preakness Drive	2587
2023-13-AD	Heather Deckard	8001 Transformation Lane	3202
2023-14-LT	Yesika Arias Martinez	313 Honeysuckle	2504

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: (99) Paid (19)**

Case No.	City of Florence vs.	Citation Location	Citation No.
2023-329-OC	B. Zaitz & Sons	71-75 Cavalier Blvd	22-1154-3 PD
2023-330-OC	Masterpiece Stratgy	71-75 Cavalier Blvd	22-1213-3
2023-331-OC	Big Blue Moving	71-75 Cavalier Blvd	22-1220-6
2023-332-OC	The Novorgroder Companies dba FD Group 2 LLC	7502 Dixie Highway	23-312-1
2023-333-OC	Deer Park Roofing Inc.	6418 Dixie Highway	23-313-1
2023-334-OC	Sabino Properties LLC	6418 Dixie Highway	23-314-1 PD
2023-335-OC	ARC Café USA 001 LLC	7912 Dream Street	23-315-1 PD
2023-336-OC	Cincy Clips Inc. dba Great Clips	7901-7905 Mall Road	23-324-1 PD
2023-337-OC	Kridha LLC	7124 Turfway Road	23-326-1 PD
2023-338-OC	PSP Stores, LLC dba Pet Supplies Plus	7659-7747 Mall Road	23-329-1 PD
2023-339-OC	Take2Vet DBA PET2VET	7289 Turfway Road	23-330-1 PD
2023-340-OC	PETSMART INC.	1030-1060 Hansel Ave.	23-331-1

CITY OF FLORENCE CODE ENFORCEMENT BOARD  
MINUTES OF APRIL 5, 2023  
Page 4

2023-341-OC	Saylor Automotive	1 Safeway Drive	23-332-1
2023-342-OC	Slate Ridge Holdings LLC	8104 US 42	23-343-1
2023-343-OC	La Guagalupana	7437 Burlington Pike	23-345-1
2023-344-OC	Pep Boys - Manny Moe & Jack	832 Heights Blvd.	23-347-1
2023-345-OC	TF Florence KY LLC	3000 Mall Circle Road	23-348-1
2023-346-OC	Nicole Mogdics/Castlebridge Counseling	73 Cavalier Blvd.	21-1583-6
2023-347-OC	Chiropractic Family Wellness	7276 Burlington Pike	22-1544-4
2023-348-OC	Bridge Point Propco LLC	7300 Woodspoint Drive	22-1547-6
2023-349-OC	All Lehn Counseling Services Inc.	7000 Houston Road	22-1822-3
2023-350-OC	Tram Properties LLC	7911 Mall Road	22-1917-6
<b>2023-351-OC</b>	<b>Pro Transmission</b>	<b>7209 Burlington Pike</b>	<b>23-284-1 PD</b>
<b>2023-352-OC</b>	<b>Five Below Inc.</b>	<b>7659-7747 Mall Road</b>	<b>23-286-1 PD</b>
2023-353-OC	Richard Fleg	7474 Industrial Road	23-288-1
<b>2023-354-OC</b>	<b>White Castle Kentucky</b>	<b>8101 US 42</b>	<b>23-296-1 PD</b>
2023-355-OC	KEB Real Estate Holdings LLC	8747 US 42	23-297-1
<b>2023-356-OC</b>	<b>Discount Tire</b>	<b>5 Spiral Drive</b>	<b>23-300-1 PD</b>
2023-357-OC	KT & J Inc. dba Flowerama	7290 Turfway Road	23-302-1
2023-358-OC	7957 Mall Road LLC	7951-7965 Mall Road	23-303-1
2023-359-OC	Deep Work Space LLC	7847 Tanners Lane	23-304-1
2023-360-OC	America's Best Restaurants	7847 Tanners Lane	23-305-1
2023-361-OC	New Plan Property Holding Co.	7601 Mall Road	23-309-1
2023-362-OC	Chester Dix Florence Corp. c/o Remke Market	6920 Burlington Pike	22-1662-6
2023-363-OC	The Master's Martial Art's Academy, Inc.	8400-8414 US 42	22-1757-3
<b>2023-364-OC</b>	<b>NADG NNN HTRS (KY) LP</b>	<b>7200 Houston Road</b>	<b>23-246-1 PD</b>
<b>2023-365-OC</b>	<b>Unique Hospitality LLC dba Microtel Inn &amp; Suites</b>	<b>7490 Woodspoint Drive</b>	<b>23-247-1 PD</b>
2023-366-OC	Houston Glenway LLC	6825 Houston Road	23-251-1
2023-367-OC	Rockwell Heavy Vehicle Systems c/o Meritor HVS ATT	7975 Dixie Hwy	23-258-1
<b>2023-368-OC</b>	<b>Point/ARC of Northern Kentucky Inc.</b>	<b>31 Spiral Drive</b>	<b>23-259-1 PD</b>
<b>2023-369-OC</b>	<b>BCREI LLC</b>	<b>7033 Burlington Pike</b>	<b>23-260-1 PD</b>
2023-370-OC	Michael Vaniglia	7401 Dixie Hwy	23-261-1
2023-371-OC	Michael's Garage	7401 Dixie Hwy	23-262-1
<b>2023-372-OC</b>	<b>Christina Griffith</b>	<b>8400-8414 US 42</b>	<b>23-264-1 PD</b>
2023-373-OC	OHP Industrial 42 LLC	7911 US 42	23-266-1
<b>2023-374-OC</b>	<b>Silverrock 7413 LLC</b>	<b>7413 US 42</b>	<b>23-268-1 PD</b>
2023-375-OC	Islamic Center of Northern Kentucky	8020 Action Blvd.	23-277-1
2023-376-OC	Scuba Shack of Northern Kentucky LLC	7333 Burlington Pike	23-280-1
2023-377-OC	FCPT Hospitality Properties LLC	7501 Foltz Drive	23-281-1
2023-378-OC	FCPT Hospitality Properties LLC	7844 Mall Road	23-282-1
2023-379-OC	Mary Hamilton Legacy Trust	8755 US 42	23-283-1
2023-380-OC	Comprehensive Logistics Company	4175 Aero Parkway	22-531-7
2023-381-OC	Chuck's Heating and Air, Inc.	7521 Sussex Drive	23-235-1
2023-382-OC	Steak N Shake Operations LLC	7485 Foltz Drive	23-236-1
2023-383-OC	PRZ F1, KY LLC	8559 US 42	23-241-1
2023-384-OC	Florence Holdings LLC	8020 Burlington Pike	23-242-1
2023-385-OC	SCF RC Funding IV LLC	77 Spiral Blvd	23-243-1
<b>2023-386-OC</b>	<b>Byrider Sales Acquisition Corp.</b>	<b>6619 Dixie Hwy.</b>	<b>23-244-1 PD</b>
2023-387-OC	Matsuya Japanese Restaurant	7137-7149 Manderlay Drive	22-1478-4
2023-388-OC	Alpha's Hometown Pizza & Pasta, LLC	8460-8470 US 42	22-2318-3
2023-389-OC	Araceli Entertainment LLC (Mugbees)	8405 US 42	22-2319-3
2023-390-OC	CEC Entertainment, Inc. (Chuck E Cheese)	7635 Mall Road	22-2320-3



CITY OF FLORENCE CODE ENFORCEMENT BOARD  
MINUTES OF APRIL 5, 2023  
Page 5

2023-391-OC	SSTI 8080 Steilen Drive LLC	8080 Steilen Drive	23-211-1
2023-392-OC	7620 Dixie Highway LLC	7620 Dixie Highway	23-212-1
2023-393-OC	PS Partners III LTD Florence - Public Storage Mgt.	7866 Tanners Lane	23-213-1
2023-394-OC	Store Capital Acquisitions, LLC	4012 Seligman Drive	23-218-1
2023-395-OC	Bear Paddle	4012 Seligman Drive	23-219-1
2023-396-OC	Elmcroft Senior Living	212 Main Street	23-220-1
2023-397-OC	Eshanya Hotels, LLC	7928 Dream Street	23-225-1
2023-398-OC	Autozone Inc.	8510 US 42	23-227-1
2023-399-OC	TM Properties LLC	235 Main Street	23-228-1
2023-400-OC	911 Fleet and Fire Real Estate LLC	11 Lendale Drive	23-229-1
<b>2023-401-OC</b>	<b>Connacht Realty LLC</b>	<b>5885 Merchants Street</b>	<b>23-232-1 PD</b>
2023-402-OC	FD Group 2 LLC	7502 Dixie Highway	23-312-2
2023-403-OC	Mike's Fish and Chicken Turfway	7269 Turfway Road	22-308-10
2023-404-OC	Turfway Plaza Associates	7269 Turfway Road	23-138-1
2023-405-OC	Bruening Bearings Inc. c/o CBIZ Property	7575 Thoroughbred Blvd	23-193-1
2023-406-OC	Ryan and Junghwa Tokko Revocable Trust	7313 Turfway Road	23-198-1
2023-407-OC	Steeplechase Hotel Inc.	7393 Turfway Road	23-200-1
2023-408-OC	Pachyderm Properties LLC	6843 Dixie Highway	23-201-1
2023-409-OC	Midas	8220 US 42	23-201-1
2023-410-OC	Max Auto Real Estate LLC	8218 US 42	23-202-1
2023-411-OC	HIS Florence Kentucky	7960 Connector Drive	23-209-1
2023-412-OC	Christina Griffith	8400-8414 US 42	23-496-1
2023-413-OC	Vereit Operating Partnership LP	4800 Houston Road	22-1698-3
2023-414-OC	Take2Vet DBA PET2VET	7289 Turfway Road	23-330-2
2023-415-OC	La Guagalupana	7437 Burlington Pike	23-345-2
2023-416-OC	Pep Boys - Manny Moe & Jack	832 Heights Blvd.	23-347-2
2023-417-OC	TF Florence KY LLC	3000 Mall Circle Road	23-348-2
2023-418-OC	NKY Smiles LLC	7303 US 42	23-431-1
2023-419-OC	7957 Mall Road LLC	7951-7965 Mall Road	23-303-2
2023-420-OC	Sabino Properties LLC	6418 Dixie Highway	23-314-2
2023-421-OC	Cincy Clips Inc. dba Great Clips	7901-7905 Mall Road	23-324-2
2023-422-OC	A Debt Coach Credit Counseling	71-75 Cavalier Blvd	22-1181-2
2023-423-OC	Pro Transmission	7209 Burlington Pike	23-284-2
2023-424-OC	Richard A. Fleg	7474 Industrial Road	23-288-2
2023-425-OC	KEB Real Estate Holdings LLC	8747 US 42	23-297-2
2023-426-OC	Discount Tire	5 Spiral Drive	23-300-2
2023-427-OC	Slate Ridge Holdings LLC	8104 US 42	23-343-2

Officer Macaluso requested Case No. 2023-414-OC, Citation # 23-330-2 issued to Take2Vet located at 7289 Turfway Road be dismissed. Board Member Howard motioned to dismiss the citation. Board Member Sharp followed with a second. **Motion carried by unanimous vote.**

Officer Macaluso requested Case No. 2023-396-OC, Citation # 23-220-1 issued to Elmcroft Senior Living located at 212 Main Street be dismissed. Board Member Howard motioned to dismiss the citation. Board Member Sharp followed with a second. **Motion carried by unanimous vote.**

Officer Macaluso requested Case No. 2022-576-OC, Citation # 22-1180-1; Citation # 22-1180-2; Citation # 22-1180-3; and Citation # 22-1180-4 issued to Padgett Business located at 71-75 Cavalier Blvd. be reopened and dismissed. Board Member Howard motioned to reopen the case. Board Member Sharp followed with a second. **Motion carried by unanimous vote.** Board Member Howard motioned to dismiss the citation. Board Member Sharp followed with a second. **Motion carried by unanimous vote.**

CITY OF FLORENCE CODE ENFORCEMENT BOARD  
MINUTES OF APRIL 5, 2023  
Page 6

Officer Macaluso requested Case No. 2023-274-OC, Citation # 21-3169-2 issued to Bruce Jorden located at 4885 Houston Road be reopened and dismissed. Board Member Howard motioned to reopen the case. Board Member Sharp followed with a second. **Motion carried by unanimous vote.** Board Member Howard motioned to dismiss the citation. Board Member Sharp followed with a second. **Motion carried by unanimous vote.**

Officer Macaluso requested Case No. 2022-786-OC, Citation # 22-2031-1 and Citation # 22-2031-2 issued to Preservation Management Inc. located at 100 Christian Drive be reopened and dismissed. Board Member Howard motioned to reopen the case. Board Member Sharp followed with a second. **Motion carried by unanimous vote.** Board Member Howard motioned to dismiss the citation. Board Member Sharp followed with a second. **Motion carried by unanimous vote.**

**FIRE PREVENTION CASES: (1) PAID (0)**

Case No.	City of Florence vs.	Citation Location	Citation No.
2023-1-FP	Speedway	7690 Burlington Pike	RSC-2023-01

**CITATIONS ISSUED – NO RESPONSE – FINAL ORDER: (35) Paid (1)**

Case No.	City of Florence vs.	Citation Location	Citation No.
2023-39-PM/ZG	Willard & Shirley McClintock	10 Kennedy Court	20-357-16
2023-40-PM	Willard & Shirley McClintock	10 Kennedy Court	22-59-12
2023-41-NU/ZG	Jose M. Tineo Hernandez	8 Smith Street	22-2280-2
2023-42-ZG	Pep Boys - Manny Moe & Jack	832 Heights Blvd.	22-498-4
2023-43-ZG	CTF Enterprises LLC	8415 US 42	23-107-2
<b>2023-44-NU</b>	<b>Herma Holdings S C Inc.</b>	<b>100 Meijer Drive</b>	<b>23-125-1 PD</b>
2023-45-NU	Oscar Frye IV	8481 Pheasant Drive	22-2196-2
2023-46-PM/ZG	Kirkwood Family Preservation Trust	8435-8439 US 42	22-1886-5
2023-47-ZG	Anthony Jones	15 Miriam Drive	23-14-2
2023-48-ZG	Home Depot USA	99 Spiral Blvd	21-2711-7
2023-49-PM	MAMIK LLC	56-58 Bustetter Drive	23-216-1
2023-50-ZG	Home Depot USA	99 Spiral Blvd	21-2711-8
2023-51-NU	Oscar Frye IV	8481 Pheasant Drive	22-2196-3
2023-52-ZG	Pep Boys - Manny Moe & Jack	832 Heights Blvd.	22-498-5
2023-53-NU/PM/ZG	Vincent Burns	26 Julia Ave.	22-663-11
2023-54-PM	MABEF LLC	7503 Industrial Road	23-435-1
2023-55-ZG	Home Depot USA	99 Spiral Blvd	21-2711-9
2023-56-NU/ZG	Jenny Rice	320 Center Street	22-1090-4
2023-57-NU	Mikesell Preservation Trust	1127 Appomattox Drive	23-400-1
2023-58-ZG	Jenny Rice	320 Center Street	23-489-1
2023-59-ZG	Cole Lo Florence KY LLC	4800 Houston Road	23-580-1
2023-60-ZG	Silas G. Hamed	114 Colonial Drive	22-1814-2
2023-61-NU	Herma Holdings S C Inc.	100 Meijer Drive	23-125-2
2023-62-NU/ZG	Speedway	8240 US 42	23-131-1
2023-63-ZG	Speedway	8699 US 42	23-141-1
2023-64-ZG	Covington Shopping Center LLC	8537 US 42	23-142-1
2023-65-NU	Maria Guerra Nolasco	4-6 Chipman Drive	23-457-1
2023-66-NU/PM	Velasquez Trinidad Vicente Gunera	204 Center Park Drive	23-470-1
2023-67-NU/PM/SW	Sunnybrook Farms Subdivision Homeowners	9156 Susie Drive	23-350-1
2023-68-ZG	Nichole Bennett	8446 Winthrop Place	23-446-1
2023-69-ZG	Timothy & Darlene Leatherman	8451 Village Drive	23-448-1
2023-70-PM	Darral Voorhees	18 Banklick Street	23-494-1

CITY OF FLORENCE CODE ENFORCEMENT BOARD  
MINUTES OF APRIL 5, 2023  
Page 7

2023-71-NU	Christina Griffith	8400-8414 US 42	23-496-2
2023-72-ZG	James & Patricia Hartberger	1 Fair Street	23-525-1
2023-73-ZG	Home Depot USA	99 Spiral Blvd	23-559-1

**CONTINUED CASES (3):**

**Continued Case # 2023-23-NU**  
**68 Vivian Drive**  
**Represented by: Chevetta Fitch**

**City of Florence vs. Samuel Clemons**  
**Citation # 22-2215-1**

Officer Carpenter presented the case as follows: Case was for trash and debris, there were items along the back fence that needed to be removed from the property. All items have been removed and the property is in compliance. Officer Carpenter reminded Ms. Fitch that the chain link fence is not in compliance and she needs a zoning permit for the sheds or another citation may be issued.

Chevetta Fitch appeared on behalf of Samuel Clemons. Ms. Fitch stated she has a quote to have the fence replaced and further stated the sheds have been there for over ten years. Officer Carpenter stated a zoning permit is still needed, no matter how long the sheds have been there. Ms. Fitch stated she will obtain the zoning permit.

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

**Continued Case # 2020-341-PM/ZG**  
**7410-7415 Eagle Creek Court**  
**Represented by: John Sedenberg**

**City of Florence vs. Dutch Properties, Inc.**  
**Multiple Citations**

Officer Macaluso presented the case as follows: Followed up with the Boone County Planning Commission and the permit has been approved. Officer Macaluso recommended the citations be dismissed.

John Sedenberg appeared on behalf of Dutch Properties.

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

**Continued Case # 2022-716-OC**  
**7210 Turfway Road**

**City of Florence vs. Michael Constantino**  
**Multiple Citations**

Officer Macaluso presented the case as follows: Case was continued from March to allow Mr. Constantino to bring his occupational license into compliance. Officer Macaluso stated the occupational license is now in compliance.

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

**OTHER:**

**Continued Case # 2020-82-PM/ZG**  
**132-135 Honeysuckle Drive**  
**Contested by: Robert Busken**

**City of Florence vs. Tower Place Properties, LLC**  
**Multiple Citations**

Case was continued to the May Code Enforcement Board Meeting. Representatives of the property owner appeared and the Code Enforcement Board Members elected to hear the case.

Officer Macaluso presented the case as follows: This case was heard at the March Code Enforcement Board Meeting and continued to the May Code Enforcement Board Meeting. Mr. Busken is in the process of selling the property; however, the property is not able to be sold with liens on the property and the liens cannot be released until the property is in compliance. Currently, there is a total balance owed of \$7,921, not including attorney's fees. Officer Macaluso and



CITY OF FLORENCE CODE ENFORCEMENT BOARD  
MINUTES OF APRIL 5, 2023  
Page 8

Assistant City Attorney Nienaber received proposals for settlement agreements yesterday and an updated agreement was received. An inspection was completed prior to the meeting and several repairs listed as completed on the proposal are not in compliance. He stated the proposal for 132 Honeysuckle requested six months for exterior repairs and eighteen months for interior repairs to be completed. Proposal states all repairs at 135 Honeysuckle have been completed. Officer Macaluso stated temporary patches and striping have been placed in the parking lot. However, these are not proper repairs and are not acceptable. Officer Macaluso stated the proposal was not received in sufficient time.

Attorney Phyllis Mauntel appeared on behalf of Tom Torline, prospective purchaser of property. Attorney Mauntel stated Mr. Torline has completed a substantial amount of work on the property already and is hesitant to put any more money into the property until the sale is completed. Mr. Torline's intent is to have the exterior of 132 Honeysuckle completed this spring/summer.

Officer Macaluso stated the repairs are not the responsibility of Mr. Torline. The responsibility lies with the current property owner, Robert Busken.

Attorney Ann Miller appeared on behalf of Robert Busken and Tower Place Properties. Attorney Miller stated Mr. Busken and Mr. Torline had a purchase agreement since last year stating all repairs would be completed by Mr. Torline; however, issues with financing have pushed the sale back to this spring. The sale is unable to be completed until the liens on the property are removed. Attorney Miller stated Mr. Torline has expended additional funds over the past few weeks to bring the property into compliance for the sale to occur. Attorney Miller stated everyone wants the property to be in compliance.

Officer Macaluso inquired of Mr. Busken's intent and stated Mr. Busken is the current property owner and is responsible for the repairs.

Attorney Mauntel stated the sale price is the reason Mr. Busken is not completing any repairs. Mr. Busken is selling the property under market value with the expectation that Mr. Torline will complete all necessary repairs. Attorney Mauntel further stated only temporary repairs have been completed on the parking lot. They will need to bring in heavy equipment for the building repairs and that may damage any work completed on the parking lot.

Attorney Nienaber stated the citation fees and lien fees may be paid and the liens can be released; however, citations will continue to accumulate until the property is brought into compliance. However, if an agreement can be reached, with approval of the Board, new citations will not be issued as long as the terms of the agreement are being met.

Officer Macaluso stated the property needs to be brought into compliance. If the citation fees and lien fees are paid and the liens are released, there is no leverage against the property owner to bring the property into compliance unless citations are started over and new liens are filed.

Attorney Miller stated the citations have nothing to do with the burnt property and that even though the property is an eyesore and that is not a citation that can be paid. Attorney Miller reiterated that Mr. Busken would like to pay all citation/lien fees owed so the sale can take place and the repairs can be completed.

Officer Macaluso reiterated that Mr. Busken is the property owner and it is his responsibility to bring the property into compliance in order to have the liens released.

Attorney Miller stated the city is not able to stop the transfer of property.

Attorney Nienaber agreed and stated the Code Board agreed at the previous meeting to pause issuance of new citations until the May meeting to allow Mr. Busken time to bring the property into compliance. Attorney Nienaber further stated under the ordinance each day is a new violation and fees continue to accrue. The city is not interested in making money on these cases, the city wants the property in compliance. This issue has been going on for years and is effecting the quality of life of the neighbors. The city has received many complaints from the residents.

Attorney Mauntel stated concrete repairs to 135 Honeysuckle will be completed within 60 day. Repairs to 132 Honeysuckle will take longer and anticipate to be completed by the end of summer.

Officer Macaluso recommended the case be continued to the May meeting to allow time to evaluate the property. Board Member Sharp motioned to continue the case to the May meeting. Board Member Howard followed with a second.  
**Motion carried by unanimous vote.**



CITY OF FLORENCE CODE ENFORCEMENT BOARD  
MINUTES OF APRIL 5, 2023  
Page 9

**ATTORNEY'S REPORT:**

Attorney Nienaber stated the property owners for 10 Kennedy Drive and 26 Julia Avenue have obtained counsel. Both cases are waiting on the mortgage companies to be served in order to proceed. Once the mortgage companies have been served, motions to set the cases for trial will be filed with the court.

10 Valley Drive sold for \$70,000. The sale has been confirmed and the city will receive approximately \$63,000 from the sale. The city will also have a deficiency judgment against Mr. Foltz.

**ADJOURNMENT:**


Vice-Chairman Rowland reminded the Board the next meeting will be held on May 3, 2023.

There being no further business to come before the Board, Vice-Chairman Rowland 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 10:59 a.m.

ATTEST:

  
Melissa Kramer, Secretary

APPROVED:

  
Jim Johnson, Chairman

CITY OF  
FLORENCE  
KENTUCKY®