

CITY OF BOWLING GREEN

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**MINUTES
CODE ENFORCEMENT AND NUISANCE BOARD
May 23, 2023 at 4:30 PM**

❖ **CALL TO ORDER @4:40 PM**

❖ **ROLL CALL / ATTENDANCE**

BOARD MEMBERS PRESENT: Ryan Dearbone, Jeff Holman, Gene Harmon, Randy Deere

BOARD MEMBERS ABSENT: Anthony LaPointe

STAFF PRESENT: Code Enforcement and Nuisance Board Clerk: Pamela Boose;
Code Officials: Brad Schargorodski, James Heady, Ben Peterson, City Attorney Hillary Hightower.

OTHER: Code Enforcement & Nuisance Board Attorney: David Broderick

❖ **APPROVAL OF MINUTES - April 25, 2023**

*Deere made a motion to approve the minutes as written.
Holman seconded the motion. The motion passed with a four to zero vote.*

ROLL CALL: Yes – Harmon, Dearbone, Holman, Deere
No – none.

❖ **APPEALS**

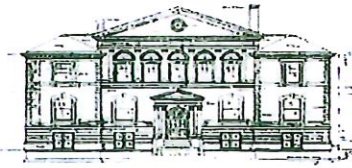
CASE #1 – Planning & Zoning

Case 2022-7830 – 906 Fairway St.

Owner: Wayne D. & Stacey B. Dickens – Respondent: Wayne Dickens

Officer: James Heady

Citation Fine: \$300.00



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Officer Heady presented the case, stating a notice of violation had been sent to Mr. Dickens on 9/22/22, regarding a short-term rental. On 11/01/22, the property was found to be posted online as a short-term rental. Mr. Dickens said he changed the listing to be thirty days or more. On 4/20/2023, research revealed evidence from the websites of Airbnb and VRBO, newly posted reviews of the property rented as a short-term rental. Mr. Dickens presented as evidence, a signed, eighteen-month lease with Graham Rich, dated to begin April 1. A neighbors to the property, Donnie Beller, appeared before the Board to give testimony regarding the property's appearance of being rented short term in April. Mr. Beller stated he knows the mother of Graham Rich, the tenant listed on the lease, submitted as evidence. According to Mr. Beller, the mother's comment to him was Graham would not be able to move in until May 1st. Mr. Dickens stated the property is in compliance. The property is not listed as a short-term rental.

Deere made a motion to uphold the citation and fine of \$300.00

Holman seconded motion. The motion passed with a three to one vote.

ROLL CALL: Yes – Harmon, Holman, Deere
No – Dearbone

Dearbone left the hearing after Case #1 was concluded.

CASE #2 – Code Compliance

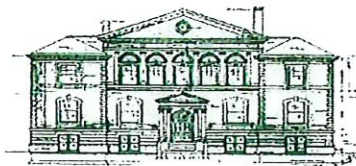
Case 2022-8039 – 727 11th Ave. E.

Owner: McCallister Family Revocable Trust – Respondent: Sandy & John McCallister

Officer: Brad Schargorodski

Citation Fine: \$254.75

Officer Schargorodski presented the case, stating the case has been open for 180 days, with ten active code violations. Sandy McCallister (respondent) was sworn in and stated the building in question has historical significance. They were trying to decide if the building could and should be salvaged/restored. Board Member Deere inquired as to the historical significance of the structure. Mrs. McCallister replied it is a saddle bag/dump pin style building, and PVA has it listed as built in 1800. Mrs. McCallister said they planned to do most of the restoration themselves, but they both work full time and have limited time to dedicate to the project. They disagree there has been no work done to bring the property to compliance and ask the fine be waived. They have since agreed to demolish the structure, since it would be less expensive, and would bring the property to compliance faster. They have hired five different contractors, and finally have one willing to work the project. Garcia Landscaping plans to complete the demolition. A demo permit has been issued, but there is no signed contract with the contractor yet.



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*Harmon made a motion to uphold the citation and fine of \$254.75
Holman seconded motion. The motion passed with a three to zero vote.*

*ROLL CALL: Yes – Harmon, Holman, Deere
No – none.*

❖ OLD BUSINESS – none.

❖ NEW BUSINESS

CASE #3 – Code Compliance

Case 2022-2238 1504 N. Sunrise Dr.
Owner: Aceland Holdings LLC
Officer: Brad Schargorodski

Request for Authorization to Demolish Structure(s).

Officer Schargorodski stated this case has remained opened for 400 days, has over \$15,000 in outstanding taxes, fees, and fines since 2020. The owner of this property owns multiple properties in Bowling Green, and due to the lengthy record of violations, and time involved working the cases, we believe the owner has no intention of bringing the property to compliance.

*Deere made a motion to authorize demolition of structure(s) located at the address.
Harmon seconded motion. The motion passed with a three to zero vote.*

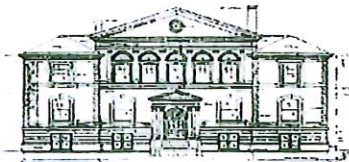
*ROLL CALL: Yes – Harmon, Holman, Deere
No – none.*

CASE #4 – Code Compliance

Case #2023-0237 – 1508 N. Sunrise Dr.
Owner: Aceland Holdings LLC
Officer: Brad Schargorodski

Request for Authorization to Demolish Structure(s).

Officer Schargorodski stated this case has over \$6,200.00 in outstanding taxes, fees, and fines since 2020. The owner of this property is the same as the previous case, and owns multiple properties in Bowling Green, and due to the lengthy record of violations, and time involved working the cases, we believe the owner has no intention of bringing the property to compliance.



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*Deere made a motion to authorize demolition of structure(s) located at the address.
Harmon seconded motion. The motion passed with a three to zero vote.*

*ROLL CALL: Yes – Harmon, Holman, Deere
No – none.*

CASE #5 – Planning & Zoning

Case #2022-7831 – 702 Fern Hill St.

Owner: Christina & James Sweeney

Officer: James Heady

Request for Authorization to Issue Per-Day Fine

Officer Heady stated this case has been open for 304 days for unpermitted gravel, and no work permit. A NOV was sent on 8/25/2022 with four follow up inspections and three citations. The property is still non-compliant.

*Deere made a motion to authorize a Per-Day fine of \$100 to run for sixty days or until the property is brought to compliance.
Harmon seconded motion. The motion passed with a three to zero vote.*

*ROLL CALL: Yes – Harmon, Holman, Deere
No – none.*

❖ COMMENTS / ANNOUNCEMENTS - None.

❖ ADJOURNMENT

At 6:00 PM Harmon made a motion to adjourn the hearing.
Deere seconded the motion. The motion passed with a three to zero vote.

*ROLL CALL: Yes – Harmon, Holman, Deere
No – none.*

The next scheduled hearing for the CENB will be Tuesday, June 27, 2023 at 4:30 PM in the City Hall Commission Chamber located on the second floor of City Hall.

ADOPTED:

June 27, 2023

APPROVED:

[Signature]
Code Enforcement and Nuisance Board Chairperson

ATTEST:

Pamela S. Boose
Code Enforcement and Nuisance Board Clerk

For more information a copy of the DVD can be reviewed upon request.