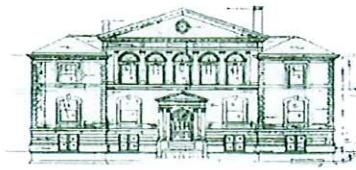


Pamela Boose
CENB CLERK
PHONE: 270.393.3102
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ANTHONY LAPOINTE, CHAIR
BEN BRUNI, CO-CHAIR
JOSE GONZALEZ
JEFF HOLMAN
KENAN MUJKANOVIC

COUNSEL: DAVID BRODERICK

SUSAN OLIVER LEWIS
RACHEL CRAWFORD

CITY OF BOWLING GREEN
F O U N D E D 1 7 9 8
CODE ENFORCEMENT AND NUISANCE BOARD
(ADOPTED) MINUTES
CITY HALL COMMISSION CHAMBER
August 25, 2026 @ 4:30 PM CST/5:30 PM EST

CALL TO ORDER – The hearing was called to order at 4:31 PM, CST/5:31 PM EST by Chairperson, Anthony LaPointe.

ROLL CALL - The roll was called for Board members.

MEMBERS PRESENT – Anthony LaPointe, Ben Bruni, Jose Gonzalez, Jeff Holman, Kenan Mujkanovic.

MEMBERS ABSENT – None.

STAFF PRESENT – Brad Schargorodski, Pam Boose, James Heady, Rachel Hurt, Nick Lawhon, Sanja Dudaric, McKenna Tabor

CENB LEGAL COUNSEL – David Broderick

APPROVAL OF MINUTES – *Bruni made a motion to approve the minutes.*
Holman seconded the motion.
The motion passed with a five to zero vote.

VOTE: Yes – LaPointe, Bruni, Gonzalez, Holman, Mujkanovic
No – None.

The minutes for July 28, 2026, were approved as written without revisions.

SWEAR IN STAFF – Staff was sworn in.

HEARING AGENDA

➤ APPEALS

Agenda Item 2026-32 Zoning Compliance

Case #2026-6137, Citation #2026-9524

Location: 1146 High Street

Owner: Charles & Carolyn Hardcastle

Respondent: Richard Whitaker

Officer: James Heady

Citation Fine \$100.00

The respondent was not present at the time the case was called

Agenda Item 2026-33 Zoning Compliance

Case #2026-7350, Citation #2026-00011255

Location: 1310 US 31W ByPass

Owner: Jai Sai Malik LLC

Respondent: Paresh Desai

Officer: James Heady

Citation Fine \$200.00

Officer Heady presented the case.

A complaint was received on 2/10/26, regarding two storage pods placed in front of the property occupying two parking spaces. The property was inspected on 2/6/2026, and freight containers were documented with photos. Research showed one container has been onsite for over ten years and is considered legal non-conforming and is grandfathered in. The other container has been on site for less than five years and must be brought to compliance with current code. A Notice of Violation (NOV) was delivered on March 13, 2026. Staff have communicated two options to Mr. Desai for compliance. Move the container so they can pave underneath the container, replace the container, then install natural screening with one deciduous tree, five evergreen shrubs or install one deciduous tree and install a six-foot tall, opaque fence. A citation was delivered on August 10, 2026. The case has been open for 203 days.

The respondent, Paresh Desai, was sworn in at the podium.

Desai testified they were victims of the tornado in 2021 and have rebuilt the property. Desai stated they had no idea they were not compliant with the City/County Planning Commission (CCPC). Desai stated if they had known about this when they got their final inspection from the city, it would have been much easier to make the needed changes back then. Now the container is full of carpets, stone, furniture and such, so if the board granted a waiver, it would still be very hard to unload. Desai said he is willing to add the screening requirement. Desai is requesting a waiver, so paving would not be required under the container. The containers are next to each other, and one is grandfathered in. The surface underneath is level. Desai asked that paving is not required because it would be a hassle to unload and is unsure where the items inside the container will be stored so the container may be moved. LaPointe stated the board cannot change the code. Paving under the container is required and asked Desai if he considered having a company move the container so the paving may be done. Desai replied he was unsure where the supplies inside the container would be stored and that the property was very small. LaPointe clarified his suggestion was to have a company move the entire container off site, pave and then move the container back into place. Desai stated if permission is not given, it will have to be done, but will be very hard, and there is no place to store the contents. Holman asked LaPointe if his suggestion was to move the container with the contents still inside? LaPointe said "yes." LaPointe asked Heady once paving occurs, would landscaping be required or a fence. Desai said he did not disagree and was willing to complete that requirement. LaPointe stated this has been going on for 200 days.

Desai said he spoke with Ben Petersen at the CCPC, to make an appeal to the board. Desai asked the board for a chance to complete the work. Holman asked Heady what the available options are to get the property into compliance. Heady replied that the paving needs to occur underneath the container, then screening is required which may be the fence option with one tree or one tree and five shrubs. LaPointe asked Desai how long it would take for the work to be completed, and Desai responded that maybe one month for the tree and the screen, if the waiver was approved. LaPointe verified they were talking about the same thing as far as a screen being a fence and not a screen. Desai agreed to a fence not a screen. Bruni made a motion to uphold the citation and waive the fine contingent upon a one-month period to complete the project. Division Manager Schargorodski asked the CENB Attorney Broderick to advise on the matter that it could not be contingent upon something that has not occurred. The motion would need to either table the matter for 30 days and it comes back before the board or uphold the citation and waive the fine if that was decision. Broderick nodded his head in agreement.

LaPointe explained to Desai he will need to come back in one month and ensure the work is complete. Desai stated he wanted to be sure he did not have to pave under the container. LaPointe explained the container will need to be moved so paving can be done and to install the fence. Desai said he would need

time because there is no storage for the stuff in the container. LaPointe said it has already had 203 days. Desai repeated there is no place to store all the stuff, and he cannot leave it outside. LaPointe suggested moving the entire container, perhaps into other parking spaces temporarily, to accomplish the paving. LaPointe asked Heady if that would be permissible and Heady nodded his head in agreement. Desai asked for two months since the container must be moved. Holman explained to Desai that the container does not have to be empty to move it, the contents may stay in the container while moving it. Desai said the contents would have to be removed, there are items that would be damaged or broken. LaPointe stated staff has been working with him for 200 days and the board is willing to allow 30 more days.

Bruni made a motion to table the matter for 30 days.

LaPointe seconded the motion.

The motion passed with a five to zero vote.

***VOTE: Yes – LaPointe, Bruni, Gonzalez, Holman, Mujkanovic
No – None.***

The case has been tabled for thirty days until the next hearing on September 22, 2026.

Agenda Item 2026-34 Public Works

Case #2025-11378, Citation #2026-10934

Location: 1964 Stonehenge Avenue

Owner & Respondent: Van Ahn Taylor

Officer: Nick Lawhon

Citation Fine \$4,000.00

Officer Nick Lawhon presented the case.

This case is the result of a series of sanitary sewage discharges out of the lift station. The initial complaint came from Code Compliance in November 2025, along with other complaints from adjacent apartments. At the time there was nothing found that was definitively out of compliance, only indicators there had been some seepage from the lift station, so staff decided to monitor the situation. On December 15, 2025, there was sewage actively rolling out of the lift station onto an adjacent property. Over the next month, the Public Works Department involved a contractor on Christmas Eve to clean the site, remove sewage that was discharged onto the ground, and install a bypass pump. All these things were items the owner was supposed to do and failed to correct. A citation was issued on 12/30/2025, for illicit discharge, 1st offense. The compliance date on the citation was January 2, 2026, to repair the pump system and have the components inspected by a licensed professional by 1/9/2026. During an inspection on 1/5/26, active sewage discharge was observed. A second citation was issued in April 2026. The case remained open due to the repetitive nature occurring on the property. Code Compliance reported in August 2026 that the pump was inoperable. Staff conferred with Code Compliance and the Barren River Health Department, and it was decided to give the property owner until the end of the business day to have the lift station's tank pumped out. By the end of the next business day, the owner was required to have a bypass pump installed. It was required by August 14, 2026, that a licensed plumber had to install a new compliant pump system for the lift station. On 8/25/2026, the property was inspected, and it was confirmed a new pump was installed and wired in correctly. The property is currently in compliance. The last bit of unfinished business is getting a plumber to test the new system to ensure there are no leaks. Holman asked Lawhon if the city has incurred over \$14,000 in charges for the property and Lawhon replied that it was correct. Holman also asked if the contaminated soil was removed from the area, and Lawhon replied that it was part of the work assigned to the contractor. Holman asked what it is about the site that requires a pump and Lawhon explained the lift station is at the bottom of the sewer system for the 16 apartment units. The sewage for those units flows via

gravity to the pump and the pump essentially grinds up the solids and pumps everything to the sewer system that is maintained by BGMU in the right-of-way.

The respondent Van Ahn Taylor was sworn in at the podium.

Taylor stated she knew it was all wrong, but she bought the property last year and the previous owner tried to fix it because they had an agreement. By December, it was bad. It took a long time to find the right person to do the right work. In the spring everybody was busy, and the parts had to be ordered, and it took a long time, but it is fixed now. Mujkanovic asked if the electrical work was completed, and Taylor replied it was done, and the pumps and alarm system all work well now. LaPointe asked what the purpose of the black hose was shown earlier and Taylor said it was just temporary since the alarm had to be ordered, and it would take a couple of weeks to be delivered.

Bruni made a motion to uphold the citation and fine.

LaPointe seconded the motion.

The motion passed with a five to zero vote.

VOTE: Yes – LaPointe, Bruni, Gonzalez, Holman, Mujkanovic

No – None.

The Citation #2026-10934 and fine of \$4,000.00 are upheld.

Agenda Item 2026-32 Zoning Compliance

Case #2026-6137, Citation #2026-9524

Location: 1146 High Street

Owner: Charles & Carolyn Hardcastle

Respondent: Richard Whitaker

Officer: James Heady

Citation Fine \$100.00

The respondent came in late, so the case was heard.

Officer James Heady presented the case.

This is a business with quite a bit of outdoor display as seen in the displayed photo. A Notice of Violation (NOV) was issued on 2/19/2026, stating the display needs to be located 100 feet from the right-of-way.

The property was inspected on 7/9/2026 and the display was still along the guardrail, so a citation was issued. The property was inspected on August 19, 2026, and the property is compliant. The case was open for 221 days.

The respondent Richard Whitaker was sworn in at the podium.

Whitaker stated everything is now in compliance. There was confusion between Whitaker and Heady pertaining to where the display could be placed. When the first notice was received, everything was moved to the side of the building, and it was thought to be ok. It was not. Whitaker stated he called Heady to ask if he could come to the property to show them where the display may be and his reply was no. Whitaker found the property line pins, measured 100 feet from the pins, and that's where the display is now.

Bruni made a motion to uphold the citation and waive the fine.

Mujkanovic seconded the motion.

The motion passed with a five to zero vote.

VOTE: Yes – LaPointe, Bruni, Gonzalez, Holman, Mujkanovic

No – None.

The Citation #2026-9524 is upheld and fine of \$100.00 is waived.

Agenda Item 2026-35 Code Compliance

Case #2024-0660, Citation #2024-1267.52

Location: 868 Nutwood Street

Owner: Christina E. Perkins

Respondent: John Evans

Officer: Sanja Dudaric

Citation Fine \$206.33

Officer Dudaric presented the case.

The case is the result of a proactive inspection on 2/2/2024. The following violations were observed on the property: protective treatment, missing siding, and accumulation of construction materials and a Notice of Violation (NOV) was sent to the PVA listed property owner. The property was damaged during the 2021 tornado. The property was inspected on 9/5/2026 and remained in violation and a citation was issued. Additional violations added to the citation were: placement of trash containers and accumulation of trash/rubbish. A photo was displayed to show piles and/or stacks of bricks and fencing material in the front of the property as well as in the alley behind the property. A permit was applied for on 7/12/2022 but since there was no inspection requested or conducted by a building inspector, the permit was canceled on 10/3/2023. The permit was reopened on 7/16/2024. A citation issued on 9/5/2024 was appealed and presented to the board in September 2024. The board upheld the citation and waived the fine. Since then, there have been numerous inspections, and most of the work has been completed. Dudaric has met with the property owner and contractor on two separate occasions and explained that the construction materials and bricks currently stacked in the front yard need to be moved. It was explained to staff there was a change in plans, and they would install siding and remove the building materials and brick. Staff have made multiple attempts to contact the contractor since May 2026 without success or contact from the contractor. The property was inspected on 7/16/2026 and remained in violation. A citation was issued with the following violations: accumulation of construction materials, duty of maintenance of private property, expired building permit in March of 2025 and the property in the same condition since 2021. The building and electrical permits have been reinstated and expire in January 2027. The bricks are still stored in the front of the property as well as in the alley. Tarps are covering the bricks, but the contractor was informed he cannot just cover the bricks they need to be moved. The case has been open for 927 days. Photos taken on 8/25/2026 were displayed to show the current condition of the property. Currently no inspections have been scheduled for the building permit.

The respondent, John Robert Evans, was sworn in at the podium.

Evans stated staff issued a citation written for no permit, but he went to the building department and got the permit and held the permit up for display. Evans stated the permit is good until 1/17/2027. Evans asked staff in the Building Department about having the brick and Evans claimed he was told if the brick was stacked neatly, you do not have to move it. The bricklayer has been working and has laid over fifteen to twenty thousand bricks in the walkway. There will be another ten thousand bricks laid on the entire back of the property will be brick, as well as the sides. Evans said he repaired the siding even though he will have to remove it later since that will all be bricked later. Evans said staff said the siding is good but there is debris laying around. Evans said then he started making repairs to the fence. Evans said there have been no neighbor complaints about the property and he has been working with staff for the last two and a half years to three years. The owner, Christina Perkins, has several other properties that Evans has been maintaining, trying not to fall behind on those properties. Evans claimed staff would call and say if you fix this then the case many be done. Evans said, he fixes, fixes and is never done. Evans said he went out of the country for two months and all this stuff blew up when he returned Evans stated he believed everything staff wrote was false. The property does not look like any of the pictures displayed. The property is spotless. Everyone in the world would complain if it looked like those pictures.

There have been electrical, and plumbing professionals sign off on the property and Scott Hunt from the Building Division said he wanted one last look before closing it up, but Evans claimed Hunt said it was good. LaPointe commented that it was stated on September 5th he was not planning to use the bricks anymore. Evans said he was not planning to use the bricks in the driveway. LaPointe asked Evans what the bricks in the driveway were for and Evans replied that those bricks would be used on a bump out on the front of the property. The bricklayer made a pattern by the front door and some of the brick will be used to line the edge of the driveway. Whenever staff made a request to move this here or put that there, Evans claimed he complied and stated the property looks nothing like any of the pictures that have been displayed. LaPointe stated the photos currently displayed were taken today. Evans stated in those pictures, there is no debris lying around, only the bricks that are being used on the front porch. LaPointe asked for the permit to be reviewed by legal counsel. Dudaric was asked to review the photos from the beginning and explain. The first photo was taken in 2024 showing siding that had been missing since 2021. This is when they changed from using brick to installing siding. The next photo showed trash containers in the alley, concrete pavers and brick next to the garage by the alley. This is an alley where bricks were piled outside the fence, in the alley. The next photo showed the front yard of the property where bricks were piled by the walk, there is trash, bags and different items on the front porch. Evans was informed if he no longer plans to use the brick, it cannot be covered by a tarp, it must be moved. According to staff the brick has not been moved. CENB attorney Broderick made some comments regarding the dates of the permit. Division Manager Schargorodski explained a building permit for the City of Bowling Green is good for six months, but an inspection needs to take place to keep the permit open. If an inspection occurs within that time frame, the permit is extended for another six months. If the property had been inspected every six months for the last five years, the permit would have remained open. A building permit does not excuse the lack of property maintenance or the accumulation of construction debris. Nothing in that permit allows them to violate property code. Violation of property code is the issue here, not the permit. The permit was renewed, and the violation for the permit was removed from the citation. The most recent citation does not include a violation of the permit, only for the overall appearance of the property that has continued for the last five years. Holman stated the photo from September that showed the missing siding was at that point after three years. Holman asked Evans to explain how it takes three years to replace siding. Evans stated the siding had to be ordered since it was no longer manufactured and that is why it was decided to use the brick. Evans explained the owner has been battling cancer the whole time and he has been driving here to and from Nashville for treatment, every three days, every week for the last three years. Holman expressed sympathy for the situation but could not understand 927 days to complete the work.

Holman made a motion to uphold the citation and fine.

LaPointe seconded the motion.

The motion passed with a five to zero vote.

VOTE: Yes – LaPointe, Bruni, Gonzalez, Holman, Mujkanovic

No – None.

The Citation #2024-1267.52 and fine of \$206.33 are upheld.

➤ OLD BUSINESS

➤ NEW BUSINESS

Agenda Item 2026-36 Code Compliance

Case #2026-2220

Location: 2724 Scottsville Road

Owner: M & R 1, LLC

Officer: McKenna Tabor

Request for Authorization to Issue a Per-Day Fine Citation

Officer Tabor presented the case.

The case is the result of a license inspection conducted on 4/8/2026. During the inspection, the following violations were observed: permit required for structural modifications, no permits and/or license to operate a massage facility. The structure was unfit for human habitation; occupancy was prohibited for fire safety. There were no fire safety appliances on site, improper general interior construction, not structurally sound walls, water damage and mold-like substances throughout the structure. There were rooms present that were being used for residing and sleeping not intended for habitation. There were electrical, plumbing and water heating issues. The property was condemned on 4/8/2026, and a citation was issued. Photos were displayed showing the living quarters, showers, cooking area and laundry room. All things were installed without permits. A second citation was issued on 4/22/2026, and access to the property was not allowed. A citation was issued on 5/5/2026, and access to the property was not allowed. On 5/22/2026, the property owner contacted staff requesting a meeting on site to review the violations and discuss work needed to bring the property to compliance. Inspections were conducted on 6/15, 6/22, 7/9, 7/17, 7/31 and 8/14 and the property remained in violation. As of 8/25/2026, the property remains in the same condition, condemned and is still in violation. No permits have been applied for, and the case has been active for 139 days.

LaPointe made a motion to authorize a per-day fine citation.

Mujkanovic seconded the motion.

The motion passed with a five to zero vote.

VOTE: Yes – LaPointe, Bruni, Gonzalez, Holman, Mujkanovic

No – None.

A \$100.00 Per-Day Fine Citation was authorized to run for a period of 60 days or until the property is brought to compliance.

Agenda Item 2026-37 Code Compliance

Case #2025-11249

Location: 1171 Adams Street

Owner: Aceland Holdings LLC

Officer: McKenna Tabor

Request for Authorization to Issue a Per-Day Fine Citation

Officer Tabor presented the case.

This case is the result of a proactive inspection conducted on 12/8/2025, by former Officer Heather Lashley. During the inspection the following violations were observed: duty of maintenance of private property, hazardous structure, dilapidated accessory structure, broken/boarded windows, peeling/flaking/chipping paint, missing siding, roof/gutter damage, accumulation of junk/scrap metal and construction/demolition/landscaping debris. A Notice of Violation (NOV) was sent on 12/8/2025. Staff contacted the property management for the property on 12/16/2025 regarding an unsecure window and requested the window be repaired and secured. Staff contacted the property manager and owner on 12/29/2025 to confirm the receipt of the NOV and to discuss the violations.

On 1/8/2026 the property was inspected and remained in violation. Staff contacted the property manager and owner requesting an update on bringing the property into compliance. The owner requested staff

contact his attorney. Staff did contact the attorney, and a letter was sent from the attorney to staff to acknowledge receiving notice about the violations and requested remedies. Staff were notified the window would be secured and the structure at the back of the property would be demolished. The property was inspected on 1/9/2026 and it was observed the window was secure. The property was inspected on 1/16/2026 and remained in violation. The property was inspected on 1/20/2026, and it was observed that the structure at the back of the property was demolished but the debris remained on the property. Staff requested the debris be removed. The property was inspected on 2/4/2026 and remained in violation. The property was inspected on 2/12/2026 and remained in violation. The property was inspected on 2/13/2026 and it was noted the debris had been removed. The property was inspected eight more times and remained in violation. Citations were issued on 4/29/2026, 5/12/2026 and 5/22/2026. Staff contacted the property manager on 8/18/2026 to discuss the violations but no effort has been made to bring the property into compliance. The property is becoming a worse problem as furniture is beginning to appear, and people are sleeping there. The roof has holes in it and the windows are still boarded up. The case has been open for 260 days.

Mujkanovic made a motion to authorize a per-day fine citation.

Bruni seconded the motion.

The motion passed with a five to zero vote.

VOTE: Yes – LaPointe, Bruni, Gonzalez, Holman, Mujkanovic

No – None.

A \$100.00 Per-Day Fine Citation was authorized to run for a period of 60 days or until the property is brought to compliance.

Agenda Item 2026-38 Code Compliance

Case #2026-0450

Location: 1032 Adams Street

Owner: Sergio Castillo

Officer: McKenna Tabor

Request for Authorization to Issue a Per-Day Fine Citation

Officer Tabor presented the case.

The case is the result of a proactive inspection conducted on 1/21/2026. The following violations were observed on the property: parking on the grass and improper storage of tires. A Notice of Violation (NOV) was issued. On 2/11/2026 the property was inspected and remained in violation. A door hanger was posted on the property requesting compliance. The property was inspected on 2/18/2026 and remained in violation. The property was inspected on 2/25/2026 and remained in violation. Due to investigation of prior cases at the property it was determined there may be a language barrier. A new door hanger having multiple translations was posted on the property requesting contact. The property was inspected on 3/11/2026 and 3/19/2026 but remained in violation. A phone number of a relative of the property owner was located but contact was unsuccessful. The property was inspected on 4/2/2026, 4/10/2026 and 4/24/2026. A citation was issued on 4/24/2026. On 5/7/2026 the property was inspected and remained in violation, and a citation was issued. On 5/28/2026 the property was inspected and remained in violation, and a citation was issued. The property was inspected multiple times during the months of June, July and August 2026 and remained in violation. It was noted the trailer of tires was removed prior to the 6/9/2026 inspection. The case has been open for 216 days and remains in violation.

*LaPointe made a motion to authorize a per-day fine citation.
Mujkanovic seconded the motion.
The motion passed with a five to zero vote.*

*VOTE: Yes – LaPointe, Bruni, Gonzalez, Holman, Mujkanovic
No – None.*

*A \$100.00 Per-Day Fine Citation was authorized to run for a period of 60 days
or until the property is brought to compliance.*

➤ **COMMENTS / ANNOUNCEMENTS**

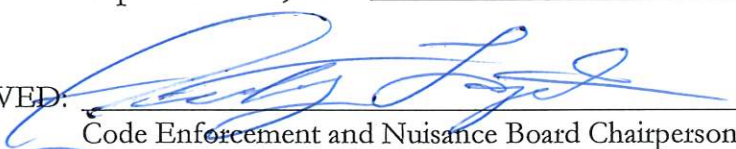
The next hearing will be on Tuesday, September 22, 2026, at 4:30 PM CST/5:30 PM EST

➤ **ADJOURNMENT** - Motion to adjourn.

*LaPointe made a motion to adjourn the hearing at 6:00 PM CST/7:00 PM EST
Mujkanovic seconded the motion.
The motion passed with a five to zero vote.*

*VOTE: Yes – LaPointe, Bruni, Gonzalez, Holman, Mujkanovic
No – None.*

ADOPTED: September 22, 2026_____

APPROVED: _____
Code Enforcement and Nuisance Board Chairperson

ATTEST: _____
Code Enforcement and Nuisance Board Clerk