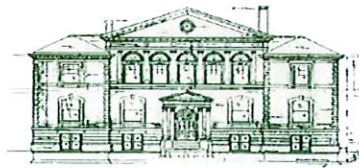


PAMELA BOOSE
CENB Clerk
Phone: 270.393.3102
Fax: 270.393.3077
Email: Pamela.Boose@bgky.org



RYAN DEARBONE, CHAIR
JEFF HOLMAN, VICE-CHAIR
JOSE GONZALEZ
GENE HARMON
ANTHONY LAPOINTE

COUNSEL: DAVID BRODERICK

CITY OF BOWLING GREEN
F O U N D E D 1 7 9 8

CODE ENFORCEMENT AND NUISANCE BOARD MINUTES

August 22, 2023 at 4:30 PM

❖ CALL TO ORDER @ 4:35 PM

❖ ROLL CALL /ATTENDANCE

BOARD MEMBERS PRESENT: Ryan Dearbone, Jose Gonzalez, Gene Harmon, Jeff Holman

BOARD MEMBERS ABSENT: Anthony LaPointe

STAFF PRESENT: Code Enforcement and Nuisance Board Clerk: Pamela Boose,
Code Officials: Brad Schargorodski, Heather Lashley, James Heady, Ben Peterson

OTHER: Code Enforcement & Nuisance Board Attorney: David Broderick

❖ APPROVAL OF MINUTES

July 25, 2023

Harmon made a motion to approve the minutes.

Holman seconded the motion. The motion passed with a four to zero vote.

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

❖ STAFF SWORN IN

❖ APPEALS

CASE #1 – Planning & Zoning

Case #2023-1124, Citation #2023-7871

2341 Russellville Rd.

Owner: Royal Investments LLC

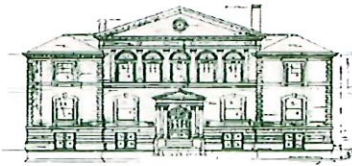
Respondent: Omar Alrawi

Officer: James Heady

Citation Fine: \$1,200.00

CODE ENFORCEMENT AND NUISANCE BOARD
1001 COLLEGE STREET
POST OFFICE BOX 430 • BOWLING GREEN • KY • 42102-0430
www.bgky.org

PAMELA BOOSE
CENB Clerk
Phone: 270.393.3102
Fax: 270.393.3077
Email: Pamela.Boose@bgky.org



RYAN DEARBONE, CHAIR
JEFF HOLMAN, VICE-CHAIR
JOSE GONZALEZ
GENE HARMON
ANTHONY LAPOINTE

COUNSEL: DAVID BRODERICK

CITY OF BOWLING GREEN
F O U N D E D 1 7 9 8

Officer Heady presented the case to the Board – As of 8/22/2023 the case has been active for 309 days. Officer Heady inspected the property seven times and issued two citations. The property is not in compliance. The property has wrecked/inoperable vehicles and parts on the premises. There is unapproved gravel used as a parking surface, and the required landscape buffer that was submitted in the plans, prior to approval of the permit, is not installed. Asphalt has been placed where the landscape buffer was to be, and the asphalt has been placed over the property line onto a neighboring property. A portion of the asphalt must be removed from the neighboring property as well as removing enough to install the required landscape buffer. The first citation issued was in March 2023, and the second citation was issued in July 2023.

Mr. Alrawi admitted he was aware of the violations. He stated the damage his business sustained was from the 2021 tornado. Mr. Alrawi has been working with the insurance company since then to resolve the claim he submitted to them. Mr. Alrawi is asking for more time to bring his property to compliance. He began repairs to his building two/three months ago. Mr. Alrawi stated he was unaware of the landscaping requirement. Mr. Alrawi paid the first citation. Chairman Dearbone asked how long repairs on the building would take. Mr. Alrawi responded by stating there are apartments being built next door, and he shares a driveway with the construction traffic. His plan is to complete repairs once the apartments are completed, and afterward, he can focus attention on the back lot. He will remove the damaged cars soon. Mr. Alrawi asked the board not to penalize him. Mr. Alrawi recently settled the insurance claim and received a check for the damages. Mr. Alrawi said he will bring the property to compliance, he just needs more time. Board Member Gene Harmon asked Officer Heady what the landscape requirements were. A blueprint of the plan was then displayed on the screen. Officer Heady advised the board there had been two permits issued and then canceled for this property. The first permit was in 2020, and the second one was in 2021. Vice-Chairman Holman asked Mr. Alrawi to define his timeline of “soon”. Mr. Alrawi stated he was hoping for six months, but could not give a definitive timeline. Chairman Dearbone asked Mr. Alrawi if it were possible to be working on both the building repairs and the back lot at the same time. Mr. Alrawi agreed it is possible, but he is trying to see what funds remain after repairs to the building are completed. He wants to add more buildings to the property. Mr. Alrawi repeated his request for more time.

*Dearbone made a motion to table the Board's decision for sixty days.
Holman seconded the motion. The motion passed with a three to one vote.*

***ROLL CALL: Yes – Dearbone, Gonzalez, Holman
No – Harmon***

PAMELA BOOSE
CENB Clerk
Phone: 270.393.3102
Fax: 270.393.3077
Email: Pamela.Boose@bgky.org



RYAN DEARBONE, CHAIR
JEFF HOLMAN, VICE-CHAIR
JOSE GONZALEZ
GENE HARMON
ANTHONY LAPOINTE

COUNSEL: DAVID BRODERICK

CITY OF BOWLING GREEN
F O U N D E D 1 7 9 8

CASE #2 – Planning & Zoning

Case #2023-3991, Citation #2023-7765

1211 Smallhouse Rd.

Owner: TNG Development LLC

Respondent: David Gibbs

Officer: James Heady

Citation Fine: \$200.00

Officer Heady presented the case to the Board – As of 8/22/2023, this case has been active for 392 days, and the property remains in violation. Officer Heady inspected the property five times, issuing one citation. There is unapproved gravel in the back of the property used for parking. The property is zoned as residential, and is currently being used for business.

On 8/2/2022, Officer Heady explained to one of the owners, Daniel McBride they need to cease commercial activity and remove the gravel.

On 8/26/2022 Officer Heady advised Mr. McBride they would need to relocate the business, and take up the gravel.

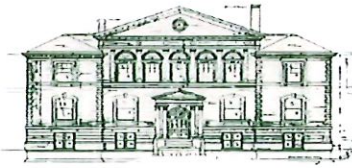
Mr. Gibbs stated he and his partner (Daniel McBride) were unaware the gravel was unapproved at the time they purchased the property. Mr Gibbs stated most of the neighboring properties have gravel, and claim they have no violations. Mr. Gibbs stated they do not have the funds to pave the area with asphalt, and if they take up the gravel, it will create a muddy mess on their property, and also for the neighbors. Mr. Gibbs and his partner were hoping the gravel could stay in place. The gravel is in the back of the property and cannot be seen from the road. They have removed the business and the property is now rented as a residence with a current tenant. One of the primary reasons the current tenant rented the property is due to the gravel lot in the back. Mr. Gibbs expressed was concern about the tenant attempting to break the lease if they were to remove the gravel. CENB attorney David Broderick advised it would be most unlikely the tenant would be able to do so, but without seeing the lease he could not say for certain.

Harmon made a motion to uphold the citation and fine.

Holman seconded the motion. The motion passed with a four to zero vote.

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

PAMELA BOOSE
CENB Clerk
Phone: 270.393.3102
Fax: 270.393.3077
Email: Pamela.Boose@bgky.org



RYAN DEARBONE, CHAIR
JEFF HOLMAN, VICE-CHAIR
JOSE GONZALEZ
GENE HARMON
ANTHONY LAPOINTE

COUNSEL: DAVID BRODERICK

CITY OF BOWLING GREEN
F O U N D E D 1 7 9 8

❖ **OLD BUSINESS**

CASE #3 – Planning & Zoning

Case #2022-7831, Citation 2022-7567

702 Fern Hill St.

Owner: Christina Lynn & James Walter Sweeney

Officer: James Heady

This was a case regarding unapproved gravel used for parking. The violation was corrected. The gravel was taken up, and grass seed was sown and straw laid over the seed.. The property is in compliance. The Per-Day fine was ended before the sixty days, and they were fined for ten days only.

❖ **NEW BUSINESS**

CASE #4 – Code Compliance

Case #2023-254, Citation #2023-727.18

1612 Johnson Ave.

Owner: Juan & Ruelas Carmen Garcia-Rolon

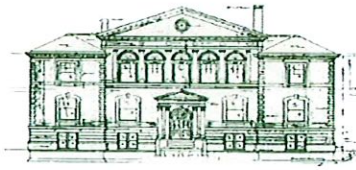
Officer: Heather Lashley

Request for Authorization to Issue Per-Day Fine

Officer Lashley presented the case to the Board – This case has been active for 208 days and the property remains in violation. The property has been inspected seventeen times, and three citations have been issued. The following violations were observed on the property;

- Accessory structures
- Basement hatchways
- Protective treatment
- Roof, and drainage
- Junk, and scrap metal
- Accumulation of construction, demolition, landscape debris
- Rubbish/garbage
- Vacant building , unsecured
- Vacant structures and land
- Stairways, decks, porches and balconies
- Duty of maintenance of private property
- Dilapidated fences and walls
- Abandoned structures

PAMELA BOOSE
CENB Clerk
Phone: 270.393.3102
Fax: 270.393.3077
Email: Pamela.Boose@bgky.org



RYAN DEARBONE, CHAIR
JEFF HOLMAN, VICE-CHAIR
JOSE GONZALEZ
GENE HARMON
ANTHONY LAPOINTE

COUNSEL: DAVID BRODERICK

CITY OF BOWLING GREEN
F O U N D E D 1 7 9 8

Holman made a motion to authorize a Per-Day Citation for \$100 per day to run for sixty days or until the property is brought into compliance.

Dearbone seconded motion. The motion passed with a four to zero vote.

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

❖ **COMMENTS / ANNOUNCEMENTS**

The next hearing will be September 26, 2023

❖ **ADJOURNMENT**

At 5:21 PM

Dearbone made a motion to adjourn the hearing.

Harmon seconded the motion.

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

The next scheduled hearing for the CENB will be Tuesday, September 26, 2023 at 4:30 PM in the City Hall Commission Chamber located on the second floor of City Hall.

ADOPTED:

September 26, 2023

APPROVED:

Jeff Holman
Code Enforcement and Nuisance Board Vice-Chairperson

ATTEST:

Pamela Boose
Code Enforcement and Nuisance Board Clerk

