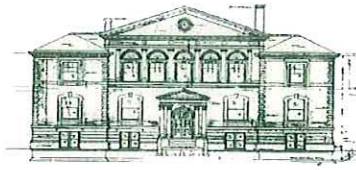


PAMELA BOOSE
CENB Clerk
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RYAN DEARBONE, CHAIR
RANDY DEERE
GENE HARMON
JEFF HOLMAN
ANTHONY LAPOINTE

COUNSEL: DAVID BRODERICK

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

MINUTES
CODE ENFORCEMENT AND NUISANCE BOARD
August 23, 2022

- CALL TO ORDER @ 4:32 PM
- ROLL CALL

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

BOARD MEMBERS ABSENT: Anthony LaPointe

STAFF PRESENT: Code Enforcement and Nuisance Board Clerk: Pamela Boose;
Code Officials: Jarrod Poteet, Sanja Dudaric, Heather Lashley.

OTHER: Code Enforcement & Nuisance Board Attorney: David Broderick.

- APPROVAL OF MINUTES - July 26, 2022
Deere made a motion to approve the minutes as written. Holman seconded motion which passed unanimously.

❖ APPEALS

CASE #1

Case 2022-3900 – Citation 2022-7195.6 –828 Hope St.
Owner/Respondent: Victor & Evelyn Jarvis Sr.
Officer: Heather Lashley
Citation Fine: \$504.57

CODE ENFORCEMENT AND NUISANCE BOARD
1001 COLLEGE STREET
POST OFFICE BOX 430 • BOWLING GREEN • KY • 42102-0430
PHONE NUMBER 270.393.3102
www.bgky.org

This case has been open over 75 days and remains in violation. The majority of the inoperable cars have been removed from the property, and the front porch was cleaned off. All other violations remain.

This case was the result of a proactive inspection on 06/08/22. During inspections, the following violations were observed:

- Unlicensed/Inoperable Motor Vehicle
- Accumulation of Construction, Demolition or Landscaping Debris
- Accumulation of Rubbish or Garbage
- Junk; Scrap Metal

The following violations were added due to the existing fire damage on the property, from a fire which occurred in December of 2019. Our office worked Structural Damage case 2020-2440 in June of 2020 due to six months having passed and no progress being made on the dwelling. As a result, the property owner obtained a building permit two months later, in August of 2020. Per code, work was to begin within 60 days of the permit being issued. Two years has now passed and no work has taken place, and over 970 days (or 32 months) have elapsed since the fire without repair or demolition.

- Structure Unfit for Human Occupancy
- Dangerous Structure or Premises
- Vacant Structures or Land
- Abandoned
- Parking in Yards
- Duty of Maintenance of Private Property

Officer Lashley explained all the citations, and lack of progress on the property. Mr. Jarvis explained he is a truck driver and did not know the assigned Compliance Officer had changed. His wife was handling the phone calls and correspondence from the Code Compliance Officer, and she had not informed him until much later regarding the issues with the property. He requested more time to make progress getting the property into compliance because he plans to repair the property so he and his wife may move back into the property. The Code Board stressed the importance of his accomplishing sixty to seventy percent (60 - 70%) compliance if given a thirty day extension. Mr. Jarvis assured the board he would do whatever necessary to reach the goal within the allotted time frame.

Dearbone made the motion to table the decision of the Board for thirty days until the September 27th hearing. The motion was seconded by Holman. The motion passed with a three to one vote.

❖ OLD BUSINESS

CASE #2

Case 2022-1704 – Citation 2022-3437.5 – 183 Saint Charles Street
Owner: Lucas Family Trust. Respondent: Thad Lucas
Officer: Sanja Dudaric
Citation Fine: \$104.28

The case has been open for at least 124 days.

The property was brought into compliance on 8/12/2022.

This case was the result of Officer initiated proactive case on 3/25/2022. During this inspection, the following violation was observed:

- **Graffiti**

Officer Dudaric gave a brief recap of the case, and announced the property had been brought into compliance. Mr. Lucas stated he ended up having to repaint the entire building but the graffiti is gone.

Dearbone made a motion to uphold the citation, but dismiss the fine of \$104.28. The motion was seconded by Holman, and passed with a unanimous vote.

CASE #3

ZONING COMPLIANCE

Case 2022-3608, 1501 US 31w Bypass
Owner/Respondent: Mr. Vali Soltani Malkhalifeh
Officer: James Heady
Citation Fine: \$200

As of 08/23/22, this case has been open for 210 days.

Significant progress has been made. The business is zoned as highway business and allowed five percent (5%) of tires to be outside. They are still currently over the allotment but are much closer to compliance, and are in the permit process of adding a second storage building. The new building is sized forty by sixty feet (40' x 60') and needed to bring the property into compliance. It is a pre-engineered building, so it will go up very quickly. They are waiting for the permit to be approved, and once approved, the contractor, Jimmy Nali is confident if given another thirty (30) day extension, the building will be complete and the property in compliance. Board Member Harmon posed the question regarding the tires asking if more tires continue to be brought in will this will be a continuing problem. Mr. Nali replied it is basically a wash, meaning close to the same number of tires are sold, and go out as there are tires that come onto the property, so it would not be an issue.

Deere made a motion to table the Boards decision for another thirty (30) days. Second was from Dearbone, and the motion passed unanimously.

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❖ NEW BUSINESS

CASE #4

Case 2022-2238 – 1504 N. Sunrise Dr.
Owner: Aceland Holdings, LLC
Officer: Heather Lashley

Request for Per-Day Fine

This case has been open for 131 days and remains in violation.
This case was the result of roaming on 04/12/22. During inspections the following violations were observed:

- Parking in Yards
- Unlicensed/Inoperable Motor Vehicle
- Broken Window
- Protective Treatment (peeling paint, missing siding)
- Roofs and Drainage (gutters in disrepair)
- Tires

There have been three citations issued with no attempt made toward compliance.

Dearbone made a motion to approve the per-day fine in the amount of \$100 to run for sixty days, or until the property is brought into compliance. Deere seconded motion, which passed unanimously.

COMMENTS / ANNOUNCEMENTS

Gene Harmon was sworn in as the new board member replacing Frieda Eggleton.

ADJOURNMENT

After all business concluded, Dearbone made a motion to adjourn at 5:15 PM. Deere seconded the motion which passed unanimously. The next scheduled meeting of the CENB will be on Tuesday, October 27, 2022 at 4:30 PM in the City Hall Commission Chambers located on the second floor of City Hall.

ADOPTED:

9-27-22

APPROVED:


Code Enforcement and Nuisance Board Co-Chairperson

ATTEST:


Code Enforcement and Nuisance Board Clerk

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