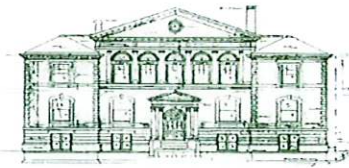


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JOSE GONZALEZ
GENE HARMON
JEFF HOLMAN

COUNSEL: DAVID BRODERICK

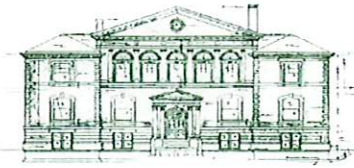
BEN BRUNI
KENAN MUJKANOVIC

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CODE ENFORCEMENT AND NUISANCE BOARD
MINUTES (ADOPTED)
April 22, 2025 at 4:30 PM

- ❖ CALL TO ORDER @ 4:30 PM
 - ❖ ROLL CALL /ATTENDANCE
 - ❖ BOARD MEMBERS PRESENT: Ben Bruni, Ryan Dearbone, Jose Gonzalez, Jeff Holman, Anthony LaPointe
 - ❖ BOARD MEMBERS ABSENT: Gene Harmon
 - ❖ STAFF PRESENT: Brad Schargorodski, Pam Boose, Sanja Dudaric, McKenna Tabor, Melanie Shy, Chad Doughty, Journee Nickson, Dara Price, James Heady, Rachel Hurt, Rachel Danner
 - ❖ OTHER: David Broderick
 - ❖ APPROVAL OF MINUTES – March 25, 2025
- LaPointe made a motion to approve the minutes as written.
Holman seconded the motion. The motion passed with a five to zero vote.*
- ROLL CALL: Yes –Bruni, Dearbone, Gonzalez, Holman, LaPointe,
No – none*
- ❖ STAFF SWORN IN

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❖ APPEALS

Agenda Item 2025-18 – Public Works

Case # 2023-5087

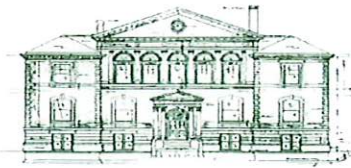
Location: 3698 Woodbridge Ln.

Owner/Respondent: Bayram L Ali

Officer: Melanie Shy

Citation Fine: \$500.00

Citation Officer Melanie Shy explained this is a complaint-based case from a neighbor next to the property. The neighbor complained the owner of the property poured concrete over their entire back yard, and installed a fence, causing water to flood her backyard. Code Compliance confirmed there was no permit on file for the work. On 10/3/2023, the property owner was asked to submit a permit, and to submit an engineer drawing to account for the concrete and drainage alterations. Planning & Zoning were contacted to verify if the lot coverage exceeded the allowed amount, but were unable to until a plot plan was submitted. On 10/4/2023, City Engineer Chad Doughty concluded the work was done without a permit and the concrete exceeded the allowable lot coverage. A notice of violation (NOV) was sent for working without a permit and changes to the drainage between the lots. On 2/17/2025, the property was inspected and an NOV was issued for altering storm water flow without a permit, and failure to obtain permits for the concrete. On 3/28/2025, an email was received from James Cook the developer, that contained information stating the property owner was in the process of selling the property. Mr. Cook was informed of what was needed to bring the property into compliance. The City attorney advised to issue a citation since it will be attached to the property. The closing attorney for the sale of the property would find it when conducting a title search. On 3/31/2025, a citation was issued. On 4/3/2025, notification came from the CENB Clerk advising of an appeal to the citation. A phone call was received the same date from the property owner requesting a meeting at the property to discuss what he needed to accomplish to bring the property to compliance. The owner was informed some of the concrete would need to be removed, and some type of French drain would need to be installed allowing the Stormwater to flow across the property. On 4/11/2025 a phone call was made to the property owner requesting an update. The property owner replied he was waiting on the contractor. On 4/15/2025, an email was received containing the plans for Fieldstone Farms. The plans were not a signed plot plan from an engineer or surveyor, so the real estate listing agent was informed of the requirements. On 4/21/2025. A signed plot plan was received and the property owner was advised a site work permit would need to be secured. During the permit process, a City Engineer would review the suggested stormwater repair and lot coverage. According to the plot plan the concrete covers 74.8% of the lot, and anything over 70% is not allowed. Photos were exhibited showing standing water in the neighbor's yard that was about ankle deep. This case has been active for 604 days and the property remains in violation.



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Mr. Ali was sworn in. Mr. Ali asked Melanie Shy to tell the Board about the new fence that was installed. Mr. Ali stated this was not his fault. Mr. Ali was unaware of the correct maximum amount for lot coverage. Mr. Ali called a company and asked if they do concrete, and the reply was yes. Mr. Ali was unaware he needed to obtain a permit, but a permit was secured. Mr. Ali stated now there is the problem with the water. Mr. Ali has called an Engineer to look at the water problem and a drain will be installed along the side. Mr. Ali said he must fix the problem or it may prevent him from selling the property. Mr. Ali stated if it is his fault, he will fix it. LaPointe asked if Mr. Ali is required to remove the concrete or install the drain, or does he need to do both. Melanie Shy replied he will need to do both as well as go through the permit process.

LaPointe made a motion to uphold the citation and fine of \$500.00

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

ROLL CALL: Yes –Bruni, Dearbone, Gonzalez, Holman, LaPointe
No – None

❖ OLD BUSINESS – none.

❖ NEW BUSINESS

Agenda Item 2025-19 Code Compliance

Case #2024-0513

Location: 1118 Fair St.

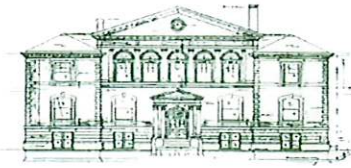
Owner: Vulcan investments LLC

Officer: McKenna Tabor

Request for Authorization to Issue a Per-Day Fine Citation

This case is the result of a proactive inspection. The property was inspected on 1/29/2024 and the following violations were observed: roof damage, tires and accumulation of construction materials. A notice of violation (NOV) was sent to the PVA listed property owner on 1/29/2025. The property was inspected on 2/14/2024 and remained in violation. A voicemail was left for the property owner to contact the Codes office. On 2/20/2024. The property was inspected and remained in violation, and the rear of the property was observed due to an inspection at the property next door. On 2/23/2024, 2/2/2024 and 3/6/2024, the property was inspected, and remained in violation. Contact was made with the property owner and he was advised of the condition of the property and concerns of homeless persons on the property. On 3/15/2024, the property was inspected and remained in violation. On 3/20/2024, the property was inspected and remained in violation. The owner was contacted and he requested an extension to 3/25/2024. On 3/27/2024, the property was inspected and remained in violation.

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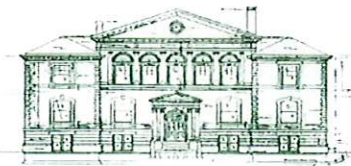
COUNSEL: DAVID BRODERICK

BEN BRUNI
KENAN MUJKANOVIC

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Since there was no progress toward compliance, the owner was asked to have the exterior property violations in total compliance by 4/1/2024. On 4/2/2024, the property was inspected and remained in violation. A citation was issued adding the following violations: broken/boarded/missing windows, damaged/missing siding, indoor furniture at an outdoor location, accumulation of landscaping debris, scattered garbage, accumulated tires. On 4/15/2024, the property was inspected, and remained in violation. It appeared additional items accumulated in the rear of the property. On 4/16/2025, a second citation was issued and posted on the property. That same date the owner came to the Code Compliance office to appeal the first citation issued on 4/2/2024. The owner was informed the appeal deadline for this citation had passed and he would be unable to appeal the citation. The owner had an extensive conversation with the Code Compliance Division Manager and he was afforded twenty-four hours to clean up the exterior of the property. The owner claimed his intent was to demolish the structure, and he had applied for a demolition permit. The owner was provided resources to bring the property to compliance and reminded he has a twenty-four hour deadline. On 4/17/2024, the owner contacted the Codes office stating he reached out to a contractor to complete the work. Contact was made with the contractor who stated he could not complete the work by the deadline, but could if given until 4/18/2024. The extension was granted. On 4/18/2024, the property was inspected and the violations were abated. The owner applied for a demolition permit. The property was inspected on 5/2/2024, 5/16/2024, and 5/20/2024, and remained free of violations. The demo permit had not been approved. On 5/29/2024, the demo permit was delayed by Occupational Licensing. On 6/10/2024, the demo permit was approved, and the owner was contacted to request a timeline of completion of the demo. The owner could not provide a deadline. On 7/2/2024, the permit had been approved over thirty days and no plans for demo had been relayed to staff. Contact was made with the owner and he advised he had not received the permit. He was advised he would have to pick up the permit from the Building Division. On 7/17/2024, the owner advised staff there was an administrative issue he had to resolve before receiving the permit. On 8/9/2024, the owner sent a photo of the demo permit in hand to staff. On 8/22/2024, contact with the owner was attempted, without success. On 8/23/2024, staff advised the owner he exceeded the time frame for demolition. The owner stated he was unaware of a time limit. The owner was provided the City Ordinance regarding demolition permits. On 8/28/2024, the property was inspected and remained in violation, and a opened/unsecured window was observed during the inspection. There has been no progression toward compliance or recent communication with the owner. A citation was issued listing the following violations: dangerous building – time period, demo permit requested & approved on 7/23/2024, vacant structure/land, duty of maintenance of private property, streets, sidewalks, drainage areas, and public ways. The third citation was appealed, heard by the Code Enforcement & Nuisance Board on 9/24/2024, and the citation and fines were upheld. On 10/15/2024, the property was inspected, and remained in violation. The roof had been replaced. On 11/5/2024 the property was inspected and remained in violation, with no contact from the owner. On 11/11/2024, the property was inspected and remained in violation. However, visible progress was made and the owner stated he was getting estimates for new siding.



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On 12/6/2024 the property was inspected and remained in violation. The owner stated the siding had been ordered and he is waiting for it to come in. The property was inspected on 1/7/2025, and 2/7/2025, and the property remained in violation with no contact from the owner. On 3/14/2025, the property was inspected and remained in violation. The owner said he was unable to get matching siding. On 3/28/2025, the property was inspected and remained in violation. Since there has been no progress for months toward compliance, the owner was advised progress would need to be seen in order to avoid further citations. On 4/1/2025 the property was inspected and there were multiple broken windows, gutters had fallen down and siding had fallen off the structure leaving it exposed to the elements. The owner was notified and he stated he would follow up the next day. On 4/2/2025 the owner contacted staff and stated he would make repairs as soon as the weather improved. As of 4/22/2025 the property remains in violation and the case has been active for 449 days.

LaPointe made a motion to approve a Per-Day Fine Citation in the amount of \$100 to run for a period of sixty days or until the property is brought to compliance. Gonzalez seconded the motion. The motion passed with a five to zero vote.

***ROLL CALL: Yes –Bruni, Dearbone, Gonzalez, Holman, LaPointe
No – None***

Agenda Item 2025-20 Code Compliance

Case #2024-6502

Location: 123 15th Ave. W

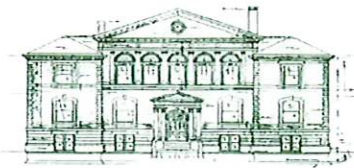
Owner: Darwin & Sylvia Murray

Officer: McKenna Tabor

Request for Authorization to Issue a Per-Day Fine Citation

This case is the result of a complaint. An inspection was conducted on 7/30/2024. The following violations were observed: junk/scrap, exterior use/storage of indoor furniture, scattered garbage, accumulation of rubbish/garbage. A notice of violation was sent to the PVA listed owner on 7/30/2025. Citations were issued on 9/4/2024, 9/25/2024, and 10/08/2024. A request was made to the Code Enforcement & Nuisance Board in January to approve a per-day fine citation, and it was approved. On 2/23/2025, Sharon an occupant of the property was advised of the corrections needed to bring the property to compliance. On 2/4/2025, during inspections in the area, smoke was observed coming from the property. The Bowling green Fire Department was called in and it was explained to occupants of the property they cannot burn piles of trash. Staff explained how to properly dispose of trash. On 2/12/2025, the property was inspected and remained in violation.

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A per-day fine citation was issued. The following violations were listed on the citation: junk/scrap, exterior use/storage of indoor furniture, scattered garbage, accumulation of rubbish/garbage, broken/boarded/missing windows, duty of maintenance of private property, streets/sidewalks/drainage areas, nauseous odors/substance, standing/stagnant water, attractive nuisance, hoarding of materials, outdoor storage of tires, sanitation, improper disposal of garbage, structure unfit for human habitation/occupancy. The property remains in violation. The sixty-day period for the first per-day fine has elapsed, the property remains in violation, and the case has been active for 266 days.

Dearbone made a motion to approve a Per-Day Fine Citation in the amount of \$100 to run for a period of sixty days or until the property is brought to compliance. Holman seconded the motion. The motion passed with a five to zero vote.

ROLL CALL: Yes –Bruni, Dearbone, Gonzalez, Holman, LaPointe
No – None

Agenda Item 2025-21 Code Compliance

Case #2024-0449

Location: 0 Smallhouse Rd.

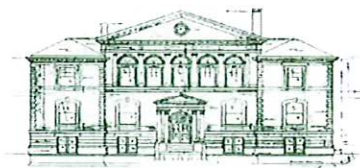
Owner: Angela Brian

Officer: Heather Lashley

Request for Authorization to Issue a Per-Day Fine Citation

This case is the result of a proactive inspection on 1/25/2024. During the inspection the following violations were found: glazing, protective treatment, accumulation of construction/demolition/landscaping debris, trailers, accumulation of rubbish/garbage. A notice of violation was sent to the PVA listed owner on 1/25/2024. The property was inspected on 2/6/2024, and the owner was onsite and stated they would remedy violations. On 3/6/2024 the property was inspected and remained in violation. On 3/12/2024, the owner contacted staff and said work would begin in about two weeks. On 3/20/2024, 4/3/2024, 4/17/2024, 5/2/2024, 6/6/2024, 6/25/2024, 6/28/2024, and 7/12/2024, the property was inspected and remained in violation. On 7/24/2024, the owner contacted staff and said a tree fell onto the outbuilding and they would be working with the insurance company to address the building. On 8/14/2024, 8/28/2024, 9/11/2024, 9/20/2024, 10/4/2024, 10/18/2024, 11/1/2024, 11/20/2024, and 12/3/2024, the property was inspected and remained in violation. There had been some painting done to the outbuilding but there was still chipping/peeling paint. On 12/13/2024, 12/31/2024, 1/14/2025, and 1/29/2025, the property was inspected but remained in violation. A citation was issued on 1/29/2025, and the following violation were listed on the citation: glazing, protective treatment, duty of maintenance of private property, accumulation of construction/demolition/landscape debris, accumulation of rubbish/garbage, scattered garbage, tires. On 2/11/2025, the property was inspected and remained in violation. The owner asked for an extension due to recent weather events. The owner asked for a second extension on 2/18/2025. On 2/27/2025, and 2/28/2025, the property was inspected and remained in violation. A citation was issued. On 3/12/2025,

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the property was inspected and remained in violation. A citation was issued. The case has been active for 454 days.

Dearbone made a motion to approve a Per-Day Fine Citation in the amount of \$100 to run for a period of sixty days or until the property is brought to compliance. LaPointe seconded the motion. The motion passed with a five to zero vote.

***ROLL CALL: Yes –Bruni, Dearbone, Gonzalez, Holman, LaPointe
No – None***

Agenda Item 2025-22 Code Compliance

Case #2024-9792

Location: 2521 Smallhouse Rd.

Owner: Angela Brian

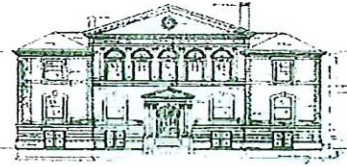
Officer: Heather Lashley

Request for Authorization to Issue a Per-Day Fine Citation

This case is the result of a citizen complaint on 11/14/2024. The property was inspected on 11/18/2024. The following violations were observed: protective treatment, unlicensed/inoperable vehicle, duty of maintenance of private property, junk/scrap metal, accumulation of construction/demolition/landscape debris, exterior use/storage of indoor furniture, parking on yards and accumulation of rubbish/garbage and a notice of violation was sent to the PVA listed owner. The property was inspected on 11/26/2024, and 12/9/2024. The front porch columns had been painted but other violations remained. The property was inspected on 12/23/2024, and 1/7/2025, and remained in violation. The property was inspected on 1/29/2025. The property remained in violation and a citation was issued. The following violations were listed on the citation: protective treatment, unlicensed/inoperable vehicle, duty of maintenance of private property, junk/scrap metal, accumulation of construction/demolition/landscape debris, exterior use/storage of indoor furniture, parking on yards and accumulation of rubbish/garbage. The property was inspected on 2/11/2025, and remained in violation. The owner requested an extension due to inclement weather and a new inspection date of 2/27/2025, was given. The property was inspected on 2/27/2025, and 2/28/2025. The property remained in violation and a citation was issued. The property was inspected on 3/12/2025. The property remained in violation and a citation was issued. As of 4/22/2025, the case has been active for 160 days.

Dearbone made a motion to approve a Per-Day Fine Citation in the amount of \$100 to run for a period of sixty days or until the property is brought to compliance. LaPointe seconded the motion. The motion passed with a five to zero vote.

***ROLL CALL: Yes –Bruni, Dearbone, Gonzalez, Holman, LaPointe
No – None***



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Agenda Item 2025-23 Zoning Compliance

Case #2024-6660

Location: 625 Meadowlawn Ave.

Owner: Fuqua Family Holdinga

Officer: James Heady

Request for Authorization to Issue a Per-Day Fine Citation

Officer Heady provided a written summary to the Board and explained the case began in December 2023, and there have been numerous complaints. This is for a landscape company operating in a residential neighborhood. The property was inspected on 12/4/2023, and the whole back yard was full of equipment. A notice of violation was issued for the use. The property was inspected on 7/11/2024, and 7/26/2024, and the back yard was filled with gravel. The property was inspected on 3/17/2024, and the rock remained. The equipment is still being stored at the property. The property was inspected on 3/27/2024, and 4/14/2024, and the equipment remained on the property. A citation was issued in August. A third citation was issued for the use and a first citation was issued for the gravel. As of 4/22/2025, the property is out of compliance and the case has been open for 505 days.

LaPointe made a motion to approve a Per-Day Fine Citation in the amount of \$100 to run for a period of sixty days or until the property is brought to compliance.

Gonzalez seconded the motion. The motion passed with a five to zero vote.

ROLL CALL: Yes -Bruni, Dearbone, Gonzalez, Holman, LaPointe

No - None

❖ **ADJOURNMENT**

LaPointe made a motion to adjourn the hearing at 4:49 PM.

Harmon seconded the motion. The motion passed with a five to zero vote.

ROLL CALL: Yes -Dearbone, Gonzalez, Harmon, Holman, LaPointe

No - None

The next scheduled hearing for the CENB will be Tuesday, May 27, 2025 at 4:30 PM in the City Hall Commission Chamber located on the second floor of City Hall.

ADOPTED:

APPROVED:

ATTEST:

May 27, 2025
[Signature]
Code Enforcement and Nuisance Board Chairperson

Pamela Boose
Code Enforcement and Nuisance Board Clerk