

Diane Kobernick
5001 Southshore Dr.
New Port Richey, FL 34652
dkobernick@hotmail.com

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To:

Commissioner Ron Oakley
Commissioner Jack Mariano
Commissioner Mike Wells
Commissioner Mike Moore
Commissioner Kathryn Starkey
Mr. Dan Biles, County Administrator

RE: 3720 Floramar Terrace, Gulf Harbors Golf Course

This property has been the subject of repeated Pasco County Code Violations for several years. It had been allowed to remain an eyesore, a safety issue, and a health issue for far too long. Our community fails to understand why our County has given the owner such privilege and special treatment by being so slow to take action to remedy those violations.

Pasco County has Code Ordinances that should have been followed and that Pasco County should have used to fine the owner into compliance. However, Pasco County Officials chose to ignore their own codes, as well as to override their own field officers.

In 2015, the field officer found the property to be a safety hazard and tried to take action to have the clubhouse boarded. However, because of County officials' interference, it took 2 years for the County to take action and board the property. In fact, per the Lucille Paterno email dated June 26, 2015, the County was agreeing to allow this situation to simply continue. It was only after the persistent lobbying from individual members of our community that the County finally took action and boarded the property. It took further individuals to take action and keep pestering the county to get it to take the next step. Assistant Community Development Manager, Charlene Daprile finally sent a letter to the owner on February 24, 2017 to have the building demolished. Unbelievably with all the communications within the County Departments, that letter was sent to a wrong address.

It took the County another several months to finally demolish the property, and again, only at the insistence of several neighbors.

In addition, the County finally placed liens on the property for the two boardings and the demolition. (It was necessary to do additional boarding because the first boarding was not done properly.) However, the County failed to add any penalties, nor the recording fees, nor the repeat offense fees to which the County is entitled.

My question to my County Commissioners and officials: Why?

History:

Code Violations date back to October 15, 2009 (*per the County Code records W001161-101509.*) Since then, there have been numerous complaints from the residents of the Gulf Harbors Community.

On August 31, 2011, there was a judgment to pay a fine of \$50 plus \$13 court costs and the owner of the property had to comply within 30 days.

Code Violation W421984 from November 5, 2012; the notes from County officer states " Ms Hinshaw states she does not care what happens to the golf course, the County can take it."

On June 26, 2015 Lucille Paterno sent George Romagnoli an email apparently following a letter that was sent to the owner regarding the condition of the Clubhouse. This email says: "The letter was forwarded to Commissioner Starkey by Clarke Hobby. As you know the property is slated for board/secure action as a result of complaint W505884. If the board/secure action has not yet occurred, is it possible to place this matter in abeyance for a period of time." **(It should be noted that at this time there was discussion about the county purchasing the golf course).**

The same email chain describes the complaint. "The golf course has a clubhouse that has broken windows and people going into it, there is a mattress inside that they sleep on and one of the doors are open. The people that own it are doing nothing. Kids are going in and out and it is dangerous". This is a serious safety hazard and code violation, and yet all are in agreement to keep the condition in ABEYANCE. Why?

The Code Violations continued and on November 16, 2015, a (now previous) property owner sent a 3 page complaint to County Administrator Baker complaining of the Safety Condition of the Clubhouse and the debris. NOTICE THIS WAS November 2015. The County already knew they had agreed to do nothing themselves. *SEE "Code Compliance" for all code calls.*

The Clubhouse was finally torn down only in July 2017.

Pasco County Code Violation Ordinances

Pasco County Ordinance 530.8 - Junk and Debris

It is illegal to openly store many types of items. It is a violation for any owner, occupant, tenant, lessee or other person responsible for the condition of the property to permit, maintain or cause accumulation of debris, decaying vegetative matter, exposed salvageable material or other manmade materials upon any lot, tract or parcel of land.

Pasco County Ordinance 42-1

Grass, weeds, brush or undergrowth exceeding 12 inches is considered overgrown and constitutes a public health and safety violation as it can harbor vermin.

Pasco County Ordinance 04-41 Chapter 79

Vacant slum or blighted structures:

Chapter 79-10: *see attached*

Pasco County Fines & Penalties for Violators and Repeat Violators:

Pasco County Chapter 79-9: (b)

An invoice shall be submitted to the owner for payment of the costs incurred by the county or its contractor. The owner shall be required to pay all costs incurred, including any administrative costs, within 30 days of the date of the invoice. If payment is not made by the owner within 30 days, the county shall impose a lien upon the property for the costs of demolition, clearance, administrative costs and recording fees.

Pasco County Chapter 79-3:

The owner of this structure shall demolish this structure and clear the site within 60 days of this order.

Code of Ordinance Sec. 1-6 (e):

A person who violates any provision of this Code shall be prosecuted and punished in the manner provided by law under F.S. 125.69. For violations of this Code or the land development code that are continuous with respect to time, each day the violation continues is a separate offense in the absence of provision to the contrary. The Pasco County Uniform Fine Schedule, including court costs shall be the sole and exclusive schedule of fines when ordinance violations are prosecuted in county court.

Pasco County Uniform Fine Schedule:

Fines shall be doubled for a second offense and for each subsequent offense.

Chapter 18 : Buildings	Class V1	\$500.
Chapter 42-1(a) 1	Class 1	\$155.

F.S. 125.69: Statute stated by Pasco County:

- (a) A code inspector does not have to provide the violator with a reasonable time period to correct the violation prior to issuing a citation and may immediately issue a citation if the code inspector has reason to believe that the violation presents a serious threat to the public health, safety, or welfare, or if the violation is irreparable or irreversible.
- (b) If a repeat violation is found subsequent to the issuance of a citation, the code inspector is not required to give the violator a reasonable time to correct the violation and may immediately issue a citation.

These are some of the codes that the golf course property has violated, yet the county has been slow to take enforcement action. It is particularly distressing that a dangerous and imminent safety hazard (the clubhouse) was allowed to go unremedied, and in fact was knowingly and deliberately allowed to continue. It is only a matter of luck that this did not end up in an incident on the 11:00 news.

So again, the question is why was this safety hazard allowed to continue. Who benefited from the delay in the county boarding and demolishing the clubhouse, which would place additional liens on the property, and in enforcing all the other code violations?

And why did the county not levy the fines they were entitled to, or take action to collect the funds expended on taking remedial action. Is this acting as good stewards of our taxpayer funds?

Sincerely,

Diane Kobernick

Attached: