

Okeechobee County Code Enforcement Special Magistrate Hearing

September 20th, 2016 Minutes

The hearing of the Okeechobee County Code Enforcement Special Magistrate, Deborah Hooker, took place at the Okeechobee County Health Department Auditorium and was called to order at 2:00 p.m. on Tuesday, July 19, 2016.

The following county staff members were present:

Beth Albert, Code Enforcement Officer
Rollo Ridley, Code Enforcement Officer
Jennifer Kinard, Code Enforcement Officer
Brandi Cowing, Secretary to the Special Magistrate
Laura McCall, County Attorney

After the Pledge of Allegiance and a brief introduction statement, Magistrate Hooker swore in the Code Officers.

Code Officers stated the following cases are in compliance.

New Business: Laura A Bowen, Heather Thompson & Brian Thompson	Case number: 1512-0081
Old Business: Taylor Creek Resort TV Park	Case number: 1506-0039
Old Business: Lake Roy Properties LLC	Case number: 1511-0061

The following case was not heard due to improper service.

New Business: John Louthan & Megan Louthan	Case number: 1606-0096
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Special Magistrate Hooker approved and signed the minutes from the July 19, 2016 hearing.

NEW BUSINESS:

Case number 1603-0039 for Nancy Bella Urbina-Bustos was called.

Nancy Bella Urbina Bustos was present for this case.

Officer Jennifer Kinard presented the case for the property located at 725 NE 64th Avenue which was cited for inoperable, abandoned vehicles, section 10.02.02B, trash and debris, section 10.02.02D, outdoor storage, section 10.02.02L, parking, storage and use of certain vehicles, section 2.07.00A, unauthorized farm animals in residential district, section 10-7A and nuisance on property prohibited, section 10.03.00. Some compliance has been achieved. Goat has been removed.

Officer Kinard offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of sections 10.02.02B, 10.02.02D, 10.02.02L, 10.03.00 and 2.07.00A and ordered Respondent to be in compliance by October 13, 2016.

OLD BUSINESS:

Case number 0904-0060 for Earl G Hoover and Kristal Hoover was called.

Earl Hoover was present for this case.

Officer Beth Albert presented the case for the property located at 14869 NW 304th Street, which was heard during the April 19, 2016 hearing and originally cited for construction without a permit, section 13.01.00 and section 553.79 of Florida Statutes. Respondent had roof inspection that was approved and is moving forward.

Officer Albert offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of sections 13.01.00 and 553.79 and ordered Respondent to appear for a status review on January 17, 2017 at 2:00 p.m.

Case number 1506-0062 for Robert E. Wylie was called.

Robert E. Wylie (previous owner) and Joey Mohanna and David Slay (current owners) were present for this case.

Officer Beth Albert presented the case for the property located at 32175 NE 3rd Drive, which was heard during the June 21, 2016 hearing and originally cited for construction without a permit, section 13.01.01. Property has been bought by Ms. Mohanna and Mr. Slay, therefore the violation is their responsibility. The new owners were served during the hearing and the hearing was continued until November 15, 2016.

Officer Albert offered several supporting documents into evidence.

Magistrate Hooker continued the hearing to November 15, 2016 and the new owners were served during the hearing.

Case number 1509-0045 for Charles H Bryant III was called.

No party was present for this case.

Officer Jennifer Kinard presented the case for the property located at 2025 SE 35th Lane, which was heard during the July 19, 2016 hearing and originally cited for trash and debris, section 10.02.02D, exterior deterioration, section 8.00.00G 304.6, roof deterioration, section 8.00.00G 304.7, outdoor storage, section 10.02.02L and skirting, section 7.08.01B 4. Progress has been made, but Respondent is not in full compliance.

Officer Kinard offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of section 8.00.00G (304.6) and ordered Respondent to be in compliance by October 13, 2016.

Case number 1411-0003 for Angus J. Freeman & Veronica J. Freeman was called.

No party was present for this case.

Officer Beth Albert presented the case for the property located at 1546 NW 106th Street, which was heard during the July 19, 2016 hearing and originally cited for condition of building nuisances, section 10.04.00, exterior of structure, section 8.00.00G 304.1, roof damage, section 8.00.00G 304.7 and exterior doors, section 8.00.00G 304.15. Officer states that Respondent is nearly finished.

Officer Albert offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of sections 10.04.00E, 8.00.00G 304.1, 304.7 and 304.15 and ordered Respondent to comply by October 13, 2016.

Case number 1512-0010 for Youell Thomas Housch was called.

No party was present for this case.

Officer Rollo Ridley presented the case for the property located at 1866 NW 103rd Avenue, which was heard during the July 19, 2016 hearing and originally cited for parking, storage and/or use of certain vehicles, section 2.07.00A, maintenance of nuisance on property prohibited, section 10.03.00A and outdoor storage section 10.20.20L. Officer states Respondent is still in violation, however he may be getting his mobile home sooner than expected.

Officer Ridley offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of sections 2.07.00A, 10.02.02L and 10.03.00A and ordered Respondent to comply by January 12, 2017.

Case number 1603-0050 for George W Reichert and Judy A Reichert was called.

No party was present for this case.

Officer Rollo Ridley presented the case for the property located at 8455 SE 60th Drive, which was heard during the July 19, 2016 hearing and originally cited for overgrowth, section 10.02.02K. Property is still in violation. Officer states he spoke to the property owners and neither of them want anything to do with the property.

Officer Ridley offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of section 10.02.02K and ordered a daily fine of \$30.00 per day starting September 21, 2016.

Case number 1605-0097 for Rosemary Richardson, Trustee of the 3632 Okeechobee Land Trust was called.

Christy Shockley (contractor) and Charlene Golden (tenant) were present for this case.

Officer Jennifer Kinard presented the case for the property located at 3632 NW 28th Avenue, which was heard during the July 19, 2016 hearing and originally cited for emergency escape egress, section 8.00.00G 702.1 and 702.4 and condition which constitutes a safety hazard, section 10.02.02E. A window permit was issued, but no final inspection. Full compliance has not been achieved. Windows have been ordered, but they have not arrived. Tenant claims that the electric is not repaired and that wires are still exposed. Electric repair had been approved for final inspection by Brad Leary.

Officer Kinard offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of section 8.00.00G 702.1 and 702.4 and 10.02.02E and ordered Respondent to be in compliance by October 13, 2016.

REQUEST FOR REDUCTION OF FINE:

Case number 2309-0053 for Zach Gazza (current owner) and Aline Norman (previous owner) was called.

Zach Gazza was present for this case.

Officer Beth Albert presented the case for the property located at 199 SE 66th Avenue, and was originally cited for outdoor storage, unlicensed vehicles, junk trash and debris and overgrowth. On August 17, 2004 a daily fine was imposed of \$25.00 per day beginning August 18, 2004. The property was in compliance on August 31, 2012. The total outstanding lien on the property amounted to \$73,375.00. Zach Gazza (current owner) requested the fine be reduced to zero. The county requested the fine be reduced to \$550.00. Mr. Gazza agreed to the amount of \$550.00.

Officer Albert offered several supporting documents into evidence.

Magistrate Hooker approved the request to have the fine reduced to \$550.00 to be paid by 5pm, 30 days after the BOCC meeting (October 25, 2016). This amount will be presented to the Board of County Commissioners for their consideration. If not paid within the time period the fine would revert back to the original amount.

Case number 1108-0014 for Michael B Black (current owner) and John K and Deborah E Davies (previous owners) was called.

Michael B Black was present for this case.

Officer Beth Albert presented the case for the property located at 2903 SE 25th Street, and was originally cited for overgrowth. On January 17, 2012 a daily fine was imposed of \$25.00 per day beginning January 18, 2012. The property was in compliance on May 27, 2015. The total outstanding lien on the property amounted to \$30,650.00. Michael B Black (current owner) requested the fine be reduced to \$675.00. The county agreed to the amount of \$675.00.

Officer Albert offered several supporting documents into evidence.

Magistrate Hooker approved the request to have the fine reduced to \$675.00 to be paid by 5pm, 30 days after the BOCC meeting (October 25, 2016). This amount will be presented to the Board of County Commissioners for their consideration. If not paid within the time period the fine would revert back to the original amount.

There being no further business, the meeting was adjourned.

Brandi Cowing, Secretary to Special Magistrate

Date

Deborah M. Hooker, Special Magistrate

Date