

Okeechobee County Code Enforcement Special Magistrate Hearing

April 19, 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 2:05 p.m. on Tuesday, April 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
Ty Hancock, Planning Department
Danny Hawkins, Building Official

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.

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| New Business: BAC Home Loans Servicing LP | Case number: 1307-0033 |
| New Business: Nicole Eglinger, Rochelle Kauffman & Jason B. Kauffman | Case number: 1509-0013 |
| New Business: Federico Rios & Jose Rios | Case number: 1507-0013 |

Code Officer Rollo Ridley stated the following cases are to be continued due to change of property owner.

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| New Business: Gary Eugene Dubel & Adelaide Hitt Lavelle | Case number: 1506-0010 |
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Special Magistrate Hooker approved and signed the minutes from the February 16, 2016 hearing.

NEW BUSINESS:

Case number 1509-0091 for Carl Mataushek was called.

Carl Mataushek was present for this case.

Officer Beth Albert presented the case for the property located at 3746 NW 23rd Avenue which was cited for inoperable vehicle, section 10.02.02B, trash and debris, section 10.02.02D, outdoor storage, section 10.02.02L

and overgrown grass and weeds, section 10.02.02K. Respondent has achieved partial compliance, but property is still in violation.

Officer Albert 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 and 10.02.02K and issued an order for the property to be in compliance by May 12, 2016.

Case number 1506-0039 for Taylor Creek Resort RV Park LLC was called.

Tasha Eunice and Donald Cooper were present for this case.

Officer Beth Albert presented the case for the property located at 2730 Highway 441 SE, which was cited for condition of building nuisances, section 10.04.00. Ten cabins on the property are in need of repair. Respondents stated that they have obtained permits for cabins 3, 5, 7, 8 and 9. Respondents stated that they will be filing for permits for cabins 10 and 6 by the following Monday. Respondents stated they would get permits for the remaining cabins, 1, 2 and 4. Respondent requested six months to comply.

Officer Albert offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of section 10.04.00 and issued an order for the Respondent to appear at the June 21, 2016 hearing for an update and to be in full compliance by August 11, 2016.

Case number 1506-0062 for Robert E. Wylie as Trustee of the Wylie Family Declaration of Trust was called.

Robert Wylie and Larry Gabor were present for this case.

Officer Beth Albert presented the case for the property located at 32175 NE 3rd Drive, which was cited for development activity without a permit, section 13.01.01. Mobile home was placed on property without a permit. Some permits have been applied for, but have not been picked up. During the October 27, 2015 Planning Board meeting, the building official, Mr. Leary, stated Respondent would be subject to a quad fee on the installation permit and the renovation permit. It was also determined that Respondent be subject to a condition that all work be completed within one year of the October 27, 2015 meeting. Planner, Mr. Ty Hancock, was sworn in and confirmed this as he attended the meeting. This case was tabled so that Respondent could look into the cost of the permits he needs. This case was recalled at the end of the hearing and Respondent still had the concern that he wouldn't be able to afford the permits and be able to complete the work on his budget. Building Inspector, Mr. Danny Hawkins, was sworn in and was asked about waiving the quad fees. Mr. Hawkins stated he could not supersede the Building Official's or the Planning Board's decision.

Officer Albert offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of section 13.01.01 and issued an order for the property to be in partial compliance by June 16, 2016 by way of obtaining permits required.

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

Youell Thomas Housch was present for this case.

Officer Rollo Ridley presented the case for the property located at 1866 NE 103rd Avenue, which was cited for parking of certain vehicles, section 2.07.00A, outdoor storage, 10.02.02L and maintenance of nuisance on property prohibited, section 10.03.00A. Respondent stated he has nowhere else to go.

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 May 12, 2016.

Case number 1507-0070 for Joseph T. Anderson & Cherith L. Anderson was called.

No party was present for this case.

Officer Rollo Ridley presented the case for the property located at 3525 SE 22nd Street, which was cited for trash and debris, section 10.02.02D and overgrown grass and weeds, section 10.02.02K.

Officer Ridley offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of sections 10.02.02D and 10.02.02K and ordered Respondent to comply by May 12, 2016.

Case number 1509-0002 for Holly M. Everett was called.

Holly Everett was present for this case.

Officer Rollo Ridley presented the case for the property located at 354 SE 13th Avenue, which was cited for structure unfit for human occupancy, section 108.1.3 and dilapidated or unsafe structure, section 10.02.02E. Respondent stated she has not obtained the permits to demolish the house. Respondent stated she has been trying to obtain quotes for destruction of the house, but the options have been too expensive.

Officer Ridley offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of sections 108.1.3 and 10.02.02E and ordered Respondent to comply by June 9, 2016 by way of obtaining required permits.

Case number 1509-0095 for Stacia Steins was called.

No party was present for this case.

Officer Jennifer Kinard presented the case for the property located at 7630 NW 84th Court, which was cited for trash and debris, section 10.02.02D and outdoor storage, section 10.02.02L.

Officer Kinard offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of sections 10.02.02D and 10.02.02L and ordered Respondent to comply by May 12, 2016.

Case number 1603-0158 for Christopher Amsden was called.

Christopher Amsden was present for this case.

Officer Beth Albert presented the case for the property located at 2922 SE 24th Street, which was cited for inoperable, abandoned vehicles, section 10.02.02B, trash and debris, section 10.02.02D, parking, storage, use of certain vehicles, section 2.07.00A, maintenance of a nuisance on property prohibited, section 10.03.00, outdoor storage, section 10.02.02L and overgrown grass and weeds, section 10.02.02K. Respondent states that he doesn't understand why he has to store his outdoor equipment inside. The ordinance was explained to the Respondent.

Officer Albert offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of sections 10.02.02B, 10.02.02D, 2.07.00A, 10.03.00, 10.02.02L and 10.02.02K and ordered Respondent to comply by May 12, 2016.

Case number 1506-0014 for Total Roadside Service Center LLC was called.

Jeremy R. Larue and Tabitha Renee Larue were present for this case.

Officer Rollo Ridley presented the case for the property located at 3176 Highway 710, which was cited for special exception, section 11.04.02, outdoor storage, section 10.02.02L, unauthorized use of land and/or building, section 10.02.02F and accessory structures and buildings, section 7.09.01B. Partial compliance has been achieved. Respondent requests more time to go through the appropriate channels to get into compliance.

Officer Ridley offered several supporting documents into evidence.

Case was continued due to the uncertainty of the findings. Case will be reheard on May 17, 2016.

Case number 1509-0068 for Luv-Kush Enterprises Inc was called.

No party was present for this case.

Officer Jennifer Kinard presented the case for the property located at 3975 Highway 441 S, which was cited for construction without building permit, section 13.01.01.

Officer Kinard offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of section 13.01.01 and ordered Respondent to comply by May 12, 2016.

OLD BUSINESS

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

Angus J. Freeman was present for this case.

Officer Beth Albert presented the case for the property located at 1546 NW 106th Street, which was cited for condition of building nuisances, section 10.04.00E and International Property Maintenance Code, section 8.00.00G. This case was previously heard by Magistrate on February 16, 2016 and Respondent was ordered to comply by April 14, 2016. Respondent states work on the roof has commenced and he requests more time.

Officer Albert offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of sections 10.04.00E and 8.00.00G and granted a time extension. Respondent ordered to comply by May 12, 2016.

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

Earl G. Hoover was present for this case.

Officer Beth Albert presented the case for the property located at 14869 NW 304th Street, which was cited for developmental activity without a permit, section 13.01.00 and 553.79 1 FS.

Officer Albert offered several supporting documents into evidence.

Magistrate Hooker ordered another status review on September 20, 2016 to show further progress toward compliance.

REQUEST FOR REDUCTION OF FINE

Case number 1301-0024 for Randy L. Worth, Darnell L. Worth and James Crowley was called.

James Crowley was present for this case.

Officer Rollo Ridley presented the case for the property located at 3375 SW 17th Street. A final administrative order was signed on February 25, 2016 which lowered the accrued fine of \$8400.00 to \$1000.00 due by March 30, 2016 at 5:00 p.m. The fine was not paid timely and Respondent is requesting another reduction of fine. Respondent states he has the \$1000.00 to pay the fine now.

Officer Ridley offered several supporting documents into evidence.

Magistrate Hooker granted the reduction of fine from \$8400.00 to \$1000.00. This will be heard at BOCC meeting on May 26, 2016, which would make the fine due by June 26, 2016 at 5:00 p.m.

There being no further business, the meeting was adjourned.

Brandi Cowing, Secretary to Special Magistrate

Date

Deborah M. Hooker, Special Magistrate

Date