

Okeechobee County Code Enforcement Special Magistrate Hearing

May 16, 2017 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 2:03 p.m. on Tuesday, May 16, 2017.

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: Marjorie Tennis and Brandon W Tansley	Case number: 1612-0096
New Business: Rene W Sharpe	Case number: 1701-0032
Imposition of Fine: John Louthan and Megan Louthan	Case number: 1606-0096
Imposition of Fine: Mario Nunez-Leon and Cristal Nunez	Case number: 1602-0064
Imposition of Fine: Terry D White and Carolyn D White	Case number: 1603-0056

Special Magistrate Hooker approved and signed the minutes from the April 18, 2017 hearing.

NEW BUSINESS:

Case number 1701-0003 for Shirley Wolf and Emilio Aranda was called.

Case called early due to presence of party. Emilio Aranda Jr., property owner's son, was present for this case and sworn for testimony.

Officer Jennifer Kinard presented the case for the property located at 6805 NE 5th Street which was cited for inoperable/abandoned vehicles, 10.02.02B, trash and debris, 10.02.02D, damaged windows, 10.04.00D and roof deterioration, 10.04.00E. Some progress was made by cleaning up some of the trash and debris. Mr. Aranda Jr. testified that he is attempting to obtain a loan to cover roof repairs. Mr. Aranda Jr. stated he will try and save the money himself to make the repairs. He stated he received a quote for \$11,000 which included the supplies and labor.

Officer Kinard offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of sections 10.04.00D and 10.04.00E. Sections 10.02.02B and 10.02.002D are in compliance. Magistrate Hooker ordered the Respondent to comply by obtaining permits for roof repair by June 15, 2017 and to provide a status update on October 17, 2017.

Case number 1702-0010 for Gregory Scott and Pamela Scott was called.

Case called early due to presence of party. Gregory Scott was present for this case and sworn for testimony.

Officer Rollo Ridley presented the case for the property located at 192030 NW 258th Street which was cited for unauthorized occupancy of recreational vehicle, 7.08.05, unauthorized structures, buildings or containers, 7.09.01B, habitable space, 8.00.00G 402.1 and unauthorized use of land 10.02.02F. Compliance has not been achieved. Mr. Scott testified he is trying to sell the recreational vehicle and it is unoccupied. He stated he is trying to modify the buildings he has to make a 1500 square foot home. Officer Ridley advised state and county regulations will not allow accessory structures to be converted into a habitable space. He will need to permit a primary structure, either a mobile home or a site built home. Mr. Scott will need to remove recreational vehicle and other accessory structures and obtain permit for primary structure.

Officer Ridley offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of sections 7.08.05, 7.09.01B, 8.00.00G 402.1 and 10.02.02F. Magistrate Hooker ordered the Respondent to comply by removing recreational vehicle and obtaining primary structure permits by June 15, 2017 and to provide a status update on November 21, 2017.

IMPOSITION OF FINE:

Case number 1506-0062 for David Slay and Joey Mohanna was called.

Case was called early due to presence of party. Joey Mohanna was present for this case and sworn for testimony.

Officer Beth Albert presented the case for the property located at 32175 NE 3rd Drive which was heard during the April 18, 2017 hearing and originally cited for construction without a permit, 13.01.00. Progress has been made and an insulation inspection has been scheduled for this date. Ms. Mohanna offered pictures into evidence of work that has been completed. She testified that most of the work that needs to be completed consists of running the septic line, mudding the walls and adding the light fixtures.

Officer Albert offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of section 13.01.00 and ordered Respondent to be in full compliance by July 13, 2017. Previous compliance date of June 15, 2017 has been replaced by the new date.

Case number 1608-0072 for Carmen A Seals and Tony Seals was called.

Case called early due to presence of party. Brandie Tindall, attorney, was present for this case and sworn for testimony.

Officer Beth Albert presented the case for the property located at 3257 Highway 441 N which was heard during the April 18, 2017 hearing and originally cited for unsafe structure, 8.00.00G 108.1.1, due to a fire. Property remains in violation. Ms. Tindall represents her own interests and the interests of her family trust that held the mortgage for the Seals. Mrs. Seals signed deed in lieu of foreclosure and the demolition permit has been applied for. Ms. Tindall testified she would make sure the work is completed by the next compliance date.

Officer Albert offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of section 8.00.00G 108.1.1 and ordered the Respondent to be in full compliance by June 15, 2017.

Case number 1602-0053 for Mario Nunez-Leon and Cristal Nunez was called.

Case called early due to presence of party. Tameka Rosa, associate of the property owners and secretary/manager of Nunez Lawn Care, was present for this case and sworn for testimony.

Officer Beth Albert presented the case for the property located at 3650 SE 36th Avenue which was heard during the February 21, 2017 hearing and originally cited for trash and debris, 10.02.02D, outdoor storage, 10.02.02L and unauthorized use of land, 10.02.02F. Progress has been made. Several truck beds and a trailer containing scrap metal remain on property and need to be removed.

Officer Albert offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of sections 10.02.02D, 10.02.02L and 10.02.02F and ordered the Respondent to be in full compliance by June 15, 2017.

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

Case called early due to presence of party. Youell Thomas Housch was present for this case and sworn for testimony.

Officer Rollo Ridley presented the case for the property located at 1866 NE 103rd Avenue which was heard during the January 17, 2017 hearing and originally cited for parking, storage and use of certain vehicles, 2.07.00A, outdoor storage, 10.02.02L, maintenance of nuisance on property prohibited, 10.03.00A. Property remains in violation. Mr. Housch is attempting to complete payoff of land mortgage and he provided a receipt of multiple payments which have been applied towards his land mortgage. He has qualified for a home loan through Seacoast

Bank and will be able to begin the process once the land mortgage has been satisfied. Mr. Housch will need to remove all debris, forklift and similar equipment and all other unlicensed or inoperable vehicles and trailers.

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 the Respondent to comply by removing all debris, trailers, forklift and similar items by July 13, 2017.

OLD BUSINESS:

Case number 1603-0145 for Denver McPeak was called.

No party was present for this case.

Officer Jennifer Kinard presented the case for the property located at 7355 NE 7th Street which was heard during the April 18, 2017 hearing and originally cited for roof deterioration, 10.04.00E. Compliance has not been achieved and the deceased property owner's sons have not been in contact with Officer Kinard.

Officer Kinard offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of section 10.04.00E and ordered the Respondent to be in full compliance by June 15, 2017.

IMPOSITION OF FINE:

Case number 1507-0059 for Carl and Rebecca Maxwell and Douglas and Jane Reising was called.

No party was present for this case.

Officer Rollo Ridley presented the case for the property located at 3633 NW 21st Street which was heard during the April 18, 2017 hearing and originally cited for unsafe structure, 8.00.00G 108.1.1, structure unfit for human occupancy, 8.00.00G 108.1.3 and overgrowth, 10.02.02K. A demolition permit was purchased, but the building was never demolished. The permit has since expired.

Officer Ridley offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of sections 8.00.00G 108.1.1 and 8.00.00G 108.1.3 and imposed a daily fine of \$30.00 a day starting May 17, 2017.

Case number 1701-0060 for Kenneth W Wofford and Gennifer L Peleaz was called.

No party was present for this case.

Officer Rollo Ridley presented the case for the property located at 4211 SE 28th Street which was heard during the April 18, 2017 hearing and originally cited for inoperable/abandoned vehicles, 10.02.02B, parking and use of certain vehicles, 2.07.00A and outdoor storage, 10.02.02L. Compliance has not been achieved.

Officer Ridley offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of sections 10.02.02B, 2.07.00A and 10.02.02L and imposed a daily fine of \$30.00 a day starting May 17, 2017

Case number 1608-0013 for Steven W Hull and Deborah M Hull was called.

No party was present for this case.

Officer Rollo Ridley presented the case for the property located at 685 SE 14th Avenue which was heard during the April 18, 2017 hearing and originally cited for inoperable/abandoned vehicles, 10.02.02B, trash and debris, 10.02.02D, overgrowth, 10.02.02K and outdoor storage, 10.02.02L. Compliance has not been achieved.

Officer Ridley offered several supporting documents into evidence.

Magistrate Hooker found the Respondent to be in violation of sections 10.02.02B, 2.07.00A and 10.02.02L and imposed a daily fine of \$30.00 a day starting May 17, 2017.

There being no further business, the meeting was adjourned at 4:08 p.m.

Brandi Cowing, Secretary to Special Magistrate

Date

Deborah M. Hooker, Special Magistrate

Date