

MINUTES OF THE OCTOBER 12, 2016
CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

The following are the minutes of the Special Magistrate Hearing held
on October 12, 2016 as taken by Jamie Davis

Present at the hearing:

SPECIAL MAGISTRATE

Charles D. Johnson

CODE ENFORCEMENT STAFF:

Dennis Bunt, Code Enforcement Supervisor
Stan Wilson, Code Enforcement Officer
Shasta Longley, Code Enforcement Officer
Jamie Davis, Public Hearing Coordinator

STAFF ATTORNEY:

Diana Johnson, Assistant County Attorney

Charles D. Johnson called the meeting of the Special Magistrate to order at 10:00 a.m.

Staff was sworn in by Charles Johnson.

Diana Johnson announced the changes to the agenda.

Code Enforcement:

ITEM 3

F&R Enterprises LLC, SM-2016-05-0043

Respondents were not present.

Diana Johnson stated this case is charging the owner with violation of 10.03.00 "Open Air Vendors". Staff recommended the Special Magistrate find the Respondents in violation of this section and grant 60 days to comply or a fine of \$100.00 per day to begin on the 15th day.

File was entered into evidence.

Officer Stan Wilson testified to the facts of the case.

Special Magistrate Charles D. Johnson accepted staff's recommendation.

ITEM 4

Aida's Building Construction Company Inc., SM-2016-07-0266

Respondent were not present.

Diana Johnson stated this case is charging the owner with violation of Section 14-56 "Declaration of Nuisance and Prohibited Conditions". Staff recommended the Special Magistrate find the Respondent in violation of this section and grant 14 days to comply or a fine of \$50.00 per day to begin on the 15th day.

File was entered into evidence.

Officer Stan Wilson testified to the facts of the case.

Special Magistrate Charles D. Johnson accepted staff's recommendation.

ITEM 5

Jason Kent, SM-2016-07-0071

Respondent was not present.

Diana Johnson stated this case is charging the owner with violation of Section 6-22 "Adoption and Enforcement (International Property Maintenance Code Section 303). Staff recommended the Special Magistrate find the Respondent in violation of this section and grant 14 days to comply or a fine of \$100.00 per day to begin on the 15th day.

File was entered into evidence.

Officer Stan Wilson testified to the facts of the case.

Special Magistrate Charles D. Johnson ordered the Respondent to come into compliance immediately and a fine of \$1,000.00 per day effective immediately until the property is brought into compliance.

ITEM 6

Jason Drewes & Megan Drewes, SM-2016-04-0074

Respondents were not present.

Diana Johnson stated this case is charging the owner with violation of Section 14-56 "Declaration of Nuisance and Prohibited Conditions". Staff recommended the Special

Magistrate find that the Respondents were in violation of this section and order that they remain in compliance

File was entered into evidence

Officer Stan Wilson testified to the facts of the case.

Special Magistrate Charles D. Johnson accepted staff's recommendation.

ITEM 7

Palisades FL, LLC, SM-2016-07-0109

Respondents were not present. Daniel Mercandante was present on behalf of the Respondent.

Diana Johnson stated this case is charging the owner with violation of Section 14-56 "Declaration of Nuisance and Prohibited Conditions". Staff recommended the Special Magistrate find that the Respondents were in violation of this section and order that they remain in compliance

File was entered into evidence.

Officer Stan Wilson testified to the facts of the case.

Supervisor Dennis Bunt testified to the facts of the case.

Daniel Mercandante was sworn and testified to the facts of the case.

Special Magistrate Charles D. Johnson accepted staff's recommendation.

ITEM 9

Victor Getchel & Kenny Brown, SM-2016-05-0237

Respondents were not present.

Diana Johnson stated this case is charging the owner with violation of Section 6-22 "Adoption and Enforcement (International Property Maintenance Code Section 303.1)". Staff recommended he Special Magistrate find the Respondents in violation of this section and grant 14 days to comply or a fine of \$100.00 per day to begin on the 15th day.

File was entered into evidence.

Officer Stan Wilson testified to the facts of the case.

Special Magistrate Charles D. Johnson accepted staff's recommendation.

ITEM 12

Leonard J. McNeil, SM-2016-05-0069

Respondent was not present.

Diana Johnson stated this case is charging the owner with violation of Section 23-98 "Junk", Section 23-99 "Accumulation of Solid Waste Prohibited", and Section 14.14.06 "Driveway/Access Connection Permit". Staff recommended the Special Magistrate find the Respondent in violation of these sections and grant 14 days to comply or a fine of \$100.00 per day to begin on the 15th day.

File was entered into evidence.

Supervisor Dennis Bunt testified to the facts of the case.

Terry Scott from Public Works was present, sworn and offered testimony.

Special Magistrate Charles D. Johnson accepted staff's recommendation and granted 30 days to come into compliance.

ITEM 14

Rachel Roe, SM-2016-06-0300

Respondent was present and sworn.

Diana Johnson stated this case is charging the violator, not the owner, with violation of Section 23-98 "Junk", Section 23-99 "Accumulation of Solid Waste Prohibited" and Section 3.00.00 "Zoning Districts." Staff recommended the Special Magistrate find the Respondent in violation of these sections and grant 14 days to comply or a fine of \$100.00 per day to begin on the 15th day.

File was entered into evidence.

Supervisor Dennis Bunt testified to the facts of the case.

Rachel Roe testified to the facts of the case.

Special Magistrate Charles D. Johnson accepted staff's recommendation.

ITEM 15

Rachel Roe, Earl Souther & Shirley Souther, SM-2016-08-0070

Rachel Roe was present and sworn.

Diana Johnson stated this case is charging both the owners and the violator, Rachel Roe, with violation of Section 3.00.00 "Zoning Districts", Section 3.01.01 "Generally" and Section 3.01.02 "Classification of Uses". Staff recommended the Special Magistrate find that the Respondents were in violation of these sections and order that the property remain in compliance.

File was entered into evidence.

Supervisor Dennis Bunt testified to the facts of the case.

Rachel Roe testified to the facts of the case.

Special Magistrate Charles D. Johnson accepted staff's recommendation.

ITEM 16

Robert Furmanek & Jacqueline Furmanek, SM-2016-04-0324

Respondents were present and sworn.

Diana Johnson stated this case is charging the owner with violation of Section 23-98 "Junk" and Section 3.06.03 "Permitted Parking. Staff recommended the Special Magistrate find that the Respondents were in violation of these sections and order that the property remain in compliance.

File was entered into evidence.

Supervisor Dennis Bunt testified to the facts of the case.

Robert Furmanek testified to the facts of the case.

Special Magistrate Charles D. Johnson accepted staff's recommendation.

ITEM 20

VM Properties LLC, SM-2015-12-0001

Respondent was present and sworn.

Diana Johnson stated in this case the Respondent is now in compliance and is requesting a reduction of fine.

File was entered into evidence.

Special Magistrate reduced the fine from \$8,700.00 to \$500.00.

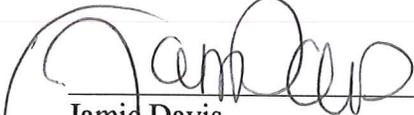
ITEM 21

DL&F LLC, SM-2013-08-0149

Respondents were not present.

Diana Johnson stated in this case the Respondents and the County have entered into a settlement agreement for the property. The settlement agreement was presented to the Special Magistrate for signature.

Settlement Agreement signed in open court.



Jamie Davis
Recording Secretary

Receipt of the minutes as prepared of the October 12, 2016 hearing is acknowledged this
9 day of Nov 2016.



Charles D. Johnson Special Magistrate