

# Okeechobee County Code Enforcement Special Magistrate Hearing

## September 17, 2019 Minutes

The hearing of the Okeechobee County Code Enforcement Special Magistrate, Deborah M. Hooker, took place at the Okeechobee County Health Department Auditorium on Tuesday, September 17, 2019.

### ROLL CALL:

*The following county staff members were present:*

Brandi Williamson, Secretary to the Special Magistrate

Beth Albert, Code Enforcement Supervisor

Jennifer Kinard, Code Enforcement Officer

Lakisha Gilchrist, Code Enforcement Officer

Roy Griffin, Code Enforcement Officer

Laura McCall, County Attorney, was also present.

### ADMINISTRATIVE ITEMS:

1. **Call to Order:** The Meeting was called to order by Special Magistrate Hooker at 2:04 pm on Tuesday, September 17, 2019, after which Special Magistrate Hooker led the Pledge of Allegiance.
2. **Swear in Code Enforcement Officers:** Special Magistrate Hooker swore in the following Code Enforcement Officers: Beth Albert, Lakisha Gilchrist, Roy Griffin and Jennifer Kinard.
3. **Cases in Compliance:** Officer Albert stated that the following cases are in compliance:

New Business: Bryon Fortun	Case number: 1804-0014
Old Business: James Mench	Case number: 1901-0036
Old Business: Franklin A Sweat and Kimberly M Sweat	Case number: 1805-0031
Old Business: Francisco Melchor and Marie A Flores	Case number: 1812-0113

Case number 1808-0081 for Victor Sanchez was tabled to ensure proper service.
4. **Minutes:** Special Magistrate Hooker approved and signed the minutes from the August 20, 2019 hearing.
5. **Public Comment:** Special Magistrate Hooker invited public comment. There were no public comments.

Cases may have been called out of order of the agenda due to the presence of certain parties.

**NEW BUSINESS:**

*Case number 1903-0005 for Charlie Henderson and Eva V Henderson was called.*

Charlie Henderson and Eva Henderson were present for this case and sworn for testimony.

Mrs. Henderson verified her mailing address as 1691 NE 14<sup>th</sup> Street, Okeechobee, FL 34972. Officer Albert presented the case for the property located at 1112 NE 15<sup>th</sup> Avenue which was cited for an unsafe structure, 8.00.00G (108.1.1). A demolition permit has been issued as of this date. Mrs. Henderson stated the contractor told her he'd try and get the work done by this week.

Officer Albert offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

**Special Magistrate Hooker found the Respondent to be in violation of section 8.00.00G (108.1.1). Special Magistrate Hooker ordered Respondent to be in full compliance by demolishing the unsafe structure with all applicable permits and fees by October 10, 2019 or be subject to a fine of up to \$250.00 per day thereafter.**

*Case number 1901-0055 for Annette Sheppard was called.*

Annette Sheppard and John McNeil, godson and caretaker of Ms. Sheppard, were present for this case and sworn for testimony.

Ms. Sheppard verified her mailing address as 957 NE 15<sup>th</sup> Avenue, Okeechobee, FL 34972. Mr. McNeil verified his mailing address as 896 NE 13<sup>th</sup> Avenue, Okeechobee, FL 34972. Officer Griffin presented the case for the property located at 808 NE 15<sup>th</sup> Avenue which was cited for inoperable or abandoned vehicles, 10.02.02B, trash and debris, 10.02.02D, outdoor storage, 10.02.02L, overgrowth, 10.02.02K and roof damage, 10.04.00E. The inoperable vehicles have been removed. Mr. McNeil stated he is the legal guardian of Ms. Sheppard and has legal documentation. Attorney McCall advised Mr. McNeil to provide said paperwork to the Code Enforcement Department so that all notices can be forwarded to him. Mr. McNeil stated the property is being worked on and should be completed soon. Property is in compliance of section 10.02.02B.

Officer Griffin offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

**Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02D, 10.02.02L, 10.02.02K and 10.04.00E. Special Magistrate Hooker ordered Respondent to be in full compliance by removing all trash, debris, outdoor storage and overgrowth and repairing the roof by October 10, 2019 or be subject to a fine of up to \$250.00 per day thereafter.**

*Case number 1904-0033 for Fred and Sheila A Votino was called.*

Sheila Votino and Patricia Jenkins, realtor, were present for this case and sworn for testimony.

Ms. Votino verified her mailing address as 2722 Placid Avenue, Fort Pierce, FL 34982. Ms. Jenkins verified her mailing address as 4602 Sunset Blvd, Fort Pierce, FL 34982. Officer Gilchrist presented the case for the property located at 1694 NW 6<sup>th</sup> Street which was cited for inoperable/abandoned vehicle, 10.02.02B, trash and debris, 10.02.02D, overgrowth, 10.02.02K, condition of building, 10.04.00A and broken window(s), 10.04.00D. Some progress has been made. Ms. Votino stated the property has been sold as of September 11. Mr. Votino passed away a year and a half ago. The new owner of the property has begun clean up and plans to replace the broken windows. Ms. Jenkins stated the new property owner is Juan Carlos. Property is in compliance of sections 10.02.02B, 10.02.02D and 10.02.02K.

Officer Gilchrist offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

**Special Magistrate Hooker found the Respondent to be in violation of sections 10.04.00A and 10.04.00D. Special Magistrate Hooker ordered Respondent to be in full compliance by repairing broken windows with all applicable permits and fees and pressure wash the home by October 10, 2019 or be subject to a fine of up to \$250.00 per day thereafter.**

*Case number 1811-0014 for James R Conroy was called.*

James Conroy and Tommy Peters, a contractor, were present for this case and sworn for testimony.

Mr. Conroy verified his mailing address as 3140 SE 23<sup>rd</sup> Street, Okeechobee, FL 34974. Mr. Peters verified his mailing address as 1210 Linda Road, Buckhead Ridge, FL 34974. Officer Gilchrist presented the case for the property located at 3140 SE 23<sup>rd</sup> Street which was cited for condition of building, 10.04.00A and roof damage, 10.02.02E. Mr. Peters stated that he will be applying for a demolition permit to remove the addition, which is the part of the structure that is deteriorated.

Officer Gilchrist offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

**Special Magistrate Hooker found the Respondent to be in violation of sections 10.04.00A and 10.04.00E. Special Magistrate Hooker ordered Respondent to obtain a demolition permit with all applicable fees by October 10, 2019 and to be in full compliance by completing the demolition by November 14, 2019 or be subject to a fine of up to \$250.00 per day thereafter.**

### **OLD BUSINESS:**

*Case number 1902-0005 for Mark C Kramer was called.*

Mark C Kramer and John Henry, engineer, was present for this case and sworn for testimony.

Mr. Kramer verified his mailing address as 1037 NE 30<sup>th</sup> Ave, Okeechobee, FL 34972. Officer Gilchrist presented the case for the property located at 1037 NE 30<sup>th</sup> Avenue which was previously heard during the August 20, 2019 meeting and cited for abandoned/inoperable vehicles, 10.02.02B, trash and debris, 10.02.02D, construction without building permit, 13.01.01, outdoor storage, 10.02.02L and overgrowth, 10.02.02K. Officer Gilchrist requested a fine of \$30.00 a day as compliance has not been achieved. Mr. Kramer stated everything has been

cleared except a pile of pavers. He also stated he has hired engineer, Mr. Henry, to assist in permitting the shed. Mr. Henry stated he needs to meet with the County to discuss getting the shed up to code and permitted.

Officer Gilchrist offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

**Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02D, 10.02.02L, 10.02.02K and 13.01.01. Special Magistrate Hooker ordered Respondent obtain all necessary permits with all applicable fees by October 10, 2019 and be in full compliance by removing all junk, trash, debris, overgrowth and outdoor storage and complete the construction of the shed if it is able to be permitted, if not it must be removed by November 14, 2019 or be subject to a fine of up to \$250.00 per day thereafter.**

*Case number 1902-0084 for Christopher Aguilar was called.*

Juan Aguilar, father of property owner and Cynthia Ortiz, sister of property owner, were present for this case and sworn for testimony.

Officer Coleman presented the case for the property located at 3964 NW 4<sup>th</sup> Street which was previously heard during the August 20, 2019 meeting and cited for abandoned/inoperable vehicles, 10.02.02B, business in residential area, 2.04.04B and 2.04.04C, outdoor storage, 10.02.02L and obstruction of right of way, 58-77. Juan Aguilar and Rosa Aguilar stated that their son, Christopher Aguilar, could not attend the hearing due to work. Some progress has been made, but property remains in violation. Ms. Ortiz stated that they have been working on cleaning up but both she and her father were recently injured, which hindered clean up.

Officer Coleman offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

**Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02B, 10.02.02L, 2.04.04B, 2.04.04C and 58-77. Special Magistrate Hooker ordered Respondent to be in full compliance by removing all junk, trash, debris and other accumulations, clear the right of way and cease any business operations by October 10, 2019 or be subject to a fine of up to \$250.00 per day thereafter.**

*Case number 1902-0106 for Juan Aguilar was called.*

Juan Aguilar and Cynthia Ortiz, daughter, were present for this case and sworn for testimony.

Officer Coleman presented the case for the property located at 3966 NW 4<sup>th</sup> Street which was previously heard during the August 20, 2019 meeting and cited for abandoned/inoperable vehicles, 10.02.02B, outdoor storage, 10.02.02L, running a business in a residential area, 2.04.04B and 2.04.04C, and obstruction of right of way, 58-77. Some progress has been made, but property remains in violation. Ms. Ortiz stated that they have been working on cleaning up but both she and her father were recently injured, which hindered clean up.

Officer Coleman offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

**Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02B, 10.02.02L, 2.04.04B, 2.04.04C and 58-77. Special Magistrate Hooker ordered Respondent to be in full compliance by removing all accumulations, clearing the right of way and ceasing business operations by September 12, 2019 or be subject to a fine of up to \$250.00 per day thereafter.**

**NEW BUSINESS:**

***Case number 1810-0058 for Donald Howard Trent and Monique Alise Trent was called.***

No parties were present for this case.

Officer Kinard presented the case for the property located at 8857 SE 67<sup>th</sup> Way which was cited for construction without a permit, 13.01.01. Property remains in violation. Respondent has applied for a permit, but it has yet to be issued.

Officer Kinard offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

**Special Magistrate Hooker found the Respondent to be in violation of section 13.01.01. Special Magistrate Hooker ordered Respondent to be in full compliance by obtaining all required permits with all applicable fees on both unpermitted structures by October 10, 2019 or be subject to a fine of up to \$250.00 per day thereafter.**

**OLD BUSINESS:**

***Case number 1807-0165 for Brown Shoe Management Group Inc was called.***

No parties were present for this case.

Officer Kinard presented the case for the property located at 11555 Highway 441 SE Unit 2 which was previously heard during the July 16, 2019 hearing and cited for construction without a permit, 13.01.01. Property remains in violation. Mr. Vanderhoff sold the unit, but there are still no permits.

Officer Kinard offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

**Special Magistrate Hooker found the Respondent to be in violation of section 13.01.01. Special Magistrate Hooker ordered Respondent to be in compliance by September 12, 2019 or be subject to a fine of up to \$250.00 per day thereafter.**

***Case number 1904-0136 for Corona Holdings XIV LLC and G.M. Worley, Jr. was called.***

No parties were present for this case.

Officer Albert presented the case for the property located at 27555 NW 208<sup>th</sup> Street which was previously heard during the August 20, 2019 meeting and cited construction without a permit, 13.01.01. Property remains in violation. No permits have been applied for.

Officer Albert offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

**Special Magistrate Hooker found the Respondent to be in violation of section 13.01.01. Special Magistrate Hooker ordered Respondent to submit permit application with all applicable fees by October 10, 2019 and ordered the Respondent to be in full compliance by completing all inspections and obtaining a certificate of occupancy by November 14, 2019 or be subject to a fine of up to \$250.00 per day thereafter.**

*Case number 1809-0075 for Carroll L Thomas Sr, Patricia Thomas and Carroll L Thomas Jr was called.*

No parties were present for this case.

Officer Gilchrist presented the case for the property located at 2815 SE 20<sup>th</sup> Court which was previously heard during the August 20, 2019 meeting and cited for overgrowth, 10.02.02K, trash and debris, 10.02.02D, condition which constitutes a safety hazard, 10.02.02E and unsafe structure, 8.00.00G 108.1.1. Property remains in violation, no progress has been made. Mr. Thomas Jr remains in an adult care facility. His state designated attorney, Deborah Kline, stated she had no dealings with the property. Case allowed more time to attempt contact with state attorney Laurel Hopper.

Officer Gilchrist offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

**Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02K, 10.02.02D, 10.02.02E and 8.00.00G 108.1.1. Special Magistrate Hooker ordered Respondent to be in full compliance by removing condemned mobile home with all required permits and fees, mowing overgrown grass and weeds and removing all trash and debris by October 10, 2019 or be subject to a fine of up to \$250.00 per day thereafter.**

*Case number 1901-0070 for Ana Gomez was called.*

No parties were present for this case.

Officer Griffin presented the case for the property located at 3290 NW 6<sup>th</sup> Street which was previously heard during the August 20, 2019 meeting and cited for abandoned/inoperable vehicles, 10.02.02B, trash and debris, 10.02.02D, unauthorized occupancy of RV, 7.08.05, unauthorized structures, buildings and/or containers, 7.09.01B, parking, storage, use of certain vehicles, 2.07.00A, unsafe structure, 8.00.00G 108.1.1, outdoor storage, 10.02.02L, violation of minimum housing standards, 10.02.02O and condition which constitutes a safety hazard, 10.02.02E. Some progress has been made, but property remains in violation. A demolition permit has been issued.

Officer Griffin offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02B, 10.02.02D, 10.02.02L, 10.02.02O, 10.02.02E, 7.08.05, 7.09.01B, 2.07.00A, and 8.00.00G 108.1.1. Special Magistrate Hooker ordered Respondent to be in full compliance by removing the unsafe structure with all required permits and fees, removing the RV, unlicensed vehicles, trash, debris and all other accumulations and any other violations cited, by October 10, 2019 or be subject to a fine of up to \$250.00 per day thereafter.

*Case number 1901-0048 for Joaquin D Dominguez was called.*

No parties were present for this case.

Officer Griffin presented the case for the property located at 3252 NW 1<sup>st</sup> Street which was previously heard during the August 20, 2019 meeting and cited for outdoor storage, 10.02.02L, inoperable, abandoned vehicles, 10.02.02B, overgrowth, 10.02.02K, parking, storage, use of certain vehicles, 2.07.00A, deterioration of building(s), 10.01.00A and discolored exterior, 10.04.00B. Property remains in violation, no progress has been made.

Officer Griffin offered several supporting documents into evidence, which were admitted into evidence by Special Magistrate Hooker.

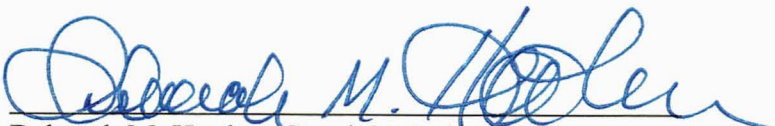
Special Magistrate Hooker found the Respondent to be in violation of sections 10.02.02L, 10.02.02B, 10.02.02K, 2.07.00A, 10.01.00A and 10.04.00B. Special Magistrate Hooker imposed a daily fine in the amount of \$30.00 to begin accruing on September 18, 2019. This shall be filed at the Clerk of Court in no less than 14 days.

**ADJOURNMENT:**

There being no further business, Special Magistrate Hooker adjourned the meeting at 4:45 p.m.

  
Brandi Williamson, Secretary to Special Magistrate

10/15/19  
Date

  
Deborah M. Hooker, Special Magistrate

10-15-19  
Date