

Okeechobee County Code Enforcement Special Magistrate Hearing

January 21, 2020 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, January 21, 2020.

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

Nancy Stuparich, County Attorney, was also present.

ADMINISTRATIVE ITEMS:

1. **Call to Order:** The Meeting was called to order by Special Magistrate Hooker at 2:00 pm on Tuesday, January 21, 2020, 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: Arthur King and Susan King	Case number: 1903-0053
Old Business: Donald Howard Trent and Monique Alise Trent	Case number: 1810-0058
Old Business: Johnnie Micheal Isaacs and Sharon Hill Isaacs	Case number: 1903-0108

The following cases were tabled:

Request for Reduction of Fine: Aline Norman	Case number: 2312-0036
-Tabled to the February 18, 2020 hearing at the request of Ms. Norman's attorney	

4. **Minutes:** Special Magistrate Hooker approved and signed the minutes from the December 17, 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 1906-0121 for Robert M Kolovrat and Vera C Kolovrat was called.

Robert M Kolovrat and Vera C Kolovrat were present for this case and sworn for testimony.

Mr. Kolovrat verified his mailing address as 20016 NW 266th Street, Okeechobee, FL 34972. Officer Griffin presented the case for the property located at 20016 NW 266th Street which was cited for trash and debris, 10.02.02D, outdoor storage, 10.02.02L, unauthorized use of land and/or building, 10.02.02F, violation of minimum housing standards, 10.02.02O, unauthorized occupancy of RV, 7.08.05, unauthorized structures, buildings, and/or containers, 7.09.01B, and parking, storage, and/or use of certain vehicles, 2.07.00A. Mr. Kolovrat objected to the violations Officer Griffin cited and requested a different code officer take over his case. He stated he feels discriminated against, however also stated that he's never spoken with or met Officer Griffin. Mr. Kolovrat stated there is only one RV on the property and stated the second one was removed on Sunday before the hearing. Ms. Kolovrat, his mother, stated that Mr. Kolovrat is a disabled veteran and they had purchased the property so that he could have peace. Magistrate Hooker expressed her understanding of Ms. Kolovrat's statement, but explained that it had nothing to do with the code enforcement hearing. Mr. Kolovrat stated that he did not understand the violations and what he needed to do to get into compliance. Magistrate Hooker explained the violations thoroughly and Mr. Kolovrat then understood the violations. As the vehicles were removed and/or registered, the property is in compliance of 2.07.00A.

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, 10.02.02F, 10.02.02L, 10.02.02O, 7.08.05 and 7.09.01B. Special Magistrate Hooker ordered Respondent to be in full compliance by removing the unauthorized recreational vehicle and clearing the property of all debris by March 12, 2020 or be subject to a fine of up to \$250.00 per day thereafter. The case will also come before the Magistrate on February 18, 2020 for a status review.

Case number 1904-0087 for Jamie M Rubino was called.

Jamie M Rubino was present for this case and sworn for testimony.

Ms. Rubino verified her mailing address as 6702 NE 1st Street, Okeechobee, FL 34972. Officer Griffin presented the case for the property located at 6702 NE 1st Street 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, unauthorized occupancy of RV, 7.08.05, deterioration of building through neglect, 10.01.00A, condition which causes vermin, 10.02.03J, and parking, storage, and/or use of certain vehicles, 2.07.00A. Progress has been made, some RVs have been removed and the property is now only in violation of sections 10.02.02K and 2.07.00A. Ms. Rubino stated her grandsons have been working on the remaining RVs and wants to get them registered. They are also working on clearing the remaining overgrowth.

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 10.02.02K and 2.07.00A. Special Magistrate Hooker ordered Respondent to be in full compliance by registering or removing RVs and clearing the property of overgrowth by February 13, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

OLD BUSINESS:

Case number 1901-0055 for Annette Sheppard was called.

John McNeil, legal guardian of Annette Sheppard, was present for this case and sworn for testimony.

Mr. McNeil verified his mailing address as 896 NE 13th Avenue, Okeechobee, FL 34972. Officer Griffin presented the case for the property located at 808 NE 15th Avenue which was previously heard during the December 17, 2019 hearing and cited for roof damage, 10.04.00E. Mr. McNeil stated that since the house has been inspected to repair the roof, it was determined that it could not be repaired and the structure must be demolished. Mr. McNeil has already contacted FPL to disconnect the power and will continue the process to demolish the structure.

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 section 10.04.00E. Special Magistrate Hooker ordered Respondent to be in full compliance by demolishing the structure with all applicable permits, fees and inspections by March 12, 2020 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.

Ms. Ortiz stated that Christopher Aguilar's mailing address is 3966 NW 4th Street, Okeechobee, FL 34972. Officer Albert presented the case for the property located at 3964 NW 4th Street which was previously heard during the December 17, 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. Significant progress has been made, but property remains in violation.

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 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 February 13, 2020 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.

Mr. Aguilar verified his mailing address as 3966 NW 4th Street, Okeechobee, FL 34972. Officer Albert presented the case for the property located at 3966 NW 4th Street which was previously heard during the December 17, 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. Significant progress has been made, but property remains in violation.

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 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 February 13, 2020 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 was present for this case and sworn for testimony.

Mr. Conroy verified his mailing address as 3140 SE 23rd Street, Okeechobee, FL 34974. Officer Gilchrist presented the case for the property located at 3140 SE 23rd Street which was previously heard during the December 17, 2019 hearing and cited for roof damage, 10.02.02E. Significant progress has been made and the roof repairs are nearing completion.

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 section 10.04.00E. Special Magistrate Hooker ordered Respondent to be in full compliance by completing the reroof with all required permits, fees and inspections by February 13, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

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

Mark Kramer was present for this case and sworn for testimony.

Mr. Kramer verified his mailing address as 1037 NE 30th Avenue, Okeechobee, FL 34972. Officer Gilchrist presented the case for the property located at 1037 NE 30th Avenue which was previously heard during the December 17, 2019 hearing and cited for construction without building permit, 13.01.01. Mr. Kramer stated he has a new architect named Roger who works for Paul Welsh. He states that the shed is now going to be converted to a porch.

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 section 13.01.01. Special Magistrate Hooker ordered Respondent to be in full compliance by obtaining permit for shed, including all required fees and inspections, if it is able to be permitted, if not, remove the shed by February 13, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

NEW BUSINESS:

Case number 1902-0125 for Jo Ann Barton was called.

No parties were present for this case.

Officer Kinard presented the case for the property located at 16008 NW 308th Street which was cited for trash and debris, 10.02.02D, condition which constitutes a safety hazard, 10.02.02E, overgrowth, 10.02.02K, unsafe structure, 8.00.00G 108.1.1, structure unfit for human occupancy, 8.00.00G 108.1.3 and demolition order, 8.00.00G 110.0. No progress has been made. Ms. Barton has previously stated that the property is in foreclosure with Be A Man Buy Land. Zach Gazza of Be A Man Buy Land is in communication with his lawyer to prepare the foreclosure.

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 sections 10.02.02D, 10.02.02E, 10.02.02K, 8.00.00G 108.1.1, 8.00.00G 108.1.3 and 8.00.00G 110.0. Special Magistrate Hooker ordered Respondent to be in full compliance by demolishing the structure with all required permits, fees and inspections and clear the property of trash, debris and overgrowth by February 13, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

Case number 1511-0051 for Pete Gilbert was called.

No parties were present for this case.

Officer Griffin presented the case for the property located at 20485 NW 302nd Street which was cited for unauthorized occupancy of RV, 7.08.05 and unauthorized structures, buildings, and/or containers, 7.09.01B. The RV has since been removed and property is only in violation of 7.09.01B.

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 section 7.09.01B. Special Magistrate Hooker ordered Respondent to be in full compliance by removing unauthorized recreational vehicles and structures by February 13, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

Case number 1808-0081 for Victor Sanchez was called.

No parties were present for this case.

Officer Kinard presented the case for the property located at 3583 NW 8th Street which was cited for inoperable/abandoned vehicles, 10.02.02B, trash and debris, 10.02.02D, and outdoor storage, 10.02.02L. There has been some progress made, but property remains in violation.

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 sections 10.02.02B, 10.02.02D and 10.02.02L. Special Magistrate Hooker ordered Respondent to be in full compliance by clearing property of unlicensed or disabled vehicles and clearing property of all trash, debris and outdoor storage by February 13, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

OLD BUSINESS:

Case number 0904-0060 for Kristal Hoover was called.

No parties were present for this case.

Officer Albert presented the case for the property located at 14869 NW 304th Street which was previously heard during the August 20, 2019 hearing and cited for construction without permit, 13.01.00 and 553.79(1) F.S. Property remains in violation. Officer Albert spoke with Ms. Hoover prior to the hearing and she stated she has decided to sell the property.

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 sections 13.01.00 and 553.79(1) F.S. Special Magistrate Hooker ordered the Respondent to be in full compliance by May 14, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

Case number 1903-0032 for Roger Kinte Neal Sr was called.

No parties were present for this case.

Officer Albert presented the case for the property located at 925 NE 15th Avenue which was previously heard during the December 17, 2019 hearing and cited for violation of minimum housing standards, 10.02.02O, unsafe structure, 8.00.00G 108.1.1, and condition which constitutes a safety hazard, 10.02.02E. The property is being maintained, but full compliance has not been achieved.

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 sections 10.02.02O, 8.00.00G 108.1.1, and 10.02.02E. Special Magistrate Hooker ordered Respondent to be in full compliance by demolishing the unsafe structure with all permits, inspections and fees by March 12, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

Case number 1907-0053 for Rufus E Rhoden and Joellen J Rhoden was called.

No parties were present for this case.

Officer Griffin presented the case for the property located at 3727 SW 13th Terrace which was previously heard during the December 17, 2019 hearing and cited for unauthorized structures, buildings, and/or containers, 7.09.01B, and parking, storage, and/or use of certain vehicles, 2.07.00A. The Rhodens have submitted plans for the sheds to be properly permitted.

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 7.09.01B and 2.07.00A. Special Magistrate Hooker ordered Respondent to be in full compliance by removing or permitting the sheds with all required fees and inspections by February 13, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

Case number 1812-0022 for Maureen M Sheets and Robert L Sheets was called.

No parties were present for this case.

Officer Griffin presented the case for the property located at 1409 NW 36th Avenue which was previously heard during the December 17, 2019 hearing and cited for inoperable/abandoned vehicles, 10.02.02B, outdoor storage, 10.02.02L, violation of minimum housing standards, 10.02.02O, unsafe structure, 8.00.00G 108.1.1, condition which causes vermin, 10.02.03J and parking, storage, and/or use of certain vehicles, 2.07.00A. The property remains in violation.

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, 10.02.02L, 10.02.02O, 8.00.00G 108.1.1, 2.07.00A and 10.02.03J. Special Magistrate Hooker ordered Respondent to be in full compliance by February 13, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

Case number 1808-0048 for Shirley A Upthegrove was called.

No parties were present for this case.

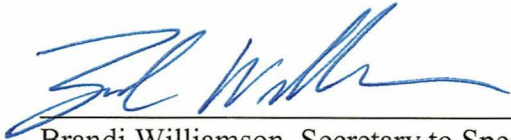
Officer Albert presented the case for the property located at 7930 SE 57th Drive which was previously heard during the December 17, 2019 hearing and cited for violation of minimum housing standards, 10.02.02O. Property remains in violation.

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 10.02.02O. Special Magistrate Hooker ordered Respondent to be in full compliance by February 13, 2020 or be subject to a fine of up to \$250.00 per day thereafter.

ADJOURNMENT:

There being no further business, Special Magistrate Hooker adjourned the meeting at 4:50 p.m.



Brandi Williamson, Secretary to Special Magistrate

2/18/20
Date



Deborah M. Hooker, Special Magistrate

2-18-20
Date