

# Okeechobee County Code Enforcement Special Magistrate Hearing

May 18, 2021, 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, May 18, 2021.

## ROLL CALL:

*The following county staff members were present for the morning session:*

Beth Albert, Code Enforcement Supervisor  
Jennifer Kinard, Code Enforcement Officer  
Roy Griffin, Code Enforcement Officer  
Lakisha Gilchrist, Code Enforcement Officer

*The following county staff members were present for the afternoon session:*

Beth Albert, Code Enforcement Supervisor  
Jennifer Kinard, Code Enforcement Officer  
Roy Griffin, Code Enforcement Officer  
Lakisha Gilchrist, Code Enforcement Officer  
Matthew Olivo, Code Enforcement Officer

## ADMINISTRATIVE ITEMS:

1. **Call to Order:** The Meeting was called to order by Special Magistrate Hooker at 9:15 am on Tuesday, May 18, 2021, 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, Jennifer Kinard, Roy Griffin, and Lakisha Gilchrist.
3. **Cases in Compliance:** Officer Albert stated that the following cases are in compliance:

New Business: Marc DiPace  
New Business: Maria Del Carmen  
Rodriguez  
New Business: Robert Lee Landress  
Old Business: Bobby R. Forrester  
Old Business: Kolton Carter  
Old Business: Delaneo Wayne Pryor and  
Stephanie Ann Pryor

Case number: 1911-0012  
Case number: CE2011-0123  
  
Case number: 1806-0034  
Case number: CE2007-0051  
Case number: 1911-0047  
Case number: CE2002-0046

he following cases were tabled:

New Business: Ralph J. Collins and  
Barbara N. Collins  
- Tabled to the June 20, 2021 Hearing

Case number: 1909-0004

4. **Minutes:** No minutes were approved at this 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 CE2012-0093 for Mireyba Martinez was called.*

No parties were present for this case.

Officer Gilchrist presented the case for the property located at 1723 NE 2<sup>nd</sup> Street, which was cited for abandoned/inoperable vehicles 10.02.02B, outdoor storage, 10.02.02L. Property remains in violation.

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 10.02.02B. Special Magistrate Hooker ordered Respondent to be in full compliance by removing cited violations by June 10, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

*Case number CE2103-0066 for Christopher A. Amsden was called.*

No parties were present for this case.

Officer Gilchrist presented the case for the property located at 2922 SE 24<sup>th</sup> Street, which was cited for abandoned/inoperable vehicles 10.02.02B, trash and debris, 10.02.02D, outdoor storage, 10.02.02L, overgrowth, 10.02.02K, condition of building, 10.04.00B, boards on windows, 7.08.03D. Property remains in violation.

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 10.02.02B, 10.02.02D, 10.02.02K, 10.02.02L and 10.01.00B. Special Magistrate Hooker ordered Respondent to be in full compliance by removing cited violations by June 10, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**



*Case number 1912-0003 for Ronald John Reid was called.*

No parties were present for this case.

Officer Griffin presented the case for the property located at 16384 NW 272<sup>nd</sup> Street, which was cited for unauthorized use of land and/or building, 10.02.02F, construction without building permit, 13.01.01, unauthorized structures, buildings, containers, 7.09.01B. 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 10.02.02F, 13.01.01, 7.09.01B. Special Magistrate Hooker ordered Respondent to be in full compliance by removing cited violations by June 10, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

*Case number CE2007-0012 for Nicholas Hugo Diaz Hojman was called.*

No parties were present for this case.

Officer Griffin presented the case for the property located at 17068 NW 306<sup>th</sup> Street, which was cited for abandoned/inoperable vehicles, 10.02.02B, trash and debris, 10.02.02D, unauthorized use of land and/or building, 10.02.02F, outdoor storage, 10.02.02L, parking, storage, use of certain vehicles, 2.07.00A. 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, 10.02.02D, 10.02.02F, 10.02.02L, 2.07.00A. Special Magistrate Hooker ordered Respondent to be in full compliance by removing cited violations by June 10, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

*Case number 1906-0203 for Matthew Gibson and Jessika Thomas was called.*

No parties were present for this case.

Officer Griffin presented the case for the property located at 15460 NW 300<sup>th</sup> Street, which was cited for, trash and debris, 10.02.02D, unauthorized use of land and/or building, 10.02.02F, outdoor storage, 10.02.02L, violation of minimum housing standards, 10.02.02O, parking, storage, use of certain vehicles, 2.07.00A, unauthorized structures, buildings, containers, 7.09.01B, unauthorized occupancy of RV, 7.08.05. 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 10.02.02D, 10.02.02F, 10.02.02L, 10.02.02O, 2.07.00A, 7.09.01B, 7.08.05. Special Magistrate Hooker ordered Respondent to be in**

**Full compliance by removing cited violations by June 10, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

***Case number CE2101-0151 for Pools USA LLC was called.***

No parties were present for this case.

Officer Kinard presented the case for the property located at 104 NE 14<sup>th</sup> Avenue, which was cited for construction without building permit, 13.01.01, unauthorized structures, buildings, containers, 7.09.01B, overgrowth 10.02.02K, commercial activity, 2.04.07. 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 10.02.02K. Special Magistrate Hooker ordered Respondent to be in full compliance by removing cited violations by June 10, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

***Case number CE2103-0139 for Pools USA LLC was called.***

No parties were present for this case.

Officer Kinard presented the case for the property located at 1401 HWY 70 E, which was cited for trash and debris, 10.02.02D, overgrowth 10.02.02K. 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 10.02.02D. Special Magistrate Hooker ordered Respondent to be in full compliance by removing cited violations by June 10, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

***Case number CE2010-0109 for Rio Lerma LLC was called.***

No parties were present for this case.

Officer Kinard presented the case for the property located at 2054 HWY 70 W, which was cited for trash and debris, 10.02.02D, dilapidated, unsafe structure, 10.02.02E, overgrowth 10.02.02K, outdoor storage, 10.02.02L, building discoloration, 10.04.00B, sign maintenance, 9.00.03. 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 10.02.02D, 10.02.02E, 10.02.02K, 10.02.02L, 10.04.00B, 9.00.03. Special Magistrate Hooker imposed a daily fine of \$100.00 to**



begin June 16, 2021 and remain in place until the property is brought into compliance. The lien shall be filed at the Clerk of Court in no less than 14 days.

### **BREAK UNTIL AFTERNOON SESSION**

### **OLD BUSINESS:**

*Case number CE2005-0095 for Willie W. Tindell and Kaitlin A. Ecker was called.*

James Tindell was present for this case and sworn for testimony.

Officer Kinard presented the case for the property located at 1645 SW 11<sup>th</sup> Street, which was previously heard during the April 20, 2021 hearing and cited for trash and debris, 10.02.02 D, overgrowth, 10.02.02K. Mr. James Tindell stated that he has contacted multiple people to assist him in the cleaning up of the property. He plans to have all his violations removed within two weeks if not before. 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 10.02.02D and 10.02.02K. Special Magistrate Hooker ordered Respondent to be in full compliance by removing cited violations by June 10, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

### **NEW BUSINESS:**

*Case number CE2009-0106 for Margaret B. Rowland, Kimberly M. Rowland, Rhett W. Rowland, and Eddie Gispert (Tenant) was called.*

Margaret B. Rowland, Eddie Gispert (Tenant), Christy Kackley, and Ty Hancock was present for this case and sworn for testimony.

Mrs. Rowland provided her mailing address as 13500 HWY 441 SE, Okeechobee, FL 34972. Mr. Gispert provided his mailing address as 714 NE 29<sup>th</sup> Ave, Okeechobee, FL 34972. Officer Gilchrist presented the case for the property located at 3793 HWY 441 SE, which was cited for prohibited uses and structures, 2.04.07B. Mr. Hancock stated that the special exception is to the property not to the owner. The exemption is for a sale block for new and used motor vehicles. Mr. Hancock stated the property looked to be used as a salvage yard and there were no cars for-sale, there has not been a business license in two to three years for that use. If the use ceases for a period of six continuous months or twelve non continuous during a twenty-four-month period, the special exemptions null-in-void. Mr. Gispert stated that he has been working for a year or more to clean up the property and he has cleared all violations. He stated that he has been cleaning up the property to work toward obtaining a business license for a used car sales. Mr. Gispert stated he is trying to obtain a permit for concrete work to be completed on the property to bring his violations into compliance. Property remains in violation.

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 2.04.07B. Special Magistrate Hooker ordered Respondent to be in full compliance by removing cited violations by June 10, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

**OLD BUSINESS:**

***Case number CE2005-0029 for Edwin Berle Rucks Jr. and Ashley E. Rucks was called.***

Edwin Berle Rucks Jr, Janice Spires (mother), Charles Clark was present and Frank Killino (via phone) all were sworn for testimony.

Mr. Rucks provided his mailing address as 28320 NE 55th Avenue, Okeechobee, FL 34972. Officer Griffin presented the case for the property located at 28320 NE 55th Avenue, which was previously heard during the April 20, 2021 hearing and cited for trash and debris, 10.02.02D, dilapidated structure, 10.02.02F, overgrowth, 10.02.02K, outdoor storage, 10.02.02L, harborage for vermin, 10.02.03J, deterioration of building, 10.01.00A, encroachment of rights of way, 7.03.03C, and, business without a license, 62.105C. Mr. Rucks Jr. stated that he hasn't had any electricity in six months, and is running power with generators making things very hard to clear the violations. He stated he has cleaned up some of the violations and is working to remove the rest. Mr. Killino stated that the gate has been in the exact position from when the home was purchased in 1996, a survey was requested but not obtained. 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 10.02.02D, 10.02.02F, 10.02.02K, 10.02.02L, 10.02.03J, 10.01.00A, 7.03.03C, and 62.105C. Special Magistrate Hooker imposed a daily fine of \$200.00 to begin May 19, 2021 and remain in place until the property is brought into compliance. The lien shall be filed at the Clerk of Court in no less than 14 days.**

***Case number 1908-0035 for Edwin Berle Rucks Jr. was called.***

Edwin Berle Rucks Jr, Janice Spires (mother), Charles Clark, and Anthony Giardino were sworn for testimony.

Mr. Rucks provided his mailing address as 28320 NE 55<sup>th</sup> Avenue, Okeechobee, FL 34972. Officer Griffin presented the case for the property located at 28480 NE 55<sup>th</sup> Avenue, which was previously heard during the April 20, 2021 hearing and cited for trash and debris, 10.02.02D, violation of minimum housing standards, 10.02.02O, harborage for vermin, 10.02.03J, and deterioration of building, 10.01.00A. Mr. Rucks objected to the photos being brought into evidence. Mr. Giardino stated that the photos Mr. Clark showed on the circuit breaker is not safe. 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 10.02.02D, 10.02.02O, 10.02.03J, and 10.01.00A. Special Magistrate Hooker imposed a daily fine of \$50.00 to begin May 19, 2021**



and remain in place until the property is brought into compliance. The lien shall be filed at the Clerk of Court in no less than 14 days.

**NEW BUSINESS:**

*Case number CE2009-0217 for Jennifer Lynn Day was called.*

No parties were present for this case.

Officer Gilchrist presented the case for the property located at 2150 SE 24<sup>th</sup> Blvd, which was cited for unauthorized occupancy of RV, 7.08.05, trash and debris, 10.02.02D, overgrowth, 10.02.02K, and outdoor storage, 10.02.02L. Property remains in violation.

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 7.08.05, 10.02.02D, 10.02.02K, 10.02.02L. Special Magistrate Hooker ordered Respondent to be in full compliance by removing cited violations by June 10, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

*Case number CE2012-0094 for Willie Nell Barrett (Estate) was called.*

No parties were present for this case.

Officer Gilchrist presented the case for the property located at 1772 NE 3<sup>rd</sup> Street, which was cited for, abandoned/inoperable vehicles 10.02.02B. Property remains in violation.

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 10.02.02B. Special Magistrate Hooker ordered Respondent to be in full compliance by removing cited violations by June 10, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

**OLD BUSINESS:**

*Case number CE2007-0043 Alexander George Brock was called.*

No parties were present for this case.

Officer Gilchrist presented the case for the property located at 5928 SE 95<sup>th</sup> Trail, which was previously heard during the April 20, 2021 hearing and cited for abandoned/inoperable vehicles, 10.02.02B, trash and debris, 10.02.02D, overgrown weeds or grass, 10.02.02K, outdoor storage, 10.02.02L, condition of building, 10.04.00B. Property remains in violation.

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 10.02.02B, 10.02.02D, 10.02.02K, 10.02.02L, and 10.04.00B. Special Magistrate Hooker imposed a daily fine of \$40.00 to begin May 19, 2021 and remain in place until the property is brought into compliance. The lien shall be filed at the Clerk of Court in no less than 14 days.**

*Case number CE2009-0004 for William G. Ledford and Vergie M. Ledford (Estate) was called.*

No parties were present for this case.

Officer Gilchrist presented the case for the property located at 6022 SE 95<sup>th</sup> Trail, which was previously heard during the April 20, 2021 hearing and cited for overgrown weeds or grass, 10.02.02K, condition of building, 10.04.00B, repair skirting, 10.04.00D. Property remains in violation.

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 10.02.02K and 10.04.00B. Special Magistrate Hooker ordered the Respondent to be in full compliance by removing the cited violations by June 10, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

*Case number CE2009-0269 for Charles E. Lepley Sr. was called.*

No parties were present for this case.

Officer Gilchrist presented the case for the property located at 4344 SE 23<sup>rd</sup> Court, which was previously heard during the April 20, 2021 hearing and cited for abandoned/inoperable vehicle, 10.02.02B, trash and debris, 10.02.02D, overgrowth, 10.02.02K, and outdoor storage, 10.02.02L. Property remains in violation.

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 10.02.02B and 10.02.02L. Special Magistrate Hooker imposed a daily fine of \$50.00 to begin May 19, 2021 and remain in place until the property is brought into compliance. The lien shall be filed at the Clerk of Court in no less than 14 days.**

*Case number CE2011-0055 for Javaris Johnson Sr. and Leona Johnson was called.*

No parties were present for this case.

Officer Kinard presented the case for the property located at 919 NE 13<sup>th</sup> Avenue, which was previously heard during the April 20, 2021 hearing and cited for abandoned/inoperable vehicles, 10.02.02B, trash and debris,



10.02.02 D, violation of minimum housing standards, 10.02.02F, outdoor storage, 10.02.02L, parking, storage, use of certain vehicles, 2.07.00A, prohibited uses and structures, 2.04.02B. 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, 10.02.02F, 10.02.02L, 2.07.00A and 2.04.02B. Special Magistrate Hooker imposed a daily fine of \$30.00 to begin May 19, 2021 and remain in place until the property is brought into compliance. The lien shall be filed at the Clerk of Court in no less than 14 days.**

*Case number 1909-0026 for Barney Stotz and Krista Stotz was called.*

No parties were present for this case.

Officer Kinard presented the case for the property located at 19875 NW 80<sup>th</sup> Drive, which was previously heard during the March 16, 2021 hearing and previously heard during the January 19, 2021, hearing and cited for construction without building permit, 13.01.01. 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 13.01.01. Special Magistrate Hooker imposed a daily fine of \$50.00 to begin May 19, 2021 and remain in place until the property is brought into compliance. The lien shall be filed at the Clerk of Court in no less than 14 days.**

*Case number CE2001-0045 for Jeffrey Jones (deceased) and Susan L Frazier was called.*

No parties were present for this case.

Officer Kinard presented the case for the property located at 8336 Hwy 441 SE, which was previously heard during the April 20, 2021 hearing and cited for unpermitted construction, 13.01.01. 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 13.01.01. Special Magistrate Hooker ordered Respondent to be in full compliance by removing cited violations by June 10, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

*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 308<sup>th</sup> Street, which was previously heard during the March 16, 2021, hearing and cited for trash & debris, 10.02.02D, condition which constitutes a safety

azard, 10.02.02E, overgrowth, 10.02.02K, unsafe structure, 8.00.00G, (108.1.1), (108.1.3) and (110.0). 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 10.02.02D, 10.02.02E, 10.02.02K, 8.00.00G, (108.1.1), (108.1.3) and (110.0). Special Magistrate Hooker ordered the Respondent to be in full compliance by removing the cited violations by July 15, 2021 or be subject to a fine of up to \$250.00 per day thereafter.**

*Case number 1911-0141 for Michael C. Callaway was called.*

No parties were present for this case.

Officer Griffin presented the case for the property located at 20962 NW 258<sup>th</sup> Street, which was previously heard during the April 20, 2021 hearing and cited for construction without building permit, 13.01.01, unauthorized use of land and/or building, 10.02.02F, unauthorized structures, buildings, containers, 7.09.01B, parking, storage, use of certain vehicles, 2.07.00A, setback violation or required yard encroachment, 7.02.04. 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 13.01.01, 10.02.02F, 7.09.01B, 2.07.00A and 7.02.04. Special Magistrate Hooker imposed a daily fine of \$75.00 to begin May 19, 2021 and remain in place until the property is brought into compliance. The lien shall be filed at the Clerk of Court in no less than 14 days.**

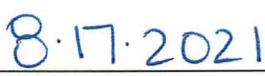
**REDUCTION OF FINE:**

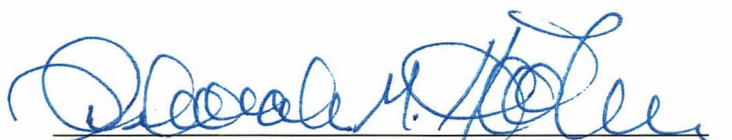
*Case number CE2001-0011 for Eleanora L Alexander was called. No one was present, case was not heard.*

**ADJOURNMENT:**

There being no further business, Special Magistrate Hooker adjourned the meeting.

  
Shelby Ritter. Secretary to the Special Magistrate

  
Date

  
Deborah M. Hooker, Special Magistrate

  
Date