



Special Magistrate Hearing Agenda

October 27, 2022

Special Magistrate Michael Durham, Esq.

City Manager Mike DaRoza

Special Magistrate Hearing At 10:00 AM

Meeting Date: October 27, 2022

Meeting Location: James A. Lewis Commission Chambers

At the public hearing before the Special Magistrate all interested parties may appear and be heard with respect to the proposed items. Notice is given pursuant to Section 286.0105, Florida Statutes, that in order to appeal any decision made at these public hearings, you will need a verbatim record of the proceedings. It will be your responsibility to ensure that a verbatim record is made. In accordance with the Americans with Disabilities Act, any persons with a disability requiring reasonable accommodations in order to participate in this meeting should call the City Clerk at (386) 418-6100 ext 101 at least 48 hours prior to the public hearing.

SPECIAL MAGISTRATE HEARING AGENDA

CALL TO ORDER

PLEDGE TO THE FLAG

APPROVAL OF THE AGENDA

I. OLD BUSINESS

- A. Case # 22-0011- Troy & Michelle Jackson, Parcel # 03986-004-044, Affidavit of Compliance

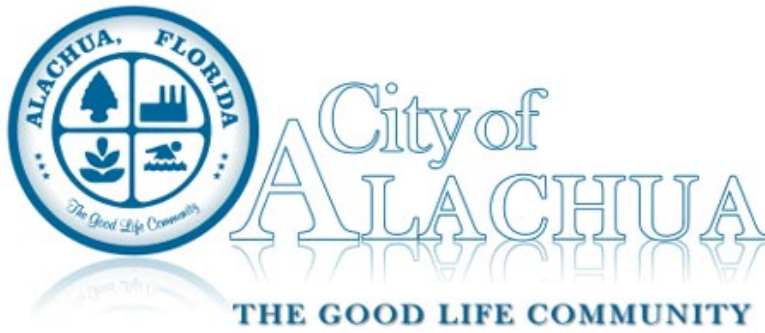
II. NEW BUSINESS: QUASI-JUDICIAL HEARING

- B. Approval of July 28, 2022 minutes
- C. Case # 22-0110- Dreyers Cleaning & Restoration Inc., Parcel # 03211-003-000, Violation of one

section of the Code

- D. Case # 22-0104- Virginia Daugherty, Parcel # 05928-009-001, Violation of five sections of the Code
- E. Case # 22-0176- Ayurveda Health Retreat Inc., Parcel # 03664-000-000, Violation of one section of the Code
- F. Case # 22-0193- Dolgencorp LLC, Parcel # 03595-200-001, Violation of three sections of the Code
- G. Case # 22-0165- Scott & Scott Co-Trustees, Parcel # 03463-002-000, Violation of two sections of the Code
- H. Case # 22-0167- Polk & Polk, Parcel # 03735-000-000, Violation of four sections of the Code
- I. Case # 22-0101- Florida Brown Heirs, Parcel # 03315-000-000, Violation of three sections of the Code
- J. Case # 22-0174- Beverly Ann Wurts, Parcel # 03968-013-000, Violation of one section of the Code

ADJOURN



Board/Committee Agenda Item

MEETING DATE: 10/27/2022

SUBJECT: Case # 22-0011- Troy & Michelle Jackson, Parcel # 03986-004-044, Affidavit of Compliance

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Accept Affidavit of Compliance

Summary

This case was heard by the Special Magistrate on February 24, 2022. Testimony was given by Code Enforcement Officer Linnelle Stewart. The Respondent was not present at the Hearing.

The Respondent was found in repeat violation of Sections 302.1 and 302.8. The Respondent was given until March 24, 2022 to come in compliance with the code. An inspection was conducted on October 4, 2022 and the Property was in compliance.

ATTACHMENTS:

Description

- ▢ Affidavit of Compliance

CITY OF ALACHUA
Office of Code Enforcement

CITY OF ALACHUA, FLORIDA,
Petitioner,
VS.

Case # E22-0011

TROY LEE & MICHELLE LYNN JACKSON,
Respondents.

AFFIDAVIT OF COMPLIANCE

BEFORE ME, the undersigned authority, personally appeared Linnelle Stewart, Code Enforcement Officer for the City of Alachua, who after being duly sworn, deposes and says:

1. That the subject property (Property) is identified as tax parcel 03986-004-044, and the location address is 12511 NW 197 Terrace, Alachua, Fl, 32615.
2. That a Hearing before the Special Magistrate was held on March 3, 2020. The Respondent was present and participated in the Hearing.
3. That the Respondent was found in violation of Sections 302.1 and 302.8 of the International Property Maintenance Code, and an Order Finding Code Violations and Setting Time for Compliance was mailed to the Respondent.
4. That a Hearing for REPEAT VIOLATION before the Special Magistrate was held on February 22, 2022. The Respondent was present and participated in the Hearing.
5. That the Respondent was found in REPEAT VIOLATION of Sections 302.1 and 302.8 of the International Property Maintenance Code, and an Order Finding Repeat Code Violations and Setting Time for Compliance was mailed to the Respondent.
6. That the Respondent was provided March 24, 2022 to come in full compliance with the code.
7. That an inspection was conducted on March 29, 2022 and the Property remained in violation.
8. That an Affidavit of Non-Compliance was presented at a Hearing before the Special Magistrate on July 28, 2022.

9. That a re-inspection was conducted on October 4, 2022, and the Property was in compliance.

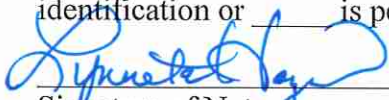
10. That the above facts are true and accurate to the best of my knowledge.

Dated this 5 day of October, 2022

STATE OF FLORIDA

COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me by means of physical presence or _____ online notarization, this _____ day of October, 2022 by LINNELLE STEWART who executed the same and has _____ produced a Florida driver's license as identification or _____ is personally known to me.



Signature of Notary

Print name: Lynnetta Hayes
Notary Public, State of Florida
My commission expires: June 5, 2024

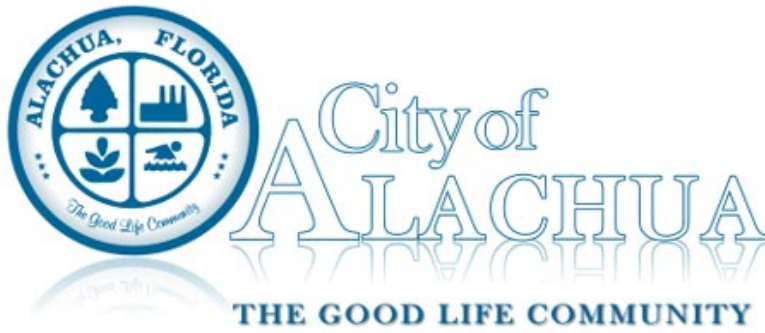


LYNNETA HAYES
Commission # GG 955640
Expires June 5, 2024
Bonded Thru Budget Notary Services

I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to Troy & Michelle Jackson by hand delivery this 5 day of October, 2022.



Linnelle Stewart
Code Enforcement Officer
City of Alachua



Board/Committee Agenda Item

MEETING DATE: 10/27/2022

SUBJECT: Approval of July 28, 2022 minutes

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Approve the minutes from July 28, 2022 Special Magistrate Hearing

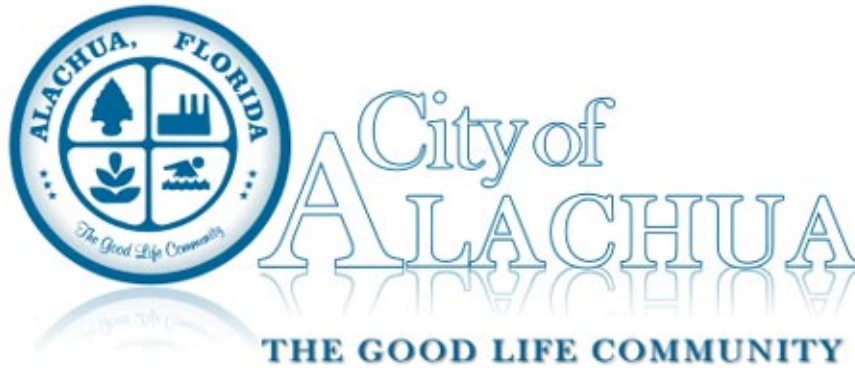
Summary

Approval of July 28, 2022 minutes

ATTACHMENTS:

Description

- ▢ July 28, 2022 minutes



**Special Magistrate Hearing
Minutes
July 28, 2022**

Special Magistrate Michael Durham, Esq.

City Manager Mike DaRoza

The City Commission will conduct a
Special Magistrate Hearing
At 10:00 AM
to address the item(s) below.

Meeting Date: July 28, 2022

Meeting Location:

Special Magistrate Hearing

Notice given pursuant to Section 286.0105, Florida Statutes. In order to appeal any decision made at this meeting, you will need a verbatim record of the proceedings. It will be your responsibility to ensure such a record is made.

SPECIAL MAGISTRATE HEARING MEETING MINUTES

CALL TO ORDER

Led by Special Magistrate Michael Durham.

INVOCATION

PLEDGE TO THE FLAG

Led by Special Magistrate Durham.

APPROVAL OF THE AGENDA

Deputy City Clerk LeAnne Williams swore in those who planned to speak during the meeting.

Special Magistrate Durham asked for changes to the agenda.

Code Enforcement Officer Linnelle Stewart stated there were no changes.

Special Magistrate Durham approved the agenda.

APPROVAL OF MINUTES

I. OLD BUSINESS

- A. Case # 20-0004- Pauline Collins Heirs, Parcel #03235-001-000, Affidavit of Non-Compliance

Code Enforcement Officer Stewart presented the case to Special Magistrate Durham.

Special Magistrate Durham asked if there was an agreement in place.

Code Enforcement Officer Stewart stated the order called for a fine of \$100.00 per day, if the property was found in non-compliance on March 24, 2022.

Special Magistrate Durham asked for a representative of the property to come forward.

No one came forward.

Special Magistrate Durham asked how the owner was notified.

Code Enforcement Officer Stewart stated by regular mail and by certified mail. She stated the certified mail came back to the City, not signed for, and the regular was returned.

Discussion ensued regarding why the City cannot contact the owners.

Special Magistrate Durham found a violation of the Code based upon the evidence submitted. He stated a \$100.00 per day fine may be assessed against the property, and a lien on the property may be issued until the property is found compliant.

- B. Case # 22-0011- Troy & Michelle Jackson, Parcel # 03986-004-044, Affidavit of Non-Compliance

Code Enforcement Officer Stewart presented the case to Special Magistrate Durham.

Special Magistrate Durham asked what violations were on the property.

Code Enforcement Officer Stewart stated Section 302.1 and 302.8, which are repeat offences from February 24, 2022.

Special Magistrate Durham asked for a representative of the property to come forward.

No one came forward.

Special Magistrate Durham if Code Enforcement Officer Stewart would like to place the photos in evidence.

Code Enforcement Officer Stewart stated she would.

Special Magistrate Durham placed the photos in evidence.

Special Magistrate Durham asked how the owner was notified.

Code Enforcement Officer Stewart stated by regular mail and by certified mail.

Special Magistrate Durham found a violation of the Code remains, based upon the evidence submitted. He stated the fine would remain until the property was brought into compliance.

- C. Case # 20-0007- Norman & Mary King, Parcel #03986-004-022, Affidavit of Non-Compliance

Code Enforcement Officer Stewart presented the case to Special Magistrate Durham.

Special Magistrate Durham asked for a representative of the property to come forward.

No one came forward.

Special Magistrate Durham asked if an order was in place.

Code Enforcement Officer Stewart stated the order called for a fine of \$50.00 per day, if the property was found in non-compliance on March 24, 2022.

Special Magistrate Durham asked how the owner was notified.

Code Enforcement Officer Stewart stated stated by regular mail and by certified mail.

Special Magistrate Durham found a violation of the Code based upon the evidence submitted. He stated a \$50.00 per day fine may be assessed against the property, and a lien on the property may be issued until the property is found compliant.

II. NEW BUSINESS

- D. Approval of February 24, 2022, minutes

Minutes approved by consent.

- E. Case # 22-0084- Willie James Washington Heirs, Parcel # 03240-007-000, Violation of two sections of the Code

Code Enforcement Officer Stewart presented the case to Special Magistrate Durham. She stated she received an email from Octavia Washington, who will soon take ownership of the property once it is out of probate. She read the email into the record and placed it as evidence.

Special Magistrate Durham asked for a representative of the property to come forward.

No one came forward.

Special Magistrate Durham asked if tall grass and weeds and unsecure location was the

compliant.

Code Enforcement Officer Stewart stated partially, as Ms. Washington has secured the structure now, and has stated that once probate is finished, she wants to demolish the structure.

Special Magistrate Durham stated he would not recommend the City take action at this time as probate can take time to work through. He recommended that this case be placed on an agenda in 180 days. This would give Ms. Washington time for probate, but not letting this situation slip through the cracks. He requested Code Enforcement Officer Stewart contact Ms. Washington to let her know of this decision.

- F. Case # 22-0083- Eric Burger, Parcel # 03387-000-000, Violation of four sections of the Code
Code Enforcement Officer Stewart presented the case to Special Magistrate Durham.

Special Magistrate Durham asked for a representative of the property to come forward.

Eric and Caroline Burger came forward. Caroline Burger was sworn in.

Special Magistrate Durham asked if they had any further information to present.

Eric Burger stated the yard was mowed, and the car had a tag on it before the picture was taken. He stated the car belonged to his son, who turned the tag in to DMV. He stated he has not been done automotive repairs for the last three months.

Special Magistrate Durham asked if the vehicle was currently registered.

Mr. Burger stated it was not, but it did not belong to him.

Special Magistrate Durham stated that the vehicle was on his property, and therefore needed to be registered, regardless to whom it belonged.

Code Enforcement Officer Stewart stated the vehicle also had a smashed windshield, making it inoperable.

Special Magistrate Durham asked how long it would take to get the car operable.

Caroline Burger stated one month.

Special Magistrate Durham asked about the items along the fence line.

Discussion ensued regarding the yard debris.

Special Magistrate Durham stated the metal on the ground by the boat, the metal shelving, the items on the canoe, and other miscellaneous items which were identified as useful needed to be removed.

Special Magistrate Durham asked Code Enforcement Officer Stewart when she last inspected.

Code Enforcement Officer Stewart stated May 20, 2022, and July 27, 2022.

Special Magistrate Durham found a violation of the Code based upon the evidence submitted regarding the car. He stated the car must come into compliance in 30 days, August 27, 2022. He stated should the property not come into compliance with the Code, a \$100.00 per day fine may be assessed against the property.

Special Magistrate Durham found a violation of the Code based upon the evidence submitted regarding the debris in the yard. He stated the debris in the yard must come into compliance in 30 days, August 27, 2022. He stated should the property not come into compliance with the Code, a \$100.00 per day fine may be assessed against the property.

Special Magistrate Durham found no violation of the Code based upon the evidence submitted on the automotive repair in the yard.

Special Magistrate Durham found a violation of the Code based upon the evidence submitted on the tall grass and weeds in the yard.

At this time, Special Magistrate Durham reminded Mr. and Mrs. Burger of the lien they have on their home because of a violation from 2022. Mr. and Mrs. Burger insisted they brought their home into compliance and that Code Enforcement Officer Stewart inspected their home at that time. They stated they had received no letter from the City noticing them of a lien. They stated they first learned of a lien from their realtor.

Special Magistrate Durham stated this was a matter that needed to be discussed with City Staff.

ADJOURN

Special Magistrate Durham opened the floor for comments.

Tony Love asked if there was a mechanism that makes people comply with the Code, when they seemingly don't pay the fines.

Special Magistrate Durham stated the case could be take before the Commission for special action.

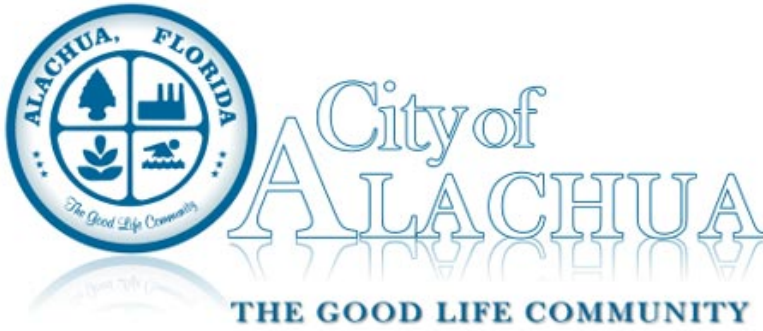
Special Magistrate Durham adjourned the meeting.

ATTEST:

SPECIAL MAGISTRATE HEARING OF THE
CITY OF ALACHUA, FLORIDA

Special Magistrate

Code Enforcement Officer



Board/Committee Agenda Item

MEETING DATE: 10/27/2022

SUBJECT: Case # 22-0110- Dreyers Cleaning & Restoration Inc., Parcel # 03211-003-000, Violation of one section of the Code

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Conduct Special Magistrate Hearing scheduled for 10 AM October 27, 2022

Summary

The subject property owner (Respondent) has been found to be in violation of the City of Alachua Code of Ordinances. The legal description of the subject property (Property) is COM SW COR LOT 6 OF WOOD BRIDGE S/D PB C-68-A RUN E ALONG N R/W US 441 1043.52 FT TO POB CONT E ALONG R/W 100.07 FT N 5 DEG E 163.64 FT N 84 DEG W 100 FT S 05 DEG W 160.00 FT TO POB ALSO COM SW COR LOT 6 WOODBRIDGES S/D OF STRINGFELLOW FARM PB C PG 68-A S. The tax parcel ID listed in the Alachua County Property Appraiser records is 03211-003-000, and the Property address is 14619 NW US Hwy 441, Alachua, FL, 32615.

A Request for Hearing and Affidavit of Violations was filed on October 11, 2022 by Code Enforcement Officer Linnelle Stewart setting forth relevant and adequate facts to establish the cited violation of City Code. The Request for Hearing announcing and setting a hearing to take testimony and otherwise consider the alleged violation was set for October 27, 2022 in the Alachua City Commission Chambers, 15100 NW 142 Terrace, Alachua, Florida. The Respondent was served the Notice of Hearing and Affidavit of Violation by certified mail, return receipt requested, sent to Dreyers Cleaning and Restoration Inc. at 14619 NW US Hwy 441, Alachua, FL, 32615.

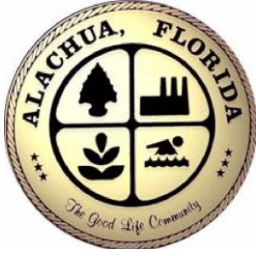
The Code of Ordinances of the City of Alachua, including Part II, Subpart B- Land Development Regulations, is published on the City of Alachua website under "Code of Ordinances" and a copy is available for review at City Hall. Specifically, the Respondent continues to be in violation of the following Code Section:

a. Prohibited development of structure without appropriate permit

ATTACHMENTS:

Description

- Notice of Violation
- Stop Work Order
- Request for Hearing
- Photos



City of Alachua
Office of Codes Enforcement
P.O. Box 9
Alachua, Fl, 32616
386-418-6120 ph.
386-418-6130 fax

NOTICE OF VIOLATION

CASE NUMBER: E22-0110

VIOLATOR: Dreyers Cleaning & Restoration Inc.- Registered Agent- Jonathan Dreyer

MAILING ADDRESS: 14619 NW US Hwy 441, Alachua, Fl, 32615

LOCATION ADDRESS: 14619 NW US Hwy 441, Alachua, Fl, 32615

PARCEL TAX ID NUMBER: 03211-003-000

**YOU ARE HEREBY NOTIFIED THAT YOU ARE IN VIOLATION OF THE CITY OF
ALACHUA, FLORIDA CODE OF ORDINANCES AS SET FORTH BELOW**

VIOLATION(S): INTERIOR REMODEL WORK WITHOUT PERMIT

IN VIOLATION OF: City of Alachua Code of Ordinances Subpart B, Land Development Regulations Section 9.3.2(A), Develop land or structure without first obtaining the appropriate development permit.

COMPLIANCE DEADLINE: 08/29/2022

You are hereby notified that you are currently in violation of the City of Alachua Code of Ordinances. You have until 4 PM local time on 08/29/2022 to correct the violations. If the violations are corrected and then recur or if the violations are not corrected by the time specified, this case will be presented to the City of Alachua Special Magistrate and fine and costs will be sought by the City. (F.S.S. 162.06(2) and Code of Ordinances Sec. 12-27)

The owner of property that is subject to code enforcement proceedings is charged with serious legal responsibilities in the event of a sale between the time the initial pleading is served and the time of the hearing. (F.S.S. 162.06(5) and Code of Ordinances Sec. 12-30)

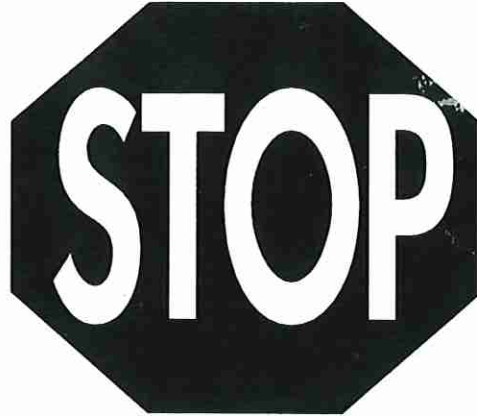
If you have any questions, contact Code Enforcement at (386)418-6120. Your cooperation in this matter is sought in the interest of public safety.

Enforcement Officer's Signature

Date 07/29/2022

LEGAL NOTICE

Karen Stevens
(Dreyers DKF)
30 DAYS
EZZ-0110



WHEREAS, VIOLATIONS OF THE FLORIDA BUILDING CODE AND/OR CITY OF ALACHUA CODE OF ORDINANCES HAVE BEEN FOUND ON THESE PREMISES, **IT IS HEREBY ORDERED** THAT ALL PERSONS CEASE, DESIST FROM, AND

STOP WORK

AT ONCE PERTAINING TO CONSTRUCTION, ALTERATIONS OR REPAIRS ON THESE PREMISES KNOWN AS:

14619 N US-441

FBC 105.1, 115.2

(Location)

All persons acting contrary to this order or removing or mutilating this notice are liable to arrest unless such action is authorized by the

City of Alachua Building Department

Signed this 28 day of July, 2022.

Building Official, City of Alachua
PO Box 9
Alachua, FL 32615
Phone: (386)418-4070
Fax: (386)418-4075

Contact the Building Department at the above phone number if you have any questions.
Triple permit fees may apply.

**HEARING BEFORE THE SPECIAL MAGISTRATE
CITY OF ALACHUA, FLORIDA**

City of Alachua,
Petitioner

vs.

Case No. E22-0110

Dreyers Cleaning & Restoration Inc.,
Respondent

**HEARING SET FOR THURSDAY OCTOBER 27, 2022 AT 10:00AM
Based Upon a
REQUEST FOR HEARING BY THE CITY OF ALACHUA
WITH A SUPPORTING AFFIDAVIT OF VIOLATIONS**

NOTICE OF HEARING

A Special Magistrate Hearing will be held on Thursday October 27, 2022 at 10:00am before City of Alachua Special Magistrate at the City of Alachua Commission Chambers, 15100 N.W. 142nd Terrace, Alachua, Florida.

If you fail to attend the scheduled Hearing, The Special Magistrate may base any findings and act solely on evidence presented by the Code Enforcement Officer, other witnesses or evidence presented. The entire Code of Ordinances of the City of Alachua (including Part II, Subpart B Land Development Regulations) is available online on the City of Alachua website under "Code of Ordinances". A printed copy is also available for your review at Alachua City Hall, 15100 N.W. 142nd Terrace, Alachua, Florida.

The Special Magistrate will receive testimony and evidence at the Hearing, and, if the Special Magistrate finds that you have committed a violation, may issue an Order of Enforcement requiring immediate compliance with the provisions of the Code. If you fail to comply with the Order of Enforcement, the Special Magistrate may issue an Order of Fine requiring you to pay a fine up to \$250.00 per day for each day the violation continues past the date set by the Special Magistrate for compliance. However, if the Special Magistrate finds the violation to be irreparable in nature, he may impose a fine not to exceed \$5,000 per violation.

If you want to request subpoenas for witnesses and evidence to be presented at the Hearing, contact the Code Enforcement Officer at (386)418-6127.

Pursuant to Section 286.0105, Florida Statutes, if any person desires to appeal any decision with respect to a matter considered at a public meeting or hearing of the Code Enforcement Special Magistrate, such person will need a record of the proceedings, and such person may need to ensure that a verbatim record for such purpose is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to Section 162.11, Florida Statutes, either the City of Alachua or a Respondent may appeal a final administrative order of the Code Enforcement Special Magistrate to the Circuit Court in Alachua County, Florida. Such an appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

In accordance with the Americans with Disabilities Act, any person with a disability requiring reasonable accommodation in order to participate in this hearing should call the City Clerk at (386)418-6100, extension 101, at least 48 hours prior to the public hearing.

PLEASE GOVERN YOURSELVES ACCORDINGLY

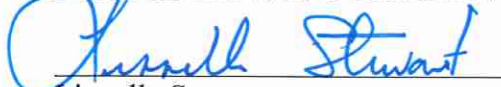
AFFIDAVIT OF VIOLATION

STATE OF FLORIDA
COUNTY OF ALACHUA

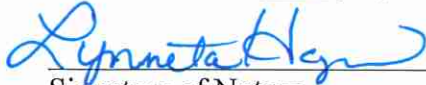
BEFORE ME, the undersigned authority personally appeared LINNELLE STEWART, (“Affiant”), who being duly sworn says:

1. I am currently employed, and have served as Code Enforcement Officer for the City of Alachua since March 2006.
2. I am over the age of 21, sui juris and have personal knowledge of the information set forth in this Affidavit.
3. The legal description of the subject property (Property) is COM SW COR LOT 6 OF WOOD BRIDGE S/D PB C-68-A RUN E ALONG N R/W US 441 1043.52 FT TO POB CONT E ALONG R/W 100.07 FT N 5 DEG E 163.64 FT N 84 DEG W 100 FT S 05 DEG W 160.00 FT TO POB ALSO COM SW COR LOT 6 WOODBRIDGES S/D OF STRINGFELLOW FARM PB C PG 68-A S. The tax parcel ID listed in the Alachua County Property Appraiser records is 03211-003-000, and the 911 address is 14619 NW US Hwy 441, Alachua, Fl, 32615.
4. On July 28, 2022 City of Alachua Building Official Timothy Hunt visited the Property in reference to a complaint of remodel work being done without appropriate permits.
5. A Notice of Violation was mailed to the Property via certified mail on July 29, 2022 citing violation of City of Alachua Code of Ordinances Subpart B, Land Development Regulations Section 9.3.2(A) with a compliance deadline set for August 29, 2022.
6. A check of City records on August 29, 2022 revealed a permit had not been obtained and the Property remained in violation.

FURTHER AFFIANT SAYETH NAUGHT.


Linnelle Stewart

The foregoing instrument was acknowledged before me by means of physical presence or _____ online notarization, this 11 day of October, 2022, by LINNELLE STEWART who executed the same and has _____ produced a Florida driver's license as identification or is personally known to me.



Signature of Notary
Print name: Lynnetta Hayes
Notary Public, State of Florida
My Commission expires: June 5, 2024



LYNNETA HAYES
Commission # GG 955640
Expires June 5, 2024
Bonded Thru Budget Notary Services

REQUEST FOR HEARING:

Pursuant to Section 9.5.2 City of Alachua Land Development Regulations, the Respondent has been provided a reasonable period of time to correct the violations set forth in the foregoing Affidavit of Violation.

A Hearing before the Special Magistrate is hereby requested, to be held on October 27, 2022 at 10:00AM.

CERTIFICATE OF SERVICE

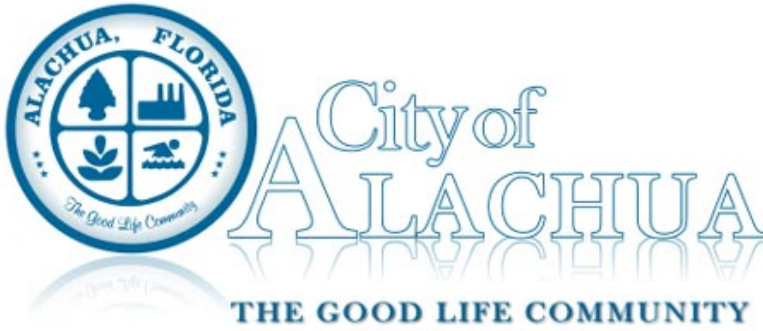
I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing and Affidavit of Violation has been furnished by certified mail return receipt requested to Dreyers Cleaning & Restoration Inc. to 14619 NW US Hwy 441, Alachua, FL, 32615 this 11 day of October, 2022.



Linnelle Stewart, Code Enforcement Officer







Board/Committee Agenda Item

MEETING DATE: 10/27/2022

SUBJECT: Case # 22-0104- Virginia Daugherty, Parcel # 05928-009-001, Violation of five sections of the Code

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Conduct Special Magistrate Hearing scheduled for 10AM October 27, 2022

Summary

The subject property owner (Respondent) has been found to be in violation of the City of Alachua Code of Ordinances. The legal description of the subject property (Property) is BAHIA COUNTRY UNRECORDED LOT 9-B OR 2126/1347. The tax parcel ID listed in the Alachua County Property Appraiser records is 05928-009-001, and the Property address is 10415 NW 53 Terrace, Gainesville, FL, 32615.

A Request for Hearing and Affidavit of Violations was filed on October 11, 2022 by Code Enforcement Officer Linnelle Stewart setting forth relevant and adequate facts to establish the cited violations of City Code. The Request for Hearing announcing and setting a hearing to take testimony and otherwise consider the alleged violations was set for October 27, 2022 in the Alachua City Commission Chambers, 15100 NW 142 Terrace, Alachua, Florida. The Respondent was served the Notice of Hearing and Affidavit of Violations by certified mail, return receipt requested, sent to Virginia Daugherty at 2190 Hickory Ln., Orange Park, FL, 32073.

The Code of Ordinances of the City of Alachua, including Part II, Subpart B- Land Development Regulations, is published on the City of Alachua website under "Code of Ordinances" and a copy is available for review at City Hall. Specifically, the Respondent continues to be in violation of the following Code Sections:

- a. Prohibited dilapidated structure
 - b. Prohibited attractive nuisance
 - c. Prohibited tall grass and weeds
 - d. Prohibited inoperable vehicles
-

ATTACHMENTS:

Description

- Notice of Violation
- Request for Hearing
- Photos



*City of Alachua
Office of Codes Enforcement
P.O. Box 9
Alachua, Fl, 32616
386-418-6120 ph.
386-418-6130 fax*

NOTICE OF VIOLATION

CASE NUMBER: E22-0104

VIOLATOR: Virginia Daugherty

MAILING ADDRESS: 2190 Hickory Ln., Orange Park, Fl, 32073

LOCATION ADDRESS: 10415 NW 53rd Terrace, Alachua, Fl, 32653

PARCEL TAX ID NUMBER: 05928-009-001

YOU ARE HEREBY NOTIFIED THAT YOU ARE IN VIOLATION OF THE CITY OF ALACHUA, FLORIDA CODE OF ORDINANCES AS SET FORTH BELOW

VIOLATION(S): UNSAFE/ABANDONED STRUCTURE. PROPERTY NOT BEING MOWED AND MAINTAINED. INOPERABLE VEHICLE.

IN VIOLATION OF: City of Alachua Code of Ordinances Section 8-30, International Property Maintenance Code **Section 111.1.5(5)**, The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way. **Section 111.1.5(7)**, The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or unlawful act. **Section 113.1**, The code official shall order the owner or owner's authorized agent of any premises upon which is located any structure, which in the code official's or owner's authorized agents judgement after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the code official shall order the owner or owner's authorized agent to demolish and remove such structure, or to board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the building official.


Section 302.4, Premises and exterior property shall be maintained free from weeds or plant growth in excess of six inches in height. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. **Section 302.8,** Except as provided for in other regulations, inoperative or unlicensed motor vehicles shall not be parked, kept or stored on any premises, and vehicles shall not at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled.

COMPLIANCE DEADLINE: 07/18/2022

You are hereby notified that you are currently in violation of the City of Alachua Code of Ordinances. You have until 4 PM local time on 07/18/2022 to correct the violations. If the violations are corrected and then recur or if the violations are not corrected by the time specified, this case will be presented to the City of Alachua Special Magistrate and fine and costs will be sought by the City. (F.S.S. 162.06(2) and Code of Ordinances Sec. 12-27)

The owner of property that is subject to code enforcement proceedings is charged with serious legal responsibilities in the event of a sale between the time the initial pleading is served and the time of the hearing. (F.S.S. 162.06(5) and Code of Ordinances Sec. 12-30)

If you have any questions, contact Code Enforcement at (386)418-6120. Your cooperation in this matter is sought in the interest of public safety.

Enforcement Officer's Signature  Date 07/01/2022

**HEARING BEFORE THE SPECIAL MAGISTRATE
CITY OF ALACHUA, FLORIDA**

City of Alachua,
Petitioner

vs.

Case No. E22-0104

Virginia Daugherty,
Respondent

**HEARING SET FOR THURSDAY OCTOBER 27, 2022 AT 10:00AM
Based Upon a
REQUEST FOR HEARING BY THE CITY OF ALACHUA
WITH A SUPPORTING AFFIDAVIT OF VIOLATIONS**

NOTICE OF HEARING

A Special Magistrate Hearing will be held on Thursday October 27, 2022 at 10:00am before City of Alachua Special Magistrate at the City of Alachua Commission Chambers, 15100 N.W. 142nd Terrace, Alachua, Florida.

If you fail to attend the scheduled Hearing, The Special Magistrate may base any findings and act solely on evidence presented by the Code Enforcement Officer, other witnesses or evidence presented. The entire Code of Ordinances of the City of Alachua (including Part II, Subpart B Land Development Regulations) is available online on the City of Alachua website under "Code of Ordinances". A printed copy is also available for your review at Alachua City Hall, 15100 N.W. 142nd Terrace, Alachua, Florida.

The Special Magistrate will receive testimony and evidence at the Hearing, and, if the Special Magistrate finds that you have committed a violation, may issue an Order of Enforcement requiring immediate compliance with the provisions of the Code. If you fail to comply with the Order of Enforcement, the Special Magistrate may issue an Order of Fine requiring you to pay a fine up to \$250.00 per day for each day the violation continues past the date set by the Special Magistrate for compliance. However, if the Special Magistrate finds the violation to be irreparable in nature, he may impose a fine not to exceed \$5,000 per violation.

If you want to request subpoenas for witnesses and evidence to be presented at the Hearing, contact the Code Enforcement Officer at (386)418-6127.

Pursuant to Section 286.0105, Florida Statutes, if any person desires to appeal any decision with respect to a matter considered at a public meeting or hearing of the Code Enforcement Special Magistrate, such person will need a record of the proceedings, and such person may need to ensure that a verbatim record for such purpose is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to Section 162.11, Florida Statutes, either the City of Alachua or a Respondent may appeal a final administrative order of the Code Enforcement Special Magistrate to the Circuit Court in Alachua County, Florida. Such an appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

In accordance with the Americans with Disabilities Act, any person with a disability requiring reasonable accommodation in order to participate in this hearing should call the City Clerk at (386)418-6100, extension 101, at least 48 hours prior to the public hearing.

PLEASE GOVERN YOURSELVES ACCORDINGLY

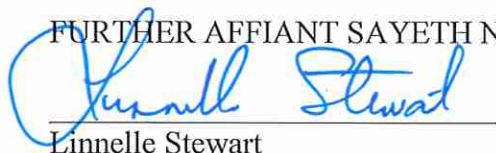
AFFIDAVIT OF VIOLATION

STATE OF FLORIDA
COUNTY OF ALACHUA

BEFORE ME, the undersigned authority personally appeared LINNELLE STEWART, ("Affiant"), who being duly sworn says:

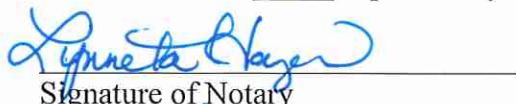
1. I am currently employed, and have served as Code Enforcement Officer for the City of Alachua since March 2006.
2. I am over the age of 21, sui juris and have personal knowledge of the information set forth in this Affidavit.
3. The legal description of the subject property (Property) is BAHIA COUNTRY UNRECORDED LOT 9-B OR 2126/1347. The tax parcel ID listed in the Alachua County Property Appraiser records is 05928-009-001, and the 911 address is 10415 NW 53 Terrace, Alachua, Fl, 32615.
4. A Notice of Violation was mailed to the Property via certified mail on July 1, 2022 citing violation of City of Alachua Code of Ordinances Section 8-30, International Property Maintenance Code Sections 111.1.5(5), 111.1.5(7), and 113.1 with a compliance deadline set for July 18, 2022.
5. An inspection was conducted on July 18, 2022 and the Property remained in violation.

FURTHER AFFIANT SAYETH NAUGHT.



Linnelle Stewart

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 11 day of October, 2022, by LINNELLE STEWART who executed the same and has produced a Florida driver's license as identification or is personally known to me.



Signature of Notary

Print name: Lynnetta Hayes

Notary Public, State of Florida

My Commission expires: June 5, 2024



LYNNETA HAYES
Commission # GG 955640
Expires June 5, 2024
Bonded Thru Budget Notary Services

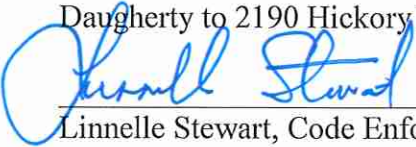
REQUEST FOR HEARING:

Pursuant to Section 9.5.2 City of Alachua Land Development Regulations, the Respondent has been provided a reasonable period of time to correct the violations set forth in the foregoing Affidavit of Violation.

A Hearing before the Special Magistrate is hereby requested, to be held on Thursday October 27, 2022 at 10:00AM.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing and Affidavit of Violation has been furnished by certified mail return receipt requested to Virginia Daugherty to 2190 Hickory Ln., Orange Park, Fl, 32073 this 11 day of October, 2022.



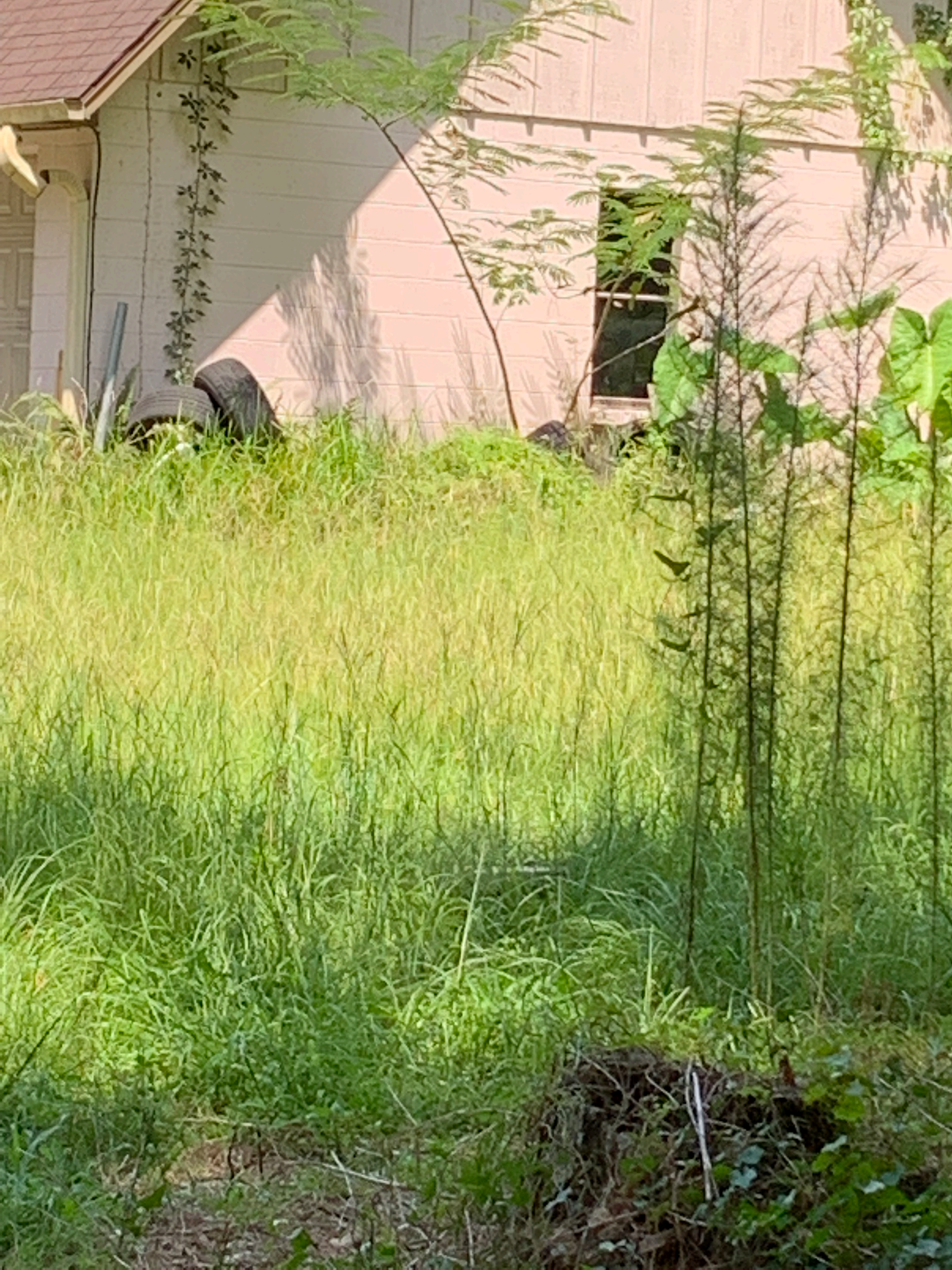
Linnelle Stewart, Code Enforcement Officer

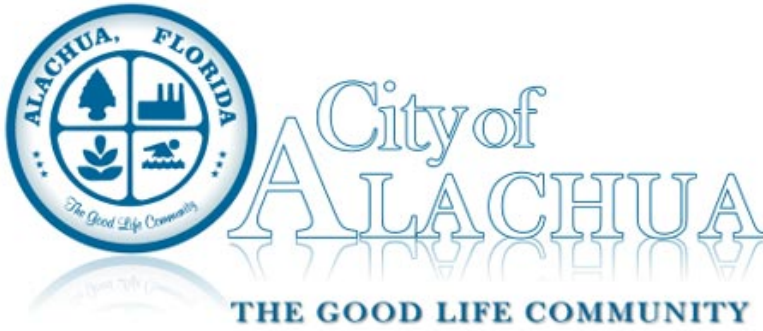












Board/Committee Agenda Item

MEETING DATE: 10/27/2022

SUBJECT: Case # 22-0176- Ayurveda Health Retreat Inc., Parcel # 03664-000-000, Violation of one section of the Code

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Conduct Special Magistrate Hearing scheduled for 10 AM October 27, 2022

Summary

The subject property owner (Respondent) has been found to be in violation of the City of Alachua Code of Ordinances. The legal description of the subject property (Property) is OLMSTEAD SURVEY PB C-79B COM NE COR OF LOT 1 BLK 7 POB S 02 DEG 50 MIN E 75.76 FT S 87 DEG 12 MIN 58 SEC W 89.90 FT N 01 DEG 56 MIN 15 SEC W 63.46 FT S 87 DEG 12 MIN 58 SEC W 23 FT N 01 DEG 56 MIN 15 SEC W 12.30 FT N 87 DEG 12 MIN 58 SEC E 111.71 FT POB O. The tax parcel ID listed in the Alachua County Property Appraiser records is 03664-000-000, and the Property address is 14616 NW 140 St., Alachua, FL, 32615.

A Request for Hearing and Affidavit of Violations was filed on October 12, 2022 by Code Enforcement Officer Linnelle Stewart setting forth relevant and adequate facts to establish the cited violation of City Code. The Request for Hearing announcing and setting a hearing to take testimony and otherwise consider the alleged violation was set for October 27, 2022 in the Alachua City Commission Chambers, 15100 NW 142 Terrace, Alachua, Florida. The Respondent was served the Notice of Hearing and Affidavit of Violation by certified mail, return receipt requested, sent to Ayurveda Health Retreat Inc. at 14616 NW 140 St., Alachua, FL, 32615.

The Code of Ordinances of the City of Alachua, including Part II, Subpart B- Land Development Regulations, is published on the City of Alachua website under "Code of Ordinances" and a copy is available for review at City Hall. Specifically, the Respondent continues to be in violation of the following Code Section:

a. Prohibited development of structure without appropriate permit

ATTACHMENTS:

Description

- Notice of Violation
- Request for Hearing



City of Alachua
Office of Codes Enforcement
P.O. Box 9
Alachua, Fl, 32616
386-418-6120 ph.
386-418-6130 fax

NOTICE OF VIOLATION

CASE NUMBER: E22-0176
VIOLATOR: Ayurveda Health Retreat Inc., Registered Agent- Richard Masla
MAILING ADDRESS: 14616 NW 140th St., Alachua, Fl, 32615
LOCATION ADDRESS: 14616 NW 140th St., Alachua, Fl, 32615
PARCEL TAX ID NUMBER: 03664-000-000

**YOU ARE HEREBY NOTIFIED THAT YOU ARE IN VIOLATION OF THE CITY OF
ALACHUA, FLORIDA CODE OF ORDINANCES AS SET FORTH BELOW**

VIOLATION(S): MINI SPLIT AC INSTALLED WITHOUT PERMIT

IN VIOLATION OF: City of Alachua Code of Ordinances Subpart B, Land Development Regulations Section 9.3.2(A), Develop land or a structure without first obtaining the appropriate development permit.

COMPLIANCE DEADLINE: 09/12/2022

You are hereby notified that you are currently in violation of the City of Alachua Code of Ordinances. You have until 4 PM local time on 09/12/2022 to correct the violations. If the violations are corrected and then recur or if the violations are not corrected by the time specified, this case will be presented to the City of Alachua Special Magistrate and fine and costs will be sought by the City. (F.S.S. 162.06(2) and Code of Ordinances Sec. 12-27)

The owner of property that is subject to code enforcement proceedings is charged with serious legal responsibilities in the event of a sale between the time the initial pleading is served and the time of the hearing. (F.S.S. 162.06(5) and Code of Ordinances Sec. 12-30)

If you have any questions, contact Code Enforcement at (386)418-6120. Your cooperation in this matter is sought in the interest of public safety.

Enforcement Officer's Signature

Date 08/29/2022

**HEARING BEFORE THE SPECIAL MAGISTRATE
CITY OF ALACHUA, FLORIDA**

City of Alachua,
Petitioner

vs.

Case No. E22-0176

Ayurveda Health Retreat Inc.,
Respondent

**HEARING SET FOR THURSDAY OCTOBER 27, 2022 AT 10:00AM
Based Upon a
REQUEST FOR HEARING BY THE CITY OF ALACHUA
WITH A SUPPORTING AFFIDAVIT OF VIOLATIONS**

NOTICE OF HEARING

A Special Magistrate Hearing will be held on Thursday October 27, 2022 at 10:00am before City of Alachua Special Magistrate at the City of Alachua Commission Chambers, 15100 N.W. 142nd Terrace, Alachua, Florida.

If you fail to attend the scheduled Hearing, The Special Magistrate may base any findings and act solely on evidence presented by the Code Enforcement Officer, other witnesses or evidence presented. The entire Code of Ordinances of the City of Alachua (including Part II, Subpart B Land Development Regulations) is available online on the City of Alachua website under "Code of Ordinances". A printed copy is also available for your review at Alachua City Hall, 15100 N.W. 142nd Terrace, Alachua, Florida.

The Special Magistrate will receive testimony and evidence at the Hearing, and, if the Special Magistrate finds that you have committed a violation, may issue an Order of Enforcement requiring immediate compliance with the provisions of the Code. If you fail to comply with the Order of Enforcement, the Special Magistrate may issue an Order of Fine requiring you to pay a fine up to \$250.00 per day for each day the violation continues past the date set by the Special Magistrate for compliance. However, if the Special Magistrate finds the violation to be irreparable in nature, he may impose a fine not to exceed \$5,000 per violation.

If you want to request subpoenas for witnesses and evidence to be presented at the Hearing, contact the Code Enforcement Officer at (386)418-6127.

Pursuant to Section 286.0105, Florida Statutes, if any person desires to appeal any decision with respect to a matter considered at a public meeting or hearing of the Code Enforcement Special Magistrate, such person will need a record of the proceedings, and such person may need to ensure that a verbatim record for such purpose is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to Section 162.11, Florida Statutes, either the City of Alachua or a Respondent may appeal a final administrative order of the Code Enforcement Special Magistrate to the Circuit Court in Alachua County, Florida. Such an appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

In accordance with the Americans with Disabilities Act, any person with a disability requiring reasonable accommodation in order to participate in this hearing should call the City Clerk at (386)418-6100, extension 101, at least 48 hours prior to the public hearing.

PLEASE GOVERN YOURSELVES ACCORDINGLY

AFFIDAVIT OF VIOLATION

STATE OF FLORIDA
COUNTY OF ALACHUA

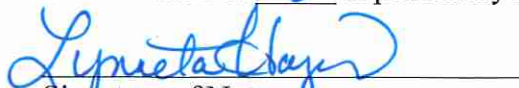
BEFORE ME, the undersigned authority personally appeared LINNELLE STEWART, ("Affiant"), who being duly sworn says:

1. I am currently employed, and have served as Code Enforcement Officer for the City of Alachua since March 2006.
2. I am over the age of 21, sui juris and have personal knowledge of the information set forth in this Affidavit.
3. The legal description of the subject property (Property) is OLMSTEAD SURVEY PB C-79B COM NE COR OF LOT 1 BLK 7 POB S 02 DEG 50 MIN E 75.76 FT S 87 DEG 12 MIN 58 SEC W 89.90 FT N 01 DEG 56 MIN 15 SEC W 63.46 FT S 87 DEG 12 MIN 58 SEC W 23 FT N 01 DEG 56 MIN 15 SEC W 12.30 FT N 87 DEG 12 MIN 58 SEC E 111.71 FT POB O. The tax parcel ID listed in the Alachua County Property Appraiser records is 03664-000-000, and the 911 address is 14616 NW 140 St., Alachua, FL, 32615.
4. A Notice of Violation was mailed to the Property via certified mail on August 29, 2022 citing violation of City of Alachua Code of Ordinances Subpart B, Land Development Regulations Section 9.3.2(A) with a compliance deadline set for September 12, 2022.
5. A check of City records on September 12, 2022 revealed a permit had not been obtained and the Property remained in violation.

FURTHER AFFIANT SAYETH NAUGHT.


Linnelle Stewart

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 12 day of October, 2022, by LINNELLE STEWART who executed the same and has produced a Florida driver's license as identification or is personally known to me.


Signature of Notary

Print name: Lynnetta Hayes

Notary Public, State of Florida

My Commission expires: June 5, 2024



LYNNETA HAYES
Commission # GG 955640
Expires June 5, 2024
Bonded Thru Budget Notary Services

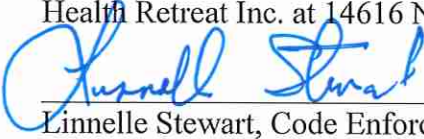
REQUEST FOR HEARING:

Pursuant to Section 9.5.2 City of Alachua Land Development Regulations, the Respondent has been provided a reasonable period of time to correct the violations set forth in the foregoing Affidavit of Violation.

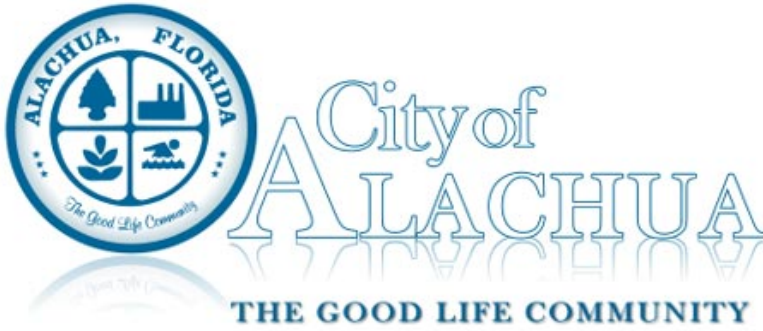
A Hearing before the Special Magistrate is hereby requested, to be held on Thursday October 27, 2022 at 10:00AM.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing and Affidavit of Violation has been furnished by certified mail return receipt requested to Ayurveda Health Retreat Inc. at 14616 NW 140 St., Alachua, Fl, 32615 this 12 day of October, 2022.



Linnelle Stewart, Code Enforcement Officer



Board/Committee Agenda Item

MEETING DATE: 10/27/2022

SUBJECT: Case # 22-0193- Dolgencorp LLC, Parcel # 03595-200-001, Violation of three sections of the Code

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Conduct Special Magistrate Hearing scheduled for 10 AM October 27, 2022

Summary

The subject property owner (Respondent) has been found to be in violation of the City of Alachua Code of Ordinances. The legal description of the subject property (Property) is COM INT SLY R/W LINE ACL RR & WLY LINE BK 19 DOWNINGS ADDN TO CITY OF ALACHUA PB C-79 A-C S 55 DEG E 10.02 FT POB S 55 DEG E 208.17 FT N 33 DEG E 172.51 FT N 55 DEG W 281.79 FT SWLY ALG CURVE 61.04 FT S 2 DEG E 160.83 FT POB OR 2474 /0881. The tax parcel ID listed in the Alachua County Property Appraiser records is 03595-200-001, and the Property address is 15250 NW US Hwy 441, Alachua, FL, 32615.

A Request for Hearing and Affidavit of Violations was filed on October 11, 2022 by Code Enforcement Officer Linnelle Stewart setting forth relevant and adequate facts to establish the cited violations of City Code. The Request for Hearing announcing and setting a hearing to take testimony and otherwise consider the alleged violations was set for October 27, 2022 in the Alachua City Commission Chambers, 15100 NW 142 Terrace, Alachua, Florida. The Respondent was served the Notice of Hearing and Affidavit of Violation by certified mail, return receipt requested, sent to Dolgencorp LLC at 1202 Hays St., Tallahassee, FL, 32301.

The Code of Ordinances of the City of Alachua, including Part II, Subpart B- Land Development Regulations, is published on the City of Alachua website under "Code of Ordinances" and a copy is available for review at City Hall. Specifically, the Respondent continues to be in violation of the following Code Sections:

- a. Prohibited tall grass and weeds
 - b. Prohibited storage of trash and debris
 - c. Failure to maintain fence in sound condition
-

ATTACHMENTS:

Description

- Notice of Violation
- Request for Hearing
- Photos



*City of Alachua
Office of Codes Enforcement
P.O. Box 9
Alachua, Fl, 32616
386-418-6120 ph.
386-418-6130 fax*

NOTICE OF VIOLATION

CASE NUMBER: E22-0193

VIOLATOR: Dolgencorp LLC Registered Agent- Corporation Service Company

MAILING ADDRESS: 1202 Hays St., Tallahassee, Fl, 32301

LOCATION ADDRESS: 15250 NW US Highway 441, Alachua, Fl, 32615

PARCEL TAX ID NUMBER: 03595-200-001

YOU ARE HEREBY NOTIFIED THAT YOU ARE IN VIOLATION OF THE CITY OF ALACHUA, FLORIDA CODE OF ORDINANCES AS SET FORTH BELOW

VIOLATION(S): FENCE IN DISREPAIR. PROPERTY NOT BEING MOWED AND MAINTAINED IN A CLEAN AND SANITARY CONDITION.

IN VIOLATION OF: City of Alachua Code of Ordinances Section 8-30, International Property Maintenance Code Section 302.7 All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

Section 302.4 All premises and exterior property shall be maintained free from weeds or plant growth in excess of six inches in height. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.


Section 302.1 All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

COMPLIANCE DEADLINE: 9/28/22

You are hereby notified that you are currently in violation of the City of Alachua Code of Ordinances. You have until 4 PM local time on 9/28/22 to correct the violations. If the violations are corrected and then recur or if the violations are not corrected by the time specified, this case will be presented to the City of Alachua Special Magistrate and fine and costs will be sought by the City. (F.S.S. 162.06(2) and Code of Ordinances Sec. 12-27)

The owner of property that is subject to code enforcement proceedings is charged with serious legal responsibilities in the event of a sale between the time the initial pleading is served and the time of the hearing. (F.S.S. 162.06(5) and Code of Ordinances Sec. 12-30)

If you have any questions, contact Code Enforcement at (386)418-6120. Your cooperation in this matter is sought in the interest of public safety.

Enforcement Officer's Signature  Date 09/14/2022

**HEARING BEFORE THE SPECIAL MAGISTRATE
CITY OF ALACHUA, FLORIDA**

City of Alachua,
Petitioner

vs.

Case No. E22-0193

Dolgencorp LLC,
Respondent

_____ /

**HEARING SET FOR THURSDAY OCTOBER 27, 2022 AT 10:00AM
Based Upon a
REQUEST FOR HEARING BY THE CITY OF ALACHUA
WITH A SUPPORTING AFFIDAVIT OF VIOLATIONS**

NOTICE OF HEARING

A Special Magistrate Hearing will be held on Thursday October 27, 2022 at 10:00am before City of Alachua Special Magistrate at the City of Alachua Commission Chambers, 15100 N.W. 142nd Terrace, Alachua, Florida.

If you fail to attend the scheduled Hearing, The Special Magistrate may base any findings and act solely on evidence presented by the Code Enforcement Officer, other witnesses or evidence presented. The entire Code of Ordinances of the City of Alachua (including Part II, Subpart B Land Development Regulations) is available online on the City of Alachua website under "Code of Ordinances". A printed copy is also available for your review at Alachua City Hall, 15100 N.W. 142nd Terrace, Alachua, Florida.

The Special Magistrate will receive testimony and evidence at the Hearing, and, if the Special Magistrate finds that you have committed a violation, may issue an Order of Enforcement requiring immediate compliance with the provisions of the Code. If you fail to comply with the Order of Enforcement, the Special Magistrate may issue an Order of Fine requiring you to pay a fine up to \$250.00 per day for each day the violation continues past the date set by the Special Magistrate for compliance. However, if the Special Magistrate finds the violation to be irreparable in nature, he may impose a fine not to exceed \$5,000 per violation.

If you want to request subpoenas for witnesses and evidence to be presented at the Hearing, contact the Code Enforcement Officer at (386)418-6127.

Pursuant to Section 286.0105, Florida Statutes, if any person desires to appeal any decision with respect to a matter considered at a public meeting or hearing of the Code Enforcement Special Magistrate, such person will need a record of the proceedings, and such person may need to ensure that a verbatim record for such purpose is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to Section 162.11, Florida Statutes, either the City of Alachua or a Respondent may appeal a final administrative order of the Code Enforcement Special Magistrate to the Circuit Court in Alachua County, Florida. Such an appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

In accordance with the Americans with Disabilities Act, any person with a disability requiring reasonable accommodation in order to participate in this hearing should call the City Clerk at (386)418-6100, extension 101, at least 48 hours prior to the public hearing.

PLEASE GOVERN YOURSELVES ACCORDINGLY

AFFIDAVIT OF VIOLATION

STATE OF FLORIDA
COUNTY OF ALACHUA

BEFORE ME, the undersigned authority personally appeared LINNELLE STEWART, (“Affiant”), who being duly sworn says:

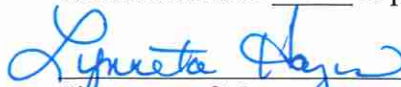
1. I am currently employed, and have served as Code Enforcement Officer for the City of Alachua since March 2006.
2. I am over the age of 21, sui juris and have personal knowledge of the information set forth in this Affidavit.
3. The legal description of the subject property (Property) is COM INT SLY R/W LINE ACL RR & WLY LINE BK 19 DOWNINGS ADDN TO CITY OF ALACHUA PB C-79 A-C S 55 DEG E 10.02 FT POB S 55 DEG E 208.17 FT N 33 DEG E 172.51 FT N 55 DEG W 281.79 FT SWLY ALG CURVE 61.04 FT S 2 DEG E 160.83 FT POB OR 2474 /0881. The tax parcel ID listed in the Alachua County Property Appraiser records is 03595-200-001, and the 911 address is 15250 NW US Hwy 441, Alachua, FL, 32615.
4. A Notice of Violation was mailed to the Property via certified mail on September 14, 2022 citing violation of City of Alachua Code of Ordinances Section 8-30, International Property Maintenance Code Sections 302.1, 302.4, and 302.7 with a compliance deadline set for September 28, 2022.
5. An inspection was conducted on September 28, 2022 and the Property remained in violation.

FURTHER AFFIANT SAYETH NAUGHT.



Linnelle Stewart

The foregoing instrument was acknowledged before me by means of physical presence or _____ online notarization, this 11 day of October, 2022, by LINNELLE STEWART who executed the same and has _____ produced a Florida driver’s license as identification or is personally known to me.



Signature of Notary
Print name: Lynnetta Hayes
Notary Public, State of Florida
My Commission expires: June 5, 2024



LYNNETA HAYES
Commission # GG 955640
Expires June 5, 2024
Bonded Thru Budget Notary Services

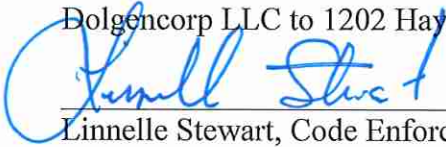
REQUEST FOR HEARING:

Pursuant to Section 9.5.2 City of Alachua Land Development Regulations, the Respondent has been provided a reasonable period of time to correct the violations set forth in the foregoing Affidavit of Violation.

A Hearing before the Special Magistrate is hereby requested, to be held on Thursday October 27, 2022 at 10:00AM.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing and Affidavit of Violation has been furnished by certified mail return receipt requested to Dolgencorp LLC to 1202 Hays St., Tallahassee, Fl, 32301 this 11 day of October, 2022.



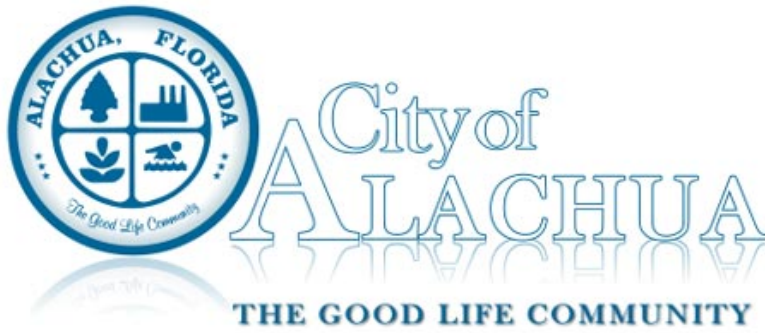
Linnelle Stewart, Code Enforcement Officer











Board/Committee Agenda Item

MEETING DATE: 10/27/2022

SUBJECT: Case # 22-0165- Scott & Scott Co-Trustees, Parcel # 03463-002-000, Violation of two sections of the Code

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Conduct Special Magistrate Hearing scheduled for 10 AM October 27, 2022

Summary

The subject property owner (Respondent) has been found to be in violation of the City of Alachua Code of Ordinances. The legal description of the subject property (Property) is F E WILLIAMS ADD PB C-79-79C LOT 4 BK 8 OR 4489/0720. The tax parcel ID listed in the Alachua County Property Appraiser records is 03463-002-000, and the Property address is 14808 NW 134 Terrace, Alachua, FL, 32615.

A Request for Hearing and Affidavit of Violations was filed on October 11, 2022 by Code Enforcement Officer Linnelle Stewart setting forth relevant and adequate facts to establish the cited violations of City Code. The Request for Hearing announcing and setting a hearing to take testimony and otherwise consider the alleged violations was set for October 27, 2022 in the Alachua City Commission Chambers, 15100 NW 142 Terrace, Alachua, Florida. The Respondent was served the Notice of Hearing and Affidavit of Violation by certified mail, return receipt requested, sent to Scott & Scott Co-Trustees at 432 SW 143 St., Newberry, FL, 32669.

The Code of Ordinances of the City of Alachua, including Part II, Subpart B- Land Development Regulations, is published on the City of Alachua website under "Code of Ordinances" and a copy is available for review at City Hall. Specifically, the Respondent continues to be in violation of the following Code Sections:

- a. Prohibited storage of inoperable or unlicensed vehicles
 - b. Prohibited storage of junk and debris
-

ATTACHMENTS:

Description

- Notice of Violation
- Request for Hearing
- Photos



City of Alachua
Office of Codes Enforcement
P.O. Box 9
Alachua, Fl, 32616
386-418-6120 ph.
386-418-6130 fax

NOTICE OF VIOLATION

CASE NUMBER: E22-0165
VIOLATOR: Scott & Scott Co-Trustees
MAILING ADDRESS: 432 SW 143 St., Newberry, Fl, 32669
LOCATION ADDRESS: 14808 NW 134th Terr., Alachua, Fl, 32615
PARCEL TAX ID NUMBER: 03463-002-000

YOU ARE HEREBY NOTIFIED THAT YOU ARE IN VIOLATION OF THE CITY OF ALACHUA, FLORIDA CODE OF ORDINANCES AS SET FORTH BELOW

VIOLATION(S): INOPERABLE VEHICLES. JUNK AND DEBRIS STORAGE

IN VIOLATION OF: City of Alachua Code of Ordinances Section 302.8 Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. Section 302.1 All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

COMPLIANCE DEADLINE: August 30, 2022

You are hereby notified that you are currently in violation of the City of Alachua Code of Ordinances. You have until 4 PM local time on August 30, 2022 to correct the violations. If the violations are corrected and then recur or if the violations are not corrected by the time specified, this case will be presented to the City of Alachua Special Magistrate and fine and costs will be sought by the City. (F.S.S. 162.06(2) and Code of Ordinances Sec. 12-27)

The owner of property that is subject to code enforcement proceedings is charged with serious legal responsibilities in the event of a sale between the time the initial pleading is served and the time of the hearing. (F.S.S. 162.06(5) and Code of Ordinances Sec. 12-30)

If you have any questions, contact Code Enforcement at (386)418-6120. Your cooperation in this matter is sought in the interest of public safety.

Enforcement Officer's Signature

Date 08/16/2022

**HEARING BEFORE THE SPECIAL MAGISTRATE
CITY OF ALACHUA, FLORIDA**

City of Alachua,
Petitioner

vs.

Case No. E22-0165

Scott & Scott Co-Trustees,
Respondent

**HEARING SET FOR THURSDAY OCTOBER 27, 2022 AT 10:00AM
Based Upon a
REQUEST FOR HEARING BY THE CITY OF ALACHUA
WITH A SUPPORTING AFFIDAVIT OF VIOLATIONS**

NOTICE OF HEARING

A Special Magistrate Hearing will be held on Thursday October 27, 2022 at 10:00am before City of Alachua Special Magistrate at the City of Alachua Commission Chambers, 15100 N.W. 142nd Terrace, Alachua, Florida.

If you fail to attend the scheduled Hearing, The Special Magistrate may base any findings and act solely on evidence presented by the Code Enforcement Officer, other witnesses or evidence presented. The entire Code of Ordinances of the City of Alachua (including Part II, Subpart B Land Development Regulations) is available online on the City of Alachua website under "Code of Ordinances". A printed copy is also available for your review at Alachua City Hall, 15100 N.W. 142nd Terrace, Alachua, Florida.

The Special Magistrate will receive testimony and evidence at the Hearing, and, if the Special Magistrate finds that you have committed a violation, may issue an Order of Enforcement requiring immediate compliance with the provisions of the Code. If you fail to comply with the Order of Enforcement, the Special Magistrate may issue an Order of Fine requiring you to pay a fine up to \$250.00 per day for each day the violation continues past the date set by the Special Magistrate for compliance. However, if the Special Magistrate finds the violation to be irreparable in nature, he may impose a fine not to exceed \$5,000 per violation.

If you want to request subpoenas for witnesses and evidence to be presented at the Hearing, contact the Code Enforcement Officer at (386)418-6127.

Pursuant to Section 286.0105, Florida Statutes, if any person desires to appeal any decision with respect to a matter considered at a public meeting or hearing of the Code Enforcement Special Magistrate, such person will need a record of the proceedings, and such person may need to ensure that a verbatim record for such purpose is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to Section 162.11, Florida Statutes, either the City of Alachua or a Respondent may appeal a final administrative order of the Code Enforcement Special Magistrate to the Circuit Court in Alachua County, Florida. Such an appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

In accordance with the Americans with Disabilities Act, any person with a disability requiring reasonable accommodation in order to participate in this hearing should call the City Clerk at (386)418-6100, extension 101, at least 48 hours prior to the public hearing.

PLEASE GOVERN YOURSELVES ACCORDINGLY

AFFIDAVIT OF VIOLATION

STATE OF FLORIDA
COUNTY OF ALACHUA

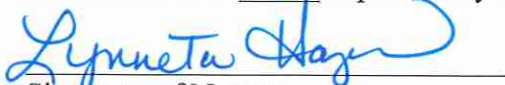
BEFORE ME, the undersigned authority personally appeared LINNELLE STEWART, ("Affiant"), who being duly sworn says:

1. I am currently employed, and have served as Code Enforcement Officer for the City of Alachua since March 2006.
2. I am over the age of 21, sui juris and have personal knowledge of the information set forth in this Affidavit.
3. The legal description of the subject property (Property) is F E WILLIAMS ADD PB C-79-79C LOT 4 BK 8 OR 4489/0720. The tax parcel ID listed in the Alachua County Property Appraiser records is 03463-002-000, and the 911 address is 14808 NW 134 Terrace, Alachua, Fl, 32615.
4. A Notice of Violation was mailed to the Property via certified mail on August 16, 2022 citing violation of City of Alachua Code of Ordinances Section 8-30, International Property Maintenance Code Sections 302.8 and 302.1 with a compliance deadline set for August 30, 2022.
5. An inspection was conducted on August 30, 2022 and the Property remained in violation.

FURTHER AFFIANT SAYETH NAUGHT.


Linnelle Stewart

The foregoing instrument was acknowledged before me by means of physical presence or _____ online notarization, this 11 day of October, 2022, by LINNELLE STEWART who executed the same and has _____ produced a Florida driver's license as identification or is personally known to me.



Signature of Notary

Print name: Lynnetta Hayes

Notary Public, State of Florida

My Commission expires: June 5, 2024



LYNNETA HAYES
Commission # GG 955640
Expires June 5, 2024
Bonded Thru Budget Notary Services

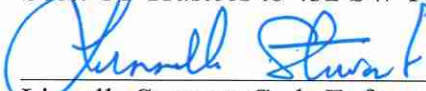
REQUEST FOR HEARING:

Pursuant to Section 9.5.2 City of Alachua Land Development Regulations, the Respondent has been provided a reasonable period of time to correct the violations set forth in the foregoing Affidavit of Violation.

A Hearing before the Special Magistrate is hereby requested, to be held on Thursday October 27, 2022 at 10:00AM.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing and Affidavit of Violation has been furnished by certified mail return receipt requested to Scott & Scott Co-Trustees to 432 SW 143 St., Newberry, FL, 32669 this 11 day of October, 2022.



Linnelle Stewart, Code Enforcement Officer

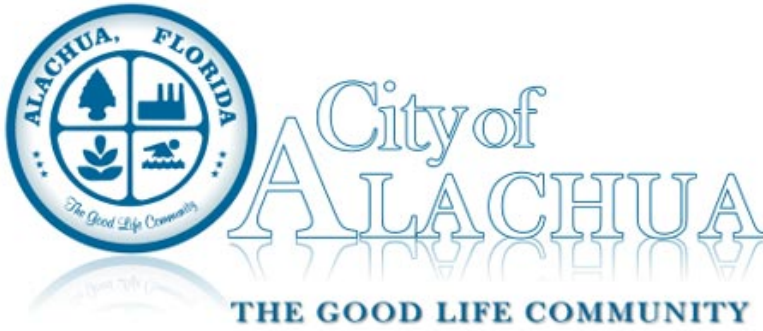












Board/Committee Agenda Item

MEETING DATE: 10/27/2022

SUBJECT: Case # 22-0167- Polk & Polk, Parcel # 03735-000-000, Violation of four sections of the Code

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Conduct Special Magistrate Hearing scheduled for 10 AM October 27, 2022

Summary

The subject property owner (Respondent) has been found to be in violation of the City of Alachua Code of Ordinances. The legal description of the subject property (Property) is TOMPSETT SURVEY PB A-68 W 100 FT OF LOT 9 & W 100 FT OF S1/2 OF LOT 8 BK 20 OR 2191/2928. The tax parcel ID listed in the Alachua County Property Appraiser records is 03735-000-000, and the Property address is 14311 Main St., Alachua, FL, 32615.

A Request for Hearing and Affidavit of Violations was filed on October 11, 2022 by Code Enforcement Officer Linnelle Stewart setting forth relevant and adequate facts to establish the cited violations of City Code. The Request for Hearing announcing and setting a hearing to take testimony and otherwise consider the alleged violation was set for October 27, 2022 in the Alachua City Commission Chambers, 15100 NW 142 Terrace, Alachua, Florida. The Respondent was served the Notice of Hearing and Affidavit of Violation by certified mail, return receipt requested, sent to Polk & Polk at PO Box 562, Alachua, FL 32616.

The Code of Ordinances of the City of Alachua, including Part II, Subpart B- Land Development Regulations, is published on the City of Alachua website under "Code of Ordinances" and a copy is available for review at City Hall. Specifically, the Respondent continues to be in violation of the following Code Sections:

- a. Prohibited storage of inoperable or unlicensed vehicles
 - b. Prohibited tall grass and weeds
 - c. Prohibited junk and debris storage
 - d. Prohibited sheds
-

ATTACHMENTS:

Description

- Notice of Violation
- Request for Hearing



*City of Alachua
Office of Codes Enforcement
P.O. Box 9
Alachua, Fl, 32616
386-418-6120 ph.
386-418-6130 fax*

NOTICE OF VIOLATION

CASE NUMBER: E22-0167
VIOLATOR: Polk & Polk
MAILING ADDRESS: PO BOX 561, Alachua, Fl, 32616
LOCATION ADDRESS: 14311 Main St., Alachua, Fl, 32615
PARCEL TAX ID NUMBER: 03735-000-000

YOU ARE HEREBY NOTIFIED THAT YOU ARE IN VIOLATION OF THE CITY OF ALACHUA, FLORIDA CODE OF ORDINANCES AS SET FORTH BELOW

VIOLATION(S): INOPERABLE VEHICLES, PROPERTY NOT BEING MOWED AND MAINTAINED, JUNK AND DEBRIS STORAGE, PROHIBITED SHED

IN VIOLATION OF: City of Alachua Code of Ordinances **Section 302.8** Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Section 302.4 All premises and exterior property shall be maintained free from weeds or plant growth in excess of six inches in height. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Section 302.1 All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

City of Alachua Code of Ordinances Subpart B, Land Development Regulations Table 4.4-1, Storage building or shed prohibited in Central Business District.

COMPLIANCE DEADLINE: AUGUST 30, 2022

You are hereby notified that you are currently in violation of the City of Alachua Code of Ordinances. You have until 4 PM local time on August 30, 2022 to correct the violations. If the violations are corrected and then recur or if the violations are not corrected by the time specified, this case will be presented to the City of Alachua Special Magistrate and fine and costs will be sought by the City. (F.S.S. 162.06(2) and Code of Ordinances Sec. 12-27)

The owner of property that is subject to code enforcement proceedings is charged with serious legal responsibilities in the event of a sale between the time the initial pleading is served and the time of the hearing. (F.S.S. 162.06(5) and Code of Ordinances Sec. 12-30)

If you have any questions, contact Code Enforcement at (386)418-6120. Your cooperation in this matter is sought in the interest of public safety.

Enforcement Officer's Signature

A handwritten signature in blue ink that reads "Kenneth Stewart". The signature is written in a cursive style with a large initial "K".

Date 08/16/2022

**HEARING BEFORE THE SPECIAL MAGISTRATE
CITY OF ALACHUA, FLORIDA**

City of Alachua,
Petitioner

vs.

Case No. E22-0167

Polk & Polk,
Respondent

_____ /

**HEARING SET FOR THURSDAY OCTOBER 27, 2022 AT 10:00AM
Based Upon a
REQUEST FOR HEARING BY THE CITY OF ALACHUA
WITH A SUPPORTING AFFIDAVIT OF VIOLATIONS**

NOTICE OF HEARING

A Special Magistrate Hearing will be held on Thursday October 27, 2022 at 10:00am before City of Alachua Special Magistrate at the City of Alachua Commission Chambers, 15100 N.W. 142nd Terrace, Alachua, Florida.

If you fail to attend the scheduled Hearing, The Special Magistrate may base any findings and act solely on evidence presented by the Code Enforcement Officer, other witnesses or evidence presented. The entire Code of Ordinances of the City of Alachua (including Part II, Subpart B Land Development Regulations) is available online on the City of Alachua website under "Code of Ordinances". A printed copy is also available for your review at Alachua City Hall, 15100 N.W. 142nd Terrace, Alachua, Florida.

The Special Magistrate will receive testimony and evidence at the Hearing, and, if the Special Magistrate finds that you have committed a violation, may issue an Order of Enforcement requiring immediate compliance with the provisions of the Code. If you fail to comply with the Order of Enforcement, the Special Magistrate may issue an Order of Fine requiring you to pay a fine up to \$250.00 per day for each day the violation continues past the date set by the Special Magistrate for compliance. However, if the Special Magistrate finds the violation to be irreparable in nature, he may impose a fine not to exceed \$5,000 per violation.

If you want to request subpoenas for witnesses and evidence to be presented at the Hearing, contact the Code Enforcement Officer at (386)418-6127.

Pursuant to Section 286.0105, Florida Statutes, if any person desires to appeal any decision with respect to a matter considered at a public meeting or hearing of the Code Enforcement Special Magistrate, such person will need a record of the proceedings, and such person may need to ensure that a verbatim record for such purpose is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to Section 162.11, Florida Statutes, either the City of Alachua or a Respondent may appeal a final administrative order of the Code Enforcement Special Magistrate to the Circuit Court in Alachua County, Florida. Such an appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

In accordance with the Americans with Disabilities Act, any person with a disability requiring reasonable accommodation in order to participate in this hearing should call the City Clerk at (386)418-6100, extension 101, at least 48 hours prior to the public hearing.

PLEASE GOVERN YOURSELVES ACCORDINGLY

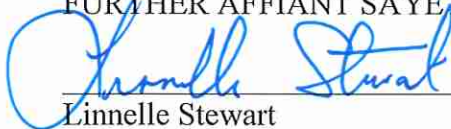
AFFIDAVIT OF VIOLATION

STATE OF FLORIDA
COUNTY OF ALACHUA

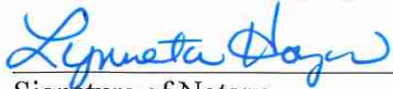
BEFORE ME, the undersigned authority personally appeared LINNELLE STEWART, ("Affiant"), who being duly sworn says:

1. I am currently employed, and have served as Code Enforcement Officer for the City of Alachua since March 2006.
2. I am over the age of 21, sui juris and have personal knowledge of the information set forth in this Affidavit.
3. The legal description of the subject property (Property) is TOMPSETT SURVEY PB A-68 W 100 FT OF LOT 9 & W 100 FT OF S1/2 OF LOT 8 BK 20 OR. The tax parcel ID listed in the Alachua County Property Appraiser records is 03735-000-000, and the 911 address is 14311 Main St., Alachua, Fl, 32615.
4. A Notice of Violation was mailed to the Property via certified mail on August 16, 2022 citing violation of City of Alachua Code of Ordinances Section 8-30, International Property Maintenance Code Sections 302.8, 302.4 and 302.1 and Land Development Regulations Section 4.4-1 with a compliance deadline set for August 30, 2022.
5. An inspection was conducted on August 30, 2022 and the Property remained in violation.

FURTHER AFFIANT SAYETH NAUGHT.


Linnelle Stewart

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 11 day of October, 2022, by LINNELLE STEWART who executed the same and has produced a Florida driver's license as identification or is personally known to me.


Signature of Notary
Print name: Lynnetta Hayes
Notary Public, State of Florida
My Commission expires: June 5, 2024



LYNNETA HAYES
Commission # GG 955640
Expires June 5, 2024
Bonded Thru Budget Notary Services

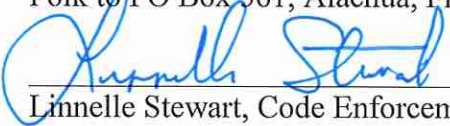
REQUEST FOR HEARING:

Pursuant to Section 9.5.2 City of Alachua Land Development Regulations, the Respondent has been provided a reasonable period of time to correct the violations set forth in the foregoing Affidavit of Violation.

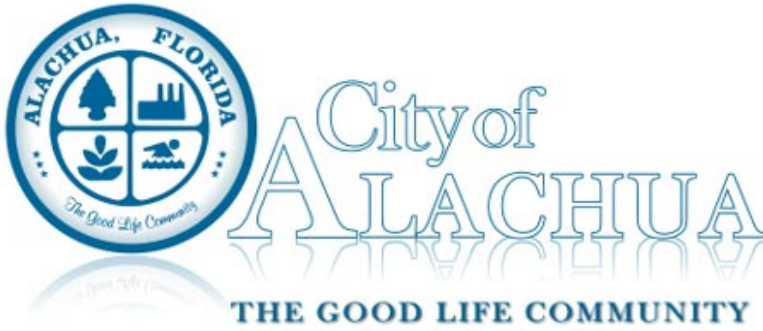
A Hearing before the Special Magistrate is hereby requested, to be held on Thursday October 27, 2022 at 10:00AM.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing and Affidavit of Violation has been furnished by certified mail return receipt requested to Polk & Polk to PO Box 561, Alachua, Fl, 32616 this 11 day of October, 2022.



Linnelle Stewart, Code Enforcement Officer



Board/Committee Agenda Item

MEETING DATE: 10/27/2022

SUBJECT: Case # 22-0101- Florida Brown Heirs, Parcel # 03315-000-000, Violation of three sections of the Code

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Conduct Special Magistrate Hearing scheduled for 10 AM October 27, 2022

Summary

The subject property owner (Respondent) has been found to be in violation of the City of Alachua Code of Ordinances. The legal description of the subject property (Property) is WELLS ADDN PB C-79 LOT 15 & N 50 FT OF LOT 25 BK 6 ALSO LOT 16 BK 6 OR 922/464. The tax parcel ID listed in the Alachua County Property Appraiser records is 03315-000-000, and the Property address is 15031 NW 135 Terrace, Alachua, FL, 32615.

A Request for Hearing and Affidavit of Violations was filed on October 12, 2022 by Code Enforcement Officer Linnelle Stewart setting forth relevant and adequate facts to establish the cited violations of City Code. The Request for Hearing announcing and setting a hearing to take testimony and otherwise consider the alleged violations was set for October 27, 2022 in the Alachua City Commission Chambers, 15100 NW 142 Terrace, Alachua, Florida. The Respondent was served the Notice of Hearing and Affidavit of Violation by certified mail, return receipt requested, sent to Florida Brown Heirs at 6550 Roosevelt Blvd., Jacksonville, FL, 32244.

The Code of Ordinances of the City of Alachua, including Part II, Subpart B- Land Development Regulations, is published on the City of Alachua website under "Code of Ordinances" and a copy is available for review at City Hall. Specifically, the Respondent continues to be in violation of the following Code Sections:

- a. Prohibited dilapidated structure
 - b. Prohibited attractive nuisance
 - c. Structure unfit for occupancy
-

ATTACHMENTS:

Description

- Notice of Violation
- Request for Hearing
- Photos



City of Alachua
Office of Codes Enforcement
P.O. Box 9
Alachua, Fl, 32616
386-418-6120 ph.
386-418-6130 fax

NOTICE OF VIOLATION

CASE NUMBER: E22-0101

VIOLATOR: Florida Brown Heirs % Timothy Towns

MAILING ADDRESS: 6550 Roosevelt Blvd., Jacksonville, Fl, 32244

LOCATION ADDRESS: 15031 NW 135 Terr., Alachua, Fl, 32615

PARCEL TAX ID NUMBER: 03315-000-000

YOU ARE HEREBY NOTIFIED THAT YOU ARE IN VIOLATION OF THE CITY OF ALACHUA, FLORIDA CODE OF ORDINANCES AS SET FORTH BELOW

VIOLATION(S): HOME NOT SECURE- ATTRACTIVE NUISANCE. HOME BOARDED UP GREATER THAN A PERIOD OF ONE YEAR. HOME UNSAFE- IN DANGER OF COLLAPSE


IN VIOLATION OF: International Property Maintenance Code **Section 111.1.5(5)** The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way. **Section 111.1.5(7)**, The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or unlawful act. **Section 113.1**, The code official shall order the owner or owner's authorized agent of any premises upon which is located any structure, which in the code official's or owner's authorized agent judgement after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the code official shall order the owner or owner's authorized agent to demolish and remove such structure, or board up until future repair. *Boarding the building up for future repair shall not extend beyond one year, unless approved by the building official.*

COMPLIANCE DEADLINE: 07/18/2022

You are hereby notified that you are currently in violation of the City of Alachua Code of Ordinances. You have until 4 PM local time on 07/18/2022 to correct the violations. If the violations are corrected and then recur or if the violations are not corrected by the time specified, this case will be presented to the City of Alachua Special Magistrate and fine and costs will be sought by the City. (F.S.S. 162.06(2) and Code of Ordinances Sec. 12-27)

The owner of property that is subject to code enforcement proceedings is charged with serious legal responsibilities in the event of a sale between the time the initial pleading is served and the time of the hearing. (F.S.S. 162.06(5) and Code of Ordinances Sec. 12-30)

If you have any questions, contact Code Enforcement at (386)418-6120. Your cooperation in this matter is sought in the interest of public safety.

Enforcement Officer's Signature  Date 07/01/2022

**HEARING BEFORE THE SPECIAL MAGISTRATE
CITY OF ALACHUA, FLORIDA**

City of Alachua,
Petitioner

vs.

Case No. E22-0101

Florida Brown Heirs,
Respondent

**HEARING SET FOR THURSDAY OCTOBER 27, 2022 AT 10:00AM
Based Upon a
REQUEST FOR HEARING BY THE CITY OF ALACHUA
WITH A SUPPORTING AFFIDAVIT OF VIOLATIONS**

NOTICE OF HEARING

A Special Magistrate Hearing will be held on Thursday October 27, 2022 at 10:00am before City of Alachua Special Magistrate at the City of Alachua Commission Chambers, 15100 N.W. 142nd Terrace, Alachua, Florida.

If you fail to attend the scheduled Hearing, The Special Magistrate may base any findings and act solely on evidence presented by the Code Enforcement Officer, other witnesses or evidence presented. The entire Code of Ordinances of the City of Alachua (including Part II, Subpart B Land Development Regulations) is available online on the City of Alachua website under "Code of Ordinances". A printed copy is also available for your review at Alachua City Hall, 15100 N.W. 142nd Terrace, Alachua, Florida.

The Special Magistrate will receive testimony and evidence at the Hearing, and, if the Special Magistrate finds that you have committed a violation, may issue an Order of Enforcement requiring immediate compliance with the provisions of the Code. If you fail to comply with the Order of Enforcement, the Special Magistrate may issue an Order of Fine requiring you to pay a fine up to \$250.00 per day for each day the violation continues past the date set by the Special Magistrate for compliance. However, if the Special Magistrate finds the violation to be irreparable in nature, he may impose a fine not to exceed \$5,000 per violation.

If you want to request subpoenas for witnesses and evidence to be presented at the Hearing, contact the Code Enforcement Officer at (386)418-6127.

Pursuant to Section 286.0105, Florida Statutes, if any person desires to appeal any decision with respect to a matter considered at a public meeting or hearing of the Code Enforcement Special Magistrate, such person will need a record of the proceedings, and such person may need to ensure that a verbatim record for such purpose is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to Section 162.11, Florida Statutes, either the City of Alachua or a Respondent may appeal a final administrative order of the Code Enforcement Special Magistrate to the Circuit Court in Alachua County, Florida. Such an appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

In accordance with the Americans with Disabilities Act, any person with a disability requiring reasonable accommodation in order to participate in this hearing should call the City Clerk at (386)418-6100, extension 101, at least 48 hours prior to the public hearing.

PLEASE GOVERN YOURSELVES ACCORDINGLY

AFFIDAVIT OF VIOLATION

STATE OF FLORIDA
COUNTY OF ALACHUA

BEFORE ME, the undersigned authority personally appeared LINNELLE STEWART, (“Affiant”), who being duly sworn says:

1. I am currently employed, and have served as Code Enforcement Officer for the City of Alachua since March 2006.
2. I am over the age of 21, sui juris and have personal knowledge of the information set forth in this Affidavit.
3. The legal description of the subject property (Property) is WELLS ADDN PB C-79 LOT 15 & N 50 FT OF LOT 25 BK 6 ALSO LOT 16 BK 6 OR 922/464. The tax parcel ID listed in the Alachua County Property Appraiser records is 03315-000-000, and the 911 address is 15031 NW 135 Terrace, Alachua, FL, 32615.
4. A Notice of Violation was mailed to the Property via certified mail on July 1, 2022 citing violation of City of Alachua Code of Ordinances Section 8-30, International Property Maintenance Code Sections 111.1.5(5), 111.1.5(7) and 113.1 with a compliance deadline set for July 18, 2022.
5. A re-inspection was conducted on July 18, 2022 and the Property remained in violation.

FURTHER AFFIANT SAYETH NAUGHT.

Linnelle Stewart
Linnelle Stewart

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 12 day of October, 2022, by LINNELLE STEWART who executed the same and has produced a Florida driver’s license as identification or is personally known to me.

Lynnetta Hayes
Signature of Notary
Print name: Lynnetta Hayes
Notary Public, State of Florida
My Commission expires: June 5, 2024



LYNNETA HAYES
Commission # GG 955640
Expires June 5, 2024
Bonded Thru Budget Notary Services

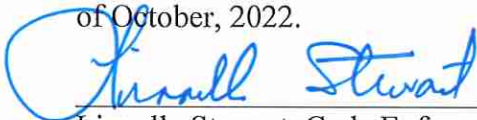
REQUEST FOR HEARING:

Pursuant to Section 9.5.2 City of Alachua Land Development Regulations, the Respondent has been provided a reasonable period of time to correct the violations set forth in the foregoing Affidavit of Violation.

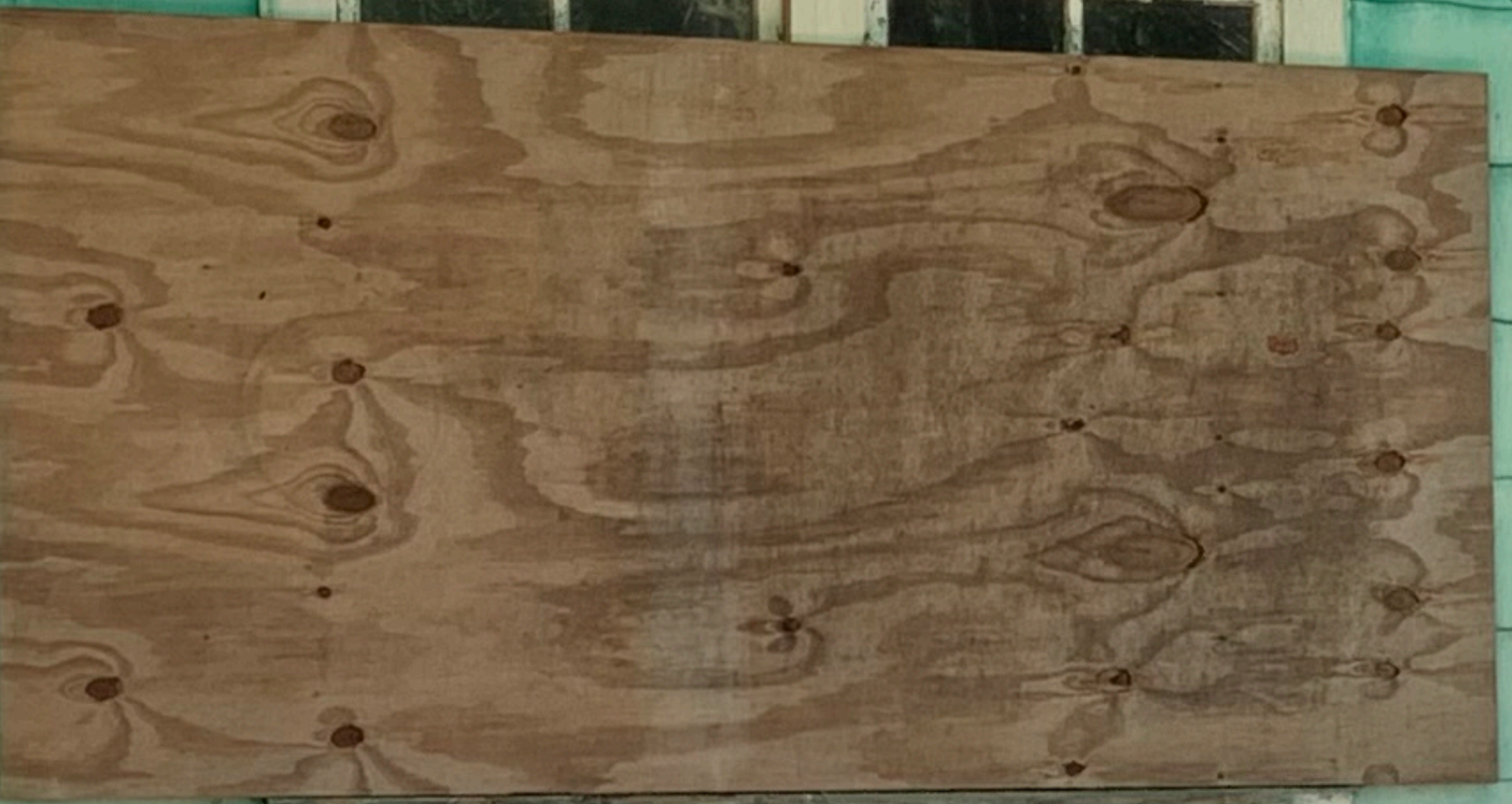
A Hearing before the Special Magistrate is hereby requested, to be held on Thursday October 27, 2022 at 10:00AM.

CERTIFICATE OF SERVICE

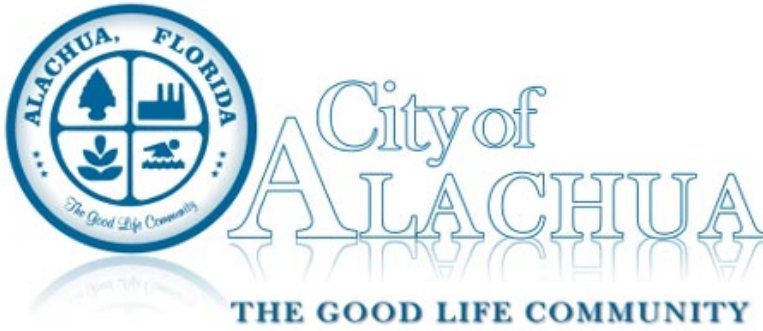
I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing and Affidavit of Violation has been furnished by certified mail return receipt requested to Florida Brown Heirs % Timothy Towns at 6550 Roosevelt Blvd., Jacksonville, Fl, 32244 this 12 day of October, 2022.



Linnelle Stewart, Code Enforcement Officer







Board/Committee Agenda Item

MEETING DATE: 10/27/2022

SUBJECT: Case # 22-0174- Beverly Ann Wurts, Parcel # 03968-013-000, Violation of one section of the Code

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Conduct Special Magistrate Hearing scheduled for 10 AM October 27, 2022

Summary

The subject property owner (Respondent) has been found to be in violation of the City of Alachua Code of Ordinances. The legal description of the subject property (Property) is ALACHUA HIGHLANDS UNIT NO 1 PB K-56 LOT 13 OR 2365/2183. The tax parcel ID listed in the Alachua County Property Appraiser records is 03968-013-000, and the Property address is 12501 NW 112 Ave., Alachua, FL, 32615.

A Request for Hearing and Affidavit of Violation was filed on October 12, 2022 by Code Enforcement Officer Linnelle Stewart setting forth relevant and adequate facts to establish the cited violation of City Code. The Request for Hearing announcing and setting a hearing to take testimony and otherwise consider the alleged violation was set for October 27, 2022 in the Alachua City Commission Chambers, 15100 NW 142 Terrace, Alachua, Florida. The Respondent was served the Notice of Hearing and Affidavit of Violation by certified mail, return receipt requested, sent to Beverly Ann Wurts at 12501 NW 112 Ave., Alachua, FL, 32615.

The Code of Ordinances of the City of Alachua, including Part II, Subpart B- Land Development Regulations, is published on the City of Alachua website under "Code of Ordinances" and a copy is available for review at City Hall. Specifically, the Respondent continues to be in violation of the following Code Section:

a. Prohibited tall grass and weeds

ATTACHMENTS:

Description

- Notice of Violation
- Request for Hearing
- Photo



City of Alachua
Office of Codes Enforcement
P.O. Box 9
Alachua, Fl, 32616
386-418-6120 ph.
386-418-6130 fax

NOTICE OF VIOLATION

CASE NUMBER: E22-0174
VIOLATOR: Beverly Ann Wurts
MAILING ADDRESS: 12501 NW 112th Ave., Alachua, Fl, 32615
LOCATION ADDRESS: 12501 NW 112th Ave., Alachua, Fl, 32615
PARCEL TAX ID NUMBER: 03968-013-000

**YOU ARE HEREBY NOTIFIED THAT YOU ARE IN VIOLATION OF THE CITY OF
ALACHUA, FLORIDA CODE OF ORDINANCES AS SET FORTH BELOW**

VIOLATION(S): PROPERTY NOT BEING MOWED AND MAINTAINED

IN VIOLATION OF: City of Alachua Code of Ordinances Section 8-30, International Property Maintenance Code Section 302.4 All premises and exterior property shall be maintained free from weeds or plant growth in excess of six inches in height. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

COMPLIANCE DEADLINE: September 12, 2022

You are hereby notified that you are currently in violation of the City of Alachua Code of Ordinances. You have until 4 PM local time on September 12, 2022 to correct the violations. If the violations are corrected and then recur or if the violations are not corrected by the time specified, this case will be presented to the City of Alachua Special Magistrate and fine and costs will be sought by the City. (F.S.S. 162.06(2) and Code of Ordinances Sec. 12-27)

The owner of property that is subject to code enforcement proceedings is charged with serious legal responsibilities in the event of a sale between the time the initial pleading is served and the time of the hearing. (F.S.S. 162.06(5) and Code of Ordinances Sec. 12-30)

If you have any questions, contact Code Enforcement at (386)418-6120. Your cooperation in this matter is sought in the interest of public safety.

Enforcement Officer's Signature

Date 08/29/2022

**HEARING BEFORE THE SPECIAL MAGISTRATE
CITY OF ALACHUA, FLORIDA**

City of Alachua,
Petitioner

vs.

Case No. E22-0174

Beverly Ann Wurts,
Respondent

**HEARING SET FOR THURSDAY OCTOBER 27, 2022 AT 10:00AM
Based Upon a
REQUEST FOR HEARING BY THE CITY OF ALACHUA
WITH A SUPPORTING AFFIDAVIT OF VIOLATIONS**

NOTICE OF HEARING

A Special Magistrate Hearing will be held on Thursday October 27, 2022 at 10:00am before City of Alachua Special Magistrate at the City of Alachua Commission Chambers, 15100 N.W. 142nd Terrace, Alachua, Florida.

If you fail to attend the scheduled Hearing, The Special Magistrate may base any findings and act solely on evidence presented by the Code Enforcement Officer, other witnesses or evidence presented. The entire Code of Ordinances of the City of Alachua (including Part II, Subpart B Land Development Regulations) is available online on the City of Alachua website under "Code of Ordinances". A printed copy is also available for your review at Alachua City Hall, 15100 N.W. 142nd Terrace, Alachua, Florida.

The Special Magistrate will receive testimony and evidence at the Hearing, and, if the Special Magistrate finds that you have committed a violation, may issue an Order of Enforcement requiring immediate compliance with the provisions of the Code. If you fail to comply with the Order of Enforcement, the Special Magistrate may issue an Order of Fine requiring you to pay a fine up to \$250.00 per day for each day the violation continues past the date set by the Special Magistrate for compliance. However, if the Special Magistrate finds the violation to be irreparable in nature, he may impose a fine not to exceed \$5,000 per violation.

If you want to request subpoenas for witnesses and evidence to be presented at the Hearing, contact the Code Enforcement Officer at (386)418-6127.

Pursuant to Section 286.0105, Florida Statutes, if any person desires to appeal any decision with respect to a matter considered at a public meeting or hearing of the Code Enforcement Special Magistrate, such person will need a record of the proceedings, and such person may need to ensure that a verbatim record for such purpose is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to Section 162.11, Florida Statutes, either the City of Alachua or a Respondent may appeal a final administrative order of the Code Enforcement Special Magistrate to the Circuit Court in Alachua County, Florida. Such an appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

In accordance with the Americans with Disabilities Act, any person with a disability requiring reasonable accommodation in order to participate in this hearing should call the City Clerk at (386)418-6100, extension 101, at least 48 hours prior to the public hearing.

PLEASE GOVERN YOURSELVES ACCORDINGLY

AFFIDAVIT OF VIOLATION

STATE OF FLORIDA
COUNTY OF ALACHUA

BEFORE ME, the undersigned authority personally appeared LINNELLE STEWART, ("Affiant"), who being duly sworn says:

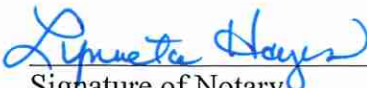
1. I am currently employed, and have served as Code Enforcement Officer for the City of Alachua since March 2006.
2. I am over the age of 21, sui juris and have personal knowledge of the information set forth in this Affidavit.
3. The legal description of the subject property (Property) is ALACHUA HIGHLANDS UNIT NO 1 PB K-56 LOT 13 OR 2365/2183. The tax parcel ID listed in the Alachua County Property Appraiser records is 03968-013-000, and the 911 address is 12501 NW 112 Ave., Alachua, Fl, 32615.
4. A Notice of Violation was mailed to the Property via certified mail on August 29, 2022 citing violation of City of Alachua Code of Ordinances Section 8-30, International Property Maintenance Code Section 302.4 with a compliance deadline set for September 12, 2022.
5. A re-inspection was conducted on September 12, 2022 and the Property remained in violation.

FURTHER AFFIANT SAYETH NAUGHT.



Linnelle Stewart

The foregoing instrument was acknowledged before me by means of physical presence or _____ online notarization, this 12 day of October, 2022, by LINNELLE STEWART who executed the same and has _____ produced a Florida driver's license as identification or is personally known to me.



Signature of Notary
Print name: Lynnetta Hayes
Notary Public, State of Florida
My Commission expires: June 5, 2024



LYNNETA HAYES
Commission # GG 955640
Expires June 5, 2024
Bonded Thru Budget Notary Services

REQUEST FOR HEARING:

Pursuant to Section 9.5.2 City of Alachua Land Development Regulations, the Respondent has been provided a reasonable period of time to correct the violations set forth in the foregoing Affidavit of Violation.

A Hearing before the Special Magistrate is hereby requested, to be held on Thursday October 27, 2022 at 10:00AM.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing and Affidavit of Violation has been furnished by certified mail return receipt requested to Beverly Ann Wurts at 12501 NW 112 Ave., Alachua, Fl, 32615 this 12 day of October, 2022.



Linnelle Stewart, Code Enforcement Officer





A City of ALACHUA

THE GOOD LIFE COMMUNITY

Special Magistrate Hearing
Sign In Sheet
October 27, 2022
10:00 a.m.

Name <i>(Please Print)</i>	Name <i>(Please Print)</i>
<i>(Please Print)</i> Joni Mackintosh	<i>(Please Print)</i>
<i>(Please Print)</i> Nancy MacIntosh	<i>(Please Print)</i>
<i>(Please Print)</i> Robert Lash	<i>(Please Print)</i>
<i>(Please Print)</i> Timothy Towns	<i>(Please Print)</i>
<i>(Please Print)</i> Jason West Polker General	<i>(Please Print)</i>
<i>(Please Print)</i> Melissa Jones	<i>(Please Print)</i>
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