



Special Magistrate Hearing Agenda

July 28, 2022

Special Magistrate Michael Durham, Esq.

City Manager Mike DaRoza

Special Magistrate Hearing At 10:00 AM

Meeting Date: July 28, 2022

Meeting Location:

Special Magistrate Hearing

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

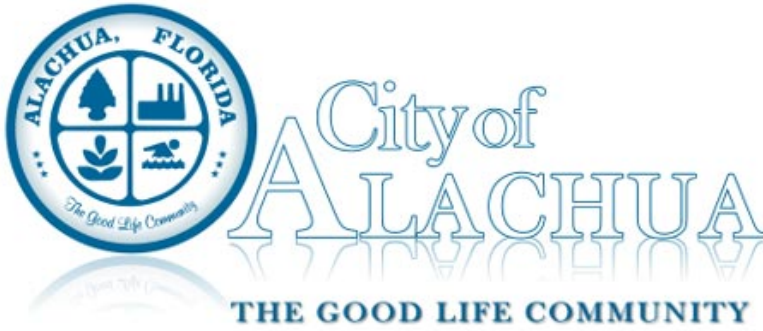
I. OLD BUSINESS

- A. Case # 20-0004- Pauline Collins Heirs, Parcel #03235-001-000, Affidavit of Non-Compliance
- B. Case # 22-0011- Troy & Michelle Jackson, Parcel # 03986-004-044, Affidavit of Non-Compliance
- C. Case # 20-0007- Norman & Mary King, Parcel #03986-004-022, Affidavit of Non-Compliance

II. NEW BUSINESS: QUASI-JUDICIAL HEARING

- D. Approval of February 24, 2022 minutes
- E. Case # 22-0084- Willie James Washington Heirs, Parcel # 03240-007-000, Violation of two sections of the Code
- F. Case # 22-0083- Eric Burger, Parcel # 03387-000-000, Violation of four sections of the Code

ADJOURN



Board/Committee Agenda Item

MEETING DATE: 7/28/2022

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

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Accept Affidavit of Non-Compliance and enter appropriate Order imposing a daily fine.

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 violation of Sections 302.1, 302.4, 304.1, and 108.1.5. The Respondent was given until March 24, 2022 to come in compliance with the code. An inspection was conducted March 29, 2022 and the Property remained in violation.

ATTACHMENTS:

Description

- ▢ Affidavit of Non-Compliance

CITY OF ALACHUA
Office of Code Enforcement

CITY OF ALACHUA, FLORIDA,
Petitioner,
VS.

Case # E20-0004

PAULINE COLLINS HEIRS,
Respondents.

**AFFIDAVIT OF NON-COMPLIANCE AND NOTICE OF HEARING
REGARDING THE IMPOSITION OF FINES AND LIENS**

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 on February 24, 2022 this case was heard by the Special Magistrate. The Respondent was not present at the hearing.
2. That the subject property (Property) is identified as tax parcel 03235-001-000, and the location address is 15617 NW 134 Terrace, Alachua, FL, 32615.
3. That the Respondent was found in violation of Sections 302.1, 302.4, 304.1, and 108.1.5, and an Order Finding Code Violations and Setting Time for Compliance was mailed to the Respondents at the address showing on the tax records.
4. That the Respondent was provided until March 24, 2022 to cure the violation of Sections 302.1, 302.4, 304.1, and 108.1.5.
5. That an inspection was conducted on March 29, 2022 and the Property remained in violation.
6. That the above facts are true and accurate to the best of my knowledge.

Linnelle Stewart
AFFIANT

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 30 day of June, 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



NOTICE

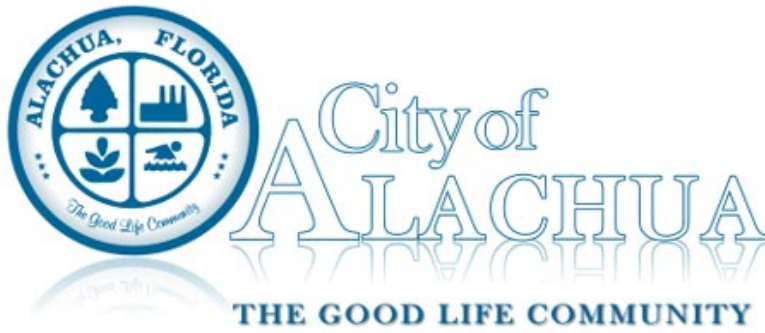
ON THURSDAY JULY 28, 2022 AT 10:00AM IN THE CITY OF ALACHUA COMMISSION CHAMBERS LOCATED AT 15100 NW 142 TERRACE, ALACHUA, FLORIDA 32615 PURSUANT TO THIS AFFIDAVIT OF NON-COMPLIANCE, THE CITY OF ALACHUA WILL SEEK AN ORDER FROM THE CODE ENFORCEMENT SPECIAL MAGISTRATE TO IMPOSE AND FINES AND LIENS.

IF THE ORDER IS GRANTED, A CERTIFIED COPY OF THE ORDER IMPOSING FINES AND LIENS MAY BE RECORDED IN THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, AND SHALL THEREAFTER CONSTITUTE A LIEN AGAINST THE ABOVE DESCRIBED PROPERTY.

IF YOU CANNOT ATTEND THE HEARING, BUT DESIRE TO BE HEARD ON THIS MATTER YOU MUST CONTACT LINNELLE STEWART DIRECTLY AT 386 418 6127 OR EMAIL AT LSTEWART@CITYOFALACHUA.COM OR U.S. MAIL A REQUEST TO P.O. BOX 9, ALACHUA, FLORIDA 32616 WITHIN TWENTY (20) DAYS OF THE MAILING OF THIS NOTICE.

I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to Pauline Collins Heirs by certified mail return receipt requested on this 30 day of June, 2022.

Linnelle Stewart
Linnelle Stewart
Code Enforcement Officer
City of Alachua



Board/Committee Agenda Item

MEETING DATE: 7/28/2022

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

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Accept Affidavit of Non-Compliance and enter an appropriate Order imposing a daily fine.

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 present and participated in 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 March 29, 2022 and the Property remained in violation.

ATTACHMENTS:

Description

- ▢ Affidavit of Non-Compliance
- ▢ old photos
- ▢ Jackson new photos

CITY OF ALACHUA
Office of Code Enforcement

CITY OF ALACHUA, FLORIDA,
Petitioner,
VS.

Case # E20-0011

TROY AND MICHELLE JACKSON,
Respondents.

**AFFIDAVIT OF NON-COMPLIANCE AND NOTICE OF HEARING
REGARDING THE IMPOSITION OF FINES AND LIENS**

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 on February 24, 2022 this case was heard by the Special Magistrate. The Respondent was present and participated in the hearing.
2. 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.
3. That the Respondent was found in violation of Sections 302.1 and 302.8, and an Order Finding Code Violations and Setting Time for Compliance was mailed to the Respondents at the address showing on the tax records.
4. That the Respondent was provided until March 24, 2022 to cure the violation of Sections 302.1 and 302.8..
5. That an inspection was conducted on March 29, 2022 and the Property remained in violation.
6. That the above facts are true and accurate to the best of my knowledge.

Linnelle Stewart
AFFIANT

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 30 day of June, 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



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

NOTICE

ON THURSDAY JULY 28, 2022 AT 10:00AM IN THE CITY OF ALACHUA COMMISSION CHAMBERS LOCATED AT 15100 NW 142 TERRACE, ALACHUA, FLORIDA 32615 PURSUANT TO THIS AFFIDAVIT OF NON-COMPLIANCE, THE CITY OF ALACHUA WILL SEEK AN ORDER FROM THE CODE ENFORCEMENT SPECIAL MAGISTRATE TO IMPOSE AND FINES AND LIENS.

IF THE ORDER IS GRANTED, A CERTIFIED COPY OF THE ORDER IMPOSING FINES AND LIENS MAY BE RECORDED IN THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, AND SHALL THEREAFTER CONSTITUTE A LIEN AGAINST THE ABOVE DESCRIBED PROPERTY.

IF YOU CANNOT ATTEND THE HEARING, BUT DESIRE TO BE HEARD ON THIS MATTER YOU MUST CONTACT LINNELLE STEWART DIRECTLY AT 386 418 6127 OR EMAIL AT LSTEWART@CITYOFALACHUA.COM OR U.S. MAIL A REQUEST TO P.O. BOX 9, ALACHUA, FLORIDA 32616 WITHIN TWENTY (20) DAYS OF THE MAILING OF THIS NOTICE.

I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to Troy & Michelle Jackson by certified mail return receipt requested on this 30 day of June, 2022.

Linnelle Stewart
Linnelle Stewart
Code Enforcement Officer
City of Alachua















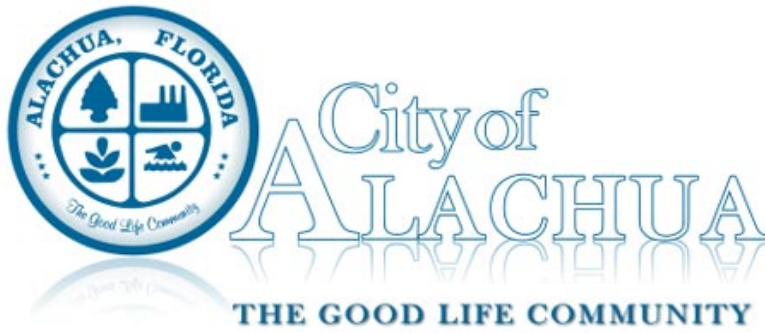








wilderness
BY FLEETWOOD



Board/Committee Agenda Item

MEETING DATE: 7/28/2022

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

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Accept Affidavit of Non-Compliance and enter an appropriate Order imposing a daily fine.

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 present and participated in the hearing.

The Respondent was found in repeat violation of Section 302.1. The Respondent was provided until March 24, 2022 to come in compliance with the code. An inspection was conducted on March 29, 2022 and the Property remained in violation.

ATTACHMENTS:

Description

- ▢ Affidavit of Non-Compliance

CITY OF ALACHUA
Office of Code Enforcement

CITY OF ALACHUA, FLORIDA,
Petitioner,
VS.

Case # E20-0007

NORMAN & MARY KING,
Respondents.

**AFFIDAVIT OF NON-COMPLIANCE AND NOTICE OF HEARING
REGARDING THE IMPOSITION OF FINES AND LIENS**

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 on February 24, 2022 this case was heard by the Special Magistrate. The Respondent was present and participated in the hearing.
2. That the subject property (Property) is identified as tax parcel 03986-004-022, and the location address is 12216 NW 193 Terrace, Alachua, FL, 32615.
3. That the Respondent was found in violation of Section 302.1, and an Order Finding Code Violations and Setting Time for Compliance was mailed to the Respondents at the address showing on the tax records.
4. That the Respondent was provided until March 24, 2022 to cure the violation of Section 302.1.
5. That an inspection was conducted on March 29, 2022 and the Property remained in violation.
6. That the above facts are true and accurate to the best of my knowledge.

Linnelle Stewart
AFFIANT

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 30 day of June, 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



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

NOTICE

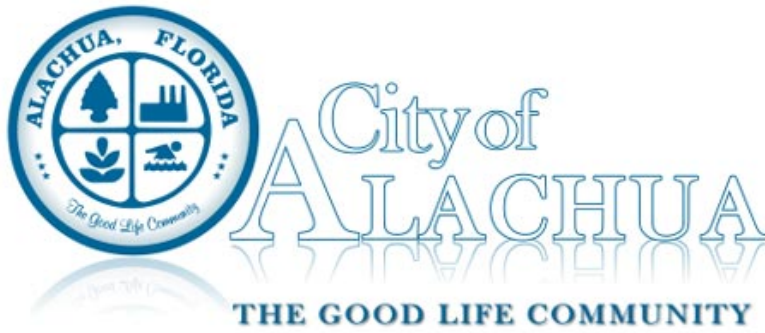
ON THURSDAY JULY 28, 2022 AT 10:00AM IN THE CITY OF ALACHUA COMMISSION CHAMBERS LOCATED AT 15100 NW 142 TERRACE, ALACHUA, FLORIDA 32615 PURSUANT TO THIS AFFIDAVIT OF NON-COMPLIANCE, THE CITY OF ALACHUA WILL SEEK AN ORDER FROM THE CODE ENFORCEMENT SPECIAL MAGISTRATE TO IMPOSE AND FINES AND LIENS.

IF THE ORDER IS GRANTED, A CERTIFIED COPY OF THE ORDER IMPOSING FINES AND LIENS MAY BE RECORDED IN THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, AND SHALL THEREAFTER CONSTITUTE A LIEN AGAINST THE ABOVE DESCRIBED PROPERTY.

IF YOU CANNOT ATTEND THE HEARING, BUT DESIRE TO BE HEARD ON THIS MATTER YOU MUST CONTACT LINNELLE STEWART DIRECTLY AT 386 418 6127 OR EMAIL AT LSTEWART@CITYOFALACHUA.COM OR U.S. MAIL A REQUEST TO P.O. BOX 9, ALACHUA, FLORIDA 32616 WITHIN TWENTY (20) DAYS OF THE MAILING OF THIS NOTICE.

I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to Norman & Mary King by certified mail return receipt requested on this 30 day of June, 2022.

Linnelle Stewart
Linnelle Stewart
Code Enforcement Officer
City of Alachua



Board/Committee Agenda Item

MEETING DATE: 7/28/2022

SUBJECT: Approval of February 24, 2022 minutes

PREPARED BY: Linnelle Stewart

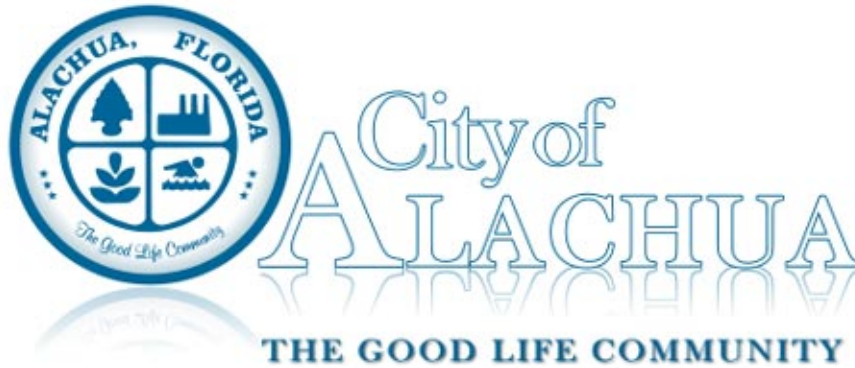
RECOMMENDED ACTION:

Approve minutes from February 24, 2022 Special Magistrate Hearing

ATTACHMENTS:

Description

- ☐ February 24, 2022 minutes



**Special Magistrate Hearing
Minutes
February 24, 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: February 24, 2022

Meeting Location:

CITIZENS PRESENT: Norman King, Jr., Lucas Puts, John Putz, Troy Jackson. STAFF ATTENDING:
Diane Amendola, Officer Phillips, Linnell Stewart, LeAnne Williams, Kathy Winburn.

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

Special Magistrate Durham asked if there were 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 # 21-0197- Granite Hill Holdings LLC, Parcel # 03427-000-000, Affidavit of Compliance

Property is now compliant.

- B. Case # 21-0191- Leland Andrew Hill, Parcel # 03980-010-036, Affidavit of Compliance

Property is now compliant.

- C. Case # 21-0178- Emma Tolbert, Parcel # 03131-070-000, Affidavit of Compliance

Property is now compliant.

- D. Case # 21-0180- Russell Trading Company Inc., Parcel # 03615-001-000, Satisfaction of Order

Property is now compliant.

- E. Case # 21-0085- Willette Dixon, Parcel # 03309-002-003, Affidavit of Compliance

Property is now compliant.

II. NEW BUSINESS

- F. Approval of December 2, 2021 minutes

Minutes approved by consent.

- G. Case # 22-0007- Norman & Mary King, Parcel #03986-004-022, Violation of one section 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.

Norman King, Jr. came forward.

Code Enforcement Officer Stewart stated the property has been in non-compliance since April, 2020, and has been accruing a \$25 per day fine since then. She stated this is repeat

code violation on the property.

Mr. King stated he had a no-contact order and could not go back to his property to bring it into compliance. He stated the debris is from his son, who has moved back to the property. He stated his son and wife are working on cleaning up the property. Special Magistrate Durham asked if Ms. King knows about the order.

Mr. King stated he does.

Special Magistrate Durham asked how long Mr. King's family needed to clean up the property.

Mr. King stated two to three weeks.

Special Magistrate Durham asked if Mr. King knew that there was a lien on his property.

Mr. King stated no.

Code Enforcement Officer Stewart stated the non-compliance order was issued on April 8, 2020. She said that Mr. King's son was the source of the debris, and he was getting it cleaned up.

Special Magistrate Durham asked if fines were accruing.

Code Enforcement Officer Stewart stated they were.

Special Magistrate Durham stated this means the lien on the property is now in excess of \$15,000. He told Mr. King to get with Code Enforcement to discuss reducing the fine. He stated the property must first be in compliance, and this matter will then need to go before the City Commission.

Special Magistrate Durham found a violation of the Code Section 302.1, based upon the evidence submitted. He stated the property must come into compliance by March 24, 2022. He stated should Mr. King not come into compliance with the Code, a \$50.00 per day fine may be assessed against the property.

He asked Mr. King where he would like his mail sent.

Mr. King replied to his regular address.

- H. Case # 22-0004, Pauline Collins Heirs, Parcel # 03235-001-000, 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.

No one came forward.

Special Magistrate Durham asked when the photos were taken.

Code Enforcement Officer Stewart stated they were taken January 20, 2022, and the property was unchanged at inspection.

Special Magistrate Durham found a violation of the Code Section 302.1, 302.4, 304.1, and 108.5(5), based upon the evidence submitted. He stated the property must come into compliance by March 24, 2022. He stated should the property be found in non-compliance with the Code, a \$100.00 per day fine may be assessed against the property.

I. Case # 22-0011- Troy & Michelle Jackson, Parcel # 03986-004-044, Violation of two sections of the Code

Code Enforcement Officer Stewart presented the case to Special Magistrate Durham. She stated this property came before Special Magistrate Durham on March 3, 2020, for the same violation.

Troy Jackson came forward to represent himself.

Special Magistrate Durham asked how he received notice of this hearing.

Mr. Jackson stated through his wife.

Special Magistrate Durham asked if he wished to make a statement.

Mr. Jackson said that this is private property, and he has a right to pursue his happiness.

Special Magistrate Durham told him that a fine has been accruing since 2020 and is now in excess of \$14,000. He stated if he wants the City Commission to look favorably on him and reduce this fine, he will need to comply with the Code. He asked Mr. Jackson how long he needed to bring the property into compliance.

Mr. Jackson made remarks about the vehicles.

Discussion ensued about how to bring the property into compliance.

Special Magistrate Durham asked if everything could be accomplished by March 24, 2022.

Mr. Jackson stated it was not feasible.

Special Magistrate Durham reminded Mr. Jackson that every day that passes a \$25 fine is being added to the lien on his property. He strongly advised Mr. Jackson to bring the property into compliance by March 24, 2022.

Special Magistrate Durham found a violation of the Code Section 302.1 and 302.8, based upon the evidence submitted. He stated the property must come into compliance by March 24, 2022. He stated should Mr. Jackson not come into compliance with the Code, a \$50.00 per day fine may be assessed against the property. He stated that if Mr. Jackson could show that substantial compliance had been made, an extension may be granted.

ADJOURN

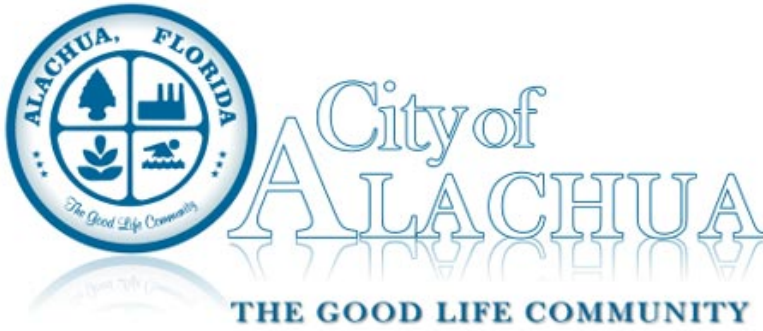
Special Magistrate Durham adjourned the meeting.

ATTEST:

SPECIAL MAGISTRATE HEARING OF THE
CITY OF ALACHUA, FLORIDA

Special Magistrate

Code Enforcement Officer



Board/Committee Agenda Item

MEETING DATE: 7/28/2022

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

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Conduct Special Magistrate Hearing scheduled for 10 AM July 28, 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 COLLEGE HEIGHTS PB B-87 LOT 7 BK H OR 2273/0708. The tax parcel ID listed in the Alachua County Property Appraiser records is 03240-007-000, and the Property address is 13502 NW 155 Pl, Alachua, FL, 32615.

A Request for Hearing and Affidavit of Violations was filed on June 30, 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 July 28, 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 Willie James Washington Heirs at 8905 Beacon Hill Ave., Mount Dora, FL, 32757.

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 neglected, dilapidated, unsecured and abandoned building
-

ATTACHMENTS:

Description

- Notice of Violation
- Photos
- 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: E22-0084
VIOLATOR: Willie James Washington Heirs
MAILING ADDRESS: 8905 Beacon Hill Ave., Mount Dora, Fl, 32757
LOCATION ADDRESS: 13502 NW 155TH PL,
PARCEL TAX ID NUMBER: 03240-007-000

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

VIOLATION(S): LOT NOT BEING MOWED AND MAINTAINED. HOUSE IS ABANDONED AND NOT SECURE- ATTRACTIVE NUISANCE.

IN VIOLATION OF: City of Alachua Code of Ordinances 8-30, International Property Maintenance Code 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 and shrubs provided; however, this term shall not include cultivated flowers and gardens. Section 108.1.5(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 an unlawful act.

COMPLIANCE DEADLINE: 05/23/2022

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 05/23/2022 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 05/09/2022







PRIVATE
PROPERTY
NO TRESPASSING

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

City of Alachua,
Petitioner

vs.

Case No. E22-0084

Willie James Washington Heirs,
Respondent

**HEARING SET FOR THURSDAY JULY 28, 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 July 28, 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:

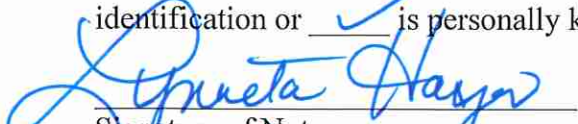
1. I am currently employed, and have served as Code Enforcement Officer for the City of Alachua since March 2006.
2. I am over the age of 21, sui juris and have personal knowledge of the information set forth in this Affidavit.
3. The legal description of the subject property (Property) is COLLEGE HEIGHTS PB B-87 LOT 7 BK H OR 2273/0708. The tax parcel ID listed in the Alachua County Property Appraiser records is 03240-007-000, and the 911 address is 13502 NW 155 Pl., Alachua, FL, 32615.
4. A Notice of Violation was mailed to the Property via certified mail on May 9, 2022 citing violation of City of Alachua Code of Ordinances Section 8-30, International Property Maintenance Code Sections 302.4, and 108.1.5(7), with a compliance deadline set for May 23, 2022.
5. A re-inspection was performed on May 23, 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 30 day of June, 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

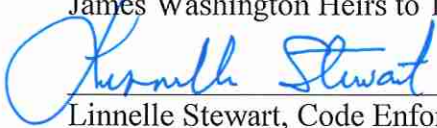
REQUEST FOR HEARING:

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.

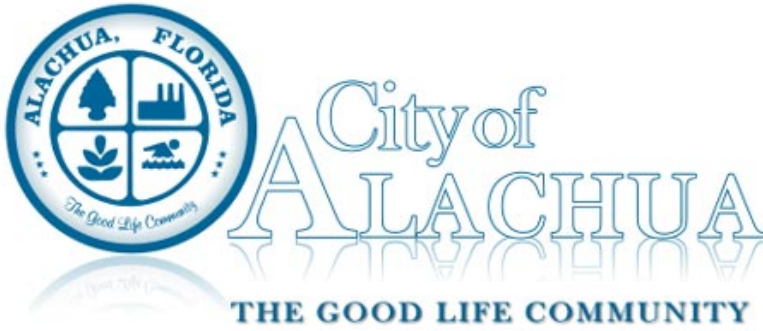
A Hearing before the Special Magistrate is hereby requested, to be held on July 28, 2022 at 10:00AM.

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 Willie James Washington Heirs to 13502 NW 155 Pl., Alachua, FL, 32616 this 30 day of June, 2022.



Linnelle Stewart, Code Enforcement Officer



Board/Committee Agenda Item

MEETING DATE: 7/28/2022

SUBJECT: Case # 22-0083- Eric Burger, Parcel # 03387-000-000, Violation of four sections of the Code

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Conduct Special Magistrate Hearing scheduled for 10 AM July 28, 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 CLARKS 1ST ADD PB A-108 LOTS 3 4 5 BK 31 OR 1740/1051. The tax parcel ID listed in the Alachua County Property Appraiser records is 03387-000-000, and the Property address is 13917 NW 146 Ave., Alachua, FL, 32615.

A Request for Hearing and Affidavit of Violations was filed on June 30, 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 July 28, 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 Eric Burger at 13917 NW 146 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 Sections:

- a. Prohibited inoperable vehicle
 - b. Failure to maintain property in a clean, safe, and sanitary condition
 - c. Prohibited tall grass and weeds
 - d. Prohibited automotive repair
-

ATTACHMENTS:

Description

- Notice of Violation
- Photos
- 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: E22-0083

VIOLATOR: Eric Burger

MAILING ADDRESS: 13917 NW 146th Ave., Alachua, Fl, 32615

LOCATION ADDRESS: 13917 NW 146th Ave., Alachua, Fl, 32615

PARCEL TAX ID NUMBER: 03387-000-000

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

VIOLATION(S): WHITE CAR WITH NOT TAG AFFIXED. LOT NOT BEING MOWED AND MAINTAINED IN A CLEAN AND SANITARY CONDITION. AUTO REPAIR SHOP IN RESIDENTIAL AREA.

IN VIOLATION OF: City of Alachua Code of Ordinances Section 8-30, International Property Maintenance Code 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. Painting of vehicles is prohibited unless conducted inside an approved spray booth. Section 302.1, Exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property that such occupant occupies or controls in a clean and sanitary condition. 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 and shrubs provided; however, this term shall not include cultivated flowers and gardens.

City of Alachua Code of Ordinances Subpart B, Land Development Regulations Section 4.4.3(B)(1) Automotive repair, including engine, body, or other repair or repainting of more than one vehicle at any one time; as well as automotive repair of any vehicle not owned by a person residing at that address, regardless of whether compensation was paid for the service.

COMPLIANCE DEADLINE: 05/17/2022

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 05/17/2022 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 05/04/2022



BWARE
DOG



PRIVATE PROPERTY

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

City of Alachua,
Petitioner

vs.

Case No. E22-0083

Eric Burger,
Respondent

_____ /

**HEARING SET FOR THURSDAY JULY 28, 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 July 28, 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

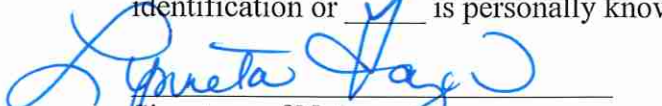
BEFORE ME, the undersigned authority personally appeared LINNELLE STEWART, ("Affiant"), who being duly sworn says:

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 CLARKS 1ST ADD PB A-108 LOTS 3 4 5 BK 31 OR 1740/1051. The tax parcel ID listed in the Alachua County Property Appraiser records is 03387-000-000, and the 911 address is 13917 NW 146 Ave., Alachua, FL, 32615.
4. A Notice of Violation was mailed to the Property via certified mail on May 4, 2022 citing violation of City of Alachua Code of Ordinances Section 8-30, International Property Maintenance Code Sections 302.8, 302.1, and 302.4 and Land Development Regulations Section 4.4.3(B)(1), with a compliance deadline set for May 17, 2022.
5. A re-inspection was performed on May 20, 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 30 day of June, 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



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

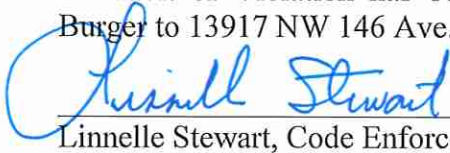
REQUEST FOR HEARING:

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CERTIFICATE OF SERVICE

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Linnelle Stewart, Code Enforcement Officer



City of ALACHUA

THE GOOD LIFE COMMUNITY

Special Magistrate Hearing
Sign In Sheet
July 28, 2022
10:00 a.m.

Name (Please Print)	Name (Please Print)
(Please Print) Joan Stewart	(Please Print)
(Please Print) Carol Burger Carolyn Burger	(Please Print)
(Please Print) Lynn Hayes	(Please Print)
(Please Print)	(Please Print)
(Please Print)	(Please Print)
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