



A City of ALACHUA

THE GOOD LIFE COMMUNITY

Special Magistrate Hearing Minutes March 3, 2020

Special Magistrate Richard Joyce

City Manager Adam Boukari

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

Meeting Date: March 3, 2020

Meeting Location: James A. Lewis Commission Chambers, City Hall

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

APPROVAL OF MINUTES

I. OLD BUSINESS

II. NEW BUSINESS

Assistant Deputy City Clerk LeAnne Williams swore in all participating members.

- A. Case # 20-0005- Troy Lee & Michelle Lynn Jackson, Parcel # 03986-004-044, Violation of two sections of the Code

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

Special Magistrate Durham asked for the City's recommendation.

Code Enforcement Officer Stewart stated the property was still in violation, but time could be given for the Jackson's to come into compliance.

Special Magistrate Durham asked about a daily fine.

Code Enforcement Officer Stewart stated the City would find Special Magistrate Durham's judgment to be sufficient.

Special Magistrate Durham called forward Troy Jackson.

Mr. Jackson presented his defense.

Special Magistrate Durham identified vehicles which needed to be removed by the end of the day. He informed Mr. Jackson that a fence doesn't stop a violation.

Mr. Jackson asked for clarification regarding what can and cannot remain on his property.

Special Magistrate Durham stated Code Enforcement Officer Stewart could get with him at the podium to determine those item in question.

Special Magistrate Durham asked Mr. Jackson how long he would need to store or remove 90% of the items on his property as seen in the photo presented as evidence.

Mr. Jackson stated 60 days, May 4, 2020.

It was so agreed.

Special Magistrate Durham enter an order finding them in violation.

- B. Case # 19-0408- Henrietta Walker Heirs, Parcel # 03234-005-001, Violation of two sections of the Code

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

Special Magistrate Durham asked for the City's recommendation.

Code Enforcement Officer Stewart stated due to the condition of the fire damaged home, a contractor would need to be hired to determine if it can be restored or if demolition of the home is in order.

Special Magistrate Durham called forward representatives for Henrietta Walker Heirs.

Howard Rosenblatt, legal representative for Ms. Heirs, who explained this home, which belonged to Ms. Heir's deceased sister, is underwater through a Reverse Mortgage at \$247,500.00, which is

valued at \$41,000.00 by the tax assessor. Mr. Rosenblatt stated they have offered several solutions: a deed-in-lieu has been offered and the insurance proceeds in exchange for the property. He stated a foreclosure has been started. He suggested that Housing and Urban Development was the actual owner of the property; however, there has been no response to their correspondence. He stated he was given three options: the deed-in-lieu, abandon the property, or pay off the loan. They declined the deed-in-lieu due to the taxes being in arrears. He stated the option his client prefers would be for HUD to take the insurance proceeds, give her the deed, and let her fix or remove the house. He stated, "We are the Heirs because it was Homestead property, and there was no will, but we have no control over the property, and we can't use the check as it was co-made written to HUD."

Special Magistrate Durham asked if the City had any of the documents identified.

Mr. Rosenblatt stated he didn't know.

Special Magistrate Durham stated he could find a violation of the code, but he suggested Code Enforcement Officer Stewart and Mr. Rosenblatt and Ms. Heirs have a conversation regarding their situation. He asked Mr. Rosenblatt to give the City the documents within 15 days.

He enter an order finding them in violation.

- C. Case # 20-0003- 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 called forward Norman King and asked him to confirm the photographic evidence of the condition of the property.

Having acknowledged the accuracy of the photos, Special Magistrate Durham asked how much time Mr. King needed to remove or store the rest of the items on the property.

Mr. King stated 30 days.

He enter an order finding them in violation.

- D. Case # 19-0401- Bholia & Mohabir, Parcel # 03441-011-000, Violation of three sections of the Code

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

Building Official Keith Bennett gave details concerning the violations and safety concerns.

Having been sworn in, Sharma Mohabir confirmed the condition of the photographic evidence presented.

Special Magistrate Durham asked for the City's recommendations.

Code Enforcement Officer Stewart stated the exterior property has largely been brought into compliance, with some yard debris to be cleared up, and that this portion of the violation could be in compliance sooner than the building portion of the violation. She recommended Building Official Bennett address this portion of the violation.

Ms. Mohabir stated she wants to come into compliance as soon as possible; however, if she can't keep the porch roof on the home, she would like to try to salvage the material, as she has put a lot of money into this project. She stated she has tried to hire a contractor, but hasn't had much luck.

Building Official Bennett made recommendations for compliance.

He enter an order finding them in violation.

ADJOURN

ATTEST:

PLANNING AND ZONING BOARD OF THE
CITY OF ALACHUA, FLORIDA



Presiding Officer



Staff Liaison