



City of ALACHUA

THE GOOD LIFE COMMUNITY

Special Magistrate Hearing Minutes February 25, 2021

Special Magistrate Michael Durham, Esq.

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: February 25, 2021

Meeting Location: James A. Lewis Commission, City Hall

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

Special Magistrate Durham asked for changes to the agenda.

Code Enforcement Officer Linnelle Stewart stated there were no changes.

Special Magistrate Durham stated the agenda was adopted.

APPROVAL OF MINUTES

I. OLD BUSINESS

- A. Case # 20-0065- Dorothy Miller Life Estate, Parcel # 03316-003-000, Affidavit of Compliance
Code Enforcement Officer Stewart stated the property is now compliant and no fines were assessed.
- B. Case # 20-0061- Cecil Scott Jackson, Parcel # 03316-007-000, Affidavit of Compliance
Code Enforcement Officer Stewart stated the property is now compliant and no fines were assessed.
- C. Case # 20-0055- David Sesco, Parcel # 03548-000-000, Affidavit of Compliance
Code Enforcement Officer Stewart stated the property is now compliant and no fines were assessed.

II. NEW BUSINESS

- D. Approval of October 29, 2020 Minutes
Special Magistrate Durham stated the minutes was adopted.
- E. Case # 20-0088- Marian Baker, Parcel # 03986-004-016, Violation of three sections of the Code.
Code Enforcement Officer Stewart presented the case to Special Magistrate Durham. She stated, after inspecting the property yesterday, the property remains largely in the same condition.

Anthony Shladon, son of Marian Baker, discussed the situation and condition of the property with Special Magistrate Durham.

Special Magistrate Durham asked how long Mr. Shladon needed to get the property compliant.

Mr. Shladon stated two weeks.

Special Magistrate Durham asked Code Enforcement Officer Stewart if she had any objections.

Code Enforcement Officer Stewart had no objections.

Special Magistrate Durham found a violation of the Code Section 302.1, 302.8 and 4.4.3 (A)(1), based upon the evidence submitted. He stated the property must come into compliance by March 11, 2021. He stated should Ms. Baker not come into compliance with the Code, a \$100.00 per day fine may be assessed against the property.

Special Magistrate Durham asked when the order would be ready for Mr. Shladon.

Code Enforcement Officer Stewart stated by the end of the day.
- F. Case # 20-0084- Fuesha Ramsey, Parcel # 03986-004-010, Violation of three sections of the Code.
Code Enforcement Officer Stewart presented the case to Special Magistrate Durham.

Fuesha Ramsey discussed the situation and condition of the property. She stated she didn't know what to do to comply.

Code Enforcement Officer Stewart stated she would visit the property to go through it with her. She stated appliances needed to be removed and vehicles needed to be registered and in operable condition.

Ms. Ramsey showed pictures to Special Magistrate Durham and Code Enforcement Officer Stewart which had been taken before the hearing.

Ms. Ramsey asked how to register an off road vehicle.

Inaudible discussion.

Special Magistrate Durham found a violation of the Code, Section 302.8 and 32-1, based upon the evidence submitted. He stated the property must come into compliance by March 11, 2021. He stated should the property be found not in compliance with the Code, a \$50.00 per day fine may be assessed against the property.

Special Magistrate Durham asked Code Enforcement Officer Stewart to conduct a reinspection of the camper to insure that it is currently operable.

- G. Case # 20-0078- Porter Jr. & Reatha Peterson, Parcel # 03934-001-013, Violation of one section of the Code.

Code Enforcement Officer Stewart presented the case to Special Magistrate Durham. She stated she had no communication from the owner.

Special Magistrate Durham asked if a certified letter had been sent.

Code Enforcement Officer Stewart stated a certified Notice of Violation had been signed on November 4, 2020. She stated the property remained in the same condition on February 20, 2021.

Special Magistrate Durham asked Code Enforcement Officer Stewart to submit the certified letter receipt into the record.

Special Magistrate Durham found a violation of the Code, Section 302.8, based upon the evidence submitted. He stated the property must come into compliance by March 11, 2021. He stated should the property be found not in compliance with the Code, a \$100.00 per day fine may be assessed against the property.

- H. Case # 20-0074- Aaron Messmer Trustee, Parcel # 03774-000-000, Violation of one section of the Code.

Code Enforcement Officer Stewart presented the case to Special Magistrate Durham. She stated she had no communication from the owner. She stated there is tall grass growing and the taxes have been unpaid for the 2020 tax year.

Daniel Cain asked for the location of the property.

Discussion ensued concerning the location.

Special Magistrate Durham found a violation of the Code, Section 302.4, based upon the evidence submitted. He stated the property must come into compliance by March 11, 2021. He stated should the property be found not in compliance with the Code, a \$100.00 per day fine may be assessed against the property.

Special Magistrate Durham asked if there were any procedures to abate nuisances or any other means to bring the property into compliance.

Code Enforcement Officer Stewart agreed to explore this option.

I. E20-0080- DR Cain, Parcel # 03713-001-000, Violation of two sections of the Code.

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

Daniel Cain stated that one shed remains on the property, and was unclear as to why it must be removed as it has been there for 15 years.

Special Magistrate Durham stated that it may not have been discovered until other violations brought his property to the attention of the City, but that doesn't mean that it was not always in violation.

Special Magistrate Durham asked how long Mr. Cain needed to get with the Planning Department to see if he could obtain a permit for the shed or to remove the shed.

Mr. Cain stated he needed two weeks or three weeks.

Special Magistrate Durham found a violation of the Code, Section 302.8 and 9.3.2 (A), based upon the evidence submitted. He stated the property must come into compliance by March 11, 2021. He stated should the property be found not in compliance with the Code, a \$25.00 per day fine may be assessed against the property.

J. Case # 20-0082- Joe Ann Holder, Parcel # 03788-004-001, Violation of two sections of the Code.

Code Enforcement Officer Stewart presented the case to Special Magistrate Durham. She stated she spoke with the owner, who requested three weeks to removed the remaining camper.

Judy Saxon, neighbor to the property, spoke of the condition of the property and stated the owners have had sufficient time to come into compliance, and three weeks is excessive.

Special Magistrate Durham asked Code Enforcement Officer Stewart what needed to be done to remove the camper.

Code Enforcement Officer Stewart stated the camper needed to get registered.

Special Magistrate Durham found a violation of the Code, Section 302.1 and 4.4.4 (I)(a), based upon the evidence submitted. He stated the property must come into compliance by March 11, 2021. He stated should the property be found not in compliance with the Code, a \$50.00 per day fine may be assessed against the property.

K. Case # 21-0006- Eric Burger, Parcel #03387-000-000, Repeat violation of one section of the Code

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

Eric Burger stated the car was removed from the property the day prior to this hearing.

Code Enforcement Officer Stewart stated she drove by and saw the car there in the afternoon. She stated she took pictures of a red Mustang, which is new to the property.

Special Magistrate Durham explained to Mr. Burger that he is now a repeat offender on this code violation and what that means to him. He asked Code Enforcement Officer Stewart when was the first day of the citation.

Code Enforcement Officer Stewart stated February 9, 2021.

Special Magistrate Durham found a violation of the Code, Section 302.8, based upon the evidence submitted. He stated as this is a repeat violation of the code, a fine would be assessed at \$200.00 per day starting from the first day of the violation, February 9, 2021, and ending February 24, 2021, upon the completion of a drive-by inspection, confirming the removal of the vehicle. Should the vehicle remain, the fines will continue until the vehicle was removed.

ADJOURN

Special Magistrate Durham adjourned the meeting.

ATTEST:

SPECIAL MAGISTRATE HEARING OF THE
CITY OF ALACHUA, FLORIDA



Special Magistrate



Code Enforcement Officer