



Special Magistrate Hearing Agenda

February 24, 2022

Special Magistrate Michael Durham, Esq.

City Manager Mike DaRoza

Special Magistrate Hearing At 10:00 AM

Meeting Date: February 24, 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 # 21-0197- Granite Hill Holdings LLC, Parcel # 03427-000-000, Affidavit of Compliance
- B. Case # 21-0191- Leland Andrew Hill, Parcel # 03980-010-036, Affidavit of Compliance
- C. Case # 21-0178- Emma Tolbert, Parcel # 03131-070-000, Affidavit of Compliance
- D. Case # 21-0180- Russell Trading Company Inc., Parcel # 03615-001-000, Satisfaction of Order

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

II. NEW BUSINESS: QUASI-JUDICIAL HEARING

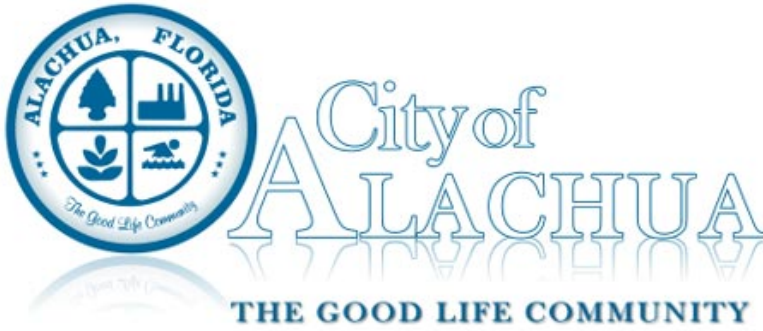
F. Approval of December 2, 2021 minutes

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

H. Case # 22-0004, Pauline Collins Heirs, Parcel # 03235-001-000, Violation of four sections of the Code

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

ADJOURN



Board/Committee Agenda Item

MEETING DATE: 2/24/2022

SUBJECT: Case # 21-0197- Granite Hill Holdings LLC, Parcel # 03427-000-000, Affidavit of Compliance

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:
Accept Affidavit of Compliance.

Summary

This case was heard by the Special Magistrate on December 2, 2021. Testimony was given by Code Enforcement Officer Linnelle Stewart. The Respondent was present and participated in the Hearing.

The Respondent was found in violation of Sections 302.1, 302.4, and 302.8. The Respondent was given until January 19, 2022 to come in compliance with the code. An inspection was conducted January 19, 2022 and the Property was in compliance.

ATTACHMENTS:

Description

- ▢ Affidavit of Compliance

CITY OF ALACHUA
Office of Code Enforcement

CITY OF ALACHUA, FLORIDA,
Petitioner,

Case # E21-0197

VS.

GRANITE HILL HOLDINGS LLC,
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 a Notice of Violation was issued on October 27, 2021 with a compliance deadline of November 10, 2021.
2. That the subject property (Property) is identified as tax parcel 03427-000-000, and the location address is 13918 NW 142 Ave., Alachua, Fl, 32615.
3. That a Hearing before the Special Magistrate was scheduled on December 2, 2021, and the Respondent was present and participated in the Hearing.
4. That the Respondent was found in violation of Sections 302.1, 302.4 and 302.8, and an Order Finding Code Violations and Setting Time for Compliance was mailed to the Respondent.
5. That the Respondent was provided until January 19, 2022 to comply with the Code.
6. That an inspection was conducted on January 19, 2022 and the Property was in compliance.
7. That the above facts are true and accurate to the best of my knowledge.

Dated this 31 day of January, 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 January, 2022 by LINNELLE STEWART who executed the same and has _____ produced a Florida driver's license as identification or is personally known to me.

Kenyata Curtis
Signature of Notary

Print name: Kenyata Curtis
Notary Public, State of Florida
My commission expires: 9/18/2025

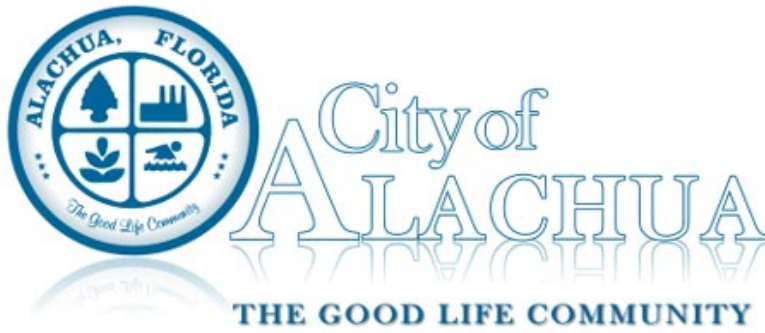


KENYATA CURTIS
Commission # HH 131166
Expires September 18, 2025
Bonded Thru Budget Notary Services

I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to Granite Hill Holdings LLC by certified mail return receipt requested on this 31 day of January, 2022.

Linnelle Stewart

Linnelle Stewart
Code Enforcement Officer
City of Alachua



Board/Committee Agenda Item

MEETING DATE: 2/24/2022

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

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:
Accept Affidavit of Compliance

Summary

This case was heard by the Special Magistrate on December 2, 2021. Testimony was given by Code Enforcement Officer Linnelle Stewart. The Respondent was present and participated in the Hearing.

The Respondent was found in violation of Section 6.2.1(E). The Respondent was given until December 23, 2021 to come in compliance with the code. An inspection was conducted on December 16, 2021 and the Property was in compliance.

ATTACHMENTS:

Description

- ☐ Affidavit of Compliance

The foregoing instrument was acknowledged before me by means of physical presence or _____ online notarization, this 20th day of December, 2021 by LINNELLE STEWART who executed the same and has _____ produced a Florida driver's license as identification or is personally known to me.

Lynneta Hayes
Signature of Notary

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

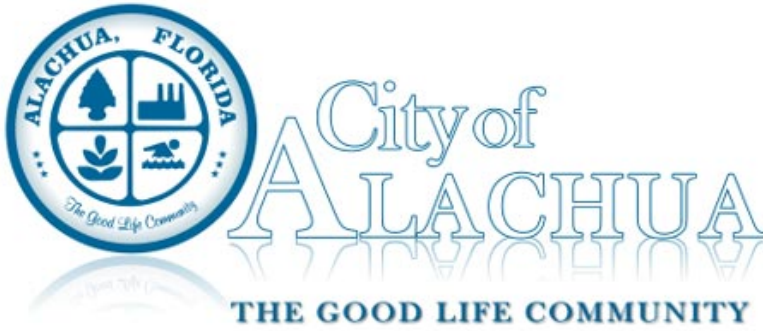


LYNNETA HAYES
Commission # GG 855640
Expires June 5, 2024
Bonded Thru Budget Notary Services

I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to Leland Andrew Hill Ramsey by certified mail return receipt requested on this 20 day of December, 2021.

Linnelle Stewart

Linnelle Stewart
Code Enforcement Officer
City of Alachua



Board/Committee Agenda Item

MEETING DATE: 2/24/2022

SUBJECT: Case # 21-0178- Emma Tolbert, Parcel # 03131-070-000, Affidavit of Compliance

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Accept Affidavit of Compliance

Summary

This case was heard by the Special Magistrate on September 23, 2021. Testimony was given by Code Enforcement Officer Linnelle Stewart.

The Respondent was found in violation of Sections 108.1(7) and 110.1 of the code. The Respondent was provided until December 23, 2021 to come in full compliance with the code. An inspection was conducted on January 5, 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 # E21-0178

EMMA TOLBERT,
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 a Notice of Violation was issued on August 25, 2021 with a compliance deadline of September 8, 2021.
2. That the subject property (Property) is identified as tax parcel 03131-070-000, and the location address is 13811 NW 158 Pl., Alachua, Fl, 32615.
3. That a Hearing before the Special Magistrate was scheduled on September 23, 2021. The Respondent was not present at the Hearing.
4. That the Respondent was found in violation of Sections 108.1(7) and 110.1, and an Order Finding Code Violations and Setting Time for Compliance was mailed to the Respondent.
5. That the Respondent was provided until December 23, 2021 to come in full compliance with the code.
6. That an inspection was conducted on January 5, 2022 and the Property was in compliance.
7. That the above facts are true and accurate to the best of my knowledge.

Dated this 1 day of February, 2022

STATE OF FLORIDA

COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 1 day of February, 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

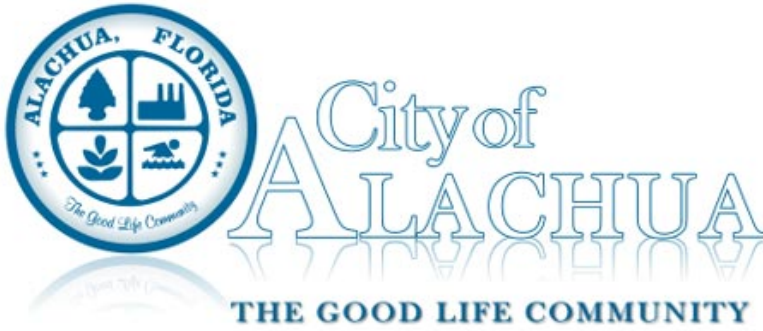


LYNNETA HAYES
Commission # GG 955640
Expires June 5, 2024
Bonded Thru Budget Notary Services

I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to Emma Tolbert by certified mail return receipt requested on this 1 day of February, 2022.

Linnelle Stewart

Linnelle Stewart
Code Enforcement Officer
City of Alachua



Board/Committee Agenda Item

MEETING DATE: 2/24/2022

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

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Accept Satisfaction of Order Finding Code Violations and Acknowledgement of Compliance.

Summary

This case was heard by the Special Magistrate on December 2, 2021. Testimony was given by Code Enforcement Officer Linnelle Stewart. The Respondent was present and participated in the hearing.

The Respondent was found in violation of Sections 9.3.2(G) and 9.3.2(H) of the City of Alachua Code of Ordinances. The Respondent was ordered to pay a fine of \$250 for Section 9.3.2(G) and a fine of \$5,000 for Section 9.3.2(H) by December 6, 2021.

The Respondent complied with the Order by submitting payment on December 6, 2021.

ATTACHMENTS:

Description

- ☐ Satisfaction of Order Finding Code Violation

**BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ALACHUA, FLORIDA**

CITY OF ALACHUA,
Petitioner,

Case No.: E21-0180

vs

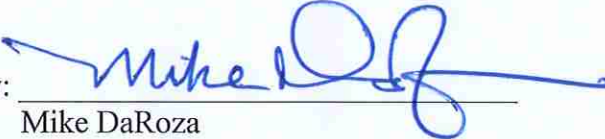
RUSSELL TRADING COMPANY INC.
Respondents,

_____ /

**SATISFACTION OF ORDER FINDING CODE VIOLATIONS
AND ACKNOWLEDGEMENT OF COMPLIANCE**

The City of Alachua, a Florida municipality is the owner and holder of the ORDER FINDING CODE VIOLATIONS AND SETTING TIME FOR COMPLIANCE rendered in the action entitled City of Alachua v. Russell Trading Company Inc. by the City of Alachua Special Magistrate and further acknowledges that the ORDER FINDING CODE VIOLATIONS AND SETTING TIME FOR COMPLIANCE was timely and fully paid in the amount of five thousand two hundred and fifty dollars (\$5,250.00) on December 6, 2021.

By: _____


Mike DaRoza
City Manager, City of Alachua, Florida

STATE OF FLORIDA
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me by means of physical presence or _____ online notarization, this 14th day of December, 2021, by MIKE DAROZA 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

CITY OF ALACHUA

Receipt: 202692

12/06/2021 10:50 AM

P. O. BOX 9
ALACHUA, FL 32616-0009

Cashier: cr_walker
Received Of: RUSSELL TRADING COMPANY, INC.

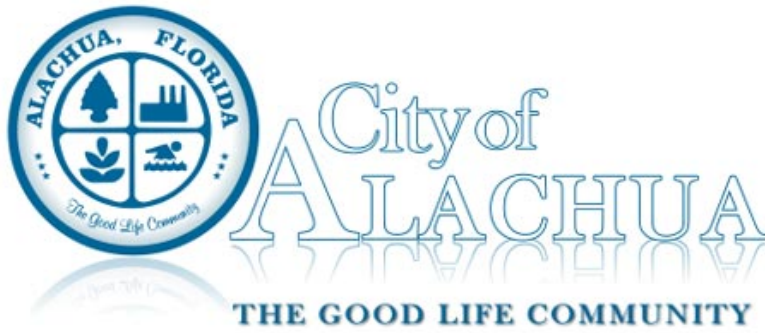
(386) 418-6110
UTILITIES@CITYOFALACHUA.ORG
WWW.CITYOFALACHUA.COM

210 N.W. 1ST AVENUE
HIGH SPRINGS FL 32643

The sum of: 5,250.00

| | | | | |
|----|-----------|--------------|-------|----------|
| MR | 000000739 | | | 5,250.00 |
| | | Balance Due: | 0.00 | |
| | | | Total | 5,250.00 |

TENDERED: CHECKS 1087 5,250.00



Board/Committee Agenda Item

MEETING DATE: 2/24/2022

SUBJECT: Case # 21-0085- Willette Dixon, Parcel # 03309-002-003, Affidavit of Compliance

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:
Accept Affidavit of Compliance

Summary

This case was heard by the Special Magistrate on September 23, 2021. Testimony was given by Code Enforcement Officer Linnelle Stewart. The Respondent was present and participated in the hearing.

The Respondent was found in violation of Sections 9.3.2(A), 9.3.2(C), and 4.4.3(A)(1) and was provided until October 21, 2021 to come in compliance with the code.

An Affidavit of Non-Compliance was presented at the December 2, 2021 Special Magistrate Hearing. The Respondent was present and participated in the hearing.

The Respondent requested additional time to achieve compliance, and an Amended Order Finding Code Violations and Extending Time for Compliance was issued. The Respondent was given until January 19, 2022 to come in full compliance with the Code.

An inspection was conducted on January 19, 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 # E21-0085

WILLETTE DIXON,
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 a Notice of Violation was issued on July 29, 2021 with a compliance deadline of August 12, 2021.
2. That the subject property (Property) is identified as tax parcel 03309-002-003, and the location address is 13511 NW 151 Pl., Alachua, FL, 32615.
3. That a Hearing before the Special Magistrate was scheduled on September 23, 2021, and the Respondent was present and participated in the Hearing.
4. That the Respondent was found in violation of Sections 9.3.2(A), 9.3.2(C), and 4.4.3(A)(1), and an Order Finding Code Violations and Setting Time for Compliance was mailed to the Respondent.
5. That the Respondent was provided until October 21, 2021 to comply with the Code.
6. That an inspection was conducted on October 25, 2021 and the Property was in partial compliance.
7. That an Affidavit of Non-Compliance was presented at the Special Magistrate Hearing held on December 2, 2021. The Respondent was present and participated in the Hearing.
8. The Respondent requested additional time to come in compliance. The Respondent was given until January 19, 2022 to come in compliance, and an Amended Order Finding Code Violations and Extending Time for Compliance was mailed to the Respondent.
9. That an inspection was conducted on January 19, 2022 and the Property was in compliance with Sections 9.3.2(C) and 4.4.3(A)(1).

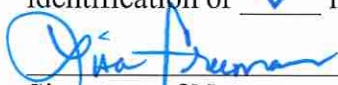
10. During the pendency of this matter, the recently appointed Building Official for the City of Alachua opined that local governments are not authorized to regulate repairs on manufactured homes. Therefore, the requirement to secure permits for the installation of windows moot and therefore compliance with Section 9.3.2(A) is not required.
11. All matters under this case are resolved and the Property is in compliance and furthermore the above facts are true and accurate to the best of my knowledge.

Dated this 16th day of February, 2022

STATE OF FLORIDA

COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me by means of physical presence or _____ online notarization, this 16th day of February, 2022 by LINNELLE STEWART who executed the same and has _____ produced a Florida driver's license as identification or is personally known to me.



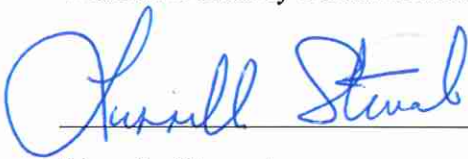
Signature of Notary

Print name: Lisa Freeman
Notary Public, State of Florida
My commission expires: June 10, 2022

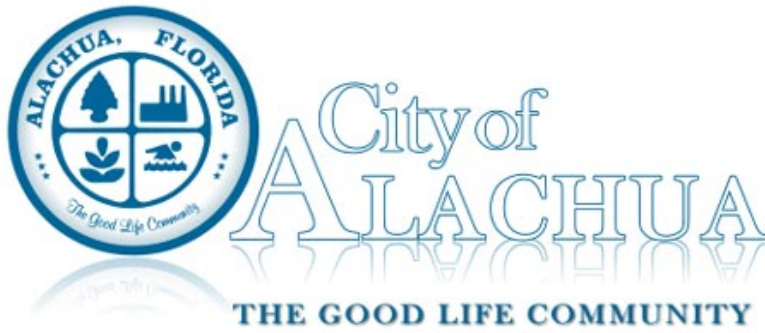


LISA FREEMAN
Commission # GG 220951
Expires June 10, 2022
Bonded Thru Budget Notary Services

I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to Willette Dixon by certified mail return receipt requested on this 16th day of February, 2022.



Linnelle Stewart
Code Enforcement Officer
City of Alachua



Board/Committee Agenda Item

MEETING DATE: 2/24/2022

SUBJECT: Approval of December 2, 2021 minutes

PREPARED BY: Linnelle Stewart

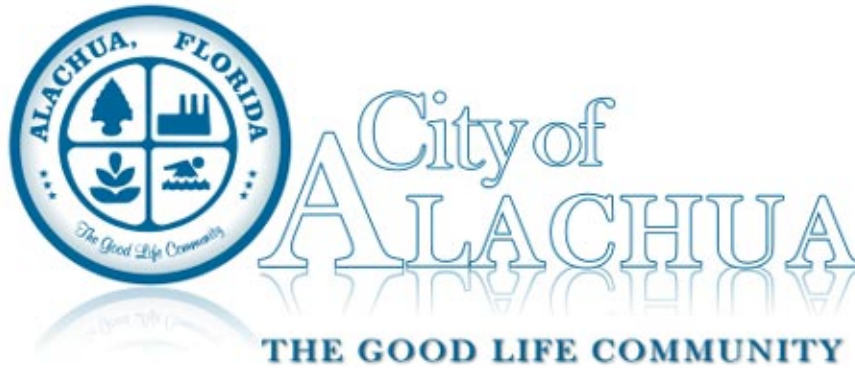
RECOMMENDED ACTION:

Approve minutes from December 2, 2021 Special Magistrate Hearing

ATTACHMENTS:

Description

- Special Magistrate minutes 12/2/2021



**Special Magistrate Hearing
Minutes
December 2, 2021**

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: December 2, 2021

Meeting Location: James A Lewis Commission Chambers

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

Code Enforcement Officer Linnelle Stewart stated Item E., Case #21-0193 - Huntley Jiffy Liquidation Trust, had come into compliance and could be removed from the agenda.

Special Magistrate Durham approved the agenda as amended.

APPROVAL OF MINUTES

I. OLD BUSINESS

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

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

Special Magistrate Durham asked what was still in violation.

Code Enforcement Officer Stewart stated it still needed new windows and the RV has not been vacated.

Special Magistrate Durham asked what the fines should be.

Code Enforcement Officer Stewart stated \$150 per day, starting from October 21, 2021.

Special Magistrate Durham called Willette Dixon forward.

Ms. Dixon stated all the work was done, but she needed a final inspection. She stated the person living in the RV has been gone for a few weeks, but the RV is still there.

Special Magistrate Durham asked Ms. Dixon if she needed more time.

Ms. Dixon stated she needed a few more weeks to get everything done.

Special Magistrate Durham asked if she could get everything done by January 5, 2021.

Ms. Dixon stated she needed to the middle of January.

Special Magistrate Durham asked if she will get the RV out.

Ms. Dixon said that she would.

Special Magistrate Durham asked Code Enforcement Officer Stewart if this was acceptable.

Code Enforcement Officer Stewart stated she had no objections.

Special Magistrate Durham made a finding that Ms. Dixon was in substantial compliance as of December 2, 2021, and amended the order to bring the property into full compliance by January 19, 2022, 12:00, P.M. Should the property be found not in compliance, a fine will be assessed of \$150.00 per day.

- B. Case # 21-0173- Willie J. Walls, Parcel # 03131-082-000, Affidavit of Non-Compliance

Code Enforcement Officer Stewart presented the case to Special Magistrate Durham. She stated she had no communication from the owner, and no effort has been made to correct the problems. She stated both certified notices were signed and returned to Code Enforcement, and written on the notice is, "COVID-19". She stated \$150.00 per day fine can be assessed.

Special Magistrate Durham asked Code Enforcement Officer Stewart to state the violation.

Code Enforcement Officer Stewart stated listed the violations as unsafe structure, overgrown grass, property not maintained, an inoperable vehicle.

Special Magistrate Durham confirmed the registered green cards were coming back indicating COVID-19 on the signature block.

Code Enforcement Officer Stewart confirmed this.

Special Magistrate Durham stated we have an understanding that the United States Postal Service, in some jurisdictions through the pandemic, is indicating COVID-19 on the cards, and that has been found to be proper service. We will continue to follow up on that.

Special Magistrate Durham made a finding that the respondents have been served, they are not in compliance, and they will be assessed \$150.00 per day fine. He requested that Code Enforcement review this matter in 11 months to see if further action is needed, where it needs to be processed under nuisance abatement and the lien assessed at that time.

Special Magistrate Durham stated the City could do this sooner than 11 months should the need become demanding.

Special Magistrate Durham asked that a call be made for Willie Walls in City Hall.

Officer Smith called for Mr. Walls, but Mr. Walls was not found.

II. NEW BUSINESS

C. Approval of September 23, 2021 minutes

Minutes approved by consent.

D. Case # 21-0180- Russell Trading Company Inc., Parcel # 03615-001-000, Violation of two sections of the Code

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

Special Magistrate Durham asked if the removal of the trees was the irreparable harm referred to in the case.

Code Enforcement Officer Stewart said yes.

Special Magistrate Durham and Code Enforcement Officer Stewart discussed the tree removal and clearing of the land.

Special Magistrate Durham asked Mr. Russell to come forward.

Mr. Massia Ahmed came forward. He explained that that wanted to expand their business by building another building. He stated he contacted a tree removal company, who told him they would obtain the permits for the work.

Special Magistrate Durham expressed concern that Mr. Ahmed didn't represent the company as he was not on the company documents.

Mr. Ahmed stated his son, Mr. Russell, was the owner of the company, but he, Mr. Ahmed, has authority to represent his son.

Special Magistrate Durham asked Mr. Ahmed to look at the pictures to confirm they are the property in questions and can be added to the record.

Mr. Ahmed stated he had no objection to the pictures being added to the record.

Special Magistrate Durham asked if Mr. Ahmed recognized a letter for a pre-application conference, signed by himself, to be added to the record.

Mr. Ahmed stated he had no objection.

Special Magistrate Durham stated the letter and the pictures were now part of the record as evidence.

Mr. Ahmed stated he would accept any ruling against him.

Special Magistrate Durham asked if Mr. Ahmed had the receipt from the tree company.

Mr. Ahmed handed the receipt to Special Magistrate Durham.

Deputy City Clerk LeAnne Williams made copies for Special Magistrate Durham, Code Enforcement Office Stewart, and for the record.

Special Magistrate Durham noted the receipt stated, “will remove all the trees and roots, will bring in fill, and will make the ground level”.

Mr. Ahmed claimed to be naïve in the matter and made a mistake.

Code Enforcement Office Stewart stated she was unaware that fill had been brought in, and staff might want to respond to this.

Principal Planner Justin Tabor stated fill would be considered in the site plan approval, which has not taken place.

Special Magistrate Durham asked Principal Planner Tabor if, by the photographs, he could identify more than one canopy tree.

Principal Planner Tabor stated without stumps, there is limited evidence to evaluate. He stated there were trees on the nuisance list, which are not regulated regardless of size, and this makes it difficult to determine what trees in the photos are regulated and which ones are not.

Special Magistrate Durham stated, based on the evidence, there is at least one.

Principal Planner Tabor stated yes.

Special Magistrate Durham asked if Mr. Ahmed would be working with his department in the future to obtain the site plan.

Principal Planner Tabor stated yes.

Special Magistrate Durham asked Code Enforcement Office Stewart if she had any questions.

Code Enforcement Officer Stewart stated no.

Special Magistrate Durham made a finding of violation of the City Code 9.3.2(G) failure to obtain a permit resulting in a \$250 fine. The After-the Fact permits must be obtained. As to 9.3.2(H) removal and irreparable harm of a tree, a \$5000 fine. This fine shall be paid by Monday, December 6, 2021, 12:00 p.m. A site plan must be in place before any other land disturbing activities may commence.

- E. Case # 21-0193- Huntley Jiffy Liquidation Trust, Parcel # 03346-000-000, Violation of two sections of the Code

Item removed from the agenda, as the owner has brought the property into full compliance.

- F. Case # 21-0197- Granite Hill Holdings LLC, Parcel # 03427-000-000, Violation of three sections of the Code

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

She stated significant effort to come into compliance has been made.

Special Magistrate Durham asked what remained in violation.

Code Enforcement Officer Stewart stated mowing and the debris on the premises.

Special Magistrate Durham asked for the respondent to come forward.

Mr. Serene Syer came forward and stated the main issue is time, as he works with his tenants to bring the property into compliance. He stated he is working with a landscaper to mow the property as the debris is removed.

Special Magistrate Durham asked what remains in violation.

Mr. Syer shared photos from his cell phone.

Special Magistrate Durham stated chairs, coolers, and other debris needs to be removed.

Code Enforcement Officer Stewart stated the yard had been raked, but the debris needed to be removed.

Special Magistrate Durham asked how much time Mr. Syer needed.

Mr. Syer stated a few weeks.

Special Magistrate Durham made a finding of violation of 302.1, 302.4, and 302.8 of the City of Alachua Code. The property is to be in full compliance by January 19, 2022, 12:00 p.m. Should the property be found in non-compliance, a fine of \$100.00 per day may be assessed against the property.

- G. Case # 21-0191- Leland Andrew Hill, Parcel # 03980-010-036, Violation of one section of the Code

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

Special Magistrate Durham called forward Leland Hill.

Mr. Hill came forward.

Special Magistrate Durham asked when Mr. Hill received the notice.

Code Enforcement Officer Stewart stated November 4, 2021.

Special Magistrate Durham asked Mr. Hill if he had a statement.

Mr. Hill stated there was a tenant in the house until October, at which time he received the notice. He stated there was a fallen tree next to the tree in the picture, and he understood the notice to refer to the fallen tree, which he then had removed, as there were no pictures of the correct tree with the violation notice. He stated he has contacted a tree company, and they can remove the tree in four weeks.

Special Magistrate Durham asked if he had seen the photographs in the packet and if he had an objection to entering them into the record.

Mr. Hill stated he had no objections.

Special Magistrate Durham asked Code Enforcement Officer if the City could remove the tree any sooner than 30 days.

Code Enforcement Officer Stewart stated it was unlikely.

Special Magistrate Durham made a finding of violation of 6.2.1(E) of the City of Alachua Code. The tree shall be removed by December 23, 2012, 12:00 p.m. Should the property be found in non-compliance, a fine of \$200.00 per day may be assessed against the property, and the City shall be authorized to remove the tree at the owners expense.

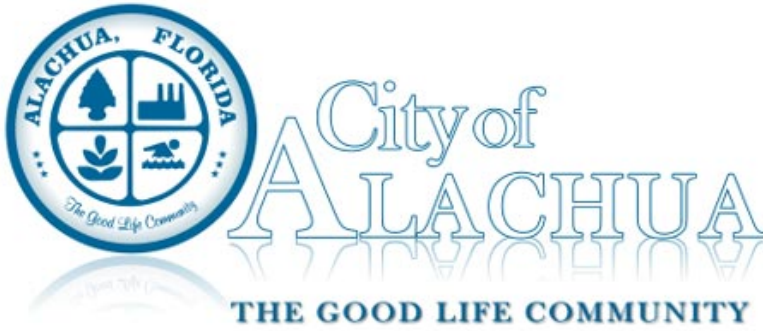
ADJOURN

ATTEST:

SPECIAL MAGISTRATE HEARING OF THE
CITY OF ALACHUA, FLORIDA

Special Magistrate

Code Enforcement Officer



Board/Committee Agenda Item

MEETING DATE: 2/24/2022

SUBJECT: Case # 22-0007- Norman & Mary King, Parcel #03986-004-022, Violation of one section of the Code

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Conduct Special Magistrate Hearing scheduled for 10 AM February 24, 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 QUAIL ROOST UNIT 2 PB N-22 LOT 22 LESS ELY 30 FT FOR R/W PER OR 2046/1249) OR 3246/0066 & OR 3330/0149. The tax parcel ID listed in the Alachua County Property Appraiser records is 03986-004-022, and the Property address is 12216 NW 193 Terrace, Alachua, FL, 32615.

A Request for Hearing and Affidavit of Violations was filed on February 8, 2022 by Code Enforcement Officer Linnelle Stewart setting forth relevant and adequate facts to establish the cited violation of the City Code. The Request for Hearing announcing and setting a hearing to take testimony and otherwise consider the alleged violation was set for February 24, 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 Norman & Mary King at 12216 NW 193 Terrace, 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 storage of junk and debris
-

ATTACHMENTS:

Description

- Request for Hearing Repeat Violation
- Photos
- Order March 3, 2020 Magistrate Hearing
- Affidavit of Non-Compliance
- Photos

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

City of Alachua,
Petitioner

vs.

Case No. E22-0007

Norman & Mary King,
Respondents

**HEARING SET FOR THURSDAY FEBRUARY 24, 2022 AT 10:00AM
Based Upon a
REQUEST FOR HEARING BY THE CITY OF ALACHUA
WITH A SUPPORTING AFFIDAVIT OF VIOLATIONS**

**REPEAT VIOLATION
NOTICE OF HEARING**

A Special Magistrate Hearing will be held on Thursday February 24, 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 \$500.00 per day for each day the repeat 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 REPEAT 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 QUAIL ROOST UNIT 2 PB N-22 LOT 22 LESS ELY 30 FT FOR R/W PER OR 2046/1249) OR 3246/0066 & OR 3330/0149. The tax parcel ID listed in the Alachua County Property Appraiser records is 03986-004-022, and the 911 address is 12216 NW 193 Terrace, Alachua, FL, 32615.
4. On March 3, 2020, at a hearing before the Special Magistrate for the City of Alachua, the Respondent was found to be in violation of Section 302.1 of the International Property Maintenance Code. Specifically, junk and debris storage on the Property. See attached Order March 3, 2020.

5. The Respondent made significant efforts to clean up the Property, but did not cure the violation of Section 302.1. See attached Affidavit of Non-Compliance.
6. On February 2, 2022, I conducted an inspection regarding the Property and witnessed a large amount of junk and debris storage on the Property in violation of International Property Maintenance Code Section 302.1.
7. The Respondent has committed a repeat violation of the City of Alachua International Property Maintenance Code Section 302.1.

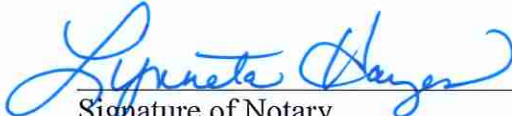
FURTHER AFFIANT SAYETH NAUGHT.



Linnelle Stewart

STATE OF FLORIDA
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me by means of physical presence or _____ online notarization, this 8th day of February, 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

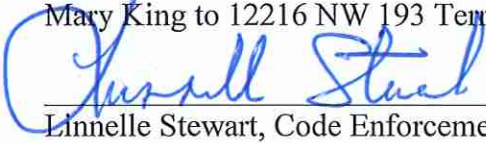
REQUEST FOR HEARING FOR REPEAT VIOLATION

Pursuant to Section 162.06(3), Florida Statutes, if a repeat violation is found the code inspector shall notify the violator but is not required to give the violator a reasonable time to correct the violation.

A Hearing before the Special Magistrate is hereby requested, to be held on February 22, 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 Norman & Mary King to 12216 NW 193 Terrace, Alachua, FL, 32615 this 8 day of February 2022.

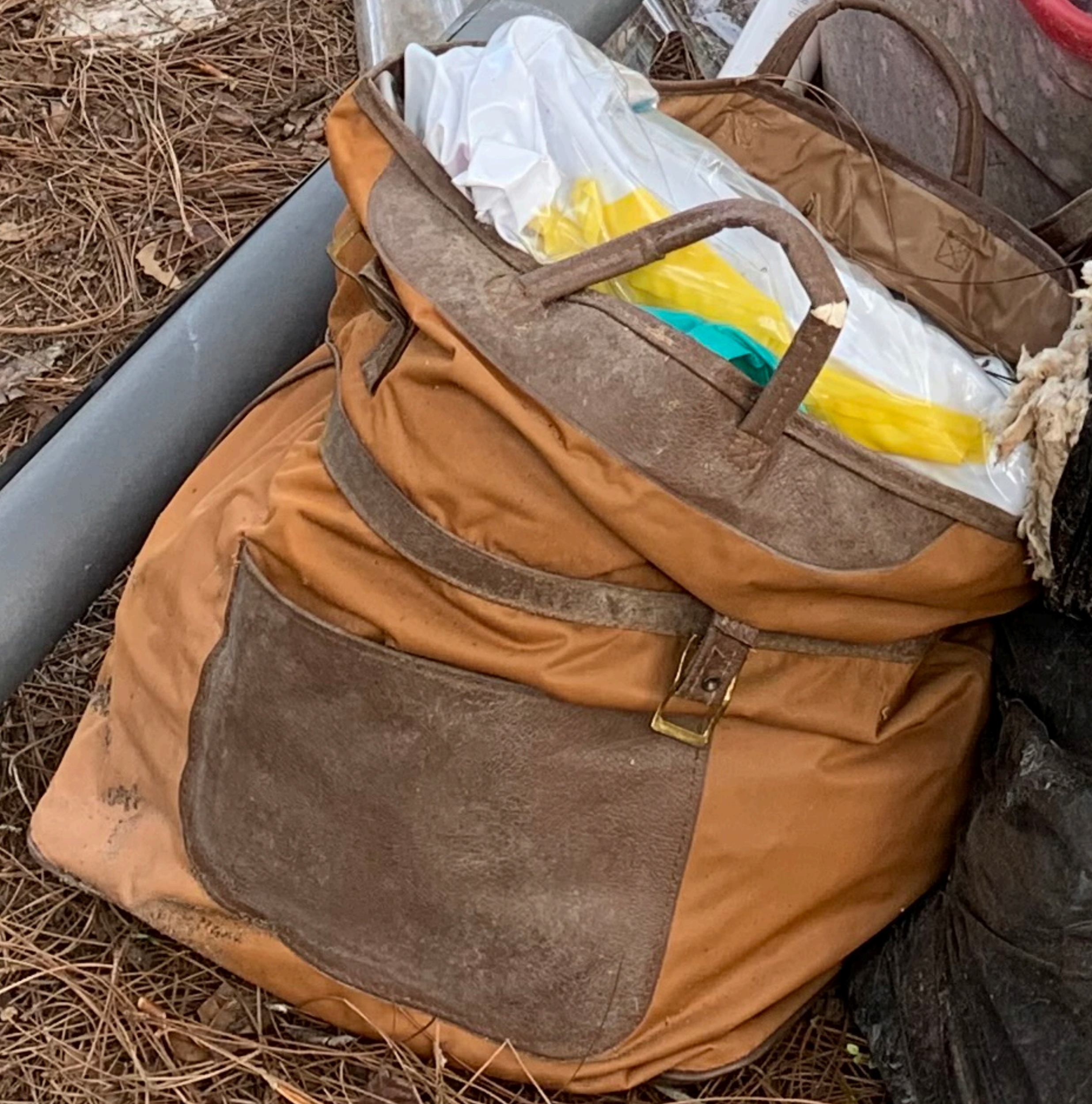


Linnelle Stewart, Code Enforcement Officer

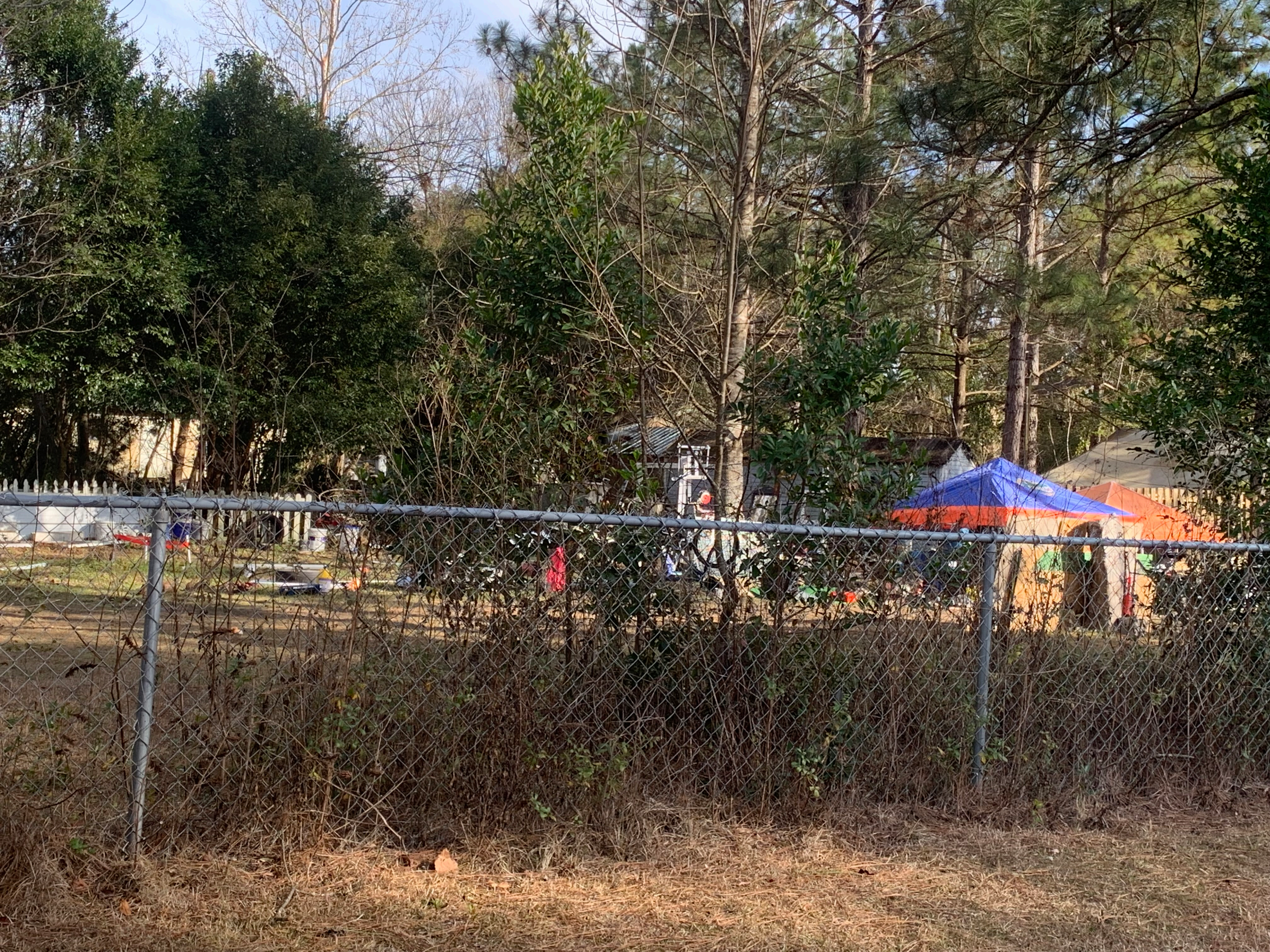












**BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ALACHUA, FLORIDA**

CITY OF ALACHUA,
Petitioner,

Case No.: E20-0003

v.

NORMAN & MARY KING,
Respondents.

_____ /

**ORDER FINDING CODE VIOLATIONS
AND
SETTING TIME FOR COMPLIANCE**

This case was heard by the City of Alachua Code Enforcement Special Magistrate, at a quasi-judicial hearing held on March 3, 2020. The Special Magistrate, having heard testimony given under oath and receiving other evidence presented by the Code Enforcement Officer of the City of Alachua ("City"), the Respondent and other witnesses enters the following Order:

FINDINGS of Fact

and

CONCLUSIONS of Law:


1. The legal description of the subject property (Property) is QUAIL ROOST UNIT 2 PB N-22 LOT 22 LESS ELY 30 FT FOR R/W PER OR 2046/1249 OR 3246/0066 & OR 3330/0149. The tax parcel ID listed in the Alachua County Property Appraiser records is 03986-004-022, and the 911 address is 12216 NW 193rd Terr., Alachua, FL, 32615.
2. Respondents/Owners, Norman & Mary King were properly served with Notice of these proceedings by serving a Notice of Hearing and Affidavit of Violation via certified mail return receipt requested to Norman & Mary King 12216 NW 193rd Terr., Alachua, FL, 32615.
3. The City provided testimony of Code Enforcement Officer Linnelle Stewart (Code Officer) and offered other evidence.
4. Respondent Norman King was present at the hearing and testified under oath and otherwise took part in the Hearing.
5. A Notice of Violation was mailed to the Owners: Norman & Mary King 12216 NW 193rd Terr., Alachua, FL, 32615 via certified mail on January 16, 2020 with a compliance deadline of January 30, 2020 notifying the owners that the property was in violation of:
 - a. City of Alachua Code of Ordinances 8-30 International Property Maintenance Code 302.1, Prohibited junk and debris storage.

6. On February 4, 2020, the Code Officer re-inspected the subject property and determined the violations continued as provided under the Notice of Violation dated January 16, 2020.
7. A Request for Hearing and Affidavit of Violations was filed on February 10, 2020 by Code Officer setting forth relevant and adequate facts to establish the cited violation of the City Code did exist.
8. The Respondent/Owner Norman King received Notice of this Hearing.

Based upon the record, the evidence submitted, and testimony during the Hearing and being otherwise fully advised in the premises it is determined and ordered that:

- A. The Respondents were and remain in violation of Section 302.1 of the City of Alachua Code of Ordinances, and continues to be in violation.
- B. The Respondents shall be in substantial compliance with the City Code of Ordinances by March 23, 2020 by demonstrating that they are diligently and actively removing items from the subject property in order to meet the April 6, 2020 compliance date as provided herein. The Code Officer may conduct an inspection of the property accordingly.
- C. The Respondents shall fully come into compliance with the City Code of Ordinances and correct the violations by April 6, 2020.
- D. NOTICE: If the Respondents are **not** in full compliance with the City Code of Ordinances as provided herein by April 6, 2020, a twenty-five (\$25.00) day fine may be assessed against the property as provided by law upon such finding by the Code Enforcement Magistrate where the Respondents would have an opportunity to appear at said hearing.

DONE AND ORDERED at Alachua, Florida this 3 day of March, 2020.

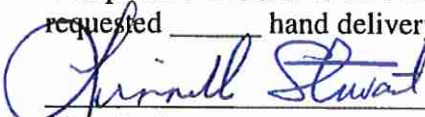


 Michael D. Durham,
 Special Magistrate

Please direct all inquiries concerning fines and appeals to Linnelle Stewart, Code Enforcement Officer, City of Alachua, 15100 NW 142 Terrace, Alachua, FL, 32615; telephone no. (386)418-6127.

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Order with Findings of Code Violations and Setting Time for Compliance was served on Norman & Mary King by certified mail return receipt requested hand delivery to this SJK day of MARCH, 2020.



 Linnelle Stewart
 Code Enforcement Officer
 City of Alachua

CITY OF ALACHUA
Office of Code Enforcement

CITY OF ALACHUA, FLORIDA,
Petitioner,
VS.

Case # E20-0003

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 March 3, 2020 this case was heard by the Special Magistrate and the Respondent attended and participated in the hearing.
2. That the subject property (Property) is identified as tax parcel 03986-004-022, and the 911 address is 12216 NW 193 Terr., 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 respondent at the address showing on the tax records as advised by the Respondent.
4. That the Respondent was provided until April 6, 2020 to cure the violation of Section 302.1 and bring the property into compliance with Code of Ordinances.
5. That an inspection was conducted on April 8, 2020 and the Property was not in compliance with Section 302.1 and the Magistrates Order.
6. That the above facts are true and accurate to the best of my knowledge.

Dated this 11 day of August, 2020



AFFIANT

STATE OF FLORIDA

COUNTY OF ALACHUA

Sworn to and subscribed before me this 11 day of August, 2020, by Linnelle Stewart, who is personally known to me.


Notary Public, State of Florida



JOYE ELLEN EMERSON
Commission # GG 210360
Expires August 22, 2022
Bonded Thru Budget Notary Services

NOTICE

ON AUGUST 27, 2020 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.

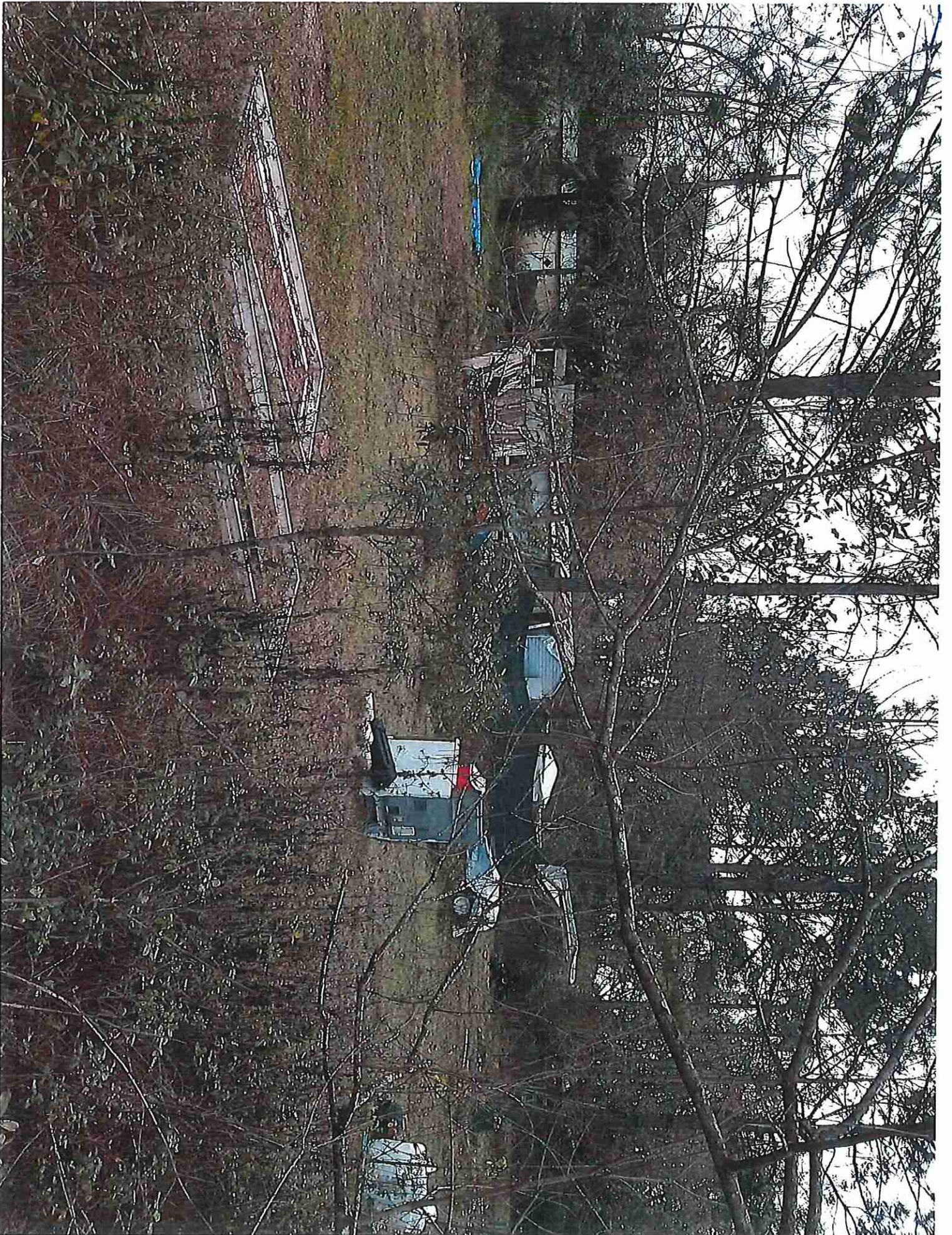
IF YOU CANNOT ATTEND THE HEARING, BUT DESIRE TO BE HEARD ON THIS MATTER YOU MUST CONTACT LINNELLE STEWART DIRECTLY AT 386 418 6127 OR EMAIL AT LSTEWART@CITYOFALACHUA.COM OR US MAIL A REQUEST TO PO BOX 9, ALACHUA, FLORIDA 32616 WITHIN TWENTY (20) DAYS OF THE MAILING OF THIS NOTICE.

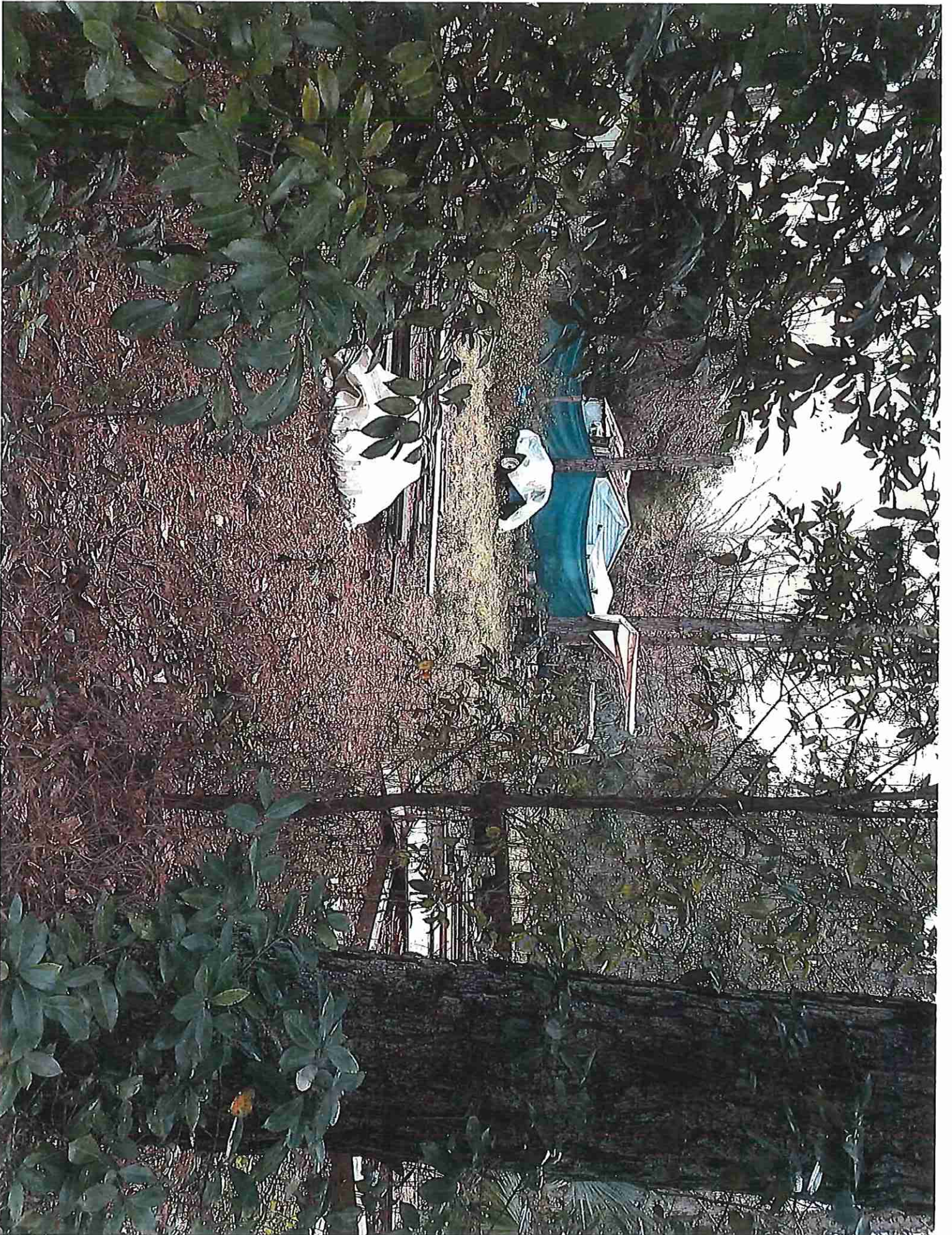
I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to Norman & Mary King by certified mail return receipt requested on this 11 day of August, 2020.



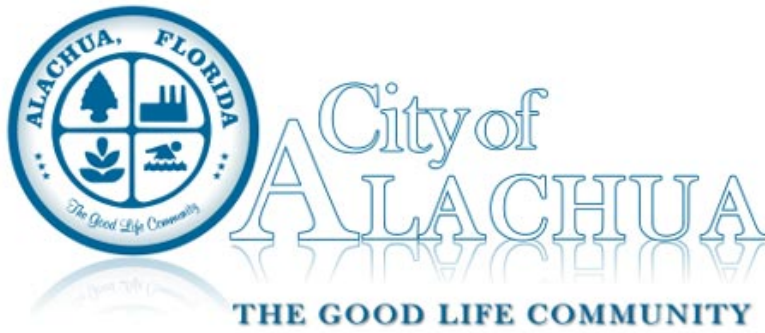
Linnelle Stewart
Code Enforcement Officer
City of Alachua











Board/Committee Agenda Item

MEETING DATE: 2/24/2022

SUBJECT: Case # 22-0004, Pauline Collins Heirs, Parcel # 03235-001-000, Violation of four sections of the Code

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Conduct Special Magistrate Hearing scheduled for 10 AM February 24, 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 LOTS 1-2-3-4 BK C OR 910/753. The tax parcel ID listed in the Alachua County Property Appraiser records is 03235-001-000, and the Property address is 15617 NW 134 Terrace, Alachua, FL, 32615.

A Request for Hearing and Affidavit of Violations was filed on February 10, 2022 by Code Enforcement Officer Linnelle Stewart setting forth relevant and adequate facts to establish the cited violations of the City Code. The Request for Hearing announcing and setting a hearing to take testimony and otherwise consider the alleged violation was set for February 24, 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 Pauline Collins Heirs at P.O. Box 1652, 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 junk and debris storage
 - b. Prohibited tall grass and weeds
 - c. Failure to maintain exterior structure
 - d. Prohibited neglected 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: E22-0004
VIOLATOR: Pauline Collins Heirs
MAILING ADDRESS: PO Box 1652, Alachua, FL, 32616
LOCATION ADDRESS: 15617 NW 134th Terrace, Alachua, FL, 32615
PARCEL TAX ID NUMBER: 03235-001-000

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

VIOLATION(S): JUNK AND DEBRIS STORAGE, OVERGROWN LOT, UNSAFE STRUCTURE

IN VIOLATION OF: City of Alachua Code of Ordinances Section 8-30, International Property Maintenance Code 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.

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 304.1, The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

Section 108.1.5(5), 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: February 3, 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 February 3, 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 01/20/2022





A translucent plastic storage bin filled with white fabric, likely a tent or sleeping bag.

An orange sleeping bag or blanket.

A pair of dark sneakers.

A white cup lying on the log.

A blue can lying on the log.

A piece of white fabric or clothing lying on the ground.

A piece of white fabric or clothing lying on the ground.

A small white and red container lying on the ground.

A piece of white fabric or clothing lying on the ground.









1567

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

City of Alachua,
Petitioner

vs.

Case No. E22-0004

Pauline Collins Heirs,
Respondent

**HEARING SET FOR THURSDAY FEBRUARY 24, 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 February 24, 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

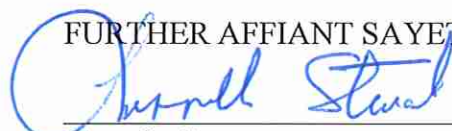
AFFIDAVIT OF VIOLATION

STATE OF FLORIDA
COUNTY OF ALACHUA

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

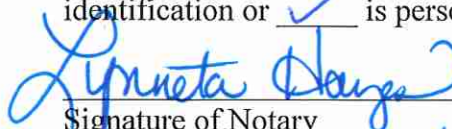
1. I am currently employed, and have served as Code Enforcement Officer for the City of Alachua since March 2006.
2. I am over the age of 21, sui juris and have personal knowledge of the information set forth in this Affidavit.
3. The legal description of the subject property (Property) is COLLEGE HEIGHTS PB B-87 LOTS 1-2-3-4 BK C OR 910/753. The tax parcel ID listed in the Alachua County Property Appraiser records is 03235-001-000, and the 911 address is 15617 NW 134 Terrace, Alachua, Fl, 32615.
4. On January 20, 2022 I inspected the Property and took photos.
5. A Notice of Violation was mailed to the Property via certified mail on January 20, 2022 citing violation of City of Alachua Code of Ordinances Section 8-30, International Property Maintenance Code Sections 302.1, 302.4, 304.1, and 108.1.5 with a compliance deadline set for February 3, 2022.
6. A re-inspection was performed on February 3, 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 10 day of February, 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

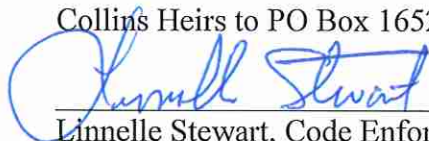
REQUEST FOR HEARING:

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.

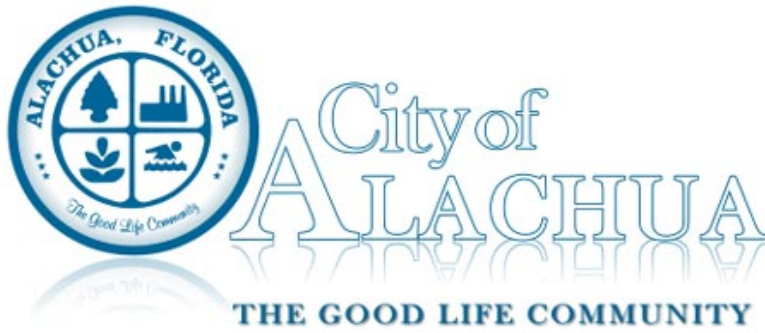
A Hearing before the Special Magistrate is hereby requested, to be held on February 24, 2022 at 10:00AM.

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 Pauline Collins Heirs to PO Box 1652, Alachua, FL, 32616 this 16 day of February, 2022.



Linnelle Stewart, Code Enforcement Officer



Board/Committee Agenda Item

MEETING DATE: 2/24/2022

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

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Conduct Special Magistrate Hearing scheduled for 10 AM February 24, 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 QUAIL ROOST UNIT 2 PB N-22 LOT 44 OR 4538/1252. The tax parcel ID listed in the Alachua County Property Appraiser records is 03986-004-044, and the Property address is 12511 NW 197 Terrace, Alachua, FL, 32615.

A Request for Hearing and Affidavit of Violations was filed on February 10, 2022 by Code Enforcement Officer Linnelle Stewart setting forth relevant and adequate facts to establish the cited violation of the City Code. The Request for Hearing announcing and setting a hearing to take testimony and otherwise consider the alleged violation was set for February 24, 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 Troy & Michelle Jackson at 12511 NW 197 Terrace, 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 storage of junk and debris
 - b. Prohibited inoperable vehicles
-

ATTACHMENTS:

Description

- Request for Hearing Repeat Violation
- Photos
- Order March 3, 2020 Magistrate Hearing
- Affidavit of Non-Compliance
- Photos

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

City of Alachua,
Petitioner

vs.

Case No. E22-0011

Troy Lee & Michelle Lynn Jackson,
Respondents

**HEARING SET FOR THURSDAY FEBRUARY 24, 2022 AT 10:00AM
Based Upon a
REQUEST FOR HEARING BY THE CITY OF ALACHUA
WITH A SUPPORTING AFFIDAVIT OF VIOLATIONS**

**REPEAT VIOLATION
NOTICE OF HEARING**

A Special Magistrate Hearing will be held on Thursday February 24, 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 \$500.00 per day for each day the repeat 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 REPEAT VIOLATION

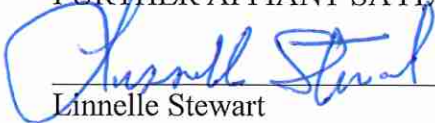
STATE OF FLORIDA
COUNTY OF ALACHUA

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 QUAIL ROOST UNIT 2 PB N-22 LOT 44 OR 4538/1252. The tax parcel ID listed in the Alachua County Property Appraiser records is 03986-004-044, and the 911 address is 12511 NW 197 Terrace, Alachua, Fl, 32615.
4. On March 3, 2020, at a hearing before the Special Magistrate for the City of Alachua, the Respondent was found to be in violation of Sections 302.1 and 302.8 of the International Property Maintenance Code. Specifically, junk and debris storage and inoperable vehicles on the Property. See attached Order March 3, 2020.

5. The Respondent did not cure the violation of Sections 302.1 and 302.8 by the time specified in the Order. See attached Affidavit of Non-Compliance.
6. On February 9, 2022, I conducted an inspection regarding the Property and witnessed a large amount of junk and debris storage and inoperable vehicles on the Property in violation of International Property Maintenance Code Sections 302.1 and 302.8.
7. The Respondent has committed a repeat violation of the City of Alachua International Property Maintenance Code Sections 302.1 and 302.8.

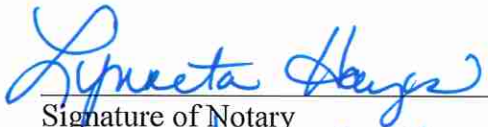
FURTHER AFFIANT SAYETH NAUGHT.



Linnelle Stewart

STATE OF FLORIDA
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 10 day of February, 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

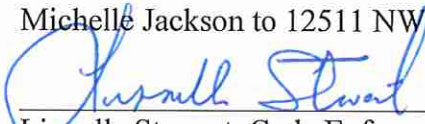
REQUEST FOR HEARING FOR REPEAT VIOLATION

Pursuant to Section 162.06(3), Florida Statutes, if a repeat violation is found the code inspector shall notify the violator but is not required to give the violator a reasonable time to correct the violation.

A Hearing before the Special Magistrate is hereby requested, to be held on Thursday February 24, 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 Troy & Michelle Jackson to 12511 NW 197 Terrace, Alachua, Fl, 32615 this 10 day of February 2022.



Linnelle Stewart, Code Enforcement Officer











CHEVROLET

GEM TOP

ROCK



**BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ALACHUA, FLORIDA**

CITY OF ALACHUA,
Petitioner,
v.

Case No.: E20-0005

TROY LEE &
MICHELLE LYNN JACKSON,
Respondents.

**ORDER FINDING CODE VIOLATIONS
AND
SETTING TIME FOR COMPLIANCE**

This case was heard by the City of Alachua Code Enforcement Special Magistrate, at a quasi judicial hearing held on March 3, 2020. The Special Magistrate, having heard testimony given under oath and receiving other evidence presented by the Code Enforcement Officer of the City of Alachua ("City"), the Respondent and other witnesses enters the following Order:

**FINDINGS of Fact
and
CONCLUSIONS of Law:**

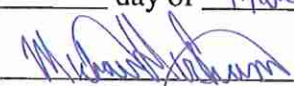
1. The legal description of the subject property (Property) is QUAIL ROOST UNIT 2 PB N-22 LOT 44 OR 4538/1252. The tax parcel ID listed in the Alachua County Property Appraiser records is 03986-004-044, and the 911 address is 12511 NW 197 Terrace, Alachua, FL, 32615.
2. Respondents/Owners, Troy Lee & Michelle Lynn Jackson were properly served with Notice of these proceedings by serving a Notice of Hearing and Affidavit of Violation via certified mail return receipt requested to Troy Lee & Michelle Lynn Jackson to 12511 NW 197 Terrace, Alachua, FL, 32615.
3. The City provided testimony of Code Enforcement Officer Linnelle Stewart (Code Officer) and offered other evidence.
4. Respondent Troy Jackson was present at the hearing and testified under oath and otherwise took part in the Hearing.

5. A Notice of Violation was mailed to the Owners: Troy Lee & Michelle Lynn Jackson to 12511 NW 197 Terrace, Alachua, FL, 32615 via certified mail on January 28, 2020 with a compliance deadline of February 11, 2020 notifying the owners that the property was in violation of:
 - a. City of Alachua Code of Ordinances 8-30 International Property Maintenance Code 302.8, Prohibited storage of inoperable vehicles.
 - b. City of Alachua Code of Ordinances 8-30 International Property Maintenance Code 302.1, Prohibited junk and debris storage.
6. On February 11, 2020, the Code Officer re-inspected the subject property and determined the violations continued as provided under the Notice of Violation dated January 28, 2020.
7. A Request for Hearing and Affidavit of Violations was filed on February 11, 2020 by the Code Officer setting forth relevant and adequate facts to establish the two cited violations of the City Code did exist.
8. On February 13, 2020 the Respondents/Owners received Notice of this Hearing.

Based upon the record, the evidence submitted, and testimony during the Hearing and being otherwise fully advised in the premises it is determined and ordered that:

- A. The Respondents were and remain in violation of Sections 302.1 and 302.8 of the City of Alachua Code of Ordinances and continue to be in violation.
- B. The Respondents shall be in substantial compliance with the City Code of Ordinances by April 6, 2020 by demonstrating that they are diligently and actively removing items from the subject property in order to meet the May 4, 2020 compliance date as provided herein. The Code Officer may conduct an inspection of the property accordingly.
- C. The Respondents shall fully come into compliance with the City Code of Ordinances and correct the violations by May 4, 2020.
- D. NOTICE: If the Respondents are **not** in full compliance with the City Code of Ordinances as provided herein by May 4, 2020, a twenty-five (\$25.00) day fine may be assessed against the property as provided by law upon such finding by the Code Enforcement Magistrate where the Respondents would have an opportunity to appear at said hearing.

DONE AND ORDERED at Alachua, Florida this 3 day of March, 2020.

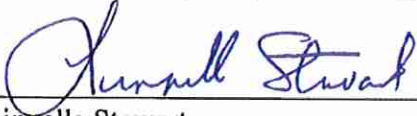


 Michael D. Durham,
 Special Magistrate

Please direct all inquiries concerning fines and appeals to Linnelle Stewart, Code Enforcement Officer, City of Alachua, 15100 NW 142 Terrace, Alachua, FL, 32615; telephone no. (386)418-6127.

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Order with Findings of Code Violations and Setting Time for Compliance was served on Troy Lee & Michelle Lynn Jackson by ✓ certified mail return receipt requested _____ hand delivery this 5th day of MARCH, 2020.



Linnelle Stewart
Code Enforcement Officer
City of Alachua

CITY OF ALACHUA
Office of Code Enforcement

CITY OF ALACHUA, FLORIDA,
Petitioner,
VS.

Case # E20-0005

TROY & 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 March 3, 2020 this case was heard by the Special Magistrate and the Respondent attended 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 Terr., 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 respondent at the address showing on the tax records as advised by the Respondent.
4. That the Respondent was provided until May 4, 2020 to cure the violation of Sections 302.1 and 302.8 and bring the property into compliance with Code of Ordinances.
5. That an inspection was conducted on May 6, 2020 and the Property was not in compliance with Sections 302.1 and 302.8, and the Magistrates Order.
6. That the above facts are true and accurate to the best of my knowledge.

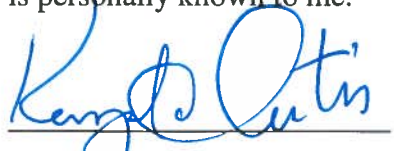
Dated this 12 day of August, 2020



AFFIANT

STATE OF FLORIDA
COUNTY OF ALACHUA

Sworn to and subscribed before me this 12 day of August, 2020, by Linnelle Stewart, who is personally known to me.



Notary Public, State of Florida



KENYATA CURTIS
Commission # GG 143994
Expires September 18, 2021
Bonded Thru Budget Notary Services

NOTICE

ON AUGUST 27, 2020 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.

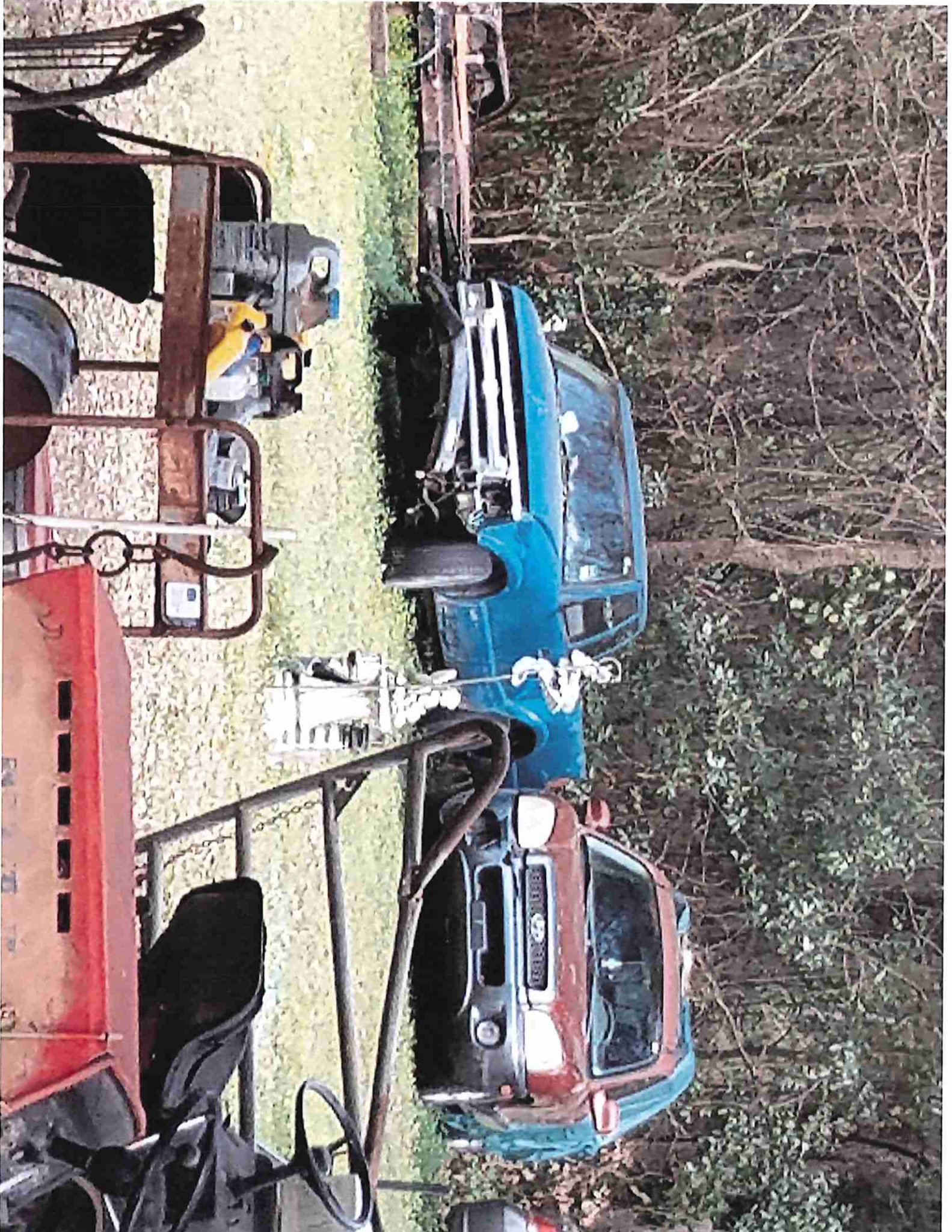
IF YOU CANNOT ATTEND THE HEARING, BUT DESIRE TO BE HEARD ON THIS MATTER YOU MUST CONTACT LINNELLE STEWART DIRECTLY AT 386 418 6127 OR EMAIL AT LSTEWART@CITYOFALACHUA.COM OR US MAIL A REQUEST TO PO BOX 9, ALACHUA, FLORIDA 32616 WITHIN TWENTY (20) DAYS OF THE MAILING OF THIS NOTICE.

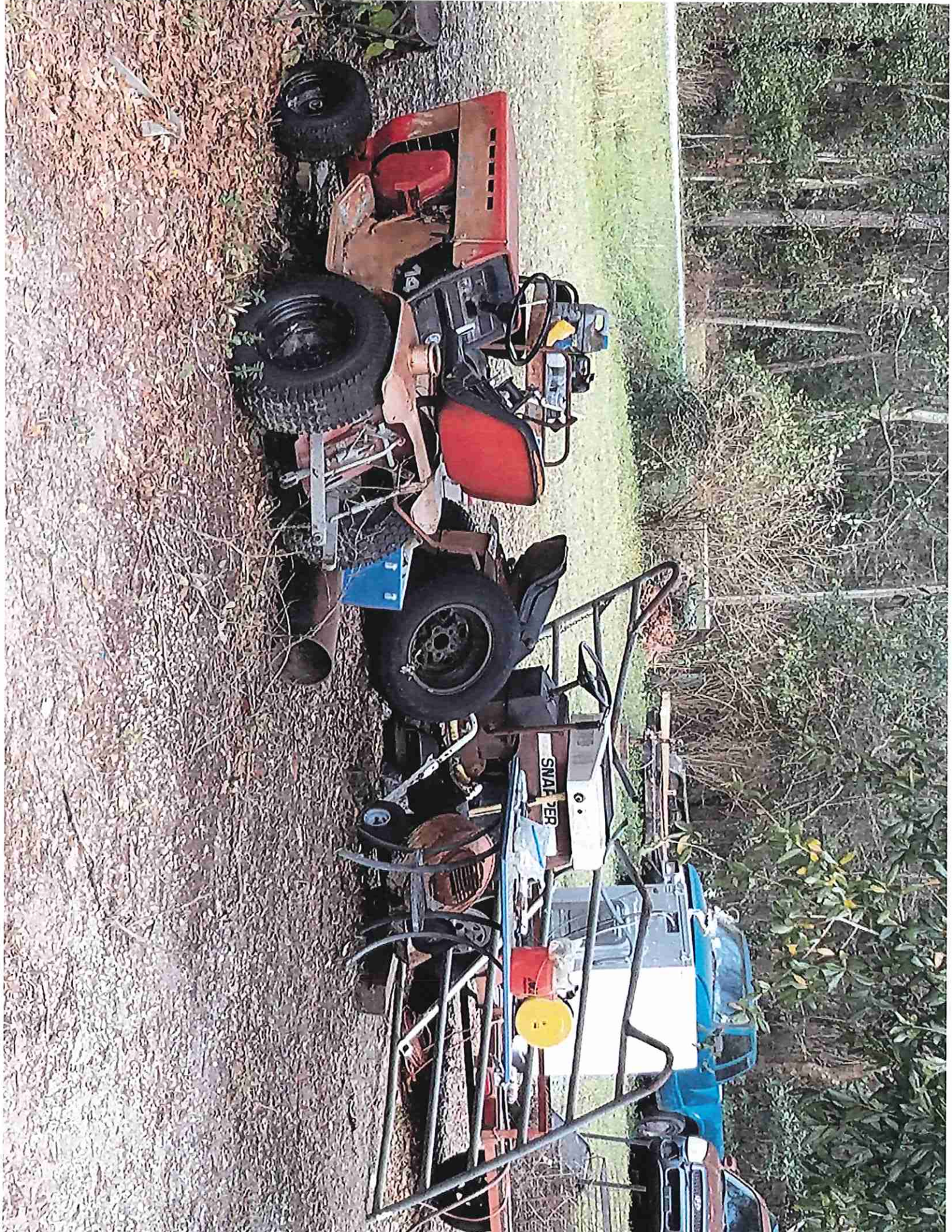
I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to Troy & Michelle Jackson by certified mail return receipt requested on this 12 day of August, 2020.

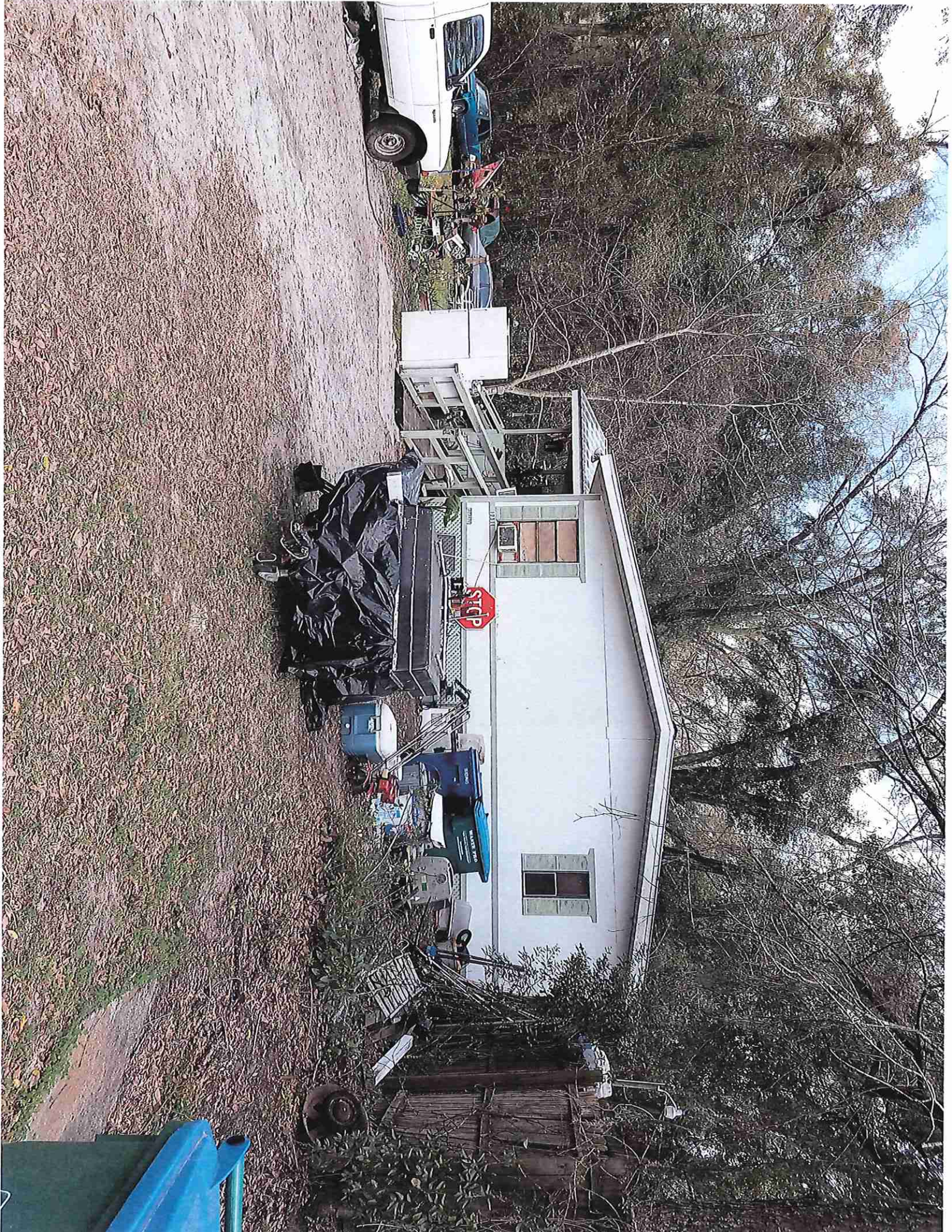


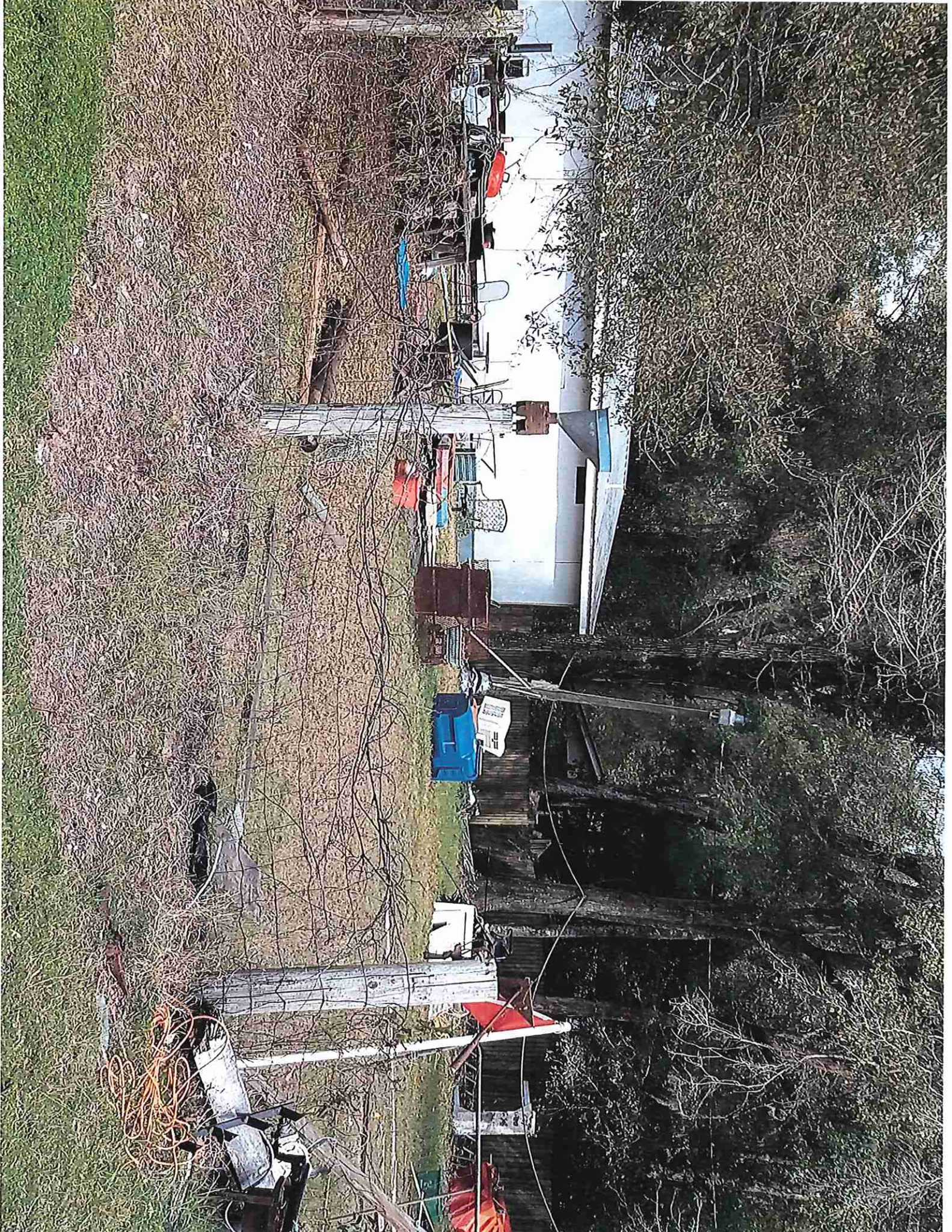
Linnelle Stewart
Code Enforcement Officer
City of Alachua















City of ALACHUA

THE GOOD LIFE COMMUNITY

Special Magistrate Hearing
Sign In Sheet
February 24, 2022
10:00 a.m.

| Name <i>(Please Print)</i> | Name <i>(Please Print)</i> |
|---|--------------------------------------|
| <i>(Please Print)</i> Norman R King Jr. | <i>(Please Print)</i> |
| <i>(Please Print)</i> Putz, Lucas | <i>(Please Print)</i> |
| <i>(Please Print)</i> Putz, JOHN | <i>(Please Print)</i> |
| <i>(Please Print)</i> ROY JACKSON | <i>(Please Print)</i> |
| <i>(Please Print)</i> | <i>(Please Print)</i> |
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