



Special Magistrate Hearing Agenda

January 26, 2023

Special Magistrate Michael Durham, Esq.

City Manager Mike DaRoza

Special Magistrate Hearing At 1:00 PM

Meeting Date: January 26, 2023

Meeting Location: James A. Lewis Commission Chambers

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

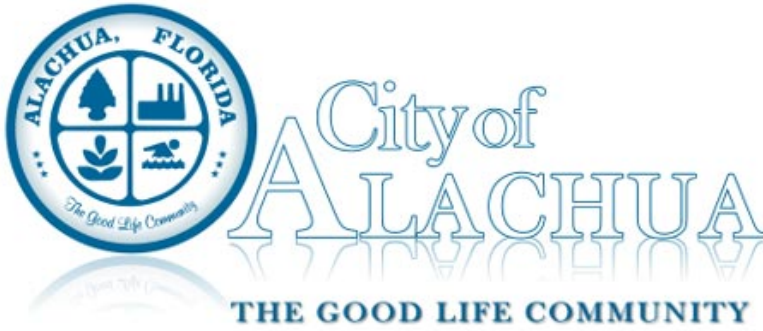
- A. Case # 22-0174- Beverly Ann Wurts, Parcel # 03968-013-000, Affidavit of Compliance
- B. Case # 22-0165- Scott & Scott Co-Trustees, Parcel # 03463-002-000, Affidavit of Non-Compliance
- C. Case # 22-0167- Polk & Polk, Parcel # 03735-000-000, Affidavit of Non-Compliance

- D. Case # 22-0101- Florida Brown Heirs, Parcel # 03315-000-000, Affidavit of Non-Compliance
- E. Case # 22-0193- Dolgencorp LLC, Parcel # 03595-200-001, Affidavit of Compliance

II. NEW BUSINESS: QUASI-JUDICIAL HEARING

- F. Approval of October 27, 2022 minutes
- G. Case # 22-0110- Dreyers Cleaning & Restoration Inc., Parcel # 03211-003-000, Violation of one section of the Code
- H. Case # 22-0104- Virginia Daugherty, Parcel # 05928-009-001, Violation of five sections of the Code
- I. Case # 22-0084- Willie James Washington Heirs, Parcel # 03240-007-000, Violation of two sections of the Code
- J. Case # 22-0205- Alexander & Lemieux, Parcel # 03418-000-000, Violation of one section of the Code
- K. Case # 22-0203- Ivan & Galina Kolomyiko, Parcel # 03129-001-000, Violation of one section of the code

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Board/Committee Agenda Item

MEETING DATE: 1/26/2023

SUBJECT: Case # 22-0174- Beverly Ann Wurts, Parcel # 03968-013-000, Affidavit of Compliance

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Accept Affidavit of Compliance

Summary

This case was heard by the Special Magistrate on October 27, 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 Section 302.4. The Respondent was given until November 28, 2022 to come in compliance with the code. An inspection was conducted on November 28, 2022 and the Property was in compliance.

ATTACHMENTS:

Description

- ☐ Affidavit of Compliance

CITY OF ALACHUA
Office of Code Enforcement

CITY OF ALACHUA, FLORIDA,
Petitioner,
VS.

Case # E22-0174

BEVERLY ANN WURTS,
Respondents.

AFFIDAVIT OF COMPLIANCE

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

1. That the subject property (Property) is identified as tax parcel 03968-013-000, and the location address is 12501 NW 112 Ave., Alachua, Fl, 32615.
2. That a Hearing before the Special Magistrate was held on October 27, 2022. The Respondent was not present at the Hearing.
3. That the Respondent was found in violation of Section 302.4 of the International Property Maintenance Code, and an Order Finding Code Violations and Setting Time for Compliance was mailed to the Respondent.
4. That the Respondent was provided until November 28, 2022 to come in full compliance with the code.
5. That an inspection was conducted on November 28, 2022 and the Property was in compliance.
6. That the above facts are true and accurate to the best of my knowledge.

Dated this 11 day of January, 2023

STATE OF FLORIDA

COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me by means of physical presence or _____ online notarization, this 11 day of January, 2023 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, 2026

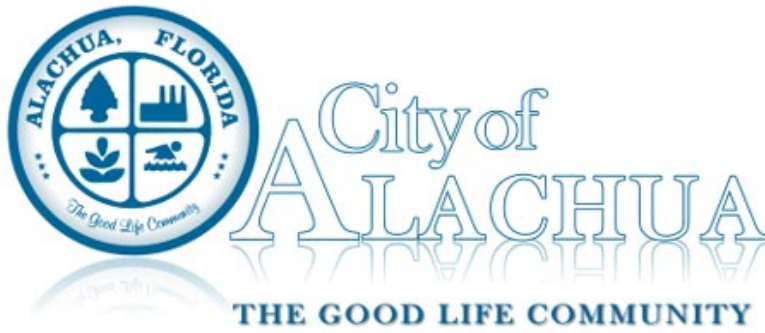


LISA FREEMAN
Commission # HH 253154
Expires June 10, 2026

I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to Beverly Ann Wurts by certified mail return receipt requested _____ hand delivery this _____ day of January, 2023.



Linnelle Stewart
Code Enforcement Officer
City of Alachua



Board/Committee Agenda Item

MEETING DATE: 1/26/2023

SUBJECT: Case # 22-0165- Scott & Scott Co-Trustees, Parcel # 03463-002-000, 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 October 27, 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 302.8 and 302.1. The Respondent was given until November 28, 2022 to come in compliance with the code. An inspection was conducted November 28, 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 # E22-0165

SCOTT & SCOTT CO-TRUSTEES,
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 the subject property (Property) is identified as tax parcel 03463-002-000, and the location address is 14808 NW 134 Terrace, Alachua, FL, 32615.
2. That a Hearing before the Special Magistrate was held on October 27, 2022. The Respondent was not present at the Hearing.
3. That the Respondent was found in violation of Sections 302.8 and 302.1 of the International Property Maintenance Code, and an Order Finding Code Violations and Setting Time for Compliance was mailed to the Respondent at the address shown on the tax records.
4. That the Respondent was provided until November 28, 2022 to come in full compliance with the code.
5. That an inspection was conducted on November 28, 2022 and the Property remained in violation.
6. That the above facts are true and accurate to the best of my knowledge.

Dated this 11 day of January, 2023

STATE OF FLORIDA

COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me by means of physical presence or _____ online notarization, this 11th day of January, 2023 by LINNELLE STEWART who executed the same and has _____ produced a Florida driver's license as identification of is personally known to me.

Kenyata Curtis
Signature of Notary



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

Print name: Kenyata Curtis
Notary Public, State of Florida
My commission expires: 9/18/25

NOTICE

ON THURSDAY JANUARY 26, 2023 AT 1:00PM 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 FINES AND LIENS.

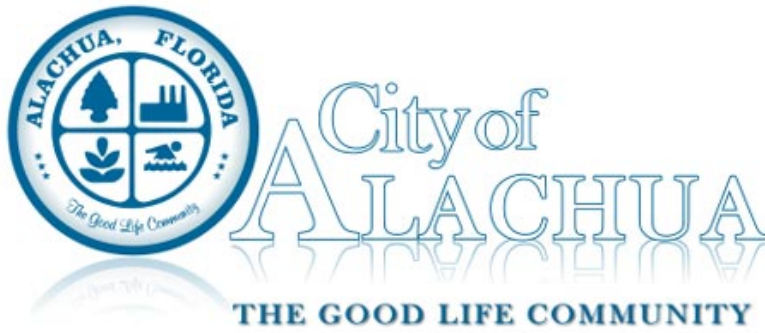
IF THE ORDER IS GRANTED, A CERTIFIED COPY OF THE ORDER IMPOSING FINES AND LIENS MAY BE RECORDED IN THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, AND SHALL THEREAFTER CONSTITUTE A LIEN AGAINST THE ABOVE DESCRIBED PROPERTY.

IF YOU CANNOT ATTEND THE HEARING, BUT DESIRE TO BE HEARD IN THIS MATTER YOU MUST CONTACT LINNELLE STEWART DIRECTLY AT 386-418-6127 OR EMAIL 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 Scott & Scott Co-Trustees by certified mail return receipt requested _____ hand delivery this 11 day of January, 2023.

Linnelle Stewart

Linnelle Stewart
Code Enforcement Officer
City of Alachua



Board/Committee Agenda Item

MEETING DATE: 1/26/2023

SUBJECT: Case # 22-0167- Polk & Polk, Parcel # 03735-000-000, 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 October 27, 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 302.8, 302.4, 302.1, and 4.4-1. The Respondent was given until November 28, 2022 to come in compliance with the code. An inspection was conducted November 28, 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,

Case # E22-0167

VS.

POLK & POLK,
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 the subject property (Property) is identified as tax parcel 03735-000-000, and the location address is 14311 Main St., Alachua, Fl, 32615.
2. That a Hearing before the Special Magistrate was held on October 27, 2022. The Respondent was not present at the Hearing.
3. That the Respondent was found in violation of Sections 302.8, 302.4, 302.1, and 4.4-1, and an Order Finding Code Violations and Setting Time for Compliance was mailed to the Respondent at the address shown on the tax records.
4. That the Respondent was provided until November 28, 2022 to come in full compliance with the code.
5. That an inspection was conducted on November 28, 2022 and the Property remained in violation.
6. That the above facts are true and accurate to the best of my knowledge.




AFFIANT

Dated this 11 day of January, 2023

STATE OF FLORIDA

COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 11 day of January, 2023 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

NOTICE

ON THURSDAY JANUARY 26, 2023 AT 1:00PM 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 FINES AND LIENS.

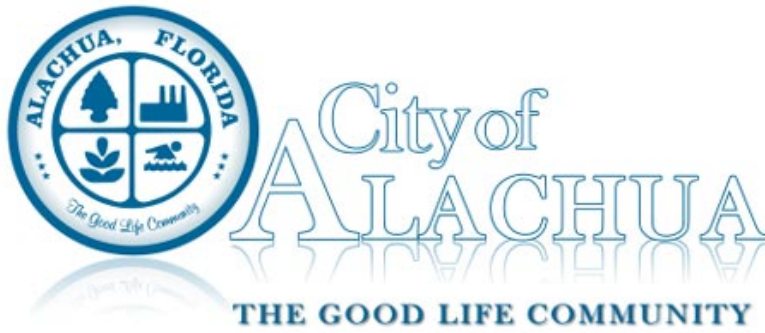
IF THE ORDER IS GRANTED, A CERTIFIED COPY OF THE ORDER IMPOSING FINES AND LIENS MAY BE RECORDED IN THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, AND SHALL THEREAFTER CONSTITUTE A LIEN AGAINST THE ABOVE DESCRIBED PROPERTY.

IF YOU CANNOT ATTEND THE HEARING, BUT DESIRE TO BE HEARD IN THIS MATTER YOU MUST CONTACT LINNELLE STEWART DIRECTLY AT 386-418-6127 OR EMAIL 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 Polk & Polk by certified mail return receipt requested hand delivery this 11 day of January, 2023.



Linnelle Stewart
Code Enforcement Officer
City of Alachua



Board/Committee Agenda Item

MEETING DATE: 1/26/2023

SUBJECT: Case # 22-0101- Florida Brown Heirs, Parcel # 03315-000-000, 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 October 27, 2022. Testimony was given by Code Enforcement Officer Linnelle Stewart. Respondent representatives Timothy Towns and Velda Derricotte were present and participated in the Hearing.

The Respondent was found in violation of Sections 111.1.5(5), 111.1.5(7), and 113.1. The Respondent was given until December 27, 2022 to come in compliance with the code. An inspection was conducted January 3, 2023 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 # E22-0101

FLORIDA BROWN 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 the subject property (Property) is identified as tax parcel 03315-000-000, and the location address is 15031 NW 135 Terrace, Alachua, Fl, 32615.
2. That a Hearing before the Special Magistrate was held on October 27, 2022. The Respondent was not present at the Hearing.
3. That the Respondent was found in violation of Sections 111.1.5(5), 111.1.5(7), and 113.1, and an Order Finding Code Violations and Setting Time for Compliance was mailed to the Respondent at the address shown on the tax records.
4. That the Respondent was provided until December 27, 2022 to come in full compliance with the code.
5. That an inspection was conducted on January 3, 2023 and the Property remained in violation.
6. That the above facts are true and accurate to the best of my knowledge.



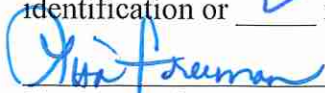
AFFIANT

Dated this 12 day of January, 2023

STATE OF FLORIDA

COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 12 day of January, 2023 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, 2026



LISA FREEMAN
Commission # HH 253154
Expires June 10, 2026

NOTICE

ON THURSDAY JANUARY 26, 2023 AT 1:00PM 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 FINES AND LIENS.

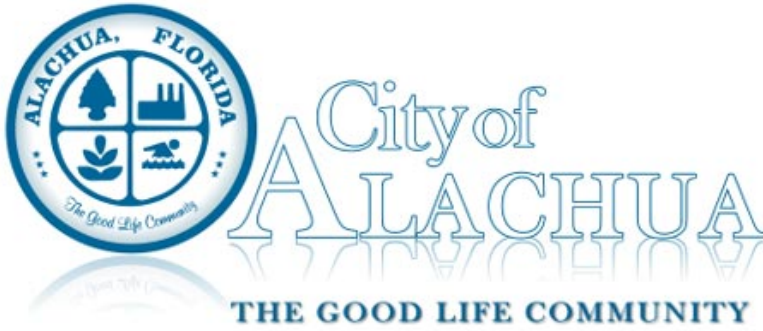
IF THE ORDER IS GRANTED, A CERTIFIED COPY OF THE ORDER IMPOSING FINES AND LIENS MAY BE RECORDED IN THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, AND SHALL THEREAFTER CONSTITUTE A LIEN AGAINST THE ABOVE DESCRIBED PROPERTY.

IF YOU CANNOT ATTEND THE HEARING, BUT DESIRE TO BE HEARD IN THIS MATTER YOU MUST CONTACT LINNELLE STEWART DIRECTLY AT 386-418-6127 OR EMAIL 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 Florida Brown Heirs by certified mail return receipt requested hand delivery this 12 day of January, 2023.



Linnelle Stewart
Code Enforcement Officer
City of Alachua



Board/Committee Agenda Item

MEETING DATE: 1/26/2023

SUBJECT: Case # 22-0193- Dolgencorp LLC, Parcel # 03595-200-001, Affidavit of Compliance

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Accept Affidavit of Compliance

Summary

This case was heard by the Special Magistrate on October 27, 2022. Testimony was given by Code Enforcement Officer Linnelle Stewart. Respondent Representative Jason West was present and participated in the Hearing.

The Respondent was found in violation of Sections 302.7, 302.4, and 302.1. The Respondent was given until November 28, 2022 to come in compliance with the code. An inspection was conducted on January 12, 2023 and the Property was in compliance.

ATTACHMENTS:

Description

- ▢ Affidavit of Compliance

CITY OF ALACHUA
Office of Code Enforcement

CITY OF ALACHUA, FLORIDA,
Petitioner,
VS.

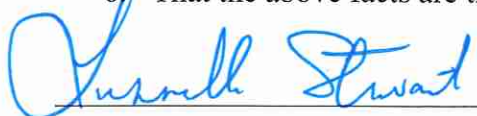
Case # E22-0193

DOLGENCORP 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 the subject property (Property) is identified as tax parcel 03595-200-001, and the location address is 15250 NW US Hwy 441, Alachua, Fl, 32615.
2. That a Hearing before the Special Magistrate was held on October 27, 2022, and the Respondent representative Jason West was present and participated in the Hearing.
3. That the Respondent was found in violation of Sections 302.7, 302.4, and 302.1, and an Order Finding Code Violations and Setting Time for Compliance was mailed to the Respondent.
4. That the Respondent was provided until November 28, 2022 to come in full compliance with the code.
5. That an inspection was conducted on January 12, 2023 and the Property was in full compliance with the code.
6. That the above facts are true and accurate to the best of my knowledge.



AFFIANT

Dated this 18 day of January, 2023

STATE OF FLORIDA

COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me by means of physical presence or _____ online notarization, this 18 day of January, 2023 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

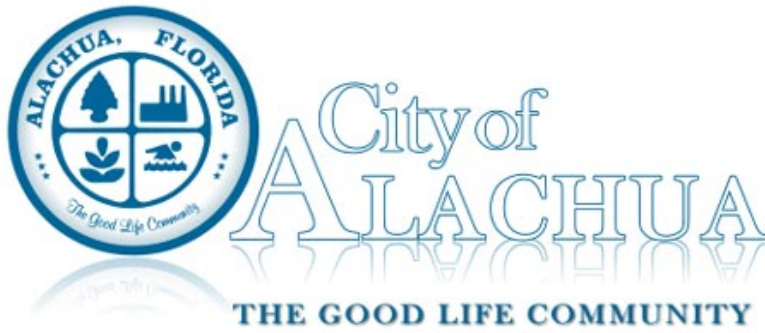


LYNNETA HAYES
Commission # GG 955640
Expires June 5, 2024
Bonded Thru Budget Notary Services

I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to Dolgencorp LLC by certified mail return receipt requested on this 18 day of January, 2023.

Linnelle Stewart

Linnelle Stewart
Code Enforcement Officer
City of Alachua



Board/Committee Agenda Item

MEETING DATE: 1/26/2023

SUBJECT: Approval of October 27, 2022 minutes

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Approve the minutes from the October 27, 2022 Special Magistrate Hearing

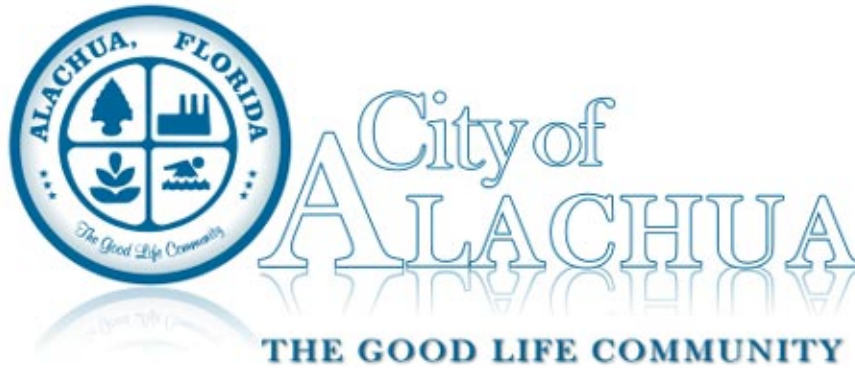
Summary

Approval of October 27, 2022 minutes

ATTACHMENTS:

Description

- ▣ October 27, 2022 minutes



**Special Magistrate Hearing
Minutes
October 27, 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: October 27, 2022

Meeting Location: James A. Lewis Commission Chambers

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 # 22-0176- Ayurveda Health Retreat Inc. was now in compliance and should be removed from the agenda, she noted the pictures for Item H Case # 22-0167- Polk & Polk were at the back of the packet, and then requested Item D. Case # 22-0104- Virginia Daugherty be moved to the bottom of the agenda.

Special Magistrate Durham approved the agenda as amended.

APPROVAL OF MINUTES

Minutes approved by consent.

Deputy City Clerk LeAnne Williams swore in all parties who intended to speak.

I. OLD BUSINESS

- A. Case # 22-0011- Troy & Michelle Jackson, Parcel # 03986-004-044, Affidavit of Compliance
Code Enforcement Officer Stewart stated the property was now compliant.

II. NEW BUSINESS

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

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

Attorney Rob Lash stated Mr. Dryer was attempting to comply and was getting additional information for the architect. He stated once the information comes in, they would apply for permits. He stated they needed 60 days to comply.

Special Magistrate Durham asked if he objected to the photographs in the packet become part of the record.

Mr. Lash stated he did not have an objection, as they accurately represent the work..

Special Magistrate Durham asked for Building Official Tim Hunt to offer comment of compliance.

Building Official Hunt noted the items missing from the plans. He stated plans must be signed and sealed. He also stated he had no problem with a 60 day compliance.
Special Magistrate Durham asked Building Official Hunt for clarification.

Special Magistrate Durham asked Code Enforcement Officer Stewart when she would need to reinspect the property.

Code Enforcement Officer Stewart stated December 29, 2022.

Special Magistrate Durham asked Mr. Lash if this would give his client enough time.

Mr. Lash stated it should.

Special Magistrate Durham stated the reinspection date would be set for December 29, 2022, and this matter would continued until then.

- D. Case # 22-0104- Virginia Daugherty, Parcel # 05928-009-001, Violation of five sections of the

Code

Ms. Virginia Daugherty and Shawn Young appeared telephonically. Deputy City Clerk Williams swore them in.

Code Enforcement Officer Stewart presented the case to Special Magistrate Durham. She stated a letter was received regarding this case, and she read the letter into the record. She presented a record from the Alachua Police Department showing the calls-for-service during the last five years.

After much interruption and lack of decorum, Special Magistrate Durham decided to continue this case until Ms. Daugherty could appear in person.

Special Magistrate Durham stated the letter from a citizen was hearsay and not evidence, and the report from the Alachua Police Department was acceptable as evidence.

Special Magistrate Durham set a continuance a December 29, 2022, 1:00 p.m.

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

Code Enforcement Officer Stewart stated the property was now compliant.

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

Code Enforcement Officer Stewart presented the case to Special Magistrate Durham. She stated she received an email from Dollar General Legal Department requesting more time to comply with the Code, and read it into the record.

Special Magistrate Durham made a finding that the respondent received notice, by Code Enforcement Officer Stewart's testimony and from the acknowledgement of the paralegal's email.

Special Magistrate Durham received the photos into the record. He asked what needed to be done to comply with the code.

Code Enforcement Officer Stewart stated she had spoken with store employees about the violations and how to come into compliance.

Special Magistrate Durham asked if this was a possible violation of the development order as well.

Code Enforcement Officer Stewart stated it was.

Discussion ensued about partial compliance and about compliance per development order.

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

General Manager Jason West came forward and asked for a continuation of 30-60 days.

Special Magistrate Durham asked Code Enforcement Officer Stewart what a reasonable time frame was to comply.

Code Enforcement Officer Stewart stated the mowing, trash pick-up should be no more than two weeks, and 60 days for the fencing.

Special Magistrate Durham found a violation of the Code based upon the evidence submitted, with a compliance date of November 10, 2022, of the tall grass & weeds and the debris. He stated a \$50.00 fine per day, per violation may be assessed against the property should the property remain noncompliant. He stated the fencing would have a compliance date of December 29, 2022, with a \$100.00 per day fine may be assessed against the property should the property remain noncompliant.

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

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

Special Magistrate Durham asked if there had been any communication with the property owner.

Code Enforcement Officer Stewart stated she had no communication, and she thought this was a rental property.

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

No one came forward.

Special Magistrate Durham accepted the photographs into evidence. He asked if Code Enforcement Officer Stewart knew how many vehicles there were.

Code Enforcement Officer Stewart stated at least four.

Special Magistrate Durham found a violation of the Code based upon the evidence submitted, with a compliance date of 30 days for the inoperable vehicles. He stated a \$100.00 fine per day may be assessed against the property should the property remain noncompliant. He stated the junk and debris would have a compliance date of 30 days, with a \$100.00 per day fine may be assessed against the property should the property remain noncompliant.

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

Code Enforcement Officer Stewart presented the case to Special Magistrate Durham. She stated part of the property had been brought into compliance.

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

No one came forward.

Special Magistrate Durham asked if there had been any communication with the property owner.

Code Enforcement Officer Stewart stated she visited the property on August 16, 2022, and the owner stated he would clean it up.

Special Magistrate Durham asked about mail.

Code Enforcement Officer Stewart stated the certified mail was sent back to the City, but the regular mail was not sent back.

Special Magistrate Durham made a finding that notice was received.

Special Magistrate Durham asked if a permitted use for this property allowed a repair shop.

Code Enforcement Officer Stewart stated it did, but she didn't know if it was an active business.

Special Magistrate Durham asked if untagged vehicles/inoperable vehicles for this business were permitted for a time.

Code Enforcement Officer Stewart stated the duration for this type of active business would be 30 days, but these vehicles have been here for longer than 30 days.

Special Magistrate Durham found a violation of the Code based upon the evidence submitted, with a compliance date of 30 days of the inoperable vehicles. He stated a \$50.00 fine per day may be assessed against the property should the property remain noncompliant. He stated the tall grass and weeds would have a compliance date of 30 days, with a \$50.00 per day fine may be assessed against the property should the property remain noncompliant. He stated the sanitary condition (tires, oil, hubs, mechanical items, etc.) would have a compliance date of 30 days, with a \$50.00 per day fine may be assessed against the property. He stated the cream-colored shed, the large brown shed, and the smaller brown shed must be removed, with a compliance date of 30 days, with a \$50.00 per day fine may be assessed against the property should the property remain noncompliant.

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

Code Enforcement Officer Stewart presented the case to Special Magistrate Durham. She stated Tim Towns had been in frequent contact and was willing to comply with the code.

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

Timothy Towns and Velda Towns-Derricotte came forward and discussed the case with Special Magistrate Durham.

Special Magistrate Durham asked if the photographs were an accurate description of the property.

Mr. Towns stated it was.

Special Magistrate Durham stated the photographs would be accepted as evidence.

Special Magistrate Durham recommended Mr. Towns use the next 60 days to get the property out of probate.

Special Magistrate Durham found a violation of the Code based upon the evidence submitted, with a compliance date of 60 days for demolition of the house. He stated a \$25.00 fine per day may be assessed against the property should the property remain noncompliant.

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

Code Enforcement Officer Stewart presented the case to Special Magistrate Durham. She stated she had no contact with the owner and no response to the mailings.

Special Magistrate Durham asked if the certified mail was signed.

Code Enforcement Officer Stewart stated it was not.

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

No one came forward.

Special Magistrate Durham stated the photographs would be accepted as evidence.

Special Magistrate Durham found a violation of the Code based upon the evidence submitted, with a compliance date of 30 days for the tall grass and weeds. He stated a \$50.00 fine per day may be assessed against the property should the property remain noncompliant.

ADJOURN

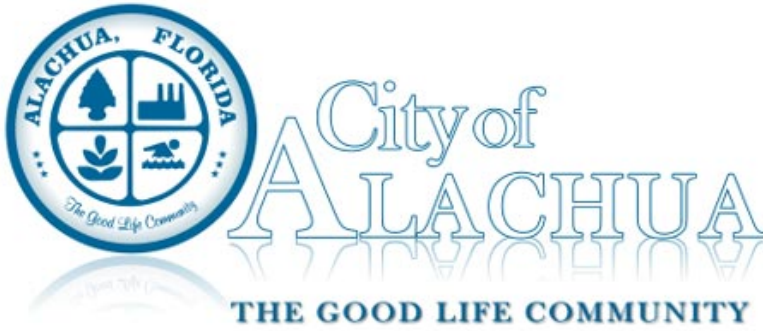
Special Magistrate Durham adjourned the meeting.

ATTEST:

SPECIAL MAGISTRATE HEARING OF THE
CITY OF ALACHUA, FLORIDA

Special Magistrate

Code Enforcement Officer



Board/Committee Agenda Item

MEETING DATE: 1/26/2023

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

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Conduct Special Magistrate Hearing scheduled for 1 PM January 26, 2023.

Summary

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

A Request For Hearing and Affidavit of Violations was filed on January 11, 2023 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 January 26, 2023 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 Dreyers Cleaning & Restoration Inc. at 14619 NW US Hwy 441, Alachua, Florida, 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 development of structure without appropriate permit.

ATTACHMENTS:

Description

- Notice of Violation
- Stop Work Order
- Request for Hearing
- Photos
- Order October 27, 2022 Hearing
- Request for Hearing
- Emails
- Building Plans



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

NOTICE OF VIOLATION

CASE NUMBER: E22-0110

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

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

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

PARCEL TAX ID NUMBER: 03211-003-000

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

VIOLATION(S): INTERIOR REMODEL WORK WITHOUT PERMIT

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

COMPLIANCE DEADLINE: 08/29/2022

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

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

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

Enforcement Officer's Signature

Date 07/29/2022

LEGAL NOTICE

Karen Stevens
(Dreyers DKF)
30 DAYS
EZZ-0110



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

STOP WORK

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

14619 N US-441

FBC 105.1, 115.2

(Location)

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

City of Alachua Building Department

Signed this 28 day of July, 2022.

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

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

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

City of Alachua,
Petitioner

vs.

Case No. E22-0110

Dreyers Cleaning & Restoration Inc.,
Respondent

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

NOTICE OF HEARING

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

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

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

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

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

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

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

PLEASE GOVERN YOURSELVES ACCORDINGLY

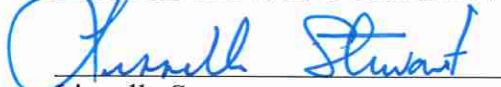
AFFIDAVIT OF VIOLATION

STATE OF FLORIDA
COUNTY OF ALACHUA

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

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

FURTHER AFFIANT SAYETH NAUGHT.


Linnelle Stewart

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

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



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

REQUEST FOR HEARING:

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

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

CERTIFICATE OF SERVICE

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

Linnelle Stewart
Linnelle Stewart, Code Enforcement Officer





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

CITY OF ALACHUA,
Petitioner,

Case No.: E22-0110

vs

DREYERS CLEANING & RESTORATION INC.,
Respondent

_____ /

**ORDER CONTINUING MATTER
UNTIL NEXT SPECIAL MAGISTRATE HEARING**

This case was heard by the City of Alachua Code Enforcement Special Magistrate, at a quasi-judicial hearing held on October 27, 2022. 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"), Respondent and other witnesses enters the following Order:

FINDINGS:

The legal description of the subject property (Property) is COM SW COR LOT 6 OF WOOD BRIDGE S/D PB C-68-A RUN E ALONG N R/W US 441 1043.52 FT TO POB CONT E ALONG R/W 100.07 FT N 5 DEG E 163.64 FT N 84 DEG W 100 FT S 05 DEG W 160.00 FT TO POB ALSO COM SW COR LOT 6 WOODBRIDGES S/D OF STRINGFELLOW FARM PB C PG 68-A S

The tax parcel ID listed in the Alachua County Property Appraiser records is 03211-003-000, and the 911 address is 14619 NW US Hwy 441, Alachua, Fl, 32615.

Respondent/Owner, Dreyers Cleaning & Restoration Inc. was properly served with Notice of these proceedings by serving a Notice of Hearing and Affidavit of Violation via certified mail return receipt requested to Dreyers Cleaning & Restoration Inc. at 14619 NW US Hwy 441, Alachua, FL, 32615.

The City provided testimony of Code Enforcement Officer Linnelle Stewart (Code Officer) and offered other evidence.

Respondent Jonathan Dreyer was present and represented by counsel who sought a continuance of the matter while Respondent seeks compliance.

A Notice of Violation was mailed to the Respondent: Dreyers Cleaning & Restoration Inc. at 14619 NW US Hwy 441, Alachua, FL, 32615 via certified mail on July 29, 2022 with a compliance deadline of August 29, 2022 notifying the owner that the Property was in violation of:

- City of Alachua Code of Ordinances Subpart B, Land Development Regulations Section 9.3.2(A), Developing structure without obtaining appropriate permit.

A check of City records on August 29, 2022 revealed the violations continued as provided under the Notice of Violation dated July 29, 2022.

A Request for Hearing and Affidavit of Violations was filed on October 11, 2022 by the Code Officer setting forth relevant and adequate facts to establish the cited violations of the City Code did exist.

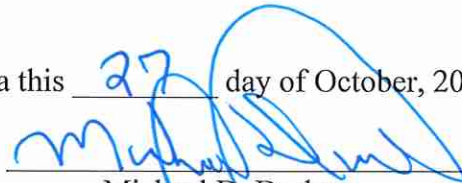
The Respondent/Owner Dreyers Cleaning & Restoration Inc. received Notice of this Hearing.

ORDER:

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:

- There is sufficient evidence in the record to support a violation as alleged herein, however, there is no finding of a violation of the code pending compliance by December 29, 2022.
- Matter has been continued until the Code Magistrate Hearing for review.

DONE AND ORDERED at Alachua, Florida this 27 day of October, 2022.



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 Dreyers Cleaning & Restoration Inc. by certified mail return receipt requested hand delivery to this 27 day of October, 2022.



Linnelle Stewart
Code Enforcement Officer
City of Alachua

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

City of Alachua,
Petitioner

vs.

Case No. E22-0110

Dreyers Cleaning & Restoration Inc.,
Respondent

**HEARING SET FOR THURSDAY JANUARY 26, 2023 AT 1:00PM
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 January 26, 2023 at 1:00 PM 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.

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

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

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

PLEASE GOVERN YOURSELVES ACCORDINGLY

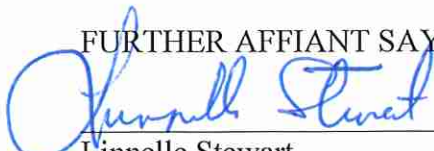
AFFIDAVIT OF VIOLATION

STATE OF FLORIDA
COUNTY OF ALACHUA

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

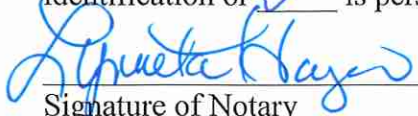
1. I am currently employed, and have served as Code Enforcement Officer for the City of Alachua since March 2006.
2. I am over the age of 21, sui juris and have personal knowledge of the information set forth in this Affidavit.
3. The legal description of the subject property (Property) is COM SW COR LOT 6 OF WOOD BRIDGE S/D PB C-68-A RUN E ALONG N R/W US 441 1043.52 FT TO POB CONT E ALONG R/W 100.07 FT N 5 DEG E 163.64 FT N 84 DEG W 100 FT S 05 DEG W 160.00 FT TO POB ALSO COM SW COR LOT 6 WOODBRIDGES S/D OF STRINGFELLOW FARM PB C PG 68-A S. The tax parcel ID listed in the Alachua County Property Appraiser records is 03211-003-000, and the 911 address is 14619 NW US Hwy 441, Alachua, Fl, 32615.
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5. A Notice of Violation was mailed to the Property via certified mail on July 29, 2022 citing violation of City of Alachua Code of Ordinances Subpart B, Land Development Regulations Section 9.3.2(A) with a compliance deadline set for August 29, 2022.
6. A check of City records on August 29, 2022 revealed a permit had not been obtained and the Property remained in violation.
7. That a Hearing before the Special Magistrate was held on October 27, 2022. The Respondent was present and represented by Attorney Robert A. Lash who participated in the hearing.
8. That an Order Continuing Matter Until Next Special Magistrate Hearing was mailed to the Respondent and sent via email to Attorney Robert A. Lash.
9. That the above facts are true and accurate to the best of my knowledge.

FURTHER AFFIANT SAYETH NAUGHT.



Linnelle Stewart

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 11 day of January, 2023, 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

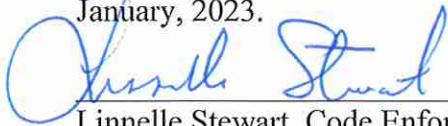
REQUEST FOR HEARING:

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 January 26, 2023 at 1:00 PM.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing and Affidavit of Violation has been furnished by certified mail return receipt requested to Dreyers Cleaning & Restoration Inc. to 14619 NW US Hwy 441, Alachua, Fl, 32615 this 11 day of January, 2023.



Linnelle Stewart, Code Enforcement Officer

12/5/2022

- 1) PLANS MUST BE DIGITALLY SIGNED AND SEALED. THESE PLANS APPEAR TO BE COPIES.
- 2) TOILET SHALL BE LOCATED IN THE CORNER, DIAGONAL OF THE DOOR. FBC-ACC 604.8.1.7.
- 3) SHOWER DOES NOT HAVE THE REQUIRED CLEAR FLOOR SPACE. PLEASE REFER TO FBC-ACC 608.2.1.
- 4) PLANS DO NOT SHOW THE WASHING MACHINE, DRYER OR THE CARPET WASHING MACHINE. FBC 107.3.5.
- 5) MIRROR SHOWN AS 40" TO THE BOTTOM. MAX IS 40" TO THE MIRROR REFLECTIVE SURFACE. FBC-ACC 603.3
- 6) GRAB BARS SHALL BE SHOWN AS MOUNTING TO THE TOP OF THE GRIPPING SURFACE 33"-36". SHOWN AS 34" TO THE BOTTOM MAX EXCEED THE MAX. FBC-ACC 609.4.
- 7) TOILET PAPER HOLDER SHALL BE MOUNTED 7"-9" FROM THE FRONT OF THE TOILET TO THE CENTER OF THE OUTLET OF PAPER. FBC-ACC 604.7
- 8) OCCUPANT LOAD OF 18 REQUIRES 2 RESTROOMS, 1 HI/LOW DRINKING FOUNTAIN AND 1 MOP SINK. FBC-PLB 403.2.
- 9) PROVIDE ALL REQUIRED PLUMBING, ELECTRICAL AND MECHANICAL PLANS AND LOAD CALCS TO INCLUDE THE AHRI. FBC 107.3.5.
- 10) PROVIDE A COMPLETE L/S PLAN. FBC 107.3.5
- 11) JOB VALUE APPEARS TOO LOW. PROVIDE CONTACT AND SHOW ALL LABOR AND MATERIAL COST TO INCLUDE MARK UP. FBC 109.3
- 12) ANY AND ALL COVERED WORK MUST BE EXPOSED IN ORDER TO PERFORM THE REQUIRED INSPECTIONS. FBC 110.3

12/6/22

Hello, I have directed the architect to make the adjustments spelled out.

I did have a question as to the minisplit system. My HVAC contractor could not produce a Manual J because the system is classified as "portable" and doesn't have an AHRI rating on it. Since it is fully self-contained, can the product info submitted satisfy the Manual J/D and mechanical plans requirement?

Also, I will need to adjust the value as that was a placeholder from when Dreyer's and I first spoke about what was suspected to be needed.

Thank you,

Daran

12/7/22

ANY MINI SPLIT THAT DOES NOT HAVE AN AHRI IS NOT APPROVED. ONLY WINDOW UNITS ARE CONSIDERED PORTABLE BY STATUTE WHEN THEY COME FROM THE FACTORY WITH A PLUG END.

12/8/22

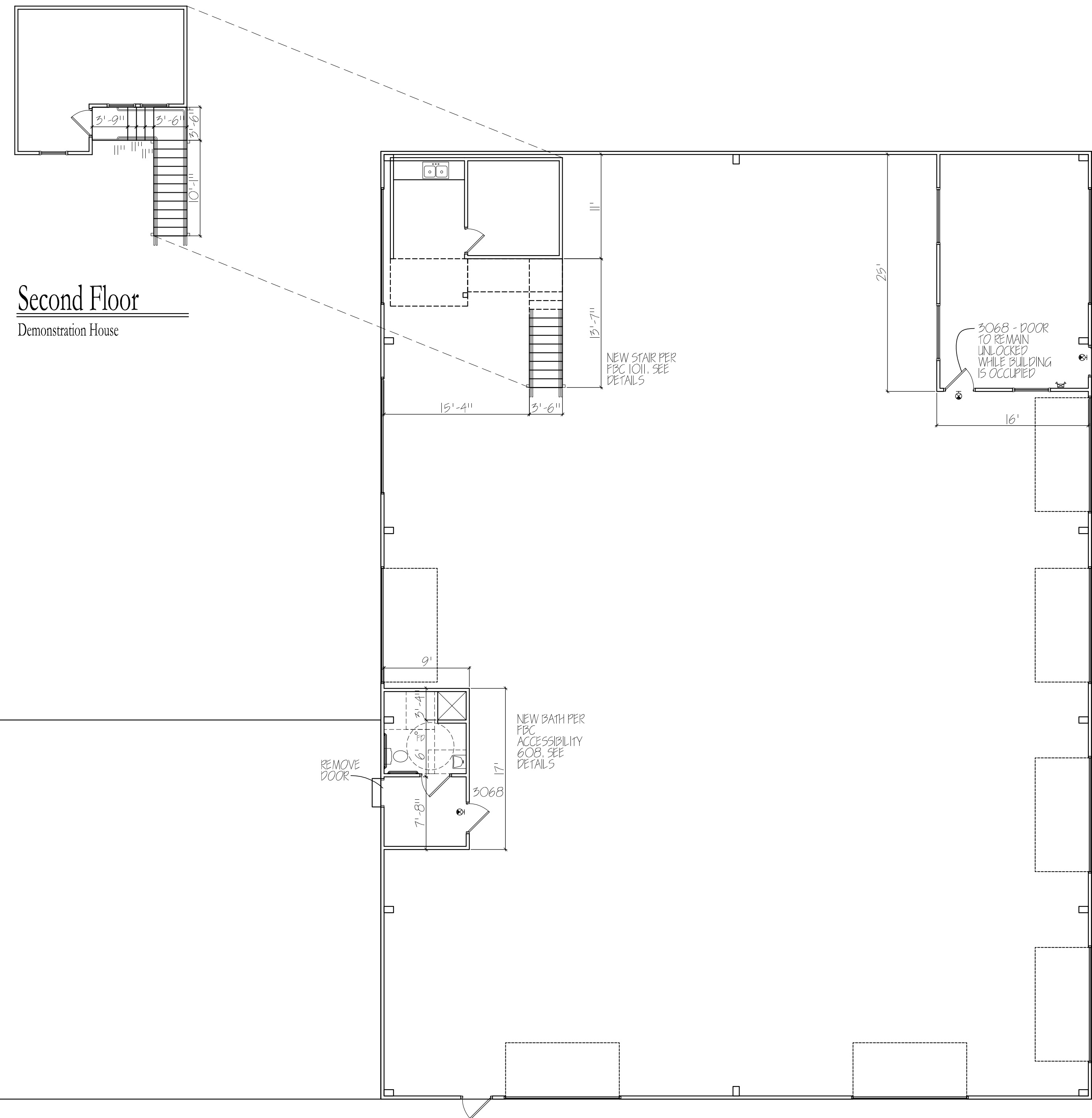
Comment from the Architect:

"There is no change to the existing building and it already has bathrooms and exits. This warehouse space was already there as well. So, the new bath was not required originally because the occupant of the warehouse were accounted for in the original building."

Based on this comment does this satisfy the occupant load issue you pointed out?

12/12/22

THE ARCHITECT MUST PROVIDE THE TOTAL OCCUPANT LOAD FOR THE ENTIRE BUILDING AND SHOW THE REQUIRED PLUMBING FIXTURES TO MATCH. NOTHING IS SHOWN ON THE PLAN ON THE EXISTING SIDE OF THE BUILDING SO I AM UNABLE TO VERIFY COMPLIANCE. IF USING EXISTING ADA RESTROOMS THEY MUST BE ON THE ACCESSIBLE ROUTE FROM THE NEW OFFICE.



Second Floor
Demonstration House

Summary / Scope of Work:

New Office area:

The construction appears to be adequate for the interior partition enclosure. Ceiling joists are 2x10, allowing for loading of approximately 45 pounds per square foot. New configuration of space does not compromise egress or life/safety. Exit lighting is in place.

New Work: Add emergency lighting

New Restrooms:

Added restrooms and access hall do not meet ADA requirements and will be reconfigured per plans.

New Work: Remove East restroom and fixtures and hall door. Reconfigure West restroom.

Demonstration House Construction:

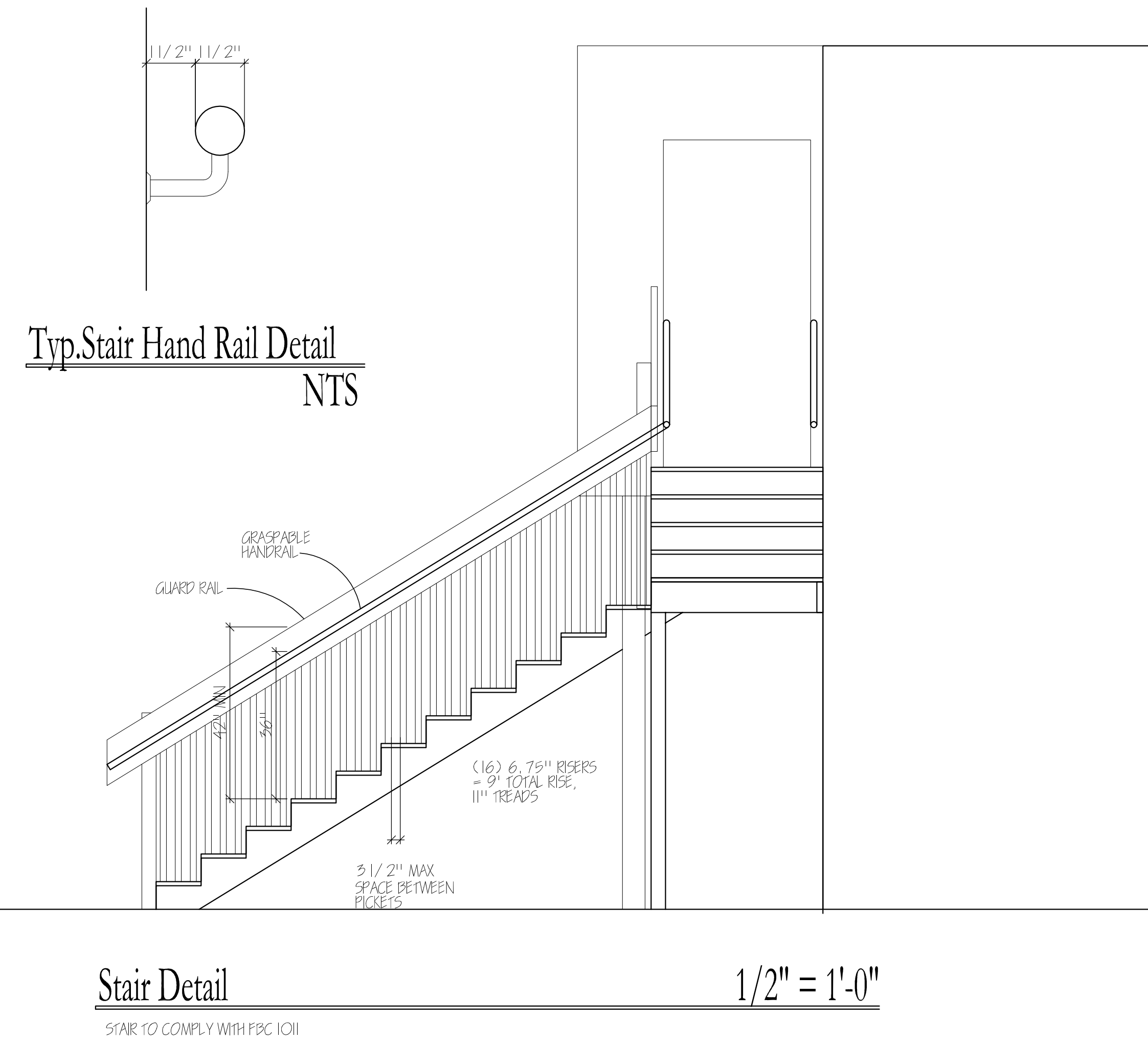
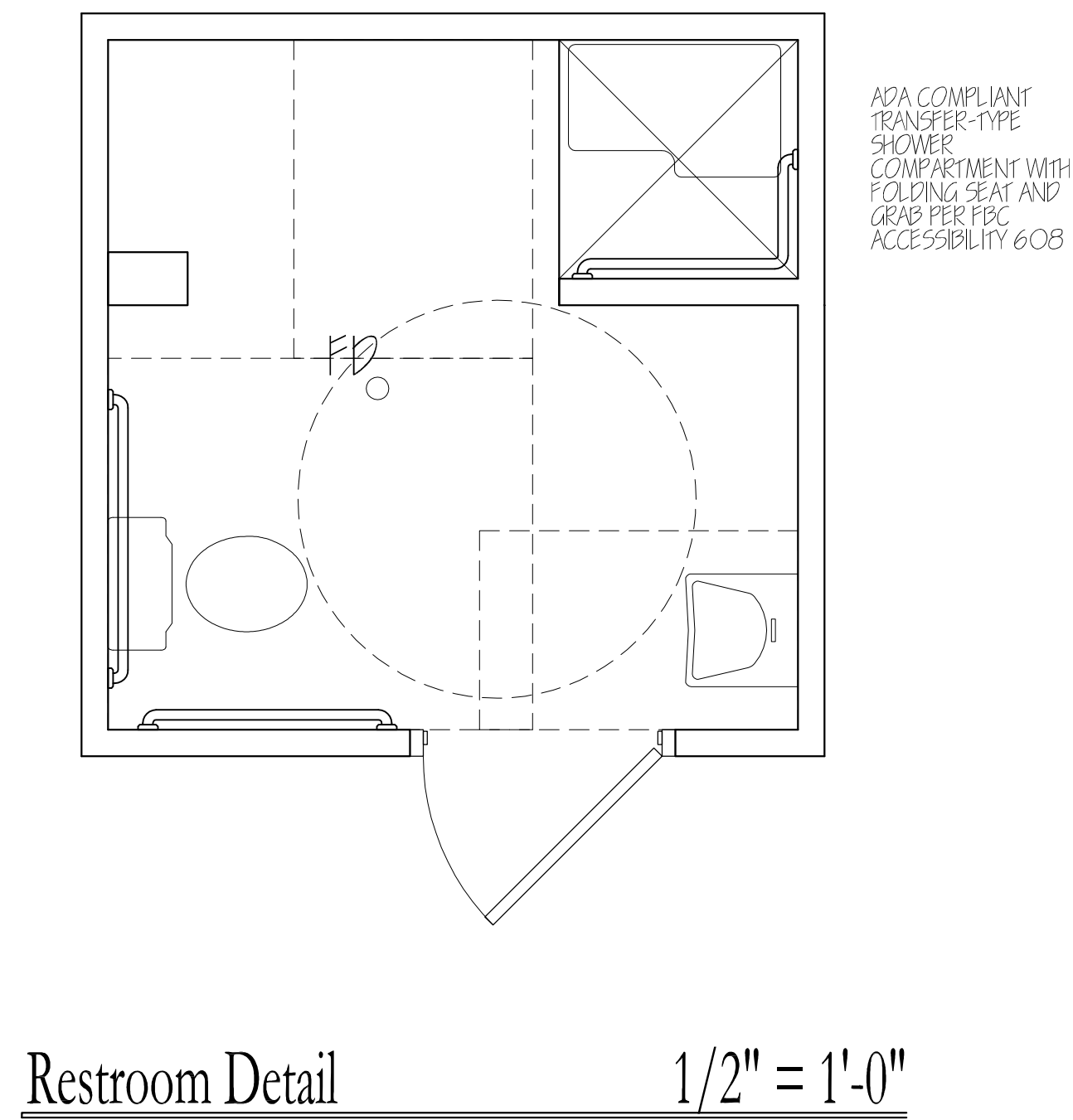
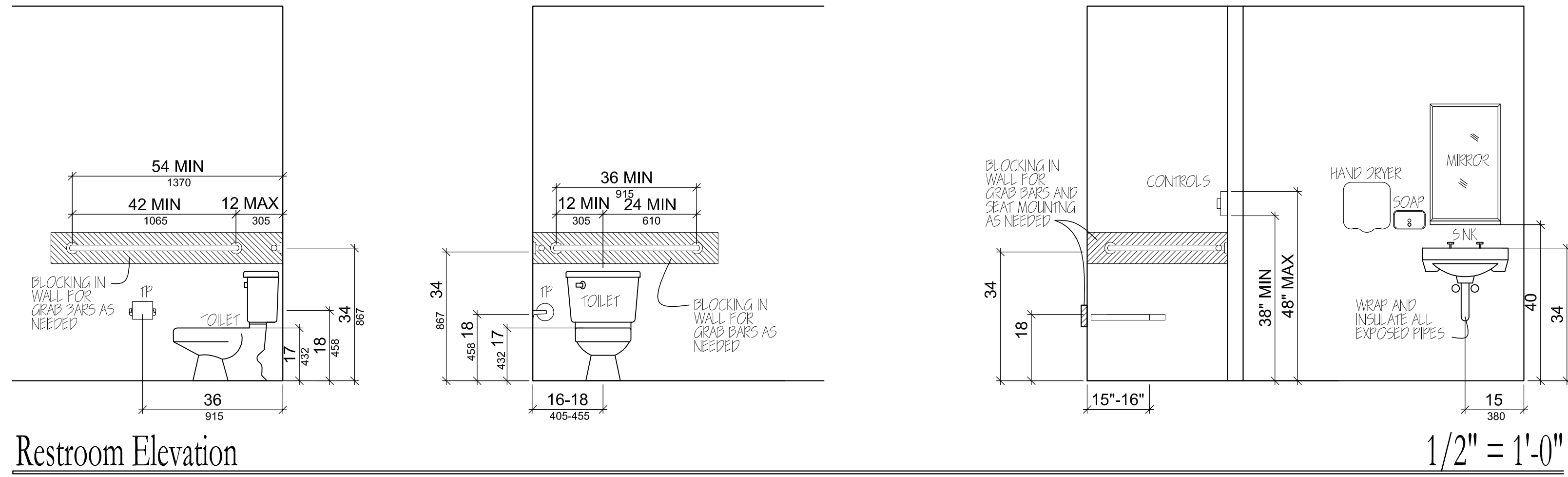
The demonstration house is meant to be used as educational tool and not regularly occupied. It is not occupied as a sleeping area. The structure is adequate for second floor loading of approximately 40 pounds per square foot. There is no compromise of egress path.

New Work: Remove and rebuild stair per plans to meet egress requirements. Verify that exit lights are visible from exits of demonstration house enclosure.

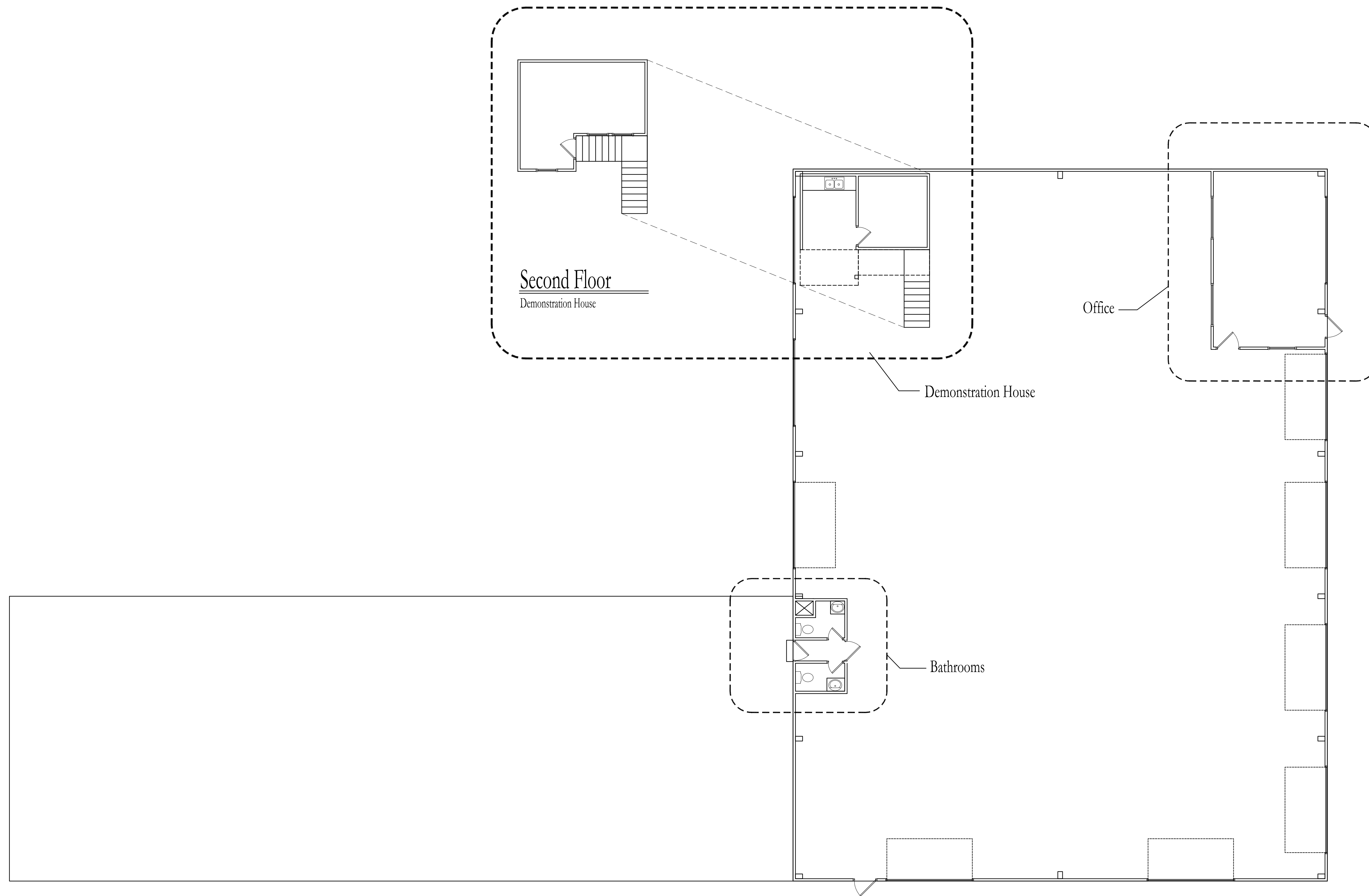
VERIFY NO NEW CONSTRUCTION OBSTRUCTS VIEWS OF EXIT SIGNAGE AND ALL AREAS ARE LIT BY EMERGENCY LIGHTING AS REQUIRED

Floor Plan

1/8" = 1'-0"



STAIR TO COMPLY WITH FPG 1011



Scope: After-the-Fact Permit application for interior partitions and bathrooms constructed inside existing warehouse space. There is no change to the building footprint, exterior envelope or use. There is no change to exit locations or egress paths.

All new construction shall comply with FBC 2020, 7th Ed.

Property Address:
14619 NW HWY 441
Alachua, FL 32615

Owner / Contractor:
Dreyers DKI
352 604 5557

DRAWING INDEX	
C.100	Existing Condition
A.100	Floor Plan
A.200	Details

Existing Condition

1/8" = 1'-0"

Dreyers DKI
Alachua, Florida

Note: Scope of After-the-fact permit is limited to work performed in the Warehouse area. Exits from the Warehouse are adequate for the occupant load of the Warehouse. Warehouse is served by additional facilities within the adjacent office area.

LIFE SAFETY CODE SUMMARY

BUILDING SQUARE FOOTAGE
S-1 (moderate hazard) Warehouse Use - 7100 sqft
B Ancillary Office Use - 400 sqft cond

7500 sqft total area

CODE REFERENCE

- FBC FLORIDA BUILDING CODE 7th EDITION, BUILDING (FBC) - 2020
- FBC FLORIDA BUILDING CODE 7th EDITION, EXISTING BUILDING (FBC-EB) - 2020
- FBC FLORIDA BUILDING CODE 7th EDITION, MECHANICAL (FBC-M) - 2020
- FBC FLORIDA BUILDING CODE 7th EDITION, PLUMBING (FBC-P) - 2020
- FBC FLORIDA BUILDING CODE 7th EDITION, ACCESSIBILITY (FBC-A) - 2020
- FBC FLORIDA BUILDING CODE 7th EDITION, ENERGY CONSERVATION (FBC-EC) - 2020
- NFPA 70 NATIONAL ELECTRICAL CODE (NEC) - 2017
- NFPA 1 UNIFORM FIRE PREVENTION CODE - FLORIDA EDITION 2018
- NFPA 101 LIFE SAFETY CODE - FLORIDA EDITION - 2018
- NFPA 10 STANDARD FOR PORTABLE FIRE EXTINGUISHERS - 2018
- NFPA 90A INSTALLATION OF AIR CONDITIONING AND VENTILATION SYSTEMS - 2018
- FFPC FLORIDA FIRE PREVENTION CODE 7th EDITION - 2020

FLORIDA ADMINISTRATIVE CODE (FAC) AND FLORIDA STATUTES AS AMENDED, including, but not limited to:
STATE OF FLORIDA ENERGY CONSERVATION CODE (FLEET ANALYSIS PROGRAM) RULES AND REGULATIONS OF THE STATE FIRE MARSHAL (TITLE 4A)
RULES AND REGULATIONS OF THE DEPARTMENT OF ENVIRONMENT
FLORIDA FIRE PREVENTION CODE 7th EDITION 2020

TYPE OF CONSTRUCTION: IIB unprotected
OCCUPANCY CLASSIFICATION: Mixed Use [FBC 2020 - Section 508]
S-1 : Storage [FBC 2020 - Section 311]
B : Business (ancillary) [FBC 2020 - Section 304]

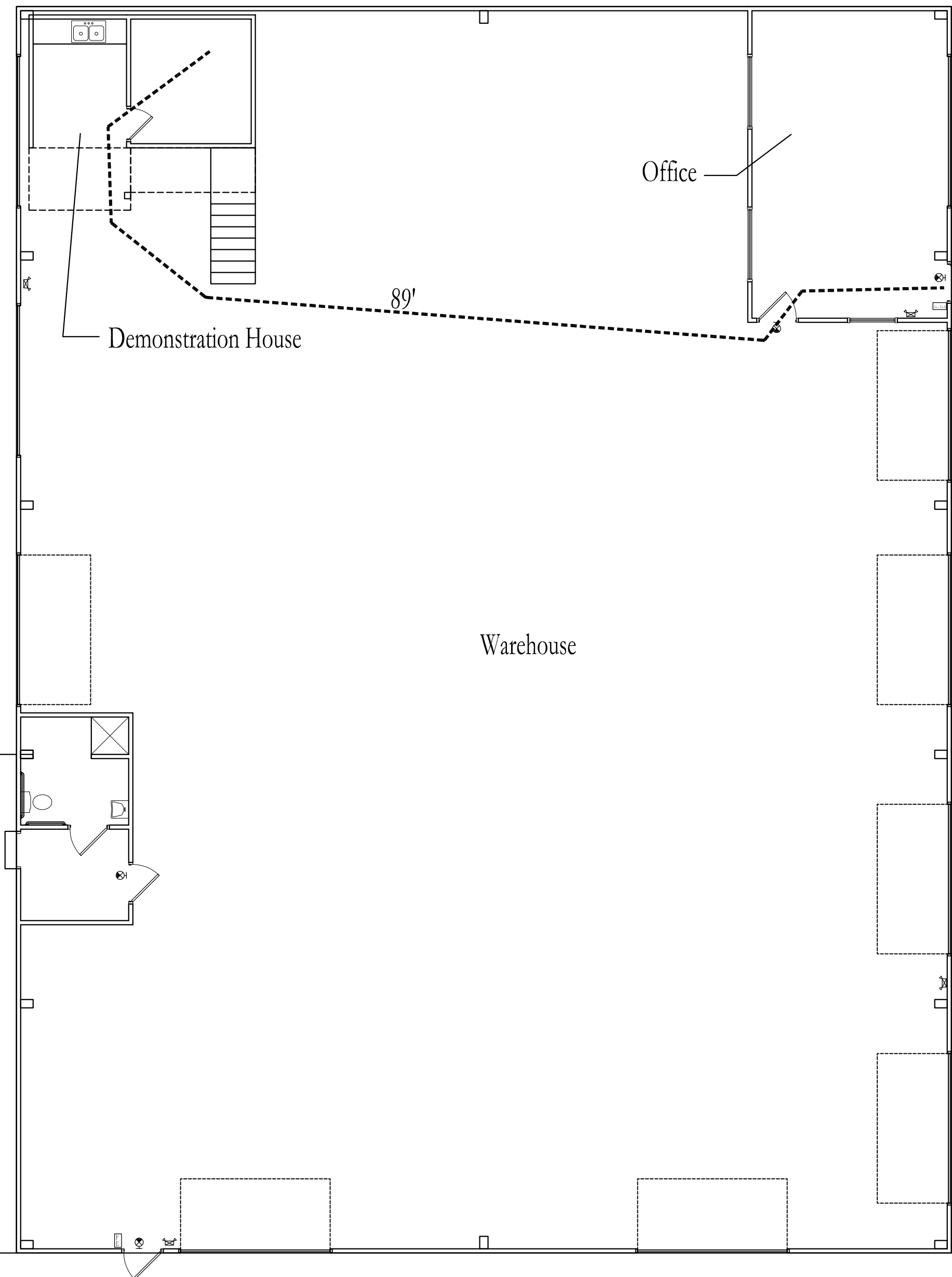
Warehouse 7100 / 500 sqft gross / person = 15 persons
Buisness 400 / 150 sqft gross / person = 3 persons
18 Total persons

Occupancy - NFPA 101 - Section 6.1
Section 42 Storage Occupancies

EGRESS REQUIREMENTS
MAXIMUM TRAVEL DISTANCE ALLOWED :
100' IN S OCCUPANCY
MAXIMUM DEAD END CORRIDOR 20'
NUMBER OF REQUIRED EXISTS: 2 (2 PROVIDED)
EGRESS WIDTH = $18 * 0.2 = 3.6"$ (32" MIN)

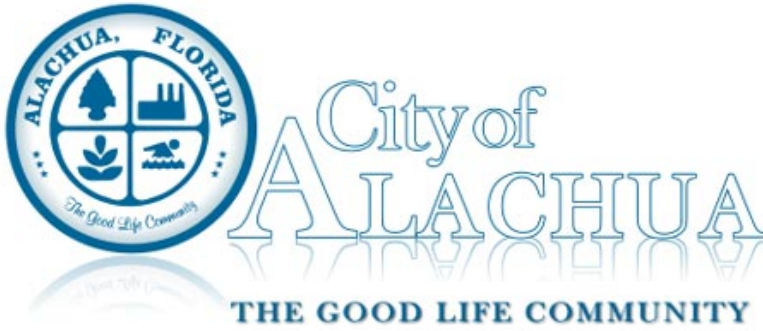
SPRINKLERS
NONE

PLUMBING FIXTURES
S Occupancy
WATER CLOSETS: 1 per 100 = 1
LAVATORIES: 1 per 100 = 1
DRINKING FOUNTAINS: 1 per 1000 = 1
SERVICE SINKS: 1 required = 1



Existing Condition

1/8" = 1'-0"



Board/Committee Agenda Item

MEETING DATE: 1/26/2023

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

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Conduct Special Magistrate Hearing scheduled for January 26, 2023.

Summary

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

An Order Continuing Matter Until Next Special Magistrate Hearing was filed on October 27, 2022 by Code Enforcement Officer Linnelle Stewart setting forth relevant and adequate facts to establish the cited violation of City Code. The Order Continuing Matter Until Next Special Magistrate Hearing announcing and setting a hearing to take testimony and otherwise consider the alleged violation was set for January 26, 2023 in the Alachua City Commission Chambers, 15100 NW 142 Terrace, Alachua, Florida. The Respondent was served the Order Continuing Matter Until Next Special Magistrate Hearing by certified mail, return receipt requested, sent to Virginia Daugherty at 2190 Hickory Lane, Orange Park, Florida, 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 dilapidated structure
 - b. Prohibited attractive nuisance
 - c. Prohibited tall grass and weeds
 - d. Prohibited inoperable vehicles
-

ATTACHMENTS:

Description

- Notice of Violation
- Request for Hearing
- Photos
- Order Continuing Matter



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

NOTICE OF VIOLATION

CASE NUMBER: E22-0104

VIOLATOR: Virginia Daugherty

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

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

PARCEL TAX ID NUMBER: 05928-009-001

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

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

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


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

COMPLIANCE DEADLINE: 07/18/2022

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

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

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

Enforcement Officer's Signature  Date 07/01/2022

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

City of Alachua,
Petitioner

vs.

Case No. E22-0104

Virginia Daugherty,
Respondent

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

NOTICE OF HEARING

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

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

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

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

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

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

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

PLEASE GOVERN YOURSELVES ACCORDINGLY

AFFIDAVIT OF VIOLATION

STATE OF FLORIDA
COUNTY OF ALACHUA

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

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

FURTHER AFFIANT SAYETH NAUGHT.



Linnelle Stewart

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



Signature of Notary

Print name: Lynnetta Hayes

Notary Public, State of Florida

My Commission expires: June 5, 2024



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

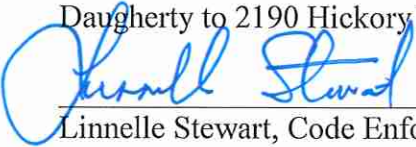
REQUEST FOR HEARING:

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 Thursday October 27, 2022 at 10:00AM.

CERTIFICATE OF SERVICE

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



Linnelle Stewart, Code Enforcement Officer











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

CITY OF ALACHUA,
Petitioner,

Case No.: E22-0104

vs

VIRGINIA DAUGHERTY,
Respondents
_____ /

**ORDER CONTINUING MATTER
UNTIL NEXT SPECIAL MAGISTRATE HEARING
THURSDAY JANUARY 26, 2023 AT 1 PM
PHYSICAL PRESENCE REQUIRED**

This case was heard by the City of Alachua Code Enforcement Special Magistrate, at a quasi-judicial hearing held on October 27, 2022. 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"), Respondent and other witnesses enters the following Order:

FINDINGS:

The legal description of the subject property (Property) is BAHIA COUNTRY UNRECORDED LOT 9-B OR 2126/1347.

The tax parcel ID listed in the Alachua County Property Appraiser records is 05928-009-001, and the 911 address is 10415 NW 53rd Terrace, Alachua, Fl, 32615.

Respondent/Owner, Virginia Daugherty was properly served with Notice of these proceedings by serving a Notice of Hearing and Affidavit of Violation via certified mail return receipt requested to Virginia Daugherty at 2190 Hickory Lane, Orange Park, Fl, 32073.

The City provided testimony of Code Enforcement Officer Linnelle Stewart (Code Officer) and offered other evidence.

Respondent Virginia Daugherty was present by phone and participated in the Hearing.

A Notice of Violation was mailed to the Respondent: Virginia Daugherty at 2190 Hickory Lane, Orange Park, Fl, 32073 via certified mail on July 1, 2022 with a compliance deadline of July 18, 2022 notifying the owner that the Property was in violation of:

- City of Alachua Code of Ordinances 8-30, International Property Maintenance Code Section 111.1.5(5), Building is so dilapidated that it is likely to completely or partially collapse.
- Section 111.5(7), Building is neglected and unsecured so as to become an attractive nuisance.
- Section 113.1, Boarding up for future repair cannot extend beyond one year unless approved by the Building Official.
- Section 302.4, Tall grass and weeds.
- Section 302.8, Inoperable vehicles.

On July 18, 2022, the Code Officer re-inspected the Property and determined the violations continued as provided under the Notice of Violation dated July 1, 2022.

A Request for Hearing and Affidavit of Violations was filed on October 11, 2022 by the Code Officer setting forth relevant and adequate facts to establish the cited violations of the City Code did exist.

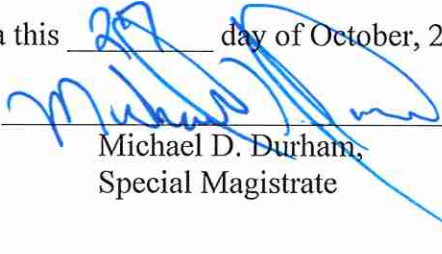
The Respondent/Owner Virginia Daugherty received Notice of this Hearing.

ORDER:

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:

- Matter has been continued until January 26, 2023.

DONE AND ORDERED at Alachua, Florida this 27 day of October, 2022.

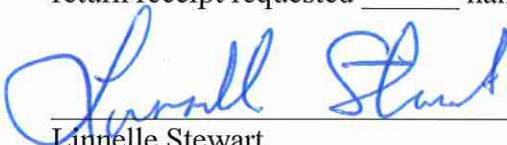


 Michael D. Durham,
 Special Magistrate

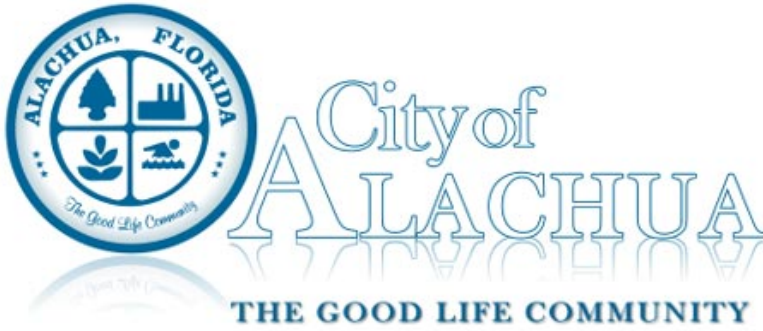
Please direct all inquiries concerning fines and appeals to Linnelle Stewart, Code Enforcement Officer, City of Alachua, 15100 NW 142 Terrace, Alachua, Fl, 32615; telephone no. (386)418-6127.

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Order Continuing Matter Until Next Special Magistrate Hearing Thursday January 26, 2023 was served on Virginia Daugherty by certified mail return receipt requested _____ hand delivery to this 27 day of October, 2022.



 Linnelle Stewart
 Code Enforcement Officer
 City of Alachua



Board/Committee Agenda Item

MEETING DATE: 1/26/2023

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 1PM on January 26, 2023.

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 January 12, 2023 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 January 26, 2023 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 July 28
- Order July 28, 2022 Hearing
- Request for Hearing January 26, 2023



*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:

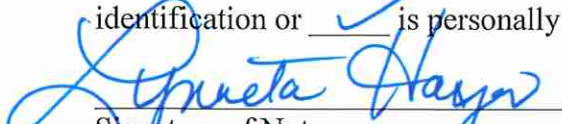
1. I am currently employed, and have served as Code Enforcement Officer for the City of Alachua since March 2006.
2. I am over the age of 21, sui juris and have personal knowledge of the information set forth in this Affidavit.
3. The legal description of the subject property (Property) is COLLEGE HEIGHTS 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

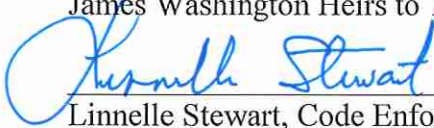
REQUEST FOR HEARING:

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

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

CITY OF ALACHUA,
Petitioner,

Case No.: E22-0084

vs

WILLIE JAMES WASHINGTON HEIRS,
Respondents
_____ /

**ORDER CONTINUING HEARING
REGARDING
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 July 28, 2022. 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"), Respondent and other witnesses enters the following Order:

FINDINGS:

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.

Respondent/Owner Willie James Washington Heirs was properly served with Notice of these proceedings by serving a Notice of Hearing and Affidavit of Violation via certified mail return receipt requested to Willie James Washington Heirs 8905 Beacon Hill Ave., Mount Dora, Fl, 32757.

The City provided testimony of Code Enforcement Officer Linnelle Stewart (Code Officer) and offered other evidence.

The Respondent was not present at the Hearing, but provided email communication to Code Enforcement indicating the property was being probated, which should conclude on about November 1, 2022.

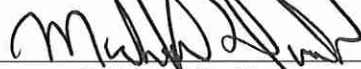
A Request for Hearing with Supporting Affidavit Violations was mailed to the Respondent: Willie James Washington Heirs at 8905 Beacon Hill Ave., Mount Dora, FL, 32757 via certified mail on June 30, 2022 notifying the owner that the Property was in violation of:

- City of Alachua Code of Ordinances Section 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.
- Section 108.1.5(7), The building is so neglected, damaged, dilapidated, unsecured, or abandoned so as to become an attractive nuisance to children.

ORDER:

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 this HEARING SHALL BE CONTINUED AND HEARD NO SOONER THAN NOVEMBER 1, 2022 AND CODE ENFORCEMENT WILL PROVIDE NOTICE OF SAID HEARING TO THE RESPONDENTS IN THE SAME MANNER AS PREVIOUSLY PROVIDED.

DONE AND ORDERED at Alachua, Florida this 28 day of July, 2022.

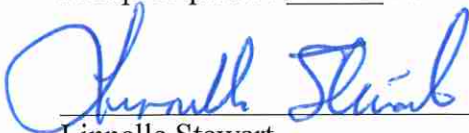


Michael D. Durham,
Special Magistrate

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 Willie James Washington Heirs by certified mail return receipt requested _____ hand delivery to this 28 day of July, 2022.



Linnelle Stewart
Code Enforcement Officer
City of Alachua

**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 JANUARY 26, 2023 AT 1:00PM
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 January 26, 2023 at 1:00 PM 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

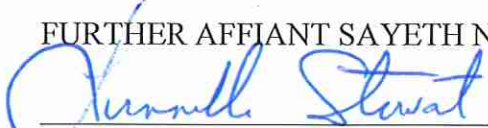
AFFIDAVIT OF VIOLATION

STATE OF FLORIDA
COUNTY OF ALACHUA

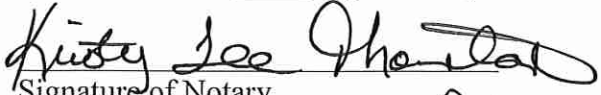
BEFORE ME, the undersigned authority personally appeared LINNELLE STEWART, ("Affiant"), who being duly sworn says:

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. That a Hearing before the Special Magistrate was held on July 28, 2022. The Respondent representative was not present at the Hearing, but provided email communication to Code Enforcement indicating the Property was being probated, which should conclude on or about November 1, 2022.
5. That an Order Continuing Hearing was mailed to the Respondent on July 28, 2022.
6. That the above facts are true and accurate to the best of my knowledge.

FURTHER AFFIANT SAYETH NAUGHT.


Linnelle Stewart

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 12 day of January, 2023, 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: Kristy Lee Thornton
Notary Public, State of Florida
My Commission expires: March 17, 2026



KRISTY LEE THORNTON
Commission # HH 230653
Expires March 17, 2026

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.

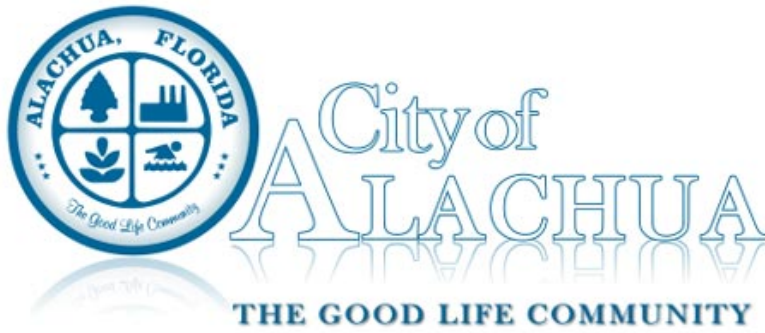
A Hearing before the Special Magistrate is hereby requested, to be held on January 26, 2023 at 1:00 PM.

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 8905 Beacon Hill Ave., Mount Dora, Fl, 32757 this 12 day of January, 2023.



Linnelle Stewart, Code Enforcement Officer



Board/Committee Agenda Item

MEETING DATE: 1/26/2023

SUBJECT: Case # 22-0205- Alexander & Lemieux, Parcel # 03418-000-000, Violation of one section of the Code

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Conduct Special Magistrate Hearing scheduled for 1 PM on January 26, 2023.

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 LOT 8 BK 41 OR 4874/1870 & OR 4959/1920. The tax parcel ID listed in the Alachua County Property Appraiser records is 03418-000-000, and the Property address is 13813 NW 147 Ave., Alachua, FL, 32615.

A Request for Hearing and Affidavit of Violations was filed on January 12, 2023 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 January 26, 2023 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 Alexander & Lemieux at 13813 NW 147 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. Window installation without permit

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: E22-0205

VIOLATOR: Alexander & Lemieux

MAILING ADDRESS: 13813 NW 147th Ave., Alachua, Fl, 32615

LOCATION ADDRESS: 13813 NW 147th Ave., Alachua, Fl, 32615

PARCEL TAX ID NUMBER: 03418-000-000

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

VIOLATION(S): WINDOW INSTALLATION WITHOUT PERMIT

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

COMPLIANCE DEADLINE: 12/21/2022

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 12/21/2022 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.

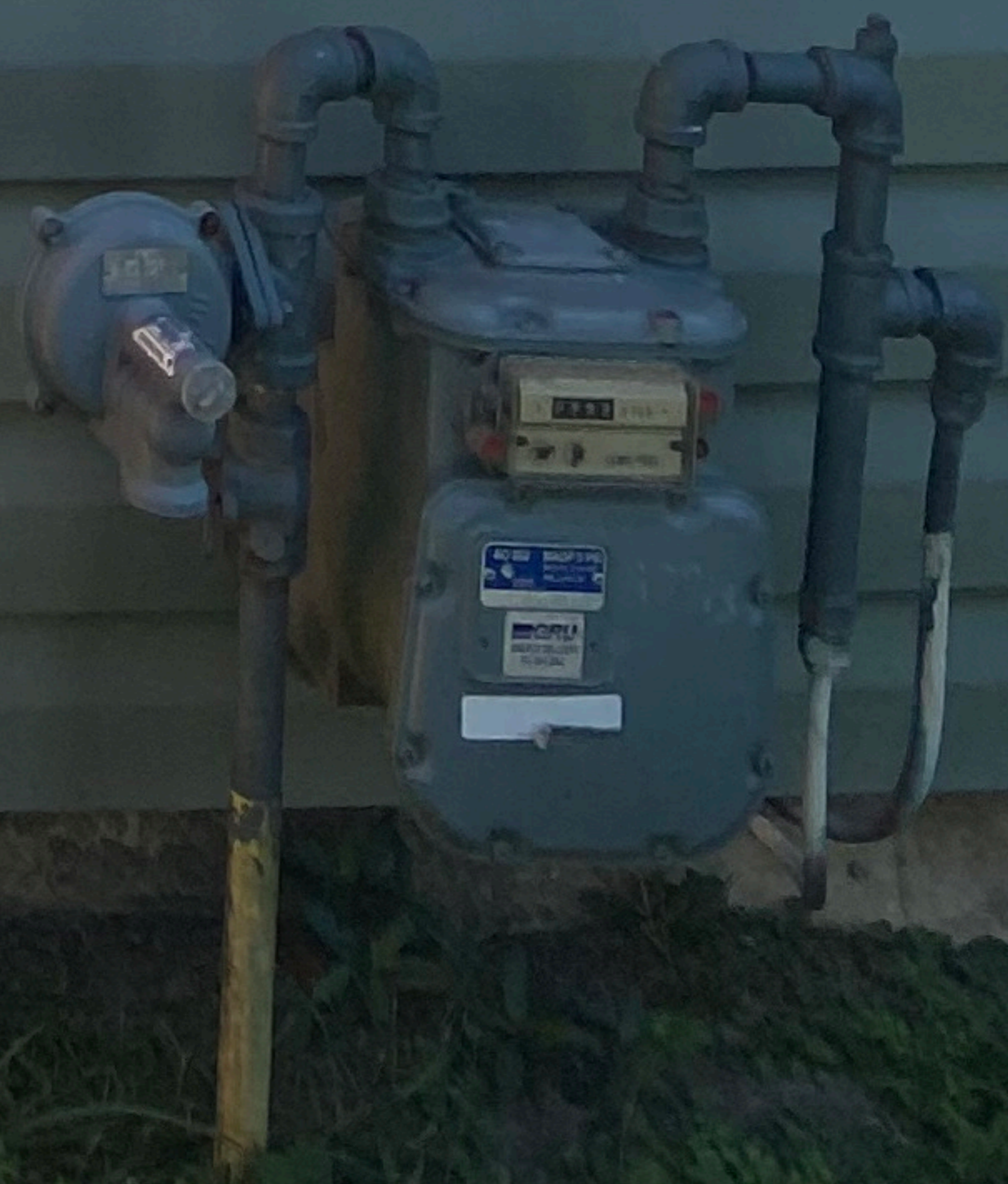
Enforcement Officer's Signature

Date 12/07/2022



RELIABILT
PREMIUM VINYL
Windows & Doors

LEGAL NOTICE
STOP
STOP WORK



**PREMIUM VINYL
Windows & Doors**

LEGAL NOTICE



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

STOP WORK


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

19413 SW 64TH AVE
Alachua

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

City of Alachua Building Department

Signed this 7 day of August, 2013


Building Official, City of Alachua
PO Box 1
Alachua, FL 32009
Phone: (904) 329-4471
Fax: (904) 329-4471

© 2008 City of Alachua Building Department. All rights reserved. Printed on recycled paper.



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

STOP WORK

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

13813 NW 149th AVE

(Location)

All persons acting contrary to this order or removing or mutilating this sign shall be liable to arrest unless such action is authorized by the City of Alachua Building Department.

City of Alachua Building Department

Signed this 7 day of Dec, 2022.

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

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

CITY OF ALACHUA,
Petitioner

vs.

Case No. E22-0205

ALEXANDER & LEMIEUX,
Respondent

**HEARING SET FOR THURSDAY JANUARY 26, 2023 AT 1:00PM
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 January 26, 2023 at 1:00 PM 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

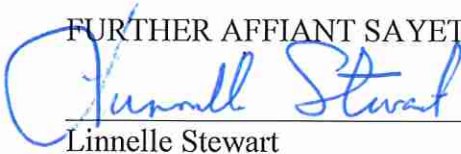
AFFIDAVIT OF VIOLATION

STATE OF FLORIDA
COUNTY OF ALACHUA

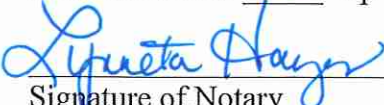
BEFORE ME, the undersigned authority personally appeared LINNELLE STEWART, (“Affiant”), who being duly sworn says:

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 LOT 8 BK 41 OR 4874/1870 & OR 4959/1920. The tax parcel ID listed in the Alachua County Property Appraiser records is 03418-000-000, and the 911 address is 13813 NW 147 Ave., Alachua, Fl, 32615.
4. A Notice of Violation was mailed to the Property via certified mail on December 7, 2022 citing violation of City of Alachua Code of Ordinances Subpart B, Land Development Regulations Section 9.3.2(A), with a compliance deadline set for December 21, 2022.
5. A check of City records on December 21, 2022 revealed a permit had not been obtained and the Property remained in violation.
6. That the above facts are true and accurate to the best of my knowledge.

FURTHER AFFIANT SAYETH NAUGHT.


Linnelle Stewart

The foregoing instrument was acknowledged before me by means of physical presence or _____ online notarization, this 12 day of January, 2023, 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

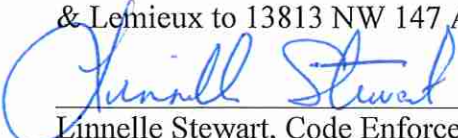
REQUEST FOR HEARING:

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.

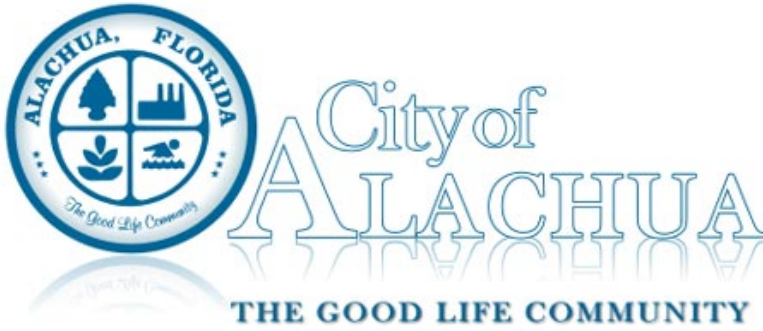
A Hearing before the Special Magistrate is hereby requested, to be held on January 26, 2023 at 1:00 PM.

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 Alexander & Lemieux to 13813 NW 147 Ave., Alachua, FL, 32615 this 12 day of January, 2023.



Linnelle Stewart, Code Enforcement Officer



Board/Committee Agenda Item

MEETING DATE: 1/26/2023

SUBJECT: Case # 22-0203- Ivan & Galina Kolomyiko, Parcel # 03129-001-000, Violation of one section of the code

PREPARED BY: Linnelle Stewart

RECOMMENDED ACTION:

Conduct Special Magistrate Hearing scheduled for 1 PM on January 26, 2023.

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 BEG SW COR SEC N 1 DEG E 1008.1 FT N 83 DEG E 978 FT POB N 79 DEG E 216.3 FT N 5 DEG E 179.5 FT S 89 DEG W 20 FT S 64 DEG W 224.1 FT N 49 DEG W 155.15 FT TO S R/W SR-235 S 82 DEG W ALONG R/W 25 FT S 25 DEG E 157.85 FT S 7 DEG E 113.3 FT POB & COM NW COR L. The tax parcel ID listed in the Alachua County Property Appraiser records is 03129-001-000, and the Property address is 13625 W State Road 235, Alachua, FL, 32615.

A Request for Hearing and Affidavit of Violations was filed on January 12, 2023 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 January 26, 2023 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 Ivan & Galina Kolomyiko at 14317 NW 142 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. Landscaping not installed in compliance with approved development plan

ATTACHMENTS:

Description

- Notice of Violation
- Request for Hearing
- Landscape Plan



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: E22-0203
VIOLATOR: Ivan & Galina Kolomyiko
MAILING ADDRESS: 14317 NW 142 Ave., Alachua, Fl, 32615
LOCATION ADDRESS: 13625 W State Rd., Alachua, Fl, 32615
PARCEL TAX ID NUMBER: 03129-001-000

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

VIOLATION(S): LANDSCAPING NOT INSTALLED IN COMPLIANCE WITH APPROVED SITE PLAN.

IN VIOLATION OF: City of Alachua Code of Ordinances Subpart B, Land Development Regulations Section 9.3.2(D) Occupy or use land or a structure in violation of the terms or conditions of the development permit or permit approval.

COMPLIANCE DEADLINE: 12/20/2022

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 12/20/2022 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 12/05/2022

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

CITY OF ALACHUA,
Petitioner

vs.

Case No. E22-0203

IVAN & GALINA KOLOMYIKO,
Respondent

_____ /

**HEARING SET FOR THURSDAY JANUARY 26, 2023 AT 1:00PM
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 January 26, 2023 at 1:00 PM 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

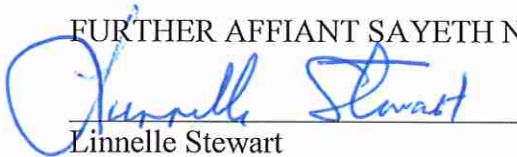
AFFIDAVIT OF VIOLATION

STATE OF FLORIDA
COUNTY OF ALACHUA

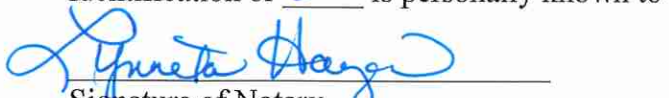
BEFORE ME, the undersigned authority personally appeared LINNELLE STEWART, (“Affiant”), who being duly sworn says:

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 BEG SW COR SEC N 1 DEG E 1008.1 FT N 83 DEG E 978 FT POB N 79 DEG E 216.3 FT N 5 DEG E 179.5 FT S 89 DEG W 20 FT S 64 DEG W 224.1 FT N 49 DEG W 155.15 FT TO S R/W SR-235 S 82 DEG W ALONG R/W 25 FT S 25 DEG E 157.85 FT S 7 DEG E 113.3 FT POB & COM NW COR L. The tax parcel ID listed in the Alachua County Property Appraiser records is 03129-001-000, and the 911 address is 13625 w State Rd. 235, Alachua, Fl, 32615.
4. A Notice of Violation was mailed to the Property via certified mail on December 5, 2022 citing violation of City of Alachua Code of Ordinances Subpart B, Land Development Regulations Section 9.3.2(D), with a compliance deadline set for December 20, 2022.
5. A re-inspection was performed on December 20, 2022 and the Property remained in violation.
6. That the above facts are true and accurate to the best of my knowledge.

FURTHER AFFIANT SAYETH NAUGHT.


Linnelle Stewart

The foregoing instrument was acknowledged before me by means of physical presence or _____ online notarization, this 12 day of January, 2023, 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

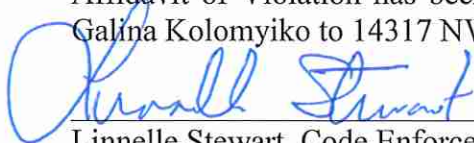
REQUEST FOR HEARING:

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.

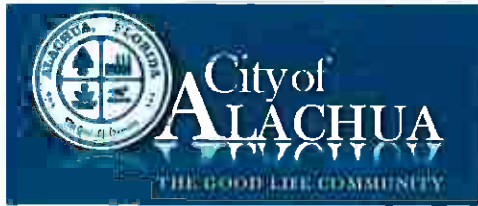
A Hearing before the Special Magistrate is hereby requested, to be held on January 26, 2023 at 1:00 PM.

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 Ivan & Galina Kolomyiko to 14317 NW 142 Ave., Alachua, Fl, 32615 this 12 day of January, 2023.



Linnelle Stewart, Code Enforcement Officer



Special Magistrate Hearing Sign In
January 26, 2023

	Name <i>(Please Print)</i>
<i>(Please Print)</i> Kyla Lemieux	<i>(Please Print)</i>
<i>(Please Print)</i> Jeannette Banks	<i>(Please Print)</i>
<i>(Please Print)</i> Virginia Dougherty	<i>(Please Print)</i>
<i>(Please Print)</i> Rob Lash	<i>(Please Print)</i>
<i>(Please Print)</i> Jami MacKintosh	<i>(Please Print)</i>
<i>(Please Print)</i> Richard Alexander	<i>(Please Print)</i>
<i>(Please Print)</i> Timothy Towns	<i>(Please Print)</i>
<i>(Please Print)</i> Brenda Reed	<i>(Please Print)</i>
<i>(Please Print)</i> Betty Hunter	<i>(Please Print)</i>
<i>(Please Print)</i>	<i>(Please Print)</i>