

**MINUTES
CITY OF DUNNELLON
CODE ENFORCEMENT DIVISION
SPECIAL MAGISTRATE HEARING
Tuesday, July 10, 2018, 9:00 a.m.**

1. Opening

Magistrate Hoehn called the meeting to order at 9:00 a.m. and led the Pledge of Allegiance.

Proof of Publication

The agenda was posted on the city's website and at City Hall on Friday, July 6, 2018.

Roll Call

Present

Magistrate Audrie Harris Hoehn, Esq.

Staff Present

Lonnie Smith, Code Enforcement
Teresa Malmberg, Admin. Coordinator

2. Approval of Minutes

Magistrate Hoehn approved the minutes of the April 4, 2017; June 6, 2017; and May 1, 2018, hearings as submitted.

3. Public Hearing – Continued Case

Case Number: DCV1718-01/Case #CE2018-001

Property Owner: Leonard/Deborah Barnes

Property Address: 11680 Camp Drive / Parcel #3453-007-001

Violation: Exterior Surfaces of Buildings in Disrepair, Code Section 99-2(a)

Magistrate Hoehn summarized the Findings of Fact, Conclusions of Law and Order.

Mr. Barnes provided an update, noting a permit has been obtained, estimates received, still waiting for a response from FEMA, and requested a continuation. Magistrate Hoehn explained the executive order expires in 60 days and is a temporary stay on actions. Finding that substantial compliance has been reached, the case is closed and no fine will be assessed. The magistrate explained further that the property owner must comply with the permit requirements as failure to do so will be considered a repeat violation and subject to fines.

3. Public Comment:

Pam Kern, 11809 Camp Drive, concerned the tarp has been on the roof for two years, and other items in yard that are violation such as a car in disrepair. Believes this can be cleared up and doesn't

need to go on longer. Magistrate Hoehn explained that the matter of the roof was heard as soon as it was brought to her attention, and actions taken. The other matters will be referred to code enforcement staff, and thanked Mrs. Kern for being at the hearing.

Daniel Mendonca, 11894 E. Blue Cove Drive, comments concerning if the city is proactive or reactive. Mr. Smith responded that due to staffing, code enforcement acts on complaints received. Mr. Mendonca also brought up vacation rentals as a concern. He noted he would like to see a more proactive code enforcement approach. Magistrate Hoehn noted that it is common for most cities to be complaint driver to, as Mr. Smith mentioned, staffing and expense. Recommended Mr. Mendonca inform city council regarding his concerns. Cities look to their citizens to bring complaints forward, and thanked Mr. Mendonca for being at the hearing.

David Piepenbrink, 11650 Camp Drive, next door neighbor to 11680 Camp Drive. His concern was to the devaluation of his home due to the condition of the neighbor's. Magistrate Hoehn thanked him for being at the hearing, and explained that once the matter comes before her, she addresses them. Complaint is made, staff contacts property owner, inspects, and gives time to correct. If fail to correct, the item is brought to hearing. The hearing is where determination is made of code violation and fine is set according to statute limitations. Repeat violations will be heard and subject to \$500/day fine.

Jerry McMichael, 11740 Camp Drive, concerned that nothing is being or has been done and the roof has been in the condition for a few years. Magistrate Hoehn explained that the case came to her when it did, and went on to explain the permitting process and time available to complete. The only requirement to be met today was to get the permit and pay the fee, which has been done. Once the permit expires and if the work is not completed, another hearing will be held, at which time a \$500/day fine could be imposed as long as the violation exists.

Mr. Barnes noted that a roof was replaced and incidences repaired were addressed in the past and discussed his issues with FEMA. In the future, selling house and will want to get the most from the sale. Work will be done as soon as possible.

4. Adjournment

Magistrate Hoehn adjourned the hearing at 9:35 a.m.

Audrie Harris Hoehn, Esq., Special Magistrate

Teresa Malmberg, Admin. Coordinator