



**CITY OF OKEECHOBEE CODE ENFORCEMENT  
DECEMBER 14, 2021, SPECIAL MAGISTRATE HEARING  
OFFICIAL MINUTES**

**I. CALL TO ORDER**

Special Magistrate Azcona called the Code Enforcement Special Magistrate Hearing to order on Tuesday, December 14, 2021, at 6:02 P.M. in the City Council Chambers, located at 55 Southeast 3<sup>rd</sup> Avenue, Room 200, Okeechobee, Florida. The Pledge of Allegiance was led by Special Magistrate Azcona.

**II. ATTENDANCE**

Assistant Code Enforcement Officer Christina Curl called the roll. Special Magistrate Roger Azcona, Esquire, City Attorney Greg Hyden, Police Lieutenant Justin Bernst and Code Enforcement Officer Anthony Smith were present.

**III. CHANGES TO AGENDA**

Special Magistrate Azcona asked whether there were any agenda items to be added, deferred, or withdrawn; there were none.

**IV. APPROVAL OF MINUTES AND ADMINISTRATION OF OATH**

A. Special Magistrate Azcona approved the November 9, 2021, Hearing minutes.

B. This being a Quasi-Judicial proceeding, Special Magistrate Azcona collectively administered an Oath to: Code Officers Smith, Curl, and Mr. Brandon Tucker; all affirmed. Code Officer Smith stated for the record all events regarding the Cases to be discussed occurred within the corporate limits of the City of Okeechobee. The Officer's notes, testimony, photographs, and support documents were all entered as part of the official record.

**V. FINE REDUCTION REQUESTS**

A. Case No. 191030022; William R. Grigsby Jr., Highway 70 East [Legal Description: All of Lots 1 through 12, inclusive, lying North of North Park Street (a/k/a State Road 70 f/k/a Fort Pierce Road) as now constructed, in Block 4, PRICE ADDITION TO OKEECHOBEE CITY, Plat Book 2, Page 17, Okeechobee County public records].

Code Officer Smith testified that the property is in violation of Chapter 30, Sections 30-43 Public nuisances, 30-44 General cleaning and beautification for overgrown grass, weeds, shrubs, and trees. The property is not a repeat violator. A Courtesy Card was mailed via United States Postal Service (USPS) regular mail on August 15, 2019. A Notice of Violation (NOV) was mailed via USPS certified return receipt on August 27, 2019. The notice was received by William Grigsby on August 27, 2019. A second NOV was mailed via USPS certified return receipt on November 11, 2019. The notice was returned, time expired to forward. A Statement of Violation/Notice of Hearing (SOV/NOH) was mailed via USPS certified return receipt and the property was posted on February 24, 2020, for the March 10, 2020, Hearing. This Case was found in violation on March 10, 2020. A fine of \$50.00 per day to start immediately plus a one-time \$50.00 administrative fee imposed. A Lien/Order was mailed via USPS certified return receipt on March 17, 2020. The Lien/Order was received on March 20, 2020, signature not legible. The property was inspected and found to be in compliance on June 24, 2020, leaving an accrued fine of \$5,300.00. Mr. Brandon Tucker on behalf of Mr. Grigsby submitted a request for a fine reduction on December 1, 2021. The City recommended a seventy-five percent reduction plus a \$50.00 administrative fee.

Base on the evidence provided, **Special Magistrate Azcona ruled to reduce the fine by 75 percent, plus a \$50.00 administrative fee.**

**VI. COMPLIED CASES**

A. Case No. 211014016; Chad T and PJ Carter, 501 Southwest 14<sup>th</sup> Court [Legal Description: Lot 4 of Block C, OAK GROVE ADDITION TO CITY OF OKEECHOBEE, Plat Book 2, Page 86, Okeechobee County public records].



**VI. COMPLIED CASES CONTINUED**

- A.** CONTINUED: No action on this matter was requested but is noted for the record to have been in violation of Code of Ordinances Chapter 10, Section 10-8(b) Public nuisances.
- B.** Case No. 211019010; Acencion Covarrubias-Santoyo, 309 Northeast 6<sup>th</sup> Street [Legal Description: Lots 7 and 8 of Block 79, CITY OF OKEECHOBEE, Plat Book 5, Page 5, Okeechobee County public records]. No action on this matter was requested but is noted for the record to have been in violation of Code of Ordinances Chapter 30, Sections 30-40 Junk, 30-44 General cleaning and beautification.
- C.** Case No. 211021010; Candido and Gloria Aragon, Northwest 6<sup>th</sup> Avenue [Legal Description: Lots 4 through 6 inclusive of Block 136, CITY OF OKEECHOBEE, Plat Book 2, Page 17, Okeechobee County public records]. No action on this matter was requested but is noted for the record to have been in violation of Code of Ordinances Chapter 30, Sections 30-43 Public nuisances, 30-44 General cleaning and beautification.
- D.** Case No. 211021011; Candido and Gloria Aragon, Northwest 2<sup>nd</sup> Street [Legal Description: Lots 7 through 9 inclusive of Block 136, CITY OF OKEECHOBEE, Plat Book 2, Page 17, Okeechobee County public records]. No action on this matter was requested but is noted for the record to have been in violation of Code of Ordinances Chapter 30, Sections 30-43 Public nuisances, 30-44 General cleaning and beautification.
- E.** Case No. 210125009; Barry A. and Denise M. Parow, 101 Southwest 11<sup>th</sup> Avenue [Legal Description: Lots 11, 12, 13, and 14 of Block 4, SOUTHWEST ADDITION TO OKEECHOBEE, Plat Book 2, Page 7, Okeechobee County public records]. No action on this matter was requested but is noted for the record to have been in violation of Code of Ordinances Chapter 30, Sections 30-41 Disabled vehicles, 30-44 General cleaning and beautification.
- F.** Case No. 210701012; Joseph Perretta (Coastal Limbs and Brace), 710 West North Park Street [Legal Description: The West 50-feet of Lots 5 and 6, of Block 161, OKEECHOBEE, Plat Book 5, Page 5, Okeechobee County public records, and beginning at the Southwest corner of Lot 6 of Block 161, OKEECHOBEE, Plat Book 5, Page 5, Okeechobee County public records, thence run North along the West boundary of said Block 161 to the Northwest corner of Lot 4 of said Block 161; thence run West, along the Westerly extension of the North boundary line of said Lot 4, a distance of 50-feet to the East right-of-way (ROW) line of the former Florida East Coast Railway of North Park Street; thence run East, along said North ROW line, a distance of 50-feet to the point of beginning, lying in Section 16, Township 37 South, Range 35 East, and being a part of that certain 50-foot strip of land designated as "Reserved" on the plat of Okeechobee, Plat Book 5, Page 5 Okeechobee County public records]. No action on this matter was requested but is noted for the record to have been in violation of International Property Maintenance Code (IPMC) Chapter 3, Sections 304.6 Exterior walls, 304.7 Roof and drainage.
- G.** Case No. 210421006; Jose and Maria Cisneros, 608 Southeast 10<sup>th</sup> Avenue [Legal Description: Lots 8, 9, and 12 of Block 12, WRIGHT'S FIRST ADDITION TO OKEECHOBEE, Plat Book 1, Page 13, Okeechobee County public records]. No action on this matter was requested but is noted for the record to have been in violation of the Code of Ordinances Chapter 30, Sections 30-32 Accumulations on real property, 30-43 Public nuisances.
- H.** Case No. 210909008; Michael R. Arnold, 1007 North Parrott Avenue [Legal Description: Lots 3 and 4 of Block 30, CITY OF OKEECHOBEE, Plat Book 2, Page 17, Okeechobee County public records]. No action on this matter was requested but is noted for the record to have been in violation of Chapter 30, Sections 30-40 Junk, 30-41 Disabled vehicles.



## VII. NEW CASES

- A. Case No. 211019004; Margaret Buford Joiner, 309 Southeast 11<sup>th</sup> Avenue [Legal Description: Okeechobee Development Company Lots 22, 23, 24, 25, 26 and 27, inclusive of Block C, Okeechobee Development Company's addition to Okeechobee, according to the plat thereof recorded in Plat Book 1, Page 6, public records of Okeechobee County, Florida. also: the West half of the vacated alley or alleyway lying adjacent to said Lots 22, 23, 24, 25, 26 and 27, inclusive, of Block C, Okeechobee Development Company's addition to Okeechobee, according to the plat thereof recorded in Plat Book 1, Page 6, public records of Okeechobee County, Florida. together with the following: being a portion of Lots 1 through 9 of Block C, Okeechobee Development Company's addition to Okeechobee, according to the plat thereof as recorded in Plat Book 1, Page 6, of the public records of Okeechobee County, Florida. also: the East half of the vacated alley or alleyway lying adjacent to said Lots 1 through 9, and projected North to the Hopkins Meander Line of said Block C. also: the vacated alley or alleyway lying between a portion of said Lot 1 and the said Hopkins Meander Line of Block C, and being more particularly described as follows: commence at the Southwest Corner of Lot 15, of said Block C, said corner being also the Southeast corner of a vacated alley or alleyway lying in said Block C, and lying also on the North right-of-way(ROW) line of SE 4th Street; thence bear South 89°34'43" West, along said North ROW line, or a distance of 10.00-feet to the centerline of said vacated alley or alleyway; thence bear North 00°06'32" West, along said centerline, for a distance of 150.00-feet to the point of beginning; thence continue North 00°06'32" West, along said centerline and projected North, for a distance of 251.40-feet to the intersection with said Hopkins Meander Line; thence bear South 72°07'03" East, along said Hopkins Meander Line, for a distance of 45.50-feet to a point; thence bear South 06°23'00" West for a distance of 228.75-feet to a point; thence bear South 02°32'33" West for a distance of 10.00-feet to the intersection with the South boundary line of Lot 9; thence bear South 89°37'49" West, along said South boundary line and projected across said alley or alleyway for a distance of 16.95-feet to the point of beginning].

Code Officer Smith testified that the property is in violation of the Code of Ordinances Chapter 30, Sections 30-43 Public nuisances, 30-44 General cleaning and beautification for overgrown trees, bushes, shrubs, grass, and weeds. The property is not a repeat violator. A Courtesy Card was mailed via USPS regular mail on September 24, 2021. The notice was returned, not deliverable as addressed, unable to forward. A Courtesy Card was mailed via USPS regular mail to the property address. The notice was returned on October 12, 2021, no mail receptacle, unable to forward. The property was posted with SOV/NOH on October 19, 2021, for the December 14, 2021, Hearing. The property was inspected and found to be non-compliant on November 2, 2021, and December 7, 2021. To comply with the City's Code of Ordinances, all the overgrown vegetation on the property needs to be cut. The City recommends a fine of \$50.00 per day, to begin 21 days after the date of this Hearing, unless the property owner brings the property into compliance on or before that date, plus a \$50.00 administrative fee.

Based on the evidence provided, **Special Magistrate Azcona found Case No. 211019004 to be in violation of Code of Ordinances Chapter 30, Sections 30-43 Public nuisances, 30-44 General cleaning and beautification and imposed a fine of \$50.00 per day plus a one-time administrative fee of \$50.00 should the property fail to come into compliance within 21 days after the date of this Hearing.**

- B. Case No. 211020009; Eight 12 Twenty Nine, LLC, 911 Northwest 9<sup>th</sup> Street [Legal Description: Lots 5 and 6 of Block 43, OKEECHOBEE, Plat Book 1, Page 10, Okeechobee County public records].

Code Officer Smith testified that the property is in violation of Code of Ordinances Chapter 30, Sections 30-41 Disabled vehicles, 30-44 General cleaning and beautification for two disabled vehicles in the yard, overgrown grass, weeds, trees, shrubs, and trash piled up in the yard. The property is not a repeat violator. A Courtesy Card was mailed via USPS regular mail on October 6, 2021. The property was inspected and found to be non-compliant on October 20, 2021. A SOV/NOH was mailed via USPS certified return receipt on October 20, 2021, for the December 14, 2021, Hearing. The notice was returned on November 30, 2021, insufficient address, unable to forward. The property was inspected on November 15, 2021 and found to be non-compliant. The property was posted with SOV/NOH on November 30, 2021, for the December 14, 2021, Hearing. The property was inspected and found to be non-compliant on December 7, 2021. To comply with the City's Code of Ordinances the disabled vehicles need to be removed from the property and all the overgrown vegetation on the property needs to be cut.

**VII. NEW CASES CONTINUED**

- B. CONTINUED:** The City recommends a fine of \$50.00 per day, to begin 21 days after the date of this Hearing, unless the property owner brings the property into compliance on or before that date, plus a \$50.00 administrative fee.

Based on the evidence provided, **Special Magistrate Azcona found Case No. 211020009 to be in violation of Code of Ordinances Chapter 30, Sections 30-41-Disabled vehicles, 30-44 General cleaning and beautification and imposed a fine of \$50.00 per day plus a one-time administrative fee of \$50.00 should the property fail to come into compliance within 21 days after the date of this Hearing.**

**VIII. ADJOURN MEETING**

There being no further business to come before the Special Magistrate, the Hearing was adjourned at 6:55 P.M.

  
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Roger Azcona, Special Magistrate

ATTEST:

  
\_\_\_\_\_  
Christina Curl

Please take notice and be advised that when a person decides to appeal any decision made by the Special Magistrate with respect to any matter considered at this Hearing, he/she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. City Clerk media are for the sole purpose of backup for official records of the Clerk.