



CITY OF OKEECHOBEE CODE ENFORCEMENT APRIL 11, 2023, SPECIAL MAGISTRATE HEARING OFFICIAL MINUTES

I. CALL TO ORDER

Special Magistrate Azcona called the Code Enforcement Special Magistrate Hearing to order on Tuesday, April 11, 2023, at 6:01 P.M. in the City Council Chambers, located at 55 Southeast 3rd Avenue, Room 200, Okeechobee, Florida. The Pledge of Allegiance was led by Special Magistrate Azcona.

II. ATTENDANCE

Code Enforcement Officer Christina Curl called the roll: Special Magistrate Roger Azcona, Esquire, and Code Enforcement Officer Anthony Smith were present, and City Attorney Greg Hyden attended via Zoom.

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Special Magistrate Azcona asked whether there were any agenda items to be added, deferred, or withdrawn; there were none.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 dispensed with the reading and approved the March 14, 2023, Minutes.

B. This being a Quasi-Judicial proceeding, Special Magistrate Azcona collectively administered an Oath to: Code Officers Smith, and Curl; all affirmed. Code Officers Smith and Curl 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. COMPLIED CASES

A. Case No. 230111007; Paul and Charlene Haynes, 800 Southwest 11th Avenue [Legal Description: South 50.50-feet of Lots 16 to 20 of Block 15, and that part of East 250-feet of First Street now abandoned and closed lying West of Hillsborough Avenue, and North 12-feet of Lots 19 and 20 of Block 15, 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, Section 30-41 Disabled vehicles, the property was found to be in compliance on March 16, 2023, no Lien/Order was recorded, and no fine accrued.

B. Case No. 230125004; Tina M. Bray, 1115 Northwest 7th Court [Legal Description: Lots 9 and 10 of Block 15, NORTHWEST ADDITION TO OKEECHOBEE, Plat Book 1, Page 25, 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, the property was found to be in compliance on March 16, 2023, no Lien/Order was recorded, and no fine accrued.

C. Case No. 210125007; Glenn Frank Prescott, 1009 Southwest Park Street [Legal Description: Lot 3 and West half of Lot 2 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 30-43 Public nuisances, 30-44 General cleaning and beautification, the property was found to be in compliance on January 18, 2023, leaving a fine balance of \$7,375.00. The fine balance was paid in full on February 28, 2023, and the Release of Lien was recorded on March 1, 2023.

D. Case No. 230111008; Capital C Inc, 307 Southwest 3rd Street [Legal Description: Lots 3 and 4 of Block 182, CITY OF OKEECHOBEE, Plat Book 1, Page 10 and 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 30-43 Public nuisances, 30-44 General cleaning and beautification, the property was found to be in compliance on March 28, 2023, and that there is an existing lien in the amount of \$650.00, plus a \$50.00 administrative fee.

VI. NEW CASES

A. Case No. 230224012; Patsy J. Black (Estate) c/o Kyle Black, 1301 Southeast 8th Avenue [Legal Description: Lot 8 of THE THIRD ADDITION AND REVISIONS TO FIRST ADDITION OKEECHOBEE ESTATES, Plat Book 3, Page 52, Okeechobee County public records].

VI. NEW CASES CONTINUED

- A.** Case No. 230224012; CONTINUED: Code Officer Smith testified that the property is in violation of Code of Ordinances Chapter 30, Sections 30-41 Disabled vehicles, 30-43 Public nuisances, 30-44 General cleaning and beautification. The respondent is not a repeat violator. A Courtesy Card was mailed via United States Postal Service (USPS) regular mail on November 30, 2022. The property was inspected and found to be non-compliant on January 18, 2023, January 24, 2023, and February 21, 2023. A Statement of Violation/Notice of Hearing was mailed via USPS certified return receipt on February 24, 2023. The notice was received by Jessica Starnes on March 3, 2023. The property was inspected and found to be non-compliant on March 25, 2023, and April 4, 2023. To comply with City Ordinances, the property owner needs to remove all the debris left remaining from the removal of the back porch and cut all the overgrown vegetation. The City recommends a fine of \$50.00 per day, to begin 21-days after the Special Magistrate Hearing on April 11, 2023, 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. 230224012 to be in violation of Code of Ordinances Chapter 30, Sections 30-41 Disabled vehicles, 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.**

VII. ADJOURN MEETING

There being no further business to come before the Special Magistrate, the Hearing was adjourned at 6:33 P.M.



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.