



CITY OF OKEECHOBEE CODE ENFORCEMENT AUGUST 8, 2023, SPECIAL MAGISTRATE HEARING OFFICIAL MINUTES

I. CALL TO ORDER

Special Magistrate Azcona called the Code Enforcement Special Magistrate Hearing to order on Tuesday, August 8, 2023, at 6:08 P.M. in the City Council Chambers, located at 55 Southeast (SE) 3rd Avenue (Ave), 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. 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Special Magistrate Azcona asked whether there were any agenda items to be added, deferred, or withdrawn; there were none.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 July 11, 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. NEW CASES

A. Case No. 230710009; ASR & JDR Enterprises LLC c/o Andrew Robinson, 1220 SE 23rd Street (St), Okeechobee [Legal Description: Lot 23, BLUE HERON GOLF AND COUNTRY CLUB, PHASE 1, Plat Book 6, Pages 50 and 51, Okeechobee County public records].

Code Officer Smith testified that the property is in violation of Code of Ordinances Chapter 30, Sections 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 June 21, 2023. The property was inspected and found to be non-compliant on July 10, 2023. A Statement of Violation/Notice of Hearing (SOV/NOH) was mailed via USPS certified return receipt on July 10, 2023. The notice was returned on July 31, 2023. A Notice to Appear was posted on the property and on the public notices board at City Hall on July 25, 2023. The property was inspected and found to be non-compliant on August 1, 2023. To comply with City Ordinances, the property owner needs to cut all weeds, grasses, or undergrowth to a height not to exceed 8-inches on the entire property and trim landscaping to a neat appearance not to adversely affect the aesthetic of the property or adjacent properties. The City recommends a fine of \$50.00 per day, to begin 21-days after the Special Magistrate Hearing on August 8, 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. 230710009 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. 230712004; Nassif Elias Dawlabani and Helane G Darazi, 1109 SE 9th Drive, Okeechobee [Legal Description: Unplatted Lands of the City all of the North (N) half of the Northwest (NW) quarter of the Southwest (SW) half of the SE quarter of Section (SEC) 22, Township (TWP) 37 South (S), Range (RAN) 35 East (E), Okeechobee County, Florida, less and except the N 132-feet (ft) thereof. Together with an easement of ingress and egress over the West (W) 30-ft of the S 238-ft of the S half of the SW quarter of the NW quarter of the SE quarter SEC 22, TWP 37 S, RAN 35 E and over the W 30-ft of the N 132-ft of the NW quarter of the SW quarter of SEC 22, TWP 37 S, RAN 35 E. All of the N half of the NW quarter of the SW half of the SE quarter of SEC 22, TWP 37 S, RAN 35 E, less and except of the N 132-ft thereof. Together with an easement for ingress and egress over the W 30-ft of the S 238-ft of the S half of the

V. NEW CASES CONTINUED

- B.** Case No. 230712004; CONTINUED: SW quarter of the NW quarter of the SE quarter of SEC 22, TWP 37 S, RAN 35 E and over the W 30-ft of N 132-ft of the NW quarter of the SW quarter of the SE quarter of SEC 22, TWP 37 S, RAN 35 E, 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 August 1, 2023, no Lien/Order recorded, no fine accrued.
- C.** Case No. 230628008; Huda Elhindi, 918 SW 2nd St, Okeechobee [Legal Description: Lot 17 and E half of Lot 16 of Block 200, CITY OF OKEECHOBEE, Plat Book 1, Page 10, 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, 30-43 Public nuisances, 30-44 General cleaning and beautification. Chapter 54, Sections 54-81 Use as a residence, 54-84 Parking in residential district. International Property Maintenance Code (IPMC) Chapter 3, Sections 302.1 Sanitation, 304.1 General, the property was found to be in compliance on August 8, 2023, no Lien/Order recorded, no fine accrued.

VI. COMPLIED CASES

- A.** Case No. 230524009; Angela D. Waldron, 114 NW 9th St, Okeechobee [Legal Description: Lots 21, and 22 of Block 37, CITY OF OKEECHOBEE, Plat Book 1, Page 10, 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 July 13, 2023, no Lien/Order recorded, no fine accrued.
- B.** Case No. 230712017; Michael J. Garcia, 1207 SE 10th St, Okeechobee [Legal Description: Lot 9, BRENTWOOD ESTATES, Plat Book 7, Page 31, 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, 30-43 Public nuisances, 30-44 General cleaning and beautification, the property was found to be in compliance on July 27, 2023, no Lien/Order recorded, no fine accrued.
- C.** Case No. 230324015; Debara Jean Lang and Laura Ann Harrison, 1004 NW 4th St, Okeechobee [Legal Description: Lots 16, 17 and 18 and S half of alley lying adjacent to said Lots of Block 21, 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 30-40 Junk, 30-43 Public nuisances, 30-44 General cleaning and beautification, Chapter 10, Sections 10-3 Limitation as to the number of animals, 10-8 Public nuisance, IPMC Chapter 3, Section 304.1.1 Unsafe conditions the property was found to be in compliance on July 5, 2023, no Lien/Order recorded, no fine accrued.
- D.** Case No. 221220005; Tarmac Florida Inc, 710 NE 3rd Ave, Okeechobee [Legal Description: Lots 1 to 20 inclusive of Block 55, CITY OF OKEECHOBEE, Plat Book 5, Page 5, and South 21.68-ft of 14th St from Cherokee to W line of E half of Block 54, Hiawasee from 14th St to Hale Ave, 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 30-43 Public nuisances, 30-44 General cleaning and beautification, the property was found to be in compliance on July 21, 2023, Fine balance of \$5,350.00, plus the \$50.00 administrative fee was paid in full on August 3, 2023, and the Release of Lien recorded, Official Records File #2023009200, Page(s): 1.
- E.** Case No. 230712018; Richard Verrochi, 605 NW 2nd St, Okeechobee [Legal Description: Lots 4, 5, and 6 of Block 160, CITY OF OKEECHOBEE, Plat Book 1 and Plat Book 5, Page 10 and 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, 30-41 Disabled vehicles, 30-43 Public nuisances, the property was found to be in compliance on July 31, 2023, no Lien/Order recorded, no fine accrued.

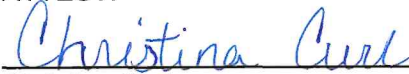
VII. ADJOURN MEETING

There being no further business to come before the Special Magistrate, the Hearing was adjourned at 7:11 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.