



**SPECIAL MAGISTRATE HEARING
MINUTES**

WEDNESDAY, FEBRUARY 10, 2021

CALL TO ORDER: Special Magistrate Geraci-Carver called the hearing to Order at 6:02p.m.

Attendees: Sean Gleason, Code Compliance Officer
Anita Geraci-Carver, Special Magistrate
Michelle Hawkins, City Clerk

Special Magistrate Anita Geraci-Carver explained the process of the Special Magistrate Hearing. Special Magistrate Anita Geraci-Carver stated if anyone is speaking to a specific comment, or argument, they will need to be sworn in.

Defendant(s) and witness (es) were sworn in by Special Magistrate Anita Geraci-Carver.

Cases on the agenda were moved around based on the property owners that were present.

Case No. 20-330: 515 Wildwood Ave.

Violation: **Building Permits- Required/Penalties** Art. III Sec. 3.21; **Abandoned, wrecked, or discarded vehicles, boats, etc.** Art V Chapter 13 Sec 87; **Accumulation of Rubbish and Garbage** Sec 308.1.

Code Compliance Officer Gleason went through the copies of the notifications of violation and the hearing that were mailed, posted on the property, and at city hall.

Code Compliance Officer Gleason presented the case on this matter, along with presenting photos of the property on this case.

Special Magistrate Geraci-Carver questioned if the shed had sides to it, as it looks like it just has poles. Code Compliance Officer Gleason stated that it is hard to tell as it has tarp over it.

Property owner Martin Felix approached the podium and stated that he will take down the tarp and shed by Monday.

Special Magistrate Geraci-Carver stated that the property has complied with the other items except for Art. III Sec. 3.21 which is not pulling a building permit for the structure. She is giving the owner 10 days from the day of the order to come into compliance and if not, then there will be a charge of \$25.00 per day until the property comes in compliance. She stated that the property owner will have to contact Code Compliance Gleason to make sure they have come into compliance.

Special Magistrate Geraci-Carver stated that the owner will have to pay \$45.63 for the fees to the City of Mascotte.

The next case has been added on the agenda, as it was not added, but the property has been noticed.

Case No. 20-244-622:622 Myers Blvd.

Violation: **Building Permits- Required/Penalties** Art. III Sec. 3.21

Code Compliance Officer Gleason went through the copies of the notifications of violation and the hearing that were mailed, posted on the property, and at city hall.

Code Compliance Officer Gleason stated that the building permits had expired, and nothing has been done.

City Clerk Hawkins read an e-mail out loud regarding this property:

From: jeff@alpha-inspections.net <jeff@alpha-inspections.net>
Sent: Wednesday, October 7, 2020 3:35 PM
To: Michelle Hawkins <Michelle.Hawkins@cityofmascotte.com>; Jeremy Burns <jeremy@khrysosglobal.com>
Cc: Alissia Spivey <Alissia.Spivey@cityofmascotte.com>; 'Maxwell Spann' <mspann@land-image.com>; jfrealtyinc@hotmail.com; Joshua Carmona <joshua@khrysosglobal.com>; Robert Raines <robert@khrysosglobal.com>; sean gleason <sean.gleason@cityofmascotte.com>
Subject: RE: 622 E. Myers Blvd.

Yes, that should satisfy the requirements. Keep in mind that we may need to do an inspection to make sure the electrical and other systems were left in a safe manner after removing the equipment. The best way to do this is to hire a licensed electrician to pull a minimum electrical permit and have him call for a final once all of the systems are made safe. Keep in mind that the electrician may be required to safe off any electrical that was made unsafe during the occupation of the building.

Thanks,

Jeff Gerling
Building Official
City of Mascotte
Consultant
Alpha Inspections Inc
P (352) 536-4481
F (352) 429-3345

From: Michelle Hawkins <Michelle.Hawkins@cityofmascotte.com>
Sent: Wednesday, October 7, 2020 1:43 PM
To: Jeremy Burns <jeremy@khrysosglobal.com>

Cc: Alissia Spivey <Alissia.Spivey@cityofmascotte.com>; Jeff Gerling <jeff@alpha-inspections.net>; 'Maxwell Spann' <mspann@land-image.com>; jfrealtyinc@hotmail.com; Joshua Carmona <joshua@khryosglobal.com>; Robert Raines <robert@khryosglobal.com>; sean gleason <sean.gleason@cityofmascotte.com>
Subject: RE: 622 E. Myers Blvd.

Yes according to the e-mail that was under my e-mail it would close it out, you will have to let us know when all of that has been done so that we can inspect the property to make sure it has been done before we close it all out. Thank you.

Michelle Hawkins, MMC
City Clerk
City of Mascotte
100 East Myers Blvd.
Mascotte, Florida 34753
Phone: 352-429-3341 ext. 103
Fax: 352-429-3345
Email: michelle.hawkins@cityofmascotte.com

From: Jeremy Burns <jeremy@khryosglobal.com>
Sent: Wednesday, October 7, 2020 1:17 PM
To: Michelle Hawkins <Michelle.Hawkins@cityofmascotte.com>
Cc: Alissia Spivey <Alissia.Spivey@cityofmascotte.com>; jeff@alpha-inspections.net; 'Maxwell Spann' <mspann@land-image.com>; jfrealtyinc@hotmail.com; Joshua Carmona <joshua@khryosglobal.com>; Robert Raines <robert@khryosglobal.com>
Subject: RE: 622 E. Myers Blvd.

Michelle,
As of now, we are planning to remove the paint booth and all associated equipment from the building. Will this resolve the outstanding permit issue?

Regards,

Jeremy Burns
Khryos Industries, Inc.
4121 34th Street
Orlando, FL 32811
<https://khryosglobal.com/>
o) 352-244-9103

From: Michelle Hawkins <Michelle.Hawkins@cityofmascotte.com>
Sent: Wednesday, October 7, 2020 12:13 PM
To: Jeremy Burns <jeremy@khryosglobal.com>

Cc: Alissia Spivey <Alissia.Spivey@cityofmascotte.com>; jeff@alpha-inspections.net;
'Maxwell Spann' <mspann@land-image.com>; jfrrealtyinc@hotmail.com
Subject: FW: 622 E. Myers Blvd.

Jeremy,

When Max and I was on the phone with you we talked about the modular buildings, but there is also the outstanding building permits regarding the paint booth, and the hood with duct please see the attached permit log. You are aware of what is needed regarding the modular buildings as it was stated on the phone today that if the site plan wasn't going to be completed then those modular buildings will have to be removed. Please see the e-mail below as well; which discuss the other outstanding permits. Thanks.

Michelle Hawkins, MMC
City Clerk
City of Mascotte
100 East Myers Blvd.
Mascotte, Florida 34753
Phone: 352-429-3341 ext. 103
Fax: 352-429-3345
Email: michelle.hawkins@cityofmascotte.com

From: Alissia Spivey <Alissia.Spivey@cityofmascotte.com>
Sent: Wednesday, September 30, 2020 5:16 PM
To: jfrrealtyinc@hotmail.com
Cc: Michelle Hawkins <Michelle.Hawkins@cityofmascotte.com>; mspann@land-image.com;
Jeff Gerling (jeff@alpha-florida.com) <jeff@alpha-florida.com>
Subject: 622 E. Myers Blvd.

Good Afternoon,

I have attached the permits that are still outstanding. On the hood system and the paint booth if that gets removed then we can close out the permits on those. If they are not removed the permits will need to be renewed for and there is a fee for that. The site plan work has not been finished according to the planner and that was part of the deal with allowing them to install the modular building on the property. On the install of the modular building the interior has been approved but the exterior that includes the parking and handicap parking was never done and that is why the permit expired. There is also a fee for renewing the permit for the modular as well. I have included the planner and the building official along with Michelle on this email for their input as well of what is outstanding on that property. I do know there is a water bill and planning invoices that have not been paid a well. Please let us know if you have any other questions.

Thank you,

Alissia Spivey

Utility Billing Accountant
City of Mascotte
Phone # 352-557-8813
Fax # 352-429-3345

Property owners Robert Raines and Dave Briskie were present and spoke. They were not aware of what was outstanding, and they are going to be selling the property and they realize they need to resolve some of these items.

City Clerk Hawkins stated that she will call Mr. Raines in the morning and get him the contact information for both the city's planner and building official.

Special Magistrate Anita Geraci-Carver did find that the property is in violation and is giving them 30 days to come in compliance and if not then \$25.00 per day will be charged until the property comes in compliance, if the property owners find that they need more time, then they need to come back to the special magistrate and ask for an extension. The property owner needs to pay a total of \$45.63 in fees to the city.

Case No. 20-300: 34 Talbot Avenue:

Violation: **Building Permit Required** Art. III Zoning Sec 3.21; **Building Permit Required** Art. III Zoning Sec 3.21; **General Cleanliness** Art II Sec 14-11; **Toilets Required; use of privies, septic tanks** Chap 18 Art IV Sec 18-92.

Code Compliance Officer Gleason went through the copies of the notifications of violation and the hearing that were mailed, posted on the property, and at city hall.

Code Compliance Officer Gleason presented the case on this matter, along with presenting photos of the property on this case. He also stated that he has been speaking with the residents of the home and sees that they are cleaning up the property.

Special Magistrate questioned if there is currently water in the house, Code Compliance Officer Gleason stated yes.

Destiny Forest spoke on this as she is living in the home, she stated that the tent is gone, and no one was living in the tent. We have been cleaning the property, and we have been cleaning the property.

Laurie Provancher who is representing Randy Kemp who is the head of the Kemp Estate which is what this property is listed under, she stated that they are here helping to clean up the property as she wasn't aware that the property has gotten like this. She showed some additional photos to show that the property has been cleaned up even more since the code compliance officer has been there this morning.

Mascotte police Lieutenant Betancourt was sworn in and stated that they had evidence that someone was living in the tent, and even in the shed that use to be there before the shed burned down.

Special Magistrate Geraci-Carver stated that since there is running water in the house, she doesn't see a violation for Chapter 18 Art IV Sec 18-92 toilets required; use of privies, septic tanks. She does find that there is violation for the building permit and general cleanliness she is giving them 10 days from the date of the order to come in compliance and if not then \$25.00 per day will be charged until the property comes in compliance. The property owner needs to pay a total of \$45.63 in fees to the city.

Case No. 20-311: 32 Talbot Avenue:

Violation: **Building Permit Required** Art. III Zoning Sec 3.21; **General Cleanliness** Art II Sec 14-11.

Code Compliance Officer Gleason went through the copies of the notifications of violation and the hearing that were mailed, posted on the property, and at city hall.

Code Compliance Officer Gleason presented the case on this matter, along with presenting photos of the property on this case. He stated that the property owner has come into compliance regarding pulling a fence permit as they have removed the fence. They have been working on cleaning up the property.

The property owner Brenda Crews was present and spoke and she stated that the fence has been removed, the driveway has been cleared and she is still working on cleaning up the rest of the property.

Special Magistrate Geraci-Carver stated that the property is in compliance with Art., III Zoning Sec 3.21 building permit required as the owner took down the fence.

Special Magistrate Geraci-Carver has found that the property is in violation of Art II Sec. 14-11 general cleanliness she is giving them 10 days from the date of the order to come in compliance and if not then \$25.00 per day will be charged until the property comes in compliance. The property owner needs to pay a total of \$45.63 in fees to the city.

Case No. 20-314: Parcel 152224000200007600:

Violation: **Fence maintenance** Art. V Sec 5.12

Code Compliance Officer Gleason went through the copies of the notifications of violation and the hearing that were mailed, posted on the property, and at city hall.

Code Compliance Officer Gleason presented the case on this matter, along with presenting photos of the property on this case. He stated that he has spoken with the property owner and they will be working on getting this resolved, the property owner is not present this evening.

Special Magistrate Geraci-Carver stated that she finds the property in violation of Art. V Sec. 5.12. she is giving them 15 days from the date of the order to come in compliance and if not then \$25.00 per day will be charged until the property comes in compliance. The property owner needs to pay a total of \$45.63 in fees to the city.

Case No. 20-312: 811 Myers Blvd:

Violation: **Fence maintenance** Art. V Sec 5.12

Code Compliance Officer Gleason went through the copies of the notifications of violation and the hearing that were mailed, posted on the property, and at city hall.

Code Compliance Officer Gleason presented the case on this matter, along with presenting photos of the property on this case. He stated that he has spoken with the property owner and they will be working on getting this resolved, the property owner is not present this evening.

Special Magistrate Geraci-Carver stated that she finds the property in violation of Art. V Sec. 5.12. she is giving them 15 days from the date of the order to come in compliance and if not then \$25.00 per day will be charged until the property comes in compliance. The property owner needs to pay a total of \$45.63 in fees to the city.

Case No. 20-077: 601 Palmetto Drive.

Violation: **Building Permits- Required/Penalties** Art. III Sec. 3.21

Code Compliance Officer Gleason went through the copies of the notifications of violation and the hearing that were mailed, posted on the property, and at city hall.

Code Compliance Officer Gleason presented the case on this matter, along with presenting photos of the property on this case. He stated that as of this morning the fence has been removed and the property complies.

Special Magistrate Geraci-Carver stated that the property was in violation of Art. III Sec. 3.21, but the property is in compliance the owner will need to pay \$45.63 in fees to the city.

Case No. 20-300: 40 Lake Jackson:

Violation: **Horses, cows, swine, poultry, etc Prohibited** Chap IV Art. 1 Sec 4-1

Code Compliance Officer Gleason went over the mailings and photos along with presenting the case. He stated that they have ducks, chickens and possibly a turkey.

Code Compliance Officer Gleason stated that he spoke with the property owner when he did a fence inspection and he stated to the property owner that the coop was not allowed along with the chickens and ducks, and the owner stated that he was told that council was going to change

that. Code compliance officer Gleason stated that until the code has been changed you are in violations. He stated that the property owner wants to keep the coop and the animals.

Sally Rayman approached the podium and addressed that this has been going on for about a year and that there are chickens running around. Special Magistrate Geraci-Carver questioned if Mrs. Rayman has seen the chickens on the owner's property, Mrs. Rayman stated no they are running around.

Property Owner was not present.

Special Magistrate Geraci-Carver stated that she finds the property in violation of Chap IV. Art. 1 Sec 4-1 horses, cows, swine, etc. prohibited. she is giving them 10 days from the date of the order to come in compliance and if not then \$25.00 per day will be charged until the property comes in compliance. The property owner needs to pay a total of \$45.63 in fees to the city.

Having no other business, the hearing was closed at 7:05 p.m.

Attest:



Michelle Hawkins

City Clerk

Transcribed meeting notes.