

MINUTES
Code Enforcement Special Magistrate
City of Lake Alfred
City Hall
December 16, 2021
2:00 p.m.

Special Magistrate Mawhinney called to order the Code Enforcement Special Magistrate meeting at 2:02 p.m., explained the general procedures, and conducted the swearing-in ceremony. All audience members and city staff in attendance took the oath.

Staff in attendance: Assistant City Attorney Seth Claytor, Community Development Director Ameer Bailey, Building Official Mickey Madison, Code Enforcement Officer Carl Watson, Building Inspector Timothy Otte, and City Clerk Linda Bourgeois.

Special Magistrate Mawhinney approved the November 18, 2021, Special Magistrate Code Enforcement meeting minutes.

SUPPLEMENTAL ORDER IMPOSING FINE

Both cases for John Tomczak were heard at the same time. The respondent John Tomczak was in attendance.

John Tomczak said he wanted the Magistrate to take into consideration the hardships of having Covid-19 and dealing with the doctor's appointments. It was shared with him the process to apply for the fine reduction program once the property was found in compliance.

1. Case # 2020-00030
Tomczak, John
825 Lake Shore Way
Parcel # 26-28-05-525000-002030

Special Magistrate: Found the property in compliance as of October 27, 2021. Certified the fines for \$600.00 and assessed the city's administrative costs of \$41.28 payable within thirty (30) days.

2. Case # 2020-00031
Tomczak, John
835 Lake Shore Way
Parcel # 26-28-05-525000-002040

Special Magistrate: Found the property in compliance as of October 27, 2021. Certified the fines for \$600.00 and assessed the city's administrative costs of \$41.28 payable within thirty (30) days. He shared about the fine reduction program.

- 3.) Case #2021-00004
Ash Street Group LLC
670 Lake Alfred Dr.
Parcel # 26-27-33-000000-033040

Attorney Daniel Fox was in attendance on behalf of the respondent.

Attorney Fox requested for the hearing dates to be sent directly to him by email.

Special Magistrate: Ordered the case continued until the February 17, 2022 Code Enforcement hearing.

- 4.) Case # 2021- 00023
Justin R. Camacho
635 E. Grapefruit
Parcel # 26-27-28-493500-004060

The respondent was not in attendance.

Special Magistrate: Approved fines of \$6,300 and assessed the city's administrative costs of \$40.66 payable within thirty (30) days.

- 5.) Case # 2021-00024-R
Ubaldo Properties Inc.
355 E. Columbia St.
Parcel # 26-27-32-498000-000051

The respondent Mike Bogsted a partial owner through a joint venture and operating agreement was in attendance. He said he was a previous owner and not a part of Umbaldo Properties Inc.

Mr. Bogsted said he closed on the property, the deed had been recorded but it had not been updated on the Property Appraisers website.

Assistant City Attorney Claytor said the city was satisfied with his representation since the property was recently purchased. He requested for a copy of the deed to be provided to the City.

Special Magistrate: Approved fines of \$8,200, and assessed the city's administrative costs of \$69.11 payable within thirty (30) days.

OLD BUSINESS:

ORDER FINDING VIOLATION

- 6. Case # 2020-00003
Edwin M. Standefer
1115 Nekoma Avenue
Parcel # 26-28-05-523000-000430

The respondent was not in attendance.

Community Development Director Bailey said the city had been working with them for a long time and the respondent said he was comfortable with the City's recommendations.

Code Enforcement Officer Watson presented the case. The city's recommendation is to find the violations exist and continue to exist, a demolition permit has been issued, allow sixty (60) days for compliance or a \$100 per day fine, order the vacation of unlawful structures and abatement after sixty (60) days, and assess the city's administrative costs of \$198.20 to be paid within thirty (30) days.

Special Magistrate: Found the property in violation. Allowed for sixty (60) days to bring the

property into compliance or a \$100.00 per day fine will commence accruing. The structure on the property shall be immediately vacated and, in the event, the owner does not bring the property into compliance within the sixty (60) days the city is authorized to abate the unlawful structures of the nuisance by notice. He assessed the city's administrative costs of \$198.20 payable within thirty (30) days.

It was clarified the city would be posting, securing, and implementing all legal action to ensure the structure was not occupied.

NEW BUSINESS: ORDER FINDING VIOLATION - FIRST OFFENSE:

7. Case # 2021-00033
Property 360 LLC / City Holdings, LLC (12/13/21) / RY TY One, LLC (12/15/21)
660 Buena Vista
Parcel # 26-27-29-494000-000012

City Codes Cited:

Lake Alfred Code of Ordinances (LAC)
Lake Alfred Minimum Property Maintenance Code (MPMC)
Section 32-1 Nuisance declared- LAC
Section:106.3 Declaration of nuisance; demand for correction- MPMC
Section 108.1.1 Unsafe Structures- MPMC
Section 108.1.3 Structure unfit for human occupancy- MPMC
Section: 108.1.5 (6), (9), (10), Dangerous structure or premises
Section 302.1 Sanitation and storage of materials- MPMC
Section 302.4 Weeds and overgrowth- MPMC

Sole Proprietor of RY TY One, LLC Riley Mudd was in attendance. He said he purchased the property and was informed of the violations before the purchase.

Code Enforcement Officer Watson presented the case. The city's recommendation is to find the violations exist and continue to exist, allow thirty (30) days for correction or a \$100 per day fine, and assess the city's administrative costs of \$86.01.

A brief discussion ensued regarding the expansion of Highway 557, the property being demolished through eminent domain, and funding not available until the 2022-2023 fiscal year.

Special Magistrate: Found the property in violation. Allowed for sixty (60) days to bring the property into compliance or a \$100.00 per day fine will commence accruing. Assessed the city's administrative costs of \$86.01.

8. Case # 2021-00047
Abrar Realstate LLC
1155 S Lake Shore Way
Parcel # 26-28-05-525500-007060

City Codes Cited:

Lake Alfred Code of Ordinances (LAC)
Lake Alfred Minimum Property Maintenance Code (MPMC)
Section 32-1. - Nuisance declared. (LAC)
Section 106.3 Declaration of a nuisance; demand for correction (MPMC)

Section 108.1 General (MPMC)
Section 108.1.2 Unsafe equipment (MPMC)
Section 108.1.3 Structure unfit for human occupancy (MPMC)
Section 108.1.5 Dangerous structure or premises (MPMC)
Section 304.2 Protective treatment (MPMC)
Section 304.4 Structural members (MPMC)
Section 304.7 Roofs and drainage (MPMC)
Section 304.13 Windows, skylight, and door frames (MPMC)
Section 304.14 Insect screens (MPMC)
Section 305.3 Interior surfaces (MPMC)
Section 505.4 Water heating facilities (MPMC)
Section 603.1 Mechanical appliances (MPMC)
Section 604.3 Electrical system hazards. (MPMC)
Section 605.1 "Electrical Equipment" Installation (MPMC)
Section 704.2 Smoke Alarms (MPMC)

The respondent Mohammed Amin of Abrar Realstate LLC and General Contractor Ralph Price were in attendance.

Code Enforcement Officer Watson presented the case. The city's recommendation is to find the violations exist and continue to exist, allow thirty (30) days for correction or a \$100 per day fine, and assess the city's administrative costs of \$74.87.

A brief discussion ensued regarding the progress made on the property with the roof, wiring, and HVAC system. It was requested for at least sixty (60) days for correction.

Special Magistrate: Found the property in violation. Allowed for sixty (60) days to bring the property into compliance or a \$100.00 per day fine will commence accruing. Assessed the city's administrative costs of \$74.87 payable within thirty (30) days.

9. Case # 2021-00050
MSR Investments,
Mohammed S. & Frauzia Mirza
1005 E. Alfred Dr.
Parcel # 26-27-33-517500-000011

City Codes Cited:
Unified Land Development Code (ULDC)
Section: C. 3. (a) Recreation vehicles (ULDC)

The respondent was not in attendance.

Code Enforcement Officer Watson presented the case. The city's recommendation was to find the violation exists and continues to exist, allow thirty (30) days for correction or a \$50 per day fine, and assess the city's administrative costs of \$72.77.

Special Magistrate: Found the property in violation. Allowed for thirty (30) days to bring the property into compliance or a \$100.00 per day fine will commence accruing. Assessed the city's fines of \$72.77 payable within thirty (30) days.

10. Case # 2021-00051

Kyle Jennings
550 Lemon Av.
Parcel # 26-27-28-493500-006150

City Codes Cited:

Lake Alfred Code of Ordinances (LAC)
Lake Alfred Minimum Property Maintenance Code (MPMC)
Section: 32-1 Nuisance declared. LAC
Section: 32-2 Property owner's duty to clear land and sidewalks LAC
Section: 106.3 Declaration of nuisance; demand for correction. MPMC
Section: 301.3 Vacant structures and land MPMC
Section 302.4 Weeds and overgrowth MPMC

The respondent Kyle Jennings was in attendance.

Code Enforcement Officer Watson presented the case. The city's recommendation was to find the violations exist and continue to exist, allow thirty (30) days for correction or a \$50.00 per day fine, and assess the city's administrative costs of \$70.67.

Kyle Jennings said he was very busy, and it was his fault for not maintaining the property. He found a company to finish clearing the property and it should be completed in January.

Special Magistrate: Found the property in violation. Allowed for forty-five (45) days to bring the property into compliance or a \$50.00 per day fine will commence accruing. Assessed the city's administrative costs of \$70.67 payable within thirty (30) days.

The next hearing date is scheduled for February 17, 2022, at 3:00 p.m.

The Code Enforcement Special Magistrate was adjourned at 3:13 p.m.

Respectfully submitted,



Linda Bourgeois, BAS, MMC, City Clerk