

**Special Magistrate Hearing
Meeting Minutes
Thursday, November 18, 2021
2:00 p.m.
City Council Chambers**

A. CALL TO ORDER OF THE HEARING SESSION

Special Magistrate Reza Rene Youell called the Special Magistrate Hearing to order at 2:00 p.m. and led the Court in the Pledge of Allegiance.

Special Magistrate Reza Rene Youell swore in Code Enforcement Officer Chris Strawn and announced there was no one else in the Chambers.

Staff present: Code Enforcement Officer C. Strawn, City Manager R. Thompson, and Planning Assistant D. Brooks

B. STATEMENT ADDRESSED TO RESPONDENTS AND WITNESSES OF PROCEDURES OF HEARINGS

**C. DOCKET:
FINDINGS OF FACT CASES**

1. Case 2021-0000064
Physical Address of Parcel: 250 North 8th Street, DeFuniak Springs, FL 32433
Parcel: 25-3N-19-19070-001-6741
Property Owner: JRW Investments LLC
Mailing Address: 308 West James Lee Blvd, Crestview, FL 32536
Violations: Chapter 14, Section 14-2. -Nuisances and Hazardous or Insanitary Conditions General Requirements and Chapter 14, Section 14-3. - Violations enumerated

Code Enforcement Officer Chris Strawn called in the Chambers for the Respondent JRW Investments, LLC, with no response. The calls were then called, again with no response. Current Tenant Christopher Noble was present.

Code Enforcement Officer Chris Strawn presented Case 2021-0000064 for the following violations: Chapter 14, Section 14-2. -Nuisances and Hazardous or Insanitary Conditions General Requirements and Chapter 14, Section 14-3. - Violations enumerated.

Code Enforcement Officer Chris Strawn stated the property on 250 North 8th Street is located in the city limits and went over the visual of the violations and provided dates of the violations at the property.

Code Enforcement Officer Chris Strawn stated he sent Notices of Violation to the property owner and provided the dates. He went over the Notices of Violations sent and noted the Notice of Hearing was sent by certified mail with a return receipt. He also noted that Planning Assistant D.

Brooks posted the Notice of Hearing on the City Hall front door and that he posted a Notice of Hearing on the property. He stated the Notice of Hearing was removed from the property and the property was reposted. USPS delivered the Notice of Hearing to the property owner, adding he had delivered proper notice.

Code Enforcement Officer Chris Strawn stated the property is not in compliance and recommended 60 days' notice to cure the property and a fine of \$25 a day until brought into compliance. He asked for a re-inspection of the property when it is brought into compliance.

Special Magistrate R. Youell accepted the presentation for the record.

Special Magistrate R. Youell called witnesses for the landowner.

Tenant Christopher Noble came forward to testify.

Special Magistrate R. Youell announced the Findings of Fact, Conclusions of Law and Order are made part of the record ruling.

Special Magistrate R. Youell rendered her decision on the case. She found the property is in violation and respondent should contact Code Enforcement for re-inspection within sixty days of the Order and rendered a fine of \$25.00 a day until the property is brought into compliance.

2. Case 2021-0000081

Physical Address of Parcel: 142 Baldwin Avenue, DeFuniak Springs, FL 32435

Parcel: 36-3N-19-19050-000-0622

Property Owner: Doris Johnson

Mailing Address: P.O. Box 652, DeFuniak Springs, FL 32435

Violations: Chapter 5, Section 5-21. - Unsafe structures and Chapter 14, Section 14-3. - Violations enumerated

Code Enforcement Officer Chris Strawn called in the Chambers for the Respondent Doris Johnson, with no response. The halls were then called, again with no response.

Code Enforcement Officer Chris Strawn presented Case 2021-0000081 for the following violations: Chapter 5, Section 5-21. - Unsafe structures and Chapter 14, Section 14-3. - Violations enumerated

Code Enforcement Officer Chris Strawn stated the property on 142 Baldwin Avenue is located in the city limits and went over the visual of the violations and provided dates of the violations at the property.

Code Enforcement Officer Chris Strawn stated he sent Notices of Violation to the property owner and provided the dates. He went over the Notices of Violations sent and noted the Notice of Hearing was sent by certified mail with a return receipt. He also noted that Planning Assistant D. Brooks posted the Notice of Hearing on the City Hall front door and that he posted a Notice of Hearing on the property. He stated the Notice of Hearing showed that it is still out for delivery by

the USPS but the property has been posted for ten (10) consecutive days adding he had delivered proper notice. He noted the violations are still present.

Code Enforcement Officer Chris Strawn stated the property is not in compliance and recommended 30 days' notice to cure the property and a fine of \$100 a day until brought into compliance. He asked for a re-inspection of the property when it is brought into compliance.

Special Magistrate R. Youell accepted the presentation for the record.

Special Magistrate R. Youell called witnesses for the landowner.

Greg Chrishon, a contractor that assists Doris Johnson at times, came forward and stated he was maintaining the grass and grounds but as far as the structure he could not do anything without owner consent and the heirs are out of state. He did recommend getting the property surveyed so he would know where to begin clearing the property, but until then he couldn't do much other than the mowing of grass and cutting shrubs. Requested 120 days so he could work on getting that started.

Special Magistrate R. Youell announced the Findings of Fact, Conclusions of Law and Order are made part of the record ruling.

Special Magistrate R. Youell rendered her decision on the case. She found the property is in violation and respondent should contact Code Enforcement for re-inspection within 120 days of the Order and rendered a fine of \$100 a day until the property is brought into compliance.

3. Case 2021-0000088

Physical Address of Parcel: South Park Street, DeFuniak Springs, FL 32435

Parcel: 25-3N-19-19450-000-0260

Property Owner: Doris Johnson

Mailing Address: P.O. Box 652, DeFuniak Springs, FL 32435

Violations: Chapter 5, Section 5-21. - Unsafe structures

Code Enforcement Officer Chris Strawn called in the Chambers for Respondent Doris Johnson with no response. The calls were then called, again with no response.

Code Enforcement Officer Chris Strawn presented Case 2021-0000088 for the following violations: Chapter 5, Section 5-21. - Unsafe structures

Code Enforcement Officer Chris Strawn stated the property on South Park Street is located in the city limits and went over the visual of the violations and provided dates of the violations at the property.

Code Enforcement Officer Chris Strawn stated he sent Notices of Violation to the property owner and provided the dates. He went over the Notices of Violations sent and noted the Notice of Hearing was sent by certified mail with a return receipt. He stated the Notice of Hearing showed

that it is still out for delivery by the USPS but the property has been posted for ten (10) consecutive days adding he had delivered proper notice. He noted the violations are still present.

Special Magistrate R. Youell accepted the presentation for the record.

Special Magistrate R. Youell called for witnesses for the landowner

Greg Chrishon, a contractor that assists Doris Johnson at times, came forward and stated he was maintaining the grass and grounds but as far as the structure he could not do anything without owner consent and the heirs are out of state. Requested 120 days to work on bringing it into compliance.

Special Magistrate R. Youell announced the Findings of Fact, Conclusions of Law and Order are made part of the record ruling.

Special Magistrate R. Youell rendered her decision on the case. She found the property is in violation and respondent should contact Code Enforcement for re-inspection within 120 days of the Order, also give authority to City's Code Enforcement to extend the time period at his discretion and rendered a fine of \$100 a day until the property is brought into compliance.

COMPLIANCE CASES

1. Case 2020-0000110
Physical Address of Parcel: 96 East Orange Avenue, DeFuniak Springs, FL 32435
Parcel: 25-3N-19-19070-000-5820
Property Owner: Jason Motley
Mailing Address: 2094 Motley Lane, Westville, FL 32464
Violations: Chapter 14, Section 14-3 - Violations enumerated

Code Enforcement Officer Chris Strawn called the halls for the respondent with no response for Jason Motley.

Code Enforcement Officer Chris Strawn said the property is located at 96 East Orange Avenue.

Code Enforcement Officer Chris Strawn presented Case 2020-0000110 for the compliance without fines for the following violations: Chapter 14, Section 14-3 - Violations enumerated

Code Enforcement Officer Chris Strawn stated he sent a Notice of Hearing was sent by certified mail with a return receipt. He also noted that Planning Assistant D. Brooks posted the Notice of Hearing on the City Hall front door and that he hand-delivered a Notice of Hearing to an individual at the property.

Code Enforcement Officer Chris Strawn stated the property has been brought into compliance since the Final Order. He stated that there are no fines since it was completed in the ordered timeframe.

Special Magistrate R. Youell accepted the testimony for the record.

Special Magistrate R. Youell called witnesses for the landowner, and none came forward.

Special Magistrate R. Youell announced the Findings of Fact, Conclusions of Law and Order are made part of the record ruling.

Special Magistrate R. Youell stated the property has been brought into compliance without any fees and the case would be closed and release of any liens, if any future violations occur on the property, it will be considered repetitive.

NONCOMPLIANCE CASES

1. Case: 2020-0000050

Physical Address of Parcel: South Park Street, DeFuniak Springs, FL 32435

Parcel: 25-3N-19-19450-000-0200

Property Owner: Estate of Gladys Holmes

Mailing Address: 3491 Hollow Tree Drive, Decatur, GA 30034

Violations: Chapter 5, Section 5-21. - Unsafe structures and Chapter 14, Section 14-2. - General Requirements

Code Enforcement Officer Chris Strawn called the halls for the respondent with no response for the Estate of Gladys Holmes.

Code Enforcement Officer Chris Strawn presented Case 2020-0000050 for the noncompliance with fines for the following violations: Chapter 5, Section 5-21. - Unsafe structures and Chapter 14, Section 14-2. - General Requirements, located on South Park Street.

Code Enforcement Officer Chris Strawn stated he sent a Notice of Hearing by certified mail with a return receipt. He also noted that Planning Assistant D. Brooks posted the Notice of Hearing on the City Hall front door and that he posted a Notice of Hearing on the property. The property has been posted for ten (10) consecutive days adding he had delivered proper notice.

Code Enforcement Officer Chris Strawn noted the property was not in compliance from the ordered date from the Final Order to the date of the Special Magistrate Hearing.

Code Enforcement Officer Chris Strawn recommended of a fine of \$7,750.00 be assessed and continue at \$50 per day until the property is brought into compliance.

Special Magistrate R. Youell accepted the testimony for the record.

Special Magistrate R. Youell called for witnesses for the landowner.

Greg Chrishon, friend of the family, came forward and spoke on how he was maintaining the grass and grounds. He also expressed that his belief was it was in the process of going through probate.

Special Magistrate R. Youell announced the Findings of Fact, Conclusions of Law and Order are made part of the record ruling.

Special Magistrate R. Youell rendered the Order finding the property was in violation and an Order Imposing Fine/Administrative Lien was issued in the amount of \$7,750 and a fee of \$50 per day continues for each day until the property is brought into compliance. When it is brought into compliance, the owner must contact Code Enforcement for re-inspection.

2. Case 2021-0000027

Physical Address of Parcel: 431 West Orange Avenue, DeFuniak Springs, FL 32435

Parcel: 25-3N-19-19070-001-8601

Property Owner: Infinger Holdings

Mailing Address: 370 U.S. Highway 90 East, DeFuniak Springs, FL 32435

Violations: Chapter 14, Section 14-3. - Violations enumerated

Code Enforcement Officer Chris Strawn called the halls for the respondent with no response for Infinger Holdings.

Code Enforcement Officer Chris Strawn presented Case 2020-0000050 for the noncompliance with fines for the following violations: Chapter 14, Section 14-3. - Violations enumerated, located at 431 West Orange Avenue.

Code Enforcement Officer Chris Strawn stated he sent a Notice of Hearing by certified mail with a return receipt. He also noted that Planning Assistant D. Brooks posted the Notice of Hearing on the City Hall front door and that he posted a Notice of Hearing on the property. The property has been posted for ten (10) consecutive days adding he had delivered proper notice.

Code Enforcement Officer Chris Strawn recommended of a fine of \$2,950.00 be assessed and continue at \$50 per day until the property is brought into compliance.

Special Magistrate Recca Rene Youell accepted the testimony for the record.

Special Magistrate R. Youell called for witnesses for the landowner.

Special Magistrate R. Youell announced the Findings of Fact, Conclusions of Law and Order are made part of the record ruling.

Special Magistrate R. Youell rendered the Order finding the property was in violation and an Order Imposing Fine/Administrative Lien was issued in the amount of \$2,950 and a fee of \$50 per day continues for each day until the property is brought into compliance. When it is brought into compliance, the owner must contact Code Enforcement for re-inspection.

3. Case 2021-0000033

Physical Address of Parcel: 648 Van Buren Avenue, DeFuniak Springs, FL 32435

Parcel: 25-3N-19-19160-003-0150

Property Owner: Francisco Javier Paredes

Mailing Address: 648 Van Buren Avenue, DeFuniak Springs, FL 32435

Violations: Chapter 14, Section 14-3. - Violations enumerated and Chapter 18, Section 18-58.1. - Wrecked, junked, abandoned vehicles and other property

Code Enforcement Officer Chris Strawn called the halls for the respondent with no response for Francisco Javier Paredes.

Code Enforcement Officer Chris Strawn presented Case 2020-0000033 for the noncompliance with fines for the following violations: Chapter 14, Section 14-3. - Violations enumerated and Chapter 18, Section 18-58.1. - Wrecked, junked, abandoned vehicles and other property, located at 648 Van Buren Avenue.

Code Enforcement Officer Chris Strawn stated he sent a Notice of Hearing by certified mail with a return receipt. He also noted that Planning Assistant D. Brooks posted the Notice of Hearing on the City Hall front door and that he hand-delivered a Notice of Hearing to an individual on the property, adding he had delivered proper notice.

Code Enforcement Officer Chris Strawn noted that one of the vehicles in violation had been removed but the property was still not in compliance.

Code Enforcement Officer Chris Strawn recommended of a fine of \$2,950.00 be assessed and continue at \$50 per day until the property is brought into compliance.

Special Magistrate R. Youell accepted the testimony for the record.

Special Magistrate R. Youell called for witnesses for the landowner.

Special Magistrate R. Youell announced the Findings of Fact, Conclusions of Law and Order are made part of the record ruling.

Special Magistrate R. Youell rendered the Order finding the property was in violation and an Order Imposing Fine/Administrative Lien was issued in the amount of \$2,950 and a fee of \$50 per day

continues for each day until the property is brought into compliance. When it is brought into compliance, the owner must contact Code Enforcement for re-inspection.

4. Case 2021-0000049

Physical Address of Parcel: 385 North 11th Street, DeFuniak Springs, FL 32433

Parcel: 25-3N-19-19140-00D-0030

Property Owner: Carl Campbell, C/O Charles Lee

Mailing Address: 4095 Lexington Drive, Trenton, MI 48183

Violations: Chapter 14, Section 14-2. -Nuisances and Hazardous or Insanitary Conditions General Requirements and Chapter 14, Section 14-3. - Violations enumerated

Code Enforcement Officer Chris Strawn called the halls for the respondent with no response for Carl Campbell, C/O Charles Lee.

Code Enforcement Officer Chris Strawn presented Case 2020-0000033 for the noncompliance with fines for the following violations: Chapter 14, Section 14-2. -Nuisances and Hazardous or Insanitary Conditions General Requirements and Chapter 14, Section 14-3. - Violations enumerated, located at 385 North 11th Street.

Code Enforcement Officer Chris Strawn stated he sent a Notice of Hearing by certified mail with a return receipt. He also noted that Planning Assistant D. Brooks posted the Notice of Hearing on the City Hall front door and that he posted a Notice of Hearing on the property. The property has been posted for ten (10) consecutive days adding he had delivered proper notice.

Code Enforcement Officer Chris Strawn recommended of a fine of \$2,950.00 be assessed and continue at \$50 per day until the property is brought into compliance.

Special Magistrate R. Youell accepted the testimony for the record.

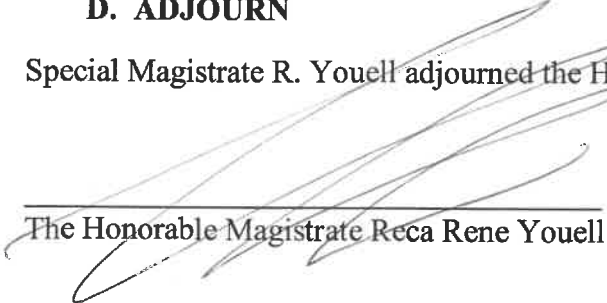
Special Magistrate R. Youell called for witnesses for the landowner.

Special Magistrate R. Youell announced the Findings of Fact, Conclusions of Law and Order are made part of the record ruling.

Special Magistrate R. Youell rendered the Order finding the property was in violation and an Order Imposing Fine/Administrative Lien was issued in the amount of \$2,950 and a fee of \$50 per day continues for each day until the property is brought into compliance. When it is brought into compliance, the owner must contact Code Enforcement for re-inspection.

D. ADJOURN

Special Magistrate R. Youell adjourned the Hearing at 3:38 p.m.



The Honorable Magistrate Reca Rene Youell



DeAnn Brooks, Planning Assistant
Proper Notice having been duly given

