

**Special Magistrate Hearing
Meeting Minutes
Thursday, September 16, 2021
2:00 p.m.
City Council Chambers**

A. CALL TO ORDER OF THE HEARING SESSION

Special Magistrate Recca 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 Recca Rene Youell swore in Code Enforcement Officer Chris Strawn.

Staff present: Code Enforcement Officer Chris Strawn and City Clerk Maryanne Schrader. Councilmember Robert McKnight was also present.

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

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

1. Case 2021-0000052

Physical Address of Parcel: 163 West Burdick Avenue, DeFuniak Springs, FL 32433
Parcel: 25-3N-19-19070-001-6971
Property Owner: Dean A. Mitchell
Mailing Address: 550 Twin Lakes Drive, DeFuniak Springs, FL 32433
Violations: Chapter 5, Section 5-21. - Unsafe structures and Chapter 14, Section 14-2. - Nuisances and Hazardous or Unsanitary Conditions General Requirements

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

Code Enforcement Officer Chris Strawn presented Case 2021-0000052 for the following violations: Chapter 5, Section 5-21. - Unsafe structures and Chapter 14, Section 14-2. - Nuisances and Hazardous or Unsanitary Conditions General Requirements.

Code Enforcement Officer Chris Strawn stated the property is located Parcel: 25-3N-19-19070-001-6971 and is in the city limits.

Code Enforcement Officer Chris Strawn went over the visual of the violations and provided dates of the violations at the property. He noted the violations on the property have been remedied. He noted the decay and damage of the unstable foundation.

Code Enforcement Officer Chris Strawn stated he sent notices of violations to the homeowner and provided the dates. He went over the notices of violations sent, and the Notice for the

Hearing sent by certified mail. He also noted the City Clerk posted the Notice of Hearing on the City Hall front door stating he delivered proper notice.

City Manager Robert Thompson arrived at 2:06 p.m. and excused himself at 2:08 p.m.

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

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 respondent has remedied the violation and determined that if the property comes in violation again, the respondent will be considered a repeat offender.

2. Case 2021-0000057

Physical Address of Parcel: Wabash Avenue, DeFuniak Springs, FL 32435

Parcel: 25-3N-19-19070-001-8127

Property Owner: Wabash Land Trust #33

Mailing Address: 174 Watercolor Way #211, Santa Rosa Beach, FL 32459

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

Code Enforcement Officer Chris Strawn called in the Halls for the Respondent Wabash Land Trust #33, with no response. The halls were then called, again with no response. He also called the halls for Sally Vogue or Nancy Lindsey.

Code Enforcement Officer Chris Strawn presented 2021-0000057 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 located at Wabash Avenue is in the city limits.

Code Enforcement Officer Chris Strawn went over the visual of the violations and provided dates and times of the violations observed at the property. He noted the deteriorated conditions of subject property and added it is structurally unsafe.

Code Enforcement Officer Chris Strawn stated he sent notices of violations to the homeowner and provided the dates of the violations, as well as the Certified mail tracking numbers. He also noted the City Clerk posted the Notice of Hearing on the City Hall front door and stated he delivered proper notice. He said the property shows no sign of improvement. He noted that all certified mail has been returned as not able to forward.

Code Enforcement Officer Chris Strawn said the property is not in compliance and recommended that the property be brought into compliance within 30 days, arrange for a

reinspection, and if the respondent fails to comply, he requested a \$100 a day fine be issued until the property is brought into compliance.

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

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, Parcel 25-3N-19-19070-001-8127 is not in compliance. Proper notice has been given. Respondent must correct within 30 days of the date of the Order, contact Code Enforcement for reinspection, and if respondent does not bring the property into compliance, a fine of \$100 a day from the date of the Order is imposed.

3. Case 2021-0000058

Physical Address of Parcel: 132 Wabash Avenue, DeFuniak Springs, FL 32435

Parcel: 25-3N-19-19070-001-8241

Property Owner: Tommy & Darrell Mabron, Natasha, Cecilia & Twany Brown

Mailing Address: 4405 Calcuta Way, Sacramento, CA 95842

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

Violations enumerated

Code Enforcement Officer Chris Strawn called in the Halls for the Respondents, Tommy & Darrell Mabron, as well as Natasha, Cecilia and Twany Brown, with no response. The halls were then called again with no response.

Code Enforcement Officer Chris Strawn presented Case 2021-0000058 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 located at 132 Wabash Avenue is in the city limits.

Code Enforcement Officer Chris Strawn went over the visual of the violations and provided dates and times of the violations at the property. He mentioned the dates of visual inspections of violations on the property. He noted the violations are still present as of today.

Code Enforcement Officer Chris Strawn stated he has sent Notices of Violations to the homeowner and provided the dates of the observed violations. He noted the homeowner is Cecilia Smith, as she has married. He noted the property was condemned in 2021. He stated the notice for the Hearing was sent via certified mail and provided the tracking numbers. He also noted the City Clerk posted the Notice of Hearing on the City Hall front door and he delivered proper notice. He added the property shows no sign of improvement. However, the property owner has stated the structure will be demolished. He suggested a fine of \$100 a day if the property is not corrected within 90 days of the date of the Order. He said the reason for the extension is the homeowner is trying to collect funding for the demolition.

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

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

Special Magistrate R. Youell rendered her decision on the case. She found the property is still in violation of City Ordinance and the property is condemned. Proper notice has been given. A reinspection must be scheduled to comply with the demolition order, and imposed a fine of \$100 a day if the property is not corrected within 90 days of the date of the Order. The Order also states that the building must be demolished, and the lot cleared.

4. Case 2021-0000068

Code Enforcement Officer Chris Strawn stated Case 2021-0000068 has been removed.

COMPLIANCE CASES

Code Enforcement Officer Chris Strawn stated Case 2016-0000010 will be removed because the respondent was delayed in remedying the violation because of the heavy rain.

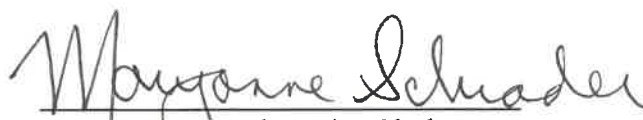
Special Magistrate R. Youell said the name of the company is RDZ, with Ms. Mendoza as the incorporator.

D. ADJOURN

Special Magistrate R. Youell adjourned the Hearing at 2:31 p.m.



The Honorable Magistrate Rea Rene Youell



Maryanne Schrader, City Clerk
Proper Notice having been duly given

