Board of County Commissioners

Division of Planning & Development

Code Compliance Department

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CODE ENFORCEMENT BOARD

July 10, 2006

The regular meeting of the Code Enforcement Board of Sumter County, Florida, was called to order on Monday, July 10, 2006, at 6:00 P.M., followed by the Pledge of Allegiance.

The following board members were present: Chairperson-Horton Barnes, Vice-Chairperson Charles Castle, Cheryl Barnes, Drexel Clark, Dixie Ruzzo, and Terry Pasko.

The following board member was absent (excused): Tommy Messer.

Present from the Code Compliance staff were Paul Jochum-Code Compliance Manager, Janice Love-Code Compliance Inspector, and Alysia Akins-Code Enforcement Board Secretary.

Dave Davis, attorney for the Sumter County Code Compliance Inspectors, was present.
Randall Thornton, attorney for the Code Enforcement Board, was absent.

Mrs. Barnes made a motion to approve the minutes from the June 12, 2006 meeting. Mr. Castle seconded the motion and the motion carried.

Mr. Jochum and Ms. Love were sworn in.

Old Business:
The following cases have a lien filed against them:
04-0104/Gordon
05-0476/Davis
05-0605/Ely
06-0072/Spillman

The following case has complied:
04-0528/Cedar Acres-Torres

The following case has not complied:
06-0040/Varnum

01-632/Davis-status report
Since Attorney Thornton was absent, this case was tabled until next month's meeting.

06-0059/Baughman
Mr. Castle made a motion to remove this case from the table. Mrs. Barnes seconded the motion and the motion carried.
The Respondent, Charles Steven Baughman, was present and sworn in. Ms. Love testified the Notice for Hearing had been sent by certified mail and had been personally delivered on 6/12/06. Ms. Love

testified 7/10/06 had been her last visit to the property, and the property was not in compliance. Ms. Love submitted photographs into the record that were taken on 2/14/06, 5/16/06, and 7/10/06 reflecting the violations, which consisted of an addition or accessory structure built without required building permits. Ms. Love testified all of the inoperable vehicles had been removed, and the open storage was no longer a violation since the materials were all for farming purposes. Ms. Love testified she was under the impression the non-permitted structure was a roof-over for the mobile home. Ms. Love testified Mr. Baughman had informed her that he would obtain the required permits or remove the structure. Ms. Love recommended the Respondent be given 30 days to bring the property into compliance.

Mr. Baughman testified he had been diagnosed three years ago with two types of cancer, and the radiation and chemotherapy treatments had caused osteoporosis and diabetes. Mr. Baughman testified he did not think he needed a building permit for a pole barn, which is what he felt the structure was. Mr. Baughman discussed his limited income issues. Mr. Baughman inquired as to possibly converting the existing structure into a fence around his mobile home. Mr. Baughman was informed the existing structure did not meet the requirements for the definition of a fence. Mr. Baughman discussed drawing up his own building plans and was informed the plans would need to be certified by an engineer in order to submit for the required building permits.

Mrs. Barnes made a motion to order the Respondent to submit complete building plans for the required building permit, or to remove the structure, within 60 days; failure to comply with this order will result in a fine in the amount of $25 per day for each and every day of non-compliance. Mr. Pasko seconded the motion and the motion carried.

New Business:
The following cases have complied:
05-0077/Cherry
06-0216/Grady
06-0218/Montgomery
06-0297/Payne

File: CE2006-0111/Pauley
911 Address: 2652 CR 202/Oxford
Parcel: C01=036/OR – 724, PG – 204
SCCV: 13-51(A)(2)(A)
The Respondent, Brady Pauley, was present. Ms. Love testified the Notice for Hearing had been sent by certified mail. Ms. Love testified 7/10/06 had been her last visit to the property, in which the property was not in compliance. Ms. Love submitted photographs into the record that were taken on 2/28/06 and 7/10/06 reflecting the violations, which consisted of construction of a building without required permits. Ms. Love testified Mr. Pauley had inquired about the required building permits. Ms. Love recommended the Respondent be ordered to comply and pay all staff costs due within 30 days.

Mr. Pauley testified he did not think a building permit was needed for his 16’ x 24’ storage shed and stated he could not afford to pay for the required engineering. Mr. Pauley testified he had ceased construction of the shed when he received the Notice of Violation. Mr. Pauley testified he would obtain the required permits or remove the shed.

Mrs. Ruzzo made a motion to order the Respondent to pay half of the staff costs due, which amounts to $207.53, to be paid within 30 days. The Respondent was also ordered to bring the property into compliance by removing the shed, or applying for the required building permits; failure to comply

within 60 days will result in a fine in the amount of $50 per day for each and every day of non-compliance. Mr. Castle seconded the motion and the motion carried.

Mr. Barnes excused himself at 6:40 P.M., after the above motion was voted on; therefore, Mr. Castle continued the meeting as Acting Chairperson.

File: CE2006-0068/Crozier
911 Address: 5670 W. SR 44/Lake Panasoffkee
Parcel: E09=024/OR – 902, PG – 128
SCCV: 21-1(A), 21-1(B), 6-104(2), 13-E-312 SHC 307.4, and Table 13-362A-3.715
The Respondent, Daphne Crozier, was present and sworn in. Ms. Love testified the Notice for Hearing had been sent by certified mail and the property was posted on 6/29/06. Ms. Love testified 7/10/06 had been her last visit to the property, in which the property was not in compliance. Ms. Love submitted photographs into the record that were taken on 2/3/06, 2/21/06, 5/21/06, 6/27/06, and 7/10/06 reflecting the violations, which consisted of trash, debris, garbage, several inoperable vehicles, auto parts, tires, and a burn barrel with an oil filter. Ms. Love testified the Respondent's brother resided on the property. Ms. Love testified the Respondent's brother liked to tinker with vehicles and had several automotive parts lying about the property. Ms. Love testified she had received numerous complaints regarding burning and had seen an oil filter in a burn barrel. Ms. Love testified she had continued to monitor the property after it was brought into compliance in April of 2006 due to this being a habitual offender. Ms. Love testified the property was in violation again, which was why it is now at a hearing. Ms. Love recommended the Respondent cease all illegal burning and construct a shed for her brother to store his automotive parts. Ms. Love recommended the Board order the Respondent 30 days to bring the property into compliance and all staff costs be paid.

Mrs. Crozier testified her brother had started constructing a fence around the property and stated she planned to purchase a shed. Mrs. Crozier was informed of the permit requirements for a shed. Mrs. Crozier testified she was aware that all oil needed to be disposed of properly.

Mrs. Ruzzo made a motion to order the Respondent to pay all staff costs due in the amount of $415.06 within 30 days. The motion also included removing all automotive parts, trash, litter, and debris, or applying for the required building permits if a shed is purchased that requires permits within 30 days; failure to comply will result in a fine in the amount of $50 per day for each and every day of non-compliance. Mrs. Barnes seconded the motion and the motion carried.

Mrs. Crozier was informed since this was a habitual offense, the next time a violation occurs, it will be brought to hearing automatically.

File: CE2006-0148/Gunn-Moore
911 Address: 4403 E. C-468/Wildwood
Parcel: G32=008/OR – 956, PG – 316
SCCV: 6-104(2), 21-1(A), 13-E.3.1.2 SHC 307.4, 6-104(4), and 13-51(A)(2)(B)
The Respondent's husband, Ralph Curtis Moore, was present and sworn in. Mr. Jochum testified the Notice for Hearing had been sent by certified mail. Mr. Jochum testified 7/10/06 had been his last visit to the property, in which the property was not in compliance. Mr. Jochum submitted photographs into the record that were taken on 3/15/06, 4/6/06, 5/3/06, 6/26/06, and 7/10/06 reflecting the violations. Mr. Jochum testified this was a habitual offender. Mr. Jochum recommended the Respondent be given 30 days to remove all of the trash and inoperable vehicles, and to apply for all required building or demolition permits with a fine of $25 per day if not brought into compliance within the ordered time. Mr. Jochum also recommended all staff costs be paid, in addition to

reimbursing all costs associated with any inspections made after tonight's meeting that are found in non-compliance.

Mr. Moore testified he had been informed he did not need a building permit to move a mobile home onto his property unless he set it up, which was why he had moved the mobile home onto his property without any permits. Mr. Moore testified he would need a few weeks to obtain the required permits. Mr. Moore testified he was working a full-time job now, but had been working on removing the trash and inoperable vehicles as much as he could. Mr. Moore was informed a licensed mobile home dealer or set-up contractor was required in order to apply for the required permits. Mr. Moore testified he could not afford to pay a set-up contractor. Mr. Moore explained the mobile home had been given to him, and it was originally a mobile office, which was why he was planning to remodel it in order to make it living area. After much discussion, Mr. Jochum recommended tabling this case until the September hearing in order to allow the Respondent time to meet with the Building department to find out what was needed to convert the mobile home into living area.

Mr. Clark made a motion to table this case until September 11, 2006. Mrs. Barnes seconded the motion and the motion carried.

There being no further business, Mrs. Barnes made a motion to adjourn. Mrs. Ruzzo seconded the motion and the motion carried.

The meeting adjourned at 7:15 PM.

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Chairperson Recording Secretary