

Board of County Commissioners Sumter County, Florida

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DRAFT

Minutes from Special Master Hearing held February 25, 2021, 9:00 A.M.

Present R. Lee Hawkins, Jr – Special Master, Sandy Cassels –Secretary/Development Technician, Kevin Vann – Code Inspector, and Carrie Felice – Hogan Law Firm Attorney.

Special Master Hawkins called the Hearing to order at 9:02 A.M.

Special Master Hawkins led the Pledge of Allegiance.

Minutes were adopted into the record for the January 28, 2021, Hearing.

Kevin Vann was sworn in.

Old Business:

New Business:

Case#: CE2020-0417
Name: Wade Tibbetts
Address: 2530 CR 202, Oxford, FL 34484
Violations: 2009 IPMC 308.1 Accumulation of Rubbish or Garbage
2009 IPMC 308.2 Disposal of Rubbish
2009 IPMC 308.2.1 Rubbish storage facilities
2009 IPMC 308.3 Disposal of Garbage
6-104.(4) Nuisances – Inoperable
E.3.1.2 SHC 307.4 SHC Sanitation Req – Care of Premises
Inspector: Kevin Vann
Recommendation: Hear Case

Pamela Tibbetts Terry, representative for the respondent, was present and sworn in. A Notice of Hearing was sent via certified mail, and the property was posted regarding the code case that began on November 25, 2020. This property does not have a homestead exemption. Staff's last visit to the property was February 4, 2021, and was not in compliance with 2009 IPMC 308.1 Accumulation of Rubbish or Garbage, 2009 IPMC 308.2 Disposal of Rubbish, 2009 IPMC 308.2.1 Rubbish storage facilities, 2009 IPMC 308.3 Disposal of Garbage, 6-104. (4) Nuisances – Inoperable, E.3.1.2 SHC 307.4 SHC Sanitation Req – Care of Premises. Mr. Vann submitted the case file (County Composite Exhibit 1) into the record. Mr. Vann submitted (7) photos of the violation (County Composite Exhibit 2), taken on February 4, 2021, into the record.

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County Attorney
The Hogan Law Firm
Post Office Box 485
Brooksville, Florida 34605

Ms. Terry stated her daughter, who is the granddaughter of Mr. Tibbetts, lives in the home. Ms. Terry stated they have someone coming roughly every two weeks to clean and mow the property. Ms. Terry stated she is working on removing one of the vehicles on the property, which would leave one inoperable.

After discussion on the property's size, the Special Master stated only one acre around the residence would be required to be maintained as a "yard," the remaining four acres would be allowed to stay natural.

Special Master Hawkins found the respondent in violation of 2009 IPMC 308.1 Accumulation of Rubbish or Garbage, 2009 IPMC 308.2 Disposal of Rubbish, 2009 IPMC 308.2.1 Rubbish storage facilities, 2009 IPMC 308.3 Disposal of Garbage, 6-104. (4) Nuisances – Inoperable, E.3.1.2 SHC 307.4 SHC Sanitation Req – Care of Premises. Special Master Hawkins gave the Respondent until April 26, 2021, to bring the property into compliance. If the property is not in compliance by April 26, 2021, the respondent will be responsible for staff costs associated with the case and a \$25.00 daily fine

Case #: CE2020-0423
Name: Dewey & Ruby Smith
Address: 2795 CR 610, Bushnell, FL 33513
Violations: E.3.1.2 SHC 307.4 SHC Sanitation Req – Care of Premises
Inspector: Kevin Vann
Recommendation: Hear Case

Dewey & Ruby Smith, respondents, were present and sworn in. A Notice of Hearing was sent via certified mail, and the property was posted regarding the code case that began on December 8, 2020. This property does not have a homestead exemption. The staff's last visit to the property was February 4, 2021, and was not in compliance with E.3.1.2 SHC 307.4 SHC Sanitation Req – Care of Premises. Mr. Vann submitted the case file (County Composite Exhibit 1) into the record.

Mr. Smith stated he has a demo permit. Ms. Cassels explained Mr. Smith received a permit in 2019, which expired. Mr. Smith came in to renew his permit, which expired again. Mr. Smith has again received an extension of the permit until May.

Special Master Hawkins found the respondent in non-violation due to having an open permit.

Public Forum

CE-CH2020-0014 Wilford Cardona & Nilsa Velez
Ms. Velez and Ms. Cardona requested additional time to bring the property into compliance. They are working with the engineer to get the revisions for their plans the reviewer needs. Special Master Hawkins gave the respondent an additional 90 days from February 25, 2021, to bring the property into compliance.

CE2020-0302 Dorothy Messenger-Young
Ms. Messenger-Young requested additional time to bring the property into compliance. She stated she is working with an engineer to get the revisions for her plans. Special Master Hawkins gave the respondent an additional 90 days, February 25, 2021, to bring the property into compliance.

Public Forum complete

Case #: CE-C2020-0010
Name: Cassandra Brown & Dwayne Carr
Address: 4401 E Warm Springs Ave., Coleman, FL 33521
Violations: Ordinance No 2000-5
Section 3 Nuisances
Inspector: Kevin Vann
Recommendation: Hear Case

The respondent was not present. A Notice of Hearing was sent via certified mail, and the property was posted regarding the code case that began on November 9, 2020. This property has a homestead exemption. Staff's last visit February 23, 2021, and was not in compliance with Ordinance No. 2000-5 Section 3 Nuisances. Mr. Vann submitted the case file (County Composite Exhibit 1) into the record. Mr. Vann submitted (6) photos (County Composite Exhibit

2), taken on February 4, 2021, into the record. Mr. Vann submitted (4) photos (county Composite Exhibit 3), taken on February 23, 2021.

After discussion of the City of Coleman violations, and the pictures taken on February 23, 2021, Special Master Hawkins stated the property is in Non-Violation.

Case #: CE2020-0407
Name: Sumter Enterprises, LLC
Address: 7962 CR 647, Bushnell, FL 33513
Violations: E.3.1.2 SHC 307.4 Sanitation Req – Care of Premises
2009 IPMC 308.1 Accumulation of Rubbish or Garbage
2009 IPMC 308.2 Disposal of Rubbish
Inspector: Kevin Vann
Recommendation: Hear Case

The respondent was not present. A Notice of Hearing was sent via certified mail, and the property was posted regarding the code case that began on November 17, 2020. The property does not have a homestead exemption. Staff's last visit was February 5, 2021, and was not in compliance with E.3.1.2 SHC 307.4 Sanitation Req – Care of Premises, 2009 IPMC 308.1 Accumulation of Rubbish or Garbage and 2009 IPMC 308.2 disposal of Rubbish. Mr. Vann submitted the case file, (County Composite Exhibit 1) into the record. Mr. Vann submitted (4) photos of the violations (County Composite Exhibit 2), taken on February 5, 2021, into the record.

Special Master Hawkins found the respondent in violation of E.3.1.2 SHC 307.4 Sanitation Req – Care of Premises, 2009 IPMC 308.1 Accumulation of Rubbish or Garbage and 2009 IPMC 308.2 disposal of Rubbish. Special Master Hawkins gave the Respondent until March 27, 2021, to bring the property into compliance. If the property is not in compliance by March 27, 2021, the respondent will be responsible for staff costs associated with the case and a \$25.00 per day fine.

Case #: CE2020-0409
Name: Esteban Gamez, Sr.
Address: 1796 E C-478, Webster, FL 33597
Violations: 13-610(A) General – RV
2009 IPMC SCC LDC Violation – Zoning District
13-621(A) Temporary Structure or facilities
Inspector: Kevin Vann
Recommendation: Hear Case

Mr. Vann stated the property is in Pre-Hearing Compliance.

Special Master Hawkins stated due to the property being in Pre-Hearing Compliance, there will be no further action taken on the case.

Case #: CE2020-0421
Name: Skytop, LLC
Address: SW 55th Street, Bushnell, FL 33513
Violations: 2009 IPMC SCC LDC Violation – Zoning District
FBC Section 105 Permits [A] 105.1 Required
Inspector: Kevin Vann
Recommendation: Hear Case

Mr. Vann stated the attorney for the respondent was requesting this case be tabled until the March 25, 2021, Hearing.

Special Master Hawkins granted the request for this case to be tabled until the March 25, 2021, Hearing.

Special Master Hawkins found the respondent in violation of 13-610(B) General – Setbacks and FBC Section 105 Permits [A] 105.1 Required. Special Master Hawkins gave the Respondent until April 28, 2021, to bring the property into compliance. If the property is not in compliance by April 28, 2021, the respondent will be responsible for staff costs associated with the case and a \$25.00 per day fine.

Adjourn