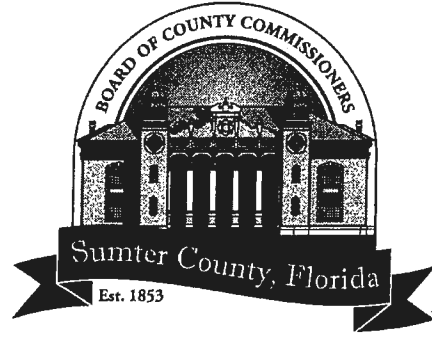


# ***Board of County Commissioners Sumter County, Florida***

7375 Powell Road, Suite 200 • Wildwood, FL 34785 • Phone (352) 689-4400 • FAX: (352) 689-4401  
Website: <http://sumtercountyfl.gov>



## **COURTESY NOTICE OF VIOLATION**

2/25/2021

**File #: CE2021-0067**

KIMBERLY MURDICK  
1531 GEORGE DIETER DR  
EL PASO, TX 79996

Dear KIMBERLY MURDICK:

We regret to inform you that a violation of the Sumter County Code exists on your property located:

Address: 2619 CR 214, Oxford, FL 34484

Parcel #: C24-045 Section/Township/Range: 241822

Subdivision: Tract:

Block: Lot(s):

Legal Description (partial):

BEG 467 FT E OF NW COR OF NW1/4 OF NE1/4 RUN S 235 FT E 210 FT N 235 FT W 210 FT TO POB

The violation(s) is(are) as follows:

CE2021-0067

### **21-1 (B) BURNING OF TRASH**

As to burning, the provisions of Chapter 17-256, Florida Administrative Code, are incorporated herein by reference, and a violation of said rules and regulations shall be considered a violation of this section. Items set forth therein legally subject to open burning as provided therein shall be exempt from the provisions of this section as long as the procedures required for such burning are followed.

#### **DEFINITION:**

Yard waste is vegetative debris such as grass clippings, brush, leaves, tree limbs, palm fronds, etc. that are a result of yard maintenance. It does not include household garbage.

**RURAL COUNTIES, YOU MAY BURN YARD WASTE IF:**

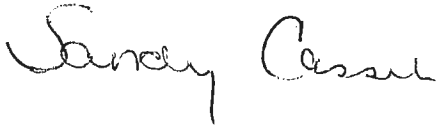
1. No local city or county ordinances prohibit it.
2. The yard waste was generated on your property and will fit in an 8-foot diameter pile or non-combustible container.
3. The open burning is 25 feet from forests, 50 feet from paved public roadways, 25 feet from your house, and 150' from other occupied buildings.
4. The smoke must not obstruct visibility on nearby roads or cause a hazard or nuisance.
5. The fire must be ignited after after 8 a.m. Central Time or 9 a.m. Eastern Time & extinguished one hour before sunset.
6. The burning must be in a noncombustible container covered with wire mesh to keep sparks from flying out and starting new fires.

It is illegal to burn household garbage (including paper products), treated lumber, plastics, tires, rubber materials, pesticide, paint and aerosol containers.

You are being notified a violation exists on your property and your next inspection will be March 12, 2021.

Thank you for your attention in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Sandy Cassels". The signature is written in black ink and is positioned above the printed name and title.

Sandy Cassels  
Development Technician

# ***Board of County Commissioners Sumter County, Florida***

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## **NOTICE OF VIOLATION**

3/15/2021

**File #: CE2021-0067**

KIMBERLY MURDICK  
1531 GEORGE DIETER DR  
EL PASO, TX 79996

Dear KIMBERLY MURDICK:

We have requested you to correct the Sumter County Code violations on your property located at:

Address: 2619 CR 214, Oxford, FL 34484  
Parcel #: C24-045 Section/Township/Range: 241822  
Subdivision: Tract:  
Block: Lot(s):  
Legal Description (partial):  
BEG 467 FT E OF NW COR OF NW1/4 OF NE1/4 RUN S 235 FT E 210 FT N 235 FT W 210 FT TO POB

However, they have not been corrected as of this date; therefore, we must now insist the following violation(s) be corrected:

CE2021-0067

### **21-1 (B) BURNING OF TRASH**

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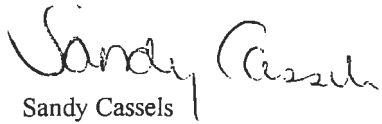
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- 5.The fire must be ignited after after 8 a.m. Central Time or 9 a.m. Eastern Time & extinguished one hour before sunset.
- 6.The burning must be in a noncombustible container covered with wire mesh to keep sparks from flying out and starting new fires.

It is illegal to burn household garbage (including paper products), treated lumber, plastics, tires, rubber materials, pesticide, paint and aerosol containers.

91 7199 9991 7039 6361 1169

Failure to correct the above violations before March 29, 2021, will result in this matter being referred to the Special Master for a public hearing.

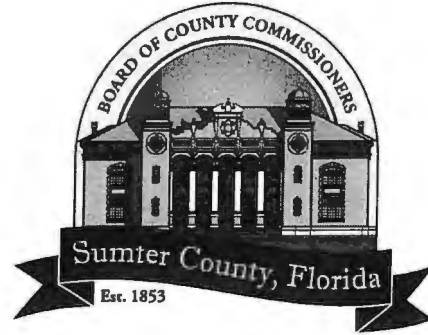
Sincerely,

A handwritten signature in black ink that reads "Sandy Cassels". The signature is written in a cursive style with a large initial "S".

Sandy Cassels  
Development Technician

***Board of County Commissioners  
Sumter County, Florida***

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**NOTICE OF HEARING**

File #: CE2021-0067

MURDICK, KIMBERLY  
1531 GEORGE DIETER DR  
EL PASO, TX 79996

YOU ARE NOTIFIED that a public hearing concerning Sumter County Code Violations as alleged in the STATEMENT OF VIOLATION AND REQUEST FOR HEARING attached to this NOTICE and incorporated herein by reference will be held before the Sumter County Special Master on 4/29/2021, at 9:00 AM located at 215 E. McCollum Ave, Historic Courtroom, Bushnell, FL 33513.

At the hearing, the Special Master will hear testimony and receive evidence concerning the alleged violations and at the conclusion of the hearing shall issue an order.

I CERTIFY that a copy of this Notice of Hearing has been furnished by certified mail or personal service to the above named addressee, this 3/30/2021.

  
Sumter County Code Compliance

Any person who may feel the need to appeal any decision with respect to any matter considered at this hearing is hereby notified that a verbatim record of the proceedings, or a portion thereof, may be necessary for such purpose, and that the County assumes no responsibility for providing such record.

Persons with disabilities and needing assistance to participate in any of these proceedings should contact the Sumter County Administration office at 352-689-4400, 48 hours in advance of the scheduled meeting. If you are hearing or voice impaired, call 1-800-955-8771.

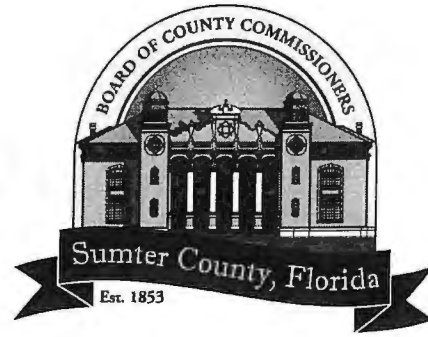
SEE ATTACHED SHEETS FOR IMPORTANT INFORMATION

## **Important Information Regarding Code Compliance Hearings**

1. Please be advised that even if the violation contained in the Statement of Violation has been corrected prior to the time set forth for the scheduled hearing, the violation may still be heard and action taken.
2. You may have witnesses subpoenaed to testify on your behalf. If you wish subpoenas issued, please contact the Building Department at (352) 689-4460 at least (7) days prior to the scheduled hearing date and give the name and address of persons to be subpoenaed. You will be responsible for having the subpoenas properly served and paying for any costs incurred.
3. For your information, hearings shall be conducted as follows:
  - a. The Statement of Violations will be read.
  - b. The alleged violator will be asked if he/she wishes to contest the charges.
  - c. If the charges are not contested, the Special Master may issue an Order directing compliance or authorize further civil or criminal proceedings pursuant to Sumter County Ordinance 08-2.
  - d. If the charges are contested, Code Compliance shall present its case and the alleged violator shall present his or her case. The case shall be presented by an attorney, or by the Inspector, or other member of staff. The alleged violator's case may be presented by him/herself, an attorney, or other representative chosen by the alleged violator.
  - e. The parties may call witnesses and all witnesses shall be sworn. All testimony shall be under oath and shall be recorded by the Secretary present.
  - f. Formal rules of evidence shall not apply, but fundamental due process shall be observed and govern all proceedings. Minutes shall be kept of all hearings, and all hearings and proceedings shall be open to the public.
  - g. Both parties may cross-examine witnesses and present rebuttal evidence.
  - h. The Special Master may call, question, and take testimony from the Inspector, alleged violator, and any witness.
  - i. After all evidence has been submitted, the Special Master shall close the presentation of evidence.
  - j. Any order to comply shall contain Findings of Fact and Conclusions of Law based on the evidence of record, and shall include an order. The decision shall be announced as an oral order at the hearing and shall be reduced to writing and mailed to all parties.
  - k. If the Special Master finds for a violation, its written order shall be issued as an Order To Comply. Such order shall establish a date certain for compliance and further action to be taken if the deadline for compliance is not met. In determining corrective and punitive actions, the Special Master shall consider the following factors:
    - 1) The gravity of the violation.
    - 2) Any actions taken by the violator to correct the violation.
    - 3) Any previous violations committed by the violator.

# ***Board of County Commissioners Sumter County, Florida***

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**COUNTY OF SUMTER (Petitioner)**

File #: CE2021-0067

vs.

**MURDICK, KIMBERLY (Respondent)**

cc:

## **STATEMENT OF VIOLATION AND REQUEST FOR HEARING**

Pursuant to Sumter County Ordinance 08-2, the undersigned Code Secretary hereby gives notice of an uncorrected violation of the laws of Sumter County, more particularly described as follows, and requests a public hearing before the Special Master, Sumter County, Florida.

1. Violation of Code(s):

CE2021-0067

**21-1 (B) BURNING OF TRASH**

As to burning, the provisions of Chapter 17-256, Florida Administrative Code, are incorporated herein by reference, and a violation of said rules and regulations shall be considered a violation of this section. Items set forth therein legally subject to open burning as provided therein shall be exempt from the provisions of this section as long as the procedures required for such burning are followed.

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It is illegal to burn household garbage (including paper products), treated lumber, plastics, tires, rubber materials, pesticide, paint and aerosol containers.

2. Property Owner(s):

MURDICK, KIMBERLY

3. Location of Violation: 2619 CR 214, Oxford, FL 34484

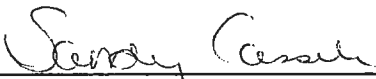
4. Legal Description of Property where violation exists:

Parcel #: C24-045                      Section/Township/Range: 241822  
Subdivision:    Tract:  
Block:    Lot(s):  
Legal Description (partial):  
BEG 467 FT E OF NW COR OF NW1/4 OF NE1/4 RUN S 235 FT E 210 FT N 235 FT W 210 FT TO POB

- 5. Date Violation first Observed:                      2/24/2021
  
- 6. Date Property owner issued notice of violation:                      3/15/2021
  
- 7. Date of Notice of Violation Inspection:                      3/29/2021

The undersigned Code Secretary hereby certifies that the above-described violation continues to exist, that attempts to secure compliance with the laws of Sumter County have failed as aforesaid, and that the violation should be referred to the Code Special Master, Sumter County for a public hearing.

DATED this Tuesday, the 30th day of March, 2021.

  
\_\_\_\_\_  
Sandy Cassels



**Board of County Commissioners  
Sumter County, Florida**

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**COUNTY OF SUMTER (Petitioner)**

File #: CE2021-0067

vs.

**MURDICK, KIMBERLY (Respondent)**

cc:

**AFFIDAVIT PROOF OF NOTICE**

STATE OF FLORIDA  
COUNTY OF SUMTER

BEFORE ME, the undersigned authority, personally appeared Kevin Vann for Sumter County, who after being sworn, deposes and says:

That on Thursday, April 15, 2021, he posted a copy of the Request for Hearing at the property upon which the violation exists.

The property is known as: Address: 2619 CR 214, Oxford, FL 34484

Section/Township/Range: 241822

Subdivision:

Tract:

Block:

Lot(s):

Legal Description (partial):

BEG 467 FT E OF NW COR OF NW1/4 OF NE1/4 RUN S 235 FT E 210 FT N 235 FT W 210 FT TO POB

That, pursuant to F.S. 162.12 2 (b) 1, he has also posted the Request for Hearing at the front door of the courthouse in Sumter County.

That a copy of the Request for Hearing has been sent certified, return receipt mail.

FURTHER AFFIANT SAYETH NOT  
DATED this Thursday, April 15, 2021.

Kevin Vann

Before me the above named Inspector, who personally known to me, did appear and execute this Proof of Notice this Thursday, the 15th day of April, 2021.

NOTARY PUBLIC

