



DRAFT

Board of Sumter County Commissioners

Minutes from the Special Master Hearing held January 26, 2023
Held at the Courthouse
215 E. McCollum Ave
Historic Courtroom
Bushnell, FL 33513

Present R. Lee Hawkins, Jr. – Special Master, Emily Estep – Secretary, Kevin Vann – Code Inspector and Jennifer Rey – Hogan Law Firm Attorney

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

Special Master Hawkins led the Pledge of Allegiance.

1. Secretary Swore in Sumter County Inspector

2. MINUTES

a. Minutes from December 15, 2022 Special Master Meeting

The minutes were entered into the record by the Special Master

3. REPORTS AND INPUT

a. Affidavit of Compliance

1. CE2022-0098/CE-22-06661

Name: Paul & Michelle Alexander
Compliance Date: December 28, 2022
Status: Compliant With No Outstanding Costs

Special Master Hawkins approved the Affidavit of Compliance

2. CE2022-0204/CE-22-06105

Name: Richard J Clowes
Compliance Date: December 19, 2022
Status: Compliant With No Outstanding Costs

Special Master Hawkins approved the Affidavit of Compliance

3. CE2022-0256/CE-22-06331

Name: David & Angela Lipps
Compliance Date: December 19, 2022
Status: Compliant With No Outstanding Costs

Special Master Hawkins approved the Affidavit of Compliance

4. CE2022-0267/CE-22-07505

Name: Eugene & Thelma Carlson
Compliance Date: January 11, 2023
Status: Compliant With No Outstanding Costs

Special Master Hawkins approved the Affidavit of Compliance

5. CE2022-0296/CE-22-10022

Name: Lamar & Martin Calhoun
Compliance Date: January 17, 2023
Status: Compliant With No Outstanding Costs

Special Master Hawkins approved the Affidavit of Compliance

b. Pre-Hearing Compliance (For Information Only)

CE-22-13193 Jackie & Nancy Eason
No Action Taken

CE-22-13967 EDS LLC
No Action Taken

CE-22-14680 Cali Williams
No Action Taken

CE-22-14973 Gerald Runge Jr
No Action Taken

c. Post-Hearing Affidavit of Non-Compliance Proceeding to Filing Lien (For Information Only)

Affidavit of Non-compliance:

CE2022-0170/CE-22-06124 Dagoberto Morales & Yony Velazquez
No Action Taken

CE2022-0178/CE-22-02772 Hope Demons
No Action Taken

CE2022-0191/CE-22-03538 Francis Vaugh & Brandy Manley
No Action Taken

CE2022-0196/CE-22-04949 Estate of Lori Crippen & April Crippen
No Action Taken

CE2022-0225/CE-22-06159 Ralph Grundberg
No Action Taken

CE2022-0226/CE-22-06106 No Action Taken	Ratray Farm LLC
CE2022-0274/CE-22-07902 No Action Taken	Sumter Enterprises LLC
CE2022-0292/CE-22-09311 No Action Taken	Margaret Null
CE2022-0293/CE-22-09312 No Action Taken	Christian & Margaret Null

4. CODE ENFORCEMENT HEARINGS

Special Master Hawkins stated he was going to go out of order and hear CE-22-14142 first as the lawyer was present for that case.

a. Case#: CE-22-14142

Name: Randall Clark
Address: 1790 SW 80th Ave, Bushnell, FL. 33513
Violations: Sec. 13-611(e) Residential Accessory Uses
6-104.(2) Nuisances – Trash & Debris
6-104.(4) Nuisances – Inoperable in Excess of One
E.3.1.2 SHC 307.4 SHC Sanitation Req-Care of Premises
Inspector: Kevin Vann
Recommendation: **Find in Non-Compliance, pay staff costs of \$470.52 immediately and a \$50 per day fine for every day past the compliance date.**

Felix Adams, attorney representing Michael Clark, Randall Clark’s brother was present. Mr. Adams submitted a Complaint for Unlawful Detainer on January 25, 2023 to have the squatters on the property removed. Special Master Hawkins entered the Complaint as Respondent Composite Exhibit #1. Mr. Adams requested to continue the case until the March 2023 hearing. Special Master Hawkins granted the continuance.

At this time, Special Master Hawkins said he would continue following the agenda in order.

b. Case#: CE2022-0226/CE-22-06106

Name: Ratray Farm LLC
Address: 9000 CR 702, Center Hill, FL. 33514
Violations: LDC Sec. 13-655 (a). - Race Tracks for Motor Vehicles
Accessory to Residential Uses
LDC Sec. 13-333 (E)(1)(b). - Post-approval actions
Inspector: Kevin Vann
Reason for Appearance: **Mr. Ratray is contesting the Affidavit of Non-Compliance**

Tyla Ratray was present and sworn in. Mr. Ratray stated he was contesting the Affidavit of Non-Compliance because he feels he has brought the jumps down as far as he can. He stated he is trying to sell the property as quickly as he can and wants to get the lien removed.

Ms. Rey stated the track is still being used for motocross and per the revocation of the special use permit, Mr. Rattray is to bring the property back to the condition it was in prior to the track being built and eliminate all the jumps and cease riding motorcycles on the property. Ms. Rey had Kevin Vann submit 15 photos (County Composite Exhibit A) taken during the Post-Hearing Inspection on December 27, 2022. Ms. Rey referenced Land Development Code Sec. 13-655 (a). Race Tracks for Motor Vehicles Accessory to Residential Uses and stated that per the code, he can only ride the motorcycles on his agriculturally zoned land if Mr. Rattray has a homestead residence on the property, which he does not.

Special Master Hawkins upheld the Affidavit of Non-Compliance

c. Case#: CE-22-14443

Name: Bryan Hoang Ttee
Address: 4406 Warm Springs Ave, Wildwood, FL. 34785
Violations: 6-104.(5) Nuisances – Grass
Inspector: Kevin Vann
Recommendation: **Find in Non-Compliance, pay staff costs of \$470.52 immediately and a \$25 per day fine for every day past the compliance date**

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 4, 2022. This property does not have a homestead exemption. Staff's last visit to the property was January 12, 2023, and it was not in compliance with 6-104.(5) Nuisances – Grass. Mr. Vann submitted the case file (County Composite Exhibit A) into the record. Mr. Vann submitted (6) photos of the violations (County Composite Exhibit B), taken on January 12, 2023, into the record.

Special Master Hawkins found the Respondent in violation of 6-104.(5) Nuisances – Grass. Special Master Hawkins gave the Respondent 30 days to bring the property into compliance and pay staff costs of \$470.52 immediately. If the property is not in compliance in 30 days, the Respondent will be responsible for any additional incurred staff costs associated with the case and a \$25.00 daily fine.

d. Case#: CE-22-14455

Name: Nora L Fox & Timothy J Cockrell
Address: 6511 Wesleyan Way, Wildwood, FL. 34785
Violations: 2009 I.P.M.C. 304.7 Roofs and Drainage
Inspector: Kevin Vann
Recommendation: **Find in Non-Compliance, pay staff costs of \$470.52 immediately and a \$10 per day fine for every day past the compliance date**

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 4, 2022. This property does have a homestead exemption. Staff's last visit to the property was January 12, 2023, and it was not in compliance with 2009 I.P.M.C. 304.7 Roofs and Drainage. Mr. Vann submitted the case file (County Composite Exhibit A) into the record. Mr. Vann submitted (7) photos of the violations (County Composite Exhibit B), taken on January 12, 2023, into the record.

Special Master Hawkins found the Respondent in violation of 2009 I.P.M.C. 304.7 Roofs and Drainage. Special Master Hawkins gave the Respondent 30 days to bring the property into compliance and pay staff costs of \$470.52 immediately. If the property is not in compliance in 30 days, the Respondent will be responsible for any additional incurred staff costs associated with the case and a \$10.00 daily fine.

e. Case#: CE-22-14730

Name: Linda D & William T Rowe
Address: 1825 CR 738, Webster, FL. 33597
Violations: 6-104.(5) Nuisances – Grass
E.3.1.2 SHC 307.4 SHC Sanitation Req-Care of Premises
6-104.(2) Nuisances – Trash & Debris
Inspector: Kevin Vann
Recommendation: Find in Non-Compliance, pay staff costs of \$470.52 immediately and a \$25 per day fine for every day past the compliance date

The Respondent William T Rowe 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 7, 2022. This property does have a homestead exemption. Staff's last visit to the property was January 13, 2023, and it was not in compliance with 6-104.(5) Nuisances – Grass, E.3.1.2 SHC 307.4 SHC Sanitation Req-Care of Premises, 6-104.(2) Nuisances – Trash & Debris. Mr. Vann submitted the case file (County Composite Exhibit A) into the record. Mr. Vann submitted (7) photos of the violations (County Composite Exhibit B), taken on January 13, 2023, into the record.

Mr. Rowe requested 60 days to clean up the property.

Special Master Hawkins found the Respondent in violation of 6-104.(5) Nuisances – Grass, E.3.1.2 SHC 307.4 SHC Sanitation Req-Care of Premises, 6-104.(2) Nuisances – Trash & Debris. Special Master Hawkins gave the Respondent 60 days to bring the property into compliance and pay staff costs of \$470.52 immediately. If the property is not in compliance in 60 days, the Respondent will be responsible for any additional incurred staff costs associated with the case and a \$25.00 daily fine.

f. Case#: CE-22-14830

Name: Jean L Avery
Address: 968 CR 455, Lake Panasoffkee, FL. 33538
Violations: E.3.1.2 SHC SANITATION REQ-CARE OF PREMISES
Inspector: Kevin Vann
Recommendation: Find in Non-Compliance, pay staff costs of \$470.52 Immediately and a \$10 per day fine for everyday past the compliance date

The Respondent's Tenant Damon McCoy was present and sworn in. A Notice of Hearing was sent via certified mail regarding the code case that began on November 8, 2022. This property does not have a homestead exemption. Staff's last visit to the property was January 12, 2023, and it 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 A) into the record. Mr. Vann submitted (3) photos of the violations (County Composite Exhibit B), taken on January 12, 2023, into the record.

Mr. McCoy stated he cleaned up the property on January 13, 2023 after he learned of the case on January 12, 2023 during Mr. Vann's inspection. Mr. McCoy submitted (1) photo showing the current state of the property, taken on January 24, 2023.

Special Master Hawkins found the Respondent in Pre-Hearing Compliance and that no further action would be taken.

g. Case#: CE-22-14863

Name: Russell E Jr & Leslie M Coogle
Address: 2507 CR 447, Lake Panasoffkee, FL. 33538
Violations: FBC Section 105 Permits [A] 105.1 Required
Inspector: Kevin Vann

Recommendation: Find in Non-Compliance, pay staff costs of 470.52 immediately and a \$25 per day fine for everyday past the compliance date

The Respondent was present and sworn in. A Notice of Hearing was sent via certified mail regarding the code case that began on November 9, 2022. This property does have a homestead exemption. Staff's last visit to the property was January 12, 2023, and it was not in compliance with FBC Section 105 Permits [A] 105.1 Required. Mr. Vann submitted the case file (County Composite Exhibit A) into the record. Mr. Vann submitted (2) photos of the violations (County Composite Exhibit B), taken on January 12, 2023, into the record.

Mr. and Mrs. Coogle stated they were under the impression the contractor had gotten the proper permits for the carport. Mr. Coogle stated he removed the anchors from the structure, cut it down 3 feet, and put it in wheels so that it is now a move-able structure at the advice of Mr. Steve Wilcox from the Sumter County Building Department.

Special Master Hawkins found the Respondent in Pre-Hearing Compliance and that no further action would be taken.

5. Adjourn

Special Master Hawkins adjourned the meeting at 10:11 AM

Secretary's Note: After reviewing, due to an equipment malfunction, the audio for this hearing was not recorded.