



# DRAFT

## Board of Sumter County Commissioners

Minutes from the Special Master Hearing held June 15, 2023  
Held at the Courthouse  
215 E. McCollum Ave  
Historic Courtroom  
Bushnell, FL 33513

Present R. Lee Hawkins, Jr. – Special Master, Jared Oberholtzer – Secretary, Kevin Vann – Code Inspector, Jarrod Prater and Jennifer Rey – Hogan Law Firm Attorneys

Special Master Hawkins called the Hearing to order at 9:00 AM.

Special Master Hawkins led the Pledge of Allegiance.

### 1. MINUTES

#### a. Minutes from May 25, 2023 Special Master Meeting

The minutes were entered into the record by the Special Master.

### 2. Secretary Swore in Sumter County Inspector

### 3. REPORTS AND INPUT

#### a. Affidavit of Compliance

##### 1. CE-22-15828

Name: Carl Stephens  
Compliance Date: June 1, 2023  
Status: Compliant with No Outstanding Costs

Special Master Hawkins approved the Affidavit of Compliance

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

CE-22-06178 Jose Manuel Guardiola Bernabe  
No Action Taken

CE-22-06210 Hugh Lee  
No Action Taken

#### c. Pre-Hearing Compliance (For Information Only)

CE-23-03660 Drinda & Mark Strawbridge  
No Action Taken

#### 4. CODE ENFORCEMENT HEARINGS

a. **Case#: CE-22-14142**

Name: Randall R. Clark  
Address: 1790 SW 80<sup>th</sup> Ave, Bushnell, FL 33513  
Violations: Sec. 13-611 (e) Residential Accessory Uses  
6-104.(2) Nuisances – Trash & Debris  
6-104.(4) Nuisances – Inoperable  
E.3.1.2 SHC 307.4 SHC Sanitation Req-Care of Premises  
Inspector: Kevin Vann  
**Recommendation: Find in Compliance and pay staff costs immediately.**

Randall R. Clark's brother Michael Clark was present. He was represented by attorney Felix Adams. Randall R. Clark is deceased. Mr. Vann shared the property is in compliance. Jennifer Rey requested that as the case has been continued since December 2022 that staff costs be assessed.

Special Master Hawkins assessed staff costs of \$721.22 to be due immediately and found the property to be in compliance.

b. **Case#: CE-23-01750**

Name: Linda D Whatley  
Address: 14275 CR 737, Webster, FL 33597  
Violations: E.3.1.2 SHC 307.4 SHC Sanitation Req-Care of Premises  
6-104.(4) Nuisances – Inoperable in Excess of One  
6-104.(2) Nuisances – Trash & Debris  
Sec. 13-611(e) Residential Accessory Uses  
Inspector: Kevin Vann  
**Recommendation: Find in Non-Compliance, pay staff costs immediately, and a \$25 per day fine for every day past the compliance date**

Respondent not present but Ms. Lockard, who stated she takes care of Linda Whatley, was present and sworn in. A Notice of Hearing was sent via certified mail and posted on June 1, 2023 regarding the code case that began on March 7, 2023. This property has a homestead exemption. Staff's last visit to the property was on June 1, 2023, and was not in compliance with E.3.1.2 SHC 307.4 SHC Sanitation Req-Care of Premises, 6-104.(4) Nuisances – Inoperable in Excess of One, 6-104.(2) Nuisances – Trash & Debris and Sec. 13-611(e) Residential Accessory Uses. Mr. Vann submitted the case file (County Composite Exhibit A) into the record. Mr. Vann submitted (10) photos of the violations (County Composite Exhibit B), taken on June 1, 2023, into the record.

Ms. Lockard reviewed the photos and discussed the trash and debris throughout the property. She explained the property has been cleaned up, the car is gone and they are working on moving the trailer today. Mr. Vann explained there was a previous Temporary Use Permit (TUP) for a second RV for a medical caretaker that has expired. The County has not received necessary building permits to connect the RV to utilities. Sue Farnsworth, County Planner, was sworn in and stated that Ms. Whatley applied for and received a TUP for a second home on May 1, 2023 with conditions that a building permit was required to connect the utilities. Those permits have not been submitted.

Special Master Hawkins found the Respondents in violation of E.3.1.2 SHC 307.4 SHC Sanitation Req-Care of Premises, 6-104.(4) Nuisances – Inoperable in Excess of One, 6-104.(2) Nuisances – Trash & Debris and Sec. 13-611(e) Residential Accessory Uses. Special Master Hawkins gave the Respondents 30 days to bring the property into compliance and

pay staff costs of \$554.85 immediately. If the property is not in compliance in 30 days, the Respondents will be responsible for any additional incurred staff costs associated with the case and a \$25.00 daily fine.

**c. Case#: CE-23-05435**

Name: AQ Old Mill LLC  
Address: 11470 CR 727, Webster, FL 33597  
Violations: Sec. 13-422. Residential zoning districts  
Inspector: Kevin Vann  
Recommendation: **Find in Non-Compliance, pay staff costs 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 regarding the code case that began on April 4, 2023. This property does not have a homestead exemption. Staff's last visit to the property was on June 1, 2023, and was not in compliance with Sec. 13-422. Residential zoning districts. Mr. Vann submitted the case file (County Composite Exhibit A) into the record. Mr. Vann submitted (7) digital photos of the violations (County Composite Exhibit B), taken on June 1, 2023, into the record

Ms. Farnsworth shared that the property had grandfathered zoning for use as a salvage yard that has expired over a year ago. Current zoning is R5C and Future Use is agricultural. The current storage use does not qualify as a salvage yard. There have been emails and verbal communication through the realtor representing the property. Attorney Jarrod Prater presented a letter from County Administrator, Bradley Arnold, to the realtor dated October 6, 2022 (County Composite Exhibit C) and a second letter from Bradley Arnold to the property owner on April 10, 2023 (County Composite Exhibit D).

Special Master Hawkins found the Respondents in violation of Sec. 13-422. Residential zoning districts. Special Master Hawkins gave the Respondents 90 days to bring the property into compliance and pay staff costs of \$478.00 immediately. If the property is not in compliance in 90 days, the Respondents will be responsible for any additional incurred staff costs associated with the case and a \$100.00 daily fine

**d. Case#: CE-23-05456**

Name: Gail A Crown Landry & Christina R Pegg  
Address: 11959 SW 58 St, Webster, FL 33597  
Violations: Sec. 13-611(e) Residential Accessory Uses  
E.3.1.2 SHC 307.4 SHC Sanitation Req-Care of Premises  
6-104.(2) Nuisances – Trash & Debris  
6-104.(4) Nuisances – Inoperable in Excess of One  
Inspector: Kevin Vann  
Recommendation: **Find in Non-Compliance, pay staff costs immediately, and a \$25 per day fine for every day past the compliance date**

Gail A. Crown was present and sworn in. A Notice of Hearing was sent via certified mail and posted on June 2, 2023 regarding the code case that began on April 4, 2023. This property does not have a homestead exemption. Staff's last visit to the property was on June 2, 2023, and was not in compliance with Sec. 13-611(e) Residential Accessory Uses, E.3.1.2 SHC 307.4 SHC Sanitation Req-Care of Premises, 6-104.(2) Nuisances – Trash & Debris and 6-104.(4) Nuisances – Inoperable in Excess of One. Mr. Vann submitted the case file (County Composite Exhibit A) into the record. Mr. Vann submitted (10) photos of the violations (County Composite Exhibit B), taken on June 2, 2023, into the record.

Ms. Crown discussed the condition of the property and explained she has had the squatters removed. She has been working on the house and the yard and one RV has been removed.

Special Master Hawkins found the Respondents in violation of Sec. 13-611(e) Residential Accessory Uses, E.3.1.2 SHC 307.4 SHC Sanitation Req-Care of Premises, 6-104.(2) Nuisances – Trash & Debris and 6-104.(4) Nuisances – Inoperable in Excess of One. Special Master Hawkins gave the Respondents 120 days to bring the property into compliance and pay staff costs of \$478.00 immediately. If the property is not in compliance in 120 days, the Respondents will be responsible for any additional incurred staff costs associated with the case and a \$25.00 daily fine.

**e. Case#: CE-23-05457**

Name: Manor Green Investments Inc  
Address: 11882 SW 58 St, Webster, FL 33597  
Violations: 6-104.(2) Nuisances – Trash & Debris  
E.3.1.2 SHC 307.4 SHC Sanitation Req-Care of Premises  
6-104.(4) Nuisances – Inoperable in Excess of One  
Inspector: Kevin Vann  
Recommendation: **Find in Non-Compliance, pay staff costs immediately, and a \$25 per day fine for every day past the compliance date**

Alexander Ottewell was present and sworn in. A Notice of Hearing was sent via certified mail and posted on June 2, 2023 regarding the code case that began on April 4, 2023. This property does not have a homestead exemption. Staff's last visit to the property was June 2, 2023, and was not in compliance with 6-104.(2) Nuisances – Trash & Debris, E.3.1.2 SHC 307.4 SHC Sanitation Req-Care of Premises and 6-104.(4) Nuisances – Inoperable in Excess of One. Mr. Vann submitted the case file (County Composite Exhibit A) into the record. Mr. Vann submitted (10) photos of the violations (County Composite Exhibit B), taken on June 2, 2023, into the record.

Mr. Ottewell did an investigation due to neighbor complaints but he cannot go onto the property until the installment agreement with the current tenants is resolved. His intention is to dissolve the agreement and take possession of the property.

Special Master Hawkins found the Respondents in violation of 6-104.(2) Nuisances – Trash & Debris, E.3.1.2 SHC 307.4 SHC Sanitation Req-Care of Premises and 6-104.(4) Nuisances – Inoperable in Excess of One. Special Master Hawkins gave the Respondents 90 days to bring the property into compliance and pay staff costs of \$478.00 immediately. If the property is not in compliance in 90 days, the Respondents will be responsible for any additional incurred staff costs associated with the case and a \$25.00 daily fine.

**f. Case#: CE-23-01802**

Name: Pernell Jr & Latricia Williams  
Address: 7561 CR 629, Bushnell, FL 33513  
Violations: 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 immediately, and a \$25 per day fine for every day past the compliance date**

Latricia Williams was present and sworn in. A Notice of Hearing was sent via certified mail regarding the code case that began on April 4, 2023. This property has a homestead

exemption. Staff's last visit to the property was June 1, 2023, and was not in compliance with E.3.1.2 SHC 307.4 SHC Sanitation Req-Care of Premises and 6-104.(2) Nuisances – Trash & Debris. Mr. Vann submitted the case file (County Composite Exhibit A) into the record. Mr. Vann submitted (5) photos of the violations (County Composite Exhibit B), taken on June 1, 2023, into the record.

Ms. Williams discussed the condition of the property and explained her helper had surgery limiting his ability to complete the work.

Special Master Hawkins found the Respondents in violation of E.3.1.2 SHC 307.4 SHC Sanitation Req-Care of Premises and 6-104.(2) Nuisances – Trash & Debris. Special Master Hawkins gave the Respondents 120 days to bring the property into compliance and pay staff costs of \$478.00 immediately. If the property is not in compliance in 120 days, the Respondents will be responsible for any additional incurred staff costs associated with the case and a \$25.00 daily fine.

**g. Case#: CE-23-05099**

**Name:** Joseph Sowinski  
**Address:** 854 Oak Ave, Webster, FL 33597  
**Violations:** 13-431A - 1.121 Farm Animals Low  
13-431A - 1.124 Fowl Low Int.  
**Inspector:** Kevin Vann  
**Recommendation:** **Find in Non-Compliance, pay staff costs immediately, and a \$25 per day fine for every day past the compliance date**

Joseph Sowinski and Shannon Smith were present and sworn in. A Notice of Hearing was sent via certified mail and posting on June 1, 2023 regarding the code case that began on March 29, 2023. This property does not have a homestead exemption. Staff's last visit to the property was June 1, 2023, and was not in compliance with 13-431A - 1.121 Farm Animals Low and 13-431A - 1.124 Fowl Low Int. Mr. Vann submitted the case file (County Composite Exhibit A) into the record.

Ms. Smith stated their intention to get a homestead and get an Agriculture zoning exemption. She stated they have 1.03 acres on two parcels and they are allowed one horse per half acre. Special Master Lee explained that the City of Webster utilizes the County Code. Mr. Vann explained The County Code allows for up to three horses per acre and up to 10 chickens per acre but you cannot combine the number of animals. Ms. Rey explained the Future Land Use is Urban Residential, it would require a change in zoning and future land use, and they would need to legally merge the two parcels into one parcel. Ms. Rey showed the property appraiser data that the first parcel is 0.51 acre and that the second parcel is only 0.4 acre.

Special Master Hawkins found the Respondents in violation of 13-431A - 1.121 Farm Animals Low and 13-431A - 1.124 Fowl Low Int. Special Master Hawkins gave the Respondents 120 days to bring the property into compliance and pay staff costs of \$478.00 immediately. If the property is not in compliance in 120 days, the Respondents will be responsible for any additional incurred staff costs associated with the case and a \$10.00 daily fine.

**5. Adjourn**

Special Master Hawkins adjourned the meeting at 10:44 AM.