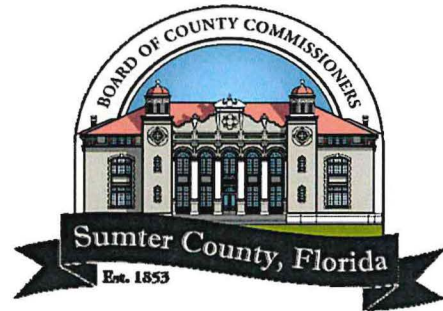


Board of County Commissioners Sumter County, Florida

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



SUMTER COUNTY CODE ENFORCEMENT SPECIAL MASTER

SUMTER COUNTY

Political subdivision of the State of Florida

Petitioner,

VS.

LINDA D WHATLEY , Respondent(s)

14275 CR 737

WEBSTER, FL 33597

CASE #: CE-23-01750

ORDER

THIS CASE came to be heard by the Sumter County Special Master (SM) on June 15, 2023. Pursuant to Chapter 162, Florida Statutes and Sumter County Ordinance 2008-02, and after hearing sworn testimony, reviewing the evidence, hearing arguments and being otherwise fully informed, it is ORDERED as follows:

FINDINGS OF FACT

1. The real property which is the subject of this case ("Property") is located at Address: 14275 CR 737, Webster, FL 33597. The Property is described as: Folio No.: S25-051, S-T-R: 25/22/22, Legal Description: North 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 25, Township 22 South, Range 22 East, Sumter County, Florida; LESS right-of-way for County Road No. 737 across the West side thereof.
2. That LINDA D WHATLEY is/are the current owner(s) of record of the Property.
3. On March 28, 2023, Sumter County Code Compliance Department served written Notice of Violation to LINDA D WHATLEY.
4. Pursuant to the Notice of Violation, all violations were to be corrected and the Property brought into compliance with Sumter County Codes on or before the date included in the notice.

E.3.1.2 SHC 307.4 SHC SANITATION REQ-CARE OF PREMISES

It shall be unlawful for the owner or occupant of a residential building, structure, or property to utilize the premises of such residential property, for the open storage of any abandoned motor vehicle, ice box, refrigerator, stove, glass, building material, building rubbish or similar items. It shall be the duty and responsibility of every such owner or occupant to keep the premises of such residential property clean and to remove all such abandoned items as listed above, including but not limited to weeds, dead trees, trash, garbage, etc., upon notice from the Housing Official.

Sec. 13-611(e) Residential Accessory Uses

Use of recreational vehicle as a temporary second residence on a parcel for a period of not more than five (5) days in any sixty-day period, provided adequate sanitary facilities are provided.

9489 0090 0027 6456 0437 72

6-104.(2) NUISANCES-TRASH & DEBRIS

The accumulation of rubbish, trash, garbage, or other solid waste materials in violation of any existing state law, regulation or ordinance of Sumter County shall constitute prima facie evidence of maintaining a nuisance, injurious to health, which such conditions shall not be deemed to be all inclusive.

6-104.(4) NUISANCES-INOPERABLE

The accumulation of in excess of one (1) inoperable vehicle on an individual lot or parcel at any one time within the unincorporated areas of Sumter County shall constitute prima facie evidence of maintaining a nuisance, injurious to health, which such conditions shall not be deemed to be all inclusive. Exempt from this provision shall only be duly licensed junk or salvage yards and vehicles under repair at a duly licensed automotive repair shop, and agricultural equipment stored on parcels of larger than one (1) acre.

5. That a Notice of Hearing dated May 24, 2023, concerning the above-stated violations was served on LINDA D
6. That the following were in attendance and provided testimony and/or evidence at the public hearing:
The respondent was present.

CONCLUSION OF LAW

7. Based upon the above Findings of Fact, on the gravity of the violation(s), the actions taken by the Respondent, the Respondent's history, and after hearing sworn testimony, reviewing the evidence, hearing arguments and being otherwise fully informed, it is found that the Property continues to be in violation as follows:

E.3.1.2 SHC 307.4 SHC Sanitation Req-Care of Premises
Sec. 13-611(e) Residential Accessory Uses
6-104.(2) Nuisances - Trash & Debris
6-104.(4) Nuisances - Inoperable in Excess of One
8. Respondent(s) is/are to correct the above violation(s) on or before July 15, 2023, and pay staff costs immediately (see attached). Upon Administrative Services receipt of an Affidavit of Non-Compliance from a Sumter County Inspector stating that the violations have not been corrected by the date set forth, any additional staff costs will be payable and a fine of \$25.00 per day shall commence for each and every day any violation described herein continues past July 15, 2023. Pursuant to Section 162.09(1), Florida Statutes, a hearing shall not be necessary prior to imposing such fine.

IT IS THE RESPONSIBILITY OF THE RESPONDENT(S) TO NOTIFY CODE ENFORCEMENT STAFF AT(352) 689-4460, ON OR BEFORE THE COMPLIANCE DATE TO DEMONSTRATE TO SUMTER COUNTY'S SATISFACTION THAT THE VIOLATION(S) HAVE BEEN CORRECTED.

9. Section 162.11, Florida Statutes, provides as follows:
162.11 Appeals. - An aggrieved party, including the local governing body, may appeal a final administrative order of an enforcement board to the circuit court. Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the enforcement board. An appeal shall be filed within 30 days of the execution of the order to be appealed.
10. **Failure to comply with this Order within the specific times set forth above will result in the recordation of this Order in the Public Records, which constitutes a lien against the Property on which the violation(s) exist and upon any other real or personal property owned by the Respondent. Such lien may be foreclosed and the Property sold to enforce such lien. If such lien is filed, you will be assessed all cost incurred in recording and**
11. After three (3) months from the recordation date of such lien, if the fines and fees remain unpaid, the Attorney is authorized to foreclose, collect or settle such lien using any legal or equitable remedies available under the law.

DONE AND ORDERED THIS 16 DAY OF June, 2023

COUNTY OF SUMTER
CODE ENFORCEMENT SPECIAL MASTER

ROY HAWKINS Digitally signed by ROY HAWKINS
Date: 2023.06.16 07:39:57 -04'00'
BY: _____
SPECIAL MASTER

ATTEST:
Jared Oberholtzer Digitally signed by Jared Oberholtzer
DN: cn=Jared Oberholtzer, o, cu,
email=jared.oberholtzer@sumtercountyfl.gov, c=US
Date: 2023.06.16 10:14:59 -04'00'

SUMTER COUNTY ADMINISTRATION

STATEMENT OF CODE CASE COSTS

Date: June 05, 2023

Case: CE-23-01750

Name: WHATLEY, LINDA D

Item	Amount
STAFF COSTS*	
Initial Inspection 03/07/2023 KV	70.00
CNV Inspection 03/27/2023 KV	70.00
NOV Inspection 04/12/2023 KV	70.00
RFH Inspection 05/12/2023 KV	70.00
RFH Inspection 06/01/2023 KV	70.00
POSTAGE COST	
CNV LETTER	0.60
NOV LETTER	6.85
RFH LETTER for May Hearing	6.85
RFH LETTER for June Hearing	6.85
FOF LETTER	6.85
COMPLIANCE TBD LETTER	6.85
ADMINISTRATIVE COSTS	100.00
Hearing Inspection TBD KV	70.00
Total Costs	554.85

*STAFF COSTS: These actual costs represent the amount owed to Sumter County during the course of this code case. Please remit within the time frame ordered by the Special Master. Make checks payable to: Sumter County Board of County Commissioners. Failure to remit funds in the allotted time frame may result in a lien being filed on any real or personal property and/or foreclosure on any real or personal property owned by the respondent(s).