

**TOWN OF HAVERHILL
MINUTES
SPECIAL MAGISTRATE
HEARING
August 2, 2023**

Present: Special Magistrate William P. Doney, Code Enforcement Officer Joseph Petrick, Town Attorney John Foster and Deputy Town Clerk Jean Wible.

I. CALL TO ORDER:

The meeting was called to order at 9:03 A.M. by Special Magistrate William P. Doney.

II. APPROVAL OF MINUTES:

Special Magistrate Doney approved the minutes of July 12, 2023.

III. SWEARING IN OF WITNESSES:

Special Magistrate Doney administered Oath to Code Enforcement Officer Joseph Petrick and Respondent Sandra Krueger.

**CODE ENFORCEMENT REPEAT VIOLATION, FINE ASSESSMENT AND
STATUS HEARINGS:**

CASE NO. 22-00029:

KRUEGER, SANDRA
5119 PALO VERDE PLACE
HAVERHILL, FL 33415
PCN: 22-42-43-35-19-004-0100
LEGAL DESCRIPTION: WOODLAND TERRACE PL 3 LT 10 BLK 4

NATURE OF VIOLATION: Chapter 38 Section 38-9 Parking of vehicles and boats in residential districts Chapter 58 Article IX, Division 14, Section 58-584 Maintenance, and appearance standards for all real property.

Code Enforcement Officer (CEO) Joseph Petrick testified that this case was in reference to a Single-Family lot that was found in violation at the April 11, 2023, Special Magistrate Hearing for violation of Town Code Section 58-584 for a damaged fence and damaged garage door and Section

38-9 for inoperable campers parked on the grass unscreened and vehicles parked in the driveway with expired tags from 2022.

CEO Petrick testified that the Special Magistrate orders from April 11, 2023, gave the Respondent until June 5, 2023, to comply or a \$50.00 per day fine be assessed. He stated that at the June 7, 2023, Fine Assessment Hearing, the Town requested a continuance due to drainage restoration work being done to the easement next to the Respondent's property. The order granting a continuance extended compliance until July 31, 2023, or a \$50.00 per day fine be assessed. The order was sent via certified mail to the address listed with the PBC Property Appraiser office, posted on the Code Enforcement board at Town Hall and the property was posted. CEO Petrick stated that he had spoken with the Respondent on a few occasions since the order granting the continuance was issued and as of today's hearing, the property remained in violation of Town Code Section 58-584. CEO Petrick stated that the fence was replaced by the Town's contractor after the drainage easement was completed, however, the garage door remains in disrepair, the campers remain inoperable and still parked on the grass, and the vehicles with expired tags remain in the driveway.

CEO Petrick stated the Town was requesting the \$50.00 per day fine be imposed as indicated in the Special Magistrate orders of July 31, 2023. CEO Petrick stated that this case started in November 2022 with a courtesy notice.

Respondent Sandra Krueger testified that she made an appointment with the PBC Tax Collector for August 17, 2023, to renew the vehicle tags. She discussed the removal of the larger camper during the Town's drainage project. Discussion ensued.

It is the Order of the Special Magistrate that a Fine of One Hundred Dollars (\$100.00) is hereby assessed at a daily amount of Fifty Dollars (\$50.00) per day for the violations which have existed on the property from August 1, 2023 through August 2, 2023, a period of two (2) days and such amount will continue to accrue at the rate of Fifty Dollars (\$50.00) per day until compliance is achieved.

CASE NO. 23-00019

KAREN CONTREAS & HO LUNG WANG

5080 PONDEROSA LANE

HAVERHILL, FL 33415

PCN: 22-42-43-35-24-002-0150

LEGAL DESCRIPTION: WOODLAND TERRACE NO 2 IN

NATURE OF VIOLATION: Chapter 38 Section 38-9 Parking of vehicles and boats in residential districts

Code Enforcement Officer (CEO) Joseph Petrick stated the Respondent(s) were currently out of the country; therefore, the Town was requesting an order granting continuance until the next Special Magistrate Hearing on September 6, 2023.

Special Magistrate Doney ordered an Order Continuing Hearing of this case until September 6, 2023.

CASE NO. 23-00014

MAS AROCHA YERLIS & RODRIGUEZ ROSETTE HAYDEE & RODRIGUEZ VALIENTE
RAMON
981 WOODLAND AVENUE
HAVERHILL, FL 33415
PCN: 22-42-43-35-23-002-0010
LEGAL DESCRIPTION: WOODLAND TERRACE NO 1 LT 1 BLK 2

NATURE OF VIOLATION: Chapter 58 Article IX Division 14 Section 58-584 Maintenance and appearance standards for all real property

Code Enforcement Officer (CEO) Joseph Petrick testified that this case was in reference to Single Family property that was installing a septic tank without obtaining a permit from the Town and storage of a large pile of dirt and sand in the public easement in violation of Town Code(s) Section 58-584 and Section 14-2. He testified that he spoke with the Respondent, Mr. Mas, on May 19, 2023, and informed him that a Town building permit was required for the replacement of his drain field and septic tank. The Respondent did obtain a Town building permit on May 23, 2023. It was agreed upon at this time that the Respondent would remove the large pile of dirt and sand within thirty (30) days and restore the Town's easement to its original state by installing Bahia sod.

CEO Petrick testified that on June 5, 2023, a Notice of Violation was issued for the large pile of dirt and sand in the Town's easement. The notice was sent via certified mail, posted on the Code Enforcement board at Town Hall and the property was posted. The notice gave the Respondent thirty (30) days to comply.

CEO Petrick testified that by July 13, 2023, the large pile of dirt and sand had been removed; however, the Respondent had not installed the Bahia sod as previously discussed.

CEO Petrick stated that the Town of Haverhill was requesting compliance within thirty (30) days or a \$50.00 per day fine be assessed.


Special Magistrate Doney found that the Respondent(s) shall comply with Code Section 58-584 of the Town's Code of Ordinance by September 1, 2023. In the event the Respondent(s) do not comply by the specified time, a fine in the amount of \$50.00 dollars per day may be imposed for each day the violation continues to exist.

A Fine Assessment Hearing, if necessary, shall be held before the Special Magistrate on October 11, 2023, at 9:00 a.m.

ADJOURNMENT

The hearing was adjourned at 9:26 A.M.

Minutes prepared by Deputy Town Clerk Wible and adopted by Special Magistrate Doney on September 6, 2023.



Jean F. Wible, Deputy Town Clerk



Special Magistrate, William P. Doney

**TOWN OF HAVERHILL
SPECIAL MAGISTRATE HEARING
WEDNESDAY, AUGUST 2, 2023**

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