

TOWN OF HAVERHILL  
MINUTES  
SPECIAL MAGISTRATE  
HEARING  
October 2, 2024

Present: Special Magistrate William P. Doney, Code Enforcement Officer Joseph Petrick, Town Attorney John Foster, Deputy Town Clerk Jean Wible, Respondent Dunia Fernandez, Respondents contractor Luis Veras, Respondent Ho Lung Wang, Respondents contractor Jodi Barnes, Respondent Esther Rosario and her brother Angel Rosario.

**I. CALL TO ORDER:**

The meeting was called to order at 9:00 A.M by Special Magistrate William P. Doney.

**II. APPROVAL OF MINUTES:**

Special Magistrate Doney approved the minutes of September 11, 2024.

**III. SWEARING IN OF WITNESSES:**

Special Magistrate Doney administered Oath to Code Enforcement Officer Joseph Petrick, Deputy Town Clerk Jean Wible, Respondent Dunia Fernandez, Luis Veras, Respondent Ho Lung Wang, Jodi Barnes, Respondent Esther Rosario and Angel Rosario.

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

**CASE NO. 24-00026**

JASTROME FRANCE

1001 NEW PARKVIEW PL

HAVERHILL, FL 33417

PCN: 22-42-43-26-24-000-0010

LEGAL DESCRIPTION: PARKVIEW PLACE LT 11

NATURE OF VIOLATION: Chapter 14 Sec. 14-2 Permit and inspection fees for building, electricity and plumbing Chapter 14 Sec. 14-7 Unsafe buildings and structures.

Code Enforcement Officer (CEO) Petrick testified that this Fine Assessment case was in reference to a Single-Family property that was found in violation of Town Code Sections

14-2 and 14-7 at the Special Magistrate hearing held on June 5, 2024, for installation of plumbing and a screen enclosure without obtaining a building permit. He stated the order dated June 6, 2024, gave the Respondent until September 5, 2024, to comply or a One Hundred (\$100.00) Dollar a day fine may be assessed. He stated that since the June 5, 2024, Special Magistrate hearing, a building permit application had been submitted to the Town and is going through the review process. He stated that as of today, the property remained out of compliance as the building permit has not been approved.

CEO Petrick stated the Town was requesting a fifty dollar (\$50.00) per day fine be assessed until compliance is achieved. The cost to bring this case before the Special Magistrate was \$13.52.

### **ORDER**

It is the Order of the Special Magistrate that a Fine of One Thousand Three Hundred Fifty Dollars (\$1350.00) is hereby assessed at a daily amount of Fifty Dollars (\$50.00) per day for the violations which have existed on the property from September 6, 2024 through October 2, 2024 a period of twenty seven (27) days and such amount will continue to accrue at the rate of Fifty Dollars (\$50.00) per day until compliance is achieved. In addition, costs in the amount of \$13.52 are assessed.

#### **CASE NO. 24-00027**

DF COASTAL WOOD CONTRACTORS CORP.

5071 PALO VERDE PLACE

HAVERHILL, FL 33415

PCN: 22-42-43-35-24-002-0080

LEGAL DESCRIPTION: WOODLAND TERRACE NO 2 LT 8 BLK 2

NATURE OF VIOLATION: Chapter 16 Article II Sec. 16-6 License and business tax receipt required for rental dwellings.

Code Enforcement Officer (CEO) Petrick testified that this Fine Assessment case was in reference to a Single-Family property that was found in violation at the Special Magistrate hearing held on June 5, 2024, of Town Code Section 16-6 for not having a rental license. He stated the Respondent will not be able to obtain the rental license until several Town Code violations relating to extensive work done to the interior and exterior of the property without a building permit, a business being run from the property without a Business Tax Receipt, excessive outdoor storage, and trash and debris on the property are all addressed. He testified that by September 27, 2024, no progress had been made.

CEO Petrick testified that on September 30, 2024, a contractor who is assisting the Respondent, came to Town Hall to discuss the permit and code enforcement process with him.

CEO Petrick stated that as of today, the property remained out of compliance and the Town requested a fifty dollar (\$50.00) per day fine be assessed. The cost to bring this case before the Special Magistrate was \$13.79.

The Respondents family member Luis Veras testified on the Respondents behalf. Mr. Veras stated he is helping her obtain a contractor and explaining the process to her of what she needs to do to come into compliance.

### **ORDER**

It is the order of the Special Magistrate that a Fine of One Thousand Three Hundred Fifty Dollars (\$1350.00) is hereby assessed at a daily amount of Fifty Dollars (\$50.00) per day for the violation on which has existed on the property from September 6, 2024, through October 2, 2024, a period of twenty-seven (27) days and such amount will continue to accrue at the rate of Fifty Dollars (\$50.00) per day until compliance is achieved. In addition, costs in the amount of \$13.79 are assessed.

#### **CASE NO. 24-00019**

WANG HO LUNG & CONTRERAS KAREN

5080 PONDEROSA LN

HAVERHILL, FL 33415

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

LEGAL DESCRIPTION: WOODLAND TERRACE NO 2 LT 15 BLK 2

NATURE OF VIOLATION: Chapter 14 Sec. 14-2 Permit and inspection fees for building, electricity and plumbing Chapter 14 Sec. 14-7 Unsafe buildings and structures Chapter 58 Article IX Division 14 Sec. 58-584 Maintenance and appearance standards for all real property.

Code Enforcement Officer (CEO) Petrick testified that this Fine Assessment case was in reference to a Single-Family property that was found in violation at the Special Magistrate hearing held on August 14, 2024, of Town Code Sections 14-2, 14-7, 58-584 and 16-6 for interior work completed in the house without obtaining a building permit, a septic tank installed without a permit, roof soffits that needed to be repaired, a shed in need of removal or repair, trash and debris on the property and not having a rental license. He stated the

Special Magistrate orders gave the Respondent until September 13, 2024, to comply or a fine of up to one hundred (\$100.00) per day may be assessed. He stated that on September 30, 2024, he met with Mr. Wang and his contractor Jodie Barnes and as of today, permit applications have been submitted and are still in the review process with the Town Building Official.

CEO Petrick stated that since some progress has been made, the Town was requesting a fifty dollar (\$50.00) per day fine be assessed. The cost to bring this case before the Special Magistrate was \$13.65.

The Respondents contractor Jodie Barnes testified on the Respondents' behalf. He explained the permit application was submitted to the Town Building Official but there were comments that needed to be addressed after it was reviewed and one of them was the requirement of an approved septic/drain field permit from the PBC Health Department, which was submitted to them on August 19, 2024, and he was still waiting to receive it.

Respondent Mr. Wang explained why it has taken him so long to get this resolved. He stated he had an approved building permit application from the Town for the existing shed from the 1960's or 1970's, however, the Town had no record of the shed permit application. He stated they were still trying to obtain the approved PBC Health Department permit application for the septic system and drain field that was submitted to them on August 19, 2024.

## **ORDER**

It is the Order of the Special Magistrate that a Fine of Nine Hundred Fifty Dollars (\$950.00) is hereby assessed at a daily amount of Fifty Dollars (\$50.00) per day for the violations which have existed on the property from September 14, 2024 through October 2, 2024 a period of nineteen (19) days and such amount will continue to accrue at the rate of Fifty Dollars (\$50.00) per day until compliance is achieved. In addition, costs in the amount of \$13.65 are assessed.

### **CASE NO. 24-00057**

ROSARIO ESTHER E & ROSARIO DAVID

940 WOODLAND AVE

HAVERHILL, FL 33415

PCN: 22-42-43-35-23-001-0040

LEGAL DESCRIPTION: WOODLAND TERRACE NO 1 LT 4 BLK 1

NATURE OF VIOLATION: Chapter 38 Sec. 38-9 Parking of vehicles and boats in residential districts Chapter 58 Article IX Division 14 Sec. 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 property that remains in violation of Town Code Section 38-9 for parking on the grass. He stated that a Courtesy Notice was issued on June 18, 2024, for a camper being occupied on the property, unregistered inoperable vehicles on the property, vehicles parked on the grass, an invasive Brazilian pepper plant, the lawn needed to be cut, and the mailbox needed to be replaced or restored. The Courtesy Notice gave thirty (30) days to comply. He stated that he spoke with the Respondent Esther Rosario on July 1, 2024, to discuss the violations. At that time, the Respondent requested more time. He stated that August 1, 2024, was the date agreed upon between them to comply. He stated that on August 1, 2024, a majority of the violations came into compliance. However, the unregistered vehicles remained, vehicles remained parked on the grass and the invasive Brazilian pepper plant was not completely removed. He stated that on August 2, 2024, a Notice of Violation and Notice of Hearing was issued and sent via certified mail to the address listed on the Property Appraiser website, the property was posted, posted on the Code Enforcement board at Town Hall and hand delivered. Since the Notice of Hearing and Notice of violation were issued, the Brazilian pepper tree had been removed, and all vehicles are now operable and properly registered. However, the vehicles continue to be parked on the grass in violation of Town Code Section 38-9. CEO Petrick submitted photographs of the violation of vehicles parked on the grass into evidence.

The Respondents brother, Angel Rosario testified on her behalf. He stated that he has an additional work truck vehicle that he has been parking on the grass. He stated the Respondent intends to submit a building permit application to add an additional driveway.

CEO Petrick stated the Town was requesting three (3) days to comply or a fine of twenty-five (\$25.00) dollars per day be assessed. The cost to bring this case before the Special Magistrate was \$36.84.

## **ORDER**

It is the Order of the Code Enforcement Special Magistrate that all Respondents shall continue to comply with Section 58-584 of the Town Code. In addition, Respondents shall comply with Section 38-9 of the Town Code by October 7, 2024. In the event the Respondents do not comply within the time period specified above, a fine in the amount not to exceed Twenty-Five (\$25.00) Dollars per day may be imposed for each day the violation(s) continue to exist.

## NOTICE OF HEARING

A Fine Assessment Hearing, if necessary, shall be held before the Special Magistrate on December 11, 2024, at 9:00 a.m. at Town Hall, 4585 Charlotte Street, Haverhill, Florida to determine whether Respondents have complied with the terms and conditions of this Order and to consider the assessment of a fine.

### **CASE NO. 24-00071**

RENE MARC M& CLERVILUS MARIE Y

839 PALO VERDE CT

HAVERHILL, FL 33415

PCN: 22-42-43-35-19-004-0040

LEGAL DESCRIPTION: WOODLAND TERRACE PL 3 LT 4 BLK 4

NATURE OF VIOLATION: Chapter 38 Sec. 38-9 Parking of vehicles and boats in residential districts Chapter 58 Article IX Division 14 Sec. 58-584 Maintenance and appearance standards for all real property Chapter 14 Sec. 14-7 Unsafe buildings and structures.

Code Enforcement Officer (CEO) Joseph Petrick testified that this case was in reference to a Single-Family property in violation of Town Code Section 38-9 for parking inoperable and unregistered vehicles on an unapproved surface, performing mechanical work on vehicles, and storing a large flatbed commercial vehicle on the property, Town Code Section 14-7 for a shed structure on the property with expired permit from 2021, and Town Code Section 58-584 for trash and debris including auto parts, fluids, weeds and vegetation overgrowth particularly along the fence line at the rear of the property. He stated that he issued a Courtesy Notice on June 26, 2024, that gave thirty (30) days to comply. On August 2, 2024, with no response from the property owner, he issued a Notice of Violation and Notice of Hearing via certified mail to the address listed on the Property Appraiser website, the property was posted and posted on the Code Enforcement board at Town Hall. He stated that as of today, he had not heard from the Respondent and the property remained in violation of the Town Codes he testified to at today's hearing.

CEO Petrick stated the Town was requesting thirty (30) days to comply or a fine of two hundred (\$200.00) dollars per day be assessed. The cost to bring this case before the Special Magistrate was \$37.52.

## ORDER

It is the Order of the Code Enforcement Special Magistrate that Respondents shall comply with the above-reference Code Sections by November 2, 2024. If Respondents do not comply within the time specified, a fine in an amount not to exceed of Two

Hundred (\$200.00) Dollars per day may be imposed for each day the violations continue to exist. Nothing contained in this Order is intended to imply that Respondents are entitled to issuance of a building permit unless a permit application is submitted in full compliance with Town Codes. In addition, costs in the amount of \$37.52 are assessed.

### NOTICE OF HEARING

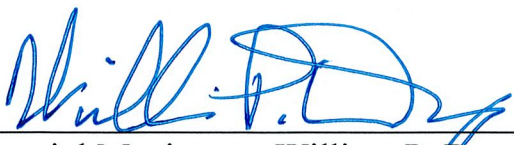
In the event Respondents do not fully comply with the Town's Code of Ordinances within the time specified, a Fine Assessment Hearing shall be held before the Special Magistrate on November 13, 2024, at 9:00 a.m. at Town Hall, 4585 Charlotte Street, Haverhill, Florida to determine whether Respondents continue to be in violation of the above-referenced Code sections and to consider the assessment of a fine.

### ADJOURNMENT

The hearing was adjourned at 9:37 A.M.

Minutes prepared by Deputy Town Clerk Wible and adopted by Special Magistrate Doney on November 13, 2024.

  
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Jean F. Wible, Deputy Town Clerk

  
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Special Magistrate, William P. Doney

