

**MINUTES**  
**Code Enforcement Special Magistrate**  
**City of Lake Alfred**  
**City Hall**  
**January 19, 2023**  
**3:00 p.m.**

**Special Magistrate Mawhinney** called to order the Code Enforcement Special Magistrate meeting at 3:03 p.m., explained the general procedures, and conducted the swearing-in ceremony. Audience members and city staff in attendance took the oath. He shared that all materials in the agenda packet are a part of the record and said all city administrative costs are payable within thirty (30) days.

**Staff in attendance:** City Attorney Seth Claytor, Community Development Director Amee Bailey, Code Enforcement Officer Carl Watson, and City Clerk Linda Bourgeois.

**Special Magistrate Mawhinney** approved December 15, 2022, Special Magistrate Code Enforcement meeting minutes.

Consent Agenda

SUPPLEMENTAL ORDER IMPOSING FINE

1. Case # 2020-00014  
Navarro Jacinto, Maria  
340 W. Pierce St  
Parcel # 26-27-32-513200-000020

The respondent Jacinto Navarro was in attendance.

**Code Enforcement Officer Watson** presented the case.

**Jacinto Navarro** said he submitted a variance for the shed and the fence permit had been signed off on. He shared he hired someone to move the shed and they did the best they could to try and move it within the City's parameters. He said he has not heard back from the City on the variance request for the shed. He asked where the storage was still an issue because it was a just trailer with personal items on the property.

A brief discussion ensued regarding the storage of materials cited was for construction-type materials and the City would double-check to make sure there was no storage of the construction materials remaining on the property. Further discussion was that there was not a variance request on file for the shed, the variance process would take time, and a request was made for him to bring in a new application if it was not located.

**Special Magistrate:** Found the violations exist and continued to exist. Approved the supplemental order imposing fines for \$11,900.00 and assessed the city's administrative costs of \$40.24 payable within thirty (30) days.

2. Case # 2022-00001  
Linda P. Melendez or Estate of Javier Melendez  
230 W. Cummings St.  
Parcel # 26-27-32-500000-001141

The owner of the property, Linda Melendez, was in attendance.

**Code Enforcement Officer Watson** presented the case.

**Linda Melendez** said she had the roof of the house repaired, the sheds in the back removed, and one vehicle removed from the property.

**Special Magistrate:** Found the property in compliance. Approved the supplemental order imposing fines for \$15,400.00 and assessed the city's administrative costs of \$40.24 payable within thirty (30) days.

3. Case # 2022-00004  
Estate of Alva Mae Crudup  
540 E. Tangerine Ave.  
Parcel # 26-27-28-493500-008150

The respondent Anthony Williams, the heir, and grandson of Alva Mae Crudup was in attendance.

**Code Enforcement Officer Watson** presented the case.

**Anthony Williams** said the van was removed from the property by taking down the neighbor's fence and he did not give the title to the purchaser because he had not paid all he owed. He explained that the only thing that remained on the property was a mixer in the backyard.

A brief discussion ensued regarding the City's code definition for inoperable vehicles needing to be licensed and tagged and the process of applying for a reduction in fines.

**Special Magistrate:** Found the property in compliance. Approved the supplemental order imposing fines for \$7,700.00 and assessed the city's administrative costs of \$40.24 payable within thirty (30) days.

ORDER IMPOSING FINE

~~4. Case # 2022-00038  
Adam R. Davis  
0 Cummings St. W.  
Parcel # 26-27-32-513652-000010~~

The owner Adam R. Davis brought the property into compliance and the case was administratively closed.

**Special Magistrate Mawhinney** introduced the next case.

5. Case # 2021-00001 ABATE  
Linda P. Melendez or Estate of Javier Melendez  
230 W. Cummings St.  
Parcel Details: 26-27-32-500000-001141

The property owner Linda Melendez was in attendance.

**Code Enforcement Officer Watson** presented the case.

**Linda Melendez** said she covered the remaining vehicles on the property and asked why

she would have to keep throwing them away. She said the vessel was covered and she would get it licensed and insured.

**Community Development Director Bailey** provided a recap of the previous hearing dates and said the city had received and continues to receive complaints related to the accumulation of inoperable vehicles.

**Linda Melendez** shared that the notices were going to the wrong address and said she would get a sticker for the dully and the trailer along with a tag. She said she was aware of the violations and requested time before the City would abate the property.

A brief discussion ensued regarding this being a health, safety, and welfare concern, it being an attractive nuisance to the neighborhood, and the City was not opposed to giving her fifteen (15) days' time to come into compliance. The case is at ~60,000 in fines and \$565.00 in administrative costs.

**Special Magistrate:** Found the violations exist and continued to exist. Approved Supplemental Order Imposing Fines for \$15,400.00 and assessed the city's administrative costs of \$318.57 payable within thirty (30) days. He authorized abatement with the abatement order effective fifteen (15) days from today's date to allow for the property owner to come into compliance.

**City Attorney Claytor** stated that the Special Magistrate found that this is the accumulation of storage that collectively creates health, safety, and welfare issues and an attractive nuisance to the general community and the residents residing therein. These are the concerns for which the city is seeking to authorization for abatement to abate those items. (i.e....inoperable vehicles, vessels, cars, trucks, trailers, inoperable equipment, junk, trash, and debris). The property was vacant for a significant period of time and admittedly was used for storage which created the issues over time.

**Community Development Director Bailey** provided a summary of the cases for 670 Lemon Street and it was located under tab number ten in the agenda.

6. Case # 2019-00005                      FORECLOSE  
Essie Mae & Andre McCullough  
670 Lemon St  
Parcel # 26-27-28-493500-005150

The respondent was not in attendance.

**Code Enforcement Officer** presented the case.

**City Attorney Claytor** said the order would reflect that the city was requesting authorization to avail itself of any and all remedies provided pursuant to section 162.09 (3) of the Florida Statutes which includes, but is not limited to, foreclosure of all administrative fines of record for at least ninety (90) days or after they have been recorded for ninety (90) days arising out of this particular case.

**Special Magistrate:** Assessed the city's administrative costs of \$104.33 payable within thirty (30) days. He authorized the city to proceed with the foreclosure and any other statutory remedies available as a matter of law to collect and enforce this and the previous orders of the Magistrate for this case number.

**City Attorney Claytor** said that city staff provided additional notice and published notice for today's hearing in a general newspaper of circulation for four (4) consecutive weeks prior to the hearing as well as the property owner received concurrent notice. All attempts have been made by the municipality.

**Community Development Director Bailey** shared the city has been in correspondence with the son who said they may be paying all of the fines and coming into compliance. This is a vacant lot.

7. Case # 2021-0006-R FORECLOSE  
Essie Mae & Andre McCullough  
670 Lemon St  
Parcel # 26-27-28-493500-005150

The respondent was not in attendance.

**Code Enforcement Officer** presented the case.

**Special Magistrate:** Assessed the city's administrative costs of \$104.33 payable within thirty (30) days. He authorized the city to proceed with the foreclosure and any other statutory remedies available as a matter of law to collect and enforce this and the previous orders of the Magistrate for this case number.

8. Case # 2022-00012-R FORECLOSE  
Essie Mae & Andre McCullough  
670 Lemon St  
Parcel # 26-27-28-493500-005150

The respondent was not in attendance.

**Code Enforcement Officer** presented the case.

**Special Magistrate:** Assessed the city's administrative costs of \$104.33 payable within thirty (30) days. He authorized the city to proceed with the foreclosure and any other statutory remedies available as a matter of law to collect and enforce this and the previous orders of the Magistrate for this case number.

9. Case # 2022-0058-R FORECLOSE  
Essie Mae & Andre McCullough  
670 Lemon St  
Parcel # 26-27-28-493500-005150

The respondent was not in attendance.


**Code Enforcement Officer** presented the case.

**Special Magistrate:** Found the property in compliance. Approved the order imposing fines for \$1,600.00 and assessed the city's administrative costs of \$109.68 payable within thirty (30) days. He authorized the city to proceed with the foreclosure and any other statutory remedies available as a matter of law to collect and enforce this and the previous orders of the Magistrate for this case number.

The next hearing date is scheduled for February 16, 2023, at 3:00 PM.

The Code Enforcement Special Magistrate was adjourned at 3:50 PM.

Respectfully Submitted,

A handwritten signature in black ink that reads "Linda Bourgeois". The signature is written in a cursive style with a small mark above the 'i' in "Bourgeois".

Linda Bourgeois, BAS, MMC, ADAC  
City Clerk