

**TOWN OF HAVERHILL
MINUTES
SPECIAL MAGISTRATE
HEARING
MAY 3, 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 9:00 A.M. by Special Magistrate William P. Doney.

II. APPROVAL OF MINUTES:

Special Magistrate Doney to review and approve the minutes of April 11, 2023, at a later date.

III. SWEARING IN OF WITNESSES:

Special Magistrate, William P. Doney, administered Oath to Code Enforcement Officer Joseph Petrick, Respondent Sandra Krueger and Respondent Germaine Reid.

CODE ENFORCEMENT 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 Status hearing was in reference to the property owner being found in violation at the April 11, 2023, Special Magistrate Hearing of Town Code(s) Section 58-584 for a damaged fence and garage door, Section 38-9 for inoperable/unregistered camper parked on the grass and unregistered vehicles with expired tags from 2022. CEO Petrick testified that on April 14, 2023, the Special Magistrates Order was sent via certified mail to the property owner, the property was posted, and posted on the Code

Enforcement board at Town Hall. The Special Magistrate orders required compliance by June 5, 2023, or a \$50.00 per day fine may be imposed.

Code Enforcement Officer Joseph Petrick testified that he has spoken to the respondent, who was present at today's hearing, on several occasions since the April 11, 2023, hearing and as of today, the property owner was not in compliance. CEO Petrick testified that during one of the conversations with the Respondent, the Respondent requested an extension on the fence violation as the Town of Haverhill was in the process of a drainage repair project on the west side of her home making it difficult to comply with the fence violation.

CEO Petrick stated the Town of Haverhill was requesting that the Respondent obtain a fence permit by the June 5, 2023, compliance date as the fence permit would give her six (6) months to replace the fence.

Respondent Sandra Krueger testified that the larger camper (located on the west side of her property) should be sold by the end of this month and that she has had three (3) different people come by to give her estimates on replacing the fence. Regarding the expired auto tags on the vehicles, she stated she would be obtaining new tags next week. Regarding the damaged garage door, she is unable to replace it at this time as she is on disability Social Security and does not have the money. She offered to cover it somehow to make it look a little nicer.

Special Magistrate Doney asked the Town if they were at a point to grant more time to Ms. Krueger or just keep the original compliance date of June 5, 2023. CEO Petrick recommended keeping the original compliance date of June 5, 2023, and this case be placed on the agenda for the next Special Magistrate Hearing date on June 7, 2023.

Special Magistrate Doney informed Ms. Krueger that if she obtained the fence permit from the Town by June 5, 2023, and even though it isn't installed, she would have six (6) months from the issue date of the permit to complete the fence.

Special Magistrate Doney found that the Respondent shall comply with Code Sections 38-9 and 58-584 of the Town's Code of Ordinance by June 5, 2023. In the event Respondent does not comply, a fine in the amount of \$50.00 per day may be imposed for each day the violation(s) continue to exist.

A Fine Assessment hearing, if necessary, shall be held on June 7, 2023, at 9:00 a.m.

CASE NO. 22-00039:

GERMAINE REID
830 MIMOSA COURT
HAVERHILL, FL 33415
PCN: 22-42-43-35-24-003-0010
LEGAL DESCRIPTION: WOODLAND TERRACE NO 2 LT 1 BLK 3

NATURE OF VIOLATION: Chapter 58 Article IX Division 6 Section 58-417 installation, maintenance, irrigation, and replacement.

Code Enforcement Officer (CEO) Joseph Petrick testified that this Fine Assessment hearing was in reference to the property owner being found in violation of Town Code Section 58-417 at the March 1, 2023, Special Magistrate hearing. The Special Magistrate order gave the Respondent until April 17, 2023, to come into compliance or a \$50.00 per day fine may be imposed. CEO Petrick testified that on March 2, 2023, the Special Magistrate order was sent via certified mail to the property owner, the property was posted, and posted on the Code Enforcement board at Town Hall.

Code Enforcement Officer Petrick testified that he had spoken to the respondent, who was present at today's hearing, on several occasions to discuss how to achieve compliance. The Respondent submitted a tree removal permit to the Town. The permit was issued, and hand delivered to the Respondent on April 14, 2023.

He re-inspected the property on April 18, 2023, and found the property was still in violation.

He re-inspected the property on May 1, 2023, and found the property was still in violation.

He re-inspected the property on May 2, 2023, and found the property in compliance. However, compliance was achieved after the March 1, 2023, Special Magistrate order of compliance date by April 17, 2023.

Code Enforcement Officer Petrick testified that the Town was not requesting a fine.

Respondent, Germaine Reid testified and asked about the court fees he would have to pay. Town Attorney Foster informed the Respondent that there would be no fees imposed at this time.

CASE NO. 23-00004:

COMPLIED BEFORE HEARING

BARBARA AUSTIN & ROSEMARIE SINCLAIR

5049 PONDEROSA LANE

HAVERHILL, FL 33415

PCN: 22-42-43-35-24-001-0140

LEGAL DESCRIPTION: WOODLAND TERRACE NO 2 LT 14 BLK 1

NATURE OF VIOLATION: Chapter 58 Article IX Division 14 Section 58-584 (4) Maintenance and appearance standards for all real property Chapter 38 Section 38-9 Parking of vehicles and boats in residential districts.

CASE NO. 23-00008:

COMPLIED BEFORE HEARING

MAGDALENA C AJANEL & ENRIQUE R

891 WOODLAND

HAVERHILL FL 33

PCN: 22-2-43-35-23-002-0060

LEGAL DESCRIPTION: WOODLAND TERRACE NO 1 LT 6 BLK 2

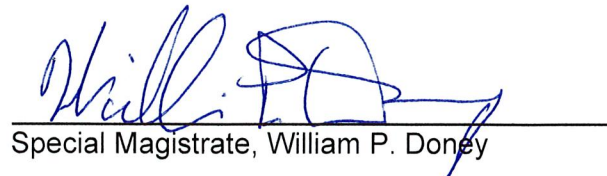
NATURE OF VIOLATION: Chapter 58 Article IX Division 14 Section 58-584 Maintenance and appearance standards for all real property, Chapter 38 Section 38-9 Parking of vehicles and boats in residential districts

ADJOURNMENT

The hearing was adjourned at 9:15 A.M.

Minutes prepared by Deputy Town Clerk Wible and adopted by Special Magistrate Doney on June 7, 2023.


Jean F. Wible, Deputy Town Clerk


Special Magistrate, William P. Doney

**TOWN OF HAVERHILL
SPECIAL MAGISTRATE HEARING
WEDNESDAY, MAY 3, 2023**

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