

**TOWN OF HAVERHILL
MINUTES
SPECIAL MAGISTRATE
HEARING
DECEMBER 6, 2023**

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

I. CALL TO ORDER:

The meeting was called to order at 9:04 A.M. by Special Magistrate William P. Doney.

II. APPROVAL OF MINUTES:

Special Magistrate Doney approved the minutes of November 8, 2023.

III. SWEARING IN OF WITNESSES:

Special Magistrate Doney administered Oath to Code Enforcement Officer Joseph Petrick, Respondent Daymon Allmon and Civil Engineer Deris Bardales.

CODE ENFORCEMENT VIOLATION HEARING:

CASE NO. 23-00037

ALLMON PROPERTY MANAGEMENT LLC

920 N. HAVERHILL ROAD

HAVERHILL, FL 33415

PCN: 22-42-43-36-00-000-3130

LEGAL DESCRIPTION: 36-43-42, N 100 FT OF S 200 FT OF W ½ OF NW ¼ OF NW ¼ OF NW ¼ (LESS W 54.50 FT HAVERHILL RD R/W)

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 multi-unit apartment complex in violation of Code Sections 38-9 for parking on the grass and Code Section 58-584 for having trash and debris, vegetation piles and the parking lot in disrepair. He stated that a courtesy notice was issued on August 11, 2023, via posting of the property and he called the property management company. CEO Petrick testified that he met with property manager Gabby at the property to discuss the violations and at which time agreed on thirty (30) days to bring the property into compliance.

On October 11, 2023, CEO Petrick had not heard back from Gabby and issued a Notice of Violation and Notice of Hearing. The notices were sent certified mail to the address provided on the Property Appraiser website and SunBiz records, the property was posted, and notices were posted on the Code Enforcement board at Town Hall. The Notice of Violation gave 30 days to comply by ceasing parking on the grass, removing all trash and debris, vegetation piles and obtain appropriate permit(s) from the Town of Haverhill to repair asphalt and parking lot. He stated he was contacted by property manager Daniela after the notices were issued. He stated that she had met him at the property to discuss the violations and ways to bring the property into compliance. He stated that shortly after meeting with Daniella, he was contacted by property owner, Daymon Allmon to discuss the violations and the code enforcement process. He stated that Mr. Allmon was cooperative. CEO Petrick testified that while meeting with the Respondent at the property, he observed that the trash and debris, vegetation piles and parking on the grass violations had been cured. He testified that the only open violation at that time was the parking lot in disrepair. Discussion ensued.

Code Enforcement Officer Petrick stated the Town was requesting a \$100.00 per day fine be assessed after 45 days and an additional \$100.00 per day fine after 6 months if not in compliance.

Civil Engineer Deris Bardales presented conceptual plans and an unsigned contract with Gator Paving & Construction LLC to Special Magistrate Doney of the work to be done to bring the property into compliance. Mr. Bardales requested forty-five (45) days to submit the permit application to the Town and eight (8) months to complete the project. Discussion ensued.

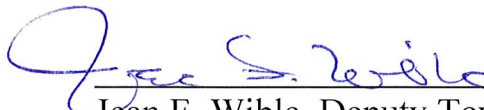
It is the Order of the Code Enforcement Special Magistrate that Respondent shall continue to comply with Code Section 38-9 of the Town's Code of Ordinances. It is further ordered that Respondent shall submit plans for a required permit for the parking lot repair and renovation by January 22, 2024, and complete the repair and renovation of the parking lot in order to comply with Section 58-584 of the Town Code within 6 months of Respondent's submittal of a permit application. In the event Respondent does not comply with the time periods specified above, a fine in the amount of One Hundred (\$100.00) Dollars per day may be imposed for each day the violation(s) continues to exist.

A Status Conference/Fine Assessment Hearing, if necessary, shall be held before the Special Magistrate on February 6, 2024, at 9:00 a.m. to determine whether Respondent has complied with the terms and conditions of this Order and to consider the assessment of a fine in the event Respondent has failed to apply for a permit to perform the necessary repair and renovation work to the parking lot. In the event Respondent has timely submitted its application for permit, no hearing on February 6, 2024, shall be required. In the event Respondent fails to complete the repair and renovation of the parking lot within 6 months of the filing of its application for permit, a Fine Assessment Hearing shall be held on August 14, 2024, at 9:00 a.m. at Town Hall.


ADJOURNMENT

The hearing was adjourned at 9:19 A.M.

Minutes prepared by Deputy Town Clerk Wible and adopted by Special Magistrate Doney on January 10, 2024.



Jean F. Wible, Deputy Town Clerk



Special Magistrate, William P. Doney

**TOWN OF HAVERHILL
SPECIAL MAGISTRATE HEARING
WEDNESDAY, DECEMBER 6, 2023**

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