

**TOWN OF HAVERHILL
MINUTES
SPECIAL MAGISTRATE
HEARING
FEBRUARY 6, 2024**

Present: Special Magistrate William P. Doney, Code Enforcement Officer Joseph Petrick, Town Attorney John Foster, Town Administrator Tracey Stevens, 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 approved the minutes of January 10, 2024.

III. SWEARING IN OF WITNESSES:

Special Magistrate Doney administered Oath to Code Enforcement Officer Joseph Petrick, Respondent Pedro Benedico, Sr., Isabel Benedico and Pedro Benedico, Jr who appeared on behalf of their father, Pedro Benedico, Sr.

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

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-apartment complex that went to Special Magistrate hearing on December 6, 2023, in violation of Town Code Section 38-584 as the parking lot was in disrepair. The Special Magistrate order that was sent via certified mail to the address listed on the Property Appraiser's website, Sun Biz records, property posted and posted on the Code Enforcement board at Town Hall on December 7, 2023, required the Respondent to submit a plan for the parking lot restoration by January 22, 2024, or a \$100.00 per day fine may be imposed and to obtain a final inspection for the parking lot within 6 months. The order also set a Fine Assessment hearing for August 14, 2024, if necessary. CEO Petrick stated that the Respondent did submit plans prior to the January 22, 2024, requirement date and has been in contact with Town Staff.

CEO Petrick stated the Town was requesting an order setting an August 14, 2024, hearing date if necessary.

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

A Fine Assessment Hearing, if necessary, shall be held before the Special Magistrate on August 14, 2024, at 9:00 a.m. at Town Hall, 4585 Charlotte Street, Haverhill, Florida 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 perform the necessary repair and renovation work to the parking lot.

CASE NO. 23-00018

BENEDICO PEDRO M & CORDOVES IVONNE

4950 LUWAL DRIVE

HAVERHILL, FL 33415

PCN: 22-42-43-36-00-000-3064

LEGAL DESCRIPTION: 36-43-42, E 95 FT OF W 310 FT OF N ½ OF NW ¼ OF SW ¼ OF NW ¼ (LESS N 10 FT)

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

Code Enforcement Officer (CEO) Joseph Petrick testified that this was a fine reduction case in reference to a Single-Family property that was found in repeat violation at the September 6, 2023, Special Magistrate hearing for violation of Town Code Section 38-9

for commercial vehicles and boats stored on the property. The September 6, 2023, Special Magistrate orders were mailed via certified mail, the property was posted and per the request of the Respondents Attorney Lisa Reves, a copy was emailed to her and the Respondent on September 26, 2023.

On October 2, 2023, a compliance inspection was completed, and the property was found to be compliant however, the property remained not in compliance from June 8, 2023, through October 2, 2023, at a fine of \$100.00 per day, resulting in a total fine of \$11,600.00. As of December 11, 2023, the fine remained unpaid with no response from the Respondent, Mr. Benedico or his Attorney, Lisa Reves.

CEO Petrick testified that on December 11, 2023, a letter of Intent to Lien the property for the outstanding fine was sent via certified mail to the Respondent, Pedro Benedico and via email to his Attorney, Lisa Reves. After the letter was sent, Mr. Petrick was contacted by the Respondents daughter, Isabel Benedico and the Respondents Attorney, Lisa Reves inquiring the process for a lien reduction.

A Notice of Hearing was issued on December 21, 2023, at which time, CEO Petrick was notified by the Respondent that Ms. Reves was no longer representing him. Ms. Reves also confirmed via email to CEO Petrick.

On February 2, 2024, CEO Petrick went to the property to take a compliance photo for today's hearing but found the property in violation again of Town Code Section 38-9 for having a pickup truck in disrepair on the property. CEO Petrick stated that he called the Respondents son, Pedro Benedico, Jr who owns the pickup truck and informed him the property must be in compliance in order to be eligible for a fine reduction hearing. Mr. Benedico, Jr told CEO Petrick that he understood and would have the pickup removed.

On February 5, 2024, CEO Petrick went to the property and found it in compliance.

Isabel Benedico testified on behalf of the Respondent and requested a lien reduction.

Pedro Benedico, Jr. testified on behalf of the Respondent.

CEO Petrick stated the Town was asking for a lien reduction down to 25%.

It is the Order of the Special Magistrate that the fine against Respondents' property is hereby reduced to the amount of Two Thousand Nine Hundred Dollars (\$2,900.00). Respondents shall pay the reduced fine by May 6, 2024, or the original fine amount of Eleven Thousand Six Hundred Dollars (\$11,600.00) will automatically be reinstated.

CASE NO. 23-00055 **COMPLIED**

LEODAN RUIZ
1026 CHERYL ROAD
HAVERHILL, FL 33417
PCN: 22-42-43-26-33-000-0020
LEGAL DESCRIPTION: SOLANA LT 2

NATURE OF VIOLATION: Chapter 14 Section 14-7 (a) (2) Unsafe buildings and structures

CASE NO. 23-00025 **COMPLIED**


GATOR STATE STORAGE HAVERHILL LLC COMPLIED
DAVID HEIL, CARL GENTILE, CGV HOLDING LLC
500 N HAVERHILL ROAD, HAVERHILL, FL 33415

NATURE OF VIOLATION: Chapter 46 Article II Section 46-28 (a) Permits Chapter 4 Article III Division 1 Section 46-53 Prohibitions and Exceptions

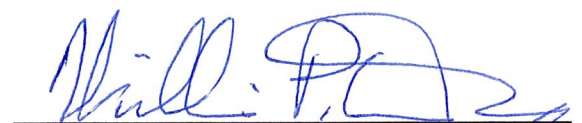
ADJOURNMENT

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

Minutes prepared by Deputy Town Clerk Wible and adopted by Special Magistrate Doney on March 6, 2024.



Jean F. Wible, Deputy Town Clerk



Special Magistrate, William P. Doney

