

TOWN OF HAVERHILL
MINUTES
SPECIAL MAGISTRATE
HEARING
September 11, 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 and Donald Anderson, Realtor on behalf of Respondent 115 Stallion LLC.

I. CALL TO ORDER:

The meeting was called to order at 9:01 A.M by Special Magistrate William P. Doney.

II. APPROVAL OF MINUTES:

Special Magistrate Doney approved the minutes of August 14, 2024.

III. SWEARING IN OF WITNESSES:

Special Magistrate Doney administered Oath to Code Enforcement Officer Joseph Petrick, Donald Anderson, Realtor on behalf of Respondent 115 Stallion LLC.

CODE ENFORCEMENT VIOLATION HEARINGS:

CASE NO. 24-00085

STRASSNER DANIEL M

5023 CLUB ROAD

HAVERHILL, FL 33415

PCN: 22-42-43-35-05-036-0000

LEGAL DESCRIPTION: HAVERHILL RIDING ESTATES TR 36 (LESS TRGLR PAR HAVERHILL RD R/W)

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 was in reference to Single-Family property in violation of Town Code Sections 14-2 and 14-7 for not completing the building permit process. He stated that on June 14, 2024, the Town Building Official,

Durrani Guy, posted a stop work order for structural work being done to the house without obtaining a building permit. He stated that on June 17, 2024, he observed work being done in violation of the stop worker order. On June 18, 2024, he issued a Notice of Violation and Notice of Hearing that were mailed via certified mail to the address listed on the Property Appraiser website, the property was posted, and the notices were posted on the Code Enforcement board at Town Hall. The Notice of Violation required work to stop immediately, ten (10) days to apply for a building permit and forty-five (45) days to obtain the building permit. He stated that on July 3, 2024, the building permit was issued however, as of today, the permit has not been picked up and paid for. He stated that Deputy Town Clerk Jean Wible has been in contact with the Respondent on a few occasions reminding him the permit was ready to be picked up.

CEO Petrick stated that as of today, the property remains out of compliance. The Town was requesting compliance within thirty (30) days or a one hundred (\$100.00) dollars per day fine be assessed. The cost to bring this case before the Special Magistrate was \$17.00.

ORDER

It is the Order of the Code Enforcement Special Magistrate that Respondent shall comply with the above-referenced Town Code Sections by October 11, 2024. In the event Respondent does not comply within the time period specified above, a fine in an amount not to exceed One Hundred (\$100.00) Dollars per day may be imposed for each day the violation(s) continue to exist. In addition, costs in the amount of \$17.00 are assessed.

NOTICE OF HEARING

A Fine Assessment Hearing, if necessary, 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 Respondent has complied with the terms and conditions of this Order and to consider the assessment of a fine.

CASE NO. 24-00051

CHENOWETH MICHELLE

4830 RICHMOND MEWS

HAVERHILL, FL 33415

PCN: 22-42-43-36-21-000-0220

LEGAL DESCRIPTION: BRIARWOOD NORTH LT 22

NATURE OF VIOLATION: 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 case was in reference to a Single-Family property in violation of Town Code Section 58-584 for having a tarp on the roof for an extended period of time. He stated that on May 9, 2024, he first observed the tarp violation along with a van in disrepair and on jacks in the driveway. At that time, he issued a Courtesy Notice. The Courtesy Notice gave the Respondent three (3) days to remove the van from the jacks and thirty (30) days to remove the tarp or obtain a building permit to repair the roof.

On May 13, 2024, CEO Petrick inspected the property and found the van was repaired and no longer on jacks. He stated that by June 21, 2024, he had not heard from the Respondent and re-inspected the property where he found the roof remained with the tarp. At that time, he issued a Notice of Hearing and Notice of Violation for today's hearing via certified mail to the address listed on the Property Appraiser website, the property was posted, and the notices were posted on the Code Enforcement board at Town Hall. The Notice of Violation gave the Respondent thirty (30) days to comply.

CEO Petrick stated that as of today, the property remains out of compliance. The Town was requesting compliance within thirty (30) days or a fifty (\$50.00) dollars per day fine be assessed. The cost to bring this case before the Special Magistrate was \$18.77.

ORDER

It is the Order of the Code Enforcement Special Magistrate that Respondent shall comply with the above-referenced Town Code Sections by October 11, 2024. In the event Respondent does not comply within the time period specified above, a fine in an amount not to exceed Fifty (\$50.00) Dollars per day may be imposed for each day the violation(s) continue to exist. In addition, costs in the amount of \$18.77 are assessed.

NOTICE OF HEARING

A Fine Assessment Hearing, if necessary, 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 Respondent has complied with the terms and conditions of this Order and to consider the assessment of a fine.

CASE NO. 24-00063

DAVIS ROHAN E & DAVIS ROMANYE R.
4970 HAVERHILL POINTE DRIVE
HAVERHILL, FL 33415
PCN: 22-42-43-36-28-000-0160

COMPLIED

LEGAL DESCRIPTION: HAVERHILL POINTE LT 16

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

CEO Petrick determined that Respondents complied prior to Special Magistrate Hearing, no reason to move forward with the case at this time.

CASE NO. 24-00068

SANCHEZ ONOVER

5122 PALO VERDE PL

HAVERHILL, FL 33415

PCN: 22-42-43-35-19-004-0091

LEGAL DESCRIPTION: WOODLAND TERRACE PL 3 LT 9 /LESS W 115 FT/BLK 4

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 case was in reference to Single-Family property that is being rented without a rental license. He stated that on June 25, 2024, a Courtesy Notice was issued and sent regular mail to the Respondent requesting a compliance date of July 15, 2024. He stated that by July 17, 2024, no rental license was obtained, and a Notice of Violation and Notice of Hearing was issued via certified mail to the address listed on the Property Appraiser website, the property was posted, and the notices were posted on the Code Enforcement board at Town Hall. The Notice of Violation gave the Respondent thirty (30) days to comply.

On August 16, 2024, the Respondent submitted the rental license application and paid for same. The same day, he stated he left a voicemail for the Respondent to schedule the required property inspection. On August 26, 2024, CEO Petrick called again and left another message. On August 28, 2024, the Respondent called CEO Petrick, and the rental license ordinance and process was discussed.

On September 4, 2024, CEO Petrick met with the Respondent and the tenants at the property. The rental inspection failed due to property maintenance issues. He stated that he and the Respondent agreed on sixty (60) days to comply.

CEO Petrick stated the Town was requesting compliance by October 11, 2024, or a fine of up to fifty (\$50.00) dollars per day be assessed. The cost to bring this case before the Special Magistrate was \$20.14.

ORDER

It is the Order of the Code Enforcement Special Magistrate that Respondent shall comply with the above-referenced Town Code Section by October 11, 2024. In the event Respondent does not comply within the time period specified above, a fine in an amount not to exceed Fifty (\$50.00) Dollars per day may be imposed for each day the violation(s) continue to exist. In addition, costs in the amount of \$20.14 are assessed.

NOTICE OF HEARING

A Fine Assessment Hearing, if necessary, 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 Respondent has complied with the terms and conditions of this Order and to consider the assessment of a fine.

CASE NO. 24-00089

115 STALLION LLC

560 BETHANY LANE

HAVERHILL, FL 33415

PCN: 22-42-43-35-05-025-0030

LEGAL DESCRIPTION: HAVERHILL RIDING ESTATES W 20 FT OF N ½ & N ½ OF S ½ OF TR 25

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

Code Enforcement Officer (CEO) Joseph Petrick testified that this case was in reference to a lot (located in a Single-Family Residential area) with a vacant house on it in violation of Town Code Section 58-584 for vegetation overgrowth, trash and debris, tarped structures, fence in disrepair, auto parts and equipment stored on the property and Town Code Section 38-9 for unregistered inoperable vehicles, vehicles parked on the grass, weeds and/or dirt which are unapproved parking surfaces. He stated that it also appears that vehicles are being repaired on the property. He stated that on March 26, 2024, the Town received a complaint of possible illegal burning and illicit activity on the property at which time the complainant was given information on how to report her concerns to the appropriate agencies. He stated that the Town contacted Palm Beach County Sheriff's Office (PBSO) to report the possibility of illegal activity on the property. While PBSO was working on their case, the code enforcement case was placed on hold for thirty (30) days. Discussion ensued.

CEO Petrick testified that on May 1, 2024, he issued a Request to Inspect letter to the property owner via email and FedEx. FedEx records show the letter was delivered on May 2, 2024. He stated the letter requested the property owner contact him by May 31, 2024, and to set up an inspection no later than June 10, 2024. He has received no response from the property owner and has tried to contact him several times.

CEO Petrick testified that on July 22, 2024, a Notice of Hearing and Notice of Violation was issued and sent via certified mail to the address listed on the Property Appraiser website, Sunbiz records, the property was posted, and the notices were posted on the Code Enforcement board at Town Hall. The Notice of Violation gave the Respondent thirty (30) days to comply.

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 \$103.29.

Donald Anderson is the Realtor for the Respondent and testified that he was asked by the Respondent to request a postponement of today's hearing. Mr. Anderson stated that to the best of his knowledge, currently there is no auto repair being done on the property. He stated there is one (1) squatter on the property that the property owner has been trying to remove. He stated that a lot of the vehicles have been removed. He also stated the property is almost 4 acres and was purchased in an overgrowth state. Discussion ensued.

Town Attorney Foster asked Mr. Anderson if he was here today representing the property owner. Mr. Anderson replied that he was asked by the property owner to request a postponement of today's hearing to another day when the property owner could attend himself. Attorney Foster asked Mr. Anderson if he, on behalf of the property owner, could agree to the Town inspecting the property along with a Sheriff's Deputy by the end of next week. Mr. Anderson replied that he did not think the property owner would object but he does not have the authority to agree at this time. Discussion ensued.

ORDER

It is the Order of the Code Enforcement Special Magistrate that Respondent shall comply with the above-referenced Town Code Sections by October 11, 2024. In the event Respondent does not comply within the time period specified above, a fine in an amount not to exceed Two Hundred (\$200.00) Dollars per day may be imposed for each day the violation(s) continue to exist. In addition, costs in the amount of \$103.29 are assessed.

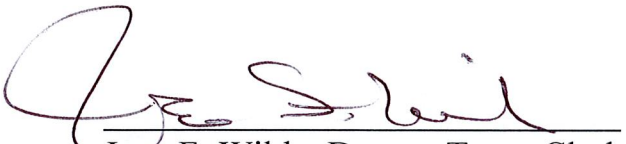
NOTICE OF HEARING

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ADJOURNMENT

The hearing was adjourned at 9:27 A.M.

Minutes prepared by Deputy Town Clerk Wible and adopted by Special Magistrate Doney on October 2, 2024.




Jean F. Wible, Deputy Town Clerk

Special Magistrate, William P. Doney

SIGN IN SHEET

TOWN OF HAVERHILL SPECIAL MAGISTRATE HEARING WEDNESDAY, SEPTEMBER 11, 2024

Name	E-Mail Address	Signature
Donald A. Donald Anderson	MARVthorpe@aol.com	

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SL-690-
1790