

**TOWN OF INTERLACHEN
CODES ENFORCEMENT SPECIAL MAGISTRATE
HEARING MINUTES
TUESDAY, JANUARY 3, 2023 – 9:00 A.M.
DICKERMAN BUILDING**

CALL TO ORDER:

Magistrate, Ronald Brown called the hearing to order at 9:12 am.

MAGISTRATE BRIEFING:

Magistrate Brown stated that the hearing delay was to allow for any respondents to arrive, but they were not in attendance.

Magistrate Brown introduced himself and stated that he is a state certified attorney appointed by the Interlachen Town Council pursuant to both Town codes and State Statutes to preside over today's proceedings. Mr. Brown stated that this is not a formal court of law but is bound to follow principles of due process and fairness, to make sure the respondent has been noticed and has the opportunity to be heard and present testimony.

The following process will be followed: The Town will have a presentation regarding the alleged violation and the evidence and testimony to support that violation. The respondent if present will have the opportunity to ask questions about the testimony.

SWEARING IN:

Magistrate Brown swore in Town Clerk, Joni Payne, who will be presenting the codes case.

CODES CASE #083122.

The Town Clerk stated that according to the Property Appraiser, the owners are Roger D. Roth and the Pinder Trust, neither were present.

The Town Clerk presented the schedule of events as follows:

1. Date violation was first observed August 31, 2022.
2. A Notice of Violation was sent by certified mail on September 13, 2022.
3. The date for correction of the violation was October 14, 2022.
4. Re-inspections were conducted on October 12, 2022, December 5, 2022, and January 3, 2023.

The notice of hearing was sent by certified mail and posted on the bulletin board at the Town Office. The Town Clerk noted that after the notice of violation she met with Mr. Roth and Mr. Davis and gave them a seventy-five day extension to come into compliance. However, no progress has been made.

The Clerk stated that based on Ordinance 2021-2, Section 4.1 the Town finds that the building is dangerous due to the collapsed roof and the unkempt property that can cause rodents, snakes, and injury. The property is distasteful due to yard debris and vines growing over the building.

Photos Shown:

- #1: Factual summary of case.
- #2: Vines growing up the building, the sinking roof & some boarded up windows.
- #3: Opening in the upstairs window which could be accessed from the addition and some fire damage.
- #4: Roof collapsed even more.
- #5: Town's posted notices & the county notice of unsafe building.
- #6: Affidavit of Posting.
- #7: Green Card.
- #8: Ordinance 2021-2, Section 4.1: Care of Premises.
- #9: The roof has collapsed even more.
- #10: Foundation unstable.
- #11: Yard debris.
- #12: Fence falling down, gate open and debris inside the fence open.

The photos taken today were shown depicting further deterioration of the building and grounds.

Magistrate Brown's order is as follows:

1) The owner(s) are to have the privacy fence in the rear yard either repaired, replaced, or removed. (2) The debris inside the fence must be removed. (3) The gate must be closed. (4) All of the vegetation growing on the structure along with all the other overgrown vegetation on the property must be removed. (5) The structure must be brought into compliance either by applying for a building permit in order to bring it up to current building codes or apply for a demolition permit. Property owner(s) must comply by February 6, 2023 or a \$25.00 per day fine will begin February 7, 2023.

ADJOURNMENT:

The hearing adjourned at 9:47 a.m.