



Special Magistrate Hearing Agenda

November 28, 2016

Special Magistrate Jeremy Primosch, Esq

City Manager Traci L. Gresham

Special Magistrate Hearing At 10:00 AM

Meeting Date: November 28, 2016

Meeting Location: James A Lewis Commission Chambers

At the public hearing before the Special Magistrate all interested parties may appear and be heard with respect to the proposed items. Notice is given pursuant to Section 286.0105, Florida Statutes, that in order to appeal any decision made at these public hearings, you will need a verbatim record of the proceedings. It will be your responsibility to ensure that a verbatim record is made. In accordance with the Americans with Disabilities Act, any persons with a disability requiring reasonable accommodations in order to participate in this meeting should call the City Clerk at (386) 418-6100 ext 101 at least 48 hours prior to the public hearing.

SPECIAL MAGISTRATE HEARING AGENDA

CALL TO ORDER

INVOCATION

PLEDGE TO THE FLAG

APPROVAL OF THE AGENDA

Approval of Minutes

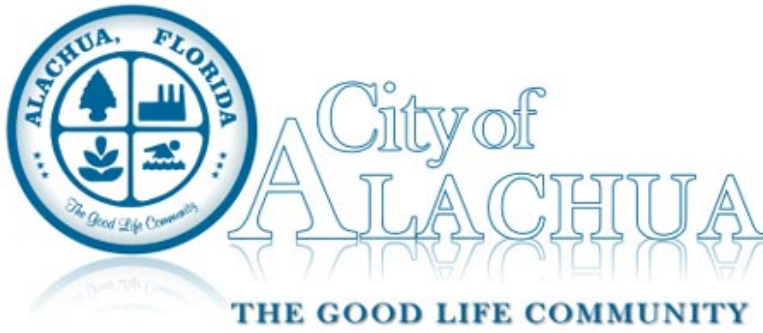
I. OLD BUSINESS

- A. Case # 9-15-3005- Tim A. Bugna, Parcel # 03864-025-010, Violation of one City code

II. NEW BUSINESS: QUASI-JUDICIAL HEARING

- B. Case # 8-16-3172- Robert L. Sharp, Luvenia L. Curtis and Keith A. Neal, Parcel # 03131-078-000,
Violation of two sections of the Code

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Board/Committee Agenda Item

MEETING DATE: 11/28/2016

SUBJECT: Case # 9-15-3005- Tim A. Bugna, Parcel # 03864-025-010, Violation of one City code

PREPARED BY: Linnelle Stewart, Code Enforcement Officer

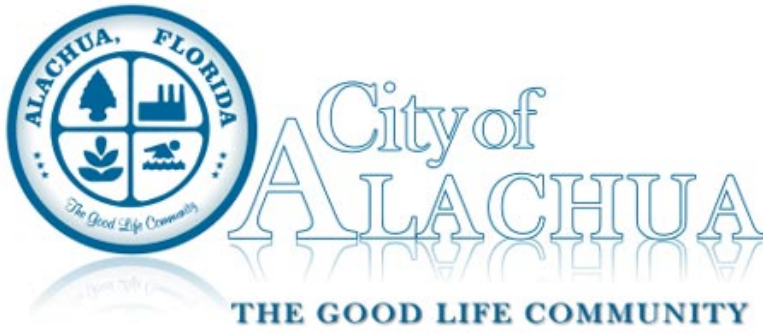
RECOMMENDED ACTION:

Conduct Special Magistrate Hearing scheduled for 10 AM February 22, 2016.

Summary

Violation of Code Section 302.5.

Code Officer to give update.



Board/Committee Agenda Item

MEETING DATE: 11/28/2016

SUBJECT: Case # 8-16-3172- Robert L. Sharp, Luvenia L. Curtis and Keith A. Neal, Parcel # 03131-078-000, Violation of two sections of the Code

PREPARED BY: Linnelle Stewart, Code Enforcement Officer

RECOMMENDED ACTION:

Conduct Special Magistrate Hearing scheduled for 10 AM November 28, 2016.

Summary

The legal description of the subject property (Property) is LINCOLN GARDENS PB E-40 LOT 78 OR 1534/846 & OR 4446/0874. The tax parcel ID listed in the Alachua County Property Appraiser records is 03131-078-000, and the 911 address is 13625 NW 158th Pl., Alachua, FL, 32615.

The Property is zoned RSF-3 (Residential single family- 3 units per acre). Disassembling and storing scrap materials is not permitted. Operating a salvage operation or junkyard is not permitted.

The named Respondents have been the owners of record of the Property before and since July 26, 2011 until the time of this Affidavit, November 8, 2016.

Robert L. Sharp is also listed as a holder of a Life Estate on the Property as listed in the records of the Alachua County Property Appraiser.

The Property has been the subject of numerous Notices of Violation (NOV) since July 1, 2011:

A NOV naming all three Respondents was hand delivered to Robert L. Sharp on August 29, 2016 citing violation of LDR Sections 4.1-1 (Prohibited salvage and junkyard in a residential district) and 4.4-1 (Prohibited outdoor storage of debris and scrap materials in residential district).

A copy of the NOV described in the paragraph above was sent separately by certified mail to Luvenia L. Curtis and Keith A. Neal at the address listed in the Tax Collector's Office for tax notices. Both mailings were signed for as received by Robert L. Sharp on September 3, 2016. No owner has provided and no other address for any owner is known to City.

Since July, 2011 the City has received numerous complaints at the residence regarding noise and storing and disassembling scrap materials on the property. In this time period the Alachua Police Department has responded to 219 calls at the residence.

Respondent was given until August 31, 2016 to correct and cease the cited violations.

Regular patrol of the area finds the resident to be continuing the practice of bringing material to the property to be disassembled and hauled away for scrap.

An Affidavit of Violations and Request for Hearing before the City Special Magistrate was filed on November 9, 2016 by Code Enforcement Officer Linnelle Stewart setting forth relevant and adequate facts to establish the two cited violations of

Code Enforcement Officer Linnene Stewart setting forth relevant and adequate facts to establish the two cited violations of the City Code. The Request for Hearing announcing and setting a hearing to take testimony and otherwise consider the alleged violations was set for November 28, 2016 in the Alachua City Commission Chambers, 15100 N.W. 142 Terrace, Alachua, Florida and served by certified mail return receipt requested to Robert L. Sharp, Luvenia L. Curtis and Keith A. Neal at P.O. Box 235, Alachua, FL 32616.

It is further noted that property owner Robert Sharp has called and spoken to Code Enforcement Officer Stewart and other City staff to discuss the matter and scheduled hearing.

The Code of Ordinances of the City of Alachua, including Part II, Sub Part B - Land Development Regulations, is published on the City of Alachua Website under "Code of Ordinances" and a copy is also available for review at the City Hall. Specifically, the Respondent continues to be in violation of the following Code Sections:

- a. 4.1-1, Prohibited salvage and junkyard in residential district.
 - b. 4.4-1, Prohibited outdoor storage of debris and scrap materials in residential district.
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