



## **Special Magistrate Hearing Agenda**

**April 25, 2024**

---

**Special Magistrate Michael Durham, Esq.**

**City Manager Mike DaRoza**

---

### **Special Magistrate Hearing At 10:00 AM**

**Meeting Date:** April 25, 2024

**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**

### **PLEDGE TO THE FLAG**

### **APPROVAL OF THE AGENDA**

#### **I. OLD BUSINESS**

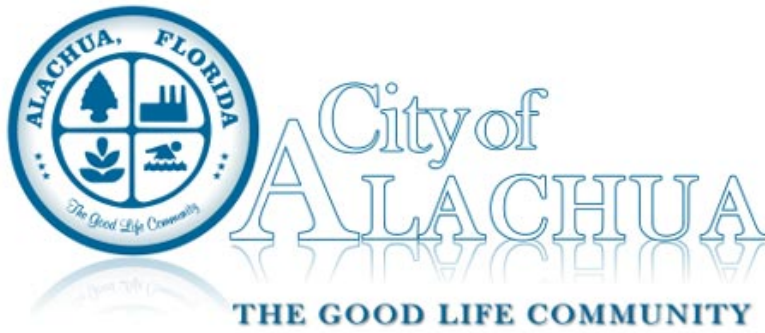
- A. Case # 23-0082- Michael & Caroline Douglas, Parcel # 03968-030-000, Affidavit of Compliance
- B. Case # 23-0172, Adriana Cedeno, Parcel # 03316-029-000, Affidavit of Compliance
- C. Case # 23-0152 John Kimball, Parcel # 03531-034-000, Affidavit of Compliance
- D. Case # 23-0111- Stalbaum & Stalbaum, Parcel # 03066-001-000, Affidavit of Compliance

- E. Case # 23-0165- Kya Dawn Bryan, Parcel # 03360-015-000, Affidavit of Compliance
- F. Case # 23-0187- Gurpreet Kaur LLC, Parcel # 03735-000-000 Affidavit of Compliance
- G. Case # 23-0129- Argueta & Giraldo, Parcel # 03442-002-001, Affidavit of Non-Compliance
- H. Case # 23-0189- Walker & Walker & Walker, Parcel # 03234-005-001, Affidavit of Non-Compliance
- I. Case # 23-0084- Marcelo Valerio Mota, Parcel # 03737-000-000, Case status review

## **II. NEW BUSINESS: QUASI-JUDICIAL HEARING**

- J. Approval of January 11, 2024 minutes
- K. Case # 24-0044- Andrew Taylor, Parcel # 05900-612-009, Violation of one section of the Code
- L. Case # 23-0168- RKD Homes LLC, Parcel # 03375-000-000, Violation of one section of the Code
- M. Case # 24-0043- Pauline Collins Heirs, Parcel # 03235-001-000, Violation of four sections of the code

## **ADJOURN**



## Board/Committee Agenda Item

---

**MEETING DATE:** 4/25/2024

**SUBJECT:** Case # 23-0082- Michael & Caroline Douglas, Parcel # 03968-030-000, Affidavit of Compliance

**PREPARED BY:** Linnelle Stewart

**RECOMMENDED ACTION:**  
Accept Affidavit of Compliance

---

### Summary

This case was heard by the Special Magistrate on January 11, 2024. Testimony was given by Code Enforcement Officer Linnelle Stewart. The Respondents were present and participated in the hearing.

The Respondents were provided until February 12, 2024 to come in compliance with the code. A review of City records reveal a permit was obtained on March 19, 2024 and the Property was in compliance.

---

### **ATTACHMENTS:**

Description

- ▢ Affidavit of Compliance

**CITY OF ALACHUA**  
**Office of Code Enforcement**

CITY OF ALACHUA, FLORIDA,  
Petitioner,  
VS.

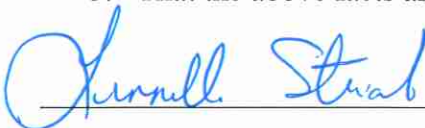
Case # E23-0082

MICHAEL & CAROLINE DOUGLAS,  
Respondents.

**AFFIDAVIT OF COMPLIANCE**

BEFORE ME, the undersigned authority, personally appeared Linnelle Stewart, Code Enforcement Officer for the City of Alachua, who after being duly sworn, deposes and says:

1. That the subject property (Property) is identified as tax parcel 03968-030-000, and the location address is 13902 NW 112 Ave., Alachua, Fl, 32615.
2. That a hearing before the Special Magistrate was held on January 11, 2024. The Respondents were present and participated in the hearing.
3. That the Respondents were provided a thirty day extension, until February 12, 2024, to come in compliance with the code, and an Order Granting Extension and Setting Time for Compliance was mailed to the Respondent at the address showing on the tax records.
4. That a check of City records show a permit was obtained on March 19, 2024 and the Property was in full compliance with the code.
5. That the above facts are true and accurate to the best of my knowledge.

  
\_\_\_\_\_

AFFIANT

Dated this 25 day of March, 2024.

STATE OF FLORIDA

COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me by means of ✓ physical presence or \_\_\_\_\_ online notarization, this 25 day of March, 2024 by LINNELLE

STEWART who executed the same and has \_\_\_\_\_ produced a Florida driver's license as identification or ✓ is personally known to me.

Lisa Freeman

Signature of Notary

Print name: Lisa Freeman

Notary Public, State of Florida

My commission expires: June 10, 2026



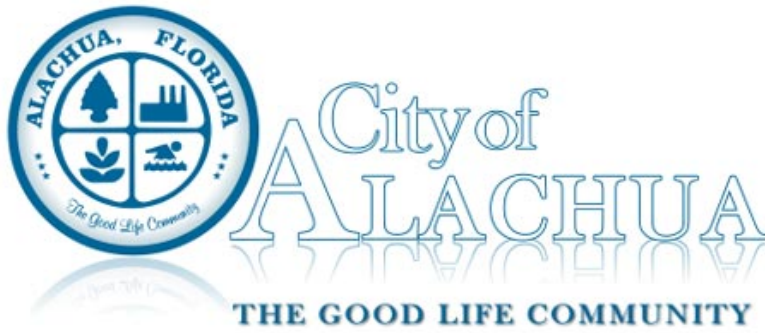
I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to Michael & Caroline Douglas by certified mail return receipt requested on this 25 day of March, 2024.

Linnelle Stewart

Linnelle Stewart

Code Enforcement Officer

City of Alachua



## Board/Committee Agenda Item

---

**MEETING DATE:** 4/25/2024

**SUBJECT:** Case # 23-0172, Adriana Ceden0, Parcel # 03316-029-000, Affidavit of Compliance

**PREPARED BY:** Linnelle Stewart

**RECOMMENDED ACTION:**  
Accept Affidavit of Compliance

---

### Summary

This case was heard before the Special Magistrate on January 11, 2024. Testimony was given by Code Enforcement Officer Linnelle Stewart. The Respondent was not present at the hearing.

The Respondents were found in violation of Section 6.2.1(E)(2). The Respondents were given until February 12, 2024 to come in full compliance with the code. An inspection was conducted on February 14, 2024 and the Property was in compliance.

---

### **ATTACHMENTS:**

Description

▢ Affidavit of Compliance

**CITY OF ALACHUA**  
**Office of Code Enforcement**

CITY OF ALACHUA, FLORIDA,  
Petitioner,

Case # E23-0172

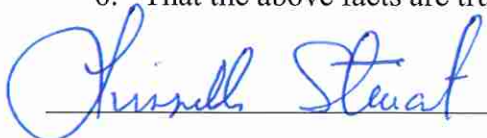
VS.

ADRIANA CEDENO,  
Respondents.

**AFFIDAVIT OF COMPLIANCE**

BEFORE ME, the undersigned authority, personally appeared Linnelle Stewart, Code Enforcement Officer for the City of Alachua, who after being duly sworn, deposes and says:

1. That the subject property (Property) is identified as tax parcel 03316-029-000, and the Property location is a vacant lot on NW 133 Terrace, Alachua, FL, 32615.
2. That a hearing before the Special Magistrate was held on January 11, 2024. The Respondent was not present at the hearing.
3. That the Respondent was found in violation of Section 6.2.1(E)(2), and an Order Finding Code Violations and Setting Time for Compliance was mailed to the Respondent at the address showing on the tax records.
4. That the Respondent was provided until February 12, 2024 to come in full compliance with the code.
5. That an inspection was conducted on February 14, 2024 and the Property was in full compliance with the code.
6. That the above facts are true and accurate to the best of my knowledge.

  
\_\_\_\_\_

AFFIANT

Dated this 20 day of February, 2024.

STATE OF FLORIDA

COUNTY OF ALACHUA



The foregoing instrument was acknowledged before me by means of ✓ physical presence or \_\_\_\_\_ online notarization, this 20 day of February, 2024 by LINNELLE STEWART who executed the same and has \_\_\_\_\_ produced a Florida driver's license as identification or ✓ is personally known to me.

Lynnetta Hayes  
Signature of Notary

Print name: Lynnetta Hayes  
Notary Public, State of Florida  
My commission expires: June 5 2024



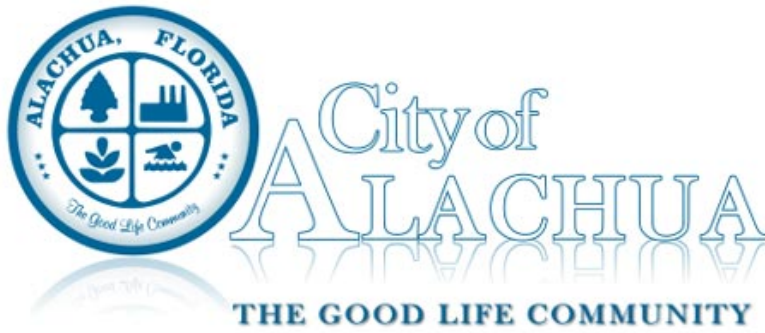
LYNNETA HAYES  
Commission # GG 955640  
Expires June 5, 2024  
Bonded Thru Budget Notary Services

I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to Adriana Cedenio by certified mail return receipt requested on this 20 day of February, 2024.

Linnelle Stewart

Linnelle Stewart  
Code Enforcement Officer  
City of Alachua





## Board/Committee Agenda Item

---

**MEETING DATE:** 4/25/2024

**SUBJECT:** Case # 23-0152 John Kimball, Parcel # 03531-034-000, Affidavit of Compliance

**PREPARED BY:** Linnelle Stewart

**RECOMMENDED ACTION:**  
Accept Affidavit of Compliance

---

### Summary

This case was heard by the Special Magistrate on January 11, 2024. Testimony was given by Code Enforcement Officer Linnelle Stewart. The Respondent was present and participated in the hearing.

The Respondent was found in violation of Section 304.1.1(8). The Respondent was given until February 12, 2024 to come in full compliance with the code. An inspection was conducted on February 8, 2024 and the Property was in full compliance.

---

### **ATTACHMENTS:**

Description

☐ Affidavit of Compliance

**CITY OF ALACHUA**  
**Office of Code Enforcement**

CITY OF ALACHUA, FLORIDA,  
Petitioner,  
VS.

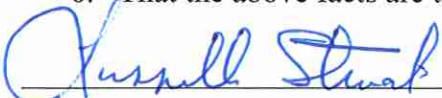
Case # E23-0111

JOHN KIMBALL,  
Respondents.

**AFFIDAVIT OF COMPLIANCE**

BEFORE ME, the undersigned authority, personally appeared Linnelle Stewart, Code Enforcement Officer for the City of Alachua, who after being duly sworn, deposes and says:

1. That the subject property (Property) is identified as tax parcel 03531-034-000, and the location address is 14305 NW 156 Pl., Alachua, Fl, 32615.
2. That a hearing before the Special Magistrate was held on January 11, 2024. The Respondent was present and participated in the hearing.
3. That the Respondent was found in violation of Section 304.1.1(8), and an Order Finding Code Violations and Setting Time for Compliance was mailed to the Respondent at the address showing on the tax records.
4. That the Respondent was provided until February 12, 2024 to come in full compliance with the code.
5. That an inspection was conducted on February 8, 2024 and the Property was in full compliance with the code.
6. That the above facts are true and accurate to the best of my knowledge.

  
\_\_\_\_\_

AFFIANT

Dated this 8 day of February, 2024.

STATE OF FLORIDA

COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me by means of ✓ physical presence or \_\_\_\_\_ online notarization, this 8 day of February, 2024 by LINNELLE STEWART who executed the same and has \_\_\_\_\_ produced a Florida driver's license as identification or ✓ is personally known to me.


  
\_\_\_\_\_  
Signature of Notary

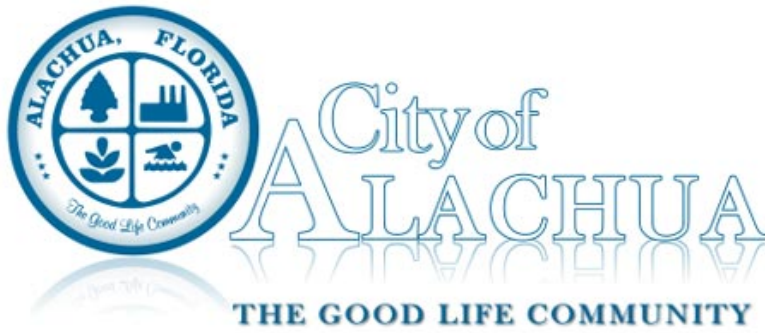
Print name: Lynnete Hayes  
Notary Public, State of Florida  
My commission expires: June 5, 2024



LYNNETA HAYES  
Commission # GG 955640  
Expires June 5, 2024  
Bonded Thru Budget Notary Services

I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to John Kimball by certified mail return receipt requested on this 8 day of February, 2024.

  
\_\_\_\_\_  
Linnelle Stewart  
Code Enforcement Officer  
City of Alachua



## Board/Committee Agenda Item

---

**MEETING DATE:** 4/25/2024

**SUBJECT:** Case # 23-0111- Stalbaum & Stalbaum, Parcel # 03066-001-000, Affidavit of Compliance

**PREPARED BY:** Linnelle Stewart

**RECOMMENDED ACTION:**

Accept Affidavit of Compliance

---

### Summary

This case was heard by the Special Magistrate on January 11, 2024. Testimony was given by Code Enforcement Officer Linnelle Stewart. The Respondents were present and participated in the hearing.

The Respondents were found in violation of Section 8.5.4(A). The Respondents were given until February 12, 2024 to come in compliance with the code. An inspection was conducted on February 12, 2024 and the Property was in compliance.

---

### **ATTACHMENTS:**

Description

☐ Affidavit of Compliance

**CITY OF ALACHUA**  
**Office of Code Enforcement**

CITY OF ALACHUA, FLORIDA,  
Petitioner,  
VS.


Case # E23-0111

STALBAUM & STALBAUM,  
Respondents.

**AFFIDAVIT OF COMPLIANCE**

BEFORE ME, the undersigned authority, personally appeared Linnelle Stewart, Code Enforcement Officer for the City of Alachua, who after being duly sworn, deposes and says:

1. That the subject property (Property) is identified as tax parcel 03066-001-000, and the location address is 15850 NW US Highway 441, Alachua, Fl, 32615.
2. That a hearing before the Special Magistrate was held on January 11, 2024. The Respondents were present and participated in the hearing.
3. That the Respondents were found in violation of Section 8.5.4(A), and an Order Finding Code Violations and Setting Time for Compliance was mailed to the Respondent at the address showing on the tax records.
4. That the Respondents were given until February 12, 2024 to remove the sign from the Property.
5. That a re-inspection was conducted on February 12, 2024 and the Property was in compliance with the code.
6. That the above facts are true and accurate to the best of my knowledge.

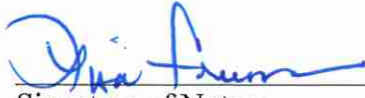


AFFIANT

Dated this 26 day of March, 2024.

STATE OF FLORIDA  
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me by means of ✓ physical presence or        online notarization, this 2 day of March, 2024 by LINNELLE STEWART who executed the same and has        produced a Florida driver's license as identification or ✓ is personally known to me.



Signature of Notary

Print name: Lisa Freeman

Notary Public, State of Florida

My commission expires: June 10, 2026



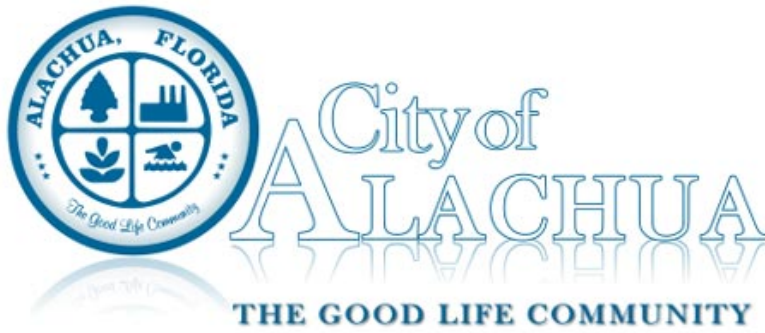
LISA FREEMAN  
Commission # HH 253154  
Expires June 10, 2026

I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to Stalbaum & Stalbaum by certified mail return receipt requested on this 26 day of March, 2024.



Linnelle Stewart  
Code Enforcement Officer  
City of Alachua





## Board/Committee Agenda Item

---

**MEETING DATE:** 4/25/2024

**SUBJECT:** Case # 23-0165- Kya Dawn Bryan, Parcel # 03360-015-000, Affidavit of Compliance

**PREPARED BY:** Linnelle Stewart

**RECOMMENDED ACTION:**  
Accept Affidavit of Compliance

---

### Summary

This case was heard by the Special Magistrate on January 11, 2024. Testimony was given by Code Enforcement Officer Linnelle Stewart. The Respondent was not present at the hearing.

The Respondent was found in violation of Section 30-35. The Respondent was provided until January 25, 2024 to come in compliance with the code. An inspection was conducted on January 25, 2024 and the Property was in compliance.

---

### **ATTACHMENTS:**

Description

▢ Affidavit of Compliance



**CITY OF ALACHUA**  
**Office of Code Enforcement**

CITY OF ALACHUA, FLORIDA,  
Petitioner,  
VS.

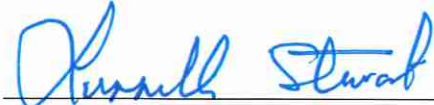
Case # E23-0165

KYA DAWN BRYAN,  
Respondents.

**AFFIDAVIT OF COMPLIANCE**

BEFORE ME, the undersigned authority, personally appeared Linnelle Stewart, Code Enforcement Officer for the City of Alachua, who after being duly sworn, deposes and says:

1. That the subject property (Property) is identified as tax parcel 03360-015-000, and the location address is 13713 NW 150<sup>th</sup> Pl., Alachua, Fl, 32615.
2. That a hearing before the Special Magistrate was held on January 11, 2024. The Respondent was not present at the hearing.
3. That the Respondent was found in violation of Section 30-35, and an Order Finding Code Violations and Setting Time for Compliance was mailed to the Respondent at the address showing on the tax records.
4. That the Respondent was provided until January 25, 2024 to come in full compliance with the code.
5. That an inspection was conducted on January 25, 2024 and the Property was in compliance with the code.
6. That the above facts are true and accurate to the best of my knowledge.

  
\_\_\_\_\_

AFFIANT

Dated this   1   day of February, 2024.

STATE OF FLORIDA

COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me by means of ✓ physical presence or \_\_\_\_\_ online notarization, this 1 day of February, 2024 by LINNELLE STEWART who executed the same and has \_\_\_\_\_ produced a Florida driver's license as identification or \_\_\_\_\_ is personally known to me.


  
\_\_\_\_\_  
Signature of Notary

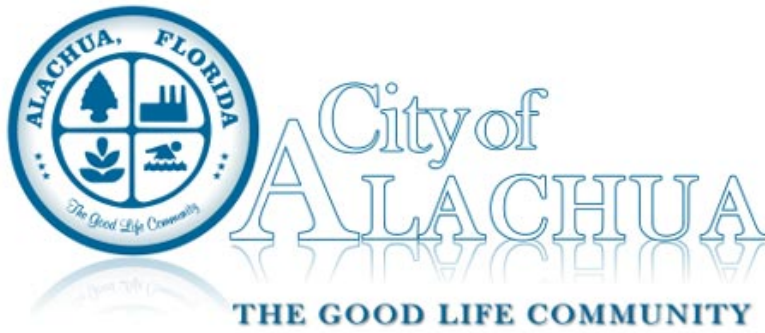
Print name: Lynnetta Hayes  
Notary Public, State of Florida  
My commission expires: June 5, 2024



LYNNETTA HAYES  
Commission # GG 955640  
Expires June 5, 2024  
Bonded Thru Budget Notary Services

I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to Kya Dawn Bryan by certified mail return receipt requested on this 1 day of February, 2024.

  
\_\_\_\_\_  
Linnelle Stewart  
Code Enforcement Officer  
City of Alachua



## Board/Committee Agenda Item

---

**MEETING DATE:** 4/25/2024

**SUBJECT:** Case # 23-0187- Gurpreet Kaur LLC, Parcel # 03735-000-000 Affidavit of Compliance

**PREPARED BY:** Linnelle Stewart

**RECOMMENDED ACTION:**  
Accept Affidavit of Compliance

---

### Summary

This case was heard by the Special Magistrate on January 11, 2024. Testimony was given by Code Enforcement Officer Linnelle Stewart. The Respondents were present and participated in the hearing.

The Respondents were provided until February 12, 2024 to obtain building permits for the work performed. An inspection was conducted on February 12, 2024 and the Property was in compliance.

---

### **ATTACHMENTS:**

Description

- ▢ Affidavit of Compliance

**CITY OF ALACHUA**  
**Office of Code Enforcement**

CITY OF ALACHUA, FLORIDA,  
Petitioner,  
VS.

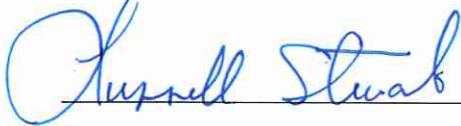
Case # E23-0187

GURPREET KAUR LLC,  
Respondents.

**AFFIDAVIT OF COMPLIANCE**

BEFORE ME, the undersigned authority, personally appeared Linnelle Stewart, Code Enforcement Officer for the City of Alachua, who after being duly sworn, deposes and says:

1. That the subject property (Property) is identified as tax parcel 03735-000-000, and the Property address is 14311 Main St., Alachua, Fl, 32615.
2. That a hearing before the Special Magistrate was held on January 11, 2024. The Respondent was present and participated in the hearing.
3. That the matter was continued until the next Special Magistrate Hearing, and an Order Continuing Matter mailed to the Respondent at the address showing on the tax records.
4. That the Respondent was provided until February 12, 2024 to obtain building permits for the work performed.
5. That a check of City records revealed a permit was obtained on February 12, 2024.
6. That the above facts are true and accurate to the best of my knowledge.

  
\_\_\_\_\_

AFFIANT

Dated this 22 day of February, 2024.

STATE OF FLORIDA

COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me by means of ✓ physical presence or \_\_\_\_\_ online notarization, this 22 day of February, 2024 by LINNELLE

STEWART who executed the same and has \_\_\_\_\_ produced a Florida driver's license as identification or ✓ is personally known to me.

  
\_\_\_\_\_  
Signature of Notary

Print name: Lynnetta Hayes  
Notary Public, State of Florida  
My commission expires: June 5, 2024

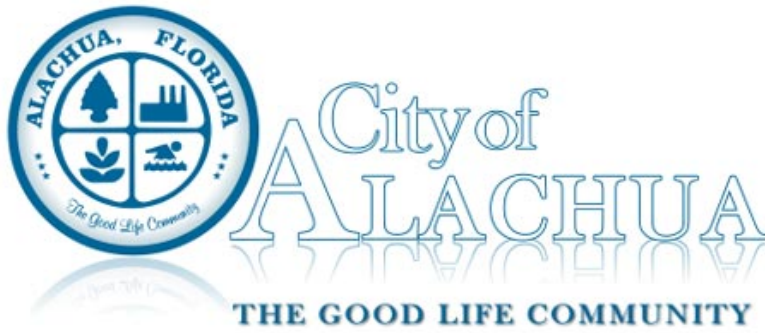


LYNNETA HAYES  
Commission # GG 955640  
Expires June 5, 2024  
Bonded Thru Budget Notary Services

I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to Gurpreet Kaur LLC by certified mail return receipt requested on this 22 day of February, 2024.

  
\_\_\_\_\_  
Linnelle Stewart

Linnelle Stewart  
Code Enforcement Officer  
City of Alachua



## Board/Committee Agenda Item

---

**MEETING DATE:** 4/25/2024

**SUBJECT:** Case # 23-0129- Argueta & Giraldo, Parcel # 03442-002-001, Affidavit of Non-Compliance

**PREPARED BY:** Linnelle Stewart

**RECOMMENDED ACTION:**

Accept Affidavit of Non-Compliance and enter appropriate Order imposing a daily fine.

---

### Summary

This case was heard by the Special Magistrate on January 11, 2024. Testimony was given by Code Enforcement Officer Linnelle Stewart. The Respondent was present and participated in the hearing.

The Respondent was granted an extension to bring the Property in compliance, and an Order Granting Extension and Setting Time for Compliance was mailed to the Respondent.

The Respondent was provided until February 12, 2024 to come in full compliance with the code. An inspection was conducted on February 12, 2024 and the Property remained in violation.

---

**ATTACHMENTS:**

Description

- ▢ Affidavit of Non-Compliance



**CITY OF ALACHUA**  
**Office of Code Enforcement**

CITY OF ALACHUA, FLORIDA,  
Petitioner,  
VS.

Case # E23-0129

ARGUETA & GIRALDO M/C,  
Respondents.

**AFFIDAVIT OF NON-COMPLIANCE**

BEFORE ME, the undersigned authority, personally appeared Linnelle Stewart, Code Enforcement Officer for the City of Alachua, who after being duly sworn, deposes and says:

1. That the subject property (Property) is identified as tax parcel 03442-002-001, and the location address is 13527 NW 145 Ave., Alachua, Fl, 32615.
2. That a hearing before the Special Magistrate was held on January 11, 2024. The Respondent was present and participated in the hearing.
3. That the Respondent was granted an extension, and an Order Granting Extension and Setting Time for Compliance was mailed to the Respondent at the address showing on the tax records.
4. That the Respondent was provided until February 12, 2024 to come in full compliance with the code.
5. That an inspection was conducted on February 12, 2024 and the Property was not in full compliance with the code.
6. That the above facts are true and accurate to the best of my knowledge.

  
\_\_\_\_\_

AFFIANT

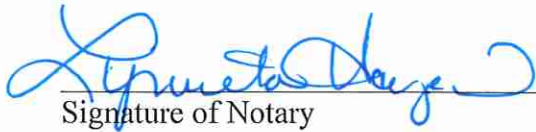
Dated this 27 day of March, 2024.

STATE OF FLORIDA

COUNTY OF ALACHUA



The foregoing instrument was acknowledged before me by means of ✓ physical presence or        online notarization, this 27 day of March, 2024 by LINNELLE STEWART who executed the same and has        produced a Florida driver's license as identification or ✓ is personally known to me.

  
\_\_\_\_\_  
Signature of Notary

Print name: Lynnetta Hayes  
Notary Public, State of Florida  
My commission expires: June 5, 2024



LYNNETTA HAYES  
Commission # GG 955640  
Expires June 5, 2024  
Bonded Thru Budget Notary Services


### NOTICE

**ON THURSDAY, APRIL 25, 2024 AT 10:00 AM IN THE CITY OF ALACHUA COMMISSION CHAMBERS LOCATED AT 15100 NW 142 TERRACE, ALACHUA, FLORIDA, 32615 PURSUANT TO THIS AFFIDAVIT OF NON-COMPLIANCE, THE CITY OF ALACHUA WILL SEEK AN ORDER FROM THE CODE ENFORCEMENT SPECIAL MAGISTRATE TO IMPOSE FINES AND LIENS.**

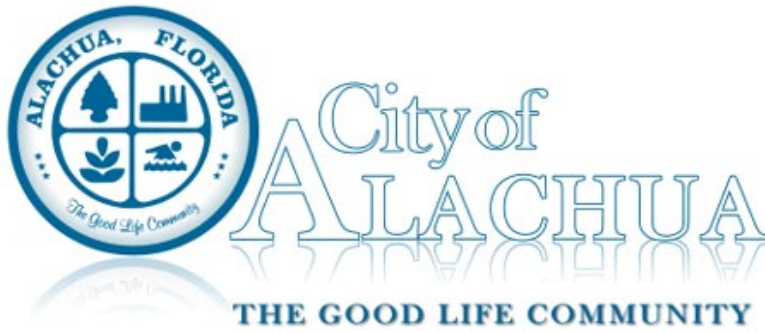
**IF THE ORDER IS GRANTED, A CERTIFIED COPY OF THE ORDER IMPOSING FINES AND LIENS MAY BE RECORDED IN THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, AND SHALL THEREAFTER CONSTITUTE A LIEN AGAINST THE ABOVE DESCRIBED PROPERTY.**

**IF YOU CANNOT ATTEND THE HEARING, BUT DESIRE TO BE HEARD ON THIS MATTER YOU MUST CONTACT LINNELLE STEWART DIRECTLY AT 386-418-6127 OR EMAIL [LI\\_STEWART@CITYOFALACHUA.ORG](mailto:LI_STEWART@CITYOFALACHUA.ORG) OR U.S. MAIL A REQUEST TO P.O. BOX 9, ALACHUA, FLORIDA, 32616.**

I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to Argueta & Giraldo by certified mail return receipt requested on this 27 day of March, 2024.

  
\_\_\_\_\_  
Linnelle Stewart

Linnelle Stewart  
Code Enforcement Officer  
City of Alachua



## Board/Committee Agenda Item

---

**MEETING DATE:** 4/25/2024

**SUBJECT:** Case # 23-0189- Walker & Walker & Walker, Parcel # 03234-005-001, Affidavit of Non-Compliance

**PREPARED BY:** Linnelle Stewart

**RECOMMENDED ACTION:**

Accept Affidavit of Non-Compliance and enter appropriate Order imposing a daily fine.

---

### Summary

This case was heard by the Special Magistrate on January 11, 2024. Testimony was given by Code Enforcement Officer Linnelle Stewart. The Respondents were not present at the hearing.

The Respondents were found in violation of Sections 111.1.5(3) and 111.9. The Respondents were given until February 12, 2024 to come in full compliance with the code. An inspection was conducted on February 12, 2024 and the property remained in violation.

---

**ATTACHMENTS:**

Description

- ☐ Affidavit of Non-Compliance

**CITY OF ALACHUA**  
**Office of Code Enforcement**

CITY OF ALACHUA, FLORIDA,  
Petitioner,  
VS.

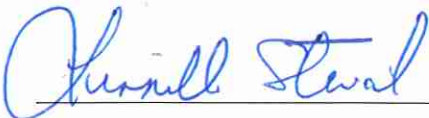
Case # E23-0189

WALKER & WALKER & WALKER,  
Respondents.

**AFFIDAVIT OF NON-COMPLIANCE**

BEFORE ME, the undersigned authority, personally appeared Linnelle Stewart, Code Enforcement Officer for the City of Alachua, who after being duly sworn, deposes and says:

1. That the subject property (Property) is identified as tax parcel 03234-005-001, and the location address is 13329 NW 158 Ave., Alachua, Fl, 32615.
2. That a hearing before the Special Magistrate was held on January 11, 2024. The Respondent was not present at the hearing.
3. That the Respondent was found in violation of Sections 111.1.5(3) and 111.9, and an Order Finding Code Violations and Setting Time For Compliance was mailed to the Respondent at the address shown on the tax records.
4. That the Respondent was provided until February 12, 2024 to come in full compliance with the code.
5. That an inspection was conducted on February 12, 2024 and the Property was not in full compliance with the code.
6. That the above facts are true and accurate to the best of my knowledge.

  
\_\_\_\_\_

AFFIANT

Dated this 28 day of March, 2024.

STATE OF FLORIDA

COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me by means of ✓ physical presence or \_\_\_\_\_ online notarization, this 28 day of March, 2024 by LINNELLE STEWART who executed the same and has \_\_\_\_\_ produced a Florida driver's license as identification or \_\_\_\_\_ is personally known to me.

  
\_\_\_\_\_  
Signature of Notary

Print name: Lynnetta Hayes  
Notary Public, State of Florida  
My commission expires: June 5, 2024



LYNNETTA HAYES  
Commission # GG 955640  
Expires June 5, 2024  
Bonded Thru Budget Notary Services

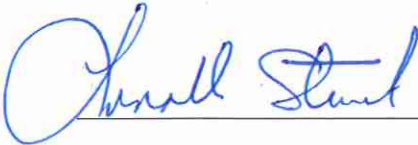
### NOTICE

**ON THURSDAY, APRIL 25, 2024 AT 10:00 AM IN THE CITY OF ALACHUA COMMISSION CHAMBERS LOCATED AT 15100 NW 142 TERRACE, ALACHUA, FLORIDA, 32615 PURSUANT TO THIS AFFIDAVIT OF NON-COMPLIANCE, THE CITY OF ALACHUA WILL SEEK AN ORDER FROM THE CODE ENFORCEMENT SPECIAL MAGISTRATE TO IMPOSE FINES AND LIENS.**

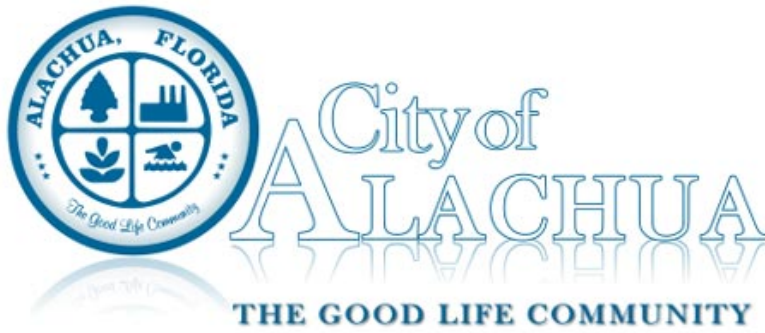
**IF THE ORDER IS GRANTED, A CERTIFIED COPY OF THE ORDER IMPOSING FINES AND LIENS MAY BE RECORDED IN THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, AND SHALL THEREAFTER CONSTITUTE A LIEN AGAINST THE ABOVE DESCRIBED PROPERTY.**

**IF YOU CANNOT ATTEND THE HEARING, BUT DESIRE TO BE HEARD ON THIS MATTER YOU MUST CONTACT LINNELLE STEWART DIRECTLY AT 386-418-6127 OR EMAIL [LI\\_STEWART@CITYOFALACHUA.ORG](mailto:LI_STEWART@CITYOFALACHUA.ORG) OR U.S. MAIL A REQUEST TO P.O. BOX 9, ALACHUA, FLORIDA, 32616.**

I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to Walker & Walker & Walker by certified mail return receipt requested on this 28 day of March, 2024.

  
\_\_\_\_\_  
Linnelle Stewart  
Code Enforcement Officer  
City of Alachua





## Board/Committee Agenda Item

---

**MEETING DATE:** 4/25/2024

**SUBJECT:** Case # 23-0084- Marcelo Valerio Mota, Parcel # 03737-000-000, Case status review

**PREPARED BY:** Linnelle Stewart

**RECOMMENDED ACTION:**

Review case status.

---

### Summary

This case was heard by the Special Magistrate on January 11, 2024. Testimony was given by Code Enforcement Officer Linnelle Stewart. The Respondent was present and participated in the hearing. An Affidavit of Non-Compliance was entered, and the case was set for status review at the next Special Magistrate hearing.

---

### **ATTACHMENTS:**

Description

▣ Request for Hearing

**HEARING BEFORE THE SPECIAL MAGISTRATE  
CITY OF ALACHUA, FLORIDA**

City of Alachua,  
Petitioner

vs.

Case No. E23-0084

MARCELO VALERIO MOTA,  
Respondent

---

**HEARING SET FOR THURSDAY APRIL 25, 2024 AT 10:00AM  
Based Upon a  
REQUEST FOR HEARING BY THE CITY OF ALACHUA  
TO PROVIDE CASE STATUS REVIEW**

**NOTICE OF HEARING- CASE STATUS REVIEW**

A Special Magistrate Hearing will be held on Thursday April 25, 2024 at 10:00am before City of Alachua Special Magistrate at the City of Alachua Commission Chambers, 15100 N.W. 142<sup>nd</sup> Terrace, Alachua, Florida.

If you fail to attend the scheduled Hearing, The Special Magistrate may base any findings and act solely on evidence presented by the Code Enforcement Officer, other witnesses or evidence presented. The entire Code of Ordinances of the City of Alachua (including Part II, Subpart B Land Development Regulations) is available online on the City of Alachua website under "Code of Ordinances". A printed copy is also available for your review at Alachua City Hall, 15100 N.W. 142<sup>nd</sup> Terrace, Alachua, Florida.

The Special Magistrate will receive testimony and evidence at the Hearing, and, if the Special Magistrate finds that you have committed a violation, may issue an Order of Enforcement requiring immediate compliance with the provisions of the Code. If you fail to comply with the Order of Enforcement, the Special Magistrate may issue an Order of Fine requiring you to pay a fine up to \$250.00 per day for each day the violation continues past the date set by the Special Magistrate for compliance. However, if the Special Magistrate finds the violation to be irreparable in nature, he may impose a fine not to exceed \$5,000 per violation.

If you want to request subpoenas for witnesses and evidence to be presented at the Hearing, contact the Code Enforcement Officer at (386)418-6127.

Pursuant to Section 286.0105, Florida Statutes, if any person desires to appeal any decision with respect to a matter considered at a public meeting or hearing of the Code Enforcement Special Magistrate, such person will need a record of the proceedings, and such person may need to ensure that a verbatim record for such purpose is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to Section 162.11, Florida Statutes, either the City of Alachua or a Respondent may appeal a final administrative order of the Code Enforcement Special Magistrate to the Circuit Court in Alachua County, Florida. Such an appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

In accordance with the Americans with Disabilities Act, any person with a disability requiring reasonable accommodation in order to participate in this hearing should call the City Clerk at (386)418-6100, extension 101, at least 48 hours prior to the public hearing.

**PLEASE GOVERN YOURSELVES ACCORDINGLY**

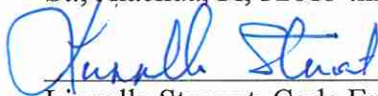
**REQUEST FOR HEARING:**

Pursuant to Section 9.5.2 City of Alachua Land Development Regulations, the Respondent has been provided a reasonable period of time to correct the violations set forth in the foregoing Affidavit of Violation.

A Hearing before the Special Magistrate is hereby requested, to be held on Thursday April 25, 2024 at 10:00AM.

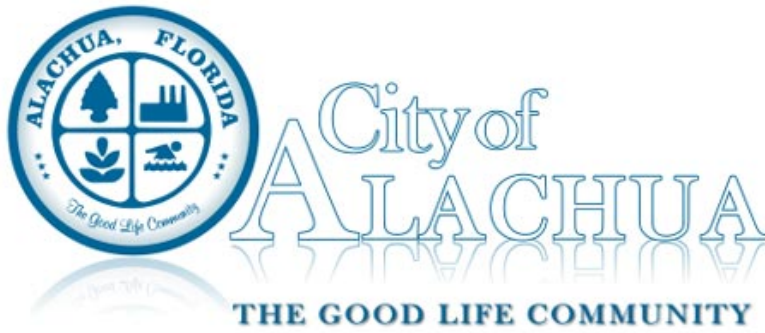
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing has been furnished by certified mail return receipt requested to Marcelo Valerio Mota at 13331 NW 173 St., Alachua, Fl, 32615 this 4 day of April, 2024.



Linnelle Stewart, Code Enforcement Officer





## Board/Committee Agenda Item

---

**MEETING DATE:** 4/25/2024

**SUBJECT:** Approval of January 11, 2024 minutes

**PREPARED BY:** Linnelle Stewart

**RECOMMENDED ACTION:**

Approve January 11, 2024 minutes

---

### Summary

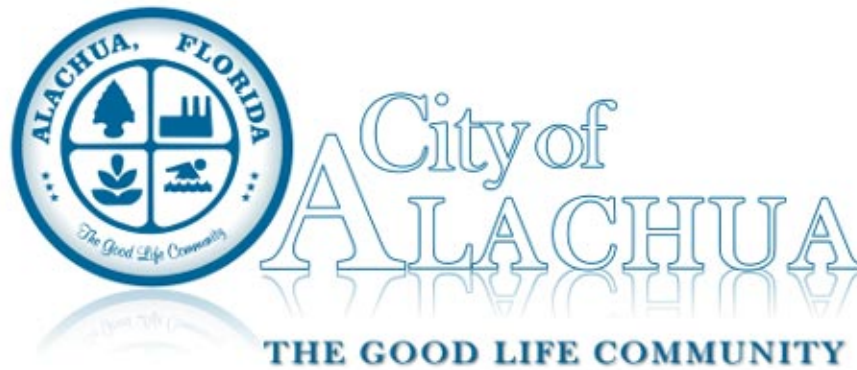
Review and approve January 11, 2024 minutes

---

**ATTACHMENTS:**

Description

☐ Minutes



## **Special Magistrate Hearing Minutes January 11, 2024**

---

Special Magistrate Michael Durham, Esq.

City Manager Mike DaRoza

---

The City Commission will conduct a  
**Special Magistrate Hearing**  
**At 10:00 AM**  
to address the item(s) below.

**Meeting Date:** January 11, 2024

**Meeting Location:** James A. Lewis Commission Chambers

Special Magistrate Hearing

**Notice given pursuant to Section 286.0105, Florida Statutes. In order to appeal any decision made at this meeting, you will need a verbatim record of the proceedings. It will be your responsibility to ensure such a record is made.**

### **SPECIAL MAGISTRATE HEARING MEETING MINUTES**

#### **CALL TO ORDER**

Special Magistrate Michael Durham called to order at 10:02 a.m.

#### **PLEDGE TO THE FLAG**

Led by Special Magistrate Durham.

#### **APPROVAL OF THE AGENDA**

Special Magistrate Durham asked for changes to the agenda.

Code Enforcement Officer Linnelle Stewart requested the following changes:

1. Removal of Item D, Case#23-0053- Ariel Shaur, Parcel #03095-002-000, Affidavit of Compliance.
2. Removal of Item J, Case # 23-0097- Om Namah Shivaay LLC, Parcel # 03583-000-000, Violation of one section of the Code– Property is now compliant.

Special Magistrate Durham asked if there were any objections to the changes to the agenda.

There were no objections.

Special Magistrate Durham stated the agenda was adopted as amended.

## **I. OLD BUSINESS**

- A. Case # 23-0116- Moore & Tweed, Parcel # 03195-005-022, Affidavit of Compliance

Code Enforcement Officer Stewart stated the property is now compliant and no fines were assessed.

Special Magistrate Durham accepted Affidavit of Compliance.

- B. Case # 23-0082- Michael & Caroline Douglas, Parcel # 03968-030-000, Affidavit of non-compliance

Special Magistrate Durham asked for a representative of the property to come forward.

Property owner Mike Douglas presented photos.

Special Magistrate Durham asked if the photographs were an accurate description of the property.

Mr. Douglas stated it was.

Special Magistrate Durham moved to place the photos in evidence.

Special Magistrate Durham found a violation of the Code as cited in the notice of violation, with an extended compliance date of February 12, 2024. He stated a \$100.00 fine per day may be assessed against the property should the property remain noncompliant.

- C. Case # 23-0129- Argueta & Giraldo, Parcel # 03442-002-001, Affidavit of Non-Compliance

Special Magistrate Durham called for the representative of the property.

No one came forward.

Special Magistrate Durham asked if there had been any communication with the property owner.

Code Enforcement Officer Stewart stated the property owner has submitted permit applications but believes they were denied.

Special Magistrate Durham asked if the owner was notified of this hearing.

Code Enforcement Officer Stewart stated yes.

Special Magistrate Durham accepted the Affidavit of Non-Compliance. A fine of \$100.00 per day will begin to accrue against the property beginning on the compliance deadline.

Case was reopened with respondent being available at this time.

Property owner, Mr. Giraldo, presented information.

Special Magistrate Durham - new finding - found a violation of the Code as cited in the notice of violation, with an extended compliance date of February 12, 2024. He stated a \$100.00 fine per day may be assessed against the property should the property remain noncompliant.

- D. Case # 23-0053- Ariel Shaur, Parcel # 03095-002-000, Affidavit of Non-Compliance

Affidavit of Compliance.

- E. Case # 22-0203- Ivan & Galina Kolomyiko, Parcel # 03129-001-000, Status review

Special Magistrate Durham asked for a representative of the property to come forward.

No one came forward.

Code Enforcement Officer Stewart stated the property owner does have an approved plan and a company ready to install. The install company is requesting the work be delayed until spring.

City has no objections to waiting until spring.

Special Magistrate Durham approved and set a status review at the April 25, 2024, meeting. He stated a \$100.00 fine per day from the date of compliance may be assessed against the property should the property remain noncompliant.

- F. Case # 23-0084- Marcelo Valerio Mota, Parcel # 03737-000-000, Affidavit of Non-Compliance

Code Enforcement Officer Stewart stated the property owner did get permission from the building official to board up the structure to keep it safe until such time he could demolish the structure.

The large majority of the outside debris has been removed.

Special Magistrate Durham asked if this now brought the property owner into the one year provision of demolition or abatement because the property is considered safe.

The building official Tim Hunt affirmed this fact.

Special Magistrate Durham approved and set a status review at the April 25, 2024 meeting.

- G. Case # 22-0084- Willie James Washington Heirs, Parcel # 03240-007-000, Affidavit of Non Compliance

Special Magistrate Durham asked for a representative of the property to come forward.

No one came forward.

Special Magistrate Durham accepted the Affidavit of Non-Compliance. A fine of \$100.00 per day will begin to accrue against the property.

## **II. NEW BUSINESS**

- H. Approval of October 12, 2023 minutes

Minutes for October 12, 2023 meeting were approved by Special Magistrate Durham.

- I. Case # 23-0209- Baris Enterprises Inc., Parcel # 03235-007-000, Violation of one section of the Code

Code Enforcement Officer Stewart presented the case to Special Magistrate Durham.

Property owner was contacted about a tree removal permit and the owner states that he was unaware and does not know who the applicant was. The permit was not processed.

A contractor cleared the land and removed the tree without the property owner's approval.

Subsequently, the tree was removed without a permit.

Special Magistrate Durham called for the representative of the property.  
Property owner Brent Baris came forward to present information.

Special Magistrate Durham asked Code Enforcement Officer Stewart for recommendations for appropriate fines in this case, as it is an irreparable harm situation.

Code Enforcement Officer Stewart stated the City could evaluate and assess a fine based on formulas in the code.

Special Magistrate Durham approved and set a status review at the April 25, 2024 meeting.

- J. Case # 23-0097- Om Namah Shivaay LLC, Parcel # 03583-000-000, Violation of one section of the Code

Not heard.

- K. Case # 23-0120- Central Motor Supply of Alachua Inc., Parcel # 03370-000-000, Violation of one section of the Code

Code Enforcement Officer Stewart presented the case to Special Magistrate Durham.

Special Magistrate Durham called for the representative of the property.  
Property owner James Stanley came forward to present information. He states that he does not own the real property that the sign is on.

Special Magistrate Durham approved a continuance until further information could be ascertained about the property ownership.

- L. Case #23-0111- Stalbaum & Stalbaum, Parcel # 03066-001-000, Violation of one section of the Code.

Code Enforcement Officer Stewart presented the case to Special Magistrate Durham.

Property owner Tyler Stalbaum came forward to present information. He states that they took down the larger sign and it will be removed but they are requesting further information concerning language definition in the code to bring the smaller sign into compliance.

Special Magistrate Durham accepted photos into evidence.

Special Magistrate Durham asked Code Enforcement Officer Stewart for specific actions the City was asking for to bring the property into compliance.

Code Enforcement Officer Stewart stated that if the property owner can provide the dimensions of the sign, the City could determine if the old sign can be modified to conform with code.

Special Magistrate Durham made a factual finding of a violation of a non- conforming use for the larger sign.

Special Magistrate Durham approved and set an extension of 30 days, February 12, 2024, to have the larger sign removed from the property.

Special Magistrate Durham set a continuance for the smaller sign until the April 25, 2024 meeting.

- M. Case # 23-0165- Kya Dawn Bryan, Parcel # 03360-015-000, Violation of one section of the code  
Code Enforcement Officer Stewart presented the case to Special Magistrate Durham.

Property owner was contacted about the issue.

Special Magistrate Durham called for the representative of the property.

No one came forward.

Special Magistrate Durham asked if the owner was notified of this hearing.

Code Enforcement Officer Stewart stated yes, by regular mail and by certified mail.

Special Magistrate Durham asked Code Enforcement Officer Stewart for specific actions the City was asking for to bring the property into compliance.

Code Enforcement Officer Stewart responded.

Special Magistrate Durham found a violation of the Code as cited in the notice of violation, with a compliance date of January 25, 2024. He stated a \$100.00 fine per day may be assessed against the property should the property remain noncompliant.

- N. Case # 23-0152- John Kimball, Parcel # 03531-034-000, Violation of two sections of the Code  
Code Enforcement Officer Stewart presented the case to Special Magistrate Durham.

Property owner was contacted about the issue.

Special Magistrate Durham called for the representative of the property.  
Property owner John Kimball came forward to present information.  
Special Magistrate Durham accepted photos into evidence.

Special Magistrate Durham asked if the photographs were an accurate description of the property.

Mr. Kimball stated it was not.

He states the debris has been cleaned up, the weeds and grass have been mowed down and he has contacted his roofer for quotes.

Special Magistrate Durham made a finding of compliance with code concerning the grass, weeds and debris.

Special Magistrate Durham found a violation of the Code concerning the roof with a compliance date of February 12, 2024, with re-assessment at the April 25, 2024 meeting.

- O. Case # 23-0187- Gurpreet Kaur LLC, Parcel # 03735-000-000, Violation of one section of the Code

Code Enforcement Officer Stewart presented the case to Special Magistrate Durham.

Special Magistrate Durham asked for a representative of the property to come forward.

Property owner Gurpriet Kaur came forward to present information.

Special Magistrate Durham continued the case to the April 25, 2024 meeting, but encouraged the property owner to have the relevant permits secured by February 12, 2024.

- P. Case # 23-0189- Walker & Walker & Walker, Parcel # 03234-005-001, Violation of two sections of the Code

Code Enforcement Officer Stewart presented the case to Special Magistrate Durham.

Special Magistrate Durham found a violation of the Code as cited in the notice of violation, with a compliance date of February 12, 2024. He stated a \$100.00 fine per day may be assessed against the property should the property remain noncompliant.

Post the orders on the property, city hall and send mail regular and certified.

- Q. Case # 23-0172- Adriana Cedeno, Parcel # 03316-029-000, Violation of one section of the Code  
Code Enforcement Officer Stewart presented the case to Special Magistrate Durham.

Special Magistrate Durham called for the representative of the property.



No one came forward.

Special Magistrate Durham asked if there had been any communication with the property owner.

Notice was sent to the address on the Tax collector's website. The receipt for the notice of hearing was returned signed but the signature is not legible.

Attempts to make contact with the property owner were not successful.

Special Magistrate Durham found a violation of the Code as cited in the notice of violation, with a compliance date of February 12, 2024. He stated a \$150.00 fine per day may be assessed against the property should the property remain noncompliant.

Special Magistrate Durham found that if conditions worsen and he receives an affidavit of non-compliance by the city code enforcement officer, he authorizes the city to take all necessary actions within its code to make the conditions safe.

## **ADJOURN**

Special Magistrate Durham adjourned the meeting at 11:38 a.m.

ATTEST:

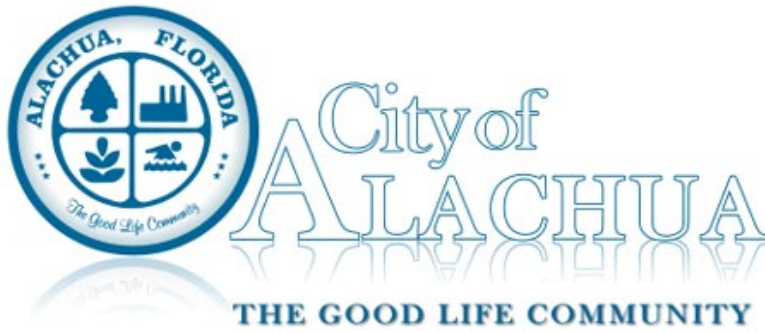
SPECIAL MAGISTRATE HEARING OF THE  
CITY OF ALACHUA, FLORIDA

---

Special Magistrate

---

Code Enforcement Officer



## Board/Committee Agenda Item

**MEETING DATE:** 4/25/2024

**SUBJECT:** Case # 24-0044- Andrew Taylor, Parcel # 05900-612-009, Violation of one section of the Code

**PREPARED BY:** Linnelle Stewart

**RECOMMENDED ACTION:**

Conduct Special Magistrate Hearing scheduled for 10 AM April 25, 2024.

### Summary

The subject property owner (Respondent) has been found to be in violation of the City of Alachua Code of Ordinances. The legal description of the subject property (Property) is TURKEY CREEK UNIT 6 PB K-95 LOT 10 BK 12 (LESS THE N1/2 PER OR 2477/603) ALSO THE NLY 30 FT OF LOT 11 OR 4815/1904. The tax parcel ID listed in the Alachua County Property Appraiser records is 05900-612-009, and the Property location address is 6548 NW 109 Pl., Alachua, FL 32615.

A Request for Hearing and Affidavit of Violations was filed on April 3, 2024 by Code Enforcement Officer Linnelle Stewart setting forth relevant and adequate facts to establish the cited violations of City Code. The Request for Hearing announcing and setting a hearing to take testimony and otherwise consider the alleged violations was set for April 25, 2024 in the Alachua City Commission Chambers, 15100 NW 142 Terrace, Alachua, Florida. The Respondent was served the Notice of Hearing and Affidavit of Violations by certified mail, return receipt requested, sent to Andrew Taylor at 918 Turkey Creek, Alachua, FL 32615.

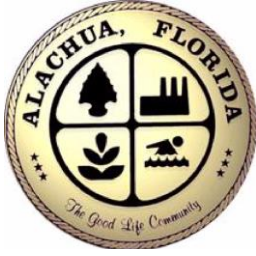
The Code of Ordinances of the City of Alachua, including Part II, Subpoart B- Land Development Regulations, is published on the CItY of Alachua website under "Code of Ordinances" and a copy is available for review at City Hall. Specifically, the Respondent continues to be in violation of the following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

a. Building without approved permit and inspections.

### **ATTACHMENTS:**

#### Description

- ▢ Notice of Violation
- ▢ Request for Hearing
- ▢ emails
- ▢ Owner builder affidavit



City of Alachua  
Office of Codes Enforcement  
P.O. Box 9  
Alachua, FL 32616  
386-418-6120 ph.  
386-418-6130 fax

## NOTICE OF VIOLATION

CASE NUMBER: E24-0044  
VIOLATOR: Andrew Taylor  
MAILING ADDRESS: 918 Turkey Creek, Alachua, FL 32615  
LOCATION ADDRESS: 6548 NW 109 Pl., Alachua, FL 32615  
PARCEL TAX ID NUMBER: 05900-612-009

---

**YOU ARE HEREBY NOTIFIED THAT YOU ARE IN VIOLATION OF THE CITY OF  
ALACHUA, FLORIDA CODE OF ORDINANCES AS SET FORTH BELOW**

**VIOLATION(S): PERMIT REVOKED. BUILDING WITHOUT APPROVED PERMIT. WORK  
CONTINUING WITHOUT APPROVED INSPECTIONS.**

**IN VIOLATION OF:** City of Alachua Code of Ordinances Section 8-29, Florida Building Code Section 105.1, Any *owner* or owner's authorized agent who intends to construct, enlarge, alter, *repair*, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, *repair*, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the *building official* and obtain the required *permit*.  
Section 110.1, Construction or work for which a *permit* is required shall be subject to inspection by the building official and such construction or work shall remain exposed and provided with access for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the *owner* or the owner's authorized agent to cause the work to remain exposed and provided with access for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

**COMPLIANCE DEADLINE: 02/21/2024**

You are hereby notified that you are currently in violation of the City of Alachua Code of Ordinances. You have until 4 PM local time on 02/21/2024 to correct the violations. If the violations are corrected and then recur or if the violations are not corrected by the time specified, this case will be presented to the City of Alachua Special Magistrate and fine and costs will be sought by the City. (F.S.S. 162.06(2) and Code of Ordinances Sec. 12-27)

The owner of property that is subject to code enforcement proceedings is charged with serious legal responsibilities in the event of a sale between the time the initial pleading is served and the time of the hearing. (F.S.S. 162.06(5) and Code of Ordinances Sec. 12-30)

If you have any questions, contact Code Enforcement at (386)418-6120. Your cooperation in this matter is sought in the interest of public safety.

Enforcement Officer's Signature

A handwritten signature in blue ink, reading "Kinnell Stuart", written over a horizontal line.

Date 02/07/2024

**HEARING BEFORE THE SPECIAL MAGISTRATE  
CITY OF ALACHUA, FLORIDA**

City of Alachua,  
Petitioner

vs.

Case No. E24-0044

ANDREW TAYLOR,  
Respondent

\_\_\_\_\_/

**HEARING SET FOR THURSDAY APRIL 25, 2024 AT 10:00AM  
Based Upon a  
REQUEST FOR HEARING BY THE CITY OF ALACHUA  
WITH A SUPPORTING AFFIDAVIT OF VIOLATIONS**

**NOTICE OF HEARING**

A Special Magistrate Hearing will be held on Thursday April 25, 2024 at 10:00am before City of Alachua Special Magistrate at the City of Alachua Commission Chambers, 15100 N.W. 142<sup>nd</sup> Terrace, Alachua, Florida.

If you fail to attend the scheduled Hearing, The Special Magistrate may base any findings and act solely on evidence presented by the Code Enforcement Officer, other witnesses or evidence presented. The entire Code of Ordinances of the City of Alachua (including Part II, Subpart B Land Development Regulations) is available online on the City of Alachua website under "Code of Ordinances". A printed copy is also available for your review at Alachua City Hall, 15100 N.W. 142<sup>nd</sup> Terrace, Alachua, Florida.

The Special Magistrate will receive testimony and evidence at the Hearing, and, if the Special Magistrate finds that you have committed a violation, may issue an Order of Enforcement requiring immediate compliance with the provisions of the Code. If you fail to comply with the Order of Enforcement, the Special Magistrate may issue an Order of Fine requiring you to pay a fine up to \$250.00 per day for each day the violation continues past the date set by the Special Magistrate for compliance. However, if the Special Magistrate finds the violation to be irreparable in nature, he may impose a fine not to exceed \$5,000 per violation.

If you want to request subpoenas for witnesses and evidence to be presented at the Hearing, contact the Code Enforcement Officer at (386)418-6127.

Pursuant to Section 286.0105, Florida Statutes, if any person desires to appeal any decision with respect to a matter considered at a public meeting or hearing of the Code Enforcement Special Magistrate, such person will need a record of the proceedings, and such person may need to ensure that a verbatim record for such purpose is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to Section 162.11, Florida Statutes, either the City of Alachua or a Respondent may appeal a final administrative order of the Code Enforcement Special Magistrate to the Circuit Court in Alachua County, Florida. Such an appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

In accordance with the Americans with Disabilities Act, any person with a disability requiring reasonable accommodation in order to participate in this hearing should call the City Clerk at (386)418-6100, extension 101, at least 48 hours prior to the public hearing.

**PLEASE GOVERN YOURSELVES ACCORDINGLY**



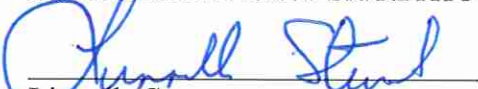
## AFFIDAVIT OF VIOLATION

STATE OF FLORIDA  
COUNTY OF ALACHUA

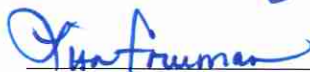
BEFORE ME, the undersigned authority personally appeared LINNELLE STEWART, ("Affiant"), who being duly sworn says:

1. I am currently employed, and have served as Code Enforcement Officer for the City of Alachua since March 2006.
2. I am over the age of 21, sui juris and have personal knowledge of the information set forth in this Affidavit.
3. The legal description of the subject property (Property) is TURKEY CREEK UNIT 6 PB K-95 LOT 10 BK 12 (LESS THE N1/2 PER OR 2477/603) ALSO THE NLY 30 FT OF LOT 11 OR 4815/1904 The tax parcel ID listed in the Alachua County Property Appraiser records is 05900-612-010, and the Property location address is 6548 NW 109 Pl., Alachua, Fl, 32615.
4. A Notice of Violation was mailed to the Property via certified mail on February 7, 2024 citing violation of City of Alachua Code of Ordinances Section 8-29, Florida Building Code Sections 105.1 and 110.1 with a compliance deadline set for February 21, 2024.
5. An inspection was conducted on February 21, 2024 and the Property remained in violation.

FURTHER AFFIANT SAYETH NAUGHT.

  
Linnelle Stewart

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this  day of April, 2024, by LINNELLE STEWART who executed the same and has  produced a Florida driver's license as identification or ☒ is personally known to me.

  
Signature of Notary  
Print name: Lisa Freeman  
Notary Public, State of Florida  
My Commission expires: June 10, 2026



LISA FREEMAN  
Commission # HH 253154  
Expires June 10, 2026

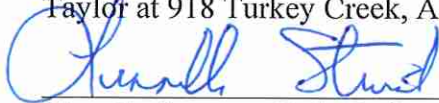
**REQUEST FOR HEARING:**

Pursuant to Section 9.5.2 City of Alachua Land Development Regulations, the Respondent has been provided a reasonable period of time to correct the violations set forth in the foregoing Affidavit of Violation.

A Hearing before the Special Magistrate is hereby requested, to be held on Thursday April 25, 2024 at 10:00AM.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing and Affidavit of Violation has been furnished by certified mail return receipt requested to Andrew Taylor at 918 Turkey Creek, Alachua, Fl, 32615 this 3 day of April, 2024.



\_\_\_\_\_  
Linnelle Stewart, Code Enforcement Officer

From: "Rob Lash" <rob@moodysalzman.com>  
Sent: Thu, 25 Jan 2024 16:13:45 -0500 (EST)  
Subject: Andrew Taylor  
To: "ti\_hunt@cityofalachua.org" <ti\_hunt@cityofalachua.org>

---

Tim, please be advised that I do NOT represent Mr. Taylor.  
Sent from my iPhone

From: "Donna D. ODell" <donna@moodyzalzman.com>  
Sent: Thu, 25 Jan 2024 10:38:52 -0500 (EST)  
Subject: Re: 6548 NW 109th PL  
To: "Timothy Hunt" <ti\_hunt@cityofalachua.org>, "ANDREW TAYLOR" <andresoo7@cs.com>, "Rob Lash" <rob@moodyzalzman.com>

---

Have a great day.

Get [Outlook for iOS](#)

---

From: Timothy Hunt <ti\_hunt@cityofalachua.org>  
Sent: Thursday, January 25, 2024 10:35:52 AM  
To: Donna D. O'Dell <donna@moodyzalzman.com>; ANDREW TAYLOR <andresoo7@cs.com>; Rob Lash <rob@moodyzalzman.com>  
Subject: Re: 6548 NW 109th PL

Thank you, Donna

Thank you.

Tim Hunt CBO, FPM  
Building Official  
Flood Plain Manager  
City of Alachua  
Mobile: (386) 853-0280  
Office: (386) 418-6182  
Email: Ti\_Hunt@cityofalachua.org

*Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.*

---

From: Donna D. O'Dell <donna@moodyzalzman.com>  
Sent: Thursday, January 25, 2024 8:00 AM  
To: Timothy Hunt; ANDREW TAYLOR; Rob Lash  
Subject: Re: 6548 NW 109th PL

Good morning Mr. Hunt, I just wanted to let you know that I am no longer in the office at Moody, Salzman, Lash & Locigno's office. I moved and work remotely doing real estate closings only. Therefore, please make sure to copy Rob in any and all emails.

Have a great day.

Sincerely,  
Get [Outlook for iOS](#)

---

From: Timothy Hunt <ti\_hunt@cityofalachua.org>  
Sent: Thursday, January 25, 2024 7:52:19 AM  
To: ANDREW TAYLOR <andresoo7@cs.com>  
Cc: Donna D. O'Dell <donna@moodyzalzman.com>  
Subject: 6548 NW 109th PL

Mr. Taylor

I found your new home construction to have work covered up without approved inspections as required by Florida Building Code (FBC) 110.3. It was also found that the north section of the rear porch has been enclosed and not part of the reviewed plans and you have listed the home for sale. A stop work order has been issued on this project and the permit has been revoked. You must hire a contractor to complete this project.

Thank you.

Tim Hunt CBO, FPM  
Building Official  
Flood Plain Manager  
City of Alachua  
Mobile: (386) 853-0280  
Office: (386) 418-6182  
Email: Ti\_Hunt@cityofalachua.org

*Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.*

---

From: Timothy Hunt  
Sent: Monday, July 24, 2023 3:31 PM  
To: Kristy Thornton; Julia Stewart  
Cc: ANDREW TAYLOR  
Subject: Re: inspection

Kristy/ Julia,

Please replay with Mr. Taylor's inspections results for today. P03-23-1196

Thank you.

Tim Hunt C.B.O, F.P.M  
Building Official  
Flood Plain Manager  
City of Alachua  
Cell- (386) 853-0280  
Office- (386) 418-6182  
Email- Ti\_Hunt@cityofalachua.org

CC: "Marian Rush" <marian@robertarushpa.com>, "rob@moodysalzman.com" <rob@moodysalzman.com>, "Kathy Winburn" <ka\_winburn@cityofalachua.org>, "Rodolfo Valladares" <ro\_valladares@cityofalachua.org>  
From: "Timothy Hunt" <ti\_hunt@cityofalachua.org>  
Sent: Thu, 25 Jan 2024 14:25:20 -0500 (EST)  
Subject: Re: inspections  
To: "ANDREW TAYLOR" <andresoo7@cs.com>

---

Mr. Taylor,

Moving forward, all communication must go through the city attorney Marian Rush.

Thank you.

Tim Hunt CBO, FPM  
Building Official  
Flood Plain Manager  
City of Alachua  
Mobile: (386) 853-0280  
Office: (386) 418-6182  
Email: TI\_Hunt@cityofalachua.org

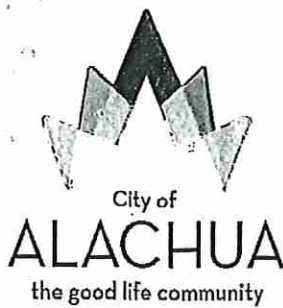
*Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.*

---

From: ANDREW TAYLOR <andresoo7@cs.com>  
Sent: Thursday, January 25, 2024 10:52 AM  
To: Timothy Hunt  
Subject: Re: inspections

Mr Hunt  
I don't respond to dictators, always been one rule for Mr Hope and one for me.  
The previous builder didn't follow his own plans but you always looked the other way and passed his inspections regardless.  
See you in court.  
Andrew Taylor  
Sent from my iPhone



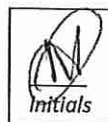


**CITY OF ALACHUA BUILDING DEPARTMENT**  
**OWNER-BUILDER DISCLOSURE STATEMENT**  
(Per Florida Statute F-S 489.103.7.b)

**PLEASE READ THE STATEMENT BELOW CAREFULLY. FAILURE TO COMPLY WITH THIS STATEMENT SHALL RESULT IN YOUR PERMIT BEING REVOKED BY THE BUILDING OFFICIAL AND MAY RESULT WITH THE PENALTIES OF PERJURY.**



I understand that State law requires construction to be done by licensed contractor and have applied for an owner/builder permit under an **exemption** to that law. The exemption specifies that I, as the owner of the property listed, may act as my own contractor with certain restrictions even though I do not have a license. Corporations per AGO 91-05 do not qualify for Owner Builder permits.



I understand that building permits are not required to be signed by a property owner unless he or she is responsible for the construction and is not hiring a licensed contractor to assume responsibility.



I understand that, as an owner-builder, I am the responsible party of record on a permit. I understand that I may protect myself from potential financial risk by hiring a licensed contractor and having the permit filed in his or her name instead of my own name. I also understand that a contractor is required by law to be licensed in Florida and to list his or her license numbers on permits and contracts.



I understand that I may build or improve a one-family or two-family residence or a farm outbuilding. I may also build or improve a commercial building if the costs do not exceed \$75,000. The building or residence must be for my own use or occupancy. It may not be built or substantially improved for sale or lease. If a building or residence that I have built or substantially improved myself is sold or leased within 1 year after the construction is complete, the law will presume that I built or substantially improved it for sale or lease, which violates the exemption.



I understand that, as the owner-builder, I must provide direct, onsite supervision of the construction. I understand that I may not hire an unlicensed person to act as my contractor or to supervise persons working on my building or residence. It is my responsibility to ensure that the persons whom I employ have the licenses required by law and by county or municipal ordinance.



I understand that it is a frequent practice of unlicensed persons to have the property owner obtain an owner-builder permit that erroneously implies that the property owner is providing his or her own labor and materials. I, as an owner-builder, may be held liable and subjected to serious financial risk for any injuries sustained by an unlicensed person or his or her employees while working on my property. My homeowner's insurance may not provide coverage for those injuries. I am willfully acting as an owner-builder and am aware of the limits of my insurance coverage for injuries to workers on my property.



I understand that I may not delegate the responsibility for supervising work to a licensed contractor who is not licensed to perform the work being done. Any person working on my building who is not licensed must work under my direct supervision and must be employed by me, which means that I must comply



The undersigned applicant agrees to comply with the provisions as outlined herein and with all Federal, State, and Local codes. It is further understood that a violation of any applicable code may result in a stop work order being issued and a cessation of all work until such violation has been remedied. The undersigned applicant for this building permit does hereby certify that Applicant has or will, prior to the performance of any work in connection with the authorization granted under this permit, comply with the provisions of the: Florida Workman's Compensation Act; Social Security Act; Florida Child Labor Laws; Contractor's/Employer's Liability Insurance Requirements; and all other applicable Federal, State, and Local laws, a violation of which may invoke penalties.

Under penalties of perjury I declare that I have read the foregoing document and that facts stated are true, correct and in compliance with the applicable regulations. F.S.92.525

Owner/Builder Signature: Andrew Taylor Date: 3/21/2023  
Printed Name: ANDREW TAYLOR

STATE OF Florida  
COUNTY OF Alachua

I hereby certify that on this day, Andrew Taylor personally appeared before me, by means of ☒ physical presence or ☐ online notarization, who is personally known to me or who has produced FL DL as identification, who is the person described in and who executed the foregoing instrument and who acknowledged before me that they executed the same for the uses and purposes therein expressed.

Witnessed by my hand and official seal, this 21<sup>st</sup> day of March, 2023.

Julia Cone  
Signature of Notary



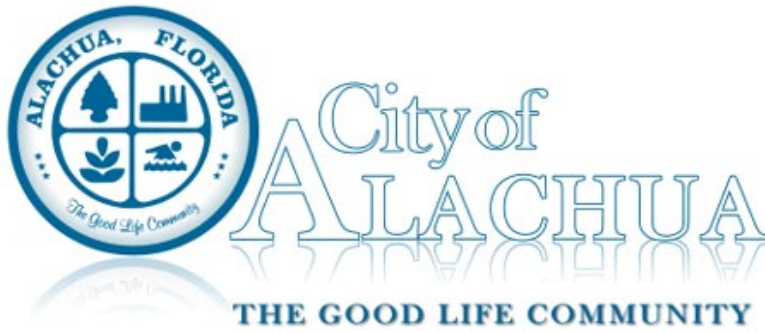
JULIA CONE  
Commission # HH 295862  
Expires August 1, 2026

(Seal)

**\*NOTICE:** Permit is void if construction is not started within 180 days or does not receive an approved inspection within 180 days from date of issue. An approved inspection will extend the permit for an additional 180 days. Starting work prior to issuance of a permit may result in a penalty fee of up to four times the permit fee.

**\*A recorded Notice of Commencement is required in the Permitting Office prior to the first inspection for all construction costs exceeding \$2,500.00.**

**\*Construction Cost Includes:** All Material, equipment, appliances, and labor (everything except design costs)



## Board/Committee Agenda Item

**MEETING DATE:** 4/25/2024

**SUBJECT:** Case # 23-0168- RKD Homes LLC, Parcel # 03375-000-000, Violation of one section of the Code

**PREPARED BY:** Linnelle Stewart

**RECOMMENDED ACTION:**

Conduct Special Magistrate Hearing scheduled for 10 AM April 25, 2024.

### Summary

The subject property owner (Respondent) has been found to be in violation of the City of Alachua Code of Ordinances. The legal description of the subject property (Property) is DOWNING ADDN PB C-79 C LOTS 6 7 8 9 BK 8 ALL LYING S OF US 441 AS PER PBC-79-C ALSO ABANDONED RR/W S OF BLK 8 BETWEEN PROJECTED LINES OF W LINE LOT 8 & E LINE LOT 9 BLK 8 ALSO E 3 FT OF NE 3RD ST ADJ TO BLK 8 (LESS COM INT OF W/L SEC & C/L OF ABND RR R/W. The tax parcel ID listed in the Alachua County Property Appraiser records is 03375-000-000, and the Property location address is 14980 NW US Highway 441, Alachua, FL 32615.

A Request for Hearing and Affidavit of Violations was filed on April 2, 2024 by Code Enforcement Officer Linnelle Stewart setting forth relevant and adequate facts to establish the cited violations of City Code. The Request for Hearing announcing and setting a hearing to take testimony and otherwise consider the alleged violations was set for April 25, 2024 in the Alachua City Commission Chambers, 15100 NW 142 Terrace, Alachua, Florida. The Respondent was served the Notice of Hearing and Affidavit of Violation by certified mail, return receipt requested, sent to RKD Homes LLC at 10304 W SR 235, Alachua, FL 32615.

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

a. Signs installed without appropriate permit.

### ATTACHMENTS:

Description

- ☐ Notice of Violation
- ☐ Request for Hearing
- ☐ photo



*City of Alachua  
Office of Codes Enforcement  
P.O. Box 9  
Alachua, Fl, 32616  
386-418-6120 ph.  
386-418-6130 fax*

## **NOTICE OF VIOLATION**

CASE NUMBER: E23-0168

VIOLATOR: RKD Homes LLC Registered Agent- Sakichand Dalchand

MAILING ADDRESS: 10304 W SR 235, Alachua, Fl, 32615

LOCATION ADDRESS: 14980 NW US Hwy 441, Alachua, Fl, 32615

PARCEL TAX ID NUMBER: 03375-000-000

---

**YOU ARE HEREBY NOTIFIED THAT YOU ARE IN VIOLATION OF THE CITY OF  
ALACHUA, FLORIDA CODE OF ORDINANCES AS SET FORTH BELOW**

### **VIOLATION(S): PERMIT REQUIRED FOR SIGNS**

**IN VIOLATION OF:** City of Alachua Code of Ordinances Subpart B, Land Development Regulations Section 2.4.11(A) Signs regulated by Section 6.5, Signage, but not covered by the provisions of general sign permits, shall be erected, installed, or created only in accordance with a duly issued and valid sign permit from the Land Development Regulations Administrator.

### **COMPLIANCE DEADLINE: November 2, 2023**

You are hereby notified that you are currently in violation of the City of Alachua Code of Ordinances. You have until 4 PM local time on November 2, 2023 to correct the violations. If the violations are corrected and then recur or if the violations are not corrected by the time specified, this case will be presented to the City of Alachua Special Magistrate and fine and costs will be sought by the City. (F.S.S. 162.06(2) and Code of Ordinances Sec. 12-27)

The owner of property that is subject to code enforcement proceedings is charged with serious legal responsibilities in the event of a sale between the time the initial pleading is served and the time of the hearing. (F.S.S. 162.06(5) and Code of Ordinances Sec. 12-30)

If you have any questions, contact Code Enforcement at (386)418-6120. Your cooperation in this matter is sought in the interest of public safety.

Enforcement Officer's Signature

Date 10/19/2023

**HEARING BEFORE THE SPECIAL MAGISTRATE  
CITY OF ALACHUA, FLORIDA**

City of Alachua,  
Petitioner

vs.

Case No. E23-0168

RKD HOMES LLC,  
Respondent

\_\_\_\_\_/

**HEARING SET FOR THURSDAY APRIL 25, 2024 AT 10:00AM  
Based Upon a  
REQUEST FOR HEARING BY THE CITY OF ALACHUA  
WITH A SUPPORTING AFFIDAVIT OF VIOLATIONS**

**NOTICE OF HEARING**

A Special Magistrate Hearing will be held on Thursday April 25, 2024 at 10:00am before City of Alachua Special Magistrate at the City of Alachua Commission Chambers, 15100 N.W. 142<sup>nd</sup> Terrace, Alachua, Florida.

If you fail to attend the scheduled Hearing, The Special Magistrate may base any findings and act solely on evidence presented by the Code Enforcement Officer, other witnesses or evidence presented. The entire Code of Ordinances of the City of Alachua (including Part II, Subpart B Land Development Regulations) is available online on the City of Alachua website under "Code of Ordinances". A printed copy is also available for your review at Alachua City Hall, 15100 N.W. 142<sup>nd</sup> Terrace, Alachua, Florida.

The Special Magistrate will receive testimony and evidence at the Hearing, and, if the Special Magistrate finds that you have committed a violation, may issue an Order of Enforcement requiring immediate compliance with the provisions of the Code. If you fail to comply with the Order of Enforcement, the Special Magistrate may issue an Order of Fine requiring you to pay a fine up to \$250.00 per day for each day the violation continues past the date set by the Special Magistrate for compliance. However, if the Special Magistrate finds the violation to be irreparable in nature, he may impose a fine not to exceed \$5,000 per violation.

If you want to request subpoenas for witnesses and evidence to be presented at the Hearing, contact the Code Enforcement Officer at (386)418-6127.



Pursuant to Section 286.0105, Florida Statutes, if any person desires to appeal any decision with respect to a matter considered at a public meeting or hearing of the Code Enforcement Special Magistrate, such person will need a record of the proceedings, and such person may need to ensure that a verbatim record for such purpose is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to Section 162.11, Florida Statutes, either the City of Alachua or a Respondent may appeal a final administrative order of the Code Enforcement Special Magistrate to the Circuit Court in Alachua County, Florida. Such an appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

In accordance with the Americans with Disabilities Act, any person with a disability requiring reasonable accommodation in order to participate in this hearing should call the City Clerk at (386)418-6100, extension 101, at least 48 hours prior to the public hearing.

**PLEASE GOVERN YOURSELVES ACCORDINGLY**

## AFFIDAVIT OF VIOLATION

STATE OF FLORIDA  
COUNTY OF ALACHUA


BEFORE ME, the undersigned authority personally appeared LINNELLE STEWART, ("Affiant"), who being duly sworn says:

1. I am currently employed, and have served as Code Enforcement Officer for the City of Alachua since March 2006.
2. I am over the age of 21, sui juris and have personal knowledge of the information set forth in this Affidavit.
3. The legal description of the subject property (Property) is DOWNING ADDN PB C-79 C LOTS 6 7 8 9 BK 8 ALL LYING S OF US 441 AS PER PBC-79-C ALSO ABANDONED RR/W S OF BLK 8 BETWEEN PROJECTED LINES OF W LINE LOT 8 & E LINE LOT 9 BLK 8 ALSO E 3 FT OF NE 3RD ST ADJ TO BLK 8 (LESS COM INT OF W/L SEC & C/L OF ABND RR R/W. The tax parcel ID listed in the Alachua County Property Appraiser records is 03375-000-000, and the 911 address is 14980 NW US Hwy 441, Alachua, Fl, 32615.
4. A Notice of Violation was mailed to the Property via certified mail on October 19, 2023 citing violation of City of Alachua Code of Ordinances Subpart B, Land Development Regulations Section 2.4.11(A) with a compliance deadline set for November 2, 2023.
5. An inspection was conducted on November 2, 2023 and the Property remained in violation.

FURTHER AFFIANT SAYETH NAUGHT.

  
Linnelle Stewart

The foregoing instrument was acknowledged before me by means of ☒ physical presence or \_\_\_\_\_ online notarization, this \_\_\_\_\_ day of April, 2024, by LINNELLE STEWART who executed the same and has \_\_\_\_\_ produced a Florida driver's license as identification or ☒ is personally known to me.

  
Signature of Notary  
Print name: Lynnetta Hayes  
Notary Public, State of Florida  
My Commission expires: June 5, 2024



LYNNETTA HAYES  
Commission # GG 955640  
Expires June 5, 2024  
Bonded Thru Budget Notary Services



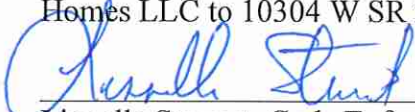
**REQUEST FOR HEARING:**

Pursuant to Section 9.5.2 City of Alachua Land Development Regulations, the Respondent has been provided a reasonable period of time to correct the violations set forth in the foregoing Affidavit of Violation.

A Hearing before the Special Magistrate is hereby requested, to be held on Thursday April 25, 2024 at 10:00AM.

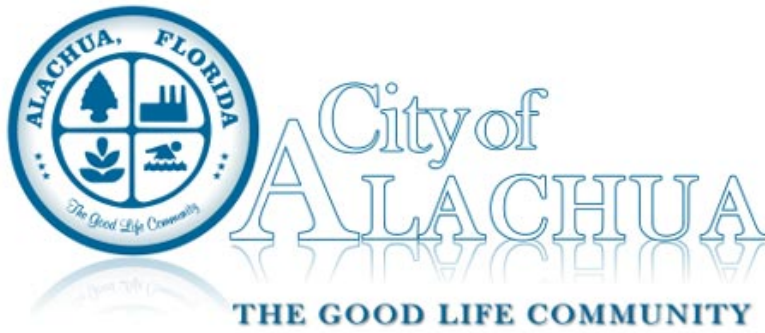
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing and Affidavit of Violation has been furnished by certified mail return receipt requested to RKD Homes LLC to 10304 W SR 235, Alachua, FL, 32615 this 2 day of April, 2024.



\_\_\_\_\_  
Linnelle Stewart, Code Enforcement Officer





## Board/Committee Agenda Item

**MEETING DATE:** 4/25/2024

**SUBJECT:** Case # 24-0043- Pauline Collins Heirs, Parcel # 03235-001-000, Violation of four sections of the code

**PREPARED BY:** Linnelle Stewart

**RECOMMENDED ACTION:**

Conduct Special Magistrate Hearing scheduled for 10 AM April 25, 2024.

### Summary

The subject property owner (Respondent) has been found to be in violation of the City of Alachua Code of Ordinances. The legal description of the subject property (Property) is COLLEGE HEIGHTS PB B-87 LOTS 1-2-3-4 BK C OR 910/753. The tax parcel ID listed in the Alachua County Property appraiser records is 03235-001-000, and the Property location address is 15617 NW 134 Terrace, Alachua, FL 32615.

A Request for Hearing and Affidavit of Violations was filed on April 2, 2024 by Code Enforcement Officer Linnelle Stewart setting forth relevant and adequate facts to establish the cited violation 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 April 25, 2024 in the Alachua City Commission Chambers, 15100 NW 142 Terrace, Alachua, Florida. The Respondent was served the Notice of Hearing and Affidavit of Violations by certified mail, return receipt requested, sent to Pauline Collins Heirs at P.O. Box 1652, Alachua, FL 32616.

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

- a. Prohibited unsafe structure
- b. Prohibited junk and debris storage
- c. Prohibited tall grass and weeds

### **ATTACHMENTS:**

Description

- ☐ Notice of Violation
- ☐ Request for Hearing
- ☐ photos



*City of Alachua  
Office of Codes Enforcement  
P.O. Box 9  
Alachua, Fl, 32616  
386-418-6120 ph.  
386-418-6130 fax*

## **NOTICE OF VIOLATION**

CASE NUMBER: E24-0043

VIOLATOR: Pauline Collins Heirs

MAILING ADDRESS: P.O. Box 1652, Alachua, Fl, 32616

LOCATION ADDRESS: 15617 NW 134<sup>th</sup> Terrace, Alachua, Fl, 32615

PARCEL TAX ID NUMBER: 03235-001-000

---

**YOU ARE HEREBY NOTIFIED THAT YOU ARE IN VIOLATION OF THE CITY OF  
ALACHUA, FLORIDA CODE OF ORDINANCES AS SET FORTH BELOW**

**VIOLATION(S): UNSAFE STRUCTURE. JUNK AND DEBRIS STORAGE. PROPERTY  
NOT BEING MOWED AND MAINTAINED.**

**IN VIOLATION OF:** City of Alachua Code of Ordinances Section 8-30, International Property Maintenance Code Section 113.1. The code official shall order the owner or owner's authorized agent of any premises upon which is located any structure, which in the code official's or owner's authorized agent judgement after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the code official shall order the owner or owner's agent to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the building official.

Section 113.3, If the owner of a premises or owner's authorized agent fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed, either through and available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Section 302.1, Exterior property and premises shall be maintained in a clean, safe, and sanitary condition. The occupant shall keep that part of the exterior property that such occupant occupies in a clean and sanitary condition. Section 302.4, Premises and exterior property shall be maintained free from weeds or plant growth in excess of six inches in height. Noxious weeds

shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

**COMPLIANCE DEADLINE: 02/15/2024**

You are hereby notified that you are currently in violation of the City of Alachua Code of Ordinances. You have until 4 PM local time on 02/15/2024 to correct the violations. If the violations are corrected and then recur or if the violations are not corrected by the time specified, this case will be presented to the City of Alachua Special Magistrate and fine and costs will be sought by the City. (F.S.S. 162.06(2) and Code of Ordinances Sec. 12-27)

The owner of property that is subject to code enforcement proceedings is charged with serious legal responsibilities in the event of a sale between the time the initial pleading is served and the time of the hearing. (F.S.S. 162.06(5) and Code of Ordinances Sec. 12-30)

If you have any questions, contact Code Enforcement at (386)418-6120. Your cooperation in this matter is sought in the interest of public safety.

Enforcement Officer's Signature

A handwritten signature in blue ink, appearing to read "Linnell Stewart", written over a horizontal line.

Date 02/01/2024



**HEARING BEFORE THE SPECIAL MAGISTRATE  
CITY OF ALACHUA, FLORIDA**

City of Alachua,  
Petitioner

vs.

Case No. E24-0043

PAULINE COLLINS HEIRS,  
Respondent

\_\_\_\_\_/

**HEARING SET FOR THURSDAY APRIL 25, 2024 AT 10:00AM  
Based Upon a  
REQUEST FOR HEARING BY THE CITY OF ALACHUA  
WITH A SUPPORTING AFFIDAVIT OF VIOLATIONS**

**NOTICE OF HEARING**

A Special Magistrate Hearing will be held on Thursday April 25, 2024 at 10:00am before City of Alachua Special Magistrate at the City of Alachua Commission Chambers, 15100 N.W. 142<sup>nd</sup> Terrace, Alachua, Florida.

If you fail to attend the scheduled Hearing, The Special Magistrate may base any findings and act solely on evidence presented by the Code Enforcement Officer, other witnesses or evidence presented. The entire Code of Ordinances of the City of Alachua (including Part II, Subpart B Land Development Regulations) is available online on the City of Alachua website under "Code of Ordinances". A printed copy is also available for your review at Alachua City Hall, 15100 N.W. 142<sup>nd</sup> Terrace, Alachua, Florida.

The Special Magistrate will receive testimony and evidence at the Hearing, and, if the Special Magistrate finds that you have committed a violation, may issue an Order of Enforcement requiring immediate compliance with the provisions of the Code. If you fail to comply with the Order of Enforcement, the Special Magistrate may issue an Order of Fine requiring you to pay a fine up to \$250.00 per day for each day the violation continues past the date set by the Special Magistrate for compliance. However, if the Special Magistrate finds the violation to be irreparable in nature, he may impose a fine not to exceed \$5,000 per violation.

If you want to request subpoenas for witnesses and evidence to be presented at the Hearing, contact the Code Enforcement Officer at (386)418-6127.



Pursuant to Section 286.0105, Florida Statutes, if any person desires to appeal any decision with respect to a matter considered at a public meeting or hearing of the Code Enforcement Special Magistrate, such person will need a record of the proceedings, and such person may need to ensure that a verbatim record for such purpose is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to Section 162.11, Florida Statutes, either the City of Alachua or a Respondent may appeal a final administrative order of the Code Enforcement Special Magistrate to the Circuit Court in Alachua County, Florida. Such an appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

In accordance with the Americans with Disabilities Act, any person with a disability requiring reasonable accommodation in order to participate in this hearing should call the City Clerk at (386)418-6100, extension 101, at least 48 hours prior to the public hearing.

**PLEASE GOVERN YOURSELVES ACCORDINGLY**

## AFFIDAVIT OF VIOLATION

STATE OF FLORIDA  
COUNTY OF ALACHUA

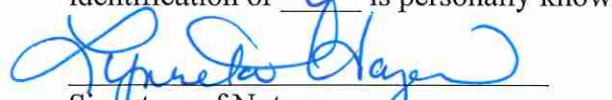
BEFORE ME, the undersigned authority personally appeared LINNELLE STEWART, ("Affiant"), who being duly sworn says:

1. I am currently employed, and have served as Code Enforcement Officer for the City of Alachua since March 2006.
2. I am over the age of 21, sui juris and have personal knowledge of the information set forth in this Affidavit.
3. The legal description of the subject property (Property) is COLLEGE HEIGHTS PB B-87 LOTS 1-2-3-4 BK C OR 910/753. The tax parcel ID listed in the Alachua County Property Appraiser records is 03235-001-000, and the 911 address is 15617 NW 134 Terrace, Alachua, FL, 32615.
4. A Notice of Violation was mailed to the Property via certified mail on February 1, 2024 citing violation of City of Alachua Code of Ordinances Section 8-30, International Property Maintenance Code Sections 113.1, 113.3, 302.1, and 302.4 with a compliance deadline set for February 15, 2024.
5. An inspection was conducted on February 18, 2024 and the Property remained in violation.

FURTHER AFFIANT SAYETH NAUGHT.

  
Linnelle Stewart

The foregoing instrument was acknowledged before me by means of ✓ physical presence or \_\_\_\_\_ online notarization, this 2 day of April, 2024, by LINNELLE STEWART who executed the same and has \_\_\_\_\_ produced a Florida driver's license as identification or ✓ is personally known to me.

  
Signature of Notary  
Print name: Lynnetta Hayes  
Notary Public, State of Florida  
My Commission expires: June 5, 2024



LYNNETTA HAYES  
Commission # GG 955640  
Expires June 5, 2024  
Bonded Thru Budget Notary Services

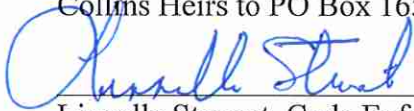
**REQUEST FOR HEARING:**

Pursuant to Section 9.5.2 City of Alachua Land Development Regulations, the Respondent has been provided a reasonable period of time to correct the violations set forth in the foregoing Affidavit of Violation.

A Hearing before the Special Magistrate is hereby requested, to be held on Thursday April 25, 2024 at 10:00AM.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing and Affidavit of Violation has been furnished by certified mail return receipt requested to Pauline Collins Heirs to PO Box 1652, Alachua, Fl, 32616 this 2 day of April, 2024.



\_\_\_\_\_  
Linnelle Stewart, Code Enforcement Officer











