

CITY OF GREEN COVE SPRINGS CODE ENFORCEMENT SPECIAL MAGISTRATE

321 WALNUT STREET, GREEN COVE SPRINGS, FLORIDA
WEDNESDAY, NOVEMBER 17, 2021 – 10:00 AM



MINUTES

Call to Order

Baliff Commander Hines

Approval of Minutes

1. Approval of the minutes for the Special Magistrate meeting on September 15, 2021.

The minutes of the September 15, 2021, meeting were approved.

NEW CASES

2. **CEPM-21-0042**

705 CALICO JACK WAY

CARL GARRETT

Carl Andrew Garrett, the property owner, was present for this case. Andrea Dimitri was also present; she lives near the property and has been helping the property owner.

Code Enforcement Officer Ben Plourd presented the case. He recommended an administrative fine of \$100 and allowing the property owner until November 30, 2021 to come into compliance. After this date, if the property is not in compliance, there will be a \$50 per day fine.

Mr. Garrett informed Judge Hurt he is in the process of evicting the current tenants. The Sheriff's Office has attempted to serve the eviction papers but no one answered the door. The officer has it on him to serve today. Once served, they have a five day response period before further proceedings can occur.

City Attorney Arnold asked how the tenants received access to the property, if there was a written lease. There was a verbal agreement for them to reside there with payment of rent, but no rent has been paid. Mr. Arnold explained the general process of eviction for those present, describing where the property is at in the process based on his testimony and next steps.

Judge Hurt is granting the City's request, amending the length of time to come into compliance until December 15th to provide a little extra time. The \$100 should be paid by the 15th as well.

3. **CEPM-21-0043**

1208 NORTH STREET

RONNIE BATTLE, TONY BATLLE AND GARY BATTLE

Ronnie Battle and Gary Battle, property owners, were present for this case.

Code Enforcement Officer Ben Plourd presented the case. He recommended an administrative fine of \$100 and allowing the property owner until November 30, 2021 to come into compliance. After this date, if the property is not in compliance, there will be a \$50 per day fine.

Mr. R Battle informed the magistrate he has been staying in the house, has not touched the utilities, and has been applying for disability as he is unemployed. His brother, Gary Battle, helped him out last year and cannot help him financially presently. He must pay \$350 to get the utilities connected. Judge Hurt asked how long it would take to gather the \$350. Mr. R Battle estimated three months, though Mr. G Battle said he would try to help so it happened sooner.

Judge Hurt granted the City's order, amending the compliance date to January 1, 2022.

4. **202100010**

1106 ORANGE AVE

SPRINGS BAPTIST CHURCH

Dr. Christian Pope, pastor for Springs Baptist Church, was present for this case.

Code Enforcement Officer Ben Plourd presented the case. He recommended an administrative fine of \$100 and allowing the property owner until December 31, 2021 to come into compliance. After this date, if the property is not in compliance, there will be a \$50 per day fine.

Dr. Pope informed the magistrate they have been raising money and ordered the fencing in October. He felt they had done everything they were told they needed to do, but it is apparently not enough. The survey has been ordered. The survey will take approximately 4-6 weeks, 2-4 weeks as of this date. Once they receive the survey and know where the property line is, they will be able to submit to the City. Superior Fence told the church it would be 12-20 weeks before the supplies are in. 12 weeks puts it in February.

Mr. Plourd indicated the fence is not the primary concern. The dumpster enclosure was the primary concern. Dr. Pope thought the fence company did surveys, but he later learned they did not and had to apply for a fence survey.

Judge Hurt granted a continuance of the case to January 19, 2022, and requested if the fence is not closer to done, have a representative of Superior come as well.

DISMISSAL

5. **201900076**

704 GOVERNORS CIR

DEPUYDT F TRUSTEE

The property owner was present for this case.

Code Enforcement Officer Ben Plourd presented the case. Based on the improvements to the property, he recommended the accrued daily fines be waived but the administrative fine of \$100 be assessed.

Judge Hurt granted the order.

LIEN

6. **201800046**

115 N MAGNOLIA AVE

TRAMMELL BOWLES COMPANY INC

Don Bowles, property owner, was present for this case.

Code Enforcement Officer Ben Plourd presented the case. The property had previously been lienied for this violation but the violation has continued. There is an expired permit on the site and work has been done without a permit. He recommended a lien in the amount of \$12,125 (the sum of accrued daily fines) and a continuation of the \$25 daily fine.

Mr. Bowles submitted for a new permit, but the Building Official cannot approve the submitted plans since they are old and the engineer who signed and sealed them has passed away. Mr. Bowles contracted with a new engineer and just received new plan drawings; he'll have the signed and sealed copy this afternoon. Mr. Bowles explained what he has in place currently and what work has been done.

Judge Hurt granted the City's order. City Attorney Arnold stated for the record that if Mr. Bowles pays it now, the lien would not be recorded. Mr. Arnold indicated he would then write up a satisfaction letter for them, and then at the January 19th hearing, the Judge would only have to deal with the continued daily fine. Mr. Bowles agreed he will pay that to have those satisfied; he thought he could have it paid within 10 days.

Judge Hurt amended the order to withhold filing of the lien for 10 days to allow the property owner to pay the lien instead of having it recorded.

Adjournment

The meeting was adjourned at 10:45.

CITY OF GREEN COVE SPRINGS, FLORIDA

Magistrate

Attest:

Heather Glisson, Code Enforcement Clerk