



09/21/2023



09/21/2023







09/21/2023



09/21/2023



09/21/2023





09/21/2023



09/21/2023

09/21/2023



Kyle Long  
Community Development  
Director  
126 S 7<sup>th</sup> Avenue  
Wauchula, FL 33873



Raina H Bergens  
Code Enforcement  
Officer/Zoning Inspector  
(863) 773-3064  
(863) 773-0773 Fax

## **NOTICE OF VIOLATION OF CITY CODES**

September 26, 2023

9489 0090 0027 6253 5569 25

Roy A Brown  
P O Box 1778  
Wauchula, FL 33873

Property Address: 126 E Townsend Street  
Legal Desc: W1/2 OF LOTS 3 & 4 BLK 4 MAPLE HEIGHTS  
Parcel No: 04-34-25-0310-00004-003B  
Case No: 23-175-M & 23-176-L  
Certified Mail No: 9489 0090 6253 5569 25

To Whom It May Concern:

You are hereby advised that the above referenced property is in violation of:

### **Chapter 11, Article II, Lot Maintenance**

**(Work must be completed within twenty-one [21] days from receipt of this notice.)**

#### **Violations are as noted:**

- **Grass in the front and back yard needs to be mowed and maintained at a six-inch height or less on a regular basis and free of weeds. The yard needs to be free of all trash. There is an old used toilet on the west side of the house that needs to be disposed of properly.**

The above-described violation(s) must be corrected within the above stated number of days from receipt of this notice. Failure to correct said violation(s) within the above stated number of days will result in the City correcting said violation(s) and assessing you the costs thereof, plus a one-hundred-dollar (\$100.00) administration fee. Failure to pay said fee assessment will result in a lien being recorded against your property by the City. Said lien may be foreclosed by the City.

You have the right to appeal this determination of City Code Violation by the Code Enforcement Officer to the Special Magistrate. Such appeal must be filed within fifteen [15] days of this notice with the Code Enforcement Secretary located at 126 S 7<sup>th</sup> Ave, Wauchula, Florida 33873. There is a fifty-dollar (\$50.00) filing fee required to be paid at the time of filing. Failure to timely file your appeal will forfeit that right.

**Chapter 5, Article IV, Minimum Exterior Property Maintenance Standards**  
**(Work must be completed within forty-five [45] days of receipt of this notice.)**

**Violations are as noted:**

- **The house needs to have the roof repaired. Any and all rotten wood needs to be replaced and painted. Any broken windows need to be repaired/replaced.**

The above-described violation(s) must be corrected within the above stated number of days for each violation from the day of receipt of this notice. Failure to correct said violations(s) within the above stated number of days for each violation will result in the violation(s) being presented to the Special Magistrate which may impose fines up to \$250.00 per day for each violation. If a fine is imposed and not paid, the City will record a lien against your property. Said lien may be foreclosed by the City.

Upon correction of any of the above-described violation(s), you must contact the Code Enforcement Officer whose signature appears below to schedule an inspection by said Code Enforcement Officer.

If you have any questions regarding this notice, please contact the Code Enforcement Officer or the Code Enforcement Secretary at (863) 773-3064.

Respectfully,



Raina H. Bergens

Code Enforcement Officer/Zoning Inspector

CITY OF WAUCHLA

CODE ENFORCEMENT DIVISION

AFFIDAVIT OF REGULAR MAIL AND CERTIFIED MAIL

**VIOLATION NOTICE**

I, Raina H. Bergens, Code Enforcement Officer, do swear and affirm that I did mail regular mail and certify mail on 9/27/23.


This notice is in reference to case number and property address of violation

23-175-M, 23-176-L/126 E Townsend

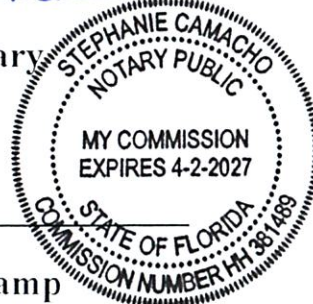
  
Raina H. Bergens

Code Enforcement Officer

Sworn to or affirmed and subscribed before me this 27<sup>th</sup> day of,  
September 2023.

  
Signature of Notary

Notary Public Stamp

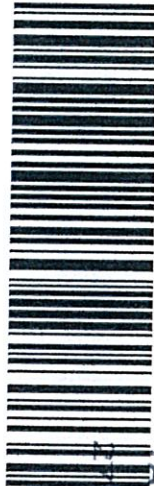


Personally known X or produced identification \_\_\_\_\_ Type  
of identification \_\_\_\_\_

**CITY OF WAUCHULA**  
126 SOUTH 7TH AVENUE  
WAUCHULA, FLORIDA 33873  
*Code Enforcement*  
RETURN SERVICE REQUESTED



**CERTIFIED MAIL**



9489 0090 0027 6253 5569 25

Label 890-PB, Oct. 2019  
Pitney Bowes

FIRST-CLASS

**US POSTAGE** PITNEY BOWES  
ZIP 33873  
02 7H  
0001284197 SEP 27 2023  
**\$ 007.18**

Roy A Br  
P O Box 1  
Wauchula, FL

9334290152475308

33873-1775  
33873-2802

NIXIE 339 DE 1 0010/16/23  
RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD  
BC: 33873280226 \*2374-00978-16-30

KYLE LONG  
COMMUNITY DEVELOPMENT  
DIRECTOR  
126 S 7<sup>th</sup> Avenue  
Wauchula, FL 33873



RAINA H BERGENS  
CODE ENFORCEMENT  
OFFICER/ZONING INSPECTOR  
(863) 773-3064  
(863) 773-0773 Fax

**NOTICE OF NON-COMPLIANCE**

November 16, 2023

Roy A Brown  
P O Box 1778  
Wauchula, FL 33873

9489 0090 0027 6253 5564 82

Property Address: 126 E Townsend Street  
Legal Desc: W ½ OF LOTS 3 & 4 BLK 4 MAPLE HEIGHTS  
Parcel No: 04-34-25-0310-00004-003B  
Case No: 23-175-M & 23-176-L  
Certified Mail No: 9489 0090 0027 6253 5564 82

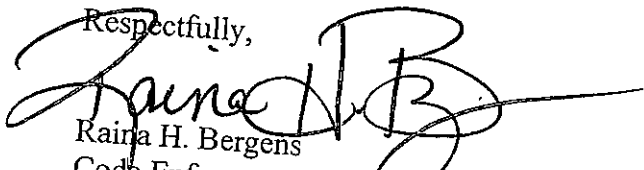
To Whom It May Concern:

This letter is in reference to the above mentioned address and the failure to bring said property into compliance, and to maintain compliance, which is in violation(s) of **Chapter 5, Article IV, Minimum Exterior Property Maintenance Standards & Chapter 11, Article II, Lot Maintenance.**

Therefore, please be advised that this case will be brought before the Special Magistrate at the next regular hearing on **Thursday, November 30, 2023 at 10:00 am.**, at 225 East Main Street, Suite 105, in the Commission Chambers of Historic City Hall. The Special Magistrate may impose fines of up to \$250 a day or authorize the City to abate the violation for failure to comply. The unpaid fines/costs thereof shall constitute a lien on the property and legal action will be brought to collect the same.

It would be in your best interest to attend this meeting and present your case. If you have any questions, please feel free to contact the Code Enforcement Officer or Code Enforcement Secretary at 863-773-3064.

Respectfully,

  
Raina H. Bergens  
Code Enforcement Officer/Zoning Inspector

CITY OF WAUCHLA  
CODE ENFORCEMENT DIVISION

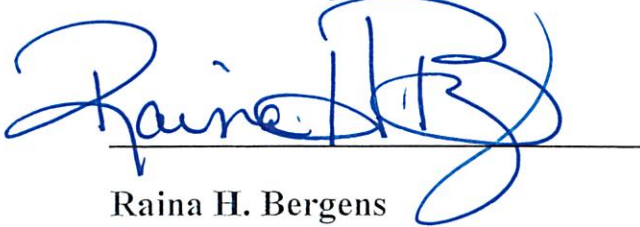
AFFIDAVIT OF POSTING

**NOTICE OF FAILURE TO COMPLETE WORK**

**NOTICE OF HEARING**

I, Raina H. Bergens, Code Enforcement Officer, do swear and affirm that I did mail regular and certified to property owner of

126 E Townsend Street, Wauchula FL, 33873, on  
11/16/23. This notice is in reference to case number  
23-175-M & 23-176-L.

  
Raina H. Bergens

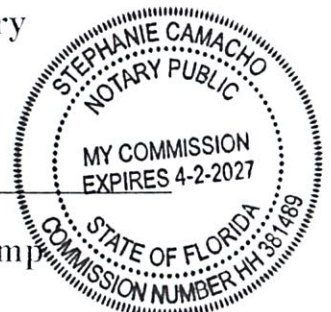
Code Enforcement Officer

Sworn to or affirmed and subscribed before me this 16<sup>th</sup> day of,  
November 2023.

  
Stephanie Camacho

Signature of Notary

Notary Public Stamp



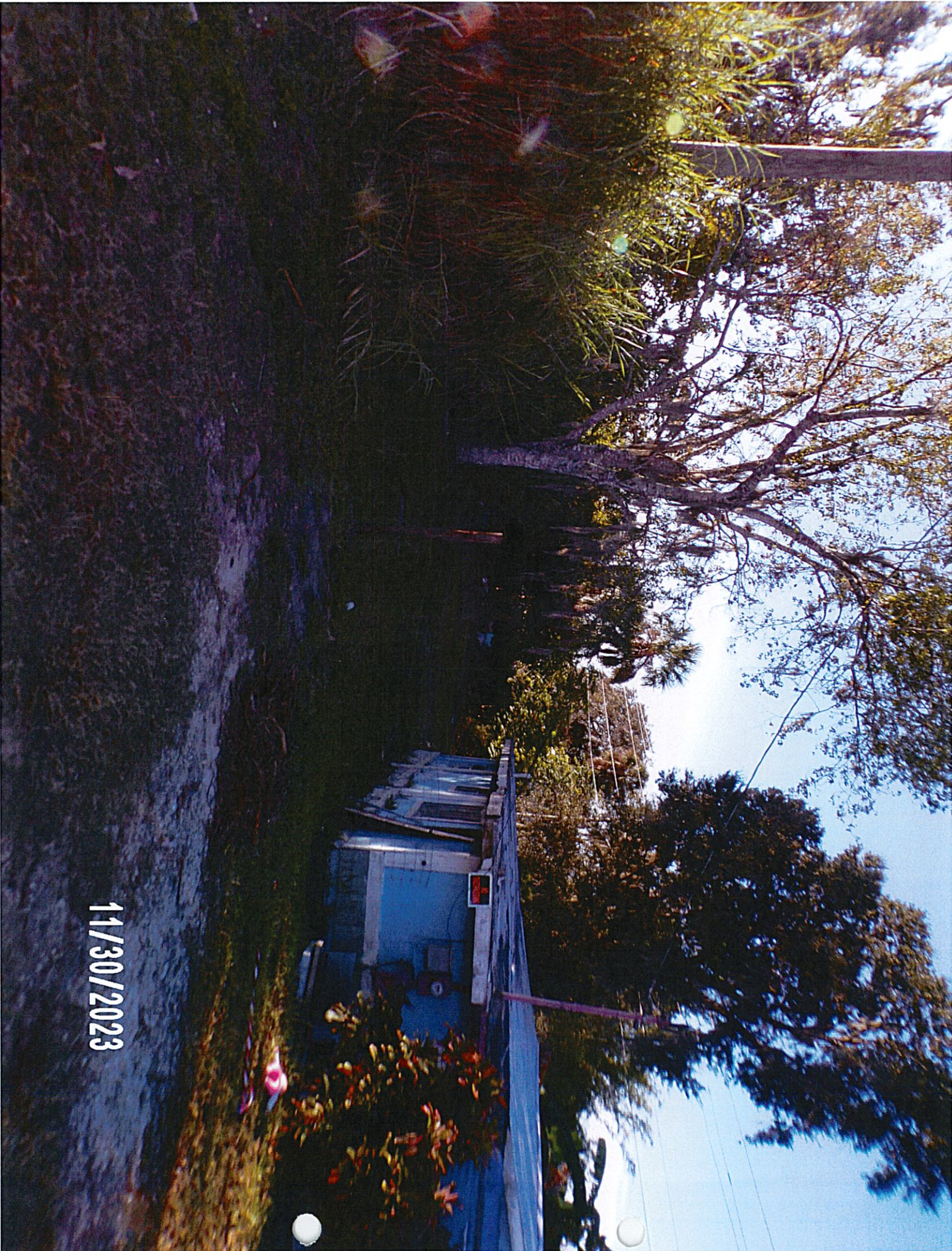
Personally known X or produced identification \_\_\_\_\_ Type  
of identification \_\_\_\_\_



11/30/2023

11/30/2023





11/30/2023



11/30/2023



IN AND FOR THE CITY OF WAUCHULA, FLORIDA

VIOLATION NO: 23-175-M

IN RE: *Property Address:* 126 E Townsend Street

*Parcel Number:* 04-34-25-0310-00004-003B

*Legal Description:* W1/2 OF LOTS 3 & 4 BLK 4 MAPLE HEIGHTS

CITY OF WAUCHULA, a Florida municipal corporation,

*Petitioner*

v.

Roy A Brown

P O Box 1778

Wauchula, FL 33873

*Respondent(s)*

---

### FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE came on for public hearing before the Special Magistrate after due notice to Respondent(s), and the Special Magistrate, having heard testimony under oath, received evidence and heard argument thereupon, issues this "Findings of Fact, Conclusions of Law and Order" pursuant to §§162.07(4) and 162.08(5), Florida Statutes:

#### FINDINGS OF FACT

1. On or about **September 26, 2023**, there existed at on the above described property, the following conditions in violation of the Code of Ordinances of the City of Wauchula, such conditions constituting a nuisance and a serious threat to the public health, safety, and welfare within the meaning of §162.06(4), Florida Statutes:

#### ***Chapter 5, Article IV, Minimum Exterior Property Maintenance Standards***

2. Captioned real property is located and existing within the corporate limits of the City of Wauchula, Florida. Respondent(s), as owners(s) of the captioned real property are responsible for maintaining the same in accordance with the Code of Ordinances of the City of Wauchula. All required notices pursuant to §162.12, Florida Statutes.

#### CONCLUSIONS OF LAW

3. This Magistrate has jurisdiction over the Respondent(s) and this matter is otherwise properly before this Magistrate. Further, this Magistrate has subject matter jurisdiction pursuant to §2-35 of the Code of Ordinances of the City of Wauchula.

4. The above stated facts constitute a violation of the specific sections(s) of the City Code cited in paragraph 1 herein.

5. The violator did did not appear for the hearing.

ORDER

Based on the foregoing Findings of Fact Conclusions of Law, and upon consideration of (i) the gravity of the violation, (ii) any actions taken by the violator to correct the violation, and (iii) previous violations committed by the violator, it is hereby ORDERED that:

- ☒ Summary Disposition. Respondent(s) admit(s) to the violation (s) and request(s) additional time to comply. Respondent(s) has/have waived any defenses to the violation(s). Respondent(s) shall have until Jan. 31 to comply or a \$ ~~200~~ 250 per day fine may be imposed.
- ☐ Respondent(s) shall secure captioned property by \_\_\_\_\_ or a \$ \_\_\_\_\_ per day fine shall be imposed.  
As to **Chapter 5, Article IV, Minimum Exterior Property Maintenance Standards**
- ☐ Respondent(s) shall have until \_\_\_\_\_ for a total compliance or a \_\_\_\_\_ per day fine shall be imposed.
- ☐ The City of Wauchula is hereby authorized to abate the violation(s) named herein in accordance with §162.09(1), Florida Statutes, but shall not be required to do so. If abatement occurs, the City of Wauchula may assess all costs incurred by it against Respondent(s), in addition to any fine or costs imposed herein, if any such fine amount or costs amount is imposed.
- ☐ Pursuant to §162.08(5) Florida Statutes, the Code Enforcement Division of the City of Wauchula is hereby authorized to initiate the demolition process and assess all costs incurred by it against the Respondent(s), in addition to any fine or costs imposed herein, if any such fine amount or costs amount is imposed.
- ☐ Violations did exist and the City of Wauchula requests to allow respondent additional time in which to comply. The new compliance date shall be \_\_\_\_\_. With no fine imposed at this time.
- ☐ The evidence did not support the violation cited. The case is hereby dismissed.
- ☐ Violation(s) did exist at the subject property, but have been remedied. No fine in this matter shall be imposed, however future offenses of the same nature as cited in this case will be considered repeat offenses and subject to fines as such.
- ☐ Violation(s) \_\_\_\_\_ as identified herein is/are irreparable or irreversible in nature. A one time fine of \$ \_\_\_\_\_ is imposed against the Respondent(s) in addition to any fine or costs imposed herein, if any such fine amount or costs amount imposed.
- ☐ Respondent(s) shall be responsible for costs incurred by the City in prosecuting this case totaling \$ \_\_\_\_\_. The costs shall be paid in full within 60 days of this order. If unpaid the costs shall be assessed against the subject property as a lien, and this Order, or subsequent Order Imposing Fine, may be recorded in the Public Records of Hardee County as evidence thereof.
- ☐ Respondent has been found in violation as a repeat offender. A fine of \$ \_\_\_\_\_ shall be imposed and a \$ \_\_\_\_\_ per day fine shall continue until property is brought into compliance.
- ☐ Fine includes administrative costs of \$ \_\_\_\_\_.
- ☐ Pursuant to §162.09 (3) the Special Magistrate authorize the City of Wauchula to begin foreclosure procedures on the above captioned property.
- ☐ Bank is listed as Respondent for notification purposes only.
- ☐ Other:

YOU ARE NOTIFIED THAT IF THIS ORDER IMPOSES A FINE, ABATEMENT COSTS, OR PROSECUTION COSTS AGAINST YOU THAT pursuant to §162.09(3), Florida Statutes, once final this ORDER may be recorded in the public records and thereafter may constitute a lien against the captioned property and upon any other real property and upon any other real or personal property owned by YOU. FURTHER, SUBSEQUENT CERTIFICATIONS OR SUPPLEMENTAL CERTIFICATIONS OF FINES MAY BE RECORDED IN THE PUBLIC RECORDS IF THE VIOLATIONS MENTIONED HEREIN MAY BE REMEDIED AND YOU FAIL TO TIMELY DO SO.

DONE AND ORDERED this 30 day of November, 2023 at Wauchula, Hardee County, Florida.

ATTEST:

Stephanie Camacho  
Stephanie Camacho  
City Clerk

Elliott V. Mitchell  
Elliott V Mitchell  
City of Wauchula Special Master

This ORDER may be appealed to Circuit Court within thirty (30) days of the date of its rendition pursuant to §162.11, Florida Statutes, by filing a timely Notice of Appeal with the Clerk of Courts and complying with any and all applicable court rules of procedure

Violation No:

The City of Wauchula Code Enforcement met for its regularly scheduled hearing on November 30, 2023 at 10 a.m.

**Special Magistrate Elliott Mitchell called the hearing to order and administered the oath to those testifying.**

Also present at the hearing were Code Enforcement Officer Raina Bergens and City Clerk Stephanie Camacho.

**NEW CASES:**

**23-167-M**

**Kinbro Family INC**

**748 N 6<sup>th</sup> Avenue**

Bergens presented photographic evidence and stated this case was opened on August 30, 2023. Bergens stated a permit has already been pulled to make repairs.

Special Magistrate Mitchell found a violation did exist however, since a permit has been issued, the property owner has until May 31, 2024 to remedy or a fine of \$100 per day would be imposed.

**23-170-M**

**Roy A Brown**

**121 W Main Street**

Bergens presented photographic evidence and stated this case was opened on September 13, 2023. Bergens stated the stucco is cracking and the building is leaning, there is graffiti on the wall and the building is being neglected. Bergens stated a permit would need to be pulled to complete the necessary repairs.

Katina Santos – Property Manager

Santos stated she has a contractor scheduled to come in and do repairs.

Special Magistrate Mitchell found a violation did exist and gave 30 days to pull permits otherwise a fine of \$100 per day would be imposed.

**23-175-M**

**Roy A Brown**

**126 E Townsend Street**

Bergens presented photographic evidence and stated this case was opened on September 26, 2023. Bergens stated roof needs to be replaced, the porch is in need of repairs, there is rotten wood on the house and also some windows in need of repair.

Katina Santos – Property Manager

Santos stated she has tenants in the house that are doing repairs in lieu of paying rent.

Special Magistrate Mitchell found a violation did exist and gave until January 31, 2024 to remedy otherwise a fine of \$250 per day would be imposed.

**23-176-L**

**Roy A Brown**

**126 E Townsend Street**

Bergens presented photographic evidence of the lot that needs maintenance and stated she has told the tenant what they need to do to remedy this.

Special Magistrate Mitchell found a violation did exist and gave 30 days (January 5, 2024) to remedy otherwise a fine of \$100 per day would be imposed.

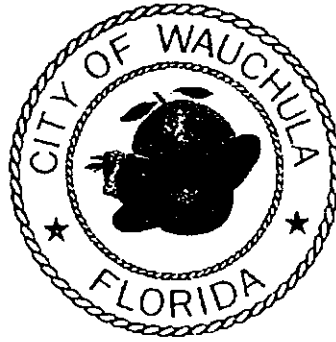
**23-180-L**

**Vincente Rodriguez  
(Est of) Gloria Rodriguez**

**205 Goolsby Street**

Bergens presented photographic evidence and stated this property has had previous liens and fines.

**KYLE LONG**  
**COMMUNITY DEVELOPMENT**  
**DIRECTOR**  
126 S 7<sup>th</sup> Ave  
Wauchula, FL 33873



**RAINA H BERGENS**  
**CODE ENFORCEMENT**  
**OFFICER/ZONING INSPECTOR**  
(863) 773-3064  
(863) 773-0773 Fax

**NOTICE OF FINDING OF GUILT REGARDING**  
**VIOLATIONS OF CITY OF WAUCHULA CODES**

December 4, 2023

Roy A Brown  
P O Box 1778  
Wauchula, FL 33873

Property Location: 126 E Townsend Street  
Legal Description: W1/2 OF LOTS 3 & 4 BLK 4 MAPLE HEIGHTS  
Property ID#: 04-34-25-0310-00004-003B  
Case Number(s): 23-175-M

To Whom It May Concern:

Please be advised on Thursday, November 30, 2023, at the regular hearing, the Special Magistrate of the City of Wauchula found you guilty of violations of City of Wauchula Code of Ordinances, **Chapter 5, Article IV, Minimum Exterior Property Maintenance Standards**. If the violation is not corrected on or before **January 31, 2024**, you will be ordered to pay \$250.00 per day for every day the violations continue past the date set for compliance.

Having been found guilty, any future violation of **Chapter 5, Article IV, Minimum Exterior Property Maintenance Standards** on this property will cause immediate fines to be imposed as a repeat offense. Any invoiced fines that are unpaid after thirty days of notification will constitute a lien being placed on the property.

After three months from the filing date of any lien, which remains unpaid, the Special Magistrate may authorize the City Attorney to foreclose on this lien.

If the cited violations are corrected on or before **January 31, 2024**, please contact the Code Enforcement Officer or Code Enforcement Secretary at 863-773-3064 immediately so that an inspection of the property can be made.

Respectfully,

Raina H Bergens  
Code Enforcement Officer/  
Zoning Inspector

The City of Wauchula Code Enforcement met for its regularly scheduled hearing on August 22, 2024 at 9:30 a.m.

**Special Magistrate Elliott Mitchell called the hearing to order and administered the oath to those testifying.**

City staff present at the hearing were Code Enforcement Officer Raina Bergens and City Clerk Stephanie Camacho.

**OLD CASES:**

**23-112-M                      4:11 Ministries Corp                      208 W Orange Street**

Bergens provided a recap of the case history. Mrs. Buttons' granddaughter was present and stated that, since Mrs. Buttons had passed away, the ministry held a board meeting to appoint another president. Since then, they had been going through the process of trying to get all the ministry accounts switched over. She stated they were planning to sell the property. Special Magistrate Mitchell explained this property had been in violation since before Mrs. Buttons passed and leniency had been given due to the hardship however, it needed to be brought into compliance in a timely manner. Special Magistrate Mitchell gave until 9/30/24 to bring it into compliance and also stated they would be on the 9/26/24 hearing docket. He recommended they bring a probate lawyer or someone who could give more information and a solid deadline of when repairs were expected to be completed.

**NEW CASES:**

**24-080-M                      (Est of) Laurie L Linder Jr                      411 W Palmetto Street**

Bergens presented photographic evidence and testified the case was opened due to broken and boarded windows, a broken door and some mold/mildew issues. Bergens stated the only thing left to repair was the door. Michael Linder and Jane Williams were present. Michael Linder stated he was unable to pull a permit for the door because his name isn't on the house. Bergens clarified that he would not need a permit since he only need to repair the frame of the door. Special Magistrate Mitchell found the property to be in violation and gave 20 days (9/13/24) to comply or a fine would be imposed of \$100 per day.

**24-089-M                      Jose Vallejo                      404 N 7<sup>th</sup> Avenue**

Bergens presented photographic evidence and testified the case was originally opened due to boarded windows and graffiti on trees. The property was in compliance prior to the hearing however, there had been repeat occurrences. Special Magistrate Mitchell found a violation did exist but had been remedied. Any future offenses of this nature would be considered repeat offenses.

**24-090-L                      Jose Vallejo                      404 N 7<sup>th</sup> Avenue (repeat)**

Bergens presented photographic evidence and testified to debris and trash in the yard. Jose Vallejo was present. Special Magistrate Mitchell found the property to be in violation and gave 20 days (9/13/24) to comply or a fine would be imposed of \$100 per day.

**24-091-M                      Roy A Brown                      125 W Main Street**

Bergens stated this parcel was missed during another case (23-170-M) due to not realizing there were 2 separate parcels on the same strip. Bergens presented photographic evidence and testified to rotten wood on the front of the building. Roy Brown was present and stated he was waiting on Main Street

Wauchula to have funding available to help with repairs and that he would be selling the property. He also stated the rotten wood was on the parcel addressed as 121 W Main St and that this parcel (125 W Main St) had already received a certificate of occupancy, however he could not provide documentation to prove that. Due to conflicting testimony, Bergens called the building official and requested he come to the hearing. Special Magistrate Mitchell continued the case until the building official could arrive.

**Tom Fisher – Hardee County Building Official**

Fisher arrived and was sworn in. Fisher testified to having 20 years of experience as a building official and that he had personally inspected this building. Fisher stated there was rotten, untreated southern yellow pine wood on the front of the building that had termites in it. Special Magistrate Mitchell found Fisher's testimony to be credible and gave Brown a compliance deadline of 9/30/24 or a fine would be imposed of \$100 per day.

**24-094-M**

**Daniel Hoshi Espinoza**

**Giovanna Loyola Contreras**

**509 W Orange Street**

Bergens presented photographic evidence and testified the property needed to be mowed. Tonya Kosher, personal assistant to property owner, was present. Kosher stated the owners lived in Tampa and were looking to hire someone local to maintain the lot. Special Magistrate Mitchell found the property to be in violation and gave 20 days (9/13/24) to comply or a fine would be imposed of \$100 per day.

**24-095-L**

**Kathy Stephens**

**802 Alabama Street**

Bergens presented photographic evidence and testified the property needed to be mowed. Bergens also stated the property owner had not been in contact with her. Special Magistrate Mitchell found the property to be in violation and gave 20 days (9/13/24) to comply or a fine would be imposed of \$100 per day.

**24-098-L**

**(Est of) Etta Malone**

**(Est of) Steve Malone**

**510 E Palmetto Street**

Bergens presented photographic evidence and testified the property had been mowed and was in compliance prior to the hearing. Special Magistrate Mitchell found a violation did exist but had been remedied however, any future offenses of this nature would be considered repeat offenses.

**24-113-L**

**St Johns Management LLC**

**309 N Florida Avenue**

Bergens presented photographic evidence and testified the case had originally been opened due to lot maintenance. The property was in compliance prior to the hearing. Special Magistrate Mitchell found a violation did exist but had been remedied however, any future offenses of this nature would be considered repeat offenses.

#### **CERTIFICATION OF FINES / LIENS:**

**23-179-M**

**Vicente Rodriguez**

**205 Goolsby Street**

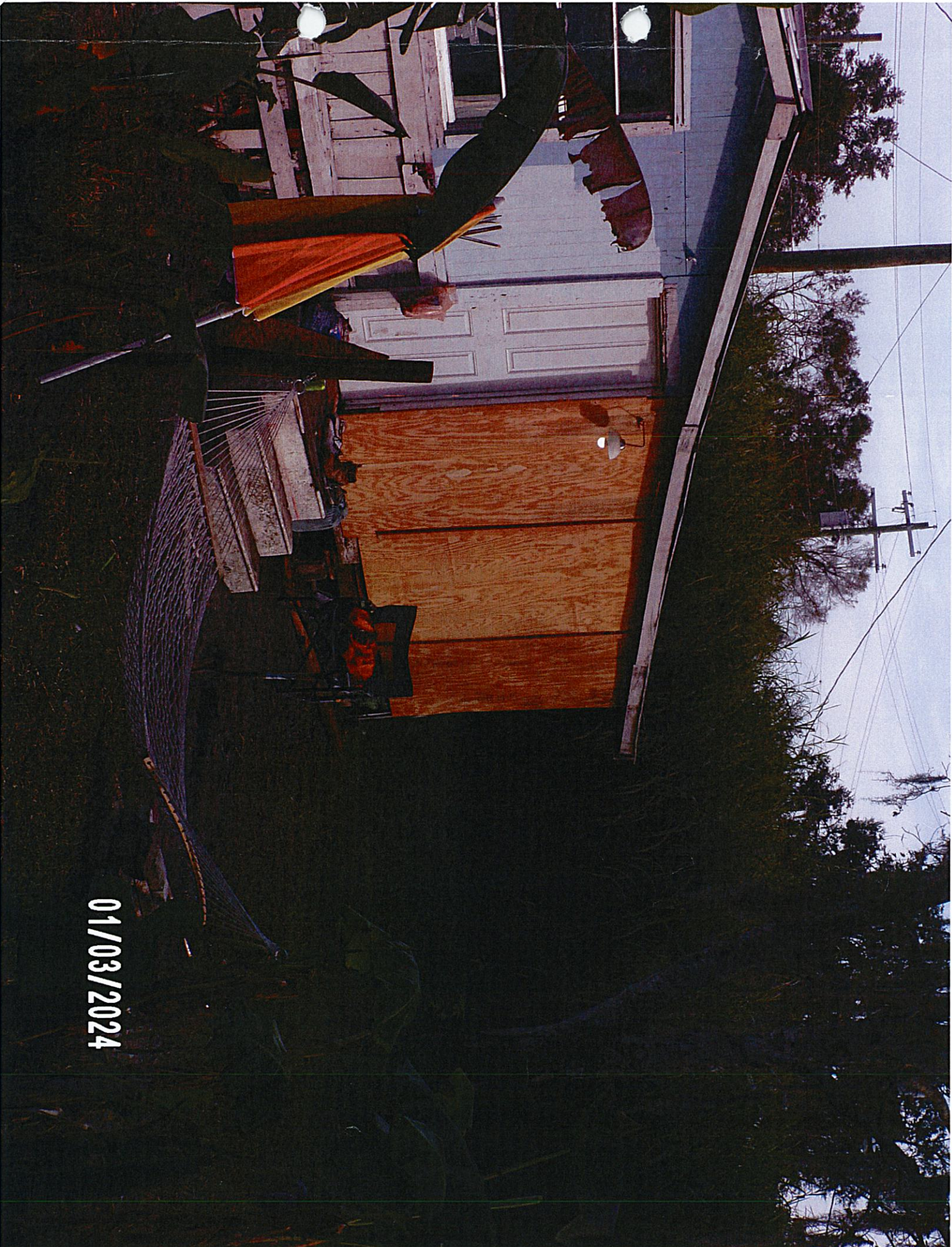
Bergens stated no work had been done since the fines started accruing. Special Magistrate Mitchell ordered a lien on the property in the amount of \$32,600.00.

**23-180-L**

**Vicente Rodriguez**

**205 Goolsby Street**

Bergens stated no work had been done since the fines started accruing. Special Magistrate Mitchell ordered a lien on the property in the amount of \$18,700.00.



01/03/2024

## RAINA BERGENS

---

**From:** Guadalupe Flores <Guadalupe.Flores@hardeecounty.net>  
**Sent:** Monday, January 8, 2024 11:06 AM  
**To:** RAINA BERGENS  
**Subject:** RE: Brown

No, ma'am. No permits have been issued for these addresses.

Thank you,

*Guadalupe Flores*

Office Manager/Permit Specialist - ICC Certified Permit Technician  
401 West Main St.  
Wauchula, FL 33873  
863-773-3236  
[guadalupe.flores@hardeecounty.net](mailto:guadalupe.flores@hardeecounty.net)

**\*\*There will be NO INSPECTIONS on Monday, 1/15/2024, or Friday, 1/19/2024. Please plan your jobs accordingly!!\*\***

---

**From:** RAINA BERGENS <rbergens@cityofwauchula.com>  
**Sent:** Monday, January 8, 2024 10:52 AM  
**To:** Guadalupe Flores <Guadalupe.Flores@hardeecounty.net>  
**Subject:** Brown

Good Morning,

Just checking to see if maybe he pulled permits while I was out on vacation...

Addresses would be: 126 E Townsend Street and 121 W Main Street

If not he will be receiving a daily fine for each address.

Thanks,

Raina H Bergens  
Code Enforcement Officer  
City of Wauchula  
[rbergens@cityofwauchula.com](mailto:rbergens@cityofwauchula.com)

LEGAL NOTICE REGARDING EMAIL Senate Bill 80 - effective July 1, 2006 Under Florida Law, email addresses are public records. If you do not want your email address released in response to a public-records request, do not send electronic email to this entity. Instead, contact this office by phone or in writing.

**This e-mail originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

## RAINA BERGENS

**From:** Leeanna Castanon <Leeanna.Castanon@hardeecountyfl.gov>  
**Sent:** Tuesday, May 28, 2024 11:41 AM  
**To:** RAINA BERGENS  
**Cc:** Guadalupe Flores; Savannah Sperry  
**Subject:** RE: Brown

Good morning,

We do not have any new permits for 126 E Townsend St or 121 W Main St.

Thank you,

Leeanna Castanon

Permit Specialist – ICC Certified Technician  
Hardee County Building Dept.  
401 W. Main St.  
Wauchula, FL 33873  
(863) 773-3236  
[leeanna.castanon@hardeecountyfl.gov](mailto:leeanna.castanon@hardeecountyfl.gov)  
[www.hardeecountyfl.gov](http://www.hardeecountyfl.gov)

**From:** RAINA BERGENS <rbergens@cityofwauchula.com>  
**Sent:** Friday, May 24, 2024 1:57 PM  
**To:** Leeanna Castanon <Leeanna.Castanon@hardeecountyfl.gov>  
**Subject:** Brown

Good afternoon,

I was just checking to see if Roy Brown pulled any permit for 126 E Townsend Street or 121 W Main Street?

Raina H Bergens  
Code Enforcement Officer  
City of Wauchula  
rbergens@cityofwauchula.com

LEGAL NOTICE REGARDING EMAIL Senate Bill 80 - effective July 1, 2006 Under Florida Law, email addresses are public records. If you do not want your email address released in response to a public-records request, do not send electronic email to this entity. Instead, contact this office by phone or in writing.

For a full analysis of the impact of the on an additional new vehicle, please contact the author. Email: [sonal@uwaterloo.ca](mailto:sonal@uwaterloo.ca)

# City of Wauchula

# INVOICE


126 S. 7th Ave  
Wauchula, FL 33873  
Phone (863)-773-3131 Fax (863)-773-0773

DATE:  
INVOICE #

5/30/24  
23-175-M

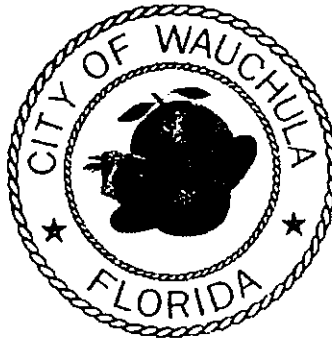
## Bill To:

Roy A Brown  
P O Box 1778  
Wauchula, FL 33873

DESCRIPTION	AMOUNT
Invoice for code enforcement fines starting:  January 31, 2024 – May 30, 2024  Ref: 126 E Townsend Street	\$30,000.00
  Administrative Fee	\$100.00
Due Payable 30 days from date of invoice	
<b>TOTAL</b>	<b>\$30,100.00</b>

Make all checks payable to **City of Wauchula**  
If you have any questions concerning this invoice,  
contact: Raina H Bergens at (863)-773-3064

**OLIVIA MINSHEW**  
**COMMUNITY DEVELOPMENT**  
**DIRECTOR**  
126 S 7<sup>th</sup> Ave  
Wauchula, FL 33873



**RAINA H BERGENS**  
**CODE ENFORCEMENT OFFICER/**  
**ZONING INSPECTOR**  
(863) 773-3064  
(863) 773-0773 Fax

**NOTICE FOR CERTIFICATION OF FINE/LIEN**

August 6, 2024

Roy A Brown  
P O Box 1778  
Wauchula, FL 33873

Re:   Property Location:   126 E Townsend Street  
      Legal Description:   W1/2 OF LOTS 3 & 4 BLK 4 MAPLE HEIGHTS  
      Property ID#:       04-34-25-0310-00004-003B  
      Case Number(s):    23-175-M

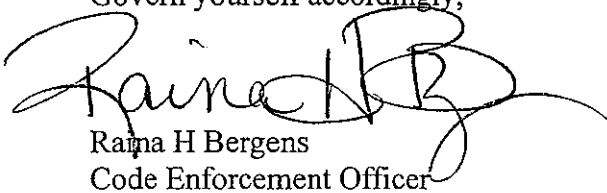
To Whom It May Concern,

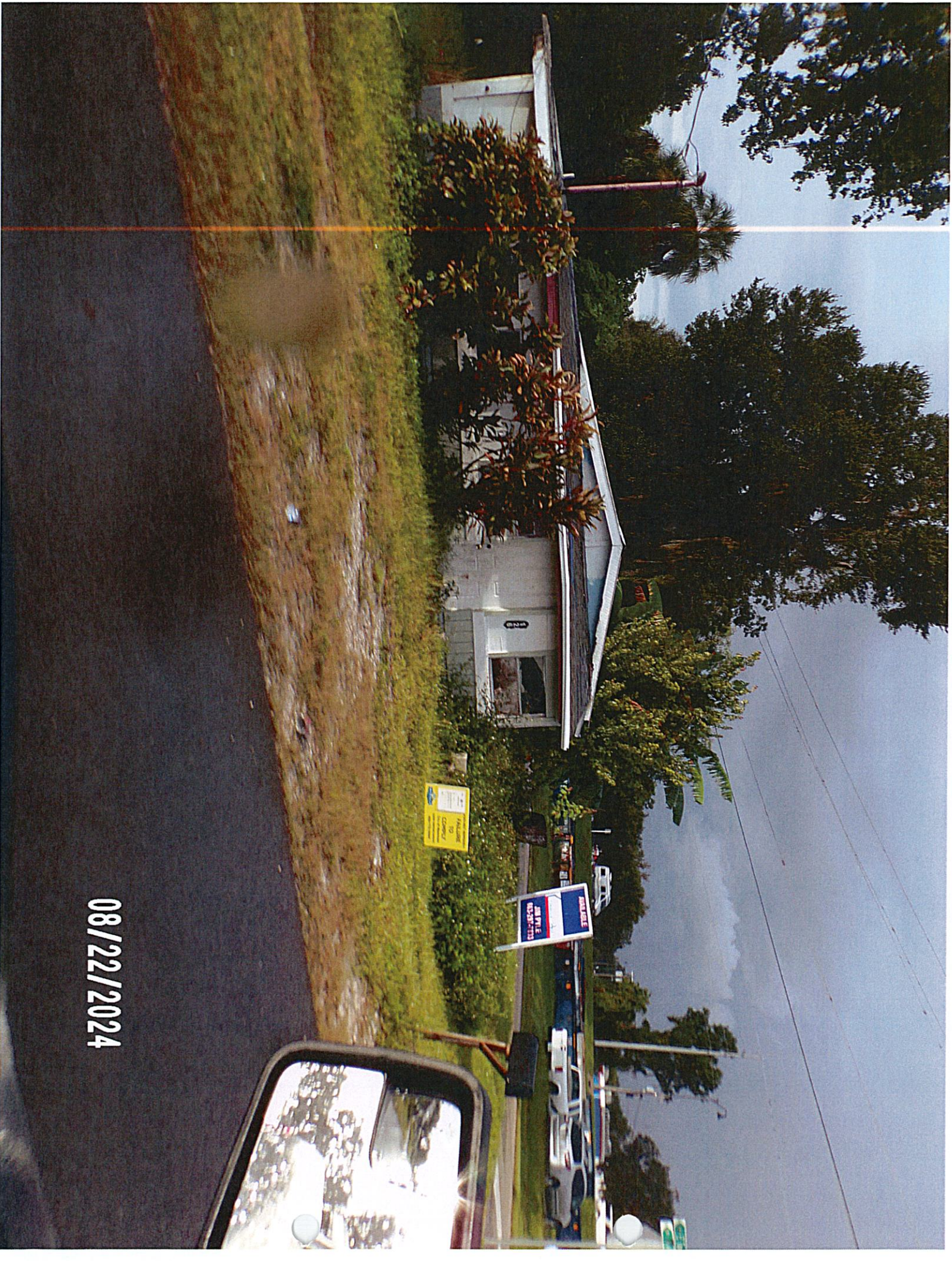
Please be advised that at the next regular monthly hearing the City of Wauchula Special Magistrate will hear evidence in regards to fine(s) or lien(s) accrued or filed against your above referenced property, in relation to the above-mentioned case number(s). The Special Magistrate will certify all unpaid fine(s) for filing of a lien on the property.

The hearing will be held on August 22, 2024 at 9:30 AM., in the Commission Chambers of Historic City Hall located at 225 E Main Street Suite 105, in Wauchula.

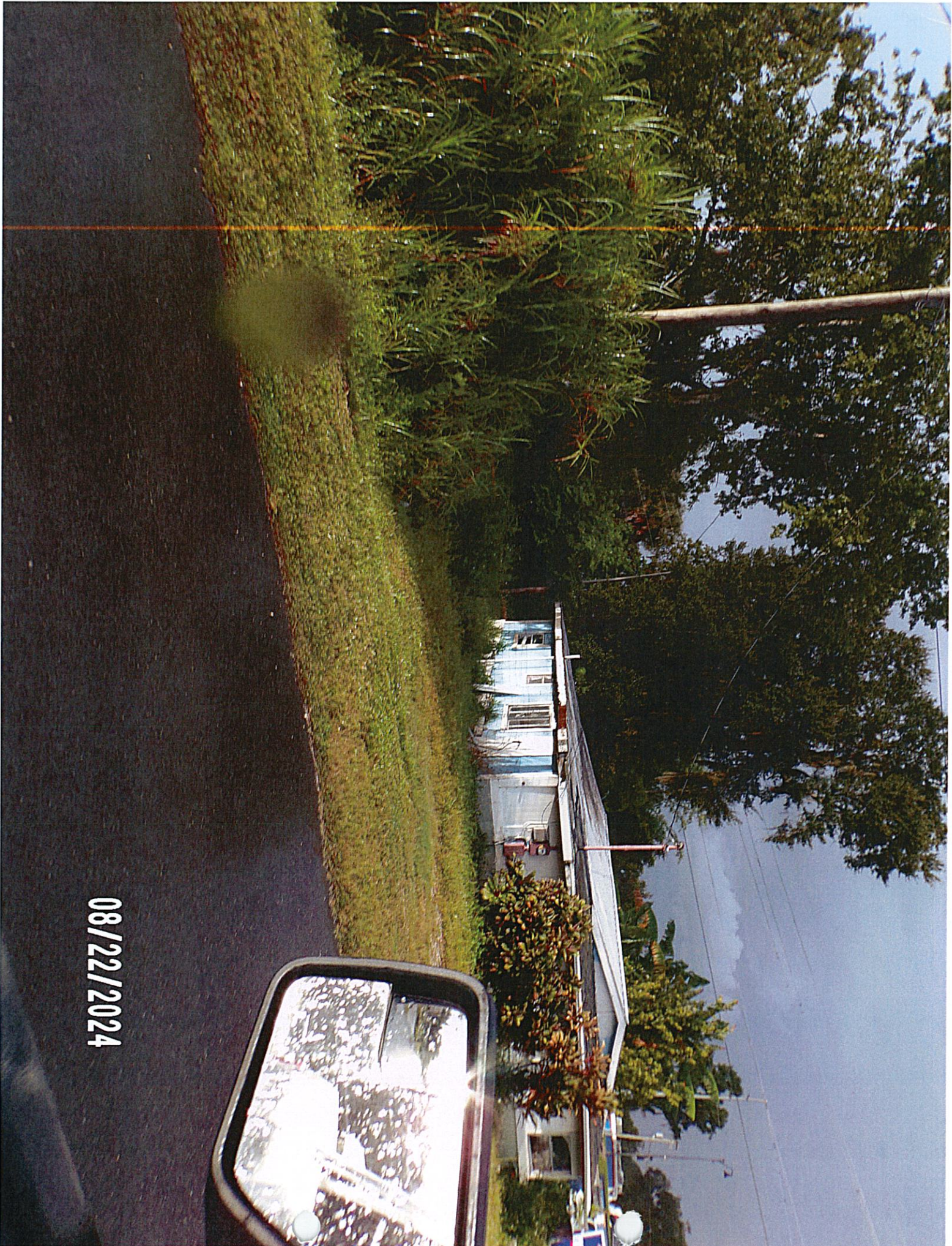
It is in your best interest to attend this meeting.

Govern yourself accordingly,

  
Raina H Bergens  
Code Enforcement Officer



08/22/2024

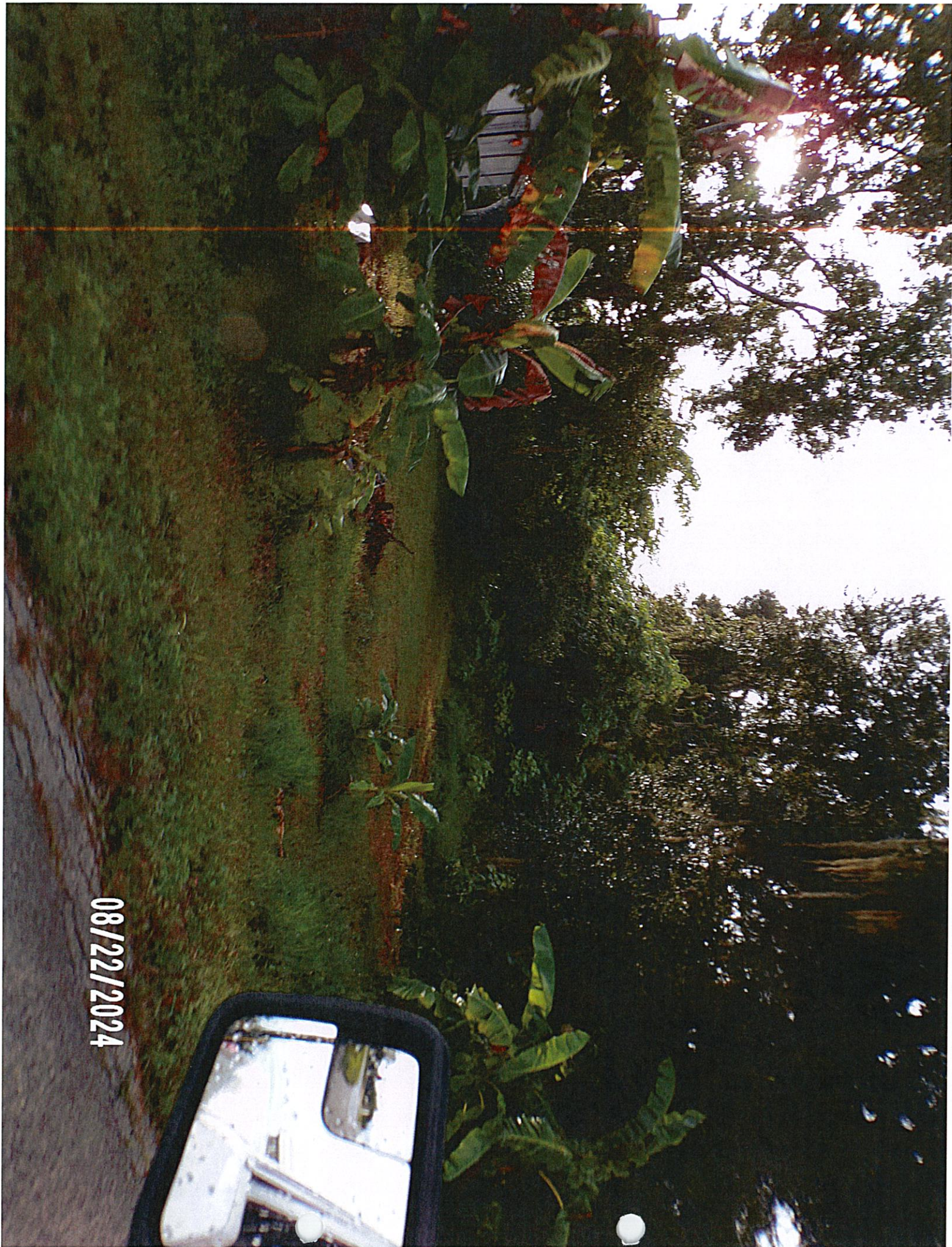


08/22/2024



08/22/2024

08/22/2024



**23-170-M**

**Roy A Brown**

**121 W Main Street**

Bergens stated no work had been done since the fines started accruing and permits were never pulled. Mrs. Plata, Brown's contractor, was present and testified that she had taken this property before the Historic Preservation Board to request approval some painting and removal of the rotten wood. She stated the Board wanted her to come back with more information about the work that would be done to the front of the building. She also stated she had not reached back out to the Board because Brown had not given her any direction on that work. Special Magistrate Mitchell ordered a lien on the property in the amount of \$12,100.00.

**23-175-M**

**Roy A Brown**

**126 E Townsend Street**

Bergens stated some work on the property had been done however, permits were never pulled. Special Magistrate Mitchell ordered a lien on the property in the amount of \$30,100.00.

**ORDER TO FORECLOSE:**

**22-095-L**

**(Est of) Etta Malone  
(Est of) Steve Malone**

**510 E Palmetto Street**

**23-145-L**

**(Est of) Etta Malone  
(Est of) Steve Malone**

**510 E Palmetto Street**

Regarding both cases above, Bergens stated the property was abated and was set to be sold by the courthouse on 9/25/24. Special Magistrate Mitchell took notice of this and took no action at this time.

**PUBLIC COMMENTS:**

There were no additional public comments.

**APPROVAL OF MINUTES:**

Special Magistrate Mitchell approved the minutes from the June 27, 2024 meeting.

With no further business to discuss, Special Magistrate Mitchell adjourned the hearing at 10:25 a.m.

---

Elliott Mitchell, Special Magistrate

---

Stephanie Camacho, City Clerk

THIS INSTRUMENT PREPARED BY  
AND RETURN TO:  
Raina H Bergens  
Code Enforcement Officer  
225 East Main Street, Suite 106,  
Wauchula FL 33873

Inst: 202425004986 Date: 09/12/2024 Time: 2:34PM  
Victoria L Rogers, Clerk of Court  
Hardee County, By: JS  
Deputy Clerk

CLERK OF COURT  
SEP 12 2024 PM 2:22

**CITY OF WAUCHULA, FLORIDA  
NOTICE OF CODE ENFORCEMENT LIEN**

CITY OF WAUCHULA, FLORIDA  
PETITIONER

vs.

Roy A Brown Trustee  
P O Box 1778  
Wauchula, FL 33873

RESPONDENT(S)  
\_\_\_\_\_

CASE NO. 23-175-M

**STATUTORY ORDER IMPOSING PENALTY/LIEN**

This cause came on for hearing before the Code Enforcement Special Magistrate on August 22, 2024, after due notice to Respondent(s), at which time the Board heard testimony, received evidence, and issued its findings of fact and conclusions of law, and thereupon, issued its order which was reduced to writing and furnished to Respondent(s).

The Special Magistrate order required Respondent(s) to take certain action by a certain time, as more specifically set forth in said order.

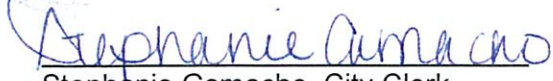
After due notice to Respondent(s) of a hearing before the Special Magistrate on August 22, 2024, concerning the Magistrate order dated November 30, 2023, and the Magistrate having considered the testimony of the Code Enforcement Officer(s), reviewed the current continuous fines, and other evidence of the Respondent(s) continuing non-compliance, it is hereby

Ordered that the Respondent(s) pay the City of Wauchula Thirty thousand one hundred dollars (\$30,100.00), which represents previously ordered fines for the Code violations at 126 E Townsend Street, Wauchula, Florida 33873, legally described as: 126 E Town Send Street, Wauchula, Florida 33873, legally described as: W1/2 OF LOTS 3 & 4 BLK 4 MAPLE HEIGHTS addition to the City of Wauchula, as per Plat Book 4, Page 14 IN HARDEE COUNTY, FLORIDA, Public Records of Hardee County, FLORIDA. PARCEL # 04-34-25-0310-00004-003B

A certified copy of this order shall be recorded and shall constitute a lien for all the accrued fines against the above-described property, and other real property that the Respondent(s) owns in Hardee County pursuant to Sections 162.08, 162.09 and 162.10 of the Florida Statutes.

Ordered this 22nd day of August, 2024, at Wauchula, Hardee County, Florida.

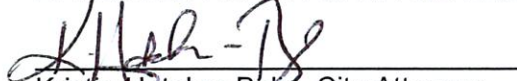
ATTEST:

  
Stephanie Camacho, City Clerk

BY:

  
Elliott Mitchell, Special Magistrate

APPROVED AS TO FORM AND LEGALITY:

  
Kristie Hatcher Bohn, City Attorney

## RAINA BERGENS

---

**From:** Leeanna Castanon <Leeanna.Castanon@hardeecountyfl.gov>  
**Sent:** Wednesday, November 6, 2024 10:25 AM  
**To:** RAINA BERGENS; Guadalupe Flores  
**Subject:** RE: Roy Brown Properties

No ma'am, we do not have any recent permits for those properties.

Thank you,

### Leeanna Castanon

Permit Specialist – ICC Certified Technician  
Hardee County Building Department

---

Office: [\(863\) 773-3236](tel:8637733236)  
Email: [leeanna.castanon@hardeecountyfl.gov](mailto:leeanna.castanon@hardeecountyfl.gov)  
Online Portal: <https://hardeecounty.portal.iworq.net/portalhome/hardeecounty>  
401 W. Main St Wauchula, FL 33873

**\*\*Our office will be CLOSED and there will be NO INSPECTIONS on Monday, 11/11/2024 for Veterans Day. Please plan accordingly!!\*\***

**"TEAM HARDEE"**



---

**From:** RAINA BERGENS <rbergens@cityofwauchula.com>  
**Sent:** Wednesday, November 6, 2024 9:21 AM  
**To:** Guadalupe Flores <guadalupe.flores@hardeecountyfl.gov>; Leeanna Castanon <Leeanna.Castanon@hardeecountyfl.gov>  
**Subject:** Roy Brown Properties

Just checking to see if a building permits have been pulled for these addresses? I have current cases on these properties.

125 W Main  
121 W Main  
126 E Townsend Street  
715 S 6<sup>th</sup> Avenue

Thanks,

Raina H Bergens  
Code Enforcement Officer  
City of Wauchula  
[rbergens@cityofwauchula.com](mailto:rbergens@cityofwauchula.com)

## RAINA BERGENS

---

**From:** RAINA BERGENS  
**Sent:** Thursday, November 7, 2024 1:20 PM  
**To:** Leeanna Castanon; Guadalupe Flores  
**Subject:** RE: Roy Brown Properties

Just received a call from Roy Browns assistant Katina she said the she wanted to give me an Update that Safari Glass replaced all windows at the 126 E Townsend address.

Raina H Bergens  
Code Enforcement Officer  
City of Wauchula  
rbergens@cityofwauchula.com

---

**From:** Leeanna Castanon <Leeanna.Castanon@hardeecountyfl.gov>  
**Sent:** Wednesday, November 6, 2024 10:25 AM  
**To:** RAINA BERGENS <rbergens@cityofwauchula.com>; Guadalupe Flores <guadalupe.flores@hardeecountyfl.gov>  
**Subject:** RE: Roy Brown Properties

No ma'am, we do not have any recent permits for those properties.

Thank you,

### Leeanna Castanon

Permit Specialist – ICC Certified Technician  
Hardee County Building Department

---

Office: [\(863\) 773-3236](tel:8637733236)  
Email: [leeanna.castanon@hardeecountyfl.gov](mailto:leeanna.castanon@hardeecountyfl.gov)  
Online Portal: <https://hardeecounty.portal.iworq.net/portalhome/hardeecounty>  
401 W. Main St Wauchula, FL 33873

**\*\*Our office will be CLOSED and there will be NO INSPECTIONS on Monday, 11/11/2024 for Veterans Day. Please plan accordingly!!\*\***

**"TEAM HARDEE"**





## A1 Safari Glass, Inc

300 North Florida Avenue | Wauchula, Florida 33873  
8637733434 | joanne@a1safiriglass.com | www.a1safiriglass.com

City of Wauchula

### RECIPIENT:

**Roy Brown**

126 Townsend Street  
Wauchula, Florida

**Invoice #7457**

Issued

Not sent yet

Due

Upon receipt

**Total**

**\$1,026.01**

### For Services Rendered

Product/Service	Description	Qty.	Total
1/16" S/S	Single Strength 2- 34 x 9	2	\$28.34
1/16" S/S	Single Strength 2- 34 x 15	2	\$45.34
1/16" S/S	Single Strength 2- 11 x 50	2	\$50.00
1/16" S/S	Single Strength 1- 35 x 11	1	\$18.00
1/16" S/S	Single Strength 1- 12 x 32	1	\$16.00
1/16" S/S	Single Strength 51 x 23	1	\$52.00
1/8" Obscured Glass	2 - 22 x 11	2	\$45.84
Labor	To remove existing glass and install new glass	1	\$560.00*
Service Call	Includes all sealants and screws.	1	\$180.00

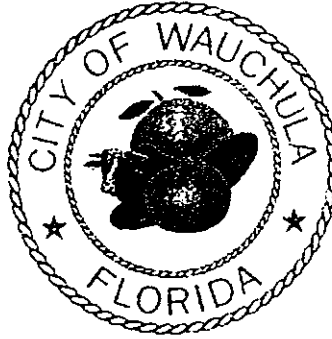
NO New Windows  
installed Wed Oct 30 by  
Dalton, Nick & Josue

\* Non-taxable

Thank you for your business. Please contact us with any questions regarding this invoice.

Subtotal	\$995.52
Florida, Hardee County (1.0%)	\$4.36
Florida State (6.0%)	\$26.13
<b>Total</b>	<b>\$1,026.01</b>

**KYLE LONG**  
**COMMUNITY DEVELOPMENT**  
**DIRECTOR**  
126 S 7<sup>th</sup> Ave  
Wauchula, FL 33873



**RAINA H BERGENS**  
**CODE ENFORCEMENT OFFICER/**  
**ZONING INSPECTOR**  
(863) 773-3064  
(863) 773-0773 Fax

**NOTICE OF FORECLOSURE**

February 14, 2025

Roy A Brown  
P O 1778  
Wauchula, FL 33873

Re:   Property Location:   126 E Townsend Street  
      Legal Description:   W1/2 OF LOTS 3 & 4 BLK 4 MAPLE HEIGHTS  
      Property ID#:       04-34-25-0310-00004-003B  
      Case Number(s):    23-175-M

To Whom It May Concern:

Please be advised that at the regular monthly hearing the City of Wauchula Special Magistrate may proceed with authorizing the City Attorney to foreclose on a lien that was placed on your property referenced above, in relation to the above-mentioned case number(s). The hearing will be held on February 27, 2025 at 9:30 AM., in the Commission Chambers of Historic City Hall located at 225 E Main Street Suite 105, in Wauchula.

It is in your best interest to attend this meeting.

Govern yourself accordingly,

  
Raina H. Bergens  
Code Enforcement Officer

## RAINA BERGENS

---

**From:** Guadalupe Flores <guadalupe.flores@hardeecountyfl.gov>  
**Sent:** Thursday, February 27, 2025 8:41 AM  
**To:** RAINA BERGENS; Leeanna Castanon; Felise Skinner  
**Subject:** RE: Brown Properties

No, ma'am. We have no permit apps for these addresses.

Thank you,

### Guadalupe Flores

Office Manager/Permit Specialist - ICC Certified Permit Tech  
Hardee County Building Department

---

Office: (863) 773-3236

Email: [guadalupe.flores@hardeecountyfl.gov](mailto:guadalupe.flores@hardeecountyfl.gov)

Online Portal: <https://hardeecounty.portal.iworq.net/portalhome/hardeecounty>

401 W. Main Street, Wauchula, FL 33873

**"TEAM HARDEE"**



---

**From:** RAINA BERGENS <rbergens@cityofwauchula.com>

**Sent:** Thursday, February 27, 2025 8:17 AM

**To:** Guadalupe Flores <guadalupe.flores@hardeecountyfl.gov>; Leeanna Castanon <Leeanna.Castanon@hardeecountyfl.gov>; Felise Skinner <felise.skinner@hardeecountyfl.gov>

**Subject:** Brown Properties

Has any permits been pulled for these listed properties?

121 W Main  
126 E Townsend  
715 S 6<sup>th</sup> Avenue  
125 W Main Street

Thanks,

Raina H Bergens  
Code Enforcement Officer  
City of Wauchula  
[rbergens@cityofwauchula.com](mailto:rbergens@cityofwauchula.com)

IN AND FOR THE CITY OF WAUCHULA, FLORIDA

VIOLATION NO: 23-175-M

IN RE: *Property Address:* 126 E Townsend Street

*Parcel Number:* 04-34-25-0310-00004-003B

*Legal Description:* W1/2 OF LOTS 3 & 4 BLK 4 MAPLE HEIGHTS

CITY OF WAUCHULA, a Florida municipal corporation,

*Petitioner*

v.

Roy A Brown

P O Box 1778

Wauchula, FL 33873

*Respondent(s)*

---

### **FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

THIS CAUSE came on for public hearing before the Special Magistrate after due notice to Respondent(s), and the Special Magistrate, having heard testimony under oath, received evidence and heard argument thereupon, issues this "Findings of Fact, Conclusions of Law and Order" pursuant to §§162.07(4) and 162.08(5), Florida Statutes:

#### **FINDINGS OF FACT**

1. On or about **September 26, 2023**, there existed at on the above described property, the following conditions in violation of the Code of Ordinances of the City of Wauchula, such conditions constituting a nuisance and a serious threat to the public health, safety, and welfare within the meaning of §162.06(4), Florida Statutes:

#### ***Chapter 5, Article IV, Minimum Exterior Property Maintenance Standards***

2. Captioned real property is located and existing within the corporate limits of the City of Wauchula, Florida. Respondent(s), as owners(s) of the captioned real property are responsible for maintaining the same in accordance with the Code of Ordinances of the City of Wauchula. All required notices pursuant to §162.12, Florida Statutes.

#### **CONCLUSIONS OF LAW**

3. This Magistrate has jurisdiction over the Respondent(s) and this matter is otherwise properly before this Magistrate. Further, this Magistrate has subject matter jurisdiction pursuant to §2-35 of the Code of Ordinances of the City of Wauchula.

4. The above stated facts constitute a violation of the specific sections(s) of the City Code cited in paragraph 1 herein.

5. The violator ~~did~~ did not appear for the hearing.

**ORDER**

Based on the foregoing Findings of Fact Conclusions of Law, and upon consideration of (i) the gravity of the violation, (ii) any actions taken by the violator to correct the violation, and (iii) previous violations committed by the violator, it is hereby ORDERED that:

- ☐ Summary Disposition. Respondent(s) admit(s) to the violation (s) and request(s) additional time to comply. Respondent(s) has/have waived any defenses to the violation(s). Respondent(s) shall have until \_\_\_\_\_ to comply or a \$\_\_\_\_\_ per day fine may be imposed.
- ☐ Respondent(s) shall secure captioned property by \_\_\_\_\_ or a \$\_\_\_\_\_ per day fine shall be imposed.  
As to **Chapter 5, Article IV, Minimum Exterior Property Maintenance Standards**
- ☐ respondent(s) shall have until \_\_\_\_\_ for a total compliance or a \_\_\_\_\_ per day fine shall be imposed.
- ☐ The City of Wauchula is hereby authorized to abate the violation(s) named herein in accordance with §162.09(1), Florida Statutes, but shall not be required to do so. If abatement occurs, the City of Wauchula may assess all costs incurred by it against Respondent(s), in addition to any fine or costs imposed herein, if any such fine amount or costs amount is imposed.
- ☐ Pursuant to §162.08(5) Florida Statutes, the Code Enforcement Division of the City of Wauchula is hereby authorized to initiate the demolition process and assess all costs incurred by it against the Respondent(s), in addition to any fine or costs imposed herein, if any such fine amount or costs amount is imposed.
- ☐ Violations did exist and the City of Wauchula requests to allow respondent additional time in which to comply. The new compliance date shall be \_\_\_\_\_. With no fine imposed at this time.
- ☐ The evidence did not support the violation cited. The case is hereby dismissed.
- ☐ Violation(s) did exist at the subject property, but have been remedied. No fine in this matter shall be imposed, however future offenses of the same nature as cited in this case will be considered repeat offenses and subject to fines as such.
- ☐ Violation(s) \_\_\_\_\_ as identified herein is/are irreparable or irreversible in nature. A one time fine of \$\_\_\_\_\_ is imposed against the Respondent(s) in addition to any fine or costs imposed herein, if any such fine amount or costs amount imposed.
- ☐ Respondent(s) shall be responsible for costs incurred by the City in prosecuting this case totaling \$\_\_\_\_\_. The costs shall be paid in full within 60 days of this order. If unpaid the costs shall be assessed against the subject property as a lien, and this Order, or subsequent Order Imposing Fine, may be recorded in the Public Records of Hardee County as evidence thereof.
- ☐ Respondent has been found in violation as a repeat offender. A fine of \$\_\_\_\_\_ shall be imposed and a \$\_\_\_\_\_ per day fine shall continue until property is brought into compliance.
- ☐ Fine includes administrative costs of \$\_\_\_\_\_.
- ☐ Pursuant to §162.09 (3) the Special Magistrate authorize the City of Wauchula to begin foreclosure procedures on the above captioned property.
- ☐ Bank is listed as Respondent for notification purposes only.
- ☒ Other: Continue until next month's hearing

YOU ARE NOTIFIED THAT IF THIS ORDER IMPOSES A FINE, ABATEMENT COSTS, OR PROSECUTION COSTS AGAINST YOU THAT pursuant to §162.09(3), Florida Statutes, once final this ORDER may be recorded in the public records and thereafter may constitute a lien against the captioned property and upon any other real property and upon any other real or personal property owned by YOU. FURTHER, SUBSEQUENT CERTIFICATIONS OR SUPPLEMENTAL CERTIFICATIONS OF FINES MAY BE RECORDED IN THE PUBLIC RECORDS IF THE VIOLATIONS MENTIONED HEREIN MAY BE REMEDIED AND YOU FAIL TO TIMELY DO SO.

DONE AND ORDERED this 27 day of February, 2025 at Wauchula, Hardee County, Florida.

ATTEST:

Stephanie Camacho  
Stephanie Camacho  
City Clerk

Elliott V. Mitchell  
Elliott V Mitchell  
City of Wauchula Special Master

This ORDER may be appealed to Circuit Court within thirty (30) days of the date of its rendition pursuant to §162.11, Florida Statutes, by filing a timely Notice of Appeal with the Clerk of Courts and complying with any and all applicable court rules of procedure

Violation No:

The City of Wauchula Code Enforcement met for its regularly scheduled hearing on February 27, 2025 at 9:30 a.m.

Special Magistrate Elliott Mitchell called the hearing to order and administered the oath to those testifying.

City staff present at the hearing were Code Enforcement Officer Raina Bergens and City Clerk Stephanie Camacho.

Additional attendees present for all cases listed on this agenda:

Roy Brown – property owner

Jacob Stinton – contractor for Roy Brown

Sam Brown-Parks – daughter of Roy Brown (appeared via Zoom)

Andrea Milheizler – daughter of Roy Brown (appeared via Zoom)

Tom Fisher – Hardee County Building Official

Milheizler stated she and Brown-Parks have stepped in to help with the code enforcement issues on these properties and had been in contact with Bergens to get a list of all violations that needed to be addressed. Brown-Parks stated there was a lot of confusion about what was going on and the extent of the issues. Mitchell advised Milheizler and Brown-Parks that he had seen cases on Mr. Brown's properties on a regular basis for the last several years, and that Brown does not take responsibility for the violations. Mitchell also stated that Brown appears to be the person in control of these properties. Mitchell stated that, if there was a power of attorney in place and Brown was not the one handling these issues, he could take that into consideration. Mitchell stated there needed to be a clear path forward in order for anything to change. Milheizler requested a bullet point list of everything that needed to be done at each property and asked for a 30-day extension to come up with a plan on how to get them into compliance.

#### **PROCEED WITH LIEN FORECLOSURE:**

**23-170-M**

**Roy A Brown**

**121 W Main Street**

Bergens stated the property was not in compliance and the City was ready to proceed with foreclosure. Brown claimed he had a permit to start work on this property. Mitchell stated the City received an email from the Hardee County Building Department the morning of this hearing stating there were no permit applications for any of the addresses on the agenda. Fisher confirmed there were no open permits. Mitchell reiterated the violation on this property and photographs showed no work had been done. Special Magistrate Mitchell continued this case to the March hearing to allow time for a plan to be developed.

**23-175-M**

**Roy A Brown**

**126 E Townsend Street**

Photographs showed substantial issues with the property. Brown stated, for the record, there were more fines than the property was worth. Special Magistrate Mitchell continued this case to the March hearing to allow time for a plan to be developed.

#### **OLD CASES:**

The following properties were presented for the purpose of providing status updates for Milheizler and Brown-Parks.

**24-078-M**

**Roy A Brown Trustee**

**715 S 6<sup>th</sup> Avenue**

Bergens stated a tree had fallen, causing damage to portions of the fence. Bergens stated tarps were put up, also that some work had been done but there were still sections that needed to be repaired. There was a current lien on this property in the amount of \$18,100.

**24-079-L**

**Roy A Brown Trustee**

**715 S 6<sup>th</sup> Avenue**

Bergens confirmed the tree had been cut down but stated the property needed to be mowed and maintained according to the City's ordinance. There was a current lien on this property in the amount of \$9,100.

**24-091-M**

**Roy A Brown**

**125 W Main Street**

\* This is the same building as 121 W Main St however there are separate parcel IDs/addresses listed on property appraiser. \*

Bergens stated this property had the same code violations as case number 23-170-M for 121 W Main St. There was a current lien on this property.

**PUBLIC COMMENTS**

No additional public comments were presented.

**APPROVAL OF JANUARY 23, 2025 MINUTES**

Special Magistrate Mitchell approved the minutes.

With no further business to discuss, Special Magistrate Mitchell adjourned the hearing at 10:18 a.m.

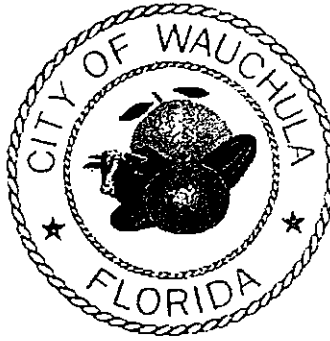
---

Elliott Mitchell, Special Magistrate

---

Stephanie Camacho, City Clerk

**KYLE LONG**  
**COMMUNITY DEVELOPMENT**  
**DIRECTOR**  
126 S 7<sup>th</sup> Avenue  
Wauchula, FL 33873



**RAINA H BERGENS**  
**CODE ENFORCEMENT**  
**OFFICER/ZONING INSPECTOR**  
(863) 773-3064  
(863) 773-0773 Fax

**REMINDER**

March 14, 2025

Roy A Brown  
P O Box 1778  
Wauchula, FL 33873

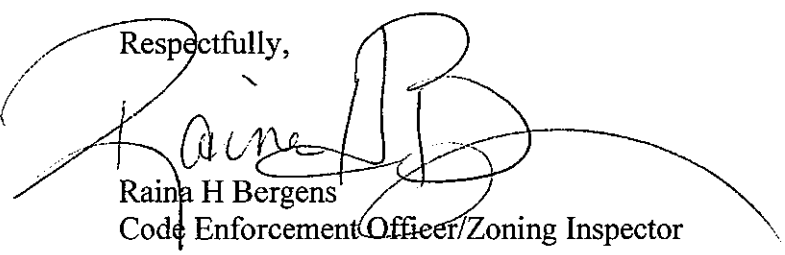
Property Location: 126 E Townsend Street  
Legal Description: W1/2 OF LOTS 3 & 4 BLK 4 MAPLE HEIGHTS  
Property ID#: 04-34-25-0310-00004-003B  
Case Number(s): 23-175-M

To Whom It May Concern:

This is just a reminder that your case will be heard by the Special Magistrate at the Code Enforcement meeting on Thursday, March 27, 2025. The meeting will be held at 9:30 a.m. in the City Commission Chambers, 225 E Main St., Suite 105, Wauchula, FL.

It would be in your best interest to attend.

Respectfully,

  
Raina H Bergens  
Code Enforcement Officer/Zoning Inspector

## RAINA BERGENS

---

**From:** Felise Skinner <felise.skinner@hardeecountyfl.gov>  
**Sent:** Thursday, March 27, 2025 8:47 AM  
**To:** RAINA BERGENS; Guadalupe Flores; Leeanna Castanon  
**Subject:** RE: Brown

For 121 W Main St we have not received any permit requests for this property, Roy Brown came in and attempted to get the permit thinking that Katina had it submitted but she was missing documents the day she came in. We let Roy Brown know that we still needed everything for it and he has not comeback in for that particular one in a while. The last permit have for 126 E Townsend Rd was back in 2019 for a roof.

**\*\*Please note our office hours on Friday will change starting on April 25th, 2025; New hours will be 8:00AM-4:00PM for Fridays ONLY!! The office will be closed all day April 18<sup>th</sup>, 2025 for Good Friday.\*\***

Thank you,

**Felise Skinner**

Building Permit Tech  
Hardee County Building Department  
**Payment Processing Hours: 8:00AM-3:30PM**

---

Office: (863) 773-3236  
Email: [felise.skinner@hardeecountyfl.gov](mailto:felise.skinner@hardeecountyfl.gov)  
Online Portal: <https://hardeecounty.portal.iworq.net/portalhome/hardeecounty>  
401 W. Main Street, Wauchula, FL 33873

**"TEAM HARDEE"**



**From:** RAINA BERGENS <rbergens@cityofwauchula.com>  
**Sent:** Thursday, March 27, 2025 8:30 AM  
**To:** Guadalupe Flores <guadalupe.flores@hardeecountyfl.gov>; Felise Skinner <felise.skinner@hardeecountyfl.gov>; Leeanna Castanon <Leeanna.Castanon@hardeecountyfl.gov>  
**Subject:** Brown

Good morning ladies,

Have there been any permits issued for any work to be done or that has been done for 121 W Main Street or 126 E Townsend Street?

IN AND FOR THE CITY OF WAUCHULA, FLORIDA

VIOLATION NO: 23-175-M

IN RE: *Property Address:* 126 E Townsend Street

*Parcel Number:* 04-34-25-0310-00004-003B

*Legal Description:* W1/2 OF LOTS 3 & 4 BLK 4 MAPLE HEIGHTS

CITY OF WAUCHULA, a Florida municipal corporation,

*Petitioner*

v.

Roy A Brown

P O Box 1778

Wauchula, FL 33873

*Respondent(s)*

---

### FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE came on for public hearing before the Special Magistrate after due notice to Respondent(s), and the Special Magistrate, having heard testimony under oath, received evidence and heard argument thereupon, issues this "Findings of Fact, Conclusions of Law and Order" pursuant to §§162.07(4) and 162.08(5), Florida Statutes:

#### FINDINGS OF FACT

1. Appearing before the Special Magistrate was Code Enforcement Officer Raina H. Bergens.
2. The respondent did not appear for the hearing. → *San Brown-Parks was in attendance*
3. Respondent was duly served with notice of the subject hearing.
4. On or about **September 26, 2023** there existed at on the above-described property, the following conditions in violation of the Code of Ordinances of the City of Wauchula, such conditions constituting a nuisance and a serious threat to the public health, safety, and welfare within the meaning of §162.06(4), Florida Statutes:

#### **Chapter 5, Article IV, Minimum Exterior Property Maintenance Standards**

5. Captioned real property is located and existing within the corporate limits of the City of Wauchula, Florida. Respondent(s), as owners(s) of the captioned real property are responsible for maintaining the same in accordance with the Code of Ordinances of the City of Wauchula. All required notices pursuant to §162.12, Florida Statutes.

#### CONCLUSIONS OF LAW

6. This Magistrate has jurisdiction over the Respondent(s) and this matter is otherwise properly before this Magistrate. Further, this Magistrate has subject matter jurisdiction pursuant to §2-35 of the Code of Ordinances of the City of Wauchula.
7. The above stated facts constitute a violation of the specific sections(s) of the City Code cited in paragraph 1 herein.
8. All procedural requirements have been satisfied, met, or waived, including due and proper notice to the Respondent.

### ORDER

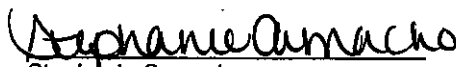
Based on the foregoing Findings of Fact Conclusions of Law, and upon consideration of (i) the gravity of the violation, (ii) any actions taken by the violator to correct the violation, and (iii) previous violations committed by the violator, it is hereby ORDERED that:

- ☐ Summary Disposition. Respondent(s) admit(s) to the violation (s) and request(s) additional time to comply. Respondent(s) has/have waived any defenses to the violation(s). Respondent(s) shall have until \_\_\_\_\_ to comply or a \$\_\_\_\_\_ per day fine may be imposed.
- ☐ Respondent(s) shall secure captioned property by \_\_\_\_\_ or a \$\_\_\_\_\_ per day fine shall be imposed.
- ☐ As to Chapter 5, Article IV, Minimum Exterior Property Maintenance Standards respondent(s) shall have until \_\_\_\_\_ for a total compliance or a \_\_\_\_\_ per day fine shall be imposed.
- ☐ The City of Wauchula is hereby authorized to abate the violation(s) named herein in accordance with §162.09(1), Florida Statutes, but shall not be required to do so. If abatement occurs, the City of Wauchula may assess all costs incurred by it against Respondent(s), in addition to any fine or costs imposed herein, if any such fine amount or costs amount is imposed.
- ☐ Pursuant to §162.08(5) Florida Statutes, the Code Enforcement Division of the City of Wauchula is hereby authorized to initiate the demolition process and assess all costs incurred by it against the Respondent(s), in addition to any fine or costs imposed herein, if any such fine amount or costs amount is imposed.
- ☐ Violations did exist and the City of Wauchula requests to allow respondent additional time in which to comply. The new compliance date shall be \_\_\_\_\_. With no fine imposed at this time.
- ☐ The evidence did not support the violation cited. The case is hereby dismissed.
- ☐ Violation(s) did exist at the subject property, but have been remedied. No fine in this matter shall be imposed, however future offenses of the same nature as cited in this case will be considered repeat offenses and subject to fines as such.
- ☐ Violation(s) \_\_\_\_\_ as identified herein is/are irreparable or irreversible in nature. A one time fine of \$\_\_\_\_\_ is imposed against the Respondent(s) in addition to any fine or costs imposed herein, if any such fine amount or costs amount imposed.
- ☐ Respondent(s) shall be responsible for costs incurred by the City in prosecuting this case totaling \$\_\_\_\_\_. The costs shall be paid in full within 60 days of this order. If unpaid the costs shall be assessed against the subject property as a lien, and this Order, or subsequent Order Imposing Fine, may be recorded in the Public Records of Hardee County as evidence thereof.
- ☐ Respondent has been found in violation as a repeat offender. A fine of \$\_\_\_\_\_ shall be imposed and a \$\_\_\_\_\_ per day fine shall continue until property is brought into compliance.
- ☐ Fine includes administrative costs of \$\_\_\_\_\_.
- ☒ Pursuant to §162.09 (3) the Special Magistrate authorize the City of Wauchula to begin foreclosure procedures on the above captioned property.
- ☐ Bank is listed as Respondent for notification purposes only.
- ☐ Other:

YOU ARE NOTIFIED THAT IF THIS ORDER IMPOSES A FINE, ABATEMENT COSTS, OR PROSECUTION COSTS AGAINST YOU THAT pursuant to §162.09(3), Florida Statutes, once final this ORDER may be recorded in the public records and thereafter may constitute a lien against the captioned property and upon any other real property and upon any other real or personal property owned by YOU. FURTHER, SUBSEQUENT CERTIFICATIONS OR SUPPLEMENTAL CERTIFICATIONS OF FINES MAY BE RECORDED IN THE PUBLIC RECORDS IF THE VIOLATIONS MENTIONED HEREIN MAY BE REMEDIED AND YOU FAIL TO TIMELY DO SO.

DONE AND ORDERED this 27 day of March, 2025 at Wauchula, Hardee County, Florida.

ATTEST:

  
Stephanie Camacho  
City Clerk

  
Elliott V Mitchell  
City of Wauchula Special Master

This ORDER may be appealed to Circuit Court within thirty (30) days of the date of its rendition pursuant to §162.11, Florida Statutes, by filing a timely Notice of Appeal with the Clerk of Courts and complying with any and all applicable court rules of procedure

Violation No: