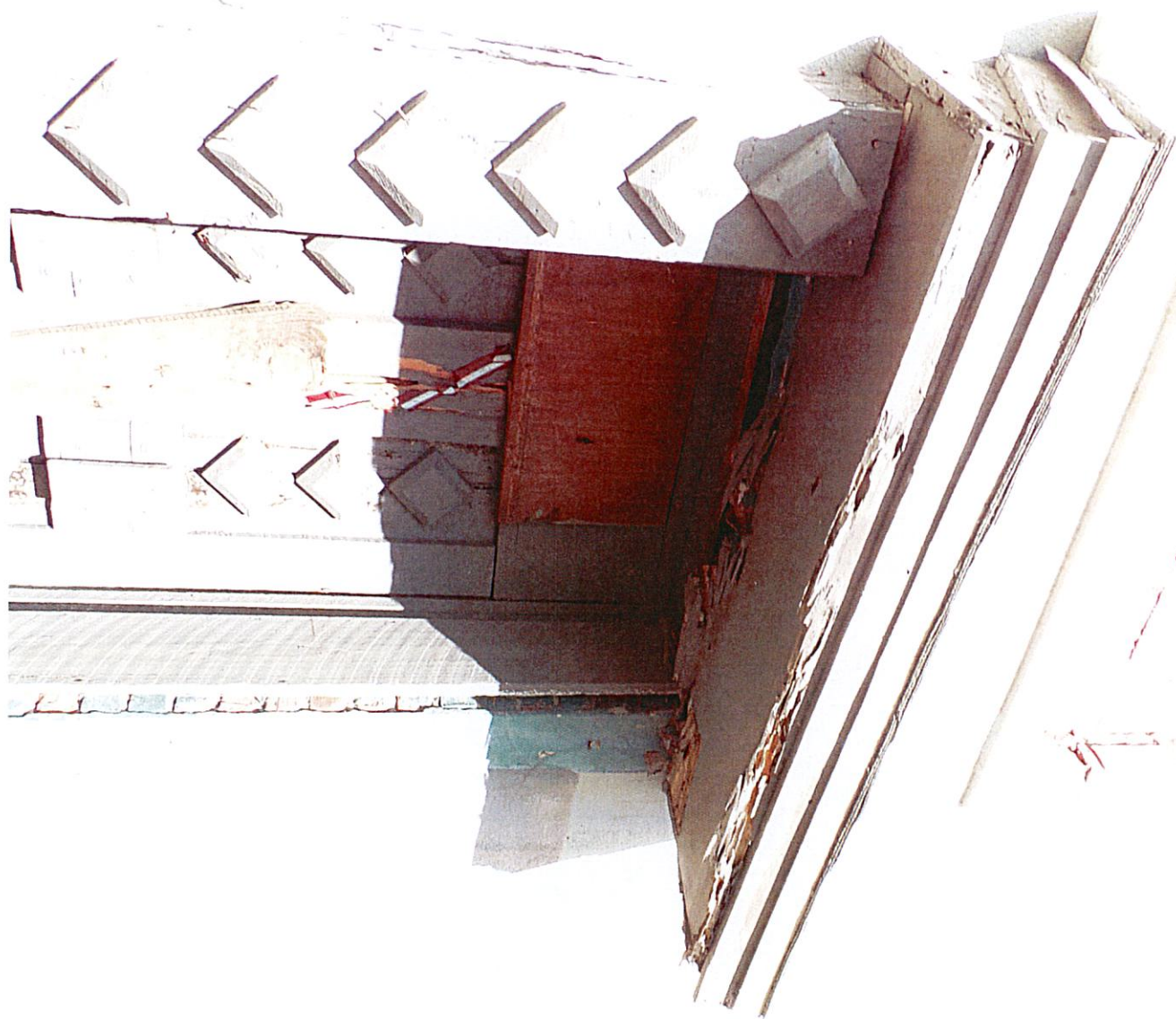




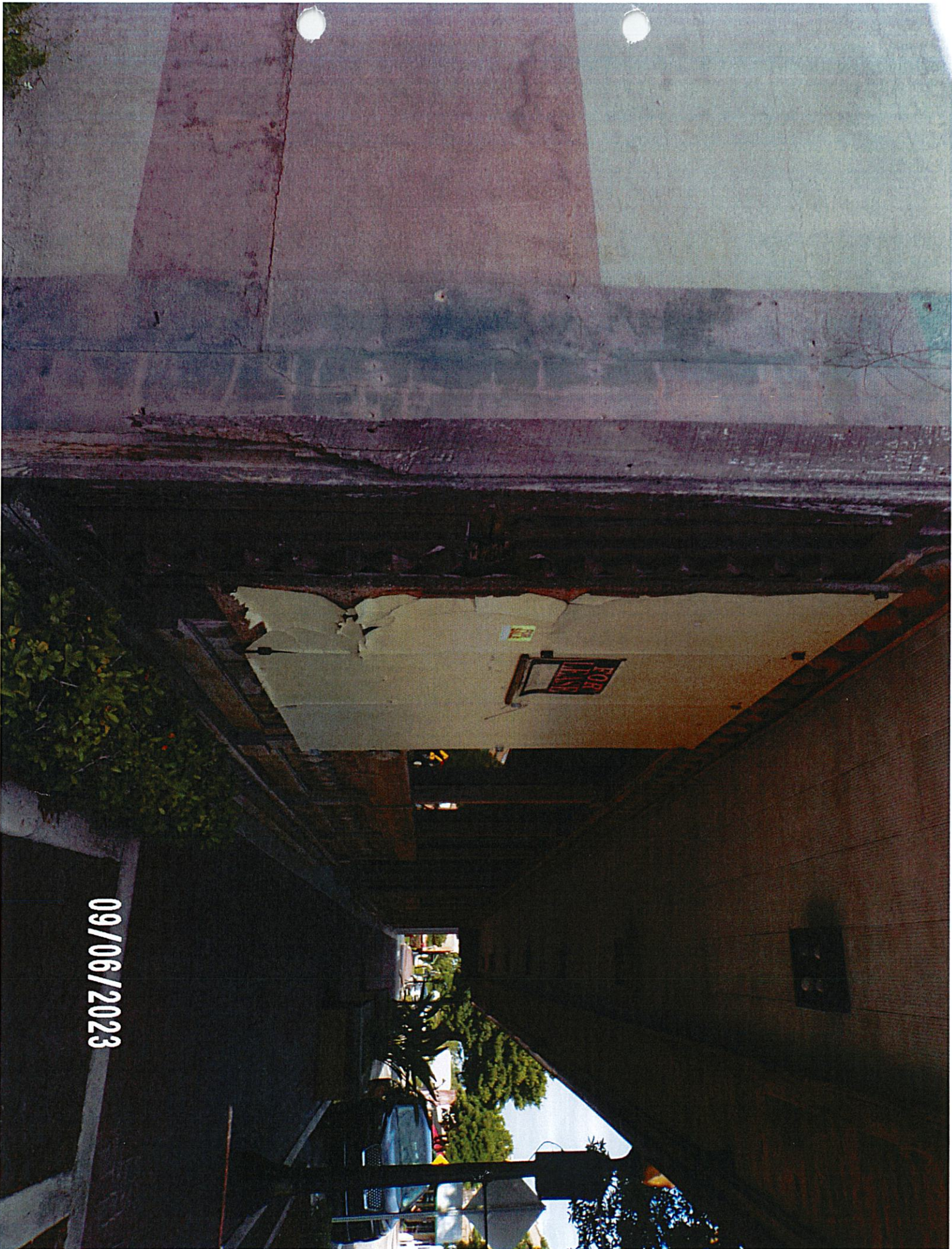
09/06/2023



09/06/2023

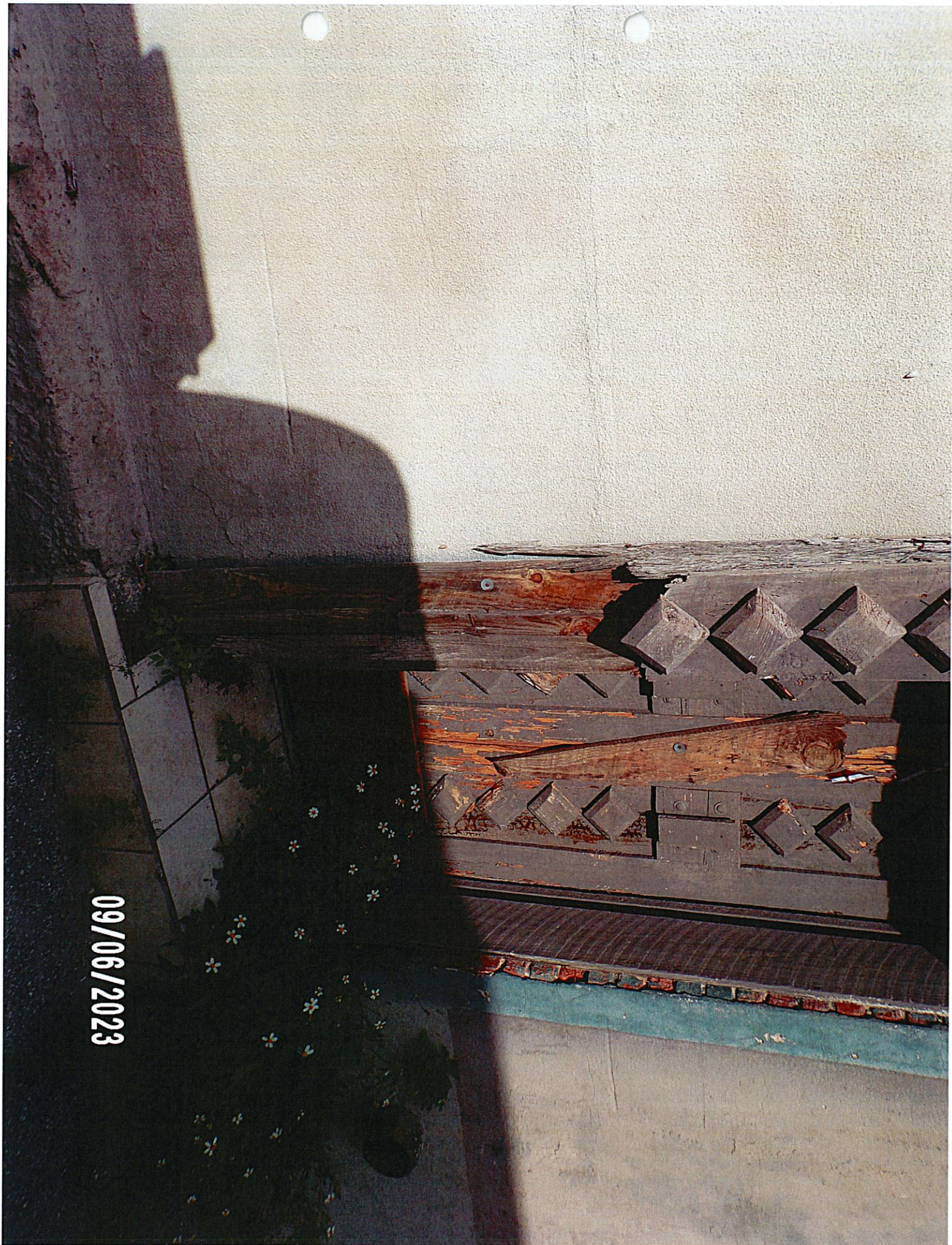


09/06/2023

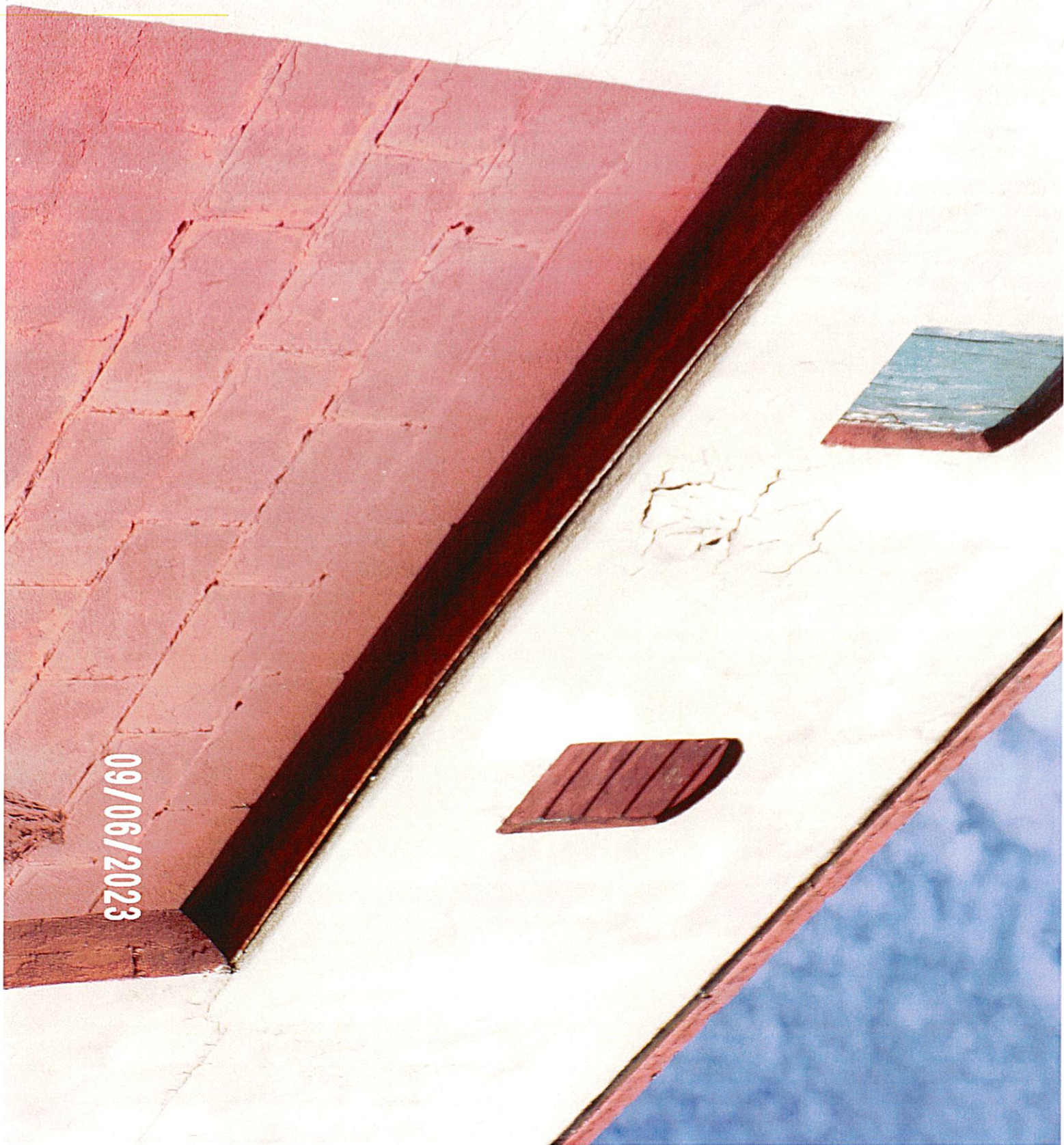


09/06/2023

09/06/2023



09/06/2023



Gasparri
Realty
561-998-7826

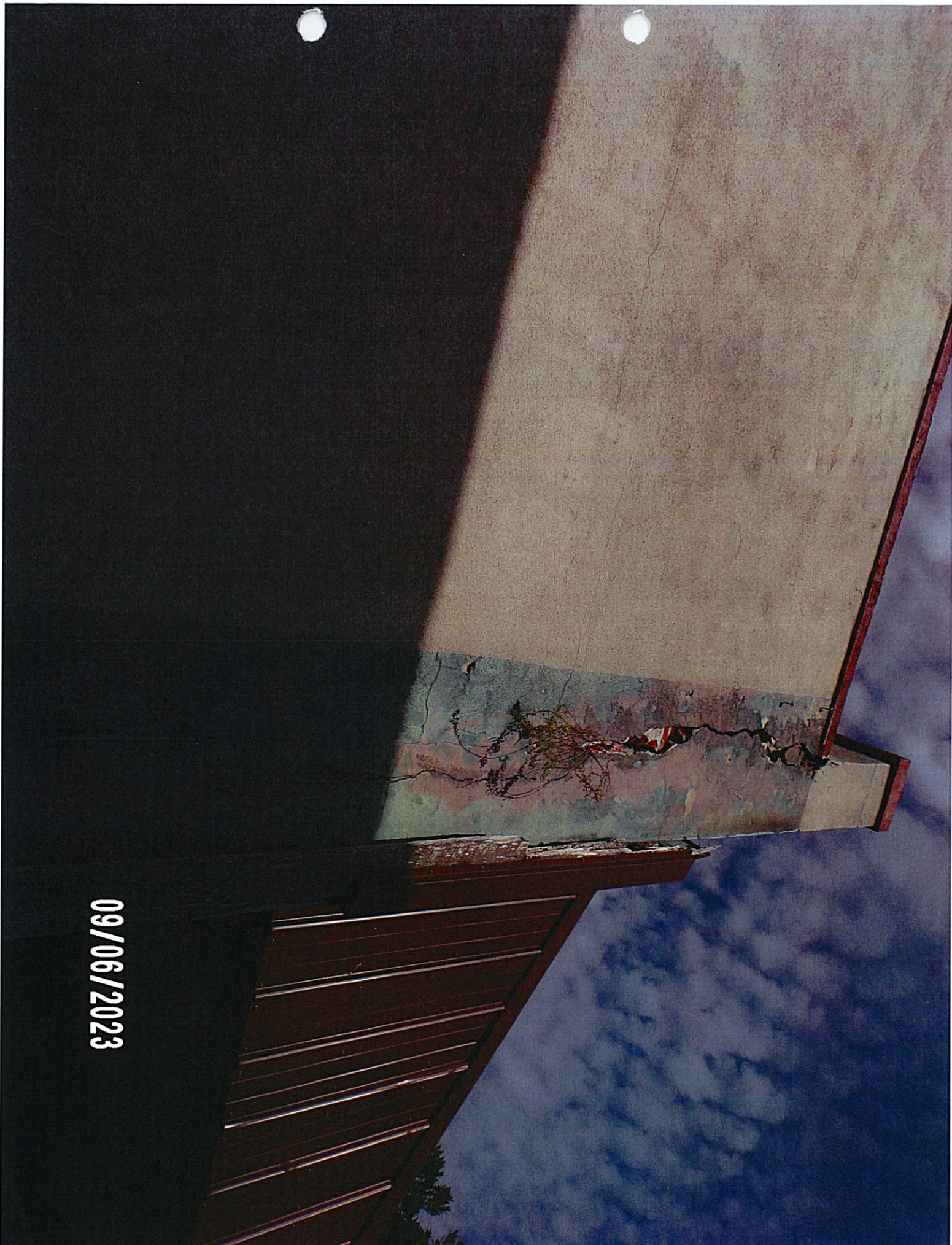
09/06/2023



09/06/2023

09/06/2023

1714
R
G
M
M



09/06/2023

Kyle Long
Community Development
Director
126 S 7th 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 13, 2023

Roy A Brown
P O Box 1778
Wauchula, FL 33873

9489 0090 0027 6253 5568 64

Property Address: 121 W Main Street
Legal Desc: EAST 74 FT OF LOTS 11, 12, & 13 BLK 23 WAUCHULA ORS
Parcel No: 03-34-25-0200-00023-011B
Case No: 23-170-M
Certified Mail No: 9459 0090 0027 6253 5568 64

To Whom It May Concern:

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

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 exterior of the building needs to have the stucco repaired. It is cracked and falling off in some areas. The wood that has been put on around the doors and facade are rotten and termite infested, needs to be removed and the building needs to be treated for termites. The building needs to be scraped and painted. The graffiti that has been placed on the building needs to be removed. Any broken windows need to be repaired.**

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.

Before doing any repairs to any building, please contact the City of Wauchula Planning and Zoning Department at (863) 773-9193 for permitting information. **If the property listed above is a rental, a licensed contractor must perform repairs.**

CITY OF WAUCHLA
CODE ENFORCEMENT DIVISION

AFFIDAVIT OF POSTING

NOTICE OF VIOLATION

I, Raina H. Bergens, Code Enforcement Officer, do swear and affirm that I did regular mail and certify mail to property owner on 9/13/23.

This notice is in reference to case number and address
121 W Main Street / 23-170-M.


Raina H. Bergens

Code Enforcement Officer

Sworn to or affirmed and subscribed before me this 13th day of,
September 2023.



Signature of Notary



Notary Public Stamp

Personally known 4 or produced identification _

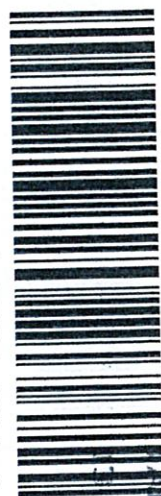
Type of identification _____



CERTIFIED MAIL®

CITY OF WAUCHULA
126 SOUTH 7TH AVENUE
WAUCHULA, FLORIDA 33873

RETURN SERVICE REQUESTED



9489 0090 0027 6253 5568 64

Label 890-PM Oct. 2015
Pitney Bowes

FIRST-CLASS



US POSTAGE
ZIP 33873
02 7H
0001284197
SEP 13 2023
\$ 007.18⁰

9/15/23
9/20/23

Roy A Brown
P O Box 17
Wauchula, FL

33873-1729
33873-2862

NIXIE 339 DE 1 0010/04/23
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
BC: 33873280226 *1901-07324-13-43

KYLE LONG
COMMUNITY DEVELOPMENT
DIRECTOR
126 S 7th 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 75

Property Address: 121 W Main Street
Legal Desc: EAST 74 FT OF LOTS 11, 12, & 13 BLKK 23 WAUCHULA ORS
Parcel No: 03-34-25-0200-00023-011B
Case No: 23-170-M
Certified Mail No: 9489 0090 0027 6253 5564 75

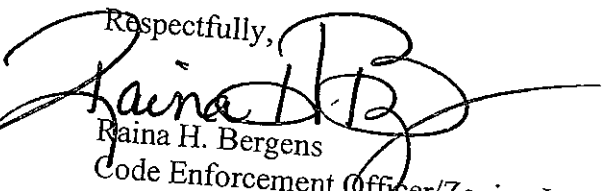
To Whom It May Concern:

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.**

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 WAUCHULA
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

121 W Main Street, Wauchula FL, 33873, on
11/16/23. This notice is in reference to case number
23-170-m.

Raina H. Bergens
Raina H. Bergens

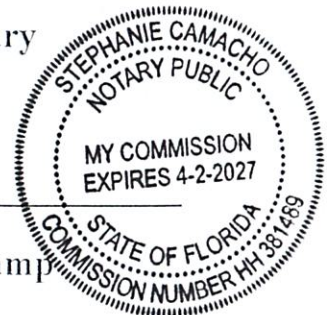
Code Enforcement Officer

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

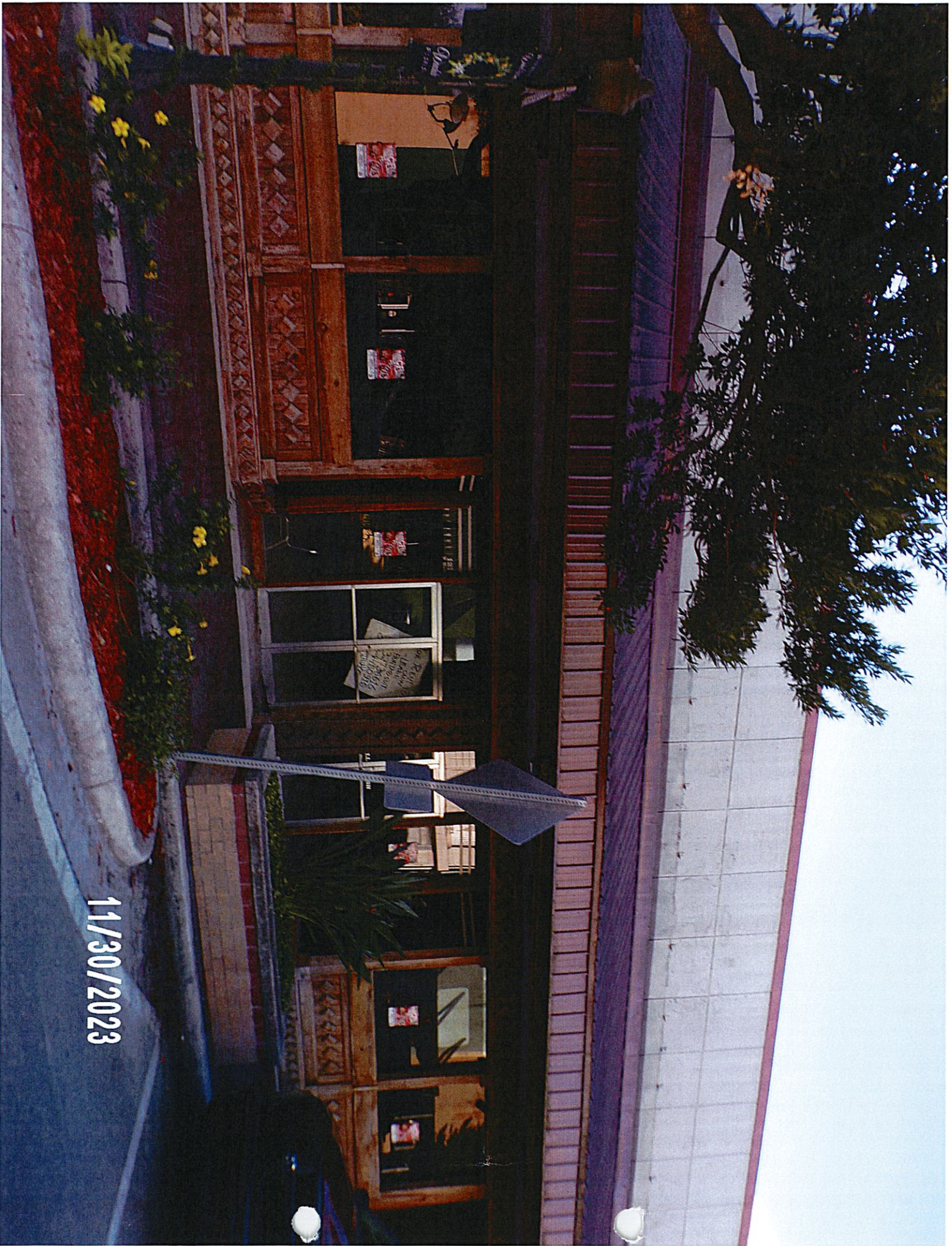
Stephanie Camacho

Signature of Notary

Notary Public Stamp



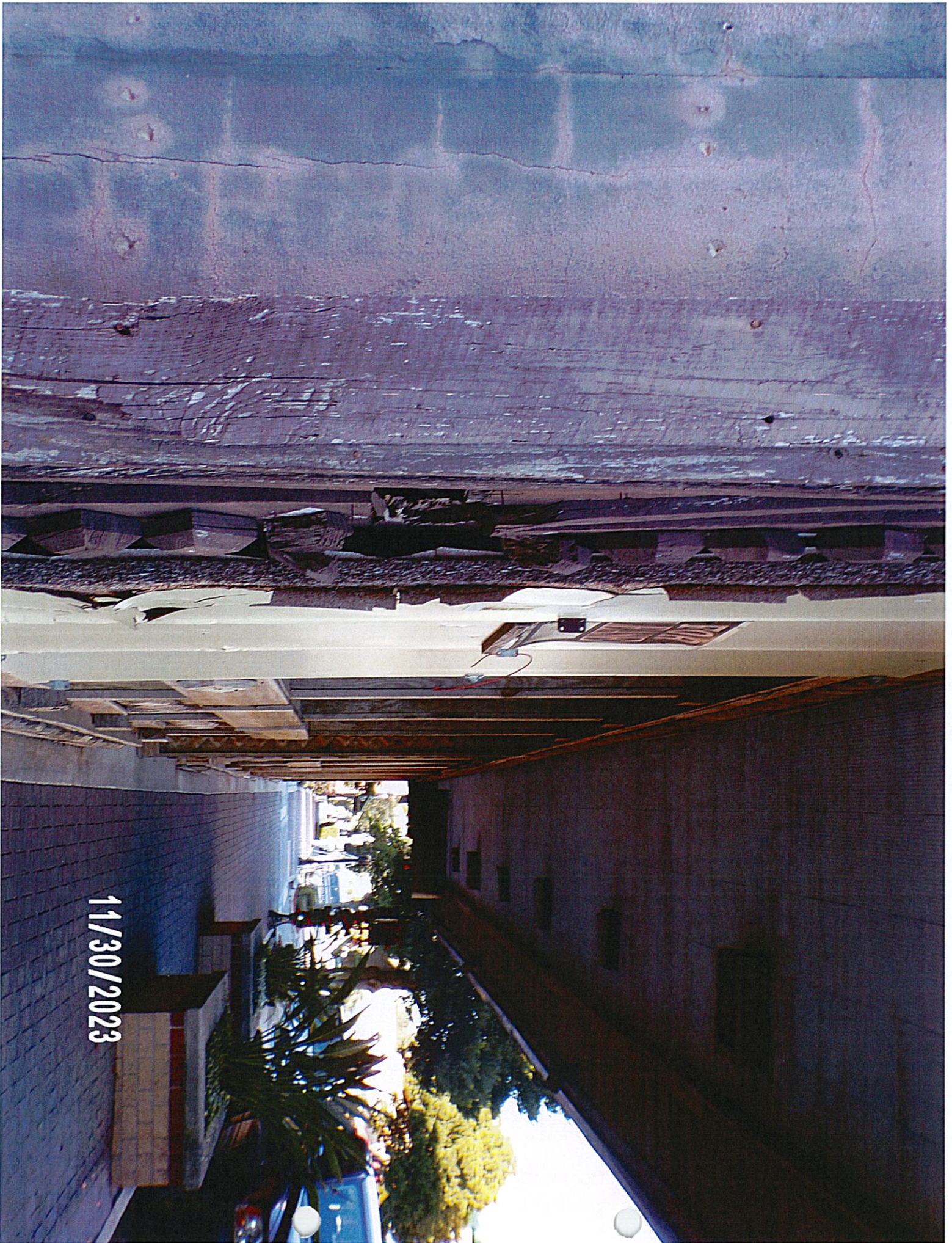
Personally known 9 or produced identification _____ Type
of identification _____



11/30/2023



11/30/2023



11/30/2023



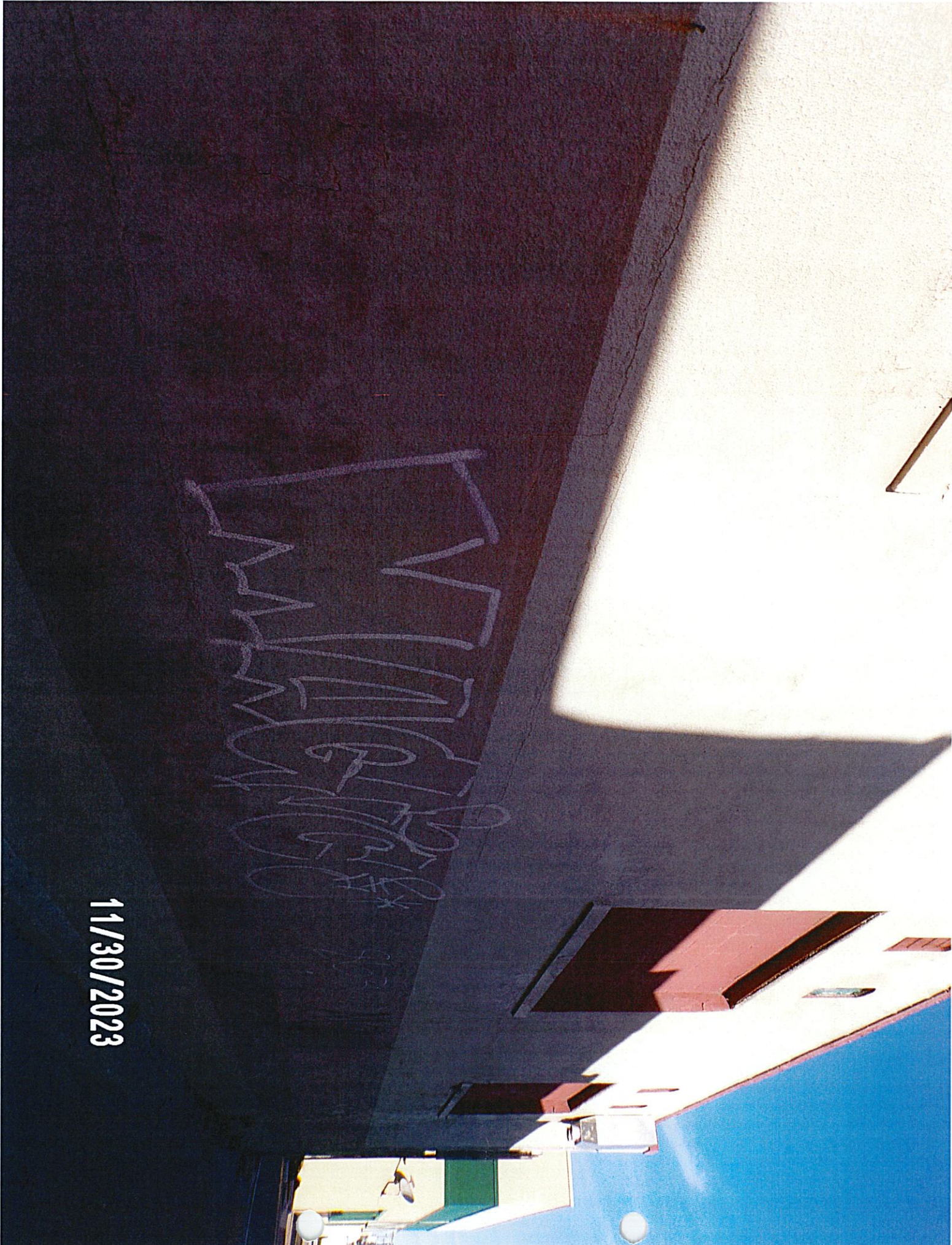
11/30/2023



11/30/2023



11/30/2023



11/30/2023



11/30/2023



11/30/2023



11/30/2023



IN AND FOR THE CITY OF WAUCHULA, FLORIDA

VIOLATION NO: 23-170-M

IN RE: *Property Address:* 121 W Main Street

Parcel Number: 03-34-25-0200-00023-011B

Legal Description: EAST 74 FT OF LOTS 11, 12 & 13 BLK 23 WAUCHULA ORS

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 13, 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.

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: 30 Days to pull permits or \$100/day

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 6th 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.

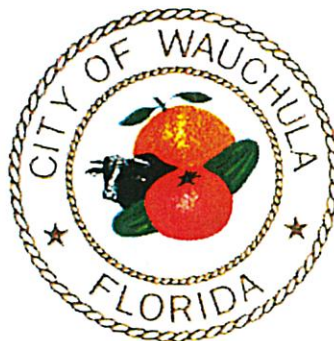
23-176-L Roy A Brown 126 E Townsend Street

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 205 Goolsby Street
(Est of) Gloria Rodriguez**

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

KYLE LONG
COMMUNITY DEVELOPMENT
DIRECTOR
126 S 7th Ave
Wauchula, FL 33873



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

COPY

**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: 121 W Main Street
Legal Description: EAST 74 FT OF LOTS 11, 12 & 13 BLK 23 WAUCHULA ORS
Property ID#: 03-34-25-0200-00023-011B
Case Number(s): 23-170-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 2, 2024 to pull proper permits or**, you will be ordered to pay \$100.00 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 2, 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

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

****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

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.



Hardee County Building Department

401 West Main Street – Wauchula, FL 33873

Phone: 863-773-3236 – Fax: 863-767-0360

building.department@hardeecounty.net

RE: Roy A Brown
121 W Main St
Wauchula, FL 33873

March 26, 2024

To Whom It May Concern:

An inspection was conducted of the facade of the building located at 121 W Main St.

It has been determined that this building has an extensive amount of termite damage throughout the southern yellow pine veneer that is not designed to be used as exterior siding. The damages will need to be replaced with the appropriate siding and a permit in place.

If you shall have any questions or concerns, please feel free to contact our office at the phone number or email address listed above.

Respectfully,

Tom Fisher
Chief Building Official

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
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.

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.

City of Wauchula

INVOICE


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

DATE:
INVOICE #

5/30/24
23-170-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: 121 W Main Street	\$12,000.00
 Administrative Fee	\$100.00
Due Payable 30 days from date of invoice	
TOTAL	\$12,100.00

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



08/22/2024



08/22/2024

OLIVIA MINSHEW
COMMUNITY DEVELOPMENT
DIRECTOR
126 S 7th 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: 121 W Main Street
 Legal Description: EAST 74 FT OF LOTS 11, 12, & 13 BLK 23 WAUCHULA ORS
 Property ID#: 03-34-25-0200-00023-011B
 Case Number(s): 23-170-M

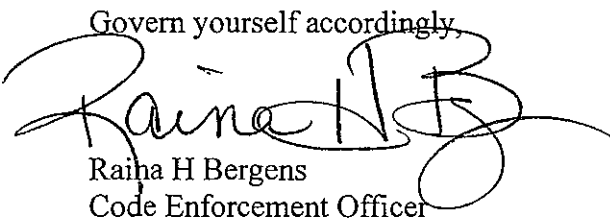
To Whom It May Concern,

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

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.

COPY

24-089-M Jose Vallejo 404 N 7th 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 7th 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

Ref. to building official letter dated March 26, 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

CCCFY

HARDEE COUNTY CLERK OF COURT
SEP 12 24 PM 2:22

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

Inst: 202425004988 Date: 09/12/2024 Time: 2:34PM
Victoria L Rogers, Clerk of Court
Hardee, County, By: JS
Deputy Clerk

**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. 23-170-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 Twelve thousand one hundred dollars (\$12,100.00), which represents previously ordered fines for the Code violations at 121 W Main Street, Wauchula, Florida 33873, legally described as: 121 W Main Street, Wauchula, Florida 33873, legally described as THE EAST 74 FEET OF LOTS 11, 12, AND 13, BLOCK 23, ORIGINAL PLAT OF Town of Wauchula, Florida according to plat thereof recorded in Plat book 1, page 1-29A, Public records of Hardee County, Florida. PARCEL # 003-34-25-0200-00023-011B

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, 20 24 at Wauchula, Hardee County, Florida.

ATTEST:

Stephanie Camacho
Stephanie Camacho, City Clerk

BY:

Elliott Mitchell
Elliott Mitchell, Special Magistrate

APPROVED AS TO FORM AND LEGALITY:

Kristie Hatcher Bohn
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
Email: 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 6th Avenue

Thanks,

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

CITY OF WAUCHULA
ZONING AND
COMPREHENSIVE PLAN CONSISTENCY
DETERMINATION
SIGN-OFF

Sign-off No. _____

DATE 2-13-25

Instructions to customers: READ CAREFULLY This application will not be processed unless this form is completely filled out, signed and dated. PLEASE PRINT

Describe, in detail, ALL work to be done: Repair Col. on 121 West Main St
Paint Alleyway - Red wall - four Graffiti

Physical address 121 West Main St

Property Owner Name: Roy A Brown P.E. Applicant's Name: Roy A Brown P.E.

Phone: 863-445-0915

Phone: 863-445-0915

Address: PO Box 1772

Address: P.O. Box 1772

Wauchula, FL

Wauchula, FL

Strap No./Parcel No.: 03-34-25-0200-00023-011B

Current use of property P Future use P

Legal Description of Property: See attached property card

Zoning: HCI Setbacks: Front ft Side ft Rear ft (Construction)

Accessory structures- Setbacks: Side ft Rear ft From other buildings ft

Flood Zone: X

Is this a deed-restricted community? If yes, you must provide a copy of the deed.

water and sewer facilities ; water facilities only ;

You, the customer, are responsible for meeting regulations. You must call for an inspection when you have staked the area of construction. If an inspection is not done and the Code Enforcement Officer finds that setbacks are not properly met, it will be at your expense to move or rebuild your structure.

The City of Wauchula has reviewed the proposed improvements and found them to be in compliance with the City's Comprehensive Plan, meets all concurrency requirements and meets all zoning requirements. The City has determined that the roadway connection and access is in compliance. If ingress/egress is on a State roadway, the customer must contact the Department of Transportation in Arcadia, Florida, also and provide letter of approval from them.

REGULATIONS AND RULES FOR SIGN-OFFS


When all documentation has been approved and confirmation from the City of Wauchula that no code violations exist on your property, you will be given a telephone call to pick up your paperwork. You will then take the paperwork to the Hardee County Building Department for the issuance of a building permit. Their address, phone number and fax number is:

401 West Main Street
Wauchula FL 33873-2832
Phone (863) 773-3236
Fax (863) 773-6284

I have read the City of Wauchula's sign-off form, have obtained all necessary copies of the regulations that I need and agree to comply with them. I understand that if work is being done that has not been stated on the first part of the form, I will be subject to a Stop-Work Order. Original signatures only. A notarized letter may be sent from the property owner if necessary.

Documentation that must be provided:

- ____ Property card
- ____ Site plan - to scale
- ____ Survey - if necessary
- ____ Letter of authorization - if necessary
- ____ Signed form



Signature of owner

2-13-24

Date

Print name of owner

Signature of applicant

Date

Print name of applicant

Public Works



Community Development

RAINA BERGENS

From: RAINA BERGENS
Sent: Thursday, February 13, 2025 10:48 AM
To: Guadalupe Flores
Subject: RE: 121 W Main Street

Tell Tom thanks for all the help with this..

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

From: Guadalupe Flores <guadalupe.flores@hardeecountyfl.gov>
Sent: Thursday, February 13, 2025 10:20 AM
To: RAINA BERGENS <rbergens@cityofwauchula.com>
Cc: Leeanna Castanon <Leeanna.Castanon@hardeecountyfl.gov>; Felise Skinner <felise.skinner@hardeecountyfl.gov>; Tom Fisher <Tom.Fisher@hardeecountyfl.gov>
Subject: RE: 121 W Main Street

No, he did not. But Tom told him the walls were separating, and he would need engineering on how he was going to repair. He said ok, took his permit applications and said he would come back with everything.

Thank you,

Guadalupe Flores

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

Office: [\(863\) 773-3236](tel:8637733236)

Email: 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 13, 2025 10:18 AM

To: Guadalupe Flores <guadalupe.flores@hardeecountyfl.gov>

Subject: RE: 121 W Main Street

Yeah what he had written down is not the only thing that the case was on. But I couldn't write that down.

So I guess my question is did he admit to doing anything that required a permit?

Raina H Bergens

Code Enforcement Officer

City of Wauchula

rbergens@cityofwauchula.com

From: Guadalupe Flores <guadalupe.flores@hardeecountyfl.gov>

Sent: Thursday, February 13, 2025 10:09 AM

To: RAINA BERGENS <rbergens@cityofwauchula.com>; Leeanna Castanon <Leeanna.Castanon@hardeecountyfl.gov>;

Felise Skinner <felise.skinner@hardeecountyfl.gov>

Cc: Tom Fisher <Tom.Fisher@hardeecountyfl.gov>

Subject: RE: 121 W Main Street

Yes, he came in and said all he is doing is painting.....Tom got him though.

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

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 13, 2025 10:00 AM

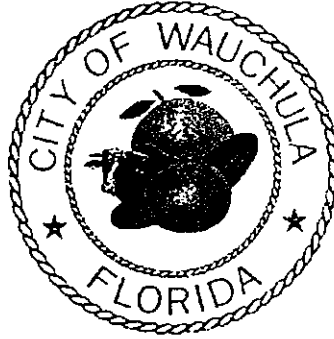
To: Leeanna Castanon <Leeanna.Castanon@hardeecountyfl.gov>; Guadalupe Flores <guadalupe.flores@hardeecountyfl.gov>; Felise Skinner <felise.skinner@hardeecountyfl.gov>

Cc: Tom Fisher <Tom.Fisher@hardeecountyfl.gov>

Subject: 121 W Main Street

FYI

KYLE LONG
COMMUNITY DEVELOPMENT
DIRECTOR
126 S 7th 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

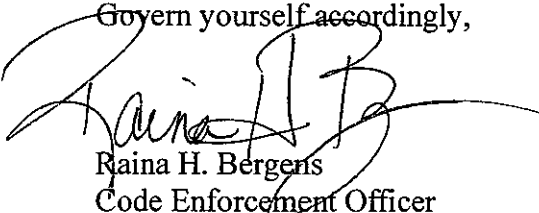
Re: Property Location: 121 W Main Street
 Legal Description: EAST 74 FT OF LOTS 11, 12, & 13 BLK 23 WAUCHULA ORS
 Property ID#: 03-34-25-0200-00023-011B
 Case Number(s): 23-170-M

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: Tom Fisher <Tom.Fisher@hardeecountyfl.gov>
Sent: Thursday, February 20, 2025 4:14 PM
To: RAINA BERGENS; KYLE LONG
Cc: Guadalupe Flores
Subject: FW:
Attachments: 20250220_131733.jpg

Tom Fisher

Building Official
Hardee County Building Department

Office: [\(863\) 773-3236](tel:8637733236)

Email: tom.fisher@hardeecountyfl.gov

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

401 W. Main St Wauchula, FL 33873

"TEAM HARDEE"



From: Tom Fish <tndcustoms@gmail.com>
Sent: Thursday, February 20, 2025 4:02 PM
To: Tom Fisher <Tom.Fisher@hardeecountyfl.gov>
Subject:

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: 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](tel:8637733236)

Email: 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 6th Avenue
125 W Main Street

Thanks,

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

I just did a sign off for Roy Brown to start work at 121 W Main he was told to go and get permits. Lets see how this goes...

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.

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.

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.

IN AND FOR THE CITY OF WAUCHULA, FLORIDA

VIOLATION NO: 23-170-M

IN RE: *Property Address:* 121 W Main Street

Parcel Number: 03-34-25-0200-00023-011B

Legal Description: EAST 74 FT OF LOTS 11, 12 & 13 BLK 23 WAUCHULA ORS

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 13, 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.

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 this \$200.00 until next month's L-13

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 6th 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 6th 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

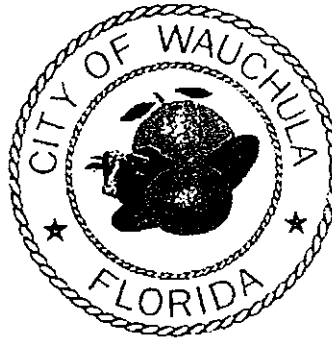
Special Magistrate Mitchell approved the minutes.

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 7th 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: 121 W Main Street
Legal Description: EAST 74 FT OF LOTS 11, 12, & 13 BLK 23 WAUCHULA ORS
Property ID#: 03-34-25-0200-00023-011B
Case Number(s): 23-170-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

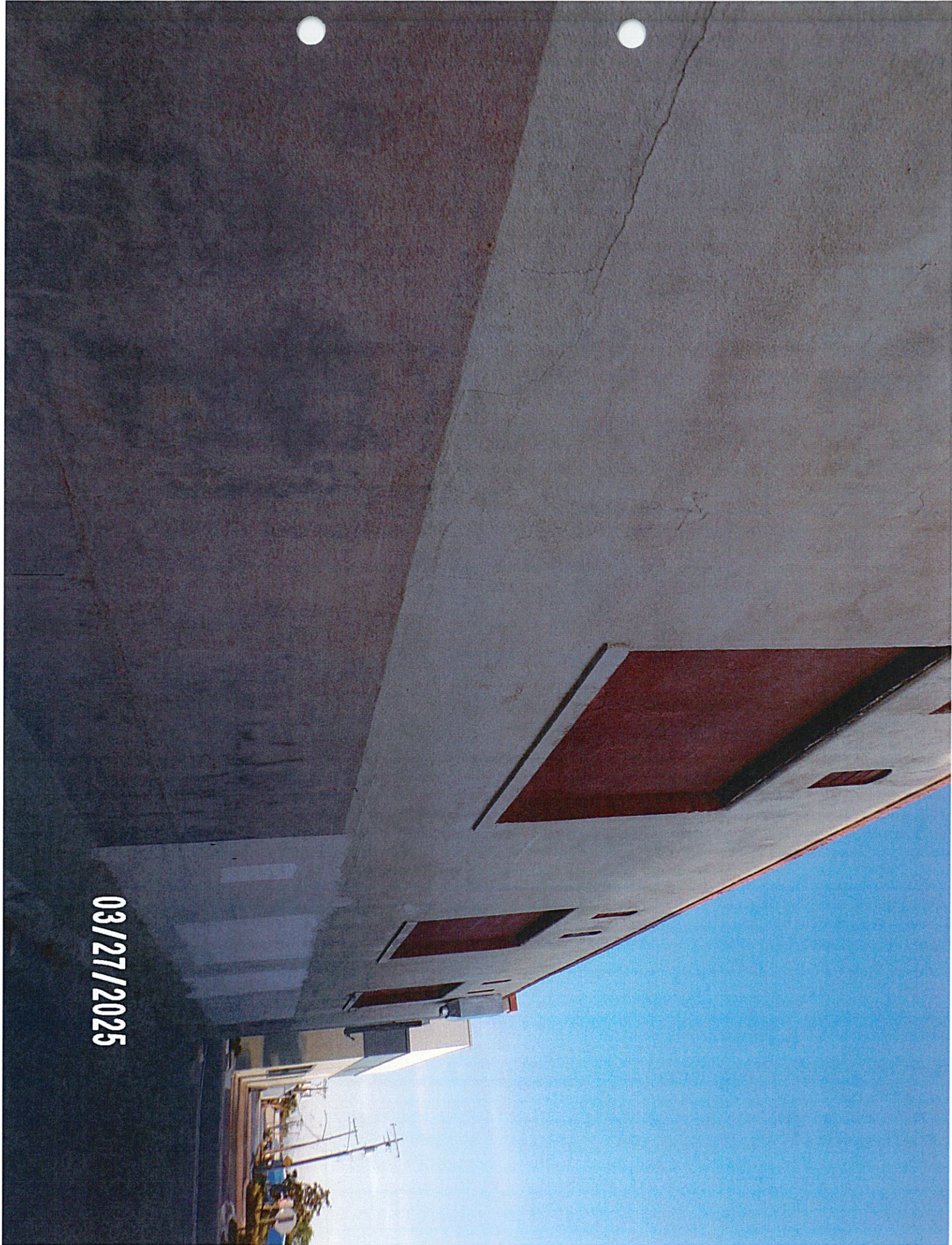


03/27/2025

03/27/2025



03/27/2025



03/27/2025





03/27/2025

Gasparri
Realty
561-998-7826

ONEY MIKE
BUYS HOUSES
3-448-1814
MICKEYMIKEBUYSHOUSES.CO

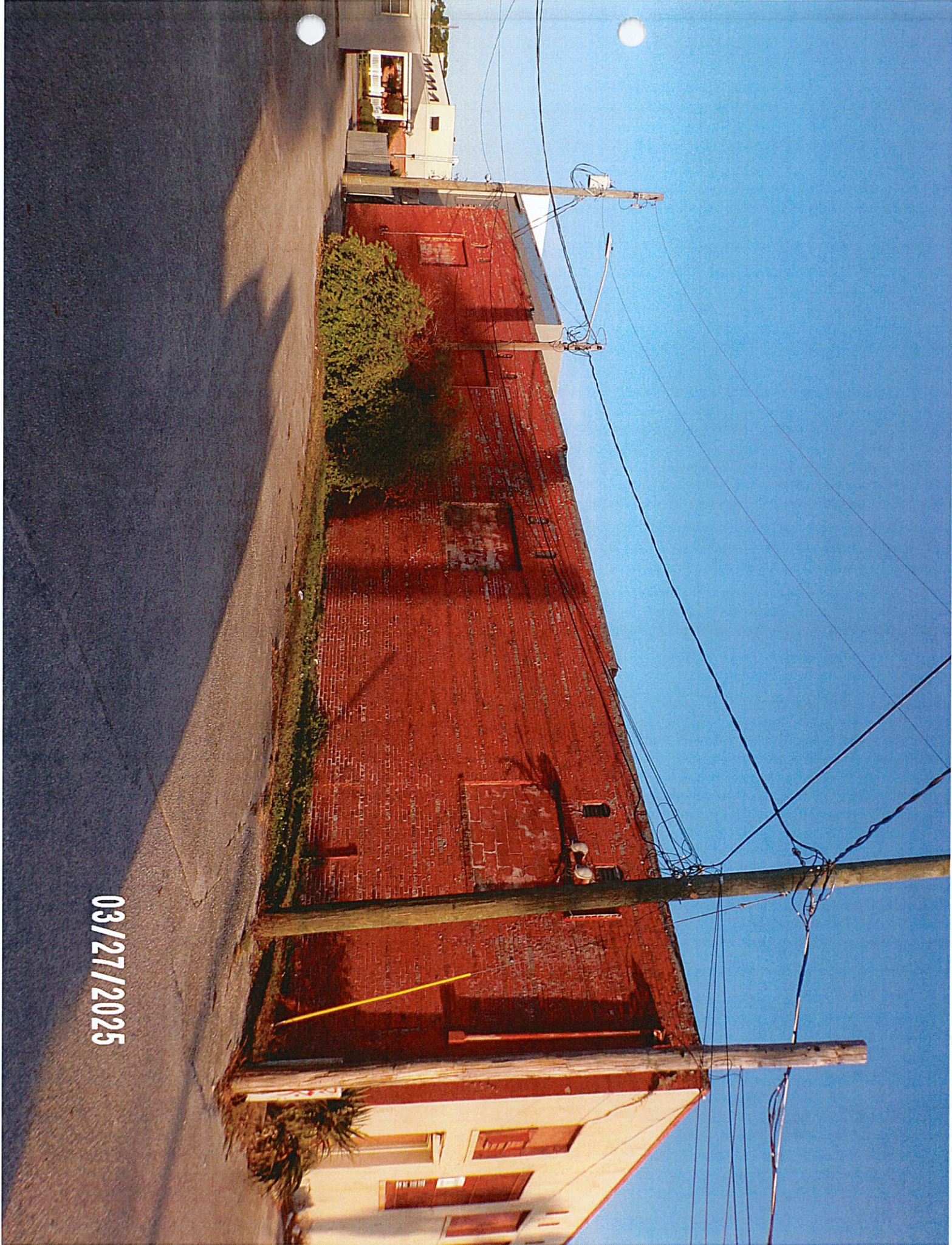
03/27/2025



03/27/2025

03/27/2025





03/27/2025





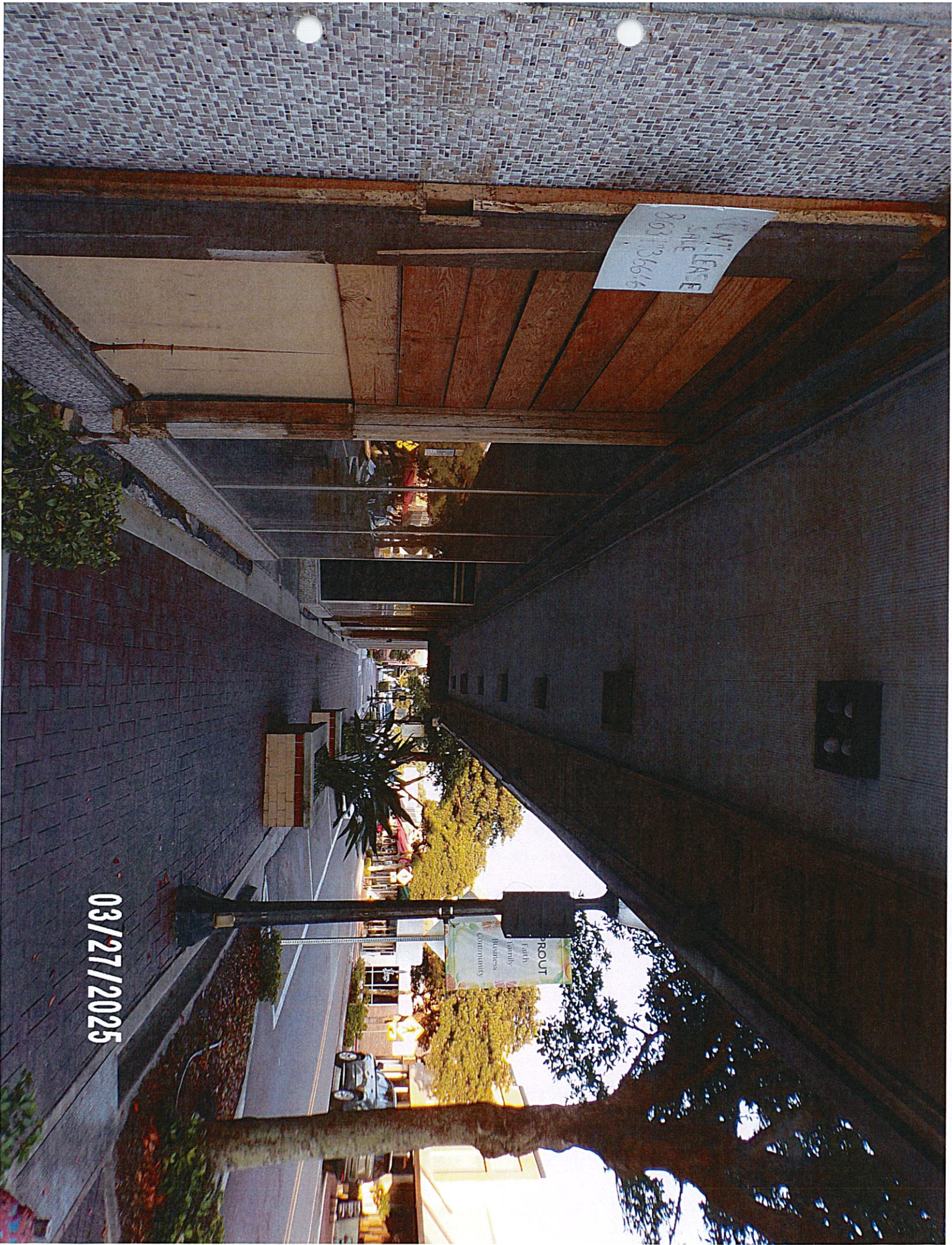
03/27/2025





W/LEASE
86113666

03/27/2025



RENT-LEASE
809136646

03/27/2025



03/27/2025



03/27/2025



03/27/2025

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 18th, 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](tel:8637733236)

Email: 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?

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
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:

IN AND FOR THE CITY OF WAUCHULA, FLORIDA

VIOLATION NO: 23-170-M

IN RE: *Property Address:* 121 W Main Street

Parcel Number: 03-34-25-0200-00023-011B

Legal Description: EAST 74 FT OF LOTS 11, 12 & 13 BLK 23 WAUCHULA ORS

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. → Ms. Brown-Parks was in attendance
3. Respondent was duly served with notice of the subject hearing.
4. On or about **September 13, 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.