

Marion County



Action Summary

Wednesday, March 10, 2021

9:00 AM

Library Headquarters

Meeting Room C

Code Enforcement Board

Marion County Growth Services

NOTICE TO ALL PARTIES

UNLESS OTHERWISE INDICATED HEREIN, FIFTEEN MINUTES PER SIDE HAS BEEN RESERVED FOR THE PRESENTATION OF EVIDENCE IN EACH CASE. WRITTEN REQUEST FOR ADDITIONAL TIME SHALL BE DELIVERED TO THE BOARD SECRETARY AT THE MARION COUNTY GROWTH SERVICES BUILDING, 2710 EAST SILVER SPRINGS BOULEVARD, OCALA, FLORIDA 34470, PRIOR TO TWO DAYS BEFORE THE SCHEDULED HEARING. ABSENT SUCH TIMELY, WRITTEN REQUEST FOR ADDITIONAL TIME, YOU MAY NOT BE ALLOWED ADDITIONAL TIME TO PRESENT YOUR CASE.

INVOCATION**PLEDGE OF ALLEGIANCE****ROLL CALL**

Board members present were Vice-Chairperson Tom Gaver, William Miller, Russell Sauvageau, John Welch, Andy Lazar, John Townsend; Chairperson F. Joe Krim Jr excused. Board Attorney Tom Dobbins and Board Secretary Patricia Jemery were present.

1. ADOPT MINUTES

William Miller made a motion to accept the Code Enforcement Board minutes from the February 10, 2021 regular meeting. Second by John Townsend. Passed by unanimous decision

2. SWEARING IN OF OFFICERS

Code Enforcement Officers Gabino Cortes, Nickole Lasher, Travis Nelson, Charles Rich, Thomas Sapp, Jeff Tyson, Code Enforcement Supervisor Robin Hough, License and Permitting Investigators Ryan Arbuckle, James Rogers and Miguel Figueroa, Growth Services Director Mary E. Burgess. Growth Services Deputy Director Joanna Coutu, Building Official Michael Savage were sworn to be under oath.

3. PRIOR ORDERS IMPOSING FINES

THE CODE ENFORCEMENT BOARD HAS PREVIOUSLY FOUND THE FOLLOWING CASES TO BE IN VIOLATION. AT THIS TIME THE BOARD SECRETARY WILL ADVISE THE BOARD AS TO WHETHER AN AFFIDAVIT OF CONTINUING VIOLATION WAS SUBMITTED OR IF THE VIOLATION CLEARED PER PRIOR ORDER. IF AN AFFIDAVIT OF CONTINUING VIOLATION HAS BEEN SUBMITTED, FINES MAY BE IMPOSED ON SUCH CASES AT THIS TIME.

- 3.1. 788837 - MF** **Michael A. Bryson and Traci C. Bryson**
Cleared per Prior Order

- 3.2. 810033 - GC **Mark Stebbins and Shawn Lyle Leland**
Code Enforcement Officer Gabino Cortes, Mark Stebbins and Barry Carnes were present and gave testimony.
Andy Lazar made a motion that the Board extend the compliance date to June 3, 2021. Second by John Townsend. Passed by unanimous decision.
- 3.3. 810994 - RH **Todd Lofgren**
Code Enforcement Supervisor Robin Hough, Shannon Riley and Todd Lofgren were present and gave testimony.
Andy Lazar made a motion that the Board extend the compliance date to May 6, 2021. Second by John Townsend. Passed by unanimous decision.
- 3.4. 818273 - MR **Charlotte Rich and Devin Sims**
Board Secretary advised the Board that an Affidavit of Continuing Violation was submitted. Andy Lazar made a motion that the Board impose the fines as per Prior Order. Second by John Welch. Passed by unanimous decision.
- 3.5. 820981 - NL **Steven Jewell and Tori A. Jewell**
Code Enforcement Officer Nickole Lasher and Tori A. Jewell were present and gave testimony.
Andy Lazar made a motion that the Board extend the compliance date to May 6, 2021. Second by John Welch. Passed by unanimous decision.
- 3.6. 822316 - SL **Richard G. Ray Est.**
Board Secretary advised the Board that an Affidavit of Continuing Violation was submitted. Andy Lazar made a motion that the Board authorize Marion County Code Enforcement to abate the violation and charge the owner with the reasonable cost of the abatement as per Prior Order. Second by John Welch. Passed by unanimous decision.
- 3.7. 822487 - GC **Angela Michelle Miller and Robert Edward Miller Jr.**
Code Enforcement Officer Gabino Cortes and Angela Michelle Miller were present and gave testimony.
Andy Lazar made a motion that the Board extend the compliance date to May 6, 2021. Second by John Welch. Passed by unanimous decision.
- 3.8. 823492 - GC **Est. of Robert C. Cuthrell a/k/a Robert C. Cuthrell II**
Board Secretary advised the Board that an Affidavit of Continuing Violation was submitted. Andy Lazar made a motion that the Board impose the fines as per Prior Order. Second by John Welch. Passed by unanimous decision.

3.9. 829196 - SL

George P. Raney and Sara Michelle Raney

Board Secretary advised the Board that an Affidavit of Continuing Violation was submitted. Andy Lazar made a motion that the Board impose the fines as per Prior Order. Second by John Welch. Passed by unanimous decision.

3.10. 829314 - CR

Greg Burrowes and Vera M. Burrowes

Code Enforcement Officer Charles Rich was present and gave testimony.

Andy Lazar made a motion that the Board extend the compliance date to April 1, 2021. Second by John Townsend. Passed by unanimous decision.

3.11. 834670 - NL

Charles D. Allen

Code Enforcement Officer Nickole Lasher and Charles D. Allen were present and gave testimony.

Andy Lazar made a motion that the Board extend the compliance date to May 6, 2021. Second by John Townsend. Passed by unanimous decision.

Discussion requesting a release of the recorded repeat violation fine of \$500.00, no motion was made, fine remains.

3.12. 835219 - RH

Brett Austin Merlina and Sarah Merlina

Board Secretary advised the Board that an Affidavit of Continuing Violation was submitted. Andy Lazar made a motion that the Board impose the fines as per Prior Order. Second by John Welch. Passed by unanimous decision.

4. OLD BUSINESS

4.1. None

5. NEW BUSINESS

5.1. 811794 - MF

Tonya G. Ackerson

License and Permitting Investigator Miguel Figueroa presented the case, submitted proof of service, evidence and gave testimony. Code Enforcement Supervisor Robin Hough, Building Official Michael Savage and respondent(s) Tonya G. Ackerson and Samuel Ackerson were present and gave testimony.

Andy Lazar made a motion that Board find Tonya G. Ackerson violated Florida Building Code, Section 105.1 and Marion County Code of Ordinance, Chapter 5.5, Article II, Sections 5.5-31(a) & (b) and 5.5-35 (b); Building permit required and direct her to clear the violations on or before April 1, 2021, or be fined \$100 a day for each day the violation continues past the date set for compliance up to a maximum of \$6,000. Second by Russell Sauvageau. Passed by unanimous decision.

5.2. 779439 - RA**Josue Alvares and Noelimar Perez Alvarado**

License and Permitting Investigator Ryan Arbuckle presented the case, submitted proof of service, evidence and gave testimony. Respondent(s) Josue Alvares and Noelimar Perez Alvarado were not present.

John Townsend made a motion that Board find Josue Alvares and Noelimar Perez Alvarado violated Florida Building Code, Section 105.1 and Marion County Code, Chapter 5.5, Article II, Sections 5.5-31(a) & (b) and 5.5-35(b); Building permit required and direct them to clear the violations on or before May 6, 2021, or be fined \$50 a day for each day the violation continues past the date set for compliance up to a maximum of \$3,000. Second by Russell Sauvageau. Passed by unanimous decision.

5.3. 794633 - JR**Phillip N. Weissburg**

License and Permitting Investigator James Roger presented the case, submitted proof of service, evidence and gave testimony. Building Official Michael Savage gave testimony. Respondent(s) Phillip N. Weissburg was not present.

Andy Lazar made a motion that Board find Phillip N. Weissburg violated Florida Building Code, Section 105.1 and Marion County Code of Ordinance, Chapter 5.5, Article II, Sections 5.5-31(a) & (b) and 5.5-35 (b); Building permit required and direct him to clear the violations on or before April 1, 2021, or be fined \$50 a day for each day the violation continues past the date set for compliance up to a maximum of \$3,000. Second by John Townsend. Passed by unanimous decision.

5.4. 825045 - JR**Nathaniel Velazquez**

License and Permitting Investigator James Roger presented the case, submitted proof of service, evidence and gave testimony. Respondent(s) Nathaniel Velazquez was present and gave testimony.

Andy Lazar made a motion that Board find Nathaniel Velazquez violated Florida Building Code, Section 105.1 and Marion County Code of Ordinance, Chapter 5.5, Article II, Sections 5.5-31(a) & (b) and 5.5-35 (b); Building permit required and direct him to clear the violations on or before May 6, 2021, or be fined \$50 a day for each day the violation(s) continue(s) past the date set for compliance up to a maximum of \$3,000. Second by John Welch. Passed by unanimous decision.

5.5. 830216 - MB**Margaret K. Bassett**

Cleared and Removed

5.6. 819045 - GC**John Summy Trust**

Code Enforcement Officer Gabino Cortes presented the case, submitted proof of service, evidence and gave testimony. Respondent(s) Barbara Nelson, John Summy and Jeremy Taylor were present and Jeremy Taylor (tenant) gave testimony.

Andy Lazar made a motion that Board find John Summy Trust violated Marion County Code, Chapter 16, Article III, Section 16-92; Accumulation of junk; unserviceable vehicle(s) and direct them to clear the violations on or before April 1, 2021, or be fined \$50 a day for each day the violation(s) continue(s) past the date set for compliance up to a maximum of \$3,000. Second by John Townsend. Passed by unanimous decision.

5.7. 828865- GC**Jerry Dale Scarberry**

Code Enforcement Officer Gabino Cortes presented the case, submitted proof of service, evidence and gave testimony. Respondent(s) Jerry Dale Scarberry was present and gave testimony.

John Townsend made a motion that Board find Jerry Dale Scarberry violated Marion County Code, Chapter 16, Article III, Section 16-92; Accumulation of junk; unserviceable vehicles and direct him to clear the violations on or before May 6, 2021, or be fined \$50 a day for each day the violation continues past the date set for compliance up to a maximum of \$3,000. Second by William Miller. Passed by unanimous decision.

5.8. 823184 - TN**James Tippett Estate**

Code Enforcement Supervisor Robin Hough presented the case, submitted proof of service, evidence and gave testimony. Respondent(s) James Tippett Estate were not present.

John Townsend made a motion that Board find James Tippett Estate violated Marion County Code, Chapter 16, Article III, Section 16-92; Accumulation of junk; unserviceable vehicles and direct him to clear the violations on or before April 1, 2021, or authorize Marion County Code Enforcement to abate the violation and charge the owner with the reasonable cost of the abatement. Second by Russell Sauvageau. Passed by unanimous decision.

5.9. 827882 - TN**Clayton Blanchard**

Code Enforcement Supervisor Robin Hough presented the case, submitted proof of service, evidence and gave testimony. Respondent(s) Clayton Blanchard was not present.

Andy Lazar made a motion that Board find Clayton Blanchard violated Marion County Code, Chapter 16, Article III, Section 16-92; Accumulation of junk;

unserviceable vehicles and Marion County Code, Chapter 15, Article II, Section 15-39; Failure to properly display assigned building numbers and direct him to clear the violations on or before May 6, 2021, or be fined \$50 a day for each day the violation continues past the date set for compliance up to a maximum of \$3,000. Second by John Welch. Passed by unanimous decision.

5.10. 827553 - TS**Brian Kriescher**

Code Enforcement Officer Thomas Sapp presented the case, submitted proof of service, evidence and gave testimony. Respondent(s) Brian Kriescher was present and gave testimony.

Andy Lazar made a motion that Board find Brian Kriescher violated Marion County Code, Chapter 16, Article III, Section 16-92; Accumulation of junk; unserviceable vehicles and direct him to clear the violations on or before April 1, 2021, or be fined \$50 a day for each day the violation(s) continue(s) past the date set for compliance up to a maximum of \$3,000. Second by John Welch. Passed by unanimous decision.

5.11. 828272 - TS**Principal Partners Group LLC**

Code Enforcement Supervisor Robin Hough presented the case, submitted proof of service, evidence and gave testimony. Respondent(s) Principal Partners Group LLC were not present.

Andy Lazar made a motion that Board find Principal Partners Group LLC violated Marion County Code, Chapter 16, Article III, Section 16-92; Accumulation of junk; unserviceable vehicles and direct them to clear the violations on or before April 1, 2021, or be fined \$50 a day for each day the violation(s) continue(s) past the date set for compliance up to a maximum of \$3,000. Second by John Townsend. Passed by unanimous decision.

5.12. 831557 - JT**Kenneth R. Howard**

Code Enforcement Supervisor Robin Hough presented the case, submitted proof of service, evidence and gave testimony. Respondent(s) Kenneth R. Howard was not present.

John Townsend made a motion that Board find Kenneth R. Howard violated Marion County Code, Chapter 16, Article III, Section 16-92; Accumulation of junk; unserviceable vehicles and direct him to clear the violations on or before April 1, 2021, or be fined \$50 a day for each day the violation(s) continue(s) past the date set for compliance up to a maximum of \$3,000. Second by John Welch. Passed by unanimous decision.

5.13. 829438 - JT**Rudy Tena**

Code Enforcement Supervisor Robin Hough presented the case, submitted proof of service, evidence and gave testimony. Respondent(s) Rudy Tena was not present.

John Townsend made a motion that Board find Rudy Tena violated Marion County Code, Chapter 16, Article III, Section 16-92; Accumulation of junk; unserviceable vehicles and direct him to clear the violations on or before April 1, 2021, or be fined \$50 a day for each day the violation(s) continue(s) past the date set for compliance up to a maximum of \$3,000. Second by Russell Sauvageau. Passed by unanimous decision.

5.14. 829724 - JT**Keith Allen Roberts**

Code Enforcement Supervisor Robin Hough presented the case, submitted proof of service, evidence and gave testimony. Respondent(s) Keith Allen Roberts was not present.

John Townsend made a motion that Board find Keith Allen Roberts violated Marion County Code, Chapter 16, Article III, Section 16-92; Accumulation of junk; unserviceable vehicles and direct him to clear the violations on or before April 1, 2021, or be fined \$50 a day for each day the violation continues past the date set for compliance up to a maximum of \$3,000. Second by John Welch. Passed by unanimous decision.

5.15. 831040 - JT**Mildred T. Herrera Estate**

Code Enforcement Supervisor Robin Hough presented the case, submitted proof of service, evidence and gave testimony. Respondent(s) Mildred T. Herrera Estate was not present.

John Townsend made a motion that Board find Mildred T. Herrera Estate violated Marion County Code, Chapter 16, Article III, Section 16-92; Accumulation of junk; unserviceable vehicles and direct them to clear the violations on or before April 1, 2021, or authorize Marion County Code Enforcement to abate the violation and charge the owner with the reasonable cost of the abatement. Second by John Welch. Passed by unanimous decision.

6. REQUEST TO APPEAR

6.1. 786725 - CR

David Koller and Victoria Boyne

Code Enforcement Officer Charles Rich was presented and gave testimony. Respondent(s) Victoria Boyne was present and gave testimony.

Andy Lazar made a motion based on the facts presented that the Board hereby amends the fine as levied under its Prior Order to rescind the fine in its entirety upon payment of the cost of prosecution in the amount of two hundred ninety-one dollars and thirty cents on or before May 6, 2021. Second by John Townsend. Passed by unanimous decision.

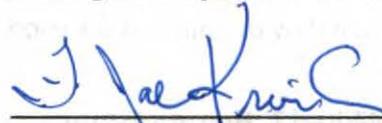
7. REQUEST FOR REHEARING

7.1. None

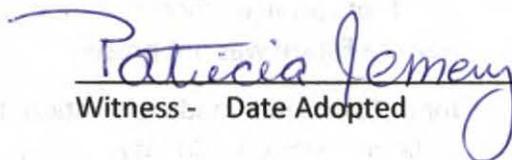
8. PUBLIC COMMENT

8.1. None

There being no further business Russell Sauvageau made a motion to adjourn. Second by John Welch. Passed by unanimous decision. The meeting was adjourned at 11:56 a.m.



F. Joe Krim Jr., Chairperson

 4-14-21

Witness - Date Adopted