

The City of Wauchula Code Enforcement met for its regularly scheduled hearing on Wednesday, May 15, 2019 at 3:00 p.m.

Special Magistrate Mawhinney called the hearing to order and administered the oath to those testifying at 3:00.

Also present at the hearing were Code Enforcement Officer Raina Bergens and City Clerk Holly Smith.

Old Case – 19-001-L

511 Peace Drive

Edith Eloise Bolin

CE Officer Bergens testified for the record this case is compliant and closed; no discussion was held.

New Case – 19-043-L

301 E Main Street

Roy A Brown

CE Officer Bergens testified for the record this case is compliant and closed; no discussion was held.

New Case – 19-041-UDB

212 Louisiana Street

Santa Anita Mares

CE Officer Bergens testified and presented photographic evidence which Special Magistrate Mawhinney accepted. Bergens stated she opened the case under UDB because there is an open maintenance case which was opened in 2014. Bergens stated some minor work had been done on the porch back in 2014 and the house is falling into bad disrepair. Bergens added the porch is falling down and there are holes in the exterior walls of the house. Bergens stated Mares had not taken any steps to repair the house and she did not know Mares current situation. Bergens asked Mares if she lived in the house. Mares replied yes she does live in the house. Special Magistrate Mawhinney asked Mares to identify herself for the record and Mares did so. Special Magistrate Mawhinney asked Bergens what the City was asking him to do on this case. Bergens replied she did not know what the City could do with the house but there is a chimney that is pulling away from the house and could potentially fall. Mares asked what did you want her to demolish the chimney. Special Magistrate Mawhinney stated he thought the concern was either the house or the chimney had pulled away from the other. Mares replied she thought it was caused by a couple of hurricanes. Mares stated she had contacted FEMA but they did not help her with the repairs. Bergens asked Mares if she had contacted any other organizations that could assist her in fixing up her house. Mares stated she did not know of any organizations to contact. Bergens stated ultimately we want to see the house fixed. Mares replied her brother could help her but he is in the process of remodeling his own house. Bergens stated at this time we are not looking at fines because we currently have fines and liens on the open maintenance case what we are trying to do is get something done. Mares stated she had been to the County to see about fixing her house and was told to go to the City for a permit. Bergens stated the City would give you a permit sign-off to fix any of these issues, we do these daily. Bergens explained the Mares what repairs required permits. Bergens stated at this point the City's ultimate goal is for the property to become compliant and satisfy the liens. Mares stated she had been trying to fix it. Discussion was had on the previous repairs and condition of the house. Bergens stated at this point the chimney had to be fixed because it cannot remain in the current condition; it either has to be fixed or torn down. Special Magistrate Mawhinney asked Mares if she had a plan because he was weighing out his options and where he did not want to see her ending up is with the City coming back and asking the Special Magistrate to enter an order authorizing a demolition of the property. Special Magistrate Mawhinney stated that is what can happen with an unsafe dilapidated building and looking at that chimney that posed a risk. Special Magistrate Mawhinney asked Bergens if the running fines for offenses, citations or violations were for the ones that are on here for today. Bergens replied yes sir. Mares asked was it for the chimney. Bergens stated it was for the house it's self. Mares asked what did you mean by that. Bergens replied the repairs from the open maintenance case have never been completed. Special Magistrate Mawhinney asked Mares if she had a plan and how many days would it take her to complete the repairs. Mares stated she did not have a plan or the number of days it would take to complete the repairs because her brother works and he is the one that would be helping with the repairs. Bergens asked Mares what could she complete in 60 days because something has to be done and we are willing to work with you. Bergens informed Mares the chimney needed to be the first thing taken care of. Mares asked if she needed a demolition permit. Bergens stated you will need a permit for almost every repair you make to your house. Bergens informed Mares that she would get with the Hardee County Building Department as to what cases the

City has open on her house and work with you. Special Magistrate Mawhinney found a violation did exist and the City of Wauchula requests to allow respondent additional time in which to comply and the new compliance date shall be July 15, 2019, with no fine opposed at this time. Special Magistrate Mawhinney advised Mares to work with Bergens and come July 15, 2019 Bergens can bring the case back before the Special Magistrate at the July 17, 2019 meeting. Special Magistrate Mawhinney added to his motion the respondent will come back before the Special Magistrate July 17, 2019. Mares asked Bergens if she had any contact numbers for organizations that could help her. Bergens stated she would give her the number to the Hardee County Community Development Department. Mares asked Bergens if she was going to talk with the Hardee County Building Official as what to do first, the chimney. Bergens replied yes, she would find out what needed to be done to tear down the chimney. Bergens stated she would ask the Building Official to go by her resident and let her know if the chimney could be fixed or tore down. Bergens suggested to Mares for the Building Official to do a walk around and determine what was up to code and what was not. Mares asked Bergens if she would notify her of what the Building Officials findings were. Bergens replied yes ma'am.

New Case – 19-066L

601 S 10th Avenue

Angel & Yolanda L Hernandez

CE Officer Bergens testified and presented photographic evidence which Special Magistrate Mawhinney accepted. Bergens stated this residence was a rental property and the owner had done some work since the case was opened on April 4, 2019. Bergens added the property owner had more than 21 days to bring the property into compliance. Special Magistrate Mawhinney found a violation did exist and gave the property owner until May 29, 2019 to bring the property into compliance or a \$100 a day fine will be imposed until the property is compliant.

PUBLIC COMMENTS:

There was no one in the audience to speak.

With no further business to discuss, Special Magistrate Mawhinney adjourned the hearing at 3:28 p.m.

Special Magistrate Joe Mawhinney

City Clerk Holly Smith