

Special Magistrate Hearing Minutes
February 21, 2023
5:30 p.m.
Council Chambers

1 Call to Order

Special Magistrate S. Taylor called the Hearing to order at 5:30 p.m.

2 Administration of oath to staff/ Respondents /Witnesses

Special Magistrate S. Taylor swore in all participants for the quasi-judicial segments of the meeting at 5:35 p.m.

3 Red Light Hearing

3.1 Case # 1012000000129316

Special Magistrate S. Taylor stated that Mr. Woodruff was not in attendance for the Red-Light Hearing and asked Officer D. Howe, who oversees the Red-Light proceedings to begin the testimony.

Officer D. Howe presented Case#1012000000129316 with visual and asked for Exhibit 1, depicting the certification of officer, maintenance and certification of the light, and Certificate of Authenticity, to be made part of the record. Special Magistrate S. Taylor accepted Exhibit 1.

Office D. Howe asked the Deputy City Clerk N. Peacock to show the video footage of Mr. Woodruff from the red-light camera. Deputy City Clerk Peacock played the video for all to view.

Officer D. Howe noted that there is a violation of section 316.074 Florida Statute 316075 sub-paragraph one and 3160083 Florida Statutes. Which would make Mr. Woodruff responsible for a penalty for a total of \$233.00.

Special Magistrate S. Taylor reviewed the factors of the case and stated that Mr. Woodruff was in violation of the fine of \$233.00.

4 Code Enforcement Hearings

4.1. Case 22-1290

Special Magistrate S. Taylor opened Case 22-1290 stating the owners listed are Hana Property Management LLC for 367 Alabama Street. He noted that the owner was not present.

Code Enforcement Officer D. Lawson presented the case and requested that exhibits 1 and 1a be entered into evidence.

Special Magistrate S. Taylor accepted Exhibit 1 and 1a and then asked the Building Inspector R. Raybon if he had an opportunity to view the structure on the property.

Building Inspector R. Raybon stated that yes, he did view the structure and that it needed to be removed from the property.

Special Magistrate S. Taylor reviewed the findings presented and found that the property was in the violation with the evidence presented.

Special Magistrate S. Taylor ordered that the owner had on or before 03/21/2023, to bring the property into compliance and if the property is not brought into compliance by 03/21/2023, a \$250 a day fine will be assessed with an annual interest of 6.77%. There will be a cost of \$250.00 to include the cost of tonight's hearing. He stated that the respondent had two options, option one to have structural engineer to come out and actually provide a set of plans and bring the property into compliance. Option two is the structure has to be removed and the respondent has thirty days to do either option.

4.2. Case 22-1362

Special Magistrate S. Taylor opened Case #22-1362 stating that the owner is Kenneth Siler of the property is located at 578 South Wilson Street, Crestview. He noted that Mr. Siler the owner was in attendance.

Code Enforcement Officer D. Lawson presented the violations concerning the property at 578 South Wilson Street. She requested that Exhibit 3 and body camera footage from Crestview Police Officers, be entered into the record.

Special Magistrate S. Taylor accepted Exhibit 3 into the record and would like to authenticate the video footage. He then asked Officer Dean if the videos that were to be viewed were taken from his body camera. Officer Dean replied that they were.

Special Magistrate S. Taylor reviewed the documents and the bodycam footage of three videos.

Mr. Siler spoke on his behalf concerning the video and the cited violations.

Special Magistrate S. Taylor ordered that on the violation pertaining to vegetation there was a violation but there was not a violation with the accessory structure being that the structure was removed. For the third violation pertaining to the recreational vehicle the Special Magistrate S. Taylor stated there was no violation being that on the bodycam footage viewed it was said that the camper was not used for dwelling purposes. Special Magistrate S. Taylor ordered that the owner had on or before 3/24/2023, to bring the property into compliance and if the property is not brought into compliance by 3/24/2023, a \$250 a day fine will be assessed with an annual interest of 6.77% . There is the cost of this hearing of \$250.00.

4.3. Case 23-9

Special Magistrate S. Taylor opened Case #22-841 stating that the owner is Makinzee Jones, and the property is located at 200 Duggan Ave, Crestview, Florida.

Code Enforcement Officer D. Lawson presented the case. Violations and notes of same are included in the attached documents. She went over the mailings, postings at City Hall and property, as well as the Notice of Public Hearing. She asked that Exhibit 4 and 4a be entered into the record.

Special Magistrate S. Taylor accepted Exhibit 4 and 4a into the record.

Mr. Jones, the owner spoke on his behalf concerning the property.

Special Magistrate S. Taylor reviewed the documents and concluded that the property did stand in the violations submitted. He then ordered that the owner had on or before 05/21/2023, to bring the property into compliance and if the property is not brought into compliance by 05/21/2023, a \$250 a day fine will be assessed with an annual interest of 6.77% to include the cost of the hearing.

4.4 Case 23-53

Special Magistrate S. Taylor opened Case #22-53 stating that the owner is Crestview Texas LLC the property is located at 90 John King Road, Crestview was not present.

Code Enforcement Officer M. Tatom presented the case and requested that exhibit 5 be entered into evidence.

Special Magistrate S. Taylor accepted Exhibit 5 into the record.

Special Magistrate S. Taylor found that there is a violation of Chapter 38 Section 48 and has thirty days to bring the property into compliance by 03/21/2023, a \$250 a day fine will be assessed with an annual interest of 6.77% to include the cost of the hearing.

4.5 Case 23-59

Special Magistrate S. Taylor opened Case #22-53 stating that the owner is Hanuman Hospitality Inc. the property is located at 909 Brookmeade Drive, Crestview was not present.

Code Enforcement Officer M. Tatom presented the case and requested that exhibit 6 be entered into evidence.

Special Magistrate S. Taylor accepted Exhibit 6 into the record.

Special Magistrate S. Taylor found that there is a violation and has thirty days to bring the property into compliance by 03/21/2023, a \$250 a day fine will be assessed with an annual interest of 6.77% to include the cost of the hearing.

4.6 Case 23-106

Special Magistrate S. Taylor opened Case #23-106 stated that the owners George McNeil of the property located at 158 Smith Street, Crestview was present.

Code Enforcement Officer M. Tatom presented the case and requested that exhibit 8 and 8a be entered into evidence.

Special Magistrate S. Taylor accepted Exhibit 8 and 8a into the record.

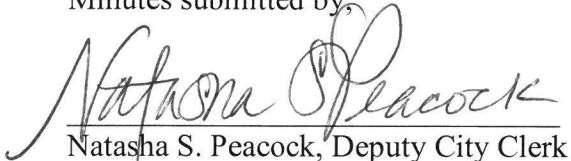
Mr. McNeil, the property owner spoke on the issues concerning the violations presented.

Special Magistrate S. Taylor found that there is a violation, but progress is being made to be in compliance and the property owner has sixty days to bring the property into compliance by 04/21/2023, a \$250 a day fine will be assessed with an annual interest of 6.77% to include the cost of the hearing.

5 Adjournment

Special Magistrate S. Taylor adjourned the Hearing at 7:12 p.m.

Minutes submitted by,


Natasha S. Peacock, Deputy City Clerk
Proper Notice having been duly given