

**CITY OF ST. CLOUD
CODE ENFORCEMENT MEETING
MAY 15, 2019**

MINUTES

- I. **CALL TO ORDER** - Special Magistrate Andrew Smith III called the meeting to Order at 3:00 P.M.
- II. **PLEDGE OF ALLEGIANCE**
- III. **PUBLIC HEARINGS -**
 - A. **NEW CASES** -

CASE #2019 – 450 - **JUSTIN STUBBS and SHAELA STUBBS, Owner**

Location of Violation: 4324 Pine Lake Drive, St. Cloud, Florida

Violation: St. Cloud Land Development Code sections 3.3.1(F) & 13.3.

Description of Violation: Failure to prohibit but rather allowed the construction of closing in the garage at this location prior to obtaining a permit.

At this time anyone intending to offer testimony was sworn in.

Officer Pam Neal presented the case in narrative form and provided an evidence packet and a Power Point presentation. At the conclusion of her presentation, she noted that the Respondent was present. Officer Neal noted that it was the city's recommendation that the Respondent be found in violation of closing in the garage prior to obtaining a permit at the location, and to have the permit obtained or have the garage put back to the original state by May 30, 2019. She noted that failure to comply would result in a daily fine of recommended that the Respondent and that failure to comply would result in a daily fine of \$250.00 to accrue until compliance is met. She further recommended that the Respondent pay the city for administrative costs in the amount of \$206.10 to be paid within seven days of the Magistrate's written Order. Officer Neal noted that the Respondent had applied for the permit as of May 8th. Magistrate Smith asked if there was anything more that needed to be done to meet compliance. Officer Neal noted, no, that the Respondent had applied for the permit and that it was up to Planning and Zoning to approve it. Magistrate Smith asked that if there were issues with the permit, the officer would expect the Respondent to cure those by May 30th. Officer Neal noted, yes. Officer Neal noted she did not know how long it would take Planning and Zoning to go through the process and that she did not have a problem to not fine the Respondents if Planning and Zoning were the hold up. City Attorney Jack Morgeson noted that as part of the recommendation, the city could seek that the permit be approved and obtained by June 20 and then

it could be potentially scheduled to appear at June’s meeting in case there are any issues. There was further discussion regarding compliance date.

At this time, Mr. Stubbs offered testimony.

Special Magistrate Smith found in favor of the city , that there was a violation. He ordered the Respondent to obtain the proper permit by June 9. He noted that if there were any issues that may cause the compliance date to be pushed back, past June 9, code enforcement could notify him and it could be modified as long as the Respondent was doing everything he could do. Magistrate Smith noted to the Respondent that if compliance was not met by the date specified there would be a fine of \$250.00 per day would accrue until compliance was met. He ordered the Respondent to pay the city for administrative costs in the amount of \$206.10 to be paid within seven days of the Magistrate’s written Order.

Shaela Stubbs offered testimony at this time.

Magistrate Smith noted to the Respondent for clarification that his Order was for the permit to be issued by June 9. He noted that when the Respondent had the permit in hand, they will have complied with the Order.

UNFINISHED BUSINESS - None

V. NEW BUSINESS – None

VI. NEXT SCHEDULED MEETING - JUNE 19, 2019

City Attorney Jack Morgeson noted that for the record, next month would be the last Code Enforcement meeting that Deb Clark would be attending in an official capacity.

VII. ADJOURNMENT - Magistrate Smith adjourned the meeting at 3:15 P.M.

Submitted by _____ Date _____
Deb Clark, Clerk to Special Magistrate