

**PUBLIC NOTICE**

**CITY OF OCALA**

**MUNICIPAL CODE ENFORCEMENT BOARD MEETING**

**CITY HALL**

**CITY COUNCIL CHAMBER**

**2ND FLOOR**

**110 SE WATULA AVENUE**

**DATE: January 12, 2017**

**TIME: 5:30 PM**

IF REASONABLE ACCOMMODATIONS ARE NEEDED FOR YOU TO PARTICIPATE IN THIS MEETING, PLEASE CALL YVETTE TYREE AT (352) 629-8309, FORTY-EIGHT (48) HOURS IN ADVANCE SO ARRANGEMENTS CAN BE MADE.

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE AT THE MEETING WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING WILL NEED A RECORD OF THE PROCEEDING AND FOR SUCH PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE.



CITY OF OCALA  
CODE ENFORCEMENT DIVISION  
201 SE 3<sup>RD</sup> STREET, (2<sup>ND</sup> FLOOR) OCALA, FL 34471  
352-629-CITY (2489)

**DRAFT**

## MUNICIPAL CODE ENFORCEMENT BOARD

### Agenda

# Thursday, January 12, 2017

#### MEETING INFORMATION

##### Location:

Ocala City Hall  
Council Chamber, 2<sup>nd</sup> Floor  
110 SE Watula Avenue  
Ocala, Florida 34471

##### Time:

5:30 p.m.

##### Board Members:

Danielle Ruse, Chair  
Michael Kroitor, Vice Chair  
Shirley J. Wright, Member  
Joseph Richardson, Member  
Bibi Larson, Member  
Roger Baldus, Member  
Steve Forrest, Member

##### Board Attorney:

Pat Gilligan  
City Attorney

George Franjola  
Attorney for Code Board

##### Staff:

Matthew Leibfried  
Manager, Code Enforcement

Yvette J. Tyree  
Code Enforcement Specialist

Jeanne M. Winchester  
Code Enforcement Specialist

#### **WELCOME,**

On behalf of the Municipal Code Enforcement Board we would like to take this opportunity to welcome you to these proceedings, and provide you with some information concerning this Board.

This Board is established under the guidelines of the City of Ocala Code of Ordinances, Section 2-241 and Florida Statute 162.01 through 162.30. The Board consists of seven members (four are required to make a quorum) all are volunteers, who work without payment, or compensation, and are appointed by the City Council.

The qualifications to be a Board Member are that you must be a City of Ocala resident, and whenever possible; members shall include an Architect, a businessman, an Engineer, a General Contractor, a Sub-Contractor, and a Realtor, all from the community.

Each Board Member serves a three year term, commencing February 28<sup>th</sup> of each year. The Board meets on the second Thursday of each month at 5:30 P.M., as necessary, however is required to meet at least once every two months.

The Board is empowered to examine City of Ocala Code of Ordinance violations. The Board works in a fashion similar to a judicial process, cases are presented from the agenda, testimony and evidence is given, and the Board makes a ruling. The Board can levy fines, require payment of administrative costs, and place liens on personal property if violations are not corrected. We respectfully request that you respect this process as you yourself expect to be respected by the process.

#### **APPEALS,**

Decisions of this Board are appealed to the Circuit Court of Marion County; such an appeal shall not be a hearing de novo (not all over again, or in-person) but shall be limited to appellate review of the record created before the enforcement board. An appeal shall be filed within 30 days of the execution of the order to be appealed. Any person who desires to appeal an administrative decision of the Board will need a record of the proceedings, and for this purpose may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is made.

#### **ADA COMPLIANCE,**

If special accommodations are needed for you to attend or participate in this meeting, please call 352-629-8309, forty-eight (48) hours in advance, so arrangements can be made.

MUNICIPAL CODE ENFORCEMENT BOARD  
OCALA CITY HALL, COUNCIL CHAMBER, 2<sup>ND</sup> FLOOR  
110 SE WATULA AVENUE  
January 12, 2017  
5:30 PM

**DRAFT**

**AGENDA**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**APPROVAL OF MINUTES**

**SWEAR IN OFFICERS**

**NEW BUSINESS**

**CASE NO: COM16-0770, OFFICER G. MCCLELLAN**

**CITY OF OCALA**

**vs.**

**ALL PRO LAND MANAGEMENT LLC, 3949 SW COLLEGE RD, OCALA, FL 34474**  
**WELLS FARGO BANK, N.A., 420 MONTGOMERY ST, SAN FRANCISCO, CA 94163**  
**WELLS FARGO, C/O H. LEON MCGEE, 100 NORTH MAIN STREET, WINSTON-SALEM, NC 27101**  
**WELLS FARGO, C/O DENNIS BOE, 670 MCKNIGHT ROAD NORTH, SUITE 301, SAINT PAUL, MN 55119**

**VIOLATION(S):**

Section 34-91	Definitions
Section 34-95	Weeds: accumulations of trash or other unsightly or unsanitary matter
Section 34-141	Definitions
Section 34-142	Registration of property by mortgagees holding mortgages in default
Section 34-143	Maintenance requirements
Section 34-144	Security requirements
Section 34-145	Local contact person and local property manager; posting
Section 34-146	Vacant commercial structures
Section 34-147	Permit for boarding-up a vacant commercial structure
Section 82-181	Definitions
Section 82-182	Dangerous buildings declared nuisance: abatement required: time limits
Section 82-184	Standards for ordering repair, vacation or demolition
Section 118-71	Tree removal permit required; exceptions
Section 122-1007	Surfacing

**LOCATION: 3949 SW COLLEGE RD**

CASE NO: COM16-0925, OFFICER G. MCCLELLAN

**DRAFT**

CITY OF OCALA

vs.

MONPREMIER AND MARIE J. AUGUSTIN, 1841 SW IDAHO LN, PORT ST LUCIE, FL 34953-1532

**VIOLATION(S):**

Section 34-95 Weeds: accumulations of trash or other unsightly or unsanitary matter

LOCATION: 200 BLK SW 11TH AVE

CASE NO: COM16-1613, OFFICER G. MCCLELLAN

CITY OF OCALA

vs.

MILDRED M. SLATTERY, 2930 E OSBORN RD, APT 355, PHOENIX, AZ 85016-7042  
CATES ENTERPRISES, INC, C/O RAY CATES APV, 2024 SE 8TH STREET, OCALA, FL 34471

**VIOLATION(S):**

Section 34-91 Definitions  
Section 34-95 Weeds: accumulations of trash or other unsightly or unsanitary matter  
Section 82-3 Barbed wire, electrified fences, razor wire and fences/walls

LOCATION: 24 NW 15TH PL

CASE NO: COM16-1614, OFFICER G. MCCLELLAN

CITY OF OCALA

vs.

LOVE OCALA LLC, PO BOX 2407, BELLEVIEW, FL 34421

**VIOLATION(S):**

Section 34-91 Definitions  
Section 34-95 Weeds: accumulations of trash or other unsightly or unsanitary matter

LOCATION: 136 NW 17TH PL

CASE NO: COM16-1683, OFFICER G. MCCLELLAN

CITY OF OCALA

vs.

NAICKER ENTERPRISES INC, 3219 HACKAMORE DR, HAYWARD, CA 94541-5712  
VISHWA NAICKER, 8220 SW 56TH TERRACE, OCALA, FL 34476

**DRAFT**

**VIOLATION(S):**

Section 34-32	Water collections
Section 34-95	Weeds: accumulations of trash or other unsightly or unsanitary matter
Section 34-146	Vacant commercial structures
Section 82-442	Implementation and enforcement of numbering system; master map
Section 82-443	Display of building numbers
Section 122-219	Conformance with approved plan; changes to approved plan; certification of compliance; maintenance of improvements

**LOCATION: 2015 N PINE AVE**

CASE NO: COM16-1684, OFFICER G. MCCLELLAN

CITY OF OCALA

vs.

MARION COUNTY JCB HOLDINGS LLC, PO BOX 2407, BELLEVIEW, FL 34421-2407

**VIOLATION(S):**

Section 34-91	Definitions
Section 34-95	Weeds: accumulations of trash or other unsightly or unsanitary matter
Section 82-3	Barbed wire, electrified fences, razor wire and fences/walls

**LOCATION: 1617 NW 1ST AVE**

CASE NO: COM16-1689, OFFICER G. MCCLELLAN

CITY OF OCALA

vs.

O S BBQ INC, C/O KENNETH B. KIRKPATRICK, 2605 SW 33RD ST, # 200, OCALA, FL 34478

**VIOLATION(S):**

Section 34-91	Definitions
Section 34-95	Weeds: accumulations of trash or other unsightly or unsanitary matter
Section 34-146	Vacant commercial structures
Section 34-147	Permit for boarding-up a vacant commercial structure
Section 82-181	Definitions
Section 82-182	Dangerous buildings declared nuisance: abatement required: time limits
Section 82-184	Standards for ordering repair, vacation or demolition
Section 82-442	Implementation and enforcement of numbering system; master map
Section 82-443	Display of building numbers
Section 110-3	Definitions Sign
Section 110-31	Removal of Prohibited or Abandoned Signs
Section 122-1007	Surfacing

**LOCATION: 4000 E SILVER SPRINGS BLVD**

**CASE NO: COM16-1701, OFFICER G. MCCLELLAN**

**DRAFT**

**CITY OF OCALA**

**vs.**

**JACOB L. AND JERALYN K. DYKSTRA, 2965 SE 38TH ST, OCALA, FL 34480-8448**

**VIOLATION(S):**

Section 34-91	Definitions
Section 34-95	Weeds: accumulations of trash or other unsightly or unsanitary matter
Section 82-181	Definitions
Section 82-182	Dangerous buildings declared nuisance: abatement required: time limits
Section 82-184	Standards for ordering repair, vacation or demolition
Section 94-101	Affirmative maintenance requirements; demolition by neglect

**LOCATION: 705 SE BROADWAY ST**

**CASE NO: COM16-1704, OFFICER G. MCCLELLAN**

**CITY OF OCALA**

**vs.**

**RYMARK INC, 1824 N PINE AVE, OCALA, FL 34475-9120**

**VIOLATION(S):**

Section 110-3	Definitions Off-Site Advertising Sign
Section 110-31	Removal of Prohibited or Abandoned Signs

**LOCATION: 833 NW 10TH ST**

**CASE NO: COM16-1706, OFFICER G. MCCLELLAN**

**CITY OF OCALA**

**vs.**

**NORCOLON J. AND CANDACE V. TAYLOR, 52 JUNIPER PASS, OCALA, FL 34480-9744**

**VIOLATION(S):**

Section 34-95	Weeds: accumulations of trash or other unsightly or unsanitary matter
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**LOCATION: 1706 NW 1ST AVE**

DRAFT

CITY OF OCALA

vs.  
FOUR SEASON PARTNERS LLC, C/O SHARAM ASSARY, 20 SE BROADWAY ST, OCALA, FL 34471-2132

**VIOLATION(S):**

- Section 34-32 Water collections
- Section 34-91 Definitions
- Section 34-95 Weeds: accumulations of trash or other unsightly or unsanitary matter
- Section 82-181 Definitions
- Section 82-182 Dangerous buildings declared nuisance: abatement required: time limits
- Section 82-184 Standards for ordering repair, vacation or demolition
- Section 122-1007 Surfacing

**LOCATION: 908 S PINE AVE**

CITY OF OCALA

vs.  
LINDA R. FINE - VANIS EST AND FRANK K. FINE EST, 3002 SW 16TH PL, OCALA, FL 34474-2961  
BANK OF AMERICA CORPORATION, 150 N COLLEGE ST, NC1-028-17-06, CHARLOTTE, NC 28255  
BANK OF AMERICA, N.A., 150 N COLLEGE ST, NC1-028-17-06, CHARLOTTE, NC 28255

**VIOLATION(S):**

- Section 34-91 Definitions
- Section 34-95 Weeds: accumulations of trash or other unsightly or unsanitary matter
- Section 34-141 Definitions
- Section 34-142 Registration of property by mortgagees holding mortgages in default
- Section 34-143 Maintenance requirements
- Section 34-144 Security requirements
- Section 34-145 Local contact person and local property manager; posting

**LOCATION: 3002 SW 16TH PL**

CITY OF OCALA

vs.  
YVETTE J. MCFADDEN, 2105 SW 6TH ST, OCALA, FL 34471  
JOYCE T. JACKSON, 2105 SW 6TH ST, OCALA, FL 34471  
SAMUEL D. MICHAEL, 2105 SW 6TH ST, OCALA, FL 34471  
JOYCE T. JACKSON ET AL, 2105 SW 6TH ST, OCALA, FL 34471

**VIOLATION(S):**

- Section 34-91 Definitions
- Section 34-95 Weeds: accumulations of trash or other unsightly or unsanitary matter

**LOCATION: 1000 BLK NW 13TH AVE**

CASE NO: COM16-1522, OFFICER D. HOLLINGSWORTH

**DRAFT**

CITY OF OCALA

vs.

THE GARDEN WORSHIP CENTER INC, C/O NORMAN L. SCHAFFER, 7655 SE 126TH PL, STE 5, BELLEVIEW, FL 34420

**VIOLATION(S):**

Section 34-91

Definitions

Section 34-95

Weeds: accumulations of trash or other unsightly or unsanitary matter

**LOCATION:**

**400 BLK SW BROADWAY ST**

CASE NO: COM16-1541, OFFICER D. HOLLINGSWORTH

CITY OF OCALA

vs.

HARDEO AND DHANWANTIE SUKHDEO, 63 DECATUR PL, WHITBY L1R, ON L1R 3P9 CANADA

**VIOLATION(S):**

Section 82-151

Standard Housing Code adopted

Section 122-51

Building Permit Required

**LOCATION:**

**42 NW 21ST PL**

CASE NO: COM16-1760, OFFICER D. HOLLINGSWORTH

CITY OF OCALA

vs.

DAPHNE SAMAROO, 14 PINE TRACE TER, OCALA, FL 34472

**VIOLATION(S):**

Section 82-151

Standard Housing Code adopted

**LOCATION:**

**39 NW 21ST PL**

CASE NO: COM16-1797, OFFICER D. HOLLINGSWORTH

CITY OF OCALA

vs.

LORENZO JOHNSON, 4219 CLAY AVE, ST LOUIS, MO 63115-3040

**VIOLATION(S):**

Section 34-91

Definitions

Section 34-95

Weeds: accumulations of trash or other unsightly or unsanitary matter

**LOCATION:**

**2000 BLK SW 3RD ST**

**CASE NO: COM16-1825, OFFICER D. HOLLINGSWORTH**

**DRAFT**

**CITY OF OCALA**

**vs.**

**MORIN MARK, LANDS AVAILABLE FOR TAXES, 237 GROTON RD, NORTH CHELMSFORD, MA 01863-1208**

**VIOLATION(S):**

Section 34-91

Definitions

Section 34-95

Weeds: accumulations of trash or other unsightly or unsanitary matter

**LOCATION:**

**1949 NW 5TH ST**

**CASE NO: COM16-1357, OFFICER A. YODER**

**CITY OF OCALA**

**vs.**

**MONPREMIER AND MARIE J. AUGUSTIN, 1841 SW IDAHO LN, PORT ST LUCIE, FL 34953-1532**

**VIOLATION(S):**

Section 34-91

Definitions

Section 34-95

Weeds: accumulations of trash or other unsightly or unsanitary matter

**LOCATION:**

**200 BLK SW 11TH AVE**

**CASE NO: COM16-1750, OFFICER A. YODER**

**CITY OF OCALA**

**vs.**

**HENRY RADFORD EST, C/O DAVID H. KINSEY, 2728 NE 19TH AVE, OCALA, FL 34470**

**BETTY RADFORD KINSEY, 49 WARD LANE, RABUN GAP, GA 30568**

**VIOLATION(S):**

Section 34-91

Definitions

Section 34-95

Weeds: accumulations of trash or other unsightly or unsanitary matter

Section 34-121

Definitions

Section 34-122

Abandoned or derelict vehicles

Section 82-181

Definitions

Section 82-182

Dangerous buildings declared nuisance: abatement required: time limits

Section 82-184

Standards for ordering repair, vacation or demolition

**LOCATION:**

**2708 NE 19TH AVE**

CASE NO: COM16-1764, OFFICER A. YODER

DRAFT

CITY OF OCALA

vs.

MORNINGSIDE FUNDING LLC, C/O DAVID K. GIBBS, 2370 RICE BLVD, STE 200, HOUSTON, TX 77005

VIOLATION(S):

Section 122-51 Building permit required

LOCATION: 727 NE 4TH ST

CASE NO: COM16-1779, OFFICER A. YODER

CITY OF OCALA

vs.

THE EDWARD E. REMINGTON REV TRUST, 2354 NW 57TH PL, OCALA, FL 34475-3030

THERON R. REMINGTON TRUST, 2354 NW 57TH PL, OCALA, FL 34475-3030

VIOLATION(S):

Section 34-91 Definitions  
Section 34-95 Weeds: accumulations of trash or other unsightly or unsanitary matter

LOCATION: 323 NE 39TH AVE

CASE NO: COM16-1798, OFFICER A. YODER

CITY OF OCALA

vs.

JON R. VINING, 304 NE 43RD AVE, OCALA, FL 34470-1434

VIOLATION(S):

Section 34-32 Water collections  
Section 34-91 Definitions  
Section 34-95 Weeds: accumulations of trash or other unsightly or unsanitary matter  
Section 122-1193 Parking of trailers and commercial vehicles in residential districts: use of trailers for storage purposes

LOCATION: 304 NE 43RD AVE

CASE NO: COM16-1975, OFFICER M. MARTINEZ

CITY OF OCALA

vs.

LUZUPOZO LLC, 2030 S. PINE AVE, OCALA, FL 34471

**DRAFT**

**VIOLATION(S):**

Section 34-91	Definitions
Section 34-95	Weeds: accumulations of trash or other unsightly or unsanitary matter
Section 82-511	Definitions
Section 82-512	Pool Barrier Required
Section 82-513	Pool Barrier Specifications
Section 82-514	Exemption for indoor pools/spas
Section 82-517	Abandoned, neglected, inoperable or hazardous swimming pools and spas

**LOCATION:** 1629 NE 17TH AVE

**PETITION TO REQUEST REDUCTION OF PENALTY**

CASE NO: COM15-1864, OFFICER D. HOLLINGSWORTH

CITY OF OCALA

vs.

LESLIE AND BETTYE MILTON, 6540 NW 61ST AVE, OCALA, FL 34482

**VIOLATION(S):**

Section 34-95	Weeds: accumulations of trash or other unsightly or unsanitary matter
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**LOCATION:** 2100 BLK NW 7TH ST

CASE NO: COM15-2004, OFFICER D. HOLLINGSWORTH

CITY OF OCALA

vs.

LESLIE AND BETTYE MILTON, 6540 NW 61ST AVE, OCALA, FL 34482

**VIOLATION(S):**

Section 34-95	Weeds: accumulations of trash or other unsightly or unsanitary matter
Section 82-181	Definitions
Section 82-182	Dangerous buildings declared nuisance: abatement required: time limits

**LOCATION:** 808 NW 1ST ST

DRAFT

CITY OF OCALA

vs.

LEONEL AND EUGENIA THEARD, 2716 NW 18TH AVE, OCALA, FL 34475-4241

**VIOLATION(S):**

- Section 34-95 Weeds: accumulations of trash or other unsightly or unsanitary matter
- Section 34-121 Definitions
- Section 34-122 Abandoned or derelict vehicles
- Section 82-442 Implementation and enforcement of numbering system; master map
- Section 82-443 Display of building numbers
- Section 122-1193 Parking of trailers and commercial vehicles in residential districts: use of trailers for storage purposes

**LOCATION:** 2716 NW 18TH AVE

**OLD BUSINESS**

**Consent Agenda for Non-Compliance (MASSEY) Hearing**

COM16-1102	TINA MISNER	1830 NW 29 <sup>TH</sup> AVE
COM16-1222	WILLIE B. FANIEL	2006 SW FORT KING ST
COM16-1239	RACETRAC PETROLEUM INC	3708 SW COLLEGE RD
COM16-1240	CARL D. AND SCOTT CARMICHAEL	515 SW 15 <sup>TH</sup> ST
COM16-1410	INVESTUS MICHIGAN LLC	1103 NE 9 <sup>TH</sup> AVE
COM16-1418	HAYWARD LEON BROWN	1705 SW 1 <sup>ST</sup> ST
COM16-1428	ROBERTA S. KESSEL	1129 NE 9 <sup>TH</sup> AVE
COM16-1471	VELPEAU C. THOMAS JR	1216 NE 31 <sup>ST</sup> ST
COM16-1472	SANCHEZ LIVING TRUST	58 NW 21 <sup>ST</sup> PL
COM16-1480	THE DOROTHY A. RITTERHOFF TRUST	910 SE 5 <sup>TH</sup> ST
COM16-1483	YVETTE M. SINDY	1017 SE 13 <sup>TH</sup> AVE
COM16-1509	RICHARD E. PEMBROKE	2800 BLK SW BROADWAY ST
COM16-1566	LAURA ALVAREZ PEREZ	3948 SW 29 <sup>TH</sup> PL
COM16-1567	MERLEINE RACKETT EST	3850 SW 29 <sup>TH</sup> PL
COM16-1568	WILLIAM RODDIN	3820 SW 29 <sup>TH</sup> PL
COM16-1570	LILLIAN R. KING EST	2610 SW 36 <sup>TH</sup> DR
COM16-1572	DAPHNE SAMAROO	35 NW 21 <sup>ST</sup> PL
COM16-1581	FRED ARMENI EST	3901 SW 30 <sup>TH</sup> ST
COM16-1604	STACEY ANDERSON	750 SE 29 <sup>TH</sup> TER
COM16-1606	KEVIN BLAZAK	1424 NW 1 <sup>ST</sup> AVE
COM16-1609	SLSM INCORPORATION INC	206 SW 13 <sup>TH</sup> AVE
COM16-1610	SLSM INCORPORATION INC	1300 BLK SW 3 <sup>RD</sup> ST
COM16-1611	WILLIAM A. AND BARBARA A. CARBAUGH	1504 NW 1 <sup>ST</sup> AVE
COM16-1621	WINSTON S. PRIEST	519 SE SANCHEZ AVE
COM16-1638	PATRIOT HOMES LLC	1545 NE 9 <sup>TH</sup> ST
COM16-1652	EDDIE FLOYD MCNEIL	521 SW 2 <sup>ND</sup> ST
COM16-1654	PINOT IV LLC	500 BLK SW 2 <sup>ND</sup> AVE
COM16-1662	SAVERA A. JAMES	232 NW 16 <sup>TH</sup> CT
COM16-1665	BRANDON MORRIS	317 SE 29 <sup>TH</sup> TER
COM16-1714	KEITH LEX KIRBY	3037 NE 25 <sup>TH</sup> ST

COM16-1744  
COM16-1762  
COM16-1937

BRIAN THOMAS FREDERICK  
CAROL A. WATSON  
ODESSA GILREATH EST

1900 NW 24<sup>TH</sup> AVE  
3020 SE 13<sup>TH</sup> ST  
1657 SW FORT KING ST

**DRAFT**

## **DISCUSSION:**

**COMMENTS BY THOSE WHO WISH TO ADDRESS THE MUNICIPAL CODE ENFORCEMENT BOARD**

**COMMENTS BY THE MUNICIPAL CODE ENFORCEMENT BOARD**

**ADJOURNMENT**