

The City of Wauchula Code Enforcement met for its regularly scheduled hearing on May 26, 2022 at 10 a.m.

**Special Magistrate Elliott Mitchell called the hearing to order and administered the oath to those testifying.**

Also present at the hearing were Code Enforcement Officer Raina Bergens, Community Development Director Kyle Long and City Clerk Holly Smith.

**NEW CASES:**

**New Case – 22-025-M**

**220 S 10<sup>th</sup> Avenue**

**Juan C & Araceli V Plata**

CE Officer Bergens testified and presented photographic evidence which Special Magistrate Mitchell accepted.

Bergens stated the case was opened on March 14<sup>th</sup> and explained the Hardee County Building Department had notified her and informed Bergens the permits for the property had lapsed.

Juan Plata – 501 W. Bay Street, Wauchula

Plata addressed Special Magistrate Mitchell and explained the issues he had been having with the building department. Plata asked if the City would allow him to do the decorative stone and pillars. Special Magistrate Mitchell explained to Plata what he was able to do and not do. Special Magistrate Mitchell stated he was only able to decide if a property was in compliance or not. Long informed Plata there was nothing in the ULDC that would prevent him from putting the decorative stone on the front of the house but would have to refer him to the building department. Plata stated the building department is not allowing him to do that. Long advised he would have to talk with the building department. Plata stated he was currently painting and doing exterior work that did not require a permit. Plata asked for an additional two months to complete the work. Special Magistrate Mitchell stated his findings were there was a violation and Plata had 60 days (July 26<sup>th</sup>) for total compliance with no fine imposed.

**New Case – 22-027M**

**521 S. Fla Ave.**

**Gordon B Jr. & Deborah L Starratt**

CE Officer Bergens testified and presented photographic evidence which Special Magistrate Mitchell accepted. Bergens stated the case was opened on March 23<sup>rd</sup> and explained the Hardee County Building Department had notified her and informed Bergens the permits for the property had lapsed. Gordon Starratt addressed Special Magistrate Mitchell and gave a brief history of the property. Special Magistrate Mitchell asked Bergens if permits were needed. Bergens replied no, Starratt needed to finish the exterior of the house. Special Magistrate Mitchell asked Starratt how much time did he need. Starratt stated a couple of months. Special Magistrate Mitchell stated his findings were there was a violation and Starratt had 60 days (July 26<sup>th</sup>) for total compliance with no fine imposed.

**New Case – 22-033-Z**

**604 S. 6<sup>th</sup> Avenue**

**Samuel L Delatorre**

CE Officer Bergens testified and presented photographic evidence which Special Magistrate Mitchell accepted. Bergens stated the case was opened on March 29<sup>th</sup> and the case involves exterior façade. Special Magistrate Mitchell stated he had reviewed the Commission minutes and the initial plans and requirement for the building.

Cassandra Delatorre – 915 S. 6<sup>th</sup> Avenue, Wauchula

C. Delatorre stated she thought the notice was for the landscaping. Special Magistrate Mitchell stated the notice was for the landscaping and the façade. C. Delatorre stated the façade was an ongoing issue with the contractors that helped build the building. She felt the façade required by the City would ruin the building. C. Delatorre stated putting screws into the metal building would ruin the building. Long

addressed Special Magistrate Mitchell and stated a new site plan for landscaping should be submitted and would be attached to the original application. Special Magistrate Mitchell stated that there may not have been a violation if the building had been built and then the City gave a list of requirements, however that did not happen. Special Magistrate Mitchell added that there was a signed application that included the façade prior to the building being built. Special Magistrate Mitchell further explained the façade requirements. Long stated there was a variety of different types of façade that could be used. Special Magistrate Mitchell stated the new regulations were adopted in 2016 and the sign-off and construction permits were not done until late 2018 and those included a façade. Special Magistrate Mitchell asked C. Delatorre why the façade was not done after knowing the façade requirements at the time of construction. C. Delatorre stated it was a lot of back and forth between the contractor and the property owner. Special Magistrate Mitchell stated the long and short of it was there was a signed sign-off with the façade requirements included and that C. Delatorre was on notice of what had to take place regarding the facade requirements. Special Magistrate Mitchell added that he did not have the power to change the decision regarding the façade requirements. Special Magistrate Mitchell asked how long would it take to complete the landscaping. C. Delatorre stated the concrete work would take about a month. Special Magistrate Mitchell advised he would give two months on the landscaping. Special Magistrate Mitchell stated some type of façade had to be done otherwise there would be assessments against the property. Samuel Delatorre addressed Special Magistrate Mitchell and stated the building had been going on for 7 to 8 years. S. Delatorre stated his issue with the façade is the maintenance in the future. Special Magistrate Mitchell advised S. Delatorre that he was just enforcing the code regulations. Special Magistrate Mitchell stated his findings were there was a violation and C. Delatorre had four months (September 26<sup>th</sup>) for total compliance with no fine imposed.

**New Case – 22-022-M**

**407 S 1<sup>st</sup> Avenue**

**(Est of) Viola Maldonado**

No one associated with the property attended the meeting.

CE Officer Bergens testified and presented photographic evidence which Special Magistrate Mitchell accepted. Bergens stated the case was opened on March 9<sup>th</sup>. Special Magistrate Mitchell stated his findings were there was a violation and gave until June 6<sup>th</sup> for total compliance to remedy the problem and if not in compliance by June 6<sup>th</sup> a fine of \$50 a day until brought into compliance.

**APPROVAL OF PREVIOUS HEARING MINUTES:**

Special Magistrate Mitchell approved the April 28, 2022 minutes.

**PUBLIC COMMENTS:**

There was no one in the audience to speak.

With no further business to discuss, Special Magistrate Dawson adjourned the hearing at 10:21 a.m.

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Special Master Elliott Mitchell

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City Clerk Holly Smith