

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Minutes - Final**

January 14, 2021

9:01 AM

City Commission Auditorium, 200 E. University Ave

Phone number: 800-876-7516

### **Special Magistrate Hearing**

*Jefferson M. Braswell (Special Magistrate)*

*Under the Americans with Disabilities Act, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator, 201 E. University Avenue, Room 414A, Gainesville, FL 32601 at (352) 337-6237 at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711. Any person desiring to appeal any decision with respect to any matter considered at these hearings will need a record of the proceedings, and, for this purpose, may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.*

## CALL TO ORDER

## PLEDGE TO THE FLAG

## ADMINISTRATION OF OATH OF OFFICERS (Oath will be administered to Defendants/Witnesses as individual cases are heard)

## REDUCTION/RESCISSION REQUESTS

[200193.](#) [SM 2020-094/CE-20-00462; SANTOS, INA H.](#)

MAGISTRATE RECOMMENDS REDUCTION OF FINES  
TO \$600.00

RECOMMENDATION

*The Special Magistrate hears case and takes action deemed as necessary.*

Mr. Santos gave testimony and submitted evidence regarding why he would like the previous Order of reduction of \$1000 reduced further. Code Enforcement Manager Backhaus disagreed and recommendation no further action be taken. The Magistrate recommended a reduction of \$400 to bring the fine amount to \$600. Mr. Santos paid the \$600 fine at the Magistrate hearing.

[200705.](#)[CEB 2013-107/CE-13-02862; ALLEN, ELIZABETH SUE](#)**FINES REDUCED TO ZERO****RECOMMENDATION**

*The Special Magistrate hears case and takes action deemed as necessary.*

Neighborhood Enhancement Manager Peter Backhaus gave back testimony of the property plus an update of the current condition including a picture of the property being in compliance. Mr. Backhaus stated that on the contingency of Dan Monteau closing with the new buyer, the City has no objection to the reduction or rescission of fines. Dan Monteau, representative for the seller and the new owner, gave testimony and a timeline of a total renovation and the resale of the property. The Magistrate recommends that the fines be reduction to zero to facilitate the sale and renovation of the property. Mr. Backhaus also gave a summary of the new procedure with Reductions and Rescissions

**CASES TO BE HEARD**[200675.](#)[SM 2020-128/CE-20-02743; BUCHANAN, FELOR](#)**ADJ GUILTY****ADMIN COSTS \$167.41****ALLOW 30 DAYS TO BRING VIOLATIONS INTO COMPLIANCE****IF NOT BROUGHT INTO COMPLIANCE \$100 DAILY FINE****RECOMMENDATION**

*The Special Magistrate hears case and takes action deemed as necessary.*

Initially Mr. Buchanan was not present. The Code Officer, John Gates, presented his case via power point. Staff Recommendations: Adjudication of guilt, 10 days to come into compliance, \$100 per day thereafter if compliance isn't met, pay administrative cost of \$167.41 and any and all City abatement cost. Special Magistrate initial accepted staff recommendations: Adjudicated the respondent guilty, 10 days to come into compliance, \$100 per day thereafter if compliance isn't met, pay administrative cost of \$167.41 and any and all City abatement cost. Mr. Buchanan showed up late. The Magistrate heard his testimony. Mr. Buchanan stated he needed extra time to come into compliance. He has a contractor set up to come in and bring the property into compliance. He asked for 30 days to come into compliance. The Magistrate modified his recommendation: Adjudication of guilt, 30 days to come into compliance, if compliance isn't met pay administrative cost of \$167.41 and any and all City abatement cost.

**200673. Request to Release Lien at 1505 NE 19th Lane**

**Attachments:** 200673A\_Summary Horne Lien\_20211021

ADJ GUILTY  
\$105.08 ADMIN FEES  
15 DAYS TO COMPLY  
IF NOT BROUGHT INTO COMPLIANCE \$50 A DAY FINE

**RECOMMENDATION** *The City Commission accept the Magistrate's proposal of \$150.00 reduction with no contingencies.*

The Code Officer, Samantha Norris, presented her case via power point. Staff Recommendations: Adjudication of guilt, 15 days to come into compliance, \$25 per day thereafter if compliance isn't meant, pay administrative cost of \$105.08 and any and all City abatement cost. Special Magistrate accepted staff recommendations: Adjudicated the respondent guilty, 15 days to come into compliance, \$50 per day thereafter if compliance isn't meant, pay administrative cost of \$105.08 and any and all City abatement cost.

**200677.** **SM 2020-134/CE-20-02435; DANIELS, PATRICIA ANN LIFE ESTATE**

ADJ GUILTY  
\$118.24 ADMIN COSTS  
15 DAYS TO BRING VIOLATIONS INTO COMPLIANCE  
IF NOT BROUGHT INTO COMPLIANCE WITHIN 15-DAYS \$100/DAILY  
FINE

**RECOMMENDATION** *The Special Magistrate hears case and takes action deemed as necessary.*

The Code Officer, Samantha Norris, presented her case via power point. Staff Recommendations: Adjudication of guilt, 15 days to come into compliance, \$100 per day thereafter if compliance isn't meant, pay administrative cost of \$118.24 and any and all City abatement cost. Kelly Derasmo, Fire Investigator Officer, gave testimony of what she saw and the severity of the problem there. Special Magistrate accepted staff recommendations: Adjudicated the respondent guilty, 15 days to come into compliance, \$100 per day thereafter if compliance isn't meant, pay administrative cost of \$118.24 and any and all City abatement cost.

200676.**SM 2020-133/CE-20-01854; REVITZ & REVITZ**

ADJ GUILTY  
\$88.56 ADMIN FEES  
10 DAYS TO COMPLY  
IF NOT BROUGHT INTO COMPLIANCE \$25/ DAILY FINE

**RECOMMENDATION**

*The Special Magistrate hears case and takes action deemed as necessary.*

The Code Officer, Nicole Lardner, presented her case via power point. Staff Recommendations: Adjudication of guilt, 10 days to come into compliance, \$25 per day thereafter if compliance isn't meant, pay administrative cost of \$88.56 and any and all City abatement cost. Special Magistrate accepted staff recommendations: Adjudicated the respondent guilty, 10 days to come into compliance, \$25 per day thereafter if compliance isn't meant, pay administrative cost of \$88.56 and any and all City abatement cost.

200674.**SM 2020-132/CE-20-02462; LE & NGO W/H**

ADJ GUILTY \$89.58 ADMIN FEES  
10 DAYS TO COMPLY  
IF NOT BROUGHT INTO COMPLIANCE \$50/DAILY FINE

**RECOMMENDATION**

*The Special Magistrate hears case and takes action deemed as necessary.*

The Code Officer, Nicole Lardner, presented her case via power point. Staff Recommendations: Adjudication of guilt, 10 days to come into compliance, \$50 per day thereafter if compliance isn't meant, pay administrative cost of \$89.58 and any and all City abatement cost. Special Magistrate accepted staff recommendations: Adjudicated the respondent guilty, 10 days to come into compliance, \$50 per day thereafter if compliance isn't meant, pay administrative cost of \$89.58 and any and all City abatement cost.

[200670.](#)[SM 2020-127/CE-20-01631; FAYSON, LOIS HEIRS](#)

ADJ GUILTY  
10 DAYS TO COMPLY  
\$93.15 ADMIN COSTS  
\$200 DAILY FINE

**RECOMMENDATION**

*The Special Magistrate hears case and takes action deemed as necessary.*

The Code Officer, Nicole Lardner, presented her case via power point. Staff Recommendations: Adjudication of guilt, 10 days to come into compliance, \$50 per day thereafter if compliance isn't met, pay administrative cost of \$93.15 and any and all City abatement cost. Special Magistrate accepted staff recommendations: Adjudicated the respondent guilty, 10 days to come into compliance, \$50 per day thereafter if compliance isn't met, pay administrative cost of \$93.15 and any and all City abatement cost.

**CONTINUANCE REQUESTS**[200678.](#)[SM 2020-135/CE-20-02156; CAMPBELL, CHARLOTTE](#)

Continuance Granted

**RECOMMENDATION**

*The Special Magistrate hears case and takes action deemed as necessary.*

Continued

**COMPLIANCE/DISMISSAL**

200399. SM 2020-104/CE-20-01464; FILLIE, CHRISTOPHER L.

RECOMMENDATION

*The Special Magistrate hears case and takes action deemed as necessary.*

**Approved as Recommended for Dismissal as Violation(s) were brought into Compliance**

200709. SM 2020-121/CE-20-02400; DIX, CRYSTAL GRAVIOS

RECOMMENDATION

*The Special Magistrate hears case and takes action deemed as necessary.*

**Approved as Recommended for Dismissal as Violation(s) were brought into Compliance**

**200707.** SM 2020-129/CE-20-02748; BUCHANAN JR & GHAHDARIJANI H/W

RECOMMENDATION

*The Special Magistrate hears case and takes action deemed as necessary.*

**Approved as Recommended for Dismissal as Violation(s) were brought into Compliance**

200708. SM 2020-126/CE-20-02509; HOWELL, DAWN

RECOMMENDATION

*The Special Magistrate hears case and takes action deemed as necessary.*

**Approved as Recommended for Dismissal as Violation(s) were brought into Compliance**

200710. SM 2020-119/CE-20-02396; DIDEBAN, BAHRAM

RECOMMENDATION

*The Special Magistrate hears case and takes action deemed as necessary.*

**Approved as Recommended for Dismissal as Violation(s) were brought into Compliance**

200712. SM 2020-123/CE-20-02169; JAGGER & JAGGER & JONES

RECOMMENDATION

*The Special Magistrate hears case and takes action deemed as necessary.*

**Approved as Recommended for Dismissal as Violation(s) were brought into Compliance**

[200711.](#) [SM 2020-120/CE-20-02394; DAVIS & JOHNSON & LAVAN ET AL](#)

**RECOMMENDATION**

*The Special Magistrate hears case and takes action deemed as necessary.*

**Approved as Recommended for Dismissal as Violation(s) were brought into Compliance**

[200680.](#) [SM 2020-136/CE-20-01622; MOORE, H. U. & NANCY](#)

**RECOMMENDATION**

*The Special Magistrate hears case and takes action deemed as necessary.*

**Approved as Recommended for Dismissal as Violation(s) were brought into Compliance**

[200672.](#) [SM 2020-130/CE-20-02523; DOWNLOADABLE STUDIO LLC](#)

**RECOMMENDATION**

*The Special Magistrate hears case and takes action deemed as necessary.*

**Approved as Recommended for Dismissal as Violation(s) were brought into Compliance**

**ADJOURNMENT**

**10:51a**