

CODE ENFORCEMENT
CITY OF WILDWOOD, FLORIDA
REGULAR MEETING
May 7, 2024 1:00 PM
CITY HALL COMMISSION CHAMBER

(meeting taped)

I. CALL TO ORDER

Attendee Name	Title	Status
Lindsay C.T. Holt	Special Magistrate	Present
Tara Tradd	Code Compliance Manager	Present
Jessica Barnes	City Clerk	Present
Brian Harrie	Lieutenant	Present

Special Magistrate Holt brought the meeting to order at 1 p.m.

1. Special Magistrate, Overview of the Code Enforcement Process

Special Magistrate Holt explained that the public hearings were considered quasi-judicial and provided an overview of the Code Enforcement meeting procedures.

2. Swear in City Staff

Special Magistrate Holt proceeded to swear in city staff and audience members who wished to speak during the hearings.

II. APPROVAL OF SUMMARY MINUTES

1. April 2, 2024

Special Magistrate Holt saw no revisions and approved the summary minutes for the April 2, 2024, meeting.

RESULT:	Approved
MOVER:	Special Magistrate Holt
SECONDER:	None
AYES:	Special Magistrate Holt

III. OLD BUSINESS

1. City of Wildwood Case# 2208-0001

Respondents: Pepper Tree Developers LLC

Violation Address: Parcel D30-089 N US HWY 301

Violations: City of Wildwood Land Development Regulations, Semi-Trailer Parking and Stormwater Code of Ordinances, DRA Maintenance Violation

Status: The property complies and requests a reduction of the fines imposed.

Special Magistrate Holt read aloud Case #2208-0001. Code Compliance Manager Tradd presented the case and evidence to Holt. Tradd stated that the case was brought forward for a reduction of fines. The property originally came before the city in February 2023 and had violations of semi tractor trailers being parked on the greenspace, as well as stormwater violations. The notifications that were addressed to the person on record per the Property Appraiser's website was the incorrect address, but was not revealed until a lien search was conducted in March 2024. The lien search revealed a total fine of \$102,000. At that time, the new property owners contacted the city immediately, requested all documentation and history relating to the violations, resolved the issues to bring the property into compliance, and made the correct address changes with the Property Appraiser's and the Tax Collector's offices. As of May 6, 2024, the property was in compliance with the city code, and the city requested a reduction of fines in the amount of \$102,000. There were case costs associated with the property in the amount of \$189.88. These costs were in addition to the February 7, 2023, hearing. Special Magistrate Holt reviewed all documentation, and questioned if the original case costs of \$101.63 were ever paid. Tradd confirmed that they had not and, to date, were still outstanding. A short discussion was held between Holt and Tradd confirming details of the case.

Craig Spanjers was present to represent Dr. Foster of Cone Land, LLC, which was the current owner of unit 100 on the 2-unit condominium property that remained vacant. He stated both owners were completely unaware of the code issues, and the fact that the condo documents had not been changed to reflect the change of ownership. He also stated that as soon as his client was aware of the issues, he took care of them. Holt questioned why the case costs from February 2023 had not been paid. Spanjers was uncertain, but did note he was prepared to pay whatever costs were due as of the final decision of the hearing. Holt also questioned if there were any costs incurred by the property owner to bring the property into compliance, to which Spanjers confirmed there were not. She further confirmed that the semis parked on the property were not owned by Dr. Foster, which Spanjers confirmed were not. No further comments were offered or received.

Special Magistrate Holt ordered the reduction in fines from \$102,000 to \$1,000. She further ordered that the previous case costs of \$104.25 and \$101.63 be paid in addition to the current case costs of \$189.88. She abated the reduction for 15 days to ensure all case costs were paid before allowing for the reduction. At the end of the 15-day abeyance, if the case costs have not been paid, the reduction request would be denied.

IV. NEW BUSINESS

1. City of Wildwood Case# 2401-0006

Respondents: Diane, Chad, and Brad Ellcey (JTWROS)

Violation Address: 614 Pleasantdale Drive

Violations: City of Wildwood Land Development Regulations, Chapter 3.15 Home Business and Florida State Statute 559-955

Status: The property is non-compliant with all city and state codes.

Special Magistrate Holt read aloud Case #2401-0006. Code Compliance Manager Tradd

presented the case and evidence to Holt. Tradd stated this was the first time this case had come before the city, and was a matter of a home business with storage of heavy equipment in a residential zone. The property owner owns and operates a tree equipment business, and often the large equipment was parked on an unimproved surface in the front yard. Tradd quoted the state statute that required the equipment be kept on a paved surface and not visible from adjacent properties. She noted that her and the property owner had been working together since the violation was found, which was in January 2024, and he has been diligently bringing the property into compliance. As of re-inspection on May 6, 2024, she found the property in compliance. Tradd stated the city would continue to monitor the neighborhood, as the city had just repaved the road, and it was not built for heavy equipment traffic. The city requested that the property owner not use the heavy equipment on the road on a daily basis to preserve the street to benefit the neighbors and the community's tax dollars. Special Magistrate Holt asked if the city would be seeking any fines and/or costs for the violation period. Tradd responded with only the case costs of \$101.51. Chad Ellcey, one of the property owners, was present at the hearing. Holt entered an order of violation that showed the violation had been cured, with the responsibility of the property owner(s) to pay case costs in the amount of \$101.51 within 30 days.

2. City of Wildwood Case# 24-0003

Respondents: Sonja Lollar

Violation Address: 406 York Street

Violations: City of Wildwood Code of Ordinances, Chapter 7 Unsafe Structure, and Chapter 15 Solid Waste

Status: The property is non-compliant with all city and state codes

Special Magistrate Holt read aloud Case #24-0003. Code Compliance Manager Tradd presented the case and evidence to Holt. Tradd stated the property had a mobile home structure that had recently been considered a total loss due to a structure fire. She had monitored the property for several months for cleanup of the property, and it had not been removed or cleared when she had issued the notice of violation on March 18, 2024. Upon the property owner's receipt of the notice, they did begin the cleanup, and as of re-inspection on May 6, 2024, all that was left was the frame of the mobile home as well as scattered litter and debris on the site. Special Magistrate Holt asked if the city would be seeking any fines, to which Tradd responded the city only requested case costs in the amount of \$102.45. Holt also confirmed with Tradd that though there had been action toward compliance, full compliance had not been met. Property owner, Sonja Lollar, and Elijah Patterson were present on behalf of the case. Lollar stated they had already begun working on clearing the property when they received the notice, but was having difficulty finding someone willing to cut up the house frame and remove it from the property. Lollar also noted that the trash and debris had been ongoing issue with people dropping trash in the right-of-way and trespassing onto the property. She stated she would look into installing gate to keep people and parties off her property. Patterson also stated that he had recently found someone to remove the trailer frame, and hoped it would be complete soon. Special Magistrate Holt entered an order of violation for the property owner to bring the property into compliance as well as pay the case costs of \$102.45, both within 60 days.

V. ADJOURNMENT

The meeting was adjourned at 1:24 p.m.

RESULT:	Adjourned
MOVER:	Special Magistrate Holt
SECONDER:	None
AYES:	Special Magistrate Holt

SEAL

7/9/2024
Date

CODE ENFORCEMENT
CITY OF WILDWOOD, FLORIDA


Lindsay C.T. Holt,
Special Magistrate
City of Wildwood, Florida