



**AGENDA (modified)**  
**SPECIAL MAGISTRATE HEARING**  
**CODE ENFORCEMENT DIVISION**  
**20750 RIVER DRIVE**  
**DUNNELLO, FL 34431**  
**TUESDAY, JUNE 11, 2019 at 9:00 A.M.**  
*(rescheduled from June 4, 2019)*

HEARING CANCELLED. COMPLIANCE MET.

1. Opening

**Call to Order**

**Pledge of Allegiance**

**Proof of Publication** - The agenda was posted on the city's website and at City Hall on Tuesday, June 4, 2019, and modified agenda posted to website on June 7, 2019. (modified to add minutes to Item #2)

**Roll Call**

**Magistrate:** Audrie Harris Hoehn, Esq.

**Staff**

Lonnie Smith, Code Enforcement  
Francis Hunter, Code Enforcement  
Teresa Malmberg, Administrative Coordinator

2. Approval Of Minutes

July 10, 2018

Documents:

[20180710.PDF](#)

3. Public Hearing

**Hearing Number:** DCV1819-03 / Code Enforcement #CE2019-050

**Property Owner:** Gordon W. Rockafellow, Jr.

**Property Address:** 19922 The Granada / Parcel #3383-006-001

**Violation:** Nuisance Grass/Weeds Sec. 99-1(e), 99-5(b)10, 99-9(a)

Documents:

[20190604 NOH 19922 THE GRANADA RESCHEDULED.PDF](#)

4. Public Comment

5. Adjourn

ANY PERSON REQUIRING A SPECIAL ACCOMMODATION AT THIS MEETING OR HEARING BECAUSE OF DISABILITY OR PHYSICAL IMPAIRMENT SHOULD CONTACT THE CITY CLERK AT (352) 465-8500 AT LEAST THREE CALENDAR DAYS PRIOR TO THE PROCEEDING. IF A PERSON DESIRES TO APPEAL ANY DECISION WITH RESPECT TO ANY MATTER CONSIDERED AT THE ABOVE MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, HE 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. THE CITY IS NOT RESPONSIBLE FOR ANY MECHANICAL FAILURE OF RECORDING EQUIPMENT.

**MINUTES  
CITY OF DUNNELLON  
CODE ENFORCEMENT DIVISION  
SPECIAL MAGISTRATE HEARING  
Tuesday, July 10, 2018, 9:00 a.m.**

**1. Opening**

Magistrate Hoehn called the meeting to order at 9:00 a.m. and led the Pledge of Allegiance.

**Proof of Publication**

The agenda was posted on the city's website and at City Hall on Friday, July 6, 2018.

**Roll Call**

Present

Magistrate Audrie Harris Hoehn, Esq.

Staff Present

Lonnie Smith, Code Enforcement  
Teresa Malmberg, Admin. Coordinator

**2. Approval of Minutes**

Magistrate Hoehn approved the minutes of the April 4, 2017; June 6, 2017; and May 1, 2018, hearings as submitted.

**3. Public Hearing – Continued Case**

Case Number: DCV1718-01/Case #CE2018-001

Property Owner: Leonard/Deborah Barnes

Property Address: 11680 Camp Drive / Parcel #3453-007-001

Violation: Exterior Surfaces of Buildings in Disrepair, Code Section 99-2(a)

Magistrate Hoehn summarized the Findings of Fact, Conclusions of Law and Order.

Mr. Barnes provided an update, noting a permit has been obtained, estimates received, still waiting for a response from FEMA, and requested a continuation. Magistrate Hoehn explained the executive order expires in 60 days and is a temporary stay on actions. Finding that substantial compliance has been reached, the case is closed and no fine will be assessed. The magistrate explained further that the property owner must comply with the permit requirements as failure to do so will be considered a repeat violation and subject to fines.

**3. Public Comment:**

Pam Kern, 11809 Camp Drive, concerned the tarp has been on the roof for two years, and other items in yard that are violation such as a car in disrepair. Believes this can be cleared up and doesn't

need to go on longer. Magistrate Hoehn explained that the matter of the roof was heard as soon as it was brought to her attention, and actions taken. The other matters will be referred to code enforcement staff, and thanked Mrs. Kern for being at the hearing.

Daniel Mendonca, 11894 E. Blue Cove Drive, comments concerning if the city is proactive or reactive. Mr. Smith responded that due to staffing, code enforcement acts on complaints received. Mr. Mendonca also brought up vacation rentals as a concern. He noted he would like to see a more proactive code enforcement approach. Magistrate Hoehn noted that it is common for most cities to be complaint driver to, as Mr. Smith mentioned, staffing and expense. Recommended Mr. Mendonca inform city council regarding his concerns. Cities look to their citizens to bring complaints forward, and thanked Mr. Mendonca for being at the hearing.

David Piepenbrink, 11650 Camp Drive, next door neighbor to 11680 Camp Drive. His concern was to the devaluation of his home due to the condition of the neighbor's. Magistrate Hoehn thanked him for being at the hearing, and explained that once the matter comes before her, she addresses them. Complaint is made, staff contacts property owner, inspects, and gives time to correct. If fail to correct, the item is brought to hearing. The hearing is where determination is made of code violation and fine is set according to statute limitations. Repeat violations will be heard and subject to \$500/day fine.

Jerry McMichael, 11740 Camp Drive, concerned that nothing is being or has been done and the roof has been in the condition for a few years. Magistrate Hoehn explained that the case came to her when it did, and went on to explain the permitting process and time available to complete. The only requirement to be met today was to get the permit and pay the fee, which has been done. Once the permit expires and if the work is not completed, another hearing will be held, at which time a \$500/day fine could be imposed as long as the violation exists.

Mr. Barnes noted that a roof was replaced and incidences repaired were addressed in the past and discussed his issues with FEMA. In the future, selling house and will want to get the most from the sale. Work will be done as soon as possible.

#### **4. Adjournment**

Magistrate Hoehn adjourned the hearing at 9:35 a.m.

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Audrie Harris Hoehn, Esq., Special Magistrate

Teresa Malmberg, Admin. Coordinator



**CITY OF DUNNELLO**  
**CODE ENFORCEMENT**  
20750 RIVER DR  
DUNNELLO, FL 34431  
**SPECIAL MAGISTRATE**  
**NOTICE OF HEARING**

**Certified Mail # 7018 1130 0000 9050 4698**

June 4, 2019

Gordon W. Rockafellow, Jr.  
19922 The Granada  
Dunnellon, FL 34432-6405

ITEM NUMBER: DCV1819-03      CASE NUMBER: CE2019-050  
PREMISES IN VIOLATION: 19922 The Granada

YOU ARE HEREBY NOTIFIED that on **June 11, 2019, at 9:00 a.m.**, the Special Magistrate will hold a Public Hearing in City Hall, 20750 River Drive, Dunnellon, Florida concerning the uncorrected City Code violation(s) on your property as follows:

**NUISANCE GRASS OR WEEDS    Sec. 99-1(e), 99-5(b) 10, & 99-9(a)**

Grass and weeds may not exceed 12 inches in height. It is the duty of every person responsible for or in Possession of property ("responsible persons") to maintain the property so that nuisance grasses and/or weeds do not accumulate in growth over 12 inches in height thereon. Such accumulation contributes to fire and health hazards with in the city.

YOU ARE HEREBY ORDERED to appear before the Special Magistrate on that date and at that time to explain why the violations have not been corrected and/or defend that the violations do not exist. Failure to appear before your case is called may result in the Special Magistrate proceeding against you in your absence. You have the right to retain an attorney to represent you. You may present witnesses and evidence. Should the Special Magistrate find that you have not corrected the violations, he/she can levy fines of up to \$500.00 a day against you and your property for every day that any violation continues. Even if the violation is corrected prior to the board hearing, the case may still be presented to the Special Magistrate. A certified copy of an order imposing fine may be recorded in the public records and thereafter shall constitute a lien against the property owned by the violator.

Persons requiring reasonable accommodations under the Americans with Disabilities Act may contact the City of Dunnellon at 352-465-8500 at least 3 business days in advance of this meeting.

Sincerely,  
[signed copy available on request]

Francis L. Hunter  
Code Enforcement



**CITY OF DUNNELLO  
CODE ENFORCEMENT  
20750 RIVER DR  
DUNNELLO, FL 34431  
SPECIAL MAGISTRATE  
NOTICE OF HEARING**

**Certified Mail # 70181130000090504674**

Date: May 21, 2019

Gordon W. Rockafellow, Jr.  
19922 The Granada  
Dunnellon, FL 34432-6405

ITEM NUMBER: DCV1819-03      CASE NUMBER: CE2019-050  
PREMISES IN VIOLATION: 19922 The Granada

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Sincerely,  
[signed copy available on request]

Francis L. Hunter  
Code Enforcement

COMPL# CE2019-050

DATE REPORTED 5/2/2019

ADDRESS 19922 The Granada

PROBLEM/COMPLAINT Grass and weeds overgrown, tree limbs

DATE VISIT 5/6/2019

VIOLATION? YES

ACTION

PROPERTY OF Gordon W. Rockafellow, 5/6/2019 (FLH) Visited site, took photos, Spoke to Mr. Rockafellow via phone. He said he is going to have a new roof put on starting in two weeks and that will have the overgrowth and the tree debris removed at that time. He also said Hill Tree Service is going to cut some trees away from the house. 5-21-2019 Notice of Hearing prepared and sent certified and regular mail. Posted Notice of Hearing at property and took photo of posted sign. 5-28-19 Visited site, took and downloaded photos showing overgrowth has not been cleared. Spoke on phone with Mr. Rockafellow who advised he will have overgrowth removed ASAP. 6/3/2019 L.S. visited site and verified conditions still exist.

**Property Owner:** Gordon W Rockafellow Jr

**Address:** 19922 The Granada

**I HEREBY CERTIFY** the above to be a true and correct excerpt of the **entry for CE2019-050 in the Code Enforcement Case Log** concerning the aforementioned property owner/address.

[signed copy available upon request]

Teresa A. Malmberg

Title: Administrative Coordinator

Complete photostatic or electronic copy of Code Enforcement Case File is available upon request. Please contact Community Development, (352) 465-8500 x1010, or by email to [talmberg@dunnellon.org](mailto:talmberg@dunnellon.org).