CITY OF BELLEVIEW AGENDA
Code Compliance Hearing

Belleview City Hall
Commission Room
5343 SE Abshier Blvd.
Belleview, FL
January 28, 2025
1:30 PM

Marty Smith, Special Magistrate

In accordance with the Americans with Disabilities Act, persons needing assistance in any of these proceedings should contact the City Clerk's Office at least 48 hours prior to the meeting: 5343 SE Abshier Blvd. Belleview, FL 34420 (352-245-7021 Ext. 2109)

1. **Call to Order**

    1.a Opening Statement
    Opening Statement

2. **Posting/Notice of Meeting**

3. **Approval of Minutes**

    3.a 09/24/2024 Minutes
    09/24/2024

4. **Administration of Oath of Officers**

    4.a Code Compliance Officer and Respondent oaths
    Oaths

5. **New Business**

6. **Old Business**

    6.a CASE # EN22-0129: PAC 3 PROPERTIES LLC
    Magistrate Order

    6.b CASE # EN24-0092: SANCHEZ LESLIE
    Magistrate Order

7. **Magistrate Comments**

8. **Staff Comments**

    8.a Introduction of new Code Compliance Officer

9. **Adjourn Meeting**

AGENDA ITEM NO. 1.a

Item Cover Page

CODE COMPLIANCE HEARING AGENDA ITEM REPORT

DATE OF MEETING: January 28, 2025

AGENDA ITEM:

Opening Statement

PRESENTING PARTY:

Special Magistrate Marty Smith

ITEM TYPE:

Roll Call

BACKGROUND:

RECOMMENDED ACTIONS:

To be read at the Magistrate's discretion

ATTACHMENTS:

Opening Statement

The Commission reserves the right to postpone any decision on audience, or walk-in requests until sufficient time has been allowed for review of documentation.

CITY OF BELLEVIEW
CODE COMPLIANCE HEARING
MEETING PROCEDURES

State Title of Meeting: City of Belleview Code Compliance Hearing

State Date and Time: January 28, 2025 – 1:30 pm

Ask If the Meeting Has Been Properly Noticed: Upon receiving an Affirmative, call the Meeting to Order.

Introduction of Staff: Kelley L. O'Neill, Code Compliance Officer; Lisa Byington, Code Compliance Officer; Becky Susterka, Permitting & Licensing Specialist

Present the Operating Pro-forma for the Meeting:
This is a public meeting. There is structure to the meeting. I would like to share the structure with all in attendance so that every avenue of information is afforded to both parties and testimony is given to the Magistrate so that they can make an informed decision on the matter presented.

There are two parties or two sides to this meeting—Each party to this case will have the opportunity to present their position. All testimony will be under oath and will be given from the guest speaker's podium. People speaking will identify themselves by giving their name, address and whom they represent. Testimony will not be given from the floor. All testimony is recorded and is a public record.

First, the City of Belleview Code Compliance Officer (CCO) will identify the case number, name and pertinent case data including the present status of a possible code violation. The CCO will then present the City's case with supporting evidence. The CCO may call witnesses. At the conclusion of the presentation, the Magistrate can ask the CCO questions.

Second, the Respondent (owner) now presents his/her information. The Respondent testifies and may present supporting evidence. The Respondent may call witnesses. At the conclusion of the presentation, the Magistrate can ask the Respondent questions.

After questioning concludes, testimony is closed. At this point, no new testimony of evidence can be presented from either party. For clarification of issues, the Magistrate reserves the right to ask specific questions to either party. The parties' response(s) to the question(s) from the Magistrate will be from the podium and the party is considered still under oath.

The Magistrate must render a decision as to whether a violation(s) exist.

Madam Secretary please swear in the CCO.

First case.

AGENDA ITEM NO. 3.a

Item Cover Page

CODE COMPLIANCE HEARING AGENDA ITEM REPORT

DATE OF MEETING: January 28, 2025

AGENDA ITEM:

09/24/2024 Minutes

PRESENTING PARTY:

Special Magistrate Marty Smith

ITEM TYPE:

Approval of Minutes

BACKGROUND:

RECOMMENDED ACTIONS:

Approve as presented, or amended, the 09/24/2024 Code Compliance Hearing minutes

ATTACHMENTS:

09/24/2024

The Commission reserves the right to postpone any decision on audience, or walk-in requests until sufficient time has been allowed for review of documentation.

CITY OF BELLEVIEW
CODE COMPLIANCE
HEARING MINUTES

Belleview City Hall
Commission Room
5343 SE Abshier Blvd.
September 24, 2024
1:30 PM

Marty Smith, Special Magistrate

CALL TO ORDER: Special Magistrate Marty Smith called the meeting to order and read the overview of meeting procedures.

NOTICE/PUBLICATION OF THE MEETING: Ms. Earwood confirmed the meeting had been properly posted.

APPROVAL OF MINUTES: The minutes from the May 28, 2024 meeting were approved.

ADMINISTRATION OF OATH OF OFFICERS: The Code Compliance Officer was sworn in by Ms. Earwood.

NEW BUSINESS:

Case # EN24-0092: Sanchez, Leslie, 3706-007-008

CCO Ellington presented the case to the Special Magistrate.

The property owner was not present.

Based upon the testimony, case documentation, and discussion, the Special Magistrate finds that Sanchez, Leslie owner of property located at 5249 SE 106th LN, Belleview, Florida (Parcel ID# 3706-007-008) violated the following City of Belleview Code of Ordinances, as referenced in the finding of fact:

- Article II, Sec. 38-32

The Special Magistrate orders the following corrective action:

1. Assess a minimum Code Enforcement fee of $350.00 for City expenses (staff time, supplies, and vehicle use) incurred in this case plus attorney fees for this hearing.
2. Mow and maintain property in accordance with City code. All violations to be corrected no later than 2 weeks from the date of signed Special Magistrate Order.
3. A fine of $250.00 per day will be assessed starting 2 weeks from the date of signed Special Magistrate Order if violations are not corrected.

4. If the property is not maintained as required per code by City of Belleview Code of Ordinances, staff is directed to request funds from the City Commission on behalf of the Special Magistrate to correct all violations. All costs incurred by the City are to be placed on the property as a lien until paid with the maximum fine to be $5,000.00.

OLD BUSINESS: None

MAGISTRATE COMMENTS: None

STAFF COMMENTS: None

ADJOURNMENT: The meeting was adjourned by Special Magistrate Smith at 1:37 pm.

Attest:

_____
Shawna Chancey
Development Services Director

AGENDA ITEM NO. 4.a

Item Cover Page

CODE COMPLIANCE HEARING AGENDA ITEM REPORT

DATE OF MEETING: January 28, 2025

AGENDA ITEM:

Code Compliance Officer and Respondent oaths

PRESENTING PARTY:

Special Magistrate Marty Smith

ITEM TYPE:

Oath of Office

BACKGROUND:

RECOMMENDED ACTIONS:

To be administered at the discretion of the Special Magistrate

ATTACHMENTS:

Oaths

The Commission reserves the right to postpone any decision on audience, or walk-in requests until sufficient time has been allowed for review of documentation.

CODE COMPLIANCE OFFICER OATH

(ONE TIME OATH ADMINISTERED AT THE BEGINNING OF MEETING)

RAISE YOUR RIGHT HAND AND REPEAT:

I, <state your name>, AM FAMILIAR WITH THE FACTS

OF EACH AND EVERY CASE

PRESENTED TODAY

AND THE TESTIMONY THAT I AM ABOUT TO GIVE

FOR EACH CASE

IS TRUE AND ACCURATE

TO THE BEST OF MY KNOWLEDGE.

RESPONDENTS OATH

(ADMINISTERED TO EACH INDIVIDUAL TESTIFYING BEFORE EACH CASE)

RAISE YOUR RIGHT HAND AND REPEAT:

I AM FAMILIAR WITH THE FACTS OF THIS CASE

AND THE TESTIMONY I AM ABOUT TO GIVE

IS TRUE AND ACCURATE

TO THE BEST OF MY KNOWLEDGE.

PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD.

AGENDA ITEM NO. 6.a

Item Cover Page

CODE COMPLIANCE HEARING AGENDA ITEM REPORT

DATE OF MEETING: January 28, 2025

AGENDA ITEM:

CASE # EN22-0129: PAC 3 PROPERTIES LLC

PRESENTING PARTY:

Kelley L. O'Neill, CCO

ITEM TYPE:

Public Hearings

BACKGROUND:

RECOMMENDED ACTIONS:

Affirm daily fine of $250.00 per day starting 4/16/2024 with a maximum fine to be $5,000. Direct staff to request funds from the City Commission on behalf of the Special Magistrate to correct all violations. All cost incurred by the City are to be placed on the property as a lien until paid.

ATTACHMENTS:

Magistrate Order

The Commission reserves the right to postpone any decision on audience, or walk-in requests until sufficient time has been allowed for review of documentation.

CITY OF BELLEVIEW
ORDER OF
SPECIAL MAGISTRATE

On March 26, 2024, the Special Magistrate of the City of Belleview, Florida, pursuant to Chapter 2 Article V of the City of Belleview Code, held a hearing on case number EN22-0129 issued by the City of Belleview Code Compliance Officer. Based upon the evidence and testimony presented, the Special Magistrate adopted the following findings of fact, conclusions of law and order:

Findings of Fact:

- The Code Inspector notified the alleged violator of the alleged violation and was given reasonable time to correct the violation.
- Written notice of this hearing containing the information required and was furnished to the alleged violator as required and in accordance with Section 2-224 of the City of Belleview Code and applicable law.
- Tall grass and weeds.
- Harborage for rats, mice, snakes, and other vermin.
- Creation of a nuisance.
- Site prep without permit.

Findings of Violation:

The Special Magistrate finds that the owner of the property, PAC 3 Properties LLC, owner of property located at 5208 SE 114th Street, Belleview Florida (Parcel ID# 38937-012-01) has violated the following City of Belleview Code of Ordinances, as referenced in the findings of fact:

- Article II, Sec 38-32 Nuisances, Numbers 1, and 3;
- Article II Sec 38-33 Creation or maintenance
- Sec. 126-3 Permitting requirements

Required Action:

1. Assess a minimum Code Enforcement fee of $350.00 for City expenses (staff time, supplies, and vehicle use) incurred in this case plus attorney fees for this hearing.
2. Remove fill dirt, mow, and maintain grass and vegetation at a height less than 12-inchs from the ground. All violations to be corrected no later than 2 weeks from the date of signed Special Magistrate Order.
3. A fine of $250.00 per day will be assessed starting 2 weeks from the date of signed Special Magistrate Order if violations are not corrected.

4. If the property is not maintained as required per code by City of Belleview Code of Ordinances, staff is directed to request funds from the City Commission on behalf of the Special Magistrate to correct all violations. All costs incurred by the City are to be placed on the property as a lien until paid with the maximum fine to be $5,000.00.

Appeal:

Owner, PAC 3 Properties, have the right to file an appeal Final Administrative Order of the Special Magistrate to the Circuit Court. Such an appeal shall not be a hearing *de novo* but shall be limited to appellate review of the record created before the board. An appeal shall be filed with the Circuit Court within thirty (30) days of the execution of the order to be appealed.

DONE AND ORDERED by the Special Magistrate of the City of Belleview, Florida, this 28th day of March, 2024.

CITY OF BELLEVIEW
SPECIAL MAGISTRATE

Stacie L. Corbett

I HEREBY CERTIFY that true copies of the foregoing Order have been furnished to owners, PAC 3 Properties LLC, by posting in City Hall and sent by certified mail this 2 day of April, 2024.

Code Compliance Officer

2 April 2024
Date Posted & Mailed

CERTIFIED MAIL

7021 2720 0000 4685 7500

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee $ 4.40
Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $ 3.05
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage $ .64
Total Postage and Fees $ 8.69
Sent To PAL 3 Properties
Street and Apt. No., or PO Box No. 434 SW 16th ST
City, State, ZIP+4® Ocala FL 34471-0604

Postmark Here
APR - 2 2024
USPS

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee $ 4.40
Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $ 3.05
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage $ .64
Total Postage and Fees $ 8.69
Sent To PAL 3 Properties
Street and Apt. No., or PO Box No. 434 SW 16th ST
City, State, ZIP+4® Ocala FL 34471-0604

Postmark Here

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

PAL
434
Oc

City of Belleview
5525 SE 119th ST
Belleview FL 34420

CITY OF BELLEVIEW
CODE COMPLIANCE
HEARING MINUTES

Belleview City Hall
Commission Room
5343 SE Abshier Blvd.
May 28, 2024
1:30 PM

Stacie L. Corbett, Special Magistrate

CALL TO ORDER: Special Magistrate Stacie L. Corbett called the meeting to order and read the overview of meeting procedures.

NOTICE/PUBLICATION OF THE MEETING: Ms. O'Neill confirmed the meeting had been properly posted.

APPROVAL OF MINUTES: The minutes from the April 23, 2024 meeting were approved.

ADMINISTRATION OF OATH OF OFFICERS: The Code Compliance Officer was sworn in by Ms. O'Neill.

OLD BUSINESS:

Case # EN22-0129: PAC 3 Properties LLC, 38937-012-01

CCO Ellington updated the Special Magistrate on the case. Property has not been brought into compliance. CCO Ellington requested:

1. Assess a fine of $250.00 per day starting April 16, 2024.
2. If the property is not maintained as required per code by City of Belleview Code of Ordinances, staff is directed to request funds from the City Commission on behalf of the Special Magistrate to correct all violations. All costs incurred by the City are to be placed on the property as a lien until paid with the maximum fine to be $5,000.00.

The Special Magistrate affirmed the fines.

Case # EN23-0185: Back to Basic Holding LLC, 38289-000-00

CCO Ellington updated the Special Magistrate on the case. Property has not been brought into compliance. CCO Ellington requested:

1. Assess a fine of $250.00 per day starting April 16, 2024.
2. If the property is not maintained as required per code by City of Belleview Code of Ordinances, staff is directed to request funds from the City Commission on behalf of the Special

Magistrate to correct all violations. All costs incurred by the City are to be placed on the property as a lien until paid with the maximum fine to be $5,000.00.

The Special Magistrate affirmed the fines.

Case # EN24-0016: Precision Lube Inc, 38808-000-00

CCO Ellington updated the Special Magistrate on the case. Property has not been brought into compliance. CCO Ellington requested:

1. Assess a fine of $250.00 per day starting May 9, 2024.
2. If the property is not maintained as required per code by City of Belleview Code of Ordinances, staff is directed to request funds from the City Commission on behalf of the Special Magistrate to correct all violations. All costs incurred by the City are to be placed on the property as a lien until paid with the maximum fine to be $5,000.00.

The Special Magistrate affirmed the fines.

MAGISTRATE COMMENTS: None

STAFF COMMENTS: None

ADJOURNMENT: The meeting was adjourned by Special Magistrate Corbett at 1:43 pm.

Attest:

Shawna Chancey
Development Services Director

AGENDA ITEM NO. 6.b

Item Cover Page

CODE COMPLIANCE HEARING AGENDA ITEM REPORT

DATE OF MEETING: January 28, 2025

AGENDA ITEM:

CASE # EN24-0092: SANCHEZ LESLIE

PRESENTING PARTY:

Kelley L. O'Neill, CCO

ITEM TYPE:

Public Hearings

BACKGROUND:

RECOMMENDED ACTIONS:

Affirm daily fine of $250.00 per day starting 12/30/2024 with a maximum fine to be $5,000.00. Direct staff to request funds from the City Commission on behalf of the Special Magistrate to correct all violations. All cost incurred by the City are to be placed on the property as a lien until paid.

ATTACHMENTS:

Magistrate Order

The Commission reserves the right to postpone any decision on audience, or walk-in requests until sufficient time has been allowed for review of documentation.

Case # EN24-0092

CITY OF BELLEVIEW
ORDER OF
SPECIAL MAGISTRATE

On September 24, 2024, the Special Magistrate of the City of Belleview, Florida, pursuant to Chapter 2 Article V of the City of Belleview Code, held a hearing on case number EN24-0092 issued by the City of Belleview Code Compliance Officer. Based upon the evidence and testimony presented, the Special Magistrate adopted the following findings of fact, conclusions of law and order:

Findings of Fact:

- The Code Inspector notified the alleged violator of the alleged violation and was given reasonable time to correct the violation.
- Written notice of this hearing containing the information required and was furnished to the alleged violator as required and in accordance with Section 2-224 of the City of Belleview Code and applicable law.
- Tall Grass

Findings of Violation:

The Special Magistrate finds that the owner of the property, Sanchez, Leslie, owner of property located at 5249 SE 106th LN, Belleview Florida (Parcel ID# 3706-007-08) has violated the following City of Belleview Code of Ordinances, as referenced in the findings of fact:

- Article II, Sec. 38-32

Required Action:

1. Assess a minimum Code Enforcement fee of $350.00 for City expenses (staff time, supplies, and vehicle use) incurred in this case plus attorney fees for this hearing.
2. Mow and maintain property in accordance with City code. All violations to be corrected no later than 2 weeks from the date of signed Special Magistrate Order.
3. A fine of $250.00 per day will be assessed starting 2 weeks from the date of signed Special Magistrate Order if violations are not corrected.
4. If the property is not maintained as required per code by City of Belleview Code of Ordinances, staff is directed to request funds from the City Commission on behalf of the Special Magistrate to correct all violations. All costs incurred by the City are to be placed on the property as a lien until paid with the maximum fine to be $5,000.00.

Appeal:

Owner, Sanchez, Leslie, have the right to file an appeal Final Administrative Order of the Special Magistrate to the Circuit Court. Such an appeal shall not be a hearing *de novo* but shall be limited to appellate review of the record created before the board. An appeal shall be filed with the Circuit Court within thirty (30) days of the execution of the order to be appealed.

DONE AND ORDERED by the Special Magistrate of the City of Belleview, Florida, this 7 day of October, 2024.

CITY OF BELLEVIEW
SPECIAL MAGISTRATE

Marty Smith

I HEREBY CERTIFY that true copies of the foregoing Order have been furnished to owners, Sanchez, Leslie by posting in City Hall and sent by certified mail this 10 day of December 2024.

Code Compliance Officer

12/10/2024
Date Posted & Mailed

CERTIFIED MAIL®



City of Belleview
5525 SE 119th ST
Belleview FL 34420



7021 2720 0000 4685 7180

B43035.11
$9.64 0
US POSTAGE
FIRST-CLASS
062S0009651412
FROM 34420

stamps.com

NIXIE 326 DE 1 0001/15/25
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
BC: 34420517625 *0638-04848-12-39

34476>9556 MOE
34420>5176

12/14/24

Sanchez, Leslie
3786 SW 100th St
Ocala FL 34476-9556

ALERT: WINTER STORMS IN THE SOUTHERN, SOUTHEAST, AND NORTHEAST AND WILDFIRE...

USPS Tracking®

FAQs >

Remove X

Tracking Number:

70212720000046857180

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your package is moving within the USPS network and is on track to be delivered to its final destination. It is currently in transit to the next facility.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Moving Through Network

In Transit to Next Facility
January 21, 2025

Arrived at USPS Regional Facility
JACKSONVILLE FL DISTRIBUTION CENTER
January 17, 2025, 12:29 pm

Arrived at USPS Regional Facility
GAINESVILLE FL DISTRIBUTION CENTER
January 15, 2025, 4:29 pm

Unclaimed/Being Returned to Sender
OCALA, FL 34474
January 13, 2025, 7:48 pm

Reminder to Schedule Redelivery of your item
December 19, 2024

Notice Left (No Authorized Recipient Available)

Feedback

OCALA, FL 34476
December 14, 2024, 4:04 pm

Departed USPS Regional Facility
JACKSONVILLE FL DISTRIBUTION CENTER
December 13, 2024, 2:26 pm

Arrived at USPS Regional Origin Facility
JACKSONVILLE FL DISTRIBUTION CENTER
December 12, 2024, 7:02 pm

Departed Post Office
BELLEVIEW, FL 34420
December 10, 2024, 5:05 pm

USPS picked up item
BELLEVIEW, FL 34420
December 10, 2024, 2:27 pm

Hide Tracking History

What Do USPS Tracking Statuses Mean? **(https://faq.usps.com/s/article/Where-is-my-package)**

Text & Email Updates

USPS Tracking Plus®

Product Information

See Less

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

AGENDA ITEM NO. 8.a

Item Cover Page

CODE COMPLIANCE HEARING AGENDA ITEM REPORT

DATE OF MEETING: January 28, 2025

AGENDA ITEM:

Introduction of new Code Compliance Officer

PRESENTING PARTY:

Kelley L. O'Neill, CCO

ITEM TYPE:

Staff Comments

BACKGROUND:

RECOMMENDED ACTIONS:

ATTACHMENTS:

The Commission reserves the right to postpone any decision on audience, or walk-in requests until sufficient time has been allowed for review of documentation.