



# City of Lake Helen

*Volusia County, Florida*

## Special Magistrate

**June 20, 2019 at 9:00 A.M.**

City Hall, 327 S. Lakeview Drive, Lake Helen

## Minutes

**Call to Order:** Matthew Branz, City of Lake Helen Magistrate called to order the June 20, 2019 Special Magistrate Meeting at 9:01 am.

**Present:** Special Magistrate Matthew Branz, Police Chief Michael A. Walker, Officer Caleb Bruder, City Administrator Becky Witte, City Attorney Scott Simpson

**Administration of Oath.** City Administrator Becky Witte administered the Oath.

### Hearing of Cases:

Chief Michael Walker asked to hear item 3b first, and to remove item 3d.

**Item 3b: Case # 19000174, W. Washington Block Structure**

Cited for failure to correct violations 6.04.00 and 15.20.01 of the Lake Helen Land Development Code.

Case presented by Officer Caleb Bruder. Parcel Number 713113000490, W Washington Avenue cited for failure to correct violations 6.04.00 and 15.20.01 of the Lake Helen Land Development Code. Request to remove the structure. Chief Michael Walker explained the Lake Helen City Code, Article 15.

Chief Michael Walker requested the magistrate find in violation, provide 30 days to correct and \$250.00 per day thereafter.

**Special Magistrate Matthew Branz:** Find in violation of cited city Code of Ordinances and allow 30 days to bring into compliance. If not brought into compliance in 30 days a second hearing will be called to imposed fine and then recommend moving forward to request city commission demolish.

**Item 3a: Case # 19000482, Case for 128 E. Craig Avenue**

Cited for IPMC (International Property Maintenance Code) Section 108.

Case presented by Chief Michael Walker. Parcel Number 713001010010, 128 E. Craig Avenue cited for IPMC (International Property Maintenance Code) Section 108.

Special Magistrate Matthew Branz announce that he personally knows Mr. Michael Nordman, Esquire.

Michael Nordman, Esquire discussed the license agreement arrangement with the property. Writ was issued and the tenant will be removed from property. Mr. Nordman requested time to evaluate the building condition to bring building into compliance.

Chief Michael Walker requested the magistrate to allow 30 days to evaluate the building condition and meanwhile

request the owner clean up exterior.

Constance Henderson objected. Special Magistrate Matthew Branz explained that she was not a party to the case and cannot object. He explained that the Special Magistrate Hearing is not a public forum such that it is open to public comment, only the parties and witness testimony.

**Special Magistrate Matthew Branz:** Find in violation of cited city Code of Ordinances 1.08.1.1, 1.08.1.3 and 108.1.5 and allow 30 days to bring into compliance. If not brought into compliance in 30 days a fine will be imposed of \$250.00 per day thereafter. If progress is made and parties agree the parties may have a second hearing to request a waiver of fine.

**Item 3c: Case # 19000273, Vista Street**

Cited for failure to correct violations of 4.00.00, 4.03.07, 5.01.01, 8.01.00, and 11.14.00 of the Lake Helen Land Development Code.

Case presented by Officer Caleb Bruder. Parcel Number 713158030030, No Street cited for failure to correct violations of 4.00.00, 4.03.07, 5.01.01, 8.01.00, and 11.14.00 of the Lake Helen Land Development Code. Officer Caleb Bruder recommended removal of structures on property.

Michael Moir, Respondent discussed the property as well as structures on property.

Recommendation by Chief Michael Walker to allow 30 days to bring into compliance with fine imposed after 30 days.

**Special Magistrate Matthew Branz:** Find in violation of cited city Code of Ordinances 4.00.00, 4.03.07, 5.01.01, 8.01.00, and 11.14.00 and allow 30 days to bring into compliance. If not brought into compliance in 30 days a fine will be imposed of \$150.00 per day thereafter.

~~**REMOVED : Item 3d: Case # 19000457 and 19000458, 132 W. Main Street**~~

~~Cited for FS 767.11(1)(a) and Section 24.20.00 of the Lake Helen Code of Ordinances to classify dogs as dangerous.~~

**Adjournment:** Matthew Branz, City of Lake Helen Special Magistrate adjourned the June 20, 2019 Special Magistrate Meeting at 9:37 am.