

SPECIAL MASTER CODE ENFORCEMENT HEARING OF JAN. 09, 2001

MINUTES  
TOWN OF OCEAN RIDGE  
SPECIAL MASTER CODE ENFORCEMENT HEARING  
JANUARY 8, 2001

Present: Ken Spillias, Town Attorney, Gregory Dunham, Town Manager, Karen Hancsak, Town Clerk, and Lt. Stefan Katz.

Meeting called to order at 10:00 A.M.

A. The minutes of September 12, 2000 and November 14, 2000 were adopted by Special Master Paulette Torcivia.

Special Master Torcivia advised that since no respondents were present she would forego her normal summary of the proceedings.

At this point Lt. Katz was sworn in.

B. VIOLATIONS

CASE NO. CE2000-17

Dr. T. Hall % International Capital Realty Inv. Co.  
RE: 22-45-43 N 33 24 ft. of S 420-17 ft. OF  
THE PT OF GOV LOT 5 W OF Spanish Creek  
(6460 N. Ocean Blvd./North of Town Hall)

NATURE OF VIOLATION

Violate Section 34-6 of the Town Code of Ordinances by allowing the height of the grass on the lot to exceed 12 inches, allowing the lot to contain large pieces of concrete block, wood pallets, and pieces of wood.

Special Master Torcivia accepted the following evidence as Town exhibits: 4 photographs taken on Dec. 5, 2000 depicting rocks, wood, and overgrown patches as #1, letter dated Dec. 30, 2000 from Mr. Hall as #2, 5 photographs taken on Jan. 9, 2001 depicting the rocks and wood being relocated into some brush as #3, Section 34-6 of the Town Code of Ordinances as #4, the registered receipt to the Bahamas address as #5, and the Affidavit/Notice of Violation as #6.

Special Master Torcivia found that proper notice was given by the Town and she would accept the Town recommendation that Mr. Hall be given 7 days (until 1/16/01) to correct the violation failing which would constitute a \$100.00 daily fine. She added that although it was not a requirement she would like the Final Order to be forwarded by registered mail to the owner.

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CASE NO. CE2000-18

James Geiger/Edward Garnett  
RE: 32 Spanish River Drive

NATURE OF VIOLATION

Violate Section 14-26 of the Town Code of Ordinances by constructing a drainage system without obtaining a permit and construction of a driveway without obtaining a permit.

Special Master Torcivia clarified that this was a new violation recalling that these respondents have been before her before.

Special Master Torcivia accepted the following evidence as Town exhibits: Certified Receipts to both Mr. Geiger and Mr. Garnett dated Dec. 5, 2000 as #1, the Affidavit/Notice of Violation as #2, the returned unclaimed letter to Mr. Garnett as #3, the returned letter with forwarding order expired to Mr. Geiger as #4, a compilation of 4 photographs taken Nov. 28, 2000 depicting the digging and forms as #5, 5 progression photographs taken Dec. 4, 2000 as #6, a photograph of the STOP WORK ORDER on the window by the county as #7, 5 photographs taken on Jan. 9, 2001 showing some additional work on the property as #8, and the submittal of administrative fees in the amount of \$249.46 as #9.

Special Master Torcivia questioned if anyone was living at the residence to which Lt. Katz advised that Mr. Garnett has been seen coming and going from the residence. The Special Master advised that she did find that proper notice was given and that the respondents were choosing not to pick up the mail.

Atty Spillias advised that the property may have been sold, however, the proceeding should continue based on Ordinance #530 section 16-4(e) setting out procedures for buyers/sellers. Special Master Torcivia agreed.

Atty Spillias recommended that the respondent be given 15 days to obtain the necessary permits failing which would then constitute a \$250.00 daily fine.

Special Master Torcivia found that the respondent was in violation and due to the flagrant abuse of the system and disregard for the rules of the community she would only give the respondent until Jan. 12, 2001 to obtain the necessary permits failing which would constitute a \$250.00 daily fine. She also advised that the respondent had until Jan. 19, 2001 to reimburse the \$249.46 administrative fees failing which would continue the \$250.00 daily fine.

C. Adjournment

The meeting was adjourned at approximately 11:00 AM.

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Town Clerk