

UMATILLA CODE COMPLIANCE SPECIAL

MAGISTRATE

May 15, 2025 at 9:00 AM

Council Chambers, 1 S. Central Avenue, Umatilla, Florida
32784 **AGENDA**



Please silence your electronic devices

CALL TO ORDER

SWEARING IN OF STAFF & RESPONDENTS

PUBLIC HEARINGS: NON-COMPLIANCE CASES

1. Case Number: 24-00022
Property Address: 30 Wafford Street
Property Owner/Respondent: HCO Properties LLC
2. Case Number: 24-00031
Property Address: 600 Wisteria Avenue
Property Owner/Respondent: Robert Branch

PUBLIC HEARINGS: CONTINUED CASES

3. Case Number: 24-00029
Property Address: 51 Highland Avenue
Property Owner/Respondent: Nancy Hutchenson

PUBLIC HEARINGS: NEW CASES

4. Case Number: 24-00004
Property Address: 410 N Orange Avenue
Property Owner/Respondent: Patricia T Thompson Trustee
5. Case Number: 25-00002
Property Address: 110 N. Trowell Ave.
Property Owner/Respondent: The Palm Mansion, LLC

PUBLIC HEARINGS: REPEAT CASES

ADJOURNMENT

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (352)669-3125. F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any invocation that may be offered before the official start of the Council meeting is and shall be the voluntary offering of a private citizen to and for the benefit of the Council pursuant to Resolution 2014-43. The views and beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent their individual religious beliefs, nor are the views or beliefs expressed intended to suggest allegiance to or preference for any particular religion, denomination, faith, creed, or belief by the Council or the City. No person in attendance at this meeting is or shall be required to participate in any invocation and such decision whether or not to participate will have no

impact on his or her right to actively participate in the public meeting.

The City of Umatilla is an equal opportunity provider and employer.



CITY OF UMATILLA

AGENDA ITEM STAFF REPORT

DATE: May 12, 2025

MEETING DATE: May 15, 2025

SUBJECT: Case Number: 24-00022

Property Address: 30 Wafford Street

Property Owner/Respondent: HCO Properties LLC

BACKGROUND SUMMARY:

On April 17, 2025, evidence of non-compliance was presented at Special Master reference Umatilla Land Development Regulation Chapter 4 Building and Fire Code, Section 11 Permit Required for a mobile office trailer that was being installed at 30 Wafford Street. The order was to remove the trailer or have it properly permitted for installation on the property with a deadline of May 1, 2025. Code Enforcement Officer Lambert conducted an inspection on May 1 at approximately 2:00 pm, finding that the trailer remained unmoved on the property. Code Enforcement Officer Lambert researched building permits and found that a permit had not been issued, nor had an application been received for the trailer. The fine of \$250 per day until compliance is met ensued on May 2.

RECOMMENDATIONS:

Staff requests that the Special Master certify that the Respondent is liable for the payment of a fine in the amount of \$250.00/day every day the property remained/remains non-compliant beyond May 1, 2025 per the Special Master order dated April 17, 2025.

FISCAL IMPACTS:

Undetermined.

ATTACHMENTS:

None



CITY OF UMATILLA

AGENDA ITEM STAFF REPORT

DATE: May 12, 2025

MEETING DATE: May 15, 2025

SUBJECT: Case Number: 24-00031

Property Address: 600 Wisteria Avenue

Property Owner/Respondent: Robert Branch

BACKGROUND SUMMARY:

On April 17, 2025, evidence of non-compliance was presented at Special Master reference Umatilla Land Development Regulation Chapter 4 Building and Fire Code, Section 11 Permit Required for the improper expansion of the driveway apron that was created with millings at 600 Wisteria Avenue. The order was to remove the millings from the public right of way and restore the grass, or obtain a permit for the installation of an approved driveway apron, with a deadline of May 1, 2025. Code Enforcement Officer Lambert conducted an inspection on May 1, 2025, at approximately 3:00 pm, finding that the millings had been removed from the right of way; however, the grass had not been restored, and the area where the millings had once been was still being used as a driveway entrance. Code Enforcement Officer Lambert researched building permits and found that no permit had been issued, nor had the respondent applied for a driveway apron expansion. The fine of \$25.00 per day until compliance is met ensued on May 2, 2025.

RECOMMENDATIONS:

Staff requests that the Special Master certify that the Respondent is liable for the payment of a fine in the amount of \$25.00/day every day the property remained/remains non-compliant beyond May 1, 2025 per the Special Master order dated April 17, 2025.

FISCAL IMPACTS:

Undetermined.

ATTACHMENTS:

None



CITY OF UMATILLA

AGENDA ITEM STAFF REPORT

DATE: May 12, 2025

MEETING DATE: May 15, 2025

SUBJECT: Case Number: 24-00029

Property Address: 51 Highland Avenue

Property Owner/Respondent: Nancy Hutchenson

BACKGROUND SUMMARY:

Case Number 24-00029 was continued due to change of ownership mid-enforcement. Since the April 17, 2025, hearing, the property has since changed hands again when Planet Home Lending conveyed the property to the Veteran's Administration (VA).

RECOMMENDATIONS:

Document Case Number 24-00029 and keep it open until a title or lien search is requested, at which point the prospective property owner can be advised that they would inherit any existing code violations.

FISCAL IMPACTS:

Undetermined.

ATTACHMENTS:

None



CITY OF UMATILLA AGENDA ITEM STAFF REPORT

DATE: May 13, 2025

MEETING DATE: May 15, 2025

SUBJECT: Case Number: 24-00004

Property Address: 410 N Orange Avenue

Property Owner/Respondent: Patricia T Thompson Trustee

BACKGROUND SUMMARY:

Violation: Tree debris, trash, and junk on property within view of the public.

Sec. 34-16(a). High weeds, rubbish, junk, standing water prohibited.

(a) It shall be unlawful for any owner, agent, custodian, lessee, or occupant of any lot, parcel or tract of land within the city to permit the excessive growth of weeds, grass, vegetation or undergrowth; or to permit rubbish, trash, debris, dead trees, nonliving plant material, junk, abandoned automobiles or other vehicles, refrigerators or other unsightly or unsanitary matter to remain on any exterior portion of the property, including the exterior portion of any building located thereon. Accordingly, such owner, agent, custodian, lessee or occupant shall maintain and keep the property free of accumulation of trash, junk, debris, and nonliving plant material.

Violation: Rotten siding, broken windows, foundation blocks displaced, failing porch cover structure pulling away from house, false walls created with hollow core doors, no skirting to mitigate the harborage of rodents and vermin

IPMC 304.11 Unsafe Conditions

304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings.

CASE SUMMARY:

Case number 24-00024 was initiated on April 9, 2024. Code Enforcement Officer Lambert spoke with the residents regarding clearing the property of trash and junk and overgrown grass. On April 26, 2024, Code Enforcement Officer Lambert re-inspected and found that the trash had been cleaned up, but the property remained overgrown. Code Enforcement Officer Lambert kept the case open to monitor for continued work on the property. On October 28, 2024, Code Enforcement Officer Lambert found that a tremendous amount of junk and trash had accumulated on the south side of the house, and additional junk had begun to accumulate in the front yard and porch area. Code Enforcement Officer Lambert noted structural issues including displaced blocks holding up the subfloor, hollow core doors propped up to create porch walls, broken windows, and rotting siding. A wrecked, unlicensed Dodge truck was also on the property and was added to the violation notice. A correction notice was mailed to the property owner, and the same notice was hand-delivered to the residents on

the property, wherein the following violations were cited.

On February 19, 2025, Code Enforcement Officer Lambert received a phone call from Dawn Jacobs while in the process of preparing a 10-day abatement notice. Ms. Jacobs reported that the property emitted a strong odor, possibly indicating the presence of a dead animal. In response, Code Enforcement Officer Lambert contacted the Umatilla Police Department to accompany her to the property for both the posting of the notice and to investigate the reported smell. Upon arrival, the house was found unsecured, and UPD cleared the building. It was determined that the odor originated from refrigerators on the back patio, which contained rotting food. The Dodge truck remained on the property. The abatement notice was posted on the property, and a copy was mailed to the property owner via certified mail with return receipt on February 19, 2025.

On March 9th and 10th, 2025, Umatilla Public Works staff completed the abatement of trash, debris, junk, tires, and derelict appliances from the property. Prior to the abatement, it was noted that a Dodge truck had been removed and some of the trash had already been cleaned up by the property owner or occupant. The original cost estimate, based on a curbside inspection, was approximately \$1,000. However, upon commencement of the abatement and a full assessment of the remaining violations, it was determined that the actual total cost of the cleanup was \$5,324.95. An itemized list of the cost was created and attached to the case.

On Tuesday, April 8, 2025, Building Official Jay Connell conducted an inspection following an inquiry regarding the requirements to correct the structural deficiencies. Building Official Connell dictated a list of corrective actions to Code Enforcement Officer Lambert but also recommended demolition as a viable option due to the extent of the damage.

Although the property has been posted as unsafe for human habitation, it is evident that it has been entered, as the front door was found ajar on May 9, 2025.

It should also be noted that the portion of the violation involving trash, junk, and debris—pursuant to Ordinance 34-16(a)—would typically qualify as a repeat violation. However, it does not meet the criteria for repeat enforcement, as it falls outside the five-year window established by Florida Statute § 162.09(3). Furthermore, there are active liens on the property in the amount of \$11,438.94, and the current abatement cost of \$5,324.95.

RECOMMENDATIONS:

Staff recommends the Special Master find the property in violation, issue an Order requiring the violation be corrected, and the property brought into compliance on or before June 14, 2025 (30 days), and consider an imposition of a daily fine of up to \$250.00 per day in the event the requirements of the Order have not been met by the date set for compliance by the Special Master.

FISCAL IMPACTS:

Undetermined

ATTACHMENTS:

None



CITY OF UMATILLA AGENDA ITEM STAFF REPORT

DATE: May 13, 2025

MEETING DATE: May 15, 2025

SUBJECT: Case Number: 25-00002

Property Address: 110 N. Trowell Ave.

Property Owner/Respondent: The Palm Mansion, LLC

BACKGROUND SUMMARY:

Violation: Creating a noise disturbance across a real property boundary.

Umatilla Code of Ordinances-Chapter 34 Nuisances, Sec 44 *Specific Sounds Prohibited*

Using, operating, or permitting the use or operation of any device which produces or reproduces sound in a manner which creates a noise disturbance across a real property boundary, is prohibited. Examples of devices used unlawfully in violation of this article include, but are not limited to, the following: radios, television sets, musical instruments, loudspeakers, c.d. or tape players, record players and similar devices. Also, motor vehicles, motorboats, jet skis and other recreational or all-terrain land vehicles and watercraft shall be included.

Violation: Landscape buffer does not meet the Type 'A' requirements per Umatilla Land Development Regulation 2009-L.

Umatilla Ordinance 2023-09 *Conditional Use Permit (CUP) Subsections 2 b. and 2 j.*

b. A fifteen-foot (15'), Type "A" buffer around the property perimeter meeting the requirements of Chapter 15 of the Land Development Regulations shall be required. j. Music shall not create a noise disturbance pursuant to Article IV of the City Code of Ordinances.

CASE SUMMARY:

On March 14, 2025, Assistant City Manager Adam Bolton received a complaint from Mr. Mike Sebree regarding loud music coming from the Palm Mansion Wedding Venue. Mr. Bolton addressed the concern and informed Mr. Sebree that he had spoken with the venue and received assurances that the issue would not continue.

However, on March 15, 2025, Mr. Sebree submitted another complaint, this time including video evidence showing that the music could be heard from inside his residence. On March 21, 2025, Code Enforcement Officer Lambert conducted an inspection of the landscape buffer and identified deficiencies in the required Type A buffer, in addition to the ongoing sound violations.

Additional noise complaints from Mr. Sebree were received on April 5, 6, and 13, 2025. In response, Code Enforcement Officer Lambert contacted the property owner by email on April 14, 2025, and informed her that the Conditional Use Permit (CUP) prohibits music that creates a noise disturbance, pursuant to Article IV of the City Code of Ordinances.

Following that communication, the property owner's attorney responded by stating that they represent Ms. Alayna Mines, who operates the venue under a CUP granted by the City of Umatilla for the property located at 110 N. Trowell Avenue. The response acknowledged the noise complaints but argued that the venue complies with the permit's designated end-times and that Ms. Mines has made several accommodations, characterizing the complaints as the actions of a single disgruntled neighbor.

On April 19, 2025, a new complaint was submitted by Mr. Mike Akins regarding excessively loud music at the venue. After administrative efforts to resolve the issue were unsuccessful, a formal violation was issued on April 21, 2025, for both the noise disturbance and the deficient Type A buffer. Additional complaints were received on April 26, 2025, and on April 30, 2025, Code Enforcement Officer Lambert issued a hearing notice.

Code Enforcement Officer Lambert and Assistant City Manager Bolton attended an on-site meeting with Ms. Mines at the property, during which Code Enforcement Officer Lambert personally delivered the Notice of Hearing. During the visit, staff conducted a walk through of the property, identifying the existing deficiencies. In response, Ms. Mines stated that she plans to construct an accessory structure to help mitigate the ongoing noise issues. She also indicated plans to install an 8-foot fence between her property and Mr. Sebree's, and affirmed her intent to bring the property into compliance with the Type A landscaping buffer requirement. She subsequently scheduled a Technical Review Committee (TRC) meeting with City staff for May 15th, following the scheduled code hearing.

RECOMMENDATIONS:

Staff recommends the Special Master find the property in violation, issue an Order requiring the violation be corrected and the property brought into compliance on or before October 15, 2025 (153 days), and consider an imposition of a daily fine of \$250.00 per day in the event the requirements of the Order have not been met by the date set for compliance by the Special Master.

FISCAL IMPACTS:

Undetermined

ATTACHMENTS:

None
