

MINUTES OF CODE ENFORCEMENT  
SPECIAL MAGISTRATE HEARING  
HELD IN THE COUNCIL CHAMBERS  
260 ORANGE TREE DRIVE  
ATLANTIS, FL 33462  
SEPTEMBER 18, 2008

Special Magistrate Jennifer Hunecke presided over the hearing, which commenced at 10:03 AM. Present were Vice Mayor Fred Furtado, City Attorney Keith Davis, City Manager Mo Thornton, Sgt. Sean Mahoney, and City Clerk Joan Cannata-Fox. Those testifying were sworn in.

Since the Respondent for the Status/fine Assessment case was not yet present, the Special Master proceeded with the Violation Cases:

**Violations:**

The first case to be presented was 08-048, regarding the overgrown lot at 424 Muirfield Drive, owned by Frank Jezek.

The City presented its case together with testimony and photographs by Sgt. Mahoney. The Special Magistrate accepted the documents into the record.

The City is requesting a Finding of Fact that Mr. Jezek is in violation, and costs.

The Special Magistrate found that a violation of Section 10-42 did exist and the Respondent is assessed \$48.29 in costs to be paid by September 28, 2008.

**Status/Fine Assessment:**

The first case to be presented was CE-08-030, for various violations involving the parking at the Shoppes of Atlantis located at 5825 N. Congress Avenue, owned by Conrad Baker and managed by Barbara Allen.

The City presented its case, together with testimony and photographs from Sgt. Mahoney.

Special Magistrate Hunecke found proper notice and accepted the various photos and other exhibits into the record.

Barbara Allen presented her case, and a contract from Hhardrives to begin paving the parking lot as soon as possible..

Special Magistrate Hunecke ruled that Respondent is still in violation and the fine of \$100 per day from July 15, 2008 continues until the property is brought into compliance. Costs in the amount of \$53.26 are assessed against Respondent and to be paid by September 29, 2008 . The parking lot is to be brought into compliance by the next hearing date on Thursday, October 18, 2008 at 10AM.

The next case was Case No. 08-051, regarding the improper parking of recreational vehicle (boat) at 280 N. Country Club Drive owned by Dale Buckner.

The City presented its notice documents and City Attorney Davis presented a letter from the Respondent requesting a continuance until the next hearing October 16, 2008.

The Special Magistrate granted the continuance this matter will be heard October 16, 2008 at 10am.

The hearing adjourned at 10:23 AM

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Joan Cannata-Fox, City Clerk

NOTE: A mechanical recording has been made of the foregoing procedures of which these minutes are a part, and is on file in the office of the City Clerk.