

# Special Magistrate Hearing 10/27/22

Town of Howey-in-the-Hills

# Town of Howey-in-the-Hills Vs Brian Wood

- In reference to:
  - Case# CE-22-03-0057
  - Property located at 524 N Georgia Ave. Howey-in-the Hills
  - ALTKEY 3560574

# Code of Ordinance

## Chapter 166, Sec. 166-3(D)

- **Permitted parking.**
- One boat/boat trailer, one recreational vehicle or trailer coach, and one general use trailer, as defined herein, provided they have current valid registrations, may be parked on a plot in a residential zoning district, subject to the following restrictions and conditions:
  - D. One boat/boat trailer, which is owned and used by a resident of the plot, may be parked in the side or rear yard so long as the boat/boat trailer (i) does not extend into the front yard of the plot, (ii) is not visible from the front yard or a location outside of the fenced or landscaped screened area, and (iii) is in an area that is completely enclosed by a six-foot fence or landscaped screening at least six feet in height. A fence or landscaped screen is not required for the lot area facing the front yard if the boat/boat trailer storage area is at least 25 feet back from the front wall of the house on the side where the boat/boat trailer is stored. Side-yard, street side-yard and rear-yard screening is still required.



### Notice of Violation

09/15/2022

Brian Wood  
524 N Georgia Ave  
Howey in the Hills, FL 34737

Re: Case Number CE-22-03-0057  
Subject Property: 524 N Georgia Ave Howey in the Hills, FL 34737  
Property ID Number: 2620250100E0602000

Dear Property Owner:

Pursuant to Howey in the Hills Code Enforcement. You are notified that a violation(s) of the following Howey in the Hills Code of Ordinance(s) exists at the above-described location.

#### Parking-Boats and RVs (D) Article I, Sec. 166-3

One boat/boat trailer, which is owned and used by a resident of the plot, may be parked in the side or rear yard so long as the boat/boat trailer (i) does not extend into the front yard of the plot, (ii) is not visible from the front yard or a location outside of the fenced or landscaped screened area, and (iii) is in an area that is completely enclosed by a six-foot fence or landscaped screening at least six feet in height. A fence or landscaped screen is not required for the lot area facing the front yard if the boat/boat trailer storage area is at least 25 feet back from the front wall of the house on the side where the boat/boat trailer is stored. Side-yard, street side-yard and rear-yard screening is still required.

Observed boat on boat trailer stored in the rear yard of property without the required 6 foot fencing and/or landscape screening around the rear and side yards.


The following action must be taken to correct the above stated violation(s):

Property owner must obtain a permit and install a six foot fence or landscape screening around both rear and side yards to conceal the boat from adjacent properties. If the boat is stored within the bounds of the front wall of house and the required 25 feet, then a six foot fence or landscape screening must be installed across the front, concealing the boat from the street OR remove the boat from the property.

The correspondence will serve as official notification that the above stated violations must be corrected before 10/06/2022. Failure to correct violations may result in: Special Magistrate hearing that may result in fines up to \$500 per day per violation, as long as the violation remains, costs of prosecution, and costs of abatement, repair or demolition by the City.

For further information, you may contact me at 352.638.0524.

Sincerely,

  
Azure Botts  
Code Enforcement Officer

\_\_\_\_\_  
Signature and Title of Recipient

### BEFORE THE SPECIAL MAGISTRATE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA

TOWN OF HOWEY-IN-THE-HILLS,	)	
FLORIDA, a municipal corporation,	)	
	)	
Plantiff,	)	
v.	)	CASE NO: CE-22-03-0057
Brian Wood	)	
	)	
Defendant	)	
_____	)	

### NOTICE OF HEARING

TO: Brian Wood

YOU ARE NOTIFIED that the Special Magistrate of the Town of Howey-In-The-Hills, Florida, has scheduled a hearing on your alleged violation of Chapter 166, Article I, Section 166-3(D), of the Town of Howey-In-The-Hills' Code of Ordinances. The hearing before the Special Magistrate is scheduled for 10:00 A.M., on the 27<sup>th</sup> day of October, 2022, or as soon thereafter as can be heard, in Council Chambers, Town Hall, Howey-In-The-Hills, Florida.

This hearing may be held even if alleged violation has been corrected prior to meeting.

Any person who decides to appeal any decision made by the Special Magistrate with respect to any matter considered at the above hearing shall need a record of the proceedings. Such person needs to ensure that a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based, is made.

Dated this 15<sup>th</sup> day of September, 2022

  
Code Enforcement Officer  
Town of Howey-In-The-Hills, Florida

Date Served \_\_\_\_\_

Time Served \_\_\_\_\_

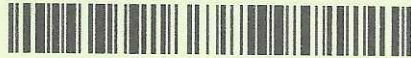
Served By \_\_\_\_\_

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Brian Wood  
524 N Georgia Ave  
Howey-in-the-Hills, FL 34737



9590 9402 6641 1060 8688 22

## 2. Article Number (Transfer from certified mail)

7021 2720 0002 0796 5198

PS Form 3811, July 2020 PSN 7530-02-000-9053

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X

☒ Agent☐ Addressee

## B. Received by (Printed Name)

Brian Wood

## C. Date of Delivery

9-16-22

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

## 3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery

☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery☐ Signature Confirmation™☐ Signature Confirmation Restricted Delivery☐ Certified Mail Restricted Delivery☐ Registered Mail Restricted Delivery (over \$500)

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Brian Wood  
524 N Georgia Ave  
Howey-in-the-Hills, FL 34737



9590 9402 6641 1060 8688 15

## 2. Article Number (Transfer from certified mail)

7021 2720 0002 0796 5204

PS Form 3811, July 2020 PSN 7530-02-000-9053

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X

☒ Agent☐ Addressee

## B. Received by (Printed Name)

Brian Wood

## C. Date of Delivery

9-16-22

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☒ No

## 3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery

☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery☐ Signature Confirmation™☐ Signature Confirmation Restricted Delivery☐ Certified Mail Restricted Delivery☐ Registered Mail Restricted Delivery (over \$500)

Domestic Return Receipt







Sep 14, 2022 at 5:06:51 PM  
515-597 N Georgia Ave  
Howey-in-the-Hills FL 34737  
United States



## Azure Botts

---

**From:** Brian Wood <bswood80@gmail.com>  
**Sent:** Wednesday, October 5, 2022 12:41 PM  
**To:** Azure Botts  
**Subject:** Residence located at 524 N Georgia Ave  
**Attachments:** sight plan with boat.pdf; podocarpus.jpg

**Caution:** This email originated from outside the organization. DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Mrs. Botts,

In reference to the code violation located at 524 N. Georgia Ave, The boat will be stored at a private storage location until the violation is resolved. I have attached the plans that will be implemented utilizing a 6' landscape screening on my property. Since the boat is stored at a distance greater than 25 feet from the front edge of the house, no screening is required on the area facing/closest to the roadway. Based on the Town of Howey-in-the-Hills code of Ordinances, Chapter 166, Article I, Section 166-3(D) the attached plan will address the current concerns with the boat parking and will meet the screening requirements set forth in the Code of Ordinances.

Thank you,

Brian Wood



# Town of Howey-in-the-Hills Vs Steven D Conti

- In reference to:
  - Case# CE-22-07-0120
  - Property located at 120 E Palmetto Ave
  - ALKEY 1256097

# Sec. 127-1. - Definitions.

- *Junk*: Scrap metal or any dismantled, partially dismantled, nonoperative or discarded machinery, appliance, equipment, vehicle or boat, or part thereof. Any vehicle which does not have a current certificate of registration and current license tag shall be irrebuttably presumed to be "junk." Any item of tangible personal property, designed to be used in an environment which is protected from the elements, such as the interior of a building, shall be irrebuttably presumed to be "junk" if the item is stored outside.

## **Sec. 127-4. - Accumulation of junk.**

- Except as otherwise provided in this chapter, no person shall accumulate junk, cause junk to be accumulated or allow junk to be accumulated upon any property located within the town regardless of the property's zoning classification or use. The accumulation of junk upon property located within the town, regardless of the property's zoning classification or use, endangers the public's health, safety and welfare, adversely affects and impairs the value of adjacent property, is a nuisance and is prohibited.
- (Ord. No. 90-192, 8-13-90)





### Notice of Violation

07/29/2022

CONTI STEVEN D  
120 E PALMETTO AVE  
HOWEY IN THE HILLS, FL 34737

Re: Case Number CE-22-07-0120  
Subject Property: 120 EAST PALMETTO AVE HOWEY IN THE HILLS FL 34737 ,  
Property ID Number: 2520250100B0703600

Dear Property Owner:

An inspection by our Department has determined the property listed above is in violation of following Ordinance(s):

#### Accumulation of Junk Sec. 127-4

Except as otherwise provided in this chapter, no person shall accumulate junk, cause junk to be accumulated or allow junk to be accumulated upon any property located within the town regardless of the property's zoning classification or use. The accumulation of junk upon property located within the town, regardless of the property's zoning classification or use, endangers the public's health, safety and welfare, adversely affects and impairs the value of adjacent property, is a nuisance and is prohibited. Junk is defined as, Junk: Scrap metal or any dismantled, partially dismantled, nonoperative or discarded machinery, appliance, equipment, vehicle or boat, or part thereof. Any vehicle which does not have a current certificate of registration and current license tag shall be irrebuttably presumed to be "junk." Any item of tangible personal property, designed to be used in an environment which is protected from the elements, such as the interior of a building, shall be irrebuttably presumed to be "junk" if the item is stored outside.

Observed an unlicensed dark color SUV in driveway and an unlicensed boat trailer.

The following action must be taken to correct the above stated violation(s):

You must attach a valid current license plate to both the SUV and the boat trailer OR remove the unlicensed SUV and unlicensed boat trailer from the property.

**The correspondence will serve as official notification that the above state violations must be corrected before 08/21/2022. Fines, liens or special assessments may be placed on the property for noncompliance and/or the costs of abatement, repair or demolition by the City.**

For further information, you may contact me at 352.638.0524.

Sincerely,

Azure Botts  
Code Enforcement Officer

7-29-22

### BEFORE THE SPECIAL MAGISTRATE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA

TOWN OF HOWEY-IN-THE-HILLS, )  
FLORIDA, a municipal corporation, )

Plaintiff, )

v. )

Steven D Conti )

Defendant )

CASE NO: CE-22-07-0120

### NOTICE OF HEARING

TO: Steven D Conti

**YOU ARE NOTIFIED** that the Special Magistrate of the Town of Howey-In-The-Hills, Florida, has scheduled a hearing on your alleged violation of Chapter 127, Section 127-4, Town of Howey-In-The-Hills Code of Ordinances. The hearing before the Special Magistrate is scheduled for 10:00 A.M., on the 27<sup>th</sup> day of October, 2022, or as soon thereafter as can be heard, in Council Chambers, Town Hall, Howey-In-The-Hills, Florida.

This hearing may be held even if alleged violation has been corrected prior to meeting.

Any person who decides to appeal any decision made by the Special Magistrate with respect to any matter considered at the above hearing shall need a record of the proceedings. Such person needs to ensure that a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based, is made.

Dated this 15<sup>th</sup> day of September, 2022

Code Enforcement Officer  
Town of Howey-In-The-Hills, Florida

Date Served

Time Served

Served By

9/15/22  
1635  
A. Botts



***Affidavit of Service***

09/15/2022

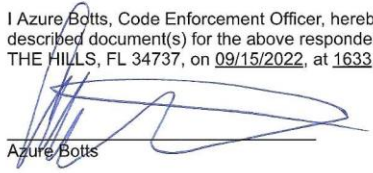
CONTI STEVEN D  
120 E PALMETTO AVE  
HOWEY IN THE HILLS, FL 34737

Re: Case Number CE-22-07-0120

THE DESCRIPTION OF THE DOCUMENT(S) SERVED:


1. Notice of Hearing

I Azure Botts, Code Enforcement Officer, hereby swear and affirm that I have personally served the above described document(s) for the above respondent(s) to Steven D Conti at 120 E PALMETTO AVE HOWEY IN THE HILLS, FL 34737, on 09/15/2022, at 1633.

  
Azure Botts

STATE OF FLORIDA  
COUNTY OF LAKE

Sworn to (or affirmed) and subscribed before me this 10/27/2022 by Azure Botts.

 **BRIANNA M PINO**  
NOTARY PUBLIC - STATE OF FLORIDA  
COMMISSION # HH 3866  
Notary Public My Commission Expires May 26, 2024

Type of identification produce: Personally known





ow Cleaning  
nding & Sealing  
s • Patios • Roofs  
2.321.0745

s & Residential

PRESSURE  
352.321.0745

SUBURBAN

GMC

6VVR 001754

WCA



Sep 15, 2022 at 4:33:15 PM  
120 E Palmetto Ave  
Howey-in-the-Hills FL 34737  
United States





Oct 26, 2022 at 2:47:24 PM  
120 E Palmetto Ave  
Howey-in-the-Hills FL 34737  
United States

# FLORIDA VEHICLE REGISTRATION

PLATE **JM9US** DECAL **16932382**

Expires **Midnight Fri 12/1/2023**

YR/MK **1997/GMC** BODY **SW**  
VIN **3GKFK16R1VG528265**  
Plate Type **FVR** NET WT **5665**

COLOR **BRO**  
TITLE **74837993**

Reg. Tax  
Init. Reg.  
County Fee  
Mail Fee  
Sales Tax  
Voluntary Fees  
Grand Total

162.40 Class Code  
225.00 Tax Months  
3.00 Back Tax Mos  
Credit Class  
Credit Months

DL/FEID **C530784864410**  
Date Issued **10/19/2022** Plate Issued **10/19/2022**

STEVEN DOMONIC CONTI JR  
120 E PALMETTO AVE  
HOWEY IN THE HILLS, FL 34737

## IMPORTANT INFORMATION

1. The Florida license plate must remain with the registrant upon sale of vehicle.
2. The registration must be delivered to a Tax Collector or Tag Agent for transfer to a replacement vehicle.
3. Your registration must be updated to your new address within 30 days of moving.
4. Registration renewals are the responsibility of the registrant and shall occur during the 30-day period prior to the expiration date shown on this registration. Renewal notices are provided as a courtesy and are not required for renewal purposes.
5. I understand that my driver license and registrations will be suspended immediately if the insurer denies the insurance information submitted for this registration.

FVR - FISH FLORIDA PLATE ISSUED X

*Fish Florida!*



Oct 26, 2022 at 2:49:00 PM  
120 E Palmetto Ave  
Howey-in-the-Hills FL 34737  
United States

# FLORIDA VEHICLE REGISTRATION

PLATE **HFEX79**

YR/MK  
VIN

2007/FORD  
1FAFP37N17W293591

DL/FEID  
Date Issued

K500812647830  
10/25/2022

BODY  
NET WT

4D  
3360

Plate Issued  
10/6/2016

TRUDY LYNN KUN, JILLIAN ANNAMARIE CORBETT  
10470 LAKE MINNEOLA SHRS  
CLERMONT, FL 34711

SUNSHINE STATE

COLOR  
TITLE

Expires

SIL  
99887723

2ND DL#  
C613421919170

Midnight Thu 8/3/2023

Reg. Tax  
Init. Reg.  
County Fee  
Mail Fee  
Sales Tax  
Voluntary Fees  
Grand Total

38.10  
3.00  
41.10

Class Code  
Tax Months  
Back Tax Mos  
Credit Class  
Credit Months

1  
12

CO/AGY 12 / 4

T# 1724458719  
B# 1396276

## IMPORTANT INFORMATION

1. The Florida license plate must remain with the registrant upon sale of vehicle.
2. The registration must be delivered to a Tax Collector or Tag Agent for transfer to a replacement vehicle.
3. Your registration must be updated to your new address within 30 days of moving.
4. Registration renewals are the responsibility of the registrant and shall occur during the 30-day period prior to the expiration date shown on this registration. Renewal notices are provided as a courtesy and are not required for renewal purposes.
5. I understand that my driver license and registrations will be suspended immediately if the insurer denies the insurance information submitted for this registration.



# Howey-in-the-Hills Vs Robert L Shepherd

- In reference to:
  - Case# CE-22-04-0072
  - Property located at 126 E Magnolia Ave
  - ALTKEY 1645794

- H. Dumpsters shall not be located within any required buffer area, required landscaped area, required parking lot landscaping, or stormwater management area.

#### 5.01.06 Outside Storage

- A. Outside storage involving machinery and equipment, service areas for vehicles in need of major service or repair, and materials for construction or distribution is permitted in the zoning districts as outlined in Chapter 2. Construction materials permitted in this category are limited to lumber, garden supplies and equipment, plumbing supplies, and similar materials. Machinery and equipment do not include heavy construction machinery, heavy construction vehicles, and heavy construction equipment.
- B. Outside storage shall be located only within a rear yard.
- C. Outside storage shall be fully screened from view from adjacent residentially zoned districts, from adjacent office areas, and from public right-of-way by a fence, wall, or berm and landscaping. Where a berm is proposed as screening, a buffer "D" shall be required as set forth in Section 4.05.05. Where a fence or wall is proposed, the fence or wall shall be solid, wooden, or masonry and six (6) feet in height.
- D. Stored materials shall not exceed the height of the fence.
- E. Outside storage of parts and materials and associated service areas or work activity areas shall be maintained in a neat and orderly manner.
- F. Outside storage shall be limited to a maximum of twenty-five (25) percent of the building area of the site.

#### 5.01.07 Fences Hedges and Walls

- A. A permit must first be obtained from the Town before any person erects, constructs, enlarges, alters, replaces or repairs any fence or wall regulated by this Chapter. The Town's building official may determine that a permit is not required for minor repairs.
- B. The maximum height of fences, hedges and walls shall be as follows, except where otherwise provided in this LDC:
1. Front yards shall be a maximum of 4 feet tall and shall not be opaque. Picket fencing is acceptable.
  2. Side yards shall be a maximum of 6 feet tall.
  3. Rear yards shall be a maximum of 6 feet tall.
  4. Fences and walls required for security purposes in Industrial or Public zoning districts shall be a maximum of 8 feet tall.
  5. Fencing or walls used for decorative, privacy, or security purposes around residential or mixed use subdivisions shall be a maximum of 6 feet tall.
  6. Hedges located along front property lines shall not exceed four (4) feet in height and shall be maintained so as not to obstruct the view of vehicular traffic at driveways and intersections.
- C. Fences and walls, for individual residential properties or for other applications, shall be designed with offsets, banding, columns or posts with lintels or caps,

- landscape pockets, and other elements to avoid an expansive monolithic or monotonous appearance. Such elements shall be included every 30 feet or less.
- D. Fences in residential areas shall be made of wood, PVC/vinyl, decorative aluminum or wrought iron, and black or dark green coated chain link fencing. New fence material must be used when a new fence is installed. Non-traditional materials, including but not limited to, tires, mufflers, hubcaps, etc. are prohibited. Other prohibited materials include, but are not limited to, sheet metal, plywood, corrugated metal or fiberglass, scrap wood, scrap metal, and cast off secondhand materials. Fabric sheets or nets, or plastic, metal or vinyl sheets or slats may not be used as part of or attached to a fence or wall.
- E. To help ensure proper placement of fences or walls along property lines, property lines shall be established by a survey prepared by a surveyor licensed in Florida. Surveys must be dated within the last two years unless the Building Official determines that an older survey adequately represents the property lines.
- F. Fences and walls shall be erected with the finished side facing out. Posts shall be placed along the inside of the fence. In residential and commercial zoning districts posts shall be securely anchored with concrete. All fencing must be uniform in material, design, and color, except for chain link fencing as allowed in Subsection H. Additions or repairs to existing fences or walls must maintain a uniformity of materials, design and color with that of the existing fence or wall.
- G. With the exception of the Agricultural and Rural Estates zoning districts, electrified fences are prohibited.
- H. Chain link fencing is allowed in Agricultural, Rural Estates, Industrial, Institutional, Recreation 1, and Public zoning districts.
- I. The use of barbed wire, razor wire, or the like for fencing is permitted only in the Agricultural, Industrial and Public zoning districts.
- J. Permitted barbed wire or razor wire shall be six (6) feet or more above the ground level. The barbed or razor wire shall be turned, pointed, or directed inward toward the property enclosed by the fence.
- K. Columns for walls may be a maximum of 8 feet in height, or as approved through the architectural review process..
- L. Walls shall be designed with either a stucco or brick finish.

#### 5.01.08 Swimming Pools and Pool Enclosures

- A. All pools shall provide fencing or enclosures in compliance with the requirements of the Florida Building Code.
- B. A screen enclosure may be installed instead of, or in addition to, a fence or wall, provided that the screen enclosure meets all the following requirements:
1. A pool screen enclosure shall be set back from the side lot line a minimum of ten (10) feet;
  2. A pool screen enclosure shall not be closer than ten (10) feet to the rear lot line; and
  3. A pool screen enclosure shall not exceed twenty-five (25) feet or the height of the principal structure, whichever is lower.



## Notice of Violation

08/03/2022

SHEPHERD ROBERT L  
126 E MAGNOLIA AVE  
HOWEY IN THE HILLS, FL 34737

Re: Case Number CE-22-04-0072  
Subject Property: 126 EAST MAGNOLIA AVE HOWEY IN THE HILLS FL 34737 ,  
Property ID Number: 2520250100B0302900

Dear Property Owner:

Pursuant to Howey in the Hills Code Enforcement. You are notified that a violation(s) of the following Howey in the Hills Code of Ordinance(s) exists at the above-described location.

### Fence Material 5.01.07(D)

Fences in residential areas shall be made of wood, PVC/vinyl, decorative aluminum or wrought iron, and black or dark green coated chain link fencing. New fence material must be used when a new fence is installed. Non-traditional materials, including but not limited to, tires, mufflers, hubcaps, etc. are prohibited. Other prohibited materials include, but are not limited to, sheet metal, plywood, corrugated metal or fiberglass, scrap wood, scrap metal, and cast off secondhand materials. Fabric sheets or nets, or plastic, metal or vinyl sheets or slats may not be used as part of or attached to a fence or wall.

### Fence Permit 5.01.07(A)

A permit must first be obtained from the Town before any person erects, constructs, enlarges, alters, replaces or repairs any fence or wall regulated by this Chapter. The Town's building official may determine that a permit is not required for minor repairs.

Observed a corrugated metal fence erected in rear yard on the east side of property.

The following action must be taken to correct the above stated violation(s):

You must obtain a building permit for the fence and use the approved fence materials OR remove the mentioned fence.

The correspondence will serve as official notification that the above stated violations must be corrected before 08/31/2022. Failure to correct violations may result in: Special Magistrate hearing that may result in fines up to \$500 per day per violation, as long as the violation remains, costs of prosecution, and costs of abatement, repair or demolition by the City.

For further information, you may contact me at 352.638.0524.

Sincerely,

  
Azure Botts  
Code Enforcement Officer

## BEFORE THE SPECIAL MAGISTRATE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA

TOWN OF HOWEY-IN-THE-HILLS, )  
FLORIDA, a municipal corporation, )

Plaintiff, )

v. )

Robert L. Shepherd )

Defendant )

CASE NO: CE-22-04-0072

### NOTICE OF HEARING

TO: Robert L. Shepherd

YOU ARE NOTIFIED that the Special Magistrate of the Town of Howey-In-The-Hills, Florida, has scheduled a hearing on your alleged violation of Section 5.01.07(A) and 5.01.07(D), Town of Howey-In-The-Hills Land Development Code. The hearing before the Special Magistrate is scheduled for 10:00 A.M., on the 27<sup>th</sup> day of October, 2022, or as soon thereafter as can be heard, in Council Chambers, Town Hall, Howey-In-The-Hills, Florida.

This hearing may be held even if alleged violation has been corrected prior to meeting.

Any person who decides to appeal any decision made by the Special Magistrate with respect to any matter considered at the above hearing shall need a record of the proceedings. Such person needs to ensure that a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based, is made.

Dated this 15<sup>th</sup> day of September, 2022

  
Code Enforcement Officer  
Town of Howey-In-The-Hills, Florida

Date Served

10/21/22

Time Served

10:26 AM 1626

Served By

A Botts



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"><li>■ Complete items 1, 2, and 3.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) Robert L Shepherd</p> <p>C. Date of Delivery 10/21/2022</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	
1. Article Addressed to: Robert L Shepherd 126 E Magnolia Ave Howey in the Hills, FL 34737			
2. Article Number (Transfer from service label) 9590 9402 6641 1060 8689 69 7021 2720 0001 1047 8624			
PS Form 3811, July 2020 PSN 7530-02-000-9053		Domestic Return Receipt	



### Affidavit of Service

10/25/2022

SHEPHERD ROBERT L  
126 E MAGNOLIA AVE  
HOWEY IN THE HILLS, FL 34737

Re: Case Number CE-22-04-0072

#### THE DESCRIPTION OF THE DOCUMENT(S) SERVED:

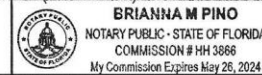
1. Notice of Hearing

I Azure Botts, Code Enforcement Officer, hereby swear and affirm that I have personally served the above described document(s) for the above respondent(s) to Robert L Shepherd at 126 E Magnolia Ave. Howey-in-the-Hills, FL on 10/21/2022, at approximately 1626.

Azure Botts

STATE OF FLORIDA  
COUNTY OF LAKE

Sworn to (or affirmed) and subscribed before me this 10/27/2022 by Azure Botts.

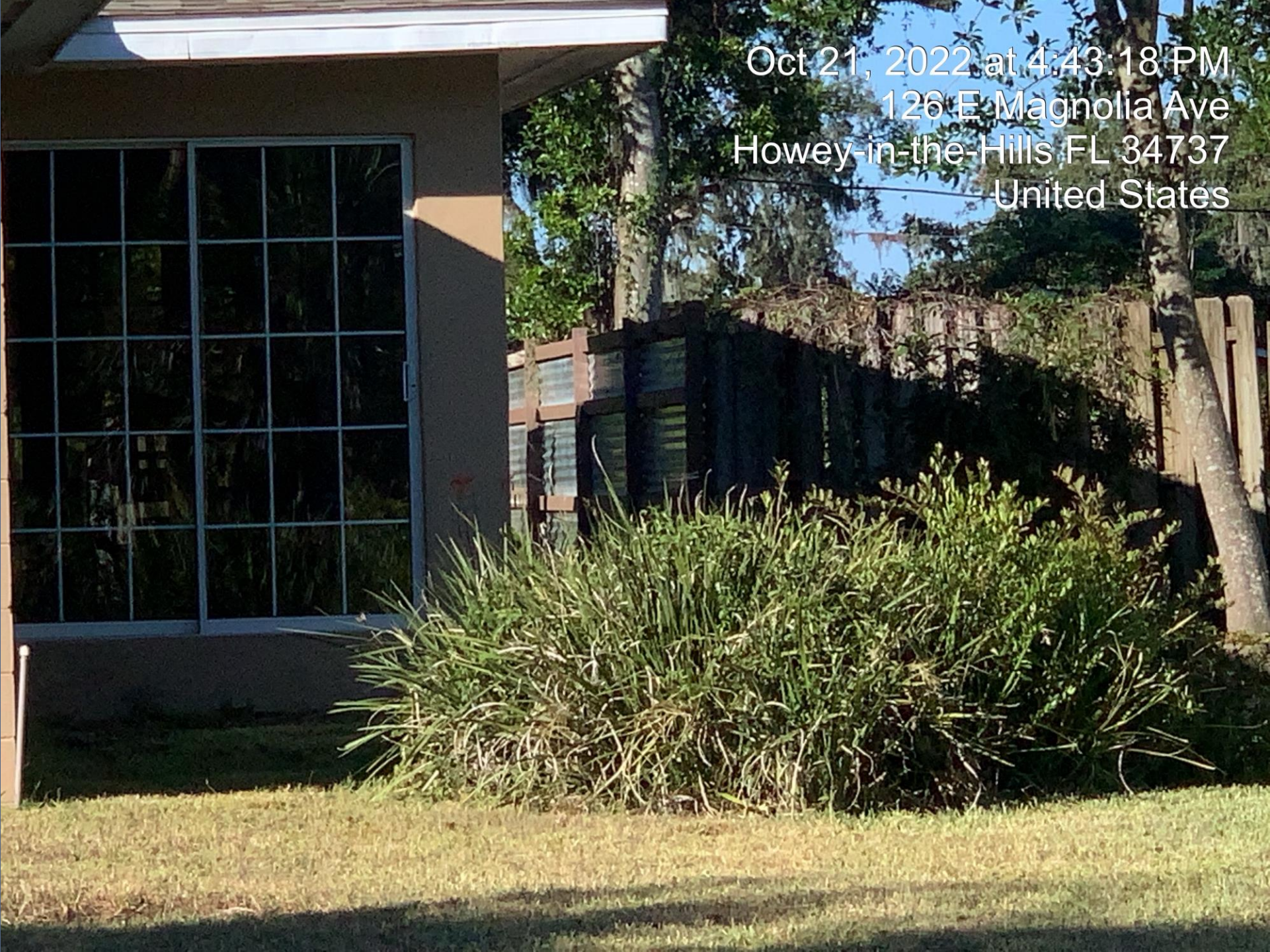


Notary Public

Type of identification produce: Personally known



Oct 21, 2022 at 4:43:18 PM  
126 E Magnolia Ave  
Howey-in-the-Hills FL 34737  
United States





















August 18<sup>th</sup>, 2022

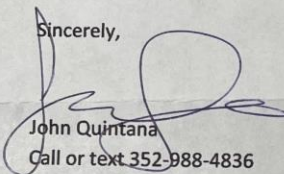
Town of Howey-in-the-Hills  
To Whom It May Concern:

Regarding the backyard fence on the property line of my home, 130 E Magnolia Ave, and my next door neighbor, Mr. Robert Shepherd of 126 E Magnolia Ave.

Mr. Shepherd has brought to my attention a possible code or ordinance issue with the fence. First, let me say that I don't have a problem with the fence. I like having it there. It's a sturdy, 6 foot high metal fence on or near our property line and to my knowledge, it is not at all visible unless you are in my or Mr. Shepherd's back yard. I also don't believe we are in a flood zone, or that the fence should have to be in compliance with any ordinance that has to do with new residential developments. I believe that the ordinance in question was put in to place after our homes were established so I am not sure that it applies to this fence. Also, painting or replacing the fence would not change the appearance of the neighborhood because it is not visible from the street.

Please let me know if my letter requires any clarification on your part, or if I can be of any help in resolving this issue.

Sincerely,



John Quintana

Call or text 352-988-4836

130 E Magnolia Ave

Howey-in-the-Hills, FL 34737