



**Special Magistrate Hearing
July 17, 2025, at 9:00 A.M.
Howey-in the-Hills Town Hall
101 N. Palm Ave.
Howey-in-the-Hills, FL 34737**

AGENDA

**I. CALL TO ORDER- ZACHARY J. McCORMICK, SPECIAL MAGISTRATE
PRESIDING**

II. SWEARING IN OF ALL THOSE WHO WILL TESTIFY

III. STATEMENT OF EVIDENCE

IV. PUBLIC HEARINGS

1.) New Cases not in Compliance

A. CASE NO: CE-25-03-0056

OWNER: Ronald C. & Kaley A. Dittrich

OFFICER: Matthew McDonald

VIOLATION: Town of Howey-in-the-Hills Code of Ordinances: Section 105.1 (No Building Permit)

ORDINANCE DESCRIPTION:

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

VIOLATION DESCRIPTION: An above ground pool and pavers were constructed without obtaining a Building Permit.

PARCEL: 25-20-25-0200-A10-00500

PROPERTY ADDRESS: Alt Key #1256461 (1001 N. Lakeshore Blvd, Howey-in-the-Hills, FL 34737)

B.) CASE NO: CE-25-05-0071

OWNER: Betty L. Beahm

OFFICER: Matthew McDonald

VIOLATION: Town of Howey-in-the-Hills Code of Ordinances: Land Development Code (LDC 5.01.08 (A) Swimming Pools and Pool Enclosures shall be in compliance with the Florida Building Code (F.S.515.29 (1)(b) & (3)

ORDINANCE DESCRIPTION:

LDC 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.

F.S.515.29 Residential swimming pool barrier requirements.—

(1) A residential swimming pool barrier must have all of the following characteristics:

(b) The barrier may not have any gaps, openings, indentations, protrusions, or structural components that could allow a young child to crawl under, squeeze through, or climb over the barrier.

(3) Gates that provide access to swimming pools must open outward away from the pool and be self-closing and equipped with a self-latching locking device, the release mechanism of which must be located on the pool side of the gate and so placed that it cannot be reached by a young child over the top or through any opening or gap.

VIOLATION DESCRIPTION: The Property Owners have failed to keep the pool enclosure secure by not repairing/or securing the screen and side entry door to the pool area.

PARCEL: 24-20-25-0100-000-00300

PROPERTY ADDRESS: Alt Key #1257689 (504 Mission Lane, Howey-in-the-Hills, FL 34737)

C.) CASE NO: CE-25-05-0083

OWNER: Christopher & Michelle Johnson

OFFICER: Matthew McDonald

VIOLATION: Town of Howey-in-the-Hills Code of Ordinances: LDC 8.05.05 (K)(2)(o): Illicit Discharge

ORDINANCE DESCRIPTION:

LDC 8.05.05 Stormwater Management (K)(2)(o)

K. Stormwater quality

2. Allowed discharges: The following is a list of substances allowed to discharge into the Town's storm sewer system provided they are not identified as a source of pollutants to any receiving waterbody:

a. Water line flushing. **b.** Rising ground waters. **c.** Uncontaminated pumped ground water. **d.** Discharges from potable water sources. **e.** Air conditioning condensate. **f.** Irrigation water. **g.** Water from crawl space pumps. **h.** Footing drains. **i.** Individual residential car washing. **j.** Dechlorinated swimming pool discharges. **k.** Street wash waters. **l.** Discharges or flows from emergency firefighting activities. **m.** Reclaimed water line flushing authorized pursuant to a permit issued by the Town. **n.** Flows from uncontaminated roof drains.

o. All other non-storm substances discharged into the Town's storm sewer system are to be considered illicit discharges that would pose a threat to the health, safety and welfare of the public and are hereby prohibited. Any unauthorized or illicit discharges will be subject to enforcement as set forth in the Town's Charter, Code of Ordinances or as otherwise specified by law.

VIOLATION DESCRIPTION: The property owners had a vehicle leaking engine oil onto the road. With any rainfall would result said oil washing into the drainage system.

PARCEL: 26-20-25-0010-000-03000

PROPERTY ADDRESS: Alt Key #3922823 (587 Avila Place, Howey-in-the-Hills, FL 34737)

V. ADJOURNMENT

To Comply with Title II of the Americans with Disabilities Act (ADA):

Qualified individuals may get assistance through the Florida Relay Service by dialing 7-1-1. Florida Relay is a service provided to residents in the State of Florida who are Deaf, Hard of Hearing, Deaf/Blind, or Speech Disabled that connects them to standard (voice) telephone users. They utilize a wide array of technologies, such as Text Telephone (TTYs) and ASCII, Voice Carry-Over (VCO), Speech to Speech (STS), Relay Conference Captioning (RCC), CapTel, Voice, Hearing Carry-Over (HCO), Video Assisted Speech to Speech (VA-STs) and Enhanced Speech to Speech.

Minutes of the Special Magistrate hearings can be obtained from the Town Clerk's office. The Minutes are recorded but are not transcribed verbatim. Persons requiring a verbatim transcript may make arrangements with the Town Clerk to duplicate the recordings or arrange to have a court reporter present at the meeting. The cost of duplication and/or court reporter will be at the expense of the requesting party.

Please Note: In accordance with F.S. 286.0105: Any person who desires to appeal any decision or recommendation at this meeting will need a record of the proceedings, and that for such purposes may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based. The Town of Howey-in-the-Hills nor the Special Magistrate are responsible for preparing or providing this verbatim record. Note: In accordance with the F.S. 286.26: Persons with disabilities needing assistance to participate in any of these proceedings should contact Town Hall, 101 N. Palm Avenue, Howey-in-the-Hills, FL 34737, (352) 324-2290 at least 48 business hours in advance of the meeting.