

MINUTES  
TOWN OF OCEAN RIDGE  
SPECIAL MAGISTRATE/CODE ENFORCEMENT HEARING  
MAY 4, 2021

Present: Special Magistrate Amity Barnard, Town Attorney Christy Goddeau, Assistant Town Clerk Kathie Gatewood, Police Chief Hal Hutchins and Building Official Durrani Guy.

The meeting was called to order at 10:00 A.M. by Special Magistrate Barnard.

Special Magistrate Barnard explained the hearing process, noting that the Town will call cases as they appear on the agenda. Once the case is called, the Town will present evidence first, then the respondent will have the opportunity to see the evidence, ask any questions, and then the respondent will provide testimony and evidence. Once all of the evidence and testimony has been concluded, the Special Magistrate will make a ruling, and the Town and respondent will receive the written order in the mail within the next few days. This is not meant to be a formal courtroom and formal rules of evidence do not apply.

All those persons planning to provide testimony were sworn in by Special Magistrate Barnard.

**A. ADOPTION OF April 6, 2021 MINUTES**

The Code Enforcement Hearing Minutes of April 6, 2021 were adopted by Special Magistrate Barnard.

**B. VIOLATION HEARING  
CASE NO. 2020-005**

**THE TAMARIND, INC.  
6665 NORTH OCEAN BLVD, Ocean Ridge, FL  
33435  
RE: TAMARIND COND**

**NATURE OF VIOLATION**

Violate Section(s) 22-1 Failure to maintain fire equipment according to Town Code.

Town Attorney Goddeau requested the case to be continued until June 1, 2021. She told the Special Magistrate that the Respondents are continuing to work on the violation and a permit has been issued. Special Magistrate Barnard confirmed with Town Attorney Goddeau that all parties agreed to a continuance.

Special Magistrate Barnard advised that she would make the following findings of fact and conclusions: the Respondents are the owners of the above-described property, notice is proper and sufficient though the Respondent was not presented at the hearing, the Respondent and Town mutually agreed to a continuance, a continuance was granted, the Respondent is required to attend a Violation Hearing held on June 1, 2021 at 10:00a.m. at the Ocean Ridge Town Hall, 6450 N. Ocean Blvd., Ocean Ridge, Florida 33435 unless the Town certifies that compliance has been achieved. The Town's administrative costs incurred in prosecuting previous hearings are *reserved*.

**C. FINE REDUCTION REQUEST HEARING**

**CASE NO. 2021-002**

**SPITI TRUST & DANIEL J. BEIRUTE TRUST  
6080 OLD OCEAN BLVD, OCEAN RIDGE, FL 33435  
RE: AMENDED PLAT OF BOYNTONS SUB LT 2 &  
N 1/2 OF LT 3 BLK 9**

**NATURE OF VIOLATION**

Violate Section(s) 67-51, 67-60 of Town Code and Section 105.1 of the Florida Building Code, 6<sup>th</sup> Edition – Performing construction work without a permit, according to Town Code.

Town Attorney Goddeau summarized the case for the Special Magistrate.

The Respondent, David Crank, and Property Manager Richard Syberg testified that have been vigilant in assisting to see that the matter is resolved and asked Special Magistrate Barnard to remove the fine. The Respondent presented the Special Magistrate with documentation to support their case, to which the Town Attorney did not object and it was entered into the record.

Town Attorney Goddeau recommended that the Respondents receive a fine reduction of seventy-five percent (75%) and asked that the previous administrative costs be paid.

Special Magistrate Barnard advised that she would make the following findings of fact and conclusions: based upon the April 6, 2021 "Order Assessing Fine" for the above-referenced case number, the Special Magistrate assessed a Fine in the amount of Three Thousand, Two Hundred Fifty Dollars (\$3,250.00), the Respondents requested a hearing seeking mitigation of the lien amount assessed, the Respondents, SPITI TRUST & DANIEL J. BEIRUTE TRUST, were represented at the hearing by David Crank and by Rich Syberg, Property Manager.

Special Magistrate Barnard ordered that the penalty amount previously imposed be reduced from **\$3,250.00** to **\$813.50**. The Respondents were hereby ordered to pay the mitigated fine amount **on or before June 3, 2021**, or the original penalty amount of \$3,250.00 would be automatically be reinstated as a penalty. Respondents were further ordered to pay the administrative costs for \$194.20 for the April 6, 2021 hearing, per previous Order Assessing Fine dated April 6, 2021.

**F. ADJOURNMENT**

The meeting was adjourned at 10:17 A.M.

Minutes prepared by Assistant Town Clerk Gatewood, and adopted by Special Magistrate Barnard on June 8, 2021.

ATTEST:



Karla Armstrong, Town Clerk

