

City of Newberry

Code Enforcement Department

MINUTES

CODE ENFORCEMENT - SPECIAL MAGISTRATE PUBLIC HEARING
BLAKE FUGATE, MAGISTRATE
THURSDAY, AUGUST 14, 2025 – 9:00 AM
NEWBERRY CITY HALL
25440 WEST NEWBERRY ROAD
NEWBERRY, FLORIDA 32669

CALL TO ORDER

Special Magistrate, Blake Fugate, called the meeting to order at 9:00 AM.

STAFF PRESENT

Code Enforcement Officer, Greta Moreau
City Attorney, Kiersten Ballou, Esq
Director of Community Development, Stacey Hectus
Building Official, David Meyer
Permit Tech, Ashley Monk
Clerk, Missy West-Claude

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Magistrate Fugate.

Magistrate Fugate reviewed the purpose and procedure of the hearing.

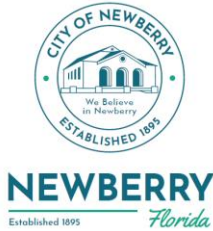
Magistrate Fugate swore in Code Enforcement Officer, Greta Moreau, Director of Community Development, Stacey Hectus, Building Official, David Meyer, Greg Pyle, Kimberly Brown, Robert McNeal

NEW BUSINESS

1. Case No. SM# 2025-007 Violation No. 2025-0080
(Notice of Hearing mailed via Certified Mail (9589 0710 5270 0554 3718 06) to Antonio & Kim Brown (property owner). All hearing documentation was posted at the property listed on the locations below and City of Newberry City Hall on July 31, 2025).

CITY OF NEWBERRY, FLORIDA

Petitioner,



City of Newberry

Code Enforcement Department

vs.

ANTONIO BROWN

Respondent,

Location of Violation:

717 NW 253rd Street, Newberry, FL 32669
Section 04, Township 10, Range 17
Parcel # 02403-006-000

Zoning:

Residential Single Family Mobile Home (RSF/MH2)

Brief Legal:

CHAPMAN & WHITES ADDN PB A-95 LOT 6 BK4 OR 4623-0260

Violations:

a. Chapter 14 – Buildings and Building Regulations, Article VI – Dangerous Buildings and Hazardous Lands, Section 14-334 – Creating, keeping, maintaining, allowing the existence of dangerous buildings or hazardous lands, unlawful.

b. Chapter 94 – Traffic and Vehicles, Article V – Abandoned Vehicles, Section 94-122 – Prohibited.

Code Enforcement Officer, Greta Moreau presented a PowerPoint presentation with an overview of the violation.

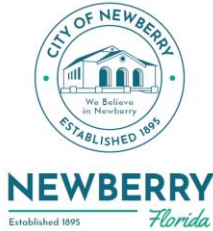
a Kimberly Brown appeared and spoke on behalf of her son. Ms. Brown asked for a forty-five-day extension to bring the property into compliance.

The Special Magistrate orders as follows:

1. The Respondent is in violation. Magistrate Fugate granted the Respondent a 45-day extension as requested, with day 45 being Sunday, September 28th, 2025. If not timely cured, a \$50.00 per day fine will be imposed until cured.

2. The Respondent will be responsible for the \$150.00 administrative cost of prosecution.

3. In accordance with Fla. Stat. 162.09(3), the fines and costs imposed above shall



City of Newberry

Code Enforcement Department

become a lien upon the subject real property and upon any other real or personal property owned by the Respondent upon the recording of a certified copy of this order in the Official Records of Alachua County, Florida.

NON-COMPLIANCE:

1. Case No. SM#2023-005

Violation No. 2023-04-012

was
2025.

(Notice of Hearing mailed via USPS Certified Mail (9589 0710 5270 0554 3717 83) to Southeast Perimeter Solutions Inc. & Rustic Oaks Ranch LLC (property owner). All hearing documentation posted on the property listed at the locations below and City of Newberry City Hall on July 31,

CITY OF NEWBERRY, FLORIDA

Petitioner,

vs.

SOUTHEAST PERIMETER SOLUTIONS, INC

&

RUSTIC OAKS RANCH, LLC

Respondents,

Location of Violation:

27317 NW 78TH Avenue, Newberry, FL 32669
Section 08, Township 09, Range 17
Parcel # 01780-000-000

Zoning: Agriculture (Ag)

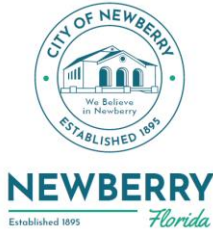
Brief Legal: NW 1/4 OF SE 1/4 OR 5030/2225

Violation(s):

Code, a. Chapter 14 – Buildings and Building Regulations, Article II – Building
Division 3 – Building Permits, Section 14-101 – Required.

Date of Special Magistrate Hearing: March 13, 2025

Date set for Compliance: By June 7, 2025, the respondents were to cure the violation by obtaining a building permit for the buildings on the property



City of Newberry

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and comply with the requirements from the building department and structural engineer, or a fine of \$50.00 per day will accrue until the violations are cured. The respondent is assessed \$120.00 to cover the cost of administering this code violation, and the full cost of prosecution (currently \$1,500.00) will be assessed if the violation is not cured within 60 days and no good cause shown at subsequent hearing.

Code Enforcement Officer, Greta Moreau presented a PowerPoint presentation with an overview of the violation.

The Respondent, Greg Pyle, addressed the Magistrate.

Finding that the violation was partially cured, The Special Magistrate orders as follows:

1. Magistrate Fugate granted the Respondent until Monday, September 1, 2025, at which time if the violation has not been cured a fine of \$50.00 per day will accrue until the violations are cured.
2. The Respondent shall pay to the City of Newberry, Florida, a fine in the amount of \$750.00. The fine previously imposed in the amount of \$50.00 per day will begin to accrue on September 1, 2025, if violations are not cured.

Code Enforcement Officer, Greta Moreau requested to present Item No. 3, Case No. SM# 2025-006 before Item No. 2, as there was someone present.

Magistrate Fugate agreed.

3. Case No. SM# 2025-006

Violation No. 2024-0017

(Notice of Hearing mailed via USPS Certified Mail (9589 0710 5270 0554 3717 76) to Hana P McNeal (property owner). All hearing documentation was posted on the property listed at the locations below and City of Newberry City Hall on July 31, 2025.

CITY OF NEWBERRY, FLORIDA

Petitioner,

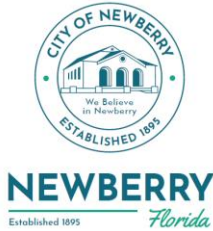
vs.

HANA P MCNEAL

Respondent,

Location of Violation:

26014 SW 4TH Avenue, Newberry, FL 32669



City of Newberry

Code Enforcement Department

Section 04, Township 10, Range 17
Parcel # 01983-001-000

Zoning: Residential Single-Family Mobile Home (RSF/MH-2)

Brief Legal: THE E ½ OF THE FOLLOWING DESC: COM 1320 FT E &
1375.54 FT N OF SW COR SW1/4 88 DEG E 608.06 FT N 5 DEG W
8.66 FT TO POB; N 5 DEG W 266.21 FT S 87 DEG W 210 FT
S 5 DEG E 265 FT N FT N 88 DEG E 211.26 FT TO POB LESS
COM SE COR LOT 10 CROCKER S/D POB S1

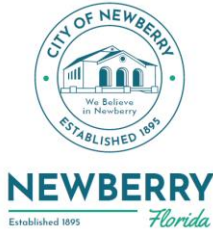
Violation(s):

- a. Chapter 14 – Building and Building Regulations, Article VI – Dangerous Buildings and Hazardous Lands, Section 14-334 – Creating, keeping, maintaining, allowing the existence of dangerous buildings or hazardous lands, unlawful.
- b. Appendix B, Land Development Regulations, Article 9 Minimum Housing Regulations, Section 9.22.10 – General requirements for the exterior and interior of structures. Windows to be openable.
- c. Appendix B, Land Development Regulations, Article 9 Minimum Housing Regulations, Section 9.22.10 – General requirements for the exterior and interior of structures. Windows to be openable.

Date of Special Magistrate Hearing: February 13, 2025

Date set for Compliance: By March 19, 2025 (30 days from Special Magistrate's issuance of order) the respondents were to cure the violation by removing all junk and trash from the property, including any structures that are in disrepair. The residential structure must meet minimum housing standards when the home is occupied, including electric and water/wastewater services, all broken windows must be repaired and able to open. The skirting around the home must be repaired or replaced. or a fine of \$50.00 per day may be assessed if this order is not complied with, until compliance is achieved. The respondent is assessed \$150.00 to cover the cost of prosecution. Cost of prosecution shall be waived if property is in compliance by the deadline above.

Code Enforcement Officer, Greta Moreau presented a PowerPoint presentation with an overview of the violation.



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Mr. Robert McNeal addressed Magistrate Fugate.

Attorney, Kiersten Ballou read Chapter 14, Buildings and Building Regulations, Article 6, Dangerous Buildings and Hazardous Lands, Section 14-334, Creating, Keeping, Maintaining, and allowing the existence of dangerous buildings or hazardous lands unlawful into the record for clarification.

The Special Magistrate orders as follows:

1. The Order required that the violation be cured by August 29, 2025, and if not timely cured, imposed a fee of \$50.00 per day thereafter, plus the \$150.00 administrative cost of the prosecution.
2. In accordance with Fla. Stat. 162.09(3), the fines and costs imposed above shall become a lien upon the subject real property and upon any other real or personal property owned by the Respondent upon the recording of a certified copy of this order in the Official Records of Alachua County, Florida.

2. Case No. SM# 2025-005

Violation No. 2024-0009

(Notice of Hearing mailed via USPS Certified Mail (9589 0710 5270 0554 3717 69) to Ericka Solano & Lizabeth Scala Thodde (property owners) & via USPS Certified Mail (9589 0710 5270 0554 3717 52) Ericka Solano (property owner). (All hearing documentation was posted at the property listed on the locations below and City of Newberry City Hall on July 31, 2025.

CITY OF NEWBERRY, FLORIDA

Petitioner,

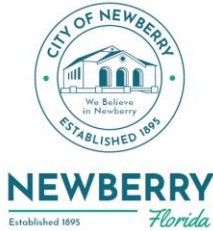
vs.

ERICKA SOLANO & LIZABETH SCALA THODDE

Respondents,

Location of Violation:

23023 NW 4TH Place, Newberry, FL 32669
Section 35, Township 09, Range 17
Parcel # 01901-090-230



City of Newberry

Code Enforcement Department

Zoning: Residential Single Family (RSF-2)

Brief Legal: NEWBERRY OAKS PH 9 PB 32 PG 44 LOT 230 OR 4768/0260

Violation(s):

Code, a. Chapter 14 – Building and Building Regulations, Article II – Building Division 3 – Building Permits, Section 14-101 – Required.

Date of Special Magistrate Hearing: February 13, 2025

Date set for Compliance: By April 19, 2025 (30 days from Special Magistrate's issuance of order) the respondents were to cure the violation by obtaining a building permit for the shed and provide documentation from a structural engineer of the integrity of the structure, or a fine of \$50.00 per day may be assessed if the order is not complied with, until compliance is achieved, plus \$150.00 is assessed to cover the cost of prosecution. Cost of prosecution shall be waived if property is in compliance by the deadline above.

Code Enforcement Officer, Greta Moreau presented a PowerPoint presentation with an overview of the violation. Ms. Moreau presented into evidence a letter indicating the structure was sufficient for the design load of the 2023 Florida Building Code. The letter was provided by David M. Crapps, PE, SE, Structural Engineer, dated June 26, 2025.

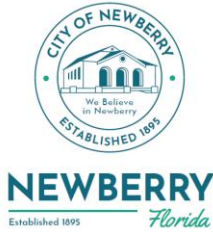
The Respondents were not present at the August 14, 2025 Hearing, nor was there anyone present on their behalf.

The Special Magistrate orders as follows:

1. The Respondent is in violation. Magistrate Fugate ordered that the Respondent pay a fine of \$50.00 per day from the compliance date of April 19, 2025. The fine will be imposed until cured.

2. The Respondent will be responsible for the \$150.00 administrative cost of prosecution.

3. . In accordance with Fla. Stat. 162.09(3), the fines and costs imposed above shall become a lien upon the subject real property and upon any other real or personal property owned by the Respondent upon the recording of a certified copy of this order in the Official Records of Alachua County, Florida.



City of Newberry

Code Enforcement Department

OLD BUSINESS – CASES READ FOR CLOSURE:

1. Case No. SM #2025-001

Violation No. 2024-0034

CITY OF NEWBERRY, FLORIDA
PETITIONER,

vs.

MATTHEW & KIMBERLY MCALHANY
Respondent,

(The violation has been cured. The Fines are outstanding)

Code Enforcement Officer, Greta Moreau informed Magistrate Fugate that the violation had been cured with the fine totaling \$7850.00. The lein shall remain on the property until the fine has been paid.

COMMENTS FROM STAFF:

Next hearing is scheduled for Thursday, September 11, 2025, at 9:00 am.

ADJOURNMENT:

The meeting was adjourned at 10:03 am.