



CITY OF NEWBERRY

Codes Enforcement Department

25440 W Newberry Road, Newberry, FL 32669

MINUTES

CODES ENFORCEMENT – SPECIAL MAGISTRATE PUBLIC HEAR
BLAKE FUGATE, MAGISTRATE
WEDNESDAY, JUNE 26, 2024, AT 1:00 PM
NEWBERRY CITY HALL
25440 WEST NEWBERRY ROAD
NEWBERRY, FL 32669

Special Magistrate, Blake Fugate, called the Hearing to order at 1:03 PM.

Staff Present:

Code Enforcement Officer –

Greta Moreau

Building Official/Fire Safety Inspector –

Scott Thomason

Clerk –

Missy West-Claude

City Attorney –

Scott Walker

Following the Pledge of Allegiance, Magistrate Fugate reviewed the purpose and procedure of the hearing. Missy West-Claude swore in Scott Thomason, Greta Moreau, Scott Walker, Esq., Greg Pyle, Brittany Huffman, David Hodge, Gayle Hodge, and Mike Potts.

NEW CASES

1. Case No. SM# 2023-005 Violation No. 2023-04-012

City of Newberry, Florida

Petitioner,

vs.

SOUTHEAST PERIMETER SOLUTIONS, INC.
27317 NW 78TH AVE, HIGH SPRINGS, FL 32643

RUSTIC OAKS RANCH L.L.C.
27317 NW 78TH AVE, HIGH SPRINGS, FL 32643

Respondents,

Location of Violation:

27317 NW 78th AVE, HIGH SPRINGS, FL 32643

Section 08, Township 09, Range 17
Parcel# 01780-000-000

Zoning: Agricultural (A)
Brief Legal: NW ¼ OF SE ¼ OR 5030/2225

Violation:

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

Greta Moreau recommended finding the Respondent guilty of violating Chapter 14 – Building and Building Regulations, Article II – Building Code, Division 3-Building Permits, Section 14-101.

On October 31, 2023, at approximately 8:00 a.m. a meeting was held at Rustic Oaks which involved the following individuals: Kiersten Ballou, Scott Thomason, Wayne Clark, Bryan Thomas, Mike Vogel, Greg Pyle, and Rob Lash.

The aforementioned parties observed the Rustic Oaks property and concluded that (as of the date of observation and subject to a further review of the code upon receipt of the building permit application), the following steps needed to be taken:

- Pole Barn
 - Building permit application (can be a single application for all buildings referenced)
 - Engineering drawings with ADA bathrooms and including as built
 - Post sign for below 299 occupancy for fire compliance (City will provide sign)
 - Fire extinguisher (1 every 75 feet)
 - Exit signs at all exits which also provide egress illumination
- Chapel
 - Building permit application (can be a single application for all buildings referenced)
 - Fire extinguisher
 - Post fire occupancy sign for fire compliance (City will provide sign)
 - Engineering drawings and include as built
 - Exit signs at all exits which also provide egress illumination
- Bridal Suite Building
 - Smoke detectors (3) - > one to be placed in sleeping quarters
 - Exit signs at all exits which also provide egress illumination (due to height restrictions, exit signage can be in the dining area immediately adjacent to the kitchen)
 - Fire extinguisher (1 every 75 feet)
 - Fire signs on both sides of building
- Groom Shed
 - Building permit application (can be a single application for all buildings referenced)
 - Fire extinguisher
 - Exit signs at all exits which also provide egress illumination
 - Smoke detector

All parties were informed and understand that this list is subject to additions based on review of code and building permit application (s) submitted.

The following is the recommendation of the City regarding the Special Magistrate hearing on October 31, 2023, given the representation of good faith effort shown by property owner to work towards compliance:

- Property owner be given 60 days from the date of the hearing to submit building permits (s) with engineering drawings including as built and ADA bathroom as referenced above, as well as to obtain fire safety compliance equipment
- A fine of \$50 per day until compliance is reached if 60-day window is not complied with
- Full cost of prosecution (currently \$1,500) is to be assessed if 60-day window is not complied with and no good cause shown at subsequent hearing.
- Scott Walker, Attorney for the City of Newberry, FL spoke.
- Scott Walker, Attorney for the City of Newberry, FL spoke.

Scott Walker, Esq., Attorney for the City of Newberry, FL spoke.

Code Enforcement Officer, Greta Moreau presented the case with a PowerPoint presentation. Discussion ensued between Code Enforcement Officer Moreau and Blake Fugate, Special Magistrate.

Scott Walker, Esq., noted that a copy of the IFAS Code, presented by Greta Moreau will be entered into evidence as IFAS Code, Exhibit A, and the PowerPoint Presentation, presented by Greta Moreau will be entered into evidence as City Exhibit B.

Magistrate Fugate asked for comments from the Respondent.

Greg Pyle and Brittany Huffman, Respondents, spoke. Mr. Pyle and Ms. Huffman noted that they are waiting for a newly hired engineer to complete and submit engineering plans. The Respondents stated they will have the plans to the city by mid-July.

Scott Thomason, Building Official/Fire Safety Inspector for the City of Newberry responded to questions from Magistrate Fugate. Discussion ensued.

Magistrate Fugate directed questions to Scott Walker, Esq. Scott Walker responded. Discussion ensued.

The City noted that construction began on the property prior to the property being annexed.

The Respondents, Greg Pyle and Brittany Huffman, noted that the property was annexed into the City of Newberry in 2017, which at time of initial construction, Mr. Pyle stated they were under the jurisdiction of Alachua County.

Magistrate Fugate ordered that the City of Newberry will investigate the dates of annexation and when the initial construction began on the property, then report back to Magistrate Fugate. Magistrate Fugate ordered that the city would choose the date for the next hearing. He also ordered that all information will be provided to him within 20 days. The date determined is July 17th, 2024.

All parties agreed.

Special Magistrate Fugate asked for any further comment from the city. There was none.

Special Magistrate Fugate asked for any further comment from the Respondents. There was none.

Special Magistrate Fugate ended the meeting and moved to begin the next hearing.