



Town of Loxahatchee Groves
Special Magistrate Hearing
Wednesday, March 21, 2012 at 10:00 a.m.
Town Hall Conference Room, 14579 Southern Blvd., Suite 2

MINUTES

1. Call to Order

Special Magistrate William P. Doney called the meeting to order at 10:00 a.m. Present were Town Manager Mark Kutney, Office Coordinator Stephen Hainline, Beverly Tew, President of Tew & Taylor, Inc., and Code Enforcement Officer Russell Elgin.

2. Swearing In of All Witnesses – Special Magistrate Doney

3. Fine/Lien Certification

a. Case 2010-191 Town of Loxahatchee Groves Florida (Petitioner) vs. Todd and Shire McLendon

PCN: 41-41-43-17-01-332-0010

Location: 3481 D Road

Violation: Unified Land Development Code Article 80: Conditional Uses; Section 80-50 Aviculture (B) (2)

Shelters, Cages, and or Accessory Structures Located within Required Setbacks

Violation: Unified Land Development Code Article 80: Conditional Uses; Section 80-50 Aviculture (B) (4)

Birds on Property that Excessively Screech, Chirp, Crow, and Make Loud Noises

Ms. Tew provided a status overview. She presented five (5) exhibits, which were accepted and entered into the record by Special Magistrate Doney. She noted that Exhibit 5 was Code Enforcement Officer Elgin's inspection on this day, which showed that the owners have not fully complied with the prior Orders by failing to move the cages, pens and other structures from the setbacks.

Mr. Todd McLendon reported that he was in the process of coming into compliance and that he was working on moving the shade house first. He noted that it was taking longer and was more expensive

than expected and requested an additional 60 days. Mr. McLendon also noted that he was confused as to what could be in the setbacks. Ms. Tew replied that nothing could be in the setbacks.

Special Magistrate Doney requested a two (2) week site visit to show compliance. Mr. McLendon agreed to allow Code Enforcement Office Elgin on the premises.

Public Comment

Neighbor Maureen Lefkowitz, explained that Mr. McLendon was scheduled for a court hearing concerning a South Florida Water Management District enforcement matter.

Special Magistrate Doney's Findings: enter an order granting an extension of 60 days from March 21 and noted that this would likely be the last extension. Mr. McLendon agreed to allow Code Enforcement Office Elgin visit the premises every two (2) weeks with McLendon to provide documents evidencing progress made toward compliance. Administrative costs to be determined at a later hearing.

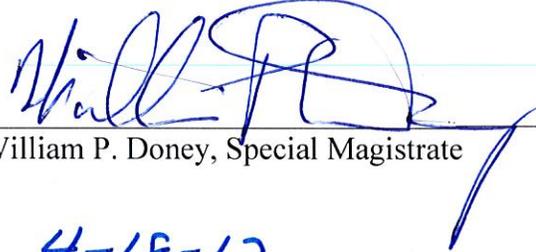
The next Special Magistrate Meeting is scheduled for April 18, 2012.

- 4. **Orders of Violation** - *None*
- 5. **Fine Reduction Hearings** - *None*
- 6. **Status Update** - *None*
- 7. **Adjournment**

The meeting was adjourned at 10:25 a.m.



Stephen Hainline, Office Coordinator



William P. Doney, Special Magistrate

SEAL

4-18-12
Date Signed