

CODE ENFORCEMENT HEARING

City Commission Chambers

175 West Warren Avenue

Longwood, FL 32750

August 25, 2022

9:00 A.M.

Present: Amy Goodblatt, Special Magistrate
J. Giffin Chumley, City Attorney

Also Present: Brittany Kidd Gelm, Code Compliance Officer

1. CALL MEETING TO ORDER:

Special Magistrate Amy Goodblatt called the meeting to order at 9:00 a.m.

2. APPROVAL OF THE MINUTES FROM THE July 28, 2022 HEARING:

Special Magistrate Goodblatt approved Minutes from the July 28, 2022 meeting.

3. SPECIAL MAGISTRATE GOODBLATT'S EXPLANATION OF PROCEEDINGS:

Special Magistrate Goodblatt explained the hearing process for the attendees.

4. ROLL CALL OF SCHEDULED CASES:

Special Magistrate Goodblatt did a roll call of the scheduled cases to determine which Respondents were present.

5. SWEARING IN OF ALL WITNESSES:

Special Magistrate Goodblatt swore in all witnesses.

6. PUBLIC HEARINGS:

A. CEH 22-08-1801 CC, Chapter 38 Section 38-61 Loud & Unnecessary Noise
Longwood Lakes LTD c/o Longwood Lakes – P/O
Shotski's Bar - Tenant
664 S US HWY 1792
Longwood, FL 32750

CEO Gelm introduced herself and presented a Cost Recovery document to the Special Magistrate. Respondent Property Manager Dottie Drake of Quest Management and Respondent Shotski's Managers Shenika Mitchell and William (Vince) Harper were present.

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CEO Gelm stated that this property is in violation of CC, Chapter 38 Section 38-61 Loud & Unnecessary Noise due to loud music and bass coming from the business disturbing the residential neighbors. This was the 4th case for this same violation at this property.

A Notice of Violation was issued on 7/29/22 by Corporal Little of the Longwood Police Department and given to the business. The NOV was mailed via certified mail to the property owner on 8/1/22. On 8/8/22 the NOV was mailed via First Class Mail to the property owner.

A Notice of Hearing was issued on 8/8/22 and mailed via certified mail to the property owner. The NOH was mailed via First Class to the property owner and business as well as posted at Longwood City Hall and the business. This was all done on the same day due to CEO Gelm being out of the office beginning 8/9/2022 and needing to be sure that the property owner and business were served properly.

The Respondents, Property Owners and Tenants provided the following testimony: William (Vince) Harper, the business manager, testified that the police frequently visit the bar due to noise. The business uses a decibel meter which has never registered excessive levels. He played a video showing the decibel levels while the music was playing. The music cannot be heard outside the bar.

Shenika Mitchell, the night time business manager, testified that she uses the decibel meter for sound checks. She never has received a complaint but the police come to the business on Fridays. The DJ works at Full Sail and calibrates the decibel meter and understands the music level must be low. The cameras at the property shows people driving by playing loud music.

Patricia Denault testified as a neighbor to the business. The individual that complains about the music level also complained about her playing loud music. She has lived in the neighborhood for years and has never heard the music. She spoke with Longwood Police Officers on one occasion who advised her that if this were the volume of the music then there would not be a violation.

Dottie Drake, property manager for the property owner, testified that this business has been a great tenant since 2012. Other than the music complaints, she has no issues with the business. The business has signed a new lease in which it states that the business must comply with City Ordinances.

Ryan Ludlow, who is the manager of the Wendy's near the business, testified he works until 2:00am and has never heard loud music from this business.

Special Magistrate made inquiry of the Code Compliance Officer, the Respondents and their witnesses.

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The Special Magistrate made her findings, that loud music was continuously heard by residents and by the police outside of the cited property. This is the 4th time this violation was observed by Longwood PD. No additional violations have occurred since July 30, 2022. Service was properly made. The Respondent has violated CC, Chapter 38 Section 38-61 Loud & Unnecessary Noise. The music must be kept at a low level that is not heard outside of the business. No Administrative Fine was imposed. If additional violations occur, \$100.00 per incident will be assessed against the Respondents jointly and severally.

7. **REPORTS-CASE UPDATES**

None.

8. **UNFINISHED BUSINESS**

None.

9. **OLD BUSINESS**

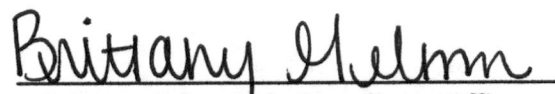
- A. Special Magistrate signed the Order to Impose for CEH 22-05-1755 in reference to 280 E Church Avenue. Respondent was not present.
- B. The Order to Impose for CEH 22-05-1761 in reference to 103 Shomate Drive was continued to the September Special Magistrate Hearing at the request of the property owner, Shawn Geddes.
- C. Special Magistrate signed the Order to Impose for CEH 22-06-1770 in reference to 225 E Warren Avenue. Respondent was not present.

10. **NEW BUSINESS**

11. **ADJOURNMENT**

Special Magistrate Goodblatt adjourned the meeting at 9:44 a.m.


Amy Goodblatt, Special Magistrate


Brittany Gelm, Code Compliance Officer