



ADMINISTRATIVE APPEAL APPLICATION

City of New Port Richey
Development Department
City Hall, 5919 Main Street, 1st Floor
New Port Richey, FL 34652
Phone (727) 853-1039 Fax (727) 853-1052

CASE # SP2022-01
DRC Date: _____
Council Date: 1/13
Date Received: 1.13.2022

*** Please print legibly or use fillable form ***

- Submit original signed and notarized application
- Submit \$500 application fee

PETITIONER AND REPRESENTATIVE INFORMATION:

Petitioner(s): Ronald Howarth

Mailing Address: 6953 Edgewater DR., NPR, FL 34652
(Street, City, State, Zip Code for all owners)

Daytime Phone Number: 727 841 8463 **Fax Number:** _____

Email or Alternate Contact Information: twthappiness@yahoo.com

Representative(s) of Petitioner(s): _____

Relationship to Petitioner(s): _____

Mailing Address: _____
(Street, City, State, Zip Code)

Daytime Phone Number: _____ **Fax Number:** _____

Email or Alternate Contact Information: _____

Who is the PRIMARY contact for this application? _____

SUBJECT PROPERTY INFORMATION:

General Location: _____

Street Address: 6602 Candice Lane

Size of Site: _____ square feet _____ acres

Legal Description: Sec 33 - Twn 25 S Range 16 E of Congress

Parcel Number(s): 33-25-16-07A-0000-0410

Existing Categories: Zoning District: _____ Land Use Category: _____

Existing Use and Size: _____
(Existing number of dwelling units or square footage of non-residential use on the property)

| | | |
|----------------------|--------------------------|-----------|
| dept: 000000 | type: 00 | drawer: 1 |
| date: 1/13/22 | receipt no: | 953 |
| CR | CLEARING ACCOUNT-GENERAL | |
| | 1.00 | \$500.00 |
| CR CASH | 105500 | \$500.00 |
| total tendered | | \$500.00 |
| total payment | | \$500.00 |
| trans. date: 1/13/22 | time: 15:16:25 | |

REQUESTED APPEAL:

I am petitioning the City of New Port Richey to consider an appeal of an administrative decision made by:

Ronald Howarth owner

(state title and/or position, i.e. Building Official, City Manager, etc.)

This decision involves (state nature of decision) ^① that the Structure does not meet the Criteria for demolition Set out in 6-185 And need not be demolished. ^② Any Repairs (if any once established) may be done.

This decision was made on 15 Dec 2021. My appeal has been submitted within 30 days from that decision.

The basis of the appeal is as follows (attach additional sheets as necessary):

due process was not the case with this notice to demolish. there are numerous flagrant irregularities. the city code was not applied in notifying me that the structure be demolished. the "Slum & Blight" criteria & policy does not comply with State Code. there are constitutional issues violated in the attempt to have my property demolished. there is also the matter of fraud in the application of a search warrant. additionally the addition was permitted when on numerous times I was issued

NOTE FOR QUASI-JUDICIAL PROCEEDINGS: Violations of bldg w/o A permit, etc.

I understand the hearing process to review this application is considered quasi-judicial and operates much like a court of law. Board and City Council members act in a similar capacity as a judge and must govern themselves in accordance with the basics of due process in making decisions. I understand that contact with any of these members about my application should be avoided. I also understand these members have been instructed to avoid all such conversations with applicants or people in opposition to or support the case. I further understand that decisions will be made based on evidence and testimony that was presented at scheduled public hearings and not on information gathered outside of these hearings.

ATTENDANCE AT MEETINGS:

The petitioner or petitioner's representative needs to be present at all meetings. Call Development Department Staff 727-853-1039 to find out when this case will be scheduled.

AUTHORIZATION FOR PETITIONER'S REPRESENTATIVE(S):

I _____, **petitioner**, hereby **authorize** _____ **to act as my representative(s)** in all matters pertaining to the processing of this application. I agree to be bound by all representations and agreements made by the designated representative.

Signature of Petitioner(s): _____

Date: _____

Subscribed and sworn to before me this _____ day of _____, 20____ who is personally known to me and/or produced _____ as identification.

STATE OF FLORIDA, COUNTY OF PASCO

Notary Public _____

My Commission Expires: _____

PETITIONER'S AFFIDAVIT:

I Ronald Howarth, **petitioner or authorized representative**, certify that I have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all aspects true and correct, to the best of my knowledge. (Applications which are filed by corporations must bear the seal of the corporation over the signature of an officer authorized to act on behalf of the corporation.)

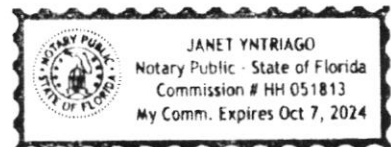
Signature of Petitioner or Authorized Representative: Ronald Howarth

Date: 13 JAN 2022

Subscribed and sworn to before me this 13th day of Jan, 2022 who is personally known to me and/or produced FL DL as identification.

STATE OF FLORIDA, COUNTY OF PASCO

Notary Public Janet Yntriago



My Commission Expires: Oct 7, 2024

Received
1.14.2022
M.L.

Attachment to Appeal on Demolition issue of 6602 Candice Lane.

When inquiring with City of New Port Richey Building Official Robert Perry who signed the demolishment order I asked of him for specifics of any issues that warranted his decision to order the demolishment.

He responded generally during the two occasions I had spoken with him. I was confronting him in an effort to find out what was specifically wrong with the structure. What I had received was a posted notice of the City's ordinance but inconclusive of any condition of the structure referencing specific violations of codes.

He said the "shed" was not permitted, When I informed him that it had been permitted he said, "It should have been permitted as a habitable addition. The city wants it torn town. That's what they pay e for." He mentioned the roof been compromised but nothing specific. He mentioned a section of the back of the mobile home. Nothing he said was specific. Both times I spoke with him he gave me little time.

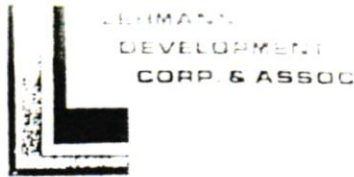
This property is a rental property. Rental guidelines are to inform a person what needs to be done citing the code violation. I had been noticed of this policy by the City. The owner is to be given an opportunity to handle issues upon an inspection with a written notice accordingly.

Often this step has been omitted as I have been issued numerous violations to pay a fine or challenge the alleged violations in Court.

With the condemnation the city had not applied their policy with obtaining a permit to enter the premises. Peculiarly he tenants were forced to vacate immediately!

I do not know what permits for repairs should have been issued, if any, but I am desiring to make any and all needed repairs and/or improvements employing a licensed contractor for permitting.

I maintain the property. I had a patch on the ceiling that may have been how it is he thought there was a roof issue. There was a section hardy board attached rear of the trailer of which may have made it appear that there was a problem with the structure.



Received 1.14.2022
W. L. Lehmann

Ms Debbie L. Manns

My name is John W. Lehmann, I am a State Certified General Contractor, CGC028728 in the State Of Florida for 50 years. I have attended many Code Violation meetings throughout Florida. I met Mr. Howarth in November 2021 while inspecting his property at 6812 Garden Dr. New Port Richey. I was invited to attend an appeal meeting to determine whether the structure was to be demolished or given proper consideration to repair. The repair was denied due to the evaluation of the property and the 50% FEMA regulation. As I was getting a permit to demolish the rental building on 6812 Garden Dr., Mr. Howarth notified me that he just received a similar notice on another of his properties at 6602 Candice Lane, New Port Richey. This violation claimed THAT THIS PROPERTY WAS A SLUM OR BLIGHTED STRUCTURE, which under your code of ordinances, meets the criteria for demolition. I have sent pictures of this structure to my colleagues throughout the state for clarification as to SLUM OR BLIGHTED. I am also asking you or a representative to visit this property to see what I am inspecting.

Sincerely,

John W. Lehmann

Lehmann Development Corp

John W. Lehmann
1/12/2022