

**QUASI-JUDICIAL HEARING PROCEDURES**  
**CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS**  
**FEBRUARY 2, 2023**

Copies of these procedures are available near the podium. The following item(s) shall be heard as a Quasi-Judicial Hearing:

**Case 22-241**  
**Terry and Marilyn Eby**  
**54520 Jonas Drive**  
**Callahan, Florida 32011**

A Quasi-Judicial Hearing is less formal than a court hearing, and the strict rules of evidence do not apply.

The alleged violator is entitled to be represented by counsel; if you desire a continuance to obtain counsel, please come forward to make that request now.

The hearing procedures are as follows:

1. The Building Department Staff will be sworn in to present evidence as to the alleged violation. The Building Department Staff shall have ten (10) minutes to present evidence. He/She may present witnesses, if any, and shall have an additional five (5) minutes if there are witnesses. The Building Department Staff shall have five (5) minutes to provide final comments to the Board.
2. The alleged violator will be sworn in and may present evidence addressing the Building Department Staff's evidence and/or present any mitigating circumstances. The alleged violator shall have ten (10) minutes to provide testimony. If they have witnesses, he/she shall indicate the name and address of each witness. Each witness shall have five (5) minutes. They may also call the Building Department Staff for questioning. The alleged violator shall have five (5) minutes to provide final comments to the Board.
3. Persons testifying will address the Board at the podium. Any documents or photos must be presented when testifying and will not be returned, as the evidence becomes a part of the official record. Personal attacks on witnesses, staff, or Board Members are irrelevant, and will not be tolerated.
4. Repetitious evidence or evidence that does not address the violation is irrelevant. If the chair, with assistance from the Attorney, determines that the testimony is irrelevant, the speaker will be advised to stop the presentation and present relevant evidence. Failure to adhere to these rules will cause the speaker to relinquish their time, and failure to relinquish their time may lead to removal from the Chambers by the Bailiff.

5. The Board will then close the public hearing and discuss the alleged violation. Board Members may ask questions of the Building Department Staff, the alleged violator, staff, or witnesses.
6. After closing the public hearing, the Board may then vote to continue the item to a later date. If the item is not continued, the Board will issue findings of fact based upon the evidence presented and conclusions of law.
7. If the Board finds the alleged violator to be in violation, the Board may issue an order requiring the violator to repair the building/structure; vacate the building/structure or demolish the building/structure and provide time for the violator to do so
8. Any repairs or demolition performed by a contractor directed by the County shall constitute a lien against the real or personal property of the violator. Continued noncompliance may result in foreclosure, judicial sale, and possible loss of property.
9. This meeting is being taped; therefore, there can be no applause, talking, or disruptive outbursts.
10. The Office of the County Attorney represents the Board and provides advice to the Board regarding these hearing procedures and the admissibility of evidence.
11. If you have any questions about these procedures, please come forward and ask them at this time.