

MAN DIES AFTER WINNING LONG FIGHT WITH COUNTY

BYLINE: Pat Moore, Palm Beach Post Staff Writer

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Ronald Klosset Sr. protested vehemently 5 1/2 years ago when he stood in his front yard and watched Martin County's bulldozers raze the Port Salerno home where he had lived 18 years.

During a one-day trial six weeks ago, Martin Circuit Judge Ben Bryan ruled the county illegally tore down Klosset's home July 18, 1996, by failing to give him enough notice to repair code violations. The judge ordered another trial to determine how much the county owes Klosset for improperly taking his small home at 5309 S.E. Jack Ave., unless both sides can agree on an amount to avoid having a 12-person jury make the decision.

But Klosset won't get to watch the end of this long battle with the county.

The 54-year-old man, who was recently living in a rented cottage in Jensen Beach, died Jan. 29 after suffering a heart attack while driving his truck along State Road 707.

"He wanted all his life to own a house and had this one paid off for a month, when they came and tore it down," Klosset's daughter, Susan Miller, said Friday. "That broke his heart."

Miller said she and her brothers have pledged to pursue her father's suits against the county in state and federal courts, because their father said he wasn't backing down from his fight.

"I just think they did him wrong," she said. "I'm not saying the house didn't need repair, because it did; but there were other homes in the neighborhood that were worse off at the time and they didn't go after them."

Bryan ruled in December that the county rushed to demolish the home that had a leaky roof, rickety floor and electrical and plumbing problems.

Assistant County Attorney Tish Taylor said the county's position at the trial was that the county acted reasonably after giving Klosset proper notice. "He had 30 days to begin repairs and he didn't," she said.

But the judge disagreed.

"Where you're working with people and you've got a confused situation, to say, 'By the way, we're going to knock your house down,' that's offensive to me," the judge said.

The judge said he was offended by county officials who told Klosset to "hustle around and get your personal stuff out as quickly as you can" one day before the demolition began.

Bryan also criticized the county for sending notices to Klosset's home in May 1996 giving him conflicting instructions on what to do to save his home - and sending the notices to Klosset's home when they knew he was in jail at the time, having been arrested in January of that year on a drug possession charge.

One of the county's notices stated failure to act would result in a hearing before the county's code enforcement board. The other notice gave him 30 days to begin repairs and 90 days to complete them. Klosset got no hearing before the code enforcement board and his home was bulldozed 38 days after he receive the county's notice, court records show.

"I think Martin County created its own problem, and I don't think Mr. Klosset was given due process," Bryan said.

Klosset's attorney, Mary Alice Gwynn of Boynton Beach, said her client called then-county building inspector Kevin Hempel after he got out of jail on June 7, asking for more time to make repairs to his home.

Hempel told attorneys he thought a notice of demolition was also sent to Klosset in jail. He acknowledged Klosset asked for more time to repair his home when he was released and he told him to contact the county administrator.

But Klosset told attorneys during testimony in July he didn't contact the county administrator because Hempel also told him "the house is coming down no matter what."

Klosset said he had made improvements to the home, including installing a new air conditioner, cleaning up his yard five weeks after he got out of jail and the day the bulldozer arrived.

Klosset testified he got the refrigerator and water heater out of the house before the bulldozer charged his home, but beds, mattresses and an 8-foot by 4-foot mirror in the living room were destroyed.

Taylor, the county's attorney, said she will argue at the next trial that the damage to Klosset's property was zero.

"Even the judge said that the cost of bringing that home up to code would cost more than bulldozing it and building a new one," she said.

Klosset's attorneys said after the house was torn down, they discovered that the county obtained bids from a demolition company in February 1996 - three months before the first inspection of the home.

Stuart attorney Lance Richard, who also represented Klosset in the trial, said the county got a discount rate from demolition companies if they got a contract to bulldoze more than four buildings. Klosset's home was the fifth building the county needed to get the cheaper rate, he said.

Susan Miller said her father's land on Jack Avenue will become part of his estate, but it has liens filed against it. One lien for \$18,573 is for bills he couldn't afford to pay Martin Memorial Medical Center.

Klosset testified in July he couldn't sell the property on Jack Avenue, because he couldn't pay off the lien and no contractor would build a house unless he paid off the lien.

"If Martin County didn't tear my house down, I would have had the hospital paid for," he said.

Staff researcher Monica Martinez contributed to this story.

pat_moore@pbpost.com