

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Code Enforcement Lien, Case # 95-61-CEB, Request for Reduction of Penalty –Ilene Walwyn, present owner, on behalf of Denby Ible and Dean Ible, respective previous owners, 517 Peach Tree Lane, Altamonte Springs

DEPARTMENT: Planning and Development **DIVISION:** Planning

AUTHORIZED BY: Dan Matthys **CONTACT:** April Boswell **EXT.** 7339

Agenda Date <u>1/10/06</u>	Regular <input checked="" type="checkbox"/>	Consent <input type="checkbox"/>	Work Session <input type="checkbox"/>	Briefing <input type="checkbox"/>
	Public Hearing – 1:30 <input type="checkbox"/>	Public Hearing – 7:00 <input type="checkbox"/>		

MOTION/RECOMMENDATION:

(A) Approve a reduction to the Code Enforcement Board lien from \$359,800.00 to the administrative costs of \$589.29, the cost of processing Case # 95-61-CEB—on the property located at 517 Peach Tree Lane, Altamonte Springs, Parcel I.D. 07-21-30-503-0000-0520—Ilene Walwyn, owner; require these costs to be paid within sixty (60) days or the lien will revert back to its original amount (\$359,800.00); and, upon payment in full, authorize the Chairman to execute the Satisfaction of Lien; or

(B) Approve a reduction to the Code Enforcement Board lien from \$359,800.00 to \$3,034.29—computed as \$2,445.00 + \$589.29 = \$3,034.29 [5% of the lien amount of \$48,900.00, being \$2,445.00, which accrued during the approximate time period Respondent Denby Ible owned the property; plus, administrative costs of \$589.29, the cost of processing Case # 95-61-CEB]—on the property located at 517 Peach Tree Lane, Altamonte Springs, Parcel I.D. 07-21-30-503-0000-0520—Ilene Walwyn, owner; require these costs to be paid within sixty (60) days or the lien will revert back to its original amount (\$359,800.00); and, upon payment in full, authorize the Chairman to execute the Satisfaction of Lien; or

(C) Approve a reduction to the Code Enforcement Board lien which totals \$359,800.00, on the property located at 517 Peach Tree Lane, Altamonte Springs, Case # 95-61-CEB, to an amount set by the Board of County Commissioners and require the reduced amount to be paid within 60 days or the lien will revert back to its original amount (\$359,800.00); and, upon payment in full, authorize the Chairman to execute the Satisfaction of Lien; or

Reviewed by:	
Co Atty:	<u>KL</u>
DFS:	
Other:	<u>TW</u>
DCM:	<u>[Signature]</u>
CM:	<u>[Signature]</u>
File No.	<u>rpdp01</u>

Motion/Recommendation – cont'd on next page

(D) Approve a waiver of the Code Enforcement Board lien which totals \$359,800.00 on the property located at 517 Peach Tree Lane, Case # 95-61-CEB, and authorize the Chairman to execute the Satisfaction of Lien; or

(E) Deny the request to waive or reduce the Code Enforcement Board lien which totals \$359,800.00 on the property located at 517 Peach Tree Lane, Altamonte Springs, Case # 95-61-CEB.

Commissioner Henley-- District 4

April Boswell – Assistant Planning Manager

BACKGROUND:

On March 17, 1995, the Code Enforcement Officer observed the following violation located at 517 Peach Tree Lane, Altamonte Springs (Parcel I.D. 07-21-30-503-0000-0520): Trucks marked "Denby Haul It All," having a load limit of more than two (2) tons or more than two (2) axles, parked in a residentially zoned area, in violation of Seminole County Land Development Code, Section 30.1350. The timeline on this violation is below:

DATE	ACTION	RESULT
March 23, 1995, May 16, 1995	Notices of Violation issued to Respondent	Violation remains
June 12, 1995	Reinspection for compliance	Violation remains
July 11, 1995	Notice of Hearing mailed to Respondent via CERTIFIED MAIL/RETURN RECEIPT REQUESTED	Returned CERTIFIED MAIL/RETURN RECEIPT card indicates only date of delivery, without a signature
July 27, 1995	Code Board Hearing	Order entered giving Respondent compliance date of August 28, 1995 --if the violation was not corrected, a fine of \$100.00 per day would be imposed for each day the violation continued (Attendance of Respondent at hearing not verifiable)
August 7, 1995	Findings of Fact and Conclusions of Law mailed to Respondent via CERTIFIED MAIL/RETURN RECEIPT REQUESTED	Returned CERTIFIED MAIL/RETURN RECEIPT card indicates date of delivery and signature receipt by Respondent, Denby Ible
August 28, 1995	Reinspection for compliance	Violation remains—Affidavit of Non-Compliance filed by Code Officer
August 12, 1996	Notice of Hearing mailed to Respondent via CERTIFIED MAIL/RETURN RECEIPT REQUESTED	Returned CERTIFIED MAIL/RETURN RECEIPT card indicates date of delivery and signature receipt by E. Walwyn
August 22, 1996	Code Board hearing	Lien imposed in the amount of \$35,800.00, with the fine continuing to accrue (Attendance of Respondent at hearing not verifiable)
August 30, 1996	Copy of Order Imposing Penalty/Lien mailed to Respondent via CERTIFIED MAIL/RETURN RECEIPT REQUESTED	CERTIFIED MAIL/RETURN RECEIPT card not returned

July 7, 2005	Reinspection for Compliance (at request of Staff)	Violation corrected – Affidavit of Compliance filed by Code Officer															
July 7, 2005	Property in non-compliance for the period August 28, 1995 to July 6, 2005	<p>Lien accrued to \$359,800.00 (3,598 days @ \$100 per day)</p> <p><i>Approximate violation period during ownership by Respondent Denby Ible, and accrued daily fine:</i></p> <table border="1"> <tr> <td>8/28/95–08/22/96 35,800.00</td> <td rowspan="2"> →</td> <td rowspan="2">48,900.00</td> </tr> <tr> <td>8/23/96–12/31/96 13,100.00</td> </tr> </table> <p><i>Remainder of violation period and accrued daily fine:</i></p> <table border="1"> <tr> <td>1/01/97–12/31/97 36,500.00</td> <td rowspan="9"> →</td> <td rowspan="9">310,900.00</td> </tr> <tr> <td>1/01/98–12/31/98 36,500.00</td> </tr> <tr> <td>1/01/99–12/31/99 36,500.00</td> </tr> <tr> <td>1/01/00–12/31/00 36,600.00</td> </tr> <tr> <td>1/01/01–12/31/01 36,500.00</td> </tr> <tr> <td>1/01/02–12/31/02 36,500.00</td> </tr> <tr> <td>1/01/03–12/31/03 36,500.00</td> </tr> <tr> <td>1/01/04–12/31/04 36,600.00</td> </tr> <tr> <td>1/01/05–07/06/05 18,700.00</td> </tr> </table>	8/28/95–08/22/96 35,800.00	→	48,900.00	8/23/96–12/31/96 13,100.00	1/01/97–12/31/97 36,500.00	→	310,900.00	1/01/98–12/31/98 36,500.00	1/01/99–12/31/99 36,500.00	1/01/00–12/31/00 36,600.00	1/01/01–12/31/01 36,500.00	1/01/02–12/31/02 36,500.00	1/01/03–12/31/03 36,500.00	1/01/04–12/31/04 36,600.00	1/01/05–07/06/05 18,700.00
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September 30, 2005	Request for Reduction of Penalty	Received from Dean Ible, brother of Respondent Denby Ible, stating he and his mother, Ilene Walwyn, purchased the property from his brother, Respondent Denby Ible, in February 1997. The request stated they were not aware of a lien against the property; there was never a truck on the property since they lived there; that Dean Ible sold (his interest in) the property to his mother, Ilene Walwyn, in April 1999; that Dean Ible only learned of the lien against the property recently when Ilene Walwyn tried to obtain a mortgage; that Ilene Walwyn cannot possibly pay the lien; that she needs to get a loan, and the lien is more than the house is worth															

The Board considers the individual facts of each case when determining whether to reduce a lien. In addition, the Board adopted the following guidelines on February 9, 1999 to use when considering lien reductions:

1. If an individual has acquired a property in which the lien was recorded and the individual bought the property with this knowledge, a waiver or reduction in lien should not be granted. In such cases, the lien should have been considered in reaching a purchase price.
2. If a lien is not considered when a title insurance policy is issued, a reduction of the lien to provide relief to a title insurer should not be granted. To do so would place the County in the position indemnifying an insurance company against its losses, which are reflected in premium charges.
3. If a lien has previously been reduced, and another request is received for a lien reduction, whether from the original property owner or a new owner, a reduction or waiver should not be granted. If the BCC grants relief to a violator, its action should be final and conclusive.

4. When considering a request and in developing a recommendation to the BCC, staff should evaluate the amount of the lien compared to the value of the property and the actions the violator did or did not take in attempting to resolve the code violation. Per Property Appraiser information, the assessed value of the property is **\$61,026.00**. The lien totals **\$359,800.00**.
5. When liens are satisfied as a result of either full payment or reduced/eliminated payment as directed by the BCC, the lien satisfaction instrument will be provided to the property owner who shall be responsible for recording the instrument in the land records.

STAFF RECOMMENDATION:

Staff recommends that the Board approve a reduction of the lien on the property located at 517 Peach Tree Lane, Altamonte Springs, from \$359,800.00 to the administrative costs of \$589.29, the cost of processing Case # 95-61-CEB, based on the following facts:

- (1) The property is presently in compliance.
- (2) Dean Ible, brother to Respondent Denby Ible, and previous co-owner with Ilene Wawlyn, current owner-of-record, claims no knowledge of the violation or lien imposed.
- (3) Staff believes that Respondent Denby Ible was aware of the code violation in 1996 but did not contact the County to verify compliance as ordered in the Findings of Fact and Conclusions of Law dated July 27, 1995 and as further ordered in the Order Imposing Penalty/Lien dated August 22, 1996.
- (4) Ilene Wawlyn, owner-of-record, claims financial hardship.
- (5) Ilene Wawlyn, owner-of-record, desires to obtain mortgage/loan and cannot do so without satisfying the lien.

Staff further recommends that this amount—\$589.29—be paid within sixty (60) days or the fine will revert back to the original lien in the amount of \$359,800.00.

Attachments: Statement of Violation and Request for Hearing (6/27/95)
 Notice of Hearing and Board Letter (7/11/95)
 Findings of Fact and Conclusions of Law (7/27/95)
 Affidavit of Non-Compliance (8/29/95)
 Notice of Hearing (8/12/96)
 Order Imposing Penalty/Lien (8/22/96)
 Affidavit of Compliance (7/7/05)
 Request for Reduction of Penalty (9/30/05)
 Property Appraiser Database Information (11/16/05)
 Estimate of Costs for processing case (Planning Division and SCSO)
 (11/18/05)
 Estimated Costs for processing case (SCSO) (11/15/05)

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
subdivision of the State of Florida,

Petitioner,

vs. DENBY IBLE

95-61-CEB

Respondent.

STATEMENT OF VIOLATION
AND
REQUEST FOR HEARING

Pursuant to Chapter 162, Florida Statutes, and Chapter 53 Seminole County Code, the undersigned Code Inspector hereby gives notice of an uncorrected violation of the Codes or Ordinances of Seminole County, as more particularly described herein, and hereby requests a public hearing before the Board and appropriate Orders (and fines associated therewith) directing the Respondent(s) to come into compliance with the Codes or Ordinances being violated.

1. Violation of Code or Ordinance, Section or Number: SEMINOLE COUNTY LAND DEVELOPMENT CODE ORDINANCE 80-35 CHAPTER 30 SECTION 30.1350.

2. Location/address where violation exists: SECTION 07 TOWNSHIP 21 RANGE 30 517 PEACHTREE LN/LEG LOT 52 GRANADA SOUTH PB 15 PG 100 DISTRICT 4.

3. Name and address of owner/person in charge of location where violation exists: DENBY IBLE
517 PEACHTREE LN
ALTAMONTE SPRINGS FL 32701

4. Description of violation: A TRUCK HAVING A LOAD LIMIT OF MORE THAN TWO (2) TONS OR MORE THAN TWO (2) AXLES IS PARKED IN A RESIDENTIALLY ZONED AREA.

5. Date violation first observed: MARCH 17, 1995.

6. Date owner/person in charge given notice of violation (attach copy): MARCH 23, 1995 AND MAY 16, 1995.

7. Date on/by which violation was to be corrected: MAY 26, 1995.

8. Date of reinspection: JUNE 12, 1995.

9. Results of reinspection: TWO (2) TRUCKS PRESENT. "DENBY HAUL IT ALL" ON TRUCKS.

Based upon the foregoing, the undersigned Code Inspector hereby certifies that the above-described violation continues to exist, that attempts to secure compliance with the Code(s) or Ordinance(s) of Seminole County have failed as aforesaid, and that the violation should be referred to the Code Enforcement Board for a public hearing.

DATED this 27th day of JUNE 1995.

PAMELA TAYLOR
Typed or Printed Name of Code Inspector

Pamela Taylor
Signature of Code Inspector
CURRENT PLANNING DIVISION

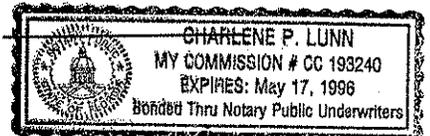
STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 27th day of JUNE 1995, by PAMELA TAYLOR, who is personally known to me and who did take an oath.

Charlene P. Lunn
Print Name: CHARLENE P. LUNN
Notary Public in and for the County
and State Aforementioned

My commission expires:

STATEMNT.CEB



Seminole County Government

Code Enforcement Board 1101 East First Street Sanford, Florida 32771-1468 Telephone (407) 321-1130 Extension 7461 FAX 324-4816

July 11, 1995

CERTIFIED MAIL

Denby Ible
517 Peachtree Ln
Altamonte Springs FL 32701

RE: Case No. 95-61-CEB

Dear Mr. Ible:

The Seminole County Code Enforcement Board was created by Chapter 53 of the Seminole County Code as authorized by Chapter 162, Florida Statutes. The purpose of this Board is to facilitate the enforcement of the codes in force in Seminole County by means of a board composed of seven citizens who can quickly and fairly reach decisions concerning alleged violations of these codes.

Seminole County has requested that you be called before this Board to determine whether you are in violation of its codes as alleged in the enclosed Statement of Violation and Request for Hearing. A Notice of Hearing is also enclosed setting forth the time, date and place of the public hearing.

You may appear at the hearing in person or you may be represented by counsel to present your side of the case. You have the right to call witnesses on your behalf and will have an opportunity to cross-examine all other witnesses. If you do not appear, the Board may proceed without you. Should the Board determine that a violation exists, it has the power to issue orders to take whatever steps are necessary to bring a violation into compliance, including the power to fine you and create a lien on your property up to two hundred fifty dollars (\$250.00) for each day the violation continues past the date set for compliance by the Board's order.

Any inquiries concerning this matter may be made by calling (407) 321-1130, extension 7461, in Sanford, Seminole County, Florida.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

Marcia L. Fuller

Marcia L. Fuller

Enclosures: Notice of Hearing
 Statement of Violation and Request for Hearing

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**CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

Case No. 95-61-CEB

**SEMINOLE COUNTY, a political
subdivision of the State of Florida**

Petitioner,

vs.

DENBY IBLE,

Respondent.

NOTICE OF HEARING

To: Denby Ible
517 Peachtree Ln
Altamonte Springs FL 32701

Pursuant to Chapter 53, Seminole County Code, you are hereby called upon to take notice that a public hearing will be conducted in the above-styled cause by the Code Enforcement Board of the 27th day of July, 1995, at 1:30 p.m. in Room 1028, Seminole County Services Building, 1101 East First Street, Sanford, Florida. The Board will receive testimony and evidence at said public hearing and shall make such findings of fact as are supported by the testimony and evidence pertaining to the matters alleged in the Statement of Violation and Request for Hearing. If, prior to the hearing you should come into compliance with the County Code provisions that you are alleged to be violating, but the violation recurs prior to the hearing or, if the violation is not corrected by the time specified for correction by the code inspector, the public hearing will be held pertaining to the allegations against you.

If a persons desires to appeal any decision with respect to any matter considered at this meeting, such person ill need a record of the proceedings and that, for this purpose, such persons may need to ensure that a verbatim record of the proceeding(s) is made which includes the testimony and evidence upon which the appeal is to be based. Persons with disabilities needing to participate

in any of these proceedings should contact the Employee Relations Department, Americans With Disabilities Coordinator, 48 hours in advance of the meeting at (407) 321-1130, Extension 7941.

PLEASE GOVERN YOURSELF ACCORDINGLY.

**CLERK TO THE CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

By: Marcia L. Fuller
Marcia L. Fuller, Clerk

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

Case No. 95-61-CEB

SEMINOLE COUNTY, a political
subdivision of the State of Florida,

Petitioner,

vs.

DENBY IBLE,

Respondent.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Based on the testimony and evidence presented in case no. 95-61-CEB, I move to find that the Board's findings are as follows:

- a. The Respondent is the record owner of the property;
- b. The property is zoned residential; and;
- c. A truck with a load limit in excess of two tons or with more than two axles is parked on the subject property.

I move that the previously described findings constitute a violation of Section 30.1350, Land Development Code of Seminole County.

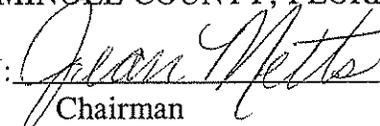
I further move to enter an order that the Respondent correct the Violation on or before August 28, 1995. In order to correct the violation, the Respondent shall take:

- a. the remedial action as set forth in the statement of violation, a copy of which will be attached to the written order herein.

If the Respondent does not comply with this Order by August 28, 1995, a fine of \$100.00 will be imposed for each day the violation continues past that date, or is repeated after compliance. The Respondent is further ordered to contact the code inspector to arrange for an inspection of the property to verify compliance. Any fine imposed hereunder shall continue until such time as the code inspector inspects the property and establishes the date of compliance.

DONE AND ORDERED this 27th day of July, 1995, in Sanford, Seminole County, Florida.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

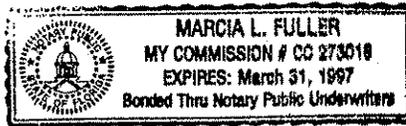
BY: 
Chairman

**Findings of Fact, Conclusion of Law and Order
95-61-CEB**

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 7th day of August, 1995, by Jean Metts, who is personally known to me and who did not take an oath.

Marcia L. Fuller
Marcia L. Fuller
Notary Public in and for the
County and State aforementioned.



My Commission expires:

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Findings of Fact, Conclusions of Law and Order has been furnished by Certified Mail, Return Receipt Requested, to Respondent this 7th day of August, 1995.

By: Marcia L. Fuller
Clerk to the Board

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
subdivision of the State of
Florida,

Petitioner,

vs.

CASE NO 95-61-CEB

DENBY IBLE

Respondent.

AFFIDAVIT OF NON-COMPLIANCE

BEFORE ME, the undersigned authority, personally appeared
PAMELA TAYLOR, Code Inspector for
CURRENT PLANNING, who, after being duly sworn,
deposes and says:

1. That on JULY 27, 1995, the Board held a public hearing and issued its Order in the above-styled matter.
2. That, pursuant to said Order, Respondent was to have taken certain corrective action by or before AUGUST 28, 1995.
3. That a re-inspection was performed on AUGUST 28, 1995.
4. That the re-inspection revealed that the corrective action ordered by the Board has not been taken in that the trucks having a load limit of more than two (2) tons or more than two (2) axles was parked in a residentially zoned area at the time of the inspection.

FURTHER AFFIANT SAYETH NOT.

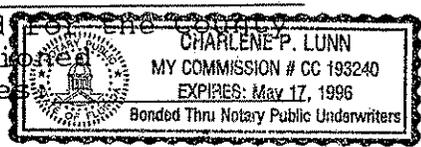
DATED this 29th day of AUGUST, 1995.

Pamela Taylor
Signature of Code Inspector

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 29th day of AUGUST, 1995, by Pamela Taylor, who is personally known to me ~~or who has produced~~ as identification and who did take an oath.

Charlene P. Lunn
Print Name
Notary Public in and for the State of Florida
and State Aforementioned
My commission expires



CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political subdivision
of the State of Florida,

CASE NO. 95-61-CEB

Petitioner,

vs.

DENBY IBLE,

Respondent.

NOTICE OF HEARING

To: Denby Ible
517 Peachtree Lane
Altamonte Springs, FL 32701

NOTICE is hereby given that the Code Enforcement Board of Seminole County, Florida, intends to hold a public hearing at 1:30 PM, or as soon thereafter as possible, at its regular meeting on Thursday, the 22nd of August 1996, at the Seminole County Services Building, BCC Chambers, 1101 East First Street, Sanford, Florida, to consider whether a violation of the Codes or Ordinances of Seminole County exists on the above-named party's property, specifically:

A truck with a load limit in excess of two tons or with more than two axles in parked at Lot 52, Granada South. (District 4)

FOR ADDITIONAL INFORMATION REGARDING THIS NOTICE, PLEASE CONTACT (407) 321-1130, EXTENSION 7461. PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE EMPLOYEE RELATIONS DEPARTMENT ADA COORDINATOR 48 HOURS IN ADVANCE OF THE MEETING AT 321-1130, EXTENSION 7941.

PERSONS ARE ADVISED THAT IF THEY DECIDE TO APPEAL ANY DECISIONS MADE AT THESE MEETINGS/HEARINGS, THEY WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, THEY MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED, PER SECTION 285.0105.

DATED this 12th day of August, 1996.

Marcia L. Fuller
Clerk to the Code Enforcement Board
Seminole County, Florida

Marcia L. Fuller

883461

96 AUG 30 AM 8:00

**CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

SEMINOLE COUNTY, a political
subdivision of the State of Florida,

Case No. 95-61-CEB

Petitioner,

vs.

DENBY IBLE,

Respondent.

OFFICIAL RECORDS
BOOK PAGE
3122 1695
SEMINOLE CO. FL

ORDER IMPOSING PENALTY/LIEN

THIS CAUSE came on for public hearing before the Board on the 27th day of July, 1995, after due notice to Respondent. The Board, having heard testimony under oath, and received evidence, issued its Findings of Fact, Conclusions of Law, and Order.

Said Order required Respondent to take certain corrective action by a time certain, as more specifically set forth in that Order.

An Affidavit of Non-Compliance bearing the date of August 29, 1995, has been filed with the Board by the Code Inspector, which Affidavit certified under oath that the required corrective action has not been taken as ordered.

Accordingly, it having been brought to the Board's attention that Respondent has not complied with the Order dated July 27, 1995, and a fine of THIRTY FIVE THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS (\$35,800.00) having accrued, it is hereby

ORDERED that a lien in the amount of THIRTY FIVE THOUSAND EIGHT HUNDRED AND NO/00 (\$35,800.00) shall be recorded in the Official Records of Seminole County. The fine shall continue to accrue and shall constitute a lien in favor of Seminole County against the following described property (pursuant to Section 162.09, Florida Statutes) in the amount of the accumulated fine:

Section 7, Township 21S, Range 30E, Lot 52, Granada South, Plat Book 15, Page 100,
Official Records of Seminole County, Florida.

FURTHER ORDERED that, pursuant to Section 162.09, Florida Statutes, if compliance is subsequently attained, but the violation is repeated, an Order may be issued by the Board without a hearing.

DONE AND ORDERED this 22nd day of August, 1996, in Sanford, Seminole County, Florida.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

By Jean Metts
Chairman

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 30th day of August, 1996, by Jean Metts who is personally known to me and who did not take an oath.

Marcia L Fuller
Marcia L Fuller
Notary Public in and for the County
and State Aforementioned.



OFFICIAL RECORDS
BOOK PAGE
3122 1696
SEMINOLE CO. FL

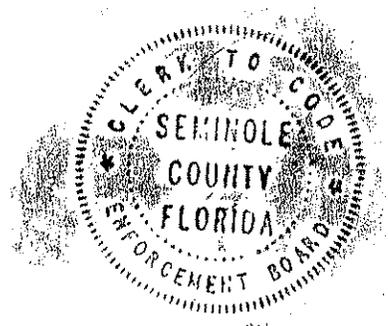
My Commission Expires: _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Order Imposing Penalty/Lien has been furnished by Certified Mail, Return Receipt Requested, to Respondent this 30th day of August, 1996.

By Marcia L Fuller
Clerk to the Board

Lien.CEB



SEMINOLE COUNTY
CEB CASE NO. 95-61-CEB

REQUEST FOR REDUCTION OF PENALTY

BY COMPLETING THIS FORM, YOU ARE MAKING STATEMENTS
UNDER OATH

INSTRUCTIONS: Please fill in both sides of this form completely. Be specific when writing your statement. Please return this form to the Secretary of the Code Enforcement Board. The Petition will then be presented at the next regularly scheduled meeting and you will be notified in writing of the Board's decision within 10 days after the hearing. If you are claiming medical or financial hardship, attach supporting documentation (i.e., a doctor's statement or proof of income). If you have any questions, please call the Secretary at 407-665-7403.

Property Owner's Name ILENE WALWYN

Property Address 517 Peachtree Lane, Altamonte Springs, FL

Phone number where you can be reached during the day (407) 834-0090
(My Attorney: Charles W. Price, Esq.)

Is the property now in compliance? XX Yes _____ No (If no, explain in detail)

Are you claiming a financial hardship? XX Yes _____ No

Are you claiming a medical hardship? _____ Yes XX No

If the property owner is unable to complete this form, list the name of the person who is authorized to act for the Property Owner and their relationship to the Property Owner:

DEAN IBLE, son

CHARLES W. PRICE, ESQUIRE

I, DEAN IBLE, do hereby submit this Petition in request for a reduction in the total amount of penalty imposed and in support, offer the following statement:

PLEASE SEE ATTACHED

Date: 09/30/05

Signed: Dean Ible

Print Name: DEAN IBLE

517 Peach Tree Lane
Altamonte Springs, FL 32701

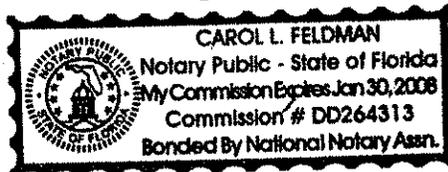
State of Florida
County of Seminole

PERSONALLY appeared before me, the undersigned authority duly authorized to administer oaths and take acknowledgments, DEAN IBLE, who first being duly sworn, acknowledged before me that the information contained herein is true and correct. He/she is not personally known to me and has produced FL Driver License as identification and did take an oath. 140-64-66-453-0

Date: 09/30/05

Carol L. Feldman

Notary Public CAROL L. FELDMAN
My Commission Expires:



On February 20, 1997, my mother, Ilene Walwyn and I purchased the house located at 517 Peachtree Lane, Altamonte Springs, Florida, from my brother, Denby Ible. At that time, there was not a truck on the property. In addition, my mother and I were not aware of any fine or lien against the property.

On April 20, 1999, I sold the house to my mother who now currently owns the house. During the whole time that my mother and I have been in the house there was never a truck in the yard.

We first became aware of the lien against the house several months ago when my mother tried to obtain a mortgage against the property. The mortgage broker told us that the amount of the lien is more than the house is worth.

My mother cannot possibly pay this fine and really needs to get a loan against the property. We ask that you eliminate the lien because we can't afford to pay it and because we didn't know about it in the first place.

PARCEL DETAIL DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508		<table border="1"> <tr><td>78</td><td>77</td><td>76</td><td>75</td><td>74</td><td>73</td><td>72</td><td>71</td></tr> <tr><td>63</td><td>64</td><td>65</td><td>66</td><td>67</td><td>68</td><td>69</td><td>70</td></tr> <tr><td colspan="8">PEACH TREE LN</td></tr> <tr><td>58</td><td>57</td><td>56</td><td>55</td><td>54</td><td>53</td><td>52</td><td>51</td></tr> <tr><td>43</td><td>44</td><td>45</td><td>46</td><td>47</td><td>48</td><td>49</td><td>50</td></tr> <tr><td colspan="8">BASEWOOD LN</td></tr> <tr><td>38</td><td>37</td><td>36</td><td>35</td><td>34</td><td>33</td><td>32</td><td>31</td></tr> </table>	78	77	76	75	74	73	72	71	63	64	65	66	67	68	69	70	PEACH TREE LN								58	57	56	55	54	53	52	51	43	44	45	46	47	48	49	50	BASEWOOD LN								38	37	36	35	34	33	32	31	<table border="1"> <tr><td>94</td></tr> <tr><td>95</td></tr> <tr><td>96</td></tr> <tr><td>97</td></tr> <tr><td>98</td></tr> <tr><td>99</td></tr> <tr><td>100</td></tr> <tr><td>101</td></tr> <tr><td>102</td></tr> </table>	94	95	96	97	98	99	100	101	102	
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GENERAL Parcel Id: 07-21-30-503-0000-0520 Owner: WALWYN ILENE Mailing Address: 517 PEACH TREE LN City,State,ZipCode: ALTAMONTE SPRINGS FL 32701 Property Address: 517 PEACH TREE LN ALTAMONTE SPRINGS 32701 Subdivision Name: GRANADA SOUTH Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD Dor: 01-SINGLE FAMILY		2006 WORKING VALUE SUMMARY Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$51,951 Depreciated EXFT Value: \$288 Land Value (Market): \$12,000 Land Value Ag: \$0 Just/Market Value: \$64,239 Assessed Value (SOH): \$61,026 Exempt Value: \$25,000 Taxable Value: \$36,026 Tax Estimator																																																																			
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NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.																																																																					

**Estimate of Costs
CEB Case # 95-61-CEB
IBLE**

<u>Postage</u>				
Regular	5	\$.37	\$ 1.85	
Certified	5	\$ 4.42	\$22.10	
				\$ 23.95
<u>Processing Time for Code Enforcement and BCC Action</u>				
Code Board Secretary	2 hours	\$ 12.50	\$ 25.00	
Code Board Attorney	1 hour	\$100.00	\$100.00	
Planning Manager's Review	1 hour	\$ 40.00	\$ 40.00	
Planning and Development Director's Review	1 hour	\$ 50.00	\$ 50.00	
Deputy County Manager's Review	1 hour	\$ 60.00	\$ 60.00	
County Attorney's Review	1 hour	\$100.00	\$100.00	
				\$375.00
Other associated costs not captured: Fleet expense, Phone expense, Utilities, Computer Support				
Costs for Recording Documents -				
# of first page docs - 2 # of additional page docs - 1				\$ 28.50
(\$10.00 first page, \$8.50 each additional page)				
<u>ESTIMATED COST FOR PROCESSING CASE # 95-61-CEB By the Planning Division</u>				\$427.45
<u>ESTIMATED COST FOR PROCESSING CASE # 95-61-CEB By the Seminole County Sheriff's Office</u>				\$161.84
<u>TOTAL COST FOR PROCESSING CASE # 95-61-CEB</u>				\$589.29

