

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Code Enforcement Lien – Mark S. Craig, Respondent, Respondent, Case # 99-41A-CEB and 99-61A-CEB, Parcel # 28-21-32-501-0D00-0120, 825 Nocturne Drive, Chuluota, Seminole County

DEPARTMENT: Planning & Development **DIVISION:** Planning / Code Enforcement

AUTHORIZED BY: Sally Sherman **CONTACT:** Deborah Leigh **EXT.** 7487

Agenda Date	<u>02-25-03</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 the request to rescind the Code Enforcement Board lien on case number 99-41A-CEB in the amount of \$10,500.00 and on case number 99-61A-CEB in the amount of \$42,750.00 on the property located at 825 Nocturne Drive, Lot 12, Blk D, Lake Mills Shores, PB 11, Pg. 14, in Chuluota, and authorize the Chairman to sign and execute the satisfaction of lien; or

(B) Approve a reduction of the Code Enforcement Board lien on case numbers 99-41A-CEB and 99-61A-CEB on the property located at 825 Nocturne Drive, Lot 12, Blk D, Lake Mills Shores, PB 11, Pg. 14, in Chuluota, and upon payment in full, authorize the Chairman to sign and execute the satisfaction of lien; or

(C) Approve a reduction to the Code Enforcement Board lien from the total of \$53,250.00 to the estimated administrative costs of \$729.36 for processing case numbers 99-41A-CEB and 99-61A-CEB, located at 825 Nocturne Drive, Lot 12, Blk D, Lake Mills Shores, PB 11, Pg. 14, in Chuluota, and upon payment in full, authorize the Chairman to sign and execute the satisfaction of lien; or

(D) Deny the request to rescind or reduce the Code Enforcement Board liens on case numbers 99-41A-CEB and 99-61A-CEB on the property located at 825 Nocturne Drive, Lot 12, Blk D, Lake Mills Shores, PB 11, Pg. 14, in Chuluota

District 1 – Maloy (Deborah Leigh-Code Enforcement)

BACKGROUND:

On May 30, 1997, the Code Enforcement Office received a complaint of a garage being constructed on property located at 825 Nocturne Dr., Chuluota. On June 5, 1997 a permit was issued and the complaint was closed. On August 3, 1998 a complaint was received in reference to the permit being expired and construction continuing, along with junk

Reviewed by:
Co Atty: <u>SK</u>
DFS:
Other: <u>MMW</u>
DCM: <u>SS</u>
CM: <u>DL</u>
File No: <u>rpdp01</u>

vehicles and uncultivated vegetation. An inspection revealed several vehicles that were operable and no uncultivated violation. The building permit for the garage had expired and a notice of violation was sent to the owner by the Building Department.

On December 1, 1998 an additional complaint was received from the Sheriff's Office in reference to an auto body shop operating from the site. An inspection revealed the vehicles were owned by the occupant and the case was closed.

On June 24, 1999 another complaint was received concerning the repair of vehicles being conducted on the site. The Code Enforcement Office began to monitor the site on a regular basis, taking pictures and documenting the turnover of vehicles.

A notice of violation was issued on April 13, 1999 for use of the unpermitted garage and on July 15, 1999 for the operation of a business or an extension of a business on the residential property not being a permitted use and junked/inoperable vehicles.

Request for Hearings was filed with the Clerk to the Code Enforcement Board on April 30, 1999 for the garage under construction without a valid permit and on July 30, 1999 for the junked/inoperable vehicles and operation or extension of a business.

Notice of these hearings were mailed to the respondent by certified mail and received. There was no respondent present at the Code Enforcement Hearings.

On May 27, 1999, the Seminole County Code Enforcement Board issued its Findings of Fact, Conclusions of Law and Order on case number 99-41A-CEB, stating the property was presently in compliance, having renewed the garage permit. If repeated, however, a fine of \$250.00 a day would be imposed. This case was closed at this time.

On August 26, 1999, the Seminole County Code Enforcement Board issued its Findings of Fact, Conclusions of Law and Order on case number 99-61A-CEB, requiring the property to come into compliance on or before September 20, 1999, by removing or repairing any junked/inoperable vehicle on the site and to cease any auto repair.

On September 21, 1999, an inspection revealed the violations on case number 99-61A-CEB still remained on the site and an affidavit of non-compliance was filed.

On January 27, 2000, the Code Enforcement Board issued an Order imposing fine/lien in the amount of \$32,250.00 on case number 99-61A-CEB, and further ordered the fine to continue accruing at \$250.00 a day until compliance was met.

On March 22, 2000, an inspection revealed compliance had been met, and an affidavit of compliance was filed. The total amount of the lien accumulated to \$42,750.00 on case number 99-61A-CEB.

On February 22, 2001, the Code Enforcement Board authorized forwarding case number 99-61A-CEB to the County Attorney's Office for possible foreclosure. A memo from Steve Lee dated March 14, 2001 indicated the property was homesteaded, and foreclosure is not permitted under Section 162.09 (3), Florida Statutes; a suit, however, to recover a money judgment could be allowed with the approval of the County Commissioners.

On August 20, 2002, an additional complaint was received in reference to auto repairs being conducted. An inspection along with pictures submitted from the complainant revealed the violation of junk/inoperable vehicles and auto repairs were being conducted on the property.

On September 13, 2002 a notice of repeat violation was sent to Mark Craig and an affidavit of repeat violation was filed with the Clerk of the Code Enforcement Board. An inspection on January 9, 2003 revealed the property in compliance in that there were no vehicles on the site, and an affidavit of compliance prior to hearing was filed. The case was closed at this time.

On case number 99-41A-CEB, an additional complaint was received in reference to the building permit for the garage being expired again. Research on July 11, 2000 indicated the permit had expired and an affidavit of repeat violation was filed.

On August 24, 2000, the permit was reinstated and an affidavit of compliance was filed. The property remained in violation for a period of 42 days. On August 24, 2000, the Code Enforcement Board issued an Order of Repeat Violation, with the property presently in compliance finding the respondent in violation from July 11, 2000 until August 24, 2000 and imposed a fine of \$250.00 a day, totaling \$10,500.00.

In summary, there were two violations that existed on the property located at 825 Nocturne Drive, Chuluota, which resulted in two Code Enforcement Board actions against the owner, Mr. Mark Craig. Case number 99-41A-CEB resulted in a lien in the amount of \$10,500.00 and case number 99-61A-CEB resulted in a lien in the amount of \$42,750.00 for a total lien amount of \$53,250.00. The current just market value on the property, as determined by the Seminole County Property Appraiser's Office is \$89,781.00.

On January 13, 2003, Mr. Craig contacted the Code Enforcement Office for information concerning the liens and the process for requesting the liens to be rescinded or reduced. On January 19, 2003, the Code Enforcement Office received Mr. Craig's request to rescind the liens, a copy of which is attached.

The Board's guidelines for reducing liens adopted February 9, 1999 are identified below:

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.
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:

According to Chapter 162, Florida Statute, in determining the amount of the fine, the Code Enforcement Board considers the following factors:

1. The gravity of the violation;
2. Any actions taken by the violator to correct the violation; and
3. Any previous violations committed by the violator.

Based on the following facts:

1. The property is in compliance;
2. The property is being offered for sale;
3. The violations continued to repeat, after notification; and
4. With the repeating of the violations, the neighbors had concerns, as they felt it became an extreme nuisance and safety hazard for their community.

Staff would recommend a reduction of the lien on CEB case numbers 99-41A-CEB and 99-61A-CEB from \$53,750.00 to \$5,375.00 based on the severity of the case and the nuisance created for an extended period of time, 10% of the original lien amount, and upon payment in full, authorize the Chairman to sign and execute the satisfaction of lien. (Option B)

Attachments for Case Number 99-41A-CEB:

05/27/1999 Findings of Fact, Conclusions of Law and Order
 06/01/1999 Affidavit of Compliance
 08/01/2000 Affidavit of Repeat
 08/24/2000 Affidavit of Compliance (on repeat violation)
 08/24/2000 Order Finding Repeat Violation Imposing Fine/Lien

Attachments for Case Number 99-61A-CEB:

08/26/1999 Findings of Fact, Conclusions of Law and Order
 09/21/1999 Affidavit of Non-Compliance
 01/27/2000 Order Imposing Fine/Lien
 03/22/2000 Affidavit of Compliance
 03/14/2001 Memo from County Attorney's Office
 08/26/2002 Affidavit of Repeat Violation
 01/09/2003 Affidavit of Compliance (on repeat violation)

01/19/2003 Request from Mark Craig for reduction of penalty
 Property Appraiser Database Information
 Estimated Costs for processing Case Numbers 99-41A-CEB and 99-61A-CEB

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political sub-
division of the State of Florida,

CASE NO. 99-41A-CEB

Petitioner,

vs.

MARK CRAIG
825 Nocturne Drive
Chuluota, FL 32766

Respondent.

OFFICIAL RECORDS
BOOK PAGE
3790 1531
SEMINOLE CO. FL

MARYANNE MORSE
CLERK OF CIRCUIT COURT

2000 JAN 24 AM 8:18
SEMINOLE COUNTY, FL
RECORDED & VERIFIED

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Respondent is in violation of Section 40.51, Seminole County Land Development Code, based on the following findings:

(a) The Respondent is the owner of record of the property:

Tax Parcel #28-21-32-501-0D00-0120, LOT 12 BLK D LAKE MILLS SHORES PB 11 PG 14
PUBLIC RECORDS OF SEMINOLE COUNTY, located in Seminole County.

(b) The Respondent is in possession/control of the property.

(c) On April 13, 1999 the property was inspected and found to contain a garage that had been constructed without obtaining the required permits and inspection approvals. A Notice of Violation was issued on April 13, 1999 and the Respondent was given until April 20, 1999 to bring the property into compliance.

(d) On April 21, 1999 the property was reinspected and found to be still in violation in that the garage still remained on the property and the required permits and inspection approvals for the garage construction had not been obtained.

The Respondent is currently in compliance. In order to remain in compliance, the Respondent shall take the following remedial action:

Refrain from repeating the violation.

If the Respondent does not refrain from repeating the violation, a fine of \$250.00 will be imposed for each day the violations continue past that date and an Order Imposing Penalty/Lien entered by this Board to establish such fine. The Respondent must contact the Code Inspector to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue until such time as the Code Inspector inspects the property and establishes the date of compliance.

This Order may be recorded in the public records of Seminole County, Florida.

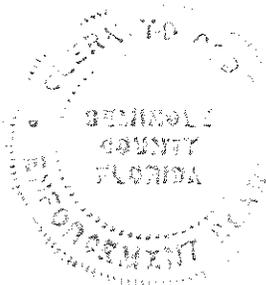
DONE AND ORDERED this 27th day of May, 1999, in Seminole County, Florida.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

Jean Metts
CHAIRMAN

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 27th day of May, 1999, by Jean Metts, who is personally known to me.



caac01/ceb/mcraig

Marcia L. Fuller
Marcia L. Fuller
Notary Public to and for the
County and State aforementioned.
My Commission Expires:



CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
Subdivision of the State of Florida

Case No 99-41A-CEB

SEMINOLE CO. FL

3790 1530

OFFICIAL RECORDS
BOOK PAGE

Petitioner,

Vs.

MARK CRAIG,

Respondent.

AFFIDAVIT OF 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 May 27, 1999, 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 May 27, 1999.
3. That a re-inspection was performed and the Respondent was in compliance on June 1, 1999.
4. That the re-inspection revealed that the corrective action ordered by the Board has been taken.

FURTHER AFFIANT SAYETH NOT.

DATED this 1st day of June, 1999.

Pamela Taylor
Signature of Code Inspector

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 1st day of June, 1999, by Pamela Taylor, who is personally known to me.

Marcia L. Fuller
Notary Public in and for the County
And State Aforementioned.
My commission expires:



MARYANNE MORSE
CLERK OF CIRCUIT COURT

1997802

2000 JAN 24 AM 8:18

SEMINOLE COUNTY, FL
RECORDED & VERIFIED

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

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

Petitioner,

vs.

MARK CRAIG,

Respondent.

CASE NO. 99-41A-CEB

AFFIDAVIT OF REPEAT VIOLATION

BEFORE ME, the undersigned authority, personally appeared
Pamela Taylor, Code Inspector for Planning Division who, after being duly sworn,
deposes and says:

1. That on **May 27, 1999** the Board held a public hearing found a violation of a County Code 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 **May 27, 1999**.
3. That a re-inspection was performed on **June 1, 1999**.
4. That the re-inspection revealed that the corrective action ordered by the Board had been taken.
5. That an Affidavit of Compliance was filed on **June 1, 1999**.
6. That an additional re-inspection was performed on **July 11, 2000**.
7. That the violation found by the Board on **May 27, 1999**, has been repeated in that **the building permit #97P03859 has expired and become void due to lack of current inspections..**

**FURTHER AFFIANT SAYETH NOT.
DATED this 1st day of August, 2000.**

Pamela Taylor
Signature of Code Inspector

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this **1st day of August 2000** by, who is personally known to me and did take an oath.

Deborah Leigh
Notary Public in and for the County
and State Aforementioned



Deborah Leigh
MY COMMISSION # CC912138 EXPIRES
February 20, 2004
BONDED THRU TROY FAIR INSURANCE, INC.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

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

Case No. 99-41A-CEB

Petitioner,

vs.

Mark Craig

Respondent /

AFFIDAVIT OF COMPLIANCE
(After Repeat Violation)

BEFORE ME, the undersigned authority, personally appeared **Deborah Leigh**, Code Inspector for **Planning**, who, after being duly sworn, deposes and says:

1. That on **May 27, 1999** 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 **May 27, 1999**.
3. That a re-inspection was performed and the Respondent was in compliance on **June 1, 1999**.
4. That subsequent to the foregoing finding of compliance, a further REINSPECTION of the subject property was made on **July 11, 2000**. The Respondent was at that time no longer in compliance with the Order of **May 27, 1999**, by having repeated the original violation.
5. That the most recent reinspection on **August 24, 2000** revealed that additional corrective action had eliminated the repeat violation and that the subject property was in compliance.

FURTHER AFFIANT SAYETH NOT.

DATED this 24th day of August, 2000.

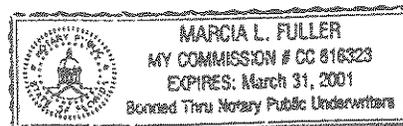
STATE OF FLORIDA)
COUNTY OF SEMINOLE)

Deborah Leigh
CODE INSPECTOR

The foregoing instrument was acknowledged before me this 24th day of August, 2000 by **Deborah Leigh**, who is personally known to me and who did take an oath.

Marcia L. Fuller
Notary Public in and for the County
and State Aforementioned
My commission expires:

CMPAFFRP.CEB



CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

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

Petitioner,
vs.
MARK CRAIG,

CASE NO. 99-41A-CEB

Respondent.
_____ /

AFFIDAVIT OF REPEAT VIOLATION

BEFORE ME, the undersigned authority, personally appeared
Pamela Taylor, Code Inspector for Planning Division who, after being duly sworn,
deposes and says:

1. That on **May 27, 1999** the Board held a public hearing found a violation of a County Code 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 **May 27, 1999**.
3. That a re-inspection was performed on **June 1, 1999**.
4. That the re-inspection revealed that the corrective action ordered by the Board had been taken.
5. That an Affidavit of Compliance was filed on **June 1, 1999**.
6. That an additional re-inspection was performed on **July 11, 2000**.
7. That the violation found by the Board on **May 27, 1999**, has been repeated in that the building permit #97P03859 has expired and become void due to lack of current inspections..

FURTHER AFFIANT SAYETH NOT.
DATED this 1st day of August, 2000.

Pamela Taylor
Signature of Code Inspector

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 1st day of August 2000 by, who is personally known to me and did take an oath

Deborah Leigh
Notary Public in and for the County
and State Aforementioned

 Deborah Leigh
MY COMMISSION # CC912138 EXPIRES
February 20, 2004
BONDED THRU TECO FARM INSURANCE, INC

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

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

Petitioner,

vs.

MARK CRAIG,

Respondent.

CASE NO. R99-41A-CEB

597349

MARYANNE HORSE
CLERK OF CIRCUIT COURT

ORDER-REPEAT VIOLATION-PROPERTY PRESENTLY IN COMPLIANCE

The Respondent is the owner of record of the property (Tax Parcel ID #28-21-32-501-0d00-0120) located at 825 Nocturne Dr, Sanford, Florida, located in Seminole County and legally described as follows:

LEG LOT 12 BLK D LAKE MILLS SHORES PB 11 PG 14

This case came on for public hearing before the Code Enforcement Board of Seminole County on the 24TH day of August, 2000, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law, and Order.

Said Order found Respondent in violation of Section 40.51, Seminole County Land Development Code.

Based on the testimony and evidence presented in Case No 99-41A-CEB, the Respondents were in violation of the Seminole County Land Development Code on July 11, 2000. The fine accrued from the date the violation was repeated on July 11, 2000 until the date of the compliance on August 24, 2000 amounting to \$10,500.00.

2000 OCT -3 AM 8:04

SEMINOLE COUNTY, FL
RECORDED & VERIFIED

9931

0638

SEMINOLE CO., FL

OPTIONAL PAGE

RETURN TO SANDY McCANN

This Order shall be recorded in the public records of Seminole County, Florida, and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 24th day of August, 2000, in Seminole County, Florida.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

Jean Metts
CHAIR

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 29th day of June, 2000, by Jean Metts, who is personally known to me.

Marcia L. Fuller
Marcia L. Fuller
Notary Public to and for the
County and State aforementioned.
My Commission Expires:

MARCIA L. FULLER
MY COMMISSION # CC 616323
EXPIRES: March 31, 2001
Bonded Thru Notary Public Underwriters

BOOK
3931 0639
SEMIMOLE CO., FL



**CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

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

CASE NO. 99-61A-CEB

Petitioner,

vs.

**MARK CRAIG
825 Nocturne Drive
Chuluota, FL 32766**

Respondent.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Respondent is in violation of Section 95.4, Seminole County Code, as defined in Section 95.3(l) and Sections 30.202 and 30.203, Land Development Code of Seminole County, based on the following findings:

(a) The Respondent is the owner of record of the property (Tax Parcel ID # 28-21-32-501-0000-0120) located at 825 Nocturne Drive, Chuluota, Florida, located in Seminole County and legally described as follows:

LEG LOT 12 BLK D LAKE MILLS SHORES PB 11 PG 14

- (b) The Respondent is in possession/control of the property.
- (c) The property is assigned a zoning classification of R-1A.
- (d) On June 22, 1999, a Seminole County Code Inspector inspected the property and found junk vehicles not within an enclosed garage or an attached carport.
- (e) On June 22, 1999, a Seminole County Code Inspector inspected the property and found an auto repair business operating on the property.
- (f) An auto repair business is not a permitted use within the R-1A zoning classification.
- (g) On July 15, 1999, Respondent was provided notice of the violations and given until July 29, 1999 to correct the violations.

(h) On July 30, 1999, a Seminole County Code Inspector reinspected the property and found that junk vehicles not within an enclosed garage or an attached carport remained on the property.

(i) On July 30, 1999, a Seminole County Code Inspector reinspected the property and found that an auto repair business continued to operate on the property.

The Respondent shall correct the violations by September 20, 1999. In order to correct the violations, the Respondent shall take the following remedial action:

REMOVE THE CAR REPAIR BUSINESS ON PREMISES. REMOVE ALL JUNK VEHICLES NOT PERTAINING TO PEOPLE IN THE HOME.

MOTION AMENDED

REPAIR, REMOVE OR PLACE IN AN ENCLOSED GARAGE OR CARPORT ALL JUNK VEHICLES. CEASE AUTO REPAIR BUSINESS.

If the Respondent complies with this Order by September 20, 1999, the Chair of the Code Enforcement Board, acting on behalf of the Code Enforcement Board, shall issue an order confirming the compliance and such order shall be recorded in the official land records of Seminole County.

If the Respondent does not comply with this order by September 20, 1999, then the Code Enforcement Division, acting consistent with the procedures set forth in Section 162.12, Florida Statutes, shall provide to the Respondent a copy of the Code Inspector's affidavit of non-compliance. The letter accompanying the affidavit, or the affidavit itself, shall state that the Respondent has ten (10) days from receipt to request a hearing to contest the finding of non-compliance.

If the Respondent fails to timely request a hearing to contest the determination of non-compliance with this order, then the Chair of the Code Enforcement Board, upon notification by the Code Inspector of such non-compliance, shall issue an order confirming the non-compliance and ordering the Respondent to pay a fine of \$250.00 for each day the violation continues past that date. Such order shall be recorded in the official land records of Seminole County and shall constitute a lien against the property.

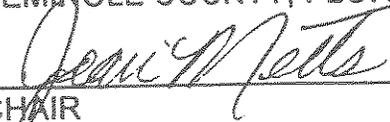
If the Respondent timely requests a hearing, the Code Enforcement Board shall hold a hearing at which compliance with this order is the sole issue. At the conclusion of such hearing, the Code Enforcement Board shall issue either 1) an order of compliance or 2) an order of non-compliance ordering the violator to pay the accrued fine for each day the violation continued past the date set for compliance and a fine of \$250.00 for each day the violation continues. Either such order shall be recorded in the official land records of Seminole County.

The Respondent must contact the Code Inspector to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue until such time as the Code Inspector inspects the property and establishes the date of compliance.

This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 26th day of August, 1999, in Seminole County, Florida.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA



CHAIR

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 26th day of August, 1999, by Jean Metts, who is personally known to me.



Marcia L. Fuller
Notary Public to and for the
County and State aforementioned.
My Commission Expires:

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CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

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

CASE NO: 99-61A-CEB

Petitioner,

vs.

MARK CRAIG,

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 August 26, 1999, 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 September 20, 1999.
3. That a re-inspection was performed on September 21, 1999.
4. That the re-inspection revealed that the corrective action ordered by the Board has not been taken in that the junk vehicles are still on the property and there was evidence of auto repairs.

FURTHER AFFIANT SAYETH NOT.

DATED this 21st day of September, 1999.

Pamela Taylor
Signature of Code Inspector

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 21st day of September, 1999, by Pamela Taylor, who is personally known to me and who did take an oath.

Marcia L. Fuller
Notary Public in and for the County
and State Aforementioned
My commission expires:

AFFNON.COM



CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

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

Petitioner,

vs.

MARK CRAIG,

Respondent.

CASE NO. 99-61A-CEB

503091

MARYANNE HORSE
CLERK OF CIRCUIT COURT

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel ID #28-21-32-501-0000-0120) located at 825 Nocturne Dr, Chuluota, located in Seminole County and legally described as follows:

LEG LOT 12 BLK D LAKE MILLS SHORES PB 11 PG 14

This case came on for public hearing before the Code Enforcement Board of Seminole County on the 26TH day of August, 1999, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law, and Order.

Said Order found Respondent in violation of Section 95.3(l) AND Sections 30.202 and 30.203, Seminole County Land Development Code.

Said Order required Respondent to take certain corrective action by September 20, 1999.

Said Order stated that a fine of \$250.00 per day would be imposed if Respondent did not take certain corrective action by the date set for compliance.

An Affidavit of Non-Compliance bearing the date of September 21, 1999, has been filed with the Board by the Code Inspector, which Affidavit certifies under oath that the required action has not been taken as ordered.

2000 MAR -2 AM 8:01

SEMINOLE COUNTY, FL
RECORDED & VERIFIED

SEMINOLE CO. FL

3809 0347

BOOK PAGE

Accordingly, it having been brought to the Board's attention that Respondent has not complied with the Order dated August 26, 1999, the Board orders that a fine of \$32,250.00 (total accrued fine up until hearing) is imposed against the property for each day the violation has continued past the date set for compliance and a fine of \$250.00 per day is ordered against the property for each day the violation continues past October 20, 1999.

The Respondent must contact the Code Inspector to arrange for an inspection of the property to verify compliance. The fine imposed shall continue until such time as the Code Inspector inspects the property and establishes the date of compliance.

This Order shall be recorded in the public records of Seminole County, Florida, and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 27th day of January, 2000, in Seminole County, Florida.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

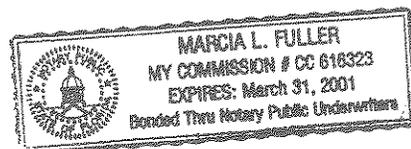

CHAIR

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 27th day of January, 2000, by Jean Metts, who is personally known to me.


Marcia L. Fuller
Notary Public to and for the
County and State aforementioned.
My Commission Expires:

Craig,lien



3809 0348
SEMINOLE CO. FL

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
subdivision of the State of Florida

Case No. 99-61A-CEB

Petitioner,
vs.

Mark Craig,

Respondent.

3860 1125
SEMINOLE CO., FL
PAGE

AFFIDAVIT OF 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 **August 26, 1999**, 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 **September 20, 1999**.
3. That a re-inspection was performed and the Respondent was in compliance on **March 22, 2000**.
4. That the re-inspection revealed that the corrective action ordered by Board has been taken in that the site plan has been approved.

MARYANNE MORSE
CLERK OF CIRCUIT COURT

514323

FURTHER AFFIANT SAYETH NOT.

DATED this 24th day of March 2000.

Pamela Taylor
Pamela Taylor, Inspector

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

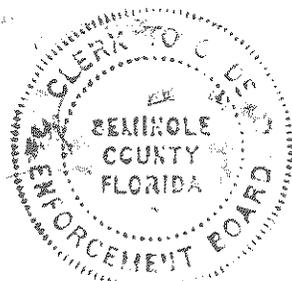
The foregoing instrument was acknowledged before me this 24th day of March 2000, by **Pamela Taylor**, who is personally known to me and who did take an oath.

Marcia L. Fuller
Notary Public in and for the County
and State Aforementioned
My commission expires:

2000 JUN -2 AM 8:11

SEMINOLE COUNTY, FL
RECORDED & VERIFIED

CMPLAFF.CEB





COUNTY ATTORNEY'S OFFICE
MEMORANDUM

RECEIVED

MAR 14 2001

To: Marcia Fuller, CEB Clerk
From: Stephen P. Lee, Deputy County Attorney, Ext. 7257
Date: March 14, 2001
Subject: Cases No. 99-41A-CEB and 99-61A-CEB
Mark Craig-Foreclosure

CODE ENFORCEMENT
SEMINOLE COUNTY

I have reviewed the captioned files. Because the property is homestead, foreclosure is not permitted under Section 162.09(3), Florida Statutes; however, a suit to recover a money judgment is allowed. Approval of the Board of County Commissioners is required in order to pursue such a lawsuit. Should you wish to follow that course, then an agenda package needs to be prepared and processed through appropriate channels. I suggest someone attempt to determine whether Mr. Craig has any assets available to satisfy a judgment; otherwise, a lawsuit adds nothing to the rights the County already has pursuant to the liens.

We are returning your files with this memorandum. Please advise if there are any other questions on this matter.

SPL/gn
cc: Don Fisher, Planning & Development Director
Attachment
Files (2)

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
subdivision of the State of Florida

Case No. 99-61A-CEB

Petitioner,
vs.
Mark S Craig,
Respondent.

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 04683 PG 0405
CLERK'S # 2003015219
RECORDED 01/28/2003 11:49:09 AM
RECORDING FEES 6.00
RECORDED BY J Eckenroth

AFFIDAVIT OF COMPLIANCE
(After Repeat Violation)

BEFORE ME, the undersigned authority, personally appeared Donna Wisniewski, Code Inspector for Planning Division, who, after being duly sworn, deposes and says:

1. That on August 26, 1999, 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 September 13, 1999.
3. That a re-inspection was performed and the Respondent was in compliance on March 22, 2000.
4. That subsequent to the foregoing finding of compliance, a further REINSPECTION of the subject property was made on August 26, 2002. The Respondent was at that time no longer in compliance with the Order of August 26, 1999, by having repeated the original violation.
5. That the most recent reinspection on January 9, 2003 revealed that additional corrective action had eliminated the repeat violation and that the subject property was once again found to be in compliance as of January 9, 2003.

FURTHER AFFIANT SAYETH NOT. DATED this 15th day of January 2003.

Donna Wisniewski
Donna Wisniewski, Inspector

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 15th day of January 2003, by Donna Wisniewski, who is personally known to me and who did take an oath.

CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA
By: Maryanne L. Morse
Date: 1-28-03

Pamela Taylor
Notary Public in and for the County
and State Aforementioned
My commission expires



SEMINOLE COUNTY CODE ENFORCEMENT
1101 EAST FIRST STREET
SANFORD, FLORIDA 32771-1468

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

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

Petitioner,

vs.

CASE NO. 99-061A-CEB

Mark S Craig,

Respondent.
_____ /

AFFIDAVIT OF REPEAT VIOLATION

BEFORE ME, the undersigned authority, personally appeared
Donna Wisniewski, Code Inspector for Planning Division who, after being duly sworn,
deposes and says:

1. That on **August 26, 1999** the Board held a public hearing found a violation of a County Code 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 **September 20, 1999**.
3. That a re-inspection was performed on **March 22, 2000**.
4. That the re-inspection revealed that the corrective action ordered by the Board had been taken.
5. That an Affidavit of Compliance was filed on **March 24, 2000**.
6. That an additional re-inspection was performed on **August 26, 2002**.
7. That the violation found by the Board on **August 26, 1999**, has been repeated in that **junk vehicles not within an enclosed garage or attached carport and an auto repair business are again present on the property.**

FURTHER AFFIANT SAYETH NOT.

DATED this 13th day of **September, 2002**.

Donna Wisniewski
Donna Wisniewski, Inspector

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 13th day of
September 2002 by **Donna Wisniewski**, who is personally known to me and did take an
oath.

Pamela Taylor

Notary Public in and for the County
and State Aforementioned



SEMINOLE COUNTY

CEB Case No. 99-41 A CEB
99-61 A 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 MARH S. CRAIG

Property Address 825 NOCTURNE DR. CHULUOKA FL

Phone Number where you can be reached during the day (407) 568-6055

Is the property now in compliance? Yes 407-359-2561 No (if no, explain in detail)

Are you claiming a financial hardship? Yes No
Are you claiming a medical hardship? Yes No

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

POST-IT Fax Note 767	To	From
	<u>MARH S. CRAIG</u>	<u>Deborah Leigh</u>
		<u>Seminole County</u>
Phone # <u>407-568-6055</u>	Phone # <u>407-665-7403</u>	
Fax # <u>407-568-7976</u>	Fax # <u>407-665-7003</u>	

1, MARTH S. CRAIG, do hereby submit this Petition in request for a reduction in the total amount of penalty imposed, and in support offer the following statement:

At the present time I am Unemployed
the house is in foreclosure and I would like
to have a hearing as soon as possible as
I would like to sell the home, I ALSO feel
this fine is excessive when compared to the Value
of the home I Also am not aware of Any notice
for liens received after '99 until Dec of 2002
and had received notice of compliance in '99 so
Why did the fines continue to go up

Date:

1/13/03

Signed:

Mark S. Craig
Mark S. Craig

State of Florida

Print Name: MARTH S. CRAIG

County of Seminole

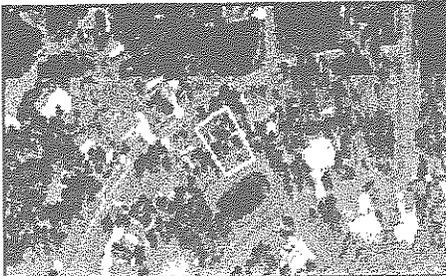
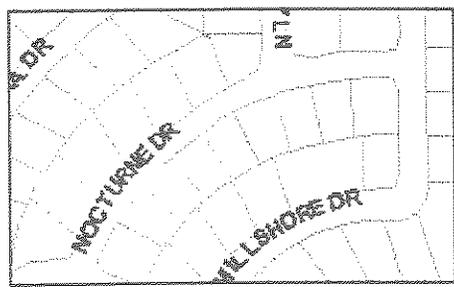
PERSONALLY appeared before me, the undersigned authority duly authorized to administer oaths and take acknowledgments, Mark S. Craig, who first being duly sworn, acknowledged before me that the information contained herein is true and correct. He/she is not personally known to me and have each produced FL Drivers License as identification and did take an oath.

C620-337-64-171-0

Date: 1-14-03

Marcia L. Fuller
Notary Public
My Commission Expires:



PARCEL DETAIL	REAL ESTATE	PERSONAL PROP.	TAX ROLL	SALES SEARCH																																																
 <p>Seminole County Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-665-7506</p>																																																				
<p style="text-align:center;">GENERAL</p> <p>Parcel Id: 28-21-32-501-0D00-0120 Tax District: 01-TX DIST 1 - COUNTY Owner: CRAIG MARK S Exemptions: 00-HOMESTEAD Address: 825 NOCTURNE DR City,State,ZipCode: OVIEDO FL 32766 Property Address: 825 NOCTURNE DR CHULUOTA 32766 Subdivision Name: LAKE MILLS SHORES Dor: 01-SINGLE FAMILY</p>		<p style="text-align:center;">2003 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$74,985 Depreciated EXFT Value: \$0 Land Value (Market): \$14,796 Land Value Ag: \$0 Just/Market Value: \$89,781 Assessed Value (SOH): \$82,303 Exempt Value: \$25,000 Taxable Value: \$57,303</p>																																																		
<p style="text-align:center;">SALES</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>08/1996</td> <td>03129</td> <td>0696</td> <td>\$66,500</td> <td>Improved</td> </tr> <tr> <td>SPECIAL WARRANTY DEED</td> <td>09/1991</td> <td>02345</td> <td>1446</td> <td>\$47,100</td> <td>Improved</td> </tr> <tr> <td>CERTIFICATE OF TITLE</td> <td>05/1991</td> <td>02292</td> <td>0103</td> <td>\$56,200</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>12/1988</td> <td>02030</td> <td>1259</td> <td>\$63,500</td> <td>Improved</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>05/1987</td> <td>01847</td> <td>0532</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>10/1982</td> <td>01418</td> <td>1337</td> <td>\$6,900</td> <td>Vacant</td> </tr> <tr> <td>WARRANTY DEED</td> <td>03/1981</td> <td>01331</td> <td>0015</td> <td>\$32,000</td> <td>Vacant</td> </tr> </tbody> </table> <p style="text-align:center;">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	08/1996	03129	0696	\$66,500	Improved	SPECIAL WARRANTY DEED	09/1991	02345	1446	\$47,100	Improved	CERTIFICATE OF TITLE	05/1991	02292	0103	\$56,200	Improved	WARRANTY DEED	12/1988	02030	1259	\$63,500	Improved	QUIT CLAIM DEED	05/1987	01847	0532	\$100	Improved	WARRANTY DEED	10/1982	01418	1337	\$6,900	Vacant	WARRANTY DEED	03/1981	01331	0015	\$32,000	Vacant	<p style="text-align:center;">2002 VALUE SUMMARY</p> <p>2002 Tax Bill Amount: \$965 2002 Taxable Value: \$55,374</p>		
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<p>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.</p>																																																				

Estimate of Costs
CEB Case # 99-41A-CEB and
CEB Case # 99-61A-CEB
Mark S. Craig

<u>Postage</u>				
Regular	16	\$.34	\$ 5.44	
Certified	7	\$ 3.74	\$ 26.18	
Property Posting	0			
				\$ 31.62
<u>Site Inspections</u>				
30 Site Visits	1 hour	\$16.00	\$480.00	
18.9 miles – Est. driving time 30 minutes (as determined on Mapquest)				\$ 480.00
<u>Processing Time for Code Enforcement and BCC Action</u>				
Inspector	1.5 hour	\$ 16.00	\$ 24.00	
Code Board Secretary	1.5 hour	\$ 15.00	\$ 22.50	
Associate Technician	1.5 hour	\$ 12.00	\$ 18.00	
Program Manager	2.5 hour	\$ 21.00	\$ 52.50	\$ 117.00
County Attorney's Review	Associated costs not calculated Figures are not available			
Planning Manager's Review				
Planning and Development Director's Review				
Deputy County Manager's Review				
<u>Unit Costs</u>				
Total 2001/2002 Code Enforcement Budget Costs / Total Violation Cases				
Unit Cost \$ 288,063 / 3540 Average cost per violation - \$ 81.37				
Total 2001/2002 Operating Expenses / Total Violation Cases				
Operating Expenses \$ 68,583 / 3540 Average cost per violation \$ 19.37				\$ 100.74
Other associated costs not captured: Fleet expense, Phone expense, Utilities, Computer Support				
<u>TOTAL COST FOR CASE #'s 99-41A-CEB & 99-61A-CEB</u>				\$ 729.36