

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

(CONTINUED FROM 11/18/03 HEARING)

SUBJECT: Code Enforcement Lien – Wayne J. Walmer, Sr., 180 West 3rd Street,
Chuluota, Parcel # 21-21-32-5CF-2500-0100, Seminole County

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Donald S. Fisher CONTACT: Matt West EXT. 7353

Agenda Date 03-09-04 Regular Consent Work Session Briefing
Public Hearing – 1:30 Public Hearing – 7:00

MOTION/RECOMMENDATION:

(A) Approve the request to waive the Code Enforcement Board lien on the property located at 180 W 3rd St – Chuluota – Wayne J. Walmer, Sr., owner
Case # 02-133-CEB; or

(B) Approve a reduction to the Code Enforcement Board lien on the property located at 180 W 3rd St – Chuluota – Wayne J. Walmer, Sr., owner
Case # 02-133-CEB; or

(C) Approve a reduction to the Code Enforcement Board lien to the estimated administrative costs of \$645.36 for processing Case # 02-133-CEB; or

(D) Deny the request to waive or reduce the Code Enforcement Board lien on the property located at 180 W 3rd St – Chuluota – Wayne J. Walmer, Sr., owner
Case # 02-133-CEB

Commissioner Maloy – District 1

(Matt West – Planning Manager)

BACKGROUND:

On November 18, 2003, this case was heard by the Board of County Commissioners. The Board unanimously approved a continuance of 120 days for staff to monitor the property for reoccurring code violations and readdress the lien reduction at the March 9, 2004 BCC meeting.

From November 19, 2003 through and including the week of the BCC meeting, the Code Enforcement Officer made weekly inspections of this property to confirm that the Respondent remained in compliance and, at this time, continues to be in compliance.

Reviewed by:
Co Atty: KJC
DFS: _____
Other: QW
DCM: SS
CM: TL
File No: RPDP02

HISTORY:

On May 2, 2002, the Code Enforcement Office received a complaint of junk vehicles located at 180 W. 3rd St., Chuluota. On May 7, 2002, an inspection was performed and junk vehicles were located on the property.

Notices of Violation were issued to the property owner on May 14, 2002 and May 30, 2002. Re-inspections revealed the violation remained. Therefore, on September 13, 2002, the code inspector filed a Statement of Violation, Request for Hearing with the Clerk to the Code Enforcement Board.

On October 24, 2002, the Seminole County Code Enforcement Board issued its Findings of Fact, Conclusions of Law and Order on property located at 180 W 3rd Street. This order found the respondent, Wayne J. Walmer, Sr., to be the owner of record of the property, in possession/control of the property and in violation of:

Section 95.4 as defined in Section 95.3 (l) junk or abandoned vehicles not being kept within an enclosed garage or attached carport.

The Code Enforcement Board further ordered the owner to bring the property into compliance on or before November 8, 2002, or a fine of \$50.00 per day per violation would be imposed.

The respondent was not present at this hearing. Certified notices were mailed and received by the respondent.

On November 12, 2002, the code inspector inspected the property and found the property remained in violation and filed an affidavit of non-compliance.

On December 4, 2002, an inspection revealed the property was in compliance and an affidavit of compliance was filed and recorded.

On January 23, 2003, a lien was filed and recorded in the amount of \$1,200.00.

Wayne J. Walmer, Sr. remained in compliance until February 24, 2003, at which a re-inspection of the property revealed a repeat violation had occurred. On March 13, 2003, a Affidavit of Repeat Violation was filed by the code inspector requesting a hearing before the Code Enforcement Board.

On April 24, 2003 the Code Enforcement Board issued an Order of Repeat Violation, finding Wayne J. Walmer, Sr. in violation with a fine of \$50.00 be imposed from February 24, 2003 through April 24, 3003 and increased the fine to \$250.00 per day beginning April 25, 2003.

On July 24, 2003 an inspection revealed that corrective action had eliminated the repeat violation and the subject property was once again found to be in compliance.

A fine of \$25,150.00 had accrued for 58 days of non-compliance at \$50.00 per day and 89 days of non-compliance at \$250.00 a day. On July 31, 2003 the Code Enforcement Board rescinded this fine.

On September 8, 2003, a request for reduction of penalty was received from Wayne J Walmer, Sr., requesting the lien, \$1,200.00, originally placed on the property for non-compliance be waived, claiming financial and medical hardships.

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 fact that the property is in compliance and the Respondent's medical and financial hardship precluded him from obtaining compliance quickly, Staff would recommend a reduction of the lien to the administrative costs of \$645.36 as calculated on the attached cost analysis for Case # 02-133-CEB (Option C), and upon payment in full, authorize the Chairman to execute the Satisfaction of Lien.

Attachments: Findings of Fact, Conclusions of Law and Order
Affidavit of Non-Compliance
Affidavit of Compliance
Order Finding Non-Compliance and Imposing Fine/Line (original case)
Order Finding Compliance of Repeat Violation and Rescinding Fine
Affidavit of Repeat Violation
Order of Repeat Violation
Affidavit of Compliance after Repeat Violation
Request for Reduction of Penalty from Wayne J. Walmer, Sr.
Property Appraiser Database Information
Estimated Costs for processing Case # 02-133-CEB

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

CASE NO. 02-133-CEB

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

1 1001 10 110 11 001 10 110 10 101 00 001 01 011 11 000 11 000 00 110 1 1001

Petitioner,

vs.

WAYNE J WALMER SR
180 W 3rd Street
CHULUOTA, FL 32766

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 04575 PG 1107
CLERK'S # 2002965742
RECORDED 10/30/2002 10:27:40 AM
RECORDING FEES 6.00
RECORDED BY J Eckenroth

Respondent.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 02-133-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID #21-21-32-5CF-2500-0100), located at 180 W 3rd St., Chuluota, located in Seminole County and legally described as follows: LEG LOTS 10 & 11 BLK 25 NORTH CHULUOTA PB 2 PG 54
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code Section 95.4 as defined in Section 95.3 (l).

It is hereby ordered that the Respondent correct the violations on or before 11-8-02. In order to correct the violations, the Respondent shall:

REMOVE THE JUNK OR ABANDONED VEHICLES NOT WITHIN AN ENCLOSED GARAGE OR ATTACHED CARPORT.

If the Respondent does not comply with the Order, a fine of \$ 50.00 will be imposed for each day the violation continues, or is repeated after compliance past 11-8-02. The Respondent is further ordered to contact the Seminole County Code Inspector to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Inspector inspects the property and verifies compliance with this Order.

This order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violations exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 24th day of October, 2002, in Seminole County, Florida.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

Tom Hagood
TOM HAGOOD, CHAIR

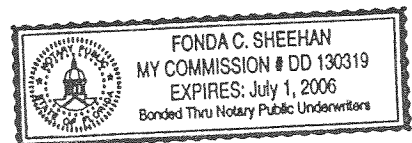
STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 24th day of October, 2002, by Tom Hagood, who is personally known to me.

Fonda Sheehan
Fonda Sheehan, Notary Public to and for the
County and State aforementioned.
My Commission Expires:

CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA
BY: *Fonda Sheehan*
Date: 10-24-02

Order. Walmer



CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

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

CASE NO: 02-133 CEB



Petitioner,

vs.

Wayne J Walmer Sr,

Respondent.

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 04623 PG 1695
CLERK'S # 2002988586
RECORDED 12/09/2002 12:24:40 PM
RECORDING FEES 6.00
RECORDED BY J Eckenroth

AFFIDAVIT OF NON-COMPLIANCE

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 **October 24, 2002**, 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 **November 08, 2002**.
3. That a re-inspection was performed on **November 12, 2002**.
4. That the re-inspection revealed that the corrective action ordered by the Board has not been taken in that **the junked or abandoned vehicles remain on the property**.

FURTHER AFFIANT SAYETH NOT.

DATED this **19th** day of **November 2002**.

Donna Wisniewski
Donna Wisniewski, Inspector

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

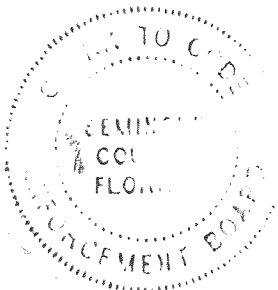
The foregoing instrument was acknowledged before me this **19th** day of **November 2002**, by **Donna Wisniewski**, who is personally known to me and who did take an oath.

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

AFFNON.COM

CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

By: Marcia L Fuller
Date: 12-6-02



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

Case No. 02-133-CEB

1 0001 10 110 11 001 11 001 10 110 10 101 10 100 11 100 11 100 01 101 01 101 1 1001

Petitioner,
Vs.
Wayne J Walmer SR,
Respondent.

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 04645 PG 0597
CLERK'S # 2002997788
RECORDED 12/26/2002 02:05:42 PM
RECORDING FEES 6.00
RECORDED BY J Eckenroth

AFFIDAVIT OF COMPLIANCE

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 **October 24, 2002**, 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 **November 08, 2002**.
3. That a re-inspection was performed and the Respondent was in compliance on **December 04, 2002**.
4. That the re-inspection revealed that the corrective action ordered by the Board has been taken in that **the junked or abandoned vehicles have been repaired or removed from the property.**

FURTHER AFFIANT SAYETH NOT. DATED this 4th day of December 2002.

Donna Wisniewski
Donna Wisniewski, Inspector

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 4th day of December 2002, by Donna Wisniewski, who is personally known to me and who did take an oath.

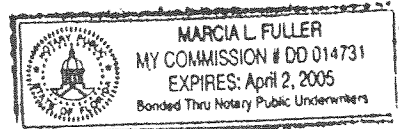
Marcia L Fuller
Notary Public in and for the County
and State Aforementioned
My commission expires:

CMPLAFF.CEB

CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

By: Marcia L Fuller

Date: 12-23-02



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,**

CASE NO 02-133-CEB

1 1001 100 110 11 0001 10 000 100 111 11 0001 001 1100 100 1004 001 1100 001 1004 100 1100 1 10001

Petitioner,
vs.

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 04692 PG 0760
CLERK'S # 2003019182
RECORDED 02/04/2003 09:38:59 AM
RECORDING FEES 10.50
RECORDED BY J Eckenroth

**WAYNE J WALMER SR
180 W 3RD ST
CHULUOTA FL 32766**

Respondent.

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel ID #21-21-32-5CF-2500-0100), located at 180 W 3rd Street, Chuluota, located in Seminole County and legally described as follows:

LOTS 10 & 11 BLK 25 NORTH CHULUOTA PB 2 PG 54

This case came on for public hearing before the Code Enforcement Board of Seminole County on the 24th day of October, 2002, 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 95.4 as defined in Section 95.3(1), Seminole County Code.

Said Order required Respondent to take certain corrective action by November 8, 2002.

Said Order stated that a fine of \$50.00 per day would be imposed if Respondent did not take certain corrective action by the date set for compliance.

An Affidavit of Compliance bearing the date of December 4, 2002, has been filed with the Board by the Code Inspector, which Affidavit certifies under oath that the required action, removing the junked or abandoned vehicles not within an enclosed garage or attached carport has been obtained.


Accordingly, it having been brought to the Board's attention that Respondent has not complied with the Order dated October 24, 2002, the Board orders that a fine of \$1,200.00 is imposed against the property for each day the violation continued past the date set for compliance.

CASE NO 02-133-CEB
WAYNE J WALMER SR

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.

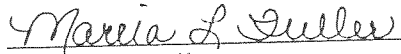
DONE AND ORDERED this 23rd day of January, 2003, in Seminole County, Florida.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA


TOM HAGOOD, CHAIR

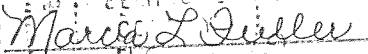
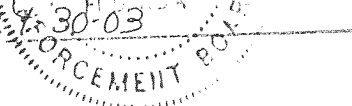
STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 23rd day of January, 2003, by Tom Hagood, who is personally known to me.


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

Lien.walmer



CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA
By: 
Date: 1-30-03


CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

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

CASE NO 02-133-CEB

1 10001 10 1100 11 0001 12 0001 13 0001 14 0001 15 0001 16 0001 17 0001 18 0001 19 0001 20 0001 21 0001 22 0001 23 0001 24 0001 25 0001 26 0001 27 0001 28 0001 29 0001 30 0001 31 0001 32 0001 33 0001 34 0001 35 0001 36 0001 37 0001 38 0001 39 0001 40 0001 41 0001 42 0001 43 0001 44 0001 45 0001 46 0001 47 0001 48 0001 49 0001 50 0001 51 0001 52 0001 53 0001 54 0001 55 0001 56 0001 57 0001 58 0001 59 0001 60 0001 61 0001 62 0001 63 0001 64 0001 65 0001 66 0001 67 0001 68 0001 69 0001 70 0001 71 0001 72 0001 73 0001 74 0001 75 0001 76 0001 77 0001 78 0001 79 0001 80 0001 81 0001 82 0001 83 0001 84 0001 85 0001 86 0001 87 0001 88 0001 89 0001 90 0001 91 0001 92 0001 93 0001 94 0001 95 0001 96 0001 97 0001 98 0001 99 0001 100 0001

Petitioner,
vs.

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 04955 PG 0984
CLERK'S # 2003138271
RECORDED 08/08/2003 07:53:52 AM
RECORDING FEES 10.50
RECORDED BY L Woodley

WAYNE J. WALMER, SR.
180 W. 3RD STREET
CHULUOTA, FL 32766

Respondent.

ORDER FINDING COMPLIANCE ON REPEAT VIOLATION
AND RESCINDING FINE

The Respondent is the owner of record of the property (Tax Parcel ID #21-21-32-5CF-2500-0100) located at 180 W 3rd St, Chuluota, Florida, located in Seminole County and legally described as follows:

LOTS 10 & 11 BLK 25 NORTH CHULUOTA PB 2 PG 54

This case came on for public hearing before the Code Enforcement Board of Seminole County on April 24, 2003 as a repeat violation, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Order of Repeat Violation.

Said Order found Respondent in violation of Section 95.4 as defined in Section 95.3(l), Seminole County Code.

An Affidavit of Compliance After Repeat Violation bearing the date of July 29, 2003, had been filed with the Board by the Code Inspector, which Affidavit certifies under oath that the required action had been taken.

Accordingly, it having been brought to the Board's attention that Respondent has complied with the Order of Repeat Violation dated April 24, 2003, the Board orders the fine in the amount of \$2,900.00, 58 days of non-compliance @ \$50.00 per day and \$22,250.00, 89 days of non-compliance @ \$250.00 per day be rescinded.

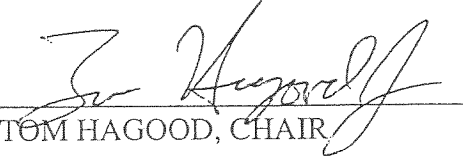
After discussion by the Board, it is hereby ordered that if the Respondent repeats the violations after the date of this Order, a fine in the amount of \$250.00 per day will begin on the first day of the repeat violation and continue until the Respondent is in compliance.

CASE NO 02-133-CEB
WAYNE J. WALMER, SR.

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

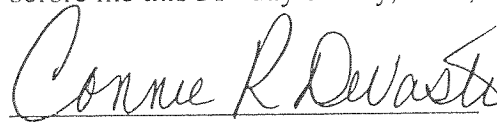
DONE AND ORDERED this 31st day of July, 2003, in Seminole County, Florida.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA


TOM HAGOOD, CHAIR

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 31st day of July, 2003, by Tom Hagood, who is personally known to me.

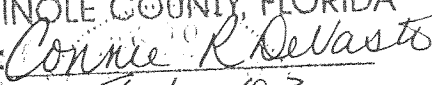


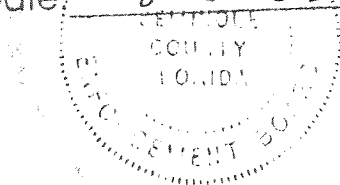
Connie R. DeVasto, Notary Public to and
for the County and State aforementioned.
My Commission Expires:

Lien.incomply.lien.rescinded by Board.WALMER..CRD



Connie R. DeVasto
MY COMMISSION # CC961768 EXPIRES
August 17, 2004
BONDED THRU TROY FAIR INSURANCE, INC

CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA
By: 
Date: 8-6-03



11:28:18 AM 03/17/2003

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 04746 PG 0093
CLERK'S # 2003044955
RECORDED 03/17/2003 08:06:00 AM
RECORDING FEES 6.00
RECORDED BY J Eckenroth

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

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

Petitioner,

vs.

CASE NO. 02-133-CEB

^{SR}
WAYNE J WALMER, JR.,

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 **October 24, 2002** 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 **November 8, 2002**.
3. That a re-inspection was performed on **December 4, 2002**.
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 **December 4, 2002**.
6. That an additional re-inspection was performed on **February 24, 2003**.
7. That the violation found by the Board on **October 24, 2002** has been repeated in that **junk vehicles not in an enclosed garage or attached carport are on the property again.**

FURTHER AFFIANT SAYETH NOT.
DATED this 13th day of March, 2003.

Donna Wisniewski

Donna Wisniewski, Inspector

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 13th day of March 2003 by Donna Wisniewski, who is personally known to me and did take an oath.

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

CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA



By: *Marcia L Fuller*
Date: *3-14-03*

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,

CASE NO. 02-133-CEB

Petitioner,

vs.

WAYNE J WALMER, SR
180 W 3RD STREET
CHULUOTA FL 32766

Respondent.

1 1000 100 11 0001 10 0001 100 11 0001 100 100 000 11 11 0001 100 100 000 11 11 0001 100 100 1 1000

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 04816 PG 1960
CLERK'S # 2003079378
RECORDED 05/12/2003 09:03:38 AM
RECORDING FEES 10.50
RECORDED BY J Eckenroth

ORDER OF REPEAT VIOLATION

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

(a) The Respondent is the owner of record of the property (Tax Parcel ID #21-21-32-5CF-2500-0100) located at 180 W 3rd St, Chuluota, Florida, located in Seminole County and legally described as follows:

LOTS 10 & 11 BLK 25 NORTH CHULUOTA PB 2 PG 54

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

Based on the testimony and evidence presented in Case No 02-133-CEB, the Respondent was in violation of the Seminole County Code on October 24, 2002. Compliance was achieved on December 4, 2002. A reinspection was performed on February 24, 2003, which found that the violation was being repeated.

A fine of \$50.00 per day from February 24 through April 24, 2003 shall be imposed, and shall be increased to \$250.00 per day beginning April 25, 2003 until the property is in compliance.

In order to correct the violation, the Respondent shall take the following remedial action:

CASE NO 02-133-CEB
WAYNE J WALMER, SR

REMOVE JUNKED, WRECKED, DISMANTLED, ABANDONED
AND /OR NON-OPERATING VEHICLES OR PLACE IN AN
ENCLOSED GARAGE OR ATTACHED CARPORT.

The Respondent is further ordered to contact the Seminole County code inspector to arrange inspection and/or reinspection of the property as is necessary to verify compliance with this Order.

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

DONE AND ORDERED this 24th day of April, 2003, in Seminole County, Florida.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

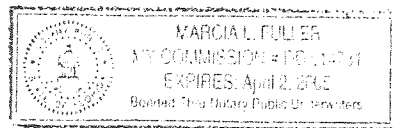
Jean Metts
JEAN METTS, VICE CHAIR

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

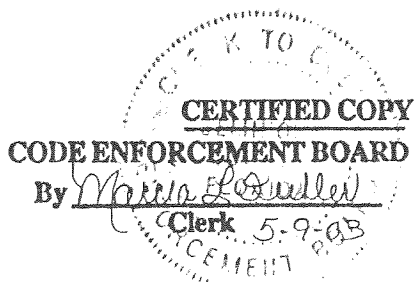
The foregoing instrument was acknowledged before me this 24th day of April, 2003, by Jean Metts, who is personally known to me.

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

Repeatwalmer



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

Case No. 02-133-CEB



Petitioner,
vs.
Wayne J Walmer,
Respondent.

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 04944 PG 1120
CLERK'S # 2003133651
RECORDED 07/31/2003 02:28:39 PM
RECORDING FEES 6.00
RECORDED BY J Eckenroth

AFFIDAVIT OF COMPLIANCE
(After Repeat Violation)

BEFORE ME, the undersigned authority, personally appeared Donna Wisniewski, Code Enforcement Officer for the Seminole County Sheriff's Office, who, after being duly sworn, deposes and says:

1. That on **October 24, 2002**, 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 **November 11, 2002**.
3. That a re-inspection was performed and the Respondent was in compliance on **December 4, 2002**.
4. That subsequent to the foregoing finding of compliance, a further REINSPECTION of the subject property was made on **February 24, 2003**. The Respondent was at that time no longer in compliance with the Order of **October 24, 2002**, by having repeated the original violation.
5. That the most recent reinspection on **July 28, 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 **July 24, 2003**.

FURTHER AFFIANT SAYETH NOT. DATED this 29th day of July 2003.

Donna Wisniewski
Donna Wisniewski, Inspector

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 29th day of July 2003, by Donna Wisniewski, who is personally known to me and who did take an oath.

CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

By: Connie R DeVasto

Date: 7-29-03

Connie R DeVasto

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



Connie R. DeVasto
MY COMMISSION # CC961768 EXPIRES
August 17, 2004
BONDED THRU TROY FAIN INSURANCE, INC.

SEMINOLE COUNTY
CEB CASE NO. 02-133-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 Wayne John Walmer

Property Address 180 West 3rd St Chuluota, FL 32766

Phone number where you can be reached during the day NA

Is the property now in compliance? Yes Yes _____ 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 the person who is authorized to act for the Property Owner and their relationship to the Property Owner:

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

I WAYNE J WALMER PLEASE REQUEST
The opportunity to be permitted to be
heard in front of the Commission in
this MATTER. I am 100 percent PERMANENTLY
Disabled Viet NAM Veteran. I live
ON A VERY SMALL income, PLEASE HELP
Me if possible.

Date: Sept 8-2003

Signed: Wayne J Walmer Sr.

Print Name: WAYNE J WALMER SR

State of Florida
County of Seminole

PERSONALLY appeared before me, the undersigned authority duly authorized to administer oaths and take acknowledgments, Wayne J. Walmer, Sr., 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 D/L as identification and did take an oath.



Date: 9-8-03

Connie R DeVasto

Notary Public

My Commission Expires:

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

PARCEL DETAIL  Seminole County Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-665-7500	REAL ESTATE PERSONAL PROP. TAX ROLL SALES SEARCH II																																																	
<p style="text-align: center;">GENERAL</p> Parcel Id: 21-21-32-5CF-2500-0100 Tax District: 01-TX DIST 1 - COUNTY Owner: WALMER WAYNE J SR Exemptions: 00-HOMESTEAD Address: 180 W 3RD ST City,State,ZipCode: OVIEDO FL 32766 Property Address: 180 3RD ST W CHULUOTA 32766 Subdivision Name: NORTH CHULUOTA Dor: 01-SINGLE FAMILY		<p style="text-align: center;">2004 WORKING VALUE SUMMARY</p> Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$53,609 Depreciated EXFT Value: \$0 Land Value (Market): \$11,655 Land Value Ag: \$0 Just/Market Value: \$65,264 Assessed Value (SOH): \$65,264 Exempt Value: \$65,264 Taxable Value: \$0																																																
<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>04/1999</td> <td>03637</td> <td>0195</td> <td>\$30,000</td> <td>Improved</td> </tr> <tr> <td>FINAL JUDGEMENT</td> <td>09/1998</td> <td>03514</td> <td>1307</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/1994</td> <td>02738</td> <td>1720</td> <td>\$40,000</td> <td>Improved</td> </tr> <tr> <td>CERTIFICATE OF TITLE</td> <td>01/1994</td> <td>02715</td> <td>0084</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>03/1988</td> <td>01969</td> <td>0198</td> <td>\$60,000</td> <td>Vacant</td> </tr> <tr> <td>WARRANTY DEED</td> <td>10/1987</td> <td>01941</td> <td>0666</td> <td>\$100</td> <td>Vacant</td> </tr> <tr> <td>WARRANTY DEED</td> <td>07/1985</td> <td>01652</td> <td>1253</td> <td>\$9,900</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	04/1999	03637	0195	\$30,000	Improved	FINAL JUDGEMENT	09/1998	03514	1307	\$100	Improved	WARRANTY DEED	02/1994	02738	1720	\$40,000	Improved	CERTIFICATE OF TITLE	01/1994	02715	0084	\$100	Improved	WARRANTY DEED	03/1988	01969	0198	\$60,000	Vacant	WARRANTY DEED	10/1987	01941	0666	\$100	Vacant	WARRANTY DEED	07/1985	01652	1253	\$9,900	Vacant	<p style="text-align: center;">2003 VALUE SUMMARY</p> 2003 Tax Bill Amount: \$0 2003 Taxable Value: \$0
Deed	Date	Book	Page	Amount	Vac/Imp																																													
WARRANTY DEED	04/1999	03637	0195	\$30,000	Improved																																													
FINAL JUDGEMENT	09/1998	03514	1307	\$100	Improved																																													
WARRANTY DEED	02/1994	02738	1720	\$40,000	Improved																																													
CERTIFICATE OF TITLE	01/1994	02715	0084	\$100	Improved																																													
WARRANTY DEED	03/1988	01969	0198	\$60,000	Vacant																																													
WARRANTY DEED	10/1987	01941	0666	\$100	Vacant																																													
WARRANTY DEED	07/1985	01652	1253	\$9,900	Vacant																																													
<p style="text-align: center;">LAND</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>FRONT FOOT & DEPTH</td> <td>75</td> <td>105</td> <td>.000</td> <td>185.00</td> <td>\$11,655</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	FRONT FOOT & DEPTH	75	105	.000	185.00	\$11,655	<p style="text-align: center;">LEGAL DESCRIPTION PLAT</p> LOTS 10 & 11 BLK 25 NORTH CHULUOTA PB 2 PG 54 TO 58																																				
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																																													
FRONT FOOT & DEPTH	75	105	.000	185.00	\$11,655																																													
<p style="text-align: center;">BUILDING INFORMATION</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Bld Num</th> <th>Bld Type</th> <th>Year Blt</th> <th>Fixtures</th> <th>Gross SF</th> <th>Heated SF</th> <th>Ext Wall</th> <th>Bld Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>SINGLE FAMILY</td> <td>1990</td> <td>6</td> <td>2,157</td> <td>1,581</td> <td>SIDING AVG</td> <td>\$53,609</td> <td>\$56,431</td> </tr> </tbody> </table> <p style="text-align: center;">Appendage / Sqft GARAGE UNFINISHED / 576</p>			Bld Num	Bld Type	Year Blt	Fixtures	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	1990	6	2,157	1,581	SIDING AVG	\$53,609	\$56,431																														
Bld Num	Bld Type	Year Blt	Fixtures	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New																																										
1	SINGLE FAMILY	1990	6	2,157	1,581	SIDING AVG	\$53,609	\$56,431																																										
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 # 02-133-CEB
Wayne J. Walmer, SR

<u>Postage</u>				
Regular	2	\$.34	\$.68	
Certified	7	\$ 4.42	\$ 30.94	
				\$ 31.62
<u>Site Inspections</u>				
9 Site Visits	1.25 hr ea	\$16.00	\$396.00	
18.7 miles – Est. driving time 32 minutes (as determined on Yahoo Maps)				\$ 396.00
<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				
ESTIMATED COST FOR PROCESSING CASE # 02-133-CEB				\$ 645.36