

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Code Enforcement Lien, Case # 03-52-CEB, Request for Reduction of Penalty – Oscar and Bernice K. Duncan, 2005 W. Osceola Road, Oviedo

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

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

Agenda Date 10/11/05 **Regular** **Consent** **Work Session** **Briefing**
Public Hearing – 1:30 **Public Hearing – 7:00**

MOTION/RECOMMENDATION:

(A) Approve a reduction to the Code Enforcement Board lien from \$5,700.00 to the estimated administrative costs of \$625.57 for processing Case # 03-52-CEB on the property located at 2005 W. Osceola Road, Oviedo – Oscar and Bernice K. Duncan, owners (Staff recommendation), require these costs to be paid within 30 days or the lien will revert back to its original amount (\$5,700.00), and upon payment in full; authorize the Chairman to execute the Satisfaction of Lien; or

(B) Approve the request to waive the Code Enforcement Board lien which totals \$5,700.00 on the property located at 2005 W. Osceola Road, Oviedo, Case # 03-52-CEB and authorize the Chairman to execute the Satisfaction of Lien; or

(C) Approve a reduction to the Code Enforcement Board lien which totals \$5,700.00, on the property located at 2005 W. Osceola Road, Oviedo, Case # 03-52-CEB to an amount set by the Board of County Commissioners and require the reduced amount to be paid within 30 days or the lien will revert back to its original amount (\$5,700.00) and upon payment in full, authorize the Chairman to execute the Satisfaction of Lien; or

(D) Deny the request to waive or reduce the Code Enforcement Board lien which totals \$5,700.00 on the property located at 2005 W. Osceola Road, Oviedo, Case # 03-52-CEB

Commissioner Morris – District 2

April Boswell – Principal Coordinator

BACKGROUND:

In response to a complaint, on February 18, 2003, the Code Enforcement Officer observed the following violations located at 2005 W. Osceola Road, Oviedo: the accumulation of trash and debris; uncultivated vegetation in excess of 24" in height, within 75' of a structure; and junked or abandoned vehicles not kept within an enclosed garage or attached carport; in violation of Seminole County Code Section 95.4, as defined in Section 95.3. The timeline on this violation is below:

Reviewed by: _____
Co Atty: ER
DFS: _____
Other: _____
DCM: AB
CM: _____
File No. rpdp02

DATE	ACTION	RESULT
February 18, March 12 and April 13, 2003	Notice of Violations issued to Respondents	Violations remain
May 29, 2003	Notice of Hearing mailed to Respondents via certified and regular mail	Received and signed for by Hannibal Duncan, son of Respondents
June 26, 2003	Code Board meeting	Order entered giving Respondents a compliance date of July 11, 2003 – if the violation is not corrected by that date, a fine of \$50.00 per day will be imposed for each day the violation continues
July 15, 2003	Reinspection for compliance	Violation remains – Affidavit of Non-Compliance filed by Code Officer
July 30, 2003	Copy of Affidavit of Non-Compliance mailed to Respondents via certified and regular mail	Received and signed for by Respondent, Bernice Duncan
July 30, 2003	Notice of Hearing mailed to Respondents via certified and regular mail	Received and signed for by Respondent, Bernice Duncan
August 28, 2003	Code Board meeting	Lien imposed in the amount of \$2,350.00 with the fine continuing to accrue at \$50.00 until compliance is obtained
August 28, 2003	Copy of Order Imposing Lien mailed to Respondents via certified and regular mail	Certified mail envelope returned marked "refused" – regular mail envelope was not returned
November 4, 2003	Reinspection for compliance	Violation corrected – Affidavit of Compliance filed by Code Officer
November 4, 2003	Property in non-compliance for the period of November 25, 2004 to April 25, 2005	Lien accrued to \$5,700.00
February 17, 2005	Request for Reduction of Penalty	Received from Respondents, requesting that the lien imposed against the property be released; claiming that they did not fully understand how to correct the violation and that they have a very limited income and can not afford to pay the lien imposed

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 the Property Appraiser information, the assessed value of the property is **\$89,315.00**. The lien totals **\$5,700.00**.
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 2005 W. Osceola Road, Oviedo, from \$5,700.00 to the administrative costs of \$625.57, the cost of processing Case # 03-52-CEB, based on the following facts:

- (1) Respondents are elderly.
- (2) Respondents may not have understood the violations.
- (3) Respondents have a very limited income.

Staff further recommends that this amount (\$625.57) be paid within 30 days or the fine will revert back to the original lien in the amount of \$5,700.00.

Attachments: Statement of Violation and Request for Hearing (5/20/03)
 Notice of Hearing and Board Letter (5/29/03)
 Findings of Fact, Conclusions of Law and Order (6/26/03)
 Affidavit of Non-Compliance (7/15/03)
 Order Finding Non-Compliance and Imposing Fine/Lien (8/28/03)
 Affidavit of Compliance (1/31/05)
 Amended Affidavit of Compliance (2/18/05)
 State of Florida Statement of Retirement Benefit Payments (1/31/05)
 Copy of Respondents' check for removal of vehicle (11/4/03)
 Request for Reduction of Penalty (2/17/05)
 Property Appraiser Database Information
 Estimated Costs for processing Case # 03-52-CEB
 Seminole County Sheriff's Office Estimated Costs for processing
 Case # 03-52-CEB

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

CEB NO. 03-52-CEB

STATEMENT OF VIOLATION AND REQUEST FOR HEARING

Pursuant to Florida State Chapter 162, 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.

VIOLATION OF CODE OR ORDINANCE, SECTION OR NUMBER: Seminole County Code: Chapter 95,
Section 95.4 as defined Section 95.3
(g), (h) and (l).

LOCATION/ADDRESS WHERE VIOLATION EXISTS: 07-20-32-5UO-0002-0010
2005 W Osceola Road
Geneva, Seminole County

District #: 5

NAME AND ADDRESS OF OWNER: OSCAR DUNCAN & BERNICE K
PO Box 620092
Oviedo, FL 32762

DESCRIPTION OF VIOLATION: 1) Accumulation of trash and debris, 2) uncultivated vegetation in excess of 24 inches in height and within 75 feet of a structure and 3) junked or abandoned vehicles; provided, however, that a junked or abandoned vehicle is kept within and enclosed garage or an attached carport.

DATE VIOLATION FIRST OBSERVED: 02/18/03
DATE 1st NOTICE OF VIOLATION: 02/18/03
DATE VIOLATION TO BE CORRECTED: 03/11/03
DATE OF REINSPECTION: 03/12/03
DATE OF 2ND NOTICE OF VIOLATION: 03/12/03 & 04/15/03
DATE VIOLATION TO BE CORRECTED: 04/11/03 & 04/30/03
DATE OF REINSPECTION: 04/14/03, 05/06/03 & 5/20/03
INSPECTION RESULTS: Uncultivated vegetation in excess of 24" and within 75' of a structure and inoperable vehicle remain on the property.

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 Board for a public hearing.

DATED THIS 20th DAY OF MAY, 2003



Dorothy Hird, Inspector

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 20th day of May by Dorothy Hird, who is personally known to me.

Marcia L. Fuller
Notary Public in and for the County and State
Aforementioned
MY COMMISSION # DD 014731
EXPIRES: April 2, 2005
Bonded Thru Notary Public Underwriters

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

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

CASE NO. 03-52-CEB

Petitioner,

vs.

OSCAR DUNCAN & BERNICE K

Respondent.

NOTICE OF HEARING

TO: OSCAR DUNCAN & BERNICE K
PO BOX 620092
OVIEDO, FL 32762

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 26th day of June, 2003, 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:

- 1) ACCUMULATION OF TRASH AND DEBRIS
- 2) UNCULTIVATED VEGETATION IN EXCESS OF 24 INCHES IN HEIGHT AND WITHIN 75 FEET OF STRUCTURE
- 3) JUNKED OR ABANDONED VEHICLE NOT KEPT WITHIN AN ENCLOSED GARAGE OR AN ATTACHED CARPORT

FOR ADDITIONAL INFORMATION REGARDING THIS NOTICE, PLEASE CONTACT THE PLANNING OFFICE (407) 665-7403.

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 665-7941.

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.

ANY PERSON WISHING TO ADDRESS THE BOARD IN THIS MATTER
PLEASE CHECK IN WITH THE CLERK BY 1:25 PM.

DATED this 29th day of May, 2003.

Deborah Leigh
Clerk to the Code Enforcement Board
Seminole County, Florida

CURRENT PLANNING DIVISION



CODE ENFORCEMENT

MAY 29, 2003

OSCAR DUNCAN &
BERNICE K
PO BOX 620092
OVIEDO, FL 32762

CASE NO 03-52-CEB

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...

Seminole County has requested the violation of its codes as alleged in Notice of Hearing is also enclosed

You may appear at the hearing in the case. You have the right to examine all other witnesses. If the Board determine that a violation is necessary to bring a violation into your property up to two hundred feet date set for compliance by the Board by the Board.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
Print your name and address on the reverse so that we can return the card to you.
Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Oscar Duncan &
Bernice K
PO Box 620092
Oviedo, FL 32762
NOH 06/26/03 03-52-CEB

COMPLETE THIS SECTION ON DELIVERY

Form with fields for Signature, Received by (Printed Name), Date of Delivery, Service Type (Certified Mail, Registered, Insured Mail, Express Mail, Return Receipt for Merchandise, S.D.), and Restricted Delivery? (Extra Fee).

Any inquiries concerning this matter County, Florida.

2. Article Number (Transfer from service label)
PS Form 3811, August 2001

7002 0510 0000 8539 7599

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

Deborah Leigh (signature)

Enclosures: Notice of Hearing
Statement of Violation

1101 EAST FIRST STREET SANFORD FL 32771-1468 TELEPHONE (407)

Domestic Return Receipt
102595-01-M-25

(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Table with columns for Postage, Certified Fee, Return Receipt Fee, Restricted Delivery Fee, and Total Postage & Fees.

Postmark Here

Oscar Duncan &
Bernice K
PO Box 620092
Oviedo, FL 32762
NOH 06/26/03 03-52-CEB

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

CASE NO. 03-52-CEB

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 04902 PG 0346
CLERK'S # 2003116930
RECORDED 07/10/2003 08:42:40 AM
RECORDING FEES 6.00
RECORDED BY J Eckenroth

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

Petitioner,

vs.

Oscar Duncan
Bernice K Duncan

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 03-52-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID #07-20-32-5UO-0002-0010), located at 2005 W Osceola Rd., Geneva, Florida, (District 5) located in Seminole County and legally described as follows: SEC 07 TWP 20S RGE 32E LOT 1 TRACT 2 ST JOHNS RANCH ESTATES, UNRECD PLAT.
- (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 (g) (h) (1).

IN ORDER TO CORRECT THE VIOLATIONS, THE RESPONDENTS SHALL:

REMOVE THE JUNKED OR ABANDONED VEHICLE NOT WITHIN AN ENCLOSED GARAGE OR ATTACHED CARPORT.

If the Respondents do not comply with the Order, a fine of \$ 50⁰⁰ per day per violation will be imposed for each day the violations continue, or are repeated after compliance past July 11, 2003. The Respondents are 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 Respondents..

DONE AND ORDERED this 26TH day of June, 2003, 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 26th day of June, 2003, by Tom Hagood, who is personally known to me.

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

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

Order.FOEduncan/va
By: *Connie R DeVasto*
Date: 7-08-03



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

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

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

CASE NO: 03-52-CEB

1 1001 100 1100 11 0001 11 0001 000 111 001 1100 000 101 100 001 000 1000 11 0001 000 1000 1 1000

Petitioner,

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 04950 PG 1191
CLERK'S # 2003136108
RECORDED 08/05/2003 02:31:36 PM
RECORDING FEES 6.00
RECORDED BY J Eckenroth

vs.

OSCAR DUNCAN & BERNICE K DUNCAN

Respondent.

_____ /

AFFIDAVIT OF NON-COMPLIANCE

BEFORE ME, the undersigned authority, personally appeared **Dorothy Hird**, Code Inspector for **PLANNING DIVISION**, who after being duly sworn, deposes and says:

1. That on **June 26, 2003**, 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 **July 11, 2003**.
3. That a re-inspection was performed on **July 15, 2003**.

That the re-inspection revealed that the corrective action ordered by the Board has not been taken in that **the junked or abandoned vehicle not being kept within an enclosed garage or an attached carport remains on the property.**

FURTHER AFFIANT SAYETH NOT.

DATED this 15th day of **JULY, 2003**.



Dorothy Hird, Inspector

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 15th day of **JULY 2003**, by **Dorothy Hird**, who is personally known to me and who did take an oath.

CERTIFIED
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA
By: Connie R DeVasto
Date: APP-NON.COM 7-30-03

Connie R DeVasto
Notary Public in and for the County
and State Aforementioned
My commission expires **August 17, 2004**
BONDED THRU TROY FAIN INSURANCE, INC

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

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

Petitioner,

vs.

OSCAR & BERNICE K. DUNCAN
P. O. BOX 620092
OVIEDO, FL 32762

Respondent(s).

CASE NO 03-52-CEB

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 04993 PG 1369
CLERK'S # 2003155579
RECORDED 09/04/2003 11:55:41 AM
RECORDING FEES 10.50
RECORDED BY S Butt

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel ID #07-20-32-5UO-0002-0010), located at 2005 W Osceola Rd., Geneva, Florida, (District 5), Seminole County and legally described as follows:

SEC 07 TWP 20S RGE 32E LOT 1 TRACT 2 ST JOHNS RANCH ESTATES,
UNRECD PLAT.

This case came on for public hearing before the Code Enforcement Board of Seminole County on the 26th day of June, 2003, 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 Seminole County Code Section 95.4 as defined in Section 95.3(g)(h)(l).

Said Order required Respondent to take certain corrective action by July 11, 2003.

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 Non-Compliance bearing the date of July 15, 2003, has been filed with the Board by the Code Inspector, which Affidavit certifies under oath that the required action, removing the junked or abandoned vehicle not being kept within an enclosed garage or an attached carport at this location has not been obtained.

Accordingly, it having been brought to the Board's attention that Respondent has not complied with the Order dated June 26, 2003, the Board orders that a fine of \$2,350.00, 47 days @ \$50.00 per day is imposed against the property for each day the violation continues past the date set for 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 28th of August, 2003, in Seminole County, Florida.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA


TOM HAGOOD, CHAIR

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

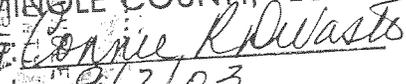
The foregoing instrument was acknowledged before me this 28th day of August, 2003, by Tom Hagood, who is personally known to me.


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



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

Lien.non-comply.DUNCAN.CRD

CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA
BY: 
Date: 9/2/03

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
Subdivision of the State of Florida

Case No: 03-52-CEB

Petitioner,
Vs.
Oscar & Bernice K Duncan

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 05609 PG 1149
CLERK'S # 2005022824
RECORDED 02/09/2005 03:33:18 PM
RECORDING FEES 10.00
RECORDED BY G Harford

Respondent.
_____ /

AFFIDAVIT OF COMPLIANCE

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

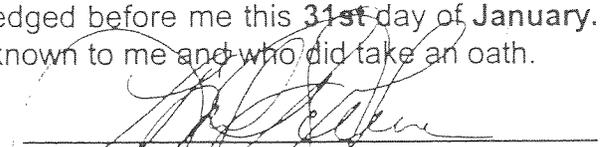
1. That on **June 26, 2003**, the Board held a public hearing and issued its Order in the above-styled matter.
2. That, pursuant to said Order, Respondent was to have taken certain corrective action by or before **July 11, 2003**.
3. That a re-inspection was performed and the Respondent was in compliance on **April 01, 2004**.
4. That the re-inspection revealed that the corrective action ordered by the Board has been taken in that the **junk or abandoned vehicle has been removed**.

FURTHER AFFIANT SAYETH NOT.
2005

DATED this 31st day of January,



Jerry Robertson, Code Enforcement Officer
STATE OF FLORIDA)
COUNTY OF SEMINOLE)



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

The foregoing instrument was acknowledged before me this 31st day of January, 2005, by Jerry Robertson, who is personally known to me and who did take an oath.

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

CMPLAFF.CEB

By: 
Date: 2-3-05



CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
Subdivision of the State of Florida

Case No. 03-52-CEB

Petitioner,
Vs.
Oscar & Bernice K Duncan

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 05630 PG 0092
CLERK'S # 2005033738
RECORDED 02/28/2005 02:29:14 PM
RECORDING FEES 10.00
RECORDED BY G Harford

Respondent.

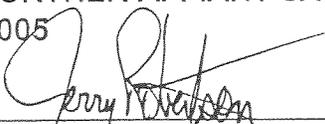
Amended
AFFIDAVIT OF COMPLIANCE

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

1. That on June 26, 2003, 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 July 11, 2003.
3. That a re-inspection was performed and the Respondent was in compliance on Nov. 04, 2003. Attached new evidence to prove an earlier date.
4. That the re-inspection revealed that the corrective action ordered by the Board has been taken in that the junk or abandoned vehicle has been removed.

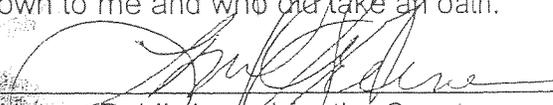
FURTHER AFFIANT SAYETH NOT.
2005

DATED this 18th day of FEB,

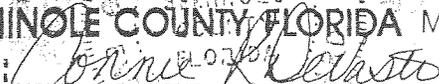

Jerry Robertson, Code Enforcement Officer
STATE OF FLORIDA)
COUNTY OF SEMINOLE)

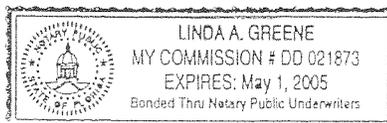
The foregoing instrument was acknowledged before me this 18th day of FEB. 2005, by Jerry Robertson, who is personally known to me and who did take an oath.

CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY FLORIDA


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

CMPLAFF.CEB

By: 
Date: 2-21-05



STATE OF FLORIDA
 DEPARTMENT OF FINANCIAL SERVICES
 STATEMENT OF RETIREMENT BENEFIT PAYMENTS

FLAIR ACCOUNT CODE 72-732309001-72750300-00-31103100	OLO 720000	SITE 04	DOCUMENT NUMBER C5000012963	OBJECT 4230	DATE 01/31/2005	EFT NUMBER 1514737
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REMITTED BY	PAYEE	WITHHOLDING STATUS
DIVISION OF RETIREMENT P.O. BOX 3090 TALLAHASSEE, FLORIDA 32315-3090	PAYEE : BERNICE K DUNCAN PAYEE : XXX-XX-9989 MEMBER : BERNICE K DUNCAN MEMBER : XXX-XX-9989	MARITAL STATUS : M ALLOWANCES : 3 STATED W/H TAX : ADDL W/H TAX : W/H TAX : Y

SUMMARY OF BENEFITS AND DEDUCTIONS			MISCELLANEOUS DEDUCTIONS		
	THIS PAYMENT	CALENDAR YEAR-TO-DATE	CODE DESCRIPTION	THIS PAYMENT	CALENDAR YEAR-TO-DATE
RETIREMENT BENEFIT	\$2,270.77	\$2,270.77	004 STATE HEALTH TRUST F	\$841.98	\$841.98
HEALTH INS. SUBSIDY	150.00	150.00	005 STATE LIFE TRUST FUN	4.20	4.20
			018 CAPITAL INSURANCE AG	30.10	30.10
GROSS BENEFITS	2,420.77	2,420.77			
WITHHOLDING TAX	94.64	94.64			
MISC DEDUCTIONS	876.28	876.28			
NET BENEFITS	\$1,449.85	\$1,449.85	TOTAL OF MISC DEDUCTIONS	\$876.28	\$876.28

Questions about your benefit??
 Call (850) 488-4742, write to the address above, or email RETIRED@FRS.STATE.FL.US

QUESTIONS REGARDING YOUR STATE HEALTH INSURANCE PREMIUM OR COVERAGE SHOULD BE MADE TO THE PEOPLE FIRST SERVICE CENTER AT 1-866-663-4735. PLEASE NOTIFY RETIRED PAYROLL BY PHONE OR IN WRITING IF YOUR ADDRESS CHANGES. INCLUDE YOUR NAME, SS#, TELEPHONE NUMBER & SIGNATURE.

THE DIVISION OF RETIREMENT, DEPARTMENT OF MANAGEMENT SERVICES FURNISHED THE ABOVE INFORMATION.


 BERNICE K DUNCAN
 PO BOX 620092
 OVIEDO FL 32762

SEMINOLE COUNTY
CEB CASE NO. 03-52-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 OSCAR & BERNICE R. DUNCAN

Property Address 2005 W OSCEOLA RD GENEVA FL

Phone number where you can be reached during the day 407-349-5648

Is the property now in compliance? 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, BERNICE K. DUNCAN, do hereby submit this Petition in request for a reduction in the total amount of penalty imposed and in support, offer the following statement:

- The vehicle was not removed in a timely manner because of my not understanding fully - it was drive-able, but I couldn't drive it, my son moved it (drive it) to the back of the house so that it could not be seen causing a sore eye - you could only see it if you were searching. The inspector said it had to be totally removed - it was, but due to the storm and the mess of things it took me a while to find the receipt.
- My husband is medically disabled
- My retirement benefits is our only income at this time.
- I retired because of my disabled 98 yr old mother
- The vehicle was removed 11-4-03 instead of 4-1-04.
Please do not charge me anything because I can't afford it. I was unaware that this case was still open.

Date: Feb 17 2005

Signed: Bernice K. Duncan

Print Name: BERNICE K. DUNCAN

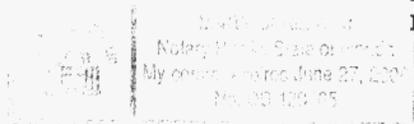
State of Florida
County of Seminole

PERSONALLY appeared before me, the undersigned authority duly authorized to administer oaths and take acknowledgments, Bernice Duncan, 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 Florida license as identification and did take an oath.

Date: 2-17-05

Mark Mark
Notary Public

My Commission Expires:



<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508</p>																						
<p>GENERAL</p> <p>Parcel Id: 07-20-32-5UO-0002-0010 Tax District: 01-COUNTY-TX DIST 1</p> <p>Owner: DUNCAN OSCAR & BERNICE K Exemptions: 00-HOMESTEAD</p> <p>Address: PO BOX 620092</p> <p>City,State,ZipCode: OVIEDO FL 32762</p> <p>Property Address: 2005 OSCEOLA RD W</p> <p>Subdivision Name: ST JOHNS RANCH ESTATES</p> <p>Dor: 01-SINGLE FAMILY</p>		<p>2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$61,123</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$85,050</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$146,173</p> <p>Assessed Value (SOH): \$89,315</p> <p>Exempt Value: \$30,000</p> <p>Taxable Value: \$59,315</p> <p>Tax Estimator</p>																				
<p>SALES</p> <table border="1"> <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>01/1978</td> <td>01155</td> <td>0309</td> <td>\$42,000</td> <td>Improved</td> </tr> </tbody> </table> <p>Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	01/1978	01155	0309	\$42,000	Improved	<p>2004 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$1,863</p> <p>2004 Tax Bill Amount: \$959</p> <p>Save Our Homes (SOH) Savings: \$904</p> <p>2004 Taxable Value: \$56,714</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</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.</p> <p>*** 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 # 03-52-CEB
OSCAR AND BERNICE DUNCAN**

<u>Postage</u>			
Regular	9	\$.37	\$ 3.33
Certified	9	\$ 4.42	\$39.78
			\$ 43.11
<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	
Planning Manager's Review	1 hour	\$ 40.00	
Planning and Development Director's Review	1 hour	\$ 50.00	
Deputy County Manager's Review	1 hour	\$ 60.00	
County Attorney Review	1 hour	\$100.00	
			\$375.00
Other associated costs not captured: Fleet expense, Phone expense, Utilities, Computer Support			
Costs for Recording Documents -			
# of first page docs - 6 # of additional page docs - 1			\$ 68.50
(\$10.00 first page, \$8.50 each additional page)			
<u>ESTIMATED COST FOR PROCESSING CASE # 03-52-CEB By the Planning Division</u>			\$443.50
<u>ESTIMATED COST FOR PROCESSING CASE # 03-52-CEB By the Seminole County Sheriff's Office</u>			\$182.07
<u>TOTAL COST FOR PROCESSING CASE # 03-52-CEB</u>			\$625.57

