

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Code Enforcement Lien, Case # 03-99-CEB, Request for Reduction of Penalty – Medford D. and Willie M. Lynd, 410 Forest Lake Drive, Altamonte Springs

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

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

Agenda Date <u>11/15/05</u> Regular <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Public Hearing – 1:30 <input type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>

MOTION/RECOMMENDATION:

(A) Approve a reduction to the Code Enforcement Board lien from \$163,350.00 to the estimated administrative costs of \$717.22 for processing Case # 03-99-CEB on the property located at 410 Forest Lake Drive, Altamonte Springs – Medford D. and Willie M. Lynd, owners of record; require these costs to be paid within 60 days or the lien will revert back to its original amount (\$163,350.00); and, upon payment in full, authorize the Chairman to execute the Satisfaction of Lien; or

(B) Approve a reduction to the Code Enforcement Board lien which totals \$163,350.00, on the property located at 410 Forest Lake Drive, Altamonte Springs, Case # 03-99-CEB, to an amount set by the Board of County Commissioners and require the reduced amount to be paid within 60 days or the lien will revert back to its original amount (\$163,350.00) and, upon payment in full, authorize the Chairman to execute the Satisfaction of Lien; or

(C) Approve a waiver of the Code Enforcement Board lien which totals \$163,350.00 on the property located at 410 Forest Lake Drive, Altamonte Springs, Case # 03-99-CEB, and 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 \$163,350.00 on the property located at 410 Forest Lake Drive, Altamonte Springs, Case # 03-99-CEB.

Commissioner Van Der Weide – District 3

April Boswell – Assistant Planning Manager

BACKGROUND:

On October 21, 2002, the Code Enforcement Officer observed the following violations located at 410 Forest Lake Drive, Altamonte Springs: **(1)** Unusable or abandoned furniture, trash and debris, uncultivated vegetation, used and scrap building material, junk vehicles, junk boats, and objectionable matter, in violation of Seminole County Code Chapter 95, Section 95.4 as defined in Section 95.3; and, **(2)** operating a business(es) in an A-1 zone, in violation of Seminole County Land Development Code Chapter 30, Sections 30.122, 30.123 and 30.124. The timeline on this violation is below:

Reviewed by: <u>103105</u> Co Atty: <u>[Signature]</u> DFS: _____ Other: _____ DCM: <u>[Signature]</u> CM: <u>[Signature]</u> File No. <u>rpdp04</u>
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DATE	ACTION	RESULT
October 22, 2002 December 24, 2002 August 12, 2003	Notices of Violations issued to Respondents	Violations remain
October 28, 2003	Notice of Hearing mailed to Respondents via certified and regular mail	Received and signed for by Glenda Lynd, daughter of Respondents
December 4, 2003	Code Board Hearing	Order entered giving Respondents two compliance dates: January 5, 2004 (for SCC violations) & March 4, 2004 (for SCLDC violation) --if the violations were not corrected by said dates, a fine of \$150.00 per day would be imposed for each day the violations continued past the respective compliance date for the respective violation(s) (Respondents not present at hearing)
December 10, 2003	Copy of Order mailed to Respondents via certified and regular mail	Certified mail was returned "unclaimed" Regular mail was not returned
January 6, 2004	Reinspection for compliance	Violations remain – Affidavit of Non-Compliance filed by Code Officer
January 20, 2004	Copy of Affidavit of Non-Compliance mailed to Respondents via certified and regular mail	Certified mail was returned "unclaimed" Regular mail was not returned
March 5, 2004	Reinspection for compliance	Nonpermitted business violation remains – Affidavit of Non-Compliance filed by Code Officer
March 30, 2004	Copy of Affidavit of Non-Compliance mailed to Respondents via certified and regular mail	Certified mail was returned "unclaimed" Regular mail was not returned
April 7, 2004	Notice of Hearing mailed to Respondents via certified and regular mail	Received and signed for by Glenda Lynd, daughter of Respondents
April 22, 2004	Code Board Hearing	Lien imposed in the amount of \$23,550.00 with the fine continuing to accrue at \$150.00 per day for each separate compliance date (January 5, 2004 and March 4, 2004) after April 22, 2004 (Respondents not present at hearing)
April 26, 2004	Copy of Order Imposing Lien mailed to Respondents via certified and regular mail	Received and signed for by Glenda Lynd, daughter of Respondents

August 3, 2005	Reinspection for compliance	Violations corrected – Affidavit of Compliance filed by Code Officer
August 3, 2005	Property in non-compliance for the period of January 6 through August 2, 2005 (for SCC violations)	Lien accrued to \$86,100.00 (\$150 x 574 days = \$86,100.00)
August 3, 2005	Property in non-compliance for the period March 5, 2004 through August 2, 2005 (for SCLDC violation)	Lien accrued to \$77,250.00 (\$150 x 515 days = \$77,250.00)
August 12, 2005	Mailed memorandum regarding accrued lien amounts to Respondents and by request to Craig Lynd, grandson of Respondents	Received and signed for by Glenda Lynd, daughter of Respondents
August 18, 2005	Request for Reduction of Penalty	Received from Craig Lynd, grandson of Respondents, requesting that the lien imposed against the property be released, claiming that Ron Lynd and Glenda Lynd, son and daughter of the Respondents, used the property and hid the problems, thus preventing Respondent Willie Lynd from taking any action to bring the property into compliance, further claiming that Respondent Willie Lynd is in her mid-80's, has a very limited income, and cannot 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

Property Appraiser information, the assessed value of the property is \$130,252.00. The lien totals \$163,350.00.

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 410 Forest Lake Drive, Altamonte Springs, from \$163,350.00 to the administrative costs of \$717.22, the cost of processing Case # 03-99-CEB, based on the following facts:

- (1) Respondent Medford Lynd is deceased.
- (2) Respondent Willie Lynd is elderly and has a limited income.
- (3) Respondents may not have been aware of the violations.

Staff further recommends that this amount (\$717.22) be paid within 60 days or the fine will revert back to the original lien in the amount of \$163,350.00.

Attachments: Statement of Violation and Request for Hearing (10/23/03)
Notice of Hearing and Board Letter (10/28/03)
Findings of Fact, Conclusions of Law and Order (12/4/03)
Affidavit of Non-Compliance (as to objectionable matter) (1/13/04)
Affidavit of Non-Compliance (as to nonpermitted business) (3/10/04)
Notice of Hearing (4/7/04)
Order Finding Non-Compliance and Imposing Fine/Lien (4/22/04)
Affidavit of Compliance (8/3/05)
Memorandum regarding accrued lien amounts (8/12/05)
Request for Reduction of Penalty (8/16/05)
Property Appraiser Database Information
Estimate of Costs for processing Case # 03-99-CEB (Planning Division and SCSO)
Seminole County Sheriff's Office Estimated Costs for processing Case # 03-99-CEB (8/3/05)
Unlimited Power of Attorney (12/1/04)

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

99
CEB NO. 03- -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 in 95.3 (e), (g), (h), (j), (l), (m) & (p)
and the Seminole County Land Development Code Ch 30 Sec 30. 122, 30. 123 and 30. 124.

LOCATION/ADDRESS WHERE VIOLATION EXISTS: 17-21-29-507-0000-0060
a.k.a. 268 N Forest Lake Dr. 410 Forest Lake Dr.
Seminole County, FL

NAME AND ADDRESS OF OWNER: Medford D & Willie M Lynd
256 N Forest Lake Dr
Altamonte Springs, FL 32714
Com. Dist 3

DESCRIPTION OF VIOLATION: 1) Unusable or abandoned furniture, (2) Trash & debris, (3) Uncultivated vegetation, (4) Used and scrap building material, (5) Junk vehicles not within an enclosed garage or carport, (6) Junk, dismantled, or abandoned boats, and (7) Any other objectionable, unsightly, or unsanitary matter, substance, or material. And operating a business (es) in an A-1 zoned area which is not a permitted, limited or conditional use.

DATE VIOLATION FIRST OBSERVED: October 21, 2002
DATE 1ST NOTICE OF VIOLATION: October 22, 2002
DATE VIOLATION TO BE CORRECTED: December 3, 2002
DATE 2ND NOTICE OF VIOLATION: December 24, 2002
DATE VIOLATION TO BE CORRECTED: January 7, 2003
DATE 3RD NOTICE OF VIOLATION: August 12, 2003
DATE VIOLATION TO BE CORRECTED: October 1, 2003
DATE OF REINSPECTION: October 1, 2003

INSPECTION RESULTS: The unusable or abandoned furniture, trash & debris, uncultivated vegetation, used and scrap building material, junk vehicles, junk boats and objectionable, unsightly, or unsanitary matter, substance, or material still exist on the property in violation of SCC and the businesses are still being conducted in violation of SCLDC.

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 23rd Day of October, 2003

Pamela Taylor
Pamela Taylor, Code Enforcement Officer

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 23rd day of October 2003, by Pamela Taylor who is personally known to me.

Connie R DeVasto
Notary Public in and for the County and State
Aforementioned

COMPLAINT NO. 02-10161

My commission expires:



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. 03-99-CEB

Petitioner,

vs.

MEDFORD D. & WILLIE M. LYND

COPY

Respondent(s).

NOTICE OF HEARING

To: MEDFORD D. & WILLIE M. LYND
256 N. FOREST LAKE DRIVE
ALTAMONTE SPRINGS, FL 32714

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 meeting on Thursday, December 4, 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:

UNUSABLE OR ABANDONED FURNITURE, TRASH AND DEBRIS, UNCULTIVATED VEGETATION, USED OR SCRAP BUILDING MATERIAL, JUNKED OR ABANDONED VEHICLES NOT BEING KEPT WITHIN AN ENCLOSED GARAGE OR AN ATTACHED CARPORT, JUNKED, DISMANTLED OR ABANDONED BOATS, ANY OTHER OBJECTIONALBE, UNSIGHTLY OR UNSANITARY MATTER, SUBSTANCE OR MATERIAL AND OPERATING A BUSINESS(ES) IN AN A-1 ZONED AREA WHICH IS NOT PERMITTED, LIMITED OR CONDITIONAL USE.

FOR ADDITIONAL INFORMATION REGARDING THIS NOTICE, PLEASE CONTACT CODE ENFORCEMENT AT (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.

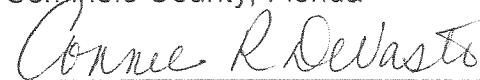
NOTICE OF HEARING, PAGE TWO
MEDFORD D. & WILLIE M. LYND

PERSONS ARE ADVISED THAT IF THEY DECIDE TO APPEAL ANY DECISIONS MADE AT THESE MEETINGS/HEARINGS, THEY WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, THEY MAY NEED TO INSURE THAT A

VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED, PER SECTION 285.0105.

DATED this 28th day of October, 2003.

Connie R. DeVasto
Clerk to the Code Enforcement Board
Seminole County, Florida



noh.LYND.

PLANNING AND DEVELOPMENT DEPARTMENT

CODE ENFORCEMENT



October 28, 2003

COPY

MEDFORD D. & WILLIE M. LYND
256 N. FOREST LAKE DRIVE
ALTAMONTE SPRINGS, FL 32714

CASE NO. 03-99-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 violations of these codes.

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

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

Any inquiries concerning this matter may be made by calling (407) 665-7403, in Sanford, Seminole County, Florida.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

Connie R. DeVasto

Enclosures: Notice of Hearing
Statement of Violation
Request for Hearing

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

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

CASE NO. 03-99-CEB

Petitioner,

vs.

MEDFORD D. & WILLIE M. LYND

Respondent(s).

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 03-99-CEB, it is determined that the Respondents are:

- (a) the owner of record of the property (Tax Parcel ID #17-21-29-507-0000-0060) located at 410 Forest Lake Drive, Altamonte Springs, located in Seminole County and legally described as follows:
LOTS 6 & 7 (LESS N 100 FT OF E 205 FT OF
LOT 6) FOREST LAKE SUBD, PB 4 PG 8:
CUTOUT FOR 95
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Land Development Code, Chapter 30, Section 30.122, 30.123, 30.124 and Seminole County Code Chapter 95, Section 95.4 as defined in 95.3(e)(g)(h)(j)(l)(m)(p).

It is hereby ordered that the Respondent correct the following violations on or before **January 5, 2004**. In order to correct the violations, the Respondent shall take the following remedial action:

REMOVE ALL UNUSABLE OR ABANDONED FURNITURE, REMOVE ALL TRASH AND DEBRIS, REMOVE ALL UNCULTIVATED VEGETATION, REMOVE ALL USED AND SCRAP BUILDING MATERIAL, REMOVE OR REPAIR THE JUNK VEHICLES NOT KEPT WITHIN AN ENCLOSED GARAGE OR CARPORT OR PLACE VEHICLES IN AN ENCLOSED GARAGE OR ENCLOSED CARPORT, REMOVE OR REPAIR THE JUNK, DISMANTLED OR ABANDONED BOATS OR PLACE BOATS IN AN ENCLOSED GARAGE OR CARPORT, REMOVE ANY OTHER OBJECTIONABLE, UNSIGHTLY, OR UNSANITARY MATTER, SUBSTANCE OR MATERIAL, PENDING BY IT'S EXISTANCE, AND/OR ACCUMULATION, TO ENDANGER OR ADVERSELY AFFECT THE HEALTH, SAFETY, LIVES AND/OR WELFARE OF THE CITIZENS OF THE COUNTY.

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 05147 PGS 1140-1141
CLERK'S # 2003227700
RECORDED 12/24/2003 02:05:51 PM
RECORDING FEES 10.50
RECORDED BY J Eckenroth

If the Respondents do not comply with the Order, a fine of \$150.00 per day will be imposed for each day the above violations continue, or are repeated after compliance past **January 5, 2004**. The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Officer inspects the property and verifies compliance with this Order.

It is hereby ordered that the Respondent correct the following violation on or before **March 4, 2004**. In order to correct the violation, the Respondent shall take the following remedial action:

**CEASE THE OPERATION OF ANY BUSINESS
THAT IS NOT A PERMITTED, LIMITED
OR CONDITIONAL USE IN AN A-1 ZONE.**

If the Respondents do not comply with the Order, a fine of \$150.00 per day will be imposed for each day the violation continues, or is repeated after compliance past **March 4, 2004**. The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Officer 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 4th day of December, 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 4th day of December, 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
By: *Connie R. DeVasto*
Date: *8-12-10-2003*



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: 03-99-CEB

Petitioner,

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY

vs.

BK 05177 PG 1787

MEDFORD D & WILLIE M LYND

CLERK'S # 2004011897

RECORDED 01/26/2004 03:03:05 PM

Respondent.

RECORDING FEES 6.00

RECORDED BY J Eckenroth

AFFIDAVIT OF NON-COMPLIANCE

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

1. That on **December 4, 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 **January 5, 2004**
3. That a re-inspection was performed on **January 6, 2004**.
4. That the re-inspection revealed that the corrective action ordered by the Board has not been taken in that **the unusable or abandoned furniture, trash & debris, uncultivated vegetation, used or scrap building material, junked or abandoned vehicles not being kept within an enclosed garage or an attached carport, junked, dismantled or abandoned boats, any other objectionable, unsightly or unsanitary matter, substance or material has not been removed from the property.**

FURTHER AFFIANT SAYETH NOT.

DATED this 13th day of January, 2004

Pamela Taylor
Pamela Taylor, Inspector

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 13th day of January 2004, by Pamela Taylor, who is personally known to me and who did take an oath.

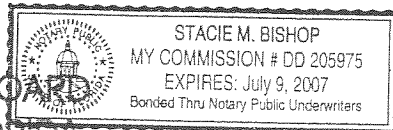
CERTIFIED COPY

CLERK OF THE

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

By: *Connie R. DeVasto*

Date: *1-20-04*



Stacie M. Bishop
Notary Public in and for the County
and State Aforementioned
My commission expires: *07-09-07*

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

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

Petitioner,

vs.

MEDFORD D. & WILLIE M. LYND

Respondent.

CASE NO: 03-99-CEB



MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 05290 PG 0500
CLERK'S # 2004067898
RECORDED 05/04/2004 04:19:52 PM
RECORDING FEES 0.00
RECORDED BY J Eckenroth

AFFIDAVIT OF NON-COMPLIANCE

BEFORE ME, the undersigned authority, personally appeared **Joann Davids**, Code Inspector for **Seminole County Sheriff's Office**, who after being duly sworn, deposes and says:

1. That on **December 4, 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 **March 4, 2004**
3. That a re-inspection was performed on **March 5, 2004**
4. That the re-inspection revealed that the corrective action ordered by the Board has not been taken in that **the operation of a business(s) which is not a permitted, limited or conditional use remains on the property.**

FURTHER AFFIANT SAYETH NOT.

DATED this 10th day of March, 2004

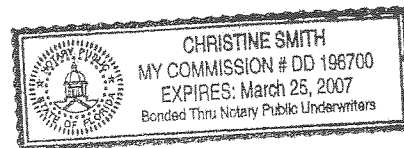
Joann Davids

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 10th day of March 2004, by **Joann Davids**, who is personally known to me and who did take an oath.

Notary Public in and for the County
and State Aforementioned
My commission expires: 3/25/07

CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA
By:
Date: 3-30-04





April 7, 2004

COPY

MEDFORD & WILLIE LYND
256 N FOREST LAKE DRIVE
ALTAMONTE SPRINGS, FL 32714

Re: CEB Case No. 03-99-CEB

Please be advised that on December 4, 2003, the Code Enforcement Board of Seminole County issued its Findings of Fact, Conclusions of Law and Order in the above referenced case. The Order specifically found this property in violation of having unusable or abandoned furniture, trash and debris, uncultivated vegetation, used and scrap building material, junked or abandoned vehicles, junk, dismantled or abandoned boats, objectionable, unsightly, or unsanitary matter, substance or material and the operation of a business that is not a permitted, limited or conditional use in an A-1 zone located at 410 Forest Lake Drive, Altamonte Springs. The Board required compliance with its Order on the first 7 violations listed by January 5, 2004. The Board required compliance with its Order on the remaining violation by March 4, 2004.

The fine has run for 108 days up to and including April 22, 2004 at \$150.00 per day on the January 5th compliance date, which totals \$16,200.00, and 49 days up to and including April 22, 2004 for the March 4th compliance date, which totals \$7,350.00, and both will continue to accrue at **\$150.00 per day each** until compliance is obtained. The total lien amount through April 22, 2004 totals **\$23,550.00**. A copy of the Affidavit of Non-Compliance was mailed to you on March 30, 2004 for your information.

This item will be heard by the Code Enforcement Board at its regular scheduled meeting on Thursday, April 22, 2004, at 1:30 pm, at the County Services Building, Room 1028, located at 1101 E First Street, Sanford FL.

Seminole County will be requesting the Board to issue an order imposing a lien against this property to be recorded in the County land records with the fine continuing to accrue @ **\$150.00 per day each** until compliance has been met.

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

Sincerely,

Connie R. DeVasto
Clerk to the Code Enforcement Board

An Affidavit of Non-Compliance, dated March 10, 2004, has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the required action on the violation listed above, had not been obtained.

Accordingly, it having been brought to the Board's attention that Respondents have not complied with the Order dated December 4, 2003, the Board orders that a fine of \$16,200.00, 108 days of non-compliance at \$150.00 per day be imposed against the property for the violations with the January 5, 2004 compliance date and a fine of \$7,350.00, 49 days of non-compliance at \$150.00 per day be imposed against the property for the violation with the March 4, 2004 compliance date, totaling **\$23,550.00** and each shall continue to accrue at \$150.00 per day for each separate violation compliance date past April 22, 2004.

The Respondents are further ordered to contact the Seminole County Code Enforcement Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Officer 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 22nd day of April, 2004 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 22nd day of April, 2004, 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

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

By: 
Date: 4th April 2004



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

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

Case No. 03-99-CEB

SEMINOLE COUNTY, a political
subdivision of the State of Florida

Petitioner,
vs.

Medford D & Willie M Lynd

Respondent.

CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA
By: Willie M Lynd
Date: 8-14-05

AFFIDAVIT OF COMPLIANCE

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

1. That on **December 4, 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 **January 5, 2004 and March 4, 2004**.
3. That a re-inspection was performed and the Respondent was in compliance on **August 3, 2005**.
4. That the re-inspection revealed that the corrective action ordered by the Board has been taken.

FURTHER AFFIANT SAYETH NOT.

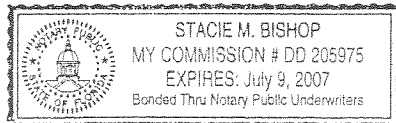
DATED this 3rd day of August 2005.

Pamela Taylor
Pamela Taylor, Code Enforcement Officer

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 3rd day of August 2005, by Pamela Taylor, who is personally known to me.

Stacie M. Bishop
Notary Public in and for the County
and State Aforementioned



MARYANNE MORSE, CLERK OF CIRCUIT COURT SEMINOLE COUNTY, CFN 2006149866 BK 05669 PG 0227 REC'D 09/01/2006 09:13:58 AM REC'D BY: G Hafford

PLANNING AND DEVELOPMENT DEPARTMENT

CODE ENFORCEMENT



TO: Craig Lynd/Katie Easton
Facsimile No.: 321-249-0342

FROM: Sarah Kersey
Clerk to the Code Enforcement Board
Seminole County, Florida

DATE: August 12, 2005

RE: CASE NO. 03-99-CEB
Lynd, Medford & Willie
410 Forest Lake Drive, Altamonte Springs

COPY

Please find enclosed: 1) Order Finding Non-Compliance and Imposing Fine/Lien; and 2) Affidavit of Compliance. The Order establishes dates (*January 6, 2004 and March 5, 2004*) for imposition of daily fines (*\$150.00 per day per violation*). The Affidavit of Compliance establishes date of compliance (*August 3, 2005 for both violations*).

Violation: Unusable or abandoned furniture, trash and debris, uncultivated vegetation, used and scrap building material, junk or abandoned vehicles, dismantled or abandoned boats, other objectionable, unsightly or unsanitary matters, substance or material violations.

⁽¹⁾ January 6, 2004 through August 2, 2005 – Fine of \$150 per day
574 days x \$150 = \$86,100

Violation: Operation of any business that is not a permitted, limited or conditional use in an A-1 zone violation

⁽²⁾ March 5, 2004 through August 2, 2005 – Fine of \$150 per day
515 days x \$150 = \$77,250

⁽¹⁾ Fine	\$	86,100.00
⁽²⁾ Fine		77,250.00
TOTAL DUE	\$	163,350.00

Per your request, a Request for Reduction of Penalty form is attached. Please know, that upon timely completion and return of same, the earliest this matter could be heard by the Board of County Commissioners would be in October. You would be notified by mail with an exact date as soon as the item is placed on the BCC Agenda.

SEMINOLE COUNTY
CEB CASE NO. 03-99-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 Willie M. Lync through Craig Lync

Property Address 410 Forest Lk. Dr. Alt. Spr. FL. 32714

Phone number where you can be reached during the day 407-481-2535

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:

Craig R. Lync acting for Willie M. Lync I am her grandson.

I, Craig R. Lynd, 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 parcel owners of the subject parcel are Willie and Meddie Lynd. My grandparents allowed their daughter Glenda Lynd and their son Ronald Lynd to use the property. Meddie Lynd died approx. 4 years ago and Willie Lynd is in her mid 80s. Willie Lynd has enough money to live on her own for only about 7-9 years and can not afford to pay off the amount imposed. Additionally Glenda + Ron hid the fact that there was any problems with the parcel thereby preventing her (Willie) from please see typed attached pages as I feel my handwriting is too poor to read.

Date: 8-16-05

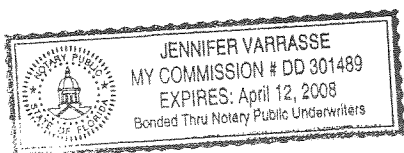
Signed: Craig Lynd
Print Name: Craig Lynd

State of Florida
County of Seminole

PERSONALLY appeared before me, the undersigned authority duly authorized to administer oaths and take acknowledgments, Craig Lynd, 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 _____ as identification and did take an oath.

Date: 8/16/05

Jennifer Varrasse
Notary Public
My Commission Expires:



To Whom It May Concern:

Please be advised that I am making this statement on behalf of my Grandmother, Willie M. Lynd, the record owner of the subject parcel.

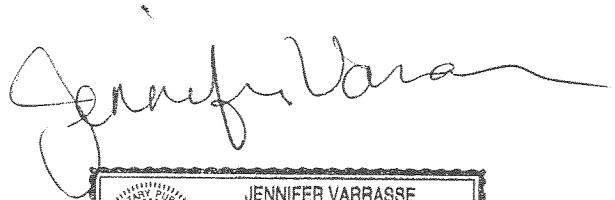
Willie and her Husband Medford (now deceased) allowed their children Ron and Glenda Lynd to utilize the parcel in question. Willie Lynd is an unsophisticated widow in her mid 80's with no independent source of income. She has limited savings that will allow her to live on her own for approximately 7-9 years without assistance. She simply can not afford the lien imposed on her parcel.

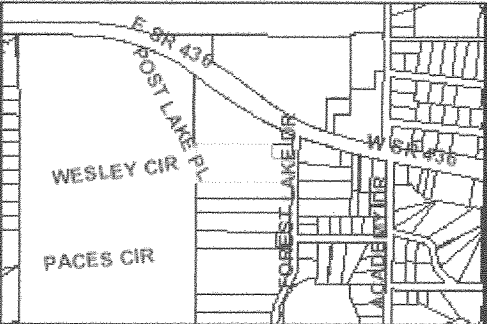

To exasperate matters Ron and Glenda hid the fact that there was any problem with the parcel from Willie Lynd thereby preventing her from taking any action to come into compliance. Willie Lynd is a law abiding Florida resident and had she been aware of the problems would have caused those problems to be corrected.

Willie Lynd is a charitable Christian, and over her many years has given away tens of thousands of dollars to her church and other organizations of charity. It is a sad fact that the actions of her children have placed her in a position where she must now rely on the charity of others.



Craig R. Lynd



<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 407-665-7506</p>																																																											
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 17-21-29-507-0000-0060</p> <p>Owner: LYND MEDFORD D & WILLIE M</p> <p>Mailing Address: 256 N FOREST LAKE DR</p> <p>City,State,ZipCode: ALTAMONTE SPRINGS FL 32714</p> <p>Property Address: 410 FOREST LAKE DR ALTAMONTE SPRINGS 32714</p> <p>Subdivision Name: FOREST LAKE SUBDIVISION</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions:</p> <p>Dor: 07-MISCELLANEOUS RESIDE</p>		<p>2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 3</p> <p>Depreciated Bldg Value: \$43,967</p> <p>Depreciated EXFT Value: \$5,950</p> <p>Land Value (Market): \$80,335</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$130,252</p> <p>Assessed Value (SOH): \$130,252</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$130,252</p> <p>Tax Estimator</p> <p>2005 Notice of Proposed Property Tax</p>																																																									
<p style="text-align: center;">SALES</p> <p>Deed Date Book Page Amount Vac/Imp Qualified</p> <p>Find Comparable Sales within this Subdivision</p>		<p>2004 VALUE SUMMARY</p> <p>2004 Tax Bill Amount: \$2,012</p> <p>2004 Taxable Value: \$119,019</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																																																									
<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>125</td> <td>463</td> <td>.000</td> <td>250.00</td> <td>\$45,313</td> </tr> <tr> <td>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>100.00</td> <td>\$100</td> </tr> <tr> <td>FRONT FOOT & DEPTH</td> <td>125</td> <td>668</td> <td>.000</td> <td>250.00</td> <td>\$34,922</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	FRONT FOOT & DEPTH	125	463	.000	250.00	\$45,313	LOT	0	0	1.000	100.00	\$100	FRONT FOOT & DEPTH	125	668	.000	250.00	\$34,922	<p style="text-align: center;">LEGAL DESCRIPTION</p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LOTS 6 & 7 (LESS N 100 FT OF E 205 FT OF LOT 6) FOREST LAKE SUBD</p> <p>PB 4 PG 8 INFO: 0080 CUTOUT FOR 95</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 # 03-99-CEB
Medford D. and Willie M. Lynd

<u>Postage</u>				
Regular	11	\$.37	\$ 4.07	
Certified	11	\$ 4.42	\$48.62	
				\$ 52.69
<u>Processing Time for Code Enforcement and BCC Action</u>				
Code Board Secretary	2 hours	\$ 12.50	\$ 25.00	
Code Board Attorney	1 hour	\$100.00	\$100.00	
Planning Manager's Review	1 hour	\$ 40.00	\$ 40.00	
Planning and Development Director's Review	1 hour	\$ 50.00	\$ 50.00	
Deputy County Manager's Review	1 hour	\$ 60.00	\$ 60.00	
County Attorney's Review	1 hour	\$100.00	\$100.00	
				\$375.00
Other associated costs not captured:				
Fleet expense, Phone expense, Utilities, Computer Support				
Costs for Recording Documents -				
# of first page docs - 5 # of additional page docs - 2				\$ 67.00
(\$10.00 first page, \$8.50 each additional page)				
<u>ESTIMATED COST FOR PROCESSING CASE # 03-99-CEB</u>				
<u>By the Planning Division</u>				\$494.69
<u>ESTIMATED COST FOR PROCESSING CASE # 03-99-CEB</u>				
<u>By the Seminole County Sheriff's Office</u>				\$222.53
<u>TOTAL COST FOR PROCESSING CASE # 03-99-CEB</u>				\$717.22

Prepared by and return to:
Paul M. Pantozzi II
of KEL Title Insurance Agency, Inc.
1230 Douglas Ave.
Longwood, FL 32779

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 05532 PG 0139
CLERK'S # 2004185146
RECORDED 12/02/2004 12:02:03 PM
RECORDING FEES 10.00
RECORDED BY G Harford

UNLIMITED POWER OF ATTORNEY

Know All Men By These Presents:

That **Willie Mae Lynd** made, constituted and appointed, and by these presents do(es) make, constitute and appoint **Craig R. Lynd** true and lawful attorney for and in name, place and stead, giving and granting unto said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, including but not limited to the conveyance/encumbrance of said premises, execution of deed/mortgage, settlement statement and any related closing documents including documents where the above named Power of Attorney conveys property to himself as an individual; said premises being limited to the following described real properties:

Lot 15, **OAKS ON THE LAKE**, according to the plat thereof as recorded in Plat Book 20, Page 11, of the Public Records of Orange County, Florida.
Parcel ID: 03-21-28-6137-00-150
aka: 449 Via Florence Drive, Apopka, Florida 32712

Lot 8 and (less East 5 feet thereof) **FOREST LAKE SUBDIVISION**, according to the plat thereof as recorded in Plat Book 4, Page 8 of the Public Records of Seminole County, Florida.
Parcel ID: 17-21-29-507-0000-0080
aka: 420 Forest Lake Drive, Altamonte Springs, Florida 32714

Lots 6 & 7 (less N 100 FT of E 205 FT of Lot 6) **FOREST LAKE SUBDIVISION**, according to the plat thereof as recorded in Plat Book 4, Page 8 of the Public Records of Seminole County, Florida.
Parcel ID: 17-21-29-507-0000-0060
aka: 410 Forest Lake Drive, Altamonte Springs, Florida 32714

Said Grant gives Craig R. Lynd the additional power to enter into all legal relationships and transactions by and for Willie Mae Lynd, including but not limited to entering into contractual relationships, opening and closing bank accounts, the ability to gift or devise any property of the grantor, however as he shall see fit. And to otherwise engage and act with the full power of attorney in any other matters.

As fully, to all intents and purposes, as might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that said attorney or substitute shall lawfully do or cause to be done by virtue hereof.

IN WITNESS WHEREOF, I/we have hereunto set my /our hand(s) and seal(s) this 15th day of Dec., 2004 A.D.

Sealed and delivered in the presence of

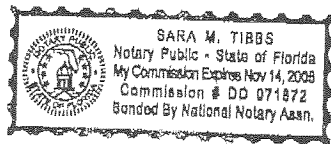
Sara M Tibbs
Witness Name Printed: Sara M. Tibbs

Willie Mae Lynd
Name Printed: Willie Mae Lynd
Address: 449 Via Florence Drive,
Apopka, Florida 32712

Donna Swenson
Witness Name Printed: Donna Swenson

STATE OF FLORIDA
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 15th day of December, 2004 A.D., by Willie Mae Lynd, who is/are personally known to me or who has produced a driver's license as identification.



Sara M Tibbs
Notary Public
Sara M Tibbs
Printed Name

My Commission Expires: 11/14/05

(Notary Seal)