

**APPROVED
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

MINUTES

**January 27, 2005 - 1:30 pm
Seminole County Services Building – Room 1028
1101 East First St, Sanford FL**

I Call to Order

The scheduled meeting of the Seminole County Code Enforcement Board was called to order at 1:39 pm in the Seminole County Services Building, Room 1028, 1101 East First St, Sanford FL.

A few moments of silence was held followed by the Pledge of Allegiance.

II Pledge of Allegiance

III Roll Call

Members Present: Tom Hagood, Chair
Jean Metts, Vice Chair
Melanie Chase
Jay Ammon
Larry Lawver
Bill Fahey
Stewart Fritz

Members Excused: None

Present & Sworn: Catherine English, 03-54-CEB, Respondent
Larry Buckner, 05-05-CEB, Respondent
John & Stephanie Brooks, 05-09-CEB, Respondents
Joann Williams, 05-13-CEB, Respondent
Terrance Laughlin, 00-67-CEB, Respondent
Bernice Duncan, 04-45-CEB, Respondent
Todd Powell, 04-69-CEB, Respondent
Deborah Leigh, Senior Code Enforcement Officer, SCSO
Dorothy Hird, Code Enforcement Officer, SCSO
Pamela Taylor, Code Enforcement Officer, SCSO
Joann Davids, Code Enforcement Officer, SCSO
Jerry Robertson, Code Enforcement Officer, SCSO
Alan Willis, Plans Examiner, Planning & Development

Others Present: Daniel F. Mantzaris, Code Enforcement Board Attorney
Connie R. DeVasto, Clerk to the Code Enforcement Board

IV Swearing in of Witnesses

Rose Taylor, for Brotman Restaurant, 04-75-CEB
Charlie Martin, Attorney for Respondents, 99-102A-CEB, 00-67-CEB and 02-123-CEB
Sue Walsh, for John Rutherford, 04-39-CEB
Frank McMillan, Attorney for Respondent, 04-08-CEB
Connie Bearden, Daughter of Respondent, 04-29-CEB
Myra Williams, Daughter of Respondent 05-06-CEB

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V Agenda Update & Approval

The published agenda was revised to allow respondents and witnesses present at today's hearing to be heard first. The remaining cases would then be heard in the order originally published.

MOTION BY JEAN METTS, SECONDED BY JAY AMMON TO APPROVE THE REVISED AGENDA.

**TOM HAGOOD – YES
MELANIE CHASE – YES
LARRY LAWVER – YES
STEWART FRITZ – YES**

**JEAN METTS – YES
JAY AMMON – YES
BILL FAHEY – YES**

MOTION CARRIED 7 – 0.

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The following cases will not be heard today:

Robert Cignoni, 04-87-CEB, Complied Prior to Hearing
Lorraine Corcoran, 04-91-CEB, Complied Prior to Hearing
Evelyn Nelson, 05-01-CEB, Complied Prior to Hearing
Bobby, Jacqueline & Denise Caruthers, 05-02-CEB, Complied Prior to Hearing
Aaron Milliman, 05-04-CEB, Complied Prior to Hearing
James & Betty Houtenville, 05-14-CEB, Complied Prior to Hearing
Robert Butcher, 05-15-CEB, Complied Prior to Hearing

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JANUARY 27, 2005

Case No 05-09-CEB
John A. & Stephanie Brooks
Code Enforcement Officer: Dorothy Hird
Complaint No: 2003CE000397

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(g)(j)(l)(p).

Described as: 1) Accumulation of trash and debris.
 2) Used and/or scrapped building materials.
 3) Junked or abandoned vehicle not kept within an enclosed garage or an attached carport.
 4) Objectionable/unsightly or unsanitary matter, substance or material.

Location: 890 Alberta Street, Longwood (Commission District 4)
 Tax Parcel ID # 06-21-30-300-022A-0000

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations. Officer Hird further testified that the violations remain.

Officer Hird stated that recommendation would be to remove the violations by July 29, 2005 with a fine of \$75.00 per day if the Respondents do not comply.

John Brooks, Respondent, testified on his behalf and advised the Board that he has made some improvements but he has health issues which have hindered his progress.

Mr. Brooks further testified that he is doing the best that he can and would request additional time to comply.

The Board asked the Respondent if the end of the year would give him enough time to comply.

Mr. Brooks advised the Board that it would.

The Board asked Officer Hird if Staff would be agreeable to giving Mr. Brooks the additional time and Officer Hird advised that Staff is agreeable.

The Board also asked Officer Hird where the complaint originated from and Officer Hird advised that a Deputy told her about the violations.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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After discussion of this case by the Board:

MOTION BY JEAN METTS, SECONDED BY LARRY LAWVER, THAT THIS CASE BE BROUGHT BACK TO THE BOARD FOR AN UPDATE IN SEPTEMBER AND THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 05-09-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 06-21-30-300-022A-0000) located at 890 Alberta Street, Longwood, located in Seminole County and legally described as follows:
LEG SEC 06 TWP 21S RGE 30E S 646.4 FT OF NW ¼
OF SW ¼ (LESS W 995 FT & RDS)
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(g)(j)(l)(p).

It is hereby ordered that the Respondents correct the violations on or before **December 31, 2005**. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS.
- 2) REMOVE THE USED AND/OR SCRAPPED BUILDING MATERIALS.
- 3) REPAIR OR REMOVE ANY VEHICLE THAT CANNOT OPERATE LEGALLY ON THE PUBLIC ROAD RIGHT OF WAY, IF IT WERE PROPERLY LICENSED, OR PLACE VEHICLE IN AN ATTACHED CARPORT OR ENCLOSED GARAGE.
- 4) REMOVE THE OBJECTIONABLE AND/OR UNSIGHTLY, UNSANITARY MATTER, SUBSTANCE OR MATERIAL.

If the Respondents do not comply with the Order, a fine of \$75.00 will be imposed for each day the violations continue, or are repeated after compliance past **December 31, 2005**. **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.**

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JANUARY 27, 2005

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 27th day of January, 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
MELANIE CHASE – YES
LARRY LAWVER – YES
STEWART FRITZ – YES**

**JEAN METTS – YES
JAY AMMON – YES
BILL FAHEY – YES**

MOTION CARRIED 7 – 0.

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Case No 04-75-CEB
James K. Higgins Tr & Nancy R. Johnson Tr
C/o M F Poer Co.
Brotman Restaurants
William Weatherford, Registered Agent
Code Enforcement Officer: Joann Davids
Complaint No: 2004CE001017

New Case

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.1245(6).
Described as: 1) Prohibited signs, banners, pennants, flags, balloons and similar displays.
Location: 108 Markham Woods Rd., Longwood (Commission District 3)
Tax Parcel ID # 02-21-29-300-006G-0000

Joann Davids, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations. Officer Davids further testified that she has received multiple complaints regarding this property.

Officer Davids also advised the Board that she has been in contact with the owner, Mr. Higgins several occasions and Mrs. Brotman as well. Officer Davids was told that they would speak to the restaurant manager.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Officer Davids stated that the Respondents are in compliance at this time and due to this being a recurring violation, recommendation would be for an Order to be entered imposing a fine of \$200.00 per day if the violation is repeated.

Rose Taylor, current manager of Brotman Restaurant, testified on their behalf and advised the Board that there have been several changes in management this year and with each change, the new manager was never advised of the issues with the banners and signs. Ms. Taylor further testified that, as current manager, she will make sure the violation is not repeated.

After discussion of this case by the Board:

**MOTION BY BILL FAHEY, SECONDED BY STEWART FRITZ, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 04-75-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 02-21-29-300-006G-0000) located at 108 Markham Woods Road, Longwood, located in Seminole County and legally described as follows:
LEG SEC 02 TWP 21S RGE 29E FROM SW COR RUN N
1416.07 FT N 56 DEG 37 MIN 14 SEC E 895.43 FT N 6
DEG 42 MIN 46 SEC W 181.13 FT TO POB RUN S 56 DEG
37 MIN 14 SEC W 160 FT N 33 DEG 22 MIN 46 SEC W 210
FT N 56 DEG 37 MIN 14 SEC E 228.28 FT SELY ON CURVE
61.78 FT SLY ON RD 181.83 FT TO BEG (1.02 AC)
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Land Development Code, Chapter 30, Part 65, Section 30.1245(6).

It is hereby ordered that the Respondents are presently in compliance. In order to remain in compliance, the Respondents shall take the following remedial action:

- 1) CEASE AND DESIST FROM HAVING PROHIBITED SIGNS,
BANNERS, PENNANTS, FLAGS, BALLOONS AND SIMILAR
DISPLAYS.**

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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It is further Ordered that if the Respondents repeat this violation, a fine of **\$200.00** will be imposed for each day the violation is repeated after compliance past January 27, 2005.

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 27th day of January, 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
MELANIE CHASE – YES
LARRY LAWVER – YES
STEWART FRITZ – YES**

**JEAN METTS – YES
JAY AMMON – YES
BILL FAHEY – YES**

MOTION CARRIED 7 – 0.

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Case No 05-05-CEB
Larry W. Buckner
Code Enforcement Officer: Dorothy Hird
Complaint No: 2004CE001213

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(g)(h).
Described as: 1) Accumulation of trash and debris.
2) Uncultivated vegetation in excess of 24” in height, within 75’ of a structure.
Location: 127 Orienta Drive, Altamonte Springs (Commission District 4)
Tax Parcel ID # 23-21-29-501-0000-0460

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations. Officer Hird also testified that the violations remain.

Officer Hird further testified that the pool was filled with trash and debris and must be filled with clean fill dirt.

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Officer Hird stated that recommendation would be to remove the violations by February 11, 2005 with a fine of \$50.00 per day if the Respondents do not comply.

Larry Buckner, Respondent, testified on his behalf and advised the Board that he is having financial difficulties and would request that the compliance date be extended.

The Board asked Mr. Buckner if the end of May would give him enough time and Mr. Buckner advised that he would like to have until the end of the summer.

The Board asked Officer Hird if there have been any complaints and Officer Hird advised that a neighbor has complained.

After discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY JEAN METTS THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 05-05-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 23-21-29-501-0000-0460) located at 127 Orienta Drive, Altamonte Springs, located in Seminole County and legally described as follows:
LEG LOT 46 ORIENTA GARDENS 2ND ADD PB 11 PG 53
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(g)(h).

It is hereby ordered that the Respondent correct the violations on or before **August 15, 2005**. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS.**
- 2) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND WITHIN 75' OF A STRUCTURE.**

If the Respondent does not comply with the Order, a fine of **\$50.00** will be imposed for each day the violations continue, or are repeated after compliance past **August 15, 2005**. **The Respondent is 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.**

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JANUARY 27, 2005

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

DONE AND ORDERED this 27th day of January, 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
MELANIE CHASE – YES
LARRY LAWVER – YES
STEWART FRITZ – YES**

**JEAN METTS – YES
JAY AMMON – YES
BILL FAHEY – YES**

MOTION CARRIED 7 – 0.

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Case No 05-06-CEB
Claretha Roux
Code Enforcement Officer: Dorothy Hird
Complaint No: 2004CE000960

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(g)(p) and Seminole County Land Development Code, Chapter 30, Section 30.182.
Described as: 1) Accumulation of trash and debris.
2) Objectionable and unsightly matter.
3) Occupancy of an accessory structure on R-1 zoned property is not a permitted use.
Location: 476 Ford Drive, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-512-0000-0100

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations. Officer Hird also testified that the violations remain.

Officer Hird further testified that family members of the Respondent live in a shed type structure in the back yard of the property.

Officer Hird stated that recommendation would be to remove the violations by February 28, 2005 with a fine of \$75.00 per day if the Respondent does not comply.

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Myra Williams, daughter of the Respondent, testified on her behalf and advised the Board that her mother is deceased and she is part owner of the property with her sisters. She further advised that her sisters would have to be forced to leave. She has not been able to get them to leave.

General discussion by the Board and Mr. Mantzaris regarding ownership of the property and probate issues.

The Board asked the Respondent if probate has been filed yet and the Respondent advised that it had not. The Board also asked the Respondent if her mother left a Last Will and Testament and the Respondent advised that the Will has not been located.

The Board asked Officer Hird if these violations are a threat to the health, welfare or safety of the citizens of the County and Officer Hird advised that she believed that they are.

General discussion by the Board regarding the safety issue of these violations.

Deborah Leigh, Senior Code Enforcement Officer, advised the Board that the abatement process can be started after 45 days.

After discussion of this case by the Board:

MOTION BY JEAN METTS, SECONDED BY JAY AMMON, THAT THESE VIOLATIONS ARE A THREAT TO THE HEALTH, WELFARE AND SAFETY OF THE CITIZENS OF SEMINOLE COUNTY AND THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 05-06-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 07-21-30-512-0000-0100) located at 476 Ford Drive, Altamonte Springs, located in Seminole County and legally described as follows:
LEG LOT 10 OAK TERRACE PB 8 PG 91
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(g)(p) and Seminole County Land Development Code, Chapter 30, Section 30.182.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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It is hereby ordered that the Respondent correct the violations on or before **February 28, 2005**. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) **REMOVE THE ACCUMULATION OF TRASH AND DEBRIS.**
- 2) **REMOVE THE OBJECTIONABLE AND/OR UNSIGHTLY MATTER.**
- 3) **CEASE AND DESIST FROM OCCUPYING AN ACCESSORY STRUCTURE WHICH IS NOT A PERMITTED USE ON AN R-1 ZONED PROPERTY.**

If the Respondent does not comply with the Order, a fine of **\$75.00** will be imposed for each day the violations continue, or are repeated after compliance past **February 28, 2005**. **The Respondent is 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 further ordered that the violations constitute a serious threat to the public health, safety and welfare and by copy of this Order, the County shall be notified of said condition for any and all corrective action the County deems appropriate pursuant to Section 162.09, Florida Statutes.

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

DONE AND ORDERED this 27th day of January, 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
MELANIE CHASE – YES
LARRY LAWVER – YES
STEWART FRITZ – YES**

**JEAN METTS – YES
JAY AMMON – YES
BILL FAHEY – YES**

MOTION CARRIED 7 – 0.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JANUARY 27, 2005

Case No 05-13-CEB
Joann Williams and Mary Williams Heirs
Code Enforcement Officer: Dorothy Hird
Complaint No: 2004CE001301

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(l).
Described as: 1) Junked or abandoned vehicles not kept within an enclosed garage or an attached carport.
Location: 312 Continental Court, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-516-0000-0230

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird also testified that she last inspected the property on January 26, 2005 and one vehicle remains.

Officer Hird further testified that she has spoken with John Williams, one of the heirs to this property, and he advised her that he needs special equipment to move the vehicle into the carport.

Officer Hird stated that recommendation would be to remove the vehicle by February 11, 2005 with a fine of \$50.00 per day if the Respondent does not comply.

Joann Williams, Respondent, testified on her behalf and advised the Board that she is one of ten (10) heirs to this property and that her siblings have moved into the house and refuse to do anything with the up-keep of the property and she needs help.

The Board asked the Respondent if probate has been filed and the Respondent advised that it had. She also advised that she is looking into foreclosure as a remedy for this situation with her siblings.

The Board asked Officer Hird if this situation caused a threat to the health and safety of the citizens and Officer Hird advised that it did not.

After discussion of this case by the Board:

**MOTION BY JAY AMMON, SECONDED BY LARRY LAWVER, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 05-08-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 07-21-30-516-0000-0230) located at 312 Continental Court, Altamonte Springs, located in Seminole County and legally described as follows:
LEG LOT 23 MAGNOLIA HILL PB 15 PG 12
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(l).

It is hereby ordered that the Respondents correct the violation on or before **February 11, 2005**. In order to correct the violation, the Respondents shall take the following remedial action:

- 1) REPAIR OR REMOVE ANY VEHICLE THAT CANNOT OPERATE LEGALLY ON THE PUBLIC ROAD RIGHT OF WAY, IF IT WERE PROPERLY LICENSED, OR PLACE VEHICLE IN AN ATTACHED CARPORT OR ENCLOSED GARAGE.**

If the Respondents do 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 **February 11, 2005**. **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 violation exists and upon any other real or personal property owned by the Respondents.

DONE AND ORDERED this 27th day of January, 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
MELANIE CHASE – YES
LARRY LAWVER – YES
STEWART FRITZ – YES**

**JEAN METTS – YES
JAY AMMON – YES
BILL FAHEY – YES**

MOTION CARRIED 7 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JANUARY 27, 2005

Case No: 00-67-CEB
Success Today International
Terrence Laughlin, Registered Agent
Code Enforcement Officer: Joann Davids
Complaint No: 2000-2110

This case was heard by the Board on December 2, 2004 and continued to January. This is a repeat violation. The original violation was heard by the Board on July 20, 2000 and an Order was entered. Compliance on the original violation was obtained on January 16, 2001. The original fine had accrued to \$700.00. The Board reduced the original fine to \$578.00. This fine was paid by the Respondents. An Affidavit of Repeat Violation was filed on October 26, 2004. An Affidavit of Compliance After Repeat Violation was filed on January 14, 2005. This property was in non-compliance for 80 days at \$50.00 per day for a total of \$4,000.00. This property is presently in compliance.

Recommendation: The Board issue an Order finding that the property was in Repeat Violation of the Findings of Fact, Conclusions of Law and Order dated July 20, 2000, from October 26, 2004 through January 13, 2005 and said Order be recorded in the public records.

Violation charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(g)(h)(j).
Described as: 1) Accumulation of trash and debris.
2) Uncultivated vegetation in excess of 24" in height, within 75' of a structure.
3) Used or scrap building materials on property.
Location: 9616 McNorton Road, Altamonte Springs (Commission District 3)
Tax Parcel ID # 22-21-29-300-0400-0000

Joann Davids, Code Enforcement Officer, testified on behalf of the County and advised the Board that the Respondents are presently in compliance.

Officer Davids stated that due to the fact that the Respondents are in compliance, recommendation would be to have an Order entered that a repeat violation did exist, with no fine imposed.

Charlie Martin, Attorney for the Respondents, advised the Board that they would be happy with that recommendation.

After discussion of this case by the Board:

**MOTION BY JEAN METTS, SECONDED BY STEWART FRITZ, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE BE:**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE**

The Respondents are the owners of record of the property (Tax Parcel ID # 22-21-29-300-0400-0000) located at 9616 McNorton Road, Altamonte Springs, located in Seminole County and legally described as follows:

LEG SEC 22 TWP 21S RGE 29E E 231.44 FT OF N
271.4 FT OF S 471.4 FT OF NE 1/4 OF SW ¼
(LESS S 98 FT) (1.26 AC)

This case came on for public hearing before the Code Enforcement Board of Seminole County on July 20, 2000, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found that the Respondents in violation of the Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3(g)(h)(j).

Said Order stated that a fine in the amount of \$50.00 per day would be imposed if the Respondents did not take certain corrective action by January 1, 2001. Compliance was obtained on January 16, 2001.

An Affidavit of Repeat Violation has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the violation was being repeated as of October 26, 2004.

An Affidavit of Compliance After Repeat Violation, has been filed with the Board by the Code Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondents as of January 14, 2005.

Based on the testimony and evidence presented, the Respondents were in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated July 20, 2000.

Therefore, the Board finds that the Respondents were in repeat violation for 80 days of non-compliance from October 26, 2004 through January 14, 2005 with no fine imposed.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JANUARY 27, 2005

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

DONE AND ORDERED this 27th day of January, 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
MELANIE CHASE – YES
LARRY LAWVER – YES
STEWART FRITZ – YES**

**JEAN METTS – YES
JAY AMMON – YES
BILL FAHEY – YES**

MOTION CARRIED 7 – 0.

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Case No: 02-123-CEB
Success Today International Inc.
Terrence Laughlin, Registered Agent
Code Enforcement Officer: Joann Davids
Complaint No: 2002-7117

This case was heard by the Board on December 2, 2004 and continued to January. This is a repeat violation. The original violation was heard by the Board on September 26, 2002 and an Order was entered. Compliance on the original violation was obtained on November 1, 2002. An Affidavit of Repeat Violation was filed on October 26, 2004. An Affidavit of Compliance After Repeat Violation was filed on January 14, 2005. This property was in non-compliance for 79 days at \$250.00 per day for a total of \$19,750.00. This property is presently in compliance.

Recommendation: The Board issue an Order finding that the property was in Repeat Violation of the Findings of Fact, Conclusions of Law and Order dated September 26, 2002 from October 26, 2004 through January 13, 2005 and said Order be recorded in the public records.

Violation charged: Seminole County Land Development Code, Section 30.122.
Described as: 1) Storage yard is not a permitted use in an A-1 zone.
Location: 9616 McNorton Road, Altamonte Springs (Commission District 3)
Tax Parcel ID # 22-21-29-300-0400-0000

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JANUARY 27, 2005

Joann Davids, Code Enforcement Officer, testified on behalf of the County and advised the Board that the Respondents are presently in compliance.

Officer Davids stated that due to the fact that the Respondents are in compliance, recommendation would be to have an Order entered that a repeat violation did exist, with no fine imposed.

Charlie Martin, Attorney for the Respondents, advised the Board that they would be happy with that recommendation.

After discussion of this case by the Board:

**MOTION BY JEAN METTS, SECONDED BY JAY AMMON, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE BE:**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE**

The Respondents are the owners of record of the property (Tax Parcel ID # 22-21-29-300-0400-0000) located at 9616 McNorton Road, Altamonte Springs, located in Seminole County and legally described as follows:

LEG SEC 22 TWP 21S RGE 29E E 231.44 FT OF N
271.4 FT OF S 471.4 FT OF NE 1/4 OF SW ¼
(LESS S 98 FT) (1.26 AC)

This case came on for public hearing before the Code Enforcement Board of Seminole County on September 26, 2002, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found the Respondents in violation of the Seminole County Land Development Code, Section 30.122.

Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondents did not take certain corrective action by October 24, 2002. Compliance was obtained on November 1, 2002.

An Affidavit of Repeat Violation has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the violation was being repeated as of October 26, 2004.

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An Affidavit of Compliance After Repeat Violation, has been filed with the Board by the Code Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondents as of January 14, 2005.

Based on the testimony and evidence presented, the Respondents were in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated September 26, 2002.

Therefore, the Board finds that the Respondents were in repeat violation for 79 days of non-compliance from October 26, 2004 through January 13, 2005 with no fine imposed.

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

DONE AND ORDERED this 27th day of January, 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
MELANIE CHASE – YES
LARRY LAWVER – YES
STEWART FRITZ – YES**

**JEAN METTS – YES
JAY AMMON – YES
BILL FAHEY – YES**

MOTION CARRIED 7 – 0.

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Case No 99-102A-CEB
Success Today International Inc.
Terrence Laughlin, Registered Agent
Code Enforcement Officer: Joann Davids
Complaint No: 1999-05173

Attorney Charlie Martin, on behalf of Success Today International, has made a request to go before the Board so that his Motion for Reduction of Fines and Release of Lien can be heard. This case was heard by the Board on October 28, 2004 and an Order was entered on Respondent's repeat violation imposing a fine in the amount of \$26,250.00 for 75 day of non-compliance from August 4, 2004 through October 18, 2004 at \$350.00 per day.

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Recommendation: Based on the fact that the Respondents were in compliance at the time of the Board's Order dated October 28, 2004, Staff would support the Respondent's request to rescind the fine imposed.

Violation Charged: Seminole County, Chapter 95, Section 95.4 as defined in Section 95.3(l).
Described as: 1) Junked or abandoned vehicles not kept within an enclosed garage or an attached carport.
Location: 9616 McNorton Drive, Altamonte Springs (Commission District 3)
Tax Parcel ID # 22-21-29-300-0400-0000

Charlie Martin, Attorney for the Respondents, advised the Board that he has filed a Motion to Abate the Appeal and made a request of the Board to reduce or rescind the fine that has been imposed against the Respondents in this case.

Joann Davids, Code Enforcement Officer, testified on behalf of the County and advised the Board that Staff would not oppose rescinding the fine.

**MOTION BY JEAN METTS, SECONDED BY LARRY LAWVER,
THAT THE ORDER RESCINDING FINE BE:**

ORDER RESCINDING FINE

The Respondents are the owners of record of the property (Tax Parcel ID # 22-21-29-300-0400-0000) located at 9616 McNorton Road, Altamonte Springs, located in Seminole County and legally described as follows:

LEG SEC 22 TWP 21S RGE 29E E 231.44 FT OF N 271.4 FT
OF S 471.4 FT OF NE ¼ OF SW ¼ (LESS S 98 FT)(1.25 AC)

This case came on for public hearing before the Code Enforcement Board of Seminole County on September 26, 2002, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order on a Repeat Violation.

Said Order found that the Respondents were in repeat violation of the Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(l).

Said Order stated that if the Respondents repeat the violation after July 15, 2002, a fine in the amount of \$350.00 per day would be imposed for each day the violation is

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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repeated and would continue to accrue until the Respondents are in compliance once again.

An Affidavit of Repeat Violation has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the violation was being repeated as of August 4, 2004.

An Affidavit of Compliance After Repeat Violation, has been filed with the Board by the Code Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondents as of October 19, 2004.

Accordingly, it having been brought to the Board's attention that Respondents have complied with the Order dated September 26, 2002, the Board orders that the fine of **\$26,250.00**, for 75 days of non-compliance from August 4, 2004 through October 18, 2004 at \$350.00 per day imposed against the property, **be rescinded**.

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

DONE AND ORDERED this 27th day of January, 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
MELANIE CHASE – YES
LARRY LAWVER – YES
STEWART FRITZ – YES**

**JEAN METTS – YES
JAY AMMON – YES
BILL FAHEY – YES**

MOTION CARRIED 7 – 0.

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Case No: 04-39-CEB
John W. Rutherford
Code Enforcement Officer: Joann Davids
Complaint No: 2004CE000085

Sue Walsh, Property Manager, is requesting that the Board grant an additional extension of the compliance date issued on December 2, 2004. An Affidavit of Non-Compliance has been filed by the Code Enforcement Officer on November 22, 2004.

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Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(g)(j)(l) and Seminole County Land Development Code Chapter 30, Part 41, Section 30.762 and Chapter 40, Part 1, Section 40.12.

Described as: 1) Accumulation of trash and debris.
2) Used and/or scrap building materials.
3) Junk vehicles not kept within an enclosed garage or an attached carport.
4) Automobile wrecking/salvage yard, mechanical garage, vehicle repairs, paint and body shop, auto tire store with service bays and outside storage are not permitted uses in a C-2 zone.
5) Utilizing C-2 zoned property without an approved site plan.

Location: 9170 Overland Road, Apopka (Commission District 3)
Tax Parcel ID # 17-21-29-5BG-0000-028F

Sue Walsh, Property Manager, testified on behalf of the Respondent and requested that the Board extend the compliance date once again. Ms. Walsh also requested that she be given one year from the date of the site plan approval in which to comply with the County site plan requirements. Ms. Walsh further request that she be given until the end of May.

Joann Davids, Code Enforcement Officer, testified on behalf of the County and advised that the end of June would give the Respondents plenty of time to have site plan approval. Officer Davids further testified that the Respondents are in the process of cleaning the property.

After discussion of this case by the Board:

**MOTION BY JAY AMMON, SECONDED BY JEAN METTS,
THAT THE ORDER EXTENDING COMPLIANCE DATE BE:**

ORDER EXTENDING COMPLIANCE DATE

The Seminole County Code Enforcement Board hereby issues this Order Extending Compliance Date and finds as follows:

- (a) The Respondent is the owner of the property (Tax Parcel ID # 17-21-29-5BG-0000-028F), located at 9170 Overland Road, Apopka, located in Seminole County and legally described as follows:

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LEG BEG 418.5 FT N OF SW COR LOT 28 RUN N
181.5 FT E 419 FT TO RD SELY ALONG RD
155.25 FT SWLY TO BEG (LESS RD) MC NEILS
ORANGE VILLA PB 2 PG 99

- (b) That the Respondent hereby requests the Board grant an extension to the current compliance date of **February 28, 2005** for removing trash and debris, used and/or scrap building materials and junk or abandoned vehicles, outside storage i.e. service equipment, parts, junked vehicles and automobile wrecking/salvage yard and obtaining an approved site plan and that the Respondent shall continue to have **one year from the date the site plan is approved** for complying with the County approved site plan requirements.

It is hereby ordered that the Respondent's compliance date of February 28, 2005 be extended to **June 30, 2005**. It is further ordered that the Respondent shall have **one year from the date the site plan is approved to comply with the County approved site plan requirements**.

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

DONE AND ORDERED this 27th day of January, 2005.

TOM HAGOOD – YES	JEAN METTS – YES
MELANIE CHASE – YES	JAY AMMON – YES
LARRY LAWVER – YES	BILL FAHEY – YES
STEWART FRITZ – YES	

MOTION CARRIED 7 – 0.

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Case No: 04-08-CEB
Annie McDaniel
Code Enforcement Officer: Joann Davids
Complaint No: 2003CE000312

This case was heard by the Board on January 22, 2004 and an Order was entered giving the Respondent a compliance date of April 2, 2004. An Affidavit of Non-Compliance was filed by the Code Officer on April 7, 2004. At the request of the Respondent's Attorney, the Board granted an extension of the compliance date to November 1, 2004 and rescinded the accrued fine of \$11,700.00 on July 29, 2004. An Affidavit of Non-Compliance was been filed by the Code Officer on November 3, 2004. This property is not in compliance at this time.

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Recommendation: The Board issue an Order constituting a lien in the amount of **\$8,600.00**, 86 days of non-compliance from November 2, 2004 through and including January 27, 2005, at \$100.00 per day be recorded in the public records and the fine shall continue to accrue at **\$100.00** per day for each day the violations are repeated past January 27, 2005.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(f)(g)(h)(i)(j)(l).

Described as: 1) Unusable or abandoned appliances.
2) Trash and debris.
3) Uncultivated vegetation in excess of 24" in height located within 75' of a structure.
4) The remains or rubble of a structure which has been burned, stricken by casualty or demolished.
5) Used or scrap building materials.
6) Junked or abandoned vehicle(s).

Location: 718 Arletta St., Altamonte Springs (Commission District 3)
Tax Parcel ID # 21-21-29-300-0200-0000

Frank McMillan, Attorney for Respondent, presented a 'time-line' exhibit to the Board and testified on behalf of the Respondent that she does not have any funds to pay for a lien. Mr. McMillan further testified that the Respondent had to take out a second mortgage to pay the taxes on her property.

Joann Davids, Code Enforcement Officer, testified on behalf of the County and advised that Staff would be agreeable to not imposing a lien on this property.

Mr. McMillan requested that this case be continued to the next meeting so that documents could be prepared stipulating that the Respondent is agreeable to the County abating the property. Mr. McMillan also stated that the Respondent would agree to a small fine.

The Board asked Officer Davids if these violations create a health, safety issue for the citizens of Seminole County and Officer Davids advised that it has at times.

Deborah Leigh, Senior Code Enforcement Officer, advised the Board that the Sheriff's Office would handle the abatement.

Officer Davids withdrew the request to lien this property and no further discussion was had.

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Case No: 04-29-CEB
Earl J. and Ruby M. Lewis
Code Enforcement Officer: Joann Davids
Complaint No: 2004CE000262

This case was heard by the Board on May 20, 2004 and an Order was entered giving the Respondents a compliance date of August 30, 2004. An Affidavit of Non-Compliance was filed by the Code Officer on September 1, 2004. An Affidavit of Compliance has been filed by the Code Officer on October 27, 2004. This property is presently in compliance.

Recommendation: The Board issue an Order rescinding the lien in the amount of **\$13,750.00**, for 55 days of non-compliance at **\$250.00** per day from August 31, 2004 through October 25, 2004 due to extenuating circumstances and that said Order be recorded in the public records.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(g)(h)(n)(p).

Described as:

- 1) Trash and debris.
- 2) Uncultivated vegetation in excess of 24" in height within 75' of a structure.
- 3) Stagnant or foul water within a swimming pool.
- 4) Other objectionable, unsightly or unsanitary matter, substance or material tending by its existence and or accumulation to endanger or adversely effect the health, safety, lives and or welfare of the citizens of the County.

Location: 3110 Cecelia Drive, Apopka (Commission District 3)
Tax Parcel ID # 18-21-29-509-0200-0210

Joann Davids, Code Enforcement Officer, testified on behalf of the County and advised that the property is in compliance at this time.

Connie Bearden, daughter of the Respondent, testified on behalf of her father and made a request of the Board to rescind the fine imposed.

Officer Davids testified that Staff would not be opposed to rescinding the fine.

After discussion of this case by the Board:

**MOTION BY JEAN METTS, SECONDED BY JAY AMMON, THAT
THE ORDER RESCINDING FINE BE:**

ORDER RESCINDING FINE

The Respondents are the owners of record of the property (Tax Parcel ID # 18-21-29-509-0200-0210) located at 3110 Cecelia Drive, Apopka, located in Seminole County and legally described as follows:

LEG LOT 21 TRACT 2 PARADISE POINT 2ND SEC
PB 9 PG 18

This case came on for public hearing before the Code Enforcement Board of Seminole County on May 20, 2004, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found the Respondents in violation of the Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(g)(h)(n)(p).

Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondents did not take certain corrective action by August 30, 2004.

An Affidavit of Non-Compliance had been filed with the Board by the Code Officer, which Affidavit certified under oath that the corrective action had not been taken by the Respondent as of August 31, 2004.

An Affidavit of Compliance has been filed with the Board by the Code Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondents as of October 26, 2004.

Accordingly, it having been brought to the Board's attention that Respondents have complied with the Order dated May 20, 2004, the Board orders that the fine of **\$13,750.00**, for 55 days of non-compliance from August 31, 2004 through October 25, 2004 at \$250.00 per day imposed against the property, **be rescinded**.

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

DONE AND ORDERED this 27th day of January, 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
MELANIE CHASE – YES
LARRY LAWVER – YES
STEWART FRITZ – YES**

**JEAN METTS – YES
JAY AMMON – YES
BILL FAHEY – YES**

MOTION CARRIED 7 – 0.

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Case No: 04-45-CEB
Oscar & Bernice K. Duncan
Code Enforcement Officer: Jerry Robertson
Complaint No: 2004CE000217

This case was heard by the Board on December 2, 2004 and continued to the January meeting. This case was originally heard by the Board on June 24, 2004 and an Order was entered giving the Respondents a compliance date of September 24, 2004. An Affidavit of Non-Compliance has been filed by the Code Enforcement Officer on September 28, 2004. An Affidavit of Compliance has been filed by the Code Enforcement Officer on January 6, 2005. This property is presently in compliance.

Recommendation: The Board issue an Order constituting a lien in the amount of **\$5,000.00**, 100 days of non-compliance from September 25, 2004 through January 3, 2005, at \$50.00 per day, be recorded in the public records.

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.102, 30.103 and 30.104.
Described as: 1) Mobile home placed on this parcel without Board of Adjustment approval, as a special exception.
Location: 2005 Osceola Road W, Geneva (Commission District 2)
Tax Parcel ID # 07-20-32-5UO-0002-0010

Jerry Robertson, Code Enforcement Officer, testified on behalf of the County and advised the Board that the mobile home has been removed.

Officer Robertson stated that Staff would not oppose rescinding the fine.

Bernice Duncan, Respondent, testified on her behalf and made a request of the Board to rescind her fine.

After discussion of this case by the Board:

**MOTION BY JEAN METTS, SECONDED BY JAY AMMON, THAT
THE ORDER RESCINDING FINE BE:**

ORDER RESCINDING FINE

The Respondents are the owners of record of the property (Tax Parcel ID # 07-20-32-5UO-0002-0010) located at 2005 Osceola Road W, Geneva, located in Seminole County and legally described as follows:

LEG 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 June 24, 2004, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found the Respondents in violation of the Seminole County Land Development Code, Chapter 30, Section 30.102, 30.103 and 30.104.

Said Order stated that a fine in the amount of \$50.00 per day would be imposed if the Respondents did not take certain corrective action by September 24, 2004.

An Affidavit of Non-Compliance had been filed with the Board by the Code Officer, which Affidavit certified under oath that the corrective action had not been taken by the Respondent as of September 24, 2004.

An Affidavit of Compliance has been filed with the Board by the Code Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondents as of January 4, 2005.

Accordingly, it having been brought to the Board's attention that Respondents have complied with the Order dated June 24, 2004, the Board orders that the fine of **\$5,000.00**, for 100 days of non-compliance from September 25, 2004 through January 3, 2005, at \$50.00 per day imposed against the property, **be rescinded**.

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

DONE AND ORDERED this 27th day of January, 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
MELANIE CHASE – YES
LARRY LAWVER – YES
STEWART FRITZ – YES**

**JEAN METTS – YES
JAY AMMON – YES
BILL FAHEY – YES**

MOTION CARRIED 7 – 0.

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Case No: 04-69-CEB
Todd & Susan M. Powell
Code Enforcement Officer: Dorothy Hird
Complaint No: 2004CE000839

This case was heard by the Board on October 28, 2004 and an Order was entered giving a compliance date of November 26, 2004. An Affidavit of Non-Compliance was filed by the Code Officer on December 1, 2004. This property is not in compliance at this time.

Recommendation: The Board issue an Order constituting a lien in the amount of **\$4,725.00**, 63 days of non-compliance from November 27, 2004 through and including January 27, 2005, at \$75.00 per day be recorded in the public records and the fine shall continue to accrue at **\$75.00** per day for each day the violations are repeated past January 27, 2005.

Violation Charged: Seminole County Code 95.4, as defined in Section 95.3(l).
Described as: 1) Junk or abandoned vehicle not kept within an enclosed garage or an attached carport.
Location: 225 Temple Avenue, Fern Park (Commission District 4)
Tax Parcel ID # 19-21-30-507-0B00-0040

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and advised the Board that the vehicle remains inoperable.

Todd Powell, Respondent, testified on his behalf and advised the Board that he had a mechanic look at the vehicle yesterday (January 26, 2005) and will be working with the mechanic to get it repaired. Mr. Powell further testified that he has had many financial problems and has not been able to get it repaired earlier.

The Board asked Officer Hird if Staff would be agreeable to continuing this case for two months and Officer Hird that she would not oppose a continuation.

After discussion of this case by the Board:

MOTION BY JEAN METTS, SECONDED BY MELANIE CHASE, THAT THE BOARD TAKE NO ACTION AT THIS TIME AND CONTINUE THIS CASE FOR TWO MONTHS.

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**TOM HAGOOD – YES
MELANIE CHASE – YES
LARRY LAWVER – YES
STEWART FRITZ – YES**

**JEAN METTS – YES
JAY AMMON – YES
BILL FAHEY – NO**

MOTION CARRIED 6 – 1.

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At this time, the Chair closed the meeting for a 5 minute recess. The hearing resumed at 3:09 P.M.
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Case No 03-54-CEB
Catherine English
Code Enforcement Officer: Dorothy Hird
Complaint No 2003-4038

This is a repeat violation. The original violation was heard by the Board on June 26, 2003 and an Order was entered. Compliance on the original violation was obtained on April 21, 2004. An Order Imposing Fine/Lien was entered August 28, 2003. The total lien for the original violation is \$14,200.00 and remains unpaid. An Affidavit of Repeat Violation was filed on December 9, 2004. An Affidavit of Compliance After Repeat Violation was filed on January 4, 2005. This property remained in non-compliance for 26 days at \$50.00 per day for a total of \$1,300.00. This property is presently in compliance.

Recommendation: The Board issue an Order constituting a Fine on a Repeat Violation of the Findings of Fact, Conclusions of Law and Order dated June 26, 2003, and said Order be recorded in the public records.

Violation Charged: Section 95.4 as defined in Section 95.3 (I), Seminole County Code.
Described as: 1) Junked or abandoned vehicles not within an enclosed garage or attached carport.
Location: 805 Brentwood Ave., Altamonte Springs (District 4)
Tax Parcel ID # 07-21-30-300-072W-0000

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Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and advised the Board that this is a repeat violation. She further testified that she last inspected the property on January 5, 2005 and the Respondent was in compliance at that time.

Catherine English, Respondent, testified on her behalf and advised that the vehicle had been removed. The Respondent further made a request of the Board to not lien her property.

Officer Hird advised the Board that Staff would not oppose rescinding the fine.

After discussion of this case by the Board:

MOTION BY JEAN METTS, SECONDED BY BILL FAHEY, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER RESCINDING FINE ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE BE:

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER RESCINDING FINE
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE**

The Respondent is the owner of record of the property (Tax Parcel ID # 07-21-30-300-072W-0000) located at 805 Brentwood Avenue, Altamonte Springs, located in Seminole County and legally described as follows:

LEG SEC 07 TWP 21S RGE 30E BEG 165 FT S + 625 FT W OF
NE COR OF SE ¼ OF NW ¼ RUN W 100 FT N 140 FT E 100 FT
S 140 FT TO BEG

This case came on for public hearing before the Code Enforcement Board of Seminole County on June 26, 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 the Respondent in violation of the Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3(l).

Said Order stated that a fine in the amount of \$50.00 per day would be imposed if the Respondent did not take certain corrective action by July 11, 2003. Compliance was obtained on April 21, 2004.

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An Affidavit of Repeat Violation has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the violation was being repeated as of December 9, 2004.

An Affidavit of Compliance After Repeat Violation, has been filed with the Board by the Code Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondent as of January 4, 2005.

Based on the testimony and evidence presented, the Respondent was in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated June 26, 2003.

Therefore, the Board finds that the Respondent was in repeat violation and orders that a fine in the amount of **\$1,300.00**, for 26 days of non-compliance from December 9, 2004 through January 4, 2005 at \$50.00 per day, **be rescinded**.

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

DONE AND ORDERED this 27th day of January, 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
MELANIE CHASE – YES
LARRY LAWVER – YES
STEWART FRITZ – YES**

**JEAN METTS – YES
JAY AMMON – YES
BILL FAHEY – YES**

MOTION CARRIED 7 – 0.

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Case No 03-70-CEB
Christine Watson
Code Enforcement Officer: Dorothy Hird
Complaint No: 2003-4142

This is a repeat violation. The original violation was heard by the Board on August 28, 2003 and an Order was entered. Compliance on the original violation was obtained on September 18, 2003. An Affidavit of Repeat Violation was filed on December 7, 2004. An Affidavit of Compliance After Repeat Violation was filed on January 19, 2005. This property remained in non-compliance for 43 days at \$50.00 per day for a total of \$2,150.00. This property is presently in compliance.

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Recommendation: The Board issue an Order constituting a Fine on a Repeat Violation of the Findings of Fact, Conclusions of Law and Order dated August 28, 2003, and said Order be recorded in the public records.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(l).
Described as: 1) Junked or abandoned vehicle that is not kept within a garage or an attached carport.
Location: 618 Plum Lane, Altamonte Springs (Commission District 4)
Tax Parcel ID #07-21-30-503-0000-0900

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and advised the Board that this property is in compliance at this time. Officer Hird also testified that she has spoken with the Respondent several times and Mrs. Watson advised that the vehicle belonged to her son.

Christine Watson, Respondent, was not present at this hearing.

Officer Hird further testified that the Respondent asked her to make a request of the Board to rescind the fine.

Officer Hird stated that due to the fact that the Respondent is in compliance at this time, recommendation would be for an Order stating that a repeat violation did occur.

After discussion of this case by the Board:

MOTION BY JEAN METTS, SECONDED BY STEWART FRITZ, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER RESCINDING FINE ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER RESCINDING FINE ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE

The Respondent is the owner of record of the property (Tax Parcel ID # 07-21-30-503-0000-0900) located at 618 Plum Lane, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 90 GRANADA SOUTH PB 15 PG 100

This case came on for public hearing before the Code Enforcement Board of Seminole County on August 28, 2003, after due notice to the Respondent. The Board,

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having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found the Respondent in violation of the Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3(l).

Said Order stated that a fine in the amount of \$50.00 per day would be imposed if the Respondent did not take certain corrective action by September 12, 2003. Compliance was obtained on September 18, 2003.

An Affidavit of Repeat Violation has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the violation was being repeated as of December 6, 2004.

An Affidavit of Compliance After Repeat Violation, has been filed with the Board by the Code Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondent as of January 19, 2005.

Based on the testimony and evidence presented, the Respondent was in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated August 28, 2003.

Therefore, the Board finds that the Respondent was in repeat violation and orders that a fine in the amount of \$2,150.00, for 43 days of non-compliance from December 6, 2004 through January 18, 2005 at \$50.00 per day, be rescinded.

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

DONE AND ORDERED this 27th day of January, 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
MELANIE CHASE – YES
LARRY LAWVER – YES
STEWART FRITZ – YES**

**JEAN METTS – YES
JAY AMMON – YES
BILL FAHEY – YES**

MOTION CARRIED 7 – 0.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Case No 05-03-CEB
Merrie R. Klauck
Code Enforcement Officer: Jerry Robertson
Complaint No: 2004CE001049

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(g)(i)(l).

Described as: 1) Accumulation of trash and debris.
2) Remains of a structure or rubble
3) Junked or abandoned vehicles, provided, however, that a junked vehicle kept within an enclosed garage or attached carport shall not be deemed a violation.

Location: 1190 Caruthers Woods Road, Geneva (Commission District 2)
Tax Parcel ID # 08-20-32-300-009C-0000

Jerry Robertson, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations. Officer Robertson further testified that the only contact he has had was with the husband of the Respondent.

Merrie R. Klauck, Respondent, was not present at this hearing.

Officer Robertson advised that some progress has been made, but the property is not in compliance at this time and that he was denied access to the property.

Officer Robertson stated that recommendation would be to remove the violations by February 27, 2005 with a fine of \$50.00 per day if the Respondent does not comply.

After discussion of this case by the Board:

**MOTION BY JEAN METTS, SECONDED BY MELANIE CHASE, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 05-03-CEB, it is determined that the Respondent is:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JANUARY 27, 2005

- (a) the owner of record of the property (Tax Parcel ID # 08-20-32-300-009C-0000) located at 1190 Caruthers Woods Road, Geneva, located in Seminole County and legally described as follows:
LEG SEC 08 TWP 20S RGE 32E N 660 FT OF S 990 FT
OF E 330 FT OF SE ¼
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(g)(i)(l).

It is hereby ordered that the Respondent correct the violations on or before **February 27, 2005**. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS.
- 2) REMOVE THE REMAINS OF A STRUCTURE AND/OR RUBBLE OF A STRUCTURE.
- 3) REPAIR OR REMOVE ANY VEHICLE THAT CANNOT OPERATE LEGALLY ON THE PUBLIC ROAD RIGHT OF WAY, IF IT WERE PROPERLY LICENSED, OR PLACE VEHICLE IN AN ATTACHED CARPORT OR ENCLOSED GARAGE.

If the Respondent does not comply with the Order, a fine of **\$250.00** will be imposed for each day the violations continue, or are repeated after compliance past **February 27, 2005**. **The Respondent is 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 violation exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 27th day of January, 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
MELANIE CHASE – YES
LARRY LAWVER – YES
STEWART FRITZ – YES**

**JEAN METTS – YES
JAY AMMON – YES
BILL FAHEY – YES**

MOTION CARRIED 7 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JANUARY 27, 2005

Case No 05-07-CEB
Bernice B. Young
Code Enforcement Officer: Dorothy Hird
Complaint No: 2004CE001198

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(l).

Described as: 1) Junked or abandoned vehicle not kept within an enclosed garage or an attached carport.

Location: 209 Cadillac Court, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-516-0000-0090

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird also testified that she inspected the property yesterday (January 26, 2005) and the violation remained.

Bernice Young, Respondent, was not present at this hearing.

Officer Hird stated that recommendation would be remove the violation by February 11, 2005 with a fine of \$50.00 per day if the Respondent does not comply.

After discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY STEWART FRITZ, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 05-07-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 07-21-30-516-0000-0090) located at 209 Cadillac Court, Altamonte Springs, located in Seminole County and legally described as follows:
LEG LOT 9 MAGNOLIA HILL PB 15 PG 12
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(l).

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JANUARY 27, 2005

It is hereby ordered that the Respondent correct the violation on or before **February 11, 2005**. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) REPAIR OR REMOVE ANY VEHICLE THAT CANNOT OPERATE LEGALLY ON THE PUBLIC ROAD RIGHT OF WAY, IF IT WERE PROPERLY LICENSED, OR PLACE VEHICLE IN AN ATTACHED CARPORT OR ENCLOSED GARAGE.**

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 **February 11, 2005**. **The Respondent is 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 violation exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 27th day of January, 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
MELANIE CHASE – YES
LARRY LAWVER – YES
STEWART FRITZ – YES**

**JEAN METTS – YES
JAY AMMON – YES
BILL FAHEY – YES**

MOTION CARRIED 7 – 0.

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Case No 05-08-CEB
Dwight R. & Keitra L. Beacham
Code Enforcement Officer: Dorothy Hird
Complaint No: 2004CE001378

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(l).

Described as: 1) Junked or abandoned vehicle not kept within an enclosed garage or an attached carport.

Location: 133 Jackson Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 18-21-30-502-0B00-010A and
Tax Parcel ID # 18-21-30-502-0B00-010B

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JANUARY 27, 2005

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird also testified that she inspected the property yesterday (January 26, 2005) and the violation remains.

Dwight & Keitra Beacham, Respondents, were not present at this hearing.

Officer Hird stated that recommendation would be to remove the violation by February 11, 2005 with a fine of \$50.00 per day if the Respondents do not comply.

After discussion of this case by the Board:

**MOTION BY JEAN METTS, SECONDED BY STEWART FRITZ, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 05-08-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 18-21-30-502-0B00-010A and 18-21-30-502-0B00-010B) located at 133 Jackson Street, Altamonte Springs, located in Seminole County and legally described as follows:
 - LEG S ½ OF N 2/3 OF LOTS 10 11 + 12 BLK B MERRITT
PARK PB 8 PG 22
 - AND
 - LEG S 1/3 OF LOTS 10 11 + 12 BLK B MERRITT PARK
PB 8 PG 22
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(l).

It is hereby ordered that the Respondents correct the violation on or before **February 11, 2005**. In order to correct the violation, the Respondents shall take the following remedial action:

- 1) REPAIR OR REMOVE ANY VEHICLE THAT CANNOT OPERATE LEGALLY ON THE PUBLIC ROAD RIGHT OF WAY, IF IT WERE PROPERLY LICENSED, OR PLACE VEHICLE IN AN ATTACHED CARPORT OR ENCLOSED GARAGE.**

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JANUARY 27, 2005

If the Respondents do 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 **February 11, 2005**. **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 violation exists and upon any other real or personal property owned by the Respondents.

DONE AND ORDERED this 27th day of January, 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
MELANIE CHASE – YES
LARRY LAWVER – YES
STEWART FRITZ – YES**

**JEAN METTS – YES
JAY AMMON – YES
BILL FAHEY – YES**

MOTION CARRIED 7 – 0.

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Case No 05-10-CEB
Kenneth & Marlene E. Weiss
Code Enforcement Officer: Pamela Taylor
Complaint No: 2004CE001661

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(g)(o).

Described as: 1) Accumulation of trash and debris.
2) A swimming or wading pool, as those terms are defined in Section 40.136, not completely enclosed by permanent fencing as required by Section 40.164.

Location: 118 Clyde Avenue, Longwood (Commission District 4)
Tax Parcel ID # 21-20-30-501-0D00-0140

Pamela Taylor, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations. Officer Taylor also testified that she inspected the property today and the violations remain.

Kenneth and Marlene Weiss, Respondents, were not present at this hearing.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JANUARY 27, 2005

Officer Taylor further testified that she spoke to the Respondents and they asked that they be given until Monday, January 31, 2005, to comply.

Officer Taylor stated that recommendation would be to remove the violations by January 28, 2005 with a fine of \$250.00 per day if the Respondents do not comply.

After discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY MELANIE CHASE, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 05-10-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 21-20-30-501-0D00-0140) located at 118 Clyde Avenue, Longwood, located in Seminole County and legally described as follows:
LEG LOT 14 BLK D COUNTRY CLUB HEIGHTS UNIT 1
PB 13 PG 98
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(g)(o).

It is hereby ordered that the Respondents correct the violations on or before **January 31, 2005**. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS.**
- 2) ENCLOSE THE SWIMMING OR WADING POOL WITH PERMANENT FENCING AS REQUIRED BY SECTION 40.164 OF THE COUNTY CODE.**

If the Respondents do not comply with the Order, a fine of **\$250.00** will be imposed for each day the violations continue, or are repeated after compliance past **January 31, 2005**. **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.**

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JANUARY 27, 2005

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 27th day of January, 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
MELANIE CHASE – YES
LARRY LAWVER – YES
STEWART FRITZ – YES**

**JEAN METTS – YES
JAY AMMON – YES
BILL FAHEY – YES**

MOTION CARRIED 7 – 0.

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Case No 05-11-CEB
Verniece W. Walker
Plans Examiner: Alan Willis

New Case

Violation Charged: Seminole County Land Development Code, Chapter 40, Part 1, Section 40.2.

Described as: 1) The filling of areas which exceed one hundred (100) cubic yards of material without an approved site plan.
2) Placement of land filling that will inhibit the flow of flood waters or drainage waters or cause erosion.

Location: 800 Chapman Road, Oviedo (Commission District 1)
Tax Parcel ID # 21-21-31-501-0000-00A0

Alan Willis, Plans Examiner for Seminole County Development Review, testified on behalf of the County and entered into evidence photographs of the violations. Mr. Willis further testified that this is a recurring violation in that the Respondent brings in fill, sells it and then brings in more. Mr. Willis also advised that he has had several meetings with the Respondent and it is an ongoing process.

Verniece Walker, Respondent, was not present at this hearing.

Mr. Willis stated that recommendation would be to remove the fill dirt by February 11, 2005 with a fine of \$250.00 per day if the Respondent does not comply.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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The Board asked Mr. Willis if fill dirt remains on the property. Mr. Willis advised that it does, but that he thinks the Respondent may be in compliance by the end of today.

After discussion of this case by the Board:

**MOTION BY STEWART FRITZ, SECONDED BY LARRY LAWVER, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 05-11-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 21-21-31-501-0000-00A0) located at 800 Chapman Road, Oviedo, located in Seminole County and legally described as follows:

LEG LOT A HORSESHOE FARMS PB 17 PG 77

- (b) in possession or control of the property; and
- (c) in violation of Seminole County Land Development Code, Chapter 40, Section 40.2.

It is hereby ordered that the Respondent correct the violations on or before **February 11, 2005**. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) REMOVE ALL FILL MATERIAL UNTIL PARCEL IS BACK TO ITS ORIGINAL CONDITION (PRIOR TO THE FILL BEING DUMPED ON PARCEL).**

If the Respondent does not comply with the Order, a fine of **\$250.00** will be imposed for each day the violation continues, or is repeated after compliance past **February 11, 2005**. **The Respondent 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.**

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JANUARY 27, 2005

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 27th day of January, 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
MELANIE CHASE – YES
LARRY LAWVER – YES
STEWART FRITZ – YES**

**JEAN METTS – YES
JAY AMMON – YES
BILL FAHEY – YES**

MOTION CARRIED 7 – 0.

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Case No: 02-98-CEB
Betty J. Lamar
Code Enforcement Officer: Dorothy Hird
Complaint No: 2002-2065

This case was continued to the January meeting at the request of the Respondent. This is a repeat violation. The original violation was heard by the Board on August 22, 2002 and an Order was entered. Compliance was obtained on the original violation on January 27, 2003. The fine had accrued to \$23,650.00. The Board reduced the fine to \$350.00 on February 27, 2003. The fine was paid by the Respondent. An Affidavit of Repeat Violation was filed on August 30, 2004. An Affidavit of Compliance After Repeat Violation was filed on December 9, 2004. This property was in non-compliance for 100 days from August 30, 2004 through December 8, 2004 at \$150.00 per day for a total of \$15,000.00. This property is presently in compliance.

Recommendation: The Board issue an Order finding that the property was in Repeat Violation of the Findings of Fact, Conclusions of Law and Order dated August 22, 2002, from August 30, 2004 through December 8, 2004 and said Order be recorded in the public records.

Violation charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(g)(h).

Described as: 1) Accumulation of trash and debris.
2) Uncultivated vegetation in excess of 24" in height, within 75' of a structure.

Location: 100 Spring Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 12-21-29-5BD-1300-0090

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JANUARY 27, 2005

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and advised that this case was continued from last month's meeting at the request of the Respondent. Officer Hird further testified that this property is presently in compliance.

Betty Lamar, Respondent, was not present at this hearing.

Officer Hird stated that recommendation would be for an Order entered stating that a Repeat Violation did occur but that no fine be imposed as the Respondent does not have any funds with which to pay a fine.

After discussion of this case by the Board:

MOTION BY LARRY LAWVER, SECONDED BY JEAN METTS, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE BE:

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE**

The Respondent is the owner of record of the property (Tax Parcel ID # 12-21-29-5BD-1300-0090) located at 100 Spring Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOTS 9 + 10 BLK 13 SANLANDO PB 3 PG 66

This case came on for public hearing before the Code Enforcement Board of Seminole County on August 22, 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 the Respondent in violation of the Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3(g)(h).

Said Order stated that a fine in the amount of \$150.00 per day would be imposed if the Respondent did not take certain corrective action by September 6, 2002. Compliance was obtained on January 27, 2003.

An Affidavit of Repeat Violation has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the violation was being repeated as of August 30, 2004.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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An Affidavit of Compliance After Repeat Violation has been filed with the Board by the Code Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondent as of December 9, 2004.

Based on the testimony and evidence presented, the Respondent was in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated August 22, 2002.

Therefore, the Board finds that the Respondent was in repeat violation for 100 days of non-compliance from August 30, 2004 through December 8, 2004 and orders that a fine in the amount of **\$15,000.00** be **reduced to \$400.00**.

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

DONE AND ORDERED this 27th day of January, 2005, in Seminole County, Florida.

TOM HAGOOD – YES	JEAN METTS – YES
MELANIE CHASE – YES	JAY AMMON – YES
LARRY LAWVER – YES	BILL FAHEY – NO
STEWART FRITZ – YES	

MOTION CARRIED 6 – 1.

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VII Approval of the minutes from the meeting of December 2, 2004.

MOTION BY LARRY LAWVER, SECONDED BY JAY AMMON TO APPROVE THE MINUTES FROM THE MEETING OF DECEMBER 2, 2004.

TOM HAGOOD – YES	JEAN METTS – YES
ANNE BLAKEY – YES	JAY AMMON – YES
LARRY LAWVER – YES	BILL FAHEY – YES
STEWART FRITZ – YES	

MOTION CARRIED 7 – 0.

VIII Confirmation date of next meeting: February 24, 2005 (Ms. Metts will not be present at the February meeting)

IX Old Business – None

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JANUARY 27, 2005

- X **New Business – General discussion of new business on agenda.**
- XI **Adjourn – There being no further discussion, this meeting was adjourned at 3:50 p.m.**

Respectfully submitted:

Connie R. DeVasto
Clerk to the Code Enforcement Board

Tom Hagood
Chair

01/27/05 minutes