

APPROVED
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

MINUTES

October 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 1:35 p.m. in the Seminole County Services Building, Room 1028, 1101 East First St, Sanford FL.

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

II **Pledge of Allegiance**

III **Roll Call**

Members Present: Tom Hagood, Chair
Bill Fahey
Stewart Fritz
Grace Chewning
Gerald Ames
Larry Lawver

Members Excused: Jay Ammon

Present & Sworn: Betty J. Lamar, Respondent, 02-98-CEB
John Brooks and Stephanie Brooks, Respondents, 05-09-CEB
John Daniels, Respondent, 05-49-CEB
Edward Fields and Lisa Fields, Respondents, 05-74-CEB
Charles Hines, Respondent, 05-75-CEB
Maritza Cassandra, Respondent, 05-81-CEB
Bernard Long, Respondent, 05-83-CEB

Deborah Leigh, Senior Code Enforcement Officer, SCSO
Jerry Robertson, Code Enforcement Officer, SCSO
Donna Wisniewski, Code Enforcement Officer, SCSO
Dorothy Hird, Code Enforcement Officer, SCSO
Pamela Taylor, Code Enforcement Officer, SCSO
Joann Davids, Code Enforcement Officer, SCSO
Brian Walker, Development Review

Others Present: Dan Mantzaris, Code Enforcement Board Attorney
Sarah Kersey, Clerk to the Code Enforcement Board
Connie R. DeVasto, Planning and Development

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IV Swearing in of Witnesses

Gloria Davis, Daughter of Respondent, 00-36-CEB
Myra Williams, Daughter of Respondent, 05-06-CEB
Sharon Coatoam, Registered Agent for Respondent, 05-43-CEB
Bill Roy, Esq., Attorney for Respondent, 05-43-CEB
Harvey Alper, Esq., Attorney for Respondent, 05-49-CEB
Karen Thomas, Friend of Occupant of Respondent, 05-73-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 LARRY LAWVER, SECONDED BY GERALD AMES, TO APPROVE THE PUBLISHED AGENDA.

TOM HAGOOD – YES	GRACE CHEWNING – YES
BILL FAHEY – YES	GERALD AMES – YES
STEWART FRITZ– YES	LARRY LAWVER – YES

MOTION CARRIED 6 – 0.

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The following cases will not be heard today:

Michael and Patricia Taylor, 05-29-CEB, Continued at Staff Request
Christopher Schultz and Charles H. Thompson, 05-53-CEB, Continued at Staff Request
Robert O'Neill, 05-69-CEB, Complied prior to Hearing
Randolph and Mary-Lee Notley, 05-80-CEB, Complied prior to Hearing
Lester L. Ingram, Sr. and Annie C. Hardy, 05-82-CEB, Continued by Staff
Jimmie L. and Ruby L. Smith, 04-16-CEB, Withdrawn by Staff

Case No: 05-09-CEB
John A. And Stephanie Brooks
Code Enforcement Officer: Dorothy Hird
Complaint No: 2003CE000337

SPECIAL REQUEST

On January 27, 2005, the Board issued its Findings of Fact, Conclusions of Law and Order, ordering a compliance date of December 31, 2005. The minutes of the January 27, 2005 Board requested an update at the September 22, 2005 Board hearing. At the September 22, 2005 hearing, the Board requested an additional update at the October 27, 2005 Board hearing.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(g), (j), (l) and (p).
Described as: 1) Accumulation of trash and debris
2) Used and/or scrapped building materials.
3) Junked or abandoned vehicle not enclosed in an attached carport or an enclosed garage
4) Objectionable, unsightly or unsanitary matter
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 presented photographic evidence of the violation. Officer Hird testified that the Respondent has made considerable improvement, but much more needs to be done.

John A. Brooks, Respondent, testified on his behalf and requested an extension of time in which to comply. Mr. Brooks testified he is scheduled for a medical evaluation as to possible surgery on his leg and therefore could not give a definite date by which he could bring his property into compliance.

After discussion of this case by the Board:

**MOTION BY BILL FAHEY, SECONDED BY LARRY LAWVER, 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:

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- (a) The Respondents are the owners 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 1/4 OF SW
1/4 (LESS W 995 FT & RDS)

- (b) That the Respondents hereby request the Board grant an extension to the current compliance date of **December 31, 2005** for 1) removing the accumulation of trash and debris, 2) removing the used and/or scrapped building materials, 3) repairing or removing any vehicle that cannot operate legally on the public road right of way, if it were properly licensed, or placing vehicle in an attached carport or enclosed garage, and 4) removing the objectionable and/or unsightly, unsanitary matter, substance or material.

It is hereby ordered that the Respondents' compliance date of December 31, 2005 be extended to **April 1, 2006**.

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

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

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ– YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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

REPEAT CASE

The Board heard the original violation on August 22, 2002, and entered a Findings of Fact, Conclusions of Law and Order giving the Respondent a compliance date of September 6, 2002. An Affidavit of Non-Compliance was filed October 15, 2002. On October 24, 2002, an Order Finding Non-Compliance and Increasing Fine was entered, imposing a fine of \$7,200.00 and ordering a daily fine of \$175.00 for each day of non-compliance past October 24, 2002. The Code Officer filed an Affidavit of Compliance indicating compliance on January 27, 2003.

On February 27, 2003, Order Reducing Fine was entered, reducing accrued fine of \$23,650.00 to \$350.00, with payment due March 28, 2003, or fine would revert

to original amount and lien in original amount would be imposed. Respondent paid the reduced fine of \$350.00.

An Affidavit of Repeat Violation was filed by the Code Officer indicating non-compliance on August 30, 2004. The Code Officer filed an Affidavit of Compliance (After Repeat Violation) indicating compliance on December 9, 2004. A Findings of Fact, Conclusions of Law and Order on a Repeat Violation Presently in Compliance was entered on January 27, 2005, ordering that the fine of \$15,000.00 be reduced to \$400.00. This reduced fine has not been paid.

An Affidavit of Repeat Violation was filed by the Code Officer indicating non-compliance on September 8, 2005. The Code Officer filed an Affidavit of Compliance (After Repeat Violation) indicating compliance on October 7, 2005.

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 22, 2002 for \$5,075.00, for 29 days of non-compliance at \$175.00 per day from September 8, 2005 to and including October 6, 2005, and the Clerk shall record this Order in the public records.

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

Described as: 1) Accumulation of trash and debris
2) Uncultivated vegetation
3) Junked or abandoned vehicle not enclosed in an attached carport or an enclosed garage
4) Objectionable, unsightly or unsanitary matter

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

Dorothy Hird, Code Enforcement Officer, testified on behalf of the county and entered into evidence photographs of the violation. Officer Hird further testified that the Respondent was in repeat violation by having uncultivated vegetation on the property, but that upon follow-up inspection on October 7, 2005, Officer Hird observed the weeds and uncultivated vegetation had been removed from the property.

Officer Hird recommended the Board issue an Order finding Respondent in repeat violation and that a fine in the amount of \$5,075.00 at \$175.00 per day for 29 days of noncompliance be imposed. Officer Hird further added that staff would not object to a reduced or rescinded fine.

Betty J. Lamar, Respondent, testified on her behalf. Ms. Lamar testified that she drives a school bus which services seven schools, starting at 4:00 a.m. until approximately 7:00 p.m. Ms. Lamar further testified that she lives alone, except that her eight-year-old grandson who has asthma and other medical problems also lives with her. Ms. Lamar said she believes the Board gave her two months to pay the reduced fine of \$400.00 on the prior repeat violation.

Sellaja Knight, granddaughter to Betty J. Lamar, was sworn in, and testified on behalf of Respondent. Ms. Knight testified that she does not reside at the property, but that she and the Respondent try to get the lawn cut and the trash picked up, but in that neighborhood children come by and knock over the trash cans and the dogs put it all back through the yard.

After discussion of this case by the Board:

MOTION BY GERALD AMES, SECONDED BY BILL FAHEY, THAT THE CASE BE CONTINUED TO THE JANUARY 26, 2006 CODE ENFORCEMENT BOARD HEARING, AT WHICH HEARING THE BOARD TO ENTER AN ORDER TO IMPOSE A LIEN OF \$400.00 ON THE PRIOR REPEAT VIOLATION AND AT WHICH HEARING THE BOARD TO ENTER THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE; AND, IN THE INTERIM, THE CODE OFFICER TO MONITOR GOOD FAITH EFFORTS BY RESPONDENT TO REMAIN COMPLIANT.

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ– YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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Case No: 05-73-CEB
Willie A. Brantley II
Code Enforcement Officer: Dorothy Hird
Complaint No: 2005CE000552

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(l)
Described as: Junked or abandoned vehicle not being kept within an enclosed garage or an attached carport
Location: 1262 Depugh Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 18-21-30-502-0D00-0140

Dorothy Hird, Code Enforcement Officer, testified on behalf of the county and entered into evidence photographs of the violation. Officer Hird further testified that the most recent inspection conducted on October 17, 2005 revealed that the vehicle remained on the property. Officer Hird indicated the vehicle is a black Mercedes and that

Mr. Lewis, Tenant/Occupant of the property, indicated to her that the vehicle has engine problems.

Officer Hird recommended the Board issue an Order that Respondent correct the violation on or before November 11, 2005, or that a fine of \$50.00 be imposed for each day the violation continues or is repeated after compliance past November 11, 2005.

Karen Thomas, testified on behalf of Tenant/Occupant Ronald E. Lewis, who is the owner of the subject vehicle located at the property. Ms. Thomas testified that both Willie A. Brantley, Respondent, and Mr. Lewis were aware of her appearance before the Board. Ms. Thomas further testified that Mr. Lewis would like an additional two weeks to remove the vehicle.

After discussion of this case by the Board:

**MOTION BY GRACE CHEWNING, SECONDED BY GERALD AMES,
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 05-73-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 18-21-30-502-0D00-0140) located at 1262 Depugh Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 14 BLK D MERRITT PARK
PB 8 PG 22

- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Chapter 95.4, as defined in Section 95.3(l).

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

**REMOVE JUNKED OR ABANDONED VEHICLE NOT BEING KEPT
WITHIN AN ENCLOSED GARAGE OR AN ATTACHED CARPORT.**

If the Respondent does not comply with the Order, a fine of **\$50.00** will be imposed for each day the violation continues, or is repeated after compliance past **November 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.

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

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ– YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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Case No: 05-74-CEB
Edward E. and Lisa M. Fields
Code Enforcement Officer: Donna Wisniewski
Complaint No: 2005CE001253

Violation Charged: Seminole County Land Development Code, Chapter 30, Sections 30.182 and 30.183
Described as: Business or extension of a business is not a permitted or special exception use in R-1 zoning
Location: 1940 Aster Drive, Winter Park (Commission District 2)
Tax Parcel ID # 26-21-30-501-0000-0420

NEW CASE

Donna Wisniewski, Code Enforcement Officer, testified on behalf of the county and entered into evidence photographs of the violation. Officer Wisniewski testified that she first observed the violation on July 27, 2005, and further testified that subsequent to that inspection she received a call from Mr. Fields stating that he was not going to stop operating the business, and that she should commence paperwork to file with the Code Enforcement Board. Upon reinspection, Officer Wisniewski testified the subject vehicles did not belong to either Mr. or Mrs. Fields, rather the majority of them were registered to individuals at different addresses in the City of Orlando. Officer Wisniewski referred to a gravel driveway on the right side of the house, where employee vehicles are parked, and also additional gravel on the left side.

Officer Wisniewski also offered into evidence photographs submitted by a complainant and stated the witness was present to answer any questions. Officer Wisniewski stated the photographs were from 2002, showing the same cars in 2002 as are still there today, which helped establish a pattern of the business continuing for at least that length of time. Officer Wisniewski stated the maximum number of vehicles

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observed at one time to be five or six. Officer Wisniewski referred to a photograph taken in 2002 (as printed on the photograph) which shows a white Grand Am, and stated the same white Grand Am was there on the morning of October 27, 2005, and stated the vehicle is not registered to Mr. or Mrs. Fields.

Officer Wisniewski presented additional photographs taken May 31, 2003 (showing an individual cleaning equipment in the grass at the front of the house), June 5, 2003 (showing more equipment being cleaned out), and July 28, 2003 (showing the Grand Am and another individual's vehicle). Officer Wisniewski indicated the oldest picture to be September 25, 2002.

Officer Wisniewski recommended the Board issue an Order that Respondents correct the violation on or before November 11, 2005, or that a fine of \$100.00 be imposed for each day the violation continues or is repeated after compliance past November 11, 2005.

Edward E. Fields, Respondent, testified on his behalf. Mr. Fields testified that, rather than saying he was not going to comply, he told Officer Wisniewski that he opted to go to the Board, as there was no penalty prior to going to the Board.

Mr. Fields stated that most of the vehicles in the photographs are his and registered to him, except for his nephew's vehicle. Further, Mr. Fields stated that he had had no contact with the owner of the white Grand Am for a year and a half during the time period presented by Officer Wisniewski.

Other than his vehicles parked at his house on a normal basis, Mr. Fields testified that, business-wise, he does have an office in his house, which consists of a desk, a computer, printer/fax machine, and file cabinet. Mr. Fields further stated there are no materials stored at his house.

Mr. Fields stated he works primarily as a subcontractor, carrying his own materials in his own vehicles. Mr. Fields further stated that he has no employees, but that quite often and most of the time, indeed nearly all the time, he and others work together on jobs, and that they come to his house and leave from his house. Mr. Fields testified there is no business taking place at his house. Further, Mr. Fields stated no customers come to his house and that he has never had a job done at his house unless it was for his house.

Mr. Fields further testified that the work he is having done at his house right now is permitted. Mr. Fields stated that he will not be found in violation of doing work at his house without a permit and that he does not want to be in violation of anything.

Mr. Fields stated that his business is drywall repair, a line of business which he has been in since September 1994. Mr. Fields indicated that when homes, apartment complexes and the like have been re-piped, he comes in and fixes the holes. Mr. Fields

qualified the nature of his business by saying that he does only hole repairs, not major work, and that most of the time he and others work together, clean the stuff up, and all go home.

Mr. Fields further stressed that he is in total compliance, stating the only business run from his house is a home office, that he has no employees, and that all materials and extra equipment that he might use are stored in a storage facility on Red Bug Lake Road. Mr. Fields stated that the other workers park at his house and they drive together, splitting the gas expense.

Mrs. Fields testified that the complainant, Mr. Budd, had come to their house and had Mr. Fields do work at his home for him.

Officer Wisniewski stated that she explained to Mr. Fields that whether he calls it his business or not, it is still for business purposes that all the people are gathering at his home in order to leave for work, figure out what they are going to do for the day and leave from there for their job sites, which still falls under the same violation.

Upon inquiry, Officer Wisniewski stated that Mr. Fields has an occupational license.

Mr. Gerald Ames asked that the witness, Mr. Budd, give his testimony.

Mr. Jerry Budd stated that he lives across the street from Respondents and took the photographs. Mr. Budd testified that Mr. Fields uses the white with green trim ice cream truck and the garage for storage of the stuff he uses in business. Mr. Budd made reference to a vehicle with an Alabama tag. Mr. Budd further testified there are four vehicles there at 7:30 every morning and then they get in Mr. Fields' trucks and go to work. Mr. Budd made the comparison that it is the same thing as going to Middleton, picking up a truck, leaving his car, and going to work and spraying homes. Mr. Budd testified that Mr. Fields has six vehicles and a thing he tows behind his pickup truck, besides the four that come there of which one of them, the pickup, is there all the time (which belongs to the kid from Alabama that works for him).

Mr. Ames stated that in his opinion this is an extension of the business, in that if they were not in this business, those vehicles would not be parked there all day long, and the equipment would not be getting cleaned up in their yard.

Officer Wisniewski testified that she has never seen the garage door open, so she cannot testify that there is anything stored in the garage. Mr. Fields stated that he would be glad to open any vehicle or the garage door.

Mr. Fields testified that he would be glad at any time (after the proceedings today) if Officer Wisniewski would come and check his garage. Further, Mr. Fields testified that as far as the other truck that Mr. Budd says stuff is stored in, the only thing in that truck is

some OSB board Mr. Fields' father-in-law gave him, which they have been saving for the hurricane season, and that he does not use it in his business and he does not use it for work. Mr. Fields also stated that Mr. Budd, when he goes home, can go over and check for himself. Further, Mr. Fields stated the only thing he has in the garage is some tools, as all the tools he uses for his job are on his truck, and anyone is welcome to check.

Mr. Fields does not deny that the guys come over, but that there are not four guys that come to his house on a daily basis; rather, there are only three guys that do, and not everyone every day. Further, Mr. Fields clarified that the white car (which has Arkansas tags rather than Alabama tags) belongs to his nephew and has nothing to do with the issue.

Officer Wisniewski read the definition of a home/office business for the benefit of the Board.

After discussion of this case by the Board:

MOTION BY GERALD AMES TO ACCEPT THE RECOMMENDATION OF STAFF DIES FOR LACK OF A SECOND.

MOTION BY LARRY LAWVER TO DISMISS DIES FOR LACK OF A SECOND.

After further discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY GRACE CHEWNING, 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 05-74-CEB, it is determined that the Respondents are:

- (b) the owners of record of the property (Tax Parcel ID # 26-21-30-501-0000-0420) located at 1940 Aster Drive, Winter Park, located in Seminole County and legally described as follows:

LEG LOT 42 GARDEN LAKE ESTATES UNIT 2
PB 24 PG 74

- (b) in possession or control of the property; and
- (c) in violation of Seminole County Land Development Code, Chapter 30, Sections 30.182 and 30.183.

It is hereby ordered that the Respondents correct the violation on or before **November 28, 2005**. In order to correct the violation, the Respondents shall take the following remedial action:

CEASE OPERATING A BUSINESS OR EXTENSION OF A BUSINESS ON THE PROPERTY.

If the Respondents do not comply with the Order, a fine of **\$100.00** will be imposed for each day the violation continues, or is repeated after compliance past **November 28, 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.

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

TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ– YES

GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – NO

MOTION CARRIED 5 – 1.

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Case No: 05-75-CEB
Charles and Jane Hines
Code Enforcement Officer: Jerry Robertson
Complaint No: 2005CE000548

NEW CASE

Violation Charged: Seminole County Land Development Code, Chapter 30, Sections 30.102, 30.103 and 30.104
Described as: Mobile home as a 2nd residence without a special exception
Location: 2600 Howard Avenue, Oviedo (Commission District 2)
Tax Parcel ID # 25-20-31-5BA-0000-3540

Jerry Robertson, Code Enforcement Officer, testified on behalf of the county and entered into evidence photographs of the violation. Officer Robertson testified that this is a case with a violation of a second residence, which is a mobile home. This mobile home is parked behind the main residence. It is not occupied, but it does not have a special exception permit to be there. Officer Robertson submitted as evidence the Property Appraiser's sheet indicating a single-family home built in 1991 and a mobile home built in

1975 (or at least put on the property at that time). Officer Robertson states that upon the certificate of occupancy for the permanent home (the single-family home in 1991), the mobile home should have been moved. Further, Officer Robertson indicated that in 1980, there was a two-year permit for the mobile home, which did expire.

Officer Robertson stated that he has been in contact with Mr. Hines, the Respondent, who has been working on removing the mobile home. As of October 26, 2005, Officer Robertson testified that the mobile home is dismantled, but all the items that were the original mobile home still need to be removed.

Officer Robertson recommended the Board issue an Order that Respondent correct the violation on or before November 26, 2005, or that a fine of \$100.00 be imposed for each day the violation continues or is repeated after compliance past November 11, 2005. Officer Robertson further stated that staff would not object if Mr. Hines needed more time to remove the items.

Mr. Charles Hines, Respondent, testified on his behalf. Mr. Hines indicated it took him six to eight weeks to take the mobile home apart and figured he would need about that much time to dispose of the burned wood, salvaged aluminum, refrigerator and other items. Mr. Hines said that there had been a problem with getting a dumpster because the property was under water.

After discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY STUART 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 05-75-CEB, it is determined that the Respondents are:

- (c) the owners of record of the property (Tax Parcel ID # 25-20-31-5BA-0000-3540) located at 2600 Howard Avenue, Oviedo, located in Seminole County and legally described as follows:

LEG W 1/2 OF E 1/2 OF LOTS 354 + 355
BLACK HAMMOCK
PB 2 PG 110

- (b) in possession or control of the property; and
- (c) in violation of Seminole County Land Development Code, Chapter 30, Sections 30.102, 30.103, and 30.104.

It is hereby ordered that the Respondents correct the violation on or before **January 2, 2006**. In order to correct the violation, the Respondents shall take the following remedial action:

**REMOVE VACANT MOBILE HOME BEHIND THE HOUSE OR
OBTAIN SPECIAL EXCEPTION APPROVAL.**

If the Respondents do not comply with the Order, a fine of **\$100.00** will be imposed for each day the violation continues, or is repeated after compliance past **January 2, 2006**. **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.

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

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ– YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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Case No: 05-81-CEB
Maritza A. Cassandra
Code Enforcement Officer: Donna Wisniewski
Complaint No: 2004CE000906

NEW CASE

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

Described as: 1) Junked or abandoned vehicle not being kept within an enclosed garage or an attached carport
2) Junked or abandoned boat
3) Stagnant or foul water in swimming pool

Location: 209 Quail Cir, Casselberry (Commission District 2)
Tax Parcel ID # 15-21-30-504-0C00-0030

Donna Wisniewski, Code Enforcement Officer, testified on behalf of the county and entered into evidence photographs of the violation. Officer Wisniewski testified her initial inspection of the property was May 10, 2004, at which time she gave Respondent a

verbal notice on the stated violations together with several other violations for which she has complied. Officer Wisniewski stated there was a delay in the notification process because the Respondent had moved to Largo.

Officer Wisniewski stated there is a tenant presently occupying the house and she has not been able to be there when someone who has a key can start the photographed vehicle. Officer Wisniewski presented photographs of the boat, showing vines growing inside the boat and a flat tire on the trailer.

Officer Wisniewski stated she had a conversation with the tenant who stated that plans had been made to take care of the pool and replacement of the fence and the high grass and weeds had been taken care of.

The most recent inspection by Officer Wisniewski was the morning of October 27, 2005, and the property remained in the same condition. Officer Wisniewski stated that although a blue hose may indicate the pool had been drained, she could not confirm if the pool is drained or if the water is cleared as she has not had access to the backyard.

Officer Wisniewski recommended the Board issue an Order that Respondent correct the violation on or before November 11, 2005, or that a fine of \$75.00 be imposed for each day the violation continues or is repeated after compliance past November 11, 2005.

Maritza A. Cassandra, Respondent, testified on her behalf. Ms. Cassandra testified that she could demonstrate the cars are operable, that the pool is in good condition and is not now stagnant, but that she needs some extra time to resolve the boat issue. After discussion of this case by the Board:

After discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING,
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 05-81-CEB, it is determined that the Respondent is:

- (d) the owner of record of the property (Tax Parcel ID # 15-21-30-504-0C00-0030) located at 209 Quail Cir, Casselberry, located in Seminole County and legally described as follows:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING

October 27, 2005

LEG LOT 3 BLK C
STERLING PARK UNIT 3
PB 18 PGS 52 TO 54

- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Chapter 95.4, as defined in Section 95.3(l), (m) and (n).

It is hereby ordered that the Respondent correct the violations on or before **January 2, 2006**. In order to correct the violations, the Respondent shall take the following remedial action:

REPAIR, REMOVE OR PLACE JUNKED OR ABANDONED VEHICLE AND JUNKED OR ABANDONED BOAT WITHIN AN ENCLOSED GARAGE OR AN ATTACHED CARPORT AND REMOVE STAGNANT OR FOUL WATER FROM SWIMMING POOL.

If the Respondent does not comply with the Order, a fine of **\$100.00** will be imposed for each day the violations continue, or are repeated after compliance past **January 2, 2006**. **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.

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

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

.....
Case No: 05-83-CEB
Bernard T. Long
Code Enforcement Officer: Dorothy Hird
Complaint No: 2005CE000468

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in
Section 95.3(l)
Described as: Junked or abandoned vehicles not being kept within an enclosed
garage or an attached carport
Location: 895 Franklin Street, Longwood (Commission District 4)
Tax Parcel ID # 01-21-29-5CK-760E-0010

Dorothy Hird, Code Enforcement Officer, testified on behalf of the county and entered into evidence photographs of the violation. Officer Hird further testified that her initial inspection was in March 2005, with several notices and follow-up inspections as recently as October 24, 2005. It was Officer Hird's understanding that the Corvette was going to be either repaired or removed. Officer Hird stated that the operable red truck located in the back had a canon on the back and the canon needed to be removed before Respondent could remove the truck.

Officer Hird recommended the Board issue an Order that Respondent correct the violation on or before November 11, 2005, or that a fine of \$50.00 be imposed for each day the violation continues or is repeated after compliance past November 11, 2005.

Bernard T. Long, Respondent, testified on his behalf. Mr. Long said that when he lost his job he did not keep the Corvette going and that one of the problems was getting the money to fix it, although he stated that the car would fire right up upon installation of a new battery.

Mr. Long confirmed that the truck in the back does have an antique canon, which he has tried to give away or have moved

After discussion of this case by the Board:

**MOTION BY GRACE CHEWNING, 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 05-83-CEB, it is determined that the Respondent is:

- (e) the owner of record of the property (Tax Parcel ID # 01-21-29-5CK-760E-0010) located at 895 Franklin Street, Longwood, located in Seminole County and legally described as follows:

LEG LOTS 1 TO 3 BLK E TRACT 76
SANLANDO SPRINGS
PB 9 PG 4

- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Chapter 95.4, as defined in Section 95.3(l).

It is hereby ordered that the Respondent correct the violation on or before **January 27, 2006**. In order to correct the violation, the Respondent shall take the following remedial action:

**REMOVE JUNKED OR ABANDONED VEHICLE NOT BEING KEPT
WITHIN AN ENCLOSED GARAGE OR AN ATTACHED CARPORT.**

If the Respondent does not comply with the Order, a fine of **\$50.00** will be imposed for each day the violation continues, or is repeated after compliance past **January 27, 2006**. **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.

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

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ– YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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

CONTINUED CASE

Staff continued this case from the Consent Agenda of April 28, May 19, June 23, August 25, and September 22, 2005; and Board continued this case to October 27, 2005.

The Board heard this case on January 27, 2005 and a Findings of Fact, Conclusions of Law and Order was entered giving the Respondent a compliance date of February 28, 2005. An Affidavit of Non-Compliance was filed by the Code Officer indicating non-compliance on March 4, 2005. An Affidavit of Compliance was filed by the Code Officer indicating compliance on October 21, 2005. This property is in compliance at this time.

Recommendation: The Board issue an Order Finding Compliance and Imposing a Lien for **\$17,550.00**, for 234 days of non-compliance at \$75.00 per day from March 1, 2005 to and including October 20, 2005, and the Clerk shall record this Order in the public records.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(g)(p); and SCLDC Chapter 30, Section 30.182

Described as: 1) Accumulation of trash and debris
2) Objectionable/unsightly matter
3) Occupancy of accessory structure on R-1 zoned property is not a permitted use

Location: 476 Ford Dr, 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 confirmed that Respondent is in compliance.

Myra Williams, daughter of Claretha Roux, testified on Respondent's behalf.

After discussion of this case by the Board:

MOTION BY LARRY LAWVER, SECONDED BY STEWART FRITZ, THAT THE FINE BE RESCINDED AND THE ORDER BE:

ORDER FINDING COMPLIANCE AND RESCINDING FINE

The Respondent is 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

This case came on for public hearing before the Code Enforcement Board of Seminole County on January 27, 2005 after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of the Seminole County Code, Chapter 95, as defined in Section 95.3(g) and (p) and Seminole County Land Development Code, Chapter 30, Section 30.182.

Said Order stated that a fine of \$75.00 per day would be imposed if the Respondent did not take corrective action by February 28, 2005.

The Code Enforcement Officer filed an Affidavit of Non-Compliance with the Board. This Affidavit certified under oath that the violations had not been corrected as of March 4, 2005.

An Affidavit of Compliance has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the required action had been obtained as of October 21, 2005.

Accordingly, it having been brought to the Board's attention that Respondent has complied with the Order dated January 27, 2005, the Board orders that a fine of **\$17,550.00**, for 234 days of non-compliance at \$75.00 per day from March 1, 2005 to and including October 20, 2005, **be rescinded**.

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

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

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

Case No: 05-49-CEB
John Daniels
Code Enforcement Officer: Pamela Taylor
Complaint No:

SPECIAL REQUEST

On July 28, 2005, the Board issued its Findings of Fact, Conclusions of Law and Order, ordering a compliance date of August 26, 2005. Code Enforcement Officer Pamela Taylor filed an Affidavit of Compliance indicating compliance on August 31, 2005. The property is in compliance at this time.

Respondent Daniels filed an appeal in Circuit Court, and subsequently filed a Notice of Voluntary Dismissal of the appeal to facilitate resolution under jurisdiction of the Code Enforcement Board. The Circuit Court has signed Order Granting Dismissal of Appeal.

Respondent finds the corrective action language—

**CEASE AND DESIST FROM STORING AND/OR PARKING ANY
VEHICLE NOT PERSONALLY TITLED IN RESPONDENT'S NAME**

—contained in the July 28, 2005 Order too broad in scope. Respondent seeks clarification of the corrective action language by amendment of the July 28, 2005 Order. Respondent, John Daniels, or his counsel, Harvey Alper, will address the Board.

Mr. Harvey Alper, counsel to Respondent, spoke on behalf of the Respondent, Mr. John Daniels, who was also present.

Mr. Alper acknowledged for the record that Mr. Daniels was presently in compliance and presented the Respondent's case for clarification.

Code Enforcement Officer Pamela Taylor testified on behalf of the county. Officer Taylor inquired of the Respondent as to the number of vehicles there would be, to which the Respondent answered there would be two.

After discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING,
THAT THE CORRECTIVE LANGUAGE CONTAINED IN THE JULY 28,
2005 FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE
CHANGED AND SET OUT IN AN AMENDMENT TO BE:**

AMENDMENT TO
FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
DATED JULY 28, 2005

This matter came before the Board at its October 27, 2005 meeting upon Respondent's request for amendment of the Board's Findings of Fact, Conclusions of Law and Order of July 28, 2005; and the Board having heard presentations on behalf of Petitioner and Respondents, and having been advised that as of October 27, 2005, the Respondent was in compliance with the prior Order of this Board. Based on the presentations and request of the Respondent, the Board does hereby amend the October 27, 2005 Order to state that in order for the Respondent to remain in compliance, the Respondent shall take the following action:

CEASE AND DESIST FROM STORING VEHICLES HELD FOR SALE, AND/OR PARKING VEHICLES (OTHER THAN RESPONDENT'S PERSONALLY USED AND DRIVEN VEHICLES, AND THOSE SUCH VEHICLES OF HIS GUESTS) ON THE SUBJECT PROPERTY.

If the Respondent does not comply with this Amended Order, a fine of **\$250.00** will be imposed for each day the violation continues, or is repeated after compliance past **October 27, 2005**. **To the extent necessary, 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 Amended Order.**

Except as may have been amended herein, all other applicable provisions of the Order of July 28, 2005, shall remain in effect.

This Amended Order shall be recorded in the Public Records of Seminole County.

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

TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ – YES

GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES

MOTION CARRIED 6 – 0.

.....
Case No: 05-43-CEB
C & K Property Holdings LLC
Sharon M. Coatoam, Registered Agent
Planner: Brian Walker, Development Review

CONSENT

The Board heard this case on August 25, 2005 and a Findings of Fact, Conclusions of Law and Order was entered giving the Respondent a compliance date of September 8, 2005. An Affidavit of Non-Compliance was filed by the Code Officer indicating non-compliance on September 23, 2005. This property is NOT in compliance at this time.

Recommendation: The Board issue an Order Finding Non-Compliance and Imposing Fine/Lien constituting a Lien for **\$12,250.00**, for 49 days of non-compliance at \$250.00 per day from September 9, 2005 to and including October 27, 2005, with the fine continuing to accrue at \$250.00 per day until compliance is obtained, and the Clerk shall record this Order in the public records.

Violation Charged: Seminole County Land Development Code, Chapter 30, Part 64, Section 30.1228 and Section 30.1230, Chapter 40, Section 40.12(a) and Chapter 60, Part 2, Section 60.21.

Described as: 1) Removal of required trees within the landscape buffer.
2) Hedges are not being maintained properly within the landscape buffer. All hedges are required to be a minimum of 3' in height and shall provide a continuous and unbroken visual screen at the end of one year from time of planting.
3) Parking of vehicles in an unauthorized area.

Location: 195 W Highland St., Altamonte Springs (Commission District 3)
Tax Parcel ID # 01-21-29-5CK-670B-0170

Brian Walker, Planner with Development Review, testified on behalf of the county and entered into evidence photographs of the violation. Mr. Walker testified that the follow-up inspection on October 27, 2005 revealed that the property is not presently in compliance.

Mr. Walker recommended the Board issue an Order Finding Non-Compliance and Imposing Fine/Line constituting a lien for \$12,250.00 for 49 days of non-compliance at \$250.00 per day from September 9, 2005, to and including October 27, 2005, with the fine continuing to accrue at \$250.00 per day until compliance is obtained, and that the Clerk shall record this Order in the Public Records.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
October 27, 2005

Mr. Bill Roy, counsel for C & K Property Holdings LLC, testified on behalf of Respondent. Mr. Roy testified that the property is substantially in compliance and entered into evidence, as Exhibit 1, a series of invoices (commencing on July 21, 2005 and continuing through October 20, 2005) which show purchases for the landscaping.

Exhibit 2, entered into evidence by Mr. Roy, was a quote dated August 25, 2005 from Mrs. Coatoam's landscaper. Mr. Roy testified that right before the August 25, 2005 hearing, he spoke with Mr. Walker stating that arrangements had been made for the landscaper to come in and bring the property into full compliance, but the landscaper never performed, never showed up, never did anything. Mr. Roy testified that alternate landscapers had been hired and that he had taken 10-12 photographs on the morning of October 27, 2005, after Mr. Walker's photographs were taken. Mr. Roy testified his photographs show the plants and trees being put in as required, and that a landscaper was working to put them in today (October 27, 2005).

Mr. Roy stated also that he had a copy of the approved landscaping plan sent to him by Mr. Walker. As to the required hedge, Mr. Roy testified the hedge is being maintained all across the property as shown by the photographs, except it is not being maintained on the parking island which the landscape plan approved by the county does not require. Mr. Roy contends that issue number two was never a violation in the first place, as that hedge is being maintained all across at the required height of three feet.

As to issue number three, Mr. Roy contends that obviously the parking issue has been cured, because as soon as he was informed of that, he informed Mrs. Coatoam and her staff to stop parking there. Mr. Roy stated C & K Properties LLC has experienced some tension and management issues upon the departure of the co-owner, and there is a lawsuit pending to dissolve the property and the partnership.

Mr. Roy testified further that there was no intentional removal of the trees, rather the trees were initially taken out by Hurricane Charlie last year. Mr. Roy reiterated again that Respondent is in substantial compliance and requested that the Board not enter a fine at this point, and dismiss the case.

Mr. Walker testified that the hedges are compliant at this point in time. Rather, it was trees and landscaping that has not been replaced within the buffer and that the sod has not been replaced within the right-of-way.

After discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY GERALD AMES, THAT
THIS CASE BE CONTINUED TO DECEMBER 1, 2005:**

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ– YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

.....
Case No: 00-36-CEB
Jesse B. Penn
Code Enforcement Officer: Deborah Leigh
Complaint No: 99-9042

FORECLOSURE

The Board heard this case on February 24, 2000 and a Findings of Fact, Conclusions of Law and Order was entered giving the Respondent a compliance date of August 24, 2000. An Affidavit of Non-Compliance was filed by the Code Officer indicating non-compliance on August 29, 2000. On December 7, 2000, an Order Finding Non-Compliance and Imposing Fine/Lien was entered, imposing a \$525.00 fine through December 7, 2000, and a daily fine of \$5.00 thereafter if not compliant. The total accrued amount is \$9,445.00 (\$525.00 plus 1784 days at \$5.00 per day for the period December 8, 2000 through October 27, 2005). This property is NOT in compliance at this time.

Recommendation: Staff requests approval to forward this case to the County Attorney for review and approval to present to the Board of County Commissioners for foreclosure action.

Violation Charged: Seminole County Land Development Code, Section 30.182
Described as: Mobile home not a permitted or conditional use in R-1 zoning
Location: 4540 Gilbert Street, Lake Monroe (Commission District 5)
Tax Parcel ID # 20-19-30-501-0000-1370

Gloria Davis, daughter of Jesse B. Penn, testified on behalf of Respondent.

After discussion of this case by the Board:

**MOTION BY GRACE CHEWNING, SECONDED BY GERALD AMES,
THAT THIS CASE BE FORWARDED TO THE COUNTY ATTORNEY FOR
REVIEW AND APPROVAL TO PRESENT TO THE BOARD OF COUNTY
COMMISSIONERS FOR FORECLOSURE ACTION:**

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ– YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – NO**

MOTION CARRIED 5 – 1.

.....
3:45 P.M. – 3:50 P.M. THE BOARD RESCESSED FOR A FIVE-MINUTE BREAK
.....

Case No: 03-78-CEB
Gwendolyn Ingram
Code Enforcement Officer: Dorothy Hird
Complaint No: 03-3137

REPEAT

The Board heard the original violation on September 23, 2003 and a Findings of Fact, Conclusions of Law and Order was entered giving the Respondents a compliance date of October 31, 2003. An Affidavit of Compliance was filed by the Code Officer indicating compliance on March 5, 2004, and Order Rescinding Fine/Line entered March 18, 2004 rescinded fine of \$12,400.00.

An Affidavit of Repeat Violation was filed by the Code Officer indicating non-compliance on July 21, 2004. The Code Officer filed an Affidavit of Compliance (After Repeat Violation) indicating compliance on August 5, 2004. A Findings of Fact, Conclusions of Law and Order on a Repeat Violation in Compliance was entered on September 23, 2004 imposing a lien of \$1,400.00. This amount has not been paid.

A second Affidavit of Repeat Violation was filed by the Code Officer indicating non-compliance on September 7, 2005. An Affidavit of Compliance (After Repeat Violation) was filed by the Code Officer indicating compliance on October 3, 2005. The property is presently in compliance.

Recommendation: The Board issue an Order constituting a Fine/Lien on a Repeat Violation of the Findings of Fact, Conclusions of Law and Order dated September 25, 2003 for **\$2,600.00**, for 26 days of non-compliance at \$100.00 per day from September 7, 2005 to and including October 2, 2005, and the Clerk shall record this Order in the public records.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
October 27, 2005

Violation Charged: Seminole County Code, Chapter 95, Section 95.3(l) and Seminole Land Development Code, Chapter 30, Sections 30.182 and 30.183
Described as: 1) Junk or abandoned vehicle not kept within an enclosed garage or attached carport
2) Business or extension of a business that is not permitted or conditional use in a residential zone
Location: 125 Leon Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 18-21-30-507-0000-0670

Dorothy Hird, Code Enforcement Officer, testified on behalf of the county and entered into evidence photographs of the violation. Officer Hird further testified that the Respondent was in repeat violation by having junked or abandoned vehicles not kept within an enclosed garage or carport.

Officer Hird recommended the Board issue an Order finding Respondent in repeat violation and that a fine in the amount of \$2,600.00 at \$100.00 per day for 26 days of noncompliance be imposed. Officer Hird further stated that Respondent had requested that the fine be rescinded

After discussion of this case by the Board:

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

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

Based on the testimony and evidence presented in case number 03-78-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 18-21-30-507-0000-0670) located at 125 Leon Street, Altamonte Springs, located in Seminole County and legally described as follows:
LEG LOTS 67 + 68 REPLAT OF WINWOOD PARK PB 3, PG 30
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.3(1) and Seminole County Land Development Code, Chapter 30, Section 30.182 & 30.183.

It is hereby ordered that the Respondent is in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated September 25, 2003. Compliance was achieved on March 5, 2004. A re-inspection was performed on July 21, 2004, which found that the violation was being repeated.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
October 27, 2005

An Affidavit of Compliance (After Repeat Violation) was filed with the Board by the Code Officer, which Affidavit certifies under oath that the property was in compliance as of August 5, 2004. A Findings of Fact, Conclusions of Law and Order on a Repeat Violation in Compliance was entered on September 23, 2004.

An Affidavit of Repeat Violation was filed by the Code Officer indicating non-compliance on September 7, 2005. An Affidavit of Compliance (After Repeat Violation) was filed by the Code Officer indicating compliance on October 3, 2005.

Therefore, the Board orders a fine in the amount of **\$2,600.00**, for 26 days of non-compliance from September 7, 2005 to and including October 2, 2005 at \$100.00 per day, be imposed.

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 October, 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ– YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

.....
Case No: 05-76-CEB
Henry Drakes
Code Enforcement Officer: Dorothy Hird
Complaint No: 2005CE000612

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(g) and (l)
Described as: 1) Accumulation of trash and debris
2) Junked or abandoned vehicle not being kept within an enclosed garage or an attached carport
Location: 110 Spring Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 12-21-29-5BD-1300-0060

Dorothy Hird, Code Enforcement Officer, testified on behalf of the county and entered into evidence photographs of the violation. Officer Hird further testified that the

Respondent was in violation by having and accumulation of trash and debris and junked or abandoned vehicles.

Officer Hird recommended the Board issue an Order that Respondent correct the violation on or before November 11, 2005, or that a fine of \$50.00 be imposed for each day the violation continues or is repeated after compliance past November 11, 2005.

After discussion of this case by the Board:

AMENDED MOTION BY GERALD AMES, 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 05-76-CEB, it is determined that the Respondent is:

- (f) the owner of record of the property (Tax Parcel ID # 12-21-29-5BD-1300-0060) located at 110 Spring Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 6 BLK 13 SANLANDO
PB 3 PG 66

- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Chapter 95.4, as defined in Section 95.3(g) and (l).

It is hereby ordered that the Respondent correct the violations on or before **January 2, 2006**. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) REMOVE TRASH AND DEBRIS; AND,**
- 2) REMOVE JUNKED OR ABANDONED VEHICLE NOT BEING KEPT WITHIN AN ENCLOSED GARAGE OR AN ATTACHED CARPORT.**

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 **January 2, 2006**. **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
October 27, 2005

This Order shall be recorded in the official land records of Seminole County.

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

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

.....
Case No: 05-77-CEB
Jimmie R. Jennings
Code Enforcement Officer: Dorothy Hird
Complaint No: 2005CE000370

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(l)
Described as: Junked or abandoned vehicle not being kept within an enclosed garage or an attached carport
Location: 417 Basewood Lane, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-503-0000-0320

Dorothy Hird, Code Enforcement Officer, testified on behalf of the county and entered into evidence photographs of the violation. Officer Hird further testified that the Respondent was in violation by having junked or abandoned vehicles.

Officer Hird recommended the Board issue an Order that Respondent correct the violation on or before November 11, 2005, or that a fine of \$50.00 be imposed for each day the violation continues or is repeated after compliance past November 11, 2005.

After discussion of this case by the Board:

**MOTION BY GRACE CHEWNING, 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 05-77-CEB, it is determined that the Respondent is:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
October 27, 2005

- (g) the owner of record of the property (Tax Parcel ID # 07-21-30-503-0000-0320) located at 417 Basewood Lane, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 32
GRANADA SOUTH
PB 15 PG 100

- (b) in possession or control of the property; and
(c) in violation of Seminole County Code, Chapter 95, Chapter 95.4, as defined in Section 95.3(l).

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

**REMOVE JUNKED OR ABANDONED VEHICLE NOT BEING KEPT
WITHIN AN ENCLOSED GARAGE OR AN ATTACHED CARPORT.**

If the Respondent does not comply with the Order, a fine of **\$50.00** will be imposed for each day the violation continues, or is repeated after compliance past **November 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.

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

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ– YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

.....
Case No: 05-79-CEB
Collison Holding Co – Gregory L. Collison
Code Enforcement Officer: Donna Wisniewski
Complaint No: 2005CE001606

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in
Section 95.3(h)
Described as: Uncultivated vegetation
Location: Betty Street, Winter Park (Commission District 2)
Tax Parcel ID # 34-21-30-529-0000-4950

Tom Hagood, Chair, acknowledged a request from Respondent to continue the case and stated staff had requested to proceed with hearing the case. The Board denied Respondent's request and agreed to hear the case.

Donna Wisniewski, Code Enforcement Officer, testified on behalf of the county and entered into evidence photographs of the violation. Officer Wisniewski further testified that the Respondent was in violation by having uncultivated vegetation, and in this case she first observed this recurring violation on September 5, 2005. Officer Wisniewski stated the Respondent was in compliance upon follow-up inspection.

Officer Wisniewski recommended the Board issue an Order that Respondent was in violation and that a fine of \$150.00 be imposed for each day the violation is repeated after compliance past October 27, 2005.

After discussion of this case by the Board:

**MOTION BY GRACE CHEWNING, SECONDED BY BILL FAHEY, 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 05-79-CEB, it is determined that the Respondent is:

(h) the owner of record of the property (Tax Parcel ID # 34-21-30-529-0000-4950) located at Betty Street, Winter Park, located in Seminole County and legally described as follows:

LEG LOT 495 WRENWOOD UNIT 3 4TH ADD
PB 24 PGS 65 & 66

(b) in possession or control of the property; and

- (c) in violation of Seminole County Code, Chapter 95, Chapter 95.4, as defined in Section 95.3(h).

Respondent was in violation from July 12, 2005 to August 10, 2005, as well as from September 12, 2005 to September 29, 2005. It is hereby ordered that the Respondent is presently in compliance. In order to remain in compliance, the Respondent shall:

**MAINTAIN THE PROPERTY BY CONTINUING TO REMOVE THE
UNCULTIVATED VEGETATION.**

It is further Ordered that if the Respondent repeats this violation, a fine of **\$150.00** will be imposed for each day the violation is repeated past **October 27, 2005**. **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.

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

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ– YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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Case No: 05-84-CEB
Zoila Alburez and Oscar & Georgina Alburez
Code Enforcement Officer: Dorothy Hird
Complaint No: 2005CE000607

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(l)
Described as: Junked or abandoned vehicle not being kept within an enclosed garage or an attached carport
Location: 306 Lochmond Drive, Fern Park (Commission District 4)
Tax Parcel ID # 20-21-30-509-0000-0410

Dorothy Hird, Code Enforcement Officer, testified on behalf of the county and entered into evidence photographs of the violation. Officer Hird further testified that the

Respondents were in violation by having junked or abandoned vehicles and that this was a recurring violation.

Officer Hird recommended the Board issue an Order that Respondents correct the violation on or before November 11, 2005, or that a fine of \$50.00 be imposed for each day the violation continues or is repeated after compliance past November 11, 2005.

After discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING,
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 05-84-CEB, it is determined that the Respondents are:

- (i) the owners of record of the property (Tax Parcel ID # 20-21-30-509-0000-0410) located at 306 Lochmond Drive, Fern Park, located in Seminole County and legally described as follows:

LEG LOT 41 HIGHLAND PINES UNIT 1
PB 14 PG 95

- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(l).

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

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

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 **November 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.

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

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ– YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

.....
Case No: 04-24-CEB
Kevin G. Sullivan
Code Enforcement Officer: Dorothy Hird

The Board heard the original violation on April 22, 2004 and entered a Findings of Fact, Conclusions of Law and Order giving the Respondent a compliance date of June 25, 2004. An Affidavit of Compliance was filed June 28, 2004. On March 16, 2005, an Affidavit of Repeat Violation was filed by the Code Officer. An Amended Affidavit of Compliance (After Repeat Violation) was filed March 31, 2005 stating compliance as of March 31, 2005.

On May 19, 2005, the Board entered a Findings of Fact, Conclusions of Law and Order on a Repeat Violation Presently in Compliance, finding that the Respondent was in repeat violation and ordered that the fine in the amount of \$2,250.00 be reduced to \$250.00 and be paid by June 3, 2005. Respondent failed to pay the reduced fine of \$250.00 by the due date of June 3, 2005.

On September 22, 2005, the Board passed a motion to approve Staff's recommendation to issue an Order Finding Compliance on Repeat Violation and Imposing Fine/Lien constituting a Lien for \$2,250.00 for non-compliance.

Subsequent to the September 22, 2005 Board hearing, it was ascertained that Respondent's failure to pay the reduced fine of \$250.00 DID NOT automatically invoke reversion to the original fine of \$2,250.00.

Recommendation: The Board issue a correct Order Finding Compliance on Repeat Violation and Imposing Lien constituting a lien for **\$250.00**, and the Clerk shall record this Order in the public records.

After discussion of this case by the Board:

**MOTION BY GRACE CHEWNING, SECONDED BY GERALD AMES,
THAT THE ORDER BE:**

**ORDER FINDING COMPLIANCE ON REPEAT VIOLATION
AND IMPOSING FINE/LIEN**

The Respondent is the owner of record of the property (Tax Parcel ID # 11-21-29-503-0H00-0100) located at 328 E. Alpine Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOTS 10 & 11 BLK H WEST ALTAMONTE
HEIGHTS SEC 2 PB 10 PG 75

This case came on for public hearing before the Code Enforcement Board of Seminole County on April 22, 2004, 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 Section 95.3(l).

Said Order stated that a fine in the amount of \$75.00 per day would be imposed if the Respondent did not take certain corrective action by June 25, 2004. Compliance was obtained on June 28, 2004.

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 March 1, 2005.

An Affidavit of Compliance After Repeat Violation, was filed with the Board by the Code Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondent as of March 31, 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 April 22, 2004.

On May 19, 2005, the Board entered a Findings of Fact, Conclusions of Law and Order on a Repeat Violation Presently in Compliance, finding that the Respondent was in repeat violation and ordered that the fine in the amount of \$2,250.00 be reduced to \$250.00 and paid by June 3, 2005. Respondent failed to pay the reduced fine of \$250.00 by the date ordered.

Therefore, the Board finds that the Respondent was in repeat violation and orders that a fine in the amount of \$250.00 be imposed against the property.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
October 27, 2005

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

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

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ– YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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

The Board heard this case on January 27, 2005 and a Findings of Fact, Conclusions of Law and Order was entered giving the Respondent a compliance date of August 15, 2005. An Affidavit of Non-Compliance was filed by the Code Officer indicating non-compliance on August 16, 2005. This property is NOT in compliance at this time.

Recommendation: The Board issue an Order Finding Compliance and Imposing Fine/Lien constituting a Lien for **\$3,650.00**, for 73 days of non-compliance at \$50.00 per day from August 16, 2005 to and including October 27, 2005, and the Clerk shall record this Order 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: 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. Officer Hird further testified that the Respondent was in violation by having an accumulation of trash and debris and uncultivated vegetation on the property. Further, Officer Hird stated that the property is presently in compliance.

Officer Hird recommended to the Board that because of special circumstances and because Respondent has complied with the Order dated January 27, 2005, that the adjusted fine of \$3,550.00, 71 days of non-compliance at \$50.00 per day from August 16, 2005 to and including October 25, 2005, be rescinded.

After discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING,
THAT THE ORDER FINDING COMPLIANCE AND RESCINDING FINE
BE:**

ORDER FINDING COMPLIANCE AND RESCINDING FINE

The Respondent is the owner of record of the property (Tax Parcel # 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

This case came on for public hearing before the Code Enforcement Board of Seminole County on the January 27, 2005 after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

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

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 August 15, 2005.

An Affidavit of Non-Compliance bearing the date of August 16, 2005, has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the required action has not been obtained.

An Affidavit of Compliance has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the required action had been obtained as of October 26, 2005.

Accordingly, it having been brought to the Board's attention that Respondent has complied with the Order dated January 27, 2005, the Board orders that a fine of **\$3,550.00**, 71 days of non-compliance at \$50.00 per day from August 16, 2005 to and including October 25, 2005, **be rescinded**.

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

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

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ– YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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Case No: 05-58-CEB
Carolea Oliver
Code Enforcement Officer: Dorothy Hird
Complaint No: 2004-CE000505

The Board heard this case on August 25, 2005 and a Findings of Fact, Conclusions of Law and Order was entered giving the Respondent a compliance date of September 9, 2005. An Affidavit of Non-Compliance was filed by the Code Officer indicating non-compliance on September 12, 2005.

Recommendation: The Board issue an Order Finding Non-Compliance and Imposing Fine/Lien constituting a Lien for **\$7,050.00**, for 47 days of non-compliance at \$150.00 per day from September 10, 2005 to and including October 27, 2005, and the Clerk shall record this Order in the public records.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(f), (h), & (o) and Chapter 30, Section 30.1349(e) & (f).

Described as: 1) Unusable/abandoned stoves, appliances or other white goods.
2) Uncultivated vegetation.
3) Swimming or wading pool not completely enclosed by a permanent fencing.
4) All fences shall be maintained in its original upright condition.
5) Fences walls designed for painting or similar surface finish shall be maintained to their original condition as designed.

Location: 1030 Gregory Drive, Maitland (Commission District 4)
Tax Parcel ID # 24-21-29-507-0B00-0040

After discussion of this case by the Board:

MOTION BY LARRY LAWVER, SECONDED BY GERALD AMES, THAT THE ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN BE:

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel ID #24-21-29-507-0B00-0040) located at 1030 Gregory Drive, Maitland, located in Seminole County and legally described as follows:

LEG LOT 4 BLK B DRUID HILLS ESTATES 1ST ADD
PB 11 PG 42

This case came on for public hearing before the Code Enforcement Board of Seminole County on August 25, 2005 after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law, and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(f), (h), & (o) and Chapter 30, Section 30.1349(e) & (f).

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 9, 2005.

An Affidavit of Non-Compliance has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the required action had not been obtained as of September 12, 2005.

Accordingly, it having been brought to the Board's attention that Respondent has not complied with the Order dated August 25, 2005, the Board orders that a fine of **\$7,050.00**, for 47 days of non-compliance at \$150.00 per day from September 10, 2005 to and including October 27, 2005, is imposed against the property, and the fine shall continue to accrue at **\$150.00 per day** for each day the violations continue past October 27, 2005.

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

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

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

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ– YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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Case No 05-66-CEB
Kirkman Properties LLC;
Micah Bass, Registered Agent
Code Enforcement Officer: Joann Davids
Complaint No: 2004CE1096

The Board heard this case on August 25, 2005 and a Findings of Fact, Conclusions of Law and Order was entered giving the Respondent a compliance date of August 30, 2005. An Affidavit of Non-Compliance was filed by the Code Officer indicating non-compliance on August 31, 2005. The Code Officer filed an Affidavit of Compliance on October 5, 2005, indicating compliance on September 13, 2005. This property is in compliance at this time.

Recommendation: The Board issue an Order Finding Non-Compliance and Imposing Fine/Lien constituting a Lien for **\$3,250.00**, for 13 days of non-compliance at \$250.00 per day from August 31, 2005 to and including September 12, 2005, and the Clerk shall record this Order in the public records.

Violation Charged: Seminole County Land Development Code, Chapter 95, Section 95.4 as defined in 95.3(o).
Described as: Unsecured pool.
Location: 910 Spring Valley Rd., Altamonte Springs (Commission District 3)
Tax Parcel ID # 22-21-29-506-0E00-0740

After discussion of this case by the Board:

MOTION BY LARRY LAWVER, SECONDED BY GERALD AMES, THAT THE ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN BE:

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondents are the owners of record of the property (Tax Parcel ID # 22-21-29-506-0E00-0740) located at 910 Spring Valley Rd, Altamonte Springs, located in Seminole County and legally described as follows:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
October 27, 2005

LEG LOT 74 BLK E SPRING VALLEY FARMS SEC 8
PB 15 PG 50

This case came on for public hearing before the Code Enforcement Board of Seminole County on August 25, 2005 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 Respondents in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(o).

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, 2005.

An Affidavit of Non-Compliance has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the required action had not been obtained as of August 31, 2005.

An Affidavit of Compliance has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the required action had been obtained as of September 13, 2005.

Accordingly, it having been brought to the Board's attention that Respondent has complied with the Order dated August 25, 2005, the Board orders that a fine of **\$3,250.00**, for 13 days of non-compliance at \$250.00 per day from August 31, 2005 to and including September 12, 2005, is imposed against the property.

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

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

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ – YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

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VII Approval of the minutes from the meeting of September 22, 2005.

MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING, TO APPROVE THE MINUTES FROM THE MEETING OF SEPTEMBER 22, 2005.

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ– YES**

**GRACE CHEWNING – YES
GERALD AMES – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 0.

VIII Confirmation date of next meeting: December 1, 2005.

IX Old Business

Case No: 03-62-CEB –Pamela Harris. Satisfaction of Fine executed by the Chair at this hearing.

Case No: 04-26-CEB – George W. and Anabelle Diaz. Satisfaction of Fine executed by the Chair at this hearing.

X New Business

Bill Fahey opened discussion and questioned the number of compliance dates for individual cases before being heard by the Board. Senior Code Enforcement Officer, Deborah Leigh, responded that each case is an individual case and it is dependent upon the case itself and the merit of the case, together with how well the individuals are cooperating. Officer Leigh further stated that normally a case would have two compliance dates, but if they are working on it, they may be given extended date(s). Officer Leigh stressed that the Code Enforcement Officers try to work with the individuals before bringing a case before the Board.

XI Adjourn – There being no further discussion, this meeting was adjourned at 4:10 p.m.

Respectfully submitted:

/s/ Sarah Kersey
Sarah Kersey
Clerk to the Code Enforcement Board

/s/ Tom Hagood
Tom Hagood
Chair