

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

MINUTES

**September 28, 2006 - 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 1:42 p.m. 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
Bill Fahey, Vice Chair
Jay Ammon
Grace Chewning
Stewart Fritz
Larry Lawver
Gerald Ames

Members Excused: None

Present & Sworn: Sergio Berezovsky, Respondent, 05-50-CEB
Sue Session, Respondent, 06-69-CEB
Kathryn Hoover, Respondent, 06-71-CEB
Delroy and Lebert McHayle, Respondents, 06-73-CEB
Barry Graham, Respondent, 06-75-CEB
Clarence and Mary Wilson, Respondents, 06-76-CEB
Buryl Bradham, Respondent, 06-56-CEB
Marc Depinto, Respondent, 03-68-CEB
Deborah Leigh, Senior Code Enforcement Officer, SCSO
Pamela Taylor Code Enforcement Officer, SCSO
Jerry Robertson, Code Enforcement Officer, SCSO
Donna Wisniewski, Code Enforcement Officer, SCSO
Joann Davids-Tamulonis, Code Enforcement Officer, SCSO

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

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IV Swearing in of Witnesses

None

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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.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES
GERALD AMES – YES**

**BILL FAHEY – YES
GRACE CHEWNING – YES
LARRY LAWVER – YES**

MOTION CARRIED 7 – 0.

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The following cases will not be heard today:

Isiah and Ethel Troutman, 06-66-CEB, Complied prior to hearing
Robert and Louise Janosek, 06-68-CEB, Complied prior to hearing
Matthew B. Henry, 06-70-CEB, Complied prior to hearing
Robert and Barbara Bradshaw, 06-72-CEB, Complied prior to hearing
Becky Mizzell, 06-36-CEB, Continued by Staff
Frank and Mary Jackson, 06-48-CEB, Voluntary Dismissal by Staff
Shawntel Dorenkamp, 06-63-CEB, Complied prior to hearing

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Case No: 05-50-CEB
Sergio Berezovsky
Code Enforcement Officer: Joann D. Tamulonis

This is a repeat violation. The Board originally heard this case on July 28, 2005 and an Order was entered. Respondent was in compliance at the time of this hearing. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on July 26, 2006. This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **fine** on a repeat violation in the amount of **\$16,250.00**, for 65 days of non-compliance, at \$250.00 per day, from July 26, 2006, through and including September 28, 2006, and the fine shall continue to accrue at **\$250.00 per day** for each day this violation continues or is repeated past September 28, 2006, and said Order shall be recorded in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h).
Described as: 1) Uncultivated vegetation in excess of 24" in height, within 75' of a structure.
Location: 9409 Via Palma Ceia, Apopka (Commission District 3)
Tax Parcel ID # 19-21-29-505-0000-0050

Joann Tamulonis, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation. Officer Tamulonis advised that she inspected the property yesterday and it was in compliance. Officer Tamulonis further advised that this property is a rental property owned by the Respondent.

Officer Tamulonis stated that recommendation would be to find that the Respondent was in repeat violation and if this violation is repeated after October 2, 2006, a fine of \$500.00 per day would be imposed for each day the violation continued past that date.

Sergio Berezovsky, Respondent, was present at this meeting and testified on his own behalf. Mr. Berezovsky advised that this is a rental property and his tenants were responsible for the violation.

Mr. Berezovsky further advised that he cleaned the property as soon as he was advised of the violation.

Gerald Ames asked Officer Tamulonis if this was a residential area.

Officer Tamulonis advised that it was.

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Mr. Ames asked Officer Tamulonis if this violation was an eye sore.

Officer Tamulonis advised that is was and that complaints continue to come in.

Motion by Gerald Ames that a fine in the amount of \$1,000.00 be imposed.

This motion died for lack of a second.

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
ON A REPEAT VIOLATION IN COMPLIANCE BE:**

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

Based on the testimony and evidence presented in case number 05-50-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 19-21-29-505-0000-0050) located at 9409 Via Palma Ceia, Apopka, located in Seminole County and legally described as follows:

LEG LOT 5 BEAR LAKE HEIGHTS BLK C
PB 10 PG 20

- (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(h).

This case came on for public hearing before the Code Enforcement Board of Seminole County on July 28, 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 the Respondent in violation of the Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3(h). Said Order further found that the Respondent was in compliance at the time of the hearing.

An Affidavit of Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certified under oath that the violation was being repeated after reinspection on July 26, 2006.

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An Affidavit of Compliance After Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certified under oath that compliance has been obtained after reinspection on September 17, 2006.

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 July 28, 2005.

Therefore, the Board orders that a fine in the amount of **\$500.00 per day** will be imposed for each day this violation continues or is repeated past October 2, 2006.

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

DONE AND ORDERED this 28th day of September 2006, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES
GERALD AMES – NO**

**BILL FAHEY – YES
GRACE CHEWNING – YES
LARRY LAWVER – YES**

MOTION CARRIED 6 – 1.

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Case No. 06-69-CEB
Jeremiah and Sue Session
Senior Code Enforcement Officer: Deborah Leigh

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (g) and (l).
Described as: 1) The accumulation of trash and debris.
2) Junked or abandoned vehicles not being kept within an enclosed garage or an attached carport.
Location: 4502 Isaac Ln., Lake Monroe (Commission District 5)
Tax Parcel ID # 20-19-30-501-0000-2920
Dunbar Ave., (vacant lot), Lake Monroe (Commission District 5)
Tax parcel ID # 20-19-30-501-0000-3270

Deborah Leigh, Senior Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations. Officer Leigh advised that she

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had given the Respondents several extensions prior to this meeting. Officer Leigh further advised that her last inspection was August 26, 2006.

Officer Leigh stated that recommendation would be to comply by November 3, 2006, with a fine of \$100.00 per day of the violations continue or are repeated past that date.

Sue Session, Respondent, was present at this meeting and testified on her own behalf. Mrs. Session advised that she does not think she can comply by that time and requested that her compliance date be extended to the end of the year.

Larry Lawver asked Officer Leigh if she was agreeable to extending the compliance date to December 31.

Officer Leigh advised that she has given the Respondents numerous extensions, but it would be up the Board.

Stewart Fritz asked if there were cars being towed onto this property.

Officer Leigh advised that, for the most part, the same vehicles remain on this property.

Mr. Fritz asked if this was a residential area.

Officer Leigh advised that it was.

Bill Fahey asked if there were two parcels.

Officer Leigh advised that there are two parcels, the Respondents' home and a vacant lot.

Jay Ammon asked if there are many complaints regarding these parcels.

Officer Leigh advised yes.

Gerald Ames asked the Respondent who owned the vehicles.

Mrs. Session advised that her husband has allowed relatives to bring some vehicles to their property and that some of the other vehicles belong to her and her husband.

Mr. Ames asked how big the lot was.

Officer Leigh advised that the vehicles are on a lot that is 130 x 95 and is located across from the Respondents' home.

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Grace Chewning asked if the neighbors were aware of these violations.

Officer Leigh advised that only one neighbor has complained and that neighbor has seen some progress being made.

Gerald Ames asked the Respondent why the vehicles were being brought to their property.

Mrs. Session advised that she did not have a reason.

After discussion of this case by the Board:

**MOTION BY BILL FAHEY, 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 06-69-CEB, it is determined that the Respondents are:

- (a) the owners of record of the properties (Tax Parcel ID # 20-19-30-501-0000-2920) located at 4502 Isaac Lane, Lake Monroe, and (Tax Parcel ID # 20-19-30-501-0000-3270), located at a vacant parcel on Dunbar Avenue, Lake Monroe, located in Seminole County and legally described as follows:

LEG LOT 292 BOOKERTOWN
PB 4 PG 98
and
LEG LOTS 327 328 + 329 BOOKERTOWN
PB 4 PG 98

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

It is hereby ordered that the Respondents shall correct the violations on or before **November 25, 2006**. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS.**
- 2) REPAIR OR REMOVE ANY JUNKED OR ABANDONED VEHICLE(S) OR PLACE VEHICLE(S) IN AN ENCLOSED GARAGE OR AN ATTACHED CARPORT.**

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If the Respondents do not comply with the Order, a fine of **\$100.00 per day** will be imposed for each day the violations continue or are repeated after compliance past **November 25, 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 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 28th day of September 2006, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES
GERALD AMES – YES**

**BILL FAHEY – YES
GRACE CHEWNING – YES
LARRY LAWVER – YES**

MOTION CARRIED 7 – 0.

Case No. 06-75-CEB
Barry M. and Mayo W. Graham
Code Enforcement Officer: Joann D. Tamulonis

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (h).
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' of a structure.
Location: 222 Varsity Cir., Longwood (Commission District 3)
Tax Parcel ID # 17-21-29-526-0000-0290

Joann D. Tamulonis, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation. Officer Tamulonis advised that she inspected the property on September 21, 2006 and the property was in compliance at that time.

Officer Tamulonis stated that recommendation would be to find that the Respondents were in violation and if this violation is repeated past today, a fine of \$250.00 per day would be imposed for each day the violation continued past today's date.

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Barry Graham, Respondent, was present at this meeting and testified on his own behalf. Mr. Graham advised that as soon as he received notification of this violation, he cleaned it up. Mr. Graham further advised that he will continue to keep it clean.

After discussion of this case by the Board:

**MOTION BY JAY AMMON, 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 06-75-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 17-21-29-526-0000-0290) located at 222 Varsity Circle, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 29 ACADEMY COVE
PB 43 PGS 91 & 92

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

It is hereby ordered that the Respondents are in compliance at this time. In order to remain in compliance, the Respondents shall:

- 1) CEASE AND DESIST FROM HAVING UNCULTIVATED
VEGETATION IN EXCESS OF 24" IN HEIGHT AND LOCATED
WITHIN 75' OF A STRUCTURE.**

It is further ordered that if this violation is repeated, a fine of **\$250.00 per day** will be imposed for each day the violation is repeated after compliance past **September 28, 2006**.

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

DONE AND ORDERED this 28th day of September 2006, in Seminole County, Florida.

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**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES
GERALD AMES – YES**

**BILL FAHEY – YES
GRACE CHEWNING – YES
LARRY LAWVER – YES**

MOTION CARRIED 7 – 0.

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Case No. 06-56-CEB
Buryl O. Bradham, Jr. and
Marie Bradham
Code Enforcement Officer: Pamela Taylor

The Board heard this case on July 27, 2006 and entered an Order giving the Respondents a compliance date of August 10, 2006. An Affidavit of Non-Compliance has been filed by the Code Enforcement Officer after reinspection on August 14, 2006. An Affidavit of Compliance has been filed by the Code Enforcement Officer after reinspection on August 21, 2006. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$1,500.00**, for 10 days of non-compliance, at \$150.00 per day, from August 11, 2006, through and including August 20, 2006. The Clerk shall record this Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (h).
Described as: 1) Uncultivated vegetation in excess of 24” in height, located within 75’ of a structure.
Location: 411 Belle Ave., Sanford (Commission District 5)
Tax Parcel ID # 26-19-30-501-0000-0160

Pamela Taylor, Code Enforcement Officer, testified on behalf of the County and advised that the property is currently in compliance.

Buryl Bradham, Respondent, was present at this meeting and testified on his own behalf.

Officer Taylor advised the Board that her costs for processing this case totaled \$192.18.

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After discussion of this case by the Board:

**MOTION BY BILL FAHEY, SECONDED BY LARRY LAWVER, THAT THE
ORDER FINDING 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 # 26-19-30-501-0000-0160) located at 411 Belle Avenue, Sanford, located in Seminole County and legally described as follows:

LEG LOT 16 PALM PLACE
PG 10 PG 65

This case came on for public hearing before the Code Enforcement Board of Seminole County on July 27, 2006 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 95.3 (h).

Said Order stated that a fine in the amount of \$150.00 per day would be imposed if the Respondents did not take certain corrective action by August 10, 2006.

An Affidavit of Non-Compliance has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the required action had not been obtained after reinspection on August 14, 2006.

An Affidavit of Compliance has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the required action had been obtained after reinspection on August 21, 2006.

Accordingly, it having been brought to the Board's attention that Respondents have complied with the Order dated July 27, 2006, the Board orders that the fine in the amount of **\$1,500.00**, for 10 days of non-compliance at \$150.00 per day, from August 11, 2006, through and including August 20, 2006, **be reduced to \$250.00**.

It is further ordered that the Respondents shall have until **October 9, 2006** in which to pay the reduced fine (**\$250.00**). If the Respondents do not pay this amount on or before **October 9, 2006**, the fine will revert to the original amount of **\$1,500.00** 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.

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

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DONE AND ORDERED this 28th day of September 2006, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES
GERALD AMES – YES**

**BILL FAHEY – YES
GRACE CHEWNING – YES
LARRY LAWVER – YES**

MOTION CARRIED 7 – 0.

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Case No. 03-68-CEB
Marc Depinto
Code Enforcement Officer: Jerry Robertson

The Board heard this case on August 28, 2003 and entered an Order giving the Respondent a compliance date of October 27, 2003. An Affidavit of Non-Compliance has been filed by the Code Enforcement Officer after reinspection on October 31, 2003. On January 22, 2004, the Board imposed a lien on this property. The lien totals \$79,950.00, up to and including September 28, 2006. 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, Chapter 30, Section 30.124(c)(10) and Chapter 30, Section 30.1349(e) and Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(l).

Described as: 1) Junked or abandoned vehicle not being kept within an enclosed garage or an attached carport.
2) Mobile home placed on the property without having a Special Exception from the Board of Adjustment.
3) All fences must be maintained in their original upright condition.

Location: off Osceola Road/Ritchie Road, Geneva, (Commission District 5)
Tax Parcel ID #31-19-33-501-0000-0190

Jerry Robertson, Code Enforcement Officer, testified on behalf of the County and gave a brief history of this case. Officer Robertson further testified that there has been little, if any, improvement made. He further advised that there are new violations on this property in addition to the violations listed.

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Mr. Marc Depinto, Respondent, was present at this meeting and testified on his own behalf. Mr. Depinto testified that he has serious medical problems and has been in and out of the hospital. He further advised that he cannot physically do anything himself and would request assistance from an outside source.

Mr. Depinto also advised that he knows he needs to clean up his property, but is unable to do so by himself and is now on disability

Jay Ammon asked if there was help available.

Officer Robertson advised that it would have to come from private, volunteer organizations.

After discussion of this case by the Board:

MOTION BY JAY AMMON, SECONDED BY GRACE CHEWING, THAT THIS CASE BE TABLED TO THE DECEMBER MEETING.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES
GERALD AMES – YES**

**BILL FAHEY – YES
GRACE CHEWNING – YES
LARRY LAWVER – YES**

MOTION CARRIED 7 – 0.

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Case No. 06-76-CEB
Clarence and Mary F. Wilson
Code Enforcement Officer: Dorothy Hird

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (g) and (h).
Described as: 1) The accumulation of trash and debris.
2) Used or scrap building materials.
Location: 702 Brentwood Ave., Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-504-0000-0370

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Deborah Leigh, Senior Code Enforcement Officer, testified on behalf of the County and on behalf of Code Enforcement Officer Dorothy Hird, who was not present at this meeting. Officer Leigh entered into evidence photographs of the violations.

Officer Leigh further testified that she and Officer Hird inspected the property yesterday and the Respondents have made significant progress.

Officer Leigh stated that these are reoccurring violations and recommendation would be to comply by October 13, 2006, with a fine of \$75.00 per day if these violations continue or are repeated past that date.

Clarence and Mary Wilson, Respondents, were present at this meeting and testified on their own behalf. Mr. Wilson entered into evidence photographs that he had taken of their property.

Mr. Wilson also testified that he understands he must keep the property in compliance.

After discussion of this case by the Board:

**MOTION BY GERALD AMES, 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 06-76-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 07-21-30-504-0000-0370) located at 702 Brentwood Avenue, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 37 ORANGE ESTATES
PB 16 PG 56

- (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 (g) and (j).

It is hereby ordered that the Respondents shall correct the **reoccurring** violations on or before **October 13, 2006**. In order to correct the violations, the Respondents shall take the following remedial action:

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- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS.
- 2) REMOVE THE USED OR SCRAP BUILDING MATERIALS FROM THE PROPERTY.

If the Respondents do not comply with the Order, a fine of **\$75.00 per day** will be imposed for each day the violations continue or are repeated after compliance past **October 13, 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 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 28th day of September 2006, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES
GERALD AMES – YES**

**BILL FAHEY – YES
GRACE CHEWNING – YES
LARRY LAWVER – YES**

MOTION CARRIED 7 – 0.

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Case No. 06-71-CEB
Robert T. Hoover, II
Kathryn J. Hoover
Code Enforcement Officer: Joann D. Tamulonis

New Case

Violation Charged: Seminole County Land Development Code, Chapter 30, Part 12, Section 30.202.
Described as: 1) The keeping of a storage container is not a permitted use or a customary accessory use of the property.
Location: 390 Brantley Club Place, Longwood (Commission District 3)
Tax Parcel ID # 08-21-29-519-0000-0010

Joann D. Tamulonis, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation. Officer Tamulonis further testified that she inspected the property this morning and the storage container is still there.

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Officer Tamulonis stated that recommendation would be to comply by October 9, 2006, with a fine of \$250.00 per day if the violation continues or is repeated past that date.

Grace Chewning asked if there is a legal length of time that a storage container can stay on someone's property.

Officer Tamulonis stated that there is nothing written regarding a legal length of time. She advised that it would be long enough to load it up and then have it removed.

Kathryn Hoover, Respondent, was present at this meeting and testified on her own behalf. Mrs. Hoover advised that she talked to the "POD" people and the "POD" is supposed to be picked up today or first thing in the morning.

Larry Lawver asked if the "POD" was empty.

Mrs. Hoover advised that it was.

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 06-71-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 08-21-29-519-0000-0010) located at 390 Brantley Club Place, Longwood, located in Seminole County and legally described as follows:

LOT 1 & E ½ OF VACD ST ADJ ON W LAKE BRANTLEY CLUB PH 1
PB 30 PGS 35 & 36

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Land Development Code, Chapter 30, Part 12, Section 30.202.

It is hereby ordered that the Respondents shall correct the violation on or before **October 9, 2006**. In order to correct the violation, the Respondents shall take the following remedial action:

1) CEASE THE KEEPING OF A STORAGE CONTAINER ON THE PROPERTY.

If the Respondents do not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violation continues or is repeated after compliance past **October 9, 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 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 28th day of September 2006, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES
GERALD AMES – YES**

**BILL FAHEY – YES
GRACE CHEWNING – YES
LARRY LAWVER – YES**

MOTION CARRIED 7 – 0.

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Larry Lawver was excused to take an emergency phone call at 2:33 p.m.
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Case No. 06-73-CEB
Delroy and Lebert McHayle
Code Enforcement Officer: Joann D. Tamulonis

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (e), (f), (g) and (p) and Seminole County Land Development Code, Chapter 30, Part 11, Section 30.182.

- Described as:
- 1) Unusable or abandoned furniture.
 - 2) Unusable or abandoned stoves, appliances or other white goods.
 - 3) The accumulation of trash and debris.

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- 4) Objectionable, unsightly, or unsanitary matter, substance or material, tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives and/or welfare of the citizens of the County.
- 5) The operation of a business or extension of a business in a residential zone.

Location: 308 Northwestern Ave., Altamonte Springs (Commission District 3)
Tax Parcel ID # 15-21-29-509-2700-0060

Joann D. Tamulonis, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations. Officer Tamulonis further testified that the Respondents have a long history of numerous violations and have knowledge of the Seminole County codes. Officer Tamulonis also advised that she receives many complaints from the Respondents' neighbors.

Officer Tamulonis stated that recommendation would be to comply by October 9, 2006, with a fine of \$250.00 per day, per violation, if the violations continue or are repeated past this date.

Jay Ammon asked if these violations pose a safety hazard.

Officer Tamulonis advised that they do.

Delroy and Lebert McHayle, Respondents, were present at this meeting and testified on their own behalf. They testified that the same neighbors will call and complain even when the property is clean. They further testified that the property is clean at this time.

After discussion of this case by the Board:

**MOTION BY JAY AMMON, 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 06-73-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 15-21-29-509-2700-0060) located at 308 Northwestern Avenue, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 6 BLK 27 WEATHERSFIELD 2ND ADD
PB 12 PG 102

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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- (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 (e), (f), (g), (p) and Seminole County Land Development Code, Chapter 30, Part 11, Section 30.182.

It is hereby ordered that the Respondents shall correct the violations on or before **October 9, 2006**. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) **REMOVE THE UNUSABLE OR ABANDONED FURNITURE.**
- 2) **REMOVE THE UNUSABLE OR ABANDONED STOVES, APPLIANCES OR OTHER WHITE GOODS.**
- 3) **REMOVE THE ACCUMULATION OF TRASH AND DEBRIS.**
- 4) **REMOVE THE OBJECTIONABLE, UNSIGHTLY, OR UNSANITARY MATTER, SUBSTANCE OR MATERIAL, TENDING BY ITS EXISTENCE AND/OR ACCUMULATION TO ENDANGER OR ADVERSELY AFFECT THE HEALTH, SAFETY, LIVES AND/OR WELFARE OF THE CITIZENS OF THE COUNTY.**
- 5) **CEASE THE OPERATION OF A BUSINESS OR AN EXTENSION OF IN A RESIDENTIAL ZONE, INCLUDING ANY BUSINESS ACTIVITY SUCH AS, BUT NOT LIMITED TO, THE STORAGE, REPAIR, OR DEMOLITION OF APPLIANCES, FURNITURE, AND LAWN EQUIPMENT.**

If the Respondents do not comply with the Order, a fine of **\$250.00 per day, per violation**, will be imposed for each day the violations continue or are repeated after compliance past **October 9, 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 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 28th day of September 2006, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES
GERALD AMES – YES**

**BILL FAHEY – YES
GRACE CHEWNING – YES
LARRY LAWVER – NOT PRESENT**

MOTION CARRIED 6 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 28, 2006

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Larry Lawver returned at 2:50 p.m.

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Case No. 06-65-CEB
Carl R. Gane
Code Enforcement Officer: Dorothy Hird

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3
(l).
Described as: 1) Junked or abandoned vehicle not being kept within an enclosed
garage or an attached carport.
Location: 1351 Freymark St., Altamonte Springs (Commission District 4)
Tax Parcel ID # 12-21-29-5BD-3200-0170

Deborah Leigh, Senior Code Enforcement Officer, testified on behalf of the County and on behalf of Code Enforcement Officer Dorothy Hird, who was not present that this meeting. Officer Leigh entered into evidence photographs of the violation and testified that she and Officer Hird inspected the property yesterday and several vehicles remain.

Officer Leigh stated that recommendation would be to comply by October 13, 2006, with a fine of \$75.00 per day if the violation continues or is repeated past that date.

Carl R. Gane, Respondent, was not present at this meeting.

Stewart Fritz asked if there were many complaints.

Officer Leigh advised that there were complaints from neighbors.

After discussion of this case by the Board:

**MOTION BY GRACE CHEWING, SECONDED BY JAY AMMON, 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 06-65-CEB, it is determined that the Respondent is:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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- (a) the owner of record of the property (Tax Parcel ID # 12-21-29-5BD-3200-0170) located at 1351 Freymark Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 17 BLK 32 SANLANDO
PB 3 PG 66

- (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 Respondent shall correct the violation on or before **October 13, 2006**. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) REPAIR OR REMOVE ANY JUNKED OR ABANDONED VEHICLE(S) OR PLACE VEHICLE(S) IN AN ENCLOSED GARAGE OR AN ATTACHED CARPORT.**

If the Respondent does not comply with the Order, a fine of **\$75.00 per day** will be imposed for each day the violation continues or is repeated after compliance past **October 13, 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 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 28th day of September 2006, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES
GERALD AMES – YES**

**BILL FAHEY – YES
GRACE CHEWNING – YES
LARRY LAWVER – YES**

MOTION CARRIED 7 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 28, 2006

Case No. 06-67-CEB
Keith E. and Karen C. Mandy
Code Enforcement Officer: Dorothy Hird

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (l).
Described as: 1) Junked or abandoned vehicle not being kept within an enclosed garage or an attached carport.
Location: 711 Marker St., Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-506-0000-0110

Deborah Leigh, Senior Code Enforcement Officer, testified on behalf of the County and on behalf of Code Enforcement Officer Dorothy Hird, who was not present at this meeting. Officer Leigh entered into evidence photographs of the violation and testified that she and Officer Hird inspected the property yesterday and the vehicle remains.

Keith and Karen Mandy, Respondents, were not present at this meeting.

Officer Leigh further testified that Officer Hird advised that the Respondents requested that they be given 60 days to repair the vehicle.

Officer Leigh stated that recommendation would be to comply by October 13, 2006, with a fine of \$75.00 per day if the violation continues or is repeated past that date. Officer Leigh further stated that Staff would not be opposed to the 60-day request made by the Respondents.

After discussion of this case by the Board:

Motion by Gerald Ames, seconded by Stewart Fritz to accept Staff's recommendation. After further discussion by the Board, it was the consensus that an amendment to the original motion be made.

MOTION BY GRACE CHEWNING, SECONDED BY JAY AMMON, TO AMEND THE ORIGINAL MOTION BY CHANGING THE COMPLIANCE DATE TO OCTOBER 24, 2006 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 06-67-CEB, it is determined that the Respondents are:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 28, 2006

- (a) the owners of record of the property (Tax Parcel ID # 07-21-30-506-0000-0110) located at 711 Marker Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG E 49.34 FT OF LOT 11 LULA BLAKES REVISION
PB 8 PG 101

- (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 shall correct the violation on or before **October 26, 2006**. In order to correct the violation, the Respondents shall take the following remedial action:

- 1) REPAIR OR REMOVE ANY JUNKED OR ABANDONED VEHICLE(S) OR PLACE VEHICLE(S) IN AN ENCLOSED GARAGE OR AN ATTACHED CARPORT.**

If the Respondents do not comply with the Order, a fine of **\$75.00 per day** will be imposed for each day the violation continues or is repeated after compliance past **October 26, 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 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 28th day of September 2006, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES
GERALD AMES – YES**

**BILL FAHEY – YES
GRACE CHEWNING – YES
LARRY LAWVER – YES**

MOTION CARRIED 7 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Case No. 06-74-CEB
Romero W. Leader
Mayard Phebe
Code Enforcement Officer: Dorothy Hird

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (g) and (h) and Seminole County Land Development Code, Chapter 30, Section 30.1349 (e) and (g).

Described as: 1) The accumulation of trash and debris.
2) Uncultivated vegetation in excess of 24" in height and located within 75' of a structure.
3) All fences shall be maintained in their original, upright condition.
4) Fences or walls missing boards, pickets, posts or bricks shall be promptly replaced.

Location: 137 Hattaway Dr., Altamonte Springs (Commission District 3)
Tax Parcel ID # 14-21-5BF-0000-0300

Deborah Leigh, Senior Code Enforcement Officer, testified on behalf of the County and on behalf of Code Enforcement Officer Dorothy Hird, who was not present that this meeting. Officer Leigh entered into evidence photographs of the violations and testified that she and Officer Hird inspected the property yesterday and the violations remain.

Romero Leader and Mayard Phebe, Respondents, were not present at this meeting.

Officer Leigh further advised that the Respondents attempted to mow, but the vegetation was too thick.

Officer Leigh stated that recommendation would be to comply by October 13, 2006, with a fine of \$75.00 per day if the violations continue or are repeated past that date.

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 06-74-CEB, it is determined that the Respondents are:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 28, 2006

- (a) the owners of record of the property (Tax Parcel ID # 14-21-29-5BF-0000-0300) located at 137 Hattaway Drive, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 30 ORIENTA GARDENS
PB 8 PG 90

- (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), and Seminole County Land Development Code, Chapter 30, Section 30.1349 (e) and (g).

It is hereby ordered that the Respondents shall correct the violations on or before **October 13, 2006**. 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 UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND LOCATED WITHIN 75' OF A STRUCTURE.**
- 3) **MAINTAIN ALL FENCES IN THEIR ORIGINAL, UPRIGHT CONDITION.**
- 4) **REPLACE ALL FENCES OR WALLS MISSING BOARDS, PICKETS, POSTS, OR BRICKS.**

If the Respondents do not comply with the Order, a fine of **\$75.00 per day** will be imposed for each day the violations continue or are repeated after compliance past **October 13, 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 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 28th day of September 2006, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES
GERALD AMES – YES**

**BILL FAHEY – YES
GRACE CHEWNING – YES
LARRY LAWVER – YES**

MOTION CARRIED 7 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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AT THIS TIME, THE CHAIRMAN ASKED TO ENTERTAIN A MOTION TO ACCEPT THE CONSENT AGENDA AS LISTED. MOTION BY GRACE CHEWNING, SECONDED BY BILL FAHEY, TO ACCEPT THE CONSENT AGENDA AS FOLLOWS:

Case No: 04-16-CEB
Jimmie L. & Ruby L. Smith
Code Enforcement Officer: Dorothy Hird

The Board heard the original case on April 22, 2004 and an Order was entered. Compliance on the original violation was obtained on July 13, 2004. The Board rescinded a fine of \$2,550.00 on the original violation on July 29, 2004. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on January 26, 2005. The Board heard the repeat violation on March 24, 2005 and an Order was entered. An Affidavit of Non-Compliance on Repeat Violation was filed by the Code Enforcement Officer after reinspection on April 11, 2005. The Board entered an Order Imposing Lien/Fine After Repeat Violation on May 19, 2005. An Affidavit of Compliance After Repeat Violation was filed by the Code Enforcement Officer after reinspection on September 19, 2005. The lien for this repeat violation totals \$19,050.00 and remains unpaid at this time. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on April 27, 2006. The Board heard the repeat violation on July 27, 2006 and an Order was entered. Also in this Order, the fine was increased to \$150.00 per day if the violation continues or is repeated past August 11, 2006. This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** on a repeat violation in the amount of **\$12,650.00**, which represents \$10,700.00, for 107 days of non-compliance from April 27, 2006, through and including August 11, 2006, at \$100.00 per day, and \$1,905.00, for 13 days of non-compliance from August 12, 2006, through and including August 24, 2006, at \$150.00 per day, and the fine shall continue to accrue at **\$150.00 per day** for each day the violation continues or is repeated past August 24, 2006 and said Order shall be recorded in the Public Records of Seminole County.

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: 1257 DePugh Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 18-21-501-0200-0080

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

The Respondents are the owners of record of the property (Tax Parcel ID # 18-21-30-501-0200-0080) located at 1257 DePugh Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 8 BLK 2 LAKEVIEW PB 5 PG 14

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

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 May 21, 2004. Compliance was obtained on July 13, 2004.

An Affidavit of Repeat Violation was filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the violation was being repeated as of January 26, 2005. Compliance was obtained on September 19, 2005.

An Affidavit of Repeat Violation was filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the violation was being repeated as of April 27, 2006. The Board heard the repeat violation on July 27, 2006 and an Order was entered. At this time, the fine was increased to \$150.00 per day for each day the violation continued or was repeated past August 11, 2006.

Based on the testimony and evidence presented, the Respondents are 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.

Therefore, the Board orders a **lien** in the amount of **\$17,900.00** for 107 days of non-compliance, from April 27, 2006, through and including August 11, 2006, at \$100.00 per day, and 48 days of non-compliance, from August 12, 2006, through and including September 28, 2006, at \$150.00 per day, be imposed against the property, and the fine shall continue to accrue at **\$150.00 per day** for each day the violation continues or is repeated past September 28, 2006.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 28, 2006

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 28th day of September 2006, in Seminole County, Florida.

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Case No: 04-67-CEB
Isiah and Ethel L. Troutman
C/o Annie Johnson
Code Enforcement Officer: Dorothy Hird

The Board heard the original violation on September 23, 2004 and entered an Order. Compliance on the original violation was obtained on October 11, 2004. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on April 27, 2005. An Affidavit of Compliance After Repeat Violation was filed by the Code Enforcement Officer after reinspection on June 20, 2005. On June 23, 2005, the Board entered an Order reducing the fine from \$2,600.00 to \$100.00. The reduced amount was paid by the Respondents on June 24, 2005. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on April 10, 2006. The Board heard this repeat violation on July 27, 2006 and an Order was entered. This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** on a repeat violation in the amount of **\$19,600.00**, for 124 days of non-compliance, at \$100.00 per day, from April 10, 2006 through and including August 11, 2006, and 48 days of non-compliance, at \$150.00 per day, from August 12, 2006, through and including September 28, 2006, and the fine shall continue to accrue at **\$150.00 per day** for each day the violation continues or is repeated past September 28, 2006. The Clerk shall record this Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code 95.4, as defined in Section 95.3(l).
Described as: 1) Junk or abandoned vehicle not being kept within an enclosed garage or an attached carport.
Location: 111 Ford Avenue, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-505-0D00-0110

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

The Respondents are the owners of record of the property (Tax Parcel ID # 07-21-30-505-0D00-0110) located at 111 Ford Avenue, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 11 BLK D HARMONY HOMES
PB 13 PG 35

This case came on for public hearing before the Code Enforcement Board of Seminole County on September 23, 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 Section 95.3(l).

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 October 8, 2004. Compliance was obtained on October 11, 2004.

An Affidavit of Repeat Violation was filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the violation was being repeated after reinspection on April 27, 2005. Compliance was obtained on June 20, 2005.

An Affidavit of Repeat Violation was filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the violation was being repeated after reinspection on April 10, 2006. The Board heard the repeat violation on July 27, 2006 and an Order was entered. At this time, the fine was increased to \$150.00 per day for each day the violation continued or was repeated past August 11, 2006.

Based on the testimony and evidence presented, the Respondents are in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated September 23, 2004.

Therefore, the Board orders a **lien** in the amount of **\$19,600.00** for 124 days of non-compliance, from April 10, 2006, through and including August 11, 2006, at \$100.00 per day, and 48 days of non-compliance, from August 12, 2006, through and including September 28, 2006, at \$150.00 per day, be imposed against the property, and the fine shall continue to accrue at **\$150.00 per day** for each day the violation continues or is repeated past September 28, 2006.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 28, 2006

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 28th day of September 2006, in Seminole County, Florida.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES
GERALD AMES – YES**

**BILL FAHEY – YES
GRACE CHEWNING – YES
LARRY LAWVER – YES**

MOTION CARRIED 7 – 0.

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Case No. 06-16-CEB
Deborah J. and Keith London
Senior Code Enforcement Officer: Deborah Leigh

Foreclosure

The Board heard this case on January 26, 2006 and an Order was entered giving the Respondents a compliance date of February 1, 2006 for violation # 3 (unsecured pool) and March 27, 2006 for violations # 1, 2, and 4. An Affidavit of Compliance was filed by the Code Enforcement Officer indicating compliance on violation # 3 after reinspection on February 3, 2006. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer indicating that compliance had not been obtained on the remaining violations (1, 2, and 4) after reinspection on March 31, 2006. On June 22, 2006, the Board imposed a lien on this property. The lien totals \$18,500.00, up to and including September 28, 2006. 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 Code, Section 95.4, as defined in Section 95.3 (h)(n)(o) and (p)
Described as: 1) Uncultivated vegetation in excess of 24” in height, within 75’ of a structure.
2) Stagnant/foul water within a swimming pool.
3) Swimming pool not completely enclosed by permanent fencing.
(complied on February 3, 2006)

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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- 4) Other objectionable, unsightly, or unsanitary matter, tending by its existence to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the County.

Location: 275 Saddleworth Place, Lake Mary, (Commission District 5)
Tax Parcel ID # 11-20-29-5HA-0000-0170

Deborah Leigh, Senior Code Enforcement Officer, testified on behalf of the County and gave the Board a brief history of this case. Officer Leigh further testified that this property is in foreclosure and came up for sale on the courthouse steps two days ago.

Deborah and Keith London, Respondents, were not present at this meeting.

Officer Leigh stated that recommendation would be to forward this case to the County Attorney's Office for review and approval to present to the Board of County Commissioners for foreclosure action.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY JAY AMMON, TO FORWARD THIS CASE TO THE COUNTY ATTORNEY'S OFFICE FOR REVIEW AND APPROVAL TO PRESENT TO THE BOARD OF COUNTY COMMISSIONERS FOR FORECLOSURE ACTION.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES
GERALD AMES – YES**

**BILL FAHEY – YES
GRACE CHEWNING – YES
LARRY LAWVER – YES**

MOTION CARRIED 7 – 0.

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VII Approval of the minutes from the meeting of August 24, 2006.

MOTION BY GRACE CHEWNING, SECONDED BY JAY AMMON, TO APPROVE THE MINUTES FROM THE MEETING OF AUGUST 24, 2006.

**TOM HAGOOD – YES
JAY AMMON – YES
STEWART FRITZ – YES
GERALD AMES – YES**

**BILL FAHEY – YES
GRACE CHEWNING – YES
LARRY LAWVER – YES**

MOTION CARRIED 7 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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VIII Confirmation date of next meeting: October 26, 2006

IX Old Business –

General discussion regarding the updates on the cases listed on the agenda.

X New Business –

General discussion regarding Tom Hagood's reminder that it is up to the Board to set an appropriate fine amount and the Board should feel free to change any fine amount as they see fit.

Officer Leigh advised the Board that there will be a Countywide sign sweep this weekend.

Bill Fahey asked Officer Leigh if a deposit is required for political signs.

Officer Leigh advised that a deposit is not required and that political signs must be removed within 14 days after the election.

XI Adjourn – There being no further discussion, this meeting was adjourned at 3:10 P.M.

Respectfully submitted:

Connie R. DeVasto
Clerk to the Code Enforcement Board

Tom Hagood
Chair

09-28-06 minutes