

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

**MINUTES**

**October 26, 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 1:35 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  
Grace Chewning  
Stewart Fritz  
Larry Lawver  
Gerald Ames

Members Excused: Jay Ammon

Present & Sworn: John Brooks, Respondent, 05-09-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**

Anastas Anastasov, Witness, 00-67-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.

<b>TOM HAGOOD – YES</b>	<b>BILL FAHEY – YES</b>
<b>GRACE CHEWNING – YES</b>	<b>STEWART FRITZ – YES</b>
<b>LARRY LAWVER – YES</b>	<b>GERALD AMES – YES</b>

**MOTION CARRIED 6 – 0.**

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The following cases will not be heard today:

**None**

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Case No 05-09-CEB  
John A. and Stephanie Brooks  
Code Enforcement Officer: Dorothy Hird

**This case was heard by the Board on January 27, 2005 and an Order was entered giving the Respondents a compliance date of December 31, 2005. At the request of the Respondents, on October 27, 2005, the Board extended their compliance date to April 1, 2006. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer on April 4, 2006. At that time, a re-inspection was not performed at the request of the Respondents. Again, at the request of the Respondents, on April 27, 2006, the Board extended their compliance date from April 1, 2006 to October 2, 2006. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer on October 12, 2006. At that time, a re-inspection was not performed due to the property being posted. This property is NOT in compliance at this time.**

**RECOMMENDATION:** The Board issue an Order constituting a **lien** in the amount of **\$1,800.00**, for 24 days of non-compliance from October 3, 2006 through and including October 26, 2006, at \$75.00 per day, and the fine shall continue to accrue at **\$75.00 per day** for each day the violations continue or are repeated past October 26, 2006, and said Order shall be recorded in the Public Records of Seminole County.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING  
OCTOBER 26, 2006

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(g), (j), (l) and (p).  
Described as:       1) The accumulation of trash and debris.  
                          2) Used and/or scrapped building materials.  
                          3) Junked or abandoned vehicle not kept within an enclosed garage or an attached carport.  
                          4) Objectionable/unsightly or unsanitary matter, substance or material.  
Location:            890 Alberta Street, Longwood (Commission District 4)  
                          Tax Parcel ID # 06-21-30-300-022A-0000

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and gave the Board a brief history of this case. Officer Hird further testified that the Board has already given the Respondents two extensions on their compliance date.

John Brooks, Respondent, was present at this meeting and testified on his own behalf.

Tom Hagood asked Mr. Brooks if he had made any progress on his property.

Mr. Brooks advised the Board that he has three vehicles that are not in compliance at this time. Mr. Brooks also advised that at one time, he had as many as 20 vehicles, so he has made progress.

Mr. Hagood asked Mr. Brooks when he thought he could come into compliance.

Mr. Brooks advised that he has been in rehab for the last four months and has many medical problems, but will get in compliance as soon as he can.

Mr. Hagood asked Mr. Brooks if he could give the Board a time frame of when he could come into compliance.

Mr. Brooks advised that it would depend on his medical issues.

Mr. Hagood asked Officer Hird if she had inspected the property recently.

Officer Hird advised that she has not because the property is posted.

Larry Lawver asked Officer Hird if the sign was a "No Trespassing" sign.

Officer Hird advised that it is and she cannot re-inspect.

Bill Fahey asked the Respondent why he has a "No Trespassing" sign on his property.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING  
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Mr. Brooks advised the Board that there was not any reason for Officer Hird to come on to his property when he knew that he was not in compliance.

Gerald Ames asked the Respondent what type of vehicles remain in non-compliance.

Mr. Brooks advised that he has two motor homes and one Buick still in non-compliance.

Mr. Lawver asked Officer Hird if these vehicles can be seen from the street.

Officer Hird advised that they cannot be seen from the front yard, but might be seen from the back yard.

Mr. Lawver advised that he would be inclined to continue this case with the fine continuing to accrue.

Mr. Ames stated that the Respondent needs to give Officer Hird access to the property so that she can re-inspect.

After discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING,  
THAT THE CASE BE TABLED TO THE JANUARY 2007 MEETING.**

**TOM HAGOOD – YES  
GRACE CHEWNING – YES  
LARRY LAWVER – YES**

**BILL FAHEY – YES  
STEWART FRITZ – YES  
GERALD AMES – YES**

**MOTION CARRIED 6 – 0.**

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

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING  
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The original violation was heard by the Board on July 27, 2000 and an Order was entered. Compliance on the original violation was obtained on January 16, 2001. The original fine had accrued to \$700.00. The Board reduced the original fine to \$578.00 and this fine was paid by the Respondents. An Affidavit of Repeat Violation was filed after reinspection on October 26, 2004. The fine on the repeat had accrued to \$4,000.00 and on January 27, 2005, the Board entered an Order finding that the Respondents were in violation, with no fine imposed. An Affidavit of Repeat Violation was filed after reinspection on July 18, 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 **\$5,050.00**, for 101 days of non-compliance, from July 18, 2006, through and including October 26, 2006, at **\$50.00 per day**. Further, the fine shall be increased to **\$250.00 per day**, for each day the violations continue or are repeated past October 26, 2006. The Clerk shall record said Order in the Public Records of Seminole County.

Violation charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(g), (h) and (j).  
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) Used and/or scrap building materials on property.  
Location: 9616 McNorton Road, Altamonte Springs (Commission District 3)  
Tax Parcel ID # 22-21-29-300-0400-0000

Joann D. Tamulonis, Code Enforcement Officer, testified on behalf of the County. Officer Tamulonis further testified that there is a witness present who has interest in the property and she would like him to testify.

Anastas Anastasov, witness, was present at this meeting and testified on his own behalf.

Officer Tamulonis also advised that, after talking to this witness prior to the beginning of this meeting, she would like to change her recommendation and give Mr. Anastasov until November 5, 2006 to come into compliance.

Officer Tamulonis further advised that, if Mr. Anastasov does not comply by that date, her recommendation would revert to her original recommendation of imposing a fine in the amount of \$5,050.00, for 101 days of non-compliance at \$50.00 per day, and if the violations continue past October 26, 2006, the fine would be increased to \$250.00 per day for each day the violations continue past that date.

After discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING,  
TO TABLE THIS CASE TO THE DECEMBER MEETING.**

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

**MOTION CARRIED 6 – 0.**

Mr. Anastasov advised the Board that he will clean up the property and bring it into compliance.

General discussion of the legal issues regarding transfer of property and who is responsible for the fine or lien when a property changes owners.

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Case No. 06-40-CEB  
Lifestyle Family Fitness, Inc.,  
Corporation Service Company,  
Registered Agent  
Code Enforcement Officer: Joann D. Tamulonis

**New Case**

Violation Charged: Seminole County Land Development Code, Part 65, Chapter 30,  
Section 30.1245.  
Described as: 1) Prohibited signs. Snipe signs. Any sign of any material  
whatsoever that is attached to a utility pole, tree or any object  
located on public road rights of way.  
Location: 3030 East Semoran Blvd., #224, Apopka, (Commission District 3)

Joann D. Tamulonis, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations. Officer Tamulonis advised that there have been many inspections done, by herself, other Deputies, and Lt. Weippert.

The Respondents were not present at this meeting.

Officer Tamulonis stated that recommendation would be to comply by November 5, 2006, with a fine of \$250.00 per day, per violation (each sign being a separate violation) if the violations continue or are repeated past that date.

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Tom Hagood asked Officer Tamulonis if the signs are placed near the Respondents' business.

Officer Tamulonis advised that the signs are any where within blocks of the business. Officer Tamulonis further advised that the Respondents also own several businesses in other cities as well.

There was discussion of how issues regarding signs throughout the jurisdiction of this Board and other areas of Seminole County should be handled.

Stewart Fritz asked Officer Tamulonis if one of the Deputies saw someone put a sign out on the right of way.

Officer Tamulonis advised that a Deputy saw a manager put a sign out.

After additional 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 06-40-CEB, it is determined that the Respondents are:

- (a) in possession and control of the unpermitted sign(s); and
- (b) in violation of Seminole County Land Development Code, Part 65, Chapter 30, Section 30.1245.

It is hereby ordered that the Respondents correct the violations on or before **NOVEMBER 5, 2006**. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) Cease displaying prohibited signs, snipe signs, banners, pennants, flags, balloons and similar displays on the public rights of way.**

If the Respondents do not comply with the Order, a fine of **\$250.00 per day, per violation (each sign or similar display constitutes a separate violation)** will be imposed for each day the violations continue, or are repeated after compliance past **NOVEMBER 5, 2006**.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING  
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**The Respondents are further ordered to contact the Seminole County Code Enforcement Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Enforcement 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 26<sup>th</sup> day of October 2006, in Seminole County, Florida.

**TOM HAGOOD – YES**

**GRACE CHEWNING – YES**

**LARRY LAWVER – YES**

**BILL FAHEY – YES**

**STEWART FRITZ – YES**

**GERALD AMES – YES**

**MOTION CARRIED 6 – 0.**

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Case No. 06-77-CEB  
Rosa L. Wilson ET AL  
Code Enforcement Officer: Pamela Taylor

**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) Uncultivated vegetation in excess of 24” in height and located within 75’ of a structure.  
Location: 2370 Greenway, Sanford (Commission District 5)  
Tax Parcel ID # 33-19-31-507-0000-0980

Pamela Taylor, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations. Officer Taylor further testified that she inspected the property this morning and the violations remain. Officer Taylor also advised that the house on this property is vacant.

Rosa L. Wilson, Respondent, was not present at this meeting.

Officer Taylor stated that recommendation would be to comply by November 9, 2006, with a fine of \$150.00 per day if these violations continue or are repeated past this date.



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**

Based on the testimony and evidence presented in case number 06-77-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 33-19-31-507-0000-0980) located at 2370 Greenway, Sanford, located in Seminole County and legally described as follows:

LEG LOT 98 J O PACKARDS 1<sup>ST</sup> ADD TO MIDWAY  
PG 2 PG 104

- (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) and (h).

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

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

If the Respondent does not comply with the Order, a fine of **\$150.00**, will be imposed for each day the violations continue, or are repeated after compliance past **November 9, 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 26<sup>th</sup> day of October 2006, in Seminole County, Florida.

**TOM HAGOOD – YES  
GRACE CHEWNING – YES  
LARRY LAWVER – YES**

**BILL FAHEY – YES  
STEWART FRITZ – YES  
GERALD AMES – YES**

**MOTION CARRIED 6 – 0.**

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**VII Approval of the minutes from the meeting of September 28, 2006.**

**MOTION BY GRACE CHEWNING, SECONDED BY GERALD AMES, TO  
APPROVE THE MINUTES FROM THE MEETING OF SEPTEMBER 28, 2006.**

**TOM HAGOOD – YES  
GRACE CHEWNING – YES  
LARRY LAWVER – YES**

**BILL FAHEY – YES  
STEWART FRITZ – YES  
GERALD AMES – YES**

**MOTION CARRIED 6 – 0.**

**VIII Confirmation date of next meeting: December 7, 2006**

**IX Old Business –**

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

**X New Business –**

Deborah Leigh, Senior Code Enforcement Officer, showed pictures from the sign sweep that was held on September 30. Officer Leigh advised that there were multiple counties and 50 jurisdictions involved in the sign sweep and that they picked up over 1.21 tons of signs.

Larry Lawver suggested that the Board consider having another workshop since there are new members.

Officer Tamulonis discussed with the Board, how snipe signs can be a hazard to the citizens of the County.

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Officer Wisniewski advised the Board that she is the Secretary to A.C.E. and at the recent conference she and Officer Hird attended, A.C.E. discussed how they will be working on a sign sweep at a national level.

**XI Adjourn – There being no further discussion, this meeting was adjourned at 2:45 P.M.**

**Respectfully submitted:**

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**Connie R. DeVasto  
Clerk to the Code Enforcement Board**

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**Tom Hagood  
Chair**

10-26-06 minutes