CODE ENFORCEMENT BOARD

SEMINOLE COUNTY, FLORIDA



January 25, 2007 – 1:30 pm Seminole County Services Building – Room 1028 1101 East First St, Sanford FL 32771

$\Delta - \Pi$	4 -	○ I
(:211	TO	()raar
van	w	Order

II Pledge of Allegiance

III Roll Call

IV Swearing in of Witnesses

V Agenda Update & Approval

VI Public Hearings -

Repeat Cases - 2 (1 withdrawn by Staff)

New Cases - 7 (5 complied prior to hearing)

Continued Cases - 0
Special Request - 1
Consent Agenda - 5
Foreclosure - 0
Add-On - 0

REPEAT CASES

POSTED NOTICE OF HEARING

A. Case No: 03-78-CEB Gwendolyn Ingram

Code Enforcement Officer: Dorothy Hird

This is the third repeat violation. The Board heard the original violation on September 25, 2003 and an Order was entered. The original fine had accrued to \$12,400.00. THE BOARD RESCINDED THIS AMOUNT ON MARCH 5, 2004. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on July 21, 2004. On September 23, 2004, an Order was entered imposing a lien in the amount of \$1,400.00. THIS AMOUNT REMAINS UNPAID. A second Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on September 7, 2005. On October 27, 2005, an Order was entered imposing a lien in the amount of \$2,600.00. THIS AMOUNT REMAINS UNPAID. A third Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on November 6, 2006. An Affidavit of Compliance After Repeat Violation was filed after reinspection on November 28, 2006. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **fine** on a repeat violation, in the amount of **\$2,300.00**, for 23 days of non-compliance, from November 6, 2006, through and including November 28, 2006, at \$100.00 per day. Further Order that the fine shall be increased to **\$200.00 per day** for each day the violation continues or is repeated past January 25, 2007. 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(I).

Described as: 1) Junked or abandoned vehicle not being kept within an enclosed

garage or an attached carport

Location: 125 Leon Street, Altamonte Springs (Commission District 4)

Tax Parcel ID # 18-21-30-507-0000-0670

Motion by	Second by	Action	
-			

WITHDRAWN BY STAFF WITHOUT PREJUDICE

B. Case No. 05-55-CEB Randolph T. Sackett

Code Enforcement Officer: Dorothy Hird

This is a repeat violation. The Board heard the original violation on August 25, 2005 and an Order was entered. No fine was imposed as the Respondent complied within the time specified by the Board. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on December 27, 2006. An Affidavit of Compliance After Repeat Violation was filed by the Code Enforcement Officer after reinspection on January 17, 2007. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **fine** on a repeat violation, in the amount of **\$1,050.00**, for 21 days of non-compliance, from December 27, 2006, through and including January 16, 2007, at **\$50.00 per day.** 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(q).

Described as:

1) Accumulation of trash and debris.

Location:

101 Frances Circle, Altamonte Springs (Commission District 4)

Tax Parcel ID # 12-21-29-5BD-3000-0210

Motion by _____ Second by ____ Action____

CERTIFIED NOTICE OF HEARING

C. Case No. 05-84-CEB
Zoila Alburez
Oscar Alburez
Georgina Alburez

Code Enforcement Officer: Dorothy Hird

The Board continued this case from the December 14, 2006 meeting. This is a repeat violation. The Board heard this case on October 27, 2005 and an Order was entered. On February 23, 2006, the Board reduced the fine from \$4,100.00 to \$150.00. The reduced fine was paid by the Respondents on March 21, 2006. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on October 3, 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 **\$5,750.00**, for 115 days of non-compliance, from October 3, 2006, through and including January 25, 2007, at **\$50.00 per day**. Further Order that the fine shall be increased to **\$100.00 per day** for each day the violation continues or is repeated past January 25, 2007. 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(I)

Described as: 1) 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

Motion by	Second by	Action	

NEW CASES

POSTED NOTICE OF HEARING

A. Case No. 06-78-CEB Kevin Von Lanken

Code Enforcement Officer: Joann D. Tamulonis

New Case continued from the December 14, 2006 meeting by Staff.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in

Section 95.3 (g), (h) and (p).

Described as: 1) The accumulation of trash and debris.

2) Uncultivated vegetation in excess of 24" in height, located within

75' of a structure.

3) 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.

Location: 182 Jay Dr., Altamonte Springs, (Commission District 3)

Parcel I.D. # 15-21-29-501-0000-1010

Motion by _____ Second by ____ Compliance Date____ Fine____

POSTED AND CERTIFIED NOTICE OF HEARING

B. Case No. 06-81-CEB

Fredrick L. and Annette L. Hendry

Code Enforcement Officer: Joann D. Tamulonis

New Case continued from the December 14, 2006 meeting by Staff.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3

(g) and (j).

Described as: 1) The accumulation of trash and debris.

2) Used and/or scrap building materials on property.

Location: 3952 Mc Neil Road, Apopka (Commission District 3)

Tax Parcel ID # 17-21-29-5BG-0000-050A

Motion by _____ Second by ____ Compliance Date____ Fine____

CERTIFIED NOTICE OF HEARING

C. Case No. 06-83-CEB Wayne M. Wilhelm, Jr.

Code Enforcement Officer: Pamela Taylor

New Case continued from the December 14, 2006 meeting by Staff.

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: 641 Riverview Avenue, Sanford (Commission District 5)

Tax Parcel ID # 22-19-30-5AD-0000-020F

EB erine P. Lindner t Officer: Doroth		OR TO HEARING
erine P. Lindner	r	OR TO HEARING
erine P. Lindner	r	OR TO HEARING
erine P. Lindner		
erine P. Lindner		
_	ode. Chapter 40, Section 40 red in Section 95.3 (o).	.164 and Chapter 95,
All swimming pools shall be completely enclosed by a screen enclosure, a link-type fence or a solid wall as approved by the		
aribbean Place		n District 2)
ond by	Compliance Date	Fine
	nclosure, a link-l uilding official. Caribbean Place	nclosure, a link-type fence or a solid wall as uilding official. Paribbean Place, Casselberry (Commission Parcel ID # 04-21-30-520-0000-0130

COMPLIED PRIOR TO HEARING

E. Case No. 07-01-CEB

Bryan C. Bittle

Code Enforcement Officer: Dorothy Hird

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3

(g).

Described as: 1) The accumulation of trash and debris.

Location: 333 E. Citrus St., Altamonte Springs (Commission District 4)

Tax Parcel ID # 11-21-29-517-0B00-0330

Motion by _____ Second by ____ Compliance Date____ Fine____

COMPLIED PRIOR TO HEARING

F. Case No. 07-02-CEB

Sergio Berezovsky

Code Enforcement Officer: Joann D. Tamulonis

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 of an attached carport.

Location: 9409 Via Palma Ceia, Apopka (Commission District 3)

Tax Parcel ID # 19-21-29-505-0000-0050

Motion by _____ Second by ____ Compliance Date ____ Fine ____

POSTED AND CERTIFIED NOTICE OF HEARING

G. Case No. 07-03-CEB

Fredrick L. and Annette L. Hendry

Code Enforcement Officer: Joann D. Tamulonis

Violation Charged: Seminole County Land Development Code, Chapter 30, Part 12,

Section 30.202.

Described as: 1) Operating a business or an extension of a business is not a

permitted use of R-1A zoned property.

Location: 3952 Mc Neil Road, Apopka (Commission District 3)

Tax Parcel ID # 17-21-29-5BG-0000-050A

Motion by _____ Second by ____ Compliance Date____ Fine____

POSTED NOTICE OF HEARING

H. Case No. 07-04-CEB

Erick Cordero

Deputy Building Official: Tom Helle

Violation Charged: Florida Building Code, Section 105.1.

Described as: 1) Enclosed carport without the required permits.

Location: 3562 Bougainvillea Dr., Winter Park (Commission District 1)

Tax Parcel ID # 34-21-30-506-1000-0020

Motion by _____ Second by ____ Compliance Date____ Fine____

POSTED NOTICE OF HEARING

I. Case No. 07-05-CEB

Santos F. and Teresa M. Ynirio Deputy Building Official: Tom Helle

Violation Charged: Florida Building Code, Section 105.1.

Described as: 1) Building large structure in rear yard without the required permits. Location: 2030 W. Lake Brantley Rd., Longwood Commission District 3)

Tax Parcel ID # 05-21-29-503-0A00-0020

Motion by _____ Second by ____ Compliance Date____ Fine____

POSTED NOTICE OF HEARING

J. Case No. 07-06-CEB Amy Crowley and Cornrlius A. Sless

Deputy Building Official: Tom Helle

Violation Charged: Florida Building Code, Section 105.1.

Described as: 1) Installed wood fence without the required permits. Location: 1102 Martex Dr., Apopka (Commission District 3)

Tax Parcel ID # 18-21-29-522-0E00-0090

Motion by	Second by	Compliance Date	Fine	

COMPLIED PRIOR TO HEARING

K. Case No. 07-07-CEB

HUD-Sixteen LLC

Fred C. Hudson III and

Palmetto Charter Services, Inc.

Registered Agent

Code Enforcement Officer: Pamela Taylog

Violation Charged: Seminole County Land Development Code, Chapter 30.122, 30.123

and 30.124.

Described as: 1) A business or an extension of a business is not a permitted

or conditional use in an A-1 zoned area or a use allowed by

a Special Exception.

Location: 331/1 Narcissus Ave., Sanford (Commission District 5)

∕San Roque, Sanford (Commissioner District 5)
Tax Parcel ID # 22-19-30-5AD-0000-0340 AND

22-19-39-5AD-0000-034G

Motion by _____ Second by ____ Compliance Date____ Fine____

COMPLIED PRIOR TO HEARING

L. Case No. 07-08-CEB

Lorraine Evans and Andre Lancaster

Code Enforcement Officer: Dorothy Hird

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3

(f), (g), and (l).

Described as: 1) Unusable of abandoned appliances of white goods.

2) The accumulation of trash and debris.

3) Junked or abandoned vehicles not being kept within an enclosed

garage or an attached carport.

Location: 115 Larkspur Dr., Altamonte Springs (Commission District 4)

Tax Parcel ID # 14-21-29-507-0000-0080

Motion by Second by Compliance Date Fine

CONTINUED CASES

NONE

SPECIAL REQUEST

A. Case No. 06-98-CEB

Brian Verling, Gregory Ezell,

and Jim Nelson

Code Enforcement Officer: Dorothy Hird

The Board heard this case on December 14, 2006 and an Order was entered giving the Respondents a compliance date of February 28, 2007. The Respondents are requesting an extension of their compliance date.

Violation Charged: Seminole County Land Development Code, Chapter 30, Section

30.222 and 30.223.

Described as: 1) A business or extension of a business is not a permitted use or

use allowed by Special Exception in any R-2 residential zone.

Location: 1841 S. Ronald Reagan Blvd, Altamonte Springs (Commission

District 2)

Tax Parcel ID # 07-21-30-510-0A00-0210

Motion by _____ Second by ____Action____

CONSENT AGENDA

A. Case No 05-09-CEB

John A. and Stephanie Brooks

Code Enforcement Officer: Dorothy Hird

The Board heard this case on October 24, 2006 and tabled the case to the January 25, 2007 hearing. This case was originally 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 **\$8,625.00**, for 115 days of non-compliance from October 3, 2006 through and including January 25, 2007, 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 January 25, 2007. 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), (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

Motion by	Second by	Action	

B. Case No: 05-12-CEB Viacom Outdoor, Inc., n/k/a CBS Outdoor, Inc.

Corporation Service, Registered Agent

Planning Manager: April Boswell

This case was heard by the Board on April 28, 2005 and an Order was entered. An appeal of the Board's decision was filed by the Respondent. On January 5, 2006, the Circuit Court ruled in favor of the County. On July 20, 2006, the District Court of Appeals denied the Respondents' Writ of Certiorari. An Affidavit of Compliance has been filed stating compliance was obtained on November 30, 2006. The fine totals \$141,250.00. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a <u>lien</u> in the amount of \$141,250.00 against Viacom Outdoor, Inc., n/k/a CBS Outdoor, Inc., for 565 days of non-compliance from May 14, 2005, through and including November 29, 2006, at \$250.00 per day. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Land Development Code, Section 30.1251 and

Building Code, Sections 104.1.1 and 105.4.

Described as: 1) Non-conforming billboard due to zoning.

2) Construction without the required permit and inspections.

Location: Westbound lane of I-4, Longwood (Commission District 5)

State I.D. # BM 103

Motion by	Second by	Action	

C. Case No. 06-03-CEB

John E. Jane

Code Enforcement Officer: Dorothy Hird

This is a repeat violation. The Board originally heard this case on January 26, 2006 and an Order was entered. Compliance was obtained on February 15, 2006. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on June 12, 2006. An Affidavit of Compliance After Repeat Violation was filed by the Code Enforcement Officer after reinspection on June 30, 2006. On August 24, 2006, the Board reduced the fine on the repeat violation from \$1,350.00 to \$250.00. This fine remains unpaid. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** on a repeat violation in the amount of **\$250.00**, which represents the reduced fine amount. 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 (I).

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

or an attached carport.

Location: 118 Highland, Casselberry (Commission District 4)

Tax Parcel ID # 18-21-30-5DW-0000-0240

Motion by _	Second by	Action	

D. Case No. 06-31-CEB
Jared and Susan Martinez

Code Enforcement Officer: Joann D. Tamulonis

The Board originally heard this case on April 27, 2006 and an Order was entered. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on November 16, 2006. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on December 4, 1006. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$4,500.00**, for 18 days of non-compliance from November 16, 2006, through and including December 3, 2006, at \$250.00 per day. 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

95.3 (g) (h) and (i)

Described as: 1) The remains of a structure/rubble, which have been burned,

stricken by other casualty or demolished.

Location: 108 Spring Lake Lane, Altamonte Springs (Commission District 3)

Tax Parcel ID # 22-21-29-506-0J00-0170

Motion by	Second by	Action	

F Case No. 06-77-CEB Rosa L. Wilson ET AL

Code Enforcement Officer: Pamela Taylor

The Board originally heard this case on October 26, 2006 and an Order was entered. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on November 13, 2006. This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a lien in the amount of \$11,550.00, for 77 days of non-compliance from November 3, 2006 through and including January 25, 2007, at \$150.00 per day, and the fine shall continue to accrue at \$150.00 per day for each day the violations continue or are repeated past January 25, 2007. 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 95.3

(g) and (h).

1) The accumulation of trash and debris. Described as:

2) Uncultivated vegetation in excess of 24" in height and located

within 75' of a structure.

2370 Greenway, Sanford (Commission District 5) Location:

Tax Parcel ID # 33-19-31-507-0000-0980

Motion by	Second by	_ Action
FORECLOSURE		
NONE		
NONE		

- VII Approval of the minutes from the meeting of December 14, 2006
- VIII Confirmation date of next meeting: February 22, 2007
- IX Old Business -

<u>CASE NO 02-27-CEB – NORMA E. SUAREZ</u> – On January 9, 2007, the Board of County Commissioners waived the lien of \$9,000.00 imposed against the Respondent due to the fact that Norma E. Suarez did not reside at the property during the time of non-compliance and was awarded possession of this property via a Dissolution of Marriage after the violation had been corrected by her exhusband, Salvador Suarez. A Satisfaction of Lien will be executed by the Board of County Commissioners.

CASE NO 05-58-CEB – CAROLEA OLIVER – On December 14, 2006, the Code Enforcement Board reduced the fine imposed against the Respondent on her repeat violation (uncultivated vegetation) from \$2,700.00 to \$270.00. The Code Enforcement Board also reduced the fine imposed against the Respondent on her repeat violation (stagnant water in pool) from \$3,600.00 to \$360.00, providing both of these amounts were paid on or before January 16, 2007. The Respondent did not pay these reduced fines. Therefore, the reduced fine of \$270.00 reverted to its original amount of \$2,700.00 and shall constitute a fine on a repeat violation, and the reduced fine of \$360.00 reverted to its original amount of \$3,600.00 and shall constitute a lien against this property for a repeat violation.

CASE NO 05-66-CEB – KIRKMAN PROPERTIES LLC – On June 13, 2006, the Board of County Commissioners reduced the lien imposed against the Respondents from \$3,250.00 to the administrative costs of \$840.93, to be paid by July 13, 2006. The Respondents paid the reduced amount 33 days late. On January 9, 2007, this issue went back to the Board of County Commissioners for a determination as to whether to accept the late payment or require the entire amount to be paid. The BCC ruled that the reduced amount shall revert to the original amount of \$3,250.00 and the Respondents shall have 60 days to pay this amount in full. Upon payment in full, a Satisfaction of Lien will be executed by the Board of County Commissioners.

CASE NO 06-59-CEB – ROBERT L. HART – On December 14, 2006, the Code Enforcement Board reduced the fine imposed against the Respondents from \$1,000.00 to \$200.00. The Respondent paid the reduced amount on January 9, 2007. **A Satisfaction of Fine will be executed by the Chair at this meeting.**

X New Business -

Elections -

Chair and Vice-Chair elections will be held at the February 22, 2007 Code Board meeting.

Reappointments -

Tom Hagood, Bill Fahey and Jay Ammon were reappointed to the Code Enforcement Board, with their terms ending January 1, 2010.

Workshop for Code Enforcement Board Members and Board Attorneys -

Please see the flyer inside your CEB agenda book for information on the four-hour workshop conducted by Robert L. Hamilton, Esquire, for all Board Members and Board Attorneys, located in Lakeland on February 23, 2007.

XI Adjourn

NOTE: PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT ADA COORDINATOR 48 HOURS IN ADVANCE OF THE MEETING AT 407-665-7941.

PERSONS ARE ADVISED THAT IF THEY DECIDE TO APPEAL ANY DECISIONS MADE AT THIS HEARING, THEY WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS ARE MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED, PER SECTION 285.0105, FLORIDA STATUTES.

FOR ADDITIONAL INFORMATION REGARDING THIS AGENDA, PLEASE CONTACT (407) 665-7403.

1-25-07 Agenda