CODE ENFORCEMENT BOARD

SEMINOLE COUNTY, FLORIDA



February 22, 2007 – 1:30 pm Seminole County Services Building – Room 1028 1101 East First St, Sanford FL 32771

1		40	Order
	Call	ιO	Order

II Pledge of Allegiance

III Roll Call

IV Swearing in of Witnesses

V Agenda Update & Approval

VI Public Hearings -

Repeat Cases - 1 (1 continued by Staff)

New Cases - 9 (4 complied prior to hearing)

(1 continued by Staff)

Continued Cases - 0 Special Request - 2 Consent Agenda - 6 Foreclosure - 1 Add-On - 0

REPEAT CASES

CONTINUED BY STAFF

A. Case No: 00-67-CEB

Success Today International

Terrence Laughlin, Registered Agent

Code Enforcement Officer: Joann D. Tamulonis

This case was tabled from the October and December meetings by the Board. This is a repeat violation. The Board heard the original violation 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 \$11,000.00, for 220 days of non-compliance, from July 18, 2006, through and including February 22, 2007, 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 February 22, 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(q), (h) and (j).

Described as:

Location:

- 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.
 9616 McNorton Road, Altamonte Springs (Commission District 3)
 Tax Parcel ID # 22-21-29-300-0400-0000

CERTIFIED NOTICE OF HEARING

B. Case No. 05-84-CEB Zoila Alburez

Oscar Alburez Georgina Alburez

Code Enforcement Officer: Dorothy Hird

The Board continued this case from the December and January meetings. 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: This fine has accrued to \$7,150.00, for 143 days of non-compliance, from October 3, 2006, through and including February 22, 2007, at \$50.00 per day. However, Staff recommends that the Board order a fine in the amount of \$1,200.00, which represents 24 days of non-compliance at \$50.00 per day be imposed, which is the amount accumulated after the Orange County Sheriff's Office finished processing the vehicle. Further, the fine amount shall be increased to \$100.00 per day for each day the violation continues or is repeated after **February 22, 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

NEW CASES

COMPLIED PRIOR TO HEARING

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

Code Enforcement Officer: Pamela Taylor

New Case continued from December meeting by Staff.

Violation Charged: Seminole County 20de, Chapter 95, Section 95.4, as defined in 95.3

(g) and (h).

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

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

within 75' of a structure.

Location: 841 Riverview Avenue, Sanford (Commission District 5)

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

Motion by _____ Second by ____ Compliance Date ____ Fine ____

POSTED NOTICE OF HEARING

B. Case No. 07-04-CEB

Erick Cordero

Deputy Building Official: Tom Helle

New Case continued from the January meeting by the Board.

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

COMPLIED PRIOR TO HEARING

C. Case No. 07-06-CEB Amy Crowley and

Cornelius A. Sless Deputy Building Official: Tom Helle

New Case continued from January meeting at Respondents' request.

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____

POSTED NOTICE OF HEARING

D. Case No. 07-09-CEB

Derek L. Hutley

Code Enforcement Officer: Dorothy Hird

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

30.1350 and Chapter 30, Section 30.763 (m).

Described as: 1) No trucks having a rated load limit of more than two tons or

having more than two axles may be parked/stored in a

residential area.

2) Parking or storage of a semi-tractor, trailers and cargo trailer

boxes on C-2 zoned property is not permitted.

Location: 617 Plum Lane, Altamonte Springs (Commission District 4)

Tax Parcel ID # 07-21-30-503-0000-0720

Motion by _____ Second by ____ Compliance Date____ Fine____

COMPLIED PRIOR TO HEARING

E. Case No. 07-10-CEB

Horis Mack

Code Enforcement Officer: Dorothy Hird

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: 1059 Williams St., Altamonte Springs (Commission District 4)

Tax Parcel ID # 18-21-30-509-0000-019A

Motion by _____ Second by ____ Compliance Date____ Fine____

POSTED NOTICE OF HEARING

F. Case No. 07-11-CEB

Miguel A. and Moraima Cortes

Code Enforcement Officer: Joann D. Tamulonis

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

Section 95.3 (h) and (i).

Described as: 1) Uncultivated vegetation in excess of 24" in height and located

within 75' of a structure.

2) The remains or rubble of a structure which has been burned,

stricken by other casualty or demolished.

Location: 3611 Palm Ave., Apopka (Commission District 3)

Tax Parcel ID # 17-21-29-508-0000-0220

Motion by _____ Second by ____ Compliance Date____ Fine___

CERTIFIED NOTICE OF HEARING

G. Case No. 07-12-CEB

Manny's Chophouse, Inc.

Brea L. Tato, Registered Agent

Code Enforcement Officer: Joann D. Tamulonis

Violation Charged: Seminole County Land Development Code, Chapter 30, Part 65,

Section 30.1245 (1) and (6).

Described as: 1) Recurring displays of prohibited signage.

Location: In the vicinity of 108 Markham Woods Rd, on public and private

property (Commission District 3)

Motion by _____ Second by ____ Compliance Date____ Fine____

CERTIFIED NOTICE OF HEARING

H. Case No. 07-13-CEB

Terry G. and Rose E. Morley

Code Enforcement Officer: Joann D. Tamulonis

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

Section 95.3 (e), (f), (g), (h), (j) and (h) and Seminole County Land

Development Code, Chapter 30, Part 12, Section 30.202.

Described as: 1) Unusable or abandoned furniture.

- 2) Unusable or abandoned appliances.
- 3) Trash and debris.
- 4) Uncultivated vegetation in excess of 24" in height and located within 75' of a structure.
- 5) Used or scrap building materials.
- 6) Junked or abandoned vehicles not being kept within an enclosed garage or an attached carport.
- 7) The operation of a business or extension of a business is not a permitted use of R-1A zoned property.
- 8) Outside storage is not a customary accessory use of the property zoned residential.

Location: 3427 Gleaves Ct., Apopka (Commission District 3)

Parcel I. D. # 18-21-29-502-0D00-0050

Motion by _____ Second by ____ Compliance Date____ Fine____

POSTED NOTICE OF HEARING

I. Case No. 07-14-CEB Arthur N. Lamb, Jr.

Deputy Building Official: Tom Helle

Violation Charged: Florida Building Code, Section 105.1.

Described as:
1) Constructed screen enclosure without the required permits.
Location: 7138 Brookside Trail, Winter Park (Commission District 1)

Tax Parcel ID # 35-21-30-504-0000-0130

Motion by	Second by Compliance Date Fine		
		CONTIN	NUED BY STAFF
J. Case No. 07 Leonel E. Sa Deputy Build		elle	
Violation Charged: Described as: Location:	5406 Ardmore Drive	de, Section 105.1. Id in rear yard without the Id, Winter Park (Commisse) Identify 121-30-526-0000-4140	
Motion by	Second by	Compliance Date	Fine

HAND DELIVERED NOTICE OF HEARING

K. Case No. 07-16-CEB Derek L. Hutley

Deputy Building Official: Tom Helle

Violation Charged: Florida Building Code, Section 105.1.

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

Location: 617 Plum Lane, Altamonte Springs (Commission District 4)

Tax Parcel ID # 07-21-30-503-0000-0720

Motion by _____ Second by ____ Compliance Date____ Fine____

CERTIFIED NOTICE OF HEARING

L. Case No. 07-17-CEB John M. Masotti

Deputy Building Official: Tom Helle

Violation Charged: Florida Building Code, Section 105.1.

Described as: 1) Changed A/C without the required permits. Location: 100 Par Place, Lake Mary (Commission District 4)

Tax Parcel ID # 04-20-30-504-0000-0010

Motion by	Second by	Compliance Date	Fine	
-		-		

COMPLIED PRIOR TO HEARING

M. Case No. 07-18-CEB Melissa M. Parker

Deputy Building Official: Tom Helle

Violation Charged: Florida Building Code, Section 105.1.

Described as: 1) Constructed shed in rear yard without the required permits. Location: 329 Salina Dr., Altamonte Springs (Commission District 4)

Tax Parcel ID # 07-21-30-503-0000-0940

Motion by _____ Second by ____ Compliance Date____ Fine____

POSTED NOTICE OF HEARING

N. Case No. 07-19-CEB

Melida R. Velazquez

Deputy Building Official: Tom Helle

Violation Charged: Florida Building Code, Section 105.1.

Described as: 1) Installed fence without the required permits.

Location: 209 Eileen Dr., Altamonte Springs (Commission District 3)

Tax Parcel ID # 15-21-29-505-0000-0450

Motion by _____ Second by ____ Compliance Date____ Fine____

CONTINUED CASES

NONE

SPECIAL REQUEST

A. Case No 05-37-CEB

Bonni L. Segrest, new owner Samuel D. Stewart, previous owner

Code Enforcement Officer: Jerry Robertson

Bonni L. Segrest, new owner of this property, will be making a request of the Board regarding the accrued fine of \$14,100.00.

Background - on June 23, 2005, the Board heard this case and continued it for one year without making a determination. The Board heard this case on July 27, 2006 and an Order was entered. An Affidavit of Non-Compliance has been filed by the Code Enforcement Officer after reinspection on August 28, 2006. An Affidavit of Compliance has been filed by the Code Enforcement Officer after reinspection on January 16, 2007. This property is presently in compliance with a total fine accrued in the amount of \$14,100.00, for 141 days of non-compliance, from August 28, 2006 through and including January 15, 2007 at \$100.00 per day.

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

30.102, 30.103, and 30.104.

Described as: 1) Mobile home with no special exception.

Location: 4053 Cypress Bend, Geneva (Commission District 5)

Tax Parcel ID # 23-19-32-300-002K-0000

Motion by	s	econd by	Action		

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

Code Enforcement Officer: Joann D. Tamulonis

The Respondents will be making a request of the Board regarding the accrued fine of \$4,500.00.

Background - this case was continued from the January meeting at the request of the Respondents as they were out of town. 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 with a total fine accrued 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.

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	

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 January 25, 2007 and tabled the case to the February meeting. 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 **\$10,725.00**, for 143 days of non-compliance from October 3, 2006 through and including February 22, 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 February 22, 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 05-47-CEB Deborah G. Danaher

Code Enforcement Officer: Joann D. Tamulonis

The Board originally heard this case on June 20, 2005 and an Order was entered. Compliance was obtained on June 29, 2005. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on November 7, 2006. The Board heard this case on December 14, 2006 and an Order was entered on this repeat violation. An Affidavit of Non-Compliance on a Repeat Violation has been filed by the Code Enforcement Officer after reinspection on December 26, 2006. An Affidavit of Compliance After Repeat Violation has been filed by the Code Enforcement Officer after reinspection on January 18, 2007. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$9,100.00**, for 26 days of non-compliance from December 23, 2006 through and including January 17, 2007, at \$350.00 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(o).

Described as: 1) All swimming pools shall be completely enclosed by permanent

fencing.

Location: 524 Whisperwood Dr., Longwood (Commission District 3)

Tax Parcel ID # 33-20-29-510-0000-0070

Motion by	Second by	Action	

C. Case No. 06-87-CEB
German Baez
Senior Code Enforcement Officer: Deborah Leigh

The Board originally heard this case on December 14, 2006 and an Order was entered. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on December 22, 2006. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on January 19, 2007. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$7,000.00**, for 28 days of non-compliance from December 22, 2006, through and including January 18, 2007, 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

(O).

Described as: 1) Swimming pool not completely enclosed by permanent

fencing.

Location: 219 Tollgate Trail, Longwood (Commission District 4)

Tax Parcel ID # 36-20-29-502-0100-0340

Motion by	Second by	Action	

D. Case No. 06-88-CEB
 Jose Lozada and Omayra Lopez
 Senior Code Enforcement Officer: Deborah Leigh

The Board originally heard this case on December 14, 2006 and an Order was entered. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on December 22, 2006. This property is <u>NOT</u> in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$15,750.00**, for 63 days of non-compliance from December 22, 2006, through and including February 22, 2007, at \$250.00 per day, and the fine shall continue to accrue at **\$250.00 per day** for each day this violation continues or is repeated past February 22, 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

(O).

Described as: 1) Swimming pool not completely enclosed by permanent

fencing.

Location: 1465 Shadwell Circle, Lake Mary (Commission District 5)

Tax Parcel ID # 12-20-29-5HG-0000-0170

E. Case No. 06-89-CEB Phillip J. Brutus

Code Enforcement Officer: Dorothy Hird

The Board originally heard this case on December 14, 2006 and an Order was entered. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on January 8, 2007. This property is <u>NOT</u> in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$3,600.00**, for 48 days of non-compliance from January 6, 2007, through and including February 22, 2007, at \$75.00 per day, and the fine shall continue to accrue at **\$75.00** per day for each day this violation continues or is repeated past February 22, 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

(h).

Described as: 1) Uncultivated vegetation in excess of 24" in height and located

within 75' of a structure.

Location: 117 Ford Avenue, Altamonte Springs (Commission District 4)

Tax Parcel ID # 07-21-30-505-0D00-0080

Motion by	Second by	Action		

F. Case No. 06-92-CEB Leonardo Gimenez

Code Enforcement Officer: Dorothy Hird

The Board originally heard this case on December 14, 2006 and an Order was entered. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on January 8, 2007. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on January 29, 2007. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$2,300.00**, for 23 days of non-compliance from January 6, 2007, through and including January 28, 2007, at \$100.00 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) and (l).

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

2) Junked or abandoned vehicle not being kept within an enclosed

garage or an attached carport.

Location: 404 Pinewood Court, Fern Park (Commission District 4)

Tax Parcel ID # 19-21-30-503-0400-0030

FORECLOSURE

A. Case No. 02-19-CEB
Willie B. Madison Heirs
C/O Hubert Madison NPAR

Code Enforcement Officer: Pamela Taylor

The Board heard the original case on February 28, 2002 and an Order was entered. Compliance on the original Order was obtained on March 25, 2002. On May 23, 2002, the Board reduced the accrued fine of \$400.00 to \$50.00. The Respondent paid the reduced amount. An Affidavit of Repeat Violation was filed by the Code Enforcement Officer after reinspection on December 2, 2005. On January 26, 2006, the Board heard the repeat violation and an Order was entered. On August 24, 2006, the Board heard this case and an Order Finding Non-Compliance and Imposing Fine/Lien was entered. To-date, the lien totals \$41,950.00 and continues to accrue at \$100.00 per day until compliance is obtained. 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, Chapter 95, Section 95.4 as defined in

Section 95.3(g) and (h)

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

2) Uncultivated vegetation in excess of 24" in height, within 75' of a

structure.

Location: 2191 Granby Ave., Sanford (Commission District 5)

Tax Parcel ID # 32-19-31-300-032C-0000

- VII Approval of the minutes from the meeting of January 25, 2007
- VIII Confirmation date of next meeting: March 22, 2007
- IX Old Business -

<u>CASE NO 05-12-CEB – VIACOM OUTDOOR, LLC, N/K/A CBS OUTDOOR, LLC</u>– On January 25, 2007, the Code Enforcement Board reduced the accrued fine from \$141,250.00 to \$30,000.00, to be paid within 30 days. The Respondents paid the reduced amount on February 13, 2007. **A Satisfaction of Fine will be executed by the Chair at this meeting.**

X New Business -

Election of Chair and Vice Chair

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.

2-22-07 Agenda