

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

MINUTES

**April 26, 2007 - 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
Gerald Ames
Larry Lawver
Stewart Fritz

Members Excused: Jay Ammon

Present & Sworn: Javier and Amparo Franco, Respondents, 07-32-CEB
John Brooks, Respondent, 05-09-CEB
Alice Oliver and Lotis Troutman, Respondents, 06-84-CEB
Jerry Robertson, Code Enforcement Officer, SCSO
Joann Davids-Tamulonis, Code Enforcement Officer, SCSO
Dorothy Hird, Code Enforcement Officer, SCSO
Donna Wisniewski, Code Enforcement Officer, SCSO

Others Present: Dan Mantzaris, Code Enforcement Board Attorney
Connie R. DeVasto, Clerk to the Code Enforcement Board
Jane Spencer, New Clerk to the Code Enforcement Board
Pamela Taylor, Code Enforcement Officer, SCSO

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IV Swearing in of Witnesses

None



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

MOTION CARRIED 6 – 0.



The following cases will not be heard today:

Lotis Troutman, 07-33-CEB, Continued by Staff
Vincenzo & Angelina Giuffrida, 07-35-CEB, Continued by Staff
Nancy Shine, Trustee FBO, 07-36-CEB, Continued by Staff
Isaiah S. Bailey, 07-38-CEB, Complied Prior to Hearing
David Halperin, 07-39-CEB, Complied Prior to Hearing
Alexander S. & Toni M. Nurell, 07-40-CEB, Continued by Staff
Yvonne L. Johnson, 07-41-CEB, Complied Prior to Hearing
Jorge & Rosa A. Chancay, 07-42-CEB, Complied Prior to Hearing
Narcissus Bratcher, 07-43-CEB, Complied Prior to Hearing
Shoppes of Tuskawilla, LLC, 07-44-CEB, Complied Prior to Hearing

Case No. 07-32-CEB
Javier Franco
Code Enforcement Officer: Jerry Robertson

New Case

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.102, 30.103, 30.104.
Described as: 1) Two residences are not a permitted use. No special exception for a mobile home granted for limited or special exception use.
Location: 870 Snow Hill Road, Geneva (Commission District 2)
Tax Parcel ID # 33-20-32-300-0550-0000

Jerry Robertson, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation.

Officer Robertson advised the Board that the mobile home was still on the property and that he has received numerous complaints from the Respondents' neighbors.

Officer Robertson stated that recommendation would be to comply by May 15, 2007 with a fine in the amount of \$200.00 per day if the violation continues or is repeated past May 15, 2007.

Javier and Amparo Franco, Respondents, were present at this hearing and testified on their own behalf. Amparo Franco advised that they have been trying to have the trailer removed but could not afford it. She stated that she needed a couple of weeks more to come up with the money to move it.

Tom Hagood asked Mrs. Franco if she thought she could comply by May 15, 2007.

Mrs. Franco advised that she needed more time, until the end of June.

After discussion of this by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY LARRY LAWVER, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-32-CEB, it is determined that the Respondent is:

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- (a) the owner of record of the property (Tax Parcel ID # 33-20-32-300-0550-0000) located at 870 Snow Hill Road, Geneva, located in Seminole County and legally described as follows:

LEG SEC 33 TWP 20S RGE 32E S 208.7 FT
OF E ½ OF SE ¼ OF SE ¼ (LESS N 100
FT OF E 200 FT + W 100 FT)

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

It is hereby ordered that the Respondent shall correct the violation on or before June 30, 2007. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) Remove mobile home or any second residence that does not have a special exception.**

If the Respondent does not comply with the Order, a fine of **\$200.00 per day** will be imposed for each day the violation continues or is repeated after compliance past June 30, 2007.

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 26th day of April 2007, in Seminole County, Florida.

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

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

MOTION CARRIED 6 – 0.

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

The Board heard this case on October 24, 2006, January 25, 2007 and February 22, 2007 and tabled the case to the March meeting. At the March 22, 2007 meeting, the fine was increased from \$75.00 to \$100.00 per day and tabled to the April 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 **\$16,350.00** which represents 170 days of non-compliance from October 3, 2006 through and including March 21, 2007, at \$75.00 per day and 36 days of non-compliance from March 22, 2007 through and including April 26, 2007 at \$100.00 per day. The fine shall continue to accrue at **\$100.00 per day** for each day the violations continue or are repeated past April 26, 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

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and advised the Board that she met with the Respondent yesterday and that he advised that the vehicle was still there.

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Tom Hagood asked Officer Hird if there had been any revisits since March.

Officer Hird advised no.

Bill Fahey asked Officer Hird why she had not looked at the property.

Officer Hird advised that the property was posted and that she could not get to it. She stated that the Respondent came to her office yesterday and told her it was a waste of time to reinspect because he doesn't believe that he is in violation.

John A. Brooks, Respondent, was present at this hearing and testified on his own behalf. Mr. Brooks stated that he wanted to present additional evidence.

Mr. Hagood explained that the Board will not "rehear" the case.

Mr. Brooks stated that he believes his property is in compliance and that he would not allow Dorothy to come onto his property.

Mr. Hagood asked if another Code Enforcement Officer would go out and inspect.

Donna Wisniewski, Code Enforcement Officer, stated that she will go back to the property with Dorothy. Officer Wisniewski further stated that she has seen the violations.

Mr. Hagood asked Mr. Brooks if the two vehicles still exist today on the property.

Mr. Brooks replied that yes, they do.

Mr. Hagood asked Mr. Brooks if they could be driven.

Mr. Brooks replied that one of the vehicles could not be driven.

After discussion of this by the Board:

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

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondents are the owners of record of the property (Tax Parcel # 06-21-30-300-022A-0000) located at 890 Alberta Street, Longwood, located in Seminole County and legally described as follows:

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LEG SEC 06 TWP 21S RGE 30E S 646.4 FT OF
NW ¼ OF SW ¼ (LESS W 995 FT & RDS)

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

Said Order found Respondents in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (j), (l), and (p).

Said Order stated that a fine in the amount of \$75.00 per day would be imposed if the Respondents did not take certain corrective action by December 31, 2005.

The Board filed an Order Extending Compliance Date on October 27, 2005, extending the compliance date from December 31, 2005 to April 1, 2006 at the request of the Respondents.

An Affidavit of Non-Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had not been obtained after attempting reinspection on April 4, 2006.

The Board filed an Order Extending Compliance Date on April 27, 2006, extending the compliance date from April 1, 2006 to October 2, 2006 at the request of the Respondents.

An Affidavit of Non-Compliance has been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had not been obtained after attempting reinspection on October 12, 2006.

The Board filed an Order Increasing Daily Fine on March 22, 2007 increasing the daily fine to \$100.00 per day.

Accordingly, it having been brought to the Board's attention that the Respondents have not complied with the Order Extending Compliance Date dated April 27, 2006, the Board orders that a **lien** in the amount of **\$16,325.00** for 171 days of non-compliance at \$75.00 per day, from October 3, 2006 through and including March 22, 2007, and 35 days of non-compliance at \$100.00 per day, from March 23, 2007 through and including April 26, 2007, be imposed against the property; and the fine shall continue to accrue at **\$100.00 per day** for each day the violations continue or are repeated past April 26, 2007.

The Respondents must contact the Code Enforcement Officer to arrange for an inspection of the property to verify compliance. The fine imposed shall

continue to accrue until the Code Enforcement Officer inspects the property and establishes the date of compliance.

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

DONE AND ORDERED this 26th day of April 2007, in Seminole County, Florida.

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

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

MOTION CARRIED 6 – 0.

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Case No. 06-84-CEB
Alice Oliver, Lotis Troutman and Donell Troutman, ET AL
Senior Code Enforcement Officer: Deborah Leigh

This case was continued from the March 22, 2007 meeting. This case was originally heard by the Board on December 14, 2006 and an Order was entered giving the Respondents a compliance date of February 1, 2007. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on February 2, 2007. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on March 29, 2007. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$11,000.00**, for 55 days of non-compliance from February 2, 2007 through and including March 28, 2007, at \$200.00 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 (l) and Florida Building Code, 105.1.

- 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) Junked or abandoned vehicles not being kept within an enclosed garage or an attached carport.
 - 4) Fence erected without the required permit.

Location: 4641 McKay Street, Lake Monroe (Commission District 5)
Tax Parcel ID # 20-19-30-501-0000-0290

Jerry Robertson, Code Enforcement Officer, testified on behalf of the County and advised that the property was in compliance. He also submitted costs of \$249.68.

Alice Oliver and Lotis Troutman, Respondents, were present at this hearing and testified on their own behalf. Lotis Troutman made a request of the Board to reduce their fine.

After discussion of this by the Board:

MOTION BY BILL FAHEY, SECONDED BY GRACE CHEWNING, THAT THE ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN BE:

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondents are the owner of record of the property (Tax Parcel # 20-19-30-501-0000-0290) located at 4641 McKay Street, Lake Monroe, located in Seminole County and legally described as follows:

LEG LOTS 29 + 30 & E ½ VACD ALLEY ADJ ON W OF LOT 29 & N ½
OF VACD ALLEY ADJ ON S OF LOTS 29 & 30 BOOKERTOWN
PB 4 PG 98

This case came on for public hearing before the Code Enforcement Board of Seminole County on December 14, 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 Section 95.3 (g), (h) and (l) and Florida Building Code, 105.1.

Said Order stated that a fine in the amount of \$200.00 per day would be imposed if the Respondents did not take certain corrective action by February 1, 2007.

An Affidavit of Non-Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had not been obtained after reinspection on February 2, 2007.

An Affidavit of Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had been obtained after reinspection on March 29, 2007.

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Accordingly, it having been brought to the Board's attention that the Respondents have complied with the Findings of Fact, Conclusions of Law and Order dated December 14, 2006.

Therefore, the Board orders that the **fine** in the amount of **\$11,000.00** for 55 days of non-compliance at \$200.00 per day, from February 2, 2007 through and including April 26, 2007, **be reduced to \$250.00**.

It is further ordered that the Respondents shall have **30 days** in which to pay the reduced fine of **\$250.00**. If the Respondents do not pay this amount on or before **May 26, 2007**, the fine will revert to the original amount of \$11,000.00 and shall constitute a lien upon any real or personal property owned by the Respondents.

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

DONE AND ORDERED this 26th day of April 2007, in Seminole County, Florida.

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

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

MOTION CARRIED 6 – 0.

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Case No. 07-26-CEB
Richard and Laura Saxman
Senior Code Enforcement Officer: Deborah Leigh

New case continued from March meeting by CEB

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

Described as: 1) 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: 170 Archers Point, Longwood (Commission District 5)
Tax Parcel ID # 23-20-29-504-0000-0160

Jerry Robertson, Code Enforcement Officer, on behalf of Deborah Leigh, Senior Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation. Officer Robertson stated that there were eight dead trees that were in danger of falling and recommended that it be declared a health, safety and welfare issue.

Officer Robertson stated that recommendation would be to comply by May 12, 2007 with a fine in the amount of \$250.00 per day if the violation continues or is repeated past May 12, 2007.

Richard and Laura Saxman, Respondents, were not present at this meeting.

After discussion of this by the Board:

MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 07-26-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 23-20-29-504-0000-0160) located at 170 Archers Point, Longwood, located in Seminole County and legally described as follows:

LEG LOT 16 MARKHAM PLACE PB 22 PGS 30 & 31

- (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 (p).

It is hereby ordered that this violation constitutes a serious threat to the health, safety, and welfare of the citizens of Seminole County.

It is hereby ordered that the Respondents shall correct the violation on or before **May 12, 2007**. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) Remove the objectionable, unsightly or unsanitary matter, substance or material (dead trees) 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.

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 **May 12, 2007**.

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 26th day of April 2007, in Seminole County, Florida.

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

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

MOTION CARRIED 6 – 0.

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Case No. 07-37-CEB
Victor and Abigail Rosa
Code Enforcement Officer: Joann D. Tamulonis

New Case

Violation Charged: Seminole County Land Development Code, Chapter 30, Part 11, Section 30.182 and Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (f).
Described as: 1) The operation of a business or extension of a business is not a permitted use of the property zoned R-1
2) Unusable or abandoned appliances or white goods
Location: 658 Acapulca Way, Altamonte Springs (Commission District 3)
Tax Parcel ID # 21-21-29-501-0000-1610

Joann D. Tamulonis, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation. Officer Tamulonis gave the Board a brief history of this case. Officer Tamulonis further testified that her last

inspection was yesterday and that the all violations remain. Officer Tamulonis stated that there was an occupational license for appliance repair.

Officer Tamulonis stated that recommendation would be to comply by May 10, 2007 with a fine in the amount of \$250.00 per day if the violation continues or is repeated past May 10, 2007.

Victor and Abigail Rosa, Respondents, were not present at the meeting.

Gerald Ames asked Officer Tamulonis what agency issued the license.

Officer Tamulonis responded that it is actually just a "fee" charged by the tax office.

After discussion of this by the Board:

MOTION BY LARRY LAWVER, 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 07-37-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 21-21-29-501-0000-1610) located at 658 Acapulca Way, Altamonte Springs, located in Seminole County and legally described as follows:

LOT 161 OAKLAND HILLS PB 13 PG 63 & 64

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Land Development Code, Chapter 30, Part 11, Section 30.182 and Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (f).

It is hereby ordered that the Respondents shall correct the violation on or before May 10, 2007. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) Cease the storage/keeping of unusable or abandoned appliances.**
- 2) Cease the operation of a business or extension of a business which is not a permitted use of the property on the subject property.**

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If the Respondents do not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violations continues or are repeated after compliance past May 10, 2007.

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 26th day of April 2007, in Seminole County, Florida.

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

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

MOTION CARRIED 6 – 0.

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Case No. 06-78-CEB
Kevin Von Lanken
Code Enforcement Officer: Joann D. Tamulonis

This case was continued from the March 22, 2007 meeting. It was originally heard by the Board on January 25, 2007 and an Order was entered giving the Respondent a compliance date of February 8, 2007. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on February 9, 2007. This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$19,250.00**, for 77 days of non-compliance from February 9, 2007 through and including April 26, 2007, at \$250.00 per day, and the fine shall continue to accrue at **\$250.00 per day** for each day the violations continue or are repeated past April 26, 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), (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.

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- 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

Joann D. Tamulonis, Code Enforcement Officer, testified on behalf of the County and advised the Board that she had discussed the issues with Mr. Von Lanken.

Mr. Kevin Von Lanken, Respondent, was not present at the meeting.

Tom Hagood asked Officer Tamulonis if she wished to table this case.

Officer Tamulonis said that would be fine.

After discussion of this by the Board:

MOTION BY LARRY LAWVER, SECONDED BY GERALD AMES, TO TABLE THIS CASE UNTIL THE MAY 17, 2007 HEARING.

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

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

MOTION CARRIED 6 – 0.

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

This case was tabled from the September 28, 2006 meeting to the December 12, 2006 meeting by the Board. In December, it was tabled to the April 26, 2007 meeting by the Board. The Board heard this case on August 28, 2003 and an Order was entered. 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 \$95,700.00, up to and including April 26, 2007. This property is NOT in compliance at this time.

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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.

Location: 3) All fences must be maintained in their original upright condition.
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 advised the Board that he met with Mr. DePinto yesterday. He stated that although Mr. DePinto was closer to complying, the property was still in violation.

Officer Robertson informed the Board that he had spoken to Becky Heckters, Community Development Project Manager, who informed him that because of back taxes that were due on Mr. DePinto's property, the Community Development Block Grant program could not help with the demolition.

Mr. DePinto, Respondent, was not present at this hearing.

After discussion of this by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY STEWART FRITZ, THAT THIS CASE BE FORWARDED TO THE COUNTY ATTORNEY FOR POSSIBLE FORECLOSURE.

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

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

MOTION CARRIED 6 – 0.

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Case No. 07-49-CEB
Roderic L. Boling, III
Code Enforcement Officer: Joann Tamulonis

New Case (Add on)

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (o); and Seminole County Land Development Code, Part 70, Chapter 30, Section 30.1349(e)
Described as: 1) Swimming pool not completely enclosed by permanent fencing
2) All fences shall be maintained in their original upright condition
Location: 121 Stag Ridge Court, Longwood (Commission District 7)
Tax Parcel ID # 31-20-29-5EC-0000-0060

Joann D. Tamulonis, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation. Officer Tamulonis stated that the property appears to be vacant.

Officer Tamulonis further testified that she inspected the property today. She stated that although some progress had been made, the violations remain.

Officer Tamulonis advised the Board that Mr. Boling is aware of the violations and that he states that he needs two or three weeks.

Officer Tamulonis stated that recommendation would be to comply by May 10, 2007 with a fine in the amount of \$250.00 per day if the violation continues or is repeated past May 10, 2007.

Mr. Roderic Boling, III, Respondent, was not present at this meeting.

After discussion of this by the Board:

MOTION BY STEWART FRITZ, 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 07-49-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 # 31-20-29-5EC-0000-0060) located at 121 Stag Ridge Court, Longwood, located in Seminole County and legally described as follows:

LEG LOT 6 HUNTERS POINT PB 20 PGS 78 & 79

- (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 (o) and Seminole County Land Development Code, Part 70, Chapter 30, Section 30.1349 (e).

It is hereby ordered that the Respondent shall correct the violations on or before May 10, 2007. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) Secure the pool according to the code requirements.**
- 2) Repair/replace fence in order to maintain it in its original upright condition.**

If the Respondent does not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violations continue or are repeated after compliance past May 10, 2007.

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 26th day of April 2007, in Seminole County, Florida.

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

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

MOTION CARRIED 6 – 0.

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VII Approval of the minutes from the meeting of March 22, 2007.

MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING, TO APPROVE THE MINUTES FROM THE MEETING OF MARCH 22, 2007.

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

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

MOTION CARRIED 6 – 0.

VIII Confirmation date of next meeting: May 17, 2007

IX Old Business –

None.

X New Business –

General discussion concerning why the Board of County Commissioners had considered moving the Code Enforcement Officers back to the County.

XI Adjourn – There being no further discussion, this meeting was adjourned at 2:28 P.M.

Respectfully submitted:

**Jane Spencer
Clerk to the Code Enforcement Board**

**Tom Hagood
Chair**