CODE ENFORCEMENT BOARD

SEMINOLE COUNTY, FLORIDA



October 23, 2008 – 1:30 pm Seminole County Services Building – Room 1028 1101 East First Street, Sanford FL 32771

	Call to Order		
II	Pledge of Allegiance		
III	Roll Call		
IV	Swearing in of Witnesses		
V	Agenda Update & Approval		
VI	Public Hearings –		
	Repeat Cases -	2	
	New Cases -	9	(3) Complied Prior to Hearing
	Continued Cases -	0	(1) Voluntary Dismissal
	Special Request -	3	
	Consent Agenda -	6	
	Foreclosure -	0	
	Add-On -	0	

REPEAT CASES

POSTED NOTICE OF HEARING

A. Case No 03-03-CEB Marguerite S. Hunter

Code Enforcement Officer: Donna Wisniewski

This is a repeat violation. The original violation was heard by the Board on December 4, 2003; and an Order was entered giving the Respondent a compliance date of January 5, 2004. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on January 6, 2004. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on March 17, 2004. An Order <u>rescinding</u> the \$5,250.00 fine was entered by the Code Enforcement Board on March 18, 2004.

An Affidavit of Repeat Violation was filed after reinspection on July 2, 2007. An Affidavit of Compliance after Repeat Violation was filed after reinspection on May 23, 2008. The \$25,850.00 unpaid fine for this repeat violation is on the Consent portion of this agenda to impose a lien.

A second Affidavit of Repeat Violation was filed after reinspection on September 15, 2008. An Affidavit of Compliance after Repeat Violation was file after reinspection on October 9, 2008.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **fine** on a repeat violation in the amount of **\$2,400.00** for 24 days of non-compliance, from September 15, 2008 through and including October 8, 2008, 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(h)

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

within 75' of a structure

Location: 5038 Lake Howell Road, Winter Park (Commission District 4)

Tax Parcel ID # 33-21-30-506-0000-0060

POSTED NOTICE OF HEARING

B. Case No 05-05-CEB Larry W. Buckner

Code Enforcement Officer: Dorothy Hird

This is a third repeat violation. The original violation was heard by the Board on January 27, 2005 and an Order was entered giving the Respondent a compliance date of August 15, 2005. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on October 26, 2005. On October 27, 2005, an Order was issued rescinding a fine in the amount of \$3,550.00.

An Affidavit of Repeat Violation was filed after reinspection on September 19, 2006. An Affidavit of Compliance after Repeat Violation was filed after reinspection on September 29, 2006. On May 17, 2007, an Order was issued increasing the daily fine to \$100.00 if violation is repeated after December 14, 2006 and imposing a \$500.00 lien which remains unpaid.

A second Affidavit of Repeat Violation was filed after reinspection on September 5, 2007. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on October 25, 2007. On October 25, 2007, an Order was issued rescinding a fine in the amount of \$5,000.00.

A third Affidavit of Repeat Violation was filed after reinspection on September 17, 2008.

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 **\$3,700.00** for 37 days of non-compliance, from September 17, 2008 through and including October 23, 2008, at **\$100.00** per day; and the fine shall continue to accrue at \$100.00 per day until compliance is obtained. 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: 127 Orienta Drive, Altamonte Springs (Commission District 4)

Tax Parcel ID # 23-21-29-501-0000-0460

NEW CASES

COMPLIED PRIOR TO HEARING

A. Case No. 08-154-CEB Alford & Juel Edwards

Code Enforcement Officer: Jerry Robertson

NEW CASE

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

Section 95.3 (h)

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

and located within 75' from any structure

Location: 1515 Battle Street, Oviedo (Commission District 2)

Tax Parcel ID # 11-21-31-508-0900-001A

Motion by _____ Second by ____ Compliance Date____ Fine___

CERTIFIED NOTICE OF HEARING

B. Case No. 08-155-CEB

Peggy & Daniel Heacock, Sr.

Code Enforcement Officer: Joann Tamulonis

NEW CASE

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

Section 95.3 (g), (h) and (l) and Seminole County Land

Development Code, Chapter 30, Part 17, Section 30.202

Described as: 1) The accumulation of trash and debris

2) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure

3) Junked, abandoned or inoperable vehicle(s) not kept within an enclosed garage or an attached carport

4) Outside storage which is not a customary use of the property

zoned RM-1

Location: 101 Alma Drive, Altamonte Springs (Commission District 3)

Tax Parcel ID # 03-21-29-505-0F00-0010

Motion by	Second by	Compliance Date	_ Fine

CERTIFIED & POSTED NOTICE OF HEARING

C. Case No. 08-156-CEB

Susan C. Brettin

Code Enforcement Officer: Donna Wisniewski

NEW CASE

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

Section 95.3 (h) and (l)

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

within 75' from any structure

2) Junked, abandoned or inoperable vehicle(s) not kept within an

enclosed garage or an attached carport

Location: 2899 Waumpi Trail, Maitland (Commission District 1)

Tax Parcel ID # 28-21-30-502-0F00-0050

Motion by	Second by	Compliance Date	Fine

COMPLIED PRIOR TO HEARING

D. Case No. 08-157-CEB

Joseph N. & Justine Mingarelli

Code Enforcement Officer: Donna Wisniewski

NEW CASE

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

Section 95.3 (j)

Described as: 1) Used or scrap building materials

Location: 1344 Pirate Lane, Winter Park (Commission District 1)

Tax Parcel ID # 26-21-30-507-0000-0110

Motion by _____ Second by ____ Compliance Date____ Fine____

CERTIFIED NOTICE OF HEARING

E. Case No. 08-158-CEB

Charles F. Zimmerman, Jr. & Terri Zimmerman Senior Code Enforcement Officer: Deborah Leigh

NEW CASE

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

Section 95.3 (n)

Described as: 1) Stagnant or foul water in a swimming or wading pool Location: 5707 Basset Place, Sanford (Commission District 5)

Tax Parcel ID # 31-19-30-505-0000-0170

Motion by _____ Second by ____ Compliance Date____ Fine____

CERTIFIED NOTICE OF HEARING

F. Case No. 08-159-CEB Anthony Nasko & Ludmils Antonos, Jr.

Senior Code Enforcement Officer: Deborah Leigh

NEW CASE

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

Section 95.3 (h)

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

within 75' of a structure

Orange Boulevard, Sanford (Commission District 5) Location:

Tax Parcel ID # 16-19-30-5AB-0600-0070

Motion by Second by Compliance Date Fine

CERTIFIED NOTICE OF HEARING

G. Case No. 08-160-CEB

Catherine J. & Dennis Misuraca &

U.S. Bank, N.A.

Code Enforcement Officer: Pamela Taylor

NEW CASE

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

Section 95.3 (g), (l) and (p)

1) The accumulation of trash and debris Described as:

2) Junked or abandoned vehicle(s) not kept within an enclosed

garage or an attached carport

3) Any other 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: 2550 Narcissus Avenue, Sanford (Commission District 5)

Tax Parcel ID # 22-19-30-5AD-0000-012B

Motion by _____ Second by ____ Compliance Date____ Fine___

POSTED NOTICE OF HEARING

H. Case No. 08-161-CEB

Despot Bojadzijev &

Kimberly Cappolla (mortgagee)

Code Enforcement Officer: Pamela Taylor

NEW CASE

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

Section 95.3 (g) & (h)

Described as: 1) The accumulation of trash and debris

2) Uncultivated vegetation in excess of 24" in height

and located within 75' from any structure

Location: 98 Melton Drive, Winter Springs (Commission District 5)

Tax Parcel ID # 33-20-30-509-0000-0070

Motion by _____ Second by ____ Compliance Date____ Fine____

POSTED NOTICE OF HEARING

I. Case No. 08-162-CEB

Mildred Marrero & Giselle Marrero &

Bank of New York

Code Enforcement Officer: Jerry Robertson

NEW CASE

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

Section 95.3 (h)

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

and located within 75' from any structure

Location: 2244 Sunnyview Drive, Oviedo (Commission District 1)

Tax Parcel ID # 27-21-31-503-0000-0090

Motion by _____ Second by ____ Compliance Date____ Fine____

POSTED NOTICE OF HEARING

J. Case No. 08-163-CEB

Beth A. Young & Countrywide Home Loans

Senior Code Enforcement Officer: Deborah Leigh

NEW CASE

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

Section 95.3 (h) and (n)

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

and located within 75' from any structure

2) Stagnant or foul water in a swimming or wading pool

Location: 1718 Markham Glen Circle, Longwood (Commission District 5)

Tax Parcel ID # 23-20-29-507-0000-0070

Motion by _____ Second by ____ Compliance Date____ Fine____

CERTIFIED NOTICE OF HEARING

K. Case No. 08-164-CEB

Peter Jones &

Washington Mutual Bank

Senior Code Enforcement Officer: Deborah Leigh

NEW CASE

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

Section 95.3 (h)

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

within 75' from any structure

Location: 2101 Silver Leaf Court, Longwood (Commission District 5)

Tax Parcel ID # 27-20-29-5GP-0000-0290

Motion by	_ Second by Compliance Date Fine			
		COMPLIED P	RIOR TO HEARING	
L. Case No. 08 Splash-N-Da Code Enforc		nela Taylor		
NEW CASE				
Violation Charged:	Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g) and (p)			
Described as: 1) The accumulation of trash and debris 2) Any other objectionable, unsightly, or unsanitary matter, substance, or material tending by its existence and/or accumulation to endanger or adversely affect the health, sa			ence and/or ect the health, safety,	
lives, and/or welfare of the citizens of the county Location: 4349 SR 46 W (Commission District 5) Tax Parcel ID # 28-19-30-506-0000-003A			county	
Motion by	Second by	Compliance Date	Fine	

CONTINUED CASES

VOLUNTARY DISMISSAL

A. Case No. 08-131-CEB

Vibha Khanna

Code Enforcement Officer: Jerry Robertson

NEW CASE

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

30.182

Described as: A boarding house is not a permitted use in this R-1B zone

Location: 2736 Cypress Head Trail, Oviedo (Commission District 1)

Tax Parcel ID # 29-21-31-504-0000-0170

Motion by _____ Second by ____ Compliance Date____ Fine___

SPECIAL REQUEST

A, Case No. 07-121-CEB

Daniel Richard

Code Enforcement Officer: Donna Wisniewski

The Board heard this case on August 28, 2008 and an Order was entered reducing the \$4,750.00 fine to \$500.00 if paid within 30 days. The fine was not paid within 30 days and reverted back to the original amount. The Respondent is requesting that the Board reduce or waive the \$4,750.00 fine.

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

30.442

Described as: 1) Operating a boarding house is not a permitted use in a PUD.

Location: 684 Grackle Drive, Casselberry (Commission District 1)

Tax Parcel ID # 15-21-30-503-0B00-0160

B. Case No. 08-40-CEB (Repeat at a Different Location)

Sadie L. Holmes

Code Enforcement Officer: Dorothy Hird

The Board heard this case concerning a repeat at a different location on September 25, 2008 and an Order was entered reducing the Respondent's fine of \$6,750.00 to \$200.00 if paid within 30 days. The Respondent is requesting that the Board further reduce the fine or rescind the fine. If the fine is not rescinded, the Respondent is requesting additional time to pay the reduced amount before it reverts to the original amount.

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

Section 95.3 (I) and Seminole County Land Development Code,

Chapter 30, Section 30.1350

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

garage or an attached carport

Location: 622 Plum Lane, Altamonte Springs (Commission District 4)

Tax Parcel ID # 07-21-30-503-0000-0929 - different location

Motion by _____ Second by ____ Action____

C. Case No. 08-123-CEB

David R. Thompson and Yvonne Calder

Principal Planner: Tony Walter

The Board heard this case on August 28, 2008 and an Order was entered giving the Respondents a compliance date of October 30, 2008. The Respondents are requesting that the Board extend the compliance date.

Violation Charged: Seminole County Land Development Code, Chapter 40, Site Plan

Approval Section 40.12 and Chapter 30, Part 26, Section

30.446(b), Planned Commercial Development District

Described as: 1) Constructing and operating a vehicle and boat storage facility

without a County approved final site plan, Developer's

Commitment Agreement and appropriate permits

Location: 2563 Mikler Road, Oviedo (Commission District 1)

Tax Parcel ID # 29-21-31-300-0060-0000

CONSENT AGENDA

A. Case No 03-03-CEB Marguerite S. Hunter

Code Enforcement Officer: Donna Wisniewski

This is a repeat violation. The original violation was heard by the Board on December 4, 2003; and an Order was entered giving the Respondent a compliance date of January 5, 2004. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on January 6, 2004. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on March 17, 2004. An Order rescinding the \$5,250.00 fine was entered by the Code Enforcement Board on March 18, 2004.

An Affidavit of Repeat Violation was filed after reinspection on July 2, 2007. An Affidavit of Compliance after Repeat Violation was filed after reinspection on May 23, 2008.

A second Affidavit of Repeat Violation has been filed which is being heard under the Repeat portion of this agenda.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** on a repeat violation in the amount of **\$25,850.00** for 270 days of non-compliance, from July 2, 2007 through and including March 27, 2008, at \$75.00 per day and 56 days of non-compliance, from March 28, 2008 through and including May 22, 2008, at \$100.00 per day for a total of 326 days of non-compliance. 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: 5038 Lake Howell Road, Winter Park (Commission District 4)

Tax Parcel ID # 33-21-30-506-0000-0060

Motion by	Second by	Action	
	-		

B. Case No. 07-87-CEB
Owens Silver Star RE, LLC and

Jack E. Owens, Registered Agent

Inspector: Jason Rucker

The Board heard this case on June 26, 2008 and tabled the case to October 23, 2008.

This case was originally heard by the Board on September 27, 2007; and an Order was entered giving the Respondents a compliance date of January 11, 2008. An Affidavit of Non-Compliance was filed by Inspector Rucker after reinspection on February 12, 2008.

This property is **NOT** in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$71,500.00** for 286 days of non-compliance, from January 12, 2008 through and including October 23, 2008, at \$250.00 per day; and the fine shall continue to accrue at \$250.00 per day until compliance is obtained. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Florida Building Code, Section 105.1

Described as: 1) Constructed additions to front and back of home without permits

Location: 303 Salina Drive, Altamonte Springs (Commission District 3)

Tax Parcel ID # 07-21-30-503-0000-1070

Motio	on by	Second by	Action	
	Casa Na 09	42 CEP		

C. Case No 08-42-CEB Lillian M. Nouvel

Inspector: Jason Rucker

The Board heard this case on July 24, 2008 and tabled the case to September 25, 2008. Staff continued the case to October 23, 2008.

This case was originally heard by the Board on April 17, 2008 and an Order was entered giving the Respondent a compliance date of May 19, 2008. An Affidavit of Non-Compliance was filed by Inspector Rucker after reinspection on May 20, 2008.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$39,250.00** for 157 day of non-compliance, May 20, 2008 through and including through and including October 23, 2008, at **\$250.00** per day; and the fine shall continue to accrue at \$250.00 per day until compliance is obtained. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Florida Building Code, Section 105.1.

Described as: 1) Construction without the required permits

Location: 213 Temple Avenue, Casselberry (Commission District 4)

Tax Parcel ID # 19-21-30-507-0B00-0070

Motion by _____ Second by ____ Action____

D. Case No. 08-64-CEB

John L. Jackson and Marwin Glenn

Code Enforcement Officer: Jerry Robertson

The Board heard this case on August 28, 2008 and tabled the case to October 23, 2008.

This case was originally heard by the Board on April 17, 2008; and an Order was entered giving the Respondents a compliance date of July 11, 2008. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on July 14, 2008.

This property is **NOT** in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$10,400.00** for 104 days of non-compliance, from July 12, 2008 through and including October 23, 2008, at \$100.00 per day; and the fine shall continue to accrue at \$100.00 per day until compliance is obtained. 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) The remains or rubble of structures which have been burned.

stricken by other casualty, or demolished

Location: 1508 Battle Street, Oviedo (Commission District 1)

Tax Parcel ID # 11-21-31-508-1100-0090

E. Case No. 08-117-CEB Claricianna Moreau

Code Enforcement Officer: Joann Tamulonis

This case was originally heard by the Board on July 24, 2008; and an Order was entered giving the Respondent a compliance date of August 25, 2008. An Affidavit of Partial Compliance and an Affidavit of Non-Compliance were filed by the Code Enforcement Officer after reinspection on August 27, 2008.

This property is **NOT** in compliance for Violations 1 and 3 at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$14,750.00** for 59 days of non-compliance, from August 26, 2008 through and including October 23, 2008, at \$250.00 per day; and the fine shall continue to accrue at \$250.00 per day until compliance is obtained. 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 (j) and (l) and Seminole County Land Development

Code, Chapter 30, Part 11, Section 30.182

Described as: 1) Used/scrap building materials

2) Junked, abandoned or inoperable vehicle(s) not kept within an

enclosed garage or an attached carport

3) Outside storage which is not a permitted customary use in an R-1

zoned property

Location: 3191 Windchime Circle West, Apopka (Commission District 3)

Tax Parcel ID # 18-21-29-524-0000-1540

Motion by	Second by	Action

F. Case No. 08-126-CEB

Richard and Laura Napoleon

Code Enforcement Officer: Joann Tamulonis

This case was originally heard by the Board on August 28, 2008; and an Order was entered giving the Respondents a compliance date of September 11, 2008. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on September 12, 2008.

This property is **NOT** in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$4,200.00** for 42 days of non-compliance, from September 12, 2008 through and including October 23, 2008, at \$100.00 per day; and the fine shall continue to accrue at \$100.00 per day until compliance is obtained. 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 (h)

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

within 75' of a structure

Location: 211 Nob Hill Circle, Longwood (Commission District 3)

Tax Parcel ID # 04-21-29-514-0B00-0030

Motion by _____ Second by ____ Action____

FORECLOSURE

NONE

VII Approval of the minutes from the meeting of September 25, 2008

VIII Confirmation date of next meeting: December 4, 2008

IX Old Business –

<u>CASE NO 07-98-CEB – CCCH DERBYSHIRE</u> – On August 28, 2008, the Code Enforcement Board reduced the Respondent's \$3,000.00 fine to \$200.00 if paid within 30 days. The Respondent paid the amount on August 28, 2008. A Satisfaction of Fine will be executed by the Chair at this meeting.

<u>CASE NO 08-04-CEB – PIERMONT</u> – On August 28, 2008, the Code Enforcement Board reduced the Respondents' \$5,550.00 fine to \$200.00 if paid within 30 days. The Respondents paid the amount on August 28, 2008. A Satisfaction of Fine will be executed by the Chair at this meeting.

<u>CASE NO 08-88-CEB – ALLEN & ROSIER</u> – On August 28, 2008, the Code Enforcement Board reduced the Respondents' \$2,100.00 fine to \$100.00 if paid

within 30 days. The Respondents paid the amount on September 24, 2008. A Satisfaction of Fine will be executed by the Chair at this meeting.

X New Business -

NONE

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.

10/23/08 Agenda