CODE ENFORCEMENT BOARD

SEMINOLE COUNTY, FLORIDA



July 23, 2009 – 1:30 pm Seminole County Services Building – Room 1028 1101 East First Street, Sanford, FL 32771

I	Call to Order		
II	Pledge of Allegiance		
III	Roll Call		
IV	Swearing in of Witnesses		
V	Approval of Revised Agenda (Respondents present & Cons	ent it	ems for discussion)
VI	Public Hearings –		
	Repeat Cases New Cases	4 8	(2) Complied Prior to Hearing (1) Continued by Staff
	Continued Cases Special Request Consent Agenda Foreclosure Add-On	3 0 6 0	(1) Continued by Stair

REPEAT CASES

POSTED NOTICE OF HEARING

A. Case No. 05-47-CEB Deborah G. Danaher

Code Enforcement Officer: Joann Tamulonis

This is a repeat violation. The original violation was heard by the Board on June 23, 2005; and an Order was entered giving the Respondent a compliance date of June 27, 2005. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on June 29, 2005.

An Affidavit of Repeat Violation was filed after reinspection on November 7, 2006. An Affidavit of Compliance was filed after reinspection on January 18, 2007. The Board reduced the \$9,100.00 fine to \$100.00 if paid within 30 days. The fine was paid within the time specified.

A second Affidavit of Repeat Violation was filed after reinspection on June 10, 2009.

This property is NOT in compliance at this time.

<u>RECOMMENDATION:</u> The Board issue an Order constituting a **fine** on a repeat violation in the amount of \$15,400.00 for 44 days of non-compliance, from June 10, 2009 through and including **July 23, 2009** at \$350.00 per day; and the fine shall continue to accrue at \$350.00 for each day the violation continues past or is repeated after July 23, 2009. 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 secured according to code.

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

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

CERTIFIED NOTICE OF HEARING

B. Case No. 05-90-CEB Roger & Kim Trizzino

Code Enforcement Officer: Dorothy Hird

This is a repeat violation. The original violation was heard by the Board on December 1, 2005; and an Order was entered finding the Respondents in compliance as of December 1, 2005.

An Affidavit of Repeat Violation was filed after reinspection on May 13, 2009. An Affidavit of Compliance after Repeat Violation was filed after reinspection on May 19, 2009.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **fine** on a repeat violation in the amount of \$600.00 for six days of non-compliance, from May 13 through and including May 18, 2009, at **\$100.00 per day**; and further order that if the violation is repeated after July 23, 2009, the fine shall be increased to \$150.00 per day for each day the violation is repeated after July 23, 2009. 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).

Described as: 1) Accumulation of trash and debris

Location: 230 Cherrywood Drive (Commission District 4)

Tax Parcel ID # 19-21-30-511-0000-0720

CERTIFIED NOTICE OF HEARING

C. Case No. 06-25-CEB James & Lorna Lickert

Code Enforcement Officer: Joann Tamulonis

This is a repeat violation. The original violation was heard by the Board on March 23, 2006; and an Order was entered giving the Respondents a compliance date of April 30, 2006. Affidavits of Partial Compliance and Compliance were filed by the Code Enforcement Officer after reinspections on May 1, 2006, May 23, 2006 and August 25, 2006. The Board reduced the \$121,500.00 fine to \$500.00 if paid within 30 days. The fine was paid within the time specified.

An Affidavit of Repeat Violation was filed after reinspection on June 5, 2009. An Affidavit of Partial Compliance for Violation 1, abandoned appliances, was filed after reinspection on July 7, 2009.

This property is NOT in compliance at this time for Violations 2, 3 and 4.

RECOMMENDATION: The Board issue an Order constituting a fine on a repeat violation in the total amount of \$44,750.00. This fine represents 32 days of noncompliance for Violation 1, from June 5, 2009 through and including July 6, 2009, at \$250.00 per day and 49 days of non-compliance for Violations 2, 3 and 4, from June 5, 2009 through and including July 23, 2009 at \$250.00 per day, per violation (3 violations x \$250.00 = \$750.00 per day); and the fine shall continue to accrue at \$250.00 per day, per violation for each day a violation continues past or is repeated after July 23, 2009. 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 (f), (h), (j) and (p).

1) Unusable or abandoned stoves, appliances or other white goods Described as:

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

3) Used and/or scrap building materials.

4) 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.

2660 Orange Ct, Longwood (Commission District 3) Location:

Tax Parcel ID # 05-21-29-502-0B00-0440

Motion by Second by Action

CERTIFIED NOTICE OF HEARING

D. Case No. 08-132-CEB Virginia D. Burgess, et al

Code Enforcement Officer: Dorothy Hird

This is a repeat violation. The original violation was heard by the Board on September 25, 2008; and an Order was entered giving the Respondents a compliance date of October 10, 2008. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on October 13, 2008.

An Affidavit of Repeat Violation was filed after reinspection on May 6, 2009. An Affidavit of Compliance after Repeat Violation was filed after reinspection on May 14, 2009.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a fine on a repeat violation in the amount of \$600.00 for eight days of non-compliance, from May 6 through and including May 13, 2009, at \$75.00 per day; and further order that if the violation is repeated after July 23, 2009, the fine shall be increased to \$100.00 per day for each day the violation is repeated after July 23, 2009. 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, abandoned or inoperable vehicle(s) not kept within an

enclosed garage or an attached carport

Location: 414 Basewood Lane, Altamonte Springs (Commission District 4)

Tax Parcel ID # 07-21-30-503-0000-0480

NEW CASES

CERTIFIED NOTICE OF HEARING

A. Case No. 09-96-CEB Alan W. & Aileen S. Davis

Code Enforcement Officer: Dorothy Hird

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

Section 95.3 (g).

Described as: 1) The accumulation of trash and debris

Location: 349 E. Alpine Street, Altamonte Springs (Commission District 4)

Tax Parcel ID # 11-21-29-503-0G00-0220

Motion by	_ Second by	Compliance Date	Fine

CERTIFIED NOTICE OF HEARING

B. Case No. 09-97-CEB

Luz E. Rodriguez

Code Enforcement Officer: Pamela Taylor

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

30.74, 30.182, 30.183, 30.742 & 30.743

Described as: 1) Storing boats, trailers, semi-trucks, trailers and vehicles in a C-1

zoned area or an area zoned R-1 is not a permitted use or a use

allowed with a special exception

2) Parking of semi-trailers and cargo trailers is not permitted

Location: 114 Bieder Avenue, Sanford (Commission District 5)

Tax Parcel ID # 12-20-30-509-0000-0540

Motion by	Second by	_ Compliance Date	_ Fine

POSTED NOTICE OF HEARING

C. Case No. 09-98-CEB

Tina Persaud &

EMC Mortgage Corporation (lis pendens)

Inspector: Jason Rucker

Violation Charged: Florida Building Code, Section 105.1

Described as: 1) Construction without the required permits

Location: 3604 Datura Court. Winter Park (Commission District 1)

Tax Parcel ID # 34-21-30-506-0900-0180

Motion b	ру	Second by	_ Compl	iance Date	Fine	
				CONTIN	UED BY STAFF	
So		-99-CEB pirituality, Inc. ason Rucker				
Violation Describe Location		Florida Building Co 1) Construction wi 5700 Markham Wo 1ax Parcel ID # 02	ithout the oods Roa	required permits d, Lake Mary (Co		ct 5)
Motion k	ру	_ Second by	_ Compl	iance Date	Fine	

POSTED NOTICE OF HEARING

E. Case No. 09-100-CEB

Timothy J. & Ann Flavin Inspector: Jason Rucker

Violation Charged: Florida Building Code, Section 105.1

Described as: 1) Construction without the required permits

Location: 437 East Osceola Road, Geneva (Commission District 2)

Tax Parcel ID # 10-20-32-3AE-0250-0000

Motion by	Second by	Compliance Date	Fine

CERTIFIED NOTICE OF HEARING

F. Case No. 09-101-CEB

Jefferson & Maria Juri

Code Enforcement Officer: Joann Tamulonis

Violation Charged: Seminole County Land Development Code, Chapter 30, Part 11,

Section 30.182

Described as: 1) More than one dwelling is not a permitted use of the property

zoned R-1

Location: 453 Citadel Drive, Altamonte Springs (Commission District 3)

Tax Parcel ID # 15-21-29-510-0600-0060

Motion by	Second by	Compliance Date	Fine

POSTED NOTICE OF HEARING

G. Case No. 09-102-CEB

Mary Jo Johns, Life Estate

Derek M. Johns & Gnardy J. Johns, et al

Code Enforcement Officer: Donna Wisniewski

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

Section 95.3 (j) and (l)

Described as: 1) Used or scrap building materials

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

enclosed garage or an attached carport

Location: 160 East 2nd Street, Chuluota (Commission District 1)

Tax Parcel ID # 21-21-32-5CG-1000-0030

Motion by _____ Second by ____ Compliance Date____ Fine____

COMPLIED PRIOR TO HEARING

H. Case No. 09-103-CEB

Cong V. & Xuan T. Mai

Senior Code Enforcement Officer: Deboral Leigh

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

Section 95.3 (A)

Described as: 1) Stagnant or foul water within a swimming pool Location: 356 Devon Place, Lake Mary (Commission District 5)

Tax Parcel ID # 12-20-29-513-0000-0140

Motion by _____ Second by ____ Compliance Date____ Fine____

CERTIFIED NOTICE OF HEARING

I. Case No. 09-104-CEB

Michael & Rochelle Turner & HSBC Bank, USA (lis pendens)

Senior Code Enforcement Officer: Deborah Leigh

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

Section 95.3 (n)

Described as: 1) Stagnant or foul water within a swimming pool Location: 8267 Day Lily Place, Sanford (Commission District 5)

Tax Parcel ID # 34-19-29-504-0000-0160

Motion by _____ Second by ____ Compliance Date____ Fine____

COMPLIED PRIOR TO HEARING

J. Case No. 09-105-CEB

Stewart J. Panfen &

Regions Bank (lis pendens)

Senior Code Enforcement Officer: Deborah Leigh

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

Section 95.3 (n)

Described as: 1) Stagnant or foul water within a swimming pool

Location: 1999 Henley Downs Place, Lake Mary (Commission District 5)

Tax Parcel ID # 35-19-29-5QF-0000-0220

Motion by _____ Second by ____ Compliance Date____ Fine____

CERTIFIED NOTICE OF HEARING

K. Case No. 09-106-CEB

Jose M. & Staci L. Fragoso &

Nationstar Mortgage, LLC (lis pendens)

Senior Code Enforcement Officer: Deborah Leigh

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: 1168 Cathcart Circle, Sanford (Commission District 5)

Tax Parcel ID # 20-19-30-516-0000-0450

Motion by	Second by	Compliance Date	Fine

CONTINUED CASE

CERTIFIED NOTICE OF HEARING

A. Case No. 09-74-CEB

Jeanette Argentine, Trustee

Code Enforcement Officer: Dorothy Hird

NEW CASE CONTINUED FROM MAY 28, 2009 BY STAFF

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

30.762 and 30.763

Described as: 1) A tree service business is not a permitted use or use allowed by

Special Exception on C-2 zoned property

Location: 9930 South Hwy. 17-92, Maitland (Commission District 4)

Tax Parcel ID # 19-21-30-300-0550-0000

Motion by	Second by	Compliance Date	Fine

POSTED NOTICE OF HEARING

B. Case No. 09-76-CEB John A. Farina, Trustee

Code Enforcement Officer: Pamela Taylor

NEW CASE CONTINUED FROM MAY 28, 2009 BY STAFF

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

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

1) The accumulation of trash and debris Described as:

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

3) The remains or rubble of structure which have been burned, stricken by other casualty, or demolished

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

enclosed garage or an attached carport

5) 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: 2185 Longwood Lake Mary Rd., Longwood (Commission District 5)

Tax Parcel ID # 20-20-30-300-013A-0000

Motion by _ Second by Compliance Date Fine

CERTIFIED NOTICE OF HEARING

C. Case No. 09-83-CEB

Wallace & Geraldine Davis

Code Enforcement Officer: Dorothy Hird

NEW CASE CONTINUED FROM JUNE 25, 2009 BY STAFF

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

Section 95.3 (g)

1) The accumulation of trash and debris Described as:

Location: Jackson Street, Seminole County (Commission District 4)

Tax Parcel ID # 18-21-30-503-0C00-0110

Second by Compliance Date Motion by Fine

SPECIAL REQUEST

NONE

CONSENT AGENDA

A. Case No. 06-74-CEB
Romero Leader and Mayard Phebe
Code Enforcement Officer: Dorothy Hird

This is a second repeat violation. The original violation was heard by the Board on September 28, 2006; and an Order was entered giving the Respondents a compliance date of October 13, 2006. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on October 23, 2006.

An Affidavit of Repeat Violation was filed after reinspection on April 18, 2008. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on June 16, 2008. On June 26, 2008, an Order was entered imposing a fine in the amount of \$100.00 which remains unpaid.

A second Affidavit of Repeat Violation was filed after reinspection on October 31, 2008. On January 22, 2009, an Order was entered finding the Respondents in Repeat Violation and imposing a fine of \$10,500.00 for 84 days of non-compliance. The fine continued to accrue at \$200.00 per day until an Affidavit of Compliance was filed after reinspection on February 12, 2009.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a lien in the reduced amount of \$771.09 which represents \$500.00 plus the Administrative costs in processing the case. The property was out of compliance for 84 days, from October 23, 2008 through and including January 22, 2009, at \$125.00 per day and 20 days, from January 23, 2009 through and including February 11, 2009, at \$200.00 per day which totals a total accrued fine of \$14,500.00. 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' from any structure

Location: 137 Hattaway Drive, Altamonte Springs (Commission District 3)

Parcel I. D. # 14-21-29-5BF-0000-0300

Motion by _____ Second by ____ Action____

B. Case No 07-09-CEB

Derek L. Hutley

Code Enforcement Officer: Dorothy Hird

This is a second repeat violation. The original violation was heard by the Board on February 22, 2007; and an Order was entered giving the Respondent a compliance date of February 23, 2007. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on February 26, 2007.

An Affidavit of Repeat Violation was filed after reinspection on March 28, 2008. An Affidavit of Compliance after Repeat Violation was filed by the Code Enforcement Officer after reinspection on April 3, 2008. A fine in the amount of \$1,500.00 was reduced to \$10.00 which was paid.

A second Affidavit of Repeat Violation was filed after reinspection on December 19, 2008. An Affidavit of Compliance after Repeat Violation was filed by the Code Enforcement Officer after reinspection on January 8, 2009. On February 26, 2009, an Order was entered finding the Respondent in Repeat Violation and imposing a fine of \$6,000.00 for 20 days of non-compliance.

This property is presently in compliance.

<u>RECOMMENDATION:</u> The Board issue an Order constituting a **lien** on a repeat violation in the amount of **\$6,000.00** for 20 days of non-compliance, from December 19, 2008 through and including January 7, 2009, at **\$300.00 per day.** The Clerk shall record said Order in the Public Records of Seminole County.

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

30.1350.

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.

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

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

C. Case No. 08-68-CEB Shawnette U. Pankey Inspector: Jason Rucker

On March 26, 2009, this case was continued by the Board.

This case was originally heard by the Board on June 26, 2008; and an Order was entered giving the Respondent a compliance date of December 31, 2008. An Affidavit of Non-Compliance was filed by the Inspector after reinspection on January 9, 2009.

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

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$20,400.00** for 204 days of non-compliance, from January 1, 2009 through and including July 23, 2009, at \$100.00 per day; and the fine shall continue to accrue at **\$100.00** per day for each day the violation continues or is repeated past July 23, 2009. 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: 503 Peach Tree Lane, Altamonte Springs (Commission District 4)

Tax Parcel ID # 07-21-30-503-0000-0590

Motion by	Second by	_ Action	
	-		

D. Case No. 08-122-CEB
Gwendolyn Cantrell-Frank
Inspector: Jason Rucker

On March 26, 2009, this case was continued by the Board.

This case was originally heard by the Board on August 28, 2008; and an Order was entered giving the Respondent a compliance date of February 19, 2009. An Affidavit of Non-Compliance was filed by the Inspector after reinspection on February 20, 2009.

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

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$38,500.00** for 154 days of non-compliance, from February 20, 2009 through and including July 23, 2009, at \$250.00 per day; and the fine shall continue to accrue at

\$250.00 per day for each day the violation continues or is repeated past July 23, 2009. 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: 407 Basewood Lane, Altamonte Springs (Commission District 4)

Tax Parcel ID # 07-21-30-503-0000-0370

Motion by _____ Second by ____ Action____

E. Case No. 08-124-CEB

Lokesh S. and Dianne Persaud Inspector: Jason Rucker

On January 22, 2009 and March 26, 2009, the Board continued this case.

This case was originally heard by the Board on September 25, 2008; and an Order was entered giving the Respondents a compliance date of November 28, 2008. An Affidavit of Non-Compliance was filed by the Inspector after reinspection on December 16, 2008. An Affidavit of Compliance was filed by the Inspector after reinspection on July 21, 2009.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$58,500.00** for 234 days of non-compliance, from November 29, 2008 through and including July 20, 2009, at \$250.00 per day. 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: 2820 Beardall Avenue, Sanford (Commission District 5)

Tax Parcel ID # 04-20-31-300-0350-0000

F. Case No. 09-73-CEB

Leo Ellzy

Code Enforcement Officer: Pamela Taylor

This case was originally heard by the Board on May 28, 2009; and an Order was entered giving the Respondent a compliance date of June 11, 2009. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on June 12, 2009. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on July 16, 2009.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the **reduced** amount of \$906.43 which represents \$500.00 plus the Administrative costs in processing the case. The property was out of compliance 34 days, from June 12, 2009 through and including July 15, 2009, at \$100.00 per day which totals an accrued fine of \$3,400.00. 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, abandoned or inoperable vehicle(s) not kept within an

enclosed garage or an attached carport

Location: 46 SR E, Sanford (Commission District 5)

Tax Parcel ID # 32-19-31-513-0000-2480

Motion by	Second by	Action
		-

FORECLOSURE

NONE

VII Approval of the minutes from the meeting of June 25, 2009

VIII Confirmation date of next meeting: August 27, 2009

IX Old Business - NONE

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.

07/23/09 Agenda