

APPROVED
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

MINUTES

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

I Call to Order

The scheduled meeting of the Seminole County Code Enforcement Board was called to order at 1:34 p.m. in the Seminole County Services Building, Room 1028, 1101 East First Street, Sanford, Florida.

A few moments of silence was held followed by the Pledge of Allegiance.

II Pledge of Allegiance

III Roll Call

Members Present: Paul Sladek, Chair
Bill Fahey, Vice Chair
Dennis Warren
Russ Hauck

Members Excused: Grace Chewning
Tom Hagood
Jay Ammon

Present & Sworn: Roger Trizzino, Respondent, 05-90-CEB
James Lickert, Respondent, 06-25-CEB
Christina Lickert, daughter of Respondent, 06-25-CEB
Arthur Oliver, brother of Respondent, 08-132-CEB
Luz Rodriquez, Respondent, 09-97-CEB
Patty Diaz, Translator for Respondent, 09-97-CEB
Jefferson Juri, Respondent, 09-101-CEB
Jose Fragoso, Respondent, 09-106-CEB
Rhonda Minor, daughter of Respondent, 09-74-CEB
Velma Rahynes, daughter of Respondent, 09-83-CEB
Derek Hutley, Respondent, 07-09-CEB
Gwendolyn Cantrell-Frank, Respondent, 08-122-CEB
Dianne Persaud, Respondent, 08-124-CEB
Deborah Leigh, Senior Code Enforcement Officer, SCSO
Donna Wisniewski, Code Enforcement Officer, SCSO
Dorothy Hird, Code Enforcement Officer, SCSO
Joann Tamulonis, Code Enforcement Officer, SCSO

Pamela Taylor, Code Enforcement Officer, SCSO
Jason Rucker, Inspector, Seminole County
Joy Williams, Planner, Seminole County

Others Present: Yvette Brown, Code Enforcement Board Attorney
Jane Spencer, Clerk to the Code Enforcement Board

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IV Swearing in of Witnesses

Alan Sanabria, tenant of Respondent, 09-74-CEB

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V Agenda Update and 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.

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – YES
RUSS HAUCK – YES**

MOTION CARRIED 4 – 0.

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The following cases will not be heard today:

Science of Spirituality, Inc., 09-99-CEB
Continued by Staff

Cong V. & Xuan T. Mai, 09-103-CEB
Complied Prior t to Hearing

Stewart Panfen & Regions Bank, 09-105-CEB
Complied Prior to Hearing

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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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, Maitland (Commission District 4)
Tax Parcel ID # 19-21-30-511-0000-0720

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird stated that this was a repeat violation. Officer Hird stated that as of her inspection on May 19, 2009, the property was in compliance.

Officer Hird stated that the recommendation would be to find that the Respondents were in repeat violation and impose a fine in the amount of **\$600.00** for six days of non-compliance and increase the fine to \$150.00 per day if the violation continues or is repeated past July 23, 2009. Officer Hird further stated that after conversations with Mr. Trizzino today, she would not be opposed to the Board reducing the fine.

Roger Trizzino, Respondent, was present at the hearing and testified on his own behalf. Mr. Trizzino stated that the violation occurred while waiting for the "Save the Children" organization to come and pick up the remains of a yard sale and requested leniency from the Board.

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Dennis Warren asked Officer Hird to estimate how much time she had spent on the case. Officer Hird stated that she had spent one hour.

Motion by Bill Fahey, seconded by Dennis Warren, to accept Staff's recommendation but reduce the fine to \$25.00.

Yvette Brown, attorney to the Code Board, asked for clarification as to a time frame for the fine to be paid.

Motion by Bill Fahey, seconded by Dennis Warren, to require the \$25.00 to be paid by September 30, 2009.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY DENNIS WARREN, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON A REPEAT VIOLATION IN COMPLIANCE BE:

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE**

The Respondents are the owner of record of the property (Tax Parcel I.D. # 19-21-30-511-0000-0720) located at 230 Cherrywood Drive, Maitland, located in Seminole County and legally described as follows:

LEG LOT 72 LAKEWOOD SHORES 1ST ADD
PB 11 PG 56

This case came on for public hearing before the Code Enforcement Board of Seminole County on December 1, 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). Said Order further found that the Respondents were in compliance at the time of the hearing.

Said Order stated that the Respondents were in compliance as of December 1, 2005 and that a fine in the amount of \$100.00 per day would be imposed if the violation was continued or repeated past December 1, 2005.

An Affidavit of Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the violation was being repeated after reinspection on May 13, 2009.

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An Affidavit of Compliance after Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondents after reinspection on May 19, 2009.

Based on the testimony and evidence presented, the Respondents were in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated December 1, 2005.

Therefore, the Board finds that the Respondents were in repeat violation and orders that the fine in the amount of **\$600.00** for six days of non-compliance **be reduced to \$25.00**. It is further ordered that the Respondents have until **September 30, 2009** in which to pay the reduced fine of **\$25.00**. If the Respondents do not pay this amount on or before **September 30, 2009**, the fine will revert to the original amount of \$600.00.

It is further ordered that if the violation is repeated past July 23, 2009, the fine shall be increased to **\$150.00 per day** for each day the violation continues past or is repeated after July 23, 2009.

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

DONE AND ORDERED this 23rd day of July 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – YES
RUSS HAUCK – YES**

MOTION CARRIED 4 – 0.

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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.

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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 (l)
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

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird stated that this was a repeat violation. Officer Hird stated that the vehicle had been removed from the property and the property was in compliance.

Officer Hird stated that the recommendation would be to find that the Respondent was in repeat violation and impose a fine in the amount of \$600.00 for eight days of non-compliance and increase the fine to \$100.00 per day if the violation continues or is repeated past July 23, 2009.

Arthur Oliver, brother to the Respondent, was present at the hearing and testified on his own behalf. Mr. Oliver stated that the car was only on the property for one day, not eight and that it was operable. Mr. Oliver stated that the car was removed after one day but that it took time to get Officer Hird out to reinspect.

Motion by Bill Fahey, seconded by Russ Hauck, to accept Staff's recommendation but rescind the fine.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY RUSS HAUCK, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE BE:

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE**

The Respondent is the owner of record of the property (Tax Parcel I.D. # 07-21-30-503-0000-0480) located at 414 Basewood Lane, Altamonte Spring, located in Seminole County and legally described as follows:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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LEG LOT 48 GRANADA SOUTH PB 15 PG 100

This case came on for public hearing before the Code Enforcement Board of Seminole County on September 25, 2008, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (l).

Said Order stated that a fine in the amount of \$75.00 per day would be imposed if the Respondent did not take certain corrective action by October 10, 2008. Compliance was obtained after reinspection on October 13, 2008.

An Affidavit of Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the violation was being repeated after reinspection on May 6, 2009.

An Affidavit of Compliance after Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondent after reinspection on May 14, 2009.

Based on the testimony and evidence presented, the Respondent was in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated September 25, 2008.

Therefore, the Board finds that the Respondent was in repeat violation and orders that the fine in the amount of **\$600.00** for eight days of non-compliance **be rescinded**.

It is further ordered that if the violation is repeated past July 23, 2009, the fine shall be increased to \$100.00 per day for each day the violation continues past or is repeated after July 23, 2009.

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

DONE AND ORDERED this 23rd day of July 2009, in Seminole County, Florida.

PAUL SLADEK – YES
BILL FAHEY – YES

DENNIS WARREN – NO
RUSS HAUCK – YES

MOTION CARRIED 3 – 1.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Case No. 09-97-CEB
Luz E. Rodriguez
Code Enforcement Officer: Pamela Taylor

NEW CASE

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

Pamela Taylor, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Taylor stated that as of her last inspection on July 22, 2009, some of the trucks had been removed. Officer Taylor stated that two trucks remained.

Officer Taylor stated that the recommendation would be to comply by July 30, 2009 with a fine of \$250.00 per day if the violations continue or are repeated past July 30, 2009.

Luz Rodriguez, Respondent, was present at the hearing and testified on his own behalf. Patty Diaz, friend of the Respondent, was present at the hearing to translate for the Respondent. Mr. Rodriguez, through the translator, stated that as of yesterday, everything had been removed.

Paul Sladek asked the Respondent if he understands that the vehicles can't be on the property in the future. Mr. Rodriguez stated that he did understand.

After discussion of this case by the Board:

MOTION BY DENNIS WARREN, SECONDED BY BILL FAHEY, 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 09-97-CEB, it is determined that the Respondent is:

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- (a) the owner of record of the property (Tax Parcel ID # 12-20-30-509-0000-0540) located at 114 Bieder Avenue, Sanford, located in Seminole County and legally described as follows:

LEG LOT 54 (LESS W 61.50 FT) & W 50 FT OF LOT 55 & ALL LOT
56 & ALL VACD ALLEY BET SOUTH SANFORD HEIGHTS ADD
PB 2 PG 119

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Land Development Code, Chapter 30, Sections 30.74, 30.182, 30.183, 30.742 & 30.743

It is hereby ordered that the Respondent shall correct the violations on or before July 30, 2009. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) REMOVE ALL BOATS, TRAILERS, SEMI-TRUCKS, TRAVEL TRAILERS, CAMPER OR ANY OTHER RECREATIONAL VEHICLE, VEHICLES, CARS AND TRUCKS**

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 July 30, 2009.

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 23rd day of July 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – YES
RUSS HAUCK – YES**

MOTION CARRIED 4 – 0.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 23, 2009

Case No. 09-101-CEB
Jefferson & Maria Juri
Code Enforcement Officer: Joann Tamulonis

NEW CASE

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

Joann Tamulonis, Code Enforcement Officer, was present and testified on behalf of the County and entered into evidence photographs of the violation. Officer Tamulonis stated that as of her inspection on June 23, 2009, the home had been returned to a single family dwelling.

Officer Tamulonis recommended that the Board issue an Order finding Respondents were in violation, are now in compliance and impose a fine of \$250.00 for each day the violation is repeated past July 23, 2009.

Russ Hauck asked if the violations included building violations. Officer Tamulonis stated that the Building Department is involved with their own investigation.

Jefferson Juri, Respondent, was present at the hearing and testified on his own behalf. Mr. Juri stated that the changes had been made by his tenant without his knowledge or permission and that the changes had been removed. He also stated that he had been in contact with Jason Rucker from the Seminole County Building Department.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY DENNIS WARREN, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS MATTER came before the Code Enforcement Board of Seminole County for hearing on **JULY 23, 2009**, pursuant to a Statement of Violation and Notice of Hearing, and the Board having examined the file, Statement of Violation and Notice of Hearing, and having heard sworn testimony from the Code Enforcement Officer for the County, and Respondents, does hereby find:

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- 1) Proper notice was given to the Respondents.
- 2) The Respondents are the owner of record of the property (Tax Parcel ID # 15-21-29-510-0600-0060) located at 453 Citadel Drive, Altamonte Spring, located in Seminole County and legally described as follows:

LOT 6 BLK 6 WEATHERSFIELD 1ST ADD
PB 12 PG 67

- 3) The Respondents were in violation of Seminole County Land Development Code, Chapter 30, Part 11, Section 30.182.
- 4) The Respondents corrected the violation on or before July 23, 2009.

Based upon these findings the Board does hereby order as follows:

- 1) Violation did exist and was corrected prior to the hearing in this matter.
- 2) Respondents shall refrain from repeating the violation. **In the event Respondents repeat the violation after July 23, 2009, a fine of \$250.00 per day will accrue for each day the violation recurs after July 23, 2009.**
- 3) This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 23rd day of July 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – YES
RUSS HAUCK – YES**

MOTION CARRIED 4 – 0.

Case No. 09-106-CEB
Jose M. & Staci L. Fragoso &
Nationstar Mortgage, LLC (lis pendens)
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

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Location: 1168 Cathcart Circle, Sanford (Commission District 5)
Tax Parcel ID # 20-19-30-516-0000-0450

Deborah Leigh, Senior Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Leigh stated that as of her last inspection on July 14, 2009, the uncultivated vegetation remained on the property.

Officer Leigh stated that the recommendation would be to comply by August 10, 2009 with a fine of \$50.00 per day if the violation continues or is repeated past August 10, 2009.

Jose M. Fragoso, Respondent, was present at the hearing and testified on his own behalf. Mr. Fragoso stated that the violation had occurred due to a financial hardship but that the property was now in compliance. Mr. Fragoso stated that he was in bankruptcy and that the house would be going back to the bank on August 4, 2009.

Mr. Fragoso provided cell phone pictures of the property to the Board and the Code Enforcement Officer.

After viewing the photos of the property, Officer Leigh revised her recommendation to be that the Board issue an Order finding Respondents were in violation, are now in compliance and impose a fine of \$50.00 for each day the violation is repeated past July 23, 2009

After discussion of this case by the Board:

MOTION BY DENNIS WARREN, SECONDED BY BILL FAHEY, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS MATTER came before the Code Enforcement Board of Seminole County for hearing on **July 23, 2009**, pursuant to a Statement of Violation and Notice of Hearing, and the Board having examined the file, Statement of Violation and Notice of Hearing, and having heard sworn testimony from the Code Enforcement Officer for the County, and Respondents, does hereby find:

- 1) Proper notice was given to the Respondents.
- 2) The Respondents are the owners of record of the property (Tax Parcel ID # 20-19-30-516-0000-0450) located at 1168 Cathcart Circle Sanford, located in Seminole County and legally described as follows:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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LOT 45 WOODSONG PB 61 PGS 86 & 87

- 3) The Respondents was in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h).
- 4) The Respondents corrected the violation on or before July 23, 2009.

Based upon these findings the Board does hereby order as follows:

- 1) Violation did exist and was corrected prior to the hearing in this matter.
- 2) Respondents shall refrain from repeating the violation. **In the event Respondents repeat the violation after July 23, 2009, a fine of \$50.00 per day will accrue for each day the violation recurs after July 23, 2009.**
- 3) This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 23rd day of July 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – YES
RUSS HAUCK – YES**

MOTION CARRIED 4 – 0.

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

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird stated that as of her inspection today, the business remained on the property.

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Officer Hird stated that the Respondent needed to either cease the operation of the business or obtain a special exception from the County to come into compliance.

Officer Hird stated that she was altering the recommendation in the PowerPoint presentation to a recommendation that extended the compliance date to November 1, 2009 with a fine of \$250.00 per day if the violation continues or is repeated past November 1, 2009.

Officer Hird informed the Board that Joy Williams with the Seminole County Planning Division was present to discuss any questions concerning the Respondent obtaining a special exception.

Rhonda Minor, daughter of the Respondent, was present at the hearing and testified on behalf of the Respondent. Ms. Minor stated that she was dealing with Ms. Williams concerning obtaining a special exception.

Alan Sanabria, tenant of the Respondent and operator of the business, was present at the hearing and testified on behalf of the Respondent. Mr. Sanabria asked for clarification as to what the violation was.

A general discussion was had concerning the violation and what types of businesses would be permitted on the property. Joy Williams, Planner, discussed the special exception process and what types of businesses would be allowed.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY DENNIS WARREN, 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 09-74-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 19-21-30-300-0550-0000) located at 9930 S Us Hwy 17-92, Maitland, located in Seminole County and legally described as follows:

LEG SEC 19 TWP 21S RGE 30E FROM NE COR OF SW
1/4 OF SE 1/4 OF SW 1/4 RUN W 221.48 FT S 35 DEG 54
MIN 32 SEC W 301.61 FT S 39 DEG 54 MIN 10 SEC W 100
FT TO POB RUN S 39 DEG 54 MIN 10 SEC W 314.59 FT
N 2.3 FT NLY ON CURVE 322.91 FT S 50 DEG 5 MIN 50
SEC E 79.98 FT TO BEG

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- (b) in possession or control of the property, and
- (c) in violation of Seminole County Land Development Code, Chapter 30, Section 30.762 and 30.763.

It is hereby ordered that the Respondent shall correct the violation on or before November 1, 2009. In order to correct the violation, the Respondent shall take the following remedial action:

1) CEASE THE OPERATION OF A TREE SERVICE ON THE C-2 ZONED PROPERTY OR OBTAIN A SPECIAL EXCEPTION

If the Respondent does 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 November 1, 2009.

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 23rd day of July 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – YES
RUSS HAUCK – YES**

MOTION CARRIED 4 – 0.

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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)
Described as: 1) The accumulation of trash and debris
Location: Jackson Street, Seminole County (Commission District 4)
Tax Parcel ID # 18-21-30-503-0C00-0110

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Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird stated that as of her inspection today, the large tree remained on the property.

Officer Hird stated that the recommendation would be to comply by August 14, 2009 with a fine of \$50.00 per day if the violation continues or is repeated past August 14, 2009.

Velma Davis Rahynes, daughter of the Respondent, was present at the hearing and testified on behalf of the Respondents. Ms. Rahynes stated that both of the Respondents were deceased and that while the property was not in her name, she did pay the taxes on the property.

Ms. Rahynes stated that she would need to save money to remove the tree. Dennis Warren asked Ms. Rahynes how much time she thought she would need. Mr. Rahynes stated that she would need until January or February.

Motion by Bill Fahey, seconded by Dennis Warren, to accept Staff's recommendation but with a compliance date February 1, 2010.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY DENNIS WARREN, 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 09-83-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 18-21-30-503-0C00-0110) located at Lot 11, Jackson Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 11 BLK C 1ST ADD TO GROVE TERRACE
PB 7 PG 48

- (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 (g).

It is hereby ordered that the Respondents shall correct the violation on or before February 1, 2010. In order to correct the violation, the Respondents shall take the following remedial action:

1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS

If the Respondents do not comply with the Order, a fine of \$50.00 per day will be imposed for each day the violation continues or is repeated after compliance past February 1, 2010.

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 23rd day of July 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – YES
RUSS HAUCK – YES**

MOTION CARRIED 4 – 0.

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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.

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RECOMMENDATION: 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

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County stating that Staff was requesting that a lien be placed on the property.

Derek L. Hutley, Respondent, was present at the hearing and testified on his own behalf and requested that the fine be reduced or rescinded.

A general discussion was had as to the length of time the truck had been in violation.

Officer Hird submitted a copy of her Affidavit of Costs which totaled \$108.19 as an exhibit.

Motion by Dennis Warren, seconded by Bill Fahey, to accept Staff's recommendation but reduce the fine to \$150.00 if paid within 30 days.

After discussion of this case by the Board:

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

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel I.D. # 07-21-30-503-0000-0720) located at 617 Plum Lane, Altamonte Spring, located in Seminole County and legally described as follows:

LEG LOT 72 GRANADA SOUTH PB 15 PG 100

This case came on for public hearing before the Code Enforcement Board of Seminole County on February 26, 2009, after due notice to the Respondent. The Board,

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having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order on a Repeat Violation not in Compliance.

Said Order found Respondent in violation of Seminole County Land Development Code, Chapter 30, Section 30.1350.

Said Order stated that a fine in the amount of \$6,000.00 would be imposed for 20 days of non-compliance, from December 18, 2008 through and including January 7, 2009, at \$300.00 per day.

An Affidavit of Compliance after Repeat Violation had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had been obtained as of January 8, 2009.

Based on the testimony and evidence presented, the Respondent was in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated February 22, 2007 and the Findings of Fact, Conclusions of Law and Order on a Repeat Violation in Compliance dated February 26, 2009.

Accordingly, it having been brought to the Board's attention that Respondent has complied with the Findings of Fact, Conclusions of Law and Order on a Repeat Violation Not in Compliance dated February 26, 2009, the Board orders that a fine in the amount of \$6,000.00 for 20 days of non-compliance at \$300.00 per day, from December 18, 2008 through and including January 7, 2009, **be reduced to \$150.00.**

It is further ordered that the Respondent shall have **30 days** in which to pay the reduced fine of **\$150.00**. If the Respondent does not pay this amount on or before **August 23, 2009**, the fine will revert to the original amount of \$6,000.00 and shall constitute a lien upon any real or personal property owned by the Respondent.

The Order shall be recorded in the official land records of Seminole County and shall constitute a **lien** against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 23rd day of July 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – YES
RUSS HAUCK – YES**

MOTION CARRIED 4 – 0.

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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

Jason Rucker, Inspector, was present at the hearing and testified on behalf of the County stating that Staff was requesting that a lien be placed on the property. Mr. Rucker stated that the Respondent was in compliance at this time. Mr. Rucker stated that his costs for this case were \$171.09.

Dianne Persaud, Respondent, was present at the hearing and testified on her own behalf. Mrs. Persaud explained to the Board the things that had been necessary to obtain compliance.

Motion by Dennis Warren, seconded by Bill Fahey, to reduce the fine to \$171.09 if paid within 30 days.

After discussion of this case by the Board:

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

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondents are the owners of record of the property (Tax Parcel I.D. # 04-20-31-300-0350-0000) located at 2820 Beardall Avenue, Sanford, located in Seminole County and legally described as follows:

LEG SEC 04 TWP 20S RGE 31E N 100 FT OF S
1375 FT OF E 183 FT OF SW 1/4 (LESS RD)

This case came on for public hearing before the Code Enforcement Board of Seminole County on September 25, 2008, 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 Florida Building Code, Section 105.1

Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondents did not take certain corrective action by November 28, 2008.

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 December 16, 2008.

An Affidavit of Compliance has been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action has been obtained after reinspection on July 21, 2009.

Accordingly, it having been brought to the Board's attention that Respondents have complied with the Order dated September 25, 2008, the Board orders that a fine in the amount of \$58,500.00 for 234 days of non-compliance at \$250.00 per day, from November 29, 2008 through and including July 20, 2009, **be reduced to \$171.09.**

It is further ordered that the Respondent shall have **30 days** in which to pay the reduced fine of **\$171.09**. If the Respondent does not pay this amount on or before **August 23, 2009**, the fine will revert to the original amount of \$58,500.00 and shall constitute a lien upon any real or personal property owned by the Respondent.

The 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 Respondent.

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DONE AND ORDERED this 23rd day of July 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – YES
RUSS HAUCK – YES**

MOTION CARRIED 4 – 0.

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The published agenda was again 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.

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – YES
RUSS HAUCK – YES**

MOTION CARRIED 4 – 0.

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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 non-compliance 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**,

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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).

Described as:

- 1) Unusable or abandoned stoves, appliances or other white goods
- 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.

Location: 2660 Orange Ct, Longwood (Commission District 3)
Tax Parcel ID # 05-21-29-502-0B00-0440

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Tamulonis stated that these were repeat violations. Officer Tamulonis stated that as of her inspection on July 7, 2009, the abandoned appliance had been removed but the other three violations remained. As of her inspection on July 21, 2009, the property was not in compliance.

Officer Tamulonis stated that the recommendation would be to find that the Respondents were in repeat violation and impose a fine in the amount of **\$44,750.00** for 32 days of non-compliance for the violation of the abandoned appliance and 49 days of non-compliance for the three remaining violations.

Dennis Warren asked for clarification as to how the fines had been calculated. Yvette Brown, attorney to the Code Board, clarified how the fines had been established and informed the Board that they could change that.

James Lickert, Respondent, and Christina Lickert, daughter of the Respondent, were present at the hearing and testified on their own behalf. Christina Lickert stated that 95 percent of the items had been removed.

A general discussion was had concerning why the violation recurred. Ms. Lickert stated that the family would help to keep it clean.

Dennis Warren asked how long it would take to come into compliance. Ms. Lickert stated she would need two additional weeks.

After discussion of this case by the Board:

MOTION BY DENNIS WARREN, SECONDED BY BILL FAHEY, THAT THE CASE BE CONTINUED UNTIL THE AUGUST 27, 2009 MEETING:

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – YES
RUSS HAUCK – YES**

MOTION CARRIED 4 – 0.

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

Jason Rucker, Inspector, was present at the hearing and testified on behalf of the County stating that Staff was requesting a lien be placed on the property. Mr. Rucker stated that as of his July 16, 2009 inspection, the structure was still on the property and no permits had been applied for.

Gwendolyn Cantrell-Frank, Respondent, was present at the hearing and testified on her own behalf and published documents concerning her finances to the Board.

A general discussion was had concerning the nature of the violation and the possible remedies to correct the violation.

After discussion of this case by the Board:

MOTION BY DENNIS WARREN, SECONDED BY BILL FAHEY, THAT THE CASE BE CONTINUED UNTIL THE SEPTEMBER 24, 2009 MEETING:

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – YES
RUSS HAUCK – YES**

MOTION CARRIED 4 – 0.

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(A brief recess was taken)
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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.

RECOMMENDATION: 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 Whisper Wood Dr., Longwood (Commission District 3)
Tax Parcel ID # 33-20-29-510-0000-0070

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Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Tamulonis stated that this was a repeat violation; and that as of her inspection today, the swimming pool had been secured.

Officer Tamulonis stated that since the property was in compliance as of today, she was altering the recommendation in the PowerPoint presentation to a recommendation to find that the Respondent was in repeat violation for 43 days of non-compliance instead of 44 days, and impose a fine in the new amount of \$15,050.00. The rest of the recommendation would remain the same.

Deborah G. Danaher, Respondent, was not present at the hearing.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY DENNIS WARREN, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE BE:

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE**

The Respondent is the owner of record of the property (Tax Parcel I.D. # 33-20-29-510-0000-0070) located at 524 Whisper Wood Drive, Longwood, located in Seminole County and legally described as follows:

LOT 7 WHISPER WOOD AT SABAL POINT
PB 21 PGS 47 & 48

This case came on for public hearing before the Code Enforcement Board of Seminole County on June 23, 2005, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (o) and further stated that this violation posed a serious threat to the safety, health and welfare of the residents of the County.

Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondent did not take certain corrective action by June 27, 2005. Compliance was obtained after reinspection on June 29, 2005.

An Affidavit of Repeat Violation was filed with the Board by the Code Enforcement Officer, which Affidavit certified under oath that the violation was being repeated after reinspection on December 14, 2006.

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The Board issued a Findings of Fact, Conclusions of Law and Order on a Repeat Violation Not in Compliance on December 14, 2006. Said Order stated that if the violation was continued or repeated after December 22, 2006, a fine in the amount of \$350.00 per day would begin to accrue and continue to accrue until compliance was obtained. Compliance was obtained after reinspection on January 18, 2006.

The Board issued an Order Finding Compliance on a Repeat Violation and Imposing Fine/Lien on February 22, 2007. Said Order stated that the fine in the amount of \$9,100.00 be reduced to \$100.00 if paid with 30 days. The reduced fine was paid within time specified.

An Affidavit of Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the violation was being repeated after reinspection on June 10, 2009.

An Affidavit of Compliance after Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondent after reinspection on July 23, 2009.

Based on the testimony and evidence presented, the Respondent was in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated June 23, 2005.

Therefore, the Board finds that the Respondent was in repeat violation and orders that a fine in the amount of **\$15,050.00** for 43 days of non-compliance, from June 10, 2009 through and including July 22, 2009, at \$350.00 be imposed; and the fine shall continue to accrue at **\$350.00 per day** for each day the violation is repeated past July 23, 2009.

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

DONE AND ORDERED this 23rd day of July 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – YES
RUSS HAUCK – YES**

MOTION CARRIED 4 – 0.



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Case No. 09-96-CEB
Alan W. & Aileen S. Davis
Code Enforcement Officer: Dorothy Hird

NEW CASE

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

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird stated that as of July 20, 2009, trash and debris remained on the property

Officer Hird stated that the recommendation would be to comply by August 14, 2009 with a fine of \$100.00 per day if the violation continues or is repeated past August 14, 2009.

Alan W. & Aileen S. Davis, Respondents, were not present at the hearing.

Motion by Dennis Warren, seconded by Bill Fahey, to accept Staff's recommendation but increase the daily fine to \$250.00.

A general discussion was had concerning Chapter 162.09 and the factors that should be taken into consideration when determining the amount of a fine.

Due to a tie vote, with Mr. Warren and Mr. Fahey voting yes and Mr. Hauck and Mr. Sladek voting no, the motion failed.

Motion by Russ Hauck to accept Staff's recommendation which set the daily fine at \$100.00. Motion failed due to the lack of a second.

A general discussion was had concerning tabling the case until next month.

Motion by Russ Hauck, seconded by Dennis Warren, to continue the case until next month. Yvette Brown, attorney to the Code Board, informed the Board that even if the case is continued to next month, the Board members who would be allowed to vote might be limited to the members present today.

Dennis Warren asked Officer Hird if she had an objection to the daily fine being increased to \$250.00. Officer Hird stated that she had no objection.

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Bill Fahey asked Senior Code Officer Deborah Leigh if she agreed that this was a new violation, and not the same thing that the Board has heard before. Officer Leigh stated that yes, it was a new section of the code. Mr. Fahey asked Officer Leigh to explain the difference in the violations. Officer Leigh stated that it was not considered trash and debris in the last case, that it was considered objectionable, unsightly matter and that this case today was being brought before the Board as a violation of trash and debris which is a different section of the code.

Mr. Hauck withdrew his motion to table the case until next month. Mr. Warren agreed.

Motion by Russ Hauck, seconded by Bill Fahey, to accept Staff's recommendation which includes a daily fine of \$100.00.

After discussion of this case by the Board:

MOTION BY RUSS HAUCK, SECONDED BY BILL FAHEY, 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 09-96-CEB, it is determined that the Respondents are:

- (a) the owner of record of the property (Tax Parcel ID # 11-21-29-503-0G00-0220) located at 349 Alpine Street, Altamonte Spring, located in Seminole County and legally described as follows:

LEG LOTS 22 + 23 BLK G WEST ALTAMONTE HEIGHTS SEC 2
PB 10 PG 75

- (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 (g).

It is hereby ordered that the Respondents shall correct the violation on or before August 14, 2009. In order to correct the violation, the Respondents shall take the following remedial action:

1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS

If the Respondents do not comply with the Order, a fine of \$100.00 per day will be imposed for each day the violation continues or is repeated after compliance past August 14, 2009.

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 23rd day of July 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – NO
RUSS HAUCK – YES**

MOTION CARRIED 3 – 1.

Case No. 09-98-CEB
Tina Persaud &
EMC Mortgage Corporation (lis pendens)
Inspector: Jason Rucker

NEW CASE

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

Jason Rucker, Inspector, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Mr. Rucker stated that as of his inspection on July 13, 2009, the unpermitted construction remained on the property.

Mr. Rucker stated that the recommendation would be to comply by August 24, 2009 with a fine of \$250.00 per day if the violation continues or is repeated past August 24, 2009.

Tina Persaud, Respondent, was not present at the hearing.

After discussion of this case by the Board:

MOTION BY DENNIS WARREN, SECONDED BY RUSS HAUCK, 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 09-98-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 34-21-30-506-0900-0180) located at 3604 Datura Court, Winter Park, located in Seminole County and legally described as follows:

LEG LOT 18 BLK 9 EASTBROOK SUBD UNIT 5
PB 12 PG 81

- (b) in possession or control of the property, and
- (c) in violation of Florida Building Code, Section 105.1.

It is hereby ordered that the Respondent shall correct the violation on or before August 24, 2009. In order to correct the violation, the Respondent shall take the following remedial action:

1) SECURE THE REQUIRED PERMITS

If the Respondent does 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 August 24, 2009.

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 23rd day of July 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – YES
RUSS HAUCK – YES**

MOTION CARRIED 4 – 0.

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Case No. 09-100-CEB
Timothy J. & Ann Flavin
Inspector: Jason Rucker

NEW CASE

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

Jason Rucker, Inspector, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Mr. Rucker stated that as of his inspection on July 13, 2009, the unpermitted construction remained on the property.

Mr. Rucker stated that the Respondent did apply for a permit but the permit application was voided due to inactivity. Mr. Rucker further stated that Mr. Flavin was in the Building Department today but had insufficient documentation to be issued a permit.

Mr. Rucker stated that the recommendation would be to comply by August 24, 2009 with a fine of \$250.00 per day if the violation continues or is repeated past August 24, 2009.

Timothy J. & Ann Flavin, Respondents, were not present at the hearing

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY RUSS HAUCK, 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 09-100-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 10-20-32-3AE-0250-0000) located at 437 E. Osceola Road, Geneva, located in Seminole County and legally described as follows:

LEG SEC 10 TWP 20S RGE 32E BEG 3943.648 FT N & 1075
FT E OF SW COR RUN N 60 DEG 0 MIN 42 SEC W 491.97 FT
N 35 DEG 13 MIN 16 SEC E 272.46 FT ELY ON CURVE 430.97
FT S 660 FT W 101.41 FT TO BEG

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- (b) in possession or control of the property, and
- (c) in violation of Florida Building Code, Section 105.1

It is hereby ordered that the Respondents shall correct the violation on or before August 24, 2009. In order to correct the violation, the Respondents shall take the following remedial action:

1) SECURE THE REQUIRED PERMITS OR REMOVE THE UNPERMITTED CONSTRUCTION

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 August 24, 2009.

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 23rd day of July 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – YES
RUSS HAUCK – YES**

MOTION CARRIED 4 – 0.

Case No. 09-102-CEB
Mary Jo Johns, Life Estate
Derek M. Johns & Gnardy J. Johns, et al
Code Enforcement Officer: Donna Wisniewski

NEW CASE

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

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 23, 2009

Donna Wisniewski, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Wisniewski stated that as of her inspection on July 22, 2009, the junked vehicle and scrap building materials remained on the property.

Officer Wisniewski stated that the recommendation would be to comply by August 10, 2009 with a fine of \$200.00 per day if the violation continues or is repeated past August 10, 2009.

Mary Jo Johns, Life Estate, Derek M. Johns & Gnardy J. Johns, et al, Respondents, were not present at the hearing.

After discussion of this case by the Board:

MOTION BY RUSS HAUCK, SECONDED BY DENNIS WARREN, 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 09-102-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 21-21-32-5CG-1000-0030) located at 160 East 2nd Street, Chuluota, located in Seminole County and legally described as follows:

LEG LOT 3 BLK 10 REPLAT OF PART OF TOWNSITE
NORTH CHULUOTA PB 12 PG 45

- (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 (j) and (l).

It is hereby ordered that the Respondents shall correct the violations on or before August 10, 2009. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) REMOVE USED/SCRAP BUILDING MATERIALS**
- 2) REPAIR, REMOVE OR PLACE ANY JUNKED, ABANDONED OR INOPERABLE VEHICLE(S) WITHIN AN ENCLOSED GARAGE OR ATTACHED CARPORT**

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JULY 23, 2009

If the Respondents do not comply with the Order, a fine of \$200.00 per day will be imposed for each day the violations continue or are repeated after compliance past August 10, 2009.

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 23rd day of July 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – YES
RUSS HAUCK – YES**

MOTION CARRIED 4 – 0.

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Case No. 09-104-CEB
Michael & Rochelle Turner &
HSBC Bank, USA (lis pendens)
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 within a swimming pool
Location: 8267 Day Lily Place, Sanford (Commission District 5)
Tax Parcel ID # 34-19-29-504-0000-0160

Deborah Leigh, Senior Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Leigh stated that as of her last inspection on July 14, 2009, stagnant water remained in the swimming pool.

Officer Leigh stated that the recommendation would be to comply by August 10, 2009 with a fine of \$250.00 per day if the violation continues or is repeated past August 10, 2009.

When asked by Russ Hauck if this was a health and safety violation, Officer Leigh stated that it was not.

Michael & Rochelle Turner, Respondents, were not present at the hearing

After discussion of this case by the Board:

MOTION BY RUSS HAUCK, SECONDED BY BILL FAHEY, 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 09-104-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 34-19-29-504-0000-0160) located at 8267 Day Lily Place, Sanford, located in Seminole County and legally described as follows:

LOT 16 MARKHAM ESTATES SUBDIVISION
PB 63 PGS 3 - 5

- (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 (n).

It is hereby ordered that the Respondents shall correct the violation on or before August 10, 2009. In order to correct the violation, the Respondents shall take the following remedial action:

**1) REMOVE OR TREAT THE STAGNANT OR FOUL WATER
WITHIN SWIMMING POOL**

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 August 10, 2009.

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 23rd day of July 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – YES
RUSS HAUCK – YES**

MOTION CARRIED 4 – 0.

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)
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) 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

Pamela Taylor, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Taylor stated that as of her inspection on July 22, 2009, all of the violations remained on the property. Officer Taylor stated that she had been in contact with the deceased Respondent's daughter and there was some progress being made.

Officer Taylor stated that the recommendation would be to comply by September 14, 2009 with a fine of \$150.00 per day if the violations continue or are repeated past September 14, 2009.

John A. Farina, Trustee, Respondent, was not present at the hearing.

After discussion of this case by the Board:

MOTION BY RUSS HAUCK, SECONDED BY DENNIS WARREN, 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 09-76-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 20-20-30-300-013A-0000) located at 2185 Longwood Lake Mary Road, Longwood, located in Seminole County and legally described as follows:

LEG SEC 20 TWP 20S RGE 30E BEG 75 FT S OF NW
COR OF NE 1/4 OF SE 1/4 RUN S 330 FT E 185 FT S
6.5 FT E 18.21 S 102.8 FT W 203.21 FT S TO N LI OF
S 430 FT OF NE 1/4 OF SE 1/4 E TO W R/W SCL RR
NELY ON RR TO S LI OF N 321 FT OF NE 1/4 OF SE
1/4 W TO E LI OF W 325 FT OF NE 1/4 OF SE 1/4 N 321
FT W 175 FT S 75 FT W TO BEG (LESS RD ON W)

- (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 (g), (h), (i), (l) and (p).

It is hereby ordered that the Respondent shall correct the violations on or before September 14, 2009. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS**
- 2) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF 24 INCHES IN HEIGHT AND LOCATED WITHIN 75 FEET FROM ANY STRUCTURE**
- 3) REMOVE THE REMAINS OR RUBBLE OF STRUCTURES WHICH HAVE BEEN BURNED, STRICKEN BY OTHER CASUALTY, OR DEMOLISHED**
- 4) REPAIR, REMOVE OR PLACE ANY JUNKED, ABANDONED OR INOPERABLE VEHICLE(S) WITHIN AN ENCLOSED GARAGE OR ATTACHED CARPORT**
- 5) REMOVE 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**

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JULY 23, 2009

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 September 14, 2009.

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 23rd day of July 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – YES
RUSS HAUCK – YES**

MOTION CARRIED 4 – 0.

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Paul Sladek verified that the Special Request that had been on the preliminary agenda had been withdrawn by Staff.

.....
AT THIS TIME, THE CHAIRMAN ASKED TO ENTERTAIN A MOTION TO ACCEPT THE CONSENT AGENDA AS LISTED. MOTION BY RUSS HAUCK, SECONDED BY BILL FAHEY, TO ACCEPT THE CONSENT AGENDA AS FOLLOWS:

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.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 23, 2009

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

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondents are the owners of record of the property (Tax Parcel I.D. # 14-21-29-5BF-0000-0300) located at 137 Hattaway Drive, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 30 ORIENTA GARDENS
PB 8 PG 90

This case came on for public hearing before the Code Enforcement Board of Seminole County on January 22, 2009, 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 on a Repeat Violation not in Compliance.

Said Order found Respondents in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h).

Said Order stated that a fine in the amount of \$10,500.00 would be imposed for 84 days of non-compliance, from October 31, 2008 through and including January 22, 2009, at \$125.00 per day; and further ordered that the fine shall be increased to \$200.00 per day for each day the violations continue or are repeated past January 22, 2009.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 23, 2009

An Affidavit of Compliance after Repeat Violation had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had been obtained as of February 12, 2009.

Based on the testimony and evidence presented, the Respondents were in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated September 28, 2006 and the Findings of Fact, Conclusions of Law and Order on a Repeat Violation Not in Compliance dated January 22, 2009.

Accordingly, it having been brought to the Board's attention that Respondents have complied with the Findings of Fact, Conclusions of Law and Order on a Repeat Violation in Compliance dated January 22, 2009, the Board orders that a **fine** in the amount of **\$14,500.00** for a total of 104 days of non-compliance, 84 days at \$125.00 per day, from October 31, 2008 through and including January 22, 2009 and 20 days at \$200.00, from January 23, 2009 through and including February 11, 2009, be reduced to **\$771.09** and a lien imposed in that reduced amount.

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

DONE AND ORDERED this 23rd day of July 2009, in Seminole County, Florida.

* * * * *

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

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 23, 2009

\$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

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel I.D. # 07-21-30-503-0000-0590) located at 503 Peach Tree Lane, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 59 GRANADA SOUTH PB 15 PG 100

This case came on for public hearing before the Code Enforcement Board of Seminole County on June 26, 2008, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Florida Building Code, Section 105.1.

Said Order stated that a fine in the amount of \$100.00 per day would be imposed if the Respondent did not take certain corrective action by December 31, 2008.

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 January 9, 2009.

Accordingly, it having been brought to the Board's attention that Respondent has not complied with the Order dated June 26, 2008, the Board orders that a **lien** in the amount of **\$20,400.00** for 204 days of non-compliance at \$100.00 per day, from January 1, 2009 through and including July 23, 2009, be imposed; 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 Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 23rd day of July 2009, in Seminole County, Florida.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 23, 2009

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 (l)
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

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel I.D. # 32-19-31-513-0000-2480) located at Lots 248, 249 and 250, 46 SR East, Sanford, located in Seminole County and legally described as follows:

LEG LOTS 248 249 + 250 MIDWAY
PB 1 PG 41

This case came on for public hearing before the Code Enforcement Board of Seminole County on May 28, 2009, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (l).

Said Order stated that a fine in the amount of \$100.00 per day would be imposed if the Respondent did not take certain corrective action by June 11, 2009.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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An Affidavit of Non-Compliance has been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action has not been obtained after reinspection on June 12, 2009.

An Affidavit of Compliance has been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action has been obtained after reinspection on July 16, 2009.

Accordingly, it having been brought to the Board's attention that Respondent has complied with the Order dated May 28, 2009, the Board orders that a fine in the amount of \$3,400.00 for 34 days of non-compliance at \$100.00 per day, from June 11, 2009 through and including July 15, 2009, **be reduced to \$906.43** and a lien imposed in that reduced amount.

The 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 Respondent.

DONE AND ORDERED this 23rd day of July 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – YES
RUSS HAUCK – YES**

MOTION CARRIED 4 – 0.

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

MOTION BY DENNIS WARREN, SECONDED BY RUSS HAUCK, TO APPROVE THE MINUTES FROM THE MEETING OF JUNE 25, 2009.

**PAUL SLADEK – YES
BILL FAHEY – YES**

**DENNIS WARREN – YES
RUSS HAUCK – YES**

MOTION CARRIED 4 – 0.

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VIII Confirmation date of next meeting: August 27, 2009

IX Old Business – None

X New Business – None

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 23, 2009

XI Adjourn – There being no further discussion, this meeting was adjourned at 4:07 P.M.

Respectfully submitted:

Jane Spencer
Clerk to the Code Enforcement Board

Paul Sladek
Chair

7-23-09 minutes