

CODE ENFORCEMENT BOARD

SEMINOLE COUNTY, FLORIDA

AGENDA

September 24, 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 & Consent items for discussion)
 - VI Public Hearings –
 - Repeat Cases 3 (1) Withdrawn by Staff
 - New Cases 13 (4) Complied Prior to Hearing
 - Continued Cases 1
 - Special Request 2
 - Consent Agenda 3
 - Foreclosure 0
 - Add-On 0
-
-

REPEAT CASES

CERTIFIED NOTICE OF HEARING

A. Case No. 08-188-CEB
Mohammad Bhatti and
U.S. Bank National Association
Code Enforcement Officer: Pamela Taylor

This is a repeat violation. The original violation was heard by the Board on December 4, 2008; and an Order was entered giving the Respondent a compliance date of December 18, 2008. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on January 28, 2009. On February 26, 2009, the Board imposed a lien in the amount of \$6,000.00 which remains unpaid.

An Affidavit of Repeat Violation was filed after reinspection on July 8, 2009. An Affidavit of Compliance after Repeat Violations was filed after reinspection on July 28, 2009.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a fine on a repeat violation in the amount of \$3,000.00 for 20 days of non-compliance, from July 8, 2009 through and including July 27, 2009, at \$150.00 per day. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: 2111 Airport Boulevard, Sanford (Commission District 5)
Parcel I. D. # 34-19-30-502-0100-0430

Motion by _____ Second by _____ Action _____

POSTED NOTICE OF HEARING

- B. Case No. 09-11-CEB
Matthew and Deborah A. Mahoney and
Bank of New York (lis pendens)
Senior Code Enforcement Officer: Deborah Leigh

This is a repeat violation. The original violation was heard by the Board on January 22, 2009; and an Order was entered giving the Respondents a compliance date of February 16, 2009. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on February 17, 2009.

An Affidavit of Repeat Violation was filed after reinspection on August 14, 2008.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **fine** on a repeat violation in the amount of **\$8,400.00** for 42 days of non-compliance, from August 14, 2009 through and including September 24, 2009, at **\$200.00 per day**; and the fine shall continue to accrue at \$200.00 per day until compliance is obtained. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: 196 Morning Glory Drive, Lake Mary (Commission District 4)
Tax Parcel ID # 18-20-30-502-0A00-0250

Motion by _____ Second by _____ Action _____

CERTIFIED NOTICE OF HEARING

C. Case No. 09-43-CEB
Nasrin Kyani and Kevin Klein
Code Enforcement Officer: Donna Wisniewski

This is a repeat violation. The original violation was heard by the Board on March 26, 2009; and an Order was entered finding the Respondents in compliance at the time of the hearing.

An Affidavit of Repeat Violation was filed after reinspection on August 6, 2009. An Affidavit of Compliance after Repeat Violation was filed after reinspection on August 7, 2009.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a fine on a repeat violation in the amount of \$1,000.00 for non-compliance on August 6, 2009 (1 sign), August 14, 2009 (2 signs) and August 19, 2009 (1 sign) at \$250.00 per day, per violation (each sign or similar display constitutes a separate violation). The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.1245
Described as: 1) Use of prohibited signs
Location: 5876 Red Bug Lake Road, Winter Springs (Commission District 1)
Parcel ID # N/A

Motion by _____ Second by _____ Action _____

WITHDRAWN BY STAFF

D. Case No. 09-44-CEB
GRE Red Willow, LP
Code Enforcement Officer: Donna Wisniewski

This is a repeat violation. The original violation was heard by the Board on March 26, 2009; and an Order was entered finding the Respondent in compliance at the time of the hearing.

An Affidavit of Repeat Violation was filed after reinspection on August 6, 2009. An Affidavit of Compliance after Repeat Violation was filed after reinspection on August 7, 2009.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a fine on a repeat violation in the amount of \$50.00 for one day of non-compliance, from August 6, 2009 through and including August 7, 2009, at \$50.00 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 30.1245 and 30.1247
Described as: 1) Use of prohibited signs
2) Use of unpermitted ground signs
Location: 5920 Red Bug Lake Road, Winter Springs (Commission District 1)
Parcel ID # 24-21-30-506-0000-0020

Motion by _____ Second by _____ Action _____

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

NEW CASES

POSTED NOTICE OF HEARING

A. Case No. 09-123-CEB
Erich & Kerry Ciotti
James A. Hattaway (lis pendens)
Code Enforcement Officer: Pamela Taylor

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: Stonewall and Benchmark, Seminole County (Commission District 5)
Tax Parcel ID # 22-20-30-300-036B-0000

Motion by _____ Second by _____ Compliance Date _____ Fine _____

POSTED NOTICE OF HEARING

B. Case No. 09-124-CEB
Jose J. & Lizmarie Duarte
U.S. Bank National Association (lis pendens)
Code Enforcement Officer: Dorothy Hird

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (n) and (o)

Described as: 1) The accumulation of trash and debris
2) Stagnant or foul water within a swimming pool
3) Swimming pool not secured according to Code
Location: 141 Grackle Court, Casselberry (Commission District 4)
Tax Parcel ID # 15-21-30-503-0b00-0140

Motion by _____ Second by _____ Compliance Date _____ Fine _____

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

CERTIFIED NOTICE OF HEARING

C. Case No. 09-125-CEB
Gatehouse Sunshadow, LLC
Maurice Cayon, Registered Agent
Code Enforcement Officer: Dorothy Hird

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.1245 and 30.1247

Described as: 1) Snipe signs, banners, pennants, flags, balloons and similar displays are prohibited
2) No person shall erect, alter, repair or relocate any sign, except as otherwise provided herein. without first obtaining a building permit

Location: 1450 Sunshadow Drive, Casselberry (Commission District 2)
Tax Parcel ID # 26-20-30-5AR-0D00-058M

Motion by _____ Second by _____ Compliance Date _____ Fine _____

COMPLIED PRIOR TO HEARING

D. Case No. 09-126-CEB
Donald & Marsha Rauhofer
Addressing Technician: Diane Koschwitz

Violation Charged: Seminole County Land Development Code, Sections 90.5 (6) and 90.11

Described as: 1) Address posted improperly
Location: 2720 Mills Creek Road, Chuluota (Commission District 1)
Tax Parcel ID # 35-21-32-3AN-008S-0000

Motion by _____ Second by _____ Compliance Date _____ Fine _____

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

CERTIFIED NOTICE OF HEARING

E. Case No. 09-127-CEB
Oscar A. Gutierrez
Indymac Federal Bank (lis pendens)
Inspector: Jason Rucker

Violation Charged: Florida Building Code, Section 105.1
Described as: 1) Construction without the required permits
Location: 128 Alhambra Avenue, Altamonte Springs (Commission District 3)
Tax Parcel ID # 09-21-29-503-0000-1590

Motion by _____ Second by _____ Compliance Date _____ Fine _____

CERTIFIED NOTICE OF HEARING

F. Case No. 09-128-CEB
Cassandra Owens
Inspector: Jason Rucker

Violation Charged: Florida Building Code, Section 105.1
Described as: 1) Construction without the required permits
Location: 2840 East 21st Street, Sanford (Commission District 5)
Tax Parcel ID # 32-19-31-300-0500-0000

Motion by _____ Second by _____ Compliance Date _____ Fine _____

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

COMPLIED PRIOR TO HEARING

G. Case No. 09-129-CEB
James Bradwell, Jr.
Senior Code Enforcement Officer: Deborah Leigh

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (e) and (h)

Described as: 1) Unusable or abandoned furniture
2) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure

Location: 4511 Richard Allen Street, Sanford (Commission District 5)
Tax Parcel ID # 20-19-30-501-0000-2890

Motion by _____ Second by _____ Compliance Date _____ Fine _____

CERTIFIED NOTICE OF HEARING

H. Case No. 09-130-CEB
Larry Beasley
Inspector: Jason Rucker

Violation Charged: Florida Building Code, Section 105.1

Described as: 1) Construction without the required permits

Location: Carport 30, 228 Georgetown Dr, Casselberry (Commission District 1)
Tax Parcel ID # none

Motion by _____ Second by _____ Compliance Date _____ Fine _____

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

CERTIFIED NOTICE OF HEARING

I. Case No. 09-131-CEB
Marcel Thompson
Senior Code Enforcement Officer: Deborah Leigh

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g) and (h)
Described as: 1) The accumulation of trash and debris
2) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: Dunbar Avenue, Sanford (Commission District 5)
Tax Parcel ID # 20-19-30-501-0000-3410

Motion by _____ Second by _____ Compliance Date _____ Fine _____

CERTIFIED NOTICE OF HEARING

J. Case No. 09-132-CEB
Beverly A. Brill, Trustee
Senior Code Enforcement Officer: Deborah Leigh

Violation Charged: Seminole County Land Development Code, Section 30.122, Permitted Uses in A-1 Agricultural Zone
Described as: 1) The operation of or an extension of a business in an A-1 Agricultural zone is not a permitted use. The parking, keeping or storing of motor homes, campers and/or trailers on the A-1 Agricultural is not a permitted use
Location: 6490 Sandy Lane, Sanford (Commission District 5)
Tax Parcel ID # 36-19-29-300-0110-0000

Motion by _____ Second by _____ Compliance Date _____ Fine _____

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

POSTED NOTICE OF HEARING

K. Case No. 09-133-CEB
Gina Laprade
Code Enforcement Office: Pamela Taylor

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: 2004 Sipes Avenue, Sanford (Commission District 5)
Tax Parcel ID # 32-19-31-300-051G-0000

Motion by _____ Second by _____ Compliance Date _____ Fine _____

COMPLIED PRIOR TO HEARING

L. Case No. 09-134-CEB
Delila Nelson
Code Enforcement Officer: Dorothy Hird

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: 208 Jackson Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-513-0000-0110

Motion by _____ Second by _____ Compliance Date _____ Fine _____

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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COMPLIED PRIOR TO HEARING

M. Case No. 09-135-CEB
Octavius A. & Gussie Holliday
Code Enforcement Officer: Dorothy Hird

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in
Section 95.3 (g) and (l)

Described as: 1) The accumulation of trash and debris
2) Junked, abandoned or inoperable vehicle(s) not kept within an
enclosed garage or an attached carport

Location: 416 Basewood Lane, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-503-0000-0490

Motion by _____ Second by _____ Compliance Date _____ Fine _____

CERTIFIED NOTICE OF HEARING

N. Case No. 09-136-CEB
Christine N. Wolfe
Deutsche Bank National Trust (lis pendens)
Code Enforcement Officer: Pamela Taylor

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in
Section 95.3 (h) and (n)

Described as: 1) Uncultivated vegetation in excess of 24" in height and located
within 75' from any structure

2) Stagnant or foul water within a swimming pool
Location: 301 Tangerine Drive, Sanford (Commission District 5)
Tax Parcel ID # 34-19-30-505-0000-0060

Motion by _____ Second by _____ Compliance Date _____ Fine _____

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

POSTED NOTICE OF HEARING

O. Case No. 09-137-CEB
Golf Brooke, LLC &
Maria Fernandez-Valle, Registered Agent
Code Enforcement Officer: Joann Tamulonis

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: 2662 Sabal Club Way, Longwood (Commission District 3)
Tax Parcel ID # 33-20-29-300-0130-0000

Motion by _____ Second by _____ Compliance Date _____ Fine _____

POSTED NOTICE OF HEARING

P. Case No. 09-138-CEB
Golf Brooke, LLC &
Maria Fernandez-Valle, Registered Agent
Code Enforcement Officer: Joann Tamulonis

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: 2662 Sabal Club Way, Longwood (Commission District 3)
Tax Parcel ID # 33-20-29-300-0130-0000

Motion by _____ Second by _____ Compliance Date _____ Fine _____

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

CERTIFIED NOTICE OF HEARING

P. Case No. 09-139-CEB
Michael A. & Raquel S. New
Citimortgage, Inc. (lis pendens)
Code Enforcement Officer: Joann Tamulonis

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: 711 Avery Lane, Apopka (Commission District 3)
Tax Parcel ID # 18-21-29-504-0000-0100

Motion by _____ Second by _____ Compliance Date _____ Fine _____

CONTINUED CASE

A. Case No. 08-137-CEB
Claudia J. Muse
Inspector: Jason Rucker

NEW CASE CONTINUED FROM SEPTEMBER 25, 2008 BY STAFF

Violation Charged: Florida Building Code, Section 105.1

Described as: 1) Construction without the required permits

Location: 3301 W S.R. 46, Sanford (Commission District 5)
Tax Parcel ID # 26-19-30-5AE-310A-0000

Motion by _____ Second by _____ Compliance Date _____ Fine _____

SPECIAL REQUEST

- A. Case No. 05-47-CEB
Deborah G. Danaher
Code Enforcement Officer: Joann Tamulonis

The Board heard this case on July 23, 2009 and an Order was entered finding that the Respondent had been in repeat violation, was now in compliance and imposed a fine in the amount of \$15,050.00 for 43 days of non-compliance. The Respondent is requesting that the \$15,050.00 fine be reduced.

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

Motion by _____ Second by _____ Action _____

- B. Case No. 08-123-CEB
David R. Thompson and Yvonne Calder
Planner: Alan Willis

The Board heard this case on August 28, 2008 and an Order was entered giving the Respondents a compliance date of October 30, 2008. On October 23, 2008, the Board entered an Order extending the compliance date until February 26, 2009. On February 26, 2009, the Board entered an Order extending the compliance date until May 27, 2009. On May 28, 2009, the Board entered an Order extending the compliance date until August 27, 2009.

Staff is requesting that the August 27, 2009 compliance date be extended.

Violation Charged: Seminole County Land Development Code, Chapter 40, Site Plan Approval Section 40.12 and Chapter 30, Part 26, Section 30.446(b), Planned Commercial Development District
Described as: 1) Constructing and operating a vehicle and boat storage facility without a County approved final site plan, Developer's Commitment Agreement and appropriate permits
Location: 2563 Mikler Road, Oviedo (Commission District 1)
Tax Parcel ID # 29-21-31-300-0060-0000

Motion by _____ Second by _____ Action _____

CONSENT AGENDA

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

On July 23, 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 217 days of non-compliance, from February 20, 2009 through and including September 24, 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 September 24, 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 _____
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- B. Case No. 09-92-CEB
Raymond L. Griffin, Jr. & Brigitte S. Russell &
Chase Home Finance, LLC (lis pendens)
Senior Code Enforcement Officer: Deborah Leigh

This case was originally heard by the Board on June 25, 2009; and an Order was entered giving the Respondents a compliance date of July 30, 2009. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on August 10, 2009.

This property is NOT in compliance at this time.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$14,000.00** for 56 days of non-compliance, from July 31, 2009 through and including September 24, 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 September 24, 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 (n)
Described as: 1) Stagnant/foul water within a swimming pool
Location: 1618 Cherry Blossom Terrace, Heathrow (Commission District 5)
Tax Parcel ID # 35-19-29-502-0000-0930

Motion by _____ Second by _____ Action _____

C. Case No. 09-53-CEB
Manuel R. & Hilda M. Oliveira
Inspector: Jason Rucker

This case was originally heard by the Board on April 23, 2009; and an Order was entered giving the Respondents a compliance date of July 31, 2009. An Affidavit of Compliance was filed by the Inspector after reinspection on August 10, 2009.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a lien in the reduced amount of \$410.40 which represents the Administrative costs in processing the case. The property was out of compliance for seven days, from August 1, 2009 through and including August 7, 2009, at \$250.00 per day which totals an accrued fine of \$1,750.00. 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: 129 Lake Shore Drive, Altamonte Springs (Commission District 3)
Tax Parcel ID # 03-21-29-505-0H00-0010

Motion by _____ Second by _____ Action _____

FORECLOSURE

NONE

VII Approval of the minutes from the meeting of August 27, 2009

VIII Confirmation date of next meeting: October 22, 2009

IX Old Business –

CASE NO 06-25-CEB – JAMES & LORNA LICKERT – On August 27, 2009, the Board entered a Findings of Fact, Conclusions of Law and Order on a Repeat Violation Presently in Compliance reducing the Respondents' fine from \$68,400.00 to \$100.00 if paid by September 28, 2009. The Respondents paid the fine on September 15, 2009. **A Satisfaction of Fine will be executed by the Chair at this meeting.**

CASE NO 08-124-CEB – LOKESH & DIANNE PERSAUD – On July 23, 2009, the Board entered an Order Finding Compliance and Imposing Fine/Line reducing the Respondents' fine from \$58,500.00 to \$171.09 if paid by August 23, 2009. The Respondents paid the fine on August 3, 2009. **A Satisfaction of Fine will be executed by the Chair at this meeting.**

X New Business – None

XI Adjourn

NOTE: PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT ADA COORDINATOR 48 HOURS IN ADVANCE OF THE MEETING AT 407-665-7941.

PERSONS ARE ADVISED THAT IF THEY DECIDE TO APPEAL ANY DECISIONS MADE AT THIS HEARING, THEY WILL NEED A RECORD OF THE PROCEEDINGS,

AND FOR SUCH PURPOSE, THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS ARE MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED, PER SECTION 285.0105, FLORIDA STATUTES.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

**FOR ADDITIONAL INFORMATION REGARDING THIS AGENDA, PLEASE CONTACT (407)
665-7403.**

09/24/09 Agenda
