



AGENDA

CITY OF APOPKA CODE ENFORCEMENT HEARING CITY HALL COUNCIL CHAMBER 120 East Main Street – Apopka, FL 32703 May 16, 2017 @ 6:00 PM

CALL TO ORDER

PARKING VIOLATION

BUILDING CODES

1. Case No. CE 002177-030317 – 131 W 8th Street, Apopka, FL 32703;
Parcel ID No. 09-21-28-0196-70-190 – Dave Whitty

APOPKA MUNICIPAL CODES AND LAND DEVELOPMENT CODES COMBINED

1. Case No. CE 002073-011017 – 602 E Magnolia Street, Apopka, FL 32703;
Parcel ID No. 10-21-28-9104-02-140 – Dave Whitty
2. Case No. CE 002194-031417 – 334 W Main Street, Apopka, FL 32703;
Parcel ID No. 09-21-28-7552-02-130 – Dave Whitty
3. Case No. CE 002043-120816 – 729 S Orange Blossom Trail, Apopka, FL 32703;
Parcel ID No. 11-21-28-0206-00-020 – Dave Whitty
4. Case No. CE 002215-032817 – 252 W Martin Street, Apopka, FL 32712;
Parcel ID No. 31-20-28-6730-00-140 – Bernard Jeanty
5. Case No. CE 002137-020617 – 2308 Partnership Hills Drive, Apopka, FL 32712;
Parcel ID No. 04-21-28-8410-01-960 – Bernard Jeanty
6. Case No. CE 002109-012717 – 1747 Woodbury Court, Apopka, FL 31712;
Parcel ID No. 31-20-28-1802-00-560 – Bernard Jeanty
7. Case No. CE 002161-022117 – N New Hampshire Avenue, Apopka, FL 32712;
Parcel ID No. 09-21-28-0000-00-008 – Bernard Jeanty

REDUCTION OF FINE REQUEST

1. Case No. CE 06-006 – 803 S. Park Avenue, Apopka, FL 32703;
Parcel ID No. 15-21-28-0217-00-013 – Dave Whitty
2. Case No. CE 06-005 – 820 S. Robinson Avenue, Apopka, FL 32703;
Parcel ID No. 15-21-28-7540-00-210 – Dave Whitty

NEXT MEETING DATE

ADJOURNMENT

All interested parties may appear and be heard with respect to this agenda. Please be advised that, under state law, if you decide to appeal any decision made by the City Council with respect to any matter considered at this meeting or hearing, you will need a record of the proceedings, and that, for such purpose, you may need to ensure that a verbatim record of the proceedings is made, which record includes a testimony and evidence upon which the appeal is to be based. The City of Apopka does not provide a verbatim record.

In accordance with the American with Disabilities Act (ADA), persons with disabilities needing a special accommodation to participate in any of these proceedings should contact the City Clerk's Office at 120 East Main Street, Apopka, FL 32703, telephone (407) 703-1704, no less than 48 hours prior to the proceeding.

Backup material for agenda item:

1. Case No. CE 002177-030317 – 131 W 8th Street, Apopka, FL 32703;
Parcel ID No. 09-21-28-0196-70-190 – Dave Whitty



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, JAN. 17, 2017
6:00 PM

CASE NO:	CE002177-030317	RESPONDENT:	Lou Ann Drive Land Trust
CODE OFFICER:	Dave Whitty	Parcel ID No:	09-21-28-0196-70-190
ADDRESS OF PROPERTY:	131 W. 8 th Street		

NOTICES:

03/03/2017 Courtesy Notice mailed
03/03/2017 Verbal warning, on phone, given to property owner, Tammy Boyd.
04/28/2017 Notice of Hearing mailed
04/28/2017 Notice of Hearing posted on the property and at City Hall, 120 E Main Street, Apopka, FL

SUMMARY:

This is an old, vacant, abandoned, unsecured residence that has multiple IPMC violations. Initial inspection was conducted on March 2, 2017. House had open, unsecured doors. Apopka Police Officers conducted an interior search and cleared the house. Photos were taken inside and outside of the house. The house has been trashed.

IPMC, Ch. 3, Sec. 301.3: Vacant structures shall be maintained in a safe, clean, sanitary condition, as not to cause a blighting problem.
IPMC, Ch. 3, Sec. 304.2: All exterior surfaces are to be maintained in good repair.
IPMC, Ch. 3, Sec. 304.6: All exterior walls shall be free from holes, breaks, and rotted material.
IPMC, Ch. 3, Sec. 304.10: Steps shall be structurally sound and in good repair.
IPMC, Ch. 3, Sec. 304.13: Every window and door shall be in good repair.
IPMC, Ch. 3, Sec. 304.14: Screens shall be in all windows.
IPMC, Ch. 3, Sec. 304.15: Exterior doors are to be in good repair.
IPMC, Ch. 3, Sec. 304.18: Doors and windows shall be secured.
IPMC, Ch. 3, Sec. 305.1: The interior shall be maintained in a sanitary condition.
IPMC, Ch. 3, Sec. 305.3: All interior surfaces shall be maintained in good, clean, sanitary condition.

I have heard from the property owner. She has indicated that she may not have the funds to make repairs and might decide to sell property.

STAFF RECOMMENDATION:

That the Hearing Officer find that this property is in violations of the above ordinances. The property must come into compliance within 15 days (May 31, 2017). If the property is not in compliance, a fine of \$250 per day will begin on June 1, 2017. Such fine shall continue until the property is in compliance. The respondent, or representative, must contact Apopka Code Enforcement for inspection of the property at such time the property violations are cured.

Backup material for agenda item:

1. Case No. CE 002073-011017 – 602 E Magnolia Street, Apopka, FL 32703;
Parcel ID No. 10-21-28-9104-02-140 – Dave Whitty



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, MAY 16, 2017
6:00 PM

<u>CASE NO:</u>	00002073-011017	<u>RESPONDENT:</u>	Antonio Of Italy, Inc.
<u>CODE OFFICER:</u>	Dave Whitty	<u>Parcel ID No:</u>	10-21-28-9104-02-140
<u>ADDRESS OF PROPERTY:</u>	602 E. Magnolia Street		

NOTICES:

01/10/2017	Courtesy Notice mailed
03/03/2017	Written Warning mailed
04/15/2017	2 nd Written Warning mailed
04/28/2017	Notice of Hearing mailed
04/28/2017	Notice of Hearing posted on the property and at City Hall, 120 E. Main Street, Apopka, FL

SUMMARY:

This is a residence that has inoperable vehicles, parts, overgrown yard, and a fence in disrepair.

AMC, Ch. 42, Art. II, Sec. 42-39(4): an accumulation of misc. items and materials being stored on front porch.

I have talked with the tenant, but have not heard from the property owner.

STAFF RECOMMENDATION:

That the Hearing Officer find that this property is in violation of the above ordinance. The property must come into compliance within 15 days (May 31, 2017). If the property is not in compliance, a fine of \$250 per day will begin on June 1, 2017, until the property is brought into compliance. The respondent, or representative, must contact Apopka Code Enforcement for inspection of the property at such time the property violations are cured.

Backup material for agenda item:

2. Case No. CE 002194-031417 – 334 W Main Street, Apopka, FL 32703;
Parcel ID No. 09-21-28-7552-02-130 – Dave Whitty



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, May 16, 2017
6:00 PM

CASE NO:	CE002194-031417	RESPONDENT:	Gordon G. Oldham III Family Trust
CODE OFFICER:	Dave Whitty	Parcel ID No:	09-21-28-7552-02-130
ADDRESS OF PROPERTY:	334 W. Main Street		

NOTICES:

03/09/2017 Verbal warning given to store manager.
03/15/2017 Written Warning mailed.
04/28/2017 Notice of Hearing mailed via certified mail.
04/28/2017 Notice of Hearing posted on property and at City Hall, 120 E Main Street, Apopka, FL

SUMMARY:

This is a Family Dollar store with one dumpster in the back. (Note: There are 3 separate bins for dumpsters)

AMC, Ch. 42, Art. II, Sec. 42-39(2): An accumulation of trash.

AMC, Ch. 42, Art. II, Sec. 42-39(4): Condition of property is an attractive nuisance.

IPMC, Ch.3, Sec. 302.1: All property shall be maintained in a clean, safe, and sanitary condition.

I have not heard from the property owner or store manager. The dumpster area is not being properly maintained.

STAFF RECOMMENDATION:

That the Hearing Officer find that this property is in violations of the above ordinances. The property must come into compliance within 10 days (May 26, 2017). If the property is not in compliance, a fine of \$250 per day will begin on May 27, 2017. Such fine shall continue until the property is in compliance. The respondent, or representative, must contact Apopka Code Enforcement for inspection of the property at such time the property violations are cured.

Backup material for agenda item:

3. Case No. CE 002043-120816 – 729 S Orange Blossom Trail, Apopka, FL 32703;
Parcel ID No. 11-21-28-0206-00-020 – Dave Whitty



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, May 16, 2017
6:00 PM

<u>CASE NO:</u>	CE002043-120816	<u>RESPONDENT:</u>	Apopka Associates 2006 LLC
<u>CODE OFFICER:</u>	Dave Whitty	<u>Parcel ID No:</u>	11-21-28-0206-00-020
<u>ADDRESS OF PROPERTY:</u>	729 S. Orange Blossom Trail		

NOTICES:

12/08/2016	Courtesy Notice mailed
01/11/2017	Written Warning mailed
04/28/2017	Notice of Hearing mailed
04/28/2017	Notice of Hearing posted on property and at City Hall, 120 E Main Street, Apopka, FL

SUMMARY:

This is a shopping plaza that has illegal dumping and unkempt areas in the back of this plaza.

I observed the violations on December 8, 2016. I have been in contact with the property manager and explained to her the importance of keeping the property cleaned up. This is an on-going problem.

STAFF RECOMMENDATION:

That the Hearing Officer find that this property is in violations of the above ordinances. The property must come into compliance within 15 days (May 31, 2017). If the property is not in compliance, a fine of \$250 per day will begin on June 1, 2017. Such fine shall continue until the property is in compliance. The respondent, or representative, must contact Apopka Code Enforcement for inspection of the property at such time the property violations are cured.

Backup material for agenda item:

4. Case No. CE 002215-032817 – 252 W Martin Street, Apopka, FL 32712;
Parcel ID No. 31-20-28-6730-00-140 – Bernard Jeanty



CITY OF APOPKA CODE ENFORCEMENT HEARING

TUESDAY, MAY. 16, 2017
6:00 PM

<u>CASE NO:</u>	CE002215-032817	<u>RESPONDENT:</u>	Providencia Avila
<u>CODE OFFICER:</u>	Bernard Jeanty	<u>Parcel ID No:</u>	04-21-28-8410-01-960
<u>ADDRESS OF PROPERTY:</u>	252 W Martin Street		

NOTICES:

03/28/2017	Courtesy Notice mailed
04/13/2017	Written Warning mailed
05/03/2017	Notice of Hearing mailed
05/03/2017	Notice of Hearing posted on property and at City Hall, 120 E Main Street, Apopka, FL

SUMMARY:

This property has a vehicle with expired tag. Boat parked in the front of the property.

IPMC, Ch. 3, Sec. 302:8: Nonoperational vehicles

LDC, Art. II, Sec. 7.02.04(a): Boat must be parked in the rear of the property.

STAFF RECOMMENDATION:

That the Hearing Officer find that this property is in violation of the above ordinance. The property must come into compliance within 15 days (May. 31, 2017). If the property is not in compliance, a fine of \$250 per day will begin on June 1, 2017, until the property is brought into compliance. The respondent, or representative, must contact Apopka Code Enforcement for inspection of the property at such time the property violations are cured.

Backup material for agenda item:

5. Case No. CE 002137-020617 – 2308 Partnership Hills Drive, Apopka, FL 32712;
Parcel ID No. 04-21-28-8410-01-960 – Bernard Jeanty



CITY OF APOPKA CODE ENFORCEMENT HEARING

TUESDAY, MAY. 16, 2017
6:00 PM

<u>CASE NO:</u>	CE002137-020617	<u>RESPONDENT:</u>	Jamigua Shaw & Jaquinn Cook
<u>CODE OFFICER:</u>	Bernard Jeanty	<u>Parcel ID No:</u>	31-20-28-6730-00-140
<u>ADDRESS OF PROPERTY:</u>	2308 Partnership Hills Drive		

NOTICES:

02/06/2017	Courtesy Notice mailed
02/27/2017	Written Warning mailed
04/20/2017	Notice of Hearing mailed
04/24/2017	Notice of Hearing posted on property and at City Hall, 120 E Main Street, Apopka, FL

SUMMARY:

This property has nonoperational vehicles without tags.

IPMC, Ch. 3, Sec. 302:8: Nonoperational vehicles

STAFF RECOMMENDATION:

That the Hearing Officer find that this property is in violation of the above ordinance. The property must come into compliance within 15 days (May. 31, 2017). If the property is not in compliance, a fine of \$250 per day will begin on June 1, 2017, until the property is brought into compliance. The respondent, or representative, must contact Apopka Code Enforcement for inspection of the property at such time the property violations are cured.

Backup material for agenda item:

6. Case No. CE 002109-012717 – 1747 Woodbury Court, Apopka, FL 31712;
Parcel ID No. 31-20-28-1802-00-560 – Bernard Jeanty



CITY OF APOPKA CODE ENFORCEMENT HEARING

TUESDAY, MAY, 16, 2017
6:00 PM

<u>CASE NO:</u>	CE002109-012717	<u>RESPONDENT:</u>	Joseph W. Ochman
<u>CODE OFFICER:</u>	Bernard Jeanty	<u>Parcel ID No:</u>	31-20-28-1802-00-560
<u>ADDRESS OF PROPERTY:</u>	1747 Woodbury Court		

NOTICES:

01/27/2017	Courtesy Notice mailed
04/06/2017	Written Warning mailed
04/20/2017	Notice of Hearing mailed
04/24/2017	Notice of Hearing posted on property and at City Hall, 120 E Main Street, Apopka, FL

SUMMARY:

This property has a large blue tarp covering the roof.

IPMC, Ch. 3, Sec. 304.7: Leaking roof

STAFF RECOMMENDATION:

That the Hearing Officer find that this property is in violation of the above ordinance. The property must come into compliance within 15 days (May. 31, 2017). If the property is not in compliance, a fine of \$250 per day will begin on June 1, 2017, until the property is brought into compliance. The respondent, or representative, must contact Apopka Code Enforcement for inspection of the property at such time the property violations are cured.

Backup material for agenda item:

7. Case No. CE 002161-022117 – N New Hampshire Avenue, Apopka, FL 32712;
Parcel ID No. 09-21-28-0000-00-008 – Bernard Jeanty



CITY OF APOPKA CODE ENFORCEMENT HEARING

TUESDAY, MAY, 16, 2017
6:00 PM

<u>CASE NO:</u>	CE002161-022117	<u>RESPONDENT:</u>	Martin Valle & Rosario Matias
<u>CODE OFFICER:</u>	Bernard Jeanty	<u>Parcel ID No:</u>	09-21-28-0000-00-008
<u>ADDRESS OF PROPERTY:</u>	N New Hampshire Avenue		

NOTICES:

02/21/2017	Courtesy Notice mailed
04/06/2017	Written Warning mailed
04/20/2017	Notice of Hearing mailed
04/24/2017	Notice of Hearing posted on property and at City Hall, 120 E Main Street, Apopka, FL

SUMMARY:

This property is a vacant lot with junk and trash. Property owner is storing construction equipment on the lot.

LDC, Art. II, Sec. 2.02.05: Storing on a vacant lot is not permitted
IPMC, Ch. 3, Sec. 308.1: Junk and trash

STAFF RECOMMENDATION:

That the Hearing Officer find that this property is in violation of the above ordinances. The property must come into compliance within 15 days (May. 31, 2017). If the property is not in compliance, a fine of \$250 per day will begin on June 1, 2017, until the property is brought into compliance. The respondent, or representative, must contact Apopka Code Enforcement for inspection of the property at such time the property violations are cured.

Backup material for agenda item:

1. Case No. CE 06-006 – 803 S. Park Avenue, Apopka, FL 32703;
Parcel ID No. 15-21-28-0217-00-013 – Dave Whitty



CITY OF APOPKA CODE ENFORCEMENT HEARING

TUESDAY, May 16, 2017
6:00 P.M.

<u>CASE NO:</u>	06-006	<u>RESPONDENT:</u>	Apopka Industrial Park, LLC
<u>CODE OFFICER:</u>	Dave Whitty	<u>Parcel ID No:</u>	15-21-28-0217-00-013
<u>Address of Property</u>	803 S. Park Avenue		

SUMMARY:

This case was heard on January 20, 2006. The property was found to be in violation of AMC, Ch. 42: Overgrown, unkempt property having junk, trash, and debris.

This property was to have been in compliance by February 9, 2006, but was not. Therefore, a \$150 per day fine began on February 10, 2006 and ran thru March 29, 2009. The fine ran for 1,142 days for a total of \$171,300.

Backup material for agenda item:

2. Case No. CE 06-005 – 820 S. Robinson Avenue, Apopka, FL 32703;
Parcel ID No. 15-21-28-7540-00-210 – Dave Whitty



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, May 16, 2017
6:00 P.M.

<u>CASE NO:</u>	06-005	<u>RESPONDENT:</u>	Apopka Industrial Park, LLC
<u>CODE OFFICER:</u>	Dave Whitty	<u>Parcel ID No:</u>	15-21-28-7540-00-210
<u>Address of Property</u>	820 S. Robinson Avenue		

SUMMARY:

This case was heard on January 20, 2006. The property was found to be in violation of AMC, Ch. 42: Overgrown, unkempt property having junk, trash, and debris.

This property was to have been in compliance by February 9, 2006, but was not. Therefore, a \$150 per day fine began on February 10, 2006 and ran thru March 29, 2009. The fine ran for 1,142 days for a total of \$171,300.
