AGENDA

CITY OF APOPKA CODE ENFORCEMENT HEARING
CITY HALL COUNCIL CHAMBER
120 East Main Street – Apopka, FL 32703
January 20, 2015 @ 7:00 PM

CALL TO ORDER

PARKING VIOLATIONS

BUILDING CODES

APOPKA MUNICIPAL CODES AND LAND DEVELOPMENT CODES COMBINED

1. Case No. CE000639-082914 - 915 Haas Avenue, Apopka, FL 32703; Parcel ID No. 15-21-28-7048-02-270.

   Code Violations Summary - AMC, Ch. 42, Art. II: (Public Nuisance) - Unkept, overgrown property

   AMC, Ch. 22, Art. V, Sec 22-84 (a)(3): (Uninhabitable Buildings)

REDUCTION OF FINE REQUEST

1. Case No. 12-00154 - 2062 Inge Court, Apopka, FL 32703; Parcel ID No. 23-21-28-1753-01-420

   Code Violation Summary - AMC, Ch. 42, Sec. 42-36: Prohibited conditions - overgrown, unkept property.

2. Case No. 02-036 - 1169 Windy Way, Apopka; FL 32703, Parcel ID No. 14-21-28-9267-00-740.

   Code Violation Summary - LDC, Art. VII, Sec. 7.01.01: Permit required.

3. Case No. 11-01306 - 203 N Cervidae Dr., Apopka, FL 32703; Parcel ID No. 10-21-28-8921-00-850

Code Violation Summary - AMC, Ch. 42, Sec. 42-36: Prohibited conditions - overgrown, unkept property.

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. CE000639-082914 - 915 Haas Avenue, Apopka, FL 32703; Parcel ID No. 15-21-28-7048-02-270.

   Code Violations Summary - AMC, Ch. 42, Art. II: (Public Nuisance) - Unkept, overgrown property

   AMC, Ch. 22, Art. V, Sec 22-84 (a)(3): (Uninhabitable Buildings)

CITY OF APOPKA
CODE ENFORCEMENT HEARING

TUESDAY, JANUARY 20, 2015
7:00 PM

CASE NO: **CE000639-082914**

CODE OFFICER: **Dave Whitty**

Respondent: Perry Kirby/Wells Fargo

Parcel ID No: 15-21-28-7048-02-270

Address of Property: 915 Haas Avenue
Apopka, FL 32703

Legal Description:

PINE PARK P/23 LOTS 27 THROUGH 30 BLK B

CODE VIOLATION(S) SUMMARY:

At the CE Hearing on September 16, 2014
a Declaration of Nuisance was ordered

AMC, Ch. 42, Art II: (Public Nuisance) - Unkept, overgrown property
AMC, Ch. 22, Art V, Sec 22-84 (a)(3): (Uninhabitable Buildings)

Violations were first observed for this case on July 18, 2014. Mr. Kirby and Wells Fargo have been notified. Property is a foreclosure and continues to be in violation.

NOTICE OF VIOLATION DATE(S):

Courtesy Warning was sent July 18, 2014
Written Warning was sent August 29, 2014

Notice of this Hearing was sent January 7, 2015
CE has been in communications with property owner and bank

STAFF RECOMMENDATION:

Staff recommends that the Hearing Officer issue an Order of Abatement, and if property is not brought into compliance by Saturday, February 28, 2015, the City of Apopka has the authority to enter property and abate the nuisance, for up to 12 months. The cost shall be a non-valorem assessment, superior to all other private rights, interests, liens, titles, and claims upon the property, equal with any lien for ad valorem taxes, and unpaid assessments, and may be certified to the Tax Collector for collection, pursuant to Florida Statute, Section 197.3632, payable to the City of Apopka.

Backup material for agenda item:

1. Case No. 12-00154 - 2062 Inge Court, Apopka, FL 32703; Parcel ID No. 23-21-28-1753-01-420

   Code Violation Summary - AMC, Ch. 42, Sec. 42-36: Prohibited conditions - overgrown, unkept property.

CITY OF APOPKA
CODE ENFORCEMENT HEARING

TUESDAY, JANUARY 20, 2015
7:00 PM

CASE NO: **12-00154** **CODE OFFICER:** **Dave Whitty**

Respondent: Bank of New York Mellon Trustee Parcel ID No: 23-21-28-1753-01-420

Address of Property: 2062 Inge Ct
Apopka, FL 32703

Legal Description:

COUNTRY ADDRESS PHASE 2B 23/94 LOT 142

CODE VIOLATION(S) SUMMARY:

AMC, Ch. 42, Sec. 42-36: Prohibited conditions – overgrown, unkept property. Property was in foreclosure. Records indicate that the Bank took ownership on September 17, 2014

FINDINGS:

CE HEARING DATE: April 17, 2012
Date given to comply: April 27, 2012
$100/day fine ran from April 28, 2012 – October 15, 2014
Total amount $90,000
Affidavit of Compliance: October 16, 2014

STAFF RECOMMENDATION:

Request for reduction of fine so that the Bank can sell the house

Backup material for agenda item:

2. Case No. 02-036 - 1169 Windy Way, Apopka; FL 32703, Parcel ID No. 14-21-28-9267-00-740.

   Code Violation Summary - LDC, Art. VII, Sec. 7.01.01: Permit required.

CITY OF APOPKA
CODE ENFORCEMENT HEARING

TUESDAY, JANUARY 20, 2015
7:00 PM

CASE NO: **02-036**

CODE OFFICER: **Dave Whitty**

Respondent: Ellis Barbara Muriel

Parcel ID No: 14-21-28-9267-00-740

Address of Property: 1169 Windy Way
Apopka, FL 32703

Legal Description:

WHISPERING WINDS 22/63 LOT 74

CODE VIOLATION(S) SUMMARY:

LDC, Art VII, Sec 7.01.01: Permit required. A wooden deck, at rear of house, was built without a building permit.

FINDINGS:

CE HEARING DATE: October 15, 2002
Date given to comply: November 14, 2002
$150/day ran from November 14, 2002 – May 28, 2004
Total amount $84,150
Affidavit of Compliance: June 15, 2004

STAFF RECOMMENDATION:

Request for reduction of fine so that the property can be sold

Backup material for agenda item:

3. Case No. 11-01306 - 203 N Cervidae Dr., Apopka, FL 32703; Parcel ID No. 10-21-28-8921-00-850

   Code Violation Summary - AMC, Ch. 42, Sec. 42-36: Prohibited conditions - overgrown, unkept property.

CITY OF APOPKA
CODE ENFORCEMENT HEARING

TUESDAY, JANUARY 20, 2015
7:00 PM

CASE NO: **11-01306** **CODE OFFICER:** **Dave Whitty**

Respondent: CitiMortgage Inc Parcel ID No: 10-21-28-8921-00-850

Address of Property: 203 N Cervidae Dr
Apopka, FL 32703

Legal Description:

VOTAW VILLAGE PHASE 1A 19/134 LOT 85

CODE VIOLATION(S) SUMMARY:

AMC, Ch. 42, Sec. 42-36: Prohibited conditions – overgrown, unkept property. Property was in foreclosure and is now bank-owned. House is boarded up and bank is selling it "as-is", but the fine is more than the asking price. There have been several people interested in purchasing house, but the lien has hindered the sale. Records indicate that the bank took ownership on August 13, 2014.

FINDINGS:

CE HEARING DATE: February 21, 2012
Date given to comply: March 7, 2012
$100/day fine ran from March 8, 2012 – October 10, 2014
966 days @ $100/day = $96,600
Affidavit of Compliance: October 11, 2014

STAFF RECOMMENDATION:

Request for reduction of fine in order for the house to sell, and new owner to get property and house in compliance.