



AGENDA

CITY OF APOPKA CODE ENFORCEMENT HEARING CITY HALL COUNCIL CHAMBER 120 East Main Street – Apopka, FL 32703 January 16, 2018 @ 6:00 PM

CALL TO ORDER

BUILDING CODES

APOPKA MUNICIPAL CODES AND LAND DEVELOPMENT CODES COMBINED

1. Case No. CE 17-00368 – 263 W Martin Street, Apopka, FL 32712
Parcel ID No. 04-21-28-0224-02-280 – Bernard Jeanty
2. Case No. CE 17-00331 – 355 Summerset Drive, Apopka, FL 32712
Parcel ID No. 04-21-28-8406-01-240 – Bernard Jeanty
3. Case No. CE 17-00255 – 729 S Orange Blossom Trail, Apopka, FL 32703
Parcel ID No. 11-21-28-0206-00-020 – Dave Whitty
4. Case No. CE 17-00355 – 210 W 2ND Street, Apopka, FL 32703
Parcel ID No. 09-21-28-0196-10-143 – Dave Whitty
5. Case No. CE 17-00209 – 488 E Main Street, Apopka, FL 32703
Parcel ID No. 10-21-28-8652-04-010 – Dave Whitty

REDUCTION OF FINE REQUEST

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.



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, JANUARY. 16, 2018
6:00 PM

<u>CASE NO:</u>	17-00368	<u>RESPONDENT:</u>	Hancock Mary Florence
<u>CODE OFFICER:</u>	Bernard Jeanty	<u>PARCEL ID NO:</u>	04-21-28-0224-02-280
<u>ADDRESS OF PROPERTY:</u>	263 W Martin St		

NOTICES:

11/28/2017	Written Notice mailed
01/03/2018	Notice of Hearing mailed
01/03/2018	Notice of Hearing posted on property and at City Hall, 120 E Main Street, Apopka, FL 32703

SUMMARY:

IPMC, Ch 3, Sec. 308.1: Junk and trash

11/28/2017: Spoke to Lisa from Strategic Alliance Management about the junk and trash in the backyard. There are boxes, trash, metal, plastic, and garbage bags 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 (January 30, 2018), or a fine of \$250 per day will begin on the 16th day (January 31, 2018). 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.



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, JANUARY. 16, 2018
6:00 PM

<u>CASE NO:</u>	17-00331	<u>RESPONDENT:</u>	Heidi R Smith
<u>CODE OFFICER:</u>	Bernard Jeanty	<u>PARCEL ID NO:</u>	04-21-28-8406-01-240
<u>ADDRESS OF PROPERTY:</u>	355 Summerset Dr		

NOTICES:

11/03/2017	Written Notice mailed
01/03/2018	Notice of Hearing mailed
01/03/2018	Notice of Hearing posted on property and at City Hall, 120 E Main Street, Apopka, FL 32703

SUMMARY:

AMC, Ch. IV, Sec. 74-86: Business tax receipt required
LDC, Art. II, Sec. 2.02.05: Unpermitted use in a residential zone

11/16/2017: I called the property owner by phone and explained the violations to her. I explained that having a dog boarding and grooming business at her residence was not permitted in a residential zone. She has clients coming to the residence with their dogs. She performs pet sitting and grooming for the animals. She also sells dog food to her clients and provides specific dietary food items for the dogs with allergies. She also provides training for the dogs having behavioral problems. She has admitted to me that she is running a dog boarding business from the residence.

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 (January 30, 2018), or a fine of \$250 per day will begin on the 16th day (January 31, 2018). 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.



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, JANUARY 16, 2018
6:00 PM

<u>CASE NO:</u>	17-00255	<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:

08/31/17	Warning Notice mailed.
11/16/17	2 nd Warning Notice mailed
01/03/18	Notice of Hearing mailed
01/04/18	Notice of Hearing posted on property and at City Hall, 120 E Main Street, Apopka, FL 32703

SUMMARY:

AMC, Ch. 42, Art. II, Sec. 42-39(2): Trash
AMC, Ch. 42, Art. II, Sec. 42-39(3): Excessive vegetation
AMC, Ch. 42, Art. II, Sec. 42-39(4): Attractive nuisance

This shopping plaza has junk and trash located in the back of the plaza on a regular basis. There is old furniture, tires, household garbage, etc. There's also overgrown vegetation around the retention area, including trees along the perimeter. I have spoken to the property owner, whom referred me to the management company. I spoke with the property management company and let them know that this plaza must be kept clean and maintained. They have cut back some trees, and removed a lot of trash.

STAFF RECOMMENDATION:

That the Hearing Officer find that this property is in violation of the above ordinances. The property must come into compliance by removing all junk, trash, debris, trim back and cut overgrown vegetation within 15 days (January 31, 2018), and keep property maintained, or a fine of \$250 per day will begin on the 16th day (February 1, 2018) if not in compliance. The respondent, or representative, must contact Apopka Code Enforcement for inspection of the property at such time the property violations are cured.



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, JANUARY 16, 2018
6:00 PM

<u>CASE NO:</u>	17-00355	<u>RESPONDENT:</u>	D G W, Inc.
<u>CODE OFFICER:</u>	Dave Whitty	<u>PARCEL ID NO:</u>	09-21-28-0196-10-143
<u>ADDRESS OF PROPERTY:</u>	210 W. 2 nd Street.		

NOTICES:

08/03/17	Warning Notice mailed
11/18/17	2 nd Warning Notice mailed
12/11/17	3 rd Warning Notice mailed
01/03/18	Notice of Hearing mailed
01/04/18	Notice of Hearing posted on property and at City Hall, 120 E. Main St., Apopka, FL 32703

SUMMARY:

LDC, Art. VIII, Sec. 8.00.03: Signs require permits
LDC, Art. VIII, Sec. 8.03.02: Signs in the R/W
LDC, Art. VIII, Sec. 8.05.02: Human sign

This business has placed many signs along the roadways without permits. They have a person holding a sign on the side of West Main St, without a permit. I have stopped at this business and spoken to several people, including the property owner, multiple times, regarding the signs. After explaining our ordinances to them, and where to go to obtain the permits, they continue to put out signs without permits. The property owner is in the process of taking care of these violations.

STAFF RECOMMENDATION:

That the Hearing Officer find that this property is in violation of the above ordinances. The property must come into compliance within 10 days (January 26, 2018), or a fine of \$250 per day, per observation will accrue any day after that, if the violations continue. The respondent, or representative, must contact Apopka Code Enforcement for inspection of the property at such time the property violation are cured.



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, JANUARY 16, 2018
6:00 PM

<u>CASE NO:</u>	17-00209	<u>RESPONDENT:</u>	Spirit Master Funding LLC
<u>CODE OFFICER:</u>	Dave Whitty	<u>PARCEL ID NO:</u>	10-21-28-8652-04-010
<u>ADDRESS OF PROPERTY:</u>	488 E. Main Street.		

NOTICES:

08/10/17	Warning Notice mailed
10/09/17	2 nd Warning Notice mailed
01/03/18	Notice of Hearing mailed
01/04/18	Notice of Hearing posted on property and at City Hall, 120 E. Main St., Apopka, FL 32703

SUMMARY:

AMC, Ch. 42, Art. II, Sec. 42-39(2): Trash
AMC, Ch. 42, Art. II, Sec. 42-39(3): Excessive vegetation

These violations are located at the west parking lot area of Burger King. There is junk, trash, tires, and miscellaneous debris in the ditch. Trees are encroaching onto the parking lot. I have been in contact with the property owner at the corporate level. They plan to get the property in compliance.

STAFF RECOMMENDATION:

That the Hearing Officer find that this property is in violation of the above ordinances. The property must come into compliance within 10 days (January 26, 2018), by removing all junk, trash, debris, and cut/trim back all excessive, overgrown vegetation, and keep property maintained, or a fine of \$250 per day will begin on the 11th day (January 27, 2018), if the violations continue. The respondent, or representative, must contact Apopka Code Enforcement for inspection of the property at such time the property violation are cured.