



APOPKA CODE ENFORCEMENT HEARING AGENDA

**December 19, 2023 1:30 PM
Apopka City Hall Council Chambers**

CALL TO ORDER

APOPKA MUNICIPAL CODES AND LAND DEVELOPMENT CODES COMBINED

1. Case Number. Code Enforcement 24-00036 – 314 E Myrtle Street, Apopka, FL 32703- Presented by Dave Whitty
2. Case Number. Code Enforcement 23-00696 – 63 W 10th Street, Apopka, FL 32703- Presented by Dave Whitty
3. Case Number. Code Enforcement 23-00652 – 124 W 7th Street, Apopka, FL 32703- Presented by Dave Whitty
4. Case Number. Code Enforcement 23-00582 – 32 W 2nd Street, Apopka, FL 32703- Presented by Dave Whitty
5. Case Number. Code Enforcement 24-00007 – 108 W Main Street, Apopka, FL 32703- Presented by Dave Whitty
6. Case Number. Code Enforcement 23-00531 – 209 W 10th Street, Apopka, FL 32703- Presented by Dave Whitty
7. Case Number. Code Enforcement 24-00062 – 4201 Plymouth Sorrento Road, Apopka, FL 32712- Presented by Chris Smith
8. Case Number. Code Enforcement 23-00685 – 2785 E Semoran Boulevard, Apopka, FL 32712- Presented by Chris Smith
9. Case Number. Code Enforcement 23-00662 – 1448 Errol Parkway, Apopka, FL 32712- Presented by Chris Smith

NEXT MEETING DATE

ADJOURNMENT

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (407) 703-1704. F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the opening ceremony. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.



City of Apopka

CODE ENFORCEMENT HEARING

Meeting Date: December 19, 2023

Case Number: 24-00036

Code Officer: David Whitty

Address of Property: 314 East Myrtle Street

Respondent: The Garden Retirement Community Inc.

Parcel ID Number: 10-21-28-0000-00-098

NOTICES:

1. October 23, 2023 Warning Notice mailed.
2. December 1, 2023 Notice of Hearing mailed certified.
3. December 1, 2023 Notice of Hearing posted at City Hall and on property.

SUMMARY:

Apopka Municipal Code (AMC)

1. Article 5, Section 18-108: Adoption of the current IPMC.

International Property Maintenance Code (IPMC)

1. Chapter 3, Section 302.4: Overgrown grass, weeds, and other vegetation exceeding 12 inches in height.

Violations:

Overgrown property.

Corrective Action:

Cut all of the overgrown property.

Notes:

There has been no response.

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 (January 3, 2024), and remain in compliance, or a fine of \$500 per day will begin on the 16th day (January 4, 2024) 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

Meeting Date: December 19, 2023
Case Number: 23-00696
Code Officer: David Whitty
Address of Property: 63 West 10th Street
Respondent: Cynthia and Arion Henderson
Parcel ID Number: 09-21-28-0196-80-812

NOTICES:

1. September 28, 2023 Warning Notice mailed.
2. December 1, 2023 Notice of Hearing mailed certified.
3. December 1, 2023 Notice of Hearing posted at City Hall and on property.

SUMMARY:

Apopka Municipal Code (AMC)

1. Article 5, Section 18-108: Adoption of the current IPMC.

International Property Maintenance Code (IPMC)

1. Chapter 3, Section 308.1: Accumulation of junk, trash, and debris.

Land Development Code (LDC)

1. Article 5, Section 5.10.3.A: All signs shall be maintained in a state of good repair and present a neat and clean appearance.

Violations:

Junk, trash, debris, and a damaged sign on the property.

Corrective Action:

Remove all junk, trash, and debris. Repair, replace, or remove the damaged sign.

Notes:

I have been in contact with the property owner. On October 5, Mrs. Henderson called me and stated that the trash and sign would be removed in 2 weeks, which would have been October 19.

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 (January 3, 2024), and remain in compliance, or a fine of \$500 per day will begin on the 16th day (January 4, 2024) 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

Meeting Date: December 19, 2023

Case Number: 23-00652

Code Officer: David Whitty

Address of Property: 124 W. 7th Street

Respondent: Francisco Ramirez and Juana Neusi

Parcel ID Number: 09-21-28-0196-70-202

NOTICES:

1. September 28, 2023 Warning Notice mailed.
2. December 1, 2023 Notice of Hearing mailed certified.
3. December 1, 2023 Notice of Hearing posted at City Hall and on property.

SUMMARY:

Apopka Municipal Code (AMC)

1. Article 5, Section 18-108: Adoption of the current IPMC.

International Property Maintenance Code (IPMC)

1. Chapter 1, Section {A}108.1: Unsafe conditions. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.
2. Chapter 3, Section 301.2: The property owner shall not permit another person to occupy property that is unsanitary and unsafe.
3. Chapter 3, Section 302.4: Property having overgrown grass, weeds, and other vegetation exceeding 12 inches in height.
4. Chapter 3, Section 302.7: Accessory structures, including detached garages, fences, and walls, shall be maintained, structurally sound, and in good repair.
5. Chapter 3, Section 302.8: Dismantled, inoperative, or unlicensed motor vehicles shall not be parked, kept, or stored on any premises.
6. Chapter 3, Section 304.2: Exterior surfaces shall be protected from decay, peeling paint, rust, and corrosion.
7. Chapter 3, Section 304.6: Exterior walls shall be free from holes, breaks, loose, or rotting materials.
8. Chapter 3, Section 304.7: Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure.
9. Chapter 3, Section 305.3: Interior surfaces shall be maintained in good, clean, and sanitary.
10. Chapter 3, Section 308.1: Accumulation of junk, trash, and debris.
11. Chapter 5, Section 502.1: Bathtubs, showers, toilets, and sinks shall be maintained in a sanitary and safe working condition.
12. Chapter 5, Section 504.3: Where it is found that a plumbing system in a structure constitutes a hazard.
13. Chapter 6, Section 604.3: Deterioration, inadequate, damaged, or unsafe service.

Land Development Code (LDC)

1. Article 4, Section 4.2.2.C: Boarding house is an unpermitted use in MU-D zoning.

Violations:

Converted a single family residence into a boarding house without a Special Exemption Permit. Tenants living in unsafe, unsanitary conditions. Junk, trash, and debris on the property. There are holes and cracks in the interior and exterior walls. There is mildew on the exterior walls. The rear area of the property is overgrown. An old panel box is exposed. The sewer pipes are exposed. The interior floors are damaged and unsafe. The bathrooms are unsafe and unsanitary. There is water damage on the ceiling. The fence is damaged.

Corrective Action:

Revert the house back to a single family residence. Remove all junk, trash, and debris. Cut all overgrown areas of the property. Properly repair the damaged interior and exterior walls. Properly repair all floors and the water-damaged ceiling. Install a cover for the panel box. All water and sewer pipes have to be buried underground. A Building Permit is required for this work to be done.

Notes:

I have been in contact the property owner.

STAFF RECOMMENDATION:

That the Hearing Officer find that this property is in violation of the above ordinances. The property must come into compliance within 30 days (January 18, 2024), and remain in compliance, or a fine of \$500 per day, per violation, will begin on the 31st day (January 19, 2024) 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

Meeting Date: December 19, 2023
Case Number: 23-00582
Code Officer: David Whitty
Address of Property: 32 West 2nd Street
Respondent: Pamela Boland
Parcel ID Number: 09-21-28-0196-20-141

NOTICES:

1. August 10, 2023 Warning Notice mailed.
2. December 1, 2023 Notice of Hearing mailed certified.
3. December 1, 2023 Notice of Hearing posted at City Hall and on property.

SUMMARY:

Apopka Municipal Code (AMC)

1. Article 5, Section 18-108: Adoption of the current IPMC.

International Property Maintenance Code (IPMC)

1. Chapter 3, Section 302.1: Exterior property and premises shall be maintained in a clean, safe, and sanitary condition.
2. Chapter 3, Section 302.4: Property having overgrown grass, weeds, and other vegetation exceeding 12 inches in height.
3. Chapter 3, Section 302.8: Dismantled, inoperative, or unlicensed motor vehicles shall not be parked, kept, or stored on any premises.
4. Chapter 3, Section 308.1: Accumulation of junk, trash, debris.

Land Development Code (LDC)

1. Article 4, Section 4.3.4.B.14: Outside storage is not a permitted use in MU-D zoning.

Violations:

Inoperable vehicles, discarded rugs draped over the fence, overgrown areas of the property, and outside storage of tires.

Corrective Action:

Make all vehicles operable. Cut all overgrown areas of the property. Put all tires inside of a building, or remove them. Remove all rugs from the fence, put them inside of a building, or remove them. Clean up the yard.

Notes:

I have been in contact with the property owner.

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 (January 3, 2024), and remain in compliance, or a fine of \$500 per day, per violation, will begin on the 16th day (January 4, 2024) 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

Meeting Date: December 19, 2023

Case Number: 24-00007

Code Officer: David Whitty

Address of Property: 108 West Main Street

Respondent: PS Florida One Dyer/West Main Incorporated

Parcel ID Number: 09-21-28-0196-10-271

NOTICES:

1. October 3, 2023 Warning Notice mailed.
2. December 1, 2023 Notice of Hearing mailed certified.
3. December 1, 2023 Notice of Hearing posted at City Hall and on property.

SUMMARY:

Apopka Municipal Code (AMC)

1. Article 5, Section 18-108: Adoption of the current IPMC.

International Property Maintenance Code (IPMC)

1. Chapter 3, Section 302.4: Property having grass, weeds, and other vegetation exceeding 12 inches in height.
2. Chapter 3, Section 308.1: Accumulation of trash.

Violations:

Overgrown area and trash behind the buildings, west side of the property.

Corrective Action:

Cut the overgrown property. Remove all trash.

Notes:

The graffiti has been removed. I have been in contact with Rachel the property manager.

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 (January 3, 2024), and remain in compliance, or a fine of \$500 per day, per violation, will begin on the 16th day (January 4, 2024) 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

Meeting Date: December 19, 2023
Case Number: 23-00531
Code Officer: David Whitty
Address of Property: 209 West 10th Street
Respondent: Timothy Ford
Parcel ID Number: 09-21-28-0196-70-074

NOTICES:

1. October 30, 2023 Warning Notice mailed.
2. December 6, 2023 Notice of Hearing mailed certified.
3. December 6, 2023 Notice of Hearing posted at City Hall and on property.

SUMMARY:

Apopka Municipal Code (AMC)

1. Article 5, Section 18-108: Adoption of the current IPMC.

International Property Maintenance Code (IPMC)

1. Chapter 1, Section {A}108.1: Unsafe conditions. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.
2. Chapter 3, Section 302.8: Dismantled, inoperative, or unlicensed motor vehicles shall not be parked, kept, or stored on any premises.
3. Chapter 3, Section 304.6: Exterior walls shall be free from holes, breaks, loose, or rotting materials.
4. Chapter 3, Section 304.9: Overhang extensions shall be maintained in good repair and properly anchored.
5. Chapter 3, Section 308.1: Accumulation of junk, trash, and debris.
6. Chapter 5, Section 505.3: The water supply system shall be maintained to provide a supply of water to all plumbing fixtures and function properly.
7. Chapter 5, Section 506.2: Every sewer line shall function properly.
8. Chapter 6, Section 602.2: Dwellings shall be provided with heat.

Land Development Code (LDC)

1. Article 4, Section 4.2.2.C: Tent camping is an unpermitted use in MU-D zoning.

Violations:

Residence being occupied without electricity, water, or heat. An inoperable vehicle, rotted wood (some termite damage), a hole in the exterior wall, a tent being occupied, junk, trash, and debris.

Corrective Action:

The house must be vacated, until electricity, water, and heat are provided and working properly. All junk, trash, and debris must be removed. The tent must be vacated and removed. The inoperable vehicle must be removed. All damaged wood must be properly replaced. The hole in the exterior wall, must be properly repaired.

Notes:

We have been in contact with the property owner, and he has submitted a Trespass Authorization. On December 6, a Building Inspector posted an Unsafe placard regarding the occupancy of the house without utilities, and truss damage.

STAFF RECOMMENDATION:

That the Hearing Officer find that this property is in violation of the above ordinances. The property must come into compliance within 60 days (February 17, 2024), and remain in compliance, or a fine of \$500 per day, per violation, will begin on the 61st day (February 18, 2024) 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

Meeting Date: December 19, 2023

Case Number: 24-00062

Code Officer: Chris Smith

Address of Property: 4201 PLYMOUTH SORRENTO RD

Respondent: F MYRICE LUKAS FAMILY TRUST

Parcel ID Number: 18-20-28-0000-00-028

NOTICES:

1. October 31, 2023 Warning Notice mailed.
2. December 6, 2023 Notice of Hearing mailed certified.
3. December 6, 2023 Notice of Hearing posted at City Hall and on property.

SUMMARY:

Apopka Municipal Code (AMC)

1. Article 5, Section 18-108: Adoption of the current IPMC.

International Property Maintenance Code (IPMC)

1. Chapter 3, Section 302.7: Accessory structures, including detached garages, fences, and walls, shall be maintained, structurally sound, and in good repair.

Violations:

Multiple greenhouse structures in disrepair.

Corrective Action:

Repair or replace all greenhouse structures in disrepair or remove the structures.

Notes:

I made contact with the owner during the initial inspection and explained the violations.

STAFF RECOMMENDATION:

That the Hearing Officer find that this property is in violation of the above ordinance. The property must come into compliance within 30 days (January 18, 2024), and remain in compliance, or a fine of \$500 per day, per violation will begin on the 31st day (January 19, 2024) 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

Meeting Date: December 19, 2023

Case Number: 23-00685

Code Officer: Chris Smith

Address of Property: 2785 E SEMORAN BLVD

Respondent: BIG K INC

Parcel ID Number: 12-21-28-0165-03-000

NOTICES:

1. September 25, 2023 Warning Notice mailed.
2. December 6, 2023 Notice of Hearing mailed certified.
3. December 6, 2023 Notice of Hearing posted at City Hall and on property.

SUMMARY:

Land Development Code (LDC)

1. Article 5, Section 5.10.3.A: All signs shall be maintained in a state of good repair and present a neat and clean appearance.

Violations:

Sign in disrepair and twisting off the pole.

Corrective Action:

Repair or replace sign in that is in disrepair and twisting on the pole/off the base.

Notes:

I have called the owner and left a voicemail about the violation. It appears that the twisted the sign back and added some blocks, but the sign is still in disrepair.

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 03, 2024), and remain in compliance, or a fine of \$500 per day, per violation will begin on the 16th day (January 04, 2024) 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

Meeting Date: December 19, 2023

Case Number: 23-00662

Code Officer: Chris Smith

Address of Property: 1448 ERROL PKWY

Respondent: SRP SUB LLC

Parcel ID Number: 32-20-28-2513-04-020

NOTICES:

1. September 19, 2023 Warning Notice mailed.
2. December 6, 2023 Notice of Hearing mailed certified.
3. December 6, 2023 Notice of Hearing posted at City Hall and on property.

SUMMARY:

Apopka Municipal Code (AMC)

1. Article 5, Section 18-108: Adoption of the current IPMC.

International Property Maintenance Code (IPMC)

1. Chapter 3, Section 302.4: Property having overgrown grass, weeds, and other vegetation exceeding 12 inches in height.
2. Chapter 3, section 301.2: Owner and tenant's responsibility to keep property maintained.

Violations:

High grass and weeds throughout the property and property not being maintained.

Corrective Action:

Cut/Mow entire property and keep property maintained.

Notes:

No contact from 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 (January 03, 2024), and remain in compliance, or a fine of \$500 per day, per violation will begin on the 16th day (January 04, 2024) 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.