



AGENDA

CITY OF APOPKA CODE ENFORCEMENT HEARING CITY HALL COUNCIL CHAMBER 120 East Main Street – Apopka, FL 32703 November 17, 2015 @ 6:00 PM

CALL TO ORDER

PARKING VIOLATIONS

BUILDING CODES

APOPKA MUNICIPAL CODES AND LAND DEVELOPMENT CODES COMBINED

1. Case No. CE 001253-090315 – 2109 Lake Francis Drive, Apopka, FL 32712;
Parcel ID No. 31-20-28-1810-00-040 – Bernard Jeanty
2. Case No. CE 001199-080315 – 1026 Orange Grove Lane, Apopka, FL 32712;
Parcel ID No. 32-20-28-3219-00-310 – Bernard Jeanty
3. Case No. CE 001253-090315 – 453 Summerset Drive, Apopka, FL 32712;
Parcel ID No. 04-21-28-8402-00-710 – Bernard Jeanty

REDUCTION OF FINE REQUEST

1. Case No. CE 08-00314 – 20 N Christiana Avenue, Apopka, FL 32703;
Parcel ID No. 10-21-28-9104-02-030 - 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 001253-090315 – 2109 Lake Francis Drive, Apopka, FL 32712;
Parcel ID No. 31-20-28-1810-00-040 – Bernard Jeanty



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, NOVEMBER 17, 2015
6:00 PM

CASE NO:	CE001236-081715	RESPONDENT:	Michael Baldwin
CODE OFFICER:	Bernard Jeanty	Parcel Id No:	31-20-28-1810-00-040
Address of Property:	2109 Lake Francis Drive		

NOTICE:

08/17/2015 Courtesy Notice mailed
10/15/2015 Hearing posted on property
10/16/2015 Hearing posted at Apopka City Hall, 120 East Main Street

SUMMARY:

This is a single family residence that has multiple code violations, to include, a leaking roof, inoperable windows, and holes in the ceiling throughout the interior, and the siding and structure has rot and decay. This property is in violation of adopted Apopka Municipal Codes:

AMC, Ch. 22, Art. V, Sec. 22-84: the siding is falling away and not securely fastened to the structure; the structure has rot, decay, and deterioration.

IPMC, Ch. 3, Sec. 304.7: roof and flashing in disrepair.

IPMC, Ch. 3, Sec. 304.13.2: inoperable windows.

IPMC, Ch. 3, Sec. 304.14: screens missing from windows

IPMC, Ch. 3, Sec. 305.3: interior surfaces including ceilings, in disrepair

The IPMC has been adopted through AMC, Chapter 22.

The owner has been noticed and the property posted in accordance with Florida Statute and Apopka Codes. The complaint was made by the tenant and on November 3, 2015, property owner sent a letter concerning the violation but provided no contact information.

RECOMMENDATION:

Staff recommendation is that the Hearing Officer finds this property to be in violation of the aforementioned codes. An order is requested that the owner bring the property into compliance within 30 days (Thursday December 17, 2015). If the property is not found to be in compliance within the designated time frame, it is requested a fine of \$250 per day, encompassing all violations, begin on December 18, 2015. Such fine shall continue until the property is brought into compliance. The respondent, or his 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 001199-080315 – 1026 Orange Grove Lane, Apopka, FL 32712;
Parcel ID No. 32-20-28-3219-00-310 – Bernard Jeanty



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, NOVEMBER 17, 2015
6:00 PM

CASE NO:	CE001199-080315	RESPONDENT:	Thomas Albers
CODE OFFICER:	Bernard Jeanty	PARCEL ID NO:	32-20-28-3219-00-310
Address of Property:	1026 Orange Grove Lane		

NOTICE:

08/04/2015	Courtesy notice mailed
09/16/2015	Warning mailed
10/15/2015	Hearing posted on property
10/16/2015	Hearing posted at Apopka City Hall, 120 East Main Street

SUMMARY:

This is a single family residence that has multiple code violations to include overgrowth of grass and weeds and junk and trash. This property is in violation of adopted Apopka Municipal Codes:

IPMC, Ch. 3, Sec. 302.4: overgrowth of grass and weeds.
IPMC, Ch. 3, Sec. 308.1: junk and trash
The IPMC has been adopted through AMC, Ch. 22.

The owner has been noticed and property posted in accordance with Florida Statute and Apopka Codes. This complaint came in as an anonymous complaint. There has been no response from the property owner.

RECOMMENDATION:

Staff recommendation is that the Hearing Officer finds this property to be in violation of the aforementioned codes. An order is requested that the owner bring the property into compliance within 30 days (Thursday December 17, 2015). If the property is not found to be in compliance within the designated time frame, it is requested a fine of \$250 per day, encompassing all violations, begin on December 18, 2015. Such fine shall continue until the property is brought into compliance. The respondent, or his 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 001253-090315 – 453 Summerset Drive, Apopka, FL 32712;
Parcel ID No. 04-21-28-8402-00-710 – Bernard Jeanty



CITY OF APOPKA CODE ENFORCEMENT HEARING

TUESDAY, NOVEMBER 17, 2015
6:00 PM

CASE NO:	CE001253-090315	RESPONDENT:	Jon A Rowell & Naomi D Rowell
CODE OFFICER:	Bernard Jeanty	Parcel Id No:	32-20-28-3219-00-310
Address of Property:	453 Summerset Drive		

NOTICE:

09/03/2015	Courtesy Notice mailed
09/18/2015	Warning mailed
10/15/2015	Hearing posted on property
10/16/2015	Hearing Posted at Apopka City Hall, 120 East Main Street

SUMMARY:

This is a single family residence that has multiple code violations to include overgrowth of grass and weeds and junk and trash. This property is in violation of adopted Apopka Municipal Codes:

IPMC, Ch. 3, Sec. 302.4: overgrowth of grass and weeds.
IPMC, Ch. 3, Sec. 308.1: junk and trash
The IPMC has been adopted through AMC, Ch. 22.

The owner has been noticed and property posted in accordance with Florida Statute and Apopka Codes.
This complaint came in as an anonymous complaint.
There has been no response from the property owner.

RECOMMENDATION:

Staff recommendation is that the Hearing Officer finds this property to be in violation of the aforementioned codes. An order is requested that the owner bring the property into compliance within 30 days (Thursday December 17, 2015). If the property is not found to be in compliance within the designated time frame, it is requested a fine of \$250 per day, encompassing all violations, begin on December 18, 2015. Such fine shall continue until the property is brought into compliance. The respondent, or his 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 08-00314 – 20 N Christiana Avenue, Apopka, FL 32703;
Parcel ID No. 10-21-28-9104-02-030 - Dave Whitty



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY NOVEMBER 17, 2015
6:00 PM

CASE NO:	08-00314	Respondent:	Bertha Rios
CODE OFFICER:	Dave Whitty	Parcel ID No.	10-21-28-9104-02-030
Address of Property:	20 N. Christiana Ave		

NOTICES:

11/20/2008 Notice of Violation mailed
12/23/2008 Notice of Hearing mailed
01/12/2009 Findings of Fact recorded
01/24/2009 Affidavit of Non-Compliance recorded
04/06/2009 Affidavit of Compliance recorded

SUMMARY:

Case was heard on January 20, 2009. Property was found to be in violation of AMC, Chapter 42, Article II: having an inoperable vehicle and AMC, Chapter 42, Section 42-36: unkempt property. Owner was given through Feb 4, 2009 to comply.

Property was not in compliance on Feb. 10, 2009. Therefore, a \$150 per day fine ran from February 5, 2009 through March 26, 2009, 49 days, for a total fine of \$7,350.00.

Ms. Rios has submitted a notarized affidavit, explaining that her nephew was living there at the time, and he created the violations. The property is in compliance and now, she would like to put a replacement mobile home on her lot, but the fine is keeping her from doing that, so she is asking for a reduction of fine.

We are recommending that the fine be reduced, so that Ms. Rios can have a mobile home put on the property for her to live in.

RECOMMENDATION:

Staff recommendation is that the Hearing Officer find that this property was in violation of AMC, Chapter 42, Article II and AMC Chapter 42, Section 42-36 and is now in compliance. However, a fine of \$7,350.00 has accrued. We ask that the fine be reduced to \$1,000.00, to be paid within 30 days from today (December 17, 2015). If not paid, then the fine will revert back to \$7,350.00.