



AGENDA

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

CALL TO ORDER

PARKING VIOLATIONS

NONE

BUILDING CODES

NONE

APOPKA MUNICIPAL CODES AND LAND DEVELOPMENT CODES COMBINED

1. Case No. CE 18-00397 – 3349 W Orange Blossom Trail, Apopka, FL 32712;
Parcel ID No. 01-21-27-0000-00-037 – Bernard Jeanty
2. Case No. CE 18-00333 – 512 Mason Avenue, Apopka, FL 32703;
Parcel ID No. 10-21-28-1572-00-080 – Bernard Jeanty
3. Case No. CE 18-00380 – 336 Breezeway Drive, Apopka, FL 32712;
Parcel ID No. 04-21-28-6139-01-070 – Bernard Jeanty
4. Case No. CE 18-00447 – 430 Morning Creek Circle, Apopka, FL 32712;
Parcel ID No. 34-20-28-9093-00-570 – Bernard Jeanty
5. Case No. CE 18-00355 – 2136 W Kelly Park Road, Apopka, FL 32712;
Parcel ID No. 18-20-28-0000-00-080 – Bernard Jeanty
6. Case No. CE 18-00145 – 2237 Scrub Jay Road, Apopka, FL 32712;
Parcel ID No. 07-21-28-5549-02-140 – Bernard Jeanty
7. Case No. CE 18-00404 – 1305 W Orange Blossom Trail, Apopka, FL 32712;
Parcel ID No. 05-21-28-0000-00-039 – Bernard Jeanty

- [8.](#) Case No. CE 17-00309 – 227 W 7TH Street, Apopka, FL 32703;
Parcel ID No. 09-21-28-0196-40-311– Dave Whitty
- [9.](#) Case No. CE 18-00095 – 10 N McGee Avenue, Apopka, FL 32703;
Parcel ID No. 10-21-28-0000-00-041 – Dave Whitty
- [10.](#) Case No. CE 18-00236 – 334 W Main Street, Apopka, FL 32703;
Parcel ID No. 09-21-28-7552-02-130 – Dave Whitty
- [11.](#) Case No. CE 18-00262 – 621 E 1ST Street, Apopka, FL 32703;
Parcel ID No. 10-21-28-9104-01-180 – Dave Whitty

REDUCTION OF FINE REQUEST

NONE

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 OCTOBER 16, 2018
6:00 PM

<u>CASE NO:</u>	18-00397	<u>RESPONDENT:</u>	Renuka D Prasad
<u>CODE OFFICER:</u>	Bernard Jeanty	<u>PARCEL ID NO:</u>	01-21-27-0000-00-037
<u>ADDRESS OF PROPERTY:</u>	3349 W. Orange Blossom Trail		

NOTICES:

08/02/18	Mailed warning notice.
10/05/18	Hearing notice mailed.
10/06/18	Notice of Hearing posted on property and at City Hall, 120 E Main Street, Apopka, FL 32703.

SUMMARY:

AMC, Ch.22, Art.VI, Sec. 22-100: Adoption of the IPMC.
AMC, Ch. IV, Sec. 74-86: Business Tax Receipt Required.
IPMC, Ch.3, Sec. 302.4: Overgrown grass and weeds exceeding 12 inches in height.
IPMC, Ch.3, Sec. 308.1: Junk, trash debris.
LDC, Art. II, Sec. 2.02.13: Unpermitted use in a C2 zoning (Open and outside storage of tires).
LDC, Art.VI, Sec. 6.02.03(e): All Buildings shall be numbered.
LDC, Art. VII, Sec. 7.02.04(d): No parking on the right- of -way.

This property does not have a Business tax Receipt for automotive sales. The property has open and outside storage of tires. There are several wrecked, junk cars, and car parts in the rear of the property. Vehicles are parked on the right- of -way of the property. The property has high grass and weeds. There is vegetation all over the fencing. There is not a numeric building address displayed on property.

08/02/18. I spoke to the property owner about the violations.
10/12/18: Re-inspection of property.

STAFF RECOMMENDATION:

That the Hearing Officer finds that this property is in violation of the above ordinance. The property must come into compliance within 30 days, (November 15, 2018), or a fine of \$250 per day will begin on the 31st day (November 16, 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 OCTOBER 16, 2018
6:00 PM

CASE NO: 18-00333
CODE OFFICER: Bernard Jeanty
ADDRESS OF PROPERTY: 512 Mason Avenue

RESPONDENT: Melissa Lynn Hancock
PARCEL ID NO: 10-21-28-1572-00-080

NOTICES:

08/10/18 Mailed warning notice.
10/05/18 Hearing notice mailed.
10/06/18 Notice of Hearing posted on property and at City Hall, 120 E Main Street, Apopka, FL 32703.

SUMMARY:

AMC, Ch.22, Art.VI, Sec. 22-100: Adoption of the IPMC.
IPMC, Ch. 3, Sec. 302.8: Dismantled inoperable vehicle w/o a tag.
LDC, Art.VII, Sec. 7.01.04(c): Swimming and wading pools & Spas- Unfenced.

This pool on the property is not secured and the fence has not been completely installed. There is a green van without a tag.

08/10/18: I spoke to the property owner about the violations.
10/12/18: Re-inspection of 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 30 days, (November 15, 2018), or a fine of \$250 per day will begin on the 31st day (November 16, 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 OCTOBER 16, 2018
6:00 PM

CASE NO: 18-00380
CODE OFFICER: Bernard Jeanty
ADDRESS OF PROPERTY: 336 Breezeway Drive

RESPONDENT: Linda A Godwin
PARCEL ID NO: 04-21-28-6139-01-070

NOTICES:

07/26/18 Mailed warning notice.
10/05/18 Hearing notice mailed.
10/06/18 Notice of Hearing posted on property and at City Hall, 120 E Main Street, Apopka, FL 32703.

SUMMARY:

AMC, Ch.22, Art.VI, Sec. 22-100: Adoption of the IPMC.
IPMC, Ch. 3, Sec. 304.7: Exterior Structures- Roofs and Drainage.

This property has a blue tarp on the damaged, leaking roof.

07/26/18: I spoke to the property owner about the violation.
10/12/18: Re-inspection of 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 30 days, (November 15, 2018), or a fine of \$250 per day will begin on the 31st day (November 16, 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 OCTOBER 16, 2018
6:00 PM

CASE NO: 18-00447
CODE OFFICER: Bernard Jeanty
ADDRESS OF PROPERTY: 430 Morning Creek Circle

RESPONDENT: Richard Petty
PARCEL ID NO: 34-20-28-9093-00-570

NOTICES:

08/27/18 Mailed warning notice.
10/05/18 Hearing notice mailed.
10/06/18 Notice of Hearing posted on property and at City Hall, 120 E Main Street, Apopka, FL 32703.

SUMMARY:

AMC, Ch.22, Art.VI, Sec. 22-100: Adoption of the IPMC.
IPMC, Ch. 3, Sec. 302.8: Inoperable, unlicensed vehicles not allowed on property.

This property has an inoperable, white and red Oldsmobile sedan in the driveway. The vehicle has an expired tag and flat tires.

08/27/18: I spoke to the property owner's son about the violations.
10/12/18: Re-inspection of 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 30 days, (November 15, 2018), or a fine of \$250 per day will begin on the 31st day (November 16, 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 OCTOBER 16, 2018
6:00 PM

CASE NO: 18-00355 **RESPONDENT:** Yoo Shik Um Irrevocable Trust
CODE OFFICER: Bernard Jeanty **PARCEL ID NO:** 18-20-28-0000-00-080
ADDRESS OF PROPERTY: 2136 W. Kelly Park Rd

NOTICES:

08/17/18 Mailed warning notice.
10/05/18 Hearing notice mailed.
10/06/18 Notice of Hearing posted on property and at City Hall, 120 E Main Street, Apopka, FL 32703.

SUMMARY:

AMC, Ch.22, Art.VI, Sec. 22-100: Adoption of the IPMC.
IPMC, Ch.3, Sec. 302.4: Overgrown grass and weeds exceeding 12 inches in height.
IPMC, Ch.3, Sec. 308.1: Junk, trash and debris.
IPMC, Ch.3, Sec. 302.8: Inoperable, unlicensed vehicles not allowed on any property.
IPMC, Ch.3, Sec. 304.13.1: Exterior Structures- Windows, Skylight and Door Frames- Glazing.
LDC, Art. II., Sec. 7.02.04 (A): In a residential districts, boats, boat trailers, or recreational vehicles may be parked on the rear half of the lot.
LDC. Art. II, Sec. 2.02.01(70): Open and outside storage not a permitted use in a residential zone.

This property has an inoperable recreational vehicle without a tag and someone is living in it. There's a water hose connected from the house to the RV, and an electric cord from the house to the RV for power. There's junk and trash on the property including, tires, appliances, and other debris in the front and backyard. The grass is over 12 inches in height in front and the rear of the property. The house also has several broken windows.

08/17/18: I attempted to make contact at the door no answer left my card. No information found in TLO.
10/06/18: I spoke to the occupant of the RV. He stated that he had been living in the RV, but on October first he moved into the house.
10/12/18: Re-inspection of 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 30 days, (November 15, 2018), or a fine of \$250 per day will begin on the 31st day (November 16, 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 OCTOBER 16, 2018
6:00 PM

<u>CASE NO:</u>	18-00145	<u>RESPONDENT:</u> Robeerto Pena Febres Luz Bastian- Roman
<u>CODE OFFICER:</u>	Bernard Jeanty	<u>PARCEL ID NO:</u> 07-21-28-5549-02-140
<u>ADDRESS OF PROPERTY:</u>	2237 Scrub Jay Road	

NOTICES:

08/10/18	Mailed warning notice.
10/05/18	Hearing notice mailed.
10/06/18	Notice of Hearing posted on property and at City Hall, 120 E Main Street, Apopka, FL 32703.

SUMMARY:

AMC, Ch.22, Art.VI, Sec. 22-100: Adoption of the IPMC.
IPMC, Ch. 3. Sec. 302.8: Dismantled inoperable vehicle w/o a tag.
IPMC, Ch. 3. Sec. 308.1: Junk, trash, and debris.
LDC, Art.II, Sec. 2.02.05: Unpermitted use in a residential zone (Major mechanic work).
LDC, Art II, Sec. 2.02.01(7): Open and outside storage not permitted in a residential zone (Engine hoist).

This property has an inoperable vehicle on the property and the driveway. The vehicles on the street have been cited several times by the police. Major mechanic work is being performed on the property. Evidence of this is an engine hoist on the property, and the vehicles on the driveway and street. The property owner has been cited by the police several times for vehicles in the street without a tag.

04/04/18: Officer Whitty issued warning citation for the vehicle on the property.
08/27/18: I called the property owner about the violations, but no answer left a voicemail.
10/12/18: Re-inspection of 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 30 days, (November 15, 2018), or a fine of \$250 per day will begin on the 31st day (November 16, 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 OCTOBER 16, 2018
6:00 PM

CASE NO: 18-00404 **RESPONDENT:** Spirit Spe Portfolio Ca C – Stores LLC
CODE OFFICER: Bernard Jeanty **PARCEL ID NO:** 05-21-28-0000-00-039
ADDRESS OF PROPERTY: 1305 W Orange Blossom Trail

NOTICES:

08/03/18 Mailed warning notice.
10/05/18 Hearing notice mailed.
10/06/18 Notice of Hearing posted on property and at City Hall, 120 E Main Street, Apopka, FL 32703.

SUMMARY:

AMC, Ch.22, Art.VI, Sec. 22-100: Adoption of the IPMC.
IPMC, Ch. 3, Sec. 308.1: Junk, trash, and debris.

The owner of the property is a repeat violator. They have been found guilty before for the same violations. The property has junk and trash, beds, tires, shopping carts, plastic containers, cans, furniture, carpets, wood, tree branches, children's toys and furniture, TV, cans soda, and other miscellaneous debris on the rear of the property.

10/10/18: Re-inspection of property.

STAFF RECOMMENDATION:

That the Hearing Officer finds that this property is in violation of the above ordinance. The property must come into compliance within 30 days, (November 15, 2018), or a fine of \$500 per day will begin on the 31st day (November 16, 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, OCTOBER 16, 2018
6:00 PM

<u>CASE NO:</u>	17-00309	<u>RESPONDENT:</u>	Anna Bell Cunningham Estate
<u>CODE OFFICER:</u>	Dave Whitty	<u>PARCEL ID NO:</u>	09-21-28-0196-40-311
<u>ADDRESS OF PROPERTY:</u>	227 W. 7 th Street.		

NOTICES:

02/21/18	Warning Notice mailed.
09/20/18	2 nd Warning Notice mailed.
10/05/18	Notice of Hearing mailed.
10/05/18	Notice of Hearing posted at City Hall, 120 E Main Street, Apopka, FL 32703.
10/05/18	Notice of Hearing posted on property.

SUMMARY:

AMC, Ch.22, Art. VI, Sec. 22-100: Adoption of the IPMC.
IPMC, Ch.3, Sec. 308.1: Junk, trash, debris.
LDC, Art. II, Sec. 2.02.01(7): Open and outside storage not a permitted use in residential zone.

This property has an accumulation of wood, tires, misc. items including, but not limited to, a wheelbarrow, riding lawn mower, containers, and building materials.

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 wood, tires, containers, building materials, misc. items and debris from property and cease all open and outside storage of items within 15 days (October 31, 2018), and keep property maintained, or a fine of \$250 per day will begin on the 16th day (November 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, OCTOBER 16, 2018
6:00 PM

<u>CASE NO:</u>	18-00095	<u>RESPONDENT:</u>	Maria Arias De Gardner
<u>CODE OFFICER:</u>	Dave Whitty	<u>PARCEL ID NO:</u>	10-21-28-0000-00-041
<u>ADDRESS OF PROPERTY:</u>	10 N. McGee Avenue.		

NOTICES:

02/01/18	Warning Notice mailed.
05/30/18	2 nd Warning Notice mailed.
10/05/18	Notice of Hearing mailed.
10/05/18	Notice of Hearing posted at City Hall, 120 E Main Street, Apopka, FL 32703.
10/05/18	Notice of Hearing posted on property.

SUMMARY:

AMC, Ch.22, Art. VI, Sec. 22-100: Adoption of the IPMC.
IPMC, Ch. 3, Sec. 308.1: Junk, trash, and debris.
LDC, Art. II, Sec. 2.02.01(7): Unpermitted open and outside storage.
LDC, Art. VI, Sec. 6.03.01(f): Commercial vehicles prohibited in residential district.
IPMC, Ch. 3, Sec. 302.4: Property overgrown.
IPMC, Ch. 3, Sec. 302.8: Inoperable vehicles.
LDC, Art. II, Sec 2.02.05: Unpermitted use in residential area.
LDC, Art. II, Sec 7.02.04(A): Trailers, RV's, and boats may be parked in the rear half of property.

This property has inoperable vehicles, including but not limited to, appliances, mowers, building materials, furniture, fencing, vehicle parts, and other items laying around. I have spoken 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 by mowing the overgrown areas of the property, removing all inoperable vehicles, junk, trash, misc. items, and debris from property. Remove all commercial trailers, and cease all open and outside storage of items. Park all permitted trailers and RV's in the rear half of property within 15 days (October 31, 2018), and keep property maintained, or a fine of \$250 per day, per violation will begin on the 16th day (November 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, OCTOBER 16, 2018
6:00 PM

<u>CASE NO:</u>	18-00236	<u>RESPONDENT:</u>	Gordon G. Oldham III Family Trust
<u>CODE OFFICER:</u>	Dave Whitty	<u>PARCEL ID NO:</u>	09-21-28-7552-02-130
<u>ADDRESS OF PROPERTY:</u>	334 W. Main Street.		

NOTICES:

06/17/18	Warning Notice mailed.
08/15/17	2 nd Warning Notice mailed.
10/05/18	Notice of Hearing mailed.
10/05/18	Notice of Hearing posted at City Hall, 120 E Main Street, Apopka, FL 32703.
10/05/18	Notice of Hearing posted on property.

SUMMARY:

AMC, Ch.22, Art. VI, Sec. 22-100: Adoption of the IPMC.
IPMC, Ch. 3, Sec. 302.1: Exterior property areas – Sanitation.
IPMC, Ch.3, Sec 308.1: Junk, trash, and debris.

This property is the Family Dollar store on W. Main St. I have spoken with the manager about keeping the dumpster areas clean in the rear of the store.

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, and debris from property within 15 days (October 31, 2018), and keep property maintained, or a fine of \$250 per day will begin on the 16th day (November 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, OCTOBER 16, 2018
6:00 PM

CASE NO:	18-00262	RESPONDENT:	Maria Gardner
CODE OFFICER:	Dave Whitty	PARCEL ID NO:	10-21-28-9104-01-180
ADDRESS OF PROPERTY:	621 E. 1 st Street.		

NOTICES:

07/30/18	Warning Notice mailed.
08/13/18	2 nd Warning Notice mailed.
10/05/18	Notice of Hearing mailed.
10/05/18	Notice of Hearing posted at City Hall, 120 E Main Street, Apopka, FL 32703.
10/05/18	Notice of Hearing posted on property.

SUMMARY:

AMC, Ch.22, Art. VI, Sec. 22-100: Adoption of the IPMC.
IPMC, Ch. 3, Sec. 302.4: Property overgrown.
IPMC, Ch. 3, Sec. 308.1: Junk, trash, and debris.

This property is overgrown and unkempt, with tree debris. I have spoken with the property owner.

08/01/18: Spoke to the property owner about the violations.

STAFF RECOMMENDATION:

The Hearing Officer find that this property is in violation of the above ordinance(s). The property must come into compliance within 15 days (October 31, 2018) and keep the property maintained, or a fine of \$250 per day will begin, if not in compliance. Upon failure of the owner to comply that the Hearing Officer authorize employees of the City of Apopka or a contractor hired by the city to enter upon the property in violation and abate the listed violation(s) thereon, pursuant to the IPMC, Ch. 3, Sec. 302.4. The cost of such abatement will be recorded as a lien on the property, to be paid by the owner or agent responsible for the property. The respondent, or representative, must contact Apopka Code Enforcement for inspection of the property at such time the property violations are cured.