



AGENDA

**CITY OF APOPKA CODE ENFORCEMENT HEARING
CITY HALL COUNCIL CHAMBER
120 East Main Street – Apopka, FL 32703
September 29, 2015 @ 6:00 PM**

CALL TO ORDER

PARKING VIOLATIONS

None

BUILDING CODES

1. Case No. CE 001095-051915 – 105 W Summit Street, Apopka, FL 32712;
Parcel ID No. 04-21-28-0202-01-240 – Bernard Jeanty
2. Case No. CE 001181-071115 – 301 N Lake Avenue, Apopka, FL 32703;
Parcel ID No. 04-21-28-4836-00-570 – Bernard Jeanty
3. Case No. CE 000016-011714 – 706 E Orange Street, Apopka, FL 32703;
Parcel ID No. 10-21-28-6136-00-010 – Dave Whitty
4. Case No. CE 001033-042215 – 718 Lou Ann Drive, Apopka, FL 32703;
Parcel ID No. 09-21-28-0196-70-190 – Dave Whitty
5. Case No. CE 000553-072314 – 315 E 1st Street, Apopka, FL 32703;
Parcel ID No. 10-21-28-0000-00-078 – Dave Whitty

APOPKA MUNICIPAL CODES AND LAND DEVELOPMENT CODES COMBINED

None

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.

Backup material for agenda item:

1. Case No. CE 001095-051915 – 105 W Summit Street, Apopka, FL 32712;
Parcel ID No. 04-21-28-0202-01-240 – Bernard Jeanty



CITY OF APOPKA CODE ENFORCEMENT HEARING

TUESDAY, SEPTEMBER 29, 2015
6:00 PM

CASE NO: CE001095-051915 **CODE OFFICER:** Bernard Jeanty
Respondent: Valerie Vukel **PARCEL ID NO:** 04-21-28-0202-01-240
Address of Property: 105 W Summit Street

NOTICE:

05/19/2015 Courtesy Notice mailed
09/11/2015 Hearing Notice posted on property and City Hall, 120 E Main Street
09/12/2015 Notice of Public Hearing Mailed via Certified (91 7199 9991 7033 7908 7091)

SUMMARY:

The property has high grass and weeds, in accordance with IPMC, Ch. 3, Sec. 302.4, all premises and exterior property shall be maintained free from weeds.

The windows on the house are broken, in accordance with IPMC, Ch. 3, Sec. 304.13.1, all glazing materials shall be maintained free from cracks and holes.

The yard is full of trash, tires, buckets, tiles, and broken glass bottles, in accordance with AMC, Ch. 42, Art II, Sec. 42-39(2), junk and trash.

The pool water is green and dirty, in accordance with AMC, Ch. 42, Art II, Sec. 42-39(11), any accumulation of stagnant water or sewage is prohibited.

The pool is completely open for any adults/children to enter, in accordance with LDC, Art. VII, Sec. 7.01.04(c), all pools shall be completely enclosed.

RECOMMENDATION:

Bring property into compliance, within 30 days, October 28, 2015; or a fine of \$250 per day will begin on October 29, 2015, and will continue until the property does come into compliance.

The petitioner must contact Apopka Code Enforcement upon bringing the property into compliance for a re-inspection.

Backup material for agenda item:

2. Case No. CE 001181-071115 – 301 N Lake Avenue, Apopka, FL 32703;
Parcel ID No. 04-21-28-4836-00-570 – Bernard Jeanty



CITY OF APOPKA CODE ENFORCEMENT HEARING

TUESDAY, SEPTEMBER 29, 2015
6:00 PM

CASE NO: CE001181-071115 **CODE OFFICER:** Bernard Jeanty
Respondent: Yasmin J Feliciano **PARCEL ID NO:** 04-21-28-4836-00-570
Address of Property: 301 N Lake Avenue

NOTICE:

07/17/2015 Courtesy Notice mailed
09/11/2015 Hearing Notice posted on property and City Hall, 120 E Main Street
09/12/2015 Notice of Public Hearing Mailed via Certified (91 7199 9991 7033 7908 7084)

SUMMARY:

The owner has added a porch with flooring, walls, and roof, in accordance with AMC, Ch. 22, Art II, Sec. 22-37, need a permit for a structure.

In the pool area, 1 section of fence is 3 feet in height, in accordance with LDC, Art. VII, Sec. 7.01.04(c), fence around the pool shall not be less than 5 feet in height;

The fence was put up without a permit, in accordance with LDC, Art. VII, Sec. 7.01.08(a), obtain permit for fence

RECOMMENDATION:

Bring property into compliance, within 30 days, October 28, 2015; or a fine of \$250 per day will begin on October 29, 2015, and will continue until the property does come into compliance.

The petitioner must contact Apopka Code Enforcement upon bringing the property into compliance for a re-inspection.

Backup material for agenda item:

3. Case No. CE 000016-011714 – 706 E Orange Street, Apopka, FL 32703;
Parcel ID No. 10-21-28-6136-00-010 – Dave Whitty



CITY OF APOPKA CODE ENFORCEMENT HEARING

TUESDAY, SEPTEMBER 29, 2015
6:00 PM

CASE NO: CE000016-011714 **CODE OFFICER:** Dave Whitty
Respondent: Lillian L. Maxwell Estate **PARCEL ID NO:** 10-21-28-6136-00-010
Address of Property: 706 E Orange Street, Oakwood Estates Lot 1

NOTICE:

1. A Declaration of Nuisance was issued at the March 18, 2014 Code Enforcement Hearing
 2. An Order of Abatement was issued at the May 20, 2014 Code Enforcement Hearing, and expired on May 21, 2015
 3. September 10, 2015: Notice of Public Hearing was sent via Certified Mail (91 7199 9991 7033 7912 9265)
 4. September 14, 2015: Hearing Notice posted on property and City Hall, 120 E Main Street
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SUMMARY:

AMC, Ch. 22, Art. V as defined: unsafe/uninhabitable structure

Property has a vacant, abandoned, dilapidated house. The property is overgrown and unkempt.

On July 5, 2015, the house was in the process of being demolished without a permit. Work was stopped until a demolition permit was issued.

A permit was not obtained.

Property continues to be a public nuisance to the community.

RECOMMENDATION:

Renew the Order of Abatement so that the City of Apopka can abate the violations and get property into compliance.

Backup material for agenda item:

4. Case No. CE 001033-042215 – 718 Lou Ann Drive, Apopka, FL 32703;
Parcel ID No. 09-21-28-0196-70-190 – Dave Whitty



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, SEPTEMBER 29, 2015
6:00 PM

CASE NO: CE001033-042215 **CODE OFFICER:** Dave Whitty

Respondent: Lou Ann Drive Trust **PARCEL ID NO:** 09-21-28-0196-70-190
c/o Land Trust Management Services, Inc., Trustee

Address of Property: 718 Lou Ann Drive

NOTICE:

1. A Declaration of Nuisance was issued at the March 18, 2014 Code Enforcement Hearing.
 2. An Order of Abatement was issued at the May 20, 2014 Code Enforcement Hearing and expired May 21, 2015.
 3. September 10, 2015: Notice of Public Hearing was sent via Certified Mail (91 7199 9991 7033 7912 9272).
 4. September 14, 2015: Hearing Notice was posted at City Hall, 120 E Main Street, and on property.
 5. September 22, 2015: A demolition permit was issued.
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SUMMARY:

AMC, Ch. 22, Art V as defined: unsafe/uninhabitable structure

This case was given a stay at the August 18, 2015 Code Enforcement Hearing since the property owner was out of the country but wanted to comply.

House continues to be unsafe/uninhabitable, is open and unsecured, and is a public nuisance to the community.

RECOMMENDATION:

That this structure be declared a nuisance and property owner given 30 days to demolish the structure. Monthly re-inspection assessments may be levied against the property as a non-ad valorem assessment superior to all other private rights, interests, liens, encumbrances, and claims upon the property and equal in rank and dignity with a lien for ad valorem and taxes.

Unpaid assessments may be certified to the Tax Collector for collection on the tax bill pursuant to the uniform method provided in Section 197.3632, Florida Statutes.

If a pattern of nuisance activity exists, the City may issue a declaration requesting the continued abatement of the nuisance as provide in Chapter 42, Apopka Code of Ordinances.

Backup material for agenda item:

5. Case No. CE 000553-072314 – 315 E 1st Street, Apopka, FL 32703;
Parcel ID No. 10-21-28-0000-00-078 – Dave Whitty



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, SEPTEMBER 29, 2015
6:00 PM

CASE NO: CE000553-072314 **CODE OFFICER:** Dave Whitty
Respondent: Gary P. Adams **PARCEL ID NO:** 10-21-28-0000-00-078
Address of Property: 315 E 1st Street

NOTICE:

1. AMC, Ch. 22, Art. V as defined: unsafe/uninhabitable structure
 2. A Declaration of Nuisance was issued at the August 19, 2014 Code Enforcement Hearing
 3. An Order of Abatement was issued at the September 16, 2014 Code Enforcement Hearing and has expired.
 4. September 14, 2015: City Hall and property was posted.
 5. Notice of this Hearing was sent via Certified Mail (91 7199 9991 7033 7912 9289)
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SUMMARY:

AMC, Ch. 22, Art. V and AMC, Ch. 42, Art. II

This house is vacant, abandoned, boarded up, and is a nuisance to the community. The property is unkempt and overgrown and has become a public nuisance.

There has been no response from the owner of record.

RECOMMENDATION:

Renew the Order of Abatement so that the City of Apopka can enter onto property and abate the violations and get property into compliance.