



## **APOPKA CODE ENFORCEMENT HEARING AGENDA**

**DECEMBER 21, 2021 1:30 PM  
APOPKA CITY HALL COUNCIL CHAMBERS**

### **CALL TO ORDER**

#### **APOPKA MUNICIPAL CODES AND LAND DEVELOPMENT CODES COMBINED**

1. Case Number. Code Enforcement 21-00291 – 1074 Sheeler Hills Drive, Apopka, FL 32703- Presented by Dave Whitty
2. Case Number. Code Enforcement 21-00390 – 2160 Wekiwa Oaks Drive, Apopka, FL 32703- Presented by Dave Whitty
3. Case Number. Code Enforcement 21-00667 – 518 S Washington Avenue, Apopka, FL 32703- Presented by Dave Whitty
4. Case Number. Code Enforcement 21-00659 – 708 S Washington Avenue, Apopka, FL 32703- Presented by Dave Whitty
5. Case Number. Code Enforcement 21-00576 – 565 Conure Street, Apopka, FL 32712- Presented by Bernard Jeanty
6. Case Number. Code Enforcement 21-00575 – 550 Conure Street, Apopka, FL 32712- Presented by Bernard Jeanty
7. Case Number. Code Enforcement 21-00647 – 608 Oshea Court, Apopka, FL 32712- Presented by Bernard Jeanty

### **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 21, 2021

**Case Number:** 21-00291

**Code Officer:** David Whitty

**Address of Property:** 1074 Sheeler Hills Drive

**Respondent:** Rolando and Marffa Cordero & Gladys Estrada- Rodriguez

**Parcel ID Number:** 23-21-28-7961-00-130

### **NOTICES:**

1. April 21, 2021 Warning Notice mailed.
2. August 31, 2021 2nd Warning Notice mailed.
3. December 7, 2021 Notice of Hearing mailed certified.
4. December 7, 2021 Notice of Hearing posted at City Hall and on property.

### **SUMMARY:**

#### **Apopka Municipal Code (AMC)**

1. Chapter 18, Article 3, Section 18-48: A building permit is required.

#### **Violations:**

Structure built without a building permit.

#### **Corrective Action:**

Obtain a building permit for the structure at the rear of the house.

**Notes:** A Building Permit was applied for on September 30, 2021. The Plan Review was denied on October 7, 2021 because a survey showing the side and rear setbacks was not submitted.

### **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 20, 2022), or a fine of \$250 per day will begin on the 31<sup>st</sup> day (January 21, 2022) 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 21, 2021

**Case Number:** 21-00390

**Code Officer:** David Whitty

**Address of Property:** 2160 Wekiwa Oaks Drive

**Respondent:** Pablo & Damaris Rivera

**Parcel ID Number:** 13-21-28-8615-00-960

### **NOTICES:**

1. May 28, 2021 Warning Notice mailed.
2. November 19, 2021 2nd Warning Notice mailed.
3. December 7, 2021 Notice of Hearing mailed certified.
4. December 7, 2021 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 304.7: Roofs shall be maintained in good repair.

#### **Violations:**

Damaged roof, tarp on the house.

#### **Corrective Action:**

Obtain a re-roof permit, remove the tarp, and have the roof repaired.

**Notes:** I have talked with the property owners.

### **STAFF RECOMMENDATION:**

That the Hearing Officer find that this property is in violation of the above ordinance. The property must come into compliance, and remain in compliance, within 30 days (January 20, 2022), or a fine of \$250 per day will begin on the 31<sup>st</sup> day (January 21, 2022) 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 21, 2021

**Case Number:** 21-00667

**Code Officer:** David Whitty

**Address of Property:** 518 South Washington Avenue

**Respondent:** Eula Mae Richardson

**Parcel ID Number:** 09-21-28-0196-40-212

### **NOTICES:**

1. November 11, 2021 Warning Notice mailed.
2. December 7, 2021 Notice of Hearing mailed certified.
3. December 7, 2021 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 108.1.1: Unsafe structure.
2. Chapter 3, Section 302.4: Property having overgrown vegetation exceeding 12 inches in height.
3. Chapter 3, Section 304.1.1: Unsafe conditions.
4. Chapter 3, Section 304.6: Exterior walls shall be free from holes, breaks, loose, or rotten materials.
5. Chapter 3, Section 304.7: Roofs shall be maintained in good repair and free from obstructions.
6. Chapter 3, Section 305.3: Interior surfaces shall be maintained in good condition.
7. Chapter 3, Section 305.4: Walking surfaces shall be maintained in good and sound condition.
8. Chapter 3, Section 308.1: Accumulation of junk, trash, and debris.
9. Chapter 6, Section 604.3: Electrical system hazards.
10. Chapter 7, Section 704.2: Fire protection systems-Smoke alarms.

### **Violations:**

Roof is in disrepair, exterior walls and roof brackets have rotting wood. There is junk, trash, debris, and exposed electrical wires. The circuit breaker has been updated, electrical work done, and windows installed without permits. The front porch is unsafe, having rotting wood. Propane tanks are not properly installed and cannot be used in the manner that they are. Interior walls have holes, and the ceiling in one of the rooms is dilapidating. There is black mold on the walls, broken windows, and flooring in disrepair. There are no smoke detectors, and the property has overgrown vegetation.

**Corrective Action:**

Obtain permits to repair or replace the roof and front porch. Obtain a permit for the windows and all electrical work that has been done. Remove all rotted wood and properly repair the interior and exterior walls, flooring, and ceiling. Disconnect the propane tanks from the house and properly store them. Properly have the black mold treated and removed. Install smoke detectors in the house. Cut all overgrown vegetation. Remove all junk, trash, and debris.

**Notes:** No one should be living in this house that has unsafe and unsanitary conditions.

**STAFF RECOMMENDATION:**

That the Hearing Officer find that this property is in violation of the above ordinances. The property owner must obtain all of the required permits within 90 days (March 21, 2022). The house cannot be occupied and must be vacated within 30 days (January 20, 2022). Remove all junk, trash, misc. items, and debris within 30 days (January 20, 2022). Property must come into compliance, and remain in compliance, or a fine of \$250 per day, per violation, will begin on the following day of each deadline, 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 21, 2021

**Case Number:** 21-00659

**Code Officer:** David Whitty

**Address of Property:** 708 South Washington Avenue

**Respondent:** Ivey Martineau

**Parcel ID Number:** 09-21-28-0196-70-031

### **NOTICES:**

1. November 17, 2021 Warning Notice mailed.
2. December 7, 2021 Notice of Hearing mailed certified.
3. December 7, 2021 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 108.1.1: Unsafe structures.
2. Chapter 1, Section 108.1.3: Structure unfit for human occupancy.
3. Chapter 3, Section 301.2: The property owner shall maintain the structures and exterior property.
4. Chapter 3, Section 302.7: Accessory structures shall be structurally sound and in good repair.
5. Chapter 3, Section 302.8: No inoperable or unlicensed vehicle shall be on property.
6. Chapter 3, Section 304.6: Exterior walls shall be free from holes, breaks, or rotting materials.
7. Chapter 3, Section 304.7: Roofs shall be maintained in good repair.
8. Chapter 3, Section 304.10: Porches and decks shall be structurally sound and in good repair.
9. Chapter 3, Section 304.13: Every window shall be kept in sound condition and good repair.
10. Chapter 3, Section 304.15: Exterior doors shall be maintained in good condition.
11. Chapter 3, Section 308.1: Accumulation of junk, trash, and debris.
12. Chapter 5, Section 504.1: Plumbing shall be properly installed in a safe and sanitary condition.
13. Chapter 6, Section 604.3: Electrical system hazards.

#### **Land Development Code (LDC)**

1. Article 4, Section 4.3.2.B: Outside storage is not a permitted use in MU-D zoning.

**Violations:**

Unsafe, uninhabitable structures. Someone is living in one of the sheds. Someone is sleeping in a tent. Accessory structures, fence, gate, roofs, porch, windows, doors, and exterior walls in disrepair. Inoperable vehicles, vehicle parts, junk, trash, and debris. The outdoor plumbing is unsanitary and inadequate. There is no legal electricity on the property. The electrical panels and equipment are exposed, inadequate, and not to code.

.

**Corrective Action:**

Vacate the house, shed, and tent. The house is not fit to live in, and the shed is not built and designed to be lived in. Obtain permits and make the proper repairs to all structures, plumbing and electrical equipment, or remove all structures, all plumbing, and all electrical equipment from the property. Remove all junk, trash, debris, inoperable vehicles, and vehicle parts from the property. Disconnect the toilet and remove it. Properly repair or replace the fence and gate that are in disrepair.

**Notes:** I have walked the property with the homeowner, and explained all of the Code Enforcement violations to him. The Building Official explained all of the Building Code violations to him.

**STAFF RECOMMENDATION:**

That the Hearing Officer find that this property is in violation of the above ordinances. The property owner must obtain all of the required permits within 90 days (March 21, 2022), or remove all structures, plumbing and electrical equipment from the property. The house, shed, and tent cannot be occupied and must be vacated within 30 days (January 20, 2022). Remove all junk, trash, misc. items, debris, inoperable vehicles and vehicle parts within 30 days (January 20, 2022). Property must come into compliance, and remain in compliance, or a fine of \$250 per day, per violation, will begin on the following day of each deadline, 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 21, 2021

**Case Number:** 21-00576

**Code Officer:** Bernard Jeanty

**Address of Property:** 565 Conure Street

**Respondent:** Georgina Molina & Israel Gonzalez

**Parcel ID Number:** 04-21-28-5529-00-140

### **NOTICES:**

1. September 3, 2021 Warning Notice mailed.
2. December 10, 2021 Notice of Hearing mailed certified.
3. December 10, 2021 Notice of Hearing posted at City Hall and on property.

### **SUMMARY:**

#### **Land Development Code (LDC)**

1. Article 4, section 4.3.3.4: No Accessory structure shall be located in the front of the residence

#### **Violations:**

Open and outside storage of wood, metals and other miscellaneous items. Commercial trailer. Screen enclosure ripped. Overgrown grass and weeds on the fence. Fence in disrepair.

#### **Corrective Action:**

Cease open and outside storage and remove all items. Repair the fence. Remove overgrown grass and weeds from the fence. Cease parking commercial trailer in a residential zone.

### **STAFF RECOMMENDATION:**

That the Hearing Officer find that this property is in violation of the above ordinance. The property must come into compliance, and remain in compliance, within 7 days (December 28, 2021), or a fine of \$500 per day will begin on the 8th day (December 29, 2021) 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 21, 2021

**Case Number:** 21-00575

**Code Officer:** Bernard Jeanty

**Address of Property:** 550 Conure Street

**Respondent:** Laura & James Ferguson

**Parcel ID Number:** 04-21-28-5529-00-680

### **NOTICES:**

1. September 4, 2021 Warning Notice mailed.
2. November 15, 2021 2nd Warning Notice mailed.
3. December 10, 2021 Notice of Hearing mailed certified.
4. December 10, 2021 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 304.2: Exterior surfaces shall be protected from decay, peeling paint, rust and corrosion
2. Chapter 3, Section 304.6: Exterior walls shall be free from holes, breaks, loose, or rotting materials.

### **Violations:**

Paint chipping on exterior walls. Exterior walls have rotten wood.

### **Corrective Action:**

Repair exterior walls and repaint them.

### **STAFF RECOMMENDATION:**

That the Hearing Officer find that this property is in violation of the above ordinance. The property must come into compliance, and remain in compliance, within 60 days (February 19, 2022), or a fine of \$500 per day will begin on the 61<sup>st</sup> day (February 20, 2022) 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 21, 2021

**Case Number:** 21-00647

**Code Officer:** Bernard Jeanty

**Address of Property:** 608 Oshea Court

**Respondent:** Jesus & Maria Duran

**Parcel ID Number:** 04-21-28-9638-00-180

### **NOTICES:**

1. October 21, 2021 Warning Notice mailed.
2. November 18, 2021 2nd Warning Notice mailed.
3. December 10, 2021 Notice of Hearing mailed certified.
4. December 10, 2021 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 and weeds.
2. Chapter 3, Section 304.14: Insect screens.

#### **Land Development Code (LDC)**

1. Article 4, section 4.3.2.B: Open and outside storage not permitted in a residential Zoning District
2. Article 5, Section 5.5.4.I: Fences and walls and associated landscaping shall be maintained in good repair and in a safe, and attractive condition.
3. Article 5, Section 5.1.5.A.4: Commercial vehicles are prohibited on any public or private property in any Residential district.

### **Violations:**

Open and outside storage of wood, metals and other miscellaneous items. Commercial trailer stored on property. Screen enclosure ripped. Overgrown grass and weeds on the fence. Fence in disrepair.

### **Corrective Action:**

Cease open and outside storage and remove all items. Repair the fence. Remove overgrown grass and weeds from the fence. Cease parking commercial trailer in a residential zone.

### **STAFF RECOMMENDATION:**

That the Hearing Officer find that this property is in violation of the above ordinance. The property must come into compliance, and remain in compliance, within 30 days (January 20, 2022), or a fine of \$500 per day will begin on the 31<sup>st</sup> day (January 21, 2022) 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.