



AGENDA

**CITY OF APOPKA CODE ENFORCEMENT HEARING
CITY HALL COUNCIL CHAMBER
120 East Main Street – Apopka, FL 32703
September 16, 2014 @ 7:00 PM**

CALL TO ORDER

APOPKA MUNICIPAL CODE AND LAND DEVELOPMENT CODE VIOLATIONS COMBINED

1. 9/16/14 - CEH - CE000639-082914 - 915 Haas Avenue, Apopka, FL 32703.
Multiple AMC Chapter 22-84, Art. V & AMC Chapter 42, Art. II, Violations.
2. 9/16/14 - CEH - CE000495-070914 - 602 S. Park Avenue, Apopka, FL 32703.
Multiple AMC Chapter 22-84, Art. V & AMC Chapter 42, Art. II, Violations.

ORDERS - APOPKA MUNICIPAL CODE VIOLATIONS

1. 9/16/14 - CEH - CE000592-080814 - 540 N. Central Avenue, Apopka, FL 32703.
AMC, Ch. 42, Art. II, Sec.42-39(3), Existence of excessive accumulation or untended growth of weeds, grass, undergrowth, brush, etc.
2. 9/16/14 - CEH - CE000591-080814 - 556 N. Central Avenue, Apopka, Florida 32712.
AMC Chapter 42, Art. II, Sec. 42-39 (3), The existence of excessive accumulation or untended growth of weeds, grass, etc.
3. 9/16/14 - CEH - CE000096-021714 - 1356 Sheeler Avenue, Apopka, FL 32703.
Multiple AMC Chapter 22-84, Art. V & AMC Chapter 42, Art. II, Violations.
4. 09/16/14 - CEH - CE000238-040714 - 301 N. Lake Avenue, Apopka, FL. 32703.
AMC Chapter 42, Art. II, Sec.42-39,(3); (4); (11) & LDC, Art. VII, Sec. 7.01.08(c).

5. 09/16/14 - CEH - CE000331-051214 - 113 Goodrich Avenue, Apopka, FL 32703.
Multiple AMC Chapter 22-84, Art. V & AMC Chapter 42, Art. II, Violations.
6. 09/16/14 - CEH - CE000632-072114 - 315 E. 1st. Street, Apopka, FL
Multiple AMC Chapter 22-84, Art. V & AMC Chapter 42, Art. II, Violations.
7. 09/16/14 - CEH - CE000554-072314 - 722 E. Lisa Lane, Apopka, FL 32703.
Multiple AMC Chapter 22-84, Art. V & AMC Chapter 42, Art. II, Violations.
8. 9/16/14 - CEH - CE000190-032014 - 803 N. Park Avenue, Apopka, FL 32712.
AMC, Chapter 42, Art. II, Sec.42-39(1),(2),(3), Violations.

REDUCTION OF FINE REQUEST

NEXT MEETING DATE

ADJOURNMENT

Please enter your section information here.

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. 9/16/14 - CEH - CE000639-082914 - 915 Haas Avenue, Apopka, FL 32703.
Multiple AMC Chapter 22-84, Art. V & AMC Chapter 42, Art. II, Violations.



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, SEPTEMBER 16, 2014
7:00 PM

CASE NO: CE000639-082914

CODE OFFICER: Dave Whitty

Respondent : Perry Kirby

Parcel ID No: 15-21-28-7048-02-270

Address of Property: 915 Haas Avenue
Apopka, FL 32703

Legal Description: PINE PARK P/23 LOTS 27 THROUGH 30 BLK B

CODE VIOLATION(S) SUMMARY:

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)a.: It is vacant, unguarded and accessible to the public.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)b.: There is an unwarranted of combustible material therein.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)c.: The structure's condition creates hazards with respect to means of egress and fire protection as provided for the particular occupancy.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)d.: There is a falling away, hanging loose or loosening of any siding, block, brick or other building material any exterior appendage or portion of the building or structure is not securely fastened, attached or anchored such that it is capable of resisting wind, seismic or similar loads as required by the building code.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)e.: There is deterioration of the structure or structural parts as to constitute a public nuisance by reason of inadequate maintenance, obsolescence or abandonment.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)f.: The structure is partially destroyed as a result of decay, deterioration or dilapidation is likely to fully or partially collapse.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)g.: There is an unusual sagging or leaning out of plumb of the structure or any parts of the structure and such effect is caused by deterioration or overstressing;

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)h.: The electrical or mechanical installations or systems create a hazardous condition.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)i.: An unsanitary condition exists by reason of inadequate or malfunctioning sanitary facilities or waste disposal systems.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)k.: When the structure is declared a fire or safety hazard by the building official or fire official.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)l: When the structure creates and unusual or extraordinary hazard by its dilapidated condition to emergency response personnel or the general public.

AMC, Ch. 42, Art. II, Sec. 42-39(3): The existence of excessive accumulation or untended growth of weeds, grass, undergrowth, brush, of other dead or living plant life upon an improved lot, tract or parcel of land, within one - hundred (100) feet of any improved property within the City of Apopka to the extent and in the manner that such improved lot, tract or parcel of land is or may become a breeding place for mosquitoes; may pose a fire hazard; threaten or endanger the public health and welfare; pose an attractive nuisance for children; may reasonably cause disease; or adversely affect and impair the economic welfare of any adjacent property.

STAFF RECOMMENDATION:

Staff recommends that the Hearing Officer issue a declaration that the property is a nuisance and grant the property owner(s) 15 days to achieve compliance. Should the property owner fail to remediate the violation(s) within the required time, this case may be heard at a future hearing. This may result in an order to abate said nuisance in accordance with Chapter 22 & 42 of the Apopka Municipal Code.









Backup material for agenda item:

2. 9/16/14 - CEH - CE000495-070914 - 602 S. Park Avenue, Apopka, FL 32703.
Multiple AMC Chapter 22-84, Art. V & AMC Chapter 42, Art. II, Violations.



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, SEPTEMBER 16, 2014
7:00 PM

CASE NO: CE000495-070914

CODE OFFICER: Dave Whitty

Respondent : Apopka Property LLC

Parcel ID No: 09-21-28-0196-51-191

Address of Property: 602 South Park Avenue
Apopka, FL 32703

Legal Description: TOWN OF APOPKA A/109 LOTS 119 THROUGH 124 (LESS BEG SE COR OF LOT 124 N 50 DEG W 60 FT N 40.88 FT E 46.12 FT S 79.12 FT TO POB & LESS BEG NW COR OF LOT 119 RUN E 70 FT S 59 FT NWLY 91.5 FT TO POB) BLK E

CODE VIOLATION(S) SUMMARY:

AMC, Ch. 22, Art. V, Sec. 22-84(a): A building or structure shall be uninhabitable, unsafe and a public nuisance when any of the following conditions are found:

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3): It is found to have one or more of the following characteristics:

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)a.: It is vacant, unguarded and accessible to the public.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)b.: There is an unwarranted of combustible material therein.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)c.: The structure's condition creates hazards with respect to means of egress and fire protection as provided for the particular occupancy.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)d.: There is a falling away, hanging loose or loosening of any siding, block, brick or other building material any exterior appendage or portion of the building or structure is not securely fastened, attached or anchored such that it is capable of resisting wind, seismic or similar loads as required by the building code.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)e.: There is deterioration of the structure or structural parts as to constitute a public nuisance by reason of inadequate maintenance, obsolescence or abandonment.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)f.: The structure is partially destroyed as a result of decay, deterioration or dilapidation is likely to fully or partially collapse.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)g.: There is an unusual sagging or leaning out of plumb of the structure or any parts of the structure and such effect is caused by deterioration or oversteering;

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)h.: The electrical or mechanical installations or systems create a hazardous condition.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)i.: An unsanitary condition exists by reason of inadequate or malfunctioning sanitary facilities or waste disposal systems.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)k.: When the structure is declared a fire or safety hazard by the building official or fire official.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)l: When the structure creates and unusual or extraordinary hazard by its dilapidated condition to emergency response personnel or the general public.

AMC, Ch. 42, Art. II, Sec.42-39(3): The existence of excessive accumulation or untended growth of weeds, grass, undergrowth, brush, of other dead or living plant life upon an improved lot, tract or parcel of land, within one - hundred (100) feet of any improved property within the City of Apopka to the extent and in the manner that such improved lot, tract or parcel of land is or may become a breeding place for mosquitoes; may pose a fire hazard; threaten or endanger the public health and welfare; pose an attractive nuisance for children; may reasonably cause disease; or adversely affect and impair the economic welfare of any adjacent property.

STAFF RECOMMENDATION:

Staff recommends that the Hearing Officer issue a declaration that the property is a nuisance and grant the property owner(s) 15 days to achieve compliance. Should the property owner fail to remediate the violation(s) within the required time, this case may be heard at a future hearing. This may result in an order to abate said nuisance in accordance with Chapter 22 & 42 of the Apopka Municipal Code.









Backup material for agenda item:

1. 9/16/14 - CEH - CE000592-080814 - 540 N. Central Avenue, Apopka, FL 32703. AMC, Ch. 42, Art. II, Sec.42-39(3), Existence of excessive accumulation or untended growth of weeds, grass, undergrowth, brush, etc.



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, SEPTEMBER 16, 2014
7:00 PM

CASE NO: CE000592-080814

CODE OFFICER: Aaron Graulau

Respondent : Aurora G. Alvarado
Rudy Alvarado

Parcel ID No: 04-21-28-0202-02-200

Address of Property: 540 N. Central Avenue
Apopka, FL 32712

Legal Description:

APOPKA HEIGHTS SECOND REPLAT T/80 LOT 20 BLK H

CODE VIOLATION(S) SUMMARY:

AMC, Ch. 42, Art. II, Sec.42-39(3): The existence of excessive accumulation or untended growth of weeds, grass, undergrowth, brush, of other dead or living plant life upon an improved lot, tract or parcel of land, within one - hundred (100) feet of any improved property within the City of Apopka to the extent and in the manner that such improved lot, tract or parcel of land is or may become a breeding place for mosquitoes; may pose a fire hazard; threaten or endanger the public health and welfare; pose an attractive nuisance for children; may reasonably cause disease; or adversely affect and impair the economic welfare of any adjacent property.

STAFF RECOMMENDATION:

Staff recommends that the Hearing Officer issue an Order of Abatement, and if property is not brought into compliance by Wed. Oct. 1, 2014, the City of Apopka has the authority to enter property and abate the nuisance, for up to 12 months. The cost shall be a non-valorem assessment, superior to all other private rights, interests, liens, titles, and claims upon the property, equal with any lien for ad valorem taxes, and unpaid assessments, and may be certified to the Tax Collector for collection, pursuant to Florida Statute, Section 197.3632, payable to the City of Apopka.



8/9/14, 5:12 PM





Backup material for agenda item:

2. 9/16/14 - CEH - CE000591-080814 - 556 N. Central Avenue, Apopka, Florida 32712.
AMC Chapter 42, Art. II, Sec. 42-39 (3), The existence of excessive accumulation or untended growth of weeds, grass, etc.



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, SEPTEMBER 16, 2014
7:00 PM

CASE NO: CE000591-080814

CODE OFFICER: Aaron Graulau

Respondent : 28 51 Orange II, LLC
US Bank Custodian

Parcel ID No: 04-21-28-0202-02-180

Address of Property: 556 N. Central Avenue
Apopka, FL 32712

Legal Description:

APOPKA HEIGHTS SECOND REPLAT T/80 LOT 18 BLK B

CODE VIOLATION(S) SUMMARY:

AMC, Ch. 42, Art. II, Sec.42-39(3): The existence of excessive accumulation or untended growth of weeds, grass, undergrowth, brush, of other dead or living plant life upon an improved lot, tract or parcel of land, within one - hundred (100) feet of any improved property within the City of Apopka to the extent and in the manner that such improved lot, tract or parcel of land is or may become a breeding place for mosquitoes; may pose a fire hazard; threaten or endanger the public health and welfare; pose an attractive nuisance for children; may reasonably cause disease; or adversely affect and impair the economic welfare of any adjacent property.

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Backup material for agenda item:

3. 9/16/14 - CEH - CE000096-021714 - 1356 Sheeler Avenue, Apopka, FL 32703.
Multiple AMC Chapter 22-84, Art. V & AMC Chapter 42, Art. II, Violations.



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, SEPTEMBER 16, 2014
7:00 PM

CASE NO: CE000096-021714

CODE OFFICER: Dave Whitty

Respondent : Charles R. Norfleet Estate

Parcel ID No: 15-21-28-3960-00-052

Address of Property: 1356 Sheeler Avenue
Apopka, FL 32712

Legal Description:

JEFFCOAT HEIGHTS R/129 BEG INTERSECTION OF S LINE LOT 5 & W LINE SHEELER ROAD
RUN W ALONG S LINE LOT 5 170.5 FT N 109 FT E TO INTERSECTION OF W R/W OF SHEELER RD
TH S TO BEG

CODE VIOLATION(S) SUMMARY:

AMC, Ch. 22, Art. V, Sec. 22-84(a): A building or structure shall be uninhabitable, unsafe and a public nuisance when any of the following conditions are found:

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)a.: It is vacant, unguarded and accessible to the public.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)b.: There is an unwarranted of combustible material therein.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)c.: The structure's condition creates hazards with respect to means of egress and fire protection as provided for the particular occupancy.

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AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)h.: The electrical or mechanical installations or systems create a hazardous condition.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)i.: An unsanitary condition exists by reason of inadequate or malfunctioning sanitary facilities or waste disposal systems.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)k.: When the structure is declared a fire or safety hazard by the building official or fire official.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)l: When the structure creates and unusual or extraordinary hazard by its dilapidated condition to emergency response personnel or the general public.

AMC, Art. V, Sec.42-39(2): Any accumulation of rubbish, trash, refuse, junk, and other abandoned materials, metals, lumber, or other things, which based on the facts and circumstances of the accumulation has become a public nuisance in fact.

AMC, Art. V, Sec.42-39(5): Any unfit, unsanitary, abandoned, or unsafe dwelling, structure, or improvement upon real property.

AMC, Art. V, Sec.42-39(7): Any underbrush, weeds, or untended grass which exceeds twelve (12) inches in height located on improved property.

AMC, Art. V, Sec.42-39(15): For the purpose of this article, the term "nuisance" shall also include any condition or use of premises or of building exteriors which is detrimental to the property of others or which causes or tends to cause substantial diminution in the value of other property in the neighborhood in which the premises are located.

STAFF RECOMMENDATION:

Staff recommends that the Hearing Officer issue an Order of Abatement, and if property is not brought into compliance by Wed. Oct. 1, 2014, the City of Apopka has the authority to enter property and abate the nuisance, for up to 12 months. The cost shall be a non-valorem assessment, superior to all other private rights, interests, liens, titles, and claims upon the property, equal with any lien for ad valorem taxes, and unpaid assessments, and may be certified to the Tax Collector for collection, pursuant to Florida Statute, Section 197.3632, payable to the City of Apopka.







Backup material for agenda item:

4. 09/16/14 - CEH - CE000238-040714 - 301 N. Lake Avenue, Apopka, FL. 32703.
AMC Chapter 42, Art. II, Sec.42-39,(3); (4); (11) & LDC, Art. VII, Sec. 7.01.08(c).



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, SEPTEMBER 16, 2014
7:00 PM

CASE NO: CE000238-040714

CODE OFFICER: Dave Whitty

Respondent : CitiMortgage

Parcel ID No: 4-21-28-4836-00-570

Address of Property: 301 N. Lake Avenue
Apopka, FL 32703

Legal Description: LAKESIDE HOMES B/69 2 ACRES (LESS E 80 FT) IN W1/2 OF NE1/4 OF NE1/4 & LOTS 57 TO 59 & VAC LAKESIDE DR (LESS BEG 60 FT E OF NE COR LOT 53 RUN E 76.6 FT SELY 51 FT W 97 FT N 50 FT TO POB) & (LESS PART OF LOT 59 & VAC LAKESIDE DR & W1/2 OF NE1/4 OF NE1/4 OF SEC 09-21-28 DESC AS BEG INT OF NLY R/W W MYRTLE AVE & NE R/W SAID VAC LAKESIDE DR TH RUN W 146 FT N14-08-39E 456.96 FT TO N LINE OF SAID W1/2 OF NE1/4 OF NE1/4 TH RUN S00-06-58W TO SAID NE R/W VAC LAKESIDE DR TH SELY TO POB & (LESS COMM AT THE SW COR OF LOT 58 TH N 209.91 FT TO POB TH RUN E 100 FT N20-18-05E 93.79 FT N34-19-55W 63.02 FT W 97 FT S 140 FT TO POB) & (LESS COMM NE COR OF LOT 50 PT LYING ON WLY R/W LINE OF NORTH LAKE AVE TH RUN S 200 FT TH E 60 FT FOR POB TH N 47.50 FT TH S89-51-31E 350 FT TH S 46.64 FT TH W 350 FT TO POB)

CODE VIOLATION(S) SUMMARY:

LDC, Art VII, Sec. 7.01.08(c): Walls and fences erected or placed in all districts shall be maintained in good repair and sound structural condition.

AMC, Chapter 42, Sec.42-39(3): The existence of excessive accumulation or untended growth of weeds, grass, undergrowth, brush, of other dead or living plant life upon an improved lot, tract or parcel of land, within one - hundred (100) feet of any improved property within the City of Apopka to the extent and in the manner that such improved lot, tract or parcel of land is or may become a breeding place for mosquitoes; may pose a fire hazard; threatened or endanger the public health and welfare; pose an attractive nuisance for children; may reasonably cause disease; or adversely affect and impair the economic welfare of any adjacent property.

AMC, Chapter 42, Sec.42-39(4): Any "attractive nuisance" or condition which may prove detrimental to the health and safety of children, whether on an improved or unimproved lot, tract or parcel of land including, but not limited to, abandoned wells, shafts, excavations, abandoned appliances, abandoned or inoperable motor vehicles, and any structurally unsound fences or structures, lumber, trash, debris, of vegetation such as poison ivy, oak or sumac, which may prove a hazard for inquisitive minors.

AMC, Chapter 42, Sec.42-39(11): Any accumulation of stagnant water or sewage permitted or maintained on any improved lot, premises, or piece of ground.

STAFF RECOMMENDATION:

Staff recommends that the Hearing Officer issue an Order of Abatement, and if property is not brought into compliance by Wed. Oct. 1, 2014 the City of Apopka has the authority to enter property and abate the nuisance, for up to 12 months. The cost shall be a non-valorem assessment, superior to all other private rights, interests, liens, titles, and claims upon the property, equal with any lien for ad valorem taxes, and unpaid assessments, and may be certified to the Tax Collector for collection, pursuant to Florida Statute, Section 197.3632, payable to the City of Apopka.



















Backup material for agenda item:

5. 09/16/14 - CEH - CE000331-051214 - 113 Goodrich Avenue, Apopka, FL 32703.
Multiple AMC Chapter 22-84, Art. V & AMC Chapter 42, Art. II, Violations.



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, SEPTEMBER 16 2014
7:00 PM

CASE NO: CE000331-051214

CODE OFFICER: Dave Whitty

Respondent : Lowell Keith Vogel

Parcel ID No: 10-21-28-2200-00-480

Address of Property: 113 Goodrich Avenue
Apopka, FL 32703

Legal Description:

DREAM LAKE ADDITION H/48 LOTS 48 & 49 & N1/2 OF 47

CODE VIOLATION(S) SUMMARY:

AMC, Ch. 22, Art. V, Sec. 22-84(a): A building or structure shall be uninhabitable, unsafe and a public nuisance when any of the following conditions are found:

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3): It is found to have one or more of the following characteristics:

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)a.: It is vacant, unguarded and accessible to the public.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)b.: There is an unwarranted of combustible material therein.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)c.: The structure's condition creates hazards with respect to means of egress and fire protection as provided for the particular occupancy.

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AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)e.: There is deterioration of the structure or structural parts as to constitute a public nuisance by reason of inadequate maintenance, obsolescence or abandonment.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)f.: The structure is partially destroyed as a result of decay, deterioration or dilapidation is likely to fully or partially collapse.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)g.: There is an unusual sagging or leaning out of plumb of the structure or any parts of the structure and such effect is caused by deterioration or oversteering;

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)h.: The electrical or mechanical installations or systems create a hazardous condition.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)i.: An unsanitary condition exists by reason of inadequate or malfunctioning sanitary facilities or waste disposal systems.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)k.: When a structure is declared a fire or safety hazard by

the building official or fire official.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)l: When the structure creates and unusual or extraordinary hazard by its dilapidated condition to emergency response personnel or the general public.

AMC, Chapter 42, Sec. 42-39(1): Any public nuisance known as common law or in equity jurisprudence or as provided by the statutes of the state or ordinances of the city, including this chapter.

AMC, Chapter 42, Sec. 42-39(3): The existence of excessive accumulation or untended growth of weeds, grass, undergrowth, brush, of other dead or living plant life upon an improved lot, tract or parcel of land, within one - hundred (100) feet of any improved property within the City of Apopka to the extent and in the manner that such improved lot, tract or parcel of land is or may become a breeding place for mosquitoes; may pose a fire hazard; threaten or endanger the public health and welfare; pose an attractive nuisance for children; may reasonably cause disease; or adversely affect and impair the economic welfare of any adjacent property.

AMC, Chapter 42, Sec. 42-39(4): Any "attractive nuisance" or condition which may prove detrimental to the health and safety of children, whether on an improved or unimproved lot, tract or parcel of land including, but not limited to, abandoned wells, shafts, excavations, abandoned appliances, abandoned or inoperable motor vehicles, and any structurally unsound fences or structures, lumber, trash, debris, of vegetation such as poison ivy, oak or sumac, which may prove a hazard for inquisitive minors.

AMC, Chapter 42, Sec.42-39(5): Any unfit, unsanitary, abandoned, or unsafe dwelling, structure, or improvement upon real property.

AMC, Chapter 42, Sec.42-39(10): Any building, structure or other place or location where activity in violation of local, state, or federal law is conducted, performed, or maintained, and which under the facts and circumstances surrounding the activity constitutes a public nuisance in fact.

STAFF RECOMMENDATION:

Staff recommends that the Hearing Officer issue an Order of Abatement, and if property is not brought into compliance by Wed. Oct. 1, 2014 the City of Apopka has the authority to enter property and abate the nuisance, for up to 12 months. The cost shall be a non-valorem assessment, superior to all other private rights, interests, liens, titles, and claims upon the property, equal with any lien for ad valorem taxes, and unpaid assessments, and may be certified to the Tax Collector for collection, pursuant to Florida Statute, Section 197.3632, payable to the City of Apopka.













Backup material for agenda item:

6. 09/16/14 - CEH - CE000632-072114 - 315 E. 1st. Street, Apopka, FL
Multiple AMC Chapter 22-84, Art. V & AMC Chapter 42, Art. II, Violations.



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, SEPTEMBER 16, 2014
7:00 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
Apopka, FL 32703

Legal Description:

W 138.7 FT OF S 142 FT OF SE1/4 OF NW1/4 (LESS S & W 30 FT FOR R/W) OF SEC 10-21-28

CODE VIOLATION(S) SUMMARY:

AMC, Ch. 22, Art. V, Sec. 22-84(a): A building or structure shall be uninhabitable, unsafe and a public nuisance when any of the following conditions are found:

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3): It is found to have one or more of the following characteristics:

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)a.: It is vacant, unguarded and accessible to the public.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)b.: There is an unwarranted of combustible material therein.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)c.: The structure's condition creates hazards with respect to means of egress and fire protection as provided for the particular occupancy.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)d.: There is a falling away, hanging loose or loosening of any siding, block, brick or other building material any exterior appendage or portion of the building or structure is not securely fastened, attached or anchored such that it is capable of resisting wind, seismic or similar loads as required by the building code.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)e.: There is deterioration of the structure or structural parts as to constitute a public nuisance by reason of inadequate maintenance, obsolescence or abandonment.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)f.: The structure is partially destroyed as a result of decay, deterioration or dilapidation is likely to fully or partially collapse.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)g.: There is an unusual sagging or leaning out of plumb of the structure or any parts of the structure and such effect is caused by deterioration or overstressing;

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)h.: The electrical or mechanical installations or systems create a hazardous condition.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)i.: An unsanitary condition exists by reason of inadequate or malfunctioning sanitary facilities or waste disposal systems.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)k.: When the structure is declared a fire or safety hazard by the building official or fire official.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)l.: When the structure creates and unusual or extraordinary hazard by its dilapidated condition to emergency response personnel or the general public.

AMC, Chapter 42, Sec.42-39(3): The existence of excessive accumulation or untended growth of weeds, grass, undergrowth, brush, of other dead or living plant life upon an improved lot, tract or parcel of land, within one - hundred (100) feet of any improved property within the City of Apopka to the extent and in the manner that such improved lot, tract or parcel of land is or may become a breeding place for mosquitoes; may pose a fire hazard; threaten or endanger the public health and welfare; pose an attractive nuisance for children; may reasonably cause disease; or adversely affect and impair the economic welfare of any adjacent property.

STAFF RECOMMENDATION:

Staff recommends that the Hearing Officer issue an Order of Abatement, and if property is not brought into compliance by Wed. Oct. 1, 2014 the City of Apopka has the authority to enter property and abate the nuisance, for up to 12 months. The cost shall be a non-valorem assessment, superior to all other private rights, interests, liens, titles, and claims upon the property, equal with any lien for ad valorem taxes, and unpaid assessments, and may be certified to the Tax Collector for collection, pursuant to Florida Statute, Section 197.3632, payable to the City of Apopka.











Backup material for agenda item:

7. 09/16/14 - CEH - CE000554-072314 - 722 E. Lisa Lane, Apopka, FL 32703.
Multiple AMC Chapter 22-84, Art. V & AMC Chapter 42, Art. II, Violations.



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, SEPTEMBER 16, 2014
7:00 PM

CASE NO: CE000554-072314

CODE OFFICER: Dave Whitty

Respondent : Kenneth William Murphy

Parcel ID No: 10-21-28-0000-00-078

Address of Property: 722 Lisa Lane
Apopka, FL 32703

Legal Description: OAKWOOD ESTATES FIRST ADDITION X/19 LOT 7 BLK B

CODE VIOLATION(S) SUMMARY:

AMC, Ch. 22, Art. V, Sec. 22-84(a): A building or structure shall be uninhabitable, unsafe and a public nuisance when any of the following conditions are found:

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3): It is found to have one or more of the following characteristics:

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)a.: It is vacant, unguarded and accessible to the public.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)b.: There is an unwarranted of combustible material therein.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)c.: The structure's condition creates hazards with respect to means of egress and fire protection as provided for the particular occupancy.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)d.: There is a falling away, hanging loose or loosening of any siding, block, brick or other building material any exterior appendage or portion of the building or structure is not securely fastened, attached or anchored such that it is capable of resisting wind, seismic or similar loads as required by the building code.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)e.: There is deterioration of the structure or structural parts as to constitute a public nuisance by reason of inadequate maintenance, obsolescence or abandonment.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)f.: The structure is partially destroyed as a result of decay, deterioration or dilapidation is likely to fully or partially collapse.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)g.: There is an unusual sagging or leaning out of plumb of the structure or any parts of the structure and such effect is caused by deterioration or oversteering;

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)h.: The electrical or mechanical installations or systems create a hazardous condition.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)i.: An unsanitary condition exists by reason of inadequate or malfunctioning sanitary facilities or waste disposal systems.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)k.: When the structure is declared a fire or safety hazard by the building official or fire official.

AMC, Ch. 22, Art. V, Sec. 22-84(a)(3)l: When the structure creates and unusual or extraordinary hazard by its dilapidated condition to emergency response personnel or the general public.

AMC, Chapter 42, Sec.42-39(3): The existence of excessive accumulation or untended growth of weeds, grass, undergrowth, brush, of other dead or living plant life upon an improved lot, tract or parcel of land, within one - hundred (100) feet of any improved property within the City of Apopka to the extent and in the manner that such improved lot, tract or parcel of land is or may become a breeding place for mosquitoes; may pose a fire hazard; threaten or endanger the public health or safety; pose an attractive nuisance for children; may reasonably cause disease; or adversely affect the economic welfare of any adjacent property.

STAFF RECOMMENDATION:

Staff recommends that the Hearing Officer issue an Order of Abatement, and if property is not brought into compliance by Wed. Oct. 1, 2014 the City of Apopka has the authority to enter property and abate the nuisance, for up to 12 months. The cost shall be a non-valorem assessment, superior to all other private rights, interests, liens, titles, and claims upon the property, equal with any lien for ad valorem taxes, and unpaid assessments, and may be certified to the Tax Collector for collection, pursuant to Florida Statute, Section 197.3632, payable to the City of Apopka.











Backup material for agenda item:

8. 9/16/14 - CEH - CE000190-032014 - 803 N. Park Avenue, Apopka, FL 32712.
AMC, Chapter 42, Art. II, Sec.42-39(1),(2),(3), Violations.



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, SEPTEMBER 16, 2014
7:00 PM

CASE NO: CE000190-032014

CODE OFFICER: Aaron Graulau

Respondent : Super Stop Petroleum, Inc.

Parcel ID No: 03-21-280000-00-009

Address of Property: 803 N. Park Avenue
Apopka, FL 32712

Legal Description:

S1/2 OF SW1/4 OF NW1/4 OF NW1/4 (LESS E 396 FT THEREOF & LESS S 30 FT FOR R/W & LESS PART TAKEN FOR WEST ORANGE TRAIL PER 5791/100) IN SEC 03-21-28

CODE VIOLATION(S) SUMMARY:

AMC, Ch. 42, Art. II, Sec.42-39(1): Any public nuisance known as common law or in equity jurisprudence or as provided by the statutes of the state or ordinances of the city, including this chapter.

AMC, Ch. 42, Art. II, Sec.42-39(2): Any accumulation of rubbish, trash, refuse, junk, and other abandoned materials, metals, lumber, or other things, which based upon the facts and circumstances of the accumulation has become a public nuisance in fact.

AMC, Ch. 42, Art. II, Sec.42-39(3): The existence of excessive accumulation or untended growth of weeds, grass, undergrowth, brush, of other dead or living plant life upon an improved lot, tract or parcel of land, within one - hundred (100) feet of any improved property within the City of Apopka to the extent and in the manner that such improved lot, tract or parcel of land is or may become a breeding place for mosquitoes; may pose a fire hazard; threaten or endanger the public health and welfare; pose an attractive nuisance for children; may reasonably cause disease; or adversely affect and impair the economic welfare of any adjacent property.

STAFF RECOMMENDATION:

Staff recommends that the Hearing Officer find this property is in violation of AMC Chapter 42, Sec 42-39(1);(2);(3); Unkempt Property. The property owners may be afforded 10 days to remedy the violations or a fine of \$250 per day will be assessed thereafter .











[Inbox \(23\)](#)From: [Kristen](#) >[Hide](#)To: [Aaron Graulau](#) >**Extension for [803 N. Park Ave](#)**

August 19, 2014 at 3:40 PM

Dear City Of Apopka,

As the owner of 803 North Park Apopka, FL. We would like to acknowledge that there is a violation on our property. The steps we have taken to improve this violation: we removed the dead tree that was not only an eye sore but had become a danger to the public. We have had a guy come and mow the back of the parcel however he mowed the wrong property as Inspector Aaron informed me of. We do not anticipate any future violations from this property. I would like to thank Inspector Aaron for his time, effort and patience with this. He has been a valuable key player in the clean-up of the property.

We respectfully ask that the City of Apopka give us an extension of 14 days to complete the work.

Thank you,
Super Stop Petroleum, Inc.

Kristen McCrory

Kristen McCrory
Administrative Assistant

ph: [\(561\)392-4800](tel:5613924800)fax: [561-392-4878](tel:5613924878)[6221 West Atlantic Blvd.](#)[Margate, FL 33063](#)

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