



AGENDA

**CITY OF APOPKA CODE ENFORCEMENT HEARING
CITY HALL COUNCIL CHAMBER
120 East Main Street – Apopka, FL 32703
August 19, 2014 @ 7:00 PM**

CALL TO ORDER

CODE VIOLATIONS

1. Case Number: CECE000190-032014 - 803 N. Park Avenue, Apopka, FL 32703.

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; 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.

2. Case Number: CE000592-080814 - 540 N. Central Avenue, Apopka, FL 32703.

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; 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.

3. Case Number: CE000591-080814 - 556 N. Central Avenue, Apopka, Florida 32712.

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; 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.

4. Case Number: CE000238-040714 - 301 N. Lake Avenue, Apopka, FL 32703.

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.

BUILDING CODES

APOPKA MUNICIPAL CODES

1. Case Number: CE000096-021714 - 1356 Sheeler Avenue, Apopka, FL 32703.

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. 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 over stressing; 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(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, 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(7): Any underbrush, weeds, or untended grass which exceeds twelve (12) inches in height located on improved property. AMC, Chapter 42, 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.

2. Case Number: CE000331-051214 - 113 Goodrich Avenue, Apopka, FL 32703.

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(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; 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(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.

3. Case Number: CE000532-072114 - 315 E. 1st Street, Apopka, FL 32703.

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; 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.

4. Case Number: CE000554-072314 - 722 E. Lisa Lane, Apopka, FL 32703.

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; 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.

REDUCTION OF FINE REQUEST

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.