



AGENDA

CITY OF APOPKA CODE ENFORCEMENT HEARING CITY HALL COUNCIL CHAMBER 120 East Main Street – Apopka, FL 32703 July 25, 2017 @ 6:00 PM

CALL TO ORDER

PARKING VIOLATIONS

None

BUILDING CODES

1. Case No. CE 17-00060 – 308 W Ponkan Road, Apopka, FL 32712;
Parcel ID No. 28-20-28-0000-00-045 – Bernard Jeanty
2. Case No. 002225-033017 – 2535 Sheila Drive, Apopka, FL 32712;
Parcel ID No. 28-20-28-7145-00-980 – Bernard Jeanty

APOPKA MUNICIPAL CODES AND LAND DEVELOPMENT CODES COMBINED

1. Case No. CE 17-00100 – 308 Hickory Court, Apopka, FL 32712;
Parcel ID No. 03-21-28-4682-01-230 – Bernard Jeanty
2. Case No. CE 17-00067 – 1535 Madison Ivy Circle, Apopka, FL 32712;
Parcel ID No. 05-21-28-6691-02-560 – Bernard Jeanty
3. Case No. CE 17-00033 – 429 W Orange Blossom Trail, Apopka, FL 32712;
Parcel ID No. 09-21-28-7544-01-031 – Bernard Jeanty

CONDEMNATIONS

1. Case No. 07-17-001 – 942 Marvin C Zanders Avenue, Apopka, FL 32703;
Parcel ID No. 09-21-28-0196-70-181 – Raymond Marsh, Building Official, City of Apopka
2. Case No. 07-17-002 – 63 W 10th Street, Apopka, FL 32703;
Parcel ID No. 09-21-28-0196-80-812 – Raymond Marsh, Building Official, City of Apopka

3. Case No. 07-17-003 – 36 W Michael Gladden Blvd., Apopka, FL 32703;
Parcel ID No. 09-21-28-0196-80-542 – Raymond Marsh, Building Official, City of Apopka

REDUCTION OF FINE REQUEST

1. Case No. CE 001764-061716 – 556 Sparrow Court, Apopka, FL 32712;
Parcel ID No. 04-21-28-5525-00-450 – Bernard Jeanty

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 17-00060 – 308 W Ponkan Road, Apopka, FL 32712;
Parcel ID No. 28-20-28-0000-00-045 – Bernard Jeanty



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, July 25, 2017
6:00 PM

CASE NO:	17-00060	RESPONDENT:	Investor Trustee Services LLC Trustee
CODE OFFICER:	Bernard Jeanty	Parcel ID No:	28-20-28-0000-00-045
ADDRESS OF PROPERTY:	308 W Ponkan Road		

NOTICES:

05/18/2017 Written Warning Notice of Violation
07/07/2017 Notice of Hearing mailed
07/07/2017 Notice of Hearing posted on the property and at City Hall, 120 E Main Street, Apopka, FL

SUMMARY:

This is an old, vacant, abandoned, unsecured residence that has multiple IPMC violations.

Initial inspection was conducted on May 18, 2017. House had open, unsecured doors. Apopka Police Officers conducted an interior search and cleared the house. Photos were taken inside and outside of the house. The house has been trashed.

IPMC, Ch. 3, Sec. 304.4: All exterior structures
IPMC, Ch. 3, Sec. 304.13:1: Exterior structures - Windows, skylight, and door frames glazing
IPMC, Ch. 3, Sec. 305.3: All interior surfaces shall be maintained in good, clean, sanitary condition
AMC, Ch. 22, Art. V, Sec. 22-84(a): Uninhabitable / unsafe building / structure / public nuisance
AMC, Ch. 42, Art. II, Sec. 42-39(1): Public Nuisance as per AMC and / or Florida Statutes
AMC, Ch. 42, Art. II Sec. 301. 3: Unsecured structure
IPMC, Ch. 3, Sec. 308.1: Junk, trash, debris
IPMC, Ch.3, Sec. 302.4: Overgrown, unkempt property
IPMC, Ch. 6, Sec. 604.3: Electrical Facilities - Electric system hazards
AMC, Ch. 42, Art. II, Sec. 42-39(15): Condition of building exterior

STAFF RECOMMENDATION:

That the Hearing Officer find that this property is in violations of the above ordinances. The property must come into compliance within 15 days (August 9, 2017). If the property is not in compliance, a fine of \$250 per day will begin on August 10, 2017. 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.

Backup material for agenda item:

2. Case No. 002225-033017 – 2535 Sheila Drive, Apopka, FL 32712;
Parcel ID No. 28-20-28-7145-00-980 – Bernard Jeanty



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, July 25, 2017
6:00 PM

<u>CASE NO:</u>	CE002225-033017	<u>RESPONDENT:</u>	Ralph Arroyo
<u>CODE OFFICER:</u>	Bernard Jeanty	<u>Parcel ID No:</u>	28-20-28-7145-00-980
<u>ADDRESS OF PROPERTY:</u>	2535 Sheila Drive		

NOTICES:

03/30/2017	Written Warning Notice of Violation
07/07/2017	Notice of Hearing mailed
07/07/2017	Notice of Hearing posted on the property and at City Hall, 120 E Main Street, Apopka, FL

SUMMARY:

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IPMC, Ch. 3, Sec. 304.13: Every window and door shall be in good repair.

STAFF RECOMMENDATION:

That the Hearing Officer find that this property is in violations of the above ordinances. The property must come into compliance within 15 days (August 9, 2017). If the property is not in compliance, a fine of \$250 per day will begin on August 10, 2017. 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.

Backup material for agenda item:

1. Case No. CE 17-00100 – 308 Hickory Court, Apopka, FL 32712;
Parcel ID No. 03-21-28-4682-01-230 – Bernard Jeanty



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, July 25, 2017
6:00 PM

CASE NO:	17-00100	RESPONDENT:	Raymond Romanchuk
CODE OFFICER:	Bernard Jeanty	Parcel ID No:	03-21-28-4682-01-230
ADDRESS OF PROPERTY:	308 Hickory Court		

NOTICES:

06/29/2017 Written Warning Notice of Violation
07/07/2017 Notice of Hearing mailed
07/07/2017 Notice of Hearing posted on the property and at City Hall, 120 E Main Street, Apopka, FL

SUMMARY:

This property has been cited for the same violations several times. The violations have been explained to the property owner several times as well

AMC, Ch. 42, Art. II, Sec. 42-39(3): High accumulation of weeds / undergrowth
IPMC, Ch. 3, Sec. 308.1: Junk and trash
IPMC, Ch. 3, Sec. 302.8: Dismantled inoperable vehicle w/o a tag

STAFF RECOMMENDATION:

That the Hearing Officer find that this property is in violations of the above ordinances. The property must come into compliance within 15 days (August 9, 2017). If the property is not in compliance, a fine of \$250 per day will begin on August 10, 2017. 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.

Backup material for agenda item:

2. Case No. CE 17-00067 – 1535 Madison Ivy Circle, Apopka, FL 32712;
Parcel ID No. 05-21-28-6691-02-560 – Bernard Jeanty



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, July 25, 2017
6:00 PM

CASE NO:	17-00067	RESPONDENT:	Benjamin L Fields
CODE OFFICER:	Bernard Jeanty	Parcel ID No:	05-21-28-6691-02-560
ADDRESS OF PROPERTY:	1535 Madison Ivy Circle		

NOTICES:

05/25/2017	Written Warning Notice of Violation
07/07/2017	Notice of Hearing mailed
07/07/2017	Notice of Hearing posted on the property and at City Hall, 120 E Main Street, Apopka, FL

SUMMARY:

IPMC, Ch. 3, Sec. 302.8: Vehicle has an expired tag and flat tires

STAFF RECOMMENDATION:

That the Hearing Officer find that this property is in violations of the above ordinances. The property must come into compliance within 15 days (August 9, 2017). If the property is not in compliance, a fine of \$250 per day will begin on August 10, 2017. 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.

Backup material for agenda item:

3. Case No. CE 17-00033 – 429 W Orange Blossom Trail, Apopka, FL 32712;
Parcel ID No. 09-21-28-7544-01-031 – Bernard Jeanty



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, July 25, 2017
6:00 PM

CASE NO:	17-00033	RESPONDENT:	Stairs Investments, Inc.
CODE OFFICER:	Bernard Jeanty	Parcel ID No:	09-21-28-7544-01-031
ADDRESS OF PROPERTY:	429 W Orange Blossom Trail		

NOTICES:

04/19/2017	Written Warning Notice of Violation
07/07/2017	Notice of Hearing mailed
07/07/2017	Notice of Hearing posted on the property and at City Hall, 120 E Main Street, Apopka, FL

SUMMARY:

LDC, Art. II, Sec. 2.02.14(H): Unpermitted use in a C3
LDC, Art. VIII, Sec. 8.00.03: A permit is required to have a sign

STAFF RECOMMENDATION:

That the Hearing Officer find that this property is in violations of the above ordinances. The property must come into compliance within 15 days (August 9, 2017). If the property is not in compliance, a fine of \$250 per day will begin on August 10, 2017. 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.

Backup material for agenda item:

1. Case No. 07-17-001 – 942 Marvin C Zanders Avenue, Apopka, FL 32703;
Parcel ID No. 09-21-28-0196-70-181 – Raymond Marsh, Building Official, City of Apopka



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, July 25, 2017
6:00 PM

CASE NO: 07 17 001 **RESPONDENT:** Roderick Collins
BUILDING OFFICIAL: Ray Marsh **Parcel ID No:** 09-21-28-0196-70-181
ADDRESS OF PROPERTY: 942 Marvin C Zanders Avenue

NOTICES:

02/22/2017 Unsafe placard posted
06/21/2017 Letter sent to property owner
06/21/2017 Building posted
06/24/2017 Owner came in to meet with Building Official
06/29/2017 Building posted at correct address original next door owned by same owner

SUMMARY:

Section 22-84. Criteria for determination that building or structure is uninhabitable, unsafe or a public nuisance

- 1 Building being visited by persons for unlawful procuring or using controlled substance or drugs.
 - 2 Illegal keeping, selling or delivering of such controlled substance or drugs.
 - 3
 - a) Vacant, unguarded
 - b) Unwarranted accumulation of combustible material
 - c) Structure's condition creates hazard for means of egress.
 - d) Building is falling away.
 - e) Building deterioration constitutes a public nuisance, due to inadequate maintenance.
 - f) Structure is partially destroyed. Deterioration or dilapidation is likely to fully or partially collapse.
 - g) Unusual sagging or leaning due to deterioration.
 - i) Unsanitary conditions inadequate or malfunctioning sanitary facilities.
 - k) Structure is a fire or safety hazard.
 - l) Structure creates extraordinary hazard due to dilapidated condition.
 - b. There have been 1 or more arrest or police reports at this property.
 - c. Building is found uninhabitable or unsafe subject to demolition.
-

STAFF RECOMMENDATION:

Staff recommends that the Hearing Officer issue an Order of Abatement, for demolition of the structure(s) and if the property is not brought into compliance by August 25, 2017, after such date a fine of \$250.00 per day shall be assessed until mitigation is achieved. The City of Apopka has the authority to enter the property and abate the nuisance, for up to 3 months. The cost of abatement 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:

2. Case No. 07-17-002 – 63 W 10th Street, Apopka, FL 32703;
Parcel ID No. 09-21-28-0196-80-812 – Raymond Marsh, Building Official, City of Apopka



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, July 25, 2017
6:00 PM

CASE NO:	07 17 002	RESPONDENT:	Florida 1013 LLC
BUILDING OFFICIAL:	Ray Marsh	Parcel ID No:	09-21-28-0196-80-812
ADDRESS OF PROPERTY:	63 West 10 th Street		

NOTICES:

04/22/2017	Building posted
06/21/2017	Letter sent to property owner
06/21/2017	Building posted

SUMMARY:

Section 22-84. Criteria for determination that building or structure is uninhabitable, unsafe or a public nuisance

- 1 Building being visited by persons for unlawful procuring or using controlled substance or drugs.
 - 2 Illegal keeping, selling or delivering of such controlled substance or drugs.
 - 3
 - b) Unwarranted accumulation of combustible material
 - c) Structure's condition creates hazard for means of egress.
 - d) Building is falling away.
 - e) Building deterioration constitutes a public nuisance, due to inadequate maintenance.
 - f) Structure is partially destroyed. Deterioration or dilapidation is likely to fully or partially collapse.
 - g) Unusual sagging or leaning due to deterioration.
 - h) The electrical or mechanical installations or systems create hazardous conditions.
 - i) Unsanitary conditions inadequate or malfunctioning sanitary facilities.
 - k) Structure is a fire or safety hazard.
 - l) Structure creates extraordinary hazard due to dilapidated condition.
-

STAFF RECOMMENDATION:

Staff recommends that the Hearing Officer issue an Order of Abatement, for demolition of the structure(s) and if the property is not brought into compliance by August 25, 2017, after such date a fine of \$250.00 per day shall be assessed until mitigation is achieved. The City of Apopka has the authority to enter the property and abate the nuisance, for up to 3 months. The cost of abatement 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:

3. Case No. 07-17-003 – 36 W Michael Gladden Blvd., Apopka, FL 32703;
Parcel ID No. 09-21-28-0196-80-542 – Raymond Marsh, Building Official, City of Apopka



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, July 25, 2017
6:00 PM

CASE NO:	07 17 003	RESPONDENT:	Nafissa Saadaoui
BUILDING OFFICIAL:	Ray Marsh	Parcel ID No:	09-21-28-0196-80-542
ADDRESS OF PROPERTY:	36 West Michael Gladden Boulevard		

NOTICES:

06/21/2017 Letter sent to property owner
06/21/2017 Building posted

SUMMARY:

Section 22-84. Criteria for determination that building or structure is uninhabitable, unsafe or a public nuisance

- 1 Building being visited by persons for unlawful procuring or using controlled substance or drugs.
 - 2 Illegal keeping, selling or delivering of such controlled substance or drugs.
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 - a) Vacant, unguarded
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 - h) The electrical or mechanical installations or systems create hazardous conditions.
 - i) Unsanitary conditions inadequate or malfunctioning sanitary facilities.
 - k) Structure is a fire or safety hazard.
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STAFF RECOMMENDATION:

Staff recommends that the Hearing Officer issue an Order of Abatement, for demolition of the structure(s) and if the property is not brought into compliance by August 25, 2017, after such date a fine of \$250.00 per day shall be assessed until mitigation is achieved. The City of Apopka has the authority to enter the property and abate the nuisance, for up to 3 months. The cost of abatement 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:

1. Case No. CE 001764-061716 – 556 Sparrow Court, Apopka, FL 32712;
Parcel ID No. 04-21-28-5525-00-450 – Bernard Jeanty



CITY OF APOPKA

CODE ENFORCEMENT HEARING

TUESDAY, July 25, 2017
6:00 PM

<u>CASE NO:</u>	CE001764-061716	<u>RESPONDENT:</u>	Elite Trust and Escrow Co LLC Tr
<u>CODE OFFICER:</u>	Bernard Jeanty	<u>Parcel ID No:</u>	04-21-28-5525-00-450
<u>ADDRESS OF PROPERTY:</u>	556 Sparrow Court		

SUMMARY:

This case was heard on September 20, 2016. The property was found to be in violation of IPMC, Ch. 3, Sec. 308.1: junk, trash, and debris; sec. 302.8: unlicensed, inoperable vehicles; and LDC, Art. VI. Sec. 6.03.01(e): parking in the yard.

This property was to have been in compliance by October 20, 2016; but was not. Therefore a \$250 per day fine began on October 21, 2016. An Affidavit of Compliance was filed on June 20, 2017. The fine ran for 242 days, for a total of \$60,500.