

RESOLUTION
of the
SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS

ISSUING AN ORDER DECLARING THE EXISTENCE OF A PUBLIC NUISANCE AT 1516 BEAR WOODS LANE, APOPKA, FL 32703; DECLARING THE NATURE OF THE PUBLIC NUISANCE, DESCRIBING THE LAND, BUILDINGS, STRUCTURES OR PREMISES UPON WHICH SUCH PUBLIC NUISANCE EXISTS, NAMING THE OWNER OF SUCH LAND; DESCRIBING THE CORRECTIVE ACTION REQUIRED TO ABATE SUCH PUBLIC NUISANCE; SETTING A DATE CERTAIN BY WHICH SUCH CORRECTIVE ACTION SHALL BE COMPLETED; AND AUTHORIZING SEMINOLE COUNTY STAFF TO PURSUE THE NECESSARY ACTION SHOULD THE RECORD OWNER FAIL TO DO SO BY THE DATE SET FORTH HEREIN.

WHEREAS, Samuel Noh is the Record Owner of, and in custody and control of, the property and structures located at 1516 Bear Woods Lane, Apopka, Seminole County, Florida and legally described as follows:

LOT 9 BLK D PARADISE POINT 3RD SEC PB 9 PG 74
Tax Parcel I.D. # 18-21-29-507-0D00-0090; and

WHEREAS, the above referenced structures are unoccupied and has been severely damaged by the elements of nature due to abandonment; and

WHEREAS, the roof system, doors and windows including frames, wood floor and interior partition walls have been removed or are damaged beyond reasonable repair, are in imminent danger of collapse, and are in violation of the currently adopted 1991 Standard Housing Code, Section 305; and

WHEREAS, electrical service to the structures have been disconnected. The electrical, plumbing and mechanical systems have been removed or are damaged beyond reasonable repair. These conditions constitute a potential fire hazard and are in violation of the currently adopted 1991 Standard Housing Code, Sections 302 and 304; and

WHEREAS, the condition and location of the property is currently unsafe, promotes loitering, and creates a sanctuary for nuisance wildlife, transients and drug users; and

WHEREAS, pursuant to Section 168.2, Seminole County Code, the District Commissioner was noticed of the above findings on March 10, 2022; and

WHEREAS, pursuant to Section 168.2, Seminole County Code, notice of the above findings were transmitted to the owner of record of the above referenced structures, on March 10, 2022, via certified mail; and

WHEREAS, the Record Owner: (a) did not commence corrective action within thirty (30) days of transmittal of the notice of such findings; (b) did not complete the necessary action within ninety (90) days of transmittal of such findings; and (c) did not undertake the appeal process pursuant to Sections 168.2 and 168.7, Seminole County Code; and

WHEREAS, the Seminole County Building Official certified the above factual issues on October 27, 2022; and

WHEREAS, on February 14, 2023, the Seminole County Board of County Commissioners (Board) determined that the above-described unoccupied structures are unsuitable for occupancy, and is dangerous and unsafe; the Board further determined that these structures create a fire hazard and a hazard to the safety and health of the general public, and declared the unoccupied structures to be a Public Nuisance as defined in Section 168.1, Seminole County Code; and

WHEREAS, the Board ordered that the structures be repaired or rebuilt in compliance with the current Florida Building Code; the Board further ordered that in the alternative, the Nuisance could be abated through demolition of the offending structures; and

WHEREAS, the Board's findings, Declaration of Public Nuisance and required corrective action were included in a "Notice of Determination of Public Nuisance" which was filed with the Clerk of the Circuit Court of Seminole County; and recorded in the official land records of Seminole County; and

WHEREAS, the Notice of Determination of Public Nuisance was served upon the Record Owner of the property and structures described herein, together with a summons to appear at a Public Hearing on February 14, 2023, to show cause if any, why such land, buildings, structures or premises should not be declared a Public Nuisance, and why the corrective action of abatement specified herein should not be taken, in compliance with Sections 168.5 and 168.6, Seminole County Code; and

WHEREAS, the Board on February 12, 2023, held a public hearing to provide the Record Owners, or any interested person, the right to present any relevant or material facts or evidence as to why such land, buildings, structures, or premises does not create a Public Nuisance or why the cost of the abatement of this Nuisance should not be paid for by the Record Owner of this land, buildings, structures or premises or why the cost of the abatement of this Nuisance should not be assessed against such land or premises; and

WHEREAS, after said public hearing, the Board determined that the conditions described in the Notice of Determination of Public Nuisance continue to exist.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA THAT:

1. The above Recitals are true and correct, and are incorporated herein as legislative findings.
2. Pursuant to Section 168.7, Seminole County Code, the following Order is hereby issued:

A. Declaration of Public Nuisance.

There hereby exists a Public Nuisance on the following property:

PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA further described as
1516 BEAR WOODS LANE, APOPKA, FL 32703.

B. The Nature of the Public Nuisance.

1. The structures located on parcel: 18-21-29-507-0D00-0090 has been severely damaged by the elements of nature due to abandonment;
2. The roof system, doors and windows including frames, and interior partition walls have been removed or are damaged beyond reasonable repair and are in violation of the currently adopted 1991 Standard Housing Code, Section 305;
3. Electrical service to the structures have been disconnected. The electrical, plumbing and mechanical systems have been removed or are damaged beyond reasonable repair. These conditions constitute a potential fire hazard and are in violation of the currently adopted 1991 Standard Housing Code, Sections 302 and 304; and
4. The condition and location of the property as is promotes loitering and creates a sanctuary for nuisance wildlife, transients and drug users.

C. Record Owner.

The Record Owner of the above-described property, according to the property records in the Seminole County Property Appraiser's Office is:

SAMUEL NOH
1516 MAGNOLIA DRIVE
APOPKA, FL 32703-7843

D. Required Corrective Action.

In order to abate the Public Nuisance the following action is required:

- (a) Repair or rebuild the structures in compliance with the current Florida Building Code;
or
- (b) Demolish the buildings and remove the buildings from the property, and clear the property of all associated trash, debris and rubbish.

E. Deadline for Completion of Corrective Action.

The Record Owner of the above-described property will have until March 16, 2023, to take the required corrective action to abate the Public Nuisance.

F. Authorization for County Staff to take Corrective Action.

1. If the Record Owner does not accomplish the Required Corrective Action by March 16, 2023, the Board hereby authorizes Seminole County Staff to perform such Required Corrective Action as authorized by Sections 168.8 and 168.9, Seminole County Code.
2. The cost of the Required Corrective Action, together with the cost incurred in the administration of the public nuisance certification, in the searching of the public records to determine the Record Owner and in serving the Notice of Determination of Public Nuisance, as specified in Section 168.6, Seminole County Code, will be assessed against the Record Owner of the affected property and will become a lien against the affected property as provided in Section 168.8 and Section 168.10, Seminole County Code.

ADOPTED this 14th day of February 2023.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA**

GRANT MALOY
Clerk to the Board of
County Commissioners of
Seminole County, Florida

By: _____
AMY LOCKHART, CHAIRMAN

Date: _____

For the use and reliance
of Seminole County only.

Approved as to form and
legal sufficiency.

As authorized for execution by the
Board of County Commissioners at its
February 14, 2023 regular meeting.

County Attorney

Authority: Chapter 168, Seminole County Code.