



SEMINOLE COUNTY FLORIDA
County Services Building
1101 E. First Street
Sanford, FL 32771
BCC Chambers Room 1028
May 23, 2024

CALL TO ORDER AND ROLL CALL

The scheduled meeting of the Seminole County Code Enforcement Board was called to order at 1:32 P.M. in the Seminole County Services Building, Room 1028, 1101 East First Street, Sanford, Florida.

Present: Chairman Dennis Warren, Kevin Ross-Andino, Dudley Bates, Craig Davis, Mike Synan, Kathryn Townsend

Excused: Don Peterson

A quorum was present.

Others Present:

Yvette Brown, Code Enforcement Board Counsel

Alexis Brignoni, Seminole County Code Enforcement Clerk

Alexis Pelletier, Seminole County Planning & Development

PLEDGE OF ALLEGIANCE

SWEARING IN OF WITNESSES

Cameron Adair, Seminole County Code Enforcement Officer

Shannon Henson, Seminole County Code Enforcement Officer

Mikesha Bland, Respondent – Case 24-12-CEB

Amanda Murphy, Counsel for Lender – Case 24-12-CEB

Cylinda Johnson, Eric Johnson, Respondents – Case 24-39-CEB, Case 24-41-CEB

Shannon Creamer, Respondent – Case 24-14-CEB, Case 24-15-CEB

APPROVAL OF REVISED AGENDA

The agenda was revised to allow the Respondents who were present to be heard first. Also being heard first, multiple cases for the same Respondents.

MOTION BY MIKE SYNAN, SECONDED BY KATHRYN TOWNSEND TO APPROVE REVISED AGENDA. The motion CARRIED unanimously by the following vote:

6 Ayes – Ross-Andino, Bates, Davis, Synan, Townsend and Warren

Counsel Yvette Brown issued procedural instructions for the hearing to the Respondents who were present and swore them in.

HEARINGS

NEW CASES

24-12-CEB

MIKESHA C. BLAND

401 BASEWOOD LANE, ALTAMONTE SPRINGS, FL 32701

(Commission District 4)

Tax Parcel ID # 07-21-30-503-0000-0400

Code Enforcement Officer: Cameron Adair

Notice of Hearing: Certified Mail, Posted

Violation:

Seminole County Code, Chapter 95, Sec. 95.4, as defined in Sec. 95.3 (a): Rubbish:
It shall be unlawful for any person to accumulate, dump or cause or allow to be accumulated or dumped or cause or allow to be placed, or otherwise to cause or allow to exist on any lands or premises any nuisance as defined in Section 95.3 (a) - Rubbish. Useless waste material or any items no longer fit to be used, including, but not limited to, discarded household chemicals, yard trash, paper, cardboard, metal, lumber, concrete rubble, glass, bedding, crockery, household furnishings, household appliances, dismantled pieces or [of] motor vehicles or other machinery, broken, abandoned, or discarded trailers, wrecked or dismantled watercraft, abandoned and/or discarded tires, unusable furniture, discarded or unusable appliances.

Cameron Adair, Seminole County Code Enforcement Officer, was present and testified on behalf of the County. Officer Adair entered into evidence a presentation of photographs of the violation and stated that results of follow up inspection as of May 22, 2024 shows the violation of storage/rubbish remains on the subject property.

RECOMMENDATION: That the Code Enforcement Board issue an Order to the Respondent to correct the violation on or before midnight of June 7, 2024 by removing the miscellaneous debris and rubbish from the subject property or a fine of \$100 will be imposed for each day the violation continues or is repeated after compliance. The Respondent must contact Code Enforcement Officer Cameron Adair at 407-665-1714 to arrange for an inspection of the property to verify compliance.

Chairman Warren asked if there were any questions for Officer Adair.

Member Synan asked if the debris consisted of tree branches and moss and it used to be cardboard.

Officer Adair replied that was correct.

Member Synan requested the origin of the complaint against the subject property.

Officer Adair replied that the complaint came from an email to Officer Vincent Bavaro, who initiated the case.

Chairman Warren invited the Respondent to speak.

Respondent claimed her property does not look like the photos in the presentation and she has photos that show the debris has been cleared from the property. She held up a door-hanger and accused Officer Adair of constant, non-stop harassment.

Chairman Warren asked what was printed on the door hanger. Respondent replied that it was a cited violation for improper use of an RV in her back yard.

Board Counsel Ms. Brown informed the Respondent that the RV violation was not part of what was being discussed today and if she had photographs to show to the Board, they would have to take her phone and make it part of the Court file, but if the Respondent feels she has come into compliance, she should schedule an appointment with Officer Adair to do a walk-through to confirm that.

Respondent asked to deal with a different officer than Officer Adair because she feels he has constantly harassed her with postings in her yard and she's getting mail constantly on different dates in her mailbox.

Chairman Warren stated that with regards to the debris in her yard and rubbish that needs to be cleaned up, did the Respondent...

Respondent interrupted the Chairman and held up her phone to show a photograph and began to describe how there was no rubbish anymore.

Board Attorney stopped the Respondent, repeating the instruction that the phone would have to become evidence for the case file. Respondent asked where she can submit her photos, just not to the Code Enforcement Officers.

Board Attorney replied that this testimony is being heard today and the photos needed to be printed out prior to the hearing.

Respondent interrupted the Board Attorney to say that was not in any instructions she had received by the County's correspondence to her.

Board Attorney said the Board could believe her testimony, but at the end of the day, the officer is the only one who can close out the case so they have to schedule a meeting, and that the officer's supervisor was present today and would be happy to make the appointment for all 3 of them to do a walk-through of the property, but the Board has to make the decision if the property is in violation.

Chairman asked if the Board had any questions for the Respondent.

Member Synan asked if there was a reason the cardboard was in the yard and why the tree limbs were there.

Respondent explained she was preparing her yard to make a bed for planting bushes along her fence line.

Member Ross-Andino said the Board agreed to a compliance date of June 7, and did the Respondent believe she could come into compliance by that date, because that is what the Board is being asked to consider.

Respondent answered that if it requires the Officers to say she is in compliance, they will not say she is in compliance.

Chairman Warren said the Respondent cannot pick her Code Enforcement Officer. He asked Officer Adair when the last time he was at the subject property for inspection and if there is a recent photo because the Respondent is saying her yard does not match the photos shown in his presentation.

Officer Adair replied he was there the previous day, May 22, 2024, to inspect the property. He pointed to the screen to indicate the photos taken May 22. He said he spoke with the Respondent's daughter and told her the Code Enforcement hearing was May 23 and the daughter said her mother would be attending.

Chairman Warren pointed out in the photos a pile of logs or tree limbs in the yard near the fence. He asked the Respondent if she saw the tree limbs. The Respondent stated a tree recently fell on her home. Chairman Warren said that is what the Officer say yesterday when he visited her property. He asked if she disputed what they are looking at in the photos.

Respondent stated she intended to use the limbs and logs as a garden divider between where she's going to plant the bushes by the fence and the grass. She emphasized she just wants to harassment to stop and for the Officer to stop posting new notices in her yard and on her door.

Chairman explained the County is following due process that is afforded to everyone and the Code Enforcement Officers don't make up the charges.

Member Townsend asked a question about the photo in the presentation of the tree branches. She asked the Respondent if she could have the branches cleaned up by June 7 to be in compliance in her front yard. Respondent replied yes, she could, but then asked what needs to be cleaned up because she intended to use the branches as a garden border. Officer Adair replied the logs and branches and tree debris need to be removed.

Board Counsel Ms. Brown stated the logs must be cleared because that is what the County ordinance says.

Member Synan asked if it would be allowed to have the logs placed in a perfectly straight line and if the answer is no, does Officer Adair have a suggestion of what she should put there in order to accomplish what she wants with her garden and lawn.

Officer Adair said she can plant her garden, but it has been almost a year that the debris has been there and she has not done anything about it. Member Synan again asked for suggestions of what she could legally use as a divider. Officer Adair said he cannot give advice on that.

Respondent stated that she is in a Homeowners Association and Officer Adair can't just make up his rules, and if the HOA states she can have a log in her yard to divide the bushes and lawn then that is what she can have.

Board Counsel stated that the Respondent is incorrect but that the Board can't give her legal advice and the Board has to make a decision.

Chairman Warren told the Respondent that is what the issue is and that is what needs to be cleaned up. He addressed the bank representative to give her an opportunity to speak. Representative Amanda Murphy stated she is just present to monitor the status of the violations and any fines that are imposed. She stated the mortgage is in default and the bank hasn't been able to file a case because there is a bankruptcy that gives an automatic stay.

MOTION BY KEVIN ROSS-ANDINO AND SECONDED BY DUDLEY BATES TO ACCEPT STAFF'S RECOMMENDATION AS PRESENTED. The motion CARRIED unanimously by the following vote:

6 Ayes – Ross-Andino, Bates, Davis, Synan, Townsend and Warren.

Chairman Warren noted that the next two cases were for the same Respondents and the Board would hear the cases together.

24-39-CEB

**CYLINDA D & ERIC L JOHNSON
2016 WILLIAMS AVENUE, SANFORD, FL 32771
(Commission District 5)
Tax Parcel ID # 34-19-30-503-0I00-0210
Code Enforcement Officer: Shannon Henson
Notice of Hearing: Certified Mail, Posted**

Violation:

Seminole County Code Chapter 95, Section 95.4 as defined in Section 95.3 (a) Rubbish:

It shall be unlawful for any person to accumulate, dump, or cause or allow to be accumulated or dumped or allow to be placed, or otherwise to cause or allow to exist on any lands or premises any nuisance as defined in Section 95.3 (a) Rubbish: as useless waste material or any items no longer fit to be used, including but not limited to discarded household, chemicals, yard trash, paper, cardboard, metal, lumber, concrete, rubble, glass, bedding, crockery, household furnishings, household appliances, dismantled pieces or motor vehicle or other machinery, broken abandoned, or discarded trailers, wrecked or dismantled watercraft, abandoned and/or discarded tires, unusable furniture, discarded or unusable appliances.

Shannon Henson, Seminole County Code Enforcement Officer, was present and testified on behalf of the County. Officer Henson entered into evidence a presentation of photographs of the violation and stated that results of follow up inspection as of May 22, 2024 shows the violation of rubbish remains on the subject property.

RECOMMENDATION: That the Code Enforcement Board issue an Order for the Respondent(s) to correct the violation on or before midnight of June 7, 2024 by removing all the rubbish from the subject property or a fine of \$100 will be imposed for each day the violation continues or is repeated after compliance. The Respondent(s) must contact Officer Shannon Henson at 407-665-1470 to arrange for inspection of the property to verify compliance.

Chairman Warren asked Officer Henson to read the next case.

24-41-CEB

**CYLINDA D & JOHNSON, ERIC L. JOHNSON
2016 WILLIAMS AVENUE, SANFORD, FL 32771
(Commission District 5)
Tax Parcel ID # 34-19-30-503-0I00-0210
Code Enforcement Officer: Shannon Henson
Notice of Hearing: Certified Mail, Posted**

Violation:

Seminole County Code Chapter 95, Section 95.4 as defined in Section 95.3 (e) Abandoned or Junked vehicle:

It shall be unlawful for any person to accumulate, dump, or cause or allow to be accumulated or dumped or allow to be placed, or otherwise to cause or allow to exist on any lands or premises any nuisance as defined in Section 95.3 (e) abandoned or junked vehicle: a vehicle that is dismantled, wrecked, junked, nonoperating, or any combination of such conditions.

Shannon Henson, Seminole County Code Enforcement Officer, was present and testified on behalf of the County. Officer Henson entered into evidence a presentation of photographs of the violation and stated that results of follow up inspection as of May 22, 2024 shows the violation of abandoned or junked vehicles remains on the subject property.

RECOMMENDATION: That the Code Enforcement Board issue an Order for the Respondent(s) to correct the violation on or before midnight of June 7, 2024 by removing all inoperable vehicles or store them in an enclosed garage or permanent structure or a fine of \$100 will be imposed for each day the violation continues or is repeated after compliance. The Respondent(s) must contact Officer Shannon Henson at 407-665-1470 to arrange for inspection of the property to verify compliance.

Chairman Warren asked the Board if there were any questions for Officer Henson.

Member Synan asked which vehicles pictured in the presentation were the inoperable vehicles to be moved.

Chairman Warren asked how many vehicles need to be moved.

Officer Henson replied there were probably 4 vehicles, some being used for their parts.

Member Synan asked if the black truck was among those vehicles because it appears in a different place in different photos. Officer Henson stated the truck was moved in the yard, but the tires are flat, which makes it inoperable. She spoke with the Respondent the previous day and he stated the vehicle could become operational.

Member Townsend asked how many visits from June 2023 had Officer Henson made to the subject property. Officer Henson affirmed that it was 13 visits to the subject property.

Chairman Warren asked Officer Henson if the yard trailer from the photos would be included in the violation since it is not motorized. Officer Henson said the trailer still has flat tires.

Member Synan asked to see the slide showing photographs taken May 22, 2024. He asked if the trailer that a vehicle is sitting on included in the violation.

Officer Henson stated she was notified by the Respondents that the trailer and vehicle were removed last night.

Chairman Warren asked the Respondents to identify themselves. The Respondents identified themselves as Eric and Cylinda Johnson.

Chairman Warren asked the Respondents if they wished to speak about the two cases before the Board.

Respondent Mr. Johnson stated the vehicles would be in compliance by June 7. The red vehicle was removed last night. They are trying to locate the keys to the black truck. The property belonged to his father, who started cleaning up but then got sick. Then he was in and out of the hospital and nursing homes and then he passed away. Respondent said he has been trying to get everything into compliance. Respondent Cylinda Johnson stated the father passed away March 18 and they have been trying to clear the property.

Chairman Warren asked the Respondents if they lived at the property now. The Respondents replied they did not.

Member Synan asked the Respondents if they could comply with all the violations by June 7.

Respondent Mr. Johnson replied the vehicle violation could come into compliance by June 7 but he requested additional time for the rubbish violation, and that he has been at the property every day cleaning up.

MOTION BY MIKE SYNAN AND SECONDED BY KATHRYN TOWNSEND, IN THE MATTER OF CASE 24-41-CEB JUNKED VEHICLES, TO ACCEPT STAFF'S RECOMMENDATION AS PRESENTED TO COME INTO COMPLIANCY BY JUNE 7, 2024 WITH A FINE OF \$100 PER DAY IF NOT COMPLIED WITH. The motion CARRIED by the following vote:

5 Ayes – Bates, Davis, Synan, Townsend and Warren.

1 Nay – Ross-Andino

Member Ross-Andino stated he had wanted to comment prior to the vote. He stated that the subject property is not the Respondents' home and they are trying to clean up after the passing of the owner, and he feels that June 7, 2024 is not a reasonable length of time to come into compliance, and he proposed extending the compliance date to July.

Member Townsend said she might agree to that proposal for the rubbish violation, but the Respondent said he could have the vehicles removed by June 7.

Chairman Warren stated that the Motion carries. He called for a Motion in the case of 24-39-CEB, Rubbish.

MOTION BY MIKE SYNAN AND SECONDED BY KEVIN ROSS-ANDINO, IN THE MATTER OF CASE 24-39-CEB RUBBISH, TO ACCEPT STAFF'S RECOMMENDATION AS PRESENTED BUT TO EXTEND THE COMPLIANCE DATE TO JULY 7, 2024 WITH A FINE OF \$100 PER DAY IF NOT COMPLIED WITH. The motion CARRIED unanimously by the following vote:

6 Ayes – Ross-Andino, Bates, Davis, Synan, Townsend and Warren.

LIEN REQUESTS

24-14-CEB

SHANNON O. CREAMER

809 CHEROKEE CIRCLE, SANFORD, FL 32773

(Commission District 2)
Tax Parcel ID # 14-20-30-501-0S00-0100
Code Enforcement Officer: Shannon Henson
Notice of Hearing: Certified Mail, Posted

Violation:

Seminole County Code Chapter 95, Section 95.4, Section 95.3 (b) Uncultivated Vegetation: It shall be unlawful for any person to accumulate, dump, or cause or allow to be accumulated or dumped or allow to be placed, or otherwise to cause or allow to exist on any lands or premises any nuisance as defined in Section 95.3 (b) Uncultivated Vegetation: all unmaintained vegetation that has grown in an uncontrolled manner to more than eight (8) inches in height or that is liable to produce an unhealthy or unsanitary condition or becomes a harboring place for mosquitoes, vermin, or vectors. This term does not include controlled plants and gardens, trees, palms, active crops or pasture lands associated with bona fide agricultural uses.

This case was originally heard by the Code Enforcement Board on March 28, 2024, and an Order was issued giving the Respondents a compliance date of May 23, 2024.

RECOMMENDATION: Based on the Findings of Fact, Conclusions of Law and Order, the Code Enforcement Board issue an Order imposing a lien in the amount of \$1,350.00 for 27 days of non-compliance from April 27, 2024 through and including May 23, 2024, and that the fine shall continue to accrue at \$50.00 per day for each day the violation continues or is repeated after May 23, 2024.

Shannon Henson, Seminole County Code Enforcement Officer, was present and testified on behalf of the County. Officer Henson entered into evidence a presentation of photographs of the violation and stated that results of follow up inspection as of May 22, 2024 shows the violation of uncultivated vegetation remains on the subject property.

Chairman Warren asked Officer Henson to read the next case.

Member Townsend asked if she could ask a question about Case 24-14-CEB first. Chairman Warren obliged.

Member Townsend asked Officer Henson if the case was indeed initiated in August of 2022. Officer Henson and other Board Members answered that was correct. Officer Henson added that it was during the hurricane times.

Officer Henson proceeded to present Case 24-15-CEB, rubble of a structure.

24-15-CEB
SHANNON O. CREAMER
809 CHEROKEE CIRCLE, SANFORD, FL 32773
(Commission District 2)
Tax Parcel ID # 14-20-30-501-0S00-0100
Code Enforcement Officer: Shannon Henson
Notice of Hearing: Certified Mail, Posted

Violation:

Seminole County Land Development Code Chapter 30, Part 11, Section 30.182, Section 95.3 (c) Remains or Rubble of Structures:

It shall be unlawful for any person to accumulate, dump, or cause or allow to be accumulated or dumped or allow to be placed, or otherwise to cause or allow to exist on any lands or premises any nuisance as defined in Section 95.3 (c) Remains or Rubble of Structures. The remains or rubble of a structure, which has been burned, stricken by other casualty, demolished, or exists in a state of excessive disrepair or decay similar to and including, but not limited to, extreme exterior dilapidation, broken, missing, rotting or collapsed windows, doors, walls and/or roof.

This case was originally heard by the Code Enforcement Board on March 28, 2024, and an Order was issued giving the Respondents a compliance date of May 23, 2024.

RECOMMENDATION: Based on the Findings of Fact, Conclusions of Law and Order, the Code Enforcement Board issue an Order constituting a lien in the amount of \$2,700.00 for 27 days of non-compliance from April 27, 2024, through and including May 23, 2024, and that the fine shall continue to accrue at \$100.00 per day for each day the violation continues or is repeated after May 23, 2024.

Shannon Henson, Seminole County Code Enforcement Officer, was present and testified on behalf of the County. Officer Henson entered into evidence a presentation of photographs of the violation and stated that results of follow up inspection as of May 22, 2024 shows the violation of rubble of a structure remains on the subject property.

Chairman Warren asked the Board if anyone had a question for Officer Henson.

Member Ross-Andino asked if the structure has to be removed. Officer Henson replied that the structure can be removed or the property can be fenced.

Chairman Warren asked if this was the case where the roof was collapsing. Officer Henson replied yes, it is.

Chairman Warren asked the Respondent to identify herself, to which she did.

Chairman Warren said this was the opportunity to speak about both cases, the vegetation case and the rubble of structure case, and reminded the Respondent that we are not here to hear the entire cases again but whether or not to place a lien on the property since it is still out of compliance.

Respondent Ms. Creamer replied that the house is being sold and a contract was signed May 3, 2024 with Florida Cash Home Buyers. The projected closing date is on or before June 10, 2024. The inspection has already occurred. She stated her understanding was that signing the contract would stop the clock on the Code Enforcement case and if that is not so, she will pay the fines through the date the title changes hands.

Chairman Warren asked if the house is currently vacant. Respondent replied yes, it is currently vacant and that it was her house and she had lived in it and it was damaged in the hurricanes and there was a long, drawn-out fight with the insurance company that did not go her way. She is living elsewhere because of the damaged condition of the house and now it is being sold.

Chairman Warren said the Board will take each case one at a time for questions and vote.

Member Synan asked if the Respondent brought the contract of sale with her. Respondent replied that she has it on her phone and did not have the opportunity to print it out prior to the hearing. The notice went to the buyer, not to her.

Officer Henson stated that the Respondent gave her a copy of the contract of sale but that the County needs to have a Certificate of Title before the case can be closed out as someone else's property.

Member Synan asked if he saw a dumpster at the property in one of the presentation photos.

Respondent replied that there is a dumpster on the property as she is emptying out the last of the property in the house and also placing the yard vegetation there.

Member Ross-Andino noted that the property is still out of compliance and the Board doesn't have much of a choice but to either impose the liens or not if the Board is to be consistent.

Member Ross-Andino proposed a motion to impose the liens and let the new buyers deal with it.

Member Synan asked if a new buyer would have to come to the County and request a lien reduction. Board Counsel Ms. Brown affirmed that.

FOR CASE 24-14-CEB: MOTION BY KEVIN ROSS-ANDINO AND SECONDED BY DUDLEY BATES TO ACCEPT THE STAFF RECOMMENDATION AS PRESENTED. The motion CARRIED unanimously by the following vote:

6 Ayes – Ross-Andino, Bates, Davis, Synan, Townsend and Warren.

FOR CASE 24-15-CEB: MOTION BY KEVIN ROSS-ANDINO AND SECONDED BY DUDLEY BATES TO ACCEPT THE STAFF RECOMMENDATION AS PRESENTED. The motion CARRIED unanimously by the following vote:

6 Ayes – Ross-Andino, Bates, Davis, Synan, Townsend and Warren.

NEW CASE

24-36-CEB

**RUBY SMITH, JIMMIE SMITH, & JOHNNIE DAY JR
1257 DEPUGH STREET, ALTAMONTE SPRINGS, FL 32701**

(Commission District 4)

Tax Parcel ID # 18-21-30-501-0200-0080

Code Enforcement Officer: Cameron Adair

Notice of Hearing: Certified Mail, Posted

Violation:

Seminole County Code Chapter 95, Section 95.4 as defined in Section 95.3 (e) Abandoned or Junked vehicles:

It shall be unlawful for any person to accumulate, dump, or cause or allow to be accumulated or dumped or allow to be placed, or otherwise to cause or allow to exist on any lands or premises any nuisance as defined in Section 95.3 (e) Abandoned or Junked vehicle; provided, however, that an abandoned vehicle kept within an enclosed garage or attached carport, or on the premises of a legally operating business enterprise when necessary to the functioning of such business operated in a lawful place and manner, or in a permitted or lawful storage area maintained in a lawful place and manner shall not be deemed a violation.

Cameron Adair, Seminole County Code Enforcement Officer, was present and testified on behalf of the County. Officer Adair entered into evidence a presentation of photographs of the violation and stated that results of follow up inspection as of May 22, 2024 shows the violation of abandoned or junked vehicles remains on the subject property.

RECOMMENDATION: That the Code Enforcement Board issue an Order for the Respondent(s) to correct the violation on or before midnight of June 7, 2024 by removing or repairing all inoperable vehicles or store them in an enclosed garage or permanent structure or a fine of \$100 will be imposed for each day the violation continues or is repeated after compliance. The Respondent must contact Code Enforcement Officer Cameron Adair at 407-665-1714 to arrange for an inspection of the property to verify compliance.

Chairman Warren asked if there were any questions for Officer Adair.

Member Synan asked if Officer Adair had spoken with the homeowners. Officer Adair stated he spoke with Mr. Johnny Day at the initial inspection and he said he would work toward compliance although he is 86 years old, then he called a month or two after that requesting additional time to come into compliance. Mr. Day notified the Code Enforcement Clerk that he would be unable to attend the Board hearing due to medical reasons.

Member Synan asked if the Inspecting Officers could take successive inspection photographs at the same angle, showing the subject property from the same vantage point for each visit. Officer Adair replied that he would do that in the future.

Member Ross-Andino asked if anyone resided at the subject property. Officer Adair replied yes, it was occupied.

Member Townsend asked if Officer Adair had spoken to the Smiths, only with Mr. Day. Officer Adair affirmed that.

MOTION BY DUDLEY BATES AND SECONDED BY KATHRYN TOWNSEND TO ACCEPT STAFF'S RECOMMENDATION AS PRESENTED. The motion CARRIED unanimously by the following vote:

6 Ayes – Ross-Andino, Bates, Davis, Synan, Townsend and Warren.

LIEN REQUESTS

23-43-CEB

SHANNON & DIANA MACHT

3046 HOLLIDAY AVENUE, APOPKA, FL 32703

(Commission District 3)

Tax Parcel ID # 17-21-29-5BG-0000-018A

Code Enforcement Officer: Cameron Adair

Notice of Hearing: Certified Mail, Posted

Violation:

Seminole County Code, Chapter 95, Sec. 95.4, as defined in Sec. 95.3 (e) Abandoned Vehicles:

It shall be unlawful for any person to accumulate, dump or cause or allow to be accumulated or

dumped or cause or allow to be placed, or otherwise to cause or allow to exist on any lands or premises any nuisance as defined in Section 95.3 (e) Abandoned vehicles. Provided, however, that an abandoned vehicle kept within an enclosed garage or attached carport, or on the premises of a legally operating business enterprise when necessary to the functioning of such business operated in a lawful place and manner, or in a permitted or lawful storage area maintained in a lawful place and manner shall not be deemed a violation.

This case was originally heard by the Code Enforcement Board on December 7, 2023, and an Order was issued giving the Respondents a compliance date of December 22, 2023.

An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after re-inspection on December 27, 2023.

RECOMMENDATION: Based on the Findings of Fact, Conclusions of Law and Order, the Code Enforcement Board issue an Order constituting a lien in the amount of \$15,300.00 for 153 days of non-compliance from December 23, 2023 through and including May 23, 2024, at \$100.00 per day, and the fine shall continue to accrue at \$100.00 per day for each day the violation continues or is repeated after May 23, 2024.

Cameron Adair, Seminole County Code Enforcement Officer, was present and testified on behalf of the County. Officer Adair entered into evidence a presentation of photographs of the violation and stated that results of follow up inspection as of May 22, 2024 shows the violation of abandoned or junked vehicles remains on the subject property.

Chairman Warren asked the Board if anyone had a question for Officer Adair.

Member Bates asked if Officer Adair has had any contact with the Respondents. Officer Adair replied that he has not, and when he took over the case from Officer Bavaro, he stated that he believed Officer Bavaro didn't have contact with the Respondents either.

Member Bates supposed that we are totally in the dark as to why the Respondent has taken no action. Officer Adair affirmed that.

Member Ross-Andino asked if it appears that anyone lives in the house, other than trash from the house being recently placed in front of it. Officer Adair replied that he can't attest to that because he did not perform the previous inspections. He stated he has seen windows open, so he believes someone is sleeping there.

Member Townsend stated the case has been going on for over a year, and she noticed there is a license tag on the vehicle, and asked if Officer Adair had seen if the tag is up to date. Officer Adair replied he hasn't looked at that but he can.

MOTION BY KEVIN ROSS-ANDINO AND SECONDED BY DUDLEY BATES TO ACCEPT STAFF'S RECOMMENDATION AS PRESENTED. The motion CARRIED unanimously by the following vote:

6 Ayes – Ross-Andino, Bates, Davis, Synan, Townsend and Warren.

23-44-CEB
HORRIS MACK HEIR
C/O CRYSTAL BAILEY

**128 LEON STREET, ALTAMONTE SPRINGS, FL 32701
(Commission District 4)
Tax Parcel ID # 18-21-30-507-0000-0320
Code Enforcement Officer: Cameron Adair
Notice of Hearing: Posted**

Violation:

Seminole County Land Development Code, Chapter 30, Part 11, Sec. 30.182:
Unpermitted use of vacant lot zoned R-1 to store property.

This case was originally heard by the Code Enforcement Board on February 22, 2024, and an Order was issued giving the Respondents a compliance date of March 8, 2024.

An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after re-inspection on March 11, 2024.

An Affidavit of Compliance was filed by the Code Enforcement Officer after re-inspection on May 10, 2024.

The Administrative cost for this case totals \$538.05 for both Clerk and Code Enforcement Officer.

RECOMMENDATION: Based on the Findings of Fact, Conclusions of Law and Order, the Code Enforcement Board issue an Order constituting a lien in the amount of \$6,300.00 for 63 days of non-compliance from March 9, 2024, through and including May 10, 2024, at \$100.00 per day.

Cameron Adair, Seminole County Code Enforcement Officer, was present and testified on behalf of the County. Officer Adair entered into evidence a presentation of photographs of the violation and stated that results of follow up inspection as of May 10, 2024 shows the violation of unpermitted use of a vacant lot zoned R-1 to store property no longer remains on the subject property.

Chairman Warren asked the Board if anyone had a question for Officer Adair.

Member Bates asked Officer Adair if he has had any contact with the Respondents and if anyone is residing there. Officer Adair replied that he has not had contact with the Respondents and that no one resides there as it is a vacant lot.

Member Townsend asked if the subject property is in compliance now. Officer Adair affirmed that.

Member Synan asked why the case is for Horris Mack "heir" c/o Crystal Bailey, if that means the previous owner died. Officer Adair stated he believes Horris Mack died but he has a son also named Horace Mack.

Member Synan asked when the property came into compliance. Officer Adair replied that his inspection on May 10, 2024 the property showed to be in compliance.

Chairman Warren noted that when a case such as this comes into compliance by the hearing date, what has been done in the past is to reduce the fine to the Administrative Costs. There may be a Motion to reduce the fine to Administrative Costs to be paid within a certain number of

days or to revert back to the lien amount. He also noted that the Horris Mack family has been before the Board several times over the years and he is surprised that no one from the family is present today at the hearing. But if it is the Board's pleasure, they can consider reduction of the fine to Administrative Costs.

Board Counsel Brown stated that the case is listed as Horris Mack heir because that is how the property is listed at the Property Appraiser's office, and the mailing address is care of Crystal Bailey.

Member Synan pointed out that if someone makes a Motion to go with Administrative Cost, we don't know when the Respondents came into compliance.

Board Counsel Brown said that is why the order clearly says to the Respondent as soon as you believe you are in compliance, they must reach out to the County to inform them.

Member Ross-Andino stated that it doesn't make sense to reduce the cost when the Respondents did not attend the hearing. If the Board imposes the lien, the Respondents can come to the County to request a reduction.

MOTION BY KEVIN ROSS-ANDINO AND SECONDED BY CRAIG DAVIS TO ACCEPT STAFF'S RECOMMENDATION AS PRESENTED. The motion resulted in the following vote:

3 Ayes – Ross-Andino, Bates, Davis

3 Nays – Synan, Townsend and Warren

Board Counsel Ms. Brown, upon seeing a tie, called to refer to Roberts Rules of Order.

Member Synan stated that a 3 to 3 vote means the Motion fails.

Member Ross-Andino said a tie requires a revised Motion

MOTION BY MIKE SYNAN AND SECONDED BY KATHRYN TOWNSEND TO REDUCE THE FINE TO THE ADMINISTRATIVE COSTS OF \$538.05 TO BE PAID WITHIN 90 DAYS, OR AUGUST 21, 2024, OR THE FINE WILL REVERT BACK TO THE RECOMMENDED LIEN AMOUNT OF \$6,300.00. The motion CARRIED by the following vote:

5 Ayes – Ross-Andino, Bates, Synan, Townsend and Warren

1 Nay – Davis

24-02-CEB

HOWARD C. CLINTON

101 HOLLYHOCK DRIVE, ALTAMONTE SPRINGS, FL 32701

(Commission DISTRICT 3)

Tax Parcel ID # 14-21-29-506-0000-0250

Code Enforcement Officer: Cameron Adair

Notice of Hearing: Posted

Violation:

Seminole County Land Development Code, Chapter 30, Sec. 30.1349 (e):
All fences shall be maintained in their original upright condition.

This case was originally heard by the Code Enforcement Board on February 22, 2024, and an Order was issued giving the Respondents a compliance date of March 8, 2024.

An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after re-inspection on March 11, 2024.

An Affidavit of Compliance was filed by the Code Enforcement Officer after re-inspection on May 22, 2024.

The total administrative cost associated with this case is \$554.26 for both the Clerk and Code Enforcement Officer.

RECOMMENDATION: Based on the Findings of Fact, Conclusions of Law and Order, the Code Enforcement Board issue an Order constituting a lien in the amount of \$3,750.00 for 75 days of non-compliance from March 9, 2024, through and including May 22, 2024, at \$50.00 per day.

Cameron Adair, Seminole County Code Enforcement Officer, was present and testified on behalf of the County. Officer Adair entered into evidence a presentation of photographs of the violation and stated that results of follow up inspection as of May 22, 2024 shows the violation of dilapidated fence no longer remains on the subject property.

Chairman Warren asked the Board if anyone had a question for Officer Adair.

Member Ross-Andino had a question for Board Counsel Ms. Brown. If the Board reduces the fine to Administrative Costs with 90 days to comply for a Respondent who is not present at the hearing, the Respondent will not know they have 90 days to pay the fine imposed. He asked how that works.

Board Counsel Ms. Brown replied if the payment is made within the 90 days, there is no lien. If by the 91st day there is no payment, the County records the full amount.

Member Synan asked how does the notification to the Respondent work. Board Counsel Ms. Brown replied the Respondent will receive a copy of the Order by Certified Mail, just like they received notice of today's hearing but chose not to attend.

Officer Adair interjected that the property owner passed away in March 2024, so his son has been caring for the property. He called Officer Adair once, Officer Adair called back and left voicemail and has heard nothing since. Officer Adair got the phone number of the son from a neighbor.

Member Synan posited that the Respondents may have jobs and can't take time off to sit through a Code Enforcement Board hearing. Board Counsel Ms. Brown replied that the Respondents can reach out to the Clerk or the Inspector at any time to explain why they can't be in attendance.

MOTION BY KEVIN ROSS-ANDINO AND SECONDED BY MIKE SYNAN TO REDUCE THE FINE TO THE ADMINISTRATIVE COSTS OF \$554.26 TO BE PAID WITHIN 90 DAYS, OR AUGUST 21, 2024, OR THE FINE WILL REVERT BACK TO THE RECOMMENDED LIEN AMOUNT OF \$3,750.00. The motion CARRIED by the following vote:

5 Ayes – Ross-Andino, Bates, Synan, Townsend and Warren

1 Nay – Davis

MOTION BY MIKE SYNAN AND SECONDED BY KATHRYN TOWNSEND TO APPROVE THE MINUTES OF THE APRIL 25, 2024 HEARING. The motion CARRIED unanimously by the following vote:

6 Ayes – Ross-Andino, Bates, Davis, Synan, Townsend and Warren.

CONFIRMATION DATE OF NEXT MEETING: JUNE 27, 2024.

ADJOURN

MOTION BY MIKE SYNAN AND SECONDED BY DUDLEY BATES TO ADJOURN THE MEETING. The motion CARRIED unanimously by the following vote:

6 Ayes – Ross-Andino, Bates, Davis, Synan, Townsend and Warren.

There being no further discussion, this meeting was adjourned at 2:52 P.M.

RESPECTFULLY SUBMITTED:

*Alexis Brignoni, Clerk
Code Enforcement Board*

*Dennis Warren, Chair
Code Enforcement Board*