

NOTICE OF DETERMINATION OF PUBLIC NUISANCE SEMINOLE COUNTY, FLORIDA

Re: PARCEL I.D. NO – 18-21-30-509-0000-0180
1067 & 1071 Williams Street
Altamonte Springs, FL 32701

Horis Mack
934 22nd Avenue
Bellwood, IL 60104

THIS MATTER came before the Seminole County Board of County Commissioners for hearing on August 23, 2016. The Board having received evidence, thereupon issues the following Findings of Fact, Conclusion of Law, and Order:

I. FINDINGS OF FACT

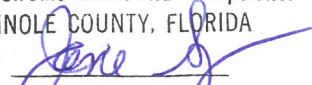
1) Horis Mack is the record owner of, and in custody and control of, the property and structures located at 1067 & 1071 Williams Street, Altamonte Springs, Seminole County, Florida and legally described as follows:

N 129 FT OF LOT 18 (LESS RD) FROSTS ADD NO 2 TO ALTAMONTE PB 1 PG 13
Tax Parcel I.D. # 18-21-30-509-0000-0180

2) The above referenced structures are unoccupied and have been severely damaged by the elements of nature due to abandonment;

3) The roof system, foundation piers, doors and windows including frames, wood floor and sub floor, interior partition walls and porch 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;

4) Electrical service to the structures have been disconnected. The electrical and plumbing 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;

CERTIFIED COPY
MARYANNE MORSE
Clerk of Circuit Court and Comptroller
SEMINOLE COUNTY, FLORIDA
BY 
DEPUTY CLERK

MARYANNE MORSE, SEMINOLE COUNTY, CLERK OF CIRCUIT COURT & COMPTROLLER, REC'D 08/24/2016 03:21:10 PM
DEN 201608230959 BX 8755 Pgs 547-549 (3Pages)
Rec #27.00, Debt \$0.00, MTB \$0.00, Inf \$0.00 RECD BY Jackanno

- 5) The condition and location of the property is currently unsafe, promotes loitering, and creates a sanctuary for nuisance wildlife, transients and drug users;
- 6) Pursuant to Section 168.2, Seminole County Code, the District Commissioner was noticed of the above findings on June 27, 2016;
- 7) Pursuant to Section 168.2, Seminole County Code, notice of the above finding was transmitted to the owner of record of the above referenced structures, on June 27, 2016, via certified mail;
- 8) The owner of record: (a) did not commence corrective action within thirty (30) days of transmittal of the notice of such finding; (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
- 9) The Seminole County Building Official certified the above findings on July 27, 2016.

II. CONCLUSION OF LAW

The Seminole County Board of County Commissioners determines that the above-described unoccupied structures are unsuitable for occupancy, and are dangerous and unsafe. These structures create a fire hazard and a hazard to the safety and health of the general public, and is hereby declared to be a Public Nuisance as defined in Section 168.1, Seminole County Code.

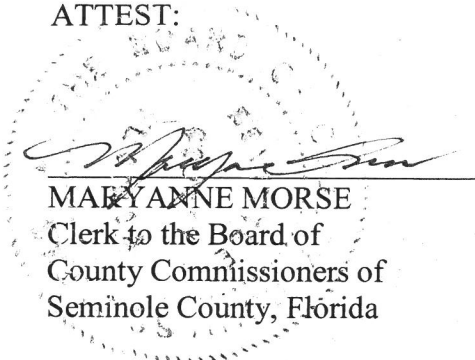
III. ORDER

- A) Corrective Action: Based on the above-stated Findings and Conclusion of Law, it is hereby Ordered that the structures must be repaired or rebuilt in compliance with the current Florida Building Code. In the alternative, the nuisance may be abated through demolition of the offending structures.

- B) Filing: The Notice of Determination of Public Nuisance shall be filed with the Clerk of the Circuit Court of Seminole County upon execution by the Chairman of the Board of County Commissioners; and shall be recorded in the official land records of Seminole County.
- C) Notice to Show Cause: A copy of this Notice of Determination of Public Nuisance shall be served upon the record owner of the property and structures described herein, together with a summons to appear at a Public Hearing on October 25, 2016, 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.

DONE AND ORDERED this 23rd day of August 2016, in Seminole County, Florida.

ATTEST:



Maryanne Morse

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: *John Horan*

JOHN HORAN, Chairman

Date: *8/23/16*

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
August 23, 2016 regular meeting.

Paul H. Chyl

County Attorney

**RESOLUTION
of the
SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS**

ISSUING AN ORDER DECLARING THE EXISTENCE OF A PUBLIC NUISANCE AT 1067 & 1071 WILLIAMS STREET, ALTAMONTE SPRINGS; 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, Horis Mack is the Record Owner of, and in custody and control of, the property and structures located at 1067 & 1071 Williams Street, Altamonte Springs, Seminole County, Florida and legally described as follows:

N 129 FT OF LOT 18 (LESS RD) FROSTS ADD NO 2 TO ALTAMONTE PB 1 PG 13
Tax Parcel I.D. # 18-21-30-509-0000-0180; and

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

WHEREAS, the roof system, foundation piers, doors and windows including frames, wood floor and sub floor, interior partition walls and porch 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 and plumbing 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 June 27, 2016; and



WHEREAS, pursuant to Section 168.2, Seminole County Code, notice of the above finding was transmitted to the owner of record of the above referenced structures, on June 27, 2016, 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 finding; (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 July 27, 2016; and

WHEREAS, on August 23, 2016, the Seminole County Board of County Commissioners (Board) determined that the above-described unoccupied structures are unsuitable for occupancy, and are 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 October 25, 2016, 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 October 25, 2016, held a public hearing to provide the Record Owner, 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:

N 129 FT OF LOT 18 (LESS RD) FROSTS ADD NO 2 TO ALTAMONTE PB 1 PG 13
PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA further described as 1067
& 1071 Williams Street, Altamonte Springs.

B. The Nature of the Public Nuisance.

1. The structures located on parcel: 18-21-30-509-0000-0180 have been severely damaged by the elements of nature due to abandonment;
2. The roof system, foundation piers, doors and windows including frames, wood floor and sub floor, interior partition walls and porch 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 and plumbing 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:

Horis Mack
934 22nd Avenue
Bellwood, IL 60104

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 December 27, 2016, to take the required corrective action to abate the Public Nuisance.

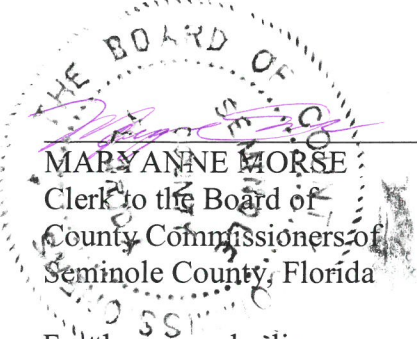
F. Authorization for County Staff to take Corrective Action.

1. If the Record Owner does not accomplish the Required Corrective Action by December 27, 2016, 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 25th day of October 2016.

ATTEST:

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



MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida

By: _____

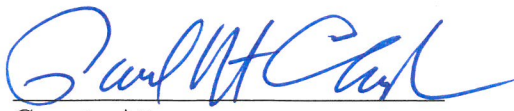
JOHN HORAN, CHAIRMAN

Date: _____

10/26/16

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
October 25, 2016 regular meeting.


County Attorney

Authority: Chapter 168, Seminole County Code.



GRANT MALDY, SEMINOLE COUNTY
 CLERK OF CIRCUIT COURT & COMPTROLLER
 BK 8998 Pgs 84-86 (3Pgs)
 CLERK'S # 2017098531
 RECORDED 10/02/2017 02:41:33 PM
 RECORDING FEES \$27.00
 RECORDED BY jeckenro

SEMINOLE COUNTY, FLORIDA

**In Re: Parcel I.D. No. 18-21-30-509-0000-0180
 1067 & 1071 WILLIAMS STREET
 ALTAMONTE SPRINGS, FL 32701**

**Owner: HORIS MACK
 934 22ND AVENUE
 BELLWOOD, IL 60104**

**FINDINGS OF FACT, CONCLUSION OF LAW, AND
 ORDER IMPOSING LIEN FOR COST OF PUBLIC NUISANCE ABATEMENT**

THIS MATTER having come before the **SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS**, for hearing on the 26th day of September, 2017, and the Board having received evidence, hereby issues the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. Horis Mack is the record owner of, and in custody and control of, the property located at 1067 & 1071 Williams Street, Altamonte Springs, Seminole County, Florida (the "Property") and legally described as follows:

N 129 FT OF LOT 18 (LESS RD) FROSTS ADD NO 2 TO ALTAMONTE PB 1 PG 13 ACCORDING TO THE PLAT THEREOF AS RECORDED IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

PARCEL I.D. NO.: 18-21-30-509-0000-0180

2. The above referenced Property had structures that were unoccupied and had been severely damaged by elements of nature due to abandonment;

3. Pursuant to Chapter 168, Nuisance, Seminole County Code, the appropriate notice and hearing have been provided and held, including, but not limited to:

- a.) Notice of Determination of Public Nuisance adopted by the Seminole County Board of County Commissioners on August 23, 2016, and recorded at Official Records Book 8755, Pages 547-549, Public Records of Seminole County, Florida.
- b.) A hearing on Resolution No. 2016-R-181, a Resolution of the Seminole County Board of County Commissioners adopted October 25, 2016 and recorded at Official Records Book 8802, Pages 1100-1103, Public Records of Seminole County, Florida, which issued an Order declaring the existence of a Public Nuisance on the Property, describing necessary abatement, and authorizing Seminole County staff to pursue abatement if the Property Owner failed to take action.
- c.) Certificate of Cost of Abatement for the Property in the amount of Eight Thousand Four Hundred Seventy-One and 09/1000 Dollars (\$8,471.09) dated July 11, 2017. A copy of said Certificate is attached hereto as Exhibit A.

4. The Property Owner did not timely request a hearing to contest the amount as stated in the Certificate of Costs of Abatement.

CONCLUSIONS OF LAW

The Seminole County Board of County Commissioners have determined, in accordance with Chapter 168, Nuisance, Seminole County Code, and after reviewing the evidence and the Testimony of the September 26, 2017 hearing, that the above described Property was declared a Public Nuisance, the Property Owner failed to abate the Public Nuisance, and Seminole County staff abated the Public Nuisance at a cost to the County of Eight Thousand Four Hundred Seventy-One and 09/1000 Dollars (\$8,471.09).

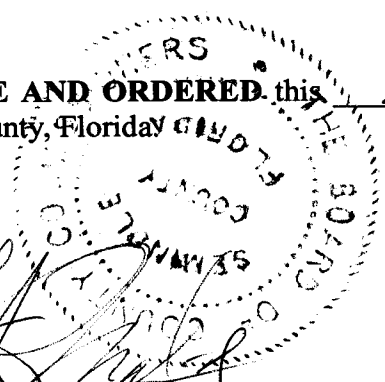
ORDER

Order Imposing Lien: Based on the above Findings and Conclusions of Law, it is Ordered that a lien against the Property for the cost of Public Nuisance Abatement in the amount of Eight Thousand Four Hundred Seventy-One and 09/1000 Dollars (\$8,471.09) is hereby imposed.

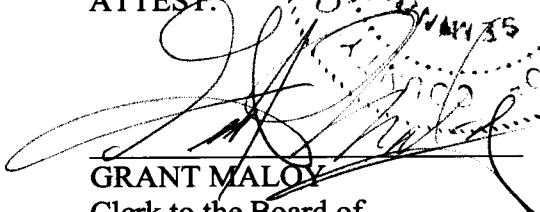
Interest on Lien: This lien will bear interest at the current statutory rate of interest per annum, as provided by Florida Statutes for judgements.

Filing: This Order Imposing Lien for the Cost of Public Nuisance Abatement shall be filed with the Clerk of the Circuit Court of Seminole County, Florida upon execution by the Chairman of the Board of County Commissioners, and shall be recorded in the Official Land Records of Seminole County, Florida.

DONE AND ORDERED this 26th day of Sept., 2017, in
Seminole County, Florida



ATTEST:


GRANT MALOY

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

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By:


JOHN HORAN, CHAIRMAN

Date:

9/26/17

For the use and reliance
of Seminole County only.

As authorized for execution by the Board of
County Commissioners at its September 26,
2017, regular meeting.

Approved as to form and
legal sufficiency.


County Attorney

Exhibit A – Certificate of Cost of Abatement