

**CITY OF WINTER HAVEN CODE ENFORCEMENT
SPECIAL MAGISTRATE HEARING**

Agenda

Thursday, February 18, 2010 – 9:00 a.m.

- I. CALL TO ORDER AND PLEDGE of ALLEGIANCE
Special Magistrate, Douglas A. Lockwood III, Esquire presiding
 - II. APPROVE MINUTES OF January 21, 2010
 - III. EXPLANATION OF PROCEDURES and SWEARING IN
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IV. CONSENT AGENDA:

All matters listed under this section are considered to be routine and action will be accomplished by one motion without separate discussion of each item. If discussion is desired by the Special Magistrate, that item(s) will be removed from the Consent Agenda and considered separately.

A. AFFIDAVITS OF NON-COMPLIANCE / FINE CERTIFICATIONS

		<u>Fines:</u>	<u>City costs:</u>
1.	8-2614 John P. Adams 32886 US Hwy 27 NE	\$ 1,600	\$ 79.58
2.	9-2390 Autumn's Anchor Inc 1006 Lake Howard Drive SW	19,350	56.02
3.	9-2890 Stacy B. Manning 693 Avenue G SE	600	122.02
4.	9-2904 Joshua Swartz 320 Avenue A SE	550	124.02
5.	9-3001 Amanda Elaine Treffs 925 Avenue L SE	600	122.02

B. SUPPLEMENTAL AFFIDAVITS OF NON-COMPLIANCE / FINE CERTIFICATIONS

		<u>Fines:</u>	<u>City costs:</u>
1.	5-2141 Dodge Chrysler Jeep of Winter Haven Inc Post Avenue & 1 st Street SE	\$15,100	\$ 924.90
2.	6-2037 Jerald Aaron Jarvis 1100 Lake Silver Drive NE	9,400	122.02
3.	7-2561 Alfreda Parchment 206 Quintin Avenue NW	6,000	122.02
4.	8-6 Dodge Chrysler Jeep of Winter Haven Inc 1605 2 nd Street SE	36,800	101.54
5.	8-1356 Bayview Loan Servicing LLC (Luna) 230 22 nd Street SW	4,625	109.54
6.	8-1998 John Palumbo 139 Avenue S NE	9,250	79.58
7.	8-2262 Fannie Washington, Britton Unlimited LLC, et al 2302 Swan Court NE	5,075	188.30

		<u>Fines:</u>	<u>City costs:</u>
8.	9-232 Moira & Nikolay Campbell 1609 2 nd Street NW	\$ 5,000	\$ 79.58
9.	9-905 Kastelrock Management Inc 808 4 th Street SE (402 Avenue H SE)	12,100	101.54
10.	9-959 Minnie W. Reddick 2401 Swan Drive NE	18,900	122.02
11.	9-1388 111 Mirror Lane Trust 111 Mirror Land NW	2,225	508.02*

* (inc. \$350 abatement cost)

C. AFFIDAVITS OF COMPLIANCE

- 5-2141 Dodge Chrysler Jeep of Winter Haven Inc
Post Avenue & 1st Street SE
- 8-6 Dodge Chrysler Jeep of Winter Haven Inc
1605 2nd Street SE
- 8-1195 William Thomas West
215 Avenue J SE
- 8-1356 Bayview Loan Servicing LLC (Luna)
230 22nd Street SW
- 8-2262 Fannie Washington, Britton Unlimited LLC, et al
2302 Swan Court NE
- 9-905 Kastelrock Management Inc
808 4th Street SE (402 Avenue H SE)
- 9-1388 111 Mirror Lane Trust
111 Mirror Lane NW
- 9-2144 Washington Mutual Bank
193 Fish Hawk Drive SE
- 9-2390 Autumn's Anchor
1006 Lake Howard Drive SW
- 9-2904 Joshua Swartz
320 Avenue A SE

V. UNFINISHED BUSINESS

Tanya Willis:

- 9-825 John W. Burr Jr. Trust** **595 6th Street NW**
WHC 21-91 Commercial Building Maintenance (exterior wall exposed to elements)
Date of Violation: 03/31/2009
To be corrected by: 05/23/2009
Re-inspection: 08/19/2009 City costs: \$204.38

10/15/09: Presented to Special Magistrate – Continued to December 10, 2009.

11/25/09: At request of respondent's attorney – Continued to February 18, 2010.

VI. NEW BUSINESS:

A. FIRST OFFENSE CASES

Allen Berg:

1. **9-2415 Robert & Barbara Walpole** **941 Piedmont Drive SE**
WHC 12-1 Sanitary nuisance (green, stagnant water in swimming pool)
Date of Violation: 08/31/2009
To be corrected by: 09/20/2009
Re-inspection: 12/22/2009 **City costs: \$271.68**

2. **9-3129 Tammy & Alfred Wynn** **616 Avenue E SE**
WHC 21-68 Fences/Walls – (no permit, on City right-of-way, too high in front yard)
Date of Violation: 12/09/2009
To be corrected by: 12/26/2009
Re-inspection: 01/14/2010 **City costs: \$254.62**

Michelle Woods:

3. **9-2299 Caribbean Bay Inc.** **1004 Lake Howard Drive SW**
WHC 21-244 Sign regulations – Prohibited signs (unused free-standing sign frame)
Date of Violation: 08/05/2009
To be corrected by: 09/17/2009
Re-inspection: 01/06/2010 **City costs: \$287.74**

B. REPEAT OFFENSE CASES: NONE

C. REDUCTION REQUESTS

Michelle Woods:

1. **8-556 Frank & Cheryl Hill** **1400 Lake Silver Drive NE**
Hearing date: 07/17/2008
Imposition: Order Finding Violation – Fine Imposed
Violations: WHC 21-439 Site Plan Regulations
Compliance Date: 12/04/2009
Number of Days Non-Compliant: 412 @ \$25 **City costs: \$455.72***
Total Lien Amount: \$10,300 *** PAID: \$323.96**
BALANCE DUE: \$131.76

Tonya Long:

2. **9-2754 Eric C. Lucht** **1740 2nd Street NE**
Hearing date: 12/10/2009
Imposition: Order Finding Violation – Fine Imposed
Violations: WHC 12-1; 12-3 Grass/Weeds
SHC 103.2 Unsafe Residential Building
Compliance Date: 01/05/2010
Number of Days Non-Compliant: 15 @ \$100
Total Lien Amount: \$1,500 **City costs: \$536.88**

3. **8-838 Geronimo & Emilia Benitez** **711 Avenue O SW**
3rd Reduction Request *
Hearing date: 09/18/2008
Imposition: Order Finding Violation/Fine Imposed
Violations: SHC 303.4 Electrical lights & outlets, SHC 305.11 Exterior doors, SHC 302.6 Kitchen facilities, SHC 305.4 Means of egress, SHC 306 Minimum dwelling space, SHC 302.9 Smoke detector systems, WHC 21-32 Zoning
In Compliance: 01/16/2009
Number of Days Non-Compliant: 88 @ \$100 **City costs: \$590.60***
Total Lien Amount: \$8,800 * PAID: \$218.50
BALANCE DUE: \$372.10

* **04/16/09:** Fine reduced to \$880 & costs \$499.22 (**\$1379.22** due **8/14/09**)

* **10/15/09:** Fine reduced to \$100 & costs \$561.08 (**\$ 661.08** due **1/15/10**)

Tanya Willis:

4. **5-2141 Dodge Chrysler Jeep of Winter Haven Inc** **Post & 1st Street SE**
Hearing date: 02/16/2006
Imposition: Order Finding Violation – Fine Imposed
Violations: 21-144 Parking Lots (parking on unimproved/vacant lot)
21-32 Zoning (unapproved parking lot)
Compliance Date: 02/08/2010
Number of Days Non-Compliant: 1362 @ \$100
Total Lien Amount: \$136,200 **City costs: \$924.90**

5. **8-6 Dodge Chrysler Jeep of Winter Haven Inc** **1605 2nd Street SE**
Hearing date: 05/15/2008
Imposition: Order Finding Violation – Fine Imposed
Violations: 21-144 Parking Lots (parking on unimproved/vacant lot)
Compliance Date: 01/15/2010
Number of Days Non-Compliant: 594 @ \$200 **City costs: \$610.44***
Total Lien Amount: \$118,800 * PAID: \$262.58
BALANCE DUE: \$347.86

D. EXTENSION REQUESTS: NONE

VII. OTHER BUSINESS

1. **7-429 Terry Lorenzo Dewdney** **128 Avenue Q NE**
Hearing date: 08/16/2007
Imposition: Order Finding Violation/Fine Imposed
Violation: Building – No permit WHC 5-9
Compliance: 06/04/2009
Number of Days Non-Compliant: **593 @ \$100**
Total Lien Amount: \$59,300 **City Costs: \$759.68**

2. 7-471 Terry Lorenzo Dewdney 128 Avenue Q NE
Hearing date: 07/19/2007
Imposition: Order Finding Violation/Fine Imposed
Violations: Parking lots (non-conforming) WHC 21-244
Compliance: 06/04/2009
Number of Days Non-Compliant: **591 @ \$100**
Total Lien Amount: \$59,100 **City Costs: \$669.48**

VIII. NEXT HEARING DATE: Thursday, March 18, 2010

IX. ADJOURNMENT