

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

Agenda

Thursday, March 12, 2009 – 9 a.m.

- I. CALL TO ORDER AND PLEDGE of ALLEGIANCE (9:00 a.m.)
Special Magistrate, Douglas A. Lockwood III, Esq. presiding
 - II. APPROVE MINUTES OF February 19, 2009
 - III. EXPLANATION OF PROCEDURES and SWEARING IN
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IV. UNFINISHED BUSINESS:

A. AFFIDAVITS OF NON-COMPLIANCE/FINE CERTIFICATIONS

All matters listed under this item 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.

			<u>City Costs:</u>
1. 8-2070	Willie J. Rivers & Barbara Rivers 1300 9 th Court NE	\$ 750	
2. 8-2409	Lavarn B. Adams 230 Palmetto Avenue NW	300	

B. SUPPLEMENTAL AFFIDAVITS OF NON-COMPLIANCE/FINE CERTIFICATION

All matters listed under this item 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.

			<u>City costs:</u>
1. 7-1203	Demetric Denmark & Denya Denmark 221 Avenue S NE	\$10,350	
2. 7-2707	Supreme Investment Corporation 1980 Edwin Street NE	2,650	
3. 8-194	American Home Mortgage Servicing (Abreu) 376 Fish Hawk Drive SE	1,900	
4. 8-838	Geronimo Benitez & Emilia Benitez 711 Avenue O SW	5,700	
5. 8-1594	Alejandra Rios & Isidro Becerra 240 24 th Street SW	1,550	
6. 8-1727	Julita Joseph Alexander 106 25 th Street SW	950	
7. 8-1927	Abram Young (dec) & Geraldine Young 301 Avenue U NE	575	

D. AFFIDAVITS OF NON-COMPLIANCE/FINE CERTIFICATION & ABATEMENT COSTS

City costs:

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|-----------|--|-----------|
| 1. 8-2197 | Alfreda Parchment 206 Quentin Avenue NW | \$ 750.00 |
| | Cutting and Mowing to abate | 59.40 |
| 2. 8-2501 | Victor & Mary Jean Wallen 2704 Rochelle Dr. NW | 525.00 |
| | Cutting and Mowing to abate | 58.80 |

E. AFFIDAVITS OF COMPLIANCE

All matters listed under this item 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.

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|-----------|-------------------------------------|--------------------------------|
| 1. 7-2707 | Supreme Investment Corporation | 1980 Edwin Street NE |
| 2. 8-838 | Geronimo Benitez & Emilia Benitez | 711 Avenue O SW |
| 3. 8-1203 | Demetric & Kenya N. Denmark | 211 Avenue S NE |
| 4. 8-1594 | Alejandra Rios & Isidro Becerra | 240 24 th Street SW |
| 5. 8-1727 | Julita Joseph Alexander | 106 25 th Street SW |
| 6. 8-1927 | Abram Young (dec) & Geraldine Young | 301 Avenue U NE |
| 7. 8-2070 | Willie J. Rivers & Barbara Rivers | 1300 9 th Court NE |
| 8. 8-2197 | Alfreda Parchment | 206 Palmetto Avenue NW |
| 9. 8-2309 | Gertie C. Wilson et al | 335 Avenue Q NW |
| 10.8-2310 | Gertie C. Wilson et al | 312/314 Avenue Q NW |
| 11.8-2409 | Lavarn B. Adams | 230 Palmetto Avenue NW |

V. NEW BUSINESS:

A. FIRST OFFENSE CASES

Allen Berg:

- | | | |
|----|---|--------------------------------------|
| 1. | 8-1091 OLR Partners LLC | Old Lucerne Park Road NE |
| | WHC 12-1; 12-3 Grass/Weeds (exceeding 15" in height), WHC 12-1; 3; 86 Junk/Trash/Debris (debris on property) | |
| | Date of Violation: | 05/02/2008 |
| | To be corrected by: | 06/02/2008 |
| | Re-inspection: | 06/17/2008 |
| | Results: Violation(s) still exists | City costs: |
| 2. | 8-1819 New Plaza LLC | 1050 6th Street NW |
| | WHC 12-1; 12-3 Grass/Weeds (exceeding 15" in height), WHC 21-248 Sign Regulations – Maintenance, removal (business no longer operating) | |
| | Date of Violation: | 08/06/2008 |
| | To be corrected by: | 12/18/2008 |
| | Re-inspection: | 01/20/2009 |
| | Results: Violation(s) still exists | City costs: |

3. **8-2053 James M. Koch** **1210 6th Street SE**
 WHC 12-1; 3; 86 Junk/Trash/Debris (debris on property in some areas)
 Date of Violation: 09/10/2008
 To be corrected by: 10/06/2008
 Re-inspection: 10/07/2008
 Results: Violation(s) still exists City costs:

4. **8-2111 Highpointe Center Property Owners Assoc. Inc.**
6370 Cypress Gardens Blvd. SE
 WHC 21-249 Sign Regulations – Permits & Fees (freestanding sign without current permit), WHC 21-244 Sign Regulations – Prohibited Signs (flag type signage on the property)
 Date of Violation: 09/10/2008
 To be corrected by: 11/01/2008
 Re-inspection: 11/03/2008
 Results: Violation(s) still exists City costs:

Michelle Woods:

5. **8-2657 James Jackson, Jr.** **952 Sunshine Way SW**
 WHC 21-68 Fences/Walls (in disrepair)
 Date of Violation: 11/12/2008
 To be corrected by: 01/16/2009
 Re-inspection: 01/16/2009
 Results: Violation(s) still exists City costs:

6. **8-2786 Robert E. & Mary B. Williams** **615 Avenue P SW**
 WHC 21-92 Buffering/Screening (open storage), WHC 5-9 Building – No Permit (carport), WHC 9-26, 9-33 Business Tax Receipt (operating a business without a city license, SHC 305.2 Exterior Walls (in disrepair), WHC 21-68(a) Fences/Walls (fence permit), WHC 21-144(b) Parking lots (paved off-street parking), WHC 21-439(b) Site Plan Regulations (site plan approval)
 Date of Violation: 12/04/2008
 To be corrected by: 01/16/2009
 Re-inspection: 01/16/2009
 Results: Violation(s) still exists City costs:

7. **8-2838 Robert E. & Mary B. Williams** **607 Avenue P SW**
 WHC 21-92(a) Buffering/Screening (open storage of misc items), WHC 9-26, 9-33 Business Tax Receipt (operating a business without a city license), WHC 21-68(a) Fences/Walls (fence permit), WHC 21-144(b) Parking lots (paved off-street parking), WHC 21-439(b) Site Plan Regulations (site plan approval)
 Date of Violation: 12/04/2008
 To be corrected by: 01/25/2009
 Re-inspection: 01/30/2009
 Results: Violation(s) still exists City costs:

8. **8-2839 Robert E. & Mary B. Williams 1605 5th Street SW**
 WHC 21-92(a) Buffering/Screening (open storage of misc items), WHC 9-26, 9-33
 Business Tax Receipt (operating a business without a city license), WHC 21-68(a)
 Fences/Walls (fence permit), WHC 21-144(b) Parking lots (paved off-street
 parking), WHC 21-439(b) Site Plan Regulations (site plan approval)
 Date of Violation: 12/04/2008
 To be corrected by: 01/25/2009
 Re-inspection: 01/30/2009
 Results: Violation(s) still exists City costs:
9. **8-2886 Roger Jones & Minerva Gallego Jones 718 Avenue L SW**
 WHC 21-143; 146 Parking – Residential (parking on front yard)
 Date of Violation: 12/29/2008
 To be corrected by: 01/18/2009
 Re-inspection: 01/29/2009
 Results: Violation(s) still exists 1/12/2009 City costs:
10. **9-77 Florida Charter LLC 5th Street SW**
 WHC 12-1; 12-3 Grass/Weeds, WHC 12-1; 3; 86 Junk/Trash/Debris
 Date of Violation: 01/08/2009
 To be corrected by: 01/26/2009
 Re-inspection: 01/29/2009
 Results: Violation(s) still exists City costs:

Tonya Long:

11. **8-609 Roger Fongar 1922 Avenue E SW**
 SHC 305.3 Roofs, SHC 103.2 Unsafe Residential Building
 Date of Violation: 03/24/2008
 To be corrected by: 07/30/2008
 Re-inspection: 07/30/2008
 Results: Violation(s) still exists City costs:
12. **8-2186 Bank of America 405 Lake Elbert Drive NE**
 WHC 12-1; 12-3 Grass/Weeds (exceeding 15" in height)
 Date of Violation: 09/23/2008
 To be corrected by: 01/08/2009
 Re-inspection: 01/20/2009
 Results: Violation(s) still exists City costs:
13. **8-2284 David J. Kuehl & Shannon B. Kuehl 302 Avenue A NE**
 WHC 21-102; 103 Accessory Structures (temporary carport with no permit)
 Date of Violation: 10/09/2008
 To be corrected by: 01/18/2009
 Re-inspection: 02/04/2009
 Results: Violation(s) still exists City costs:

14. **9-46 Marcel Dorlean 1734 Terry Circle NE**
 WHC 14-36; 14-37 Trash Containers (out on non pick up day)
 Date of Violation: 01/07/2009
 To be corrected by: 01/29/2009
 Re-inspection: 02/04/2009
 Results: Violation(s) still exists City costs:
15. **9-179 Mita Ramdas 402 Avenue M NE**
 SHC 307.4 Care of Premises (misc items/trash strewn throughout yard)
 Date of Violation: 01/26/2009
 To be corrected by: 02/17/2009
 Re-inspection: 02/17/2009
 Results: Violation(s) still exists City costs:

Michael Hagwood:

16. **8-2633 David Munroe 409 Avenue T NE**
 WHC 5-9 Building – No Permit (installed fence without permit)
 Date of Violation: 11/17/2008
 To be corrected by: 12/13/2008
 Re-inspection: 02/03/2009
 Results: Violation(s) still exists City costs:
17. **8-2671 Rebecca L. & Jeremish D. Smith 4615 Palmetto Drive NW**
 WHC 12-1; 12-3 Grass/Weeds (exceeding 15" in height)
 Date of Violation: 11/13/2008
 To be corrected by: 01/31/2009
 Re-inspection: 02/10/2009
 Results: Violaton(s) still exists City costs:

B. REPEAT OFFENSE CASES

Tonya Long:

1. **9-233 Kevin R. Blackman 1762 1st Street NE**
 Original case: 7-1413, 8-267
 Hearing date: 08/16/2007, 03/20/2008
 Disposition: Order Finding Violation/Fine Imposed
 Violation: WHC 5-9 Building – No Permit
 Reoccurance: 02/04/2009 City costs:

2. **9-306 Moya Enterprises LLC** **300 Blk Avenue P NE**
 Original case: 8-1476
 Hearing date: 09/18/2008
 Disposition: Order Finding Violation/No Fine Imposed
 Violation: WHC 12-1; 12-3 Grass/Weeds (exceeding 15" in height)
 Reoccurrence: 02/17/2009 City costs:

3. **9-314 Joseph Renfort** **1205 5th Street NE**
 Original case: 5-2185
 Hearing date: 07/20/2006
 Disposition: Order Finding Violation /Fine Imposed
 Violation: WHC 12-1; 3; 86 Vehicles; Non-Tagged/Inoperable
 Reoccurrence: 02/17/2009 City costs:

C. REDUCTION REQUESTS:

Michelle Woods:

1. **7-1894 NE Avenue B #221 Landtrust, Amir Khalil, Trustee**
221 Avenue B NE
 Hearing date: 10/18/2007
 Imposition: Order Finding Violation/Fine Imposed
 Violation: WHC 12-1; 12-3 Grass/Weeds (exceeding 15" in height) WHC 12-1; 3; 86 Junk/Trash/Debris
 In Compliance: 12/23/2008
 Number of Days Non-Compliant: 420 @ \$100
 Total Lien Amount: \$42,000 City costs:

2. **8-1252 US Bank National Association c/o Americas Servicing Comp.**
1712 2nd Street NE
 Hearing date: 08/21/2008
 Imposition: Order Finding Violation/Fine Imposed
 Violation: SHC 307.4 Care of Premises (sofa on side yard), WHC 12-1; 12-3 Grass/Weeds (exceeding 15" in height)
 In Compliance: 01/26/2009
 Number of Day Non-Compliant: 147 @ \$25
 Total Lien Amount: \$3,675 City costs:

3. **8-2568 Terri L. Mincey** **1525 Kenwood Avenue**
 Hearing date: 01/15/2009
 Imposition: Order Finding Violation/Fine Imposed Repeat Offense
 Violation: WHC 12-1; 3; 86 Junk/Trash/Debris
 In Compliance: 01/13/2009
 Number of Days Non-Compliant: 55 @ \$25
 Total Lien Amount: \$1,375 City costs:

4. **8-2785 David L. Stermer** **608 Orrin Avenue SW**
Hearing date: 01/15/2009
Imposition: Order Finding Violation/Fine Imposed Repeat Offender
Violation: WHC 21-1; 3; 86 Junk/Trash/Debris
In Compliance: 01/06/2009
Number of Days Non-Compliant: 31 @ \$50
Total Lien Amount: \$1,550 City Costs:

D. EXTENSION REQUESTS: NONE

E. OTHER BUSINESS: NONE

F. NEXT HEARING DATE: Thursday, April 16, 2009

G. ADJOURNMENT: