

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

Agenda

Thursday, April 16, 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 March 12, 2009
 - III. EXPLANATION OF PROCEDURES and SWEARING IN
-

IV. UNFINISHED BUSINESS:

A. OTHER

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.

- 1. **Haven Pallet, Inc and 347 Avenue O SW
Henry E. Brakmann Revocable Trust and
Clarice Hall Jones Revocable Trust**

Settlement Agreement between Haven Pallet, Inc., a Florida corporation, Henry E. Brakmann and Sara K. Brakmann, as trustees of the Henry E. Brakmann Revocable Trust u/t/d November 30, 2004, Clarice Hall Jones, as trustee of the Clarice Hall Jones Revocable Trust u/t/d May 1, 1998 and City of Winter Haven, a Florida municipal corporation.

B. 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. 8-84	Autumn's Anchor 1006 Lake Howard Drive SW	2,625	\$166.62
2. 8-86	Autumn's Anchor 1006 Lake Howard Drive SW	2,625	\$ 64.62
3. 8-1168	Monty A. Palma 813 Lake Elbert Park NE	1,725	\$165.56
4. 8-1768	Velsan, Inc. 200 Post Avenue SW	475	\$166.62
5. 8-1923	Lillian Southern 570 Reddick's Circle SE	4,000	\$123.78
6. 8-1924	Lillian Southern 570 Reddick's Circle SE	3,950	\$123.78

			<u>City costs:</u>
7. 8-2036	Rodney Fowler 209 Avenue B SE	775	\$155.56
8. 8-2040	Orlando Aviles 712 Avenue F SE	750	\$207.98
9. 8-2227	Jimmy Lee Hiebert & Margaret Hiebert 1619 Roselawn Street SW	1,250	\$123.78
10. 8-2267	Carlos S. Guerrero 490 Lake Howard Drive NW	2,800	\$121.56
11. 8-2322	Wilson Charlemont & Marie Y. Charlemont 228-234 Avenue Q NW	150	\$ 89.78
12. 8-2659	Seventh & O SW Land Trust 1500 Blk 7 th Street SW	850	\$113.14
13. 8-2751	Minnie W. Reddick 2401 N Swan Drive NE	1,700	\$121.56
14. 8-2855	Fannie Mae 200 Fish Hawk Drive SE	\$ 550	\$123.78
15. 8-2856	Howard N. & Evalina T. Massenburg 161 Fish Hawk Drive SE	550	\$123.78

C. 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. 5-2141	Dodge Chrysler Jeep of Winter Haven Post & 1 st Street SE	\$18,000	N/A
2. 6-1135	Julianna Dominguez 136 Avenue C NE, Apt 225, 227, 229	9,250	N/A
3. 7-130	Eleftheria NE Mina 822 Avenue R NE	15,300	N/A
4. 7-1074	Robbie A. Hillery Estate 155 Avenue W NE	5,225	N/A
5. 7-2525	Ronald E. McCall & Pamela M. McCal 2231 Avenue B SW	18,200	\$132.62
6. 8-387	Julianna Dominguez 136 Avenue C NE	6,450	\$ 79.14
7. 8-483	808 Sears Avenue Trust 808 Sears Avenue NE	4,750	\$ 89.78
8. 8-520	Cassandra L. Scott 836 Avenue M SW	45,500	\$ 79.14
9. 8-541	Jason R. Leonardo & Loveena Leonardo 643 Avenue A SW	6,025	\$ 89.78
10. 9-314	Joseph Renfort 1205 5 th Street NE	1,150	\$139.98

D. 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.

- | | | |
|-----------|---------------------------|--------------------------------|
| 1. 8-609 | Roger Fongar | 1922 Avenue E SW |
| 2. 8-1091 | OLR Partners, LLC | Old Lucerne Park Road NE |
| 3. 8-1168 | Monty A. Palma | 813 Lake Elbert Park NE |
| 4. 8-1772 | Jo Anne Owens Tyler et al | 309 Avenue P NE |
| 5. 8-2053 | James M. Koch | 1210 6 th Street SE |
| 6. 8-2537 | Curnita Clark | 1928 3 rd Street NE |
| 7. 8-2751 | Minnie W. Reddick | 2401 N. Swan Drive NE |
| 8. 9-314 | Joseph Renfort | 1205 5 th Street NE |

V. NEW BUSINESS:

A. FIRST OFFENSE CASES

Tonya Long:

- 8-2299 Tracy S. Johnson** **1725 Terry Circle NE**
WHC 15-68 Address numbering (none visible on structure); WHC 21-68
Fences/Walls (damaged/in disrepair)
Date of Violation: 10/13/2008
To be corrected by: 11/19/2008
Re-inspection: 12/16/2008
Results: Violation(s) still exists City costs: **\$202.46**
- 8-2498 Marie Metayer** **347 Avenue L NE**
WHC 15-68 Address numbering (none visible on structure)
Date of Violation: 11/03/2008
To be corrected by: 02/21/2009
Re-inspection: 02/27/2009
Results: Violation(s) still exists City costs: **\$202.46**
- 9-133 Alfreda A. Durham** **1728 Broxey Court NE**
WHC 12-1; 3; 86 Vehicles; Non-tagged/Inoperable
Date of Violation: 01/21/2009
To be corrected by: 02/08/2009
Re-inspection: 02/27/2009
Results: Violation(s) still exists City costs: **\$168.46**

Michael Hagwood:

4. **8-2262 Joe Washington Jr., Kenneth L. Washington,
Karen Louise Robinson, Fannie L. Washington,
Navy Federal Credit Union 2302 Swan Court NE**

WHC 21-68 Fences/Walls (damaged and in disrepair)

Date of Violation: 10/20/2008

To be corrected by: 01/04/2009

Re-inspection: 01/06/2009

Results: Violation(s) still exists City costs: \$354.50

5. **9-232 Moira Campbell & Nikolay Campbell 1609 2nd Street NW**
SHC 305.7, 305.8 Windows to be glazed (broken windows throughout units)

Date of Violation: 02/04/2009

To be corrected by: 03/21/2009

Re-inspection: 03/23/2009

Results: Violation(s) still exists City costs: \$252.42

B. REPEAT OFFENSE CASES

Tonya Long:

1. **9-322 Louise Walls & Tasmine Miller 1200 Blk 5th Street NE**

Original case: 6-687

Hearing date: 10/19/2006

Disposition: Order Finding Violation/Fine Imposed

Violation: WHC 21-143; 146 Parking - Residential

Reoccurrence: 02/17/2009 City costs: \$173.78

2. **9-357 Greg Burrowes & Vera M. Burrowes 536 Avenue A NE**

Original case: 5-1446

Hearing date: 11/17/2005

Disposition: Order Finding Violation /No Fine Imposed

Violation: WHC 12-1; 3; 86 Junk/Trash/Debris

Reoccurrence: 02/23/2009 City costs: \$139.78

C. REDUCTION REQUESTS:

Allen Berg:

1. **6-46 Roger Fongar (Bryan & Sonya Dunn) 1922 Avenue E SW**

Hearing date: 03/16/2006

Imposition: Order Finding Violation/Fine Imposed

Violations: WHC 12-1, 21-432 Fire damage; SHC 103.2 Unsafe residential building (structure has fire damage)

In Compliance: 03/29/2007

Number of Days Non-Compliant: 329 @ \$100

Total Lien Amount: \$32,900 City costs: \$686.70

2. **8-194 American Home Mortgage Servicing 376 Fish Hawk Drive SE
(Abreu)**

Hearing date: 06/12/2008
Imposition: Order Finding Violation/Fine Imposed
Violation: WHC 21-68 Fences/Walls (no permit)
In Compliance: 01/23/2009
Number of Days Non-Compliant: 162 @ \$25
Total Lien Amount: \$4,050 City costs: \$321.62

Michelle Woods:

3. **7-1894 NE Avenue B #221 Landtrust, 221 Avenue B NE
Amir Khalil, Trustee**

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: \$441.74

4. **7-2707 Supreme Investment Corp. 1980 Edwin Street NE
David Munroe**

Hearing date: 04/17/2008
Imposition: Order Finding Violation/Fine Imposed
Violation: WHC 12-1; 3; 86 Junk/Trash/Debris
In Compliance: 02/05/2009
Number of Days Non-Compliant: 230 @ \$50
Total Lien Amount: \$11,500 City costs: \$590.94

5. **8-1727 Julita Joseph Alexander 106 25th Street SW**

Hearing date: 11/20/2008
Imposition: Order Finding Violation/Fine Imposed
Violation: WHC 15-68 Address numbering (not clearly legible), WHC 21-68 Fences/Walls (privacy fence in disrepair)
In Compliance: 02/14/2009
Number of Days Non-Compliant: 69 @ \$25
Total Lien Amount: \$1,725 City costs: \$584.96

6. **8-2568 Terri L. Mincey 1525 Kenwood Avenue SW**

Hearing date: 01/15/2009
Imposition: Order Finding Violation/Fine Imposed
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: \$124.80

Tonya Long:

7. **5-2174 Clarence Harold Whitfield** **812 Avenue O SW**
2nd Reduction Request
Hearing date: 08/10/2006
Imposition: Order Finding Violation/Fine Imposed
Violations: WHC 12-1; 21-432 Fine damage
In Compliance: 08/25/2008
Number of Days Non-Compliant: 622 @ \$250
Total Lien Amount: \$155,500 City costs: **\$508.80**
Original Order Reduction Date : 01/15/2009
Reduced Fine Amount 1/15/09: \$7,775 + City cost: \$485.06
8. **8-794 Altesse Alain** **902 Sunshine Way SW**
2nd Reduction Request
Hearing date: 04/17/2008
Imposition: Order Finding Violation/Fine Imposed Repeat Offender
Violation: WHC 12-1; 3; 86 Vehicles; Non-tagged/Inoperable
In Compliance: 07/09/2008
Number of Days Non-Compliant: 83 @ \$10
Total Lien Amount: \$830 + \$140 (\$970) + CC: **262.88**
Original Order Reduction Date: 11/20/2008
Reduced Fine Amount 11/20/08: \$100 fine + City costs: \$239.14
9. **8-838 Geronimo & Emilia Benitez** **711 Avenue O SW**
Hearing date: 09/18/2008
Imposition: Order Finding Violation/Fine Imposed
Violation: SHC 303.4 Electrical lights & outlets (no GFCI in kitchen/bathroom), SHC 305.11 Exterior doors (not weather proof/cracks, SHC 302.6 Kitchen facilities (no stove), SHC 305.4 Means of egress (no secondary means of egress), SHC 306 Minimum dwelling space (7 people – does not meet minimum sq. footage requirement), SHC 302.9 Smoke detector systems (none), WHC 21-32 Zoning (Apt. does not meet 900 sq. ft. requirement)
In Compliance: 01/17/2009
Number of Days Non-Compliant: 88 @ \$100
Total Lien Amount: \$8,800 City costs: **\$499.22**
10. **8-1927 Geraldine Young (Abram Young dec)** **301 Avenue U NE**
Hearing date: 11/20/2008
Imposition: Order Finding Violation/Fine Imposed
Violation: SHC 307.4 Care of Premises (open storage of wire/wood/misc items), WHC 12-1; 3; 86 Junk/Trash/Debris (debris and other items in yard)
In Compliance: 01/29/2009
Number of Days Non-Compliant: 54 @ \$25
Total Lien Amount: \$1,350 City costs: **\$424.56**

11. **8-2070 Willie Jamel Rivers & Barbara Rivers 1300 9th Court NE**
Hearing date: 12/11/2008
Imposition: Order Finding Violation/Fine Imposed
Violation: WHC 12-1 Sanitary nuisance (green pool), SHC 305.12 Screens
(missing/damaged/torn on pool enclosure), WHC 12-1; 3; 86
Vehicles; Non-tagged/Inoperable
In Compliance: 01/21/2009
Number of Days Non-Compliant: 30 @ \$25
Total Lien Amount: \$750 City costs: **\$375.62**

Michael Hagwood:

12. **8-2409 Lavern B. Adams 230 Palmetto Avenue NW**
Hearing date: 01/15/2009
Imposition: Order Finding Violation/Fine Imposed
Violation: SHC 307.4 Care of Premises (misc items stored outside), WHC 12-
1; 3; 86 Vehicles; Non-tagged/Inoperable
In Compliance: 02/02/2009
Number of Days Non-Compliant: 12 @ \$25
Total Lien Amount: \$300 City costs: **\$339.50**

D. EXTENSION REQUESTS:

1. **8-998, 8-999 & 8-1000 Dawn E. Henry Campbell**
510, 514, & 525 Avenue J NW

E. OTHER BUSINESS: NONE

F. NEXT HEARING DATE: Thursday May 21, 2009

G. ADJOURNMENT