

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

Agenda

Thursday, August 20, 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 July 16, 2009
 - III. EXPLANATION OF PROCEDURES and SWEARING IN
-

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. 8-1195 | William Thomas West 215 Avenue J SE | 4,175 | \$113.58 |
| 2. 9-15 | Doeretha Williams 115 Avenue V NW | 825 | \$113.58 |
| 3. 9-693 | Shaunda Janae Williams – Authorization to Abate 621 Avenue R NE | 1,950 | \$156.02 |
| 4. 9-1219 | Victor Wallen & Mary Jean Wallen 2704 Rochelle Drive NE – Abatement costs (\$58.50) | 3,800 | \$172.88 |

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. 5-1892 | Mitchell A. Hardy 1501 7 th Street SE | 9,150 | N/A |
| 2. 5-1942 | Eleftheria N E Mina 856 Avenue R NE | 18,300 | N/A |
| 3. 6-805 | 1721 Bennett Street Land Trust 1721 Bennett Street NE | 38,800 | N/A |
| 4. 6-1135 | Juliana Dominguez 136 Avenue C NE | 9,050 | N/A |
| 5. 7-43 | Bates Avenue Trust (Russell Stalk Trustee) 654 Bates Avenue SW | 4,500 | N/A |
| 6. 7-2372 | James Arbogst Sr. 200 7 th Street NE - Abatement costs | 6,200 | \$442.00 |
| 7. 7-2583 | Elizabeth Wingo 1800 4 th Street NW | 7,500 | 90.02 |

| | | | |
|------------|--|--------|----------|
| 8. 8-6 | Dodge Chrysler Jeep of Winter Haven Inc 1605 2 nd Street SE | 75,600 | \$113.50 |
| 9. 8-387 | Juliana Dominguez - Request to secure 136 Avenue C NE | 9,400 | 156.02 |
| 10. 8-911 | Omar Arroyo Martinez Mary Jewett Circle NE | 27,100 | 132.46 |
| 11. 8-1356 | Jessica L. Luna 230 22 nd Street SW | 4,500 | 122.02 |
| 12. 8-1923 | Lillian Southern 570 Reddicks Circle SE | 6,300 | 152.42 |
| 13. 8-1924 | Lillian Southern 570 Reddicks Circle SE | 6,350 | 84.42 |
| 14. 8-1998 | John Palumbo 139 Avenue S NE | 9,000 | 122.02 |
| 15. 8-2309 | Gertie C Wilburn et al 335 Avenue Q NW | 350 | 45.58 |
| 16. 8-2579 | Orbia Hill, Anthony Greene, Ora Greene 918 Avenue T NE | 4,925 | 144.18 |
| 17. 8-2856 | Howard Massenburg & Evalina T. Massenburg 161 Fish Hawk Drive SE – Authorization to Abate | 3,150 | 176.42 |

C. 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. 7-2372 | James Arbogst, Sr | 200 7 th Street NE |
| 2. 7-2583 | Elizabeth Wingo | 1800 4 th Street NW |
| 3. 8-911 | Omar Arroyo Martinez | Mary Jewett Circle NE |
| 4. 8-1923 | Lillian Southern | 570 Reddicks Circle SE |
| 5. 8-1924 | Lillian Southern | 570 Reddicks Circle SE |
| 6. 8-2309 | Gertie C. Wilburn et al | 335 Avenue Q NW |
| 7. 9-591 | Michael & Cecelia Quillen | 264 18 th Street NE |
| 8. 9-1219 | Victor & Mary Jean Wallen | 2704 Rochelle Drive NE |

D. Tabled from July 16, 2009 Hearing

Michelle Woods

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|-----------|--|---|
| 1. 8-2255 | Clarence Harold Whitfield | 220 6th Street SW, Apt. E |
| | WHC 9-26; 9-33 Business Tax Receipt (Occ. License required for apartments) | |
| | Date of Violation: | 10/27/2008 |
| | To be corrected by: | 05/01/2009 |
| | Re-inspection: | 06/10/2009 |
| | Results: Violation(s) still exists | City costs: \$230.86 |

V. NEW BUSINESS:

A. FIRST OFFENSE CASES

Allen Berg:

1. **8-2650 Betty Weldon** **450 Avenue H SE**
WHC 12-1; 21-432 Fire Damage
Date of Violation: 11/13/2008
To be corrected by: 03/27/2009
Re-inspection: 07/17/2009
Results: Violation(s) still exists
City costs: \$168.90
2. **9-905 Kastelrock Management Inc** **808 4th Street SE**
WHC 12-1; 3; 86 Junk/Trash/Debris
Date of Violation: 04/15/2009
To be corrected by: 05/09/2009
Re-inspection: 06/29/2009
Results: Violation(s) still exists
City costs: \$185.30
3. **9-1249 Jean Romel Semexant & Agmiezka Zurawska** **400 Avenue D SE**
WHC 21-243(f) Sign Regulations – Holiday lights
Date of Violation: 05/08/2009
To be corrected by: 06/09/2009
Re-inspection: 06/09/2009
Results: Violation(s) still exists
City costs: \$228.18
4. **9-1498 Nancy Lawlis Schleuser Trust** **577 6th Street SE**
WHC 12-1; 3; 86 Junk/Trash/Debris; WHC 12-1; 12-3 Grass/Weeds (exceeding 15" in height)
Date of Violation: 06/04/2009
To be corrected by: 07/02/2009
Re-inspection: 07/11/2009
Results: Violation(s) still exist
City costs: \$169.12
5. **9-1551 David Zupofka** **409 Avenue J SE**
WHC 12-1; 12-3 Grass/Weeds (exceeding 15" in height)
Date of Violation: 06/05/2009
To be corrected by: 07/02/2009
Re-inspection: 07/11/2009
Results: Violation(s) still exists
City costs: \$185.74
6. **9-1599 Jean Romel Semexant & Agmiezka Zurawska** **400 Avenue D SE**
WHC 12-1; 12-3 Grass/Weeds (exceeding 15" in height)
Date of Violation: 06/09/2009
To be corrected by: 07/03/2009
Re-inspection: 07/10/2009
Results: Violation(s) still exists
City costs: \$185.74

Michelle Woods:

8. **9-1147 Timothy J. & Nicole K. Longstreet** **910 Sunshine Way SW**
WHC 5-9 Building – No Permit
Date of Violation: 05/05/2009
To be corrected by: 06/06/2009
Re-inspection: 06/30/2009
Results: Violation(s) still exists
City costs: \$208.66

Tonya Long:

9. **9-861 Fred Gaffney Jr. et al** **600 Blk Sears Avenue NE**
WHC 21-143; 146 Parking – Residential (on vacant lot)
Date of Violation: 04/08/2009
To be corrected by: 04/28/2009
Re-inspection: 06/24/2009
Results: Violation(s) still exists
City costs: \$203.12
10. **9-1045 Adrian Wormley** **900 Drexel Avenue NE**
WHC 12-1; 3; 86 Vehicles – Non-tagged/inoperable
Date of Violation: 04/29/2009
To be corrected by: 05/17/2009
Re-inspection: 06/23/2009
Results: Violation(s) still exists
City costs: \$245.34

Michael Hagwood:

11. **8-2614 John P. Adams Properties** **32886 U.S. Hwy 27 NE**
WHC 21-248 Sign Regulations – Maintenance, removal (pole sign not in use on property)
Date of Violation: 11/06/2008
To be corrected by: 12/16/2008
Re-inspection: 07/08/2009
Results: Violation(s) still exists
City costs: \$219.30
12. **9-1388 111 Mirror Lane Trust** **111 Mirror Lane NW**
WHC 12-1 Sanitary Nuisance (green pool); WHC 12-1; 12-3 Grass/Weeds (exceeding 15" in height)
Date of Violation: 05/27/2009
To be corrected by: 07/12/2009
Re-inspection: 07/14/2009
Results: Violation(s) still exists
City costs: \$211.12

B. REPEAT OFFENSE CASES: NONE

C. REDUCTION REQUESTS:

Michelle Woods:

1. **5-1182 Amirissa Maura Mina** **219 Avenue L NE**
Hearing date: 03/16/2006
Imposition: Order Finding Violation/Fine Imposed
Violations: SHC 103.2 Unsafe residential building
In Compliance: 10/01/2008
Number of Days Non-Compliant: 898 @ \$100
Total Lien Amount: \$89,800 City costs: **\$1,109.55**

2. **3-1738 John Edward Rattray** **617 Avenue O NE**
Hearing date: 05/19/2005
Imposition: Order Finding Violation/Fine Imposed
Violation: WHC 21-68 Fences/Walls; WHC 12-1; 12-3 Grass/Weeds WHC 15-68 House Numbering; WHC 12-1- 3; 86 Junk/Trash/Debris; WHC 21-143; 146 Parking; WHC 14-36; 14;37 Trash Containers; WHC 12-1; 3; 86 Vehicles; non-tagged/inoperable
In Compliance: 04/11/2006
Number of Days Non-Compliant: 312 @ \$50
Total Lien Amount: \$15,600 City costs: **\$382.63**

3. **7-429 Terry Lorenzo Dewdney** **128 Avenue Q NE**
Hearing date: 08/16/2007
Imposition: Order Finding Violation/Fine Imposed
Violation: WHC 5-9 Building – No permit
In Compliance: 06/04/2009
Number of Days Non-Compliant: 593 @ \$100
Total Lien Amount: \$59,300 City costs: **\$611.66**

4. **7-471 Terry Lorenzo Dewdney** **128 Avenue Q NE**
Hearing date: 07/19/2007
Imposition: Order Finding Violation/Fine Imposed
Violations: WHC 21-244 Parking lots (non-conforming)
In Compliance: 06/04/2009
Number of Days Non-Compliant: 591 @ \$100
Total Lien Amount: \$59,100 City costs: **\$613.96**

5. **8-483 808 Sears Avenue Trust** **808 Sears Avenue NE**
Hearing date: 06/12/2008
Imposition: Order Finding Violation/Fine Imposed
Violations: WHC 5-9 Building – No permit (temporary carport)
In Compliance: 04/29/2009
Number of Days Non-Compliant: 310 @ \$25
Total Lien Amount: \$7,750 City costs: **\$585.80**

6. **8-1768 Velsan, Inc.** **200 Post Avenue SW**
Hearing date: 12/11/2008
Imposition: Order Finding Violation/Fine Imposed
Violation: WHC 21-244 Sign regulations – prohibited signs (signs advertising a business no longer in operation)
In Compliance: 04/16/2009
Number of Days Non-Compliant: 95 @ 25
Total Lien Amount: \$2,375 City costs: \$565.12

Tonya Long:

7. **9-314 Joseph Renfort** **1205 5th Street NE**
Hearing date: 03/12/2009
Imposition: Order Finding Violation/Repeat Offense
Violation: WHC 12-1; 3; 86 Vehicles; Non-tagged/inoperable
In Compliance: 03/12/2009
Number of Days Non-Compliant: 23 @ \$50
Total Lien Amount: \$1,150 City costs: \$346.40
8. **8-1997 John Palumbo** **139 Avenue S NE**
Hearing date: 11/20/2008
Imposition: Order Finding Violation/Fine Imposed
Violation: WHC 5-9 Building – No permit; WHC 21-32 Zoning (SFR used as rooming house)
In Compliance: 04/23/2009
Number of Days Non-Compliant: 122 @ \$50
Total Lien Amount: \$6,100 City costs: 354.48
9. **7-3062 Central Church of Christ (Ramirez)** **145 Avenue D SW**
Hearing date: 04/17/2008
Imposition: Order Finding Violation/Fine Imposed
Violation: SHC 303.4 Electrical lights & outlets (GFI in bathroom doesn't work and no GFI in kitchen); SHC 305.11 Exterior doors (broken/damaged rotten wood); SHC 305.2 Exterior walls (hole in siding and rotted wood in several areas); SHC 305.16.1 Interior floors/Walls/Ceilings (leak in kitchen ceiling and soft/weak floors in kitchen); SHC 305.3 Roofs (attic vent missing (rear)); SHC 302.1 Sanitary Facilities (sewage is backing up – not flowing properly); SHC 302.9 Smoke detector systems (none); SHC 305.7, 305.9 Window sash (several are rotted on exterior)
In Compliance: 09/22/2008
Number of Day Non-Compliant: 126 @ \$150
Total Lien Amount: \$18,900 City costs: \$498.40

D. EXTENSION REQUESTS: NONE

E. OTHER BUSINESS: NONE

F. NEXT HEARING DATE: Thursday, September 17, 2009

G. ADJOURNMENT