

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

**Agenda**

Thursday, September 17, 2009 – 9:00 a.m.

- I. CALL TO ORDER AND PLEDGE of ALLEGIANCE  
Special Magistrate, Douglas A. Lockwood III, Esquire presiding
  - II. APPROVE MINUTES OF August 20, 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. 9-313	Federal National Mortgage Association 1203 5 <sup>th</sup> Street NE	\$ 775	\$174.46
2. 9-397	Deer Lake of Polk County LLC 2800 Blk S. Lake Deer Drive	400	133.54
3. 9-567	Cynthia M. Stayer & Carole J. Lee 895 13 <sup>th</sup> Court NE	1,150	169.74
4. 9-780	Jason R. Leonardo & Loveena Leonardo 643 Avenue A SW	350	167.54
5. 9-924	Moira Campbell & Nikolay Campbell 205 Avenue P NW	1,300	121.58
6. 9-1088	Christ Anna Crossley 325 Avenue Q NW	1,500	156.02
7. 9-1257	Adjustment and Awareness Counseling Services 243 3 <sup>rd</sup> Street SW	175	167.54

**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. 7-130	Sandra Gringeri & Eleftheria N E Mina 822 Avenue R NE (MW - Request authorization to abate)	\$18,600	\$ N/A
2. 8-387	Juliana Dominguez 136 Avenue C NE (MW - Request authorization to abate)	1,400	611.49

			<u>City costs:</u>	
3.	8-1911	Iola Collins Swanigan et al 2229 5 <sup>th</sup> Street NE	\$15,450	<u>\$140.46</u>
4.	8-2227	Jimmy Lee Hiebert & Margaret Hiebert 1619 Roselawn Street SW	4,525	151.54
5.	9-77	Charter Florida LLC 5 <sup>th</sup> Street SW	2,975	167.54
6.	9-693	Shaunda Janae Williams 621 Avenue R NE	2,000	207.26

**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.	7-700	Jimmy Lee & Margaret Hiebert	1619 Roselawn Street SW
2.	8-1911	Iola Collins Swanigan et al	2229 5 <sup>th</sup> Street NE
3.	8-2227	Jimmy Lee Hiebert & Margaret Hiebert	1619 Roselawn Street SW
4.	9-313	Federal National Mortgage Association	1203 5 <sup>th</sup> Street NE
5.	9-693	Shaunda Janae Williams	621 Avenue R NE
6.	9-1147	Timothy J & Nicole K Longstreet	910 Sunshine Way SW
7.	9-1298	Monica Louise Harris	1704 Broxey Court NE
8.	9-1498	Nancy Lawlis Schlehuser Trust	557 6 <sup>th</sup> Street SE

**D. Extension request tabled from April 16, 2009**

**Dawn Campbell and Alfred Campbell**  
**Case 8-998            510 Avenue J NW**  
**Case 8-999            514 Avenue J NW**  
**Case 8-1000          525 Avenue J NW**

On December 11, 2008, the above cases were presented to the Special Magistrate. An Order was entered giving the property owners 120 days to correct the violations or imposing a fine of \$100 per day thereafter. At the April 16, 2009 Hearing, the Campbell's attorney, Daniel P. Rooney, requested an extension of up to 120 days in order to settle the Contractor's lawsuit. The Magistrate requested that Officer Berg and the Building Official make recommendations to the Campbell's on how to secure the buildings. The Campbell's and Mr. Rooney were to contact the bank to inquire about using some of the construction money to make the necessary repairs. An extension order was not entered and the case was tabled until a later hearing. As requested, City staff met with the Campbell's and Mr. Rooney and made recommendations.

**V. NEW BUSINESS:**

**A. FIRST OFFENSE CASES**

**Allen Berg:**

1. **8-2076 Elizabeth Mobley et al Avenue P NW**  
WHC 21-102; 103 Accessory Structures (temporary carports); WHC 12-1; 12-3 Grass/Weeds; WHC 12-1; 3; 86 Junk/Trash/Debris; WHC 21-143; 146 Parking – Residential (vehicles parked on a vacant lot)  
Date of Violation: 09/23/2008  
To be corrected by: 10/13/2008  
Re-inspection: 10/15/2008  
City costs: \$313.34
  
2. **9-1098 CRF NERTA III LLC Lk Ruby Drive & Elosie Loop Rd SE**  
WHC 21-245d Sign Regulations – Permitted Signs (Sign on vacant lot)  
Date of Violation: 04/30/2009  
To be corrected by: 06/20/2009  
Re-inspection: 06/30/2009  
City costs: \$185.34
  
3. **9-1369 Amanda L. & Sean K. Sidwell 1854 Woodpointe Drive SE**  
WHC 12-1; 12-3 Grass/Weeds; WHC 12-1; 3; 86 Junk/Trash/Debris; WHC 12-1 Sanitary Nuisance (swimming pool has stagnate water); WHC 21-103(a)(5) Swimming Pool Enclosures (pool not secured)  
Date of Violation: 06/04/2009  
To be corrected by: 07/31/2009  
Re-inspection: 08/03/2009  
City costs: \$258.83
  
4. **9-1484 Jeannette Jean Baptiste & Garry Cupidon 100 14<sup>th</sup> Street SE**  
WHC 12-1; 3; 86 Vehicles – Non-Tagged/Inoperable  
Date of Violation: 05/28/2009  
To be corrected by: 08/02/2009  
Re-inspection: 08/03/2009  
City costs: \$288.73

**Michelle Woods:**

5. **9-287 Everett Whitehead & Sons, Inc. 601 6<sup>th</sup> Street SW**  
WHC 21-92 Buffering/Screening (open storage visible from road)  
Date of Violation: 02/12/2009  
To be corrected by: 05/05/2009  
Re-inspection: 08/03/2009  
City costs: \$253.30
  
6. **9-1607 Marie Edith Clesidor 2435 Brent Avenue SW**  
WHC 15-68 Address Numbering (not visible on house)  
Date of Violation: 06/09/2009  
To be corrected by: 07/23/2009  
Re-inspection: 08/04/2009  
City costs: \$203.12

7. **9-1977 Bernita J. Robinson** **2201 Avenue F NW**  
WHC 12-1; 3; 86 Junk/Trash/Debris (open storage to include screens & boxes)  
Date of Violation: 07/09/2009  
To be corrected by: 07/27/2009  
Re-inspection: 07/29/2009 City costs: \$169.12

**Tonya Long:**

8. **9-946 Steve W. Sharp & Phyllis A. Sharp** **600 Lk Martha Drive NE**  
SHC 307.4 Care of Premises (broken fence panels/concrete blocks); SHC 305.11 Exterior Doors (damaged/broken/unsecured); WHC 14-36; 14-37 Trash Containers (left on front drive); SHC 103.2 Unsafe Residential Building (broken windows/unsecured opening & doors); WHC 18-11 Visibility Triangle (bush blocking visibility); SHC 305.7, 305.8 Windows to be Glazed (broken windows)  
Date of Violation: 04/21/2009  
To be corrected by: 07/04/2009  
Re-inspection: 07/20/2009 City costs: \$228.62

9. **9-1301 Clarence Wilson & Hattie Wilson** **1737 2<sup>nd</sup> Street NE**  
WHC 5-9 Building – No Permit (shed erected without permit)  
Date of Violation: 05/14/2009  
To be corrected by: 06/10/2009  
Re-inspection: 07/17/2009 City costs: \$185.74

10. **9-1456 Team Galban LLC** **417 Avenue N NE**  
WHC 21-68 Fences/Walls (erected without permit)  
Date of Violation: 06/02/2009  
To be corrected by: 07/15/2009  
Re-inspection: 07/17/2009 City costs: \$185.74

11. **9-1744 Joshua D. Whittenton & Holly Whittenton** **801 Lk Martha Drive NE**  
WHC 12-1; 12-3 Grass/Weeds  
Date of Violation: 06/16/2009  
To be corrected by: 07/16/2009  
Re-inspection: 07/17/2009 City costs: \$227.74

12. **9-1747 Robert S. Flores Jr.** **1097 Lk Martha Drive NE**  
WHC 12-1; 12-3 Grass/Weeds  
Date of Violation: 06/17/2009  
To be corrected by: 08/10/2009  
Re-inspection: 08/11/2009 City costs: \$254.00

**Michael Hagwood:**

13. **9-1702 Francis First LLC** **2391 Edwin Street NE**  
WHC 21-143; 146 Parking – Residential (on front yard)  
Date of Violation: 06/11/2009  
To be corrected by: 07/15/2009  
Re-inspection: 08/19/2009 City costs: \$253.74

14. **9-1866 Jessica Renee Renfrow** **2220 Avenue A NW**  
SHC 307.4 Care of Premises (misc items stored under carport); WHC 14-36; 14-37  
Trash Containers (not properly stored); SHC 103.2 Unsafe Residential Building  
(not secured; window open)  
Date of Violation: 06/25/2009  
To be corrected by: 08/02/2009  
Re-inspection: 08/19/2009 City costs: \$254.00

**B. REPEAT OFFENSE CASES:**

**Michelle Woods:**

1. **9-2323 Erlin C. Harriman** **2219 Avenue B SW**  
Original case: 7-1426  
Hearing date: 10/18/2007  
Disposition: Order Finding Violation/No Fine Imposed  
Violation: WHC 21-143; 146 Parking – Residential (trailer on front yard)  
Re-occurrence: 08/10/2009 City costs: \$129.58

**C. REDUCTION REQUESTS:**

**Michelle Woods:**

1. **8-483 808 Sears Avenue Trust** **808 Sears Avenue NE**  
**\*Third Reduction Request\***  
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: \$594.24

**Michael Hagwood:**

2. **8-2309 Gertie C. Wilburn et al** **335 Avenue Q NW**  
Hearing date: 01/15/2009  
Imposition: Order Finding Violation-Fine Imposed  
Violation: SHC 305.3 Roofs (damaged/disrepair)  
In Compliance: 07/03/2009  
Number of Days Non-Compliant: 77 @ \$25  
Total Lien Amount: \$1,925 City costs: \$392.96

**D. EXTENSION REQUESTS: NONE**

**E. OTHER BUSINESS: NONE**

**F. NEXT HEARING DATE: Thursday, October 15, 2009**

**G. ADJOURNMENT**