



120 E. Pomelo Street
Lake Alfred, FL 33850

Ph.: (863) 291-5748
Fax: (863) 298-5403

AGENDA
CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING
COMMISSION CHAMBERS, CITY HALL
April 16, 2015
3:00 P.M.

CALL TO ORDER: Magistrate Heather Christman

SWEAR IN: Magistrate Heather Christman

APPROVAL OF MINUTES: March 19, 2015

NEW CASES

Case no.: 15 03 065 / Mason Rentals LLC / 140 N Nekoma Avenue

Case no.: 15 03 023 / Kelly Evans / 210 W Harbord Street

Case no.: 15 03 026 / Freddie Mae Robinson / 675 Lemon Avenue

Case no.: 15 03 040 / Johnny Hill / 775 S Buena Vista Drive

Case no.: 15 03 064 / Antonio Casimiro / 1165 S Nekoma Avenue

CLOSED CASES

~~Case no.: 15-03-053 / Jacinto Navarro / 340 W Pierce Street~~

~~Case no.: 15-03-063 / Gus Lucas / 345 E Sanford Street~~

~~Case no.: 15-03-050 / Linda Gallagher / 395 Davis Avenue~~

~~Case no.: 15-03-052 / Stephen Debord / 440 E Thelma Street~~

~~Case no.: 15-03-032 / Michael Weeks / 655 N Todhunter Way~~

~~Case no.: 15-03-047 / Mason Properties LLC / 945 S Lake Shore way~~

~~Case no.: 15-03-062 / Lori Anderson / 655 E Cummings Street~~

PUBLIC COMMENTS

ADJOURN



Minutes

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING
COMMISSION CHAMBERS, CITY HALL
March 19, 2015
3:00 P.M.

CALL TO ORDER: Magistrate Heather Christman

SWEAR IN: Magistrate Heather Christman

APPROVAL OF MINUTES: Magistrate Christman approved the minutes of February 19, 2015.

NEW CASES

Case No. 15 01 005 / Matthew and Tanya Jeckovich / 610 E Sanford Street

Matthew Jeckovich was present.

Code Enforcement Officer Danny Clewis stated the violation is for unlicensed untagged vehicles. Sited on January 16, 2015, this is the third time this property has been cited.

Magistrate Heather Christman asked if the property is still in violation. **Code Enforcement Officer Clewis** said that as of today, the property is still in violation.

Magistrate Heather Christman asked for a recommendation. Officer Clewis said 24 hours to move the car, or \$50 per day fine to be imposed.

Mr. Jeckovich claims there is numerous cars in his neighborhood that have un-tagged cars in their driveway. But he is the only one that is ever cited. He uses the car at the race track as a drag car. He asked if he put a tag on the car will he be able to keep the car in his driveway.

Magistrate Christman suggested he read code 302.8.

Magistrate Heather Christman made judgment and entered a Finding of Fact and Conclusion of Law and Order that section 302.8 is in violation. The Property owner has until March 23, 2015 to correct the violation or there will be a \$50 per day fine.

REQUEST TO BE HEARD

Case No. 13 06 127 / MSR Investment Inc. / 1005 E Alfred Drive

Code Enforcement Officer Danny Clewis said this property has been in violation has been running for the past two years.

George Davis, mortgage holder, attended on behalf of the owner. Mr. Davis acknowledged the abatement cost and the administrative cost. But he would like the cost of the fines abolished.

The property has been leased to Teneke Outing, she intends to rehabilitate the building and property and open a convenience store. Ms. Outing explained what she and her husband have done to clean up the building and property.

Magistrate Heather Christman made judgment that no reduction in fines would take place today but come back in 6 months for a re-evaluation. It will be up to the defendant to get in touch with the city to request to be heard at the September 17, 2015 meeting.

Adjourned at 3:55

Respectfully Submitted,



Mamie Drane
Administrative Assistant

**CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING
APRIL 16, 2015**

NEW CASE: Case No. 15 03 065 / Mason Rentals LLC / 140 N Nekoma Ave

ATTACHMENTS:

- **Notice of Hearing with Certified Mail Receipt**
- **Notice to Correct Violation**
- **Photographs**
- **Applicable Code Excerpt**

CITY OF LAKE ALFRED, FLORIDA

City of Lake Alfred
120 E. Pomelo Street
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Community Development

Building | Code Enforcement | Planning | Zoning

CODE ENFORCEMENT SPECIAL MAGISTRATE

DATE: April 1, 2015

CASE NO.: 15 03 065

CITY OF LAKE ALFRED

VS.

Mason Rentals LLC
PO Box 3544
Haines City, FL 33845-3544

RE: 140 N Nekoma Avenue
LAKE ALFRED, FL 33850
PARCEL ID 262732 513630 021020

NOTICE OF HEARING

You are hereby notified that on Thursday, April 16, 2015, at 3:00pm, a Code Enforcement Special Magistrate hearing shall be held in Commission Chambers at City Hall of Lake Alfred, Florida, in accordance with Article III of the Code of Ordinances of the City of Lake Alfred to determine whether you have violated one or more provisions of the Code of Ordinances and/or of the Unified Land Development Code of the City of Lake Alfred.

You are entitled to be represented by counsel, present testimony and evidence and testify on your behalf. Subpoenas for records, surveys, plats and other materials and for witnesses may be requested and will be issued by the Magistrate upon proper request to the Code Enforcement Office within five (5) business days at (863) 291-5743.

You are requested to appear before the Special Magistrate at that time to answer and defend allegations that you have violated the cited ordinances of the City of Lake Alfred.

If you fail to attend, the Special Magistrate may base its findings and act solely on the presentation made by the City.

If the Special Magistrate finds that you have committed any violation(s) it may order immediate compliance with the Code(s) and provide in the order, in the event of failure to comply with the order within a period of time set forth therein, that a fine be imposed **NOT TO EXCEED \$250.00** per day for a

first violation and **NOT TO EXCEED \$500.00** per day for a repeat violation for the period of non-compliance.

Please be advised that the case may be presented to the Code Enforcement Special Magistrate even if the violation has been corrected prior to the scheduled hearing if: (1) the violation was not corrected by the time previously specified by the Code Inspector, or; (2) the violation has been corrected then recurred.

If any decision of the Code Enforcement Special Magistrate affects you and you decide to appeal any decision made at this meeting with respect any matter considered, you will need a record of the proceedings, and for such purposes you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

(STATE LAW REQUIRES THE ABOVE NOTICE. ANYONE DESIRING A VERBATIM TRANSCRIPT SHALL HAVE THE RESPONSIBILITY AT HIS/HER OWN COST TO ARRANGE FOR THE TRANSCRIPT.)

Please be advised that the procedures of the Hearing are governed by Section 2-281, Chapter 2, Article VI of the City of Lake Alfred. Copies of these procedures may be obtained at the Code Enforcement Office, City of Lake Alfred.

Signed this 1st day of April 2015.

This Notice Sent by:
(Circle method of Notice)

Certified Mail

Article No.: 70133020000230657461

First Class Mail

Mamie Drane

Recording Secretary

7013 3020 0002 3065 7454

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Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		



Mason Rentals LLC
 PO Box 3544
 Haines City, FL 33845-3544

for Instructions

**City of Lake Alfred
Notice to Correct Code Violation**

Date Issued **3/23/15**

Case Number **15-03-065**

Property Address **140 N Nekoma Ave Lake Alfred**

Parcel ID # **262732513630021020**

Property Owner **Mason Rentals LLC**

Mailing Address **Haines City**

	Violations Observed	Time Period to Correct Violation
<input type="checkbox"/>	Overgrown Yard/Lot <i>(Section 302.4 Property Maintenance Code)</i>	
<input type="checkbox"/>	Trash/Debris/Storage of Materials <i>(Sections 302.1, 308.1 Property Maintenance Code)</i>	
<input type="checkbox"/>	Abandoned/Derelict Vehicle <i>(Section 302.8 Property Maintenance Code)</i>	
<input type="checkbox"/>	Unsafe Structure <i>(Section 108 Property Maintenance Code)</i>	
<input checked="" type="checkbox"/>	Work Without Building Permit <i>(Section 14-22 Code of Ordinances)</i>	10 days
<input type="checkbox"/>	Other: Above Ground Pool And Fence	

Photographs Attached Yes No

Method of Delivery
 First Class Mail Certified Mail
 Hand Delivery Posted on Property

Warning Previously Issued Yes No

Repeat Offense Yes No

NOTICE – PLEASE READ

You have been issued a Notice to Correct Code Violation by the City of Lake Alfred. You have been given a reasonable amount of time to correct the violation. It is **YOUR RESPONSIBILITY TO REQUEST AN INSPECTION OF THE CORRECTION.** If you fail to correct the violation within the provided time period and request an inspection, the matter will be referred to the Special Magistrate for a hearing which could result in a daily fine. If you are unsure of any requirements necessary to correct the violation or have other concerns, please contact the Lake Alfred Community Development Department between the hours of 8:00 am to 12:00 noon Monday through Friday at 863-291-5748, or visit our office at 120 E. Pomelo Street, Lake Alfred, FL 33850 or email at Dclewis@mylakealfred.com.



Article II. Contractors

- Sec. 14-22. - Permit required.

Permits shall be procured from the building official by every person, contractor or subcontractor before:

- (1) Doing any work that requires issuance of a permit under Section 105.1 of Chapter 1 - Administration of Florida Building Code, Building; or F.S. ch. 553;
- (2) Doing any electrical wiring or rewiring or altering, changing or attaching to any existing wiring;
- (3) Doing any plumbing work or altering, changing or attaching to any existing plumbing;
- (4) Doing any structural work of any character, whether permanent or temporary; and
- (5) Doing any nonstructural work where the cost of materials exceeds \$800.00.

(Ord. No. 1333-14, § 1(Exh. A), 7-28-2014)

City of Lake Alfred
120 E. Pomelo Street
Lake Alfred, FL 33850



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Fax: (863) 298-5403
www.mylakealfred.com

Code Enforcement Special Magistrate
A division of the Community Development Department

CITY OF LAKE ALFRED, a Florida municipal corporation,

Petitioner

v.

Mason Rentals LLC
PO Box 3544
Haines City, FL 33845-3544

Respondent

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE came on for public hearing on April 16, 2015 before the Special Magistrate after due notice to Respondent(s), and the Special Magistrate, having heard testimony under oath, received evidence and heard argument thereupon, issues this "Findings of Fact, Conclusions of Law and Order" pursuant to §§162.07(4) and 162.08(5), Florida Statutes.

Violation Address: 140 N Nekomma Avenue
Lake Alfred, Florida 33850

Legal Description: REPLAT OF BLK 21 CODINGTON SUB PB 63 PG 38 LOT 2

Parcel ID No.: 262732 513630 021020

FINDINGS OF FACT

On or about March 23, 2015, there existed at or on the above described property, the following conditions in violation of the Code of Ordinances of the City of Lake Alfred, such conditions constituting a nuisance and a serious threat to the public health, safety, and welfare within the meaning of §162.06(4), Florida Statutes.

City Ordinance
Code of Ordinances Sec 14-22

Violation
Working Without a Permit

The real property is located an existing within the corporate limits of the City of Lake Alfred. Respondent(s) as owner(s) of the captioned real property are responsible for maintaining the same, in accordance with the Code of Ordinances of the City of Lake Alfred. All required notices pursuant to §162.12, Florida Statutes.

CONCLUSIONS OF LAW

The Magistrate has jurisdiction over the Respondent(s) and this matter is otherwise properly before this Magistrate. Further, this Magistrate has subject matter jurisdiction pursuant to §2-278 of the Code of Ordinances of the City of Lake Alfred.

The above stated facts constitute a violation of the specific section(s) of the City Code cited in herein.

The violator _____ did/ did not appear for the hearing.

ORDER

Based on the foregoing Findings of Fact, Conclusions of Law, and upon consideration of a) the gravity of the violation, b) any actions taken by the violator to correct the violation, and c) previous violations committed by violator, it is hereby ORDERED that:

Respondent(s) shall have until April 21, 2015 for a total compliance or a \$ 50 per day fine may be imposed.

_____ The City of Lake Alfred is hereby authorized to abate the violation(s) named herein in accordance with §162.09(1), Florida Statutes, but shall not be required to do so. If abatement occurs, the City of Lake Alfred may assess all costs incurred against the Respondent(s), in addition to any fine or costs imposed herein.

_____ The City of Lake Alfred is hereby authorized to initiate the demolition process in accordance with §162.08(5), Florida Statutes, and assess all costs incurred against the Respondent(s), in addition to any fine or costs imposed herein.

_____ Violation(s) did exist at the subject property, but have been remedied. No fine in this matter shall be imposed, however future offenses of the same nature as cited in this case will be considered repeat offenses and subject to fines as such.

_____ Respondent(s) has been found in violation as a repeat offender. A fine of \$__ per day fine shall continue until the property is brought into compliance.

Other: _____

YOU ARE NOTIFIED THAT IF THIS ORDER IMPOSES A FINE, ABATEMENT COSTS, OR PROSECUTION COSTS AGAINST YOU THAT pursuant to §162.09(3), Florida Statutes, once final this ORDER may be recorded in the public records and thereafter may constitute a lien against the captioned property and upon any other real property and upon any other real or personal property owned by you. Further subsequent certifications or supplemental certifications of fines may be recorded in public records if the violations mentioned herein may be remedied and you fail to timely do so.

A Hearing is hereby scheduled for 3:00pm on May 21, 2015 at Lake Alfred City Hall, 120 East Pomelo Street, Lake Alfred, FL 33850 to consider entry of an order imposing fine and lien.

DONE AND ORDERED on this 16th day of April, 2015.


Heather R. Christman
City of Lake Alfred Special Magistrate

ATTEST:

Mamie Drane
Clerk to the Special Magistrate

This Order may be appealed to Circuit Court within thirty (30) days of the date of its rendition pursuant to §162.11, Florida Statutes, by filing a timely Notice of Appeal with the Clerk of Courts and complying with any and all applicable court rules of procedure.

**CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING
APRIL 16, 2015**

NEW CASE: Case No. 15 03 023 / Kelly Evans / 210 W Harbord St

ATTACHMENTS:

- **Notice of Hearing with Certified Mail Receipt**
- **Notice to Correct Violation**
- **Photographs**
- **Applicable Code Excerpt**

CITY OF LAKE ALFRED, FLORIDA

City of Lake Alfred
120 E. Pomelo Street
Lake Alfred, FL 33850



Phone: (863) 291-5748
Fax: (863) 298-5403
www.mylakealfred.com

Community Development

Building | Code Enforcement | Planning | Zoning

CODE ENFORCEMENT SPECIAL MAGISTRATE

DATE: April 1, 2015

CASE NO.: 15 03 023

CITY OF LAKE ALFRED

VS.

Kelly A Evans
2426 Cannon Street
Lakeland, FL 33815-3606

RE: 210 HARBORD STREET W
LAKE ALFRED, FL 33850
PARCEL ID 262732 504300 000210

NOTICE OF HEARING

You are hereby notified that on Thursday, April 16, 2015, at 3:00pm, a Code Enforcement Special Magistrate hearing shall be held in Commission Chambers at City Hall of Lake Alfred, Florida, in accordance with Article III of the Code of Ordinances of the City of Lake Alfred to determine whether you have violated one or more provisions of the Code of Ordinances and/or of the Unified Land Development Code of the City of Lake Alfred.

You are entitled to be represented by counsel, present testimony and evidence and testify on your behalf. Subpoenas for records, surveys, plats and other materials and for witnesses may be requested and will be issued by the Magistrate upon proper request to the Code Enforcement Office within five (5) business days at (863) 291-5743.

You are requested to appear before the Special Magistrate at that time to answer and defend allegations that you have violated the cited ordinances of the City of Lake Alfred.

If you fail to attend, the Special Magistrate may base its findings and act solely on the presentation made by the City.

If the Special Magistrate finds that you have committed any violation(s) it may order immediate compliance with the Code(s) and provide in the order, in the event of failure to comply with the order within a period of time set forth therein, that a fine be imposed **NOT TO EXCEED \$250.00** per day for a first violation and **NOT TO EXCEED \$500.00** per day for a repeat violation for the period of non-compliance.

Please be advised that the case may be presented to the Code Enforcement Special Magistrate even if the violation has been corrected prior to the scheduled hearing if: (1) the violation was not corrected by the time previously specified by the Code Inspector, or; (2) the violation has been corrected then recurred.

If any decision of the Code Enforcement Special Magistrate affects you and you decide to appeal any decision made at this meeting with respect any matter considered, you will need a record of the proceedings, and for such purposes you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

(STATE LAW REQUIRES THE ABOVE NOTICE. ANYONE DESIRING A VERBATIM TRANSCRIPT SHALL HAVE THE RESPONSIBILITY AT HIS/HER OWN COST TO ARRANGE FOR THE TRANSCRIPT.)

Please be advised that the procedures of the Hearing are governed by Section 2-281, Chapter 2, Article VI of the City of Lake Alfred. Copies of these procedures may be obtained at the Code Enforcement Office, City of Lake Alfred.

Signed this 1st day of April 2015.

This Notice Sent by:
(Circle method of Notice)

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Article No.: 70133020000230657379

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Mamie Drane

Recording Secretary

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Total Postage & Fees	\$	



Kelly A Evans
 2426 Cannon Street
 Lakeland, FL 33815-3606

See Reverse for Instructions

**City of Lake Alfred
Notice to Correct Code Violation**

Date Issued 3/11/15	Case Number 15-03-023
Property Address 210 W Harbord st Lake Alfred	
Parcel ID # 262732504300000210	
Property Owner Kelly Evans	Mailing Address Lakeland Fl

	Violations Observed	Time Period to Correct Violation
<input type="checkbox"/>	Overgrown Yard/Lot <i>(Section 302.4 Property Maintenance Code)</i>	
<input type="checkbox"/>	Trash/Debris/Storage of Materials <i>(Sections 302.1, 308.1 Property Maintenance Code)</i>	
<input checked="" type="checkbox"/>	Abandoned/Derelict Vehicle <i>(Section 302.8 Property Maintenance Code)</i>	5 days
<input type="checkbox"/>	Unsafe Structure <i>(Section 108 Property Maintenance Code)</i>	
<input type="checkbox"/>	Work Without Building Permit <i>(Section 14-22 Code of Ordinances)</i>	
<input type="checkbox"/>	Other:	

Photographs Attached <input type="radio"/> Yes <input checked="" type="radio"/> No	Method of Delivery <input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Posted on Property
Warning Previously Issued <input type="radio"/> Yes <input checked="" type="radio"/> No	Repeat Offense <input type="radio"/> Yes <input checked="" type="radio"/> No

NOTICE – PLEASE READ

You have been issued a Notice to Correct Code Violation by the City of Lake Alfred. You have been given a reasonable amount of time to correct the violation. It is **YOUR RESPONSIBILITY TO REQUEST AN INSPECTION OF THE CORRECTION.** If you fail to correct the violation within the provided time period and request an inspection, the matter will be referred to the Special Magistrate for a hearing which could result in a daily fine. If you are unsure of any requirements necessary to correct the violation or have other concerns, please contact the Lake Alfred Community Development Department between the hours of 8:00 am to 12:00 noon Monday through Friday at 863-291-5748, or visit our office at 120 E. Pomelo Street, Lake Alfred, FL 33850 or email at Dclewis@mylakealfred.com.



210 HARBOR ST ~~210~~

15-03-023

**SECTION 302
EXTERIOR PROPERTY AREAS**

302.8 Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

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Lake Alfred, FL 33850



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Code Enforcement Special Magistrate
A division of the Community Development Department

CITY OF LAKE ALFRED, a Florida municipal corporation,

Petitioner

v.

Kelly Evans
210 W Harbord St
Lake Alfred, FL 33850

Respondent

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE came on for public hearing on April 16, 2015 before the Special Magistrate after due notice to Respondent(s), and the Special Magistrate, having heard testimony under oath, received evidence and heard argument thereupon, issues this "Findings of Fact, Conclusions of Law and Order" pursuant to §§162.07(4) and 162.08(5), Florida Statutes.

Violation Address: 210 W Harbord St
Lake Alfred, Florida 33850

Legal Description: ECHO HEIGHTS PB 44 PG 19 LOTS 21 & E 10 FT OF 20

Parcel ID No.: 262732 504300 000210

FINDINGS OF FACT

On or about March 11, 2015, there existed at or on the above described property, the following conditions in violation of the Code of Ordinances of the City of Lake Alfred, such conditions constituting a nuisance and a serious threat to the public health, safety, and welfare within the meaning of §162.06(4), Florida Statutes.

<u>City Ordinance</u>	<u>Violation</u>
Property Maintenance Code Sec. 302.8	Abandoned / Derelict Vehicle

The real property is located an existing within the corporate limits of the City of Lake Alfred. Respondent(s) as owner(s) of the captioned real property are responsible for maintaining the same, in accordance with the Code of Ordinances of the City of Lake Alfred. All required notices pursuant to §162.12, Florida Statutes.

CONCLUSIONS OF LAW

The Magistrate has jurisdiction over the Respondent(s) and this matter is otherwise properly before this Magistrate. Further, this Magistrate has subject matter jurisdiction pursuant to §2-278 of the Code of Ordinances of the City of Lake Alfred.

The above stated facts constitute a violation of the specific section(s) of the City Code cited in herein.

The violator did/ did not appear for the hearing. *Milton Hunter present for owner* (initials)

ORDER

Based on the foregoing Findings of Fact, Conclusions of Law, and upon consideration of a) the gravity of the violation, b) any actions taken by the violator to correct the violation, and c) previous violations committed by violator, it is hereby ORDERED that:

Respondent(s) shall have until April 29, 2015 for a total compliance or a \$ 25 per day fine may be imposed.

The City of Lake Alfred is hereby authorized to abate the violation(s) named herein in accordance with §162.09(1), Florida Statutes, but shall not be required to do so. If abatement occurs, the City of Lake Alfred may assess all costs incurred against the Respondent(s), in addition to any fine or costs imposed herein.

The City of Lake Alfred is hereby authorized to initiate the demolition process in accordance with §162.08(5), Florida Statutes, and assess all costs incurred against the Respondent(s), in addition to any fine or costs imposed herein.

Violation(s) did exist at the subject property, but have been remedied. No fine in this matter shall be imposed, however future offenses of the same nature as cited in this case will be considered repeat offenses and subject to fines as such.

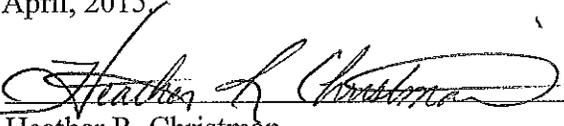
Respondent(s) has been found in violation as a repeat offender. A fine of \$___ per day fine shall continue until the property is brought into compliance.

Other: _____

YOU ARE NOTIFIED THAT IF THIS ORDER IMPOSES A FINE, ABATEMENT COSTS, OR PROSECUTION COSTS AGAINST YOU THAT pursuant to §162.09(3), Florida Statutes, once final this ORDER may be recorded in the public records and thereafter may constitute a lien against the captioned property and upon any other real property and upon any other real or personal property owned by you. Further subsequent certifications or supplemental certifications of fines may be recorded in public records if the violations mentioned herein may be remedied and you fail to timely do so.

A Hearing is hereby scheduled for 3:00pm on May 21, 2015 at Lake Alfred City Hall, 120 East Pomelo Street, Lake Alfred, FL 33850 to consider entry of an order imposing fine and lien.

DONE AND ORDERED on this 16th day of April, 2015,


Heather R. Christman
City of Lake Alfred Special Magistrate

ATTEST:

Mamie Drane
Clerk to the Special Magistrate

This Order may be appealed to Circuit Court within thirty (30) days of the date of its rendition pursuant to §162.11, Florida Statutes, by filing a timely Notice of Appeal with the Clerk of Courts and complying with any and all applicable court rules of procedure.

**CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING
APRIL 16, 2015**

NEW CASE: Case No. 15 03 026 / Freddie Mae Robinson / 675 Lemon Ave

ATTACHMENTS:

- **Notice of Hearing with Certified Mail Receipt**
- **Notice to Correct Violation**
- **Photographs**
- **Applicable Code Excerpt**

CITY OF LAKE ALFRED, FLORIDA

City of Lake Alfred
120 E. Pomelo Street
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www.mylakealfred.com

Community Development

Building | Code Enforcement | Planning | Zoning

CODE ENFORCEMENT SPECIAL MAGISTRATE

DATE: April 1, 2015

CASE NO.: 15 03 026

CITY OF LAKE ALFRED

VS.

Freddie Mae Robinson
201 DR J A Wiltshire Ave W
Lake Wales, FL 33853-3552

RE: 675 LEMON AVE
LAKE ALFRED, FL 33850
PARCEL ID 262728 493500 007030

NOTICE OF HEARING

You are hereby notified that on Thursday, April 16, 2015, at 3:00pm, a Code Enforcement Special Magistrate hearing shall be held in Commission Chambers at City Hall of Lake Alfred, Florida, in accordance with Article III of the Code of Ordinances of the City of Lake Alfred to determine whether you have violated one or more provisions of the Code of Ordinances and/or of the Unified Land Development Code of the City of Lake Alfred.

You are entitled to be represented by counsel, present testimony and evidence and testify on your behalf. Subpoenas for records, surveys, plats and other materials and for witnesses may be requested and will be issued by the Magistrate upon proper request to the Code Enforcement Office within five (5) business days at (863) 291-5743.

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Please be advised that the procedures of the Hearing are governed by Section 2-281, Chapter 2, Article VI of the City of Lake Alfred. Copies of these procedures may be obtained at the Code Enforcement Office, City of Lake Alfred.

Signed this 1st day of April 2015.

This Notice Sent by:

(Circle method of Notice)

Certified Mail

First Class Mail

Article No.: 70133020000230657362

Mamie Drane

Recording Secretary

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Freddie Mae Robinson
 201 DR J A Wiltshire Ave W
 Lake Wales, FL 33853-3552

2. Article Number **7013 3020 0002 3065 7362**
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
Freddie Mae Robinson Addressee

B. Received by (Printed Name) *Freddie Robinson*
 C. Date of Delivery *4/7/15*

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

4/7/15

3. Service Type
 Certified Mail® Priority Mail Express™
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes

**City of Lake Alfred
Notice to Correct Code Violation**

Date Issued **3/10/15**

Case Number **15-03-026**

Property Address **675 Lemon Ave Lake Alfred**

Parcel ID # **262728493500007030**

Property Owner **Freddie Mae Robinson**

Mailing Address **Lake Wales Fl**

	Violations Observed	Time Period to Correct Violation
<input type="checkbox"/>	Overgrown Yard/Lot <i>(Section 302.4 Property Maintenance Code)</i>	
<input type="checkbox"/>	Trash/Debris/Storage of Materials <i>(Sections 302.1, 308.1 Property Maintenance Code)</i>	
<input checked="" type="checkbox"/>	Abandoned/Derelict Vehicle <i>(Section 302.8 Property Maintenance Code)</i>	5 days
<input type="checkbox"/>	Unsafe Structure <i>(Section 108 Property Maintenance Code)</i>	
<input type="checkbox"/>	Work Without Building Permit <i>(Section 14-22 Code of Ordinances)</i>	
<input type="checkbox"/>	Other: THREE VEHICLES	

Photographs Attached Yes No

Method of Delivery
 First Class Mail
 Hand Delivery

Certified Mail
 Posted on Property

Warning Previously Issued Yes No

Repeat Offense Yes No

NOTICE – PLEASE READ

You have been issued a Notice to Correct Code Violation by the City of Lake Alfred. You have been given a reasonable amount of time to correct the violation. It is **YOUR RESPONSIBILITY TO REQUEST AN INSPECTION OF THE CORRECTION.** If you fail to correct the violation within the provided time period and request an inspection, the matter will be referred to the Special Magistrate for a hearing which could result in a daily fine. If you are unsure of any requirements necessary to correct the violation or have other concerns, please contact the Lake Alfred Community Development Department between the hours of 8:00 am to 12:00 noon Monday through Friday at 863-291-5748, or visit our office at 120 E. Pomelo Street, Lake Alfred, FL 33850 or email at Dclewis@mylakealfred.com.



675 E Lemon

15-03-026

**SECTION 302
EXTERIOR PROPERTY AREAS**

302.8 Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

**CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING
APRIL 16, 2015**

NEW CASE: Case No. 15 03 040 / Johnny & Pamela Hill / 775 S Buena Vista Drive

ATTACHMENTS:

- **Notice of Hearing with Certified Mail Receipt**
- **Notice to Correct Violation**
- **Photographs**
- **Applicable Code Excerpt**

CITY OF LAKE ALFRED, FLORIDA

City of Lake Alfred
120 E. Pomelo Street
Lake Alfred, FL 33850



Phone: (863) 291-5748
Fax: (863) 298-5403
www.mylakealfred.com

Community Development

Building | Code Enforcement | Planning | Zoning

CODE ENFORCEMENT SPECIAL MAGISTRATE

DATE: April 1, 2015

CASE NO.: 15 03 040

CITY OF LAKE ALFRED

VS.

Johnny & Pamela Hill
PO Box 72
Eagle Lake FL 33839-0072

RE: 775 S Buena Vista Drive
LAKE ALFRED, FL 33850
PARCEL ID 262732 500500 000031

NOTICE OF HEARING

You are hereby notified that on Thursday, April 16, 2015, at 3:00pm, a Code Enforcement Special Magistrate hearing shall be held in Commission Chambers at City Hall of Lake Alfred, Florida, in accordance with Article III of the Code of Ordinances of the City of Lake Alfred to determine whether you have violated one or more provisions of the Code of Ordinances and/or of the Unified Land Development Code of the City of Lake Alfred.

You are entitled to be represented by counsel, present testimony and evidence and testify on your behalf. Subpoenas for records, surveys, plats and other materials and for witnesses may be requested and will be issued by the Magistrate upon proper request to the Code Enforcement Office within five (5) business days at (863) 291-5743.

You are requested to appear before the Special Magistrate at that time to answer and defend allegations that you have violated the cited ordinances of the City of Lake Alfred.

If you fail to attend, the Special Magistrate may base its findings and act solely on the presentation made by the City.

If the Special Magistrate finds that you have committed any violation(s) it may order immediate compliance with the Code(s) and provide in the order, in the event of failure to comply with the order within a period of time set forth therein, that a fine be imposed **NOT TO EXCEED \$250.00** per day for a first violation and **NOT TO EXCEED \$500.00** per day for a repeat violation for the period of non-compliance.

Please be advised that the case may be presented to the Code Enforcement Special Magistrate even if the violation has been corrected prior to the scheduled hearing if: (1) the violation was not corrected by the time previously specified by the Code Inspector, or; (2) the violation has been corrected then recurred.

If any decision of the Code Enforcement Special Magistrate affects you and you decide to appeal any decision made at this meeting with respect any matter considered, you will need a record of the proceedings, and for such purposes you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

(STATE LAW REQUIRES THE ABOVE NOTICE. ANYONE DESIRING A VERBATIM TRANSCRIPT SHALL HAVE THE RESPONSIBILITY AT HIS/HER OWN COST TO ARRANGE FOR THE TRANSCRIPT.)

Please be advised that the procedures of the Hearing are governed by Section 2-281, Chapter 2, Article VI of the City of Lake Alfred. Copies of these procedures may be obtained at the Code Enforcement Office, City of Lake Alfred.

Signed this 1st day of April 2015.

This Notice Sent by:
(Circle method of Notice)

Certified Mail
First Class Mail

Article No.: 70133020000230657393

Mamie Drane

Recording Secretary

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Johnny & Pamela Hill
PO Box 72
Eagle Lake FL 33839-0072

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
Johnny Hill Address
- B. Received by (Printed Name) C. Date of Delivery
Johnny Hill *4/6/15*
- D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number 7013 3020 0002 3065 7393
(Transfer from)

PS Form 3811, February 2004 Domestic Return Receipt 102595-12-M-1

**City of Lake Alfred
Notice to Correct Code Violation**

Date Issued **3/09/15** Case Number **15-03-040**

Property Address **775 S Buena Vista Dr Lake Alfred**

Parcel ID # **262732500500000031**

Property Owner **Johnny Hill** Mailing Address **po box 72 Eagle Lake**

	Violations Observed	Time Period to Correct Violation
<input type="checkbox"/>	Overgrown Yard/Lot <i>(Section 302.4 Property Maintenance Code)</i>	
<input type="checkbox"/>	Trash/Debris/Storage of Materials <i>(Sections 302.1, 308.1 Property Maintenance Code)</i>	
<input type="checkbox"/>	Abandoned/Derelict Vehicle <i>(Section 302.8 Property Maintenance Code)</i>	
<input type="checkbox"/>	Unsafe Structure <i>(Section 108 Property Maintenance Code)</i>	
<input type="checkbox"/>	Work Without Building Permit <i>(Section 14-22 Code of Ordinances)</i>	
<input checked="" type="checkbox"/>	Other: Two Trailers Parked in Front of House	5 days

Photographs Attached Yes No

Method of Delivery First Class Mail Certified Mail
 Hand Delivery Posted on Property

Warning Previously Issued Yes No Repeat Offense Yes No

NOTICE – PLEASE READ

You have been issued a Notice to Correct Code Violation by the City of Lake Alfred. You have been given a reasonable amount of time to correct the violation. It is **YOUR RESPONSIBILITY TO REQUEST AN INSPECTION OF THE CORRECTION.** If you fail to correct the violation within the provided time period and request an inspection, the matter will be referred to the Special Magistrate for a hearing which could result in a daily fine. If you are unsure of any requirements necessary to correct the violation or have other concerns, please contact the Lake Alfred Community Development Department between the hours of 8:00 am to 12:00 noon Monday through Friday at 863-291-5748, or visit our office at 120 E. Pomelo Street, Lake Alfred, FL 33850 or email at Dclewis@mylakealfred.com.



Land Use and/or Building Type	Per Unit	Per 1,000 SFGFA* or SFGLA**	Per Student/Member/Seat/Employee/etc. + Other provisions
Church, per seat in sanctuary, and other auditoriums			0.25/seat within the main auditorium; or 1.0/45 sq.ft. net floor area within the main auditorium if there are no fixed seats.
Hospital, per bed			2.0
Nursing home, per room			0.5
Industrial park with offices		1.8	
Light industry		1.8	
Manufacturing		1.0	
Warehousing and distribution centers		0.4	
Recreation clubs (golf, yacht, etc.), per member			0.2
Lodges and assembly, per seat			0.2
Public parks, playgrounds, community centers, museums, educational centers, and similar public places			To be determined by City Commission having first conducted a parking study based on expected usage.

*Square Feet, Gross Floor Area (SFGFA) is defined as the total floor area of a building from its outside dimensions.

**Square Feet, Gross Leasable Area (SFGLA) is defined as the floor area of a building, less administrative, public and similar areas. This applies to net floor area as well.

The number of parking spaces required for uses not specifically listed in the above table shall be determined by the city commission, or its designee. The commission shall consider requirements for similar uses and appropriate traffic engineering and planning data, and shall establish a minimum number of parking spaces based upon the principles of this section.

(B) *Off-Street Parking for the Physically Disabled.* All development covered by 316.1955 - .1956, Florida Statutes, shall provide parking for the physically disabled pursuant to the requirements of those sections. In addition, all residential developments with greater than 25 required parking spaces shall comply with the requirements of 316.1956, Florida Statutes.

(C) *Special Parking Restrictions For Trucks and Recreational Vehicles (RVs) In Residential Districts.* The following regulations pertain to the parking regulations on private property.

(1) In all residential districts, no heavy trucks, commercial motor vehicles, trailers, semitrailers that exceed 25 feet in length shall be parked for storage purposes, including overnight, on any public right-of-way or on private property.

- (2) *RVs and trailers of 35 feet and Less.* In all residential districts, RVs and trailers, must be parked in an enclosed garage or five feet behind the front building line, no less than 15 feet from the curb of any street, and must meet the setbacks of the zoning district as an accessory use. When the lot is a corner lot, all of these types of vehicles must be parked behind both the front and side building lines of said lot. No vehicle may be inhabited.
 - (3) *Motorized Grove or Agricultural Equipment.* In all residential districts all motorized grove or agricultural equipment must be parked in an enclosed garage.
 - (4) *Temporary Parking.* In all residential districts, heavy industrial equipment such as those used for construction, tree trimming and the like, may be temporarily parked on private property during periods when actually in use and for 48 hours preceding and after such use.
- (D) *Special Parking Restrictions For Trucks and Recreational Vehicles (RVs) In Commercial Districts C1, C2, C3.* The following regulations pertain to the parking regulations on private property.
- (1) In a C1 zoning districts, no heavy trucks, (over one ton) commercial motor vehicles, trailers, semitrailers or recreational vehicles may be parked unless the trucks, commercial vehicles and RVs are associated with the business operation and owned, leased, or offered for sale by those with occupational licenses authorizing the accessory use or sale (i.e.; a furniture delivery truck, repair/tow truck, or RV sales). Storage for these vehicles as a primary business may be permitted in a C2 zoning district with approval of a Site Development Plan by the Planning Board. Parking is not limited on developed property in a C3 zoning district.
 - (2) Parking of heavy trucks (over one ton), commercial motor vehicles, trailers, semitrailers or recreational vehicles is permitted in developed parking areas within all Commercial Zoning Districts in order to conduct personal business for up to a collective maximum of two hours per day. In the case the parking event involves two calendar days, the maximum amount of time for the individual parking event will be two hours. An extension may be granted if the truck or recreational vehicle is in the process of being serviced by a business which is licensed by the City to do such service.
 - (3) In C1, C2 or C3, parking of trucks, commercial vehicles, and RVs is not permitted on an undeveloped, vacant property.
- (E) *Bicycle Parking.* One (1) bicycle parking space shall be provided for every 10



120 E. Pomelo Street
Lake Alfred, FL 33850

Ph.: (863) 291-5748
Fax: (863) 298-5403

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING
A division of the Community Development Department

CITY OF LAKE ALFRED, a Florida municipal corporation,

Petitioner

v.

Johnny & Pamela
PO Box 72
Eagle Lake FL 33839-0072
Respondent

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE came on for public hearing on April 16, 2015 before the Special Magistrate after due notice to Respondent(s), and the Special Magistrate, having heard testimony under oath, received evidence and heard argument thereupon, issues this "Findings of Fact, Conclusions of Law and Order" pursuant to §§162.07(4) and 162.08(5), Florida Statutes.

Violation Address: 775 S Buena Vista Drive
Lake Alfred, Florida 33850

Legal Description: REPLAT OF ECHO PARK PB 26 PG 34 PT OF LOT 3 & THAT PART OF SW1/4 OF SE1/4 LYING WITHIN FOLL DESC:
BEG AT A PT ON W R/W OF BUENA VISTA DR 100 FT N OF S BNDRY OF SEC RUN W 302.42 FT N37-08-22E
364.55 FT E 70 FT TO R/W S 02 DEG 55 MIN 00 SEC E ALONG R/W 290.9 FT TO POB LESS BEG AT PT ON W R/W
OF BUENA VISTA DR 244.97 FT NLY FROM S BDRY SEC RUN W 186.06 FT N 37 DEG 00 MIN 48 SEC E 77.68 FT E
136.38 FT S 02 DEG 41 MIN 09 SEC E 62.09 FT TO POB & LESS BEG AT PT ON W R/W OF BUENA VISTA DR

Parcel ID No.: 262732 500500 000031

FINDINGS OF FACT

On or about March 09, 2015 there existed at or on the above described property, the following conditions in violation of the Code of Ordinances of the City of Lake Alfred, such conditions constituting a nuisance and a serious threat to the public health, safety, and welfare within the meaning of §162.06(4), Florida Statutes.

City Ordinance
ULDC 3.03.02

Violation
Special Parking Restrictions

April 16, 2015

YOU ARE NOTIFIED THAT IF THIS ORDER IMPOSES A FINE, ABATEMENT COSTS, OR PROSECUTION COSTS AGAINST YOU.

If the respondent(s) do not comply within the time specified, an Order Imposing Fine/Administration Lien shall be recorded in the public records of the Clerk of Circuit Court in and for Polk County, and once recorded shall constitute a lien against any and all personal or real property which the violator(s) may own pursuant to §162.09(3), Florida Statutes.

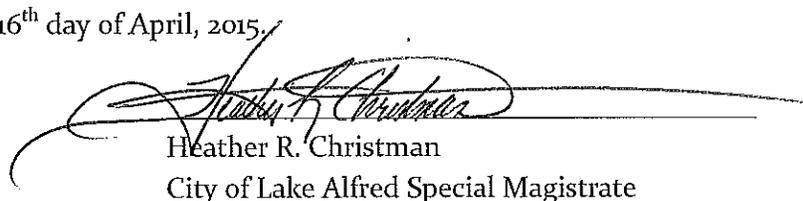
The Code Enforcement Officer is not required to give an offender(s) time to correct a repeat violation(s) and the Special Magistrate may impose a fine of up to \$500 per day for the repeat violation(s) starting from the date the violation(s) is found by the Code Enforcement Officer.

The respondent(s) shall notify the Code Enforcement Officer upon compliance for verification of the same.

Should a dispute arise concerning compliance, either party may request further hearing before the Special Magistrate.

A Hearing is hereby scheduled for 3:00pm on May 21, 2015 at Lake Alfred City Hall, 120 East Pomelo Street, Lake Alfred, FL 33850 to consider entry of an order imposing fine and lien.

DONE AND ORDERED on this 16th day of April, 2015.


Heather R. Christman
City of Lake Alfred Special Magistrate

ATTEST:

Mamie Drane
Clerk to the Special Magistrate

This Order may be appealed to Circuit Court within thirty (30) days of the date of its rendition pursuant to §162.11, Florida Statutes, by filing a timely Notice of Appeal with the Clerk of Courts and complying with any and all applicable court rules of procedure.

**CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING
APRIL 16, 2015**

NEW CASE: Case No. 15 03 064 / Antonio Casimiro / 1165 S Nekoma Ave

ATTACHMENTS:

- **Notice of Hearing with Certified Mail Receipt**
- **Notice to Correct Violation**
- **Photographs**
- **Applicable Code Excerpt**

CITY OF LAKE ALFRED, FLORIDA

City of Lake Alfred
120 E. Pomelo Street
Lake Alfred, FL 33850



Phone: (863) 291-5748
Fax: (863) 298-5403
www.mylakealfred.com

Community Development

Building | Code Enforcement | Planning | Zoning

CODE ENFORCEMENT SPECIAL MAGISTRATE

DATE: April 1, 2015

CASE NO.: 15 03 064

CITY OF LAKE ALFRED

VS.

Antonio Casimiro
1165 S Nekoma Avenue
Lake Alfred, FL 33850

RE: 1165 S Nekoma Avenue
LAKE ALFRED, FL 33850
PARCEL ID 262805 524000 000510

NOTICE OF HEARING

You are hereby notified that on Thursday, April 16, 2015, at 3:00pm, a Code Enforcement Special Magistrate hearing shall be held in Commission Chambers at City Hall of Lake Alfred, Florida, in accordance with Article III of the Code of Ordinances of the City of Lake Alfred to determine whether you have violated one or more provisions of the Code of Ordinances and/or of the Unified Land Development Code of the City of Lake Alfred.

You are entitled to be represented by counsel, present testimony and evidence and testify on your behalf. Subpoenas for records, surveys, plats and other materials and for witnesses may be requested and will be issued by the Magistrate upon proper request to the Code Enforcement Office within five (5) business days at (863) 291-5743.

You are requested to appear before the Special Magistrate at that time to answer and defend allegations that you have violated the cited ordinances of the City of Lake Alfred.

If you fail to attend, the Special Magistrate may base its findings and act solely on the presentation made by the City.

If the Special Magistrate finds that you have committed any violation(s) it may order immediate compliance with the Code(s) and provide in the order, in the event of failure to comply with the order within a period of time set forth therein, that a fine be imposed **NOT TO EXCEED \$250.00** per day for a

first violation and **NOT TO EXCEED \$500.00** per day for a repeat violation for the period of non-compliance.

Please be advised that the case may be presented to the Code Enforcement Special Magistrate even if the violation has been corrected prior to the scheduled hearing if: (1) the violation was not corrected by the time previously specified by the Code Inspector, or; (2) the violation has been corrected then recurred.

If any decision of the Code Enforcement Special Magistrate affects you and you decide to appeal any decision made at this meeting with respect any matter considered, you will need a record of the proceedings, and for such purposes you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

(STATE LAW REQUIRES THE ABOVE NOTICE. ANYONE DESIRING A VERBATIM TRANSCRIPT SHALL HAVE THE RESPONSIBILITY AT HIS/HER OWN COST TO ARRANGE FOR THE TRANSCRIPT.)

Please be advised that the procedures of the Hearing are governed by Section 2-281, Chapter 2, Article VI of the City of Lake Alfred. Copies of these procedures may be obtained at the Code Enforcement Office, City of Lake Alfred.

Signed this 1st day of April 2015.

This Notice Sent by:
(Circle method of Notice)

Certified Mail

Article No.: 70133020000230657454

First Class Mail

Mamie Drane

Recording Secretary

POSTAGE WILL BE PAID BY ADDRESSEE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Antonio Casimiro
1165 S Nekoma Avenue
Lake Alfred, FL 33850

2. Article Number: **7013 3020 0002 3065 7461**
(Transfer from *Sender's*)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail

Registered Return Receipt for Merchandise

Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

City of Lake Alfred
Code Enforcement
120 E Pomelo Street
Lake Alfred, FL 33850



POSTAGE
04/03/2015
FIRST-CLASS MF
\$000.48
ZIP 33850
041M102511

WR

Antonio Casimiro
1165 S Nekoma Avenue
Lake Alfred, FL 33850

NIXIE 339 FEB 1 0004/07/15

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

BC: 33850213620 *2574-01253-07-47
33850@2136

**City of Lake Alfred
Notice to Correct Code Violation**

Date Issued **3/23/15**

Case Number **15-03-064**

Property Address **1165 S Nekoma Ave Lake Alfred**

Parcel ID # **262805524000000510**

Property Owner **Antonio Casimiro**

Mailing Address **same**

	Violations Observed	Time Period to Correct Violation
<input type="checkbox"/>	Overgrown Yard/Lot <i>(Section 302.4 Property Maintenance Code)</i>	
<input type="checkbox"/>	Trash/Debris/Storage of Materials <i>(Sections 302.1, 308.1 Property Maintenance Code)</i>	
<input type="checkbox"/>	Abandoned/Derelict Vehicle <i>(Section 302.8 Property Maintenance Code)</i>	
<input checked="" type="checkbox"/>	Unsafe Structure <i>(Section 108 Property Maintenance Code)</i>	30 days
<input type="checkbox"/>	Work Without Building Permit <i>(Section 14-22 Code of Ordinances)</i>	
<input type="checkbox"/>	Other: SHED	

Photographs Attached Yes No

Method of Delivery
 First Class Mail Certified Mail
 Hand Delivery Posted on Property

Warning Previously Issued Yes No

Repeat Offense Yes No

NOTICE – PLEASE READ

You have been issued a Notice to Correct Code Violation by the City of Lake Alfred. You have been given a reasonable amount of time to correct the violation. It is **YOUR RESPONSIBILITY TO REQUEST AN INSPECTION OF THE CORRECTION**. If you fail to correct the violation within the provided time period and request an inspection, the matter will be referred to the Special Magistrate for a hearing which could result in a daily fine. If you are unsure of any requirements necessary to correct the violation or have other concerns, please contact the Lake Alfred Community Development Department between the hours of 8:00 am to 12:00 noon Monday through Friday at 863-291-5748, or visit our office at 120 E. Pomelo Street, Lake Alfred, FL 33850 or email at Dclewis@mylakealfred.com.



**SECTION 108
UNSAFE STRUCTURES AND EQUIPMENT**

108.1 General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

108.1.1 Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

108.1.2 Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

108.1.3 Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

108.1.4 Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

108.1.5 Dangerous structure or premises. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous.

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the requirements for existing buildings identified in Chapter 553, Florida Statutes, the Florida Building Code, the Florida Fire Prevention Code or the Florida Life Safety Code.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason,

- is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.
 7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
 8. Any building or structure that has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
 9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for habitation or in such a condition that is likely to cause sickness or disease.
 10. Any building or structure, because of lack of sufficient or proper fire-resistance related construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health.
 11. Any portion of a building remaining on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

City of Lake Alfred
120 E. Pomelo Street
Lake Alfred, FL 33850



Phone: (863) 291-5748
Fax: (863) 298-5403
www.mylakealfred.com

Code Enforcement Special Magistrate
A division of the Community Development Department

CITY OF LAKE ALFRED, a Florida municipal corporation,

Petitioner

v.

Antonio Casimiro
1165 S. Nekoma Ave.
Lake Alfred, FL 33850

Respondent

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE came on for public hearing on April 16, 2015 before the Special Magistrate after due notice to Respondent(s), and the Special Magistrate, having heard testimony under oath, received evidence and heard argument thereupon, issues this "Findings of Fact, Conclusions of Law and Order" pursuant to §§162.07(4) and 162.08(5), Florida Statutes.

Violation Address: 1165 S Nekoma Ave
Lake Alfred, Florida 33850

Legal Description: SECOND REPLAT OF ECHO TERRACE PB 32 PG 40 LOT 51

Parcel ID No.: 262805 524000 000510

FINDINGS OF FACT

On or about March 23, 2015, there existed at or on the above described property, the following conditions in violation of the Code of Ordinances of the City of Lake Alfred, such conditions constituting a nuisance and a serious threat to the public health, safety, and welfare within the meaning of §162.06(4), Florida Statutes.

City Ordinance

1. Property Maint. Code 108

Violation

Unsafe Structure

The real property is located an existing within the corporate limits of the City of Lake Alfred. Respondent(s) as owner(s) of the captioned real property are responsible for maintaining the

same, in accordance with the Code of Ordinances of the City of Lake Alfred. All required notices pursuant to §162.12, Florida Statutes.

CONCLUSIONS OF LAW

The Magistrate has jurisdiction over the Respondent(s) and this matter is otherwise properly before this Magistrate. Further, this Magistrate has subject matter jurisdiction pursuant to §2-278 of the Code of Ordinances of the City of Lake Alfred.

The above stated facts constitute a violation of the specific section(s) of the City Code cited in herein.

The violator _____ did/ did not appear for the hearing.

ORDER

Based on the foregoing Findings of Fact, Conclusions of Law, and upon consideration of a) the gravity of the violation, b) any actions taken by the violator to correct the violation, and c) previous violations committed by violator, it is hereby ORDERED that:

Respondent(s) shall have until April 30, 2015 for a total compliance or a \$ 100 per day fine may be imposed.

_____ The City of Lake Alfred is hereby authorized to abate the violation(s) named herein in accordance with §162.09(1), Florida Statutes, but shall not be required to do so. If abatement occurs, the City of Lake Alfred may assess all costs incurred against the Respondent(s), in addition to any fine or costs imposed herein.

_____ The City of Lake Alfred is hereby authorized to initiate the demolition process in accordance with §162.08(5), Florida Statutes, and assess all costs incurred against the Respondent(s), in addition to any fine or costs imposed herein.

_____ Violation(s) did exist at the subject property, but have been remedied. No fine in this matter shall be imposed, however future offenses of the same nature as cited in this case will be considered repeat offenses and subject to fines as such.

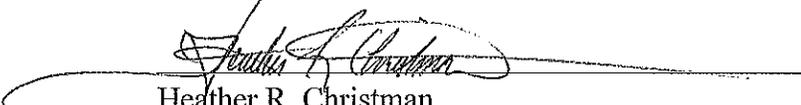
_____ Respondent(s) has been found in violation as a repeat offender. A fine of \$___ per day fine shall continue until the property is brought into compliance.

_____ Other: _____

YOU ARE NOTIFIED THAT IF THIS ORDER IMPOSES A FINE, ABATEMENT COSTS, OR PROSECUTION COSTS AGAINST YOU THAT pursuant to §162.09(3), Florida Statutes, once final this ORDER may be recorded in the public records and thereafter may constitute a lien against the captioned property and upon any other real property and upon any other real or personal property owned by you. Further subsequent certifications or supplemental certifications of fines may be recorded in public records if the violations mentioned herein may be remedied and you fail to timely do so.

A Hearing is hereby scheduled for 3:00pm on May 21, 2015 at Lake Alfred City Hall, 120 East Pomelo Street, Lake Alfred, FL 33850 to consider entry of an order imposing fine and lien.

DONE AND ORDERED on this 16th day of April, 2015.



Heather R. Christman

City of Lake Alfred Special Magistrate

ATTEST:

Mamie Drane

Clerk to the Special Magistrate

This Order may be appealed to Circuit Court within thirty (30) days of the date of its rendition pursuant to §162.11, Florida Statutes, by filing a timely Notice of Appeal with the Clerk of Courts and complying with any and all applicable court rules of procedure.