

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**  
**November 19, 2015**  
**3:00 P.M.**

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**CALL TO ORDER: Magistrate Heather Christman**

**SWEAR IN: Magistrate Heather Christman**

**APPROVAL OF MINUTES: September 17, 2015**

**NEW CASES**

Case no.: 15 09 187 / Sally Laurell / 0 Mackay Ave.

Case no.: 15 10 219 / Realty Connexion / 0 Lake Swoope Dr.

Case no.: 15 10 220 / Tax Ease Florida REO LLC / 0 Tangerine Ave.

Case no.: 15 08 172 / Bulmaro Delacruz / 285 E Pierce St.

Case no.: 15 09 186 / Mollie White / 630 E Thelma St.

**REQUEST FOR DEMOLITION**

Case no.: 15 09 202 / Estate of Betty Welch Conner / 1135 S Nekoma St.

Case no.: 15 09 203 / Betty T Conner / 390 W Davis Ave.

Case no.: 15 09 200 / Orlando Realty / 610 N Buena Vista Dr.

Case no.: 15 09 201 / Terry Franklin / 625 E Grapefruit Ave.

**MINUTES**  
CITY OF LAKE ALFRED  
CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING  
COMMISSION CHAMBERS, CITY HALL  
September 17, 2015

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**CALL TO ORDER: Magistrate Heather Christman**

**SWEAR IN: Magistrate Heather Christman**

**APPROVAL OF MINUTES: August 20, 2015**

**NEW CASES**

**Case no.: 15 07 162 / Federal National Mortgage / 545 E Haines Blvd.**

No one was present for this case.

**Code Enforcement Officer Clewis** presented the case with the aid of photos pointing out the overgrown yard with the accumulation of trash and debris. Staff's recommendation was 10 days to comply or impose a \$100 per day fine.

**Magistrate Heather Christman**, based on the evidence entered a Finding of Fact Conclusion of Law and Order finding the respondent is in violation of Property Maintenance Code 302.4. 302.1 and 308.1. The respondent has 10 days to bring the property into compliance or a \$100 per day fine will be imposed. Certification hearing was set for October 15, 2015.

**Case no.: 14 08 118 / Elaine Maultsby / 525 Grapefruit Ave.**

Ms. Elaine Maultsby was present.

**Code Enforcement Officer Clewis** presented the case with photos and stating there had been a fire and TECO removed the meter in 2002. The building has not been inhabited since the fire. Code Enforcement cases go back as far as 2009. The building is past reconstruction per the Florida Building Code. **Officer Clewis'** recommendation was 30 days for the owner to pull a demolition permit. If the owner fails to acquire a permit impose a \$250 per day fine. Demolition should take place in 30 days.

**Building Official Donnie True** stated that unless it's a single ownership they can't pull the permit a contractor will have to pull the permit.

**Ms. Maultsby** approached the podium to present her case. She has been in to speak with **Officer Clewis**. She would like to have more time to bring in experts and advise her on what she can do with her property.

**MINUTES**  
CITY OF LAKE ALFRED  
CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING  
COMMISSION CHAMBERS, CITY HALL  
September 17, 2015

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**Building Official Donnie True** stated he has spoken with **Ms. Maultsby** several times on the phone and yesterday spoke with Kelvin Maultsby, her brother. In his opinion the house is of no value, and 30 days would give them time to get an evaluation.

**Magistrate Heather Christman** entered a Finding of Fact Conclusion of Law and Order giving the respondent 30 days to obtain a permit to either demolish or a building permit.

**IMPOSING FINES**

**Case no.: 15 07 160 / Syndicated Homes LLC / Alfred Drive E.**

**Code Enforcement Officer Clewis** presented an Affidavit of noncompliance, and stated there has been no correspondence with the owners.

**Magistrate Heather Christman** entered an order imposing a fine \$1,100, including administrative cost,

**Case no.: 15 09 056 / 1145 S Nekoma Land Trust / 1145 S Nekoma Ave.**

**Code Enforcement Officer Clewis** presented this case with photos showing overgrown property and an affidavit of noncompliance. He also stated there has been no correspondence with the owners.

**Magistrate Heather Christman** entered an order imposing a fine \$1,100, including administrative cost.

**Magistrate Christman** asked if there were any other business.

There was none.

Meeting was adjourned.

Respectfully Submitted:



Mamie Drane

**CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING**  
**November 19, 2015**

**Agenda Item 1**

Case no.: 15 09 187 / Sally Laurell / 0 Mackay 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  
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[www.mylakealfred.com](http://www.mylakealfred.com)

## Community Development

Building | Code Enforcement | Planning | Zoning

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## CODE ENFORCEMENT SPECIAL MAGISTRATE

DATE: November 4, 2015

CASE NO.: 15 09 187

CITY OF LAKE ALFRED

VS.

Ruth Shinn  
1600 Orange St NW  
Winter Haven, FL 33881-2300

RE: 0 MACKAY BLVD.  
LAKE ALFRED, FL 33850  
PARCEL ID 262805 000000 011030

### NOTICE OF HEARING

You are hereby notified that on Thursday, November 19, 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.

Notice of Hearing Continued

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 4th day of November 2015.

This Notice Sent by:  
(Circle method of Notice)

Certified Mail

Article No.: 70133020000230658758

First Class Mail

*Mamie Drane*

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Recording Secretary

Sally Laurell  
160 E Davis St  
Lake Alfred, FL 33850

U.S. Postal Service™  
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(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)®

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7013 3020 0002 0005 0758

Postage	\$
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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage	



Sent To Sally Laurell  
Street, Apt. or PO Box # 60 E Davis St  
City, State, Zip+4 Lake Alfred, FL 33850

PS Form 3800, August 2006

ons

# CITY OF LAKE ALFRED, FLORIDA

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## Community Development

Building | Code Enforcement | Planning | Zoning

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## CODE ENFORCEMENT SPECIAL MAGISTRATE

DATE: October 1, 2015

CASE NO.: 15 09 187

CITY OF LAKE ALFRED

VS.

Ruth Shinn  
1600 Orange St NW  
Winter Haven, FL 33881-2300

RE: 0 MACKAY BLVD.  
LAKE ALFRED, FL 33850  
PARCEL ID 262805 000000 011030

### NOTICE OF HEARING

You are hereby notified that on Thursday, October 15, 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.

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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 October 2015.

This Notice Sent by:

(Circle method of Notice)

Certified Mail

First Class Mail

Article No.: 70133020000230658666

*Mamie Drane*

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Recording Secretary

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

Date Issued <b>9/14/15</b>	Case Number <b>15-09-187</b>	
Property Address <b>0 Mackay Ave Lake Alfred Fl</b>		
Parcel ID # <b>262805000000011030</b>		
Property Owner <b>Ruth Shinn</b>	Mailing Address <b>Winter Haven Fl</b>	
	<b>Violations Observed</b>	<b>Time Period to Correct Violation</b>
<input checked="" type="checkbox"/>	Overgrown Yard/Lot <i>(Section 302.4 Property Maintenance Code)</i>	<b>10 days</b>
<input checked="" type="checkbox"/>	Trash/Debris/Storage of Materials <i>(Sections 302.1, 308.1 Property Maintenance Code)</i>	<b>10 days</b>
<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 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
<b>NOTICE -- PLEASE READ</b> 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 <b>YOUR RESPONSIBILITY TO REQUEST AN INSPECTION OF THE CORRECTION.</b> 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 <a href="mailto:Dclewis@mylakealfred.com">Dclewis@mylakealfred.com</a> .		



**SECTION 302  
EXTERIOR PROPERTY AREAS**

**302.4 Weeds and overgrowth.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12) inches in height. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs; provided that the term weeds shall not include cultivated flowers, cultivated gardens and Central region plants listed on the most current edition of the Florida-Friendly Plant List issued by the University of Florida Institute of Food and Agricultural Sciences, so long as such flowers, gardens and plants are maintained in an aesthetically pleasing manner and do not constitute a dangerous or nuisance condition as determined in the sole discretion of the Code Official; provided further however that all noxious weeds shall be prohibited.

**SECTION 302  
EXTERIOR PROPERTY AREAS**

**302.1 Sanitation and storage of materials.** All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

No owner or occupant shall permit old or broken lumber, rusted or unused equipment, discarded refrigerators, discarded stoves, old pipe or other used, discarded and worn, unsightly articles or materials to remain in any yard or open area owned, occupied or in the possession of such person for a period of more than five (5) days.

Further, unless authorized by the zoning category of the property, no owner or occupant of a building, structure or premises may utilize such property for the open storage of abandoned, untagged, or inoperative motor vehicles, iceboxes, refrigerators, stoves, glass, building material rubbish or similar items.

**SECTION 308  
RUBBISH AND GARBAGE**

**308.1 Accumulation of rubbish or garbage.** All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

**308.2 Disposal of rubbish.** Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

**CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING**  
**November 19, 2015**

**Agenda Item 2**

Case no.: 15 10 219 / Realty Connexion / 0 Lake Swoope Dr.

**ATTACHMENTS:**

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

# CITY OF LAKE ALFRED, FLORIDA

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## Community Development

Building | Code Enforcement | Planning | Zoning

## CODE ENFORCEMENT SPECIAL MAGISTRATE

DATE: November 4, 2015

CASE NO.: 15 10 219

CITY OF LAKE ALFRED

VS.

Realty Connexion Discount Real Estate  
21879 Town Place Dr.  
Boca Raton, FL 33433-3712

RE: 0 Lake Swoope Dr.  
LAKE ALFRED, FL 33850  
PARCEL ID 262728 493500 006110

*Corrected 11/9/15  
Mailed New Notice  
without Request for  
Demolition*

## NOTICE OF HEARING

### UNSAFE STRUCTURE – REQUEST FOR DEMOLITION

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Signed this 4th day of November 2015.

This Notice Sent by:  
(Circle method of Notice)

Certified Mail

Article No.: 70133020000230658833

First Class Mail

*Mamie Drane*

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Recording Secretary

# CITY OF LAKE ALFRED, FLORIDA

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## Community Development

Building | Code Enforcement | Planning | Zoning

## CODE ENFORCEMENT SPECIAL MAGISTRATE

DATE: November 9, 2015

CASE NO.: 15 10 219

CITY OF LAKE ALFRED

VS.

Realty Connexion Discount Real Estate  
21879 Town Place Dr.  
Boca Raton, FL 33433-3712

**CORRECTION TO NOTICE  
OF HEARING DATED 11/4/15**

RE: 0 Lake Swoope Dr.  
LAKE ALFRED, FL 33850  
PARCEL ID 262728 493500 006110

### NOTICE OF HEARING

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(Circle method of Notice)

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Article No.: 70133020000230658833

First Class Mail

*Mamie Drane*

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Recording Secretary

7013 3020 0002 3065 8833

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Restricted Delivery Fee <small>(Endorsement Required)</small>	
Total	
Realty Connexion Discount Real Estate 21879 Town Place Dr. Boca Raton, FL 33433-3712	
Sent <u>7</u> Street, or PO City, S	Postmark Here 
PS Form 3800, August 2006 <span style="float: right;">See Reverse for Instructions</span>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><i>[Signature]</i></p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p><i>[Name]</i> <i>11-7-05</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes          If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Realty Connexion Discount Real Estate          21879 Town Place Dr.          Boca Raton, FL 33433-3712</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number          (Transfer from service label)</p>	<p>7013 3020 0002 3065 8833</p>
PS Form 3811, February 2004 <span style="float: right;">102595-02-M-1540</span>	

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

Date Issued 10/22/15

Case Number 15-10-219

Property Address 0 Lake Swoope Dr Lake Alfred Fl

Parcel ID # 262728493500006110

Property Owner Realty Connexion

Mailing Address Boca Raton Fl

	Violations Observed	Time Period to Correct Violation
<input checked="" type="checkbox"/>	Overgrown Yard/Lot <i>(Section 302.4 Property Maintenance Code)</i>	<b>5 days</b>
<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 type="checkbox"/>	Other:	

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**

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O Swoope Dr





**SECTION 302  
EXTERIOR PROPERTY AREAS**

**302.4 Weeds and overgrowth.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12) inches in height. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs; provided that the term weeds shall not include cultivated flowers, cultivated gardens and Central region plants listed on the most current edition of the Florida-Friendly Plant List issued by the University of Florida Institute of Food and Agricultural Sciences, so long as such flowers, gardens and plants are maintained in an aesthetically pleasing manner and do not constitute a dangerous or nuisance condition as determined in the sole discretion of the Code Official; provided further however that all noxious weeds shall be prohibited.

**CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING**  
**November 19, 2015**

**Agenda Item 3**

Case no.: 15 10 220 / Tax Ease Florida REO LLC / 0 Tangerine Ave.

**ATTACHMENTS:**

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

# CITY OF LAKE ALFRED, FLORIDA

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## Community Development

Building | Code Enforcement | Planning | Zoning

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## CODE ENFORCEMENT SPECIAL MAGISTRATE

DATE: November 4, 2015

CASE NO.: 15 10 220

CITY OF LAKE ALFRED

VS.

Tax Ease Florida REO LLC  
14901 Quorum Drive Ste 900  
Dallas TX 75254-7021

RE: 0 TANGERINE AVE.  
LAKE ALFRED, FL 33850  
PARCEL ID 262728 493500 007170

## NOTICE OF HEARING

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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.

Notice of Hearing Continued

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 4th day of November 2015.

This Notice Sent by:  
(Circle method of Notice)

Certified Mail

Article No.: 70133020000230658826

First Class Mail

*Mamie Drane*

---

Recording Secretary

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**OFFICIAL USE**

7013 3020 0002 3065 8826

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To: Tax Ease Florida REO LLC  
 Street, or PO: 14901 Quorum Drive Ste 900  
 City, St: Dallas TX 75254-7021

PS Form Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> <i>J. Vowles</i>      <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (<i>Printed Name</i>)      C. Date of Delivery  <i>J. Vowles</i>      <i>11-4-15</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes                  If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Tax Ease Florida REO LLC                  14901 Quorum Drive Ste 900                  Dallas TX 75254-7021</p>	<p>3. Service Type  <input type="checkbox"/> Certified Mail    <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered        <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail      <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (<i>Extra Fee</i>)      <input type="checkbox"/> Yes</p>

2. Article Number (Transfer from service label)      7013 3020 0002 3065 8826

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

Date Issued 10/22/15

Case Number 15-10-220

Property Address 0 Tangerine Ave Lake Alfred Fl

Parcel ID # 262728493500007170

Property Owner Tax Ease Florida

Mailing Address Dallas Tx

	Violations Observed	Time Period to Correct Violation
<input checked="" type="checkbox"/>	Overgrown Yard/Lot <i>(Section 302.4 Property Maintenance Code)</i>	<b>5 days</b>
<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 type="checkbox"/>	Other:	

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](mailto:Dclewis@mylakealfred.com).

0 Taraynuu



**SECTION 302  
EXTERIOR PROPERTY AREAS**

**302.4 Weeds and overgrowth.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12) inches in height. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs; provided that the term weeds shall not include cultivated flowers, cultivated gardens and Central region plants listed on the most current edition of the Florida-Friendly Plant List issued by the University of Florida Institute of Food and Agricultural Sciences, so long as such flowers, gardens and plants are maintained in an aesthetically pleasing manner and do not constitute a dangerous or nuisance condition as determined in the sole discretion of the Code Official; provided further however that all noxious weeds shall be prohibited.

**CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING**  
**November 19, 2015**

**Agenda Item 4**

Case no.: 15 08 172 / Bulmaro Delacruz / 285 E Pierce St.

**ATTACHMENTS:**

- Notice of Hearing with Certified Mail Receipt
- Notice to Correct Violation
- Photographs
- Order for Bankruptcy
- Invoice from Lawn Medicz, LLC
- 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](http://www.mylakealfred.com)

## Community Development

Building | Code Enforcement | Planning | Zoning

---

## CODE ENFORCEMENT SPECIAL MAGISTRATE

DATE: November 4, 2015

CASE NO.: 15 08 172

CITY OF LAKE ALFRED

VS.

Bulmaro Delacruz  
285 E Pierce St.  
Lake Alfred, FL 33850

RE: 285 E PIERCE ST.  
LAKE ALFRED, FL 33850  
PARCEL ID 262732 5065000- 004401

### NOTICE OF HEARING

### CERTIFICATION OF ABATEMENT COST

You are hereby notified that on Thursday, November 19, 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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Notice of Hearing Continued

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**(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.)**

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Signed this 4th day of November 2015.

This Notice Sent by:

(Circle method of Notice)

Certified Mail

First Class Mail

Article No.: 70133020000230658772

*Mamie Drane*

Recording Secretary

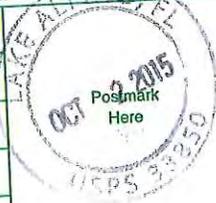
7013 3020 0002 3065 8680

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**OFFICIAL USE**

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage		



*Sent To* Bulmaro Delacruz  
*Street, Apt. or PO Box /* 285 E Pierce St.  
*City, State, ZIP+4* Lake Alfred, FL 33850

PS Form 3800, October 2014

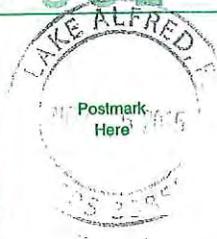
**U.S. Postal Service™**  
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**OFFICIAL USE**

7013 3020 0002 3065 8680

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage	



Sent To Bulmaro Delacruz  
285 E Pierce St.  
 Street, Apt. or PO Box Lake Alfred, FL 33850  
 City, State

PS Form 3800, August 2006

See Reverse for Instructions

**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:

Bulmaro Delacruz  
 285 E Pierce St.  
 Lake Alfred, FL 33850

2. Article Number  
*(Transfer from service label)*

7013 3020 0002 3065 8680

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  
 Billy De La Cruz  Addressee
- B. Received by (*Printed Name*) Billy De La Cruz 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  
Notice to Correct Code Violation**

Date Issued **8/31/15**

Case Number **15-08-172**

Property Address **285 E Pierce St Lake Alfred FL**

Parcel ID # **262732506500004401**

Property Owner **Bulmaro Delacruz**

Mailing Address **same**

	Violations Observed	Time Period to Correct Violation
<input checked="" type="checkbox"/>	Overgrown Yard/Lot <i>(Section 302.4 Property Maintenance Code)</i>	<b>5 days</b>
<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 type="checkbox"/>	Other:	

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**

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285 E Pierce







RECEIVED

SEP 22 2015

CITY ADMIN

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

IN RE:

Case No. 8:14-bk-11113-CED  
Chapter 7

BULMARO DE LA CRUZ  
aka BULMAR DE LA CRUZ  
aka BULMARO DE LA CRUZ BAUTISTA  
aka BULMARO DELACRUZ  
ELIZABETH DE LA CRUZ,

Debtors.

---

**PROOF OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the Order Granting Motion for Relief from Stay in favor of CitiMortgage, Inc. [d.e. #60] was served via U.S. mail, first-class postage prepaid, on September 2, 2015, upon:

Bulmaro De La Cruz  
285 E Pierce St  
Lake Alfred, FL 33850

Elizabeth De La Cruz  
285 E Pierce St  
Lake Alfred, FL 33850

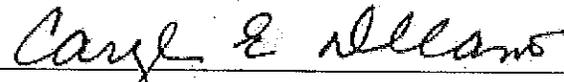
Respectfully Submitted:

/s/ Brandi R. Lesesne  
Brandi R. Lesesne  
Bar No.: FL 65477  
Aldridge | Pite LLP  
Attorney for Secured Creditor  
Fifteen Piedmont Center  
3575 Piedmont Road, N.E., Suite 500  
Atlanta, GA 30305  
Phone: (404) 994-7629  
Fax: (888) 701-8994



ORDERED.

Dated: August 21, 2015



Caryl E. Delano  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION  
[www.flmb.uscourts.gov](http://www.flmb.uscourts.gov)

IN RE:

Case No. 8:14-bk-11113-CED  
Chapter 7

BULMARO DE LA CRUZ  
*aka* BULMAR DE LA CRUZ  
*aka* BULMARO DE LA CRUZ BAUTISTA  
*aka* BULMARO DELACRUZ  
ELIZABETH DE LA CRUZ,

Debtors.

---

**ORDER GRANTING MOTION FOR RELIEF FROM STAY  
FILED BY CITIMORTGAGE, INC.**

**THIS CASE** came before the Court on negative notice pursuant to the Motion for Relief from the Automatic Stay filed by CitiMortgage, Inc. (“Secured Creditor”) [d.e. #58], and no appropriate response having been filed in accordance with Local Rule 2002-4, it is:

**ORDERED:**

1. Secured Creditor’s Motion for Relief from the Automatic Stay is granted.

2. The automatic stay imposed by 11 U.S.C. §362 is terminated with respect to the real property located at 285 E Pierce Street, Lake Alfred, Florida 33850 , legally described as:

**THE EAST 114.55 FEET OF THE NORTH 148.7 FEET OF TRACT 44, 2ND REPLAT OF BLOCKS 26 AND 35 AND THE NORTH 1/2 OF BLOCK 44, LAKE ALFRED, POLK COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 31, PAGE 42, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.**

3. This Order Granting Motion for Relief from Stay is entered for the sole purpose of allowing Secured Creditor to pursue its lawful in rem remedies against the subject property, and Secured Creditor shall neither seek nor obtain an in personam judgment against Debtors.

4. All communications sent by Secured Creditor in connection with proceeding against the property including, but not limited to, notices required by state law and communications to offer and provide information with regard to a potential Forbearance Agreement, Loan Modification, Refinance Agreement, Loss Mitigation Agreement, or other Loan Workout, may be sent directly to Debtors.

5. Secured Creditor is hereby awarded attorneys' fees and costs of up to \$576.00, which were incurred in filing its Motion for Relief from the Automatic Stay. The attorneys' fees and costs shall be recoverable as part of the mortgage debt pursuant to the loan documents under the remedies available therein.

Attorney Brandi R. Lesesne is directed to serve a copy of this order on interested parties who are non-CM/ECF users and file a proof of service within 3 days of entry of the order.



**Miscellaneous:**

8:14-bk-11113-CED Bulmaro De La Cruz and Elizabeth de la Cruz **Converted** 06/16/2015

Type: bk Chapter: 7 v Office: 8 (Tampa)  
Assets: y Judge: CED

**U.S. Bankruptcy Court****Middle District of Florida**

## Notice of Electronic Filing

The following transaction was received from Brandi Rainey Lesesne entered on 9/2/2015 at 8:38 AM EDT and filed on 9/2/2015

**Case Name:** Bulmaro De La Cruz and Elizabeth de la Cruz  
**Case Number:** 8:14-bk-11113-CED  
**Document Number:** 62

**Docket Text:**

Certificate of Service Re: Order Granting Motion for Relief from Stay in favor of CitiMortgage, Inc.. Filed by Brandi Rainey Lesesne on behalf of Creditor CitiMortgage Inc. (related document(s)[60]). (Lesesne, Brandi)

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**cos.pdf

**Electronic document Stamp:**

[STAMP bkecfStamp\_ID=1021488240 [Date=9/2/2015] [FileNumber=67863298-0]  
] [1bd22c503f4747d33ec1834cc4fb25e46b783c9a74bf01cfb67d9d9a60ddc0590a6  
43ee2c5196ebb0268f8679aa79570423f0a108e9d48982517ecbecc38c263]]

**8:14-bk-11113-CED Notice will be electronically mailed to:**

Alice A Blanco on behalf of Creditor CITIMORTGAGE, INC.  
ecfflmb@aldridgepite.com, ablanco@ecf.inforruptcy.com;ablanco@aldridgepite.com

Viktoria Collins  
vcollins@collinslawandmediation.com

James B Flanigan on behalf of Creditor World Omni Financial Corp.  
jbf@trippscott.com, bankruptcy@trippscott.com

James T Harper, Jr on behalf of Debtor Bulmaro De La Cruz  
bankruptcytram@gmail.com,  
tramharpercf@gmail.com;bankruptcymyecf@gmail.com;office@advocateslawteam.com;office@lawteam4u.com

James T Harper, Jr on behalf of Joint Debtor Elizabeth de la Cruz  
bankruptcytram@gmail.com,  
tramharpercf@gmail.com;bankruptcymyecf@gmail.com;office@advocateslawteam.com;office@lawteam4u.com

James T Harper, Jr. on behalf of Debtor Bulmaro De La Cruz  
bankruptcytram@aol.com,  
tramharpercf@gmail.com;bankruptcymyecf@gmail.com;office@advocateslawteam.com;office@lawteam4u.com



es T Harper, Jr. on behalf of Joint Debtor Elizabeth de la Cruz

bankruptcytram@aol.com,  
tramharperecf@gmail.com;bankruptcymyecf@gmail.com;office@advocateslawteam.com;office@lawteam4u.com

Brandi Rainey Lesesne on behalf of Creditor CitiMortgage Inc.  
ecfflmb@aldridgepite.com, blesesne@ecf.inforuptcy.com

Brandi Rainey Lesesne on behalf of Creditor CitiMortgage, Inc.  
ecfflmb@aldridgepite.com, blesesne@ecf.inforuptcy.com

Lindsey A Savastano on behalf of Creditor CitiMortgage, Inc.  
lindsey.savastano@brockandscott.com, flbkecf@brockandscott.com

United States Trustee - TPA7/13, 7  
USTPRegion21.TP.ECF@USDOJ.GOV

Angela Welch  
angelalwelch@verizon.net, aesposito@ecf.epiqsystems.com

**8:14-bk-11113-CED Notice will not be electronically mailed to:**

Recovery Management Systems Corp.  
Attn: Ramesh Singh  
25 SE Second Avenue, Ste 1120  
Miami, FL 33131-1605



# Lawn Medicz, LLC

612 Eagle Lake Loop RD W  
Eagle Lake, FL 33839  
813-317-9445  
Tim Ashley

Invoice: 10/30/2015

**City of Lake Alfred**

**BALANCE DUE**

Upon Receipt

**\$500.00**

Item Description	Quantity	Price Per	Total
630 E Thelma St (mow & trim bushes)		\$100.00	\$100.00
625 Grapefruit Ave (mow & trim bushes)		\$75.00	\$75.00
780 MLK Jr. St (mow & trim bushes)		\$75.00	\$75.00
685 Orange Ave (mow & trim bushes)		\$125.00	\$125.00
285 E Pierce St (mow & trim bushes)		\$125.00	\$125.00
		Subtotal	\$500.00
		Tax - 0%	\$0.00
		<b>TOTAL</b>	<b>\$500.00</b>

**SECTION 302  
EXTERIOR PROPERTY AREAS**

**302.4 Weeds and overgrowth.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12) inches in height. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs; provided that the term weeds shall not include cultivated flowers, cultivated gardens and Central region plants listed on the most current edition of the Florida-Friendly Plant List issued by the University of Florida Institute of Food and Agricultural Sciences, so long as such flowers, gardens and plants are maintained in an aesthetically pleasing manner and do not constitute a dangerous or nuisance condition as determined in the sole discretion of the Code Official; provided further however that all noxious weeds shall be prohibited.

**CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING**  
**November 19, 2015**

**Agenda Item 5**

Case no.: 15 09 186 / Mollie White / 630 E Thelma St.

**ATTACHMENTS:**

- Notice of Hearing with Certified Mail Receipt
- Notice to Correct Violation
- Photographs
- Invoice from Lawn Medicz, LLC
- 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](http://www.mylakealfred.com)

## Community Development

Building | Code Enforcement | Planning | Zoning

---

## CODE ENFORCEMENT SPECIAL MAGISTRATE

DATE: November 4, 2015

CASE NO.: 15 09 186

CITY OF LAKE ALFRED

VS.

Mollie White  
630 E Thelma St.  
Lake Alfred, FL 33850

RE: 630 E THELMA ST.  
LAKE ALFRED, FL 33850  
PARCEL ID 262733 514600 000410

## NOTICE OF HEARING

### CERTIFICATION OF ABATEMENT COST

You are hereby notified that on Thursday, November 19, 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.

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Signed this 4th day of November 2015.

This Notice Sent by:

(Circle method of Notice)

Certified Mail

First Class Mail

Article No.: 70133020000230658765

*Mamie Drane*

---

Recording Secretary

7013 3020 0002 3065 8765

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**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Post	



Sent To Mollie White  
 530 E Thelma St.  
 Street, Apt. or PO Box Lake Alfred, FL 33850  
 City, State,

7013 3020 0002 3065 8673

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To Mollie White  
 Street, Apt. or PO Box 630 E Thelma St.  
 City, State, Lake Alfred, FL 33850

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

Date Issued **6/20/15**

Case Number **15-06-119**

Property Address **630 E Thelma St Lake Alfred Fl**

Parcel ID # **262733514600000410**

Property Owner **Mollie White Estate**

Mailing Address **same**

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

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 [community@lakealfredfl.com](mailto:community@lakealfredfl.com).



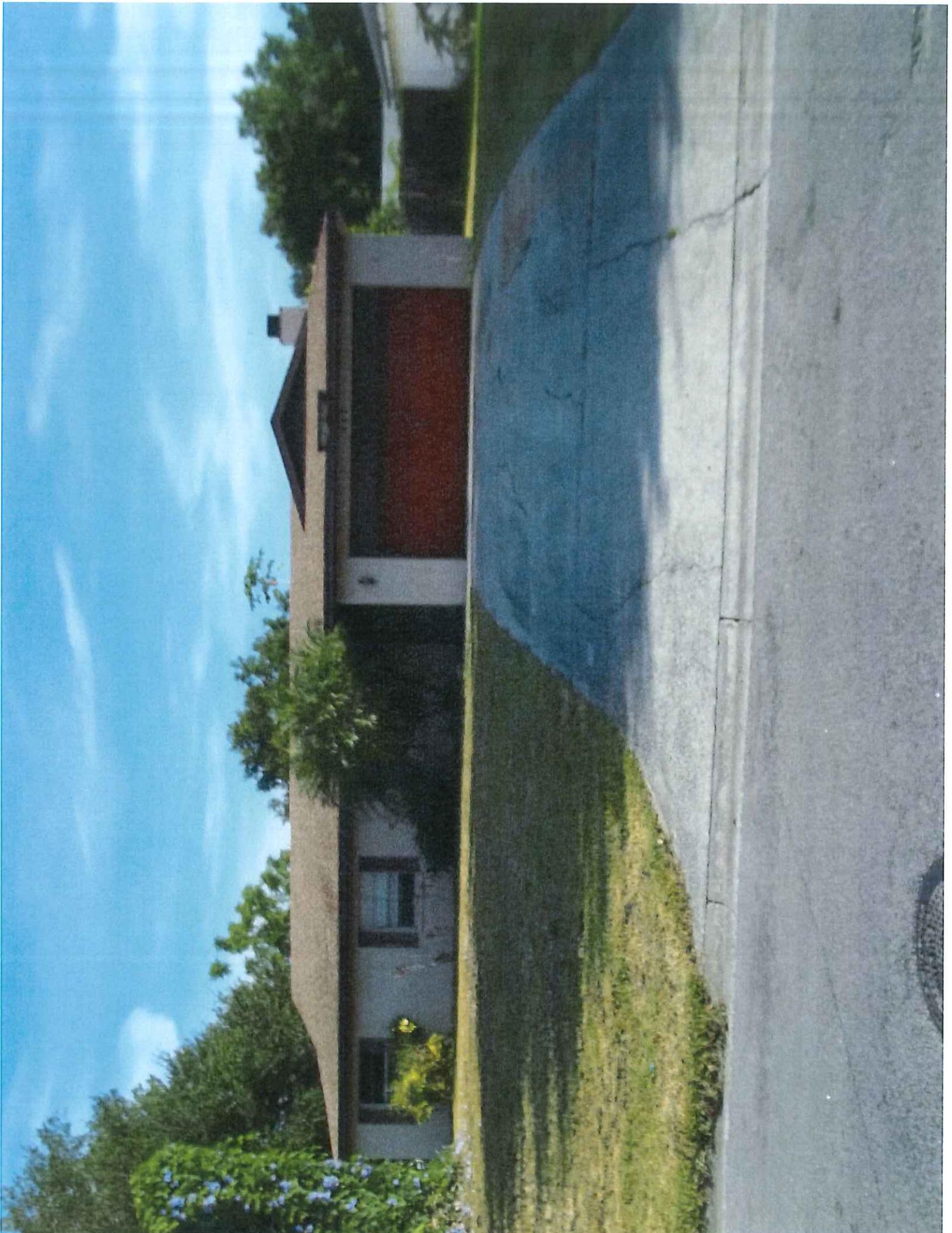




630 TheImz













# Lawn Medicz, LLC

612 Eagle Lake Loop RD W  
Eagle Lake, FL 33839  
813-317-9445  
Tim Ashley

Invoice: 10/30/2015

**City of Lake Alfred**

**BALANCED DUE**

Upon Receipt

**\$500.00**

Item Description	Quantity	Price Per	Total
630 E Thelma St (mow & trim bushes)		\$100.00	\$100.00
625 Grapefruit Ave (mow & trim bushes)		\$75.00	\$75.00
780 MLK Jr. St (mow & trim bushes)		\$75.00	\$75.00
685 Orange Ave (mow & trim bushes)		\$125.00	\$125.00
285 E Pierce St (mow & trim bushes)		\$125.00	\$125.00
		Subtotal	\$500.00
		Tax - 0%	\$0.00
		<b>TOTAL</b>	<b>\$500.00</b>

**SECTION 302  
EXTERIOR PROPERTY AREAS**

**302.4 Weeds and overgrowth.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12) inches in height. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs; provided that the term weeds shall not include cultivated flowers, cultivated gardens and Central region plants listed on the most current edition of the Florida-Friendly Plant List issued by the University of Florida Institute of Food and Agricultural Sciences, so long as such flowers, gardens and plants are maintained in an aesthetically pleasing manner and do not constitute a dangerous or nuisance condition as determined in the sole discretion of the Code Official; provided further however that all noxious weeds shall be prohibited.

**SECTION 302  
EXTERIOR PROPERTY AREAS**

**302.1 Sanitation and storage of materials.** All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

No owner or occupant shall permit old or broken lumber, rusted or unused equipment, discarded refrigerators, discarded stoves, old pipe or other used, discarded and worn, unsightly articles or materials to remain in any yard or open area owned, occupied or in the possession of such person for a period of more than five (5) days.

Further, unless authorized by the zoning category of the property, no owner or occupant of a building, structure or premises may utilize such property for the open storage of abandoned, untagged, or inoperative motor vehicles, iceboxes, refrigerators, stoves, glass, building material rubbish or similar items.

**SECTION 308  
RUBBISH AND GARBAGE**

**308.1 Accumulation of rubbish or garbage.** All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

**308.2 Disposal of rubbish.** Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

**CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING**  
**November 19, 2015**

**Agenda Item 6**

**REQUEST FOR DEMOLITION**

Case no.: 15 09 202 / Estate of Betty Welch Conner / 1135 S Nekoma St.

**ATTACHMENTS:**

- Notice of Hearing with Certified Mail Receipt
- Finding of Fact, Conclusions of Law and Order 5/21/2015
- Notice to Correct Violation 3/11/2015
- 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](http://www.mylakealfred.com)

## Community Development

Building | Code Enforcement | Planning | Zoning

---

## CODE ENFORCEMENT SPECIAL MAGISTRATE

DATE: November 4, 2015

CASE NO.: 15 09 202

CITY OF LAKE ALFRED

VS.

Estate of Betty Welch Conner  
380 W Davis  
Lake Alfred, FL 33850

RE: 1135 S NEKOMA AVE.  
LAKE ALFRED, FL 33850  
PARCEL ID 262805 523000 000460

### NOTICE OF HEARING

### UNSAFE STRUCTURE – REQUEST FOR DEMOLITION

You are hereby notified that on Thursday, November 19, 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.

Notice of Hearing Continued

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 4th day of November 2015.

This Notice Sent by:  
(Circle method of Notice)

Certified Mail

Article No.: 70133020000230658789

First Class Mail

*Mamie Drane*

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Recording Secretary

7103 3020 0002 3065 8789

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Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees		

Postmark: LAKE ALFRED, FL NOV 5 2015 PS 33850

Sent To: Estate of Betty Welch Conner  
 Street, Apt. or PO Box: 380 W Davis  
 City, State: Lake Alfred, FL 33850

PS Form 3811, February 2004

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>B. Welch</i> C. Date of Delivery <i>11/2/15</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No          If YES, enter delivery address below:</p>
<p>1. Article Addressed to:</p> <p>Estate of Betty Welch Conner          380 W Davis          Lake Alfred, FL 33850</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number          (Transfer from service label)</p>	<p>7103 3020 0002 3065 8789</p>

# 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](http://www.mylakealfred.com)

## Community Development

Building | Code Enforcement | Planning | Zoning

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## CODE ENFORCEMENT SPECIAL MAGISTRATE

DATE: October 1, 2015

CASE NO.: 15 09 202

CITY OF LAKE ALFRED

VS.

Estate of Betty Welch Conner  
380 W Davis  
Lake Alfred, FL 33850

RE: 1135 S NEKOMA AVE.  
LAKE ALFRED, FL 33850  
PARCEL ID 262805 523000 000460

### NOTICE OF HEARING

### UNSAFE STRUCTURE – REQUEST FOR DEMOLITION

You are hereby notified that on Thursday, October 15, 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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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.

Notice of Hearing Continued

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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.)**

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Signed this 1st day of October 2015.

This Notice Sent by:

(Circle method of Notice)

Certified Mail

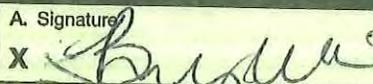
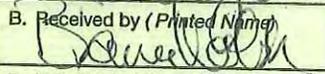
First Class Mail

Article No.: 70133020000230658703

*Mamie Drane*

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Recording Secretary

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		A. Signature X  <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:  Estate of Betty Welch Conner 380 W Davis Lake Alfred, FL 33850		B. Received by (Printed Name) 	C. Date of Delivery 10/3/15
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Transfer from service label)		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
		7013 3020 0002 3065 8703	
PS Form 3811, February 2004.		Domestic Return Receipt	102595-02-M-1540

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Postage	\$	
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Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total P		



Postmark Here

<i>Sent To</i>	Estate of Betty Welch Conner
<i>Street, # or PO B</i>	380 W Davis
<i>City, Sta</i>	Lake Alfred, FL 33850

PS Form 3800, August 2006
See reverse for instructions

7013 3020 0002 3065 8703

U.S. Postal Service™  
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For delivery information visit our website at [www.usps.com](http://www.usps.com)®

**OFFICIAL USE**

7013 3020 0002 2000 0202 3020 0002 2000 0202 3020

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Post	



Sent To Betty Conner  
Street, Apt. or PO Box 1135 S Nekoma Ave  
City, State, Lake Alfred, FL 33850



*Code Enforcement Special Magistrate  
 City of Lake Alfred, Florida  
 120 E Pomelo Street  
 Lake Alfred, FL 33850  
 863-291-5748*

CITY OF LAKE ALFRED, a Florida municipal corporation,

*Petitioner*

v.

Estate of Betty Welch Conner

380 W Davis

Lake Alfred, FL 33850

*Respondent*

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

THIS CAUSE came on for public hearing on May 21, 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: 1135 S Nekoma  
 Lake Alfred, Florida 33850

Legal Description: ECHO TERRACE PB 23 PG 16 LOT 46

Parcel ID No.: 262805 523000 000460

**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.

City Ordinance  
 302.1, 308.1 Property Maint. Code  
 302.8 Property Maint. Code  
 108 Property Maint. Code  
 14-22 Code of Ordinances

Violation  
 Trash / Debris / Storage of Materials  
 Abandoned / Derelict Vehicle  
 Unsafe Structure  
 Working Without a Building Permit - *Complied off hearing* 

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 June 5, 2015 for a total compliance or a \$ 250 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.

\_\_\_\_\_ 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.

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 June 18, 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 21<sup>st</sup> day of May 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.

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

Date Issued 3/11/15

Case Number 15-03-057

Property Address 1135 S Nekoma Ave Lake Alfred

Parcel ID # 262805523000000460

Property Owner Betty Conner Estate

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 checked="" type="checkbox"/>	Trash/Debris/Storage of Materials <i>(Sections 302.1, 308.1 Property Maintenance Code)</i>	10 days
<input checked="" type="checkbox"/>	Abandoned/Derelict Vehicle <i>(Section 302.8 Property Maintenance Code)</i>	10 days
<input checked="" type="checkbox"/>	Unsafe Structure <i>(Section 108 Property Maintenance Code)</i>	10 days
<input checked="" type="checkbox"/>	Work Without Building Permit <i>(Section 14-22 Code of Ordinances)</i>	10 days
<input type="checkbox"/>	Other:	

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**

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1135 DOKOMA2













**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.

**CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING**  
**November 19, 2015**

**Agenda Item 7**

**REQUEST FOR DEMOLITION**

Case no.: 15 09 203 / Betty T Conner / 390 W Davis Ave.

**ATTACHMENTS:**

- Notice of Hearing with Certified Mail Receipt
- Finding of Fact, Conclusions of Law and Order 5/21/2015
- Notice to Correct Violation 3/12/2015
- 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](http://www.mylakealfred.com)

## Community Development

Building | Code Enforcement | Planning | Zoning

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## CODE ENFORCEMENT SPECIAL MAGISTRATE

DATE: November 4, 2015

CASE NO.: 15 09 203

CITY OF LAKE ALFRED

VS.

Betty T. Conner  
1135 S Nekoma Ave  
Lake Alfred, FL 33850

RE: 390 W DAVIS AVE  
LAKE ALFRED, FL 33850  
PARCEL ID 262805 524000 000900

### NOTICE OF HEARING

### UNSAFE STRUCTURE – REQUEST FOR DEMOLITION

You are hereby notified that on Thursday, November 19, 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.

Notice of Hearing Continued

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 4th day of November 2015.

This Notice Sent by:

(Circle method of Notice)

Certified Mail

First Class Mail

Article No.: 70133020000230658796

*Mamie Drane*

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Recording Secretary

7013 3020 0002 3065 8796

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To

Sen Betty T. Conner  
1135 S Nekoma Ave  
Lake Alfred, FL 33850

PS Form 3800, August 2006 See Reverse for Instructions

**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:

Betty T. Conner  
1135 S Nekoma Ave  
Lake Alfred, FL 33850

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee  
*[Signature]*

B. Received by (Printed Name) *D. Baker*

C. Date of Delivery *11/6/15*

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 (Transfer from service label) **7013 3020 0002 3065 8796**



*Code Enforcement Special Magistrate  
 City of Lake Alfred, Florida  
 120 E Pomelo Street  
 Lake Alfred, FL 33850  
 863-291-5748*

CITY OF LAKE ALFRED, a Florida municipal corporation,

*Petitioner*

v.

Betty T Conner  
 1135 S Nekomoma Ave  
 Lake Alfred, FL 33850

*Respondent*

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

THIS CAUSE came on for public hearing on May 21, 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: 390 W Davis Ave  
 Lake Alfred, Florida 33850

Legal Description: SECOND REPLAT OF ECHO TERRACE PB 32 PG 40 LOT 90

Parcel ID No.: 262805 524000 000900

**FINDINGS OF FACT**

On or about March 12, 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>
302.4 Property Maint. Code	Overgrown Yard / Lot
302.1, 308.1 Property Maint. Code	Trash / Debris / Storage of Materials
302.8 Property Maint. Code	Abandoned / Derelict Vehicle
108 Property Maint. Code	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 June 15, 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.

\_\_\_\_\_ 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.

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 June 18, 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 21<sup>st</sup> day of May 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.

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

Date Issued **3/12/15**

Case Number **15-03-024**

Property Address **390 W Davis Ave Lake Alfred**

Parcel ID # **262805524000000900**

Property Owner **Betty Conner Estate**

Mailing Address **1135 s Nekoma Ave**

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

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](mailto:Dclewis@mylakealfred.com).

390 W Davis















.DAVIS AVE 15-03-024



DAVIS AVE 15-03-024

**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.

**CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING**  
**November 19, 2015**

**Agenda Item 8**

REQUEST FOR DEMOLITION

Case no.: 15 09 200 / Orlando Realty / 610 N Buena Vista Dr.

**ATTACHMENTS:**

- Notice of Hearing with Certified Mail Receipt
- Notice to Correct Violation 5/1/2015
- 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](http://www.mylakealfred.com)

## Community Development

Building | Code Enforcement | Planning | Zoning

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## CODE ENFORCEMENT SPECIAL MAGISTRATE

DATE: November 4, 2015

CASE NO.: 15 09 200

CITY OF LAKE ALFRED

VS.

Orlando Realty Trust INC  
8297 Champions Gate Blvd.  
PMB 34  
Champions Gate, FL 33896-8387

RE: 610 N Buena Vista Dr.  
LAKE ALFRED, FL 33850  
PARCEL ID 262732 508500 000030

### NOTICE OF HEARING

### ABANDONED PROJECT

### UNSAFE STRUCTURE – REQUEST FOR DEMOLITION

You are hereby notified that on Thursday, November 19, 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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Signed this 4th day of November 2015.

This Notice Sent by:  
(Circle method of Notice)

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Article No.: 70133020000230658802

First Class Mail

*Mamie Drane*

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Recording Secretary

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 City, State

Orlando Realty Trust INC  
 8297 Champions Gate Blvd.  
 PMB 34  
 Champions Gate, FL 33896-8387

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

Date Issued **5/1/15**

Case Number **15-05-094**

Property Address **610 N Buena Vista Dr Lake Alfred**

Parcel ID # **262732508500000030**

Property Owner **Orlando Realty**

Mailing Address **Champions Gate**

	Violations Observed	Time Period to Correct Violation
<input checked="" type="checkbox"/>	Overgrown Yard/Lot <i>(Section 302.4 Property Maintenance Code)</i>	<b>5 days</b>
<input checked="" type="checkbox"/>	Trash/Debris/Storage of Materials <i>(Sections 302.1, 308.1 Property Maintenance Code)</i>	<b>5 days</b>
<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 type="checkbox"/>	Other:	

Photographs Attached  Yes  No

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

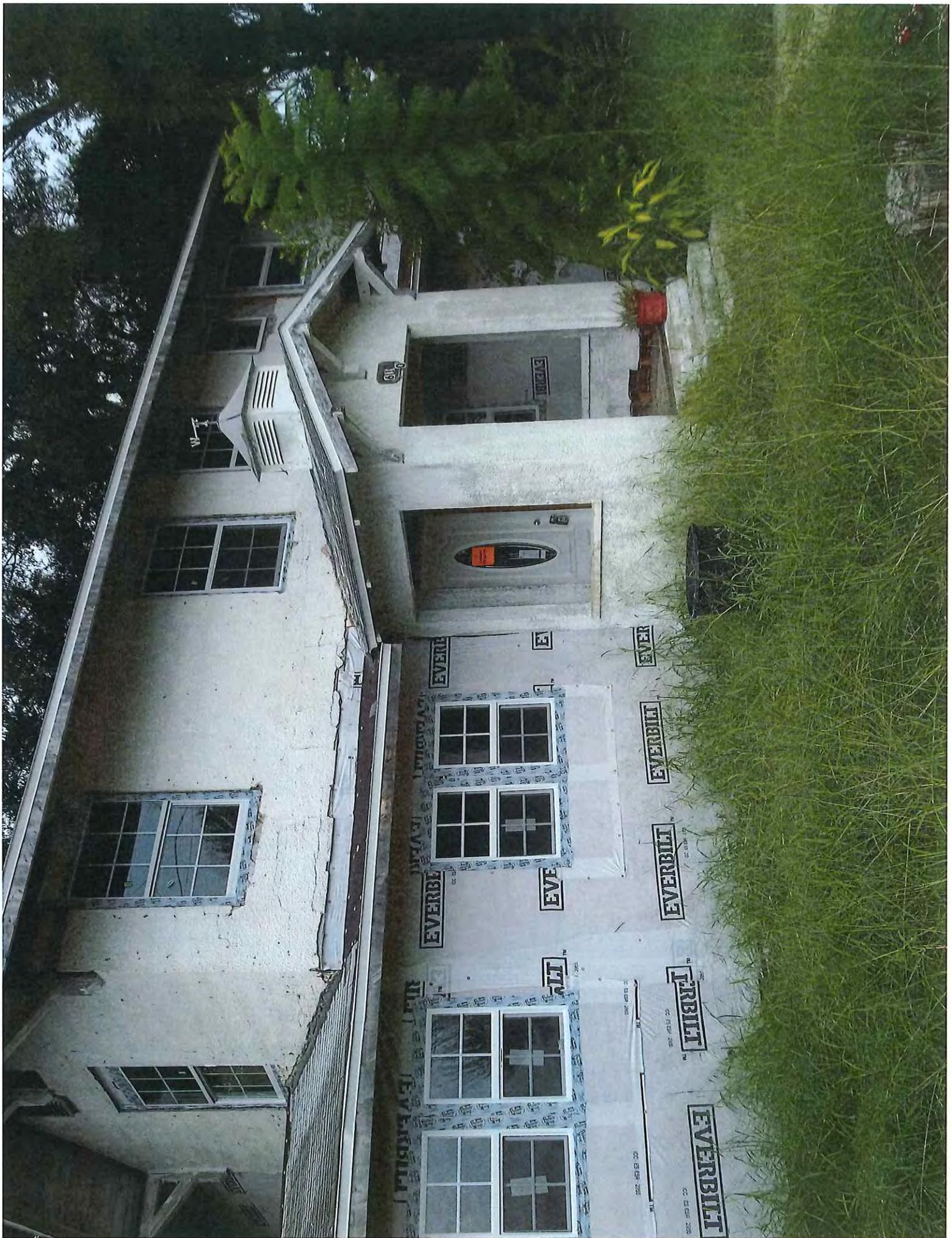
Warning Previously Issued  Yes  No

Repeat Offense  Yes  No

**NOTICE – PLEASE READ**

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**SECTION 108  
UNSAFE STRUCTURES AND EQUIPMENT**

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**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.

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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.

place. The contract shall provide specific data mirroring that required by an application for permit, specifically, without limitation, date of execution, building owner or dealer, and anticipated date of completion. However, the construction activity must commence within 6 months of the contract's execution. The contract is subject to verification by the Department of Business and Professional Regulation.

**[A] 105.4 Conditions of the permit.**

**105.4.1 Permit intent.** A permit issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter or set aside any of the provisions of the technical codes, nor shall issuance of a *permit* prevent the *building official* from thereafter requiring a correction of errors in plans, construction or violations of this code. Every *permit* issued shall become invalid unless the work authorized by such *permit* is commenced within six months after its issuance, or if the work authorized by such *permit* is suspended or abandoned for a period of six months after the time the work is commenced.

**105.4.1.1** If work has commenced and the *permit* is revoked, becomes null and void, or expires because of lack of progress or abandonment, a new *permit* covering the proposed construction shall be obtained before proceeding with the work.

**105.4.1.2** If a new *permit* is not obtained within 180 days from the date the initial *permit* became null and void, the *building official* is authorized to require that any work which has been commenced or completed be removed from the building site. Alternately, a new *permit* may be issued on application, providing the work in place and required to complete the structure meets all applicable regulations in effect at the time the initial *permit* became null and void and any regulations which may have become effective between the date of expiration and the date of issuance of the new *permit*.

**105.4.1.3** Work shall be considered to be in active progress when the *permit* has received an approved inspection within 180 days. This provision shall not be applicable in case of civil commotion or strike or when the building work is halted due directly to judicial injunction, order or similar process.

**105.4.1.4** The fee for renewal reissuance and extension of a *permit* shall be set forth by the administrative authority.

**[A] 105.5 Expiration.** Reserved.

**[A] 105.6 Denial or revocation.** Whenever a *permit* required under this section is denied or revoked because the plan, or the construction, erection, alteration, modification, repair, or demolition of a building, is found by the local enforcing agency to be not in compliance with the *Florida Building Code*, the local enforcing agency shall identify the specific plan or project features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the *permit* applicant. If the local building code administra-

tor or inspector finds that the plans are not in compliance with the *Florida Building Code*, the local building code administrator or inspector shall identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the local enforcing agency. The local enforcing agency shall provide this information to the *permit* applicant.

**[A] 105.7 Placement of permit.** The building *permit* or copy shall be kept on the site of the work until the completion of the project.

**105.8 Notice of commencement.** In accordance with Section 713.135, *Florida Statutes*, when any person applies for a building *permit*, the authority issuing such *permit* shall print on the face of each *permit* card in no less than 14-point, capitalized, boldfaced type: "WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT."

**105.9 Asbestos.** The enforcing agency shall require each building *permit* for the demolition or renovation of an existing structure to contain an asbestos notification statement which indicates the owner's or operator's responsibility to comply with the provisions of Section 469.003, *Florida Statutes*, and to notify the Department of Environmental Protection of his or her intentions to remove asbestos, when applicable, in accordance with state and federal law.

**105.10 Certificate of protective treatment for prevention of termites.** A weather-resistant job-site posting board shall be provided to receive duplicate treatment certificates as each required protective treatment is completed, providing a copy for the person the *permit* is issued to and another copy for the building *permit* files. The treatment certificate shall provide the product used, identity of the applicator, time and date of the treatment, site location, area treated, chemical used, percent concentration and number of gallons used, to establish a verifiable record of protective treatment. If the soil chemical barrier method for termite prevention is used, final exterior treatment shall be completed prior to final building approval.

**105.11 Notice of termite protection.** A permanent sign which identifies the termite treatment provider and need for reinspection and treatment contract renewal shall be provided. The sign shall be posted near the water heater or electric panel.

**105.12 Work starting before permit issuance.** Upon approval of the *building official*, the scope of work delineated in the building *permit* application and plan may be started prior to the final approval and issuance of the *permit*, provided any work completed is entirely at risk of the *permit* applicant and the work does not proceed past the first required inspection.

**CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING**  
**November 19, 2015**

**Agenda Item 9**

**REQUEST FOR DEMOLITION**

Case no.: 15 09 201 / Terry Franklin / 625 E Grapefruit Ave.

**ATTACHMENTS:**

- Notice of Hearing with Certified Mail Receipt
- Photographs
- Administrative Liens (4)
- 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](http://www.mylakealfred.com)

## Community Development

Building | Code Enforcement | Planning | Zoning

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## CODE ENFORCEMENT SPECIAL MAGISTRATE

DATE: November 4, 2015

CASE NO.: 15 09 201

CITY OF LAKE ALFRED

VS.

Terry Franklin  
518 Walnut St.  
Auburndale FL 33823-4222

RE: 625 E GRAPEFRUIT AVE.  
LAKE ALFRED, FL 33850  
PARCEL ID 262728 493500 004070

## NOTICE OF HEARING

### UNSAFE STRUCTURE – REQUEST FOR DEMOLITION

You are hereby notified that on Thursday, November 19, 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.

Notice of Hearing Continued

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 4st day of November 2015.

This Notice Sent by:

(Circle method of Notice)

Certified Mail

First Class Mail

Article No.: 70133020000230658819

*Mamie Drane*

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Recording Secretary

7013 3020 0002 3065 8819

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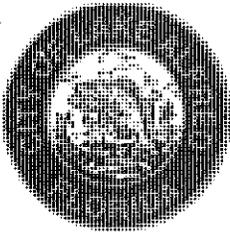


*Sent To* Terry Franklin  
*Street, Apt. No. or PO Box No.* 518 Walnut St.  
*City, State, ZIP* Auburndale FL 33823-4222

625 Grapefruit







**Code Enforcement Special Magistrate**  
**City of Lake Alfred, Florida**  
 120 E Pomelo Street  
 Lake Alfred, FL 33850  
 863-291-5748

INSTR # 2015166638  
 BK 9626 Pgs 817-818 PG(s) 2  
 RECORDED 09/14/2015 11:52:45 AM  
 STACY M. BUTTERFIELD,  
 CLERK OF COURT POLK COUNTY  
 RECORDING FEES \$18.50  
 RECORDED BY rachleon

CITY OF LAKE ALFRED, a Florida municipal corporation,

*Petitioner*

v.

**Terry Franklin**  
**625 E Grapefruit Ave**  
**Lake Alfred, FL 33850**  
*Respondent*

**ORDER IMPOSING FINE/ADMINISTRATION LIEN**

THIS CAUSE came on to be heard on August 20, 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 ORDER:

1. Respondent was required to take certain corrective action by a time certain as more specifically set forth in the Findings of Fact, Conclusions of Law and Order, dated October, 11 2013.
2. An Affidavit of Non-compliance has been filed at the hearing by the Code Enforcement Officer, which affidavit certifies under oath that the property owner is not in compliance with the Magistrate's Order.
3. Respondent has failed to comply with the Order within the time specified and is currently in violation of the Order.
4. It is hereby ordered that Respondent pay to the Petitioner a fine in the amount of \$270.00, which includes administrative costs of \$200.00, and for the fine proven hereinabove and which shall continue in the amount of \$100.00 per day for each and every day that the violation exists on the above-described property; to-wit:

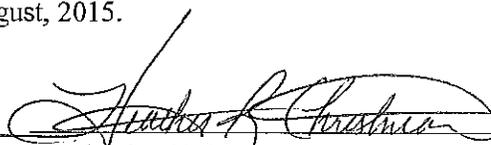
Violation Address: 625 E Grapefruit Ave  
 Lake Alfred, Florida 33850

Legal Description: HIGHLAND SUBDIVISION, PB 4, PG 2 BLK D LOT 7

Parcel ID No.: 262728 493500 004070

Order Imposing Fine/Administration Lien  
City of Lake Alfred v Terry Franklin  
August 10, 2015

DONE and ORDERED on this 20<sup>th</sup> day of August, 2015.

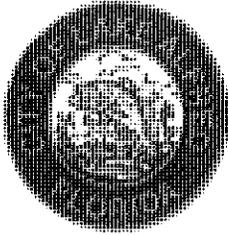


Heather R. Christman  
City of Lake Alfred Special Magistrate

ATTEST:

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Mamie Drane  
Clerk to the Special Magistrate



R Code Enforcement Special Magistrate  
City of Lake Alfred, Florida  
120 E Pomelo Street  
Lake Alfred, FL 33850  
863-291-5748



INSTR # 2014180077  
BK 9366 Pgs 1801-1802 PG(s) 2  
RECORDED 10/22/2014 09:41:58 AM  
STACY M. BUTTERFIELD,  
CLERK OF COURT POLK COUNTY  
RECORDING FEES \$18.50  
RECORDED BY asunniev

CITY OF LAKE ALFRED, a Florida municipal corporation,

*Petitioner*

v.

TERRY FRANKLIN

625 E Grapefruit Ave  
Lake Alfred, FL 33850  
*Respondent*

**ORDER IMPOSING FINE/ADMINISTRATION LIEN**

THIS CAUSE came on to be heard on October 16, 2014 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 ORDER:

1. Respondent was required to take certain corrective action by a time certain as more specifically set forth in the Findings of Fact, Conclusions of Law and Order
2. An Affidavit of Non-compliance has been filed at the hearing by the Code Enforcement Officer, which affidavit certifies under oath that the property owner is not in compliance with the Magistrate's Order.
3. Respondent has failed to comply with the Order within the time specified and is currently in violation of the Order.
4. It is hereby ordered that Respondent pay to the Petitioner a fine in the amount of \$260.52 which includes abatement and administrative costs

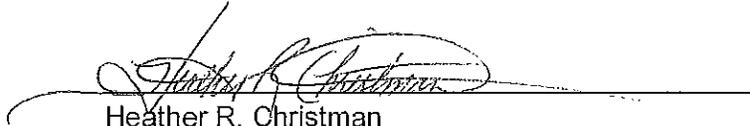
Violation Address: 625 E Grapefruit Ave  
Lake Alfred, Florida 33850

Legal Description: HIGHLAND SUBDIVISION PB 4 PG 2 BLK D LOT 7

Parcel ID No.: 262728 493500 004070

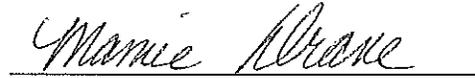
Order Imposing Fine/Administration Lien  
City of Lake Alfred v. Terry Franklin  
October 16, 2014

DONE and ORDERED on this 16<sup>th</sup> day of October, 2014.



Heather R. Christman  
City of Lake Alfred Special Magistrate

ATTEST:



Mamie Drane  
Clerk to the Special Magistrate



**Code Enforcement Special Magistrate**  
**City of Lake Alfred, Florida**  
120 E Pomelo Street  
Lake Alfred, FL 33850  
863-291-5748

*R*



INSTR # 2014095646  
BK 9261 Pgs 300-301 PG(s)2  
RECORDED 06/03/2014 10:47:40 AM  
STACY M. BUTTERFIELD,  
CLERK OF COURT POLK COUNTY  
RECORDING FEES \$18.50  
RECORDED BY kathcord

CITY OF LAKE ALFRED, a Florida municipal corporation,

*Petitioner*

v.

Terry Franklin  
625 E. Grapefruit Avenue  
Lake Alfred, FL 33850

*Respondent*

\_\_\_\_\_ /

**ORDER IMPOSING FINE / ADMINISTRATION LIEN**

THIS CAUSE came on to be heard on May 15, 2014 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 ORDER:

1. Respondent was required to take certain corrective action by a time certain as more specifically set forth in the Findings of Fact, Conclusions of Law and Order, dated
2. An Affidavit of Non-compliance has been filed at the hearing by the Code Enforcement Officer, which affidavit certifies under oath that the property owner is not in compliance with the Magistrate's Order.
3. Respondent has failed to comply with the Order within the time specified and is currently in violation of the Order.
4. It is hereby ordered that Respondent pay to the Petitioner a fine in the amount of \$730.49 which includes abatement and administrative cost.

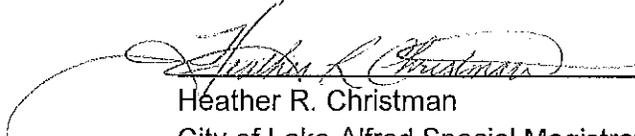
**Violation Address:** 625 E. Grapefruit Avenue  
Lake Alfred, Florida 33850

**Violation:** Chapter 20 2-10  
Standard Unsafe Building  
Abatement Code

Legal Description: Highland Subdivision PB 4 Pg 2 Blk D Lot 7

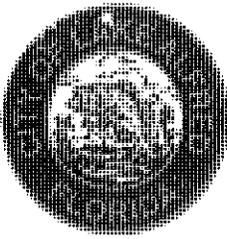
Parcel ID No.: 26 27 28 493500 004070

DONE and ORDERED on this 15<sup>th</sup> day of May, 2014.

  
Heather R. Christman  
City of Lake Alfred Special Magistrate

ATTEST:

  
Mamie Drane  
Clerk to the Special Magistrate



**Code Enforcement Special Magistrate**  
**City of Lake Alfred, Florida**  
120 E Pomelo Street  
Lake Alfred, FL 33850  
863-291-5748

R



INSTR # 2014095642  
BK 9261 Pgs 290-291 PG(s)2  
RECORDED 06/03/2014 10:47:40 AM  
STACY N. BUTTERFIELD,  
CLERK OF COURT POLK COUNTY  
RECORDING FEES \$18.50  
RECORDED BY katchord

CITY OF LAKE ALFRED, a Florida municipal corporation,  
*Petitioner*

v.

Terry Franklin  
625 E. Grapefruit Avenue  
Lake Alfred, FL 33850  
*Respondent*

**ORDER IMPOSING FINE/ADMINISTRATION LIEN**

THIS CAUSE came on to be heard on April 17, 2014 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 ORDER:

1. Respondent was required to take certain corrective action by a time certain as more specifically set forth in the Findings of Fact, Conclusions of Law and Order, dated December 20, 2013.
2. An Affidavit of Non-compliance has been filed at the hearing by the Code Enforcement Officer, which affidavit certifies under oath that the property owner is not in compliance with the Magistrate's Order.
3. Respondent has failed to comply with the Order within the time specified and is currently in violation of the Order.
4. It is hereby ordered that Respondent pay to the Petitioner a fine in the amount of \$10,300.00 which includes a fine of \$100 per day from January 4, 2014 through April 17, 2014 (103 days X \$100 = \$10,300), and administrative costs of \$175. The fine proven hereinabove shall continue in the amount of \$100 per day for each and every day that the violation exists on the above-described property; to-wit:

Violation Address: 625 E. Grapefruit Avenue  
Lake Alfred, Florida 33850

Legal Description: Highland Subdivision PB 4 Pg 2 BIK D Lot 7

Order Imposing Fine/Administration Lien  
City of Lake Alfred v. Terry Franklin  
April 17, 2014

Parcel ID No.: 26 27 28 493500 004070

DONE and ORDERED on this 17<sup>th</sup> day of April, 2014.



Heather R. Christman  
City of Lake Alfred Special Magistrate

ATTEST:



Mamie Drane  
Clerk to the Special Magistrate

Sent to Respondent Certified/Return Receipt Request on March 20, 2014.

## 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.

place. The contract shall provide specific data mirroring that required by an application for permit, specifically, without limitation, date of execution, building owner or dealer, and anticipated date of completion. However, the construction activity must commence within 6 months of the contract's execution. The contract is subject to verification by the Department of Business and Professional Regulation.

**[A] 105.4 Conditions of the permit.**

**105.4.1 Permit intent.** A permit issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter or set aside any of the provisions of the technical codes, nor shall issuance of a permit prevent the *building official* from thereafter requiring a correction of errors in plans, construction or violations of this code. Every permit issued shall become invalid unless the work authorized by such permit is commenced within six months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of six months after the time the work is commenced.

**105.4.1.1** If work has commenced and the permit is revoked, becomes null and void, or expires because of lack of progress or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work.

**105.4.1.2** If a new permit is not obtained within 180 days from the date the initial permit became null and void, the *building official* is authorized to require that any work which has been commenced or completed be removed from the building site. Alternately, a new permit may be issued on application, providing the work in place and required to complete the structure meets all applicable regulations in effect at the time the initial permit became null and void and any regulations which may have become effective between the date of expiration and the date of issuance of the new permit.

**105.4.1.3** Work shall be considered to be in active progress when the permit has received an approved inspection within 180 days. This provision shall not be applicable in case of civil commotion or strike or when the building work is halted due directly to judicial injunction, order or similar process.

**105.4.1.4** The fee for renewal reissuance and extension of a permit shall be set forth by the administrative authority.

**[A] 105.5 Expiration.** Reserved.

**[A] 105.6 Denial or revocation.** Whenever a permit required under this section is denied or revoked because the plan, or the construction, erection, alteration, modification, repair, or demolition of a building, is found by the local enforcing agency to be not in compliance with the *Florida Building Code*, the local enforcing agency shall identify the specific plan or project features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the permit applicant. If the local building code administra-

tor or inspector finds that the plans are not in compliance with the *Florida Building Code*, the local building code administrator or inspector shall identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the local enforcing agency. The local enforcing agency shall provide this information to the permit applicant.

**[A] 105.7 Placement of permit.** The building permit or copy shall be kept on the site of the work until the completion of the project.

**105.8 Notice of commencement.** In accordance with Section 713.135, *Florida Statutes*, when any person applies for a building permit, the authority issuing such permit shall print on the face of each permit card in no less than 14-point, capitalized, boldfaced type: "WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT."

**105.9 Asbestos.** The enforcing agency shall require each building permit for the demolition or renovation of an existing structure to contain an asbestos notification statement which indicates the owner's or operator's responsibility to comply with the provisions of Section 469.003, *Florida Statutes*, and to notify the Department of Environmental Protection of his or her intentions to remove asbestos, when applicable, in accordance with state and federal law.

**105.10 Certificate of protective treatment for prevention of termites.** A weather-resistant job-site posting board shall be provided to receive duplicate treatment certificates as each required protective treatment is completed, providing a copy for the person the permit is issued to and another copy for the building permit files. The treatment certificate shall provide the product used, identity of the applicator, time and date of the treatment, site location, area treated, chemical used, percent concentration and number of gallons used, to establish a verifiable record of protective treatment. If the soil chemical barrier method for termite prevention is used, final exterior treatment shall be completed prior to final building approval.

**105.11 Notice of termite protection.** A permanent sign which identifies the termite treatment provider and need for reinspection and treatment contract renewal shall be provided. The sign shall be posted near the water heater or electric panel.

**105.12 Work starting before permit issuance.** Upon approval of the *building official*, the scope of work delineated in the building permit application and plan may be started prior to the final approval and issuance of the permit, provided any work completed is entirely at risk of the permit applicant and the work does not proceed past the first required inspection.