AGENDA

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING
COMMISSION CHAMBERS, CITY HALL
December 18, 2014
3:00 P.M.

CALL TO ORDER: Magistrate Heather Christman

SWEAR IN: Magistrate Heather Christman

APPROVAL OF MINUTES: November 20, 2014

OLD CASES

Case No. 13-12-247 / Orlando Realty Trust / 610 Buena Vista Drive

IMPOSITION OF LIEN

Case No. 14-09-151 / Keith Klingensmith / 485 Buena Vista Drive

Case No. 14-10-155 / Wells Fargo Bank / 610 Hillside Circle

REQUEST TO BE HEARD

Case No. 14-09-153 / Kandis Mcbryan / 260 E Haines Blvd

PUBLIC COMMENTS

ADJOURN

Minutes

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NEW CASES

Case No. 14-10-175 / Linda Gallagher / 395 Davis Ave
Ms. Gallagher was present with her son.

Code Enforcement Officer Clewis had pictures of the property. He stated the pictures showed the back yard with overgrown grass and weeds. There has been no communication since violation was sent out on the 16th of October. Photos taken last week show the condition is still the same.
Ms. Gallagher said the property had been cleaned up, and her son was living there now and would keep the yard up.
Special Magistrate Christman made a judgment issuing a Finding of Fact Conclusion of Law and Order giving the property owner 15 days to bring the property into compliance or a $50 per day fine will be imposed until the violation is corrected. Certification hearing was set for 3:00 P.M December 18, 2014. **Special Magistrate Christman** warned that future offences of the same code provision will be considered a repeat offence and a fine can start to accrue the day Code Enforcement is aware of the violation.

Case No. 14-09-151 / Keith Klingensmith Sr. / 485 Buena Vista Drive
Mr. Klingensmith was present.

Code Enforcement Officer Clewis said that a Notice of Violation was issued on September 29th 2014 for violations of:

- Constructing a metal structure without permits or plans.
- Tall grass and weeds.
- Offensive accumulation of trash and debris.
- Parking and storage of commercial construction equipment.
- Trailers parked in front of the house and
- Outside storage of building materials.

Mr. Clewis stated that he sent the Notice giving him 5 days to clean up the property. **Mr. Klingensmith** came in to his office and said he would clean up and remove the violations from the property. As of today **Mr. Clewis** said the violations still exist and that the City has had many complaints from both residents and city officials.
Mr. Clewis' recommendation is 30 days and $100 per day if not brought under compliance.
Mr. Klingensmith expressed his concern because he believed that the pictures used were obtained illegally. He said his lawyer had advised him about Code Enforcement trespassing before. He went on to say some of the items in his yard were in use by a special needs person living with him.
Discussion regarding the violations and whether or not the property in question was zoned commercial or residential followed.
Special Magistrate Christman said based on the evidence there are code violations. There was a Finding of Fact Conclusion of Law and Order issued, giving 30 days to bring the property under compliance or there will be a $50 per day fine until the property is brought under compliance.

Case No. 14-10-172 / Fulton Trust / 225 W Orange St
No one was present for this case.

Code Enforcement Officer Clewis stated this was for overgrown grass and weeds, no correspondence cited on October 16, 2014. There was a recommendation of five days or $50 per day. **Magistrate Christman** issued a Finding of Fact Conclusion of Law and Order giving 5days to bring the property under compliance or there will be a $50 per day fine until the property is brought under compliance. Certification is December 18, 2014.

Case No. 14-09-153 / Kandis Mcbryan / 260 E Haines Blvd
No one was present for this case.

Code Enforcement Officer Clewis stated this property was cited on October 1, 2014 for over grown grass and weeds, trash and debris. The property owner was given 5 days to comply. The property owner came in this morning to report the property had been mowed. This is the third time this property has been cited. Since this is the third time being cited Mr. Clewis presented an affidavit of cost for administrative cost and fees. **Magistrate Christman** ruled that violations did exist at the property, they have been remedied no fines will be imposed, but administrative cost are being imposed. Future offences will be considered repeat violations.

Case No. 14-10-155 / Wells Fargo Bank / 610 Hillside Circle
No one was present for this case.

Code Enforcement Officer Clewis stated that this property was cited October 3, 2014 for overgrown grass and weeds, trash and debris, storage of material, an unsafe structure due to two sheds in the back and a stagnant swimming pool. No correspondence has been exchanged. Magistrate Christman asked for recommendations. Mr. Clewis suggested 10 days to correct or $200 a day fine. **Magistrate Christman** issued a Finding of Fact Conclusion of Law and Order giving 10 days to bring the property under compliance or there will be a $250 per day fine since there is a swimming pool with water in it. Certification is December 18, 2014.

Case No. 14-05-066 / Dennis Wright / 665 Grapefruit Ave

Code Enforcement Officer Clewis stated this property was cited May 23, 2014 for overgrown lot, tall grass and weeds. **Magistrate Christman** issued a Finding of Fact Conclusion of Law and Order giving 10 days to bring the property under compliance or there will be a $50 per day fine until the property is brought under compliance. Certification is December 18, 2014.

Case No. 14-04-046 / ~~Triangle Properties / 335 W Cummings Street~~ Closed

IMPOSITION OF LIEN

Case No. 14-08-101 / Carolina Arauz / 465 S Rochelle Ave
Code Enforcement Officer Clewis stated there has been no compliance.

John Rogers / 610 Buena Vista

Code Enforcement Officer Clewis explained the history of the case up to the present. He went on to show pictures to point out the quality of the work being performed. **Magistrate Christman** disclosed the building

official did call her to tell her he did not object to there being somewhat of an extension. She will not be making a decision on it this is not the hearing for that. Donnie True will need to come in to give testimony on the status of the house, as well as the Contractor.

Mr. Rogers gave a brief rundown on what was going on with the house. **Mr. Clewis** questioned how he would be able to complete the house within the time he proposed. Pointing out that there hasn't been inspections on the house.
Discussion ensued.
Magistrate Christman stated she did not want to see the investment lost, however this has gone on longer than any other case she has had. There was no ruling at this meeting. There will be at the December 18th meeting.

APPROVAL OF MINUTES: October 16, 2014

Adjourned at: 4:06