

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

CALL TO ORDER: Magistrate Heather Christman

SWEAR IN

APPROVAL OF MINUTES: Magistrate Christman approved the minutes of November 20, 2014.

NEW CASES

Case No. 14 09 122 / Terrance Mike / 685 E Lemon Avenue

Mr. Mike was in attendance

Code Enforcement Clewis stated that the violation was for a dilapidated shed in the back yard. Partial work has been done the roof has been removed. The City requests complete demolition and clean up the debris within 30 days.

Mr. Mike said the building is concrete, it is sound and he doesn't want to tear it down. It is being used as a wash room. After reviewing the ordinance **Magistrate Christman** made a judgment to give 60 days to bring the property into compliance or a \$25 per day fine will be imposed. Certification date will be April 16, 2015.

Case No. 14 11 185 / Chandra Wagy / 0 Midway Avenue

Mr. and Mrs. Wagy was in attendance

Code Enforcement Clewis stated that the property was cited on December 1st, 2014 as an unsafe structure, given 30 days to obtain a permit or demolish. The building is in deteriorating condition, its open vacant and unguarded. Work has been performed on the house without permits. The access road / driveway is over-grown with trees the only way to get to the house is from private property. After review of the ordinance **Magistrate Christman** asked **Mr. Clewis** for recommendation. City staff recommends, securing the property.

Mr. Wagy said he wasn't sure what was wrong with his property and that he had told Mr. Clewis that they would be glad to correct the violation, if they knew what they were.

Magistrate Christman reviewed the pictures and the violation. She asked if there were any additions, there were none. Based on the evidence and testimony given to her she ruled the structure is in violation. **Magistrate Christman** made a judgment to give the property owner till April 16, 2015 to bring property under compliance or \$50 per day fine until compliance is met.

Case No. 15 02 015 / Michael Reece / 475 E Hoffman Street

No one is present for this case.

Code Enforcement Clewis stated this is a repeat offence, the property owner was here for a hearing May 15th 2014. He was given 30 days to correct the violation or a \$25 per day fine. The owner did not comply; it has been 310 days of noncompliance. **Magistrate Christman** reviewed the photos from 2013, 2014 and 2015, the old case file and made judgment to enter an order

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imposing a fine of \$7,750, for 310 days out of compliance. The fine will continue to accrue since the property is still not in compliance

OLD CASES / IMPOSITION OF LIEN

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

John Rogers was present.

Code Enforcement Clewis presented this case from 2012 with pictures and supporting documents.

Mr. Rogers stated that the house is now secure. His contractors should be in to pick up permits. They should be calling for framing, electrical, plumbing and HVAC inspections next week. The house is ready for roofing, insulation, lathing and stucco they should all be started next week.

Magistrate Christman asked if there had been any changes from the permit perspective from the last hearing on this case. Mr. Clewis said it had not.

Community Development Director, Valerie Ferrell on behalf of the Building Official, Donnie True. Mr. True would like a dead-line in place by the Magistrate. The order that has been placed twice has not been met.

Magistrate Christman ruled that the previous order stating that permits should be obtained and in place by December 28th 2014 has not been met. Fines will be certified as of today and will begin to accrue at \$250 per day. She also said the fines, as of today, were \$13,450 but she will cap it at \$5,000 plus \$200 administrative cost, the fine will continue at \$250 per day until the property is brought into compliance.

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

Mr. Klingensmith was present.

Code Enforcement Clewis reminded that Mr. Klingensmith's case was on the agenda in December at that time he was given a 30 day extension to come into compliance. The property is not in compliance as of this day.

Discussion followed.

Keith Klingensmith stated that in his opinion his property is in compliance.

Magistrate Christman stated that she is entering an order imposing the fine for the total of \$1,900 including administrative cost. The fine will continue at \$50 per day until the property is brought into compliance.

PUBLIC COMMENTS

There were no public comments.

Magistrate Christman declared the meeting adjourned at 4:02