



AGENDA

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING COMMISSION CHAMBERS, CITY HALL

February 20, 2015

3:00 P.M.

CALL TO ORDER: Magistrate Heather Christman

SWEAR IN: Magistrate Heather Christman

APPROVAL OF MINUTES: November 20, 2014

OLD CASES / IMPOSITION OF LIEN

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

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

NEW CASES

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

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

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

Case No. ~~15 01 003 / Mollie White / 630 E Thelma Street~~ **Closed**

Case No. ~~14 12 196 / Esther Derae / 832 James Way~~ **Closed**

Case No. 14 08 118 / Elaine Maulsby / 525 Grapefruit Avenue **Deferred**

Case No. 15 01 005 / Matthew Jeckovich / 610 E Sanford Street **Deferred**

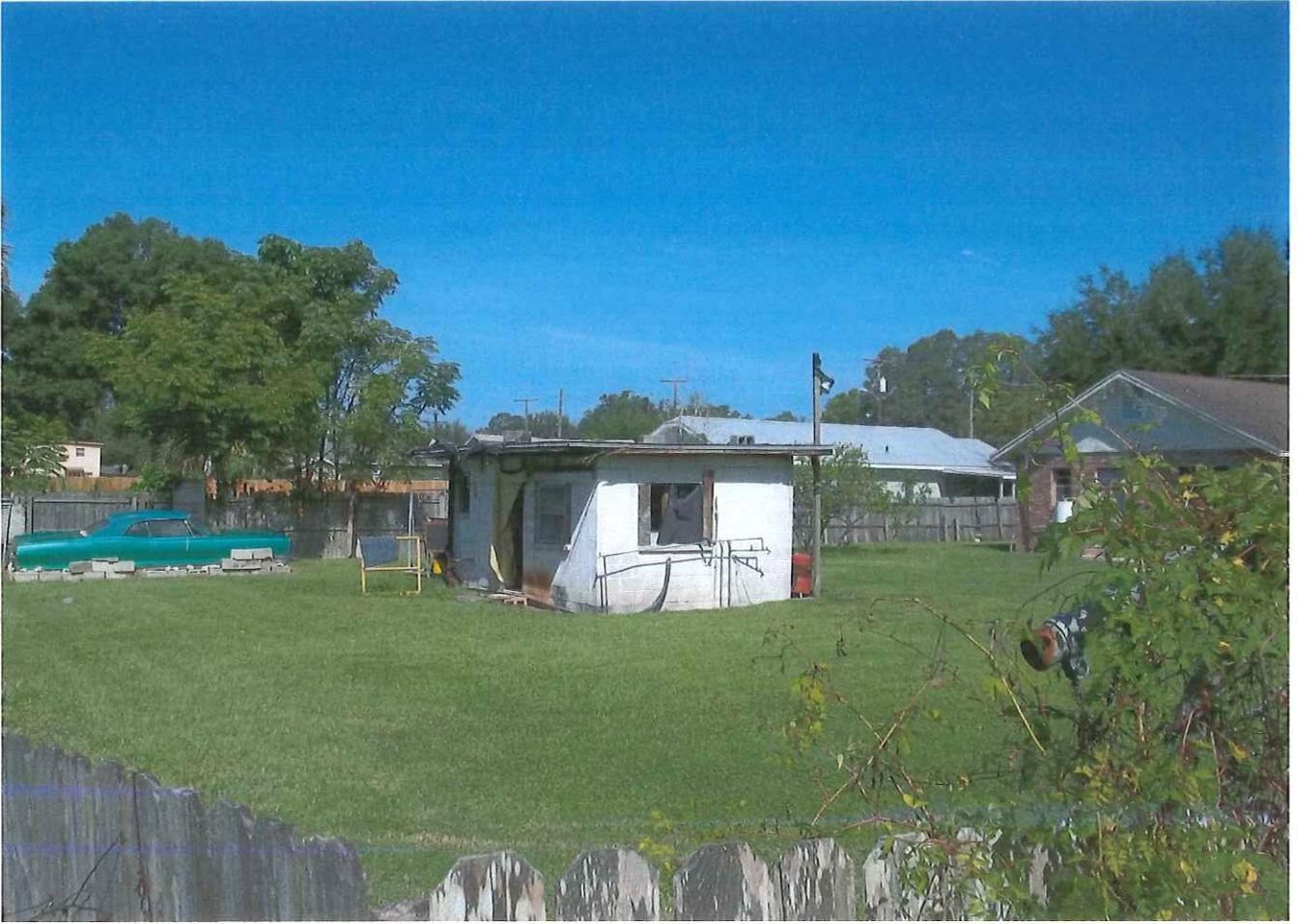
Case No. ~~14 12 193 / Yvonne Spoek / 605 E Pierce Street~~ **Deferred**

PUBLIC COMMENTS

ADJOURN



2-18-15



685 E LEMON

**CITY OF LAKE ALFRED
NOTICE TO CORRECT CODE VIOLATION**

Case Number <i>14-09-122</i>		Date Issued <i>9-5-14</i>	Issuing Officer <i>DANNY CLEWIS</i>	
Last Name <i>MIKE</i>		First Name <i>TERRANCE</i>		Middle Name/Initial
Address <i>685 E LEMON AVE</i>		City <i>LAKE ALFRED</i>	State <i>FL</i>	Zip <i>33850</i>
Legal Description				

Legal Account Number <i>262728493500009010</i>	Subdivision <i>HIGHLAND</i>
Facts Constituting Violation	

UNSAFE Building - SHED

INADEQUATE MAINTENANCE, DILAPIDATION AND DETERIORATION

STANDARD UNSAFE Building Abatement Code

NOTICE! PLEASE READ! You have been issued a Notice of a Violation of the City of Lake Alfred Codes, Land Use Development Regulations and/or other Ordinances. You have been given a reasonable 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 stipulated 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 City of Lake Alfred Building and Code Enforcement Department at 120 E. Pomelo St., Lake Alfred, FL 33850 or telephone between the hours of 8:00 a.m. to 4:30 p.m. Monday through Friday at (863) 291-5748.

Time Period To Correct Violation <i>30 DAYS</i>	Date Violation Must Be Corrected By
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Measures To Be Taken To Correct Violation

REPAIR OR DEMOLISH STRUCTURE

Time Period To Correct Violation	Method of Delivery <input type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Hand Delivery
By: <i>Danny Clewis</i>	<input type="checkbox"/> Posted On Site
Officer's Signature	Date <i>9-10-14</i>
Code Enforcement Officer, City of Lake Alfred, Florida	Date

CITY OF LAKE ALFRED, FLORIDA

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



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

Community Development

Building | Code Enforcement | Planning | Zoning

CODE ENFORCEMENT SPECIAL MAGISTRATE

DATE: February 5, 2015

CASE NO.: 14 09 122

CITY OF LAKE ALFRED

VS.

Terrance D Mike
685 E Lemon Ave
Lake Alfred, FL 33850

RE: 685 E Lemon Ave
LAKE ALFRED, FL 33850
PARCEL ID 262728 493500 007010

NOTICE OF HEARING

You are hereby notified that on Thursday, February 19, 2015, at 3:00 pm, a Code Enforcement Special Magistrate hearing shall be held in Commission Chambers at City Hall of Lake Alfred, Florida, in accordance with Article III of the Code of Ordinances of the City of Lake Alfred to determine whether you have violated one or more provisions of the Code of Ordinances and/or of the Unified Land Development Code of the City of Lake Alfred.

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

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

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

If the Special Magistrate finds that you have committed any violation(s) it may order immediate compliance with the Code(s) and provide in the order, in the event of failure to comply with the order

within a period of time set forth therein, that a fine be imposed **NOT TO EXCEED \$250.00** per day for a first violation and **NOT TO EXCEED \$500.00** per day for a repeat violation for the period of non-compliance.

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

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

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

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

Signed this 5th day of February 2015.

This Notice Sent by:
(Circle method of Notice)

Certified Mail

Article No.: 40133020000230657157

First Class Mail

Mamie Drane

Recording Secretary

UNSAFE BUILDING—any building or structure that has any of the following conditions, such that the life, health, property or safety of its occupants or the general public are endangered:

1. Any means of egress or portion thereof is not of adequate size or is not arranged to provide a safe path of travel in case of fire or panic.
2. Any means of egress or portion thereof, such as but not limited to fire doors, closing devices and fire resistive ratings, is in disrepair or in a dilapidated or nonworking condition such that the means of egress could be rendered unsafe in case of fire or panic.
3. The stress in any material, member or portion thereof, due to all imposed loads including dead load exceeds the stresses allowed in the Standard Building Code for new buildings.
4. The building, structure or portion thereof has been damaged by fire, flood, earthquake, wind or other cause to the extent that the structural integrity of the building or structure is less than it was prior to the damage and is less than the minimum requirement established by the Standard Building Code for new buildings.
5. Any exterior appendage or portion of the building or structure is not securely fastened, attached or anchored such that it is capable of resisting wind, seismic or similar loads as required by the Standard Building Code for new buildings.
6. If for any reason the building, structure or portion thereof is manifestly unsafe or unsanitary for the purpose for which it is being used.
7. The building, structure or portion thereof as a result of decay, deterioration or dilapidation is likely to fully or partially collapse.
8. The building, structure or portion thereof has been constructed or maintained in violation of a specific requirement of the Standard Codes or of a city, county or state law.
9. Any building, structure or portion thereof that is in such a condition as to constitute a public nuisance.
10. Any building, structure or portion thereof that is unsafe, unsanitary or not provided with adequate egress, or which constitutes a fire hazard, or is otherwise dangerous to human life, or, which in relation to existing use, constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment.

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*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.

Terrance D Mike
685 E Lemon Ave
Lake Alfred, FL 33850
Respondent

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE came on for public hearing on February 19, 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: 685 E Lemon Ave.
Lake Alfred, Florida 33850

Legal Description: Highland Sub PB 4 PG 2 BLK G Lots 1 & 2

Parcel ID No.: 262728 493500 007010

FINDINGS OF FACT

On or about September 5 2014 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
108.1.1

Violation
Unsafe Structures

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

CONCLUSIONS OF LAW

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

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

The violator did/ did not appear for the hearing.

ORDER

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

Respondent(s) shall have until April 15, 2015 for a total compliance or a \$ 25 per day fine may be imposed.

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

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

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.

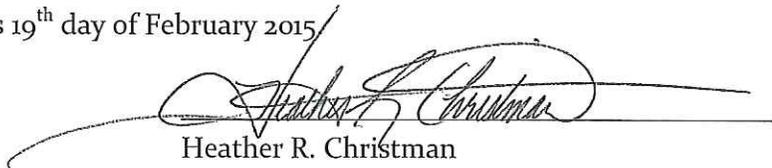
The Code Enforcement Officer is not required to give an offender(s) time to correct a repeat violation(s) and the Special Magistrate may impose a fine of up to \$500 per day for the repeat violation(s) starting from the date the violation(s) is found by the Code Enforcement Officer.

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.

April 16, 2015 
A Hearing is hereby scheduled for 3:00pm on ~~March 19~~ 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 19th day of February 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 12/01/14

Case Number 14-11-185

Property Address 0 Midway Ave Lake Alfred Fl 33850

Parcel ID # 262728493500011021

Property Owner Chandra Wagy

Mailing Address 503 Ave N se Winter Haven

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

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.

CITY OF LAKE ALFRED, FLORIDA

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



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

Community Development

Building | Code Enforcement | Planning | Zoning

CODE ENFORCEMENT SPECIAL MAGISTRATE

DATE: February 5, 2015

CASE NO.: 14 11 185

CITY OF LAKE ALFRED

VS.

Chandra Wagy
0 Midway Ave
Lake Alfred, FL 33850

RE: 0 MIDWAY AVE
LAKE ALFRED, FL 33850
PARCEL ID 262728 493500 007010

NOTICE OF HEARING

You are hereby notified that on Thursday, February 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

Notice of Hearing Cont.

within a period of time set forth therein, that a fine be imposed **NOT TO EXCEED \$250.00** per day for a first violation and **NOT TO EXCEED \$500.00** per day for a repeat violation for the period of non-compliance.

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

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

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

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

Signed this 5th day of February 2015.

This Notice Sent by:
(Circle method of Notice)

Certified Mail

Article No.: 40133020000230657188

First Class Mail

Mamie Drane

Recording Secretary

1 | ADG Financials x

lake_alfred_fb/adg/adg.php

Log Out

Applications & Permits Master Maintenance

Main Maintenance Filters Sorts

1 City of Lake Alfred

Navigation Favorites Jobs

- Building Permits System
 - Contractor Licensing
 - Applications & Permits
 - 1. Maintain Applications/Permits
 - 2. Post Permit Monies received
 - 3. List/Update Permit Monies
 - Inspection Menu
 - Inquiries Menu
 - Reports Menu
 - File Maintenance
 - Approvals
 - Housekeeping
 - Code Enforcement
 - Miscellaneous Inspections

No	Doc Type	Type	Status	Total Valuations	Permit Fees	Other Fees	Balance Due	Original No	Parcel Code	Primary Address	Job Desc
No Matching Records											

Go To Permit No:

OR Search For Advanced

10:46 AM 2/18/2



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.

Chandra Wagy
0 Midway Ave
Lake Alfred, FL 33850
Respondent

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS CAUSE came on for public hearing on February 19, 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: 0 Midway Ave
Lake Alfred, Florida 33850

Legal Description: Highland Sub PB 4 PG 2 BLK K Less N 25 ft of W 180 ft Less s 75 ft of W 140 ft & E K Less N 35 ft of W 140 ft & Less S 50 ft

Parcel ID No.: 262728 493500 011021

FINDINGS OF FACT

On or about December 01, 2014 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

108.1.1

Violation

Unsafe Structures

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

CONCLUSIONS OF LAW

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

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

The violator did/ did not appear for the hearing.

ORDER

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

Respondent(s) shall have until April 15, 2015 for a total compliance or a \$ 50 per day fine may be imposed.

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

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

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 March 19 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 19 day of February, 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.







495 Hoffman N 2-18-15





3-26-13



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

Date Issued **2/05/15** Case Number **15-02-015**

Property Address **475 E Hoffman St Lake Alfred Fl**

Parcel ID # **262732498500000051**

Property Owner **Michael Reece** 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>	
<input checked="" type="checkbox"/>	Trash/Debris/Storage of Materials <i>(Sections 302.1, 308.1 Property Maintenance Code)</i>	
<input checked="" type="checkbox"/>	Abandoned/Derelict Vehicle <i>(Section 302.8 Property Maintenance Code)</i>	
<input checked="" type="checkbox"/>	Unsafe Structure <i>(Section 108 Property Maintenance Code)</i>	
<input type="checkbox"/>	Work Without Building Permit <i>(Section 14-22 Code of Ordinances)</i>	
<input checked="" type="checkbox"/>	Other: conditions harmful to neighboring homes	

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

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CITY OF LAKE ALFRED, FLORIDA

City of Lake Alfred
120 E. Pomelo Street
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Phone: (863) 291-5748
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www.mylakealfred.com

Community Development

Building | Code Enforcement | Planning | Zoning

CODE ENFORCEMENT SPECIAL MAGISTRATE

DATE: February 5, 2015

CASE NO.: 15 02 015

CITY OF LAKE ALFRED

VS.

Michael Reece
475 E Hoffman St
Lake Alfred, FL 33850

RE: 475 E HOFFMAN ST.
LAKE ALFRED, FL 33850
PARCEL ID 262732 498500 000051

NOTICE OF HEARING

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Signed this 5th day of February 2015.

This Notice Sent by:
(Circle method of Notice)

Certified Mail

Article No.: 40133020000230657201

First Class Mail

Mamie Drane

Recording Secretary



*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.

Michael Reece
 475 E Hoffman St
 Lake Alfred, FL 33850
Respondent

_____ /

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

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Violation Address: 475 E Hoffman Street
 Lake Alfred, Florida 33850

Legal Description: Burco Place NO 2 PB 21 pg 20 Lot 5 W 5 ft & Lots 6 & 7 & N 6.8 ft of Closed Alley S of Same

Parcel ID No.: 262732 498500 000051

FINDINGS OF FACT

On or about January 18, 2013 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	Overgrown Yard
302.12 308.1	Trash, Debris, Storage of Materials
302.8	Abandoned / Derelict Vehicle
108	Unsafe Structure
Conditions harmful to neighboring homes	

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 _____ for a total compliance or a \$_____ 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 March 19 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 19th day of February 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.