



Code Compliance Board Regular Meeting

Agenda

November 7, 2024 @ 3:00 PM

City Hall Commission Chambers
401 S. Park Avenue

welcome

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assistance & appeals

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please note

Times are projected and subject to change.

1. Call to Order

- | | |
|-------------------------|----------|
| a. Roll Call | 1 Minute |
| b. Statement of Purpose | 1 Minute |

2. Swearing in of Witnesses**3. Consent Agenda**

- | | |
|--|-----------|
| a. Approve the minutes of the September 5, 2024, Regular Meeting | 2 Minutes |
| b. Election of a new Vice Chairperson | 3 Minutes |

4. Public Comments (for items not on the agenda): Three minutes allowed for each speaker**5. Public Hearings (Public participation and comment on these matters must be in person.)**

- | | |
|--|------------|
| a. CCB#-LDC-24-0366 1030 Early Ave., Winter Park, FL 32789 | 10 Minutes |
| b. CCB#-PM-24-0116 631 Depugh St., Winter Park, FL 32789 | 10 Minutes |
| c. CCB#-PM-24-0016 820 W. Webster Ave., Winter Park, FL 32789 - Massey Hearing | 15 Minutes |

6. Non-Action Items**7. Staff Updates**

- | | |
|--|----------|
| a. LDC-24-0086 847 Antonette Ave., Winter Park, FL 32789 (SHORT TERM RENTAL) | 1 Minute |
| b. OVR-24-0131 2827 Eastern Parkway, Winter Park, FL 32789 (OVERGROWTH) | 1 Minute |
| c. LDC-24-0341 1810 Barker Dr., Winter Park, FL 32789 (SHORT-TERM RENTAL) | 1 Minute |

8. City Attorney Reports**9. Board Comments****10. Upcoming Agenda Items****11. Adjournment**



Code Compliance Board

agenda item 3.a

item type

Consent Agenda

meeting date

November 7, 2024

prepared by

Susan Pruchnicki, Coordinator

approved by

Susanne Porras, Code Compliance
Manager

subject

Approve the minutes of the September 5, 2024, Regular Meeting

motion | recommendation**background****alternatives | other considerations****fiscal impact****attachments**

1. CCB090524 draft minutes



Code Compliance Board Regular Meeting Minutes

September 5, 2024 at 3:00 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

Douglas Bond, Melissa Blaney, Paul Mandelkern, Todd Boyer, Wayne Johnson, Steve Heller, Carlos Diez-Arguelles

Legal Representation

Deputy City Attorney Richard Geller

Staff Present

Chief Building Official Gary Hiatt, Asst. Building Official Ashley Ong, Code Compliance Division Manager Susanne Porras, Code Compliance Officer Christina Busch, Code Compliance Officer Phillip Wade; Board Secretary Susan Pruchnicki

1. Call to Order

The meeting was called to order at 3:00 PM.

- a. Roll Call
- b. Board President Wayne Johnson read the Statement of Purpose

2. Swearing in of Witnesses

Witnesses were sworn in by Board Secretary Susan Pruchnicki.

3. Consent Agenda

- a. Approve the minutes of the August 1 2024, Regular Meeting

Board Member Paul Mandelkern made a motion to approve the minutes as presented. Todd Boyer seconded. Motion passed unanimously, 7-0.

Mr. Mandelkern recognized Board Secretary Susan Pruchnicki for her transcription of the August minutes; Mr. Johnson agreed.

4. Public Comments (for items not on the agenda): Three minutes allowed for each speaker

Kelly Price, of 890 Georgia Avenue, Winter Park, Florida 32789 approached the podium and was sworn in. She wished to discuss code compliance issues with her business and personal properties, i.e. trash bins in plain view, improperly placed real estate signs, overgrowth, and plywood covering a window. She feels that the city is unfairly enforcing codes, and brought pictures of similar violations on other properties as documentation that she doesn't think get reported or cited by Code Compliance. She noted that she has requested for the city to pick up her trash bins so they are no longer an issue; that the real estate sign was only off by 4", that the overgrowth was because her landscaper was moving, and that the plywood is covering a window that was broken during the SWAT Team's visit to a neighboring property. She requested consistency and courtesy in enforcement. She mentioned a six-foot wall in front of a property that no one else can get approval for. She noted that she did not receive a reply to an email sent to Code Enforcement about the number of cars allowed to be parked on a property, and that she had made a Public Records Request to find out who complained about her property and has not received anything.

Mr. Johnson asked Ms. Price if she had addresses for the properties she photographed. Ms. Price stated no, that it was not her intent to file any formal complaints. Mr. Johnson asked about her location; she noted her property at 631 DePugh St. is the one most recently cited. She just wanted to bring to light that she feels the city is practicing selective enforcement.

Building Official Gary Hiatt responded to Ms. Prices' statement, stating that no selective enforcement is happening, and he hoped he didn't go into any cases that may come before the board in the future. Code Compliance has very limited resources, and are running as fast as they can. An additional officer has been requested in the new budget; hopefully they get another inspector to be able to perform more broad enforcement. Mr. Hiatt again assured the board that there is no selective enforcement nor anyone being picked on.

Wayne Johnson inquired for process, if someone calls in a complaint the city has to investigate, they can't just ignore it? Mr. Hiatt stated that anonymous complaints cannot be accepted, and that the department investigates as much as they can as fast as they can.

5. Public Hearings (Public participation and comment on these matters must be in person.)

a. CCB#-PM-24-0085 930 Cypress Avenue, Winter Park, FL 32789

Violation Description: The Property, a residential dwelling, has an accumulation of waste and building materials on the premises in plain view from the public right of way and adjacent neighboring properties located on the front lawn and carport of the property. Open storage of materials such as a satellite dish, plastic buckets, concrete blocks, articles of wood, a vehicle tire, a vehicle battery, a metal cabinet, a discarded bike, discarded tarps, and discarded articles of waste. Hard water staining on the front exterior wall of the property and mold and mildew staining on the awning above the front door on the property.

Codes Cited: Chapter 22, Sections 22-176 (adopting the IPMC, 2021 edition), 22-177 (amending the IPMC), 302.1 Sanitation and Storage, and 304.2 Protective Treatment of Materials of the International Property Maintenance Code.

Compliance Requirements: Remove the accumulation of waste and building materials from the plain view from the public right of way and adjacent neighboring properties. Remove the stains from the front exterior wall and the awning and apply protective treatment. The premises shall be maintained in a clean, safe, and sanitary condition.

Code Compliance Officer Christina Busch identified herself, and presented documentation of the property location, zoning, and ownership as verified per Orange County official records. She stated that the property was brought to the attention of Code Compliance by a resident. Notices of Violation and Hearing were issued by regular and certified mail, and posted on the property and at City Hall to meet Florida Statute Chapter 162 due process requirements.

Officer Busch presented photos and a timeline of inspections beginning on May 7, 2024. A follow-up inspection was performed on June 17, 2024; no improvements were documented and the Notice of Violation was posted on the property. A follow-up inspection was conducted on June 26, 2024. Some things appear to have been moved, but no improvement in the condition of the property was evident. A follow-up inspection conducted August 6, 2024 found no improvements. A Notice of Hearing was posted on the property on August 7, 2024. A follow-up inspection was conducted on August 15, 2024, no improvements were evident. A follow-up inspection was conducted on August 26, 2024 with no improvements. A follow-up inspection was conducted today, September 5, 2024, but no improvements were visible.

Paul Mandelkern asked Officer Busch if the dwelling was occupied. She responded she does not know if anyone is living there. The mailing address is the same as listed for the property owners per Orange County records.

Board Member Doug Bond asked if Officer Busch had any contact with the owner. She responded unfortunately no, that there is no contact information on file. She confirmed that the notices mailed were received, but that she had not been contacted by the owners. Mr. Bond asked if the owners made any attempts to respond to the mailed notices; she said no.

Board Member Carlos Diez-Arguelles inquired if there was water in any of the buckets; Officer Busch stated she could not get close enough to see inside. Mr. Diez-Arguelles raised the question of a mosquito problem arising from the buckets and containers holding water from all the recent rain; Officer Busch noted that was possible.

Mr. Tyrell Harris Jr., of 93- Cypress Lane, Winter Park, FL 32789 approached the podium and was sworn in. Mr. Harris said he did not dispute Officer Busch's findings. He informed the board that he lives in Jamaica part time. He stated that the paint cans in the photos were covered and full, not empty. He stated the plan is to redevelop the property. An application was submitted in December of 2023 but has been dormant while they work on other things.

He informed the board that ownership of the property has changed. It was in his and his father's names, but is now under another entity. The plan is to get the property cleaned up and address the issues in Officer Busch's report.

Mr. Johnson inquired about Mr. Harris' time spent out of the country and when he returned to Winter Park. Mr. Harris stated that he had been back for almost four months. He stated he is currently recovering from a broken foot that occurred in June.

Mr. Johnson then inquired how long Mr. Harris planned to stay in the city. Mr. Harris responded that he doesn't really make plans, that if something comes up in Jamaica he will go to address it and then return; he is "back and forth" most of the time. Mr. Johnson asked Mr. Harris if anyone lived in the house, Mr. Harris stated yes, then Mr. Johnson asked if Mr. Harris lived there. Mr. Harris said yes, and noted that the utilities were active.

Mr. Bond inquired how long Mr. Harris thought he needed to come into compliance. Mr. Harris stated 90 days would be enough time.

Mr. Mandelkern asked why Mr. Harris thought it would take that long. Mr. Harris responded that he is a contractor, and would have to pull his crews off of other projects to work the clean up into his schedules. Mr. Johnson asked if there were other projects in the area. Mr. Harris responded there is another project on the east side of town, but it is a priority to get that one resolved. He also noted there are other ongoing projects in east Central Florida.

Mr. Johnson asked Mr. Harris about his contractor status. Mr. Harris stated that he is a Builder, a General Contractor, and a Roofing Contractor; that he holds a few licenses.

Mr. Bond asked how large Mr. Harris' crew was. He answered there are 15 currently on the payroll. Mr. Bond questioned that Mr. Harris could not pull his crew to clean up the property within 10 days.

Mr. Johnson noted that a lot of what is on the property is debris, and asked Mr. Harris about securing a permit for a dumpster or using a pick-up truck to haul the items to a landfill. This is the Board's concern about the requested 90-day time period. Mr. Harris stated that although what is on the property looks like debris that it is actually equipment and materials that are stored for other projects.

Board member Steve Heller noted that the issue could be solved very easily by moving said materials to another site and pressure washing the residence. Mr. Heller didn't think the city would be amenable to the 90-day request. Mr. Harris responded that he did not disagree or dispute the methodology to address the conditions presented by the officer, it was just his ability to do so within the suggested time period. He noted that he could not do everything by himself, that he can move but can't lift anything too heavy due to his foot injury.

Board member Melissa Blaney asked Mr. Harris to confirm the last time he was in the country. Mr. Harris stated that he has been here for four months. Ms. Blaney noted that it was September, so he arrived sometime in May; Mr. Harris replied yes, more or less. Ms. Blaney noted that Mr. Harris would have seen the notices sent that the city had an issue with the condition of the property. Mr. Harris said the first notice he saw was the one posted on the property. Ms. Blaney noted that Officer Busch provided a photo of the notice that was posted on May 7th. She then noted that the concern was that it is the middle of hurricane season, so one of the issues is that regardless if what is on the property is garbage or building materials, it is shrapnel and would become projectiles. She asked Mr. Harris if there was no way to secure it, that 90 days was a long time, that September through November is the biggest part of hurricane season, and that the discussion is not just an unsightly issue but a safety issue for the surrounding residents and Mr. Harris' property. The concern is why Mr. Harris needs 90 days, but made no effort to clean up the property or contact the city acknowledging that he saw the notice and inform them of his injury until now. Ms. Blaney felt that Mr. Harris has already had 90 days to resolve the violations. Mr. Harris replied that it was not high on his list of priorities, and while understanding Ms. Blaney's concerns, he would not make the leap to say that anything in the yard could become a projectile. Mr. Harris noted that he has lived in Central Florida all of his life, and that none of the items in the yard in his estimation could become projectiles. He noted he has been through many hurricanes, even those that directly hit, but based on his experience as a contractor/builder and as a Central Florida resident he doesn't think Ms. Blaney's assessment is the case. As for the 90 days, he reiterated that the Board asked how much time he would need to clean up the property, he felt that was a reasonable time based on his situation. He didn't think he was offered time to comply because this was the first time he has appeared before the board, so the 90-day period is what he is requesting at this time.

Mr. Diez-Arguelles expressed disagreement with Mr. Harris' statement about the items not becoming projectiles. He expressed that he survived Hurricane Andrew, and that with a category 1 storm the items in the yard could fly into someone's window. Mr. Harris questioned what experience Mr. Diez-Arguelles based his comment on; Mr. Diez-Arguelles reiterated Hurricane Andrew. Mr. Harris noted that Andrew was a very different storm and hit South Florida, which is different wind zone. Mr. Diez-Arguelles attempted to respond to Mr. Harris, but Mr. Harris stopped him and stated that he did not talk over Mr. Diez-Arguelles when he was speaking.

Mr. Johnson began to speak. Ms. Blaney asked to add her experience as a licensed structural engineer in the State of Florida, and that in Winter Park the recent Building Codes require impact-resistant windows to repel projectiles. She stated that the items she sees in the photos of the yard do become projectiles.

Mr. Johnson then asked if anyone on the board had additional questions for Mr. Harris. Mr. Mandelkern asked Mr. Harris if he lived in the house. Mr. Harris responded yes. There were no more questions for the respondent; Mr. Johnson thanked him.

Board Discussion:

Mr. Johnson asked Mr. Hiatt what his thoughts were on the debris. Mr. Hiatt responded that he was in the Cutler Ridge/Homestead during Hurricane Andrew as well and saw some amazing things. He noted from the Building Department prospective that even with the threat of a storm, the Department receives multiple phone calls about construction sites and/or potential debris. His staff spends ample time going to construction sites telling the workers to secure their materials. He believes there is a real potential to cause damage on the property in question or outside of the property.

Mr. Mandelkern asked the city staff what they would accept as a reasonable time to have the property owner comply with the various code provisions and clean up the property. Division Manager, Officer Susanne Porras, responded a week to two weeks. Officer Porras believes that if Mr. Harris has the staff and equipment that he has stated because he works in construction that it should not be hard for him to set up one of his crews to remove the outside storage of materials.

Mr. Harris attempted to make a comment; Mr. Johnson declined and reminded Mr. Harris that the board was in discussion. Mr. Harris noted it was pertinent, and asked that he be told when he could make it.

Mr. Johnson asked the board for an appropriate resolution. Deputy City Attorney Rick Geller interjected that there may be another witness for the case. Officer Porras confirmed that Gigi Papa, of 1440 Hibiscus Avenue, Winter Park, FL 32789, who was in the audience, would like to speak. Discussion was paused.

Ms. Papa was sworn in. She noted that she does not know Mr. Harris, but she felt that if an individual comes before the Board seeking a resolution she thinks that should be considered.

Ms. Papa felt that Mr. Harris came to the hearing in good faith and is asking for time; she saw no reason that it shouldn't be given to him because "we want to work with residents", that Mr. Harris has an injury that he disclosed, and also that he may not have the funds to pay people to do it for him at this time. She hoped the board would consider his request and not ignore him.

Mr. Johnson noted that since the hearing was reopened to accommodate Ms. Papa that Mr. Harris could make his comment. Mr. Harris reiterated that the entity that owns the property has changed, and if a citation is to be made the new owner should be cited. Mr. Bond asked Mr. Harris who the new property owner was. Mr. Harris stated the new property owner is Atyrell Enterprises, LLC. Mr. Bond asked if Mr. Harris had any interest in the LLC. Mr. Harris responded he did have some, but was not authorized to speak on their behalf.

Mr. Johnson asked Mr. Harris if anyone lived at the property with him. Mr. Harris replied no.

Mr. Johnson noted that the Board Discussion would now continue. Mr. Geller responded to the legal issue of ownership that tenants are responsible for maintaining compliance with the city code even if they do not own the property. Ms. Blaney asked Mr. Geller to repeat his statement. Mr. Geller stated that a tenant is as equally responsible for maintaining compliance with the code as a property owner. He noted if a person lives there they must comply with the code.

Mr. Harris wished to rebut Mr. Geller's statement, and asked if a tenant would be cited for the property issues. Mr. Geller stated that the tenant is already cited. Mr. Johnson noted that Tyrell Harris Jr. and Tyrell Harris Sr. were the parties cited. Mr. Harris wished to note for the record that he objected to this.

Mr. Geller noted, if Mr. Johnson would allow more comment, there is a requirement that when a property is conveyed that the property owner, who receives the citation has to give notice to someone that may acquire the property as well. Mr. Harris noted that the city also has a duty to notify the owner. Mr. Johnson thanked Mr. Harris again; Mr. Harris corrected his statement that the city has to notify the **owner of record**.

Mr. Mandelkern asked if the public record reflected the transfer in ownership. Mr. Geller and Officer Porras stated that it does not, they just confirmed this. Mr. Harris stated that they have a recorded deed, that a quick-claim deed was filed and recorded. He noted that maybe it is taking some time for it to be processed by Orange County, but it is recorded and time stamped deed. Mr. Johnson directed Mr. Harris to have a seat, that testimony is closed and the board is going into discussion. Mr. Harris responded that the city was giving additional testimony so he thought he had the right to do so as well. Mr. Johnson told Mr. Harris that the subject was not arguable. Mr. Harris responded that in all fairness he should be allowed to speak, unless the board wants the hearing to be unfair towards him by allowing the city to make their case while he sits/stands silently. Mr. Harris then sat down.

Mr. Johnson then returned to the Board Discussion. He stated his concerns were the safety and interest of the neighborhood. He feels that 90 days is too long, but also that 14 days is too short. Mr. Boyer agreed with this statement, noting that some things can be put out for the trash pickup each week, and also some items could be stacked inside the carport or some other storage location. Mr. Johnson agreed, that the saw horse could be stacked up and the buckets could be moved. He noted he saw no purpose for the metal cabinet, and the old bicycle, but they could be put inside if Mr. Harris felt they were needed.

Mr. Mandelkern stated he was looking for a compromise between the 14 days the city requested, and the 90 days Mr. Harris requested to comply. There is no question about the violations, just how much time the property owner or tenant should be given to cure the violations. He agreed with Mr. Johnson and Mr. Boyer that 14 days was too short, and 90 days was too long. He proposed 30 days to come in to compliance. Mr. Johnson, Ms. Blaney, and Mr. Boyer agreed. Mr. Boyer noted that was four weekends to complete the work.

Mr. Johnson noted the staff recommended motion. Paul Mandelkern made the following motion:

From the evidence presented today, the property owner has been properly notified per regular and certified mail to satisfy Florida Statute Section 162 due process requirements, I move to find the Respondents, Tyrell Harris Jr. and Tyrell Harris Sr., Compliance Board Case #PM-24-0085, owners of 930 Cypress Avenue, Winter Park, FL 32789 in violation of Chapter 22, Sections 22-176 (adopting the IPMC, 2021 Edition), 22-177 (amending the IPMC), 302.1 Sanitation and Storage, and 304.2 Protective Treatment of Materials of the International Property Maintenance Code.

The Respondents are ordered to remove the accumulation of waste and building materials from the plain view from the public right of way and adjacent neighboring properties, remove the stains from the front exterior wall, and the awning and apply protective treatment within 30 days of this hearing date. Failure to comply with this order will result in fines of up to \$250.00 per day for each day the violation continues. The Respondent is further ordered to contact the City Safety & Code Compliance Officer and provide documentation of action taken by October 5, 2024.

Mr. Heller seconded the motion.

Before a vote was taken, Mr. Mandelkern asked Deputy City Attorney Geller a question regarding the motion and the issue of ownership. A transfer of the property was brought up during testimony, but the public record states contrary to that. Mr. Geller noted the motion could read "the property owner or tenant". He also noted that "and posting" should be added after "certified mail", and also noted that "Section 162" should be corrected to "Chapter 162".

Mr. Mandelkern thanked Mr. Geller, and offered the following amended motion:

From the evidence presented today, the property owner or tenant has been properly notified per regular and certified mail and posting to satisfy Florida Statute Chapter 162 due process requirements, I move to find the Respondents, Tyrell Harris Jr. and Tyrell Harris Sr., Compliance Board Case #PM-24-0085, owners of 930 Cypress Avenue, Winter Park, FL 32789 in violation of Chapter 22, Sections 22-176 (adopting the IPMC, 2021 Edition), 22-177 (amending the IPMC), 302.1 Sanitation and Storage, and 304.2 Protective Treatment of Materials of the International Property Maintenance Code.

The Respondents are ordered to remove the accumulation of waste and building materials from the plain view from the public right of way and adjacent neighboring properties, remove the stains from the front exterior wall, and the awning and apply protective treatment within 30 days of this hearing date. Failure to comply with this order will result in fines of up to \$250.00 per day for each day the violation continues. The Respondent is further ordered to contact the City Safety & Code Compliance Officer and provide documentation of action taken by October 5, 2024.

Mr. Harris again approached the podium attempting to respond to the motion. Mr. Johnson again told Mr. Harris that he could not speak. Mr. Harris interrupted again noting he felt this was unfair; Mr. Johnson told Mr. Harris his objection was previously recorded. Mr. Harris stated that he was neither the owner or a tenant on the property; that being a tenant required a lease. Mr. Geller noted to Mr. Johnson that the public hearing portion of the meeting was closed, that he was offering legal advice, and that the statement Mr. Harris just made contradicted his earlier testimony. Mr. Harris again attempted to interrupt; Mr. Geller reminded Mr. Johnson that it is his prerogative to assert control over the hearing, that there cannot be people violating the rules of the hearing. Mr. Johnson sought a second to the amended motion; Mr. Harris again interrupted about his inability to respond to additional testimony provided by the city.

Mr. Heller seconded the amended motion. Motion carried 7-0

b. CCB# - PM-24-0035 290 South Park Avenue, Winter Park, FL 32789

Office Porras made a request to the Board to table this case. The owner reached out to the code compliance officer today and the city will be working with them to reach voluntary compliance.

5. Non-Action Items

None

6. Staff Updates

Officer Porras offered that the following cases, previously brought before the Board, have come into compliance:

- a. CCB# - LDC-23-0300 221 Holt Ave., #5, Winter Park, FL 32789
- b. CCB# - LDC-23-0373 221 Holt Ave., #2, Winter Park, FL 32789
- c. CCB# - LDC-24-0051 221 Holt Ave., #4, Winter Park, FL 32789
- d. CCB# - LDC-24-0039 961 Bonita Dr., Winter Park, FL 32789
- e. CCB# - LDC-24-0087 767 McIntyre Ave., Winter Park, FL 32789

In addition, the following case, for which a Notice of Hearing was issued and scheduled for this meeting, came into compliance:

LDC-24-0142 2218 Whitehall Dr., Winter Park, FL 32792

Mr. Johnson inquired about the violation for the Whitehall Drive case; Officer Porras confirmed it was for a trailer.

7. City Attorney Reports

- a. 1260 Whitesell Drive, Winter Park, FL 32789 – Foreclosure Update

Mr. Geller offered an update on the property. A foreclosure complaint was filed on August 26, 2024. He noted the Clerk of the Courts is having some computer issues so summons have not been issued yet. Once the summons is issued, a Process Server will attempt to deliver to Mr. Gary Moore. The city has not been successful in locating Mr. Moore. If he cannot be found, then the city will need to do Service by Publication. When this happens, the defendant has 30 days to respond.

8. Board Comments **None**

9. Upcoming Agenda Items

Officer Porras informed the Board that there are four cases scheduled so far for October's meeting.

10. Adjournment

Doug Bond made a motion to Adjourn at 3:57 PM. Seconded by Melissa Blaney.

Motion passed 7-0.

ATTEST:

Approved by the board on
/s/ Susan Pruchnicki, Board Secretary



Code Compliance Board

agenda item 3.b

item type

Consent Agenda

meeting date

November 7, 2024

prepared by

Susan Pruchnicki, Coordinator

approved by

Susanne Porras, Code Compliance
Manager

subject

Election of a new Vice Chairperson

motion | recommendation**background****alternatives | other considerations****fiscal impact****attachments**

None



Code Compliance Board

agenda item 5.a

item type

Public Hearings (Public participation and comment on these matters must be in person.)

meeting date

November 7, 2024

prepared by

Susan Pruchnicki, Coordinator

approved by

Susanne Porras, Code Compliance Manager

subject

CCB#-LDC-24-0366 1030 Early Ave., Winter Park, FL 32789

motion | recommendation

background

VIOLATION DESCRIPTION: Boat and trailer parked and/or stored on the driveway of the property in plain view from the public right-of-way

CODES CITED: Chapter 58, Section 58-71(f)(1) Boats, Trailers, and Recreational Vehicles of the City of Winter Park Land Development Code

alternatives | other considerations

fiscal impact

attachments

1. CCB# LDC-24-0366 1030 EARLY AVE CASE DOCS

If you own and occupy property as your primary residence as of January 1, 2025, you may qualify for an exemption. The deadline to file a 2025 exemption application is March 1, 2025.

[Click Here To Apply for Homestead and Other Exemptions Online](#)

Print Date: 08/15/2024 System Refresh Date: 08/14/2024

1030 Early Ave 02-22-29-4331-00-050

Name(s):

HMIELEWSKI DAVID

Physical Street Address:

1030 Early Ave

Property Use:

0130 - Sfr - Lake Front

Mailing Address On File:

1030 Early Ave

Winter Park, FL 32789-1728

[Incorrect Mailing Address?](#)

Postal City and Zip:

Winter Park, FL 32789

Municipality:

Winter Park



1030 EARLY AVE, WINTER PARK, FL 32789 5/10/2024 11:21 AM

[Upload Photos](#)

[View 2023 Property Record Card](#)



[VALUES, EXEMPTIONS AND TAXES](#)



[MARKET STATS](#)



2024 Values will be available in August of 2024. To see the certified values, go to the Values, Exemptions and Taxes Tab.

[View Plat](#)

Property Description

LAKE BELL SUB 34/8 LOT 5 & PT OF NW1/4 OF NE1/4 OF SEC 02-22-29 DESC AS COMM NW COR OF LAKE BELL SUB 34/8 TH S 150 FT TO NW COR LOT 5 FOR POB TH S 75 FT TO SW COR LOT 5 TH S 89 DEG W 111.59 FT TH N 07 DEG E 75.67 FT TH N 89 DEG E 101.40 FT TO POB

Total Land Area

22,302 sqft (+/-) | 0.51 acres
(+/-)

[GIS Calculated](#)

[Notice](#)

Land

Land Use Code	Zoning	Land Units	Unit Price	Land Value	Class Unit Price	Class Value
0130 - Sfr - Lake Front	R-1A	1 LOT(S)	Working Value...	Working Value...	Working Value...	Working Value...

« « 1 » »

Page 1 of 1 (Total Records: 1)

Building

[View Winter Park Permits](#)



[More Details](#)

Model Code:

01 - Single Fam Residence

Actual Year Built:

1996

Gross Area:

3281 sqft

Type Code:

0103 - Single Fam Class III

Beds:

4

Living Area:

2451 sqft

Building Value:

Working Value...

Baths:

3

Exterior Wall:

Concrete Block Stucco

Estimated New Cost:

Working Value...

Floors:

1

Interior Wall:

Drywall

« « 1 » »

Page 1 of 1 (Total Records:1)

Extra Features

Description	Date Built	Units	Xfob Value
Bd1 - Boat Dock 1	01/01/1999	1 Unit(s)	Working Value...
Fpl2 - Fplace 2	01/16/1996	1 Unit(s)	Working Value...
Pt2 - Patio 2	01/01/2000	1 Unit(s)	Working Value...
Shed - Shed	01/01/2000	1 Unit(s)	Working Value...

« « 1 » »

Page 1 of 1 (Total Records: 4)



ORANGE COUNTY TAX COLLECTOR
SCOTT RANDOLPH
 INDEPENDENTLY ELECTED TO SERVE YOU

Orange County Notice of Ad Valorem Taxes & Non-Ad Valorem Assessments

HMIELEWSKI DAVID
 1030 EARLY AVE
 WINTER PARK, FL 32789-1728

Account Number: 0170167-1
 Assessed Value: 288,782
 Millage Code: 6 WP
 Parcel Number: 02-22-29-4331-00050
 Address: 1030 EARLY AVE WINTER PARK 32789
 Exemptions: Homestead, Extra Homestead

AD VALOREM TAXES					
Taxing Authority	Assessed Value	Exempt Value	Taxable Value	Millage	Tax Levied
STATE SCHOOL	288,782	25,000	263,782	3.1730	\$836.98
LOCAL SCHOOL	288,782	25,000	263,782	3.2480	\$856.76
GEN COUNTY	288,782	50,000	238,782	4.4347	\$1,058.93
WINTER PRK	288,782	50,000	238,782	4.0923	\$977.17
WP DEBT 2017	288,782	50,000	238,782	.2379	\$56.81
SJWM	288,782	50,000	238,782	.1793	\$42.81
				Total Millage:	
				15.3652	Subtotal: \$3,829.46
NON-AD VALOREM ASSESSMENTS					
Levying Authority	Phone	Amount	Levying Authority	Phone	Amount
5110 WINTER PARK STM	(407)599-3362	\$259.26			
				Subtotal:	\$259.26
Combined Total of Ad Valorem Taxes & Non-Ad Valorem Assessments					\$4,088.72

Pay Online, Opt-in to E-Billing and Print your Receipt at octaxcol.com.

Payments not received by March 31st are delinquent.

IF YOUR TAXES ARE NOT ESCROWED, PLEASE RETURN THE BOTTOM PORTION WITH YOUR PAYMENT.

0170167-1
 1030 EARLY AVE WINTER PARK 32789
 02-22-29-4331-00050
 LAKE BELL SUB 34/8 LOT 5 & PT OF NW1/4 OF NE1/4 OF
 SEC 02-22-29 DESC AS COMM NW COR OF LAKE BELL
 SHELLPOINT MORTGAGE SERVICES

ONLY PAY ONE AMOUNT	
If Paid By	Amount Due
Nov. 30, 2023	\$3,925.17
Dec. 31, 2023	\$3,966.06
Jan. 31, 2024	\$4,006.95
Feb. 29, 2024	\$4,047.83
Mar. 31, 2024	\$4,088.72

HMIELEWSKI DAVID
 1030 EARLY AVE
 WINTER PARK, FL 32789-1728

PAID - DO NOT PAY

PAID 0040-02931298 \$3,925.17 11/29/2023

PO Box 545100
 Orlando FL 32854-5100





ORANGE COUNTY TAX COLLECTOR
SCOTT RANDOLPH
INDEPENDENTLY ELECTED TO SERVE YOU

P.O. Box 545100, Orlando, FL 32854 | (407) 434-0312
octaxcol.com | octaxcol

PAYING YOUR TAXES

SELECT A PAYMENT METHOD

Online: Pay online at octaxcol.com. Pay by credit/ debit card, eCheck or PayPal.

By Mail: Return the notice to Property Tax Dept., P.O. Box 545100, Orlando, FL 32854. Pay by check made payable to "Scott Randolph" or "Orange County Tax Collector."

In Person: Visit our Property Tax Dept. or any of our office locations by appointment. Pay by check made payable to "Scott Randolph" or "Orange County Tax Collector," money order, cash, or credit/debit card.

Liens may require certified funds, please contact office for details.

RECEIVE AN EARLY PAYMENT DISCOUNT

Payment Postmark Date	Discount
November	4%
December	3%
January	2%
February	1%

Processing fees: \$1.00 eCheck fee; 2.39% credit card/ debit card fee (\$2.00 minimum).

2023-24 IMPORTANT DATES

November 1, 2023: First day to pay taxes and assessments.

Before March 1: File for new exemptions with the Property Appraiser. Learn more at ocpafl.org.

March 31, 2024: Taxes and assessments are due. Payment must be received by our office by March 31 regardless of postmark date to avoid being delinquent.

April 1: Unpaid real estate taxes are delinquent (3% minimum mandatory charged).

Unpaid tangible personal property taxes are delinquent (interest accrues at a rate of 1.5% per month plus advertising and fees).

Tax warrants are issued for all unpaid tangible personal property taxes.

April 30: Deadline for Installment Plan Application. Download the application at octaxcol.com.

May 1: Interest plus fees are imposed.

May 31 at 4:30 p.m.: Last day to pay real estate taxes without lien. Full payment must be physically received in our office by May 31, 2024 at 4:30 p.m. regardless of postmark date.

June 1: Tax Certificate Sale. Visit octaxcol.com for more information.

ARE YOU THE CURRENT OWNER?

Real Property: If you are not the current owner, please forward this notice to the new owner or return it to the Tax Collector's Office, P.O. Box 545100, Orlando, FL 32854.

Tangible Personal Property: If you are not the current owner of the business equipment, but you were the owner as of January 1, you are responsible for the tax.

ONLINE

PAY YOUR TAX BILL

Pay online at octaxcol.com.

PRINT A RECEIPT

To print a receipt of your Property Tax Bill, visit our Pay My Taxes page at octaxcol.com. Enter an owner name, parcel ID, tangible ID, or location address to search for your tax bill.

COMPLETE A CHANGE OF ADDRESS

All changes of address must be filed with the Property Appraiser. Download the Change of Address Form at ocpafl.org.

APPLY FOR THE INSTALLMENT PAYMENT PLAN

To qualify for the quarterly Installment Payment Plan, you must be current on your taxes and your prior year taxes must exceed \$100.00. Download the application at octaxcol.com.

PROPERTY TAX NOTICE

PROPERTY TAX DEPT.

200 S. Orange Ave., 16th Floor
Orlando, FL 32801

Hours of Operation
7:30 a.m. — 4:30 p.m. — M-F

OFFICE LOCATIONS

Downtown

*Closed for construction;
visit octaxcol.com for updates.*

West Oaks Mall

9401 W. Colonial Dr., Suite 360
Ocoee, FL 34761

Clarcona

4101 Clarcona Ocoee Rd.
Orlando, FL 32810

Sand Lake

730 W. Sand Lake Rd.
Orlando, FL 32809

Lee Vista & 417

6050 Wooden Pine Dr., Ste 100
Orlando, FL 32829

University

10051 University Blvd.
Orlando, FL 32817

Hours of Operation
8:30 a.m. — 5:00 p.m. — M, T, Th, F
9:00 a.m. — 5:00 p.m. — W

Notice: Failure to pay the amounts due will result in a tax certificate being issued against the property.

ABOUT PROPERTY TAX COLLECTION

Tax rates are set. Taxing authorities set the millage rate, which is the rate of tax per \$1,000 of taxable value. Non-Ad Valorem assessments are levied on a unit basis rather than the value of property.

Property values are determined. The Property Appraiser establishes the value of property, approves exemptions, including Homestead, and certifies the Tax Roll to the Tax Collector.

Taxes are collected. The Tax Collector is then responsible for mailing tax bills, collecting taxes and distributing revenue to the taxing authorities in Orange County.

LOCATIONS & HOURS

Prepared by and Return to:
Law Offices of Legendre & Legendre, PLLC
P.O. Box 948599
Maitland, FL 32794-8599
Parcel ID No: 02-22-29-4331-00-050

DOC# 20150014061 B: 10859 P: 2672
01/09/2015 10:28:07 AM Page 1 of 3
Rec Fee: \$27.00
Deed Doc Tax: \$0.70
DOR Admin Fee: \$0.00
Intangible Tax: \$0.00
Mortgage Stamp: \$0.00
Martha O. Haynie, Comptroller
Orange County, FL
MB - Ret To: LAW OFFICES OF LEGENDRE &

Quit Claim Deed

THIS QUITCLAIM DEED Made and executed this 31st day of December, 2014 A.D. between Teri Cavins, formerly known as Teri Stratton, a married woman, whose post office address is P.O. Box 382, Indian Rocks Beach, FL 33785, and David Hmielewski, a single person, whose post office address is 1030 Early Avenue, Winter Park, FL 32789 (together, hereinafter called "the grantor") to David Hmielewski, a single person, whose post office address is 1030 Early Avenue, Winter Park, FL 32789, (hereinafter called "the grantee"):

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of \$ TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby remise, release, and quit claim unto the grantee forever, all the right, title, interest, claim and demand which the said grantor has in and to, the following described lot, piece, or parcel of land situated in Orange County, Florida:

SEE ATTACHED EXHIBIT "A"

With a Street Address of: 1030 Early Avenue, Winter Park, FL 32789

To Have and to Hold, the same together with all and singular appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said grantor, either in law or equity, to the only proper use, benefit and behalf of the said grantee forever.

Teri Cavins, formerly known as Teri Stratton is domiciled and resides in Indian Rocks Beach, FL with a P.O. Box address of P.O. Box 382, Indian Rocks Beach, FL 33785.

David Hmielewski is domiciled and resides at 1030 Early Avenue, Winter Park, FL 32789.

In Witness Whereof, the grantor has caused these presents to be executed in a manner and form sufficient to bind them as of the day and year first above written.

Signed, sealed and delivered in our presence:

"Grantor"

Karen Cochran
Witness
Printed Name KAREN COCHRAN

Teri Cavins (Seal)
Teri Cavins, formerly known as Teri Stratton
Address: P.O. Box 382 Indian Rocks Beach,
FL 33785

Deborah E. Paradis
Witness
Printed Name DEBORAH E. PARADIS

State of Florida
County of Pinellas

The foregoing instrument was acknowledged before me this 31st day of December, 2014 A.D. by Teri Cavins, who is/are personally known to me or who has/have produced Driver's License as identification.

BEVERLY D. KNOUSE
Notary Public, State of Florida
My Comm. Expires Mar. 01, 2018
No. EE 175006

Beverly D. Knouse
Notary Public
Print Name: Beverly D. Knouse
My Commission Expires: Mar. 1, 2018

[ADDITIONAL GRANTOR SIGNATURES ON FOLLOWING PAGE]

Signed, sealed and delivered in our presence:

"Grantor"

Witness
Printed Name: Mark A. Corralis

David Hmielewski (Seal)
David Hmielewski
1030 Early Avenue, Winter Park, FL 32789

Witness
Printed Name: Andrea Edge

State of FLORIDA
County of SEMINOLE

The foregoing instrument was acknowledged before me this 8 day of JANUARY, 2015
A.D. by David C. Hmielewski, who is/are personally known to me or who has/have
produced FLDL as identification.

Johan McFadden
Notary Public
Print Name: _____
My Commission Expires: _____

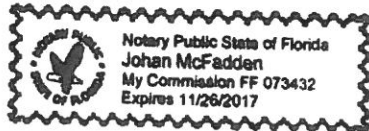


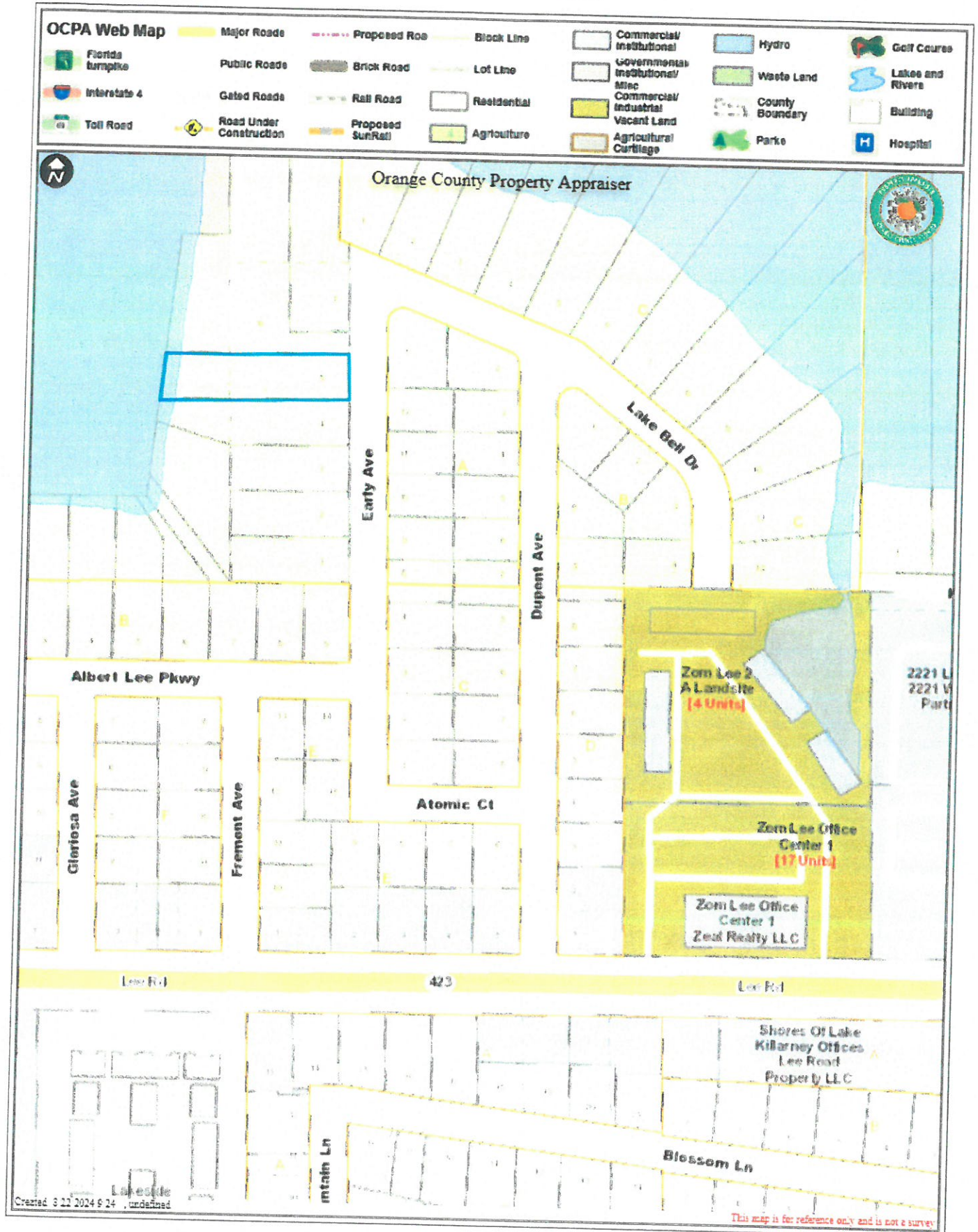
EXHIBIT 'A'

LOT 5, LAKE BELL SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 34, PAGE 8, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

A PORTION OF LAND LYING IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 22 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LAKE BELL SUBDIVISION, AS RECORDED IN PLAT BOOK 34, PAGE 8, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THEN RUN SOUTH 00 DEGREES 29'27" EAST ALONG THE WESTERLY LINE OF SAID LAKE BELL SUBDIVISION, FOR A DISTANCE 180.00 FEET TO THE NORTHWEST CORNER OF LOT 5 OF SAID LAKE BELL SUBDIVISION, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST LINE, RUN SOUTH 00 DEGREES 29'27" EAST FOR A DISTANCE OF 75.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 5; THENCE DEPARTING SAID WEST LINE RUN SOUTH 89 DEGREES 35'40" WEST ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 5 FOR A DISTANCE OF 111.59 FEET, THENCE DEPARTING SAID WESTERLY EXTENSION OF SAID SOUTH LINE RUN NORTH 07 DEGREES 14'37" EAST FOR A DISTANCE OF 75.57 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH LINE OF AFORESAID LOT 5, THENCE RUN NORTH 89 DEGREES 35'40" EAST ALONG SAID WESTERLY EXTENSION OF THE NORTH LINE OF AFORESAID LOT 5; THENCE RUN NORTH 89 DEGREES 35'40" EAST ALONG SAID WESTERLY EXTENSION OF SAID NORTH LINE FOR A DISTANCE OF 101.40 FEET TO SAID POINT OF BEGINNING.



about:blank

FACT SHEET

October 29, 2024

Case No: OVR-24-0366

Respondent:

David Hmielewski
1030 Early Avenue
Winter Park, FL 32789

1. Address where violation exists: **1030 Early Avenue, Winter Park, FL 32789**
2. Parcel I.D. No.: **02-22-29-4331-00-050**
3. Property Zone: **R-1A**
4. Inspection(s): **08/12/2024, 08/13/2024, 08/14/2024, 08/21/2024, 08/23/2024, 08/27/2024, 08/30/2024, 09/04/24, 09/06/24, 09/14/2024, 09/18/2024, 09/24/2024, 09/25/2024, 09/28/2024, 10/02/24, 10/11/2024, 10/18/2024, 10/24/2024, and 10/31/2024.**
5. Notice of Violation and Notice of Hearing were mailed regular, certified mail
and posted on the property, at City Hall, and Hand-Delivered in accordance with Florida Statute
162 Due Process requirements.

I HEREBY CERTIFY all photographs are a true and accurate representation of said violation as cited.

Evidence

Notice of Hearing (Proof of Service)
Photographs
Case History Report
PowerPoint Work Sheet
Codes Cited
Proof of Ownership

VIOLATION DESCRIPTION: Boat and trailer parked and/or stored on the driveway of the property in plain view from the public right-of-way.	CORRECTIVE ACTION REQUIRED: Cease parking of boat and trailer for more than 24 hours or store it out of the view of public right-of-way and/or adjacent neighboring properties.	CODES CITED: Chapter 58, Section 58-71 (f) (1) Boats, Trailers, and Recreational Vehicles of the City of Winter Park Land Development Code.
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ALERT: HURRICANES HELENE AND MILTON, FLOODING, AND SEVERE WEATHER IN NORTH C...

USPS Tracking®

[FAQs >](#)

Tracking Number:

[Remove X](#)

9489017898203026101978

[Copy](#)[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your item was delivered to an individual at the address at 3:36 pm on September 9, 2024 in WINTER PARK, FL 32789.

[Get More Out of USPS Tracking:](#)[USPS Tracking Plus®](#)[Feedback](#)

Delivered

Delivered, Left with Individual

WINTER PARK, FL 32789

September 9, 2024, 3:36 pm

In Transit to Next Facility

September 8, 2024

Arrived at USPS Regional Facility

LAKE MARY FL DISTRIBUTION CENTER

September 7, 2024, 10:12 pm

Departed USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER

September 6, 2024, 9:05 pm

Arrived at USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER

September 6, 2024, 8:23 pm

● **Hide Tracking History**

What Do USPS Tracking Statuses Mean? (<https://faq.usps.com/s/article/Where-is-my-package>)

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

CITY OF WINTER PARK
SAFETY & CODE COMPLIANCE
401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789
(407) 599-3600

CASE NO.: **LDC-24-366**

City of Winter Park
Petitioner,

vs.

HMIELEWSKI DAVID
1030 EARLY AVENUE
WINTER PARK, FL 32789
Respondent, /

AFFIDAVIT OF POSTING

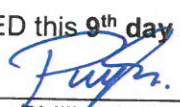
STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned authority, personally posted Wade, Phillip, Safety & Code Compliance Officer for the City of Winter Park Safety & Code Compliance, who, after being duly sworn, deposes and says:

1. That he/she is an employee of City of Winter Park, Florida and that he/she is over twenty-one years of age.
2. That he/she posted the Notice of Hearing, scheduled for November 7, 2024, on the property located at 1030 EARLY AVENUE on this **6th day of September 2024**.
3. That the attached picture document is proof of the posting.

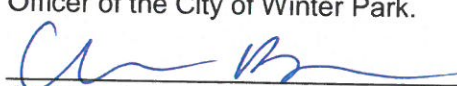
FURTHER AFFIANT SAYETH NOT

DATED this **9th day of September 2024**


Wade, Phillip, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **9th day of September 2024**, by Phillip Wade, who is personally known to me as a Safety & Code Compliance Officer of the City of Winter Park.


Christina Leann Busch, Notary Public
My Commission Expires October 9, 2026
Commission #HH319908



**CITY OF WINTER PARK
SAFETY & CODE COMPLIANCE DIVISION**

401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789
407-599-3600

Case No: LDC-24-0366

**CITY OF WINTER PARK
Petitioner,**

VS.

**HMIELEWSKI DAVID
1030 EARLY AVENUE
WINTER PARK, FL 32789
Respondents,**

**NOTICE OF
CODE COMPLIANCE BOARD HEARING**

Pursuant to Section 2-105 of the Code of the City of Winter Park, the undersigned Safety & Code Compliance Officer hereby gives notice of an uncorrected violation of the Code of City of Winter Park, as more particularly described herein, and that she has requested a **PUBLIC HEARING** before the Code Enforcement Board, a governmental board of the City of Winter Park, which will take place on

Thursday, November 7th, 2024
at 3 p.m. at
Commission Chambers
second floor of Winter Park City Hall
401 S. Park Ave., Winter Park, FL 32789

A hearing on the following code violations will be heard at this meeting:

1. Violation of City Code Chapter/Section: Chapter 58, Section 58-71 (1) (1) Boats, Trailers, and Recreational Vehicles of the City of Winter Park Land Development Code.
2. Address where violation(s) exist: 1030 EARLY AVENUE, WINTER PARK, FL 32789.
3. Parcel I.D. No.: 02-22-29-4331-00-050

09/06/2024 15:52



09/06/2024 15:52

Wash
862296

**CITY OF WINTER PARK
SAFETY & CODE COMPLIANCE DIVISION**

401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789

[407-599-3600](tel:407-599-3600)

Case No: LDC-24-0366

CITY OF WINTER PARK
Petitioner,

9489 0178 9820 3026 1019 78

vs.

HMIELEWSKI DAVID
1030 EARLY AVENUE
WINTER PARK, FL 32789
Respondents,

**NOTICE OF
CODE COMPLIANCE BOARD HEARING**

Pursuant to Section 2-105 of the Code of the City of Winter Park, the undersigned Safety & Code Compliance Officer hereby gives notice of an uncorrected violation of the Code of City of Winter Park, as more particularly described herein, and that she has requested a **PUBLIC HEARING** before the Code Enforcement Board, a governmental board of the City of Winter Park, which will take place on

**Thursday, November 7th, 2024
at 3 p.m. at
Commission Chambers
second floor of Winter Park City Hall
401 S. Park Ave., Winter Park, FL 32789**

A hearing on the following code violations will be heard at this meeting:

1. Violation of City Code Chapter/Section: **Chapter 58, Section 58-71 (f) (1) Boats, Trailers, and Recreational Vehicles of the City of Winter Park Land Development Code.**
2. Address where violation(s) exists: **1030 EARLY AVENUE, WINTER PARK, FL 32789.**
3. Parcel I.D. No.: **02-22-29-4331-00-050**

4. Property Zone: **R-1A**
5. Legal Description: **LAKE BELL SUB 34/8 LOT 5 & PT OF NW1/4 OF NE1/4 OF SEC 02-22-29 DESC AS COMM NW COR OF LAKE BELL SUB 34/8 TH S 150 FT TO NW COR LOT 5 FOR POB TH S 75 FT TO SW COR LOT 5 TH S 89 DEG W 111.59 FT TH N 07 DEG E 75.67 FT TH N 89 DEG E 101.40 FT TO POB**
6. Names and address of owner/person in charge of location where violation exists: **Hmielewski David– 1030 Early Avenue, Winter Park, FL 32789**
7. Description of Violation: **Boat and trailer parked and/or stored on the driveway of the property in plain view from the public right-of-way.**
8. Compliance Requirements: **Cease parking of boat and trailer for more than 24 hours or store it out of the view of public right-of-way and/or adjacent neighboring properties.**

Compliance Date to avoid hearing: **September 13th, 2024.**

Unless Respondent(s) corrects the violation described and contacts the undersigned Code Inspector to verify compliance with City Code/Section cited herein, notice is hereby given that, pursuant to Section 2-106 of the City of Winter Park, a **PUBLIC HEARING** is hereby scheduled in this case for fines to be assessed/liens placed against your property, or for such other matters as may be within the jurisdiction of the Code Enforcement Board, on the **November 7th, 2024, at 3 p.m.,** at 401 S Park Avenue, Winter Park, FL, 2nd Floor (Commission Chambers).

If you do not attend this hearing, the Code Enforcement Board will consider the case even though you are not present, and base the findings solely on the presentation made by the city. The Code Compliance Board has the power by Florida Statute 162 to assess fines, administrative costs, place liens, or take other actions which will affect your rights. If found in violation of the city ordinance, the Code Compliance Board, may impose a fine up to \$250.00 per day, per violation, for each day that the violation(s) continues beyond the compliance date established by the Board in a Final Order. If you are found to be a repeat violator by the Board, the Board can impose a fine of up to \$500.00 per day, per violation, for each day the violation continues beyond the compliance date established by Safety & Code Compliance.

If you believe that you have come into compliance with the terms of this Order prior to the next hearing, it is your responsibility to contact the Code Compliance Division. **PLEASE GOVERN YOURSELF ACCORDINGLY.**

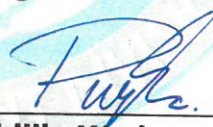
AN AGGRIEVED PARTY MAY APPEAL A FINAL ADMINISTRATIVE ORDER OF THE CODE COMPLIANCE BOARD TO THE CIRCUIT COURT. ANY SUCH APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE APPEALED AS SET FORTH IN SECTION 162.11, FLORIDA STATUTES. If a party to the proceedings before the Code Compliance Board decides to appeal a decision of such board, a verbatim record of the proceedings may be required, or may be desirable. It is the sole responsibility of each party to the proceedings to ensure that a record is made that includes the testimony and evidence upon which an appeal may be taken.

NO ADDITIONAL NOTICE OF HEARING WILL BE PROVIDED TO YOU. If you do not attend this hearing, the Code Compliance Board will consider the case even though you are not present, and may assess fines, place liens, or take other actions which will affect your rights. If you feel that you have come into compliance with the terms of this Order prior to the next hearing, it is your responsibility to contact the Code Compliance Division. **PLEASE GOVERN YOURSELF ACCORDINGLY.**

Dated this: 4th day of September 2024

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing has been furnished by certified and regular mail to: **HMIELEWSKI DAVID— 1030 EARLY AVENUE, WINTER PARK, FL 32789—1728**

Certified Mail: 9489 0178 9820 3026 1019 78


Phillip Wade
Safety & Code Compliance Officer

Please contact our office at 407-599-3600 if you have any questions.

CODES CITED

CHAPTER 58, SECTION 58-71. - GENERAL PROVISIONS FOR RESIDENTIAL ZONING DISTRICTS.

(F) BOATS, TRAILERS, AND RECREATIONAL VEHICLES.

- (1) BOATS, TRAILERS OF ANY TYPE, RECREATIONAL VEHICLES, AS DEFINED IN STATE STATUTES (INCLUDING CAMPERS, TRAVEL TRAILERS AND MOTOR HOMES) AND SIMILAR VEHICLES SHALL NOT BE PARKED OR STORED WITHIN ANY RESIDENTIAL DISTRICT INCLUDING PUBLIC RIGHTS-OF-WAY, EXCEPT AS HEREINAFTER SPECIFICALLY PERMITTED. UNDER NO CIRCUMSTANCES SHALL ANY BOAT, TRAILER OR RECREATIONAL VEHICLE BE SLEPT IN OR OTHERWISE USED FOR LODGING OR HABITATION WHILE PARKED OR STORED WITHIN A RESIDENTIAL DISTRICT.
- (2) BOATS AND BOAT TRAILERS MAY BE PARKED IF STORED ENTIRELY WITHIN A CARPORT, GARAGE OR ENCLOSED STRUCTURE. RECREATIONAL VEHICLES (INCLUDING CAMPERS, TRAVEL TRAILERS, AND MOTOR HOMES) AND TRAILERS (OTHER THAN BOAT TRAILERS) MAY BE PARKED IF STORED ENTIRELY WITHIN A GARAGE OR OTHER ENCLOSED STRUCTURE. AS USED HEREIN, A GARAGE OR OTHER ENCLOSED STRUCTURE SHALL MEAN A STRUCTURE HAVING AT LEAST 75 PERCENT OPAQUENESS.
- (3) BOATS, TRAILERS AND RECREATIONAL VEHICLES HAVING AN OVERALL LENGTH OF 32 FEET OR LESS MAY BE PARKED IN A PRIVATE DRIVEWAY WITHIN A RESIDENTIAL DISTRICT FOR AN AGGREGATE OF NOT MORE THAN 24 HOURS DURING ANY ONE CALENDAR WEEK.
- (4) BOATS, TRAILERS AND RECREATIONAL VEHICLES MAY BE PARKED OR STORED WITHIN SIDE OR REAR LOT AREAS OF PROPERTIES IN RESIDENTIAL DISTRICTS PROVIDED NO PORTION THEREOF SHALL BE VISIBLE FROM THE PUBLIC RIGHT-OF-WAY.
- (5) THE PARKING OF BOATS, TRAILERS AND RECREATIONAL VEHICLES IN SIDE AND REAR LOT AREAS IS PERMITTED ONLY IF FENCES, WALLS AND LANDSCAPE SCREENING, INCLUDING HEDGES, TREES, ETC., OF HEIGHTS NECESSARY TO SUBSTANTIALLY SCREEN THE VIEW OF THE BOAT, TRAILER OR RECREATIONAL VEHICLE SHALL BE CONSTRUCTED AND PLANTED SO AS TO BUFFER ADJACENT RESIDENTIAL PROPERTIES.
- (6) RESIDENTS MAY ALLOW THEIR GUESTS TO PARK A BOAT, TRAILER OR RECREATIONAL VEHICLE HAVING A LENGTH OF 32 FEET OR LESS FOR UP TO SEVEN DAYS IN THE DRIVEWAY OR BEHIND THE MAIN STRUCTURE OF THE LOT ON WHICH IT IS PARKED, PROVIDED THAT THE BUILDING OFFICIAL SHALL BE NOTIFIED NO LATER THAN 24 HOURS AFTER SUCH VEHICLE IS SO PARKED. AFTER SEVEN DAYS HAVE PASSED, AT LEAST 30 DAYS SHALL ELAPSE BEFORE THE SAME VEHICLE SHALL BE PERMITTED TO PARK ON THE SAME LOT FOR ANOTHER SEVEN DAYS.

CITY OF WINTER PARK
SAFETY & CODE COMPLIANCE
401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789
(407) 599-3600

CASE NO.: **LDC-24-366**

City of Winter Park
Petitioner,

vs.

HMIELEWSKI DAVID
1030 EARLY AVENUE
WINTER PARK, FL 32789
Respondent, _____ /

AFFIDAVIT OF POSTING

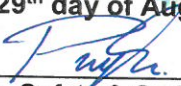
STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned authority, personally posted Wade, Phillip, Safety & Code Compliance Officer for the City of Winter Park Safety & Code Compliance, who, after being duly sworn, deposes and says:

1. That he/she is an employee of City of Winter Park, Florida and that he/she is over twenty-one years of age.
2. That he/she posted the Notice of Violation on the property located at 1030 EARLY AVENUE on this **27th day of August 2024**.
3. That the attached picture document is proof of the posting.

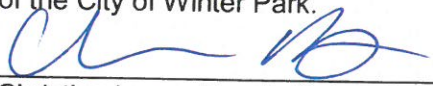
FURTHER AFFIANT SAYETH NOT

DATED this **29th day of August 2024**


Wade, Phillip, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **29th day of August 2024**, by Phillip Wade, who is personally known to me as a Safety & Code Compliance Officer of the City of Winter Park.


Christina Leann Busch, Notary Public
My Commission Expires October 9, 2026
Commission #HH319908



OFFICIAL NOTICE OF VIOLATION

CITY OF WINTER PARK
SAFETY & CODE COMPLIANCE
401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789

DATE: August 15, 2024
CASE # LDC-24-0366
CERTIFIED TRACKING NUMBER: 9489 0178 9820 3026 1018 24

You are hereby notified that the below stated property has been inspected and found to be in violation of Chapter 58, Section 58-71 (b)(1) **Boats, Trailers, and Recreational Vehicles** of the City of Winter Park Land Development Code.

BOAT TRAILER PLAIN VIEW 58-71

On **August 12, 2023** a Violation(s) was observed on your property. The violation(s) must be corrected by **Upon Receipt**. Failure to comply with city ordinances will result in the issuance of a notice to appear before the Code Enforcement Board with the imposition of fines of up to \$250 per day, per violation.

Property Zoned: R-1A
Parcel ID#: 02-22-29-4331-00-050
Location/Address: 1030 EARLY AVENUE
Violation: WINTER PARK, FL 32789
Property Owner/ Tenant: HMELEWSKI DAVID
Mailing Address: 1030 EARLY AVENUE
City/ State/ Zip: WINTER PARK, FL 32789
Description of Violation: BOAT AND TRAILER PARKED AND/OR STORED ON THE DRIVEWAY OF THE PROPERTY IN PLAIN VIEW FROM THE PUBLIC RIGHT-OF-WAY.
Corrective action to be taken: CEASE PARKING OF BOAT AND TRAILER FOR MORE THAN 24 HOURS OR STORE IT OUT OF THE VIEW OF PUBLIC RIGHT-OF-WAY AND/OR ADJACENT NEIGHBORING PROPERTIES. CONTACT THE SAFETY AND CODE COMPLIANCE OFFICER WITH YOUR INTENTIONS.

Officer Name: P. WADE (407)599-3465
pwa@cityofwinterpark.org

Appeal Process
An aggrieved party, including the City's consultant, may appeal a final administrative action to the City's Board of Appeals. The appeal must be filed within 30 days of the date of the final administrative action. The scope of review shall be limited to whether the action was arbitrary, capricious, or in violation of law. The Board's decision shall be final and shall not be subject to further review.

08/27/2024 15:14



08/27/2024 15:14

USPS Tracking®

[FAQs >](#)

Tracking Number:

[Remove X](#)**9489017898203026101824**[Copy](#)[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your item was delivered to an individual at the address at 12:40 pm on August 19, 2024 in WINTER PARK, FL 32789.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

WINTER PARK, FL 32789

August 19, 2024, 12:40 pm

Arrived at USPS Regional Origin Facility

LAKE MARY FL DISTRIBUTION CENTER

August 18, 2024, 8:32 pm

In Transit to Next Facility

August 18, 2024

Departed USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER

August 16, 2024, 9:20 pm

Arrived at USPS Regional Origin Facility

ORLANDO FL DISTRIBUTION CENTER

August 16, 2024, 8:44 pm

Departed Post Office

Feedback

8/22/24, 9:22 AM

USPS.com® - USPS Tracking® Results

WINTER PARK, FL 32789
August 16, 2024, 6:14 pm

USPS picked up item

WINTER PARK, FL 32789
August 16, 2024, 11:37 am

Hide Tracking History

What Do USPS Tracking Statuses Mean? (<https://faq.usps.com/s/article/Where-is-my-package>)

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

OFFICIAL NOTICE OF VIOLATION

CITY OF WINTER PARK
SAFETY & CODE COMPLIANCE
401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789

9489 0178 9820 3026 1018 24

DATE: **August 15, 2024**

CASE # **LDC-24-0366**

CERTIFIED TRACKING NUMBER: **9489 0178 9820 3026 1018 24**

You are hereby notified that the below stated property has been inspected and found to be in violation of **Chapter 58, Section 58-71 (f) (1) Boats, Trailers, and Recreational Vehicles of the City of Winter Park Land Development Code.**

BOAT TRAILER PLAIN VIEW 58-71

On **August 12, 2023** a Violation(s) was observed on your property. The violation(s) must be corrected by **Upon Receipt**. Failure to comply with city ordinances will result in the issuance of a notice to appear before the Code Enforcement Board with the imposition of fines of up to \$250 per day, per violation.

Property Zoned: **R-1A**
Parcel ID#: **02-22-29-4331-00-050**
Violation **1030 EARLY AVENUE**
Location/Address: **WINTER PARK, FL 32789**
Property Owner/ Tenant: **HMIELEWSKI DAVID**
Mailing Address: **1030 EARLY AVENUE**
City/ State/ Zip: **WINTER PARK, FL 32789**
Description of Violation: **BOAT AND TRAILER PARKED AND/OR STORED ON THE DRIVEWAY OF THE PROPERTY IN PLAIN VIEW FROM THE PUBLIC RIGHT-OF-WAY.**
Corrective action to be taken: **CEASE PARKING OF BOAT AND TRAILER FOR MORE THAN 24 HOURS OR STORE IT OUT OF THE VIEW OF PUBLIC RIGHT-OF-WAY AND/OR ADJACENT NEIGHBORING PROPERTIES. CONTACT THE SAFETY AND CODE COMPLIANCE OFFICER WITH YOUR INTENTIONS.**

Officer Name: **P. WADE (407)599-3465**
pwade@cityofwiinterpark.org

Appeal Process

An aggrieved party, including the City Commission, may appeal a final administrative order of the Code Compliance Board to the Orange County Circuit Court. Any such appeal shall be filed within 30 days of the execution of the order to be appealed. The scope of review shall be limited to appellate review of the record created before the Code Compliance Board and shall not be a trial de novo. The

appealing party will be responsible for paying reasonable charges for preparation of the record on appeal.

If you would like to schedule an appointment to discuss this notice or feel that you have come into compliance with the terms of this notice, please contact Safety & Code Compliance at (407) 599-3600.

Violation Detail

00010 BOATS, TRAILERS, RV SEC 58-71 (f) (1) BOATS, TRAIL
Location: DRIVEWAY

Violation Description

Sec. 58-71. - General provisions for residential zoning districts.

(f) Boats, trailers, and recreational vehicles.

(1) Boats, trailers of any type, recreational vehicles, as defined in state statutes (including campers, travel trailers and motor homes) and similar vehicles shall not be parked or stored within any residential district including public rights-of-way, except as hereinafter specifically permitted. Under no circumstances shall any boat, trailer or recreational vehicle be slept in or otherwise used for lodging or habitation while parked or stored within a residential district.

(2) Boats and boat trailers may be parked if stored entirely within a carport, garage or enclosed structure. Recreational vehicles (including campers, travel trailers, and motor homes) and trailers (other than boat trailers) may be parked if stored entirely within a garage or other enclosed structure. As used herein, a garage or other enclosed structure shall mean a structure having at least 75 percent opaqueness.

(3) Boats, trailers and recreational vehicles having an overall length of 32 feet or less may be parked in a private driveway within a residential district for an aggregate of not more than 24 hours during any one calendar week.

(4) Boats, trailers and recreational vehicles may be parked or stored within side or rear lot areas of properties in residential districts provided no portion thereof shall be visible from the public right-of-way.

(5) The parking of boats, trailers and recreational vehicles in side and rear lot areas is permitted only if fences, walls and landscape screening, including hedges, trees, etc., of heights necessary to substantially screen the view of the boat, trailer or recreational vehicle shall be constructed and planted so as to buffer adjacent residential properties.

(6) Residents may allow their guests to park a boat, trailer or recreational vehicle having a length of 32 feet or less for up to seven days in the driveway or behind the

main structure of the lot on which it is parked, provided that the building official shall be notified no later than 24 hours after such vehicle is so parked. After seven days have passed, at least 30 days shall elapse before the same vehicle shall be permitted to park on the same lot for another seven days.

Violation Corrective Action

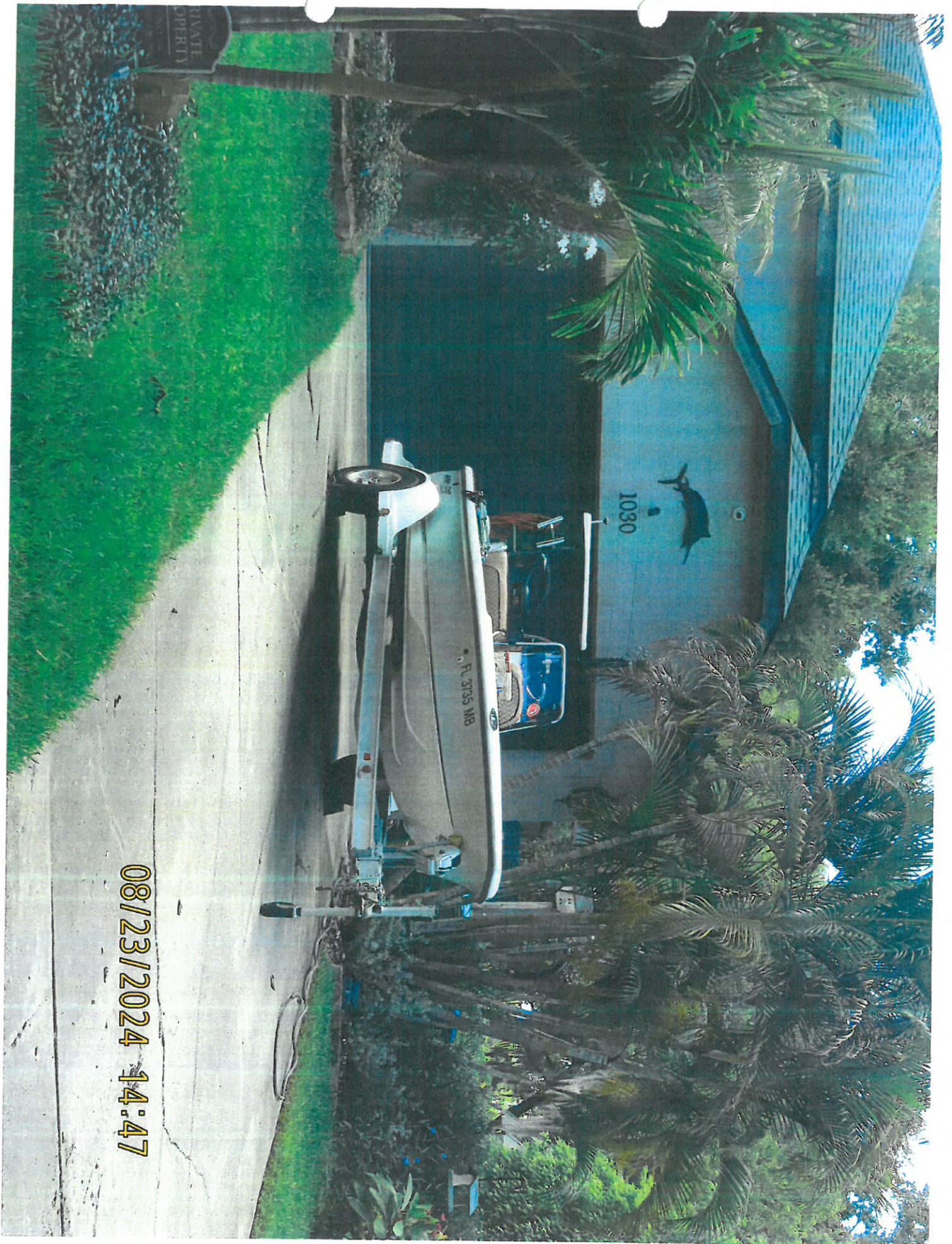
REMOVE BOAT, TRAILER, RECREATIONAL VEHICLE OR STORE IT OUT OF VIEW FROM THE PUBLIC RIGHT-OF-WAY AND OR ADJACENT NEIGHBORING PROPERTIES.





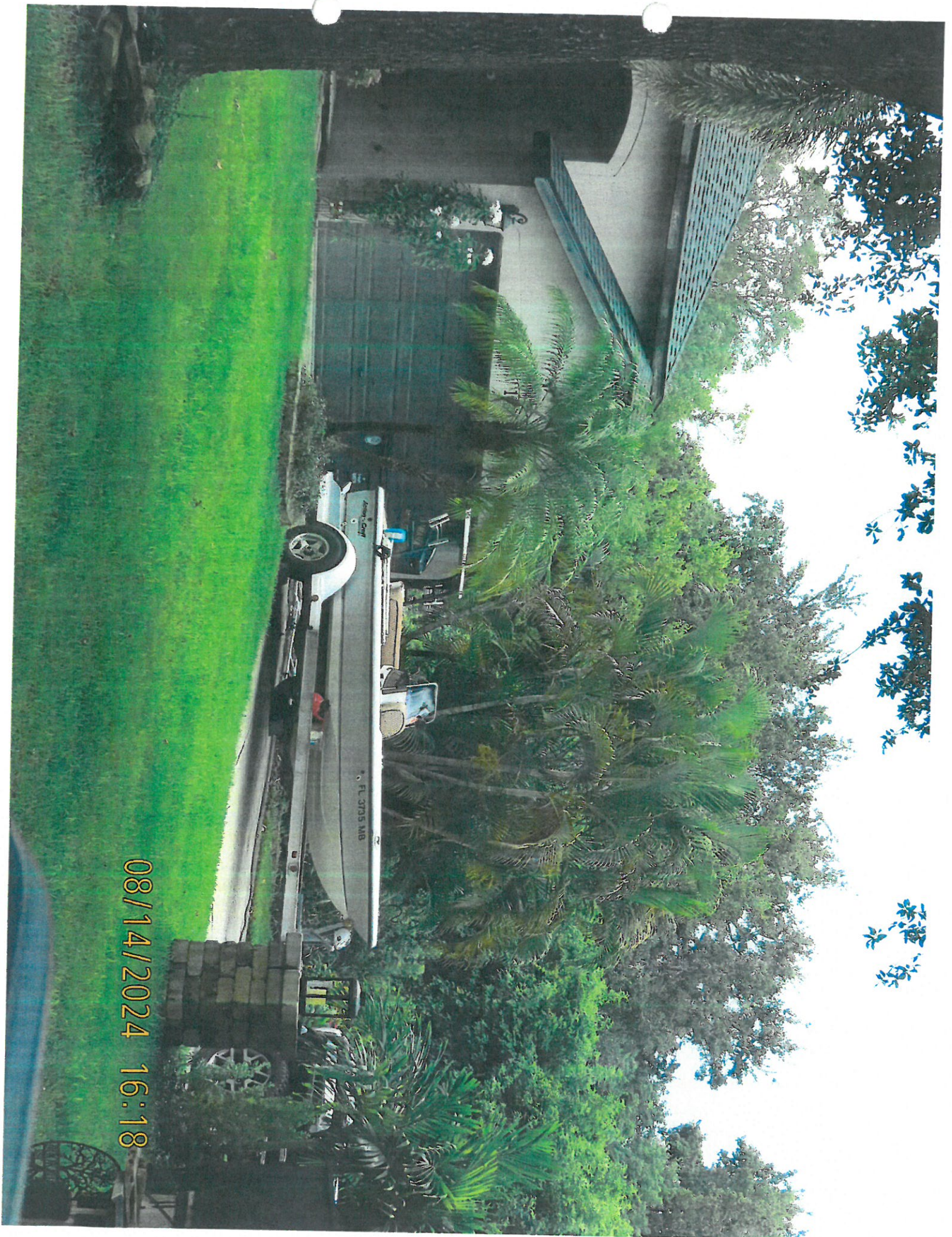






08/23/2024 14:47





08/14/2024 16:18







Code Compliance Board

agenda item 5.b

item type

Public Hearings (Public participation and comment on these matters must be in person.)

meeting date

November 7, 2024

prepared by

Susan Pruchnicki, Coordinator

approved by

Susanne Porras, Code Compliance Manager

subject

CCB#-PM-24-0116 631 Depugh St., Winter Park, FL 32789

motion | recommendation

background

VIOLATION DESCRIPTION: Windows and doors boarded up exceeding the 60 days that the city code allows. Broken windows and doors constituting hazardous conditions and inviting trespassers and malicious mischief.

CODES CITED: Chapter 22, Sec. 22-176 (adopting the IPMC 2021 edition), 22-177 (amending the IPMC), Sec. 108.9 Vacant Buildings, 202 (1) (2) (13) (21) Nuisance and 304.13 Windows, Skylight, and Door Frames of the International Property Maintenance Code.

alternatives | other considerations

fiscal impact

attachments

1. CCB# PM-24-0016 631 DEPUGH ST CASE DOCS

If you own and occupy property as your primary residence as of January 1, 2025, you may qualify for an exemption. The deadline to file a 2025 exemption application is March 1, 2025.

[Click Here To Apply for Homestead and Other Exemptions Online](#)

Print Date: 10/17/2024 System Refresh Date: 10/16/2024

631 Depugh St 06-22-30-1214-04-180

Name(s):

PRICE KELLY L

Physical Street Address:

631 Depugh St

Property Use:

0100 - Single Family

Mailing Address On File:

890 Georgia Ave

Winter Park, FL 32789-2605

[Incorrect Mailing Address?](#)

Postal City and Zip:

Winter Park, FL 32789

Municipality:

Winter Park



631 DEPUGH ST, WINTER PARK, FL 32789 10/4/2021 8:08 AM

[Upload Photos](#)

[View 2024 Property Record Card](#)

PROPERTY FEATURES

VALUES, EXEMPTIONS AND TAXES

SALES

MARKET STATS

LOCATION

Property Description

[View Plat](#)

CARVER TOWN FIRST ADDITION R/83 LOT 18 BLK D

Total Land Area

6,749 sqft (+/-) | 0.15 acres
(+/-)

[GIS Calculated](#)

Notice
Land

Land Use Code	Zoning	Land Units	Unit Price	Land Value	Class Unit Price	Class Value
0100 - Single Family	R-1A	1 LOT(S)	\$250,000	\$250,000	\$0	\$250,000

« « 1 » » » »

Page 1 of 1 (Total Records: 1)

Building

[View Winter Park Permits](#)



[More Details](#)

Model Code:

01 - Single Fam Residence

Actual Year Built:

1950

Gross Area:

1692 sqft

Type Code:

0103 - Single Fam Class III

Beds:

2

Living Area:

1360 sqft

Building Value:

\$95,577

Baths:

1

Exterior Wall:

Concrete/Cinder Block

Estimated New Cost:

\$181,982

Floors:

1

Interior Wall:
Plastered

« « 1 » »

Page 1 of 1 (Total Records:1)

Extra Features

Description	Date Built	Units	Xfob Value
Cpt1 - Carport 1	01/01/2013	1 Unit(s)	\$500
Cval - Cover Alum	02/15/1994	400 Unit(s)	\$1,000
Pt1 - Patio 1	01/01/1950	1 Unit(s)	\$1,000
Shnv - Shed N/v	01/01/2001	1 Unit(s)	\$0

« « 1 » »

Page 1 of 1 (Total Records: 4)



ORANGE COUNTY TAX COLLECTOR
SCOTT RANDOLPH
 INDEPENDENTLY ELECTED TO SERVE YOU

Orange County Notice of Ad Valorem Taxes & Non-Ad Valorem Assessments

PRICE KELLY L
 890 GEORGIA AVE
 WINTER PARK, FL 32789-2605

Account Number: 0284526-1
 Assessed Value: 309,682
 Millage Code: 4 WP
 Parcel Number: 06-22-30-1214-04180
 Address: 631 DEPUUGH ST WINTER PARK 32789
 Exemptions:

AD VALOREM TAXES					
Taxing Authority	Assessed Value	Exempt Value	Taxable Value	Millage	Tax Levied
STATE SCHOOL	343,767	0	343,767	3.1730	\$1,090.77
LOCAL SCHOOL	343,767	0	343,767	3.2480	\$1,116.56
GEN COUNTY	309,682	0	309,682	4.4347	\$1,373.35
WINTER PRK	309,682	0	309,682	4.0923	\$1,267.31
WP DEBT 2017	309,682	0	309,682	.2379	\$73.67
SJWM	309,682	0	309,682	.1793	\$55.53
				Total Millage:	15.3652
				Subtotal:	\$4,977.19
NON-AD VALOREM ASSESSMENTS					
Levying Authority	Phone	Amount	Levying Authority	Phone	Amount
5110 WINTER PARK STM	(407)599-3362	\$179.88			
				Subtotal:	\$179.88
Combined Total of Ad Valorem Taxes & Non-Ad Valorem Assessments					\$5,157.07

Pay Online, Opt-in to E-Billing and Print your Receipt at octaxcol.com.

Payments not received by March 31st are delinquent.

IF YOUR TAXES ARE NOT ESCROWED, PLEASE RETURN THE BOTTOM PORTION WITH YOUR PAYMENT.

0284526-1
 631 DEPUUGH ST WINTER PARK 32789
 06-22-30-1214-04180
 CARVER TOWN FIRST ADDITION R/83 LOT 18 BLK D

PRICE KELLY L
 890 GEORGIA AVE
 WINTER PARK, FL 32789-2605

PRICE KELLY L
 890 GEORGIA AVE
 WINTER PARK, FL 32789-2605

PAID - DO NOT PAY

PAID 0099-02574019 \$4,950.79 11/30/2023

ONLY PAY ONE AMOUNT	
If Paid By	Amount Due
Nov. 30, 2023	\$4,950.79
Dec. 31, 2023	\$5,002.36
Jan. 31, 2024	\$5,053.93
Feb. 29, 2024	\$5,105.50
Mar. 31, 2024	\$5,157.07

PO Box 545100
 Orlando FL 32854-5100





ORANGE COUNTY TAX COLLECTOR
SCOTT RANDOLPH
INDEPENDENTLY ELECTED TO SERVE YOU

P.O. Box 545100, Orlando, FL 32854 | (407) 434-0312

octaxcol.com | octaxcol

PAYING YOUR TAXES

SELECT A PAYMENT METHOD

Online: Pay online at octaxcol.com. Pay by credit/ debit card, eCheck or PayPal.

By Mail: Return the notice to Property Tax Dept., P.O. Box 545100, Orlando, FL 32854. Pay by check made payable to "Scott Randolph" or "Orange County Tax Collector."

In Person: Visit our Property Tax Dept. or any of our office locations by appointment. Pay by check made payable to "Scott Randolph" or "Orange County Tax Collector," money order, cash, or credit/debit card.

Liens may require certified funds, please contact office for details.

RECEIVE AN EARLY PAYMENT DISCOUNT

Payment Postmark Date	Discount
November	4%
December	3%
January	2%
February	1%

Processing fees: \$1.00 eCheck fee; 2.39% credit card/ debit card fee (\$2.00 minimum).

2023-24 IMPORTANT DATES

November 1, 2023: First day to pay taxes and assessments.

Before March 1: File for new exemptions with the Property Appraiser. Learn more at ocpafl.org.

March 31, 2024: Taxes and assessments are due. Payment must be received by our office by March 31 regardless of postmark date to avoid being delinquent.

April 1: Unpaid real estate taxes are delinquent (3% minimum mandatory charged).

Unpaid tangible personal property taxes are delinquent (interest accrues at a rate of 1.5% per month plus advertising and fees).

Tax warrants are issued for all unpaid tangible personal property taxes.

April 30: Deadline for Installment Plan Application. Download the application at octaxcol.com.

May 1: Interest plus fees are imposed.

May 31 at 4:30 p.m.: Last day to pay real estate taxes without lien. Full payment must be physically received in our office by May 31, 2024 at 4:30 p.m. regardless of postmark date.

June 1: Tax Certificate Sale. Visit octaxcol.com for more information.

ONLINE

PAY YOUR TAX BILL

Pay online at octaxcol.com.

PRINT A RECEIPT

To print a receipt of your Property Tax Bill, visit our Pay My Taxes page at octaxcol.com. Enter an owner name, parcel ID, tangible ID, or location address to search for your tax bill.

COMPLETE A CHANGE OF ADDRESS

All changes of address must be filed with the Property Appraiser. Download the Change of Address Form at ocpafl.org.

APPLY FOR THE INSTALLMENT PAYMENT PLAN

To qualify for the quarterly Installment Payment Plan, you must be current on your taxes and your prior year taxes must exceed \$100.00. Download the application at octaxcol.com.

**PROPERTY
TAX
NOTICE**

PROPERTY TAX DEPT.

200 S. Orange Ave., 16th Floor
Orlando, FL 32801

Hours of Operation
7:30 a.m. — 4:30 p.m. — M–F

OFFICE LOCATIONS

Downtown

Closed for construction;
visit octaxcol.com for updates.

West Oaks Mall

9401 W. Colonial Dr., Suite 360
Ocoee, FL 34761

Clarcona

4101 Clarcona Ocoee Rd.
Orlando, FL 32810

Sand Lake

730 W. Sand Lake Rd.
Orlando, FL 32809

Lee Vista & 417

6050 Wooden Pine Dr., Ste 100
Orlando, FL 32829

University

10051 University Blvd.
Orlando, FL 32817

Hours of Operation
8:30 a.m. — 5:00 p.m. — M, T, Th, F
9:00 a.m. — 5:00 p.m. — W

Notice: Failure to pay the amounts due will result in a tax certificate being issued against the property.

ABOUT PROPERTY TAX COLLECTION

Tax rates are set. Taxing authorities set the millage rate, which is the rate of tax per \$1,000 of taxable value. Non-Ad Valorem assessments are levied on a unit basis rather than the value of property.

Property values are determined. The Property Appraiser establishes the value of property, approves exemptions, including Homestead, and certifies the Tax Roll to the Tax Collector.

Taxes are collected. The Tax Collector is then responsible for mailing tax bills, collecting taxes and distributing revenue to the taxing authorities in Orange County.

Prepared by, Record & Return to:
Juan Gabriel Santiago
Integrity Title & Guaranty Agency, LLC
631 S. Orlando Ave, Suite 200A
Winter Park, Florida 32789

File Number: 21OL-0146-OR

DOC # 20210345635
06/09/2021 14:15 PM Page 1 of 2
Rec Fee: \$18.50
Deed Doc Tax: \$2,450.00
Mortgage Doc Tax: \$0.00
Intangible Tax: \$0.00
Phil Diamond, Comptroller
Orange County, FL
Ret To: SIMPLIFILE LC

General Warranty Deed

Made this June 7, 2021 A.D. By **Alfred Watts, a single man**, whose address is: 1248 Oak Street, Altamonte Springs, Florida 32701, hereinafter called the grantor, to **Kelly L. Price, a single woman**, whose address is: 890 Georgia Avenue, Winter Park, Florida 32789, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Orange County, Florida, viz:

Lot 18, Block D, Carver Town First Addition, according to the map or plat thereof, as recorded in Plat Book R, Page 83, of the Public Records of Orange County, Florida.

Parcel ID Number: 06-22-30-1214-04-180

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantors(s) reside thereon.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2021.

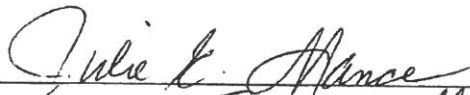
Prepared by, Record & Return to:
Juan Gabriel Santiago
Integrity Title & Guaranty Agency, LLC
631 S. Orlando Ave, Suite 200A
Winter Park, Florida 32789

20210345635 Page 2 of 2

File Number: 21OL-0146-OR

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:



Witness Printed Name Julie E. Mance

 (Seal)

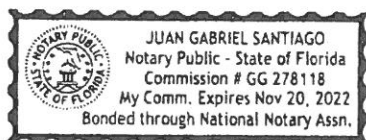
Alfred Watts
Address: 1248 Oak Street, Altamonte Springs, Florida 32701

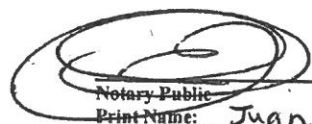


Witness Printed Name Juan Santiago

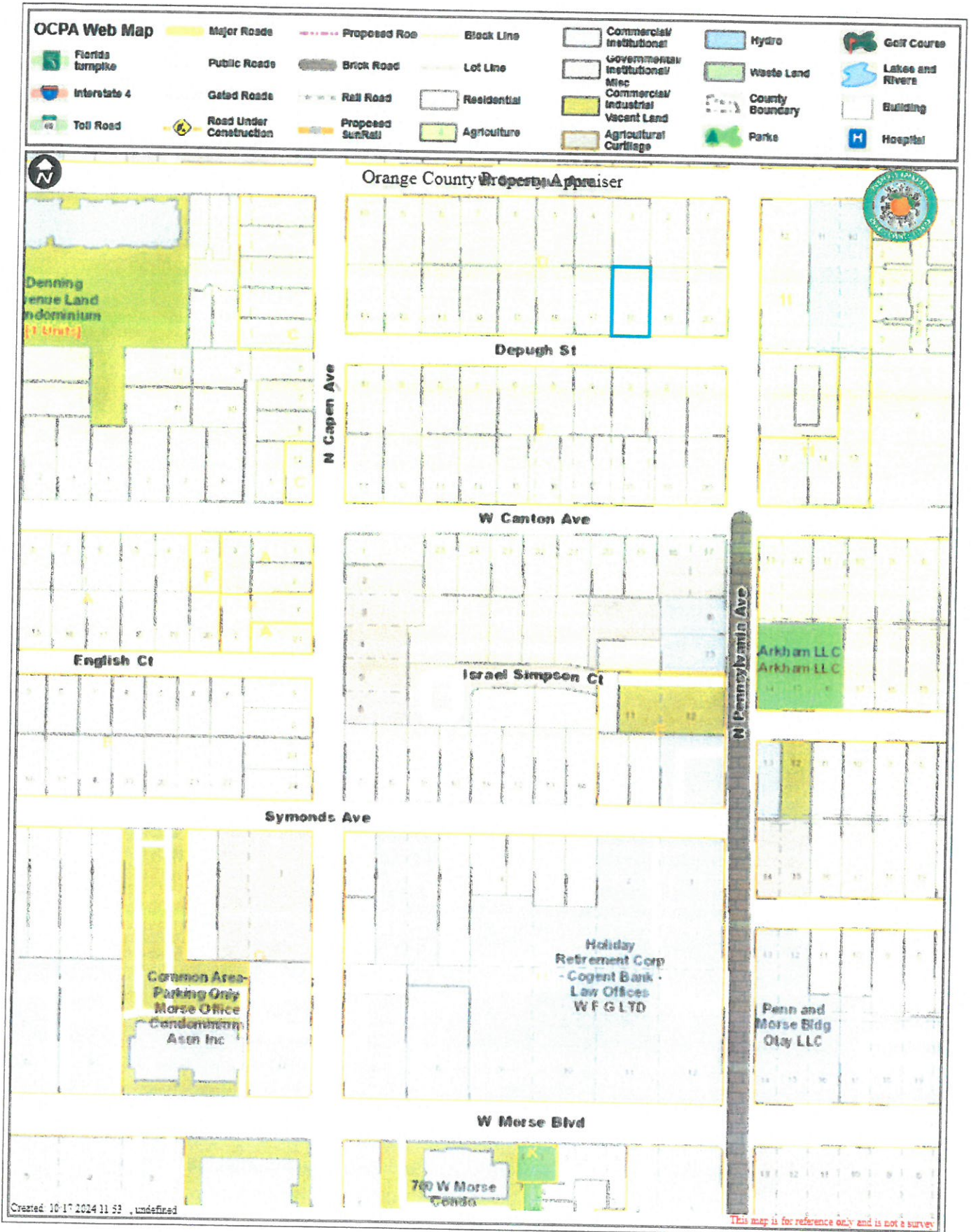
State of Florida
County of Orange

The foregoing instrument was acknowledged before me by means of [X] physical presence or [] online notarization, this 7th day of June, 2021, by Alfred Watts, a single man, who is/are personally known to me or who has produced Drivers License as identification and who did not take an oath.





Notary Public
Print Name: Juan Santiago
My Commission Expires: 11/20/2022



FACT SHEET

October 29, 2024

Case No: PM-24-0116

Respondent:

Kelly L. Price
890 Georgia Avenue
Winter Park, FL 32789

1. Address where violation exists: **631 Depugh Street, Winter Park, FL 32789**
2. Parcel I.D. No.: **06-22-30-1214-04-180**
3. Property Zone: **R-1A**
4. Inspection(s): **06/24/2024, 07/09/2024, 07/18/2024, 08/02/2024, 08/12/2024, 08/15/2024, 08/23/2024, 08/30/24, 09/04/24, 09/06/24, 09/12/2024, 09/19/2024, 09/23/2024, 09/24/2024, 09/27/2024, 10/04/24, 10/11/2024, 10/17/2024, 10/24/2024, and 10/31/2024.**
5. Notice of Violation and Notice of Hearing were mailed regular, certified mail, and posted on the property, at City Hall, and Hand-Delivered in accordance with Florida Statute 162 Due Process requirements.

I HEREBY CERTIFY all photographs are a true and accurate representation of said violation as cited.

Evidence

Notice of Hearing (Proof of Service)
Photographs
Case History Report
PowerPoint Work Sheet
Codes Cited
Proof of Ownership

VIOLATION DESCRIPTION: Windows and doors boarded up exceeding the 60 days that the city code allows. Broken windows and doors constituting hazardous conditions and inviting trespassers and malicious mischief.	CORRECTIVE ACTION REQUIRED: Remove boards from all windows and doors. Repair and or replace all broken windows and doors.	CODES CITED: Chapter 22 Section 22-176 (adopting the IPMC 2021 edition), 22-177 (amending the IPMC), Sec. 108.9 Vacant Buildings, 202 (1), (2), (13), (21) Nuisance and 304.13 Windows, Skylight, and Door Frames of the International Property Maintenance Code.
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CODES CITED:

Sec. 22-176. - Code adopted.

The International Property Maintenance Code, 2021 edition, as published by International Code Council, Inc., is hereby adopted by reference, together with modifications and amendments contained in this article, and shall be known as the property and building maintenance code of the city. All references within the International Property Maintenance Code to the International Code(s) shall refer to the applicable Florida Building Code(s).

(Ord. No. 2357, § 1, 6-27-00; Ord. No. 2769-09, § 2, 4-27-09; Ord. No. 2873-12, § 2, 4-9-12; Ord. No. 3007-15, § 3, 8-24-15)

Sec. 22-177. - Amendments.

The International Property Maintenance Code, 2021 edition, is hereby amended in the following respects:

General: All references to the International Building, Plumbing, Mechanical, Fuel Gas, Fire, Electrical and Zoning Codes shall mean the respective building, residential, plumbing, mechanical, gas, fire, electrical, and zoning codes of the city.

Sec. 108.9 - Vacant Buildings

Vacant buildings. No vacant building may be boarded up for a period of time exceeding 60 days unless granted a waiver by the building official. All vacant buildings or buildings permitted to be boarded up shall be maintained in accordance with section 22-177(304.6). "Exterior walls" and all boards used to enclose the building must be neatly fitted within window and door openings and must be painted to blend in with the rest of the building.

Sec. 202 (1), (2), (13), (21) - Nuisance

Nuisance. The following shall be defined as nuisances: It is a public nuisance for any person owning, leasing, occupying or having charge of any premises in this city to maintain, or permit to exist, such premises in such manner that any one or more of the following conditions are to exist thereon:

- (1) Any public nuisance known at common law or in equity jurisprudence.
- (2) Any attractive nuisance which may prove detrimental to children whether in a building, on the premises of a building, or upon an unoccupied lot. This includes any abandoned wells, shafts, basements, or excavations; abandoned refrigerators and motor vehicles; any structurally unsound fences or structures; or any lumber, trash, fences, debris or vegetation which may prove a hazard for inquisitive minors.

(13) Broken windows constituting hazardous conditions and inviting trespassers and malicious mischief.

(21) The maintenance of any structure in a defective, unsightly, deteriorated and unrepaired condition, which is viewable from a public right-of-way or viewable from the sites of neighboring properties, where such condition would cause appreciable harm or material detriment to the aesthetic and/or property values of surrounding properties.

SEC. 304.13 Windows, Skylight and Door Frames

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

ALERT: HURRICANES HELENE AND MILTON, FLOODING, AND SEVERE WEATHER IN NORTH C...

USPS Tracking®

[FAQs >](#)

Tracking Number:

Remove X

9171969009350313315874

[Copy](#)[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your item was delivered to an individual at the address at 4:22 pm on September 27, 2024 in WINTER PARK, FL 32789.

Get More Out of USPS Tracking:

USPS Tracking Plus®

[Feedback](#)

Delivered

Delivered, Left with Individual

WINTER PARK, FL 32789

September 27, 2024, 4:22 pm

Arrived at USPS Regional Facility

LAKE MARY FL DISTRIBUTION CENTER

September 26, 2024, 7:45 pm

In Transit to Next Facility

September 26, 2024

Departed USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER

September 25, 2024, 9:09 pm

Arrived at USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER

September 25, 2024, 7:44 pm

● **Hide Tracking History**

What Do USPS Tracking Statuses Mean? (<https://faq.usps.com/s/article/Where-is-my-package>)

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Track Another Package

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Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

CITY OF WINTER PARK
SAFETY & CODE COMPLIANCE
401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789
(407) 599-3600

CASE NO.: **PM-24-0116**

City of Winter Park
Petitioner,

vs.

KELLY L. PRICE
890 GEORGIA AVENUE
WINTER PARK, FL 32789
Respondent, _____ /

AFFIDAVIT OF POSTING

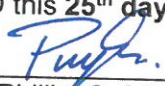
STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned authority, personally posted Wade, Phillip, Safety & Code Compliance Officer for the City of Winter Park Safety & Code Compliance, who, after being duly sworn, deposes and says:

1. That he/she is an employee of City of Winter Park, Florida and that he/she is over twenty-one years of age.
2. That he/she posted the Notice of Hearing, scheduled for November 7, 2024, on the property located at 631 DEPUGH STREET on this **24th day of September 2024**.
3. That the attached picture document is proof of the posting.

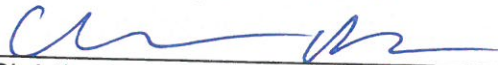
FURTHER AFFIANT SAYETH NOT

DATED this **25th day of September 2024**


Wade, Phillip, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **25th day of September 2024**, by Phillip Wade, who is personally known to me as a Safety & Code Compliance Officer of the City of Winter Park.


Christina Leann Busch, Notary Public
My Commission Expires October 9, 2026
Commission #HH319908



CITY OF WINTER PARK
SAFETY & CODE COMPLIANCE DIVISION
401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789
407-599-3600

Case No: PM-24-0116

CITY OF WINTER PARK
Petitioner,

vs.

KELLY L. PRICE
890 GEORGIA AVENUE
WINTER PARK, FL 32789-2605
Respondent,

AMENDED NOTICE OF
CODE COMPLIANCE BOARD HEARING

Pursuant to Section 2-105 of the Code of the City of Winter Park, the undersigned Safety & Code Compliance Officer hereby gives notice of an uncorrected violation of the Code of City of Winter Park, as more particularly described herein, and that she has requested a **PUBLIC HEARING** before the Code Enforcement Board, a governmental board of the City of Winter Park, which will take place on

Thursday, November 7th, 2024
at 3 p.m. at
Commission Chambers
Second Floor of Winter Park City Hall
401 S. Park Ave., Winter Park, FL 32789

A hearing on the following code violations will be heard at this meeting:

1. Violation of City Code Chapter/Section: Chapter 22 Section 22-176 (adopting the IPMC 2021 edition), 22-177 (amending the IPMC), Sec. 108.9 Vacant Buildings, 202 (1), (2), (13), (21) Nuisance and 304.13 Windows, Skylight, and Door Frames of the International Property Maintenance Code.
2. Address where violation(s) exists: 631 DEPUGH STREET, WINTER PARK, FL 32789-2605.
3. Parcel ID, No.: 06-22-30-1214-04-180
4. Property Zone: R-1A

09/24/2024 14:44



09/24/2024 14:43

**CITY OF WINTER PARK
SAFETY & CODE COMPLIANCE DIVISION**
401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789
[407-599-3600](tel:407-599-3600)

Case No: PM-24-0116

CITY OF WINTER PARK
Petitioner,

9171 9690 0935 0313 3158 74

vs.

KELLY L. PRICE
890 GEORGIA AVENUE
WINTER PARK, FL 32789-2605
Respondent,

**AMENDED NOTICE OF
CODE COMPLIANCE BOARD HEARING**

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2. Address where violation(s) exists: **631 DEPUGH STREET, WINTER PARK, FL 32789-2605.**
3. Parcel I.D. No.: **06-22-30-1214-04-180**
4. Property Zone: **R-1A**

5. Legal Description: **CARVER TOWN FIRST ADDITION R/83 LOT 18 BLK D**
6. Names and address of owner/person in charge of location where violation exists: **Kelly L. Price – 890 Georgia Avenue, Winter Park, FL 32789-2605.**
7. Description of Violation: **Windows and doors boarded up exceeding the 60 days that the city code allows. Broken windows and doors constituting hazardous conditions and inviting trespassers and malicious mischief.**
8. Compliance Requirements: **Remove boards from all windows and doors. Repair and or replace all broken windows and doors.**

Compliance Date to avoid hearing: **September 30, 2024.**

Unless Respondent(s) corrects the violation described and contacts the undersigned Code Inspector to verify compliance with City Code/Section cited herein, notice is hereby given that, pursuant to Section 2-106 of the City of Winter Park, a **PUBLIC HEARING** is hereby scheduled in this case for fines to be assessed/liens placed against your property, or for such other matters as may be within the jurisdiction of the Code Enforcement Board, on the **October 3rd, 2024, at 3 p.m.**, at 401 S Park Avenue, Winter Park, FL, 2nd Floor (Commission Chambers).

If you do not attend this hearing, the Code Enforcement Board will consider the case even though you are not present, and base the findings solely on the presentation made by the city. The Code Compliance Board has the power by Florida Statute 162 to assess fines, administrative costs, place liens, or take other actions which will affect your rights. If found in violation of the city ordinance, the Code Compliance Board, may impose a fine up to \$250.00 per day, per violation, for each day that the violation(s) continues beyond the compliance date established by the Board in a Final Order. If you are found to be a repeat violator by the Board, the Board can impose a fine of up to \$500.00 per day, per violation, for each day the violation continues beyond the compliance date established by Safety & Code Compliance.

If you believe that you have come into compliance with the terms of this Order prior to the next hearing, it is your responsibility to contact the Code Compliance Division. **PLEASE GOVERN YOURSELF ACCORDINGLY.**

AN AGGRIEVED PARTY MAY APPEAL A FINAL ADMINISTRATIVE ORDER OF THE CODE COMPLIANCE BOARD TO THE CIRCUIT COURT. ANY SUCH APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE APPEALED AS SET FORTH IN SECTION 162.11, FLORIDA STATUTES. If a party to the proceedings before the Code Compliance Board decides to appeal a decision of such board, a verbatim record of the proceedings may be required, or may be desirable. It is the sole responsibility of each party to the proceedings to ensure that a record is made that includes the testimony and evidence upon which an appeal may be taken.

NO ADDITIONAL NOTICE OF HEARING WILL BE PROVIDED TO YOU. If you do not attend this hearing, the Code Compliance Board will consider the case even though you are not

present, and may assess fines, place liens, or take other actions which will affect your rights. If you feel that you have come into compliance with the terms of this Order prior to the next hearing, it is your responsibility to contact the Code Compliance Division. **PLEASE GOVERN YOURSELF ACCORDINGLY.**

Dated this: 24th day of September 2024

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing has been furnished by certified and regular mail to: **KELLY L. PRICE – 890 GEORGIA AVENUE, WINTER PARK, FL 32789–2605**

Certified Mail: 9171 9690 0935 0313 3158 74


Phillip Wade
Safety & Code Compliance Officer

Please contact our office at 407-599-3600 if you have any questions.

CODES CITED:

Sec. 22-176. - Code adopted.

The International Property Maintenance Code, 2021 edition, as published by International Code Council, Inc., is hereby adopted by reference, together with modifications and amendments contained in this article, and shall be known as the property and building maintenance code of the city. All references within the International Property Maintenance Code to the International Code(s) shall refer to the applicable Florida Building Code(s).

(Ord. No. 2357, § 1, 6-27-00; Ord. No. 2769-09, § 2, 4-27-09; Ord. No. 2873-12, § 2, 4-9-12; Ord. No. 3007-15, § 3, 8-24-15)

Sec. 22-177. - Amendments.

The International Property Maintenance Code, 2021 edition, is hereby amended in the following respects:

General: All references to the International Building, Plumbing, Mechanical, Fuel Gas, Fire, Electrical and Zoning Codes shall mean the respective building, residential, plumbing, mechanical, gas, fire, electrical, and zoning codes of the city.

Sec. 108.9 - Vacant Buildings

Vacant buildings. No vacant building may be boarded up for a period of time exceeding 60 days unless granted a waiver by the building official. All vacant buildings or buildings permitted to be boarded up shall be maintained in accordance with section 22-177(304.6). "Exterior walls" and all boards used to enclose the building must be neatly fitted within window and door openings and must be painted to blend in with the rest of the building.

Sec. 202 (1), (2), (13), (21) - Nuisance

Nuisance. The following shall be defined as nuisances: It is a public nuisance for any person owning, leasing, occupying or having charge of any premises in this city to maintain, or permit to exist, such premises in such manner that any one or more of the following conditions are to exist thereon:

- (1) Any public nuisance known at common law or in equity jurisprudence.
- (2) Any attractive nuisance which may prove detrimental to children whether in a building, on the premises of a building, or upon an unoccupied lot. This includes any abandoned wells, shafts, basements, or excavations; abandoned refrigerators and motor vehicles; any structurally unsound fences or structures; or any lumber, trash, fences, debris or vegetation which may prove a hazard for inquisitive minors.
- (13) Broken windows constituting hazardous conditions and inviting trespassers and malicious mischief.
- (21) The maintenance of any structure in a defective, unsightly, deteriorated and unrepaired condition, which is viewable from a public right-of-way or viewable from the sites of neighboring properties, where such condition would cause appreciable harm or material detriment to the aesthetic and/or property values of surrounding properties.

SEC. 304.13 Windows, Skylight and Door Frames

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

ALERT: HURRICANES HELENE AND MILTON, FLOODING, AND SEVERE WEATHER IN NORTH C...

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Tracking Number:

Remove X

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Latest Update

Your item was delivered to an individual at the address at 3:28 pm on September 14, 2024 in WINTER PARK, FL 32789.

[Get More Out of USPS Tracking:](#)[USPS Tracking Plus®](#)

Feedback

Delivered

Delivered, Left with Individual

WINTER PARK, FL 32789

September 14, 2024, 3:28 pm

Arrived at USPS Regional Facility

LAKE MARY FL DISTRIBUTION CENTER

September 13, 2024, 7:56 pm

In Transit to Next Facility

September 13, 2024

Departed USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER

September 12, 2024, 9:10 pm

Arrived at USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER

September 12, 2024, 8:14 pm

CITY OF WINTER PARK
SAFETY & CODE COMPLIANCE
401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789
(407) 599-3600

CASE NO.: **PM-24-0116**

City of Winter Park
Petitioner,

vs.

KELLY L. PRICE
890 GEORGIA AVENUE
WINTER PARK, FL 32789
Respondent, _____ /

AFFIDAVIT OF POSTING

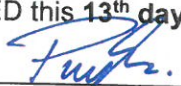
STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned authority, personally posted Wade, Phillip, Safety & Code Compliance Officer for the City of Winter Park Safety & Code Compliance, who, after being duly sworn, deposes and says:

1. That he/she is an employee of City of Winter Park, Florida and that he/she is over twenty-one years of age.
2. That he/she posted the Notice of Hearing, scheduled for October 3, 2024, on the property located at 631 DEPUGH STREET on this **12th day of September 2024**.
3. That the attached picture document is proof of the posting.

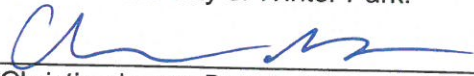
FURTHER AFFIANT SAYETH NOT

DATED this **13th day of September 2024**


Wade, Phillip, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **13th day of September 2024**, by Phillip Wade, who is personally known to me as a Safety & Code Compliance Officer of the City of Winter Park.


Christina Leann Busch, Notary Public
My Commission Expires October 9, 2026
Commission #HH319908



**CITY OF WINTER PARK
SAFETY & CODE COMPLIANCE DIVISION
401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789
[407-599-3600](tel:407-599-3600)**

Case No: PM-24-0116

**CITY OF WINTER PARK
Petitioner,**

vs.

**KELLY L. PRICE
890 GEORGIA AVENUE
WINTER PARK, FL 32789-2605
Respondent,**

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2. Address where violation(s) exists: **631 DEPUGH STREET, WINTER PARK, FL 32789-2605.**
3. Parcel I.D. No.: **06-22-30-1214-04-180**
4. Property Zone: **R-1A**

09/12/2024 16:50



**CITY OF WINTER PARK
SAFETY & CODE COMPLIANCE DIVISION**
401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789
[407-599-3600](tel:407-599-3600)

Case No: PM-24-0116

CITY OF WINTER PARK
Petitioner,

vs.

9489 0178 9820 3026 1019 85

KELLY L. PRICE
890 GEORGIA AVENUE
WINTER PARK, FL 32789-2605
Respondent,

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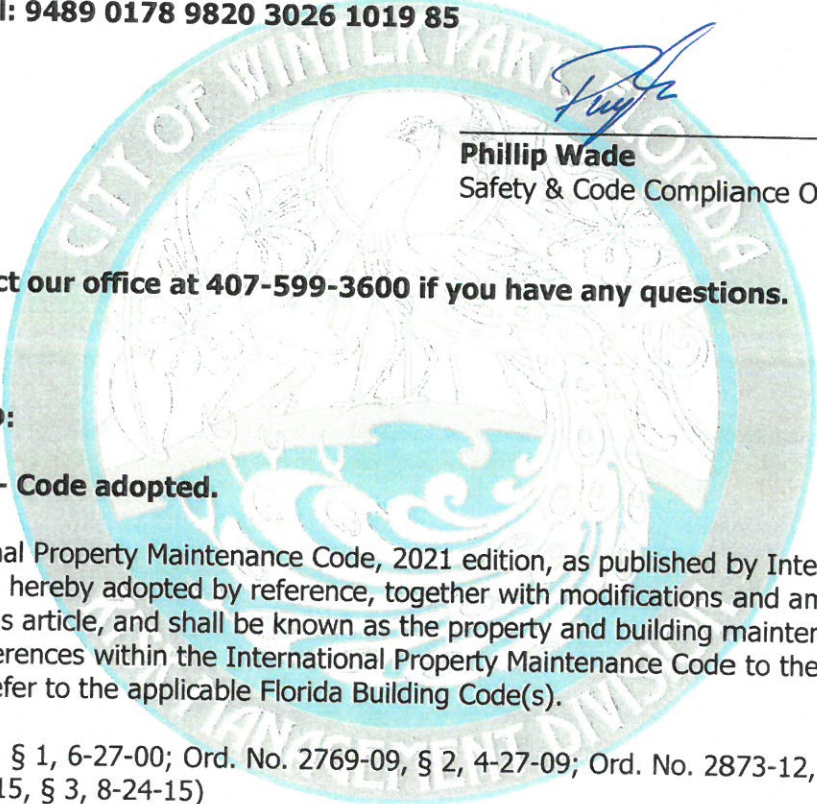
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Dated this: 12th day of September 2024

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing has been furnished by certified and regular mail to: **KELLY L. PRICE – 890 GEORGIA AVENUE, WINTER PARK, FL 32789–2605**

Certified Mail: 9489 0178 9820 3026 1019 85




Phillip Wade
Safety & Code Compliance Officer

Please contact our office at 407-599-3600 if you have any questions.

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Tracking Number:

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9489017898203026101992

[Copy](#)[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your item was delivered to an individual at the address at 3:28 pm on September 14, 2024 in WINTER PARK, FL 32789.

Get More Out of USPS Tracking:

USPS Tracking Plus®

[Feedback](#)

Delivered

Delivered, Left with Individual

WINTER PARK, FL 32789

September 14, 2024, 3:28 pm

Arrived at USPS Regional Facility

LAKE MARY FL DISTRIBUTION CENTER

September 13, 2024, 7:57 pm

In Transit to Next Facility

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September 12, 2024, 8:29 pm

● **Hide Tracking History**

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Text & Email Updates



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Product Information



See Less ^

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Enter tracking or barcode numbers

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FAQs

CITY OF WINTER PARK
SAFETY & CODE COMPLIANCE
401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789
(407) 599-3600

CASE NO.: **PM-24-0116**

City of Winter Park
Petitioner,

vs.

KELLY L. PRICE
890 GEORGIA AVENUE
WINTER PARK, FL 32789
Respondent, /

AFFIDAVIT OF POSTING

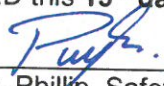
STATE OF FLORIDA
COUNTY OF ORANGE

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1. That he/she is an employee of City of Winter Park, Florida and that he/she is over twenty-one years of age.
2. That he/she posted the Notice of Violation on the property located at 631 DEPUGH STREET TRAIL on this **12th day of September 2024**.
3. That the attached picture document is proof of the posting.

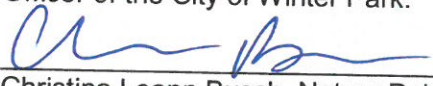
FURTHER AFFIANT SAYETH NOT

DATED this **13th day of September 2024**


Wade, Phillip, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **13th day of September 2024**, by Phillip Wade, who is personally known to me as a Safety & Code Compliance Officer of the City of Winter Park.


Christina Leann Busch, Notary Public
My Commission Expires October 9, 2026
Commission #HH319908



OFFICIAL NOTICE OF VIOLATION

CITY OF WINTER PARK
SAFETY & CODE COMPLIANCE
401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789

DATE: September 12, 2024
CASE # PM-24-0116
CERTIFIED TRACKING NUMBER: 9489 0178 9820 3026 1019 92

You are hereby notified that the below stated property has been inspected and found to be in violation of Chapter 22 Section 22-176 (adopting the IPMC 2021 edition), 22-177 (amending the IPMC), Sec. 108.9 Vacant Buildings, 202 (1), (2), (13), (21) Nuisance and 304.13 Windows, Skylight and Door Frames of the International Property Maintenance Code.

PROPERTY MAINTENANCE/NUISANCE

On June 24, 2024 a violation(s) was observed on your property. The violation(s) must be corrected by September 30, 2024. Failure to comply with city ordinances will result in the issuance of a notice to appear before the Code Enforcement Board with the imposition of fines of up to \$250 per day, per violation.

Property Zoned: R-1A

Parcel ID#: 06-22-30-1214-04-180

Violation Location/Address: 631 DEPUGH STREET
WINTER PARK, FL 32789

Property Owner/ Tenant: PRICE KELLY L
Mailing Address: 890 GEORGIA AVENUE
Chy/ State/ Zip: WINTER PARK, FL 32789

Description of Violation: WINTER PARK, FL 32789
WINDOWS AND DOORS BOARDED UP EXCEEDING THE
60 DAYS ALLOWED BY CODE. BROKEN WINDOWS AND
DOORS CONSTITUTING HAZARDOUS CONDITIONS
AND INVITING TRESPASSERS AND MALICIOUS
MISCHIEF.

Corrective action to be taken: REMOVE BOARDS FROM ALL WINDOWS AND DOORS.
REPLACE AND OR REPAIR ALL BROKEN WINDOWS
AND DOORS. CONTACT THE SAFETY AND CODE
COMPLIANCE OFFICER WITH YOUR INTENTIONS.

Officer Name: P. Wade (407) 599-3465
pwade@cityofwinterpark.org

09/12/2024 16:50



09/12/2024 16:50

OFFICIAL NOTICE OF VIOLATION

CITY OF WINTER PARK
SAFETY & CODE COMPLIANCE
401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789

9489 0178 9820 3026 1019 92

DATE: **September 12, 2024**

CASE # **PM-24-0116**

CERTIFIED TRACKING NUMBER: **9489 0178 9820 3026 1019 92**

You are hereby notified that the below stated property has been inspected and found to be in violation of **Chapter 22 Section 22-176 (adopting the IPMC 2021 edition), 22-177 (amending the IPMC), Sec. 108.9 Vacant Buildings, 202 (1), (2), (13), (21) Nuisance and 304.13 Windows, Skylight, and Door Frames of the International Property Maintenance Code.**

PROPERTY MAINTENANCE/NUISANCE

On **June 24, 2024** a Violation(s) was observed on your property. The violation(s) must be corrected by **September 30, 2024**. Failure to comply with city ordinances will result in the issuance of a notice to appear before the Code Enforcement Board with the imposition of fines of up to \$250 per day, per violation.

Property Zoned: **R-1A**
Parcel ID#: **06-22-30-1214-04-180**
Violation Location/Address: **631 DEPUGH STREET
WINTER PARK, FL 32789**
Property Owner/ Tenant: **PRICE KELLY L.**
Mailing Address: **890 GEORGIA AVENUE**
City/ State/ Zip: **WINTER PARK, FL 32789**
Description of Violation: **WINDOWS AND DOORS BOARDED UP EXCEEDING THE
60 DAYS ALLOWED BY CODE. BROKEN WINDOWS AND
DOORS CONSTITUTING HAZARDOUS CONDITIONS
AND INVITING TRESPASSERS AND MALICIOUS
MISCHIEF.**
Corrective action to be taken: **REMOVE BOARDS FROM ALL WINDOWS AND DOORS.
REPLACE AND OR REPAIR ALL BROKEN WINDOWS
AND DOORS. CONTACT THE SAFETY AND CODE
COMPLIANCE OFFICER WITH YOUR INTENTIONS.**

Officer Name: **P. Wade (407) 599-3465**
pwade@cityofwinterpark.org

Appeal Process

An aggrieved party, including the City Commission, may appeal a final administrative order of the Code Compliance Board to the Orange County Circuit Court. Any such appeal shall be filed within 30 days of the execution of the order to be appealed. The scope of review shall be limited to appellate review of the record created before the Code Compliance Board and shall not be a trial de novo. The appealing party will be responsible for paying reasonable charges for preparation of the record on appeal.

If you would like to schedule an appointment to discuss this notice or feel that you have come into compliance with the terms of this notice, please contact Safety & Code Compliance at (407) 599-3600.

Violation Detail

SEC 22-176 & 22-177 - PROPERTY MAINTENANCE

Violation Description

Sec. 22-176. - Code adopted.

The International Property Maintenance Code, 2021 edition, as published by International Code Council, Inc., is hereby adopted by reference, together with modifications and amendments contained in this article, and shall be known as the property and building maintenance code of the city. All references within the International Property Maintenance Code to the International Code(s) shall refer to the applicable Florida Building Code(s).

(Ord. No. 2357, § 1, 6-27-00; Ord. No. 2769-09, § 2, 4-27-09; Ord. No. 2873-12, § 2, 4-9-12; Ord. No. 3007-15, § 3, 8-24-15)

Sec. 22-177. - Amendments.

The International Property Maintenance Code, 2021 edition, is hereby amended in the following respects:

General: All references to the International Building, Plumbing, Mechanical, Fuel Gas, Fire, Electrical and Zoning Codes shall mean the respective building, residential,

plumbing, mechanical, gas, fire, electrical, and zoning codes of the city.

Violation Detail

SEC. 108.9 - Vacant Buildings

Violation Description

108.9 Vacant buildings. No vacant building may be boarded up for a period of time exceeding 60 days unless granted a waiver by the building official. All vacant buildings or buildings permitted to be boarded up shall be maintained in accordance with section 22-177(304.6). "Exterior walls" and all boards used to enclose the building must be neatly fitted within window and door openings and must be painted to blend in with the rest of the building.

Violation Detail

SEC 202 (1), (2), (13), (21) - NUISANCE

Violation Description

Nuisance. The following shall be defined as nuisances: It is a public nuisance for any person owning, leasing, occupying or having charge of any premises in this city to maintain, or permit to exist, such premises in such manner that any one or more of the following conditions are to exist thereon:

- (1) Any public nuisance known at common law or in equity jurisprudence.
- (2) Any attractive nuisance which may prove detrimental to children whether in a building, on the premises of a building, or upon an unoccupied lot. This includes any abandoned wells, shafts, basements, or excavations; abandoned refrigerators and motor vehicles; any structurally unsound fences or structures; or any lumber, trash, fences, debris or vegetation which may prove a hazard for inquisitive minors.

(13) Broken windows constituting hazardous conditions and inviting trespassers and malicious mischief.

(21) The maintenance of any structure in a defective, unsightly, deteriorated and unrepaired condition, which is viewable from a public right-of-way or viewable from the sites of neighboring properties, where such condition would cause appreciable harm or material detriment to the aesthetic and/or property values of surrounding properties.

Violation Detail

SEC. 304.13 - WINDOWS, SKYLIGHT AND DOOR FRAMES

Violation Description

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.



Susanne Porras

From: Susanne Porras
Sent: Thursday, October 31, 2024 11:43 AM
To: 'Kelly Price'; Phillip Wade; CityManager; 'Leah@kellypriceandcompany.com'; Mayor and Commissioners
Cc: 'Anthony Rizzo'; 'Troy Gualandi'; Gary Hiatt
Subject: RE: Visit

Good Morning, Ms. Price,

I hope this email finds you well. The Notice of Hearing was hand delivered to your home as part of our Florida Statute 162 Due Process Requirements.
I've copied the portion of the FL Statute 162.12 related to Notices in here for your information.

The 2024 Florida Statutes

Title XI
COUNTY ORGANIZATION AND
INTERGOVERNMENTAL RELATIONS

Chapter 162
COUNTY OR MUNICIPAL
CODE ENFORCEMENT

[View Entire Chapter](#)

CHAPTER 162

COUNTY OR MUNICIPAL CODE ENFORCEMENT

PART I

LOCAL GOVERNMENT CODE ENFORCEMENT BOARDS

(ss. 162.01-162.13)

PART II

SUPPLEMENTAL COUNTY OR MUNICIPAL CODE OR ORDINANCE ENFORCEMENT

PROCEDURES

(ss. 162.21-162.30)

PART I

LOCAL GOVERNMENT CODE ENFORCEMENT BOARDS

162.12 Notices.—

(1) All notices required by this part must be provided to the alleged violator by:

(a) Certified mail, and at the option of the local government return receipt requested, to the address listed in the tax collector's office for tax notices or to the address listed in the county property appraiser's database. The local government may also provide an additional notice to any other address it may find for the property owner. For property owned by a corporation, notices may be provided by certified mail to the registered agent of the corporation. If any notice sent by certified mail is not signed as received within 30 days after the postmarked date of mailing, notice may be provided by posting as described in subparagraphs (2)(b)1. and 2.;

(b) Hand delivery by the sheriff or other law enforcement officer, code inspector, or other person designated by the local governing body;

(c) Leaving the notice at the violator's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice; or

(d) In the case of commercial premises, leaving the notice with the manager or other person in charge.

(2) In addition to providing notice as set forth in subsection (1), at the option of the code enforcement board or the local government, notice may be served by publication or posting, as follows:

(a)1. Such notice shall be published in print in a newspaper or on a publicly accessible website as provided in s. 50.0311 for 4 consecutive weeks. If published in print, the notice shall be published once during each week for 4 consecutive weeks (four publications being sufficient) in a newspaper in the county where the code enforcement board is located. The newspaper shall meet such requirements as are prescribed under chapter 50 for legal and official advertisements.

2. Proof of publication shall be made as provided in ss. 50.041 and 50.051.

(b)1. In lieu of publication as described in paragraph (a), such notice may be posted at least 10 days prior to the hearing, or prior to the expiration of any deadline contained in the notice, in at least two locations, one of which shall be the property upon which the violation is alleged to exist and the other of which shall be, in the case of municipalities, at the primary municipal government office, and in the case of counties, at the front door of the courthouse or the main county governmental center in said county.

2. Proof of posting shall be by affidavit of the person posting the notice, which affidavit shall include a copy of the notice posted and the date and places of its posting.

(c) Notice by publication or posting may run concurrently with, or may follow, an attempt or attempts to provide notice by hand delivery or by mail as required under subsection (1).

(3) Evidence that an attempt has been made to hand deliver or mail notice as provided in subsection (1), together with proof of publication or posting as provided in subsection (2), shall be sufficient to show that the notice requirements of this part have been met, without regard to whether or not the alleged violator actually received such notice.

History.—s. 1, ch. 80-300; s. 11, ch. 86-201; s. 3, ch. 87-391; s. 10, ch. 89-268; s. 6, ch. 94-291; s. 6, ch. 99-360; s. 3, ch. 2000-125; s. 1, ch. 2012-13; s. 2, ch. 2013-193; s. 1, ch. 2014-154; s. 14, ch. 2021-17; s. 14, ch. 2022-103.

Note.—Former s. 166.062.

Respectfully,

Susanne R. Porras, COSS
Safety & Code Compliance
Code Compliance Div. Manager
Phone: 407-599-3283



NOTE: Florida law prohibits code enforcement officers from investigating potential code violations by way of an anonymous complaint. A person making a code violation complaint must provide their name and address. Providing your phone number and email is optional but recommended so we may contact you if needed an update.

Under Florida law, email addresses and written correspondence with the city become public record and must be made available to the public and media upon request (unless otherwise exempt). If you do not want your email address to be public record, please contact our office by phone.

From: Kelly Price <kprice@kellypriceandcompany.com>
Sent: Wednesday, October 30, 2024 9:23 PM
To: Phillip Wade <pwade@cityofwinterpark.org>; Susanne Porras <SPorras@cityofwinterpark.org>; City Manager <City_manager@cityofwinterpark.org>; Leah Bonich <Leah@kellypriceandcompany.com>; Mayor and Commissioners <MayorandCommissioners@cityofwinterpark.org>
Cc: Anthony Rizzo <Anthony@skohomes.com>; Troy Gualandi <troy@skohomes.com>
Subject: [External] Visit

[This email is from an external source. Before clicking any links, hover over them to check the actual address. Avoid opening attachments from unknown senders.]

Good evening Code Enforcement. Doug said you stopped by my home late this afternoon to hand deliver my reminder of my violation.

Do you visit the personal residence often of our citizens as I know you are aware that I work all day and also the location of my office?

As I have discussed numerous times the crew behind Depugh broke into the back and the front of my house. Skolfield homes will start the project in the future and that is the reason for the plywood. I don't want to waste hard earned dollars on a temporary fix because the City did not enforce the ongoing crime problem on the street. Pls pull the WPPD reports on the house directly behind my home.

I am aware of the meeting in November and plan to attend in person. I look forward to the update on all the issues I brought before you in September. Did you enforce them all?

Could you pls confirm how many code violations you have hand delivered to personal homes this year? I'm very interested in your response. Pls reply to all.

Thank you.

Kelly L. Price, GRI [\(bio\)](#)
President – Broker
Kelly Price & Company
[243 West Park Avenue](#)
[Winter Park, FL 32789](#)
p. [407.645.4321](#)
f. [407.647.5000](#)

CONFIDENTIALITY NOTICE: This transmission, and it's attachments accompanying it, may contain legally privileged/confidential information, and is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any dissemination, disclosure, forwarding, or copying of this

communication is strictly prohibited. If you have received this communication in error, please promptly contact me at 407.645.4321.

Phillip Wade

From: Phillip Wade
Sent: Wednesday, July 10, 2024 12:51 PM
To: 'kelly@kellypriceandcompany.com'
Cc: Susanne Porras
Subject: 631 Depugh Ave

Ms. Price,

The property at 631 Depugh Ave is in violation for overgrowth of grass and weeds taller than 12 inches and boarded up doors on the property for more than 60 days. This email serves as a courtesy notice for the violations on the property. Please correct the violations and contact me when the violations are corrected. Thank you.

Best Regards,

Phillip Wade Jr

Safety & Code Compliance Officer
Phone: 407-599-3465



City of Winter Park
401 Park Ave. South
Winter Park, FL. 32789
cityofwinterpark.org

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Under Florida law, email addresses and written correspondence with the city become public record and must be made available to the public and media upon request (unless otherwise exempt). If you do not want your email address to be public record, please contact our office by phone.

Phillip Wade

From: Phillip Wade
Sent: Wednesday, July 10, 2024 1:00 PM
To: 'kelly@kellypriceandcompany.com'
Cc: Susanne Porras
Subject: Correction 631 Depugh St
Attachments: 631 Depugh St1.JPG; 631 Depugh St2.JPG; 631 Depugh St3.JPG

Ms. Price,

Correction the address is 631 Depugh St. attached are photos of the property.

Phillip Wade Jr

Safety & Code Compliance Officer
Phone: 407-599-3465



City of Winter Park
401 Park Ave. South
Winter Park, FL. 32789
cityofwinterpark.org

NOTE: Florida law prohibits code enforcement officers from investigating potential code violations by way of an anonymous complaint. A person making a code violation complaint must provide their name and address. Providing your phone number and email is optional but recommended so we may contact you if needed

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06/24/2024 13:58



Code Compliance Board

agenda item 5.c

item type

Public Hearings (Public participation and comment on these matters must be in person.)

meeting date

November 7, 2024

prepared by

Susan Pruchnicki, Coordinator

approved by

Susanne Porras, Code Compliance Manager

subject

CCB#-PM-24-0016 820 W. Webster Ave., Winter Park, FL 32789 - Massey Hearing

motion | recommendation

background

VIOLATION DESCRIPTION: Severe conditions causing appreciable harm or material detriment to the aesthetic and/or property values of the surroundings. Dilapidated wood fence surrounding the property is not structurally sound and is in need of repair. Unsightly discarded articles, white trash bags, debris, broken bicycles, grill, lawn mower, plastic containers, lawn equipment, leaf loser, trash cans, black trash bag, trolley, wheel barrel, ladder, generator, crate, gas canister, vacuum, metal boxes, white cover, tarp, car parts stored on the property in plain view.

CODES CITED: Chapter 22, Sec. 22-176 (adopting the International Property Maintenance Code, 2021 edition), 22-177 (amending the International Property Maintenance Code), Sec., 202 (1), (2), (14) (b) (c), (16), (18) Nuisance, 302.7 Dilapidated Fences, 302.1 Sanitation & Storage of materials of the International Property Maintenance Code.

alternatives | other considerations

fiscal impact

attachments

1. CCB#-PM-24-0016 820 W WEBSTER AVE CASE DOCS

If you own and occupy property as your primary residence as of January 1, 2025, you may qualify for an exemption. The deadline to file a 2025 exemption application is March 1, 2025.

[Click Here To Apply for Homestead and Other Exemptions Online](#)

Print Date: 07/18/2024 System Refresh Date: 07/17/2024

820 W Webster Ave 06-22-30-1168-02-032

Name(s):
CLARK WILLIE J

Physical Street Address:
820 W Webster Ave

Property Use:
0100 - Single Family

Mailing Address On File:
820 W Webster Ave
Winter Park, FL 32789-3048

Postal City and Zip:
Winter Park, FL 32789

Municipality:
Winter Park

[Incorrect Mailing Address?](#)



[Upload Photos](#)

[View 2023 Property Record Card](#)

PROPERTY FEATURES

VALUES, EXEMPTIONS AND TAXES

SALES

MARKET STATS

LOCATION

2024 Values will be available in August of 2024. To see the certified values, go to the Values, Exemptions and Taxes Tab.

[View Plat](#)

Property Description

CAPENS ADDITION TO WINTER PARK A/95 THE N 105 FT OF LOT 3 (LESS N 5 FT) BLK B SEE OR 49/180 & 1747/552

Total Land Area

10,000 sqft (+/-) | 0.23 acres
(+/-)

[GIS Calculated](#)

[Notice](#)

Land

Land Use Code	Zoning	Land Units	Unit Price	Land Value	Class Unit Price	Class Value
0100 - Single Family	R-3	1 LOT(S)	Working Value...	Working Value...	Working Value...	Working Value...

« « 1 » »

Page 1 of 1 (Total Records: 1)

Building

[View Winter Park Permits](#)



[More Details](#)

Model Code:

01 - Single Fam Residence

Actual Year Built:

1971

Gross Area:

2434 sqft

Type Code:

0103 - Single Fam Class III

Beds:

3

Living Area:

2434 sqft

Building Value:

Working Value...

Baths:

2

Exterior Wall:

Concrete/Cinder Block

Estimated New Cost:

Working Value...

Floors:
1
Interior Wall:
Wood Panel

«« « 1 » »»

Page 1 of 1 (Total Records:1)

Extra Features

Description	Date Built	Units	Xfob Value
Fpl1 - Fplace 1	01/01/1971	1 Unit(s)	Working Value...
Shed - Shed	01/01/2001	1 Unit(s)	Working Value...

«« « 1 » »»

Page 1 of 1 (Total Records: 2)

If you own and occupy property as your primary residence as of January 1, 2024, you may qualify for an exemption. The deadline to file a 2024 exemption application is March 1, 2024.

[Click Here To Apply for Homestead and Other Exemptions Online](#)

Print Date: 02/16/2024 System Refresh Date: 02/15/2024

820 W Webster Ave 06-22-30-1168-02-032

Name(s):

Clark Willie J

Physical Street Address:

820 W Webster Ave

Property Use:

0100 - Single Family

Mailing Address On File:

820 W Webster Ave
Winter Park, FL 32789-3048

Postal City and Zip:

Winter Park, FL 32789

Municipality:

Winter Park

[Incorrect Mailing Address?](#)



820 W WEBSTER AVE, WINTER PARK, FL 32789 7/30/2019 9:22 AM

[Upload Photos](#)

[View 2023 Property Record Card](#)

PROPERTY FEATURES

\$ VALUES, EXEMPTIONS AND TAXES

SALES

MARKET STATS

LOCATION

2024 Values will be available in August of 2024. To see the certified values, go to the Values, Exemptions and Taxes Tab.

[View Plat](#)

Property Description

CAPENS ADDITION TO WINTER PARK A/95 THE N 105 FT OF LOT 3 (LESS N 5 FT) BLK B SEE OR 49/180 & 1747/552

Total Land Area

10,000 sqft (+/-) | 0.23 acres
(+/-)

[GIS Calculated](#)

[Notice](#)

Land

Land Use Code	Zoning	Land Units	Unit Price	Land Value	Class Unit Price	Class Value
0100 - Single Family	R-3	1 LOT(S)	Working Value...	Working Value...	Working Value...	Working Value...

« « 1 » »

Page 1 of 1 (Total Records: 1)

Building

[View Winter Park Permits](#)



[More Details](#)

Model Code:

01 - Single Fam Residence

Actual Year Built:

1971

Gross Area:

2434 sqft

Type Code:

0103 - Single Fam Class III

Beds:

3

Living Area:

2434 sqft

Building Value:

Working Value...

Baths:

2

Exterior Wall:

Concrete/Cinder Block

Estimated New Cost:

Working Value...

Floors:
1
Interior Wall:
Wood Panel

«« « 1 » »»

Page 1 of 1 (Total Records:1)

Extra Features

Description	Date Built	Units	Xfob Value
Fpl1 - Fplace 1	01/01/1971	1 Unit(s)	Working Value...
Shed - Shed	01/01/2001	1 Unit(s)	Working Value...

«« « 1 » »»

Page 1 of 1 (Total Records: 2)



ORANGE COUNTY TAX COLLECTOR
SCOTT RANDOLPH
 INDEPENDENTLY ELECTED TO SERVE YOU

Orange County Notice of Ad Valorem Taxes & Non-Ad Valorem Assessments

CLARK WILLIE J
 820 W WEBSTER AVE
 WINTER PARK, FL 32789-3048

Account Number: 0284375-3
 Assessed Value: 148,354
 Millage Code: 4 WP
 Parcel Number: 06-22-30-1168-02032
 Address: 820 W WEBSTER AVE WINTER PARK 32789
 Exemptions: Homestead, Extra Homestead

AD VALOREM TAXES					
Taxing Authority	Assessed Value	Exempt Value	Taxable Value	Millage	Tax Levied
STATE SCHOOL	148,354	25,000	123,354	3.1730	\$391.40
LOCAL SCHOOL	148,354	25,000	123,354	3.2480	\$400.65
GEN COUNTY	148,354	50,000	98,354	4.4347	\$436.17
WINTER PRK	148,354	50,000	98,354	4.0923	\$402.49
WP DEBT 2017	148,354	50,000	98,354	.2379	\$23.40
SJWM	148,354	50,000	98,354	.1793	\$17.63
				Total Millage:	15.3652
				Subtotal:	\$1,671.74
NON-AD VALOREM ASSESSMENTS					
Levying Authority	Phone	Amount	Levying Authority	Phone	Amount
5110 WINTER PARK STM	(407)599-3362	\$183.12			
				Subtotal:	\$183.12
Combined Total of Ad Valorem Taxes & Non-Ad Valorem Assessments					\$1,854.86

Pay Online, Opt-in to E-Billing and Print your Receipt at octaxcol.com.

Payments not received by March 31st are delinquent.

IF YOUR TAXES ARE NOT ESCROWED, PLEASE RETURN THE BOTTOM PORTION WITH YOUR PAYMENT.

0284375-3
 820 W WEBSTER AVE WINTER PARK 32789
 06-22-30-1168-02032
 CAPENS ADDITION TO WINTER PARK A/95 THE N 105 FT
 OF LOT 3 (LESS N 5 FT) BLK B SEE OR 49/180 & 1747/552

CLARK WILLIE J
 820 W WEBSTER AVE
 WINTER PARK, FL 32789-3048

CLARK WILLIE J
 820 W WEBSTER AVE
 WINTER PARK, FL 32789-3048

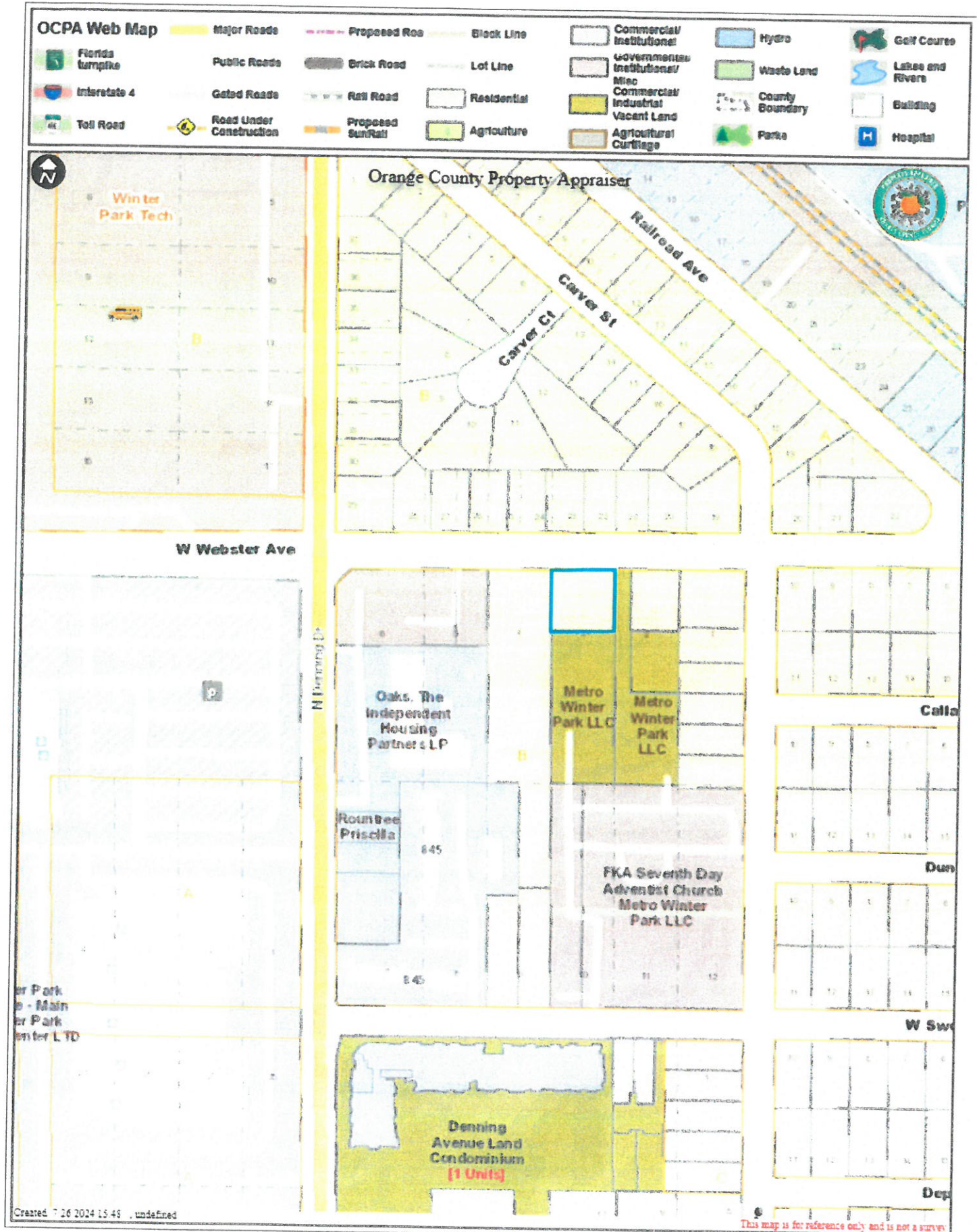
PAID - DO NOT PAY

PAID 0031-09341434 \$1,780.67 11/30/2023

PO Box 545100
 Orlando FL 32854-5100

ONLY PAY ONE AMOUNT	
If Paid By	Amount Due
Nov. 30, 2023	\$1,780.67
Dec. 31, 2023	\$1,799.21
Jan. 31, 2024	\$1,817.76
Feb. 29, 2024	\$1,836.31
Mar. 31, 2024	\$1,854.86





FACT SHEET

November 7, 2024

Case No: PM-24-0016

Respondent:

Clark, Willie J
820 W. Webster Avenue
Winter Park, FL 32789

1. Address where violation exists: **820 W Webster Avenue, Winter Park, FL 32789**
2. Parcel I.D. No.: **06-22-30-1168-02-032**
3. Property Zone: **R-1A**
4. Inspection(s): **09/04/2024, 09/06/2024, 09/14/2024, 09/20/2024, 10/02/2024, 10/03/2024, 10/04/2024, 10/11/24, 10/17/24, 10/18/24, 10/24/2024, and 10/31/2024.**
5. Notice of Violation and Notice of Hearing were mailed regular, certified mail
and posted on the property and at City Hall in accordance with Florida Statute 162
Due Process requirements.

I HEREBY CERTIFY all photographs are a true and accurate representation of said violation as cited.

Evidence

Notice of Hearing (Proof of Service)
Photographs
Case History Report
PowerPoint Work Sheet
Codes Cited
Proof of Ownership

VIOLATION DESCRIPTION: Severe conditions causing appreciable harm or material detriment to the aesthetic and/or property values of surrounding. Dilapidated wood fence surrounding the property is not structurally sound and is in need of repair. Unsightly discarded articles, white trash bags, debris, broken	CORRECTIVE ACTION REQUIRED: Repair and/or replace dilapidated fencing. Remove unsightly discarded articles out of plain view from the public right-of-way and adjacent neighboring properties.	CODES CITED: Chapter 22, Sections 22-176 (adopting the International Property Maintenance Code, 2021 edition), 22-177 (amending the International Property Maintenance Code), Sections 202 (1), (2), (14) (b), (c) (16), (18) Nuisance, 302.7 Dilapidated Fences, 302.1 Sanitation & Storage of materials of the International Property Maintenance Code.
---	---	--

bicycles, grill, lawn mower, plastic containers, lawn equipment, leaf blower, trash cans, black trash bag, trolley, wheel barrel, ladder, generator, crate, gas canister, vacuum, metal boxes, white cover, tarp, car parts stored on the property in plain view.		
--	--	--

CITY OF WINTER PARK
SAFETY & CODE COMPLIANCE
401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789
(407) 599-3600

CASE NO.: **PM-24-0016**

City of Winter Park
Petitioner,

vs.

CLARK WILLIE J.
820 W WEBSTER AVENUE
WINTER PARK, FL 32789
Respondent, /

AFFIDAVIT OF POSTING

STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned authority, personally posted Wade, Phillip, Safety & Code Compliance Officer for the City of Winter Park Safety & Code Compliance, who, after being duly sworn, deposes and says:

1. That he/she is an employee of City of Winter Park, Florida and that he/she is over twenty-one years of age.
2. That he/she posted the Notice of Massey Hearing, scheduled for November 7, 2024, on the property located at 820 W WEBSTER AVENUE on this **11th day of October 2024**.
3. That the attached picture document is proof of the posting.

FURTHER AFFIANT SAYETH NOT

DATED this **11th day of October 2024**


Wade, Phillip, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **11th day of October 2024**, by Phillip Wade, who is personally known to me as a Safety & Code Compliance Officer of the City of Winter Park.


Christina Leann Busch, Notary Public
My Commission Expires October 9, 2026
Commission #HH319908



**CITY OF WINTER PARK
SAFETY AND CODE COMPLIANCE DIVISION
401 S PARK AVENUE
WINTER PARK, FLORIDA 32789
407-599-3600**

Case No: PM-24-0016

**CITY OF WINTER PARK
Petitioner,**

vs.

**WILLIE J. CLARK
820 W. WEBSTER AVENUE
WINTER PARK, FL 32789-3048**

Respondent.

**NOTICE OF MASSEY HEARING FOR DETERMINATION OF NON-
COMPLIANCE WITH CODE COMPLIANCE BOARD ORDER
AND TO IMPOSE FINES AND LIEN**

Pursuant to Section 2-105 of the Code of the City of Winter Park, the Designated Code Compliance Officer hereby gives Notice of a Hearing for Imposition of Non-Compliance with Code Compliance Board Order and to IMPOSE FINES TO THE RESPONDENTS, WILLIE J. CLARK - 820 W. WEBSTER AVENUE, WINTER PARK, FL 32789-3048. The Code Compliance Board will hear, discuss, and decide Petitioner, the City's Request for Determination of Non-Compliance with Code Compliance Board Order, effective August 1, 2024, and to Impose Fines and Lien. This Notice is intended to give Respondent an opportunity to appear before the Board before any fines are imposed, in accordance with Massey v. Charlotte County, 892 So. 2d 142 (Fla. 2d DCA 2003). The hearing will take place

**Thursday, November 7th, 2024
at 3 p.m.
Commission Chambers, 2nd floor, Winter Park City Hall
401 S. Park Ave., Winter Park, FL 32789**

10/11/2024 13:26



10/11/2024 13:26

**CITY OF WINTER PARK
SAFETY AND CODE COMPLIANCE DIVISION**

401 S PARK AVENUE
WINTER PARK, FLORIDA 32789

[407-599-3600](tel:407-599-3600)

Case No: PM-24-0016

9171 9690 0935 0313 3154 78

CITY OF WINTER PARK
Petitioner,

vs.

WILLIE J. CLARK
820 W. WEBSTER AVENUE
WINTER PARK, FL 32789-3048

Respondent.

**NOTICE OF MASSEY HEARING FOR DETERMINATION OF NON-
COMPLIANCE WITH CODE COMPLIANCE BOARD ORDER
AND TO IMPOSE FINES AND LIEN**

Pursuant to Section 2-105 of the Code of the City of Winter Park, the undersigned Code Compliance Officer hereby gives Notice of a Hearing for Determination of Non-Compliance with Code Compliance Board Order and to Impose Fines to the Respondents, **Willie J. Clark – 820 W. WEBSTER AVENUE, WINTER PARK, FL 32789-3048**. The Code Compliance Board will hear, discuss, and decide Petitioner, the City's Request for Determination of Non-Compliance with Code Compliance Board Order, effective August 1, 2024, and to Impose Fines and Lien. This Notice is intended to give Respondent an opportunity to appear before the Board before any fines are imposed, in accordance with *Massey v. Charlotte County*, 842 So. 2d 142 (Fla. 2d DCA 2003). The hearing will take place on:

**Thursday, November 7th, 2024
at 3 p.m.**

**Commission Chambers. 2nd floor, Winter Park City Hall
401 S. Park Ave., Winter Park, FL 32789**

The below information is in reference to the case fines to be discussed.

1. Violation of City Code Chapter/Section and Order: **On August 1st, 2024, the Code Compliance Board determined that Respondents were in violation of Chapter 22, Sections 22-176 (adopting the IPMC, 2021 edition), 22-177 (amending the IPMC), Sections 202 (1), (2), (14) (b), (c) (16), (18) Nuisance, 302.7 Dilapidated Fences, 302.1 Sanitation & Storage of Materials of the International Property Maintenance Code.**

At the hearing, and in the attached Findings of Fact, Conclusions of Law and Order (effective on August 1st, 2024), the Respondent was **ORDERED** to:

- A. Repair and/or replace the dilapidated fence and remove all debris; and
 - B. Remove all unsightly, discarded articles so that they are out of plain view from the public right-of-way and adjacent neighboring properties within 30 days of this hearing date. Failure to comply with this order will result in fines of up to \$250.00 per day, per violation for each day the violation continues. The respondent is further ordered to contact the Safety & Code Compliance Officer and provide documentation of action taken to bring the Subject Property into compliance by August 31, 2024.
2. Address where violation exists: **820 W. WEBSTER AVENUE, WINTER PARK, FL 32789-3048**
 3. Parcel I.D. No.: **06-22-30-1168-02-032**
 4. Property Zone: **R-3**
 5. Legal Description: **CAPENS ADDITION TO WINTER PARK A/95 THE N 105 FT OF LOT 3 (LESS N 5 FT) BLK B SEE OR 49/180 & 1747/552 per Orange County records.**
 6. Respondent/Names and address of owner/person in charge of location where violation exists: **WILLIE J. CLARK - 820 W. WEBSTER AVENUE, WINTER PARK, FL 32789**

7. Description of Violation(s): **Severe conditions causes appreciable harm or material detriment to the aesthetic and/or property values of surrounding. Dilapidated wood fence surrounding the property is not structurally sound and is in need of repair. Unsightly discarded articles, white trash bag, debris, broken bicycles, grill, lawn mower, plastic containers, lawn equipment, leaf blower, trash cans, black trash bag, trolley, wheel barrel, ladder, generator, crate, gas canister, vacuum, metal boxes, white cover, tarp, car parts stored on the property.**
8. Motion to be Heard: **Request for Determination of Non-Compliance with Code Compliance Board Order and assessment of fines and lien.**

NO ADDITIONAL NOTICE OF HEARING WILL BE PROVIDED TO YOU.

Even if you do not attend this hearing, the Code Compliance Board will consider the City's Request for Determination of Non-Compliance with Code Compliance Board Order and to Impose Fines and Lien, and may assess fines, enable the City to place liens on your property, or take other actions which will affect your rights.

If you feel that you have come into compliance with the terms of the **August 1st, 2024** Order prior to the **November 7, 2024** hearing, it is your responsibility to contact the City's Safety & Code Compliance Division and provide evidence of compliance.

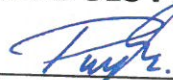
PLEASE GOVERN YOURSELF ACCORDINGLY.

Dated: **October 7, 2024**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing has been furnished by certified and regular mail to: **Willie J. Clark - 820 W. Webster Avenue, Winter Park, FL 32789-3048**

Certified Mail # 9171 9690 0935 0313 3154 78



Phillip Wade
Safety & Code Compliance Officer

Appeal Process

Respondent is hereby notified that Respondent or the City of Winter Park, who may be aggrieved by an Order of the Code Compliance Board, has the right to appeal the Order to the Circuit Court in and for Orange County, Florida within thirty (30) calendar days of the rendition of an Order, as set forth in Florida Statutes § 162.11. The party bringing the appeal has the responsibility of ensuring that, with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she 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 to be based.

Please contact our office at (407) 599-3600 if you have any questions. Persons with disabilities needing assistance to participate in this proceeding should contact us at least 48 hours in advance of the meeting.

SEC. 22-176. - CODE ADOPTED.

The International Property Maintenance Code, 2021 edition, as published by International Code Council, Inc., is hereby adopted by reference, together with modifications and amendments contained in this article, and shall be known as the property and building maintenance code of the city. All references within the International Property Maintenance Code to the International Code(s) shall refer to the applicable Florida Building Code(s).

(Ord. No. 2357, § 1, 6-27-00; Ord. No. 2769-09, § 2, 4-27-09; Ord. No. 2873-12, § 2, 4-9-12; Ord. No. 3007-15, § 3, 8-24-15)

SEC. 22-177. - AMENDMENTS.

The International Property Maintenance Code, 2021 edition, is hereby amended in the following respects:

General: All references to the International Building, Plumbing, Mechanical, Fuel Gas, Fire, Electrical and Zoning Codes shall mean the respective building, residential, plumbing, mechanical, gas, fire, electrical, and zoning codes of the city.

SEC 202 (1), (2), (14)(b), (c), (16), (18) NUISANCE

Nuisance. The following shall be defined as nuisances: It is a public nuisance for any person owning, leasing, occupying or having charge of any premises in this city to maintain, or permit to exist, such premises in such manner that any one or more of the following conditions are to exist thereon:

- (1) Any public nuisance known at common law or in equity jurisprudence.
- (2) Any attractive nuisance which may prove detrimental to children whether in a building, on the premises of a building, or upon an unoccupied lot. This includes any abandoned wells, shafts, basements, or excavations; abandoned refrigerators and motor vehicles; any structurally unsound fences or structures; or any lumber, trash, fences, debris or vegetation which may prove a hazard for inquisitive minors.
- (14) Vegetation, including dry grass, dead shrubs, dead trees, combustible refuse and waste, or any material growing upon the area between the traveled way and the property line, sidewalks or upon private property which by reason of size, manner of growth and location would create any one or more of the following:
 - b. A condition likely to harbor rats, vermin or other similar creatures constituting a health hazard; or
 - c. Causes appreciable harm or material detriment to the aesthetic and/or property values of surrounding property.
- (16) The accumulation and storage on any premises for more than ten days of abandoned, wrecked, dismantled or inoperative automobiles, trailers, campers, boats, other mobile equipment, or major part thereof within the view of persons on public or other property adjacent to the premises.
- (18) Waste on the premises in open view or can be seen from an adjacent property, which by reason of its location is unsightly and interferes with the reasonable enjoyment of property by neighbors, detrimentally affects property values in the surrounding neighborhood or community or which would materially hamper or interfere with the suppression of fire upon the premises or adjacent premises and which is visible from public property or from neighboring properties for a period of time in excess of ten days. "Waste" is defined for the purpose of this section as unused or discarded matter and material which consists (without limitation or exclusion by enumeration) of such matter and material as rubbish and refuse and matter of any kind including, but not limited to, rubble, debris,

asphalt, concrete, plaster, tile, rocks, bricks, soil, building materials, crates, cartons, containers, boxes, furniture and household equipment or parts thereof, lumber, trash, dirt, machinery or parts thereof, scrap metal and pieces of metal, ferrous or nonferrous, bottles, bedding, etc.

SEC 302.7 DILAPIDATED FENCES

Wood Fence, falling dilapidated in need of repair/block wall needs cleaning or painting/not stable or safe about to fall, creating unsafe conditions

302.7 All accessory structures including detached garages, fences and walls shall be maintained structurally sound and in good repair.

SEC 302.1 UNSIGHTLY ARTICLES

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. It shall be unlawful for any person to permit any old, broken lumber, rusted or unused equipment, discarded refrigerators, 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 days.

It shall be unlawful for the owner or occupant of a building, structure or property to utilize the premises of such property for the open storage of any abandoned motor vehicle, icebox, refrigerator, stove, glass, building material building rubbish or similar items. It shall be the duty and responsibility of every such owner or occupant to keep the premises of such property clean and to remove from the premises all such abandoned items as listed above, including but not limited to weeds, dead trees, trash, garbage, etc., upon notice from the code official.

CITY OF WINTER PARK
SAFETY & CODE COMPLIANCE
401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789
(407) 599-3600

CITY OF WINTER PARK

CASE NO. PM-24-0016

Petitioner, _____ /

vs.

WILLIE CLARK
820 W. WEBSTER AVE.
WINTER PARK, FL 32789-3048,

Respondent. _____ /

STATE OF FLORIDA :
COUNTY OF ORANGE :

**AFFIDAVIT OF NON-COMPLIANCE WITH
CODE COMPLIANCE BOARD ORDER**

Before me, the undersigned authority, personally appeared Phillip Wade, who, after being duly sworn, deposes and says:

1. My name is Phillip Wade. I am a Safety and Code Compliance Officer with the City of Winter Park.
2. I am over the age of 18 and base the averments in this Affidavit on my personal knowledge, information, and belief.
3. I am familiar with the property located at 820 W. Webster Avenue, Winter Park FL, 32789, with a Parcel Identification number of 06-22-30-1168-02-032.
4. I am familiar with, and reviewed the code compliance case involving the Property, Case #. PM-24-0016.
5. On August 1, 2024, the Code Compliance Board entered an Order (the "Order") requiring the respondent to

- A. Repair and/or replace the dilapidated fence and remove all debris; and
- B. Remove all unsightly, discarded articles so that they are out of plain view from the public right-of-way and adjacent neighboring properties within 30 days of this hearing date. Failure to comply with this order will result in fines of up to \$250.00 per day, per violation for each day the violation continues. The respondent is further ordered to contact the Safety & Code Compliance Officer and provide documentation of action taken to bring the Subject Property into compliance by August 31, 2024.
6. On September 4, 2024, I re-inspected the Property to determine if the property owner undertook corrective action. I observed: The fence with a missing panel. Unsightly discarded articles of trash, debris, ladder, buckets, vacuum, boxes, grey tarp, water containers, air condition unit, bicycle, concrete blocks, chairs, cones, broom, plastic bottles on trash bin, trailer, grills, plastic bags, lawn care materials, metal pipes, water heater, old wood debris, wheel barrel, scrap metal, cooler, metal frames, spray bottle, propane tank, gas stove, pot, lawn equipment, moving trolley, file cabinet on the right-of-way of the property.
7. Therefore, I determined that the property owner has not taken corrective actions and the Property remains out of compliance with Chapter 22, Sections 22-176 (adopting the IPMC, 2021 edition), 22-177 (amending the IPMC), Sections 202 (1), (2), (14) (b), (c), (16), (18) Nuisance, 302.7 Dilapidated Fences, 302.1 Sanitation & Storage of materials of the International Property Maintenance Code.



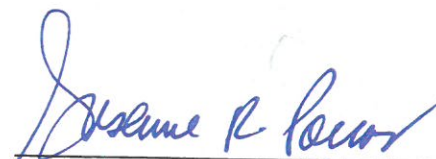
Phillip Wade, Affiant

SWORN TO AND SUBSCRIBED

Before me this 17th day of September 2024,

By Phillip Wade, who is personally known to me

as a Safety & Code Compliance Officer of the City of Winter Park.


Notary Public
Susanne R. Porras, Notary Public
My Commission Expires November 1, 2026
Commission # HH283677



CODE COMPLIANCE BOARD OF THE
CITY OF WINTER PARK, FLORIDA

Case No: PM-24-0016

CITY OF WINTER PARK,

Petitioner,

vs.

WILLIE CLARK
820 W. WEBSTER AVE.
WINTER PARK, FL 32789-3048,

Respondent.

DOC # 20240539131

09/17/2024 10:56 AM Page 1 of 3

Rec Fee: \$27.00

Deed Doc Tax: \$0.00

Mortgage Doc Tax: \$0.00

Intangible Tax: \$0.00

Phil Diamond, Comptroller
Orange County, FL

9489 0178 9820 3026 1010 53

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

THIS CASE came for a public hearing before the City of Winter Park, Florida, Code Compliance Board (the "Board"), on the 1st day of August, 2024, after due notice to the Respondent, WILLIE CLARK, 820 W WEBSTER AVE WINTER PARK FL 32789-3048, and the Board having heard sworn testimony and argument, and having received evidence, the Board thereupon issues its Findings of Fact, Conclusions of Law, and Order as follows:

I. FINDINGS OF FACT

The Board makes the following findings of fact:

A. Address, Ownership and Possessory Interest: The property at issue is located at 820 W Webster Ave (the "Subject Property").

B. Legal Description: CAPENS ADDITION TO WINTER PARK A/95 THE N 105 FT OF LOT 3 (LESS N 5 FT) BLK B SEE OR 49/180 & 1747/552 per Orange County records.

C. Parcel I.D.: 06-22-30-1168-02-032

D. Notice: The City gave proper notice of this hearing to the Respondents by posting at the Property and at City Hall and by United States certified mail.

E. Description of Violation: Severe conditions causing appreciable harm or material detriment to the aesthetic and/or property values of surrounding properties. Dilapidated wood fence surrounding the property is not structurally sound and is in need of repair. Unsightly discarded articles, white trash bags, debris, broken bicycles, grill, lawn mower, plastic containers, lawn equipment, leaf blower, trash cans, black trash bag, trolley, wheel barrel, ladder, generator, crate, gas canister, vacuum, metal boxes, white cover, tarp, and car parts are or were stored on the property in plain view of the right-of-way and/or neighboring properties.

II. CONCLUSIONS OF LAW

Based on the testimony and evidence of record, the Board reaches the following conclusions of law:

Case # PM-24-0016

STATE OF FLORIDA, COUNTY OF ORANGE
I HEREBY CERTIFY That the above and foregoing
is a true copy of the original filed in This office in the
City of Winter Park, Florida

Page 1 of 3

Dated: 9/16/2024 By: Phil Diamond
City Clerk - Deputy Clerk

- A. The City complied with the procedures and notice requirements of Sections 2-105 and 2-110 of the Winter Park Code of Ordinances and in Florida Statutes, chapter 162.
- B. The Respondent, Willie Clark, repeatedly violated Chapter 22, Sections 22-176 (adopting the International Property Maintenance Code, 2021 edition), 22-177 (amending the International Property Maintenance Code), Sections 202 (1), (2), (14) (b), (c) (16), (18) Nuisance, 302.7 Dilapidated Fences, 302.1 Sanitation & Storage of materials of the International Property Maintenance Code.

II. ORDER

Based on the foregoing Finding of Fact and Conclusions of Law, and upon a motion made by Chair Wayne Johnson, seconded by Todd Boyer, and agreed to in a unanimous 7-0 vote by the Board:

The Respondent is **ORDERED** to:

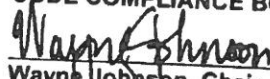
- A. Repair and/or replace the dilapidated fence and remove all debris; and
- B. Remove all unsightly, discarded articles so that they are out of plain view from the public right-of-way and adjacent neighboring properties within 30 days of this hearing date. Failure to comply with this order will result in fines of up to \$250.00 per day, per violation for each day the violation continues. The respondent is further ordered to contact the Safety & Code Compliance Officer and provide documentation of action taken to bring the Subject Property into compliance by August 31, 2024.

NOTICE OF RIGHT TO APPEAL

Respondents are hereby notified that they, or any party who may be aggrieved by this Order, including the City, has the right to appeal this Order to the Circuit Court in and for Orange County within thirty (30) calendar days of the rendition of this Order, as set forth in Florida Statutes § 162.11 and Section 2-108 of the City Code.

DONE AND ORDERED, effective AUGUST 1, 2024, at Winter Park, Florida.

**CITY OF WINTER PARK, FLORIDA
CODE COMPLIANCE BOARD**


Wayne Johnson, Chair

STATE OF FLORIDA
COUNTY OF ORANGE

4th day of August 2024, by means of ☐ physical presence or ☐ online notarization, this
SWORN TO and subscribed before me, by Wayne Johnson, Chair, who is personally known to me.

Notary Public:

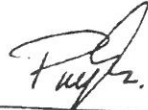




Case # PM-24-0016

CERTIFICATE OF SERVICE

A true and correct copy of the above and aforementioned Findings of Fact, Conclusions of Law and Order has been furnished by **regular and certified mail** to: WILLIE CLARK, 820 W WEBSTER AVE. WINTER PARK, FL 32789-3048



Code Officer

Certified Tracking #



09/04/2024 15:36













Code Compliance Board Regular Meeting Minutes

August 1, 2024 at 3:00 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

Douglas Bond, Steve Heller, Paul Mandelkern, Todd Boyer, Wayne Johnson, Melissa Blaney, Carlos Diez-Arguelles

Legal Representation

Deputy City Attorney Rick Geller

Staff Present

Chief Building Official Gary Hiatt, Allison McGillis, Director, Planning & Zoning, Code Compliance Division Manager Susanne Porras, Code Compliance Officer Phillip Wade; Code Compliance Officer Christina Busch, Board Secretary Susan Pruchnicki.

1. Call to Order

The meeting was called to order at 3:00 PM.

2. Swearing in of Witnesses

Witnesses were sworn in by Board Secretary Susan Pruchnicki

3. Consent Agenda

- a. Approve the minutes of the June 6, 2024, Regular Meeting

Board Member Steve Heller made a motion to approve the minutes as presented. Board Member Paul Mandelkern seconded. Motion unanimously passed 7-0.

4. Public Comments (for items not on the agenda): Three minutes allowed for each speaker

None

5. Public Hearings (Public participation and comment on these matters must be in person.)

Division Manager Susanne Porras requested permission to move case LDC-24-0103 to the first case heard; the board agreed.

a. **CCB# - LDC-24-0103** 1303 W. Fairbanks Ave., Winter Park, FL 32789

VIOLATION DESCRIPTION: The property, a non-residential dwelling, is currently being rented or utilized on a short-term rental website for less than one month, which is a violation of the city code.

CODES CITED: Chapter 58, Section 58-84 (y) Short term rental of residential dwellings of the City of Winter Park Land Development Code.

Code Compliance Officer Christina Busch presented documentation of the property location, zoning, and ownership as verified per Orange County official records. This property was brought to our attention by a third-party website, Granicus Host Compliance, which identifies short term rentals. Notice of Violation and Amended Notice of Violation were sent via regular and certified mail and posted on the property and at City Hall as per Florida Statute 162 due process requirements.

April 1, 2024 was the date of the initial inspection. An Airbnb listing was found for a two-night stay. An educational letter was issued. A follow-up inspection was conducted on April 15, 2024, the property was listed for a two-night stay. A Notice of Violation was issued on April 15, 2024. Follow-up inspections were conducted May 1, 2024, May 8, 2024, May 16, 2024, and May 22, 2024; the property was listed for a minimum two-night stay each time. A follow-up inspection on June 24, 2024, found the Airbnb listing was changed to a minimum stay of 30 nights.

The Notice of Hearing was posted on the property July 18, 2024. Follow up inspections were conducted on July 19, 2024 and August 1, 2024; the Airbnb listing was for 30 nights. As of today, the property is in compliance.

Airbnb reviews were presented to the Board confirming stays for a few nights to one week between 2018 and 2023. Board Member Paul Mandelkern asked officer Busch to confirm that the property was in compliance as of June 24, 2024, and that the violations occurred before that date. Officer Busch responded yes.

Board Chairperson Wayne Johnson noted emails between the city and the owners and inquired how that affected the violation.

Allison McGillis, Director of Planning and Zoning for the City, responded to Mr. Johnson's question, explaining that the property has a non-residential classification, and General Provisions state you cannot have short-term rentals. Even though there is a residential unit on the second floor, it cannot be a short-term rental, which is why it is in violation.

Paul Mandelkern confirmed with Ms. McGillis that it made no difference if the zoning was commercial or residential, the short-term rental was not permitted. She responded yes. Mr. Mandelkern then asked about an exception for a hotel. Ms. McGillis responded yes, however, the city identified a hotel as having 10 or more rooms.

Board Member Melissa Blaney confirmed with Ms. McGillis that short-term rental was defined by 30 days; she responded yes.

Board Member Doug Bond confirmed that the owner is now in compliance. He asked officer Busch if the owner ever contacted her. Officer Busch responded no, but that they did contact Officer Porras. Officer Porras stated that the owner contacted her, and also Jeff Briggs from Planning and Zoning.

Paul Mandelkern asked Officer Busch if other than the reviews, there was other evidence the unit was being occupied. Officer Busch responded yes. She presented the rental history from the Granicus Host Compliance website that tracks the property, showing the number of times the property was rented per month and the number of nights stayed. Mr. Mandelkern requested how a documented stay was determined. Officer Busch responded that Granicus Host Compliance obtains this information from the short-term rental website, in this case Airbnb.

Respondents Jaycelle Veigle, 131 Killarney Dr., Winter Park, FL 32789 and Alison Felix, 1415 Lake Daniel Dr., Orlando, FL 32804, owners of the property, introduced themselves. Ms. Felix offered their apologies and ignorance to the Board, they have never been before them. Ms. Felix stated that she believed there was a misunderstanding, that they were in communication with Jeff Briggs from Planning and Zoning about whether this was a viable listing and it was communicated to them that it was. She stated that when they were notified of the violation, they immediately complied. She then said that she was sure the board had questions, and they did too about how this hearing worked, but that they were doing their best based on what they were instructed to do.

Ms. Veigle noted that the property is zoned commercial; the downstairs portion is commercial, but the upstairs portion is residential. It was their understanding that since the residential property was not in a residential zone that they were able to list it on Airbnb. She stated that they had emailed back and forth with Jeff Briggs multiple times, and it was their understanding that this was allowed. Since then, they had been put in touch with Allison McGillis, and she explained to them that this was not the case. Ms. Veigle stated that the listing was immediately changed to a minimum 30-night stay, and that it was never their intention to break any rules.

Board Member Carlos Diez-Arguelles confirmed with the respondents that they did reach out to the city prior to listing the property. Ms. Veigle responded yes, because the unit was a small piece of the property in a commercial zone. It was their understanding that Airbnb's were not allowed in residential zones. She noted she had emails dated prior to the property being listed clearing that up.

Allison McGillis clarified that Mr. Briggs stated it was permitted was because the city's understanding was that people staying there was in conjunction with the business on the first floor, and that it wasn't an Airbnb or any type of short-term commercial rental. When it was discovered that the unit was being rented on Airbnb, it was determined to be in violation. Being located in a commercial zone, the unit could only be occupied in conjunction with the business on the first floor.

Wayne Johnson referenced an email dated May 10, 2024, from Jeff Briggs saying the property was in a unique situation of commercial office property, in which a short-term rental is permitted. It has always been residential upstairs in commercial zoning and allows for short-term rental ability. Mr. Johnson asked Ms. McGillis if her communications were after that email. Ms. McGillis responded yes, and offered clarification that in the email Mr. Johnson referred to, it was Mr. Briggs' understanding that it was being rented in conjunction with the first-floor modeling agency by the communication given to the city, not as an Airbnb.

Ms. Veigle interjected that the way they read the mail they had permission to proceed with the property rental. However, as soon as they found out from Ms. McGillis that this wasn't the case, they changed the listing to a long-term rental.

Board Discussion:

Steve Heller stated he understood the possibility of a misunderstanding in the matter, and also recognized that the Respondents have made every attempt to put themselves in compliance.

Officer Porras offered Mr. Johnson more information related to the case. The City understands that the Respondents are compliant, and have been for a while. The reason the case was brought before the board was to have it adjudicated and recorded.

Paul Mandelkern questioned what the City wanted the Board to do, if they were to find the property in violation of the short term rental code. Ms. Porras stated that they were in violation, and wished the record to reflect the adjudicated violation so that if it happens again, the case can be brought back as a repeat offender. Mr. Mandelkern confirmed that the property is in compliance today. Ms. Porras responded yes, but the Notice of Hearing had already been issued and the city wants the record to show that they were in violation and the case was adjudicated.

Wayne Johnson expressed his concern that other Respondents had come into compliance, and those cases were dismissed by the city; one dismissed by the board. He referenced one email provided as evidence stating they were in compliance and then a second saying they weren't.

Building and Permitting Director Gary Hiatt addressed Mr. Johnson and the board, stating that as noted at the last meeting, the city is handling these cases at the direction of the City Commission in order to address short-term rentals systematically to increase enforcement. In a memo that was created, this is the process that was outlined. Mr. Hiatt noted that it is up to the Board to decide whether or not the evidence presented is enough to find them in violation. The concept was not to assess fines or find them in violation, but to adjudicate the case so that if the violation occurs again, it is a repeat violation.

Melissa Blaney believed there was a genuine misunderstanding, and felt it would be harsh to put the respondent up for a repeat offense. She does not believe there was ill intent on the part of the Respondents, or with malice based on correspondence with the city.

Doug Bond proposed to dismiss the case.

Motion:

A motion was made by Wayne Johnson:

From the evidence presented today, the property owner has been properly notified per regular and certified mail to satisfy Florida Statute Chapter 162 due process requirements. I move to find the Respondents, Winter Park Land Development, LLC, Compliance Board Case #LDC-24-0103, owners of 1303 W. Fairbanks Avenue, Winter Park, FL 32789 in compliance as of June 26, 2024. Any prior non-compliance appears to have been based upon representations of the city. I therefore move to dismiss the case as presented.

The motion was seconded by Steve Heller. The motion passed with a 6-1 vote.

b. **CCB# - PM-24-0058** 630 W. Swoope Ave., Winter Park, FL 32789

Violation Description: Windows and doors boarded up exceeding 60 days. Utility services to include, electric, water and sewer are disconnected on the property. Broken windows constituting hazardous conditions and inviting trespassers and malicious mischief.

Codes Cited: Chapter 22 Section 22-176 (adopting the International Property Maintenance Code 2021 edition), 22-177 (amending the International Property Maintenance Code), Section 108.9 Vacant Buildings, Section 202 (1), (2), (6), (8), (13) and (21) Nuisance, and 304.13 Windows, Skylight, and Door Frames.

Code Compliance Officer Phillip Wade presented documentation of the property location, zoning, and ownership as verified per Orange County official records. Officer Wade stated that the property was brought to the city's attention by multiple complaints. Notice of Violation and Amended Notice of Violation were sent via regular and certified mail and posted on the property and at City Hall as per Florida Statute 162 due process requirements.

The initial inspection was conducted on March 21, 2024, based on a complaint from neighbors of a neglected structure. Follow-up inspections were conducted on March 22, 2024, and March 29, 2024. The inspection conducted on April 23, 2024, found broken windows. An inspection on April 24, 2024, found the front windows were boarded up, but the windows in the rear were still broken and the property unsecured. A follow-up inspection was conducted on April 26, 2024, and the Notice of Violation was posted on the property April 26, 2024.

Follow-up inspections were conducted on May 4, 2024, May 8, 2024, and May 10, 2024, but Officer Wade witnessed no resolutions to the violations. A follow-up inspection was performed on May 20, 2024, and the Notice of Hearing was posted on the property that day.

Follow-up inspections were performed May 23, 2024, May 28, 2024, May 29, 2024, June 1, 2024, and June 10, 2024; the windows were still boarded each time. A follow-up inspection on June 24, 2024, found that the boards were removed from the front windows, but the side and rear windows were still boarded.

Follow-up inspections were conducted July 9, 2024, and July 15, 2024; the conditions remained the same. A follow-up inspection conducted on July 18, 2024, found that the only boards remaining were on the side of the house. An Amended Notice of Violation and an Amended Notice of Hearing were posted on the property July 18, 2024.

A follow-up inspection was conducted on July 31, 2024. All boards were removed, and the windows and doors repaired. Utility services had been restored.

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Paul Mandelkern asked what the violation was as of August 1, 2024. Officer Wade stated that all violations had been brought into compliance. Wayne Johnson confirmed with Officer Wade that compliance was met on July 26, 2024.

Gary Hiatt added that there is an open window permit for the property that has not been closed out through a final inspection.

Carlos Diez-Arguelles asked if there were any fines levied on the property. Officer Susanne Porras answered that there is currently a lien on the property from a previous case (2021) recorded with Orange County for similar violations. Officer Porras told the board that she had a presentation forthcoming to provide on the previous cases for the property.

Paul Mandelkern asked about the proposed motion provided to declare the property a public nuisance. Officer Porras noted that additional evidence to be presented would support this. Wayne Johnson asked if the presentation was a part of this case, or a separate case. Officer Porras stated she will be presenting evidence from two previous cases showing that the property still has a lien pending, and to demonstrate the repetition of violations. A member of the Winter Park Police Department will also present the criminal mischief side to the case being presented.

Officer Porras presented photos related to Officer Wade's case. Officer Porras assisted Officer Wade on the June 4, 2024 inspection. They met the property owner, Ms. Rosetta Betty. She was there cleaning up debris, trash, and other articles from the interior. At this time, assistance was requested from Winter Park Police Department due to tenants showing up while Ms. Betty was cleaning up the property. A female tenant was very belligerent to Ms. Betty and to city staff. The police officer remained on the property because the situation became risky for a moment. The tenant eventually left with her belongings (pictured).

Officer Porras next presented an overview of previous cases #21-818 (overgrowth/trash/debris/unsightly articles) and #21-98 (broken windows/missing door) that she was involved in that are very similar to the case being presented today by Officer Wade. Notices were served to the property owner, Ms. Rosetta Betty, and a contractor work order was produced to secure the home by boarding the windows and front door. The contractor took care of removing all trash, debris, and unsightly articles from the front, side and rear of the property and mowing the lawn. The property was repaired. Officer Porras provided photos from July 19, 2021, showing the similar violations described. The property was unsafe, there were people coming and going from the property, and the city was receiving numerous complaints from the community. There are neighbors from the community here today to speak on that subject because the property has been deemed unsafe many times.

It creates a problem for the community and for Winter Park Police as they have to respond every time the neighbors call, and becomes a safety issue for code compliance as well.

Officer Porras provided photos dated July 20, 2021, of a contractor sent by the city to clear the trash, debris, and discarded articles; they mowed the property as well. This is where the lien comes in; it is still active with Orange County (has not been paid). This presentation was to document the repetitive history of not only the criminal mischief, but also the broken windows, doors missing, transients, and illegal activities, which she felt were relevant to the case presented today. Sergeant Talton from the Winter Park Police Department will present a history of the calls received daily for this property.

Wayne Johnson asked about the utilities on the property. Officer Porras noted that they are connected now, but when Ms. Betty's son returns to the property, everything is like a revolving door. It doesn't mean that they will stay current, and that we won't be back here again. Officer Porras stated that it is very important that these details be shared so that the Board can understand the impact that this property is causing to the community, the police department, and to city staff. Officer Porras understands that the older cases are not related to the current one, but wanted to share them.

Mr. Johnson asked if the owner lived there, or does her son live there, or do they just come by and fix it up occasionally. Officer Porras confirmed that Ms. Betty does not live there, and that she allows her son to stay there. The problem is that he allows other people to stay there. The City doesn't know if they are the ones destroying the property and committing the criminal mischief; it's just a mix of different things.

Melissa Blaney asked Officer Porras if the home is a rental property. Officer Porras responded no, that Ms. Betty allows her son to stay there.

Sergeant Talton from Winter Park Police Department introduced himself, and stated that his unit primarily dealt with drug investigations. He stated that this location has been on the radar for years with both the specialized units and the patrol officers due to the type of people that frequent the property, but in particular, between March – April of 2024, there was an uptick in the number of complaints of open-air drug activity that was happening at the property.

Sgt. Talton confirmed that the board was provided a copy of the XCAD History Search for their consideration. He explained that the department has a computer-aided dispatch system through Seminole County; all police officers have this on the computers in their cars. Each column on the report represents a different call for service, catalogued by event number, date, time, type of call code. The numbers to the right are the call signs from the officer(s) that responded to the call. This search was from approximately February of 2023, and Sgt. Talton identified 16 more serious types of calls that were responded to on that street.

Sgt. Talton noted he can confirm without a spreadsheet the number of calls on that property that are responded to are far more than any other house on the street. Some of the calls types on the report are for suspicious persons, stolen vehicle, criminal mischief, trespassing, battery, disturbances, threats, suspicious incident, etc. In particular, in April 2024 there was an uptick in drug activities at that house.

Sgt. Talton stated that an officer could drive by the property any time of day and there would be people hanging out, some who were known to the department through prior interactions as drug dealers. Frequent foot and vehicle traffic in and out was occurring all day long; they weren't even trying to hide it. Surveillance was set up (type undisclosed to protect the integrity), and we continued to monitor the area. What stemmed from there was on April 9, 2024. Officers responded to a disturbance for two people who were squatting there; he believed they were living in the shed located on the back of the property. This turned out to be an attempted murder by strangulation. The subject wasn't arrested on that date, but an arrest warrant was obtained. During the surveillance by the Orange County Felony Apprehension Squad (they are tasked with making arrests of more violent outstanding subjects) for the suspect, officers witnessed many hand-to-hand drug transactions on the side of the property. So much was witnessed that they were able to obtain a search warrant. This addressed the drug activity and they were able to capture the wanted subject on April 18, 2024. In the process of extracting the subject from the residence, the windows were broken.

Other notable events found while searching the report system were the battery by strangulation on April 9, 2024; there was a warrant arrest for a subject there on March 14, 2024; battery to a female on May 3, 2024 (a male was arrested); squatting residents; another arrest of a wanted subject on May 18, 2024; officers also recovered a vehicle that was reported stolen by the Eatonville Police Department at that property on February 14, 2023.

Paul Mandelkern asked Sgt. Tolton what the report code "87-IR" meant. Sgt. Tolton explained that officers had to ability to put themselves out on certain types of calls; this code means that an officer is letting other officers know that they are patrolling or that there is an officer present at the location. Oftentimes the code is used as a deterrent or to spot illegal activity that may be going on.

Wayne Johnson asked Sgt. Tolton if he had personally been to the property. He responded yes, several times over the years. Mr. Johnson asked if Sgt. Tolton saw Ms. Betty's son or anyone there. Sgt. Tolton responded yes, but clarified not on any of the dates mentioned in particular, just that he recalls being at the house and seeing Ms. Betty's son there.

Mr. Johnson asked Sgt. Tolton if the house looked generally in disrepair. Sgt Tolton responded not for the last month or so, it's been fixed up, but for quite some time it was in disrepair.

Respondent Rosetta Betty introduced herself. Ms. Betty told the board that she was very unaware of what had been described as happening on her property. She stated that when Officer Porras reached out to her by phone she responded and corrected the violations. She said that no one wants their property to be in disregard, much less others in the community. She said the reason the boards remained for so long was because the windows had been fixed, but she felt them being broken in the first place was malicious behavior after she saw what was happening on the property, and wanted to protect the new ones.

Ms. Betty stated that she tried to remove the squatters from her property, and thanked the Winter Park Police Department in aiding her with this task. She then proceeded to fix up the property. She said her intentions are not to let this happen again, that she will be moving into the property to ensure that it doesn't.

Ms. Betty stated that she did buy the property for her son to help him out in 2012. She also said that she realizes that her care and help are not appreciated by her son, that she is being torn down, and her son is not welcome there anymore. She said this is very hard for her to see, that she works hard and this is the thank you she receives. Ms. Betty offered her apologies to many of the neighboring homeowners, that she realizes it is unfair, and she would not like it if it happened to her.

Ms. Betty stated that she has done what was needed to be in compliance, and that these issues will not continue, that she can see the malicious behavior and will not stand for it. She recognized that this situation is like throwing hard earned dollars in the trash. She then apologized again to those present at the meeting, and hoped the Board would be merciful since she was not living there, not personally committing the violations, and was not aware.

Mr. Johnson asked Ms. Betty when her son stopped living there. Ms. Betty stated that she saw her son in April before traveling to Jamaica (bereavement), and told him he was not welcome on the property. Mr. Johnson asked if Ms. Betty could provide a more specific date. She stated late April, that she returned from Jamaica the first week of May, but did not see him. She stated when she finally spoke to him she expressed how disappointed she was in him that the home was in such disarray, the condition just awful.

Mr. Johnson inquired about the unpaid lien for the clean-up from the 2021 case. Ms. Betty stated she was not aware of the lien, but that she would take care of it.

Melissa Blaney asked Ms. Betty who was taking care of the property in 2021. Ms. Betty said that Officer Porras contacted her and she took care of it. She thought her son would have done the correct thing, and understand he cannot harbor people. Ms. Blaney confirmed that Ms. Betty plans to relocate to the home. Ms. Betty said that the inside of the home is being painted, and that she should be moving in a week or two.

Carlos Diez-Arguelles stated he was confused with the timeframe. He noted that from the presentations that the property has been in constant disrepair. He asked Ms. Betty if she was telling the board that she fixes the home and then her son destroys it again? Ms. Betty said no, that when she was called about it, because she is not there all the time. Mr. Diez-Arguelles asked Ms. Betty how far she lived from the property, and if she ever drove by to look at it. She stated that she trusted her son to do the right thing. She visited the property after she was called, she saw what had happened, and she took care of it. This was the first time (2021) the problem occurred.

Officer Porras clarified that she had not spoken to Ms. Betty recently, that she was communicating with Officer Wade. Officer Porras said she did speak with Ms. Betty in 2021 regarding that case, and that Ms. Betty was aware of the lien because she requested a reduction on the administrative fees. We did talk about the lien before it was recorded. Ms. Betty apologized, that she did not remember this, but she can take care of it immediately.

Mr. Johnson then asked Sgt. Talton if he was aware of any requests to remove trespassers from the property. Sgt. Talton replied he had no personal knowledge, and noted that there were requests for assistance at the property but could not confirm who they came from.

Ms. Blaney asked Officer Porras if there was anything prior to 2021 against the property. Officer Porras said no, that those two cases were the only ones that went far enough to issue a Notice of Hearing because it took longer for Ms. Betty to make the repairs, and that only the overgrowth case is linked to the lien.

Ms. Kelly Price of 890 Georgia Ave., Winter Park, FL 32789 introduced herself as a local resident and a Realtor having knowledge of property values and extensive knowledge of the local market, not only the houses but also the people. She stated that Ms. Betty does own this property, but that she has had several encounters with Ms. Betty's son "Shadow" (not his real name, but what everyone calls him). He has always been very respectful and nice to her.

Ms. Price stated there have been many visitors, squatters, and drug dealers on Ms. Betty's property. Ms. Price asked the board if any of them had driven past the property; none responded. She stated that it was a shame, that it was probably on their way to City Hall. She stated that they would not want this property next door to them if you live in Winter Park. She told the board that she lives in a house to the south of the property, owns a house to the east, a house two doors to the north, and a house four doors to the south, so she is kind of surrounded by Shadow and Ms. Betty's house. She stated this has been a most horrible experience, and the problems at the property have been going on for years. She referenced Sgt. Talton's presentation about the number of times the police have been called. Ms. Price presented an extension cord that was being plugged in to her house for electricity by the people living at the property because there were no utilities available (she reported this theft to the Police Department) as evidence. She stated that it is unbelievable that this has been allowed to go on in Winter Park for years. Residents have called the police and code enforcement. She has personally written to and called Ms. Betty. She noted other residents attending the meeting that live across the street from the property, and also a tenant that lives next door to it who is terrified. Ms. Price described when the S.W.A.T. team arrived with tanks and guns, it was an out of body experience for the people that live on W. Swoope Ave.; it was frightening. She stated the fact that this situation has been allowed to go on is really disappointing. She asked the board how they would feel if this occurred in their neighborhood.

Ms. Price noted that Ms. Betty stated she would be moving in to the property. She stated that the people who have been living on the property dealt drugs, and have stolen lawn equipment from her landscaper. She described those same people as hugging her and telling her they didn't do drugs. She noted she could share many stories.

Ms. Price noted that the city has records of the events on the property, that something should be done, that there should be zero tolerance, and there should be fines. She questioned when Ms. Betty would be moving into the property. She mentioned the paint color on the house is not pleasant to look at, but then recognized that the City does have code enforcement for colors. She reiterated that there can't be broken windows and doors, drug dealers, or the S.W.A.T Team, as these terrify the neighbors. She wanted the board to understand that this cannot happen in Winter Park, that it is wrecking her property values and scaring her tenants.

Ms. Price addressed Ms. Blaney directly about the property not having tenants. She stated that she knew there were "tenants" paying Ms. Betty's son rent to live there because they told her.

Wayne Johnson asked Ms. Price how often she went around the property. Ms. Price stated every day. She again noted her disappointed that none of the board members had driven by the property.

Between witnesses Deputy City Attorney Rick Geller addressed the board, noting that the Police report provided to them is a public record and available to anyone.

Mr. Charles Newton of 631 W. Swoope Ave., Winter Park, FL 32789 introduced himself. He stated he lives directly across from the 630 W. Swoope Ave., and is completely terrified. He stated he has seen knives, guns, prostitution and is horrified. He mentioned the subject that was arrested, stating the he saw him abusing the prostitutes. He also mentioned that he was threatened in an attempt to keep him from attending this meeting.

Mr. Newton stated that he saw Shadow at the property 12 days ago. He also does not believe that Ms. Betty has control of the property, in that Shadow was outside the property and brought more of the drug dealing characters with him. The drug dealing has been incessant. The squatters have just moved.

Mr. Newton stated he has been living across the street for three years, has witnessed the code compliance issues and repairs, but went back to a state of disrepair. He offered a quote from another anonymous neighbor who was too afraid to attend the meeting:

"My message is probably no different than everyone else. I do not want the homeless congregating on my street and wandering in my yard. I would like to take my dog for a walk on my own street, not walk on other streets to avoid passing the house. I've been called out and approached on several occasions, and assumed it was sexual given the prostitution on the neighboring property. For the most part, I avoid the area altogether."

Mr. Newton noted that "don't walk down Swoope" is a common phrase in the neighborhood. He asked the board to please help, that he felt trapped in his own house, and there are families with children living on the street. He also thanked Winter Park P.D. as he felt safer having an officer stationed in the neighborhood.

Next, Ms. Cindy Newton of 19025 Lake Swatara Dr., Eustis, FL 32736 introduced herself. She stated that she does not live in Winter Park, but that she loves the city, and comes here for events and to visit her son. She stated that many times she has witnessed what others have in hand-to-hand drug exchanges and also with vehicles pulling up. She stated she has seen things over the past three years go from being really bad, to being improved, to being bad again. She stated she has been watched or followed by persons on that property when walking alone on the street and that it was frightening. She stated she worries about her son, and also the health of the people staying on the property with broken windows and possible mold growth inside.

Mr. Cali Anthony of 601 W. Swoope Ave., Winter Park, FL introduced himself. He stated that he would like to reiterate the information provided by other neighbors about the property. He noted that his family included two young children, and that he travels a lot for work, up to two weeks of every month. He admitted that he worries about his wife and children when he is away. He stated that his yard is always dirty, that people from the property throw trash in his yard. He also supported Ms. Price in her statement about this devaluing neighboring property.

BOARD DISCUSSION:

Prior to discussion beginning, Paul Mandelkern asked Deputy Assistant Rick Geller what the ramification of declaring the property a public nuisance was. Mr. Geller responded that the objective was to have the case adjudicated. Typically, you would not impose fines until a Massey Hearing was held. He stated that if the case is adjudicated as a nuisance, then if nuisance conditions arise again, the case goes straight to the Massey Hearing. You will not have to have an initial hearing. Mr. Mandelkern thanked Mr. Geller for the explanation.

Melissa Blaney inquired if declaring the property a public nuisance was the maximum that could occur. Mr. Geller responded yes, with the understanding that if a Massey Hearing is necessary that fines of up to \$500.00 per day can be imposed since it is a repeat violation.

Wayne Johnson asked Mr. Geller if this decision would affect the policing of the area. Mr. Geller responded no, that this is all civil code enforcement. The police continue to have their ability to monitor the property for any type of criminal activity that may or may not happen in the future.

Ms. Blaney asked Mr. Geller what the Board can do within their bounds. Mr. Geller stated they are within their bounds to find that there are violations of all the code provisions that have been cited in the Notice of Violation. You can make a finding that today the property is in compliance, but the very fact that you have on record all of these particular code violations have occurred, that will assist city staff if they need to come back to you in the future with a repeat violation.

Mr. Mandelkern asked Mr. Geller a follow-up question while reviewing the recommended motion: since the property is in compliance as of today, is it appropriate not to include the second paragraph, only the first paragraph? Mr. Geller responded that the first sentence about removing boards and repairing broken windows would no longer be applicable, but you can say that future violations will result in fines of up to \$500 per day due to the repeat nature of violations that have occurred on this property. Mr. Mandelkern noted that the recommended motion would need to be revised based on the evidence presented; Mr. Geller agreed.

Ms. Blaney asked if they could add to the motion that Ms. Betty will be in residence by a certain date as she stated she would. Mr. Geller responded that the addition would very likely exceed the scope of the Board's authority, to order someone to live somewhere. He would be reluctant to have that included in the motion.

Mr. Geller stated the Board's authority under Florida State Statute 162 would be to make such orders as to bring the property into compliance, but it is now in compliance. Ms. Blaney responded that the board's hands are tied, that is was brought up that nothing was being done about the property, they are only doing what they can, only so much they can adjudicate. Mr. Geller responded that the board can act within the provisions of both the Florida Statutes and within the city codes. The board can make whatever findings you wish. They would set up the "if" circumstances that warrant this coming back in the future, and the staff will have your findings of fact that there were violations and conclusions of law.

Ms. Blaney confirmed that bottom line, the board could declare the property a nuisance, and future violations would be fined at \$500.00 per day. Mr. Geller reminded that this case was not Noticed as a Massey Hearing today; he would be reluctant to have the board go right into issuing more fines.

Carlos Diez-Arguelles inquired what exactly the city wanted to be done. Mr. Geller responded that the city obviously does not want this property in violation anymore, or want repeat violations. Mr. Diez-Arguelles asked Mr. Geller what the board needed to do to prevent future violations; is it adjudication? Mr. Geller responded adjudication, a finding of facts that based on the broken windows, the trash, the drug dealing, all the evidence that you heard here, that this property was a nuisance, all the different codes that were cited in the recommended motion were in fact violated. Again, you will set this up so that if any violations happen again, the case goes straight to a Massey Hearing, and fines can be imposed at that point.

Ms. Price raised her hand; Mr. Johnson told her that that the board was in discussion and questions were only allowed between the Board and the attorney.

Board Member Todd Boyer proposed the following motion:

From the evidence presented today, I move to find Rosetta Betty, Code Compliance Board Case #PM-24-0058, owner of 630 W. Swoope Avenue, Winter Park, Florida 32789 in violation of Chapter 22, Section 22-176 (adopting the International Property Maintenance Code, 22-177 (amending the International Property Maintenance Code), 202 (1), (2), (6), (8), (13) and 21 Nuisance, Section 108.9 Vacant Buildings (boarding) and 304.13 Windows, Skylights, and Door Frames of the City of Winter Park Property Maintenance and Nuisance Code. Staff is requesting that the Board deems the "Property" as a "Public Nuisance" based on the evidence presented by Code Compliance staff and the Winter Park Police Department related to repeat violations of the Nuisance chapter and the history of criminal mischief and that it applies the highest fine possible.

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The respondent as of today, August 1, 2024, is in compliance but the owner must remain code compliant and have the home remain safe. Failure to comply with this order will result in fines of up to \$250.00 per day for each date the violation continues. The Respondent is further ordered to contact the City Safety & Code Compliance Officer and provide further documentation of action taken by August 23, 2024.

Mr. Geller suggested changes to the motion, the first being that it could be changed to "was in violation" instead of "in violation", and the second suggestion would be that instead of \$250.00 per day, you could say up to \$500.00 per day for the repeat nature of the violations. Mr. Boyer agreed to make those changes to the motion.

Mr. Johnson reminded Mr. Boyer that the motion should include the proper notification of the owner, and that they appeared live before the board.

Mr. Heller asked if there was anything that could be placed in the motion to expedite future violations. Mr. Geller responded that the case would go directly to a Massey Hearing. Mr. Heller stated that there would still be down time to serve the Notice of Hearing, so it could be a couple of months? Mr. Geller agreed, that there are still the Notice requirements.

Ms. Blaney questioned if the fines would start day one, when it was noticed, and would run up until compliance. Mr. Geller said yes. Ms. Blaney proposed a scenario that if it was 60 days until the Massey Hearing, that the fines would be retroactive at that point. Mr. Geller responded absolutely. The Board can make its findings at the Massey Hearing retroactive to the date the violation was first observed. Ms. Blaney questioned if they could impose fines in this motion. Mr. Geller did not recommend doing so as this was not Noticed as a Massey Hearing.

Mr. Mandelkern stated that the board could not impose fines at this hearing because the property is in compliance.

Mr. Heller asked a process question to staff. If code compliance finds this property in violation, is it an immediate call to the homeowner? Officer Porras responded that it would be a Notice of Hearing sent for the next Code Board Hearing. Mr. Heller understood that, but asked if the officer would contact the owner. Ms. Porras responded that the property would be posted immediately to give the owner notice.

After discussion, Mr. Boyer proposed an amended motion:

The property owner has been properly notified per regular and certified mail and in person to satisfy Florida Statute 162 due process requirements. If the Board is in agreement with this and the evidence submitted and determines an order shall be issued. From the evidence presented today, I move to find the Respondent, Rosetta Betty, Code Compliance Board Case #PM-24-0058, owner of 630 W. Swoope Avenue, Winter Park, Florida 32789 was in violation of Chapter 22, Section 22-176 (adopting the International Property Maintenance Code) 22-177 (amending the International Property Maintenance Code), 202 (1), (2), (6), (8), (13) and 21 Nuisance, Section 108.9 Vacant Buildings (boarding) and 304.13 Windows, Skylights, and Door Frames of the City of Winter Park Property Maintenance and Nuisance Code. Staff is requesting that the Board deems the "Property" as a "Public Nuisance" based on the evidence presented by Code Compliance staff and the Winter Park Police Department related to repeat violations of the Nuisance chapter and the history of criminal mischief and that it applies the highest fine possible.

The Respondent as of today, August 1, 2024, is in compliance but the owner must remain in compliance to have the home remain safe. Failure to comply with this order will result in fines of up to \$500.00 per day per violation for each date the violation continues.

Paul Mandelkern seconded the amended motion. The motion passed unanimously with a 7-0 vote.

c. **CCB# - LDC-24-0039** 961 Bonita Dr., Winter Park, FL 32789

VIOLATION DESCRIPTION: The Property, a residential dwelling, is currently being rented, used, occupied on a short-term rental website for less than one month, which is a violation of the City Code.

CODES CITED: Chapter 58, Section 58-71(z) Short-term rental of residential dwellings of the City of Winter Park Land Development Code.

Code Compliance Officer Christina Busch presented documentation of the property location, zoning, and ownership as verified per Orange County official records. Notice of Violation and Amended Notice of Violation were sent via regular and certified mail and posted on the property and at City Hall as per Florida Statute 162 due process requirements.

The property was brought to our attention by Granicus Host Compliance, a website that identifies short-term rentals. The initial inspection was conducted on January 2, 2024. The property was listed for a minimum of three nights. An educational letter was issued. Follow-up inspection completed on February 14, 2024, an Airbnb listing set for a 30-night minimum, and a VRNP listing was also listed for a 30-night minimum. A follow-up inspection on March 18, 2024, showed that the property had reverted its listing to a two night minimum stay for both Airbnb and VRBO. A Notice of Violation was issued on March 18, 2024.

A follow-up inspection was conducted on April 4, 2024. Upon receipt of the Notice the listings for Airbnb and VRBO were changed to a 30-night minimum stay. A follow-up inspection was conducted on May 20, 2024, and the property was found in violation again. Both the Airbnb and VRBO listings were changed back to a two night minimum stay. A Follow-up inspection was conducted on June 26, 2024, both the Airbnb and VRBO listings were changed back to 30 nights. On July 18, 2024, a Notice of Hearing was posted on the property. A follow-up inspection was conducted on July 19, 2024, both listings were set for 30 nights. A Follow-up inspection conducted on August 1, 2024. As of today, the property is in compliance, the Airbnb and VRBO listings are both for a 30-night minimum stay.

Officer Busch provided reviews from Airbnb confirming stays for less than 30 nights. She also provided reviews from VRBO, and a rental history generated by the Host Compliance website used by the city. She noted the purpose of bringing this case today is to have it adjudicated as it is currently in compliance, however the listings keep changing.

Wayne Johnson asked Officer Busch to go back to the slide for July 19, 2024. He asked if on the October VRBO listing someone could select certain dates. Officer Busch explained that once the first date is selected, the calendar automatically blocks the next 29 days, which is how she determines the number of nights of the listing. VRBO doesn't provide an actual display of the minimum nights' stay (as displayed on the Airbnb calendar).

Mr. Johnson asked how many times the listing was changed. Office Busch stated they did it twice, once when they received the educational letter which states the code and lets them know they are in violation it was changed to 30 nights and then they changed it back to the two-night minimum stay about a month later. When the Notice of Violation was issued they changed it to comply with the compliance requirement date, and about four - six weeks later they changed it back to the two night minimum.

Steve Heller asked what the listing is currently. Officer Busch responded it is currently set for a 30-night minimum. He then asked Officer Busch how often she gets the reports. Officer Busch responded as often as she looks at the site. He asked if they had to be ordered for a certain property or if it was city-wide. Officer Busch responded it was city-wide; the Host Compliance site displays a map, then shows what properties have been found in violation of the short-term rental code. The site updates every time it's clicked on to display the most recent information. Mr. Heller then asked when Officer Busch finds a property in violation, how often she checks to see if they are back in compliance. Officer Busch responded typically one to two weeks; it depends on the length of time they are in compliance.

Carlos Diez-Arguelles asked Officer Busch if the people change the listing back and forth because it's easier to rent the property for two or three days than it is for a month. Officer Busch confirmed this. Mr. Diez-Arguelles asked if it was Officer Busch's assumption that the owners are familiar with the code being 30-days. Officer Busch confirmed this.

Mr. Diez-Arguelles then asked how much per night the property was being rented for. Officer Busch did not know; but Mr. Johnson interjected that it was \$150.00 per night per the material provided, and confirmed it was a guest house, not the main house on the property.

BOARD DISCUSSION:

Wayne Johnson noted the recommended motion on the last page after Tab 2 in the material provided to the board.

Steve Heller offered that this case is not the same as the previous one heard, that the people knew what they were doing, and it is obvious that they were trying to game the system. If we're not watching, they are going to do it again. Definitely, he is in favor of the staff recommended motion.

Paul Mandelkern asked if the board has to provide a certain number of days after the hearing date to be in compliance. Can they just say cease renting the dwelling for less than a one-month period, or is a grace period necessary? Mr. Geller responded that is at the board's discretion, that a grace period is not required by code. We have no evidence that someone is staying there and may be kicked out now.

Melissa Blaney noted that as of now the property is in compliance, so there is no need for a grace period. Mr. Mandelkern offered that in previous cases the owners have stated that there were tenants coming in the next week and they have a contract, but no one appeared for this case. Mr. Geller agreed, that no one is being put out on the street. Mr. Mandelkern said that may be, but no evidence to that was presented. Mr. Geller said the board can find them of previously being in violation, and if it happens again the case goes straight to a future Massey Hearing.

Gary Hiatt noted that quite frankly, when the third-party sends the educational flyer and tells them this can't be done, and then you see the listing flipping back and forth that a grace period would ever be appropriate, regardless of their contracts because they know by receiving the initial educational flyer.

Motion:

Paul Mandelkern offered the following motion:

From the evidence provided today, the property owner has been properly notified per regular and certified mail to satisfy Florida Statute 162 due process requirements. I move to find the Respondent, Rubi Akooka, Compliance Board Case #LDC-24-0039, owner of 961 Bonita Drive, Winter Park, Florida 32789 has been in violation of Chapter 58, Section 58-71 General Provisions for residential zoning districts (z) Short-term rental of residential dwellings of the City of Winter Park Land Development Code.

The respondent is ordered to cease renting the dwelling for periods of less than one month. Failure to comply with this order will result in fines of up to \$250.00 per day for each day the violation continues. The respondent is further ordered to contact the City Safety & Code Compliance Officer and provide documentation of action taken by August 4, 2024.

Mr. Geller suggested adding "or \$500.00 per day for repeat violations". Mr. Mandelkern agreed, and asked that it be added to the motion.

Melissa Blaney stated the last sentence be stricken because they have already shown they are in compliance. Mr. Mandelkern agreed to strike the last sentence.

After discussion, Mr. Mandelkern offered an amended motion:

From the evidence provided today, the property owner has been properly notified per regular and certified mail to satisfy Florida Statute 162 due process requirements. I move to find the Respondent, Rubi Akooka, Compliance Board Case #LDC-24-0039, owner of 961 Bonita Drive, Winter Park, Florida 32789 has been in violation of Chapter 58, Section 58-71 General Provisions for residential zoning districts (z) Short-term rental of residential dwellings of the City of Winter Park Land Development Code.

The respondent is ordered to cease renting the dwelling for periods of less than one month. Failure to comply with this order will result in fines of up to \$250.00 per day or \$500.00 per day for repeat violations for each day the violation continues.

Todd Boyer seconded the amended motion. The motion carried with a vote of 7-0.

Wayne Johnson suggested a 10-minute break, which was agreed to.

d. **CCB# - LDC-24-0087** 767 McIntyre Ave., Winter Park, FL 32789

VIOLATION DESCRIPTION: The Property, a residential dwelling, is currently being rented, used, occupied on a short-term rental website for less than one month, which is a violation of the City Code.

CODES CITED: Chapter 58, Section 58-71 (z) Short-term rental of residential dwellings of the City of Winter Park Land Development Code.

Code Compliance Officer Christina Busch presented documentation of the property location, zoning, and ownership as verified per Orange County official records. Notice of Violation and Amended Notice of Violation were sent via regular and certified mail and posted on the property and at City Hall as per Florida Statute 162 due process requirements. The property was brought to the city's attention by Granicus Host Compliance, a website that identifies short-term rentals.

The initial inspection was conducted on March 18, 2024. The property is being listed on VRBO for a minimum three-night stay. Follow up inspections conducted March 27, 2024, and April 1, 2024; the property was still listed for a minimum three-night stay on both dates.

A Notice of Violation was issued on April 1, 2024. A follow-up inspection was conducted on April 17, 2024, and the property was being listed for 28 nights. A follow-up inspection was conducted May 16, 2024, the minimum night stay had reverted back to a three-night minimum.

A Notice of Hearing was issued May 16, 2024. A follow-up inspection was conducted on June 26, 2024. Upon receipt of the Notice of Hearing the listing was changed to a 28-night minimum stay. A follow-up inspection was conducted July 16, 2024, and the minimum stay remained at 28 nights. On July 18, 2024, the Notice of Hearing was posted on the property. A follow-up inspection on August 1, 2024, found the property listed as a 28-night minimum stay. Officer Busch presented VRBO reviews and a Rental History for the property.

Wayne Johnson asked Officer Busch if there was any communication with the property owner regarding the 28-night minimum stay equating one month. Officer Busch responded that the Host Compliance system counts 28 nights as being in compliance because the code just states a one month minimum. Officer Busch responded yes, that the owner contacted her after the the Notice of Hearing was posted on his property and stated he would not be here.

Paul Mandelkern asked Officer Busch that based on the presentation, the property is still not in compliance. Officer Busch responded that per the code it is one month, but not a specific number of days. Because February is only 28 days, she could not tell the owner he couldn't post it for that timeframe.

Wayne Johnson confirmed that the property is not being listed for 30 days. Mr. Mandelkern noted that the educational letter was sent on March 18, 2024, and asked if the property continued to be listed for less than 30 days. Officer Busch responded yes. Steve Heller confirmed that the owner flip-flopped on the number of days of the listing. Officer Busch responded yes.

Melissa Blaney asked Mr. Geller how the board was to interpret that a month is 28 days. Mr. Geller responded that February is 28 days, when it's not a Leap Year. One month is at least 30 days the rest of the year. Ms. Blaney asked if the intent of the code was 30 days. Mr. Geller responded it's fair if it's February; Mr. Johnson interjected that the owner has the benefit of other months with 31 days.

Board Discussion:

Melissa Blaney asked if in the motion could say less than 30 days instead of less than one month. Mr. Geller said yes, the code says 30 days. Ms. Blaney then asked if the order could be imposed quickly, that complying only requires the owner changing the website listing. Mr. Johnson stated that was correct. Ms. Blaney asked if three days would be appropriate, even if that included the weekend. Mr. Johnson said no, then Mr. Geller asked if the question was directed toward him. Ms. Blaney said no, it was a general question to the other board members. Paul Mandelkern stated that this wording should be eliminated to remain consistent with the previous case. Ms. Blaney questioned this because the owner is not in compliance, the listing is only for 28 days. Todd Boyer suggested a compliance date of August 5, 2024.

MOTION:

Wayne Johnson proposed the following motion:

From the evidence provided today, I find the property owner has been properly notified per regular and certified mail to satisfy Florida Statute 162 due process requirements. I move to find the Respondents, Ronald A. Scarpa and Elisa B. Scarpa, Code Compliance Board Case #LDC-24-0087, owners of 767 McIntyre Avenue, Winter Park, Florida 32789 in violation of Chapter 58, Section 58-71 General Provisions for residential zoning districts (z) Short-term rental of residential dwellings of the City of Winter Park Land Development Code.

The Respondent is ordered to cease renting the dwelling for periods of less than one month (30 days) within five days of this hearing date. Failure to comply with this order will result in fines of up to \$250.00 per day for each day the violation continues.

Mr. Mandelkern asked if Mr. Johnson wanted to add "or \$500.00 per day for repeat violations" to the motion. Mr. Geller added that he would suggest this change. Mr. Johnson agreed.

Amended Motion:

From the evidence provided today, I find the property owner has been properly notified per regular and certified mail to satisfy Florida Statute 162 due process requirements. I move to find the Respondents, Ronald A. Scarpa and Elisa B. Scarpa, Code Compliance Board Case #LDC-24-0087, owners of 767 McIntyre Avenue, Winter Park, Florida 32789 in violation of Chapter 58, Section 58-71 General Provisions for residential zoning districts (z) Short-term rental of residential dwellings of the City of Winter Park Land Development Code.

The Respondent is ordered to cease renting the dwelling for periods of less than one month (30 days) within five days of this hearing date. Failure to comply with this order will result in fines of up to \$250.00 per day or \$500 per day for repeat violations for each day the violation continues.

Carlos Diez-Arguelles seconded the motion. The motion carried with 7-0 vote.

e. **CCB# - PM-24-0016** 820 W. Webster Ave., Winter Park, FL 32789

VIOLATION DESCRIPTION: Severe conditions causing appreciable harm or material detriment to the aesthetic and/or property values of surrounding. The dilapidated wood fence surrounding the property is not structurally sound and is in need of repair. Unsightly discarded articles, white trash bags, debris, broken bicycles, grill, lawn mower, plastic containers, lawn equipment, leaf blower, trash cans, black trash bags, trolley, wheel barrel, ladder, generator, crate, gas canister, vacuum, metal boxes, white cover, tarp, car parts stored on the property in plain view.

CODES CITED: Chapter 22, Sections 22-176 (adopting the International Property Maintenance Code, 2021 edition), 22-177 (amending the International Property Maintenance Code), Sections 202 (1), (2), (14) (b), (c) (16), (18) Nuisance, 302.7 Dilapidated Fences, 302.1 Sanitation & Storage of materials of the International Property Maintenance Code.

Code Compliance Officer Phillip Wade presented documentation of the property location, zoning, and ownership as verified per Orange County official records. Officer Wade stated that the property was brought to the city's attention by routine inspection. Notice of Violation and Notice of Hearing were sent via regular and certified mail and posted on the property and at City Hall as per Florida Statute 162 due process requirements.

On January 30, 2024. Officer Wade self-observed unsightly articles, trash, debris, a boat, and trailers on the front lawn of the property. A Follow-up inspection was conducted on February 7, 2024. During this inspection he observed a tent which appeared to have someone living in it. The tent was surrounded by unsightly articles, and a vehicle under piles of debris. In addition, the fence on the property was found to be dilapidated.

A Notice of Violation was posted on the property and a follow-up inspection conducted on February 16, 2024. Another follow-up inspection was conducted on February 22, 2024. The Winter Park Police Department was called for assistance to clear the tent to see if anyone was living in it.

A follow-up inspection was conducted on March 1, 2024. Some things had been cleaned up and the boat removed. Follow-up inspections were conducted on March 2, 2024, March 4, 2024, March 5, 2024, and March 8, 2024; no visible improvements were noticed. A follow-up inspection on March 22, 2024, found metal barrels with unknown content that were added to the property, and the fence was still dilapidated.

On April 1, 2024, Code Compliance reached out to the owner of 800 W. Webster Avenue, Winter Park, FL 32789, where some of the items were stored. Officer Wade asked the owner and was granted permission to clean up that property.

A follow-up inspection was conducted on April 8, 2024; more items were placed on the right side of the front yard after the left side was cleaned. A follow-up inspection was conducted on April 9, 2024; the fence was still dilapidated and unsightly articles still remained.

On April 10, 2024, an Amended Notice of Violation was posted on the property. An inspection this date found the unsightly articles remained. On April 16, 2024, and April 20, 2024, follow-up inspections found no improvements. On April 26, 2024, a Notice of Hearing was posted on the property. A follow-up inspection found unsightly articles and the fence remained in disrepair.

A follow-up inspection was conducted on May 2, 2024, no improvements were visible. On May 4, 2024, a follow-up inspection was conducted. During this inspection the barrels had been moved, and the labeling was visible on one of them, indicating Flammable contents, unsightly articles were still present and the fence in disrepair. On May 6, 2024, a follow-up inspection was conducted, no improvements were visible. On May 10, 2024, a follow-up inspection found more articles stored on the front lawn. On May 13, 2024, a follow up inspection was conducted. An attempt had been made to repair part of the fence, but other parts remained dilapidated, and items were still stored on the left side of the property.

A follow-up inspection was conducted on May 21, 2024. More items were stored on the property and the fence was still dilapidated. Follow-up inspections were conducted on June 3, 2024, and June 10, 2024, where unsightly articles were still stored on the property. Follow-up inspections on June 14, 2024, and June 28, 2024, found more unsightly articles had been placed on the property.

On July 1, 2024, an Amended Notice of Hearing was posted on the property. On July 5, 2024, and July 9, 2024, follow-up inspections were conducted. Some items had been removed, but a lot still remained. On July 17, 2024, July 18, 2024, and July 25, 2024, follow-up inspections were conducted; items still remained on the property. A follow-up inspection conducted on July 24, 2024, found the fence still dilapidated and unsightly articles still remain. A follow-up inspection conducted on July 31, 2024, still found the fence in disrepair and unsightly articles and trash on the property.

Paul Mandelkern asked Officer Wade about the property being cleaned up at one point. Officer Wade stated that was correct, and confirmed that more items were placed on the property afterward.

Wayne Johnson asked if on April 1, 2024, the owner gave the city permission to clean up. Officer Wade clarified that the owner of the property at 800 W. Webster Ave. gave permission for the articles placed on that property to be removed. Mr. Johnson confirmed that a later inspection found more debris had been placed on that property. Officer Porras clarified that the cleaning was of the driveway only, not the area next to the fence. Mr. Mandelkern then noted that the entire property was not cleaned. Officer Porras told the board that the owner of 820 W. Webster was utilizing the church property that began on Webster and ran all the way to Swoope as additional storage for all the items stored outside.

Doug Bond asked Officer Wade if he had spoken to the property owner. Officer Wade confirmed that he had spoken with the owner's son, who is here today. Mr. Willie Clark Jr. informed Officer Wade that it is his brother who is bringing articles onto the property and he has no control, but there was no effort to make improvements.

Mr. Johnson asked if there was an earlier hearing scheduled as Amended Notices had been issued. Officer Wade responded no. When he discovered that some of the property was owned by the church he put the case on hold. Once the church was cited they gave permission for the property to be cleaned up. Mr. Johnson then clarified that the property at 820 W. Webster was owned by Mr. Clark, and the property at 800 W. Webster was owned by the church. Officer Wade confirmed this, and that additional items were placed on the 800 W. Webster Ave. property after it had been cleaned.

Todd Boyer asked Officer Wade if items remained on the driveway of the church property, and in the front yard. Officer Wade responded yes, as of July 31, 2024.

Mr. Mandelkern asked if the fence was still dilapidated. Officer Wade responded yes.

Mr. Johnson asked if the barrels that were marked Flammable had come and gone from the property. Officer Wade said they were moved when the property was first, but then brought back. He also noted that he could not see the labels on the barrels when they first showed up, but when they returned he could see the Flammable labels.

Mr. Johnson asked if there was a person living in the tent. Officer Wade could not confirm that, but noted that when the Police officers cleared the tent they noticed electricity was present and there was an air conditioning unit. Officer Wade went back to a photo in his presentation from February 22, 2024 to point this out. Officer Porras added that she accompanied Officer Wade on that inspection, and the officers said it appeared from what they found that someone was staying there. Officer Wade and I did not see it, but the Police officers saw things at the back of the tent that indicated someone was staying there, possibly overnight since no one was there at the time of the inspection.

Respondent Willie J. Clark, Jr. of 820 W. Webster Ave., Winter Park, Florida 32789 introduced himself, and noted he was at the hearing on behalf of his father, Willie J. Clark Sr.

Mr. Clark told the board that he is dealing with another family member about the articles and debris being placed on the property. Mr. Clark said that he had cleaned it up, and started repairing the fence. Mr. Clark can't get the family member to understand that they cannot keep bringing things and storing them on the property. Mr. Clark stated he was at the meeting to ask what legal action he could take to stop the family member from continuing to store items on the property.

Mr. Clark noted that his father is on a fixed income, and fencing materials are not cheap. Mr. Clark noted that he works almost six days a week, and does the repairs when he can. He is working to bring the property up to code, but is having problems with the family member that keeps bringing items on to the property. Mr. Clark told the family member he could leave vehicles there for 24 hours, as long as they are moved and brought back. He asked if this was correct. He told the family member they could not be left outside the fence permanently. He mentioned again that the family member continues to bring items onto the property despite being told not to.

He asked about items outside the fence being their responsibility; he thought that his father's property ended at the fence line. He asked who owned the property going toward the right of way that articles are being left on. Wayne Johnson asked city staff if said items were on the 800 property or the 820 property. Officer Wade responded they were on both properties. Officer Wade stated that when they cited the church which owns the driveway at 800 W. Webster Ave. the city sent a contractor out and they cleaned the church property. A lien was placed against the church property for the cost of the cleanup; the church paid the lien. Todd Boyer confirmed that the church paid the lien.

Officer Wade stated that Mr. Clark was being cited for items on the adjacent property and his property as well. Mr. Clark asked Officer Wade if he was referring to the trash cans on the front of his property. Officer Wade responded all of the unsightly articles. Mr. Johnson interrupted, telling Mr. Clark that the board was questioning Officer Wade to determine which property the unsightly articles were on. Mr. Johnson addressed Mr. Clark, noting the violation is not just the fence. The fence is one item, and it is understood that repairs are being facilitated, but all the debris on the property is a code violation for nuisance, and regardless of family, the homeowner is still responsible for that.

Doug Bond asked if the photo showing the tent, tires, etc. was part of the 820 W. Webster Ave. property or the church property. Mr. Clark asked the same question. Gary Hiatt interjected that the property owner is responsible for maintaining the right of way adjacent to their property.

Mr. Bond asked Mr. Clark if his father lived on the property or if he did. Mr. Clark responded that both live on the property; his father is 87 years old. Mr. Clark said he does not let his father go outside, that is why he is handling this problem. Mr. Bond asked Mr. Clark how many days he thought he would need to clean everything up and repair the fence. Mr. Clark responded it was cleaned up. Mr. Johnson asked Officer Wade to display the photo taken on July 31, 2024. Mr. Bond asked Mr. Clark if the photo was an accurate representation of what the property looks like now. Mr. Clark said yes. He also stated that he was storing the fence debris as he was replacing the panels. The other articles are things his brother has brought to the property. Mr. Bond again asked Mr. Clark how long he thought he would need to clean up and repair the fence. Mr. Clark stated about a month, that he can only work on it on weekends due to his work schedule. Mr. Johnson asked if the pick-up truck picture belonged to Mr. Clark. Mr. Clark responded the white one was his, the maroon one belonged to his father. Mr. Johnson asked if Mr. Clark could drive his father's truck, he responded yes.

Mr. Mandelkern asked about a timeline for the fence repairs. Mr. Clark responded that he had to take down the rest of the fence and haul it away first. He noted he had to dig new holes, set poles and let them settle before installing new panels.

Mr. Johnson questioned why Mr. Clark was storing the old fencing, and why he couldn't load it and the debris on the property in one of the trucks available to him and take it to the landfill on Saturday morning. Mr. Clark stated he only needed to remove the old fence, that the debris needed to be removed by his brother, it belongs to him. Mr. Clark understands that it needs to be moved, but he is trying to get his brother to remove his articles so that he can get to the things that he needs to move.

Mr. Johnson made clear that Mr. Clark's father is the property owner, and that he will be fined \$250.00 per day or \$500.00 a day. Mr. Clark understood, he had been listening. Mr. Johnson recognized the situation with the family member, but from my standpoint it is a nuisance and a dangerous situation.

Board Discussion:

Mr. Johnson stated he did not see the need for the debris to remain why the fence was being repaired. Mr. Boyer agreed, and suggested five days for the debris, and 45 days for the fence repair. Mr. Bond suggested 20 days (three Saturdays) for the debris. He noted Mr. Clark is not a young man and should be given the benefit of the doubt. His 87-year old father will be the one fined. Mr. Boyer pointed out that the more time allowed for clean-up also allows time for more items to be stored on the property. Mr. Bond noted that would be a problem from Mr. Clark to solve, to speak to the family member that is doing it, and tell them that his father is being fined by the city. Mr. Mandelkern suggested 30 days be allowed of everything. Mr. Bond agreed.

Mr. Johnson offered that no neighbors came to the hearing requesting that it had to be done immediately, I agree that 30 days would be fine.

Motion:

Mr. Johnson proposed the following motion:

From the evidence presented today, I find the property owner has been properly notified via regular and certified mail to satisfy Florida Statute 162 due process requirements. I move to find the Respondent, Willie J. Clark Sr., Compliance Board Case #PM-24-0016, owner of 820 W. Webster Avenue, Winter Park, Florida 32789 in violation of Chapter 22 Section 22-176 (adopting the International Property Maintenance Code), Section 22-177 (amending the International Property Maintenance Code), Chapter 202 Nuisance, (1), (2), (14) (b) (c), (16), and (18), Section 302.7 Dilapidated Fences, Section 302.1 Sanitation and Storage of Materials of the City of Winter Park Land Development Code.

The respondent is ordered to repair and or replace the dilapidated fence, remove unsightly, discarded articles out of the plain view from the public right of way and adjacent neighboring properties within 30 days of this hearing date. Failure to comply with this order will result in fines of up to \$250.00 per day for each day the violation continues. The Respondent is further ordered to contact the City Safety & Code Compliance Officer and provide documentation of action taken by August 31, 2024.

Mr. Bond seconded the motion. The motion carried with a 7-0 vote.

6. Staff Updates

a. Code Compliance Division Manager Susanne Porras provided to the Board that Code Compliance was assisting Natural Resources and Sustainability in enforcing the code for illegal haulers. Notices of Hearing were issued for each case, however, came into compliance prior to today's hearing:

1. LDC-24-0269, 607 Ellen Dr., Winter Park, FL 32789
2. LDC-24-0270, 1100 W. Fairbanks Ave., Winter Park, FL 32789
3. LDC-24-0202, 1150 Louisiana Ave., Winter Park, FL 32789
4. LDC-24-360 Garfield Ave., Winter Park, FL 32789

Wayne Johnson requested a definition of "Illegal Hauler". Officer Porras explained that this was a container on a construction site that per city code needed to be registered. Natural Resources and Sustainability normally sends the initial Notice of Violation to the contractor and if they do not comply within the two weeks provided the case comes to Code Compliance for a Notice of Hearing to be issued.

Mr. Johnson clarified that the container was a non-registered dumpster. Ms. Porras responded yes. Mr. Mandelkern stated that he thought it meant a truck, and thanked Officer Porras for taking care of these cases and not bringing them to a hearing.

7. City Attorney Report

Deputy City Attorney Rick Geller first complimented the Board for treating the people that come before them with the utmost fairness, that it does not go unnoticed.

Mr. Geller then provided the Board an update on the foreclosure of the property located at 1260 Whitesell Dr., Winter Park, FL 32789. The Board's recommendation was accepted by the City Commission. He apologized to the Board for his voice, that COVID had finally found him after four years. As such he is a little behind, but does have a draft foreclosure in the works and hopes to have it filed soon. The city received a change by the Property Appraiser to recognize the property as non-Homestead, which will help.

Mr. Geller raised one final point. Kelly Price suggested that the Board do a site inspection of the properties that come before you. I would like to remind you that this is a quasi-judicial proceeding, and that your decisions should be based on the evidence presented at a hearing. That doesn't say that you have to close your eyes if you're driving by a property, but if you do wish to drive by a property that you disclose it, and if you observe anything that is different than what is presented by staff to please disclose it. From a due process standpoint, the Respondents must know exactly what you are basing your decisions on. Just a word of caution.

7. Board Comments

Paul Mandelkern offered that years ago when he was first appointed to this Board, we were advised not to go by and see the properties for those very reasons. Mr. Boyer and Ms. Blaney noted they remembered this as well. Mr. Geller agreed it was the better idea.

Mr. Bond asked if someone would like to return the extension cord Ms. Price left. Mr. Geller noted it actually is evidence, so the city needs to hold on to it for at least a month until the appeal period has passed.

8. Upcoming Agenda Items

9. Adjournment

Wayne Johnson made a motion to adjourn at 6:03 pm, Todd Boyer seconded.
Motion carried 7-0.

ATTEST: *Susan Pruchnicki*

Approved by the board on September 5, 2024
/s/ Susan Pruchnicki, Board Secretary

FINAL



Code Compliance Board

agenda item 7.a

item type

Staff Updates

meeting date

November 7, 2024

prepared by

Susan Pruchnicki, Coordinator

approved by

Susanne Porras, Code Compliance
Manager

subject

LDC-24-0086 847 Antonette Ave., Winter Park, FL 32789 (SHORT TERM RENTAL)

motion | recommendation**background****alternatives | other considerations****fiscal impact****attachments**

None



Code Compliance Board

agenda item 7.b

item type

Staff Updates

meeting date

November 7, 2024

prepared by

Susan Pruchnicki, Coordinator

approved by

Susanne Porras, Code Compliance
Manager

subject

OVR-24-0131 2827 Eastern Parkway, Winter Park, FL 32789 (OVERGROWTH)

motion | recommendation**background****alternatives | other considerations****fiscal impact****attachments**

None



Code Compliance Board

agenda item 7.c

item type

Staff Updates

meeting date

November 7, 2024

prepared by

Susan Pruchnicki, Coordinator

approved by

Susanne Porras, Code Compliance
Manager

subject

LDC-24-0341 1810 Barker Dr., Winter Park, FL 32789 (SHORT-TERM RENTAL)

motion | recommendation**background****alternatives | other considerations****fiscal impact****attachments**

None