



Code Compliance Board Regular Meeting

Agenda

December 5, 2024 @ 3:00 PM

City Hall Commission Chambers
401 S. Park Avenue

welcome

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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 November 7, 2024 Regular Meeting 2 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. PM-24-0157 1000 S. Orlando Ave., Winter Park, FL 32789 5 Minutes
- b. PM-24-0085 930 Cypress Ave., Winter Park, FL 32789 - MASSEY HEARING 10 Minutes

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

- a. LDC-24-0172 151 N. Orlando Ave., Unit 118, Winter Park, FL 32789 (Short-Term Rental) 1 Minute
- b. LDC-24-0366 1030 Early Ave., Winter Park, FL 32789 (Zoning - Land Development Code) 1 Minute
- c. 1260 Whitesell Drive, Winter Park, FL 32789 - Update 2 Minutes

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

December 5, 2024

prepared by

Susan Pruchnicki, Coordinator

approved by**subject**

Approve the minutes of the November 7, 2024 Regular Meeting

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

1. CCB110724 rev 2 draft minutes



Code Compliance Board Regular Meeting Minutes

November 7, 2024 at 3:00 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

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

Absent

Tim Cordle

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 September 5 2024, Regular Meeting

Board Member Paul Mandelkern made a motion to approve the minutes as presented. Board Member Steve Heller seconded. Motion passed unanimously, 6-0.

- b. Appointment of a new Vice Chair.

Board Member Douglas Bond nominated Board Member Paul Mandelkern to fill the position of Vice Chair. Board Member Melissa Blaney seconded. Mr. Mandelkern accepted the nomination. The motion passed unanimously, 6-0.

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

There were no public comments.

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

a. CCB#-LDC-24-0366 (1030 Early Avenue, Winter Park, FL 32789)

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.

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.

Code Compliance Officer Phillip Wade identified himself, and presented documentation of the property location, zoning, and ownership as verified per Orange County official records. He stated that the violation was self-observed. 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 Wade presented photos and a timeline of inspections beginning on August 12, 2024. Follow-up inspections were performed on August 13, 2024, August 14, 2024, August 21, 2024, and August 23, 2024. On August 27, 2024, the Notice of Violation was posted on the property and mailed. Follow-up inspections were conducted on August 30, 2024, September 4, 2024, and September 6, 2024; the boat and trailer remained parked and stored in the driveway. A Notice of Hearing was posted on the property and mailed September 6, 2024. Follow-up inspections were completed on September 14, 2024, September 18, 2024, September 24, 2024, September 25, 2024, September 28, 2024, October 2, 2024, October 11, 2024, October 18, 2024, October 24, 2024, and October 31, 2024. The boat and trailer remained parked and stored in the driveway at each inspection. An inspection was completed today, November 7, 2024. The boat and trailer remained parked and stored in the driveway.

Paul Mandelkern asked Officer Wade if he had spoken with the Respondent. Officer Wade said yes, on September 6, 2024, and that the Respondent stated that he would move the boat and trailer into his back yard, so I agreed to work with him and allow time for him to move them. Officer Wade returned to perform another follow-up inspection and the boat and trailer remained parked in the driveway. At that time, the Respondent complained to Officer Wade about his neighbor having an illegal fence up in the back. Officer Wade requested that the neighbor remove the fence, which the neighbor did, however the boat and trailer were not moved.

Wayne Johnson inquired if there were any other conversations with the property owner. Officer Wade stated yes, that the Respondent stated there were some green pipes that the neighbor left in the ground. Officer Wade visited the neighboring property but did not find the pipes mentioned. The boat and trailer remained in the driveway.

The Respondent approached the podium. Wayne Johnson informed him that he had ten minutes to address the Board. David Hmielewski introduced himself and confirmed his address as being 1030 Early Avenue, Winter Park, FL 32789. Mr. Hmielewski confirmed that Officer Wade had visited his property, but that his report was somewhat inaccurate. Mr. Hmielewski stated that the boat and trailer had been moved, that he took the boat to have upholstery work done on it, and that he had taken it to the Fairview Marina, where he had an expired storage lease. Mr. Hmielewski confirmed the conversation with Officer Wade about the neighbors' illegal fence, which was constructed of chicken wire and not quite "pipes", but u-shaped structural fence posts to hold the wire. When the fence was erected it blocked where the Respondent normally parked the boat and trailer, on the basketball court in his back yard. He stated that he made complaints to code enforcement and the building department over a six to nine-month period about the fence being installed without a permit, but no action was taken. Officer Wade did speak with the neighbor who installed the fence, and the chicken wire was clipped and pulled from the brackets but there was still four to six inches of the brackets protruding from the ground. Mr. Hmielewski stated if he backed the boat trailer over them it would have damaged the tires, which he communicated to Officer Wade.

Mr. Hmielewski stated that he and Officer Wade remained in decent communication. The notices were received by mail and posted in the yard, and Officer Wade and Officer Porras came to his door last week with a police officer. While not relevant to this case, the police officer stated that they were informed that he was a convicted felon in possession of a fire arm, which was not true. He was cleared and his firearm was returned. The Respondent stated that he filed a complaint with the Police Department. Initially, no one would tell him who made the claim about his being a convicted felon. A Detective called him back later and told him that Code Enforcement told the Department that they made a mistake and apologized.

Mr. Hmielewski stated that after he removed the remaining fence structure in order to move his boat and trailer to the back yard, trees fell as a result of one of the recent hurricanes. He stated that he spent several weeks cutting up the fallen trees, and offered photo evidence that as of today, the boat and trailer are no longer in the driveway. Mr. Hmielewski offered that he tried to comply, that he didn't understand that he was in violation of a code, but at this time the boat and trailer are stored in his back yard.

Wayne Johnson asked Mr. Hmielewski to confirm that "as of this morning" he was in compliance, however, the photo taken today by Officer Wade shows a time stamp of 13:05, which is 1:05 PM. Mr. Hmielewski stated that the photo he presented was taken somewhere between 11:30 AM and 12:00 Noon.

Mr. Johnson asked about the situation with the neighbor's fence, that it was the reason the boat and trailer could not be moved. He asked the Respondent if the fence was installed on his property. Mr. Hmielewski stated that the neighbor leases that property, and that there is a gravel drive between the properties. He noted that he has a six-foot wood fence that goes halfway back to the lake, and the neighbor attached his chicken wire fence to it which ran down to the lake. There was no egress around it.

Steve Heller confirmed with Mr. Hmielewski that currently there is nothing impeding the back of the property. Mr. Johnson requested that Mr. Hmielewski provide the photo he brought be given to Officer Wade for the Board's review and then be entered as evidence in the case.

Mr. Bond confirmed with the Respondent that in the future there would be no problems backing the boat into the back yard. Mr. Hmielewski asked for clarification on the code on how long the boat and trailer could be in the driveway. Mr. Johnson asked how large the boat was. Mr. Hmielewski stated 18 feet.

Board Discussion:

Paul Mandelkern asked Officer Wade to confirm the time the photo in his presentation was taken. Officer Wade stated 1:05 PM. Officer Wade provided a hard copy of the photo for the Board's inspection.

Wayne Johnson noted that the remaining conflict was when the Respondents' photo was taken. The respondent offered that his photo could have been taken later than he thought, it was taken before he came to the hearing. Mr. Johnson suggested that the Board offer two – three days to ensure compliance and for a follow-up inspection to be completed, then asked for comments from the Board.

Melissa Blaney reiterated Mr. Hmielewski's inquiry about the timeframe allowed within the code for his boat and trailer to be in his driveway. The code states 24 hours, and inquired if the Code Officer could inspect the property again today to confirm that the boat and trailer have been moved.

Mr. Mandelkern was reminded by Mr. Geller to use the microphone so that his input could be heard and recorded. That said, Mr. Mandelkern stated that it is not the place of the Board to interpret the code or advise the property owner what he can or cannot do; he needs to work that out with the Code Officer. The Board's responsibility is to adjudicate the case brought before us, not to give out advice.

Mr. Johnson added that Ms. Blaney is asking if the city can do an inspection within 24 hours. Mr. Bond offered input that was not recorded. Mr. Heller added that the Respondent has confirmed that the obstruction in the back yard is gone, so there is no reason for him to be in violation in the future.

Motion:

Wayne Johnson made the following motion:

From the evidence presented today, I move to find the Respondent, David Hmielewski, Compliance Board Case #LDC-24-0366, owner of 1030 Early Avenue, Winter Park, FL 32789 currently in compliance with Chapter 58, Section 58-71 (f)(1) Boats, Trailers, and Recreational Vehicles of the City of Winter Park Land Development Code.

The respondent has been properly notified per regular and certified mail and posting to satisfy Florida Statutes Chapter 162 and City Code section 2-109 due process requirements.

The Respondent is ordered to cease parking of the boat and trailer for more than 24 hours or store it out of the view of the public right of way and/or adjacent neighboring properties within one day of the hearing date. Failure to comply with this order will result in fines of \$250 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 November 12, 2024.

Deputy City Attorney Rick Geller suggested that the motion be amended to read "*The Respondent is ordered to cease parking of the boat and trailer for more than 24 hours in any seven-day period*".

Amended Motion:

Wayne Johnson made the following Amended Motion:

From the evidence presented today, I move to find the Respondent, David Hmielewski, Compliance Board Case #LDC-24-0366, owner of 1030 Early Avenue, Winter Park, FL 32789 currently in compliance with Chapter 58, Section 58-71 (f)(1) Boats, Trailers, and Recreational Vehicles of the City of Winter Park Land Development Code.

The respondent has been properly notified per regular and certified mail and posting to satisfy Florida Statutes Chapter 162 and City Code section 2-109 due process requirements.

The Respondent is ordered to cease parking of the boat and trailer for more than 24 hours in any seven-day period or store it out of the view of the public right of way and/or adjacent neighboring properties within one day of the hearing date. Failure to comply with this order will result in fines of \$250 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 November 12, 2024.

Motion seconded by Doug Bond, and passed unanimously with a 6-0 vote.

Following the motion, Mr. Hmielewski asked the Board if he would be required to take another picture showing the boat and trailer were not in the driveway and provide it to Officer Wade. Mr. Johnson responded yes, on Monday or Tuesday.

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

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.

Code(s) 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.

Compliance Requirements: Remove boards from all windows and doors. Repair and or replace all broken windows and doors.

Code Compliance Officer Phillip Wade identified himself, and presented documentation of the property location, zoning, and ownership as verified per Orange County official records. He stated that the violation was self-observed. Notices of Violation and Hearing were issued by regular and certified mail, and posted on the property and at City Hall, and Hand Delivered to meet Florida Statute Chapter 162 due process requirements.

The initial inspection was conducted on June 24, 2024 where the door in the carport was observed as being damaged and boarded up. Follow up inspections were conducted on July 9, 2024, and July 18, 2024; no improvement was observed. A follow up inspection on August 2, 2024 found no repairs to the door. While conducting an inspection on a neighboring property the same day, Officer Wade noted that he noticed the door on the back of the property at 631 Depugh St. was also boarded up.

Follow up inspections were conducted on August 12, 2024, August 15, 2024, August 23, 2024, August 30, 2024, September 4, 2024, September 6, 2024, and September 12, 2024. No repairs had been made to the carport door or the rear door to the property. The Notice of Violation and Notice of Hearing were posted on the property September 12, 2024.

Follow up inspections were conducted on September 19, 2024 and September 23, 2024; no repairs were observed. An Amended Notice of Hearing was posted on September 24, 2024. Follow up inspections were conducted on September 27, 2024, October 4, 2024, October 11, 2024, October 17, 2024, and October 24, 2024; the doors remained boarded up.

Officer Wade presented a screenshot of a permit search conducted on October 24, 2024; no permit was found for the property. Follow up inspections were conducted October 30, 2024, and today, November 7, 2024, photos show that both doors remain boarded up.

Mr. Johnson asked Officer Wade if there were working utilities at the property; Officer Wade responded he did not know. Mr. Bond inquired if the boards were painted to match the house, if that would be acceptable to correct the violation, and if the grass on the property was an issue. Officer Wade responded no. Mr. Mandelkern confirmed with Officer Wade that the violation is because the doors remained boarded up for more than 60 days. Officer Wade also noted that only the Building Official can approve a longer period of time for the boards to remain.

Mr. Bond asked a question that was not heard on the recording. Officer Wade responded that he has spoken with Ms. Price, and she stated that she did not want to make the repairs because there are plans for other renovations to be done in the future, and she did not want to pay for the repairs twice.

Mr. Johnson confirmed with Officer Wade that there is no one currently living at the property. Mr. Mandelkern confirmed with Officer Wade that the violation was self-observed, not reported.

Mr. Troy Gualandi, General Manager of Skolfield Homes, LLC approached the podium and introduced himself. Mr. Gualandi stated that he has worked for Kelly L. Price for two decades, and that Ms. Price contacted him about this violation a couple of weeks ago so they met to discuss.

Mr. Gualandi offered to Mr. Bond's question about painting the boards, that he asked the same question. He would offer to paint them only as a temporary fix today, as Ms. Price plans to remodel the house at some point, and has extensive work to do. He also confirmed to Mr. Johnson that the utilities for the property are on. His proposal is to apply for a permit to frame out the two openings, remove the existing doors, and paint to match the existing house color. This would allow Ms. Price time to get her financing in order and get permitting to complete the renovation. He asked the Board if this would be acceptable.

Kelly L. Price, owner of 631 Depugh Street, spoke to thank everyone for being there, and to thank Officer Wade for his patience. She mentioned that there have been several code violations brought forth for this property. She stated that this property is in the pipeline for renovation, that it is a very expensive renovation because of the time, everything is more expensive. She also reminded the Board that this house is contiguous to Ms. Rosetta's home on Swoope Ave (directly behind her property), where there were four years of police violations and SWAT Teams, attempted murders and prostitution. Ms. Price stated the people that were residing at the Swoope property broke in to the back door of her property, it was boarded up to prevent anyone from entering the property. Approximately four months later they broke the door in the carport; an emergency call to Skolfield Homes was made to secure the opening to prevent any more vandalism. She reminded the Board that she had violations for high grass, caused as a result of her landscaper moving, and for the trash bins being visible from the right of way, which she had the city pick up. She mentioned there were hundreds of houses in the neighborhood where the cans were visible. Now she is being enforced because of the plywood securing the property, which is why Mr. Gualandi was asked to be present.

Ms. Price stated that she is not trying to be a bad citizen, but that she doesn't want to spend hundreds, maybe thousands of dollars because the neighbors broke into the property, and because the property is part of an overhaul. She described the property as a two-bedroom, one bath that she has already purchased and had a new kitchen made for. She had TECO cap off the natural gas, and the lawn is being mowed weekly. She stated she visits the property every week. Although the plans are extensive, the house will not be torn down. She stated it could be applied for its historic value, that she wants to keep some smaller houses in the neighborhood. She renovates them to try and keep some of the Winter Park feel. She stated that she really doesn't want to battle with the city, that she really wants to work with them; I want them to understand that. She stated that she has talked with Officer Wade and with Officer Porras. She mentioned that the officers came by her home, but that she is never there. She said the officers did speak with her husband, who was home with their dogs and sick with COVID. She was surprised by the visit to her home, and offered that the officers could visit her at her place of business.

Ms. Price again stated that she doesn't want to fight with the city, and apologized for the delay in the renovation project; that's why she asked Mr. Gualandi from Skolfield Homes to be at the hearing to help find a band-aid for the violation that is acceptable. She noted this repair would be removed in approximately six months. She mentioned that the home was damaged by Hurricane Helene and needs a new roof, which has set back the renovation schedule. She mentioned that Tip Top Roofing will be applying for the permit to replace the roof, which will cost \$10,000 to \$15,000. Ms. Price stated that she tries to do everything right, that the renovation probably run in the six figures. She wasn't complaining, just doesn't want to waste money.

Mr. Gualandi added that with approval from the Building Department if his proposal was an acceptable temporary fix to Code Compliance that he could have the work completed within 10 days. Mr. Johnson noted that a permit would be required but no permit had been applied for. Mr. Gualandi stated that no permit has been pulled because there are no plans for the renovation yet, and that he would discuss the work to be done with CBO Gary Hiatt about the requirements for the temporary fix and then apply for the permit.

Ms. Price added that it was too bad that she was the recipient of damage at the hand of others who lived on the property behind her house, noted that she had Police reports documenting the break-ins. She reminded the Board of the extension cord she provided at a previous meeting as evidence that the people living in the house next door were using to steal electricity from her property.

Mr. Johnson asked Ms. Price if the home was vacant. She said yes, that the interior demolition work had been completed when dry wood termites were discovered. She had the house tented, and then the Hurricane came and damaged the roof, so her timeline to complete the renovation has gone backwards. The new kitchen has been designed, ordered, and is sitting in a warehouse.

Melissa Blaney asked Ms. Price if she thought the renovation permits would be filed within the calendar year. Ms. Price responded yes, that part of the challenges with the project are that the contractor is very busy and everything is so expensive. Ms. Blaney asked if the project would take two to three years. Ms. Price replied no, that she is losing income, that it is in a good location and she only rents to reputable people.

Mr. Johnson asked Chief Building Official Gary Hiatt about the section violations and permitting. Mr. Hiatt responded that the permit is not for the boarded buildings, that it refers to the less than 60 days if its painted; this has been ongoing since June. Mr. Hiatt acknowledged that Mr. Gualandi could apply for the permit within ten days, which is agreeable, and then show an effort to move forward to date because this has been going on so long; to date we haven't seen that effort. Mr. Hiatt recognized that Renata Minoga, Permitting Manager for the City, was in the audience, and recommended Mr. Gualandi speak with her about what is necessary to put into the permit application system.

Board Discussion:

Doug Bond asked Gary Hiatt about framing and painting the openings. Mr. Hiatt responded that when the permit is applied for it will be reviewed for code compliance, whether doors are required, exterior treatment, etc., and make sure the proper materials are used to be code compliant.

Mr. Johnson noted the he was looking at the violation section in the Board packet, and read that 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, which seemed to be the question Mr. Bond was asking. Mr. Bond recognized that Mr. Gualandi knows what the sufficient manner is because he has 20 years of experience.

Mr. Bond then asked that the permit needed to be filed within ten days of the hearing. Ms. Blaney responded that Mr. Hiatt said the permit is required. Mr. Hiatt noted that once a permit is issued it is good for months, and the city doesn't want the property sitting waiting for the work to start. Mr. Johnson suggested providing 7- 10 days, more or less from the issuance of the permit, depending on the Board's view, to complete the repair. Mr. Hiatt felt more time could be given to complete the work, and suggested a deadline of December 31, 2024.

Mr. Johnson noted that there were three violations listed for the property. He did not feel that the boarded doors met the definition of nuisance. He agreed to the violation about boarding up, but not of nuisance. He read the nuisance definitions. Mr. Heller agreed with the "unsightly" portion, but that the violation is more cosmetic.

Mr. Johnson then read the violation for windows, skylights, and door frames, and stated that in his opinion this violation did not apply to the case if the openings are boarded up.

Mr. Johnson suggested that a motion should include submitting a permit application and the corrections be tied to the permit, because if the permit is denied, they will still have time to correct the violation.

Gary Hiatt responded to Mr. Johnson, noting the conversation with Mr. Gualandi from Skolfield Homes, that there is another alternative. Mr. Hiatt requested the language "apply for a permit or an approved alternative to the correction" be included. He added that some ideas discussed may not require a permit.

Mr. Heller asked Mr. Hiatt if the repair made as code complaint, should a timeframe be determined to replace the doors, or if the repair can remain indefinitely. Mr. Hiatt responded that it would be best to put a timeframe on it to ensure it gets done in a timely manner. Mr. Hiatt still remained concerned that this has gone on since June, however, he anticipates very quick action in getting it resolved.

Mr. Johnson asked if the timeframe should mirror a regular case, where 30 days would be provided to correct the violation and provide proof to the city for a follow-up inspection to be completed. Ms. Blaney asked Mr. Johnson to repeat his statement, which he did.

Motion:

Melissa Blaney offered the following motion:

From the evidence presented today, I move to find the Respondent, Kelly L. Price, Compliance Board Case #PM-24-0116, owner of 631 Depugh St., Winter Park, FL 32789, in violation of Chapter 22, Sections 22-176 (adopting the IMPC), 22-177 (amending the IPMC), and Section 108.9 Vacant Buildings (boarding up) of the City of Winter Park International Property Maintenance Code as adopted and amended.

The Respondent has been properly notified per regular and certified mail and posting to satisfy Florida Statutes Chapter 162 and City Code Section 2-109 due process requirements.

The Respondent is ordered to provide the city a permit application with code compliant repair or acceptable alternative within seven days. Repair or replace all broken windows and doors within 30 days of the receipt of permit. Failure to comply with this order will result 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 December 31, 2024.

Mr. Heller asked for clarification on the timeframes included in the motion. Ms. Blaney noted that Mr. Hiatt wanted to make sure that once the permit was issued it's not open-ended to where they could take two, three, or four months to complete the work.

Mr. Heller asked Mr. Hiatt to clarify, which he did. Ms. Blaney asked about an extension of the completion date; Mr. Hiatt confirmed that the timeframe and dates Ms. Blaney offered in her motion were acceptable.

Steve Heller seconded the motion. Motion passed unanimously, 6-0.

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

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 bags trolley, wheel barrow, ladder, generator, crate, gas canister, vacuum, metal boxes, white cover, tarp, and car parts were stored on the property in plain view of the right of way and/or adjacent 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, Section 302.7 Dilapidated Fences, Section 302.1 Sanitation & Storage of materials of the International Property Maintenance Code.

Compliance Requirements: Repair and/or replace dilapidated fencing. Remove unsightly discarded articles out of plain view from the public right-of-way and adjacent neighboring properties.

Code Compliance Officer Phillip Wade identified himself, and stated that he was presenting an Affidavit of Non-Compliance for the case. The case was first presented on August 1, 2024, and the property owner, Willie J. Clark, was found in violation and was ordered to (a) repair or replace the dilapidated fence and remove all debris, and (b) move all unsightly discarded articles so they are not in plain view of the right of way and adjacent neighboring properties within 30 days of the hearing date. Failure to comply with the order will result in fines of \$250 per day per violation for each day the violation continues. The Respondent is further ordered to contact the City Safety & Compliance Officer and provide documentation of action taken to bring the subject property into compliance by August 31, 2024.

The city provided proper notice of this Massey hearing by posting to the property, at City Hall, and by certified mail and hand delivery to meet Florida Statute 162 due process requirements.

Reinspections of the property were performed on September 4, 2024, September 6, 2024, September 14, 2024, September 20, 2024, October 3, 2024, October 4, 2024, October 11, 2024, October 18, 2024, October 24, 2024, October 31, 2024, and November 7, 2024.

Officer Wade presented photos taken during his reinspections as accurate representation of the property at issue. Unsightly articles remained, and although some repairs had been made to the fence a full panel was still missing.

Mr. Mandelkern asked Officer Wade if he could tell from his inspections if any clean-up was done since the August hearing. Officer Wade responded that no cleanup was done. Some things were moved around, but the articles are still there. The fence was repaired except for a panel that remains missing. Mr. Mandelkern asked if in Officer Wade's view this was not additional debris, but the original debris from the previous case. Officer Wade said that some articles are moved, and new articles appear at each inspection.

Mr. Johnson asked Officer Wade if he presented the original case. Officer Wade responded yes. Mr. Johnson noted one of the pictures displayed today showed stacked chairs, and he didn't remember them from the previous presentation. Officer Wade confirmed that they were new on the property.

Ms. Blaney asked if based on his inspections, Officer Wade considered the articles basic rotation. He said yes, that some articles would be removed, but more articles were added, and this pattern was repeated during his inspections.

Mr. Bond asked Officer Wade a question that was not picked up on the recording. Officer Wade responded that the Respondent had not reached out to him since the August hearing. Mr. Bond asked two additional questions which were not picked up on the recording; Officer Wade answered no to both of them. Deputy City Attorney Rick Geller asked Mr. Bond to please turn on and use the microphone, that although his voice carries pretty well it may not be picked up on the recording.

Mr. Johnson asked Officer Wade to display his photos from September 4, 2024, specifically the one that contained the stacked chairs. Mr. Johnson noted the time stamp on the photo as 15:36.

Officer Wade asked the Board if they would like to see photos from the August presentation to compare the debris. Mr. Johnson said yes. Officer Wade displayed a series of photos for the Board.

Willie J. Clark Sr., and Willie J. Clark Jr. approached the podium and confirmed that Willie J. Clark Sr. is the owner of 820 W. Webster Ave., Winter Park, FL 32789. Mr. Clark Jr. spoke on behalf of his father. He noted that the right of way was cleaned up at one time, but he didn't take any pictures. He stated that the individual cars shown in the pictures belongs to the individual that keeps bringing the unsightly articles onto the property. Mr. Clark Jr. stated that the individual has been repeatedly asked not to leave articles on the property.

Mr. Clark Jr. said that the condition of the property was not as bad as it was. He noted that the open part of the fence is what he is using as an egress while cleaning out what is stored behind the fence. His intention is to install the missing panel once he finishes that work.

Mr. Clark acknowledged that some articles that he is liable for remain out front, and he is trying to make room inside the fence to relocate them, but there are articles that belong to the aforementioned individual who owns the vehicles pictured and continues to use that right of way as a place to stay. He reminded the Board that during the first hearing he asked for information on how to keep the individual from parking his vehicles and leaving more articles outside of the repaired fence.

Mr. Clark stated that he has been working on the property as best as he can. He noted that he works 10 to 12-hour days at his job, and that his father is physically unable to help. He reiterated that he hasn't taken any pictures to show that work is being done and improvements made.

Mr. Johnson asked Mr. Clark Jr. that if his recollection was correct, the "individual" was a family member. Mr. Clark Jr. confirmed this. Mr. Johnson asked Mr. Clark Jr if he repaired the fence himself or if he had someone else do it. Mr. Clark Jr. responded that he put up all of the new fencing himself. He stated that the missing panel had not been installed yet, referencing the need for an egress in his earlier statement. He said that he tried to make space for the individual to put his items inside the fence, but he keeps putting them outside the fence. Mr. Clark Jr. repeated that he has asked and pleaded with the individual not to leave articles where he does, but the individual insists on it. He confirmed Officer Wade's statement that items will be there for a few days and be hauled away, but he and Mr. Clark Sr. don't want it to be there at all.

Mr. Johnson asked Mr. Clark Jr. what he did with the old fence. Mr. Clark Jr. responded that he hauled it away to the dump. Mr. Johnson asked Mr. Clark Jr. if there was a reason he didn't haul away some of the other articles at the same time. Mr. Clark Jr. responded that he did not bring the other articles onto the property, and that he was asking the individual who owns the vehicles to haul it off.

Mr. Clark admitted that the individual was his brother, and that he has some mental health issues. He is trying to be diplomatic and not start an all-out war with his brother, but it seems like asking him to remove the items is not getting through.

Mr. Clark Jr. stated again that at one time the fence was replaced, (adding that a crew came and cleaned up the property), but articles and debris continue to be left on the property by his brother.

Mr. Bond asked Mr. Clark Jr. if he had ever contacted the city since the last hearing to let them know the property was cleaned and requested an inspection. Mr. Clark Jr. responded no. Mr. Bond asked if Mr. Clark Jr. had any conversations since the last hearing with the city explaining to them the dilemma of your brother dumping trash in your father's yard. Mr. Clark Jr. said no, because he wasn't provided with the information about coming to the city to file a complaint against his brother. Mr. Bond asked Mr. Clark Jr. if he didn't want to call the Winter Park Police Department to report that his brother was dumping trash on his father's property. Mr. Clark Jr. responded that the dumping was on the right of way.

Mr. Clark Sr. identified himself and asked to speak. He shared the history of the property, that at one time it served as the city dump, and was sold to his family. His mother's house was behind the small section of land, and she used to drive through Mr. Clark's yard to get to her house, so a driveway was built for her to access her home. He stated that he was once cited for having firewood stored in his back yard for a fireplace. He stated that he and his brothers built his house, and have been having trouble ever since. The fence was erected to get the right of way back. He said they didn't have to sell the right of way, but his mother offered it back to the city. They found out that property belonged to Florida Hospital.

Mr. Johnson asked Mr. Clark Sr. if he lived at the property. Mr. Clark said yes. Mr. Johnson noted that the right of way issue was discussed during the first hearing. Mr. Johnson asked Mr. Clark Sr. if any of the items shown in Officer Wade's presentation were on his property, or only the right of way. Mr. Clark Jr. responded that everything is on the right of way, and Mr. Clark Sr. concurred. The fence separates his property from the right of way. Mr. Johnson thanked both gentlemen for attending, and asked the Board if there were any other questions for the Clark's before he called the city back for additional questions.

Deputy City Attorney Rick Geller noted that there may be some confusion of terminology. He believed that this easement that allows access to the church is not city right of way. Mr. Johnson asked if this was not the Clark's property, but an easement to the church. Mr. Geller responded that was his understanding.

Mr. Mandelkern asked Mr. Geller if the property is an easement, that means it is still the property of the Clarks. Mr. Geller said yes.

Charles Newton of 631 W. Swoope Ave., Winter Park, FL 32789 approached the podium. Mr. Newton offered that Mr. Clark Jr. was a really hard worker, that he sees him around the neighborhood cleaning up houses, including 630 W. Swoope Ave., which in his opinion would have moved to a Massey Hearing if not for Mr. Clark Jr. He stated he witnessed Mr. Clark Jr. working at the Swoope Ave. address on Saturdays and Sundays, even during his violation period, prioritizing someone else's needs over his own. Mr. Newton asked if the Board's purpose was to move items off the agenda, then stated that he has witnessed less trash on Mr. Clark's property when he walks his dog. He felt that the Clarks were moving in a positive and if given more time the issue would resolve itself.

Mr. Johnson asked Mr. Newton how close he lives to the Clark's property. Mr. Newton responded one block east and three blocks south. Mr. Johnson asked if he knew if the work Mr. Clark was performing at 630 W. Swoope Ave. was voluntary or if he was being paid. Mr. Newton did not know, just that he saw Mr. Clark there one weekend, maybe two, that there are a lot of violations at the Swoope property. He stated that this was during August, when he was in violation on his own property.

Mr. Bond asked Mr. Newton if there was any time since August that he witnessed Mr. Clark's property completely free of trash and debris. Mr. Newton said maybe August 31, 2024, that he couldn't be sure, and it was at night, and that the debris oscillates, but in a positive direction. Mr. Bond asked Mr. Newton if he witnessed the Dodge truck, the bronze car or the brother? Mr. Newton said he has observed the car, but not the dumping; he only walks over that way occasionally.

Board Discussion:

Ms. Blaney asked for the Orange County Property Appraisers map that shows how the property is situated to be displayed for the Board. Officer Wade obliged. She then asked if the area in question was considered an easement if Mr. Clark is within his rights to block it or limit access to it. Mr. Geller stated he would have to see the easement, what the terms of it are, but typically the answer is no, you cannot block an easement. Ms. Blaney asked if there were some sort of agreement, referring to part of the map being displayed. Mr. Geller noted that the blue square was Mr. Clark's property (Lot 3), and the way he understands it the green area next to it is the easement. Ms. Blaney then asked if the easement belonged to another property owner, perhaps the Church. Division Manager Susanne Porras responded to Ms. Blaney, noting that it belongs to Metro Winter Park, LLC. Ms. Blaney questioned if Mr. Clark owned the property designated as Metro Park, LLC. Officer Porras said no. Ms. Blaney asked for confirmation that it is separate property. Officer Porras said yes. Ms. Blaney asked if the easement belonged to the back-property owner. Officer Porras said yes, to the church. Ms. Blaney noted that the way the map is laid out the easement does not appear to belong to Mr. Clark. Officer Porras said no, but that he is responsible for maintaining anything adjacent to his property, including easements and right of ways.

Ms. Blaney said she didn't understand, if the property was owned by another. Mr. Geller interjected that it was his understanding that the easement was on the Clark's property, but the map does not make it clear that it is. Officer Porras added that the church was cited before and a lot of the trash and debris were cleaned up. Ms. Blaney noted this, but stated that Mr. Clark is struggling to keep the area clean, but it sounded like it was not in Mr. Clark's power to do so. Ms. Blaney was trying to understand if Mr. Clark couldn't block it off to keep his brother from accessing it. Mr. Heller interjected that it's not Mr. Clark's property. Ms. Blaney asked if it's not Mr. Clark's property, why...Officer Porras offered that it is considered illegal dumping, that Mr. Clark would have to get law enforcement involved.

Mr. Geller stated that what was not clear to him is if the Clarks do not own that easement, then they are not responsible. His understanding from testimony was that some of the debris was on the Clark's property and some was not. The order issued was for what was on the Clark's property. Now there is an issue of clarity about what was and wasn't on their property. Officer Porras stated that some of the debris is being moved from the back yard of Mr. Clark's property, which is why the gate stays open.

Ms. Blaney stated that was not her understanding, that another individual was bringing trash and debris onto the property. Mr. Clark was using his back yard to move things back and forth, but the predominance of the trash or debris is from a separate individual that is dumping on the easement

Mr. Geller and Officer Porras noted that the easement belongs to Winter Park, LLC. Mr. Geller noted that the property is not being used as a church anymore.

Mr. Hiatt noted that there is a new project being built on the property that is indicated as Metro Winter Park, LLC. Mr. Arguelles asked the city which easement the new project would get. He noted there is also an easement from Webster Ave., and asked if it was used to access the Clark's back yard. Officer Porras said yes, it is a long driveway.

Mr. Arguelles asked about the long piece of property to the left of Mr. Clark's property on the map. Mr. Geller interjected for clarity that this was Lot 4. Officer Porras offered that lot was part of the new project. Mr. Arguelles then asked if Lot 4 would be the entrance to the new development. Mr. Hiatt answered that he didn't remember the exact design of the project, but knew that demolition had started.

Ms. Blaney's bottom-line question is who is responsible for the easement next to the Clark's property. If it is not his property the onus doesn't follow him. If there is an individual causing the debris collection, that it's the church or whoever owns the easement would call and say they had an individual illegally dumping. Mr. Geller said they could call the police for trespass. Mr. Bond asked if it a public or private easement. Mr. Geller answered he has not read the easement, but his understanding. He noted that looking at the map his best guesstimate is that it is a private easement allowing access from Webster to Metro Winter Park, LLC, and the church beyond that. He felt that is a reasonable assumption.

Mr. Mandelkern offered in his opinion it looked like its more than an easement, that it's the same color as the Metro Winter Park, LLC property, so they might own that strip. Mr. Geller offered that maybe easement is the wrong word, but he didn't know. His understanding is that if these are different properties, that the easement belongs to the church property, so the small green area that goes to Webster Ave. would be owned by Metro Winter Park, LLC. as part of that parcel that would provide a driveway easement all the way to the church. Mr. Mandelkern then noted that it would not be Mr. Clarks. Mr. Geller agreed that it would not be from what he sees. Mr. Heller suggested that Metro Winter Park, LLC purchased the easement so they would be complaint and have access on more than one street, so the map clearly shows that they are the owner of that land.

Mr. Mandelkern noted that for the Board's purposes it is not Mr. Clark's property. Mr. Geller added that the board did not want to fine Mr. Clark for something not happening on his property. Mr. Geller noted that perhaps more clarity was needed form the city, repeating that it was his understanding that some debris was on Mr. Clark's property and some was not.

Mr. Mandelkern noted that since this is a Massey Hearing, the issue is still what is on Mr. Clark's property, and what is not, and asked if there still debris on Mr. Clark's property that violates the order from August, and what is on the other side of the fence is, so to speak, not part of this Massey hearing. Mr. Geller noted he would agree, and that outside the fence should be an issue for Metro Winter Park, LLC to be dealing with.

Mr. Mandelkern asked if during a Massey Hearing the Board was only able to vote yes or no, or if the time period could be extended. Mr. Geller confirmed that the Board could extend the time period. Ms. Blaney suggested an extension to obtain clarification if the property in violation is Mr. Clark's. Mr. Geller said he doesn't know if the officers are prepared to give that clarity today, or if the Board wants to table the hearing and come back next month. Officer Porras stated the city could table the case. Mr. Hiatt agreed that the case should be tabled, but offered in the meantime, we have heard testimony that it is Mr. Clark's family member is the one dumping. The city will notify the developer at Metro Winter Park LLC. They can post signs or take police action, Mr. Hiatt wants to warn them about it.

Mr. Mandelkern suggested there might be a better map on the Property Appraisers website, perhaps a plat that shows more detail. Mr. Geller noted that there is a recording of any easements with the Comptroller's Office and that he would have the Real Estate partner in his office look into it to get the clarity needed. Mr. Mandelkern thanked Mr. Geller.

Ms. Blaney added that if the developer is the owner they could block off the property to prevent the dumping in lieu of Police action. Mr. Johnson offered that Ms. Blaney could offer a motion to table the case.

MOTION:

Melissa Blaney made a motion as follows:

I move to table the case until the January 2025 Board Meeting. Mr. Johnson seconded. The motion passed 6-0.

Mr. Johnson explained to the Clarks that the case is on hold until clarification of ownership is determined, that they were free to go, and no fines would be imposed at this time. Mr. Clark Jr. asked if they would need to come back. Officer Porras responded that Code Compliance would notify them.

5. Non-Action Items

None

6. Staff Updates

Officer Porras offered that the following cases, previously noticed and scheduled for this meeting, have come into compliance:

- a. CCB# - LDC-24-0086 847 Antonette Ave., Winter Park, FL 32789 (Short-Term Rental Violation)
- b. CCB# - OVR-24-0131 2827 Eastern Pkwy., Winter Park, FL 32789 (Overgrowth)
- c. CCB# - LDC-24-0341 1810 Parker Dr., Winter Park, FL 32789 (Short-Term Rental)

7. City Attorney Reports

Mr. Geller had no report to the Board for this meeting. He stated he should have an update on the foreclosure of 1260 Whitesell Dr., Winter Park, FL 32789 at the next meeting.

8. Board Comments **None**

9. Upcoming Agenda Items

Officer Porras informed the Board that there are four cases scheduled so far for the December 5, 2024, meeting.

Prior to adjournment, Mr. Mandelkern asked about a replacement for former Board Member Todd Boyer, who stepped down after moving out of the City of Winter Park. Officer Porras responded that there is a new applicant, who unfortunately could not attend today's meeting, but will hopefully be in attendance in December.

10. Adjournment

Paul Mandelkern made a motion to Adjourn at 4:54 PM. Seconded by Melissa Blaney.

Motion passed 6-0.

ATTEST:

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



Code Compliance Board

agenda item 5.a

item type

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

meeting date

December 5, 2024

prepared by

Susan Pruchnicki, Coordinator

approved by

subject

PM-24-0157 1000 S. Orlando Ave., Winter Park, FL 32789

motion | recommendation

background

VIOLATION DESCRIPTION: Defacement of the property – graffiti on the exterior half wall surface on the south side of the property. The exterior wall on the south side has a hole exposing the structure to the natural elements, creating water intrusion and compromising the interior of the structure.

CODES CITED: Chapter 22, Sections 22-176 (adopting the IPMC, 2021 edition), 22-177 (amending the IPMC); Sec 302.9 Defacement of the Property, and Sec.; 304.1.1 Unsafe Condition of Exterior Structure (7) of the International Property Maintenance Code.

CORRECTIVE ACTION REQUIRED: Remove all graffiti to comply with the city code. Seal the opening on the exterior wall to avoid further damage and water intrusion to the interior of the structure. Make repairs to the exterior walls in order to support all nominal loads. Contact the city's building department to obtain the required permits. All repairs shall be done according to current building standards and by a licensed contractor.

alternatives | other considerations

fiscal impact

attachments

1. CCB# PM-24-0157 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: 11/26/2024 System Refresh Date: 10/27/2024

1000 S Orlando Ave 12-22-29-6600-00-710

Name(s):

1000 S ORLANDO AVE LLC

Physical Street Address:

1000 S Orlando Ave

Property Use:

1900 - Office Medical Bldg

Mailing Address On File:

1110 Sw Ivanhoe Blvd Apt 10
Orlando, FL 32804-6323

Postal City and Zip:

Winter Park, FL 32789

Municipality:

Winter Park

[Incorrect Mailing Address?](#)



1000 S ORLANDO AVE, WINTER PARK, FL 32789 4/18/2023 4:08 PM

[Upload Photos](#)

[View 2024 Property Record Card](#)

PROPERTY FEATURES

VALUES, EXEMPTIONS AND TAXES

SALES

MARKET STATS

LOCATION

[View Plat](#)

Property Description

PALMETTO ADD TO WINTER PARK E/14 LOT 71 & LOT 72 (LESS N 5 FT) & LOTS 85 & 86 (LESS W 15 FT R/W ON W)

Total Land Area

27,743 sqft (+/-) | 0.64 acres
(+/-)

[GIS Calculated](#)

[Notice](#)

Land

Land Use Code	Zoning	Land Units	Unit Price	Land Value	Class Unit Price	Class Value
1900 - Office Medical Bldg	C-3	27743.22 SQUARE FEET	\$65	\$1,803,309	\$0	\$1,803,309

« « 1 » »

Page 1 of 1 (Total Records: 1)

Building

[View Winter Park Permits](#)



[More Details](#)

Model Code:

04 - Commercial

Actual Year Built:

1988

Gross Area:

13334 sqft

Type Code:

1900 - Office Medical Bldg

Beds:

0

Living Area:

11252 sqft

Building Value:

\$295,056

Baths:

0

Exterior Wall:

Concrete Block Stucco

Estimated New Cost:

\$1,844,103

Floors:

2



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
1000 S. ORLANDO AVE., LLC

Filing Information

Document Number	L22000486655
FEI/EIN Number	N/A
Date Filed	11/14/2022
State	FL
Status	ACTIVE
Last Event	REINSTATEMENT
Event Date Filed	11/14/2023

Principal Address

1110 SW IVANHOE BLVD.,
UNIT 10
ORLANDO, FL 32804

Mailing Address

1110 SW IVANHOE BLVD.,
UNIT 10
ORLANDO, FL 32804

Registered Agent Name & Address

SANT, ANIL
1110 SW IVANHOE BLVD.,
UNIT 10
ORLANDO, FL 32804

Name Changed: 11/14/2023

Authorized Person(s) Detail

Name & Address

Title MGR

SANT, ANIL
1110 SW IVANHOE BLVD., UNIT 10
ORLANDO, FL 32804

Annual Reports

Report Year	Filed Date
--------------------	-------------------

The Orange County Tax Collector makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation. The assessed values are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. Utilization of the search facility indicates understanding and acceptance of this statement by the user. This Site Should not be relied upon for a title search.

Property Appraiser Details

Parcel/Tangible Number: 12-22-29-6600-00710

Date: 11/26/2024

Tax Year: 2024

Total Assesed Value: \$2,142,015.00

Taxable Value: \$2,142,015.00

Gross Tax Amount: \$34,402.60

Millage Code: 6 WP

Comments:

Owner & Address: 1000 S ORLANDO AVE LLC

1110 SW IVANHOE BLVD APT 10
ORLANDO, FL 32804-6323

Legal Description: PALMETTO ADD TO WINTER PARK E/14 LOT
71 & LOT 72 (LESS N 5 FT) & LOTS 85 & 86
(LESS W 15 FT R/W ON W)

Location Address: 1000 S ORLANDO AVE WINTER PARK 32789

Note: The "Certified Owner" is the owner of record on the Tax Roll. To see the certified owner, select the "Taxbill for Certified Owner" from the Taxbill dropdown.

Current Taxes and Unpaid Delinquent Warrants:

Year	Owner Information	
2024	1000 S ORLANDO AVE LLC	
2023	1000 S ORLANDO AVE LLC	* PAID (Vi
2022	1000 S ORLANDO AVE LLC	* PAID (Vi
2021	SUS PROPERTIES LLP	* PAID (Vi
2020	SUS PROPERTIES LLP	* PAID (Vi

2019	SUS PROPERTIES LLP	* PAID (Vi
2018	SUS PROPERTIES LLP	* PAID (Vi
2017	SUS PROPERTIES LLP	* PAID (Vi
2014	SURGICAL CENTER ASSOCIATES LTD	* PAID (Vi
2013	SURGICAL CENTER ASSOCIATES LTD	* PAID (Vi
2012	SURGICAL CENTER ASSOCIATES LTD	* PAID (Vi
2011	SURGICAL CENTER ASSOCIATES LTD	* PAID (Vi
2010	SURGICAL CENTER ASSOCIATES LTD	* PAID (Vi
2009	SURGICAL CENTER ASSOCIATES LTD	* PAID (Vi
2008	SURGICAL CENTER ASSOCIATES LTD	* PAID (Vi
2007	SURGICAL CENTER ASSOCIATES LTD	* PAID (Vi
2006	SURGICAL CENTER ASSOCIATES LTD	* PAID (Vi

Unpaid Real Estate Certificates:

Year	Current Payoff	If Paid By
No data		

*** UNPAID DELINQUENT TAXES MUST BE PAID BY A CASHIERS CHECK, MONEY ORDER, OR CERTIFIED FUNDS AND ARE DUE BY THE LAST BUSINESS DAY OF THE MONTH.**

[Search Again](#)
[Print](#)

Prepared By and Return To:
Thomas R. Harbert, Esq.
Mateer & Harbert, P.A.
225 E. Robinson St., Suite 600
Post Office Box 2854
Orlando, Florida 32802

Parcel Identification No.:
12-22-29-6600-00710

DOC # 20220747737

12/13/2022 13:15 PM Page 1 of 5

Rec Fee: \$44.00

Deed Doc Tax: \$17,500.00

Mortgage Doc Tax: \$0.00

Intangible Tax: \$0.00

Phil Diamond, Comptroller

Orange County, FL

Ret To: CSC INC

space above this line for processing data

space above this line for processing data

SPECIAL WARRANTY DEED

SUS PROPERTIES, LLC, a Florida limited liability company, successor by conversion to SUS PROPERTIES LLP ("Grantor"), whose address is 1414 Kuhl Ave, MP 2 Orlando, FL 32806, in consideration of the sum of \$10.00 and other good and valuable consideration received from **1000 S. ORLANDO AVE., LLC, a Florida limited liability company**, whose address is 1110 SW Ivanhoe Blvd, unit 10 Orlando, FL 32804. ("**Grantee**"), hereby on this ____ day of December, 2022, grants, bargains, sells, aliens and conveys to the Grantee the real property in Orange County, Florida, described as:

See Exhibit "A" Attached hereto.

TOGETHER with (i) all tenements, hereditaments and appurtenances relating thereto or associated therewith, (ii) all improvements, buildings and fixtures, if any, situated thereon, (iii) all permits, approvals, authorizations and licenses relating to or affecting any such property which Grantee has approved, but only to the extent applicable to the Property, (iv) all right, title and interest of Grantor in any street, road, alley or avenue adjoining such property to the center line thereof, (v) all of Grantor's right, title and interest in any strip, hiatus, gore, gap or boundary adjustment area adjoining or affecting such property, and (vi) all riparian and other water rights relating to such property and all right, title or interest of Grantor in any body of water situated on, under or adjacent to such property (collectively, the "Property").

SUBJECT, HOWEVER, to the use restrictions set forth on **Exhibit "B"** attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the same in fee simple forever.

Grantor hereby covenants that the property is free of all encumbrances, except those matters set forth on **Exhibit "C"** attached hereto and incorporated by reference herein, that lawful seisin of and good right to convey the property are vested in Grantor, and that Grantor hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever claiming by through or under Grantor, but not otherwise.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

[SIGNATURE PAGE FOR DEED]

Witnessed on this 2nd day of December, 2022.

SUS PROPERTIES, LLC, a Florida limited liability company, successor by conversion to SUS PROPERTIES, LLP

By: ORLANDO CANCER CENTER, INC. a Florida not for profit corporation, as its Sole Member / Manager

Melissa D. Smith
Name: Melissa D. Smith
Melissa D. Smith
Name: Melissa D. Smith

By: Matthew S. Taylor
Matthew S. Taylor, Authorized Representative

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 8th day of December, 2022, by Matthew S. Taylor, as Authorized Representative of Orlando Cancer Center, Inc., a Florida not for profit corporation, as the Sole Member/Manager of SUS PROPERTIES, LLC, a Florida limited liability company, successor by conversion to SUS Properties, LLP, on behalf of the company. He is ☒ personally known to me or ☐ produced _____ (type of identification) as identification.

(Affix Notarial Seal)



DONNA J. SATMARY
Notary Public
State of Florida
Comm# HH267218
Expires 5/23/2026

Donna J. Satmary
Notary Public - State of Florida
Printed Name: Donna J. Satmary
Commission No.: HH 267218
My Commission Expires: 05/23/2026

EXHIBIT "A"

(Legal Description)

The land referred to herein below is situated in the County of Orange, State of Florida, and described as follows:

LOTS 71, 72, 85 AND 86, LESS THE NORTH 5 FEET OF LOT 72 AND LESS ANY PORTION LYING IN ROAD RIGHT OF WAY, THE PALMETTO COMPANY'S ADDITION TO WINTER PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK E, PAGE 14, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

EXHIBIT "B"

(Use Restrictions)

By accepting this deed, Grantee acknowledges that at no time shall any portion of the Property be developed or used as a surgery center or for orthopedic/sports medicine or rehabilitation uses and that the Property shall not be occupied by a "Competing Healthcare System" or any employee or affiliate thereof. For the purposes hereof, a "Competing Healthcare System" shall be defined as any entity or organization other than Orlando Health, Inc. or its affiliates owning or operating an acute care hospital in the central Florida area, which shall include, but shall not be limited to, Florida Hospital/Adventist Health, Nemours, and Healthcare Corporation of America (HCA). Notwithstanding the foregoing, in no event shall the restrictions set forth herein prohibit the Property from being developed, used or occupied by any person, entity or organization selling or providing the following: (i) general dentistry or specialty dentistry services (including, without limitation, orthodontics, pediatric dentistry, oral surgery which is incidental to a dental practice, periodontics, endodontics, and cosmetic dentistry), (ii) medical spa (med spa) services and products (including aesthetic medical services, medical skin treatments, hair removal, botox, and ancillary services), (iii) behavioral health and behavioral therapy, (iv) hospice, (v) ophthalmology or (vi) optometry.

It is intended that the use restrictions contained herein shall run with the land and create equitable servitudes in favor of the real property benefited thereby, shall bind every person having any fee, leasehold or other interest therein and shall inure to the benefit of the respective parties and their successors, assigns, heirs, and personal representatives.

EXHIBIT "C"

(Permitted Encumbrances)

1. Taxes and assessments for the year 2023 and subsequent years, which are not yet due and payable.
2. Provisions of the Plat of PALMETTO COMPANY'S ADDITION TO WINTER PARK, recorded January 19, 1912 in Plat Book E, Page 14.
3. Reservations and restrictions recorded February 5, 1912 in Deed Book 159, Page 198.
4. Easement in favor of Florida Power Corporation recorded February 26, 1969 in Book 1809, page 326

All recording references are to the Public Records of Orange County, Florida.

FACT SHEET

December 5, 2024.

Case No: PM-24-0157

Respondents:

1000 S. ORLANDO AVE., LLC
1110 SW Ivanhoe Blvd. Apt. 10
Orlando, FL 32804-6323,

1. Address where violation exists: **1000 S. Orlando Avenue, Winter Park, FL 32789**
2. Parcel I.D. No.: **12-22-29-6600-00-710**
3. Property Zone: **C-3**
4. Inspection(s): **09/20/2024, 10/11/2024, 10/18/2024, 10/25/2024, 11/15/2024, 11/18/2024, 11/27/2024, 12/05/2024.**
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: Defacement of the property – graffiti on the exterior half wall surface on the south side of the property. Exterior wall on the south side has a hole exposing the structure to the natural elements creating water intrusion and compromising the interior of the structure.	CORRECTIVE ACTION REQUIRED: Remove all graffiti to comply with city code. Seal the opening on the exterior wall to avoid further damage and water intrusion to the interior of the structure. Make repairs to the exterior walls in order to support all nominal loads. Contact the city's building department to obtain the required permits. All repairs shall be done according to current building standards and by a licensed contractor.	CODES CITED: Chapter 22, Sections 22-176 (adopting the IPMC, 2021 edition), 22-177 (amending the IPMC); Sec 302.9 Defacement of the Property, and Sec.; 304.1.1 Unsafe Condition of Exterior Structure (7) of the International Property Maintenance Code.
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CITY OF WINTER PARK
SAFETY & CODE COMPLIANCE
401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789
(407) 599-3600

CASE NO.: **PM-24-0157**

City of Winter Park
Petitioner,

vs.

1000 S. ORLANDO AVE. L.L.C.
1110 SW IVANHOE BLVD. APT. 10
ORLANDO, FL 32804-6323
Respondents,

AFFIDAVIT OF POSTING

STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned authority, personally posted Christina Busch, 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 December 5, 2024, on the property located at **1000 S. ORLANDO AVE.** on this **15th day of November 2024**.
3. That the attached picture document is proof of the posting.

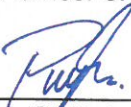
FURTHER AFFIANT SAYETH NOT

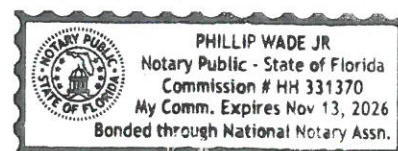
DATED this **15th day of November 2024**


Christina Busch, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **15th day of November 2024**, by Christina Busch, who is personally known to me as a Safety & Code Compliance Officer of the City of Winter Park.


Phillip Wade JR, Notary Public
My Commission Expires Nov 13, 2026
Commission #HH331370



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

Case No: PM-24-0157

CITY OF WINTER PARK,

Petitioner,

vs.

1000 S. ORLANDO AVE., LLC
1110 SW IVANKHOE BLVD., APT. 10
ORLANDO, FL 32804-6323,

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, December 5, 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. Violations of City Code Chapter/Section: Chapter 22, Sections 22-176 (amending the IPMC, 2021 edition), 22-177 (amending the IPMC); Sec 302.9 Detachment of the Property, and Sec. 304.1.1 Unsafe Condition of Exterior Structure (7) of the International Property Maintenance Code.

Office DEPOT

11/15/2024

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

CASE NO.: **PM-24-0157**

City of Winter Park
Petitioner,

vs.

1000 S. ORLANDO AVE. LLC
1110 SW IVANHOE BLVD. APT. 10
ORLANDO, FL 32804-6323
Respondents,

AFFIDAVIT OF POSTING

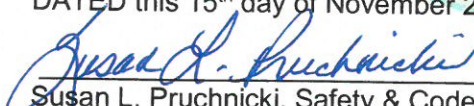
STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned authority, personally posted Susan Pruchnicki, Safety & Code Compliance Coordinator 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 December 5, 2024, at City Hall for the property located at 1000 S. ORLANDO AVE. on this 14th day of November 2024.
3. That the attached picture document is proof of the posting.

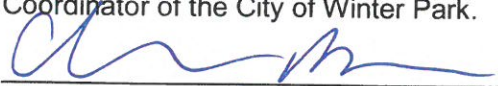
FURTHER AFFIANT SAYETH NOT

DATED this 15th day of November 2024


Susan L. Pruchnicki, Safety & Code Compliance Coordinator

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 15th day of November 2024, by Susan Pruchnicki, who is personally known to me as a Safety & Code Compliance Coordinator of the City of Winter Park.


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



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Your item was delivered to the front desk, reception area, or mail room at 11:08 am on October 25, 2024 in ORLANDO, FL 32804.

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Delivered, Front Desk/Reception/Mail Room

ORLANDO, FL 32804

October 25, 2024, 11:08 am

Departed USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER

October 24, 2024, 8:59 pm

Arrived at USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER

October 24, 2024, 8:42 pm

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

Case No: PM-24-0157

CITY OF WINTER PARK,

Petitioner,

vs.

1000 S. ORLANDO AVE., LLC
1110 SW IVANHOE BLVD. APT. 10
ORLANDO, FL 32804-6323,

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, December 5, 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. Violations of City Code Chapter/Section: **Chapter 22, Sections 22-176 (adopting the IPMC, 2021 edition), 22-177 (amending the IPMC); Sec 302.9 Defacement of the Property, and Sec.; 304.1.1 Unsafe Condition of Exterior Structure (7) of the International Property Maintenance Code.**

2. Address where violation(s) exists: **1000 S. Orlando Ave., Winter Park, FL 32789.**
3. Parcel I.D. No.: **12-22-29-6600-00-710**
4. Property Zone: **C-3**
5. Legal Description: **PALMETTO ADD TO WINTER PARK E/14 LOT 71 & LOT 72 (LESS N 5 FT) & LOTS 85 & 86 (LESS W 15 FT R/W ON W)**
6. Names and address of owner/person in charge of location where violation exists: **1000 S. Orlando Ave., LLC - 1110 SW Ivanhoe Blvd. Apt. 10, Orlando, FL 32804-6323.**
7. Description of Violations: **DEFAACEMENT OF THE PROPERTY – GRAFFITI ON THE EXTERIOR HALF WALL SURFACE ON THE SOUTH SIDE OF THE PROPERTY. EXTERIOR WALL ON THE SOUTH SIDE HAS A HOLE EXPOSING THE STRUCTURE TO THE NATURAL ELEMENTS CREATING WATER INTRUSION AND COMPROMISING THE INTERIOR OF THE STRUCTURE.**
8. Compliance Requirements: **REMOVE ALL GRAFFITI TO COMPLY WITH CITY CODE. SEAL THE OPENING ON THE EXTERIOR WALL TO AVOID FURTHER DAMAGE AND WATER INTRUSION TO THE INTERIOR OF THE STRUCTURE. MAKE REPAIRS TO THE EXTERIOR WALLS IN ORDER TO SUPPORT ALL NOMINAL LOADS. CONTACT THE CITY'S BUILDING DEPARTMENT TO OBTAIN THE REQUIRED PERMITS. ALL REPAIRS SHALL BE DONE ACCORDING TO CURRENT BUILDING STANDARDS AND BY A LICENSED CONTRACTOR.**

Compliance Date to avoid hearing: **November 17, 2024.**

Unless Respondent(s) corrects the violation described herein by the date set forth above and contacts the undersigned Code Inspector to verify compliance with City Code/Sections 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 Compliance Board, on **December 5, 2024, at 3 p.m.,** at 401 S Park Avenue, Winter Park, FL, 2nd Floor (Commissioner's 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 ORANGE COUNTY 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. It is the sole responsibility of the appealing party 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 hearing, it is your responsibility to contact the Code Compliance Division. **PLEASE GOVERN YOURSELF ACCORDINGLY.**

Dated this: 18th October 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: **1000 S. ORLANDO AVE., LLC - 1110 SW IVANHOE BLVD. APT. 10, ORLANDO, FL 32804-6323.**

Certified Mail: 9489 0178 9820 3026 1005 06



Christina Busch
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.

302.9 DEFACEMENT OF PROPERTY.

No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on a any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

SEC. 304.1.1 UNSAFE COND EXTERIOR STRUCTURE

The following conditions shall be determined as unsafe and Shall be repaired or replaced to comply with the International building code or the international existing Building code as required for existing buildings.

7. Exterior walls that are not anchored to supporting and supported elements or are not plumb free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.



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

CASE NO.: **PM-24-0157**

City of Winter Park
Petitioner,

vs.

1000 S. ORLANDO AVE. LLC
1110 SW IVANHOE BLVD. APT. 10
ORLANDO, FL 32804-6323
Respondents,

AFFIDAVIT OF POSTING

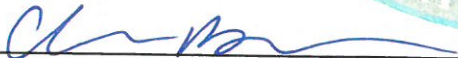
STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned authority, personally posted Christina Busch, 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 1000 S. ORLANDO AVE. on this **11th day of October 2024**.
3. That the attached picture document is proof of the posting.

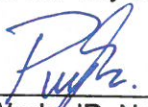
FURTHER AFFIANT SAYETH NOT

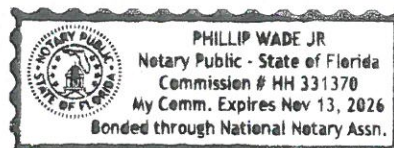
DATED this **11th day of October 2024**

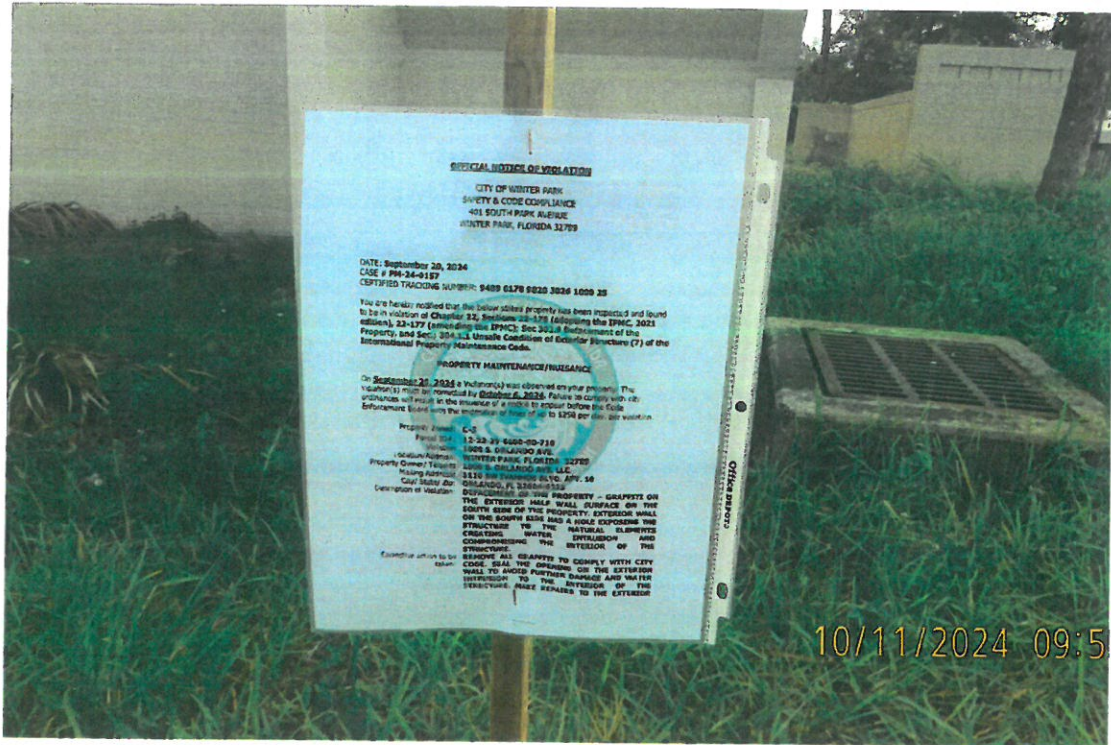

Christina Busch, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

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


Phillip Wade JR, Notary Public
My Commission Expires Nov 13, 2026
Commission #HH331370





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Latest Update

Your item was delivered to the front desk, reception area, or mail room at 4:12 pm on September 25, 2024 in ORLANDO, FL 32804.

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USPS Tracking Plus®

Delivered

Delivered, Front Desk/Reception/Mail Room

ORLANDO, FL 32804
September 25, 2024, 4:12 pm

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

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Feedback

OFFICIAL NOTICE OF VIOLATION

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

DATE: **September 20, 2024**

CASE # **PM-24-0157**

CERTIFIED TRACKING NUMBER: **9489 0178 9820 3026 1000 25**

You are hereby notified that the below stated property has been inspected and found to be in violation of **Chapter 22, Sections 22-176 (adopting the IPMC, 2021 edition), 22-177 (amending the IPMC); Sec 302.9 Defacement of the Property, and Sec.; 304.1.1 Unsafe Condition of Exterior Structure (7) of the International Property Maintenance Code.**

PROPERTY MAINTENANCE/NUISANCE

On **September 20, 2024** a Violation(s) was observed on your property. The violation(s) must be corrected by **October 6, 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: **C-3**
Parcel ID#: **12-22-29-6600-00-710**
Violation: **1000 S. ORLANDO AVE.**
Location/Address: **WINTER PARK, FLORIDA 32789**
Property Owner/ Tenant: **1000 S. ORLANDO AVE. LLC**
Mailing Address: **1110 SW IVANHOE BLVD. APT. 10**
City/ State/ Zip: **ORLANDO, FL 32804-6323**
Description of Violation: **DEFAACEMENT OF THE PROPERTY – GRAFFITI ON THE EXTERIOR HALF WALL SURFACE ON THE SOUTH SIDE OF THE PROPERTY. EXTERIOR WALL ON THE SOUTH SIDE HAS A HOLE EXPOSING THE STRUCTURE TO THE NATURAL ELEMENTS CREATING WATER INTRUSION AND COMPROMISING THE INTERIOR OF THE STRUCTURE.**
Corrective action to be taken: **REMOVE ALL GRAFFITI TO COMPLY WITH CITY CODE. SEAL THE OPENING ON THE EXTERIOR WALL TO AVOID FURTHER DAMAGE AND WATER INTRUSION TO THE INTERIOR OF THE STRUCTURE. MAKE REPAIRS TO THE EXTERIOR**

WALLS IN ORDER TO SUPPORT ALL NOMINAL LOADS. CONTACT THE CITY'S BUILDING DEPARTMENT TO OBTAIN THE REQUIRED PERMITS. ALL REPAIRS SHALL BE DONE ACCORDING TO CURRENT BUILDING STANDARDS AND BY A LICENSED CONTRACTOR. CONTACT THE SAFETY AND CODE COMPLIANCE OFFICER WITH YOUR INTENTIONS.

Officer Name: **Busch, Christina (407) 599-3382**
cbusch@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

00010 PROPERTY MAINTENANCE SEC 22-176 & 22-177

Violation Description

Sec. 22-176. - Code adopted.

The International Property Maintenance Code, 2018 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, 2018 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 Description

302.9 DEFACEMENT OF PROPERTY.

No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on a any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

Violation Corrective Action

DEFACEMENT OF THE PROPERTY – GRAFFITI – REMOVE

Violation Detail

SEC. 304.1.1 UNSAFE COND EXTERIOR STRUCTURE

Violation Description

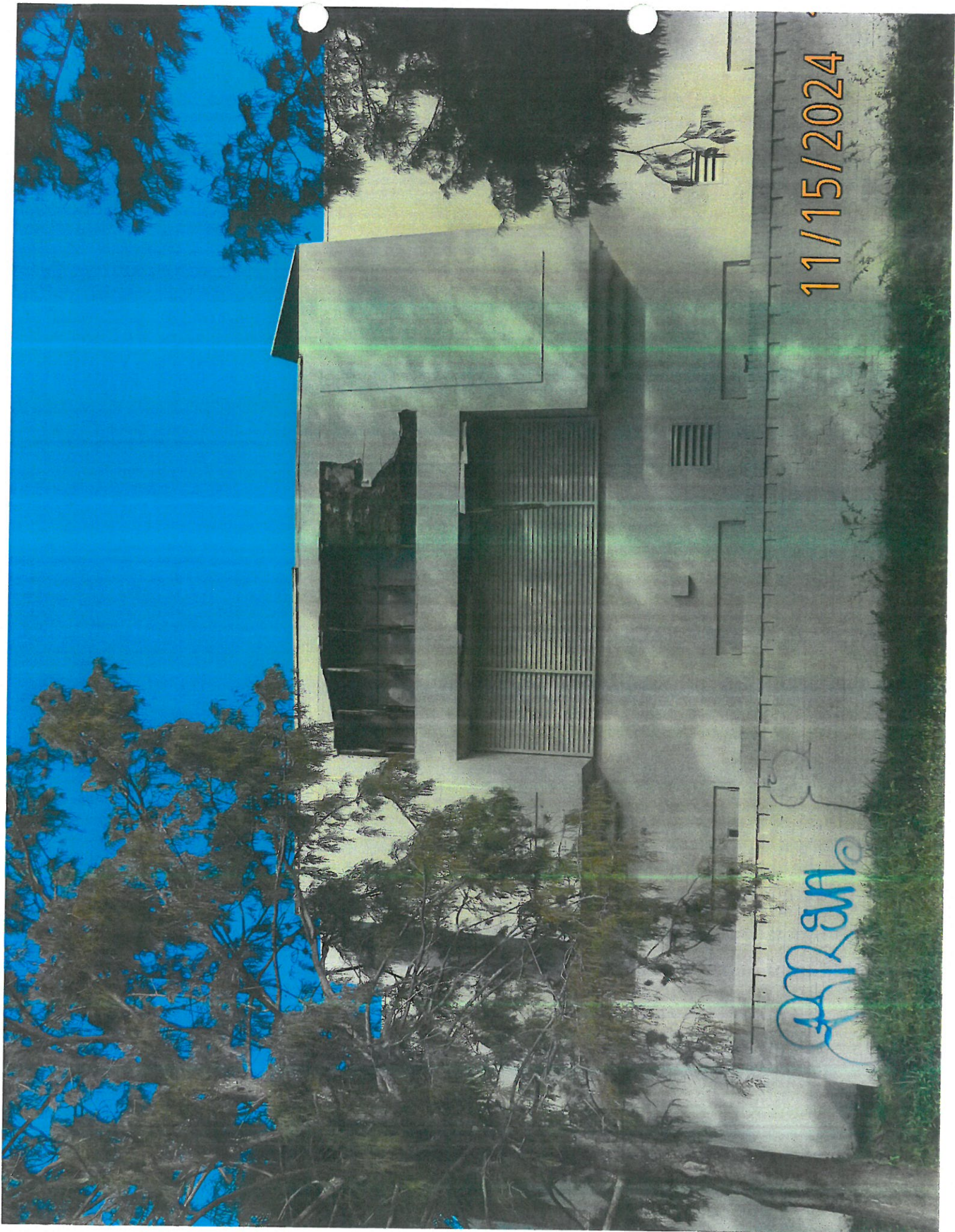
Section 304
Exterior Structure

304.1.1. Unsafe conditions.

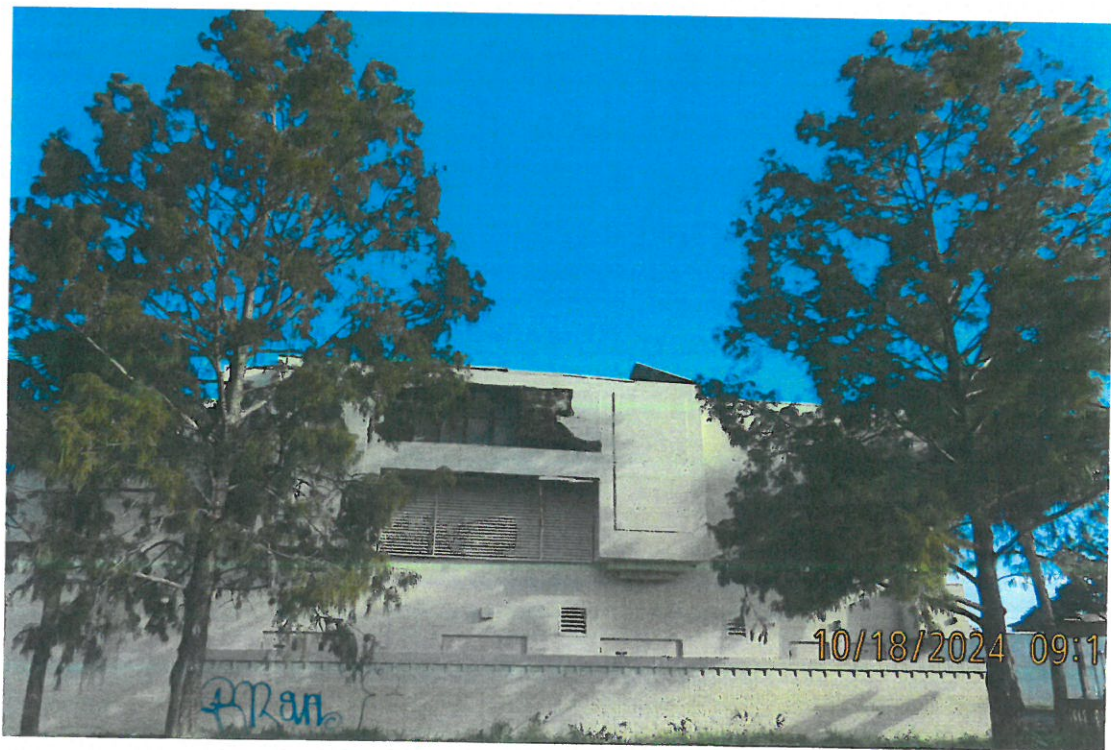
The following conditions shall be determined as unsafe and Shall be repaired or replaced to comply with the International building code or the international existing Building code as required for existing buildings.

7. Exterior walls that are not anchored to supporting and supported elements or are not plumb free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.















Code Compliance Board

agenda item 5.b

item type

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

meeting date

December 5, 2024

prepared by

Susan Pruchnicki, Coordinator

approved by

subject

PM-24-0085 930 Cypress Ave., Winter Park, FL 32789 - MASSEY HEARING

motion | recommendation

background

VIOLATION DESCRIPTION: 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.

CORRECTIVE ACTION REQUIRED: Remove the accumulation of waste and building materials from the plain view of 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.

alternatives | other considerations

fiscal impact

attachments

1. CCB# PM-24-0085 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: 11/26/2024 System Refresh Date: 10/27/2024

930 Cypress Ave 12-22-29-5408-00-124

Name(s):
ATYRELL ENTERPRISES LLC

Physical Street Address:
930 Cypress Ave

Property Use:
0100 - Single Family

Mailing Address On File:
930 Cypress Ave
Winter Park, FL 32789-5630
[Incorrect Mailing Address?](#)

Postal City and Zip:
Winter Park, FL 32789

Municipality:
Winter Park



[Upload Photos](#)

[View 2024 Property Record Card](#)

[PROPERTY FEATURES](#)

[VALUES, EXEMPTIONS AND TAXES](#)

[SALES](#)

[MARKET STATS](#)

[LOCATION](#)

[View Plat](#)

Property Description

PETER MACKS REVISION G/21 THAT PART OF BLK 12 FORMERLY KNOWN AS W 40 FT OF LOT 184 & BEG NE COR LOT 185 W 10 FT SWLY 154.65 FT TO SW COR OF LOT 185 E 50 FT TO SE COR N TO POB

Total Land Area

10,506 sqft (+/-) | 0.24 acres
(+/-)

[GIS Calculated](#)

Notice

Land

Land Use Code	Zoning	Land Units	Unit Price	Land Value	Class Unit Price	Class Value
0100 - Single Family	R-2	1 LOT(S)	\$150,000	\$150,000	\$0	\$150,000

« « 1 » »

Page 1 of 1 (Total Records: 1)

Building

[View Winter Park Permits](#)



[More Details](#)

Model Code:

01 - Single Fam Residence

Actual Year Built:

1955

Gross Area:

1643 sqft

Type Code:

0104 - Single Fam Class IV

Beds:

3

Living Area:

1371 sqft

Building Value:

\$132,691

Baths:

2

Exterior Wall:

Concrete/Cinder Block

Estimated New Cost:

\$329,748

Floors:



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
ATYRELL ENTERPRISES, LLC

Filing Information

Document Number L21000218656
FEI/EIN Number 86-3773776
Date Filed 05/11/2021
Effective Date 05/10/2021
State FL
Status ACTIVE

Principal Address

930 CYPRESS AVENUE
WINTER PARK, FL 32789

Mailing Address

930 CYPRESS AVENUE
WINTER PARK, FL 32789

Registered Agent Name & Address

TYRELL, HARRIS A, JR.
930 CYPRESS AVENUE
WINTER PARK, FL 32789

Authorized Person(s) Detail

Name & Address

Title Manager

TYRELL, HARRIS A, JR.
930 CYPRESS AVENUE
WINTER PARK, FL 32789

Title Manager

Tyrell, Veda
2660 HILLIARD CT
Kissimmee, FL 34744

Title Manager

The Orange County Tax Collector makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation. The assessed values are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. Utilization of the search facility indicates understanding and acceptance of this statement by the user. This Site Should not be relied upon for a title search.

Property Appraiser Details

Parcel/Tangible Number:	12-22-29-5408-00124
Date:	<u>11/26/2024</u>
Tax Year:	2024
Total Assesed Value:	\$223,076.00
Taxable Value:	\$198,076.00
Gross Tax Amount:	\$2,965.62
Millage Code:	6 WP
Comments:	
Owner & Address:	ATYRELL ENTERPRISES LLC 930 CYPRESS AVE WINTER PARK, FL 32789-5630
Legal Description:	PETER MACKS REVISION G/21 THAT PART OF BLK 12 FORMERLY KNOWN AS W 40 FT OF LOT 184 & BEG NE COR LOT 185 W 10 FT SWLY 154.65 FT TO SW COR OF LOT
Location Address:	930 CYPRESS AVE WINTER PARK 32789

Note: The "Certified Owner" is the owner of record on the Tax Roll. To see the certified owner, select the "Taxbill for Certified Owner" from the Taxbill dropdown.

Current Taxes and Unpaid Delinquent Warrants:

Year	Owner Information	Amc
2024	ATYRELL ENTERPRISES LLC	\$2,
2023	ATYRELL ENTERPRISES LLC	* PAID (View T
2022	TYRELL HARRIS JR TYRELL HARRIS SR	* PAID (View T
2021	TYRELL HARRIS JR TYRELL HARRIS SR	* PAID (View T

2020	TYRELL HARRIS JR TYRELL HARRIS SR	* PAID (View Tē
2019	TYRELL HARRIS JR TYRELL HARRIS SR	* PAID (View Tē
2018	TYRELL HARRIS JR TYRELL HARRIS SR	* PAID (View Tē
2017	TYRELL HARRIS JR TYRELL HARRIS SR	* PAID (View Tē
2014	HENDERSON DAWN	* PAID (View Tē
2013	FRAUMAN DAWN	* PAID (View Tē
2012	FRAUMAN DAWN	* PAID (View Tē
2011	FRAUMAN DAWN	* PAID (View Tē
2010	FRAUMAN DAWN	* PAID (View Tē
2009	FRAUMAN DAWN	* PAID (View Tē
2008	FRAUMAN DAWN	* PAID (View Tē
2007	FRAUMAN DAWN	* PAID (View Tē
2006	FRAUMAN DAWN	* PAID (View Tē

Unpaid Real Estate Certificates:

Year	Current Payoff	If Paid By
No data		

*** UNPAID DELINQUENT TAXES MUST BE PAID BY A CASHIERS
CHECK, MONEY ORDER, OR CERTIFIED FUNDS AND ARE DUE BY
THE LAST BUSINESS DAY OF THE MONTH.**

[Search Again](#)
[Print](#)

THIS INSTRUMENT PREPARED BY:
NAME: ATyrell Enterprises, LLC
ADDR.: 930 Cypress Ave, Winter Park, FL 32789

DOCH 20240517723
09/05/2024 02:55:46 PM Page 1 of 2
Rec Fee: \$18.50
Deed Doc Tax: \$0.70
DOR Admin Fee: \$0.00
Intangible Tax: \$0.00
Mortgage Stamp: \$0.00
Phil Diamond, Comptroller
Orange County, FL
MB - Ret To: ATYRELL ENTERPRISES LLC

Consideration \$10.00

This Quit Claim Deed, Executed this 12TH day of JUNE, 2024 by (first party)
HARRIS A. TYRELL, JR. AND HARRIS TYRELL, Sr. to (second party) ATyrell Enterprises, LLC whose post
office address is 930 CYPRESS AVE, WINTER PARK, FL 32789

(wherever used herein in terms "first party" and "second party" shall include singular and plural, heirs,
legal representatives, and assigns of individuals, and the successors and assigns of corporations,
wherever the context so admits or requires.)

Witnesseth, That the said first party, for an in consideration of the sum of \$10.00, in hand
paid by the second party, the receipt whereof is hereby acknowledged, does hereby remise, release
and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which
the said first party has in and to the following described lot, piece or parcel land, situate, lying and
being the County of ORANGE, State of Florida to wit: 930 Cypress Ave., Winter Park, FL 32789
Parcel ID: 12-22-29-5408-00-124

**PETER MACKS REVISION G/21 THAT PART OF BLK 12 FORMERLY KNOWN AS W 40 FT OF
LOT 184 & BEG NE COR LOT 185 W 10 FT SWLY 154.65 FT TO SW COR OF LOT 185 E 50 FT TO
SE COR N TO POB**

To have and to hold, the same together with all and singular the appurtenances thereunto belonging
or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever for
the said first party, either in law or equity, to the only proper use, benefit and behoof of the said
second party forever.

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

Signed, sealed, and delivered in the presence of:

Witness Signature as to First Party
Kiana Bennett 1325 Cloverlawn Ave
Printed Name Orlando, FL 32806

Witness Signature as to First Party
Jodi-Gaye McFarlane 717 E Flag Way
Printed Name Kissimmee, FL 34759

Witness Signature as to Co-First Party (if applicable)
Kiana Bennett 1325 Cloverlawn Ave
Printed Name Orlando, FL 32806

Witness Signature as to Co-First Party (if applicable)
Jodi-Gaye McFarlane 717 E Flag Way
Printed Name Kissimmee, FL 34759

Signature of First Party
Harris Tyrell, Jr.
Printed Name
930 Cypress Ave
Winter Park, FL 32789

Signature of Co-First Party (if applicable)
Harris Tyrell, Sr.
Printed Name
2660 Hilliard Ct, Kissimmee, FL 34744
Post Office Address

STATE OF Florida

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 12th day of JUNE 2024, by HARRIS TYRELL, JR. AND HARRIS TYRELL (name of person acknowledging).

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced: Personally Known

(Signature of Notary Public)

Jodi-Gaye McFarlane

(Print, Type, or Stamp Commissioned Name of Notary Public)

My Commission expires: 10/15/2027

Affix Notary SEAL



Online Notary: ☐ (Check Box if acknowledgment done by Online Notarization)

FACT SHEET

December 5, 2024.

Case No: PM-24-0085

Respondents:

ATYRELL ENTERPRISES LLC
930 Cypress Ave.
Winter Park, FL 32789-5630,

1. Address where violation exists: **930 Cypress Avenue, Winter Park, FL 32789**
2. Parcel I.D. No.: **12-22-29-5408-00-124**
3. Property Zone: **R-2**
4. Inspection(s): **10/07/2024, 10/21/2024, 11/07/2024, 11/15/2024, 12/05/2024.**
5. Notice of Violation, Notice of Hearing and Notice of Massey 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: 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.	CORRECTIVE ACTION REQUIRED: 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.	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.
--	--	--

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.		
--	--	--

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

CASE NO.: **PM-24-0085**

City of Winter Park
Petitioner,

vs.

ATYRELL ENTERPRISES L.L.C.
930 CYPRESS AVE.
WINTER PARK, FL 32789-5630
Respondents,

AFFIDAVIT OF POSTING

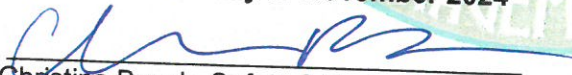
STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned authority, personally posted Christina Busch, 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 December 5, 2024, on the property located at **930 CYPRESS AVE.** on this **15th day of November 2024**.
3. That the attached picture document is proof of the posting.

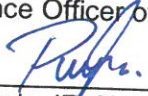
FURTHER AFFIANT SAYETH NOT

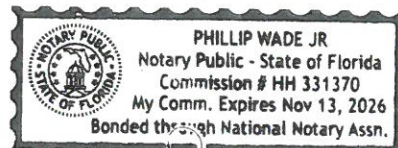
DATED this **15th day of November 2024**


Christina Busch, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **15th day of November 2024**, by Christina Busch, who is personally known to me as a Safety & Code Compliance Officer of the City of Winter Park.


Phillip Wade Jr., Notary Public
My Commission Expires Nov 13, 2026
Commission #HH331370



11/15/2024

Office DEPOTS

CITY OF WINTER PARK
SAFETY AND CODE COMPLIANCE DIVISION
401 S. PARK AVENUE
WINTER PARK, FLORIDA 32789
307.593.5600

Case No: PW-24-0085

CITY OF WINTER PARK
Petitioner:

TYRELL HARRIS, JR.
ATYRELL HARRIS, SR.
ATYRELL ENTERPRISES, LLC
500 CYPRESS AVE
WINTER PARK, FL 32789-5630
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 Massey Hearing for Determination of
Non-Compliance with Code Compliance Board Order and to Impose Fines and Liens
to the Respondent, Tyrell Harris, Sr. and Attyrell Enterprises, LLC, 500
Cypress Ave., Winter Park, FL 32789-5630. The Code Compliance Board will hold
a public hearing on the matter on Thursday, December 5, 2024 at 3 p.m.
at the second floor of Winter Park City Hall, 401 S. Park Ave., Winter Park, FL 32789.
The Respondent is hereby notified that if they fail to appear before the Board before
the hearing, the Board will impose fines and liens in accordance with Article 1
of the City of Winter Park Code, Chapter 2, Section 2-105. The hearing will take place on

Thursday, December 5, 2024 at 3 p.m.
at
Commission Chambers
second floor of Winter Park City Hall
401 S. Park Ave., Winter Park, FL 32789

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

CASE NO.: **PM-24-0085**

City of Winter Park
Petitioner,

vs.

ATYRELL ENTERPRISES, LLC
930 CYPRESS AVE.
WINTER PARK, FL 32789-5630
Respondents,

AFFIDAVIT OF POSTING

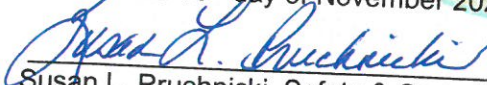
STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned authority, personally posted Susan Pruchnicki, Safety & Code Compliance Coordinator 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 December 5, 2024, at City Hall for the property located at 930 CYPRESS AVE. on this 14th day of November 2024.
3. That the attached picture document is proof of the posting.

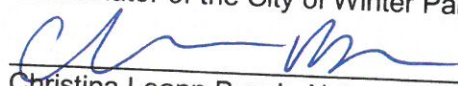
FURTHER AFFIANT SAYETH NOT

DATED this 15th day of November 2024


Susan L. Pruchnicki, Safety & Code Compliance Coordinator

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 15th day of November 2024, by Susan Pruchnicki, who is personally known to me as a Safety & Code Compliance Coordinator of the City of Winter Park.


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



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Tracking Number:

9489017898203026100414[Remove X](#)[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 3:59 pm on October 21, 2024 in WINTER PARK, FL 32789.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

WINTER PARK, FL 32789
October 21, 2024, 3:59 pm

Arrived at USPS Regional Facility

LAKE MARY FL DISTRIBUTION CENTER
October 20, 2024, 3:40 am

In Transit to Next Facility

October 19, 2024

Departed USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER
October 18, 2024, 9:06 pm

Arrived at USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER
October 18, 2024, 8:22 pm

Feedback

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

CITY OF WINTER PARK,

Petitioner,

v.

Case No: PM-24-0085

TYRELL HARRIS, JR.,
TYRELL HARRIS, SR.,
ATYRELL ENTERPRISES, LLC,
930 CYPRESS AVE.
WINTER PARK, FL 32789-5630,

Respondents.

_____ /

**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 *Massey* Hearing for Determination of Non-Compliance with Code Compliance Board Order and to Impose Fines and Lien, to the Respondent, Tyrell Harris, Jr., Tyrell Harris, Sr., and **Atyrell Enterprises, LLC, 930 Cypress Ave., Winter Park, FL 32789-5630**. The Code Compliance Board will hear, discuss, and decide whether Respondent remains in violation of the Winter Park Code and fines should be assessed. 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, December 5, 2024 at 3 p.m.
at
Commission Chambers
second floor of 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 September 5th 2024, the Code Compliance Board determined that Respondent was 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.**

At the hearing, and in the attached Findings of Fact, Conclusions of Law and Order (executed on September 5th, 2024), the Respondent was **ORDERED** to:

(1) Remove the accumulation of waste and building materials from plain view of the right of way and neighboring properties; and

(2), remove the stains from the front exterior wall and the awning wood structure in front of, and on top of the Subject Property's front door, 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 Respondents are further ordered to contact the Safety & Code Compliance Officer to provide documentation of action taken to bring the Subject Property into compliance with the City Code by October 5, 2024.

2. Address where violation exists: **930 CYPRESS AVE., WINTER PARK, FL 32789.**
3. Parcel I.D. No.: **12-22-29-5408-00-124**
4. Property Zone: **R-2**
5. Legal Description: **PETER MACKS REVISION G/21 THAT PART OF BLK 12 FORMERLY KNOWN AS W 40 FT OF LOT 184 & BEG NE COR LOT 185 W 10 FT SWLY 154.65 FT TO SW COR OF LOT 185 E 50 FT TO SE COR N TO POB per Orange County records.**
6. Respondent/Names and address of owner/person in charge of location where violation exists: **ATYRELL ENTERPRISES, LLC - 930 CYPRESS AVE., WINTER PARK, FL 32789-5630**

7. Description of Violation(s): **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.**
8. Matter to be Heard: **The City's Request for Determination of Non-Compliance with Code Compliance Board Order and Assessment of Fines and Lien.**

Code compliance is the duty of all owners and occupants of a property. Under section 101.2, the *International Property Maintenance Code* "shall apply to...the responsibility of owners, an owner's authorized agent, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties."

Respondents Tyrell Harris, Jr. and Tyrell Harris, Sr. had a duty under the Florida Statutes § 162.06 and section 2-104 of the City Code, before the prior hearing, to advise the acquiring entity, ATyrell Enterprises, LLC, of the Notice of Violation and of the Code Board's Findings of Fact, Conclusions of Law and Order. Further, they had a duty to "File a notice with the code enforcement official of the transfer of the property, with the identity and address of the new owner and copies of the disclosures made to the new owner, within five days after the date of the transfer," and failed to do so. Failure to make this disclosure "creates a rebuttal presumption of fraud."

This Notice is providing the new owner, ATyrell Enterprises, LLC, of which Tyrell Harris, Jr. is Manager, a reasonable period of time to correct the violation before the *Massey* hearing is held.

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, place liens, or take other actions which will affect your rights.

If you feel that you have come into compliance with the terms of the September 5th, 2024 Order prior to the December 5th, 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 16th, 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: **ATYRELL ENTERPRISES, LLC - 930 Cypress Ave., Winter Park, FL 32789-5630**

Certified Mail # 9489 0178 9820 3026 1004 14



Christina Busch
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 an Order of the Code Compliance Board to the Circuit Court in and for Orange County, Florida within thirty (30) calendar days of the rendition of the Order, as set forth in Florida Statutes § 162.11. The party bringing the appeal has the responsibility of ensuring that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based, for the reviewing court.

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

Persons with Disabilities

Persons with disabilities needing special accommodations or assistance to participate in this proceeding should contact the Code Compliance division at (407) 599-3600 at least 48 hours in advance of the meeting.

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 302.1 SANITATION & STORAGE

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.

SEC 304.2 PROTECTIVE TREATMENT

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

cc: Registered Agent – Tyrell, Harris A., Jr.– 930 Cypress Ave., Winter Park, FL 32789

S:\AKA\CLIENTS\Winter Park\Code Enforcement W600-26022\HEARINGS\Hearings 2024\Hearings 2024\Dec. 5, 2024\Notice of Massey Hearing - ATyrell Enter. - 930 Cypress Avenue_PM-24-85 (RSG REV.) - 10 16 24.docx

**INVOICE (INV-00054176)
FOR CITY OF WINTER PARK**

BILLING CONTACT

CRANDALL MAY
MAY CRANDALL & CONTORAKES MARIA M
911 HARMON AVE
WINTER PARK, FL 32789



INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
INV-00054176	10/15/2024	11/15/2024	Due	Recording Fees for Certified Code Board Findings of Fact Order.

REFERENCE NUMBER	FEE NAME	TOTAL
PM - 24 - 0085	1st Lien Recording Fee	\$35.88
930 Cypress Ave Winter Park, FL 32789-5630		
SUBTOTAL		\$35.88

REMITTANCE INFORMATION
City of Winter Park 401 S Park Ave Winter Park, FL 32789

TOTAL **\$35.88**

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[FAQs >](#)

Tracking Number:

9489017898203026100346[Remove X](#)[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 2:56 pm on November 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

November 19, 2024, 2:56 pm

Arrived at USPS Regional Facility

LAKE MARY FL DISTRIBUTION CENTER

November 18, 2024, 7:57 pm

Arrived at USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER

November 18, 2024, 10:37 am

Unclaimed/Being Returned to Sender

WINTER PARK, FL 32789

November 14, 2024, 12:27 pm

Reminder to Schedule Redelivery of your item

October 22, 2024

Notice Left (No Authorized Recipient Available)

Feedback

WINTER PARK, FL 32789
October 17, 2024, 2:09 pm

Arrived at USPS Regional Facility
LAKE MARY FL DISTRIBUTION CENTER
October 16, 2024, 9:45 pm

Departed USPS Regional Facility
ORLANDO FL DISTRIBUTION CENTER
October 16, 2024, 9:27 am

Arrived at USPS Regional Facility
ORLANDO FL DISTRIBUTION CENTER
October 15, 2024, 10:41 pm

Hide Tracking History

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

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USPS Tracking Plus®



Product Information



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FAQs

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-24-0085**

Petitioner, _____ /

vs.

ATYRELL ENTERPRISES LLC
930 CYPRESS AVE.
WINTER PARK, FL 32789-5630

Respondents, _____ /

STATE OF FLORIDA :

COUNTY OF ORANGE :

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

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

1. My name is Christina Busch, 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 930 CYPRESS AVE. with a Parcel Identification number of 12-22-29-5408-00-124 (the "Property").
4. I am familiar with, and reviewed the code compliance case involving the Property, Case #. PM-24-0085

On 5th day of September, the Code Compliance Board entered an Order (the "Order") requiring

(1) Remove the accumulation of waste and building materials from plain view of the right of way and neighboring properties; and

(2) Remove the stains from the front exterior wall and the awning wood structure in front of, and on top of the Subject Property's front door, 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 Respondents are further ordered to contact the Safety & Code Compliance Officer to provide documentation of action taken to bring the Subject Property into compliance with the City Code by October 5, 2024.

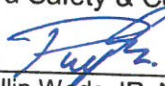
5. On the 7th day of October, I re-inspected the Property to determine if the property owner undertook corrective action. I observed:
Accumulation of waste and building materials on the premises in plain view from the public right of way and adjacent neighboring properties located on the front lawn and 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.
6. Therefore, I determined that the property owner has not taken corrective action and the Property remains out of compliance with 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.


Christina Busch, Affiant

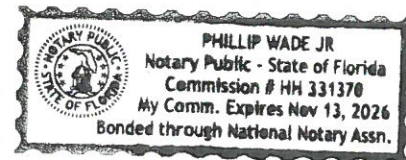
SWORN TO AND SUBSCRIBED

Before me this 8th day of October 2024,

By Christina Busch who is personally known to me
as a Safety & Code Compliance Officer of the City of Winter Park.


Phillip Wade JR, Notary Public
My Commission Expires Nov 13, 2026
Commission # HH331370

Notary Public



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

CASE NO.: **PM-24-0085**

City of Winter Park
Petitioner,

vs.

TYRELL HARRIS JR.
TYRELL HARRIS SR.
930 CYPRESS AVE.
WINTER PARK, FL 32789-5630
Respondents,

AFFIDAVIT OF POSTING

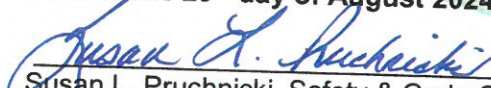
STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned authority, personally posted Susan Pruchnicki, Safety & Code Compliance Coordinator 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 September 5, 2024, at City Hall for the property located at 930 CYPRESS AVE. on this 29th day of August 2024.
3. That the attached picture document is proof of the posting.

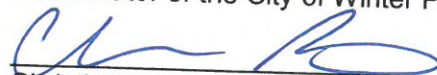
FURTHER AFFIANT SAYETH NOT

DATED this 29th day of August 2024


Susan L. Pruchnicki, Safety & Code Compliance Coordinator

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 29th day of August 2024, by Susan Pruchnicki, who is personally known to me as a Safety & Code Compliance Coordinator 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
401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789
(407) 599-3600

CASE NO.: **PM-24-0086**

City of Winter Park
Petitioner,

vs.

TYRELL HARRIS JR.
TYRELL HARRIS SR.
930 CYPRESS AVE.
WINTER PARK, FL 32789-5630
Respondent,

AFFIDAVIT OF POSTING

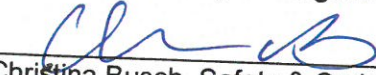
STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned authority, personally posted Christina Busch, 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 September 5, 2024, on the property located at 930 CYPRESS AVE. on this **7th day of August 2024**.
3. That the attached picture document is proof of the posting.

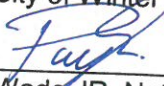
FURTHER AFFIANT SAYETH NOT

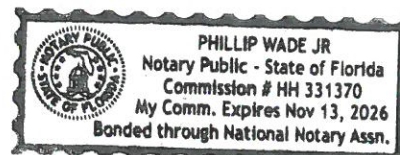
DATED this **7th day of August 2024**


Christina Busch, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **7th day of August 2024**, by Christina Busch, who is personally known to me as a Safety & Code Compliance Officer of the City of Winter Park.


Phillip Wade JR, Notary Public
My Commission Expires Nov 13, 2026
Commission #HH331370



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

401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789
407.599.1000

Case No: PM-24-0085

CITY OF WINTER PARK,

Respondent,

vs.

TYRELL HARRIS JR.
TYRELL HARRIS SR.
930 CYPRESS AVE.
WINTER PARK, FL 32789-5630,

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 the City of Winter Park, which is 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, September 5, 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. Violations of City Code Chapter/Section 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.

08/07/2024

USPS Tracking®

[FAQs >](#)

Tracking Number:

9489017898203026102227[Remove X](#)[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 3:38 pm on July 8, 2024 in WINTER PARK, FL 32789.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

WINTER PARK, FL 32789

July 8, 2024, 3:38 pm

In Transit to Next Facility

July 7, 2024

Arrived at USPS Regional Facility

LAKE MARY FL DISTRIBUTION CENTER

July 6, 2024, 7:18 pm

Departed USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER

July 5, 2024, 9:17 pm

Arrived at USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER

July 5, 2024, 9:07 pm

Feedback

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

Case No: PM-24-0085

CITY OF WINTER PARK,

Petitioner,

vs.

TYRELL HARRIS JR.
TYRELL HARRIS SR
930 CYPRESS AVE.
WINTER PARK, FL 32789-5630,

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, September 5, 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. Violations of City Code Chapter/Section: **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.**

2. Address where violation(s) exists: **930 Cypress Ave., Winter Park, FL 32789.**
3. Parcel I.D. No.: **12-22-29-5408-00-124**
4. Property Zone: **R-2**
5. Legal Description: **PETER MACKS REVISION G/21 THAT PART OF BLK 12 FORMERLY KNOWN AS W 40 FT OF LOT 184 & BEG NE COR LOT 185 W 10 FT SWLY 154.65 FT TO SW COR OF LOT 185 E 50 FT TO SE COR N TO POB**
6. Names and address of owner/person in charge of location where violation exists: **Tyrell Harris Jr. & Tyrell Harris Sr. - 930 Cypress Ave., Winter Park, FL 32789-5630**
7. Description of Violations: **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.**
8. 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.**

Compliance Date to avoid hearing: **August 4, 2024.**

Unless Respondent(s) corrects the violation described herein by the date set forth above and contacts the undersigned Code Inspector to verify compliance with City Code/Sections 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 Compliance Board, on **September 5, 2024,**

at 3 p.m., at 401 S Park Avenue, Winter Park, FL, 2nd Floor (Commissioner's 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.

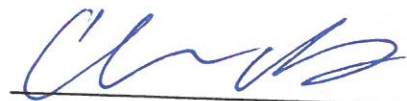
AN AGGRIEVED PARTY MAY APPEAL A FINAL ADMINISTRATIVE ORDER OF THE CODE COMPLIANCE BOARD TO THE ORANGE COUNTY CIRCUIT COURT. ANY SUCH APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE APPEALED, AS SET FORTH IN SECTION 162.11, FLORIDA STATUTES. If a party to the proceedings before the Code Compliance Board decides to appeal a decision of such board, a verbatim record of the proceedings may be required. It is the sole responsibility of the appealing party 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 hearing, it is your responsibility to contact the Code Compliance Division. **PLEASE GOVERN YOURSELF ACCORDINGLY.**

Dated this: 5th day of July 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: **TYRELL HARRIS JR. & TYRELL HARRIS SR.- 930 CYPRESS AVE., WINTER PARK, FL 32789-5630**

Certified Mail: 9489 0178 9820 3026 1022 27



Christina Busch
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 302.1 SANITATION & STORAGE

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.

SEC 304.2 PROTECTIVE TREATMENT

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

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

CASE NO.: **PM-24-0085**

City of Winter Park
Petitioner,

vs.

TYRELL HARRIS JR.
TYRELL HARRIS SR.
930 CYPRESS AVE.
WINTER PARK, FL 32789-5630
Respondents,

AFFIDAVIT OF POSTING

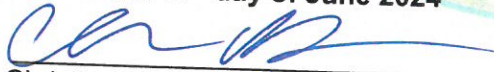
STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned authority, personally posted Christina Busch, 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 930 CYPRESS AVE. on this **17th day of June 2024**.
3. That the attached picture document is proof of the posting.

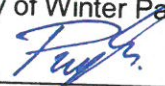
FURTHER AFFIANT SAYETH NOT

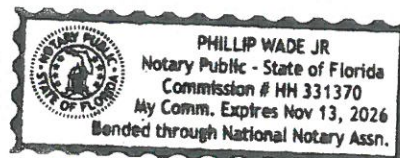
DATED this **17th day of June 2024**


Christina Busch, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **17th day of June 2024**, by Christina Busch, who is personally known to me as a Safety & Code Compliance Officer of the City of Winter Park.


Phillip Wade JR, Notary Public
My Commission Expires Nov 13, 2026
Commission #HH331370



OFFICIAL NOTICE OF VIOLATION

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

DATE: May 7, 2024
CASE # PM-24-0085
CERTIFIED TRACKING NUMBER: 9171 9690 0935 0313 3107 01

You are hereby notified that the below stated property has been inspected and found to be 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.

PROPERTY MAINTENANCE/NUISANCE

On May 7, 2024 a Violation(s) was observed on your property. The violation(s) must be corrected by June 10, 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-2
Parcel ID #: 12-22-29-5408-00-124
Violation: 930 CYPRESS AVE.
Location/Address: WINTER PARK, FL 32789
Property Owner/ Tenant: TYRELL HARRIS JR. & TYRELL HARRIS SR.
Mailing Address: 930 CYPRESS AVE, FL 32789-5630
City/ State/ Zip: WINTER PARK, FL 32789
Description of Violation: ACCUMULATION OF WASTE AND BUILDING MATERIALS ON THE PREMISES IN PLAIN VIEW FROM THE PUBLIC PROPERTIES LOCATED ON THE NEIGHBORING PROPERTIES LOCATED ON THE FRONT LAWN AND CEMENT OF THE PROPERTY. PRESENT STORAGE OF MATERIALS SUCH AS A SATellite DISH, PLASTIC BUCKETS, CONCRETE BLOCKS, ARTICLES OF WOOD, A VEHICLE TIRE, A VEHICLE BATTERY, A METAL CABINET, AND DISCARDED ARTICLES OF WASTE, HARD WATER STAINING ON THE FRONT EXTERIOR WALL OF

Office DEPOT

06/17/2024

ALERT: FLOODING AND SEVERE WEATHER IN THE SOUTH, SOUTHEAST, AND CENTRAL U.S. ...

USPS Tracking®

[FAQs >](#)

Tracking Number:

9171969009350313310701

Remove X

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

Latest Update

Your item arrived at our USPS facility in LAKE MARY FL DISTRIBUTION CENTER on June 16, 2024 at 7:27 pm. The item is currently in transit to the destination.

Get More Out of USPS Tracking:**USPS Tracking Plus®**

Moving Through Network

Arrived at USPS Regional FacilityLAKE MARY FL DISTRIBUTION CENTER
June 16, 2024, 7:27 pm**Arrived at USPS Regional Facility**ORLANDO FL DISTRIBUTION CENTER
June 16, 2024, 8:25 am[See All Tracking History](#)

Feedback

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

DATE: **May 7, 2024**

CASE # **PM-24-0085**

CERTIFIED TRACKING NUMBER: **9171 9690 0935 0313 3107 01**

You are hereby notified that the below stated property has been inspected and found to be 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.**

PROPERTY MAINTENANCE/NUISANCE

On **May 7, 2024** a Violation(s) was observed on your property. The violation(s) must be corrected by **June 10, 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-2**
Parcel ID#: **12-22-29-5408-00-124**
Violation: **930 CYPRESS AVE.**
Location/Address: **WINTER PARK, FL 32789**
Property Owner/ Tenant: **TYRELL, HARRIS JR. &
TYRELL, HARRIS SR.**
Mailing Address: **930 CYPRESS AVE.**
City/ State/ Zip: **WINTER PARK, FL 32789-5630**
Description of Violation: **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**

Corrective action to be
taken:

THE PROPERTY AND MOLD AND MILDEW STAINING ON THE AWNING ABOVE THE FRONT DOOR ON THE PROPERTY.

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. CONTACT THE CODE COMPLIANCE OFFICER WITH YOUR INTENTIONS.

Officer Name: **BUSCH, CHRISTINA**
cbusch@cityofwinterpark.org 407-599-3382

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

PROPERTY MAINTENANCE SEC 22-176 & 22-177

Violation Description

Sec. 22-176. - Code adopted.

The International Property Maintenance Code, 2018 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, 2018 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 302.1 SANITATION & STORAGE

Violation Description

SEC. 302.1 SANITATION AND STORAGE OF MATERIALS.

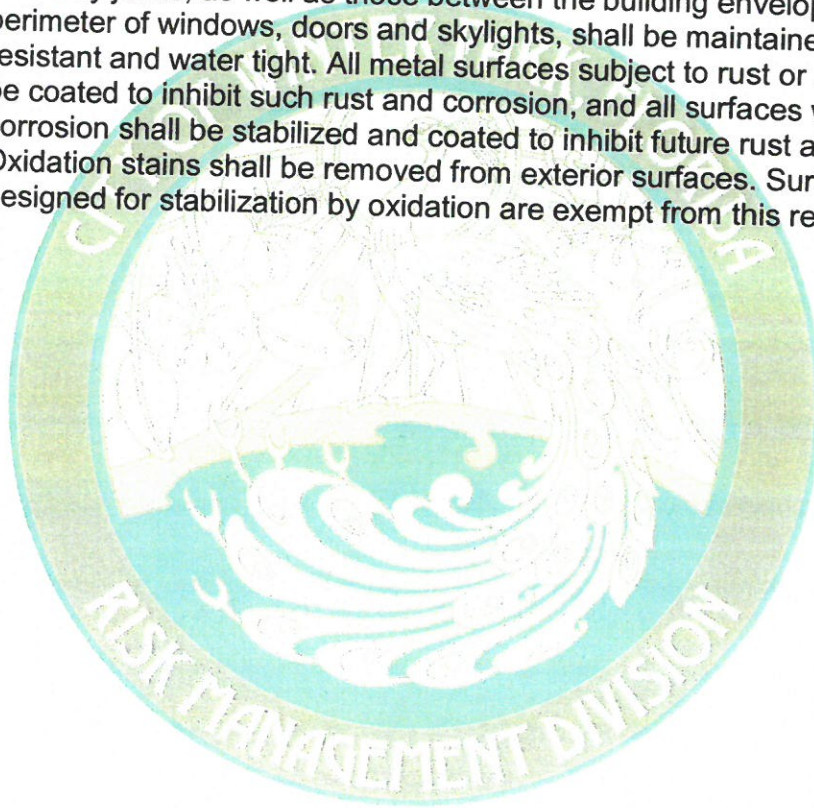
All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition. It shall be unlawful for any person to permit any old, broken lumber, 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.

Violation Detail
SEC 304.2 PROTECTIVE TREATMENT

Violation Description

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.



Christina Busch

From: noreply@cityofwinterpark.org
Sent: Friday, May 3, 2024 8:58 AM
To: Code Compliance; Gary Hiatt; Renata Minoga; Ashley Ong
Subject: NEW WORK ORDER: 57984, 930 Cypress Ave

A new work request has been routed to you and requires your attention.

Work Order Id: 57984
Date 05/02/2024
Requested:
Request Type: Safety & Code Compliance: Trash
Description: Front yard of house being used as a dump. Tires, paint buckets, metal, wood, plastics litter yard. Neighbors say that this issue was reported last year. We are new to area. Please help!
Location: 930 Cypress Ave
Requestor Name: crandall may
Requestor Address: 911 Harmon Ave
Requestor Phone: 352-410-9736
Requestor Email: crandalltoday@gmail.com
Status: New

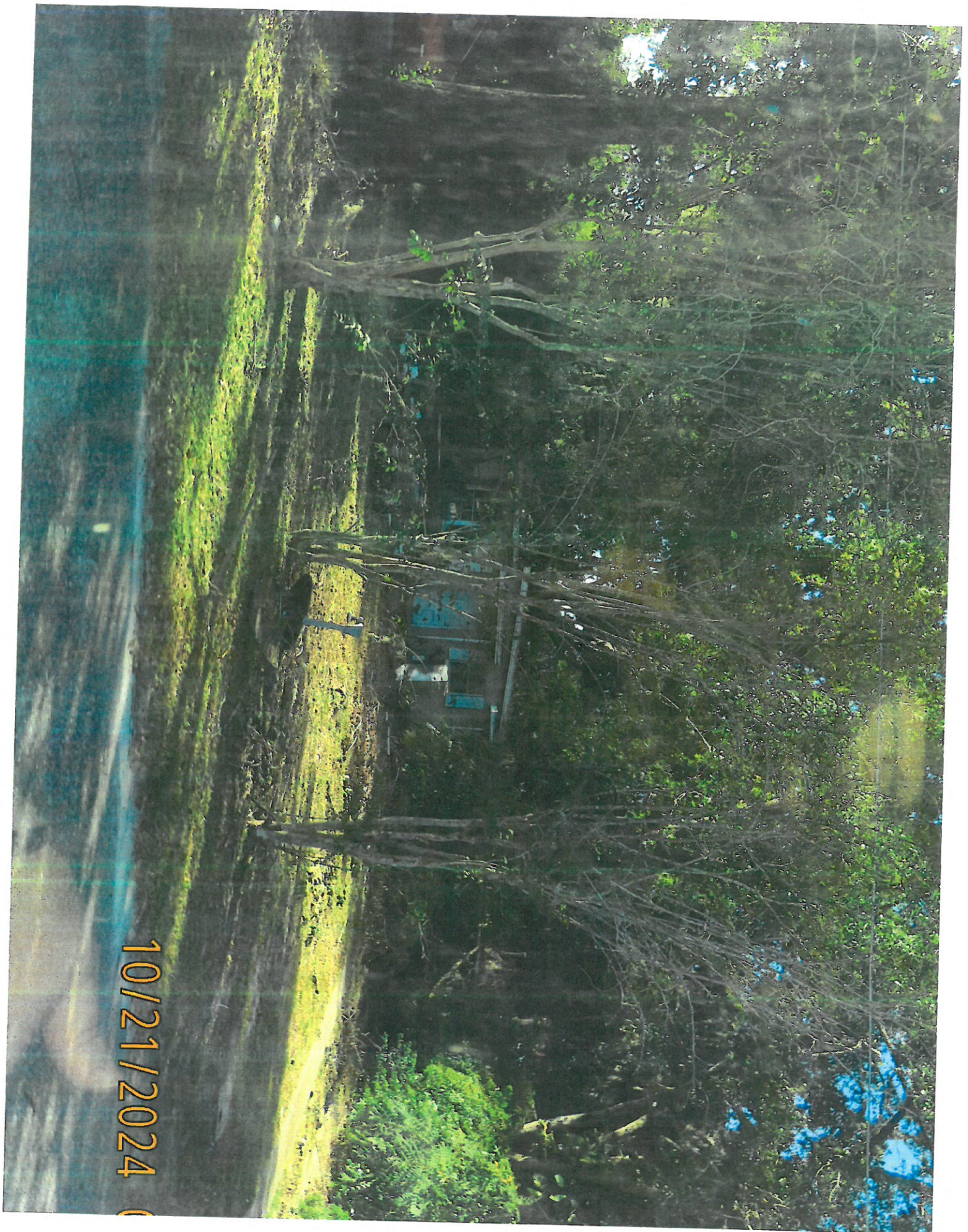














10/21/2024

10/07/2024





Code Compliance Board

agenda item 7.a

item type

Staff Updates

meeting date

December 5, 2024

prepared by

Susan Pruchnicki, Coordinator

approved by**subject**

LDC-24-0172 151 N. Orlando Ave., Unit 118, 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

December 5, 2024

prepared by

Susan Pruchnicki, Coordinator

approved by**subject**

LDC-24-0366 1030 Early Ave., Winter Park, FL 32789 (Zoning - Land Development Code)

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

None



Code Compliance Board

agenda item 7.c

item type

Staff Updates

meeting date

December 5, 2024

prepared by

Susan Pruchnicki, Coordinator

approved by**subject**

1260 Whitesell Drive, Winter Park, FL 32789 - Update

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

None