



Code Compliance Board Regular Meeting

Agenda

December 4, 2025 @ 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**
- 2. Swearing in of Witnesses**
- 3. Consent Agenda**
 - a. Approve the minutes of Novenber 6, 2025 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. CCB# PM-24-0165 2245 Howard Dr., Winter Park FL 32789 10 Minutes
 - b. CCB# PM-25-0104 1321 Fairview Ave., Winter Park FL 32789 10 Minutes
 - c. CCB# PM-25-0117 920 Carver St., Winter Park, FL 32789 10 Minutes
 - d. CCB# TRP-2025-0168 125 W. Reading Way, Winter Park, FL 32789 20 Minutes
 - e. CCB# TRP-2025-0171 652 Penn Place, Winter Park, FL 32789 20 Minutes
- 6. Other Business**
 - a. CCB# LDC-24-0336 Atlantic Oasis Trust - Appeal 5 Minutes
- 7. Non-Action Items**
- 8. Staff Updates**
 - a. PM-25-0137 2718 Norris Ave., Winter Park, FL 32789 (Property Maintenance) 1 Minute
 - b. PM-24-0119 2148 Blossom Ln., Winter Park, FL 32789 1 Minute
- 9. City Attorney Reports**
- 10. Board Comments**
- 11. Upcoming Agenda Items**
- 12. Adjournment**



Code Compliance Board

agenda item 3.a

item type

Consent Agenda

meeting date

December 4, 2025

prepared by**approved by**

Susanne Porras, Code Compliance
Manager

subject

Approve the minutes of November 6, 2025

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

1. DRAFT MINUTES 11-6-25



Code Compliance Board Regular Meeting Minutes

November 6, 2025, at 3:00 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

Doug Bond, Steve Heller, Wayne Johnson, Paul Mandelkern, Kristen Matt

Absent:

Carlos Diez-Arguelles
Melissa Blaney

Legal Representative for the City:

Assistant City Attorney Richard Geller

Staff Present

Building Official Gary Hiatt, Code Compliance Division Manager Susanne Porras, Code Compliance Officer Christina Busch, Code Compliance Officer Phillip Wade, Code Compliance Officer Cristopher Gomez, Board Secretary Susan Pruchnicki

1. Call to Order

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

- a. Roll Call
- b. Board Chair Wayne Johnson welcomed everyone and provided guidelines for all to follow during the meeting. He then 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 Regular Meeting minutes from October 2, 2025

Board Member Kristen Matt made a motion to approve the minutes as amended. Board Member Paul Mandelkern seconded.

VOTE:

- Doug Bond – Yes
- Steve Heller – Yes
- Wayne Johnson – Yes
- Paul Mandelkern – Yes
- Kristen Matt -Yes
- Carlos Diez-Arguelles – Absent
- Melissa Blaney - Absent

Motion passed 5-0.

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

None

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

a. CCB# LDC-24-0336 1810 Barker Drive, Winter Park, FL 32789

Massey Hearing

Mr. Johnson asked Assistant City Attorney Richard Geller about the Notice of Appeal filed on behalf of the Respondent that was received on November 5, 2025. Mr. Geller stated that Joseph Peckham, Counsel for the Respondent, who was present at this meeting, filed an appeal with the City Clerk but did not know if he had filed it yet in the Circuit Court. This appeal was in response to the Findings of Fact and Conclusions of Law entered at the Board Meeting on October 2, 2025. Board Member Kristen Matt stood in as Chair Pro-Temp and signed the Order. Mr. Johnson thanked Mr. Geller for his explanation.

Code Compliance Officer Christina Busch introduced herself and presented the Affidavit of Non-Compliance to the Board. She stated that she presented this case at the October 2, 2025, meeting and the Board found the property owner, Atlantic Oasis Trust, in violation. The Board issued an Order to Atlantic Oasis Trust to, within three days of the hearing date, cease the rental of the Subject Property for periods of less than one month. Failure to comply with the order would result in fines of up to \$500.00 for each day the violation continues. The respondent was further ordered to contact the Safety & Code Compliance Officer and provide documentation of compliance by October 6, 2025. Officer Busch stated that she was not contacted.

Officer Busch stated that proper notice was given by posting the Notice of Hearing on the property on October 17, 2025, and at City Hall, and also by United States Certified mail to meet Florida Statute 162 due process requirements.

She conducted reinspection's on October 6, 12, 16, 17, 18, 19, 21, 22, 23, 24, 25, 29, 30, and 31, 2025 and also on November 3, 5, and 6, 2025. She stated that the October 12, 2025, reinspection confirmed that the property listing was not in compliance with the order.

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

VIOLATION DESCRIPTION: The City issued multiple Notices of Violation for the unlawful short-term rental of the Subject Property. The residential dwelling is being advertised short-term rentals on websites for less than one month, which rentals are in violation of the City Code.

Officer Busch certified that all photographs and documents presented were true and accurate representations of the violations of the Board's Order.

On October 17, 2025, the Notice of Hearing was posted on the Subject Property. She presented documentation of inspections conducted on October 12, 16, 17, 18, 19, 21, 22, 23, 25, and November 5, 2025, noting they were conducted during non-business hours; all were documented as advertising a two-night minimum stay on both Airbnb and VRBO. She conducted inspections on October 24, 29, 20, and 31, 2025 both during and after business hours. The documentation presented indicated that, during business hours, Respondent advertised the listing for 30 nights; however, during non-business hours she advertised the listing for a minimum of two nights. The inspections conducted on November 3 and 6 found the listings advertised for 30 nights. Officer Busch stated that she conducted the latter inspections during both business and non-business hours and that the listings were changed after business hours.

She provided the Board with a computation of fines incurred, based on the dates of non-compliance, which were determined to commence on October 12, 2025, through November 6, 2025, a total of 25 days. 25 days x \$500.00 per day = \$12,500.00.

Mr. Joseph Peckham of The Law Office of Joseph T. Peckham, PLLC, 7025 CR 46A, Suite 1071-333, Lake Mary, FL 32746, representing Atlantic Oasis Trust approached the podium. Board Chair Wayne Johnson pointed out that Mr. Peckham did not stand to be sworn in. Mr. Peckham responded that he was not providing factual evidence, only advocating on behalf of his client.

Mr. Peckham stated that he wished to bring up legal points. He confirmed that he had filed a Notice to Appeal on November 5, 2025, for the underlying determination from the Board issued on October 2, 2025, and that the appeal was pending. He then stated that the matter should be stayed in its totality because the underlying fact finding, which would provide the basis of any fines is now under appeal. He said ordinarily that should be sufficient to stay the proceeding.

Mr. Peckham's second point was that the code officer testified that the Notice of the *Massey* Hearing was dated October 12, 2025, and that evidence presented was gathered well after that in violation of his client's due process rights. He objected to the Board even considering the evidence.

He contended that advertising is not the same as renting. He offered the example of people shopping on Amazon and receiving suggestions to buy something different from their search. He said the fact that his client may have advertised is not evidence of a rental. Even assuming the city's interpretation of the word "rental" was the dictionary definition, the code officer was offering evidence of advertising which is, generally speaking, a First Amendment issue. It constituted evidence that his client is intentionally soliciting for people to be at her property but not necessarily accepting them. As the Board heard, his client is bouncing the listings back and forth between offering the property for two nights and 30 nights, but he heard no evidence of an actual rental.

Finally, Mr. Peckham wished to revisit his prior contention that there is a distinction between someone who is a commercial renter and a member of a club, who is given guest rights at a property by the property owner. He stated that this is a matter for appeal, but that not all people who stay at the property can be deemed to violate Code 58-71(z), assuming the city is correctly interpreting its own ordinance. He stated the City did not demonstrate a commercial aspect that could be considered a rental; otherwise, everyone who had a guest at their property for less than 30 days would be violating the ordinance.

In summary, Mr. Peckham reiterated the failure to notify anything that happened after the Notice of the *Massey* Hearing should be stricken and not considered; the appropriateness of a stay of the proceeding pending the outcome of the appeal of the underlying ordinance; and the absence of actual evidence presented to the Board, assuming that the hearing goes forward and the Board makes a determination of rentals based on only screen captures of advertising. He then offered to answer questions the Board may have.

Mr. Johnson pointed out that Mr. Peckham did not identify himself or his relationship to the case for the record. Mr. Peckham responded as requested. Mr. Johnson then asked where Mr. Peckham filed the Notice of Appeal. Mr. Peckham responded that his assistant filed it with the Orange County Circuit Court on November 5, 2025, and that his office could not file it electronically. Mr. Johnson also asked Mr. Peckham to confirm that he received the Order via electronic mail on October 8, 2025. Mr. Peckham stated that he received the Order electronically on October 2, 2025, and also via regular and certified mail which was received on October 8th or 9th, 2025.

Mr. Mandelkern asked Mr. Peckham if it was his position that merely filing the Notice of Appeal stays the Board Order from October 2, 2025. Mr. Peckham responded yes. Mr. Mandelkern then stated that, because today's proceeding was a *Massey* Hearing, the Board is determining whether the property owner is in compliance with the Board Order, so he was not understanding why any evidence after October 12, 2025, should not be considered. Mr. Peckham replied this was a due process argument because his client was notified of the Notice of *Massey* Hearing through October 12, 2025, and in order for them to prepare, it was essentially unfair for his client to be held accountable and answer for anything after the date of the Notice of Hearing. Mr. Mandelkern asked Mr. Peckham if he was saying that, between October 2, 2025, and October 12, 2025, his client was in compliance with the Board's Order. Mr. Peckham replied that he made no reference to compliance because the Board Order was being appealed. He reiterated that it is unfair to consider evidence that falls after the date of Notice of Hearing. Mr. Mandelkern countered that filing the Notice of Appeal doesn't stay the Board's order if his client is in compliance with the Board's order. He then asked directly if Mr. Peckham's client has complied with the Board's Order, which is the purpose of the *Massey* Hearing. Mr. Peckham replied that his responding would be giving evidence, and that it would be a question for his client to answer, and she is not present. He stated that he is not in a position to announce compliance or non-compliance, that he is serving as an advocate on his client's behalf challenging the original determination, which is now a matter for the Circuit Court, and also challenging whether this is appropriate timing for a *Massey* Hearing considering the underlying appeal.

Mrs. Suzanne Tinkler of 1649 Lakemont Ave., Orlando, FL 32814 approached the podium. She stated that she was present at the October 2, 2025, hearing. She stated that, while she does not live on Barker Drive, her son and his family do, and she observed continuing short-term rentals, the parties held there, the street full of cars which are a hazard to the children of the community given the absence of sidewalks, and her concern for her son's property values. She stated that she came to this hearing because she thought the Board determined the owner was in violation at the October 2, 2025, and that the owner was to cease the short-term rental of the property. She testified that it has not ceased, that she has personally observed the continuation of short-term rentals of the property. She added that the neighbor at 1815 Barker Drive is now also advertising on Airbnb and VRBO for short-term rentals for less than 30 days. She stated her concern that this may become epidemic on the street and in the community and wanted to speak about the issue again. She said other residents who attended the last meeting could not attend today, but she saw the posted Notice of Hearing on the 1810 Barker Drive property again.

Mr. Johnson asked Mrs. Tinkler if she had dates after October 2, 2025, that she contended the property was in violation. She responded that she didn't write them down, but they occurred on the weekends. She stated that she could speak for the neighbors who live on the pool side of 1810 Barker Drive, that they have a small child and are disturbed every weekend by the activity. Mr. Johnson then asked if the posting she saw was for 1815 or 1810 Barker Drive. She replied 1810 Barker Drive. She also called Code Compliance to report the activity at 1815 Barker Drive but wasn't sure what the City was doing about that property. Mr. Johnson asked Mrs. Tinkler if she checked Airbnb and VRBO herself regarding the 1810 address. She responded no but had done so for the property at 1815 Barker Drive. She asked about the posting at 1810 Barker Drive and was told that the city was having another hearing for 1810 Barker Drive and was welcome to attend.

Assistant City Attorney Richard Geller informed that Board that the city had quite a bit of rebuttal to present, but first Officer Busch would go on the internet to show reviews from stays posted since the date of the Board's order from October 2, 2025. He said the reviews would provide the Board with substantial competent evidence that short-term rentals have continued in addition to the testimony from Ms. Tinkler, who observed the continuation of short-term rentals.

While Officer Busch was accessing the internet Mr. Geller offered the following rebuttal:

First, a litigant appeal from the decision of a lower tribunal may file a motion to ask the lower tribunal for a stay. The lower tribunal is not obligated to grant a stay of proceedings pending appeal. If Mr. Peckham were to ask the Board for a stay, that would fall under the Board's discretionary powers to set the rules., Mr. Geller stated he did not hear a request for a stay, but only an argument that the Board must stay the proceeding, which is not what the law requires. The city's position is that the Board is to hear the evidence and the argument in this *Massey* proceeding, that there are continuing violations. He said, assuming the Atlantic Oasis Trust will appeal whatever decision the Board may make at this hearing, the Circuit Court can consolidate the appeals and handle them in an expeditious manner. The City does not see any reason why the Board should not impose fines when evidence shows continuing violations.

Mr. Geller then addressed the contention that it is unfair to present evidence of violations after the date of the Notice of Hearing on October 12, 2025. The notice is just that; it gives notice that the City will conduct a hearing under *Massey vs. Charlotte County* to determine whether there is continuing non-compliance and whether fines ought to be imposed. The owner received notice, she had and still has the opportunity to be heard. Her counsel is here, and you are hearing the arguments. There is no cut-off for evidence. Any non-compliance after the date of the Board's order is fair game for the Board to consider. If the Board determines that if the evidence is substantial and competent, of the sort that a prudent person would normally rely on, the Board can issue a fine.

Ms. Matt referred to the Statement of Purpose, where it says an aggrieved party may file an appeal within 30 days of the Administrative Order, and asked what date is used to determine the 30 days. Mr. Geller responded that when the Order is reduced to writing, signed and presented to the City Clerk for filing in the City's records it is considered rendered. The 30-day period begins upon the Order being rendered. He stated that, by his recollection, Mr. Peckham timely filed the appeal. Ms. Matt thanked Mr. Geller for his explanation.

Mr. Geller continued the rebuttal by stating there is no right under the First Amendment to advertise for unlawful activity, which is what the Code Officer demonstrated here, along with an element of deceit, established by a consistent pattern of the listing the Subject Property for rental for 30 nights during business hours then changing to a two-night minimum stay during the evening and on weekends, then changing back to 30 nights again during business hours. The supposition was that the city will only check during business hours; but the city has a very diligent Code Officer who has been checking the listings in the evenings, early mornings, and on the weekends. The advertising itself is evidence that the unlawful conduct is continuing.

Mr. Geller continued that the City has not infringed on the right of the Atlantic Oasis Trust to have guests at the house who are non-paying, who are not paying rent for occupancy. He stated he would have more on this after Officer Busch finished her presentation of rebuttal evidence.

Officer Busch identified herself and displayed reviews from the Airbnb listing for the property. The two most recent are from October 2025, and the other from three weeks ago, confirming that the continuing short-term stays were within the timeframe after the Board's Order.

Ms. Matt offered to the Board members who were not present at the October meeting that she asked a question about the timing of submitting a review, and it was determined to be within two weeks of the stay on the property. Mr. Peckham interjected, he wanted it on the record that it was a Board Member that made that determination, it wasn't actually evidence that was presented by any witness testifying. Mr. Geller noted that the Board was permitted to rely on their common experience. Division Manager Porrás stated to the Board that what Officer Busch just shared would be added to the evidence of record in addition to what she presented earlier.

Ms. Matt asked Officer Busch about evidence presented during the last Board meeting of screen captures made with some sort of receipt she had found. Officer Busch responded that in the Agenda Packet, a Host Compliance report has the recorded night stays on it under the Activity Area.

Mr. Geller resumed his rebuttal, stating that he would be over inclusive because there is already one appeal and he assumed Respondent would make a second appeal of the Board's decision today. He wanted to make sure not to waive any arguments. He stated that, in that vein, his associate Ms. Ruiz assisted him in preparing a Memorandum of Law which was included in the Agenda Packet, and that he would go through some of the high points of the Memorandum.

One of the arguments made at the last meeting was that the short-term rental ordinance was void for vagueness. He then quoted the ordinance, "Short-Term Rental of Residential Dwellings," Section 58-71(z): "The rental use or occupancy of any residential dwellings for less than one month shall be prohibited." The city interprets that to mean 30 days, except for February which is 28 days. He reiterated that he has been attending the Code Compliance Board meetings for at least eight years and that at least a couple of the current Board members had served during most or all of his tenure. During that time, no one had previously come before the Board, before Atlantic Oasis Trust last month, and stated that they did not understand the language of the Code. No one has ever claimed they did not know what it meant until now. He stated that there is no evidence of arbitrary or discriminatory enforcement, and that the language is reasonably precise and clear; it is not void for vagueness.

The standard for “void for vagueness” appears in Mr. Peckham’s Memorandum, which was in last month’s agenda packet, and correctly cites *Wyche vs. State*, 619 So. 2d 231, 236 (Fla. 1993). “An ordinance is void for vagueness because of its imprecision, it fails to give adequate notice of what conduct is prohibited, which invites arbitrary and discriminatory enforcement.” Mr. Geller submitted that Respondent presented no evidence to the Board, last month or today, establishing discriminatory enforcement. He stated that ordinances are presumed to be valid, and the burden of proof is on the party attacking the ordinance to show that it is unreasonable and bears no relationship to health, safety or general welfare. The city’s short-term rental ordinance protects the tranquility of residential zoning districts. Mr. Geller pointed out that the Board heard testimony today about the disruption to this particular neighborhood; therefore, certainly the prohibition relates to the general welfare.

As to the allegation that the ordinance does not define the word “rental,” as he pointed out last month, the Florida Supreme Court has stated that, where the Legislature has not defined the words used in a statute, the language should be given its plain and ordinary meaning. Everyone understands what it means to rent an apartment or a car, but the case law says you can always look at the dictionary. Mr. Geller provided a definition from the *Webster’s Encyclopedic Unabridged Dictionary* in his office as follows: “Rent is defined as consideration paid, usually periodically, for the use or occupancy of property, especially real property.” The word “rental,” which appears in the ordinance, means “*an amount paid or received as rent*” as a noun, or also as a verb meaning “the act of renting.” He said everyone understands that, including the people who are renting the Subject Property. He gave examples from reviews: Amy, saying “Caitlyn (the Trustee) has thought of everything for *renters!*” Jennifer, saying “Caitlyn was the perfect host, if only all of my Airbnb *rentals* were this pleasant and smooth,” and Reid stating, “Beautiful home in a perfect location, Caitlyn has thought of everything for *renters,*” and finally one reviewer whose name was cut off said, “They would definitely *rent* again if they were back in the area.”

Mr. Geller said the Board told the Trust this is a rental. The written Order stated that the Trustee reasonably understood the meaning of the words “residential” and “rental” used in the ordinance and in the multiple educational notifications and Notices of Violation. The ordinance is understandable; it is not vague. Mr. Geller stated that, after the October hearing, it occurred to him that the property is advertised on VRBO, which stands for *Vacation Rentals by Owner*. VRBO advertises as having over 2,000,000 bookable vacation rentals, homes and rentals of all types. Mr. Geller submitted to the Board that the Respondent’s temporary compliance demonstrates understanding of the ordinance and reminded the Board that this case goes back to 2023; the city has been dealing with it for almost two years.

Mr. Geller stated that, on November 3, 2023, the Trustee informed the city that she had updated the Airbnb listing to specify the 28-day minimum requirement, showing that she understood the requirement.

Florida Statutes § 509.2421 (c) defines "vacation rental" as "a house or dwelling unit that is also a transient public lodging establishment but not a timeshare." A definition for "transient public lodging establishment," at Florida Statutes § 509.0134 (a) (1), states "Any building which is rented to guests more than three times in a calendar year for periods of less than 30 days or one calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests." Mr. Geller said the City has presented tons of evidence about the advertising and, of course, evidence of the actual rentals through the reviews and through the citizen's testimony.

The other issue that came up last month was an argument of preemption. The Florida Statute that prohibits local governments reads as follows: "A local law or ordinance may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals." Mr. Geller argued, if that is all the statute said, then Winter Park's short-term rental ordinance would be invalid, and we would not be here. However, the second sentence says, "this paragraph does not apply to any local law adopted on or before June 1, 2011." The city's short-term rental ordinance was adopted on February 2, 2010, before the date preemption takes effect. Mr. Geller displayed a screenshot of City's Ordinance 2796-10, noting that, at the time of adoption it was codified at paragraph (aa), then moved to paragraph (z), always stating "The rental use or occupancy of any residential dwelling for less than one month shall be prohibited."

There was a claim that, when the city amended its zoning code in 2022, it repealed and then re-adopted the short-term rental prohibition, so therefore preemption applies. The recodification in 2022 only moved the language from paragraph (aa) to paragraph (z); the language never changed. The short-term prohibition has been the law in the City of Winter Park since February 2010, continuously. Mr. Geller said he went into more detail last month, adding that the Attorney General of the State of Florida agrees with the city that a short term rental originally enacted, and then re-enacted by amendment is considered the law since the first enactment.

Mr. Geller then presented *City of Miami vs Airbnb Inc.* 260 So. 3d 478, 482 (Fla. 3d DCA 2018). The City of Miami comprehensively rewrote its zoning code in 2009 and called it "Miami 21." In 2009, their short-term rental prohibition for a zoning district called "T3" said short-term rentals could not cause a change from predominately permanent housing. The point of bringing the case to the Board's attention is that Miami adopted the language in 2009 and then they recodified it in a revised "Miami 21" in 2016. The Third District Court of Appeal held the state statute did not preempt the short-term rental prohibition, because the 2016 version of prohibition was materially identical to the language adopted in 2009. Mr. Geller said his office advised Ms. Pyle in 2023 that short-term rentals were prohibited and that the preemption did not apply.

Mr. Geller then addressed the notion of infringing on the rights of guests to stay at the house as members of a "club." The Trustee added a Notice and Declaration on her Airbnb listings, stating the following to who would rent her property: "This property is currently the subject of an ongoing legal challenge regarding a decades-old city ordinance from the 1980's (Mr. Geller noted that it doesn't go back that far) that is unlawfully being applied to modern-day home sharing of a private residence." She is telling the people who rent her home, "You are not a transient or commercial customer. You are here by private license granted at her sole discretion. Any attempt by the city to interfere with this private arrangement constitutes a violation of both my constitutional rights as a resident and your protected right to associate with others under Federal law."

Mr. Geller repeated the "you are not a transient or commercial customer" language, stating it doesn't matter what it is labeled; it is what it is. If it looks like a duck, waddles like a duck, and quacks like a duck, chances are it is a duck. In this case it is waddling and quacking like a short-term vacation rental. He characterized Respondent's statement as asserting, "You can't interfere with me, I can do whatever I want." He continued that the Trustee added, "as an additional layer of legal protection, all individuals who stay must be members of the **Self Transformation.com** private membership association. Membership is free and can be initiated by simply sending a message. This ensures that your presence here is fully private, non-commercial, and constitutionally protected under the First Amendment right to freedom of association."

Mr. Geller stated there are three items to address. First, labels do not control; substance does. The fact that an agreement is called a license, or to state that the relationship is one of licensor or licensee is not determinative. The proper characterization of the agreement is discerned by the actual terms, conditions, rights and obligations expressly set forth in the agreement, as stated in *Nazia, Inc. v. Amscot Corp.*, 275 So. 3d 702, 706 (Fla. 5th DCA 2019). Mr. Geller explained that a license is not an interest in real property; it merely gives one the authority to do a particular act on another's land. Mr. Geller gave an example of going to a baseball game or a theater, where a person is getting license to enter the land to watch the performance or athletic event. There is no exclusivity, given the crowd in attendance, nor is the person obtaining any property interest; there is no conveyance of the land to attendee in any respect.

Nazia defined a lease as "a conveyance by the owner of an estate to another of a portion of his interest therein for a term less than his own," so the owner is giving up some right of occupancy to a person when leasing property. Generally, whether an agreement is a license or a lease hinge on whether it is exclusive. Exclusive use establishes a lease.

The listings for the property states that "you have access to the entire house except for a few locked rooms and cabinets where I store my things. This is my primary residence, but I travel a lot."

When renting from Airbnb or VRBO, you select your dates and book them. The platforms do not allow double bookings, so when one person rents another person cannot show up and claim they are staying too; there is exclusive occupancy of the property, and that is an attribute of a lease.

Looking through the record of evidence, there are nightly rental rates charged, there are check-in and check-out times, there are cancellation fees, and a special amenity charge if you want the pool heated. Mr. Geller noted the marketing of the property: "Welcome to your dream getaway in the heart of Central Florida. You will have resort-style comfort, and you are just minutes away from Universal Studios and Disney" which are two of the largest tourist attractions in town.

Mr. Geller stated that the private membership association that the Trust has purported to establish is not exactly constitutionally protected as a relationship under the law, reiterating the need to obtain membership to rent the property. He stated there are two kinds of constitutionally protected associations. First are intimate relationships such as marriage, the bearing and raising of children, and cohabitating with relatives. The city could not pass an ordinance prohibiting relatives from staying on your property; that would be a violation of the right to association under the First Amendment. The second is expressive association, meaning a person can gather with whomever they like to advocate for or express views on a particular subject. The city is not prohibiting the Trustee from associating with anyone; she can have anyone she wants visit her property. The prohibited activity is when she starts charging rent as consideration for occupancy for less than 30 days. He stated again that the city is not infringing on her right of expressive activity and noted that Memorandum of Law cited *Kuvin v. City of Coral Gables*, 62 So. 3d 625, 629 (Fla. 3d DCA 2010) (citing *Proctor v. City of Coral Springs*, 396 So. 2d 771, 772 (Fla. 4th DCA 1981), for the proposition that, to be constitutionally protected, "A group must engage in some form of expression whether it be public or private," and there is no evidence of that in the record.

Finally, Mr. Geller wanted to put to rest some objections raised at the October meeting. The City Code states that formal rules of evidence shall not apply, but there must be due process under the law, and the Board may rely on all other evidence commonly relied on by reasonable, prudent persons in the conduct of their affairs. He argued, if you believe that reasonably prudent persons can look at an Airbnb or VRBO site and rely on the information provided, you can consider it as evidence. Florida Statutes § 162.07 says the same thing.

In short, the short-term rental prohibition is not void for vagueness, you must presume it to be valid. There is no preemption of the city's short-term rental prohibition under Florida Statutes § 509.32(7)(b). The recodification of that prohibition from paragraph (aa) to paragraph (z) did not trigger preemption because the short-term rental prohibition has continually been the law since 2010. The city has not limited the Trustee's ability to associate with whomever she wants on the property so long as she is not charging rent for less than one month. The private membership association to pay rent for exclusive occupancy does not give rise to a constitutionally protected intimated or expressive

relationship. The Board may rely on any evidence that reasonably prudent persons would commonly rely on.

Mr. Geller thanked the Board for their indulgence for his lengthy presentation and offered to answer any questions they might have. Mr. Johnson noted that he was not present for the previous meeting, but asked about the citing of *Miami vs Airbnb*, that it held that the Florida Statute did not preempt the Miami code, and approved of Miami's prohibition against short-term rentals. Mr. Geller responded that the case held that Miami's short-term rental prohibition was enforceable. The question of whether short-term rentals were changing the character of the housing from predominantly permanent housing was an issue of fact that the appeals court sent back to the lower court to figure out; but the short-term rental prohibition was not preempted. The short-term rental prohibition in "Miami 21" was enforceable even though it was recodified and moved because the language had not changed. Mr. Johnson then asked Mr. Geller if there were any reported cases regarding Winter Park's prohibition on short-term rentals. Mr. Geller responded that he was unaware of any court decisions.

Mr. Mandelkern apologized that he was absent for the October proceeding but asked if these issues were not raised and determined by the Board as rejected. Mr. Geller responded yes. Mr. Mandelkern then asked about a *Massey* Hearing, which is a due process type of hearing, requiring that, before fines can be imposed on the property owner the local government must demonstrate non-compliance with the original order. As such, the Board's task today was fairly narrow, that the Board is not ruling on the legal issues but determining whether Respondent has complied with the October 2, 2025, order. Mr. Geller responded that the Board is determining if there was compliance with the October 2, 2025, Order. He added that all the legal issues pertained to objections raised by the other side, and that he wanted those Board members not in attendance at last month's meeting to have the benefit of his arguments on them. He did not want to waive any of these arguments insofar as this proceeding will be appealed and probably consolidated with the earlier proceeding. He wanted to cross the T's and dot the I's. Mr. Mandelkern thanked Mr. Geller for his presentation and clarification. Mr. Geller responded that it is a limited scope to the extent that any of these issues are contested by the Trust, that they be given some kind of consideration. Mr. Mandelkern rephrased his question that the Board did not need to consider the legal issues raised by Mr. Geller and Mr. Peckham from the prior proceeding. Mr. Geller responded that, to the extent they are raised again, it would behoove the Board address them again. He noted that the proposed motion dealt with a lot of the issues and the Board can pick and choose what to include. Mr. Mandelkern pointed out that the proposed motion in the packet did not address the legal issues. It was found that a previous version of the motion was inadvertently placed in the agenda packet. Staff provided the Board was provided with the correct recommended motion.

Mr. Johnson noted that the Respondent's counsel has not asked for a stay of the order by motion and asked Mr. Geller what factors would go into a decision to stay. Mr. Geller stated if some type of undue prejudice would happen, then a lower tribunal might stay. More typically in a court setting when there is a money judgement with very serious alleged infirmities at issue, then you would ask the court to stay the enforcement of the judgment so that proceeds or bank accounts are not seized. The court may grant a stay, but a motion must be brought to the lower tribunal. Mr. Geller stated that this scenario does not apply in this case because there is no current money judgement unless fines are imposed.

Mr. Peckham stepped to the podium again. He complimented Mr. Geller on his presentation but respectfully disagreed with some of his interpretations. Mr. Peckham regurgitated his due process argument because the very fundamental notion of due process is an opportunity of notice and an opportunity to be heard. He felt that he and his client were being presented with a moving target, which is a fundamental contradiction of due process. He contended that, when people are allowed to come in as fact witnesses and testify that there are cars parked and that the pool noise is loud, it does not translate into evidence of a rental. That could be anyone's car; nothing ties it to the property; nor did he believe the City prohibits parking on the street, and similarly there is no prohibition against kids being loud in a swimming pool. He respectfully requested that, under the fundamentals of due process, the Board not consider this evidence.

As to the notion of preemption, Mr. Peckham pointed out for the record that the City Commission did not recodify; they repealed and replaced the ordinance in 2022. If indeed labels do not control substance, he could not think of anything more substantive than the notion of repealing, not recodifying, not amending, but repealing and replacing the underlying ordinance.

Mr. Peckham then addressed "VRBO" being an acronym for "Vacation Rental by Owner." He wished to add that Airbnb has a notion of hosting and home sharing. If the use of these platforms was evidence of rentals, he begged the Board's indulgence to consider the underlying principle that people host others as guests in their home all the time through the platforms where the host remains on the property. He then stated that this comes back around to the notion of a "lease vs. a license." If someone is remaining on the property or has secured things against licensees using them, he would submit that the transaction is not a lease but is indeed a license.

With regard to the First Amendment argument, Mr. Peckham cautioned the Board that obviously they were not talking about an intimate relationship, but the Board should tread very lightly on evaluating the sufficiency of why people are assembling, that people can assemble for all sorts of reasons and have the First Amendment protect them by their freedom of association.

Finally, just as Mr. Geller made statements for the protection of the record, Mr. Peckham noted that the Board just received a document that was not a part of the publicly noticed meeting; therefore, he submitted there was not sufficient notice of the public meeting by amending the packet "on the fly."

Mr. Johnson asked Mr. Geller if as a quasi-judicial body does the Board have the authority to strike a statute or code provision as unconstitutional. Mr. Geller responded that, if something were truly unconstitutional (which he would submit there was not in this case), the law would not expect the Board to act in an unlawful manner. If something is truly unconstitutional you do not have to enforce it. Mr. Johnson stated he asked because he and Mr. Bond practice workers compensation law and the judges there do not have the authority to strike a statute that is unconstitutional. Mr. Geller replied that, if a statute were unconstitutional, the Board can choose not to impose fines. He again submitted there is no constitutional infirmity in this case whatsoever. There is nothing that prohibits the city in its police powers as they are known, to have a zoning code and to protect neighborhoods, and to say that there will not be short-term rentals in a residential neighborhood because it is disruptive, or whatever the reasons may be.

Mr. Mandelkern asked Mr. Geller if the Board had the power to make legal decisions, such as if the ordinance was preempted by state law. Mr. Geller responded it would be an implied power for the Board to adjudicate that, but that he would encourage the city to appeal such a decision because it is not legally tenable.

Mr. Geller asked the Board permission to make one more point. He stated that staff can give you a recommendation at any time, including one second before deliberations begin. That is not a matter of due process. Due process is notice of what has been charged here, the violation of the short-term rental prohibition, and an opportunity to be heard. There is no violation of due process for staff to recommend how the Board should make its motion, and the Board may use its discretion to accept or reject as much of it as you would like.

Board Discussion:

Ms. Matt offered an amendment to the recommended motion, noting that the original order had two elements. First, the Respondent had to cease the rental of the property for periods of less than one month; and the second element was to contact the City Safety and Code Compliance Officer and provide documentation of action taken by October 6, 2025. Any motion should include a finding that, not only has the Respondent not ceased the rental or occupancy of the property for less than one month and remains in violation of the city code, but also that the Respondent has not contacted the code officer or provided the documentation.

Mr. Johnson stated there was a violation based upon Office Busch's testimony and review of the listings on Airbnb and VRBO, and not necessarily the guest reviews posted on the Airbnb site which can come up. He also stated that he agreed with Mr. Geller's definition of rental, that the act of attempting to rent does qualify as a rental under the Florida Statute.

Ms. Matt agreed that the Respondent was in violation of the Order from October 2, 2025.

Mr. Mandelkern agreed that the property owner has not complied with the October 2, 2025, Order with her continuing violations.

Mr. Heller stated he is also in agreement. He did not understand the Respondent's contention that advertising on VRBO was not necessarily soliciting rentals. If this was a private club, as the Respondent was insinuating, why would it be advertised on a public website? It made no sense to him.

Mr. Johnson said he felt inclined to leave out the part in the recommended motion about the First Amendment. The Board can choose not to enforce an item, but he did not think they had the authority to say if there is an issue with such constitutional rights. Ms. Matt agreed, stating that the scope of today's hearing was to determine whether or not the Respondent was in violation of the Board Order, and the motion should reflect that. She stated other items should be reserved for the appeal.

Motion:

Mr. Johnson proposed a motion:

From the evidence presented today, I move to issue an Order finding the Respondent, Atlantic Oasis Trust, owner of 1810 Barker Drive, Winter Park, Florida 32789 (the "Subject Property"), in violation of the Order issued by the City's Code Compliance Board, dated October 02, 2025, to comply with Section 58-71(z) of the City Code.

On October 02, 2025, this Board entered the following Order:

The Respondent is **ORDERED**, within three days of the hearing date, to cease the rental of the Subject Property for periods of less than one month. Failure to comply with this Order will result in fines of up to \$500.00 for each day a repeat violation continues. The Respondent is further Ordered to contact the City Safety & Code Compliance Officer and provide documentation of action taken by October 6, 2025, to comply with this Order.

As of the date of today's hearing, November 06, 2025, the Board finds by a preponderance of the evidence: The Respondent has not ceased the rental, use or occupancy of the subject property for periods of less than a month and remains in violation of Section 58-71(z) of the City Code and, further, that the Respondent has not contacted the City Safety and Code Compliance Officer to provide documentation of action taken to comply with the Board Order.

The Ordinance is not Void for Vagueness

Section 58-71(z) of the City Code states, "*Short-term rental of residential dwellings*. The rental, use or occupancy of any residential dwellings for less than one month shall be prohibited." This language is clear and not void for vagueness. "Rental" is a commonly used and well-understood word, defined in *Webster's Encyclopedic Unabridged Dictionary* as, "An amount received or paid as rent," or "the act of renting." The word "rent" is also commonly used and well-understood, meaning "Consideration paid, usually periodically, for the use or occupancy of property (especially real property.)"

The Transactions Are Short-Term Rentals

Respondent cannot evade the City Code by calling her short-term rental transactions a "license" or "house sharing" for a "Private Membership Association." Respondent is renting her house for short-term exclusive occupancy or use on VRBO ("Vacation Rentals by Owner") and Airbnb for nightly rates with stated check-in and check-out times. Respondent is marketing the house for use as a "dream getaway in the heart of Central Florida." The transactions are short-term rentals under the dictionary definitions above.

State Law Does Not Preempt the City's Short-Term Rental Prohibition

Florida Statutes § 509.032(7)(b) does not preempt the City's short-term rental prohibition, adopted on February 22, 2010, before the statute's preemption date for ordinances adopted on or after June 1, 2011. The recodification of the City's short-term rental prohibition in 2022, from paragraph (aa) to paragraph (z) of Section 58-71 of the City Code changed no words. The short-term rental prohibition has been in continuous effect since its adoption on February 22, 2010, and is not preempted. *City of Miami v. Airbnb*, 260 So. 3d 478 (Fla. 3d DCA 2018).

Notice

The Board finds that Respondent received all required notice of the October 02, 2025, Order and of this hearing in accordance with Section 2-109 of the City Code, and Florida Statutes § 162.12, and was given a full and fair opportunity to be heard and was represented by counsel at the hearing on the issue of her continued non-compliance with Section 58-71(z) of the City Code and the Board's October 2, 2025 Order.

Assessment of Fines and Lien

In accordance with the requirements of *Massey v. Charlotte County*, 842 So. 2d 142 (Fla. 2d DCA 2003), the board hereby assesses a fine against Respondent in the sum of **\$500** per day, running from **October 12, 2025**, the day non-compliance was discovered. As of November 6, 2025, the fine accrued is \$12,500.00 and continues to run at \$500 per day as repeat violations. In determining the amount of the fine in accordance with Section 2-107 of the City Code and Florida Statutes § 162.09, the Board considered the gravity of the violations, Respondent's failure to correct the violations permanently, and Respondent's history of prior violations.

The lien recorded in connection with this Order shall constitute a lien against any real or personal property owned by Respondent.

Mr. Geller suggested that the motion should state the amount of the accrued fines as of today, which was calculated to be \$12,500.00. Mr. Johnson amended that portion of the motion.

Mr. Mandelkern seconded the motion as amended.

VOTE:

- Doug Bond – Yes
- Steve Heller – Yes
- Wayne Johnson – Yes
- Paul Mandelkern – Yes
- Kristen Matt -Yes
- Carlos Diez-Arguelles – Absent
- Melissa Blaney - Absent

Amended Motion passed 5-0.

6. Non-Action Items

None

7. Staff Updates

Division Manager Susanne Porrás advised the Board of two cases:

- a) Case BLDG-25-0019, 143 Oak Grove Rd., Winter Park Florida 32789. This case came into compliance prior to this meeting with the issuance of a permit for a fence that was installed
- b) Case OVR-25-0204, 1019 W. Fairbanks Ave., Winter Park, FL 32789. This case was tabled on October 2, 2025, and is currently on hold.

8. City Attorney Reports

None

9. Board Comments:

None

10. Upcoming Agenda Items

Division Manager Susanne Porrás informed the Board there are currently two cases on the schedule for the December meeting.

11. Adjournment

Board Member Steve Heller made a motion to adjourn. Board Member Kristen Matt seconded.

VOTE:

Doug Bond – Yes

Steve Heller – Yes

Wayne Johnson – Yes

Paul Mandelkern – Yes

Kristen Matt -Yes

Carlos Diez-Arguelles – Absent

Melissa Blaney - Absent

Motion passed 5-0.

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 4, 2025

prepared by

Susan Pruchnicki, Coordinator

approved by

Susanne Porras, Code Compliance
Manager

subject

CCB# PM-24-0165 2245 Howard Dr., Winter Park FL 32789

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

1. PM-24-0165 Packet

2245 Howard Dr 17-22-30-4436-06-100

Name(s):
 OTTE STEVEN GREGORY
 SEVERIN

Physical Street Address:
 2245 Howard Dr

Property Use:
 0100 - Single Family

Mailing Address On File:
 2245 Howard Dr
 Winter Park, FL 32789-6615
[Incorrect Mailing Address?](#)

Postal City and Zip:
 Winter Park, FL 32789

Municipality:
 Winter Park



302217443606100 12/06/2006

[Upload Photos](#)

[View 2025 Property Record Card](#)



2026 Values will be available in August of 2026. To see the certified values, go to the Values, Exemptions and Taxes Tab.

[View Plat](#)

Property Description

LAKE FOREST PARK S/20 LOT 10 BLK F
Total Land Area

10,352 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	WP-R-1A	1 Code Undefined	Working Value...	Working Value...	Working Value...	Working Value...

«« « » »»

Page 1 of 1 (Total Records: 1)

Building

[View Winter Park Permits](#)



Model Code:
 1 - Single Fam Residence
Actual Year Built:
 1952
Gross Area:
 1600 sqft
Type Code:
 0104 - Single Fam Class Iv
Beds:
 3
Living Area:
 1053 sqft
Building Value:
 Working Value...
Baths:
 1
Exterior Wall:
 Conc/Cindr
Estimated New Cost:
 Working Value...
Floors:
 1
Interior Wall:
 Plastered

Extra Features

There are no extra features associated to this parcel.



ORANGE COUNTY TAX COLLECTOR
SCOTT RANDOLPH
 INDEPENDENTLY ELECTED TO SERVE YOU

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

OTTE STEVEN GREGORY SEVERIN
 2245 HOWARD DR
 WINTER PARK, FL 32789-6615

Account Number: 296767
 Assessed Value: 118,579
 Millage Code: 6 WP
 Parcel Number: 17-22-30-4436-06100
 Address: 2245 HOWARD DR, Winter Park, 32789
 Exemptions: HOMESTEAD, ADDITIONAL HOMESTEAD

AD VALOREM TAXES

Taxing Authority	Assessed Value	Exempt Value	Taxable Value	Millage	Tax Levied
BY STATE LAW (RLE)	118,579	25,000	93,579	3.2010	299.55
CAPITAL OUTLAY	118,579	25,000	93,579	1.5000	140.37
CRITICAL OPERATING	118,579	25,000	93,579	1.0000	93.58
DISCRETIONARY OPERATING	118,579	25,000	93,579	0.7480	69.99
CNTY-CAPITAL PROJECT	118,579	50,722	67,857	0.2250	15.27
CNTY-GENERAL REVENUE	118,579	50,722	67,857	4.0441	274.42
CNTY-PARKS & RECREAT	118,579	50,722	67,857	0.1656	11.24
CITY OF WINTER PARK	118,579	50,722	67,857	4.0923	277.69
WINTER PARK DEBT 2017	118,579	50,722	67,857	0.2062	13.99
ST JOHNS RIVER WTR MGMT DIST	118,579	50,722	67,857	0.1793	12.17
				Total Millage:	15.3615
				Subtotal:	\$1,208.27

NON-AD VALOREM ASSESSMENTS

Levying Authority	Phone	Amount	Levying Authority	Phone	Amount	
5110 WINTER PARK STM	407-599-3381	154.16				
					Subtotal:	\$154.16

Combined Total of Ad Valorem Taxes & Non-Ad Valorem Assessments: **\$1,362.43**

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

Payments not received by March 31st are delinquent

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

296767
 2245 HOWARD DR

CHASE

LAKE FOREST PARK S/20 LOT 10 BLK
 17-22-30-4436-06100

Make checks payable to:
 Scott Randolph, Tax Collector

ONLY PAY ONE AMOUNT	
If Paid By	Amount Due
Nov 30, 2025	\$1,307.93
Dec 31, 2025	\$1,321.56
Jan 31, 2026	\$1,335.18
Feb 28, 2026	\$1,348.81
Mar 31, 2026	\$1,362.43

OTTE STEVEN GREGORY SEVERIN
 2245 HOWARD DR
 WINTER PARK, FL 32789-6615

PO Box 545100
 Orlando FL 32854-5100



WARRANTY DEED

THIS WARRANTY DEED made the 30th day of March, 1989, by FERG MONROE ALLEMAN, III and LESA PARRISH ALLEMAN, his wife, whose address is 39CPTS/ACF Incirlik AB, Turkey (hereinafter referred to as the "Grantor"), to STEVEN GREGORY SEVERIN OTTE, a single man, whose address is 2260 Howard Drive, Orlando, FL. 32803 (hereinafter referred to as "Grantee"):

WITNESSETH, that the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in Orange County, Florida, to wit:

Lot 10, Block F, of the LAKE FORREST PARK SUBDIVISION, according to the plat thereof as recorded in Plat Book "S", Page 20, Public Records of Orange County, Florida.

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

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

AND the Grantor hereby covenants with said Grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that the said land is free and clear of all encumbrances, except ad valorem real property taxes for the year commencing January 1, 1988, and easements, covenants and restrictions of record.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Everett S. Herron, SSgt, USAF
Lora R. Barnhart, GS-5, USAF
Everett S. Herron, SSgt, USAF
Lora R. Barnhart, GS-5, USAF
COUNTRY OF TURKEY

Ferg Monroe Alleman, III
Lesla Parrish Alleman, his wife

The foregoing was acknowledged before me this 30th day of March, 1989 by FERG MONROE ALLEMAN, III and LESA PARRISH ALLEMAN, his wife, and the said FERG MONROE ALLEMAN, III is personally known to me (or has been satisfactorily proven) to be serving in or with the Armed Forces of the United States, whose duties require his presence with the Armed Forces of the United States, and the said LESA PARRISH ALLEMAN is personally known to me (or has been satisfactorily proven) to be the spouse of said member of the Armed Forces of the United States, and to be the persons

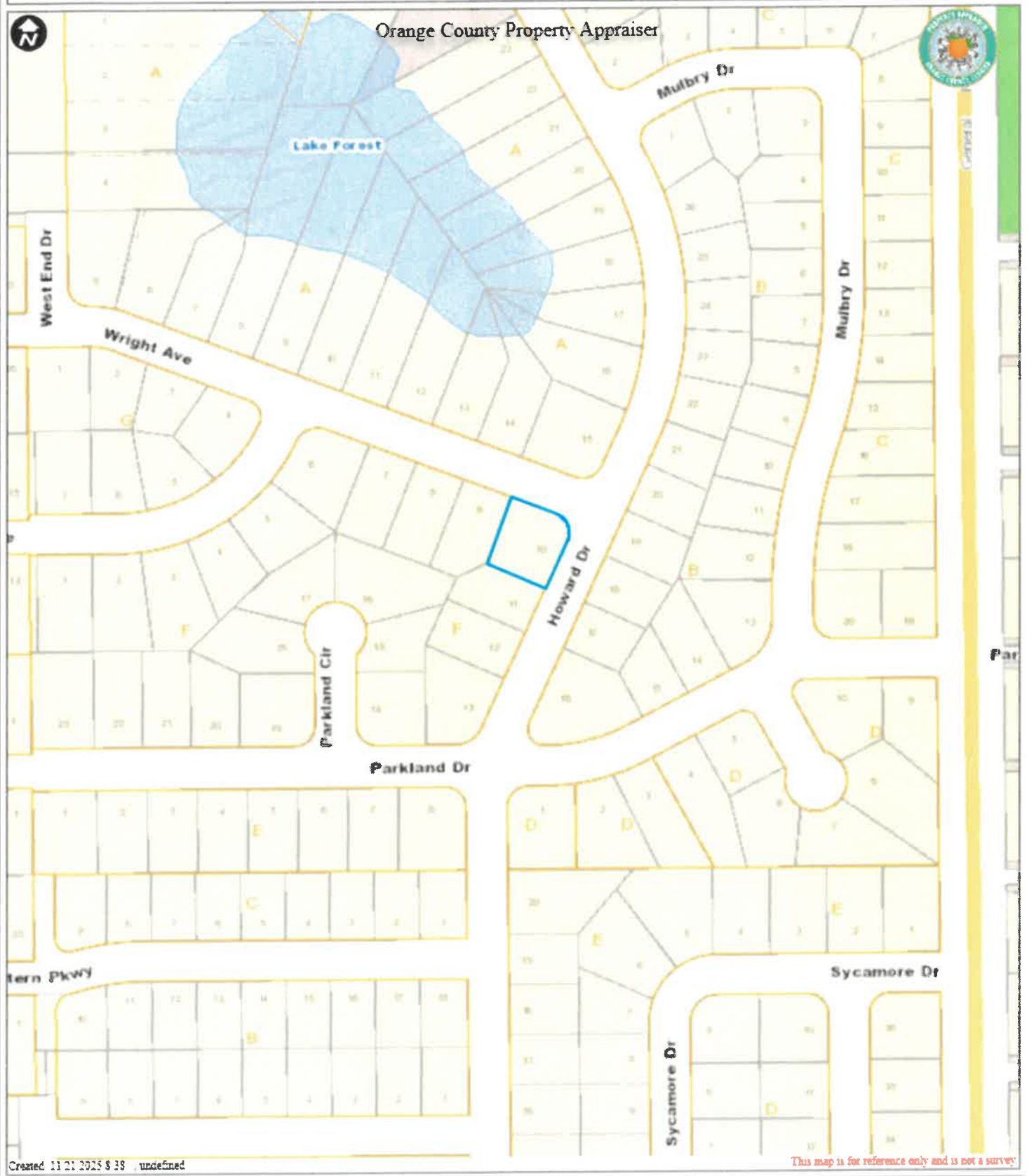
MARTHA O. HAYNIE
Orange County
Comptroller
By
Deputy Clerk
9.00
1.60
319.00
329.50

3232476 ORANGE CO. FL.
02:41:00PM 04/14/89

OR4072PG1816

OCA Web Map

Major Roads	Proposed Road	Block Line	Commercial/Institutional	Hydro	Golf Course
Florida Turnpike	Public Road	Brick Road	Lot Line	Waste Land	Lakes and Rivers
Interstate 4	Gated Roads	Rail Road	Residential	County Boundary	Building
Toll Road	Road Under Construction	Proposed Sunfall	Agriculture	Parks	Hospital



FACT SHEET

December 4, 2025.

Case No: PM-24-0165

Respondents:

STEVEN GREGORY SEVERIN OTTE
2245 HOWARD DR.
WINTER PARK, FL 32789-6615,

1. Address where violation exists: **2245 Howard Drive, Winter Park, FL 32789**
2. Parcel I.D. No.: **17-22-30-4436-06-100**
3. Property Zone: **WP-R-1A**
4. Inspection(s): **10/11/2024, 10/16/2024, 10/23/2024, 12/09/2024, 12/18/2024, 12/26/2024, 01/03/2025, 01/17/2025, 02/04/2025, 02/14/2025, 03/04/2025, 03/18/2025, 04/02/2025, 04/23/2025, 05/09/2025, 05/21/2025, 06/13/2025, 06/26/2025, 07/08/2025, 08/27/2025, 10/03/2025, 11/03/2025, 11/14/2025, 11/19/2025, 12/04/2025.**
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

<p><u>VIOLATION DESCRIPTION:</u> Unightly torn tarp covered in mold and mildew being held down with concrete pavers on top of the roof of the building visible from the public right-of-way and adjacent neighboring properties. The roofing structure on the building has been compromised and is in need of repairs to support all nominal loads.</p>	<p><u>CORRECTIVE ACTION REQUIRED:</u> Remove all unsightly articles from the premises. make all necessary repairs to the roof structure. contact the City of Winter Park Building Department to obtain all required permits. All repairs shall be done according to current building standards and by a licensed contractor.</p>	<p><u>CODES CITED:</u> Chapter 22, Sections 22-176 (adopting the IPMC Code, 2021 edition), 22-177 (amending 2021 IPMC Code); Sec. 202 Nuisance (18), and (21); Sec. 304 Exterior Structure; Sec. 304.1 General and Sec. 304.1.1 Unsafe Conditions, (8) Roofing and Roofing Components of the City of Winter Park Property Maintenance Code.</p>
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Codes Cited

Sec. 22-176. - Code adopted.

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

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

Sec. 22-177. - Amendments.

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

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

SEC 202 NUISANCE

General definitions are amended by adding or altering the following definitions:

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

(18) Waste on the premises in open view or can be seen from an adjacent property, which by reason of its location is unsightly and interferes with the reasonable enjoyment of property by neighbors, detrimentally affects property values in the surrounding neighborhood or community or which would materially hamper or interfere with the suppression of fire upon the premises or adjacent premises and which is visible from public property or from neighboring properties for a period of time in excess of ten days. "Waste" is defined for the purpose of this section as unused or discarded matter and material which consists (without limitation or exclusion by enumeration) of such matter and material as rubbish and refuse and matter of any kind including, but not limited to, rubble, debris, asphalt, concrete, plaster, tile, rocks, bricks, soil, building materials, crates, cartons, containers, boxes, furniture and household equipment or parts thereof, lumber, trash, dirt, machinery or parts thereof, scrap metal and pieces of metal, ferrous or nonferrous, bottles, bedding, etc.

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

SEC 304.1 GENERAL

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to public health, safety and welfare.

SEC. 304.1.1 UNSAFE COND EXTERIOR STRUCTURE

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.

304.1.1 (8) EXTERIOR STRUCTURE

Roofing or roofing components that have defects that admit rain. Roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable 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-24-0165**

City of Winter Park
Petitioner,

vs.

OTTE, STEVEN
GREGORY, SEVERIN
2245 HOWARD DR.
WINTER PARK, FL 32789-6615
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 04, 2025, at City Hall for the property located at **2245 HOWARD DR.** on this **19th day of November 2025**.
3. That the attached picture document is proof of the posting.

FURTHER AFFIANT SAYETH NOT

DATED this **19th day of November 2025**

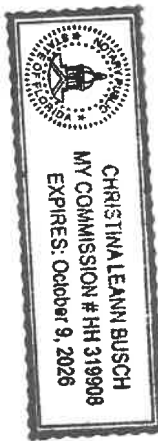

Susan L. Pruchnicki, Safety & Code Compliance Coordinator

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **19th day of November 2025**, 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-24-0165**

City of Winter Park
Petitioner,

vs.

OTTE STEVEN
GREGORY SEVERIN
2245 HOWARD DR.
WINTER PARK, FL 32789-6615
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 04, 2025, on the property located at **2245 HOWARD DR.** on this **19th day of November 2025**.
3. That the attached picture document is proof of the posting.

FURTHER AFFIANT SAYETH NOT

DATED this **19th day of November 2025**

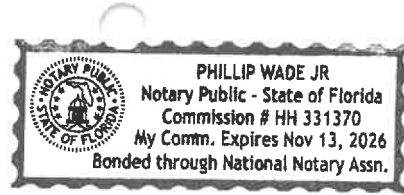

Christina Busch, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **19th day of November 2025**, by Christina Busch, who is personally known to me as a Safety & Code Compliance Officer of the City of Winter Park.

Wade

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-24-0165

CITY OF WINTER PARK,
Petitioner,

vs.

STEVEN GREGORY SEVERIN OTTE
2345 HOWARD DR.
WINTER PARK, FL 32789-6615,
Respondent.



**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 4, 2025
at 3 pm, 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 Code, 2021 edition), 22-177 (amending 2021 IPMC Code), Section 202 Nuisances (18), and (21) and Section 304 Exterior Structure; Sec. 304.1 General; Sec. 304.1.1 Unsafe Conditions, (8) Roofing and Rafting Components of the City of Winter Park Property Maintenance Code,

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<https://reg.usps.com/xself?app=UepsTools&ref=homepageBanner&appURL=https%3A%2F%2Finformeddelivery.usps.com/box/pages/intro/start.action>

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Latest Update

Your item was delivered to an individual at the address at 10:58 am on October 18, 2025 in WINTER PARK, FL 32789.

Delivered

Delivered, Left with Individual

WINTER PARK, FL 32789
October 18, 2025, 10:58 am

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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-24-0165

CITY OF WINTER PARK,

Petitioner.

vs.

STEVEN GREGORY SEVERIN OTTE
2245 HOWARD DR.
WINTER PARK, FL 32789-6615,

Respondent,

**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 4, 2025
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 Code, 2021 edition), 22-177 (amending 2021 IPMC Code), Section 202 Nuisance (18), and (21) and Section 304 Exterior Structure; Sec. 304.1 General; Sec. 304.1.1 Unsafe Conditions, (8) Roofing and Roofing Components of the City of Winter Park Property Maintenance Code.**

2. Address where violation(s) exists: **2245 Howard Dr., Winter Park, FL 32789.**
3. Parcel I.D. No.: **17-22-30-4436-06-100**
4. Property Zone: **WP-R-1A**
5. Legal Description: **LAKE FOREST PARK S/20 LOT 10 BLK F**
6. Names and address of owner/person in charge of location where violation exists: **OTTE, STEVEN GREGORY SEVERIN - 2245 HOWARD DR., WINTER PARK, FL 32789-6615**
7. Description of Violations: **UNSIGHTLY TORN TARP COVERED IN MOLD AND MILDEW BEING HELD DOWN WITH CONCRETE PAVERS ON TOP OF THE ROOF OF THE BUILDING VISIBLE FROM THE PUBLIC RIGHT-OF-WAY AND ADJACENT NEIGHBORING PROPERTIES. THE ROOFING STRUCTURE ON THE BUILDING HAS BEEN COMPROMISED AND IS IN NEED OF REPAIRS TO SUPPORT ALL NOMINAL LOADS.**
8. Compliance Requirements: **REMOVE ALL UNSIGHTLY ARTICLES FROM THE PREMISES. MAKE ALL NECESSARY REPAIRS TO THE ROOF STRUCTURE. CONTACT THE CITY OF WINTER PARK BUILDING DEPARTMENT TO OBTAIN ALL REQUIRED PERMITS. ALL REPAIRS SHALL BE DONE ACCORDING TO CURRENT BUILDING STANDARDS AND BY A LICENSED CONTRACTOR.**

Compliance Date to avoid hearing: **November 13, 2025.**

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 4, 2025, 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: 13th day of October 2025.

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing has been furnished by certified and regular mail to: **OTTE, STEVEN GREGORY SEVERIN - 2245 HOWARD DR., WINTER PARK, FL 32789-6615**

Certified Mail: 9489 0090 0027 6751 5907 35



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 202 NUISANCE

General definitions are amended by adding or altering the following definitions:

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

(18) Waste on the premises in open view or can be seen from an adjacent property, which by reason of its location is unsightly and interferes with the reasonable enjoyment of property by neighbors, detrimentally affects property values in the surrounding neighborhood or community or which

would materially hamper or interfere with the suppression of fire upon the premises or adjacent premises and which is visible from public property or from neighboring properties for a period of time in excess of ten days. "Waste" is defined for the purpose of this section as unused or discarded matter and material which consists (without limitation or exclusion by enumeration) of such matter and material as rubbish and refuse and matter of any kind including, but not limited to, rubble, debris, asphalt, concrete, plaster, tile, rocks, bricks, soil, building materials, crates, cartons, containers, boxes, furniture and household equipment or parts thereof, lumber, trash, dirt, machinery or parts thereof, scrap metal and pieces of metal, ferrous or nonferrous, bottles, bedding, etc.

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

SEC 304.1 GENERAL

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to public health, safety and welfare.

SEC. 304.1.1 UNSAFE COND EXTERIOR STRUCTURE

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.

304.1.1 (8) EXTERIOR STRUCTURE

Roofing or roofing components that have defects that admit rain. Roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable 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-24-0165**

City of Winter Park
Petitioner,

vs.

OTTE STEVEN
GREGORY SEVERIN
2245 HOWARD DR.
WINTER PARK, FL 32789-6615
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 2245 HOWARD DR. on this **16th day of October 2024**.
3. That the attached picture document is proof of the posting.

FURTHER AFFIANT SAYETH NOT

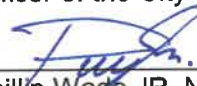
DATED this **16th day of October 2024**



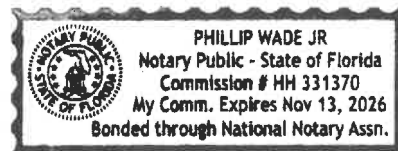
Christina Busch, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **16th 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



OFFICIAL NOTICE OF VIOLATION

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

DATE: **October 11, 2024.**
CASE#: **PM-24-0165**
CERTIFIED TRACKING NUMBER: **9489 0178 9820 3026 1003 60**

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 IPCM Code, 2021 edition), 22-177 (amending 2021 IPCM Code), Section 202 Nuisance (18), and (21) and Section 304 Exterior Structure; Sec. 304.1 General; Sec. 304.1.1 Unsafe Conditions (8) Roofing and Roofing Components of the International Property Maintenance Code.**

PROPERTY MAINTENANCE/NUISANCE

On **October 11, 2024** a Violation(s) was observed on your property. The violation(s) must be corrected by **October 20, 2024**. Failure to comply with city ordinances will result in the issuance of a notice to appear before the Code Enforcement Board with the imposition of fines of up to \$250 per day, per violation.

Property Zoned:	R-1A
Parcel ID#:	17-22-30-4436-06-100
Violation	2245 HOWARD DR.
Location/Address:	WINTER PARK, FL 32789
Property Owner/ Tenant:	OTTE STEVEN GREGORY SEVERIN
Mailing Address:	2245 HOWARD DR.
City/ State/ Zip:	WINTER PARK, FL 32789-6615
Description of Violation:	UNSAFELY TORN TARP COVERED IN CONCRETE MILDEW BEING HELD DOWN WITH BUILDING PAVERS ON TOP OF THE ROOF OF THE WAY AND VISIBLE FROM THE PUBLIC RIGHT-OF-WAY. ADJACENT NEIGHBORING PROPERTIES HAS BEEN COMPROMISED ON THE BUILDING OF ROOFING STRUCTURE ON THE BUILDING. REPAIRS TO SUPPORT ALL NOMINAL LOADS.

Office DEPOT

10/16/2024

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<https://reg.usps.com/xself?app=UspTools&ref=homepageBanner&appURL=https%3A%2F%2Finformeddelivery.usps.com/box/pages/intro/start.action>)

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Latest Update

Your item was picked up at the post office at 4:53 pm on October 21, 2024 in WINTER PARK, FL 32789.

Delivered

Delivered, Individual Picked Up at Post Office

WINTER PARK, FL 32789
October 21, 2024, 4:53 pm

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OFFICIAL NOTICE OF VIOLATION

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

DATE: **October 11, 2024.**

CASE#: **PM-24-0165**

CERTIFIED TRACKING NUMBER: **9489 0178 9820 3026 1003 60**

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 Code, 2021 edition), 22-177 (amending 2021 IPMC Code), Section 202 Nuisance (18), and (21) and Section 304 Exterior Structure; Sec. 304.1 General; Sec. 304.1.1 Unsafe Conditions (8) Roofing and Roofing Components of the International Property Maintenance Code.**

PROPERTY MAINTENANCE/NUISANCE

On **October 11, 2024** a Violation(s) was observed on your property. The violation(s) must be corrected by **October 20, 2024**. Failure to comply with city ordinances will result in the issuance of a notice to appear before the Code Enforcement Board with the imposition of fines of up to \$250 per day, per violation.

Property Zoned: **R-1A**
Parcel ID#: **17-22-30-4436-06-100**
Violation **2245 HOWARD DR.**
Location/Address: **WINTER PARK, FL 32789**
Property Owner/ Tenant: **OTTE STEVEN GREGORY SEVERIN**
Mailing Address: **2245 HOWARD DR.**
City/ State/ Zip: **WINTER PARK, FL 32789-6615**
Description of Violation: **UNSIGHTLY TORN TARP COVERED IN MOLD AND MILDEW BEING HELD DOWN WITH CONCRETE PAVERS ON TOP OF THE ROOF OF THE BUILDING VISIBLE FROM THE PUBLIC RIGHT-OF-WAY AND ADJACENT NEIGHBORING PROPERTIES. THE ROOFING STRUCTURE ON THE BUILDING HAS BEEN COMPROMISED AND IS IN NEED OF REPAIRS TO SUPPORT ALL NOMINAL LOADS.**

Corrective action to be taken: **REMOVE ALL UNSIGHTLY ARTICLES FROM THE PREMISES. MAKE ALL NECESSARY REPAIRS TO THE ROOF STRUCTURE. CONTACT THE CITY OF WINTER PARK BUILDING DEPARTMENT TO OBTAIN ALL REQUIRED PERMITS. ALL REPAIRS SHALL BE DONE ACCORDING TO CURRENT BUILDING STANDARDS AND BY A LICENSED CONTRACTOR. CONTACT THE SAFETY & 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

00020 PROPERTY MAINTENANCE SEC 22-176 & 22-177

Violation Description

Sec. 22-176. - Code adopted.

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

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

Sec. 22-177. - Amendments.

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

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

Violation Description

SEC 202 NUISANCE

General definitions are amended by adding or altering the following definitions:

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

(18) Waste on the premises in open view or can be seen from an adjacent property, which by reason of its location is unsightly and interferes with the reasonable enjoyment of property by neighbors, detrimentally affects property values in the surrounding neighborhood or community or which would materially hamper or interfere with the suppression of fire upon the premises or adjacent premises and which is visible from public property or from neighboring properties for a period of time in excess of ten days. "Waste" is defined for the purpose of this section as unused or discarded matter and material which consists (without limitation or exclusion by enumeration) of such matter and material as rubbish and refuse and matter of any kind including, but not limited to, rubble, debris, asphalt, concrete, plaster, tile, rocks, bricks, soil, building materials, crates, cartons, containers, boxes, furniture and household equipment or parts thereof, lumber, trash, dirt, machinery or parts thereof, scrap metal and pieces of metal, ferrous or nonferrous, bottles, bedding, etc.

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

Violation Detail
SECTION 304.1 GENERAL

Violation Description
304.1 The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to public health, safety and welfare.

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.

Violation Detail
304.1.1 (8) EXTERIOR STRUCTURE

Violation Description
SEC. 304.1.1 (8) Roofing or roofing components that have defects that admit rain. Roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.



[EXTERNAL] Property at 2245 Howard Drive

From steve o <steveotte65@gmail.com>
Date Mon 5/5/2025 6:49 AM
To Christina Busch <cbusch@cityofwinterpark.org>

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

Good Morning Christina,

Hope you received my voicemail from last Friday.

I think last time we spoke, my computer had crashed and I was unable to have the data recovered. Consequently, I am resubmitting my request to Rebuilding Together Central Florida (since I never heard back from them). I'll forward a copy for your records later this afternoon when I'll have an opportunity to get back online.

Also, I don't remember if I mentioned previously, but the Housing Rehabilitation Program (www.orlando.gov) link you sent in your original email doesn't offer assistance for anyone residing in Winter Park. However, I may have uncovered two other possibilities which I'm currently researching.

Please note, this message is coming from a new email account as I no longer have access to the prior one.
Thank you very much for working with me to try to reach a timely resolution to the property issue at 2245 Howard Drive.

Regards,
Steve



Outlook

[EXTERNAL] Re: Property at 2245 Howard Drive

From steve o <steveotte65@gmail.com>
Date Mon 5/5/2025 7:50 PM
To Christina Busch <cbusch@cityofwinterpark.org>

 1 attachment (22 KB)
[RebuildingTogether CFL_Homeowner_Upload.pdf](#)

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

Hi Christina,

I resubmitted the online request for assistance to Rebuilding Together Central Florida. I've attached a print as well as a screen snapshot of the final confirmation page. It doesn't look like much but that's all that comes up once you hit the submission button. I'll keep an eye on email and let you know of any correspondence I receive. I may also try to call them if I don't hear from anyone this week.

Still looking at other resources ...

Thanks,
Steve

On Mon, May 5, 2025 at 6:48 AM steve o <steveotte65@gmail.com> wrote:
Good Morning Christina,

Hope you received my voicemail from last Friday.

I think last time we spoke, my computer had crashed and I was unable to have the data recovered. Consequently, I am resubmitting my

request to Rebuilding Together Central Florida (since I never heard back from them). I'll forward a copy for your records later this afternoon when I'll have an opportunity to get back online.

Also, I don't remember if I mentioned previously, but the Housing Rehabilitation Program (www.orlando.gov) link you sent in your original email doesn't offer assistance for anyone residing in Winter Park. However, I may have uncovered two other possibilities which I'm currently researching.

Please note, this message is coming from a new email account as I no longer have access to the prior one. Thank you very much for working with me to try to reach a timely resolution to the property issue at 2245 Howard Drive.

Regards,
Steve

Re: [EXTERNAL] Re: Re: Property at 2245 Howard Drive

From Christina Busch <cbusch@cityofwinterpark.org>

Date Tue 6/10/2025 3:28 PM

To steve o <steveotte65@gmail.com>

Good afternoon,

Kindly provide any updates regarding the roofing repair process for the home. If you have any documentation related to the repairs, please share it at your earliest convenience.

Feel free to reach out if you have any questions.

Thank you,



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

From: Christina Busch <cbusch@cityofwinterpark.org>

Sent: Wednesday, May 21, 2025 2:32 PM

To: steve o <steveotte65@gmail.com>

Subject: Re: [EXTERNAL] Re: Re: Property at 2245 Howard Drive

Good afternoon,

Do you have an update for me on the property?

Thank you,



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

Christina Busch

Safety & Code Compliance Officer II

407.599.3382

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

From: steve o <steveotte65@gmail.com>
Sent: Thursday, May 8, 2025 9:51 PM
To: Christina Busch <cbusch@cityofwinterpark.org>
Subject: [EXTERNAL] Re: Re: Property at 2245 Howard Drive

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

I'll be sure to do that. Have a great weekend!

Best,
Steve

On Wed, May 7, 2025 at 2:39 PM Christina Busch <cbusch@cityofwinterpark.org> wrote:
Good afternoon,

Thank you for providing an update on the process. I will incorporate the details into the case notes accordingly. Please continue to keep me informed as things progress.

Thank you,



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

Christina Busch

Safety & Code Compliance Officer II

407.599.3382

Under Florida law, email addresses and written correspondence with the city become public record and must be made available to

the public and media upon request (unless otherwise exempt). If you do not want your email address to be public record, please contact our office by phone.

From: steve o
Sent: Monday, May 5, 2025 7:50 PM
To: Christina Busch
Subject: [EXTERNAL] Re: Property at 2245 Howard Drive

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

Hi Christina,

I resubmitted the online request for assistance to Rebuilding Together Central Florida. I've attached a print as well as a screen snapshot of the final confirmation page. It doesn't look like much but that's all that comes up once you hit the submission button. I'll keep an eye on email and let you know of any correspondence I receive. I may also try to call them if I don't hear from anyone this week.

Still looking at other resources ...

Thanks,
Steve

On Mon, May 5, 2025 at 6:48 AM steve o <steveotte65@gmail.com> wrote:

Good Morning Christina,

Hope you received my voicemail from last Friday.

I think last time we spoke, my computer had crashed and I was unable to have the data recovered. Consequently, I am resubmitting my request to Rebuilding Together Central Florida (since I never heard back from them). I'll forward a copy for your records later this afternoon when I'll have an opportunity to get back online.

Also, I don't remember if I mentioned previously, but the Housing Rehabilitation Program (www.orlando.gov) link you sent in your original email doesn't offer assistance for anyone residing in Winter Park. However, I may have uncovered two other possibilities which I'm currently researching.

Please note, this message is coming from a new email account as I no longer have access to the prior one.

Thank you very much for working with me to try to reach a timely resolution to the property issue at 2245 Howard Drive.

Regards,
Steve


Christina Busch

From: Christina Busch
Sent: Friday, February 14, 2025 2:51 PM
To: 'steve'
Subject: RE: [External] Re: 2245 Howard Drive - PM-24-0165
Importance: High

Good afternoon Mr. Otte,

I am reaching out again to see if there is any progress with the property?

Thank you,

	Christina Busch Safety & Code Compliance Officer I
City of Winter Park 401 S. Park Ave. Winter Park, FL 32789 cityofwinterpark.org	407.599.3382


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

From: Christina Busch
Sent: Wednesday, February 5, 2025 1:09 PM
To: 'steve' <steveotte2003@gmail.com>
Subject: RE: [External] Re: 2245 Howard Drive - PM-24-0165
Importance: High

Good afternoon Mr. Otte,

I am jus reaching out to see if you had a chance to review all the information that I provided.

Thank you,

	Christina Busch Safety & Code Compliance Officer I
City of Winter Park 401 S. Park Ave. Winter Park, FL 32789 cityofwinterpark.org	407.599.3382

Under Florida law, email addresses and written correspondence with the city become public record and must be made available to the public

and media upon request (unless otherwise exempt). If you do not want your email address to be public record, please contact our office by phone.

From: steve <steveotte2003@gmail.com>
Sent: Thursday, January 23, 2025 3:34 PM
To: Christina Busch <cbusch@cityofwinterpark.org>
Subject: [External] Re: 2245 Howard Drive - PM-24-0165

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

Christina,

Thanks for sending! I will review all the info you sent and update you regarding this.

Thanks again,
Steve

On Thu, Jan 23, 2025 at 1:23 PM Christina Busch <cbusch@cityofwinterpark.org> wrote:

Good afternoon,

Below are the links to the funding applications I mentioned during our conversation yesterday.

- The County's Home Repair Program may be able to assist with needed repairs at 2245 Howard Dr. Orange County's application is online and they require that first.
- After you have completed that online application you will need to contact Ms. Nikki Mallory with Orange County's Housing and Community Development Division. Ms. Mallory works with that division's Home Repair Program. (Housing Rehabilitation). Ms. Nikki Mallory can be contacted by phone at (407) 836.5187 or by email at Nikki.Mallory.ocfl.net. The online application is at <https://www.orlando.gov/Building-Development/Housing-and-Development-Grants-Incentives-and-Assistance/Housing-Assistance-Programs/Apply-to-the-Housing-Rehabilitation-Program>
- You may also be able to get some help from **Rebuilding Together Central Florida**, 126 E Colonial Dr, Orlando, FL 32801, **Phone:** (407) 898-3777
- Another local option for more minor repairs is the Neighbors Network, <https://neighborsnetworkfl.org/>

Just let me know if you apply for any of the programs so I can update my case with the most recent information.

Respectfully,





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

Christina Busch
Safety & Code Compliance
Officer I

407.599.3382

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

Christina Busch

From: Christina Busch
Sent: Thursday, January 23, 2025 1:23 PM
To: 'steveotte2003@gmail.com'
Subject: 2245 Howard Drive - PM-24-0165

Importance: High

Good afternoon,

Below are the links to the funding applications I mentioned during our conversation yesterday.

- The County's Home Repair Program may be able to assist with needed repairs at 2245 Howard Dr. Orange County's application is online and they require that first.
- After you have completed that online application you will need to contact Ms. Nikki Mallory with Orange County's Housing and Community Development Division. Ms. Mallory works with that division's Home Repair Program. (Housing Rehabilitation). Ms. Nikki Mallory can be contacted by phone at (407) 836.5187 or by email at Nikki.Mallory.ocfl.net. The online application is at <https://www.orlando.gov/Building-Development/Housing-and-Development-Grants-Incentives-and-Assistance/Housing-Assistance-Programs/Apply-to-the-Housing-Rehabilitation-Program>
- You may also be able to get some help from **Rebuilding Together Central Florida**, 126 E Colonial Dr, Orlando, FL 32801, **Phone:** (407) 898-3777
- Another local option for more minor repairs is the Neighbors Network, <https://neighborsnetworkfl.org/>

Just let me know if you apply for any of the programs so I can update my case with the most recent information.

Respectfully,



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11/19/2025



11/14/2025



11/14/2025



11/03/2025



11/03/2025



10/03/2025





08/27/2025



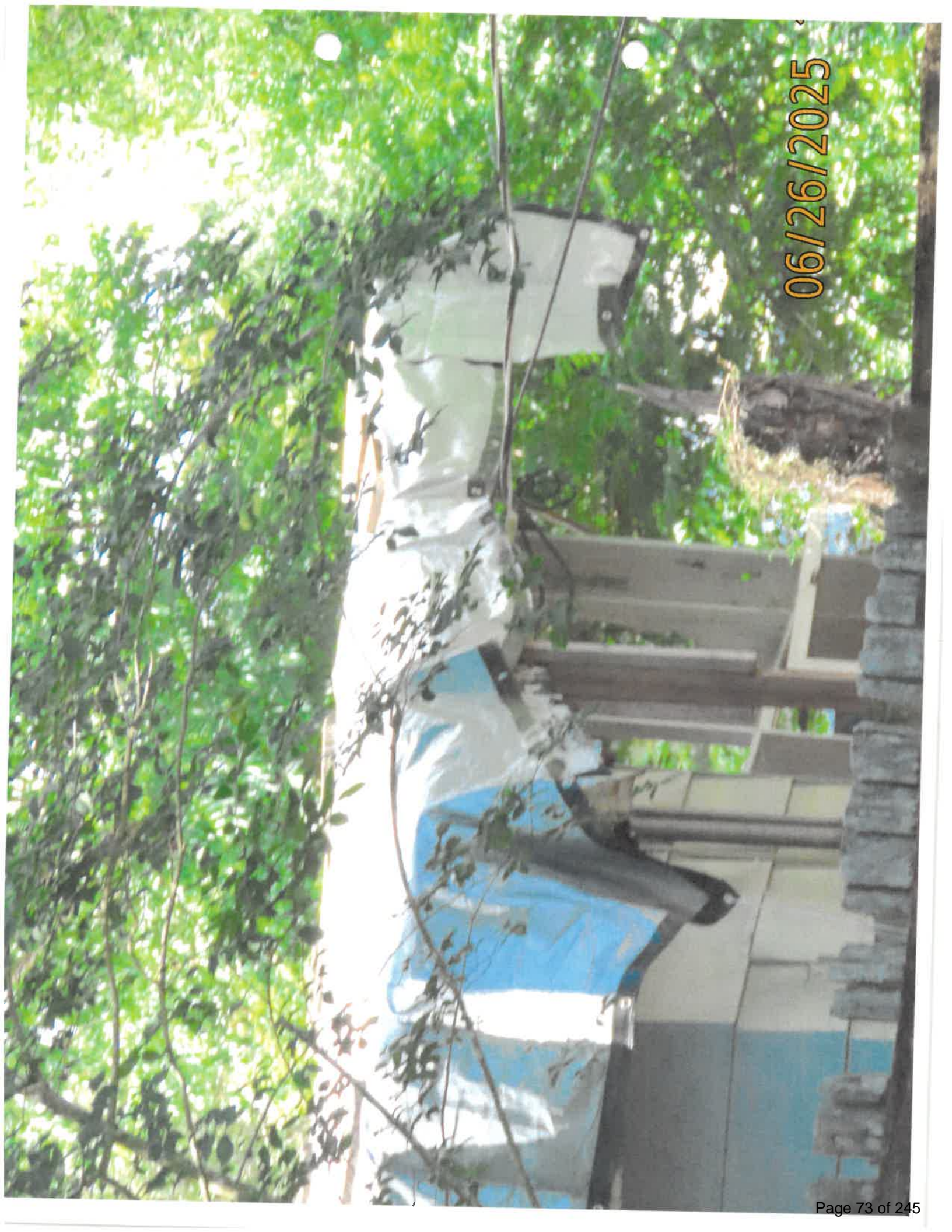
08/27/2025



07/08/2025



07/08/2025



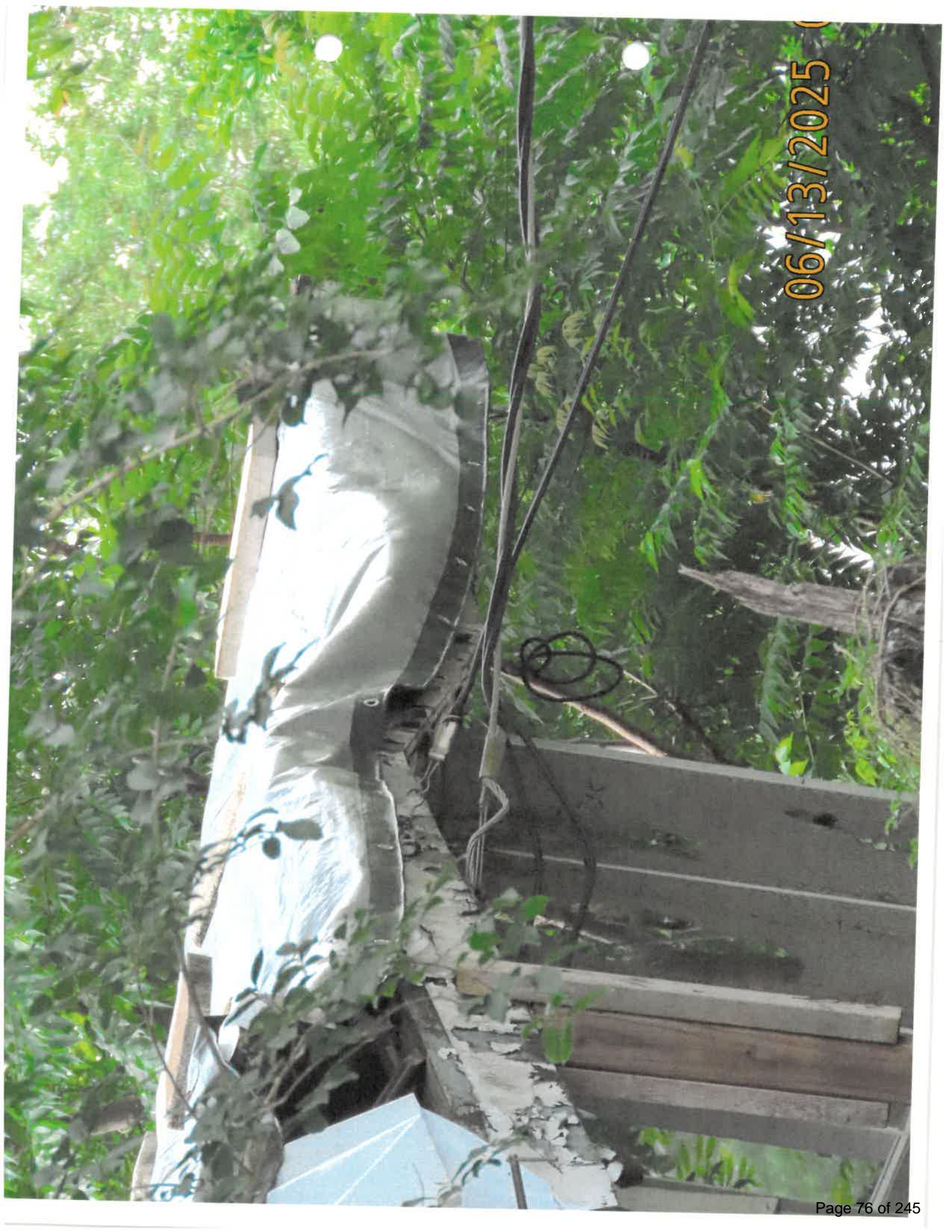
06/26/2025



06/26/2025



06/13/2025



06/13/2025



05/21/2025

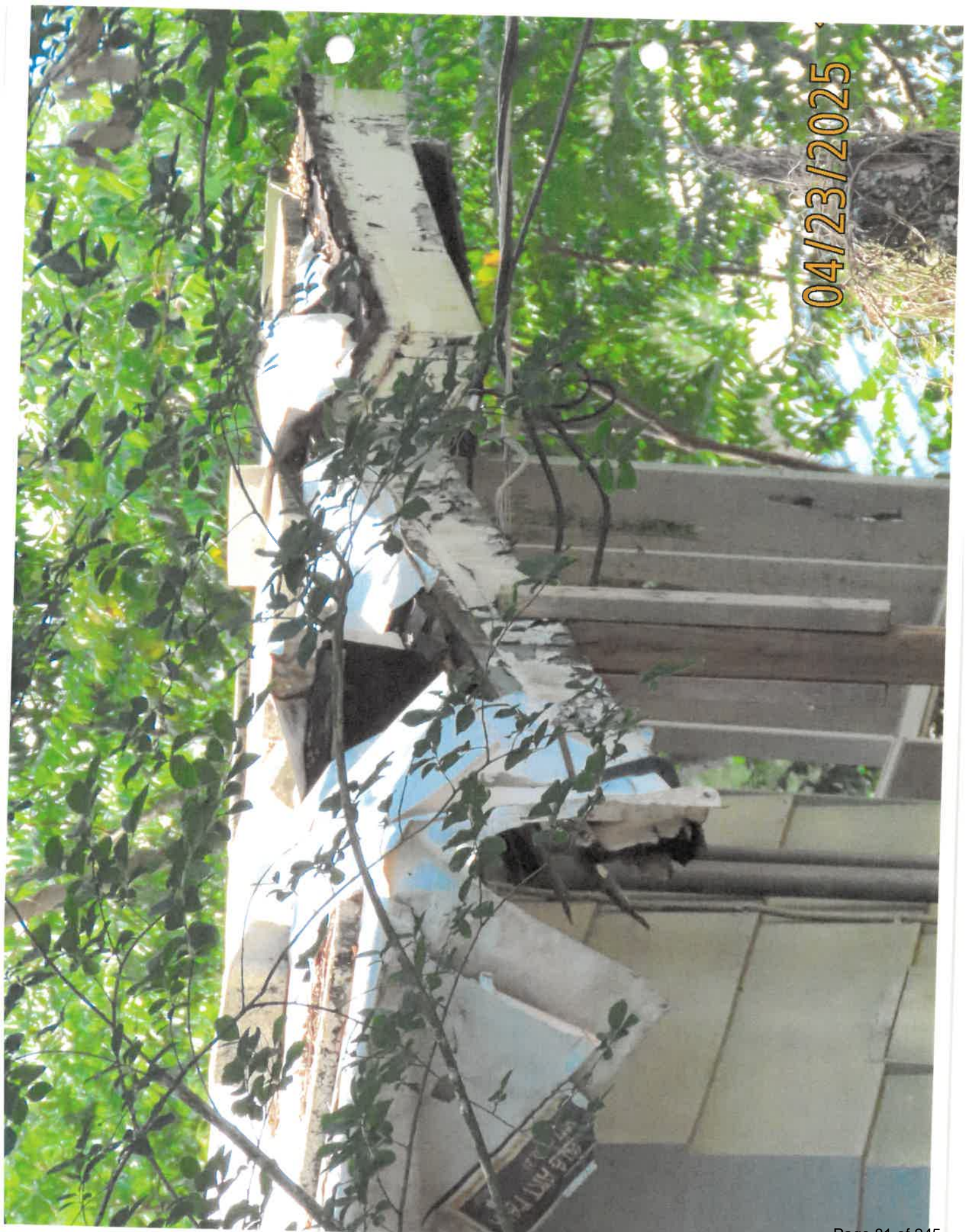


05/21/2025





05/09/2025



04/23/2025



04/23/2025



04/02/2025



04/02/2025 0



03/18/2025



03/18/2025



03/04/2025 (



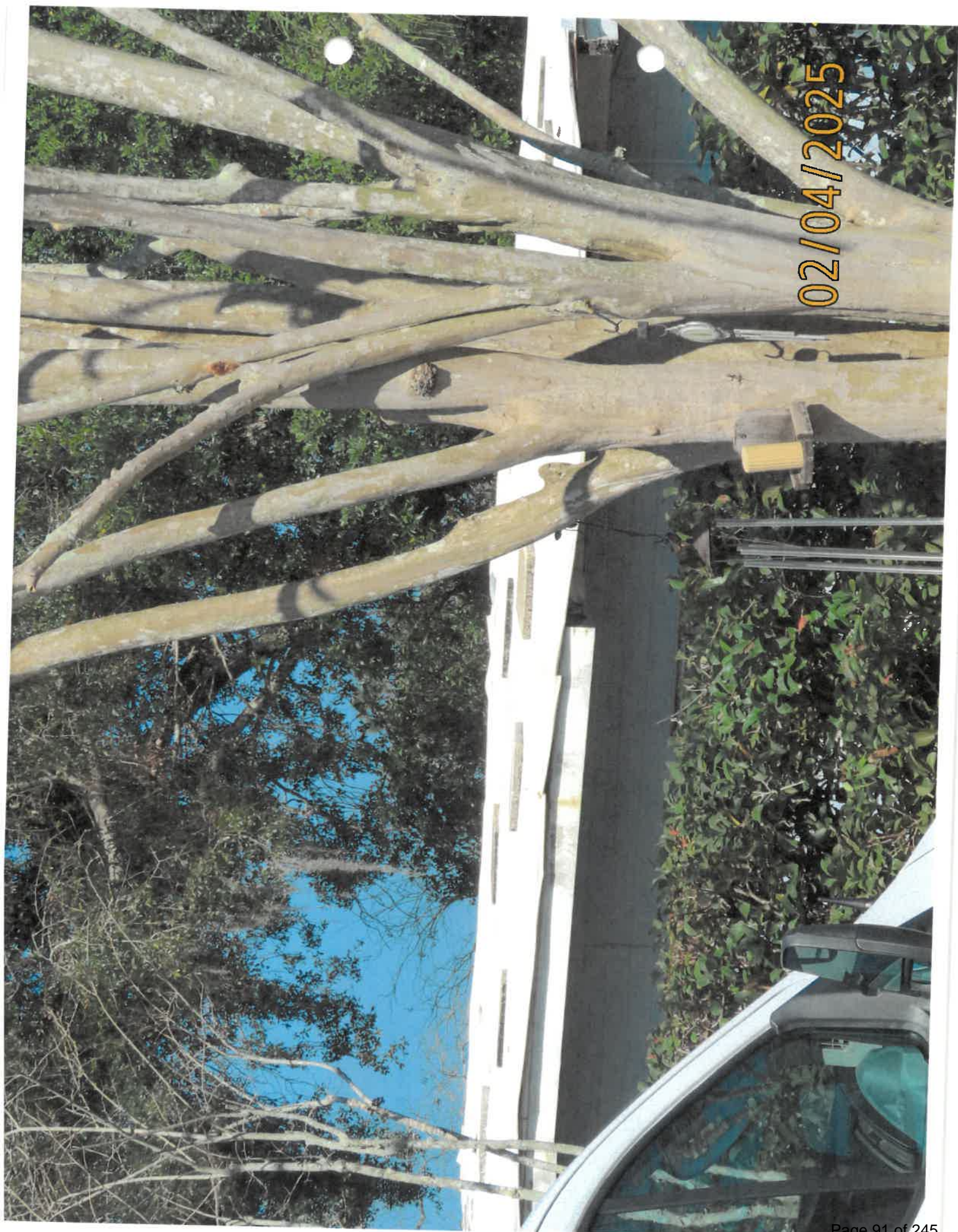
03/04/2025



02/14/2025



02/14/2025



02/04/2025



02/04/2025



01/17/2025



01/17/2025



01/03/2025



01/03/2025



12/26/2024



12/26/2024



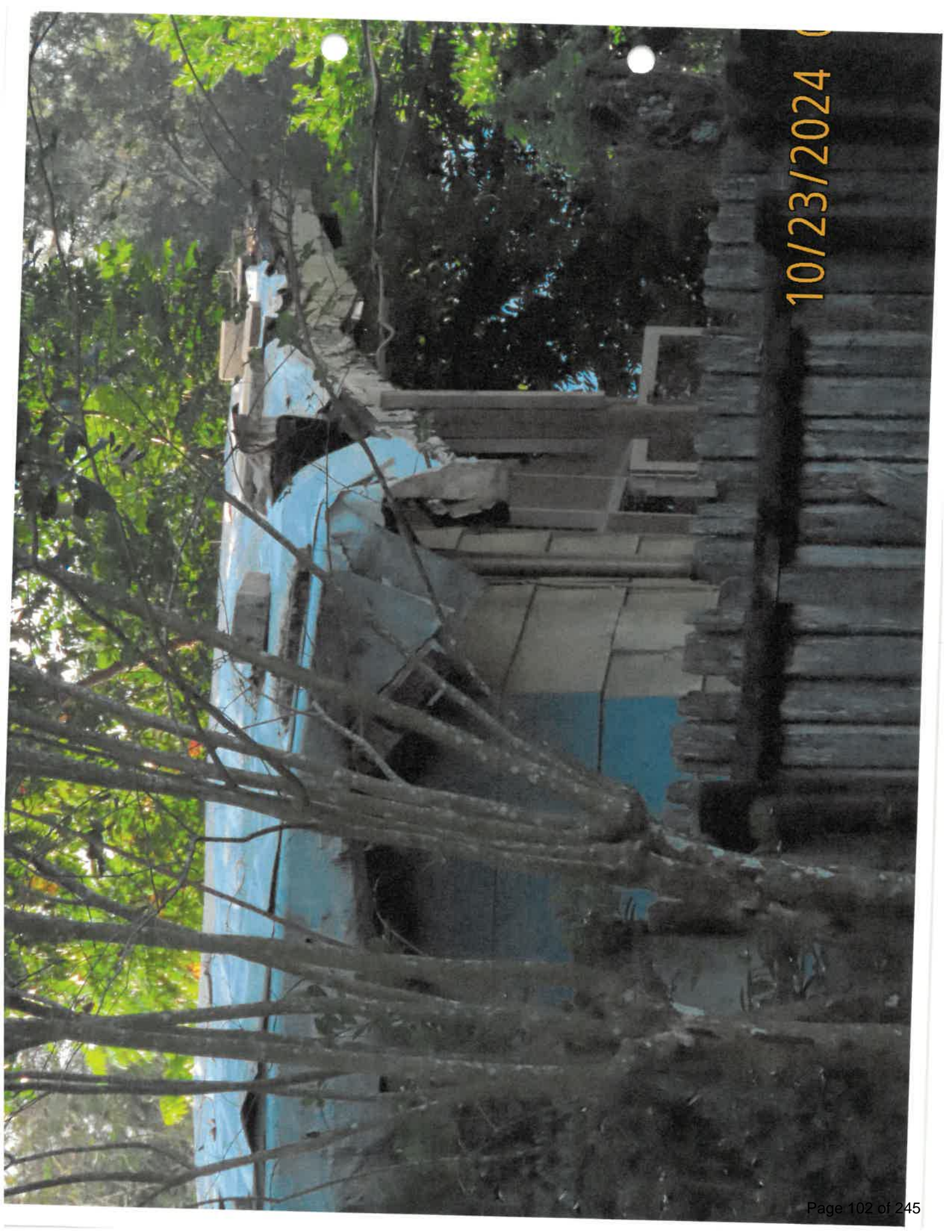
12/18/2024



12/18/2024



12/09/2024



10/23/2024 0



10/23/2024



10/16/2024



10/11/2024



10/11/2024



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 4, 2025

prepared by

Susan Pruchnicki, Coordinator

approved by

Susanne Porras, Code Compliance
Manager

subject

CCB# PM-25-0104 1321 Fairview Ave., Winter Park FL 32789

motion | recommendation

background

alternatives | other considerations

fiscal impact

attachments

1. PM-25-0104 Agenda Packet

1321 Fairview Ave 12-22-29-4172-07-011

Name(s):
DAVID HENDERSON TRUST

Physical Street Address:
1321 Fairview Ave

Property Use:
0103 - Single Fam Class III

Mailing Address On File:
1321 Fairview Ave
Winter Park, FL 32789-3646
[Incorrect Mailing Address?](#)

Postal City and Zip:
Winter Park, FL 32789

Municipality:
Winter Park



1321 FAIRVIEW AVE, WINTER PARK, FL 32789 10/7/2020 11:48 AM

[Upload Photos](#)

[View 2025 Property Record Card](#)



2026 Values will be available in August of 2026. To see the certified values, go to the Values, Exemptions and Taxes Tab.

[View Plat](#)

Property Description

KILLARNEY ESTATES RESURVEY L/9 LOT 1 & BEG NW COR LOT 1 RUN NWLY TO NW COR OF NW1/4 OF NE1/4 12-22-29 SELY TO SW COR LOT 1 NELY TO BEG (LESS ST & LAKE) & LOT 5 (LESS N 60 FT OF W 30 FT) BLK 7

Total Land Area

17,078 sqft (+/-) | 0.39 acres
(+/-)

[GIS Calculated](#)

[Notice](#)

Land

Land Use Code	Zoning	Land Units	Unit Price	Land Value	Class Unit Price	Class Value
0130 - Sfr - Lake Front	WP-R-1A	1 Code Undefined	Working Value...	Working Value...	Working Value...	Working Value...

«« « » »»

Page 1 of 1 (Total Records: 1)

Building

[View Winter Park Permits](#)



Model Code:
1 - Single Fam Residence
Actual Year Built:
1949
Gross Area:
2750 sqft
Type Code:
0103 - Single Fam Class Iii
Beds:
3
Living Area:
2191 sqft
Building Value:
Working Value...
Baths:
3
Exterior Wall:
Conc/Cindr
Estimated New Cost:
Working Value...
Floors:
1
Interior Wall:

Plastered

«« « 1 » »»

Page 1 of 1 (Total Records:1)

Extra Features

Description	Date Built	Units	Xfob Value
Bh1 - Null	01/01/1970	1 Unit(s)	Working Value...
Cpt2 - Null	01/01/2001	1 Unit(s)	Working Value...
Fpl1 - Null	01/01/1949	1 Unit(s)	Working Value...
Pt1 - Null	01/01/1949	1 Unit(s)	Working Value...
Scr1 - Null	01/01/1970	1 Unit(s)	Working Value...

«« « 1 » »»

Page 1 of 1 (Total Records: 5)



ORANGE COUNTY TAX COLLECTOR
SCOTT RANDOLPH
 INDEPENDENTLY ELECTED TO SERVE YOU

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

DAVID HENDERSON TRUST
 1321 FAIRVIEW AVE
 WINTER PARK, FL 32789-3646

Account Number: 179650
 Assessed Value: 559,720
 Millage Code: 6 WP
 Parcel Number: 12-22-29-4172-07011
 Address: 1321 FAIRVIEW AVE, Winter Park, FL 32789
 Exemptions:

AD VALOREM TAXES

Taxing Authority	Assessed Value	Exempt Value	Taxable Value	Millage	Tax Levied	
BY STATE LAW (RLE)	559,720	0	559,720	3.2010	1,791.66	
CAPITAL OUTLAY	559,720	0	559,720	1.5000	839.58	
CRITICAL OPERATING	559,720	0	559,720	1.0000	559.72	
DISCRETIONARY OPERATING	559,720	0	559,720	0.7480	418.67	
CNTY-CAPITAL PROJECT	559,720	0	559,720	0.2250	125.94	
CNTY-GENERAL REVENUE	559,720	0	559,720	4.0441	2,263.56	
CNTY-PARKS & RECREAT	559,720	0	559,720	0.1656	92.69	
CITY OF WINTER PARK	559,720	0	559,720	4.0923	2,290.54	
WINTER PARK DEBT 2017	559,720	0	559,720	0.2062	115.41	
ST JOHNS RIVER WTR MGMT DIST	559,720	0	559,720	0.1793	100.36	
Total Millage:					15.3615	Subtotal: \$8,598.13

NON-AD VALOREM ASSESSMENTS

Levying Authority	Phone	Amount	Levying Authority	Phone	Amount
5110 WINTER PARK STM	407-599-3381	450.88			
Subtotal:					\$450.88

Combined Total of Ad Valorem Taxes & Non-Ad Valorem Assessments: **\$9,049.01**

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

Payments not received by March 31st are delinquent

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

179650
 1321 FAIRVIEW AVE
 KILLARNEY ESTATES RESURVEY L/9
 12-22-29-4172-07011

Make checks payable to:
 Scott Randolph, Tax Collector

ONLY PAY ONE AMOUNT	
If Paid By	Amount Due
Nov 30, 2025	\$8,687.05
Dec 31, 2025	\$8,777.54
Jan 31, 2026	\$8,868.03
Feb 28, 2026	\$8,958.52
Mar 31, 2026	\$9,049.01

DAVID HENDERSON TRUST
 1321 FAIRVIEW AVE
 WINTER PARK, FL 32789-3646

PO Box 545100
 Orlando FL 32854-5100



PREPARED BY AND RETURN TO:
Craig S. Pearlman
Killgore, Pearlman, Stamp, Ornstein &
Squires
Post Office Box 1913
Orlando, Florida 32802

DOC# 20110147405 B: 10188 P: 8495
03/22/2011 03:37:43 PM Page 1 of 4
Rec Fee: \$35.50
Deed Doc Tax: \$0.70
DOR Admin Fee: \$0.00
Intangible Tax: \$0.00
Mortgage Stamp: \$0.00
Martha O. Haynie, Comptroller
Orange County, FL
MB - Ret To: KILLGORE PEARLMAN STAMP 0



WARRANTY DEED TO TRUSTEE

THIS WARRANTY DEED is made and executed this 17th day of March, 2011, by David Henderson, a widower, whose address is 1321 Fairview Avenue, Winter Park, FL 32789-3646 (hereinafter called the "Grantor"), to David Henderson and Kimberly Woodham, Trustees of the David Henderson Trust dated December 29, 2010, whose mailing address is 1321 Fairview Avenue, Winter Park, FL 32789-3646 (hereinafter referred to either as the "Grantee" or the "Trustee").

WITNESSETH:

That the Grantor for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, conveys and confirms unto the Grantee the following described land situate in Orange County, Florida, more particularly described as:

Lot 1 and Lot 5 (less the N 60 ft. of the W 30 ft. of Lot 5) Block 7, KILLARNEY ESTATES RESURVEY, according to the plat thereof, recorded in Plat Book L, Page 9, Public Records of Orange County, Florida.

Begin at the NW corner of Lot 1, Block 7, KILLARNEY ESTATES RESURVEY, according to the Plat thereof, recorded in Plat Book L, page 9, of the Public Records of Orange County, Florida; run thence Northwesterly to the NW corner of the NW ¼ of the NE ¼ of Section 12, Township 22, South, Range 29 East, thence Southeasterly to the SW corner of Lot 1, Block 7, of said subdivision, thence Northeasterly along the front line of said Lot 1 to the Point of Beginning. Less the public street known as Killarney Drive and Less that portion which is covered by the waters of Lake Killarney.

TO HAVE AND TO HOLD the above described property, with the appurtenances unto the Grantee, his heirs and assigns forever; subject to and granting unto the Grantor the right to continue in possession of and occupy the premises as the continuing homestead of the Grantor for the life of Grantor and with all continuing disability and other exemptions applicable to the Grantor. This conveyance to the Trustee of the aforesaid Trust shall in no way eliminate nor shall it adversely affect the right of the Grantor hereunder to claim this property as the homestead of the Grantor. The

OCA Web Map

	Major Roads		Proposed Roe		Block Line		Commercial/Institutional		Hydro		Golf Course
	Florida Turnpike		Public Roads		Lot Line		Governmental/Institutional/Misc		Waste Land		Lakes and Rivers
	Interstate 4		Gated Roads		Rail Road		Residential		County Boundary		Building
	Toll Road		Road Under Construction		Proposed Sun/Fall		Agriculture		Parks		Hospital



Created 11/21/2025 8:39 AM

This map is for reference only and is not a survey.

FACT SHEET

December 4, 2025.

Case No: PM-25-0104

Respondents:

David Henderson Trust
1321 Fairview Ave.
Winter Park, FL 32789-3646

1. Address where violation exists: **1321 Fairview Avenue, Winter Park, FL 32789**
2. Parcel I.D. No.: **12-22-29-4172-07-011**
3. Property Zone: **WP-R-1A**
4. Inspection(s): **07/23/2025, 08/06/2025, 09/22/2025, 09/23/2025, 10/13/2025, 10/22/2025, 11/03/2025, 11/07/2025, 11/18/2025, 12/04/2025.**
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

<u>VIOLATION DESCRIPTION:</u> The roofing structure on the building has been compromised with a hole that is admitting rain causing dampness and deterioration on the interior portion of the structure.	<u>CORRECTIVE ACTION REQUIRED:</u> Repair and/or replace the roof structure. Contact the City of Winter Park Building Department to obtain all required permits.	<u>CODES CITED:</u> Chapter 22, Sections 22-176 (adopting the IPMC 2021 edition), 22-177 (amending the IPMC), and Sec. 304 Exterior Structure; Sec. 304.1 General; Sec. 304.1.1 Unsafe Conditions, (8) Roofing or Roofing Components of the City of Winter Park Property Maintenance Code.
---	---	---

Codes Cited

PROPERTY MAINTENANCE SEC 22-176 & 22-177

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.

SECTION 304.1 GENERAL

304.1 The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to public health, safety and welfare.

Violation Detail

SEC. 304.1.1 UNSAFE COND EXTERIOR STRUCTURE

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.

304.1.1 (8) EXTERIOR STRUCTURE

SEC. 304.1.1 (8) Roofing or roofing components that have defects that admit rain. Roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable 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-25-0104**

City of Winter Park
Petitioner,

vs.

DAVID HENDERSON TRUST
1321 FAIRVIEW AVE.
WINTER PARK, FL 32789-3646
Respondent, _____/

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 04, 2025, at City Hall for the property located at **1321 FAIRVIEW AVE.** on this **19th day of November 2025.**
3. That the attached picture document is proof of the posting.


FURTHER AFFIANT SAYETH NOT

DATED this **19th day of November 2025**


Susan L. Pruchnicki, Safety & Code Compliance Coordinator

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **19th day of November 2025**, 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-25-0104**

City of Winter Park
Petitioner,

vs.

DAVID HENDERSON TRUST
1321 FAIRVIEW AVE.
WINTER PARK, FL 32789-3646
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 04, 2025, on the property located at **1321 FAIRVIEW AVE.** on this **18th day of November 2025**.
3. That the attached picture document is proof of the posting.

FURTHER AFFIANT SAYETH NOT


DATED this **19th day of November 2025**

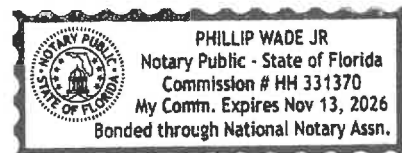


Christina Busch, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **19th day of November 2025**, 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-25-0104

CITY OF WINTER PARK
Petitioner,

vs.

David Henderson Trust
1321 Fairview Ave.
Winter Park, FL 32789-3646
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 Winter Park, as more particularly described herein, and that he 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 4, 2025

at 3 p.m. at

Commission Chambers
second floor of Winter Park City Hall
401 S. Park Ave., Winter Park, FL 32789

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

1. Violation of City Code Chapter/Section: Chapter 22, Sections 22-176 (adopting the IPMC 2021 edition), 22-177 (amending the IPMC), and Sec 304 Exterior Structure; Sec 304.1 General; Sec 304.1.1 Unsafe Conditions (B) Roofing or Roofing Components of the International Property Maintenance Code.
2. Address where violation(s) exists: 1321 Fairview Ave., Winter Park, FL 32789.

amazon basics

11/18/2025

**Track Packages
Anytime, Anywhere**

Get the free Informed Delivery® feature to receive automated notifications on your packages

[Learn More](#)

([https://reg.usps.com/xsell?](https://reg.usps.com/xsell?app=UspTools&ref=homepageBanner&appURL=https%3A%2F%2Finformeddelivery.usps.com/box/pages/intro/start.action)

[app=UspTools&ref=homepageBanner&appURL=https%3A%2F%2Finformeddelivery.usps.com/box/pages/intro/start.action](https://reg.usps.com/xsell?app=UspTools&ref=homepageBanner&appURL=https%3A%2F%2Finformeddelivery.usps.com/box/pages/intro/start.action))

Tracking Number:

9489009000276751551477

[Remove X](#)

[Copy](#)

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

Expected Delivery by

FRIDAY

21

November 2025 ⓘ **by 9:00pm ⓘ**

Your item departed our USPS facility in ORLANDO FL DISTRIBUTION CENTER on November 17, 2025 at 9:11 pm. The item is currently in transit to the destination.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Out for Delivery

Preparing for Delivery

Moving Through Network

Departed USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER
November 17, 2025, 9:11 pm

Arrived at USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER
November 17, 2025, 9:05 pm

[See All Tracking History](#)

[What Do USPS Tracking Statuses Mean?](#)

(<https://faq.usps.com/s/article/Where-is-my-package>)

Text & Email Updates 

USPS Tracking Plus® 

Product Information 

[See Less ^](#)

Track Another Package

Enter tracking or barcode numbers

Feedback

Need More Help?

Contact USPS Tracking support for further assistance.

[FAQs](#)

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

Case No: PM-25-0104

CITY OF WINTER PARK
Petitioner,

vs.

David Henderson Trust
1321 Fairview Ave.
Winter Park, FL 32789-3646
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 he 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 4, 2025
at 3 p.m. at
Commission Chambers
second floor of Winter Park City Hall
401 S. Park Ave., Winter Park, FL 32789**

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

1. Violation of City Code Chapter/Section: **Chapter 22, Sections 22-176 (adopting the IPMC 2021 edition), 22-177 (amending the IPMC), and Sec 304 Exterior Structure; Sec. 304.1 General; Sec 304.1.1 Unsafe Conditions (8) Roofing or Roofing Components of the International Property Maintenance Code.**
2. Address where violation(s) exists: **1321 Fairview Ave., Winter Park, FL 32789.**

3. Parcel I.D. No.: **12-22-29-4172-07-011**
4. Property Zone: **WP-R-1A**
5. Legal Description: **KILLARNEY ESTATES RESURVEY L/9 LOT 1 & BEG NW COR LOT 1 RUN NWLY TO NW COR OF NW1/4 OF NE1/4 12-22-29 SELY TO SW COR LOT 1 NELY TO BEG (LESS ST & LAKE) & LOT 5 (LESS N 60 FT OF W 30 FT) BLK 7**
6. Names and address of owner/person in charge of location where violation exists: **DAVID HENDERSON TRUST– 1321 FAIRVIEW AVENUE, WINTER PARK, FL 32789-3646.**
7. Description of Violation: **THE ROOFING STRUCTURE ON THE BUILDING HAS BEEN COMPROMISED WITH A HOLE THAT IS ADMITTING RAIN CAUSING DAMPNES AND DETERIORATION ON THE INTERIOR PORTION OF THE STRUCTURE.**
8. Compliance Requirements: **REPAIR AND/OR REPLACE THE ROOF STRUCTURE. CONTACT THE CITY OF WINTER PARK BUILDING DEPARTMENT TO OBTAIN ALL REQUIRED PERMITS. ALL REPAIRS SHALL BE DONE ACCORDING TO CURRENT BUILDING STANDARDS AND BY A LICENSED CONTRACTOR.**

Compliance Date to avoid hearing: **November 24, 2025.**

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/Section cited herein, notice is hereby given that, pursuant to Section 2-106 of the City of Winter Park, a **PUBLIC HEARING** is hereby scheduled in this case for fines to be assessed/liens placed against your property, or for such other matters as may be within the jurisdiction of the Code Compliance Board, on **December 4, 2025, 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 the Final Order. If you have been found to be a repeat violator by the Board, the fine 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 feel that you have come into compliance with the terms of this Order prior to the next hearing, it is your responsibility to contact the Code Compliance Division. **PLEASE GOVERN YOURSELF ACCORDINGLY.**

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

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

Dated this: 17th day of November, 2025.

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing has been furnished by certified and regular mail to: **DAVID HENDERSON TRUST– 1321 FAIRVIEW AVENUE, WINTER PARK, FL 32789-3646.**

Certified Mail: 9489 0090 0027 6751 5514 77



Christina Busch
Code Compliance Officer

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

CODES CITED

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

SECTION 304.1 GENERAL

Violation Description

304.1 The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to public health, safety and welfare.

Violation Detail

SEC. 304.1.1 UNSAFE COND EXTERIOR STRUCTURE

Violation Description

Section 304 Exterior Structure

304.1.1. Unsafe conditions.

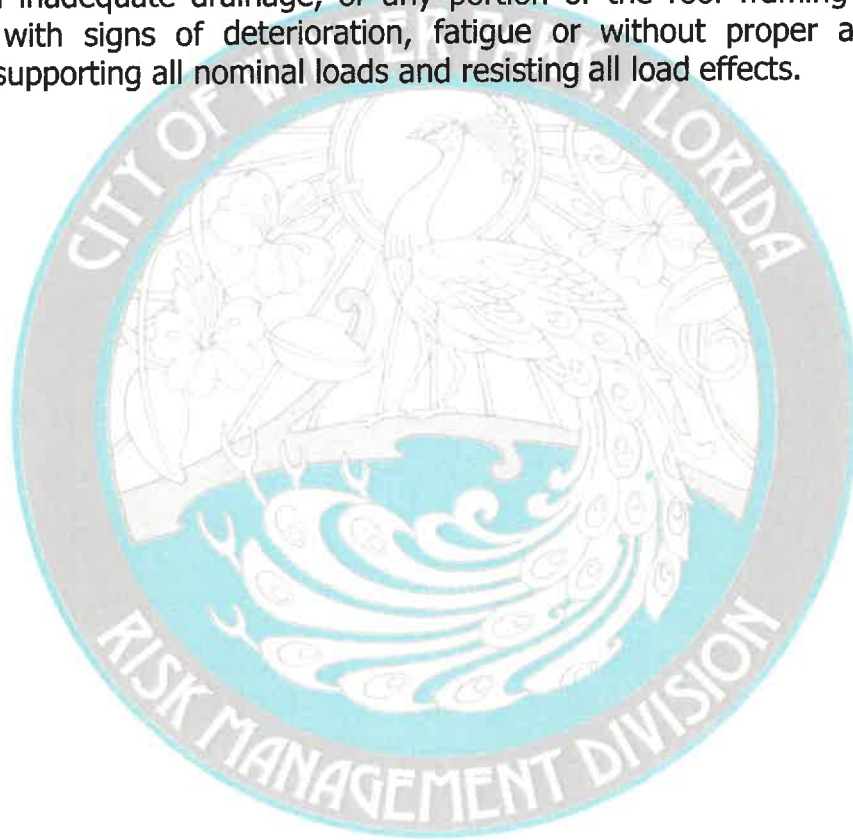
The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International building code or the international existing Building code as required for existing buildings.

Violation Detail

304.1.1 (8) EXTERIOR STRUCTURE

Violation Description

SEC. 304.1.1 (8) Roofing or roofing components that have defects that admit rain. Roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.



1740 CITY OF WINTER PARK
SAFETY & CODE COMPLIANCE
401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789
(407) 599-3600

CASE NO.: **PM-25-0104**

City of Winter Park
Petitioner,

vs.

DAVID HENDERSON TRUST
1321 FAIRVIEW AVE.
WINTER PARK, FL 32789-3646
Respondents, _____ /

AFFIDAVIT OF POSTING

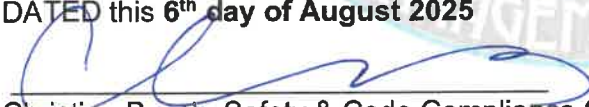
STATE OF FLORIDA
COUNTY OF ORANGE

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 1321 FAIRVIEW AVE. on this **6th day of August 2025**.
3. That the attached picture document is proof of the posting.

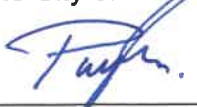
FURTHER AFFIANT SAYETH NOT

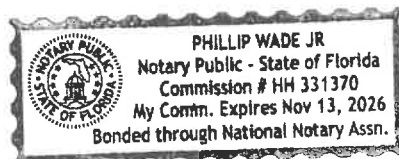
DATED this **6th day of August 2025**


Christina Busch, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **6th day of August 2025**, 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: **July 24, 2025**
CASE # **PM-25-0104**
CERTIFIED TRACKING NUMBER: **9489 0178 9820 3040 8396 80**

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 IPCM 2021 edition), 22-177 (amending the IPCM), and Sec 304 Exterior Structure; Sec. 304.1 General; Sec 304.1.1 Unsafe Conditions (8) Roofing or Roofing Components of the International Property Maintenance Code.**

PROPERTY MAINTENANCE/NUISANCE

On **July 23, 2025** a Violation(s) was observed on your property. The violation(s) must be corrected by **August 1, 2025**. 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: **WP-R-1A**
Parcel ID #: **12-22-29-4172-07-011**
Violation: **1321 FAIRVIEW AVE.**
Location/Address: **WINTER PARK, FLORIDA 32789**
Property Owner/ Tenants: **DAVID HENDERSON TRUST**
Mailing Address: **1321 FAIRVIEW AVE.**
City/ State/ Zip: **WINTER PARK, FL 32789-3646**

Description of Violation: **THE ROOFING STRUCTURE ON THE BUILDING HAS BEEN COMPROMISED WITH A HOLE THAT IS ADMITTING RAIN CAUSING DAMPNES AND DETERIORATION ON THE INTERIOR PORTION OF THE STRUCTURE.**
Corrective action to be taken: **REPAIR AND/ OR REPLACE THE ROOF. CONTACT THE CITY OF WINTER PARK BUILDING DEPARTMENT TO OBTAIN ALL REQUIRED PERMITS. ALL REPAIRS SHALL BE DONE ACCORDING TO CURRENT BUILDING STANDARDS AND BY A LICENSED CONTRACTOR. CONTACT THE CODE COMPLIANCE OFFICER WITH YOUR INTENTIONS.**

amazon basics

08/06/2025

USPS Tracking®

**Track Packages
Anytime, Anywhere**

Get the free Informed Delivery® feature to receive automated notifications on your packages

Learn More

([https://reg.usps.com/xsell?](https://reg.usps.com/xsell?app=UspTools&ref=homepageBanner&appURL=https%3A%2F%2Finformedelivery.usps.com/box/pages/intro/startAction)

<https://reg.usps.com/xsell?app=UspTools&ref=homepageBanner&appURL=https%3A%2F%2Finformedelivery.usps.com/box/pages/intro/startAction>)

Remove X

Tracking Number:

9489017898203040839680

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 1:12 pm on August 21, 2025 in WINTER PARK, FL 32789.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

WINTER PARK, FL 32789
August 21, 2025, 1:12 pm

Arrived at USPS Regional Facility

LAKE MARY FL DISTRIBUTION CENTER
August 20, 2025, 7:16 pm

Arrived at USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER
August 20, 2025, 10:15 am

Arrived at USPS Regional Facility

FORT MYERS FL DISTRIBUTION CENTER
August 19, 2025, 5:19 pm

Unclaimed/Being Returned to Sender

WINTER PARK, FL 32789
August 16, 2025, 10:52 am

Reminder to Schedule Redelivery of your item

August 6, 2025

Notice Left (No Authorized Recipient Available)

WINTER PARK, FL 32789
August 1, 2025, 12:43 pm

Arrived at USPS Regional Facility

LAKE MARY FL DISTRIBUTION CENTER
July 31, 2025, 7:34 pm

In Transit to Next Facility

July 31, 2025

Arrived at USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER
July 30, 2025, 9:19 pm

Hide Tracking History

Feedback

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

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

OFFICIAL NOTICE OF VIOLATION

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

DATE: **July 24, 2025**

CASE # **PM-25-0104**

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Mailing Address: **1321 FAIRVIEW AVE.**
City/ State/ Zip: **WINTER PARK, FL 32789-3646**
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Officer Name: **CHRISTINA BUSCH** - 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

00020 PROPERTY MAINTENANCE SEC 22-176 & 22-177

Date Est: June 16, 2022 Location: Qty: 001

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).

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codes of the city.

Violation Detail

SECTION 304.1 GENERAL

Violation Description

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Violation Detail

SEC. 304.1.1 UNSAFE COND EXTERIOR STRUCTURE

Violation Description

Section 304
Exterior Structure

304.1.1. Unsafe conditions.

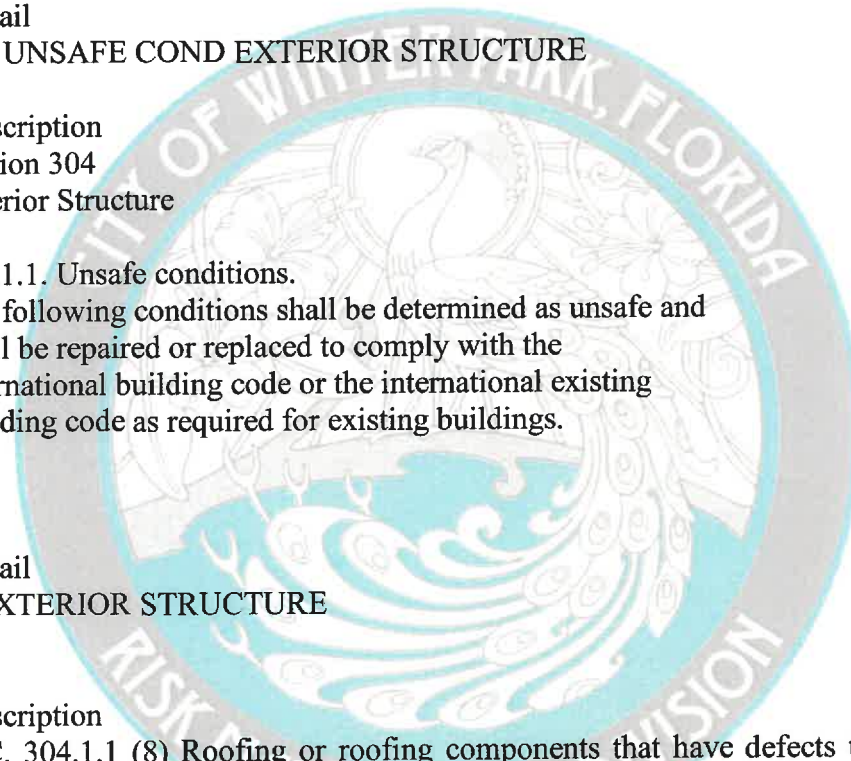
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Violation Detail

304.1.1 (8) EXTERIOR STRUCTURE

Violation Description

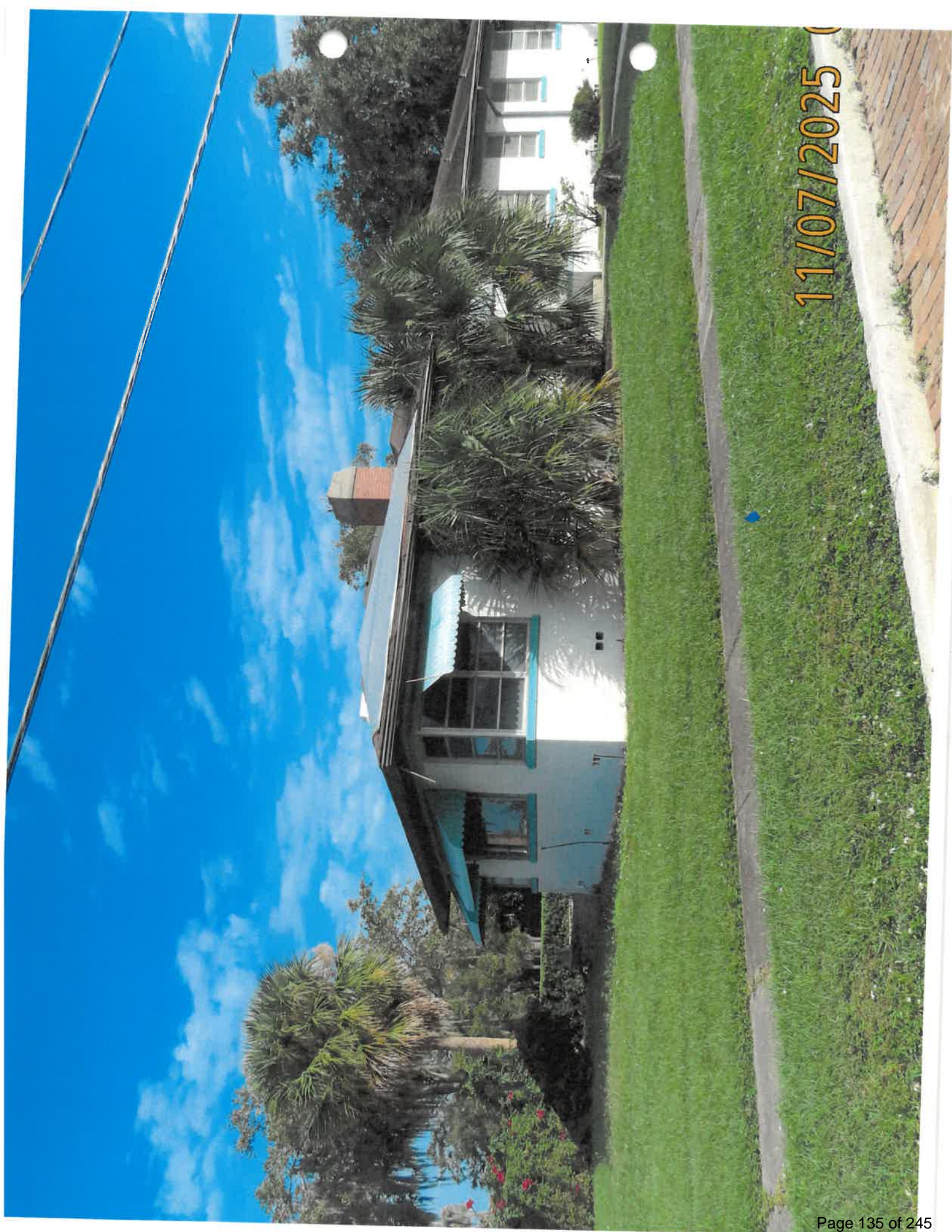
SEC. 304.1.1 (8) Roofing or roofing components that have defects that admit rain. Roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.





11/18/2025





11/07/2025



11/07/2025



11/03/2025



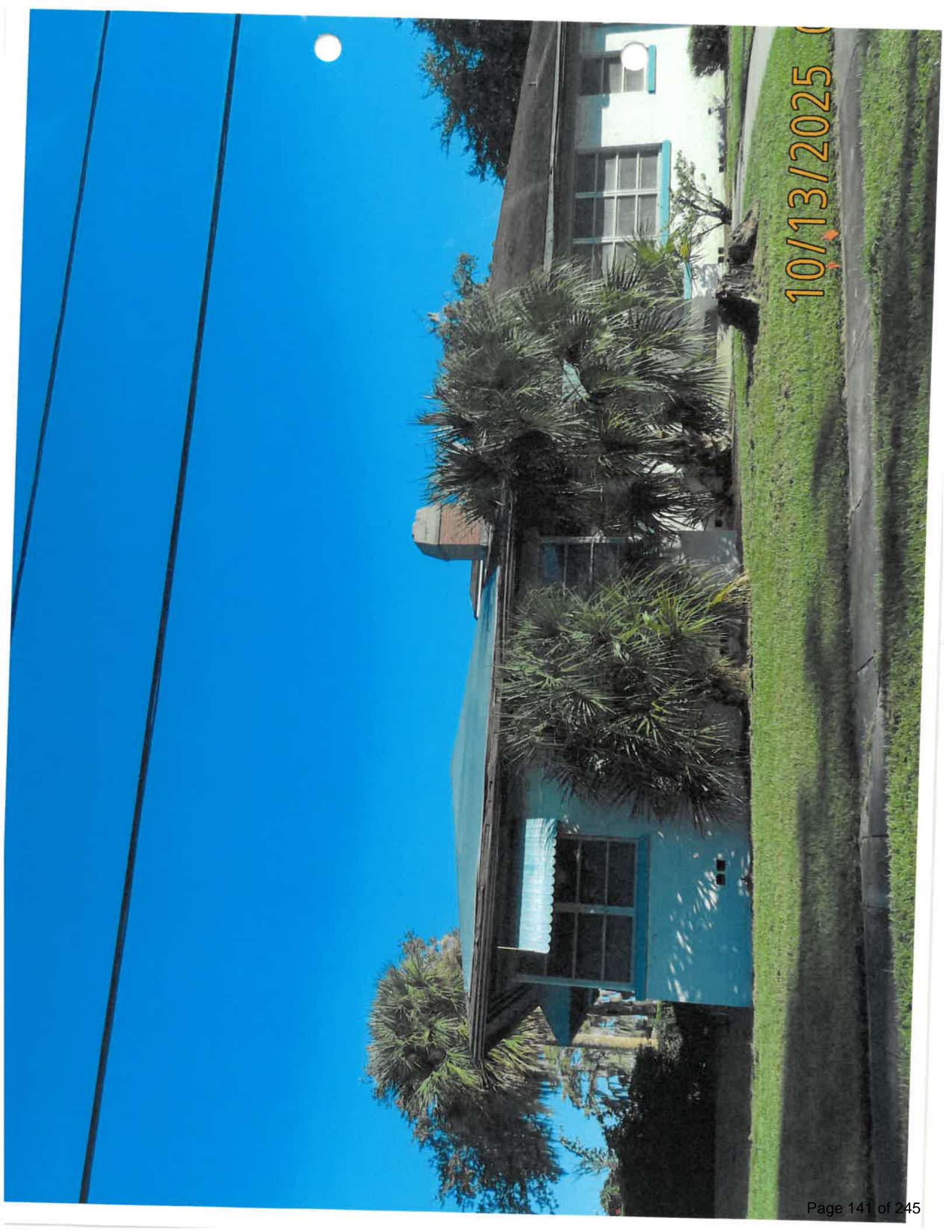
11/03/2025



10/22/2025



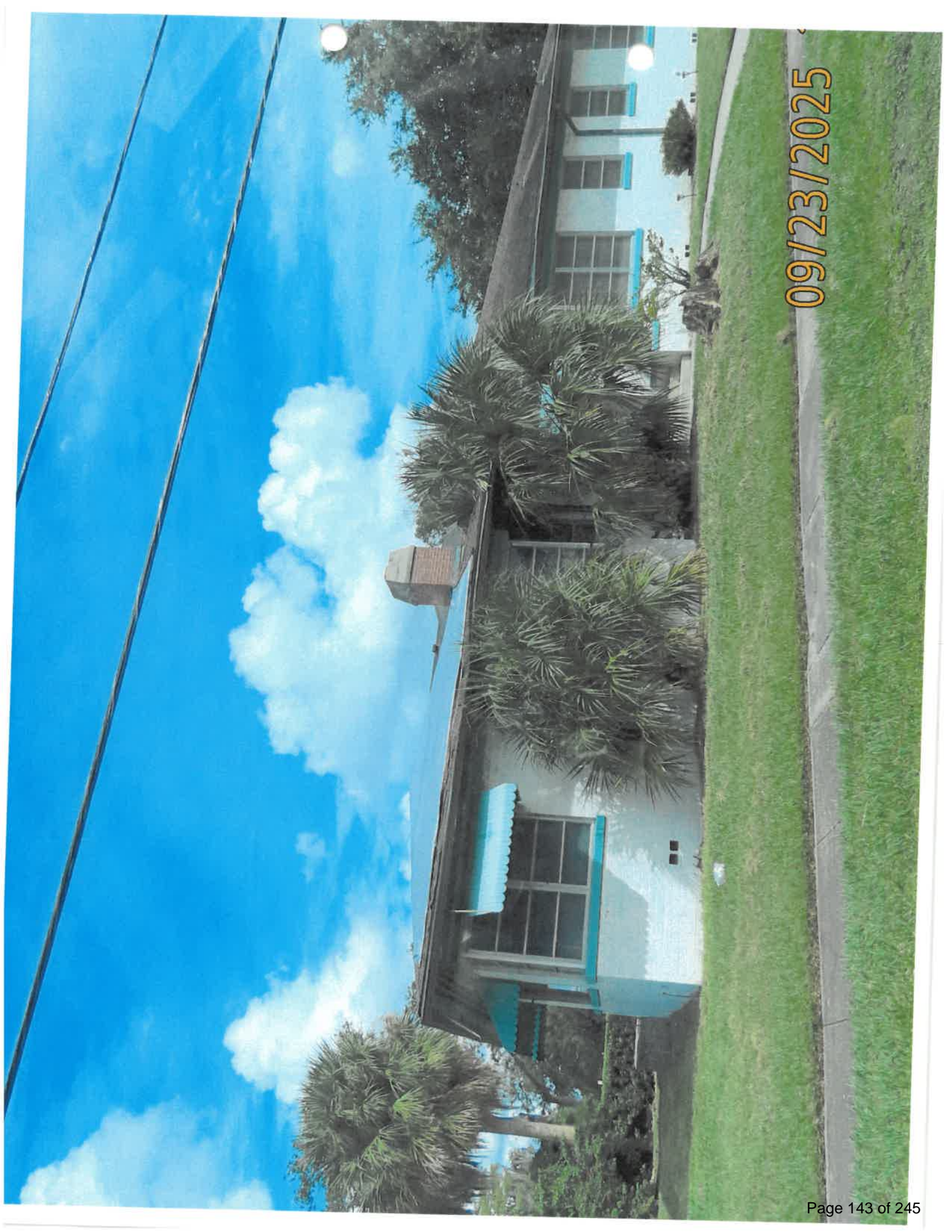
10/22/2025



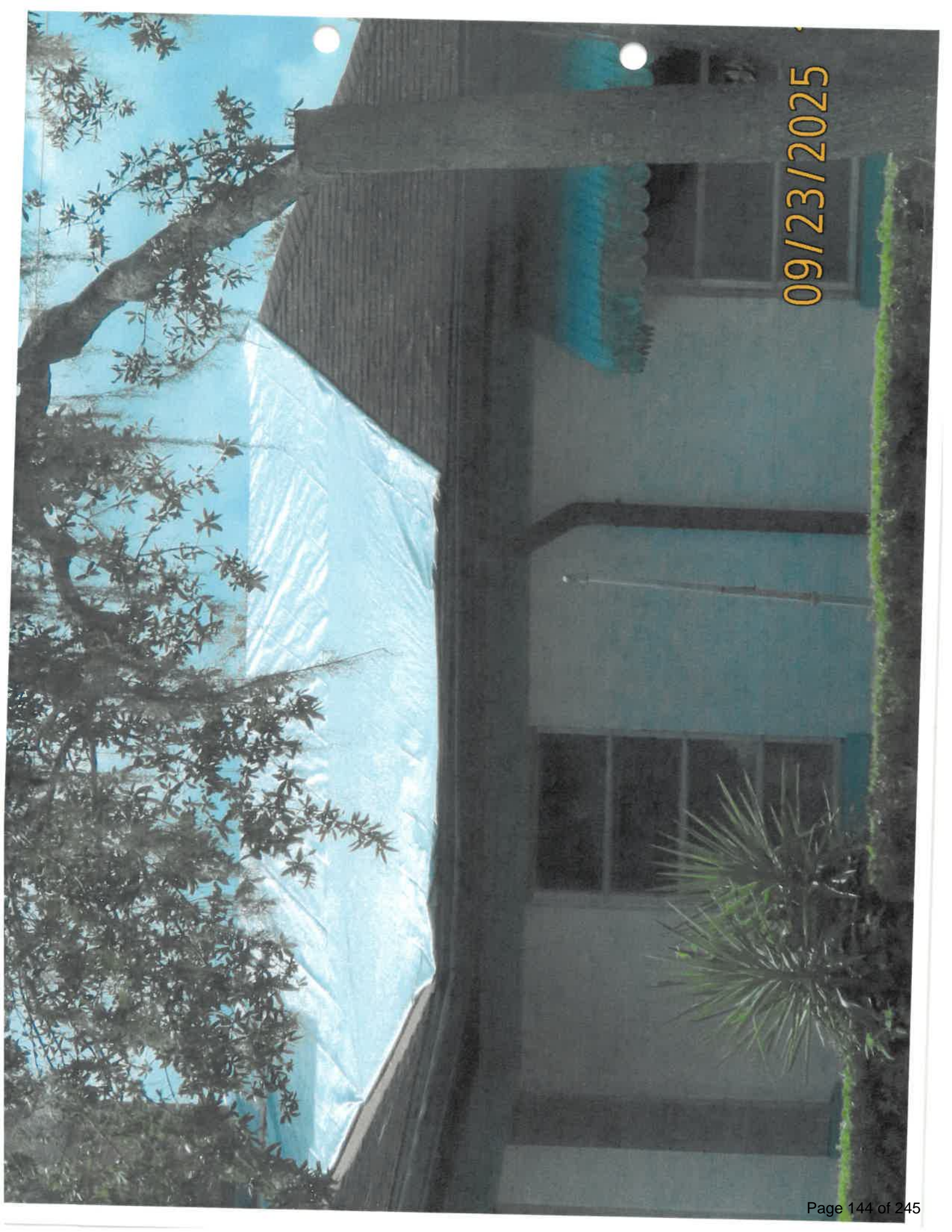
10/13/2025



10/13/2025



09/23/2025



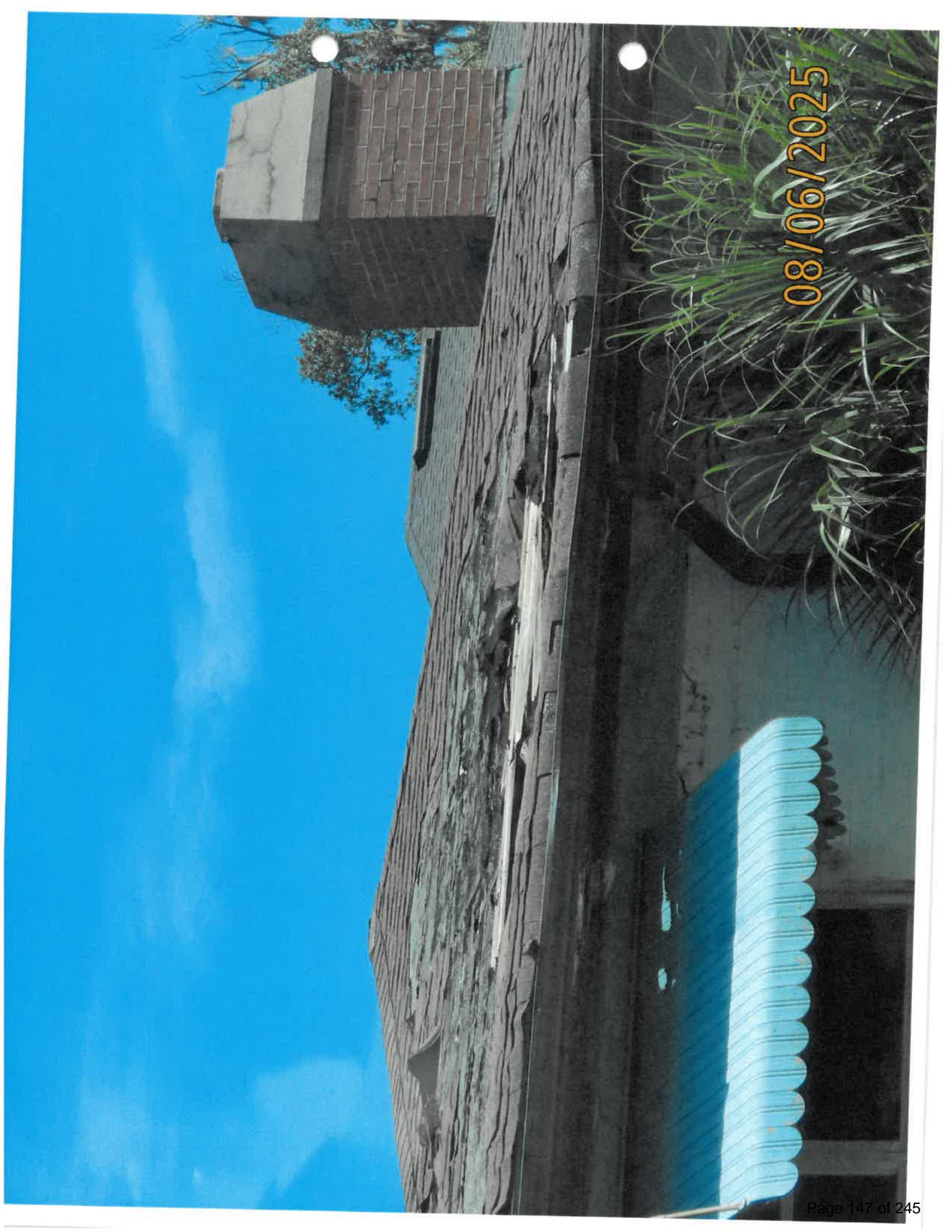
09/23/2025



09/22/2025



09/22/2025



08/06/2025



08/06/2025

07/23/2025 0



07/23/2025



Code Compliance Board

agenda item 5.c

item type

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

meeting date

December 4, 2025

prepared by

Susan Pruchnicki, Coordinator

approved by

Susanne Porras, Code Compliance
Manager

subject

CCB# PM-25-0117 920 Carver St., Winter Park, FL 32789

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

1. PM-25-0117 Packet

920 Carver St 06-22-30-5436-01-030

Name(s):
EDWARDS MARY ALICE ESTATE

Physical Street Address:
920 Carver St

Property Use:
0100 - Single Family

Mailing Address On File:
920 Carver St
Winter Park, FL 32789-2406

Postal City and Zip:
Winter Park, FL 32789

Municipality:
Winter Park

[Incorrect Mailing Address?](#)



920 CARVER ST, WINTER PARK, FL 32789 10/4/2023 11:36 AM

[Upload Photos](#)

[View 2025 Property Record Card](#)

i PROPERTY FEATURES

\$ VALUES, EXEMPTIONS AND TAXES

S SALES

M MARKET STATS

A LOCATION

2026 Values will be available in August of 2026. To see the certified values, go to the Values, Exemptions and Taxes Tab.

[View Plat](#)

Property Description

MAGNOLIA GARDENS SUB R/85 LOT 3 & NWLY 15 FT OF LOT 4 BLK A

Total Land Area

6,571 sqft (+/-) | 0.15 acres
(+/-)

[GIS Calculated](#)

Notice

Land

Land Use Code	Zoning	Land Units	Unit Price	Land Value	Class Unit Price	Class Value
0100 - Single Family	WP-R-1A	1 Code Undefined	Working Value...	Working Value...	Working Value...	Working Value...

«« « » »»

Page 1 of 1 (Total Records: 1)

Building

[View Winter Park Permits](#)


[More Details](#)

Model Code:
1 - Single Fam Residence
Actual Year Built:
1954
Gross Area:
1520 sqft
Type Code:
0103 - Single Fam Class Iii
Beds:
4
Living Area:
1480 sqft
Building Value:
Working Value...
Baths:
2
Exterior Wall:
Conc/Cindr
Estimated New Cost:
Working Value...
Floors:
1
Interior Wall:
Plastered

Extra Features

Description	Date Built	Units	Xfob Value
Cval - Null	01/01/1996	200 Unit(s)	Working Value...
Shnv - Null	01/01/2023	1 Unit(s)	Working Value...



ORANGE COUNTY TAX COLLECTOR
SCOTT RANDOLPH
 INDEPENDENTLY ELECTED TO SERVE YOU

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

EDWARDS MARY ALICE ESTATE
 920 CARVER ST
 WINTER PARK, FL 32789-2406

Account Number: 284876
 Assessed Value: 69,370
 Millage Code: 4 WP
 Parcel Number: 06-22-30-5436-01030
 Address: 920 CARVER ST, Winter Park, 32789
 Exemptions: HOMESTEAD, ADDITIONAL HOMESTEAD

PRIOR YEAR TAXES DUE

AD VALOREM TAXES					
Taxing Authority	Assessed Value	Exempt Value	Taxable Value	Millage	Tax Levied
BY STATE LAW (RLE)	69,370	25,000	44,370	3.2010	142.03
CAPITAL OUTLAY	69,370	25,000	44,370	1.5000	66.55
CRITICAL OPERATING	69,370	25,000	44,370	1.0000	44.37
DISCRETIONARY OPERATING	69,370	25,000	44,370	0.7480	33.19
CNTY-CAPITAL PROJECT	69,370	44,370	25,000	0.2250	5.63
CNTY-GENERAL REVENUE	69,370	44,370	25,000	4.0441	101.10
CNTY-PARKS & RECREAT	69,370	44,370	25,000	0.1656	4.14
CITY OF WINTER PARK	69,370	44,370	25,000	4.0923	102.31
WINTER PARK DEBT 2017	69,370	44,370	25,000	0.2062	5.16
ST JOHNS RIVER WTR MGMT DIST	69,370	44,370	25,000	0.1793	4.48
				Total Millage:	15.3615
				Subtotal:	\$508.96

NON-AD VALOREM ASSESSMENTS					
Levying Authority	Phone	Amount	Levying Authority	Phone	Amount
5110 WINTER PARK STM	407-599-3381	178.80			
				Subtotal:	\$178.80
Combined Total of Ad Valorem Taxes & Non-Ad Valorem Assessments:					\$687.76

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

Payments not received by March 31st are delinquent

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

284876
 920 CARVER ST

MAGNOLIA GARDENS SUB R/85 LOT
 06-22-30-5436-01030

Make checks payable to:
 Scott Randolph, Tax Collector

ONLY PAY ONE AMOUNT	
If Paid By	Amount Due
Nov 30, 2025	\$660.25
Dec 31, 2025	\$667.13
Jan 31, 2026	\$674.00
Feb 28, 2026	\$680.88
Mar 31, 2026	\$687.76

EDWARDS MARY ALICE ESTATE
 920 CARVER ST
 WINTER PARK, FL 32789-2406

PO Box 545100
 Orlando FL 32854-5100



2400
330

STATUTORY

Warranty Deed

384085 RECORDED

Dec 31 11 59 AM '70

O.R. 2018 PG 78

THIS INSTRUMENT WAS PREPARED BY
WILLIAM H. BEARDALL
BEARDALL, GRIDLEY, LEWIS & BLANKNER
ATTORNEYS AT LAW
60 NORTH COURT AVENUE
ORLANDO, FLORIDA

(The terms "grantor" and "grantee" herein shall be construed to include all genders and singular or plural as the context indicates)

This Indenture Made this 22nd day of December 19 70 **Between**
KATHARINE S. ANDERSON, individually and as Trustee and MAY E. TRUCANO,
of the County of Orange, State of Florida, grantor, and
MARY ALICE EDWARDS,

whose post-office address is 920 Carver, Winter Park, Florida 32789
of the County of Orange, State of Florida, grantee,

Witnesseth: That said grantor, for and in consideration of the sum of TEN Dollars, and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs, successors and assigns forever, the following described land, situate, lying and being in Orange County, Florida, to-wit:

Lot 3, and the Northwesterly 15 feet of Lot 4, Block "A", of MAGNOLIA GARDENS, according to the Plat thereof recorded in Plat Book "R", page 85, Public Records of Orange County, Florida.

Subject to mortgage to COMMANDER CORPORATION, dated November 16, 1954 and recorded November 17, 1954 in Official Records Book 577, page 265, Public Records of Orange County, Florida, the unpaid balance of which the grantee herein hereby assumes and agrees to pay.

Subject to restrictions and easements of record, if any.

Subject to taxes subsequent to the year 1970.

The grantors herein certify that no trust instrument has ever been executed or delivered and no trust exists in any form in which Katharine S. Anderson is trustee for May E. Trucano or holds title in trust for May E. Trucano, her daughter as set out in that certain Mortgage dated October 13, 1967 and recorded October 16, 1967 in Official Records Book 1674, page 160, and in Certificate of Title resulting from the foreclosure of said Mortgage as recorded September 16, 1970 in Official Records Book 1985, page 5, and that said Mortgage was actually owned by Katharine S. Anderson and she made the loan for which said Mortgage was given as security and had the Mortgage and note made to Katharine S. Anderson in trust for May E. Trucano, her daughter in the mistaken belief that by so doing the said Katharine S. Anderson was facilitating her intent to bequeath said property to her said daughter upon the death of Katharine S. Anderson.

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, Grantor has hereunto set grantor's hand and seal the day and year first above written.
Signed, sealed and delivered in our presence:

Cecil K. Mosher
John S. Hudson

Katharine S. Anderson (Seal)
May E. Trucano (Seal)

ORANGE COUNTY 053734
STATE OF FLORIDA
DOCUMENTARY STAMP TAX
DEPT. OF REVENUE
DEC 31 '70
\$ 24.00
P.B. 10529

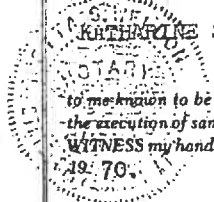
ORANGE COUNTY 035260
FLORIDA DOCUMENTARY SUR TAX
DEC 31 '70
\$ 03.30
P.B. 10333

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared

KATHARINE S. ANDERSON, individually and as Trustee and MAY E. TRUCANO,

to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged before me the execution of same.

WITNESS my hand and official seal in the County and State last aforesaid this 28th day of December, 19 70.



John S. Hudson
Notary Public, State of Florida at Large.
My commission expires: December 20, 1971

Rec. - Field # 754479

OCA Web Map

Florida Turnpike	Major Roads	Proposed Road	Block Line	Commercial/Institutional	Hydro	Golf Course
Interstate 4	Public Roads	Brick Road	Lot Line	Governmental/Institutional/Misc	Waste Land	Lakes and Rivers
Toll Road	Cul-de-sac Roads	Rail Road	Residential	Commercial/Industrial/Vacant Land	County Boundary	Building
Road Under Construction	Proposed Sunfall	Agriculture	Agricultural Corridor	Parks	Hospital	



Created: 8/11/2025 10:31 AM

This map is for reference only and is not a survey.

FACT SHEET

December 21, 2025.

Case No: PM-25-0117

Respondent:

Mary Alice Edwards Estate
920 Carver Street
Winter Park, FL 32789

1. Address where violation exists: **920 Carver Street, Winter Park, FL 32789**
2. Parcel I.D. No.: **06-22-30-5436-01-030**
3. Property Zone: **WP-R-1A**
4. Inspection(s): **08/07/2025, 08/12/2025, 09/20/2025, 10/09/2025, 10/14/2025, 10/23/2025, 10/31/2025, 11/10/2025, 11/11/2025, 11/17/2025 and 11/19/2025.**
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

<p>VIOLATION DESCRIPTION: Unsightly discarded articles of trash, debris, coolers, tables, bucket, storage container, pot, tires, and broken sports equipment stored in the front yard of the property. Dilapidated wood fence surrounding the property is not structurally sound, leaning, missing panels and is in need of repairs.</p>	<p>CORRECTIVE ACTION REQUIRED: Remove unsightly discarded articles from the front yard. Remove, repair and or replace the dilapidated wood fencing. Apply for a fence permit by contacting the city of winter park building and permitting department at 407-599-3237 contact the safety and code compliance officer with your intentions.</p>	<p>CODES CITED: Chapter 22, Sections 22-176 (adopting the International Property Maintenance Code, 2021 edition), 22-177 (amending the International Property Maintenance Code); Sec. 302.1 Sanitation & Storage of Materials; Sec. 302.7 Dilapidated Fences of the City of Winter Park Property Maintenance Code.</p>
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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-25-0117**

City of Winter Park
Petitioner,

vs.

EDWARDS MARY ALICE ESTATE
920 CARVER STREET
WINTER PARK, FL 32789
Respondent, _____

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 at City Hall, scheduled for December 4, 2025, for the property located at 920 CARVER STREET on this **19th day of November 2025**.
3. That the attached picture document is proof of the posting.

FURTHER AFFIANT SAYETH NOT

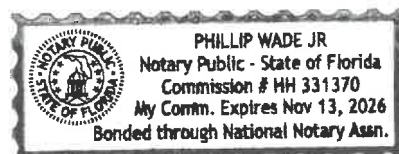
DATED this **21st day of November 2025**


Susan L. Pruchnicki, Safety & Code Compliance Coordinator

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **21st day of November 2025**, by Susan Pruchnicki, who is personally known to me as a Safety & Code Compliance Coordinator of the City of Winter Park.


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



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

CASE NO.: **PM-25-0117**

City of Winter Park
Petitioner,

vs.

EDWARDS MARY ALICE ESTATE
920 CARVER STREET
WINTER PARK, FL 32789
Respondent, _____/

AFFIDAVIT OF POSTING

STATE OF FLORIDA
COUNTY OF ORANGE

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

1. That he/she is an employee of City of Winter Park, Florida and that he/she is over twenty-one years of age.
2. That he/she posted the Notice of Hearing, scheduled for December 4, 2025, on the property located at 920 CARVER STREET on this **19th day of November 2025**.
3. That the attached picture document is proof of the posting.

FURTHER AFFIANT SAYETH NOT


DATED this **20th day of November 2025**



Wade, Phillip, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **20th day of November 2025**, by Phillip Wade, who is personally known to me as a Safety & Code Compliance Officer of the City of Winter Park.



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



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

Case No: PM-25-0117

CITY OF WINTER PARK

Petitioner,

vs.

EDWARDS MARY ALICE ESTATE
920 CARVER STREET
WINTER PARK, FL 32789

Respondents.

**AMENDED NOTICE OF
CODE COMPLIANCE BOARD HEARING**

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

Thursday, December 4th, 2025
at 3 p.m. at
Commission Chambers
second floor of Winter Park City Hall
401 S. Park Ave., Winter Park, FL 32789

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

1. Violation of City Code Chapter/Section: Chapter 22, Sections 22-176 (adopting the IPMC, 2021 edition), 22-177 (amending the IPMC); Section 302.1 Sanitation & Storage of Materials; Section 302.7 Dilapidated Fences of the City of Winter Park Property Maintenance Code.

11/19/2025 16:28



11/19/2025 16:31

Tracking Number:

Remove X

9489009000276751606856

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Expected Delivery by

WEDNESDAY

26

November 2025 ⓘ

by

9:00pm

 ⓘ

Your item arrived at our USPS facility in LAKE MARY FL DISTRIBUTION CENTER on November 22, 2025 at 10:11 pm. The item is currently in transit to the destination.

Feedback

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Out for Delivery

Preparing for Delivery

Moving Through Network

Arrived at USPS Regional Facility

LAKE MARY FL DISTRIBUTION CENTER
November 22, 2025, 10:11 pm

In Transit to Next Facility

November 22, 2025

Departed USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER

November 21, 2025, 9:10 pm

Arrived at USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER

November 21, 2025, 8:11 pm

Departed Post Office

WINTER PARK, FL 32789

November 21, 2025, 6:43 pm

USPS in possession of item

WINTER PARK, FL 32789

November 21, 2025, 4:05 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)

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

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

Case No: PM-25-0117

9489 0090 0027 6751 6068 56

CITY OF WINTER PARK

Petitioner,

vs.

EDWARDS MARY ALICE ESTATE
920 CARVER STREET
WINTER PARK, FL 32789

Respondents.

**AMENDED NOTICE OF
CODE COMPLIANCE BOARD HEARING**

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

Thursday, December 4th, 2025
at 3 p.m. at
Commission Chambers
second floor of Winter Park City Hall
401 S. Park Ave., Winter Park, FL 32789

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

1. Violation of City Code Chapter/Section: **Chapter 22, Sections 22-176 (adopting the IPMC, 2021 edition), 22-177 (amending the IPMC); Section 302.1 Sanitation & Storage of Materials; Section 302.7 Dilapidated Fences of the City of Winter Park Property Maintenance Code.**

2. Address where violation(s) exists: **920 CARVER STREET, WINTER PARK, FL 32789.**
3. Parcel I.D. No.: **06-22-30-5436-01-030**
4. Property Zone: **WP-R-1A**
5. Legal Description: **MAGNOLIA GARDENS SUB R/85 LOT 3 & NWLY 15 FT OF LOT 4 BLK A**
6. Names and address of owner/person in charge of location where violation exists: **Edwards Mary Alice Estate - 920 Carver Street, Winter Park, FL 32789**
7. Description of Violation: **Unightly discarded articles of trash, debris, coolers, tables, bucket, storage container, pot, tires, and broken sports equipment stored in the front yard of the property. Dilapidated wood fence surrounding the property is not structurally sound, leaning and missing panels and it is in need of repairs.**
8. Compliance Requirements: **Remove unightly discarded articles from the front yard. Remove, repair and or replace the dilapidated wood fencing. Apply for a fence permit by contacting the City of Winter Park Building and Permitting Department at 407-599-3237.**

Compliance Date to avoid hearing: **December 2, 2025.**

Unless Respondent(s) corrects the violation described and contacts the undersigned Code Inspector to verify compliance with City Code/Section cited herein, notice is hereby given that, pursuant to Section 2-106 of the City of Winter Park, a **PUBLIC HEARING** is hereby scheduled in this case for fines to be assessed/liens placed against your property, or for such other matters as may be within the jurisdiction of the Code Enforcement Board, on the **December 4th, 2025, at 3 p.m.**, at 401 S Park Avenue, Winter Park, FL, 2nd Floor (Commission Chambers).

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

continues beyond the compliance date established by the Board in a Final Order. If you are found to be a repeat violator by the Board, the Board can impose a fine of up to \$500.00 per day, per violation, for each day the violation continues beyond the compliance date established by Safety & Code Compliance.

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

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

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

Dated this: 19th day of November 2025

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing has been furnished by certified and regular mail to: **EDWARDS MARY ALICE ESTATE- 920 CARVER STREET, WINTER PARK, FL 32789.**

Certified Mail: 9489 0090 0027 6751 6068 56



Phillip Wade
Safety & Code Compliance Officer

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

CODES CITED:

Sec 22-176 & 22-177 – Property Maintenance

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.

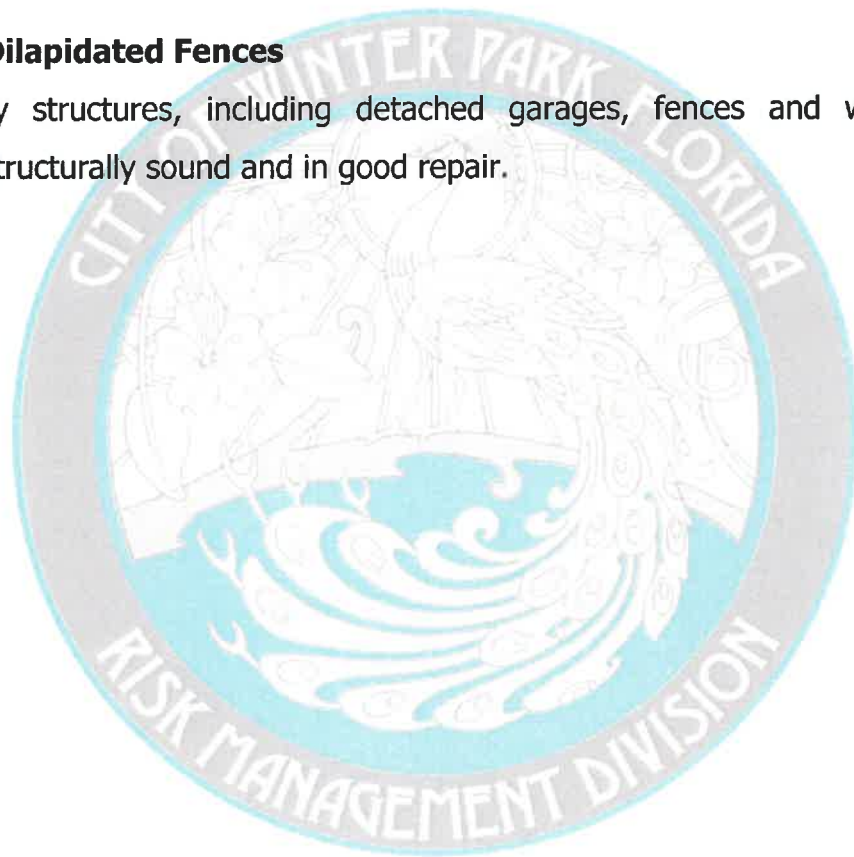
Sec 302.1 Unsightly Articles

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.

Sec 302.7 Dilapidated Fences

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



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

CASE NO.: **PM-25-0117**

City of Winter Park
Petitioner,

vs.

EDWARDS MARY ALICE ESTATE
920 CARVER STREET
WINTER PARK, FL 32789
Respondent, _____ /

AFFIDAVIT OF POSTING

STATE OF FLORIDA
COUNTY OF ORANGE

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

1. That he/she is an employee of City of Winter Park, Florida and that he/she is over twenty-one years of age.
2. That he/she posted the Notice of Violation on the property located at 920 CARVER STREET on this **19th day of November 2025**.
3. That the attached picture document is proof of the posting.

FURTHER AFFIANT SAYETH NOT

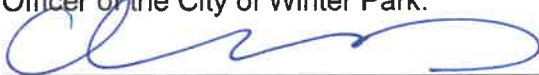
DATED this **20th day of November 2025**



Wade, Phillip, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **20th day of November 2025**, by Phillip Wade, who is personally known to me as a Safety & Code Compliance Officer of the City of Winter Park.



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



SECOND AMENDED OFFICIAL NOTICE OF VIOLATION

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

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

DATE: November 19, 2025
CASE # PM-25-0117
CERTIFIED TRACKING NUMBER: 9489 0090 0027 6751 6068 49

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 International Property Maintenance Code, 2021 edition), 22-177 (amending the International Property Maintenance Code), 302.1 Sanitation & Storage Of Materials, 302.7 Dilapidated Fences of the International Property Maintenance Code.

PROPERTY MAINTENANCE/NUISANCE

On August 7, 2025, a Violation(s) was observed on your property. The violation(s) must be corrected by December 2, 2025. 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: WP-R-1A

Parcel ID#: 06-22-30-5436-01-030

Violation Location/Address: 920 CARVER STREET

Property Owner/ Tenant: EDWARDS MARY ALICE ESTATE

Mailing Address: 920 CARVER STREET

City/ State/ Zip: WINTER PARK, FL 32789

Description of Violation: UNSIGHTLY DISCARDED ARTICLES OF TRASH, DEBRIS, COOLERS, TABLES, BUCKET, STORAGE CONTAINER, POT, TIRES, AND BROKEN SPORTS EQUIPMENTS STORED IN THE FRONT YARD OF THE PROPERTY. PROPERTY IS NOT STRUCTURALLY SOUND, LEANING, MISSING PANELS AND IS IN NEED OF REPAIRS. REMOVE UNSIGHTLY DISCARDED ARTICLES FROM FRONT YARD AND REMOVE AND/OR REPAIR DILAPIDATED WOOD FENCING. APPLY FOR A FENCE PERMIT BY CONTACTING THE CITY OF WINTER PARK BUILDING AND PERMITTING DEPARTMENT AT 407-599-3237. CONTACT THE SAFETY AND CODE COMPLIANCE OFFICER WITH YOUR INTENTIONS.

Corrective action to be taken:

REMOVE UNSIGHTLY DISCARDED ARTICLES FROM FRONT YARD AND REMOVE AND/OR REPAIR DILAPIDATED WOOD FENCING. APPLY FOR A FENCE PERMIT BY CONTACTING THE CITY OF WINTER PARK BUILDING AND PERMITTING DEPARTMENT AT 407-599-3237. CONTACT THE SAFETY AND CODE COMPLIANCE OFFICER WITH YOUR INTENTIONS.

AMENDED NOTICE OF CODE COMPLIANCE BOARD HEARING

Section 2-105 of the Code of the City of Winter Park, Florida, Chapter 22, Sections 22-176 (adopting the International Property Maintenance Code, 2021 edition), 22-177 (amending the International Property Maintenance Code), 302.1 Sanitation & Storage Of Materials, 302.7 Dilapidated Fences of the City of Winter Park, which will take place on

Thursday, December 4th, 2025

at 3 p.m. at

Commission Chambers
second floor of Winter Park City Hall
401 S. Park Ave., Winter Park, FL 32789

The following code violations will be heard at this meeting:

1. Violation of City Code Chapter/Section: Chapter 22, Sections 22-176 (adopting the International Property Maintenance Code, 2021 edition), 22-177 (amending the International Property Maintenance Code), 302.1 Sanitation & Storage Of Materials, 302.7 Dilapidated Fences of the City of Winter Park Property Maintenance Code.

11/19/2025 16:28

Officer Name: P. Wade (407) 599-3465

pwade@cityofwinterpark.org



11/19/2025 16:31

Tracking Number:

Remove X

9489009000276751606849

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Expected Delivery by

WEDNESDAY

26 November 2025 i by **9:00pm** i

Your item arrived at our USPS facility in LAKE MARY FL DISTRIBUTION CENTER on November 22, 2025 at 10:27 pm. The item is currently in transit to the destination.

Feedback

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Out for Delivery

Preparing for Delivery

Moving Through Network

Arrived at USPS Regional Facility

LAKE MARY FL DISTRIBUTION CENTER
November 22, 2025, 10:27 pm

In Transit to Next Facility

November 22, 2025

Departed USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER

November 21, 2025, 9:10 pm

Arrived at USPS Regional Facility

ORLANDO FL DISTRIBUTION CENTER

November 21, 2025, 9:02 pm

Departed Post Office

WINTER PARK, FL 32789

November 21, 2025, 6:43 pm

USPS in possession of item

WINTER PARK, FL 32789

November 21, 2025, 4:04 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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Product Information



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Contact USPS Tracking support for further assistance.

FAQs

SECOND AMENDED OFFICIAL NOTICE OF VIOLATION

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

9489 0090 0027 6751 6068 49

DATE: **November 19, 2025**
CASE # **PM-25-0117**
CERTIFIED TRACKING NUMBER: **9489 0090 0027 6751 6068 49**

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 International Property Maintenance Code, 2021 edition), 22-177 (amending the International Property Maintenance Code), 302.1 Sanitation & Storage Of Materials, 302.7 Dilapidated Fences of the International Property Maintenance Code.**

PROPERTY MAINTENANCE/NUISANCE

On **August 7, 2025**, a Violation(s) was observed on your property. The violation(s) must be corrected by **December 2, 2025**. 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: **WP-R-1A**
Parcel ID#: **06-22-30-5436-01-030**
Violation Location/Address: **920 CARVER STREET
WINTER PARK, FL 32789**
Property Owner/ Tenant: **EDWARDS MARY ALICE ESTATE**
Mailing Address: **920 CARVER STREET**
City/ State/ Zip: **WINTER PARK, FL 32789**
Description of Violation: **UNSIGHTLY DISCARDED ARTICLES OF TRASH, DEBRIS, COOLERS, TABLES, BUCKET, STORAGE CONTAINER, POT, TIRES, AND BROKEN SPORTS EQUIPMENTS STORED IN THE FRONT YARD OF THE PROPERTY. DILAPIDATED WOOD FENCE SURROUNDING THE PROPERTY IS NOT STRUCTURALLY SOUND, LEANING, MISSING PANELS AND IS IN NEED OF REPAIRS.**
Corrective action to be taken: **REMOVE UNSIGHTLY DISCARDED ARTICLES FROM THE FRONT YARD AND REMOVE AND/OR REPAIR DILAPIDATED WOOD FENCING. APPLY FOR A FENCE PERMIT BY CONTACTING THE CITY OF WINTER PARK BUILDING AND PERMITTING DEPARTMENT AT 407-599-3237. CONTACT THE SAFETY AND CODE COMPLIANCE OFFICER WITH YOUR INTENTIONS.**

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

Appeal Process

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

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

Violation Detail

00010 PROPERTY MAINTENANCE SEC 22-176 & 22-177

Violation Description

Sec. 22-176. - Code adopted.

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

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

Sec. 22-177. - Amendments.

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

General: All references to the International Building, Plumbing, Mechanical, Fuel Gas, Fire, Electrical and Zoning

Codes shall mean the respective building, residential, plumbing, mechanical, gas, fire, electrical, and zoning codes of the city.

Violation Detail

00030 UJD SEC 302.1 UNSIGHTLY ARTICLES

Violation Description

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.

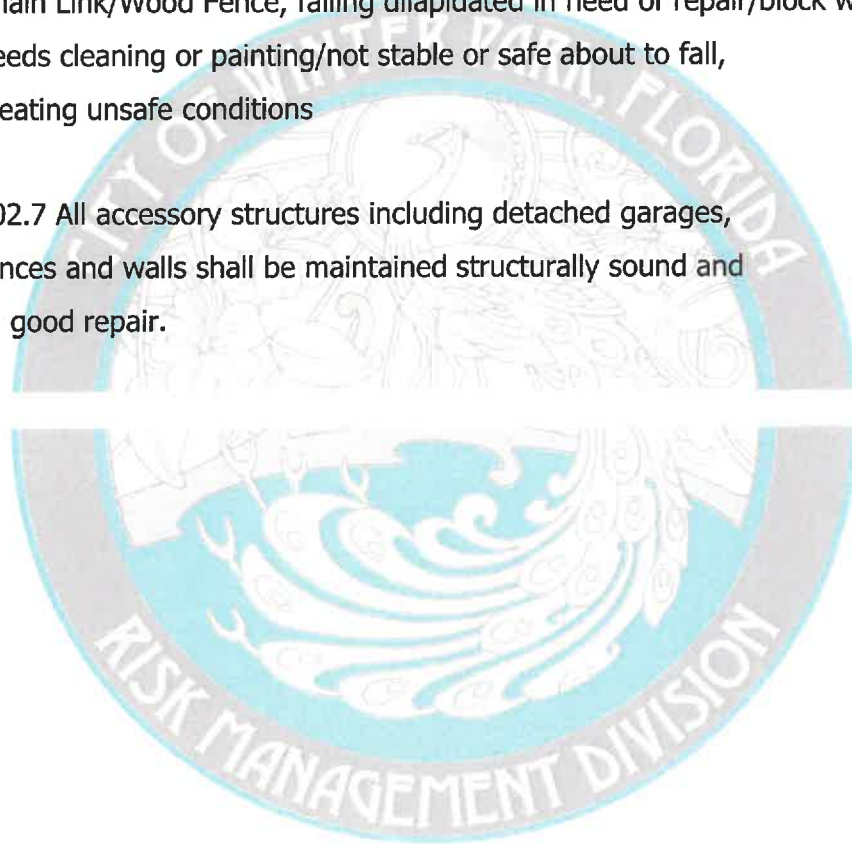
Violation Detail

00020 F/W SEC 302.7 DILAPIDATED FENCES

Violation Description

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

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



CODES CITED

Sec 22-176 & 22-177 – Property Maintenance

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 Unsightly Articles

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.

Sec 302.7 Dilapidated Fences

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







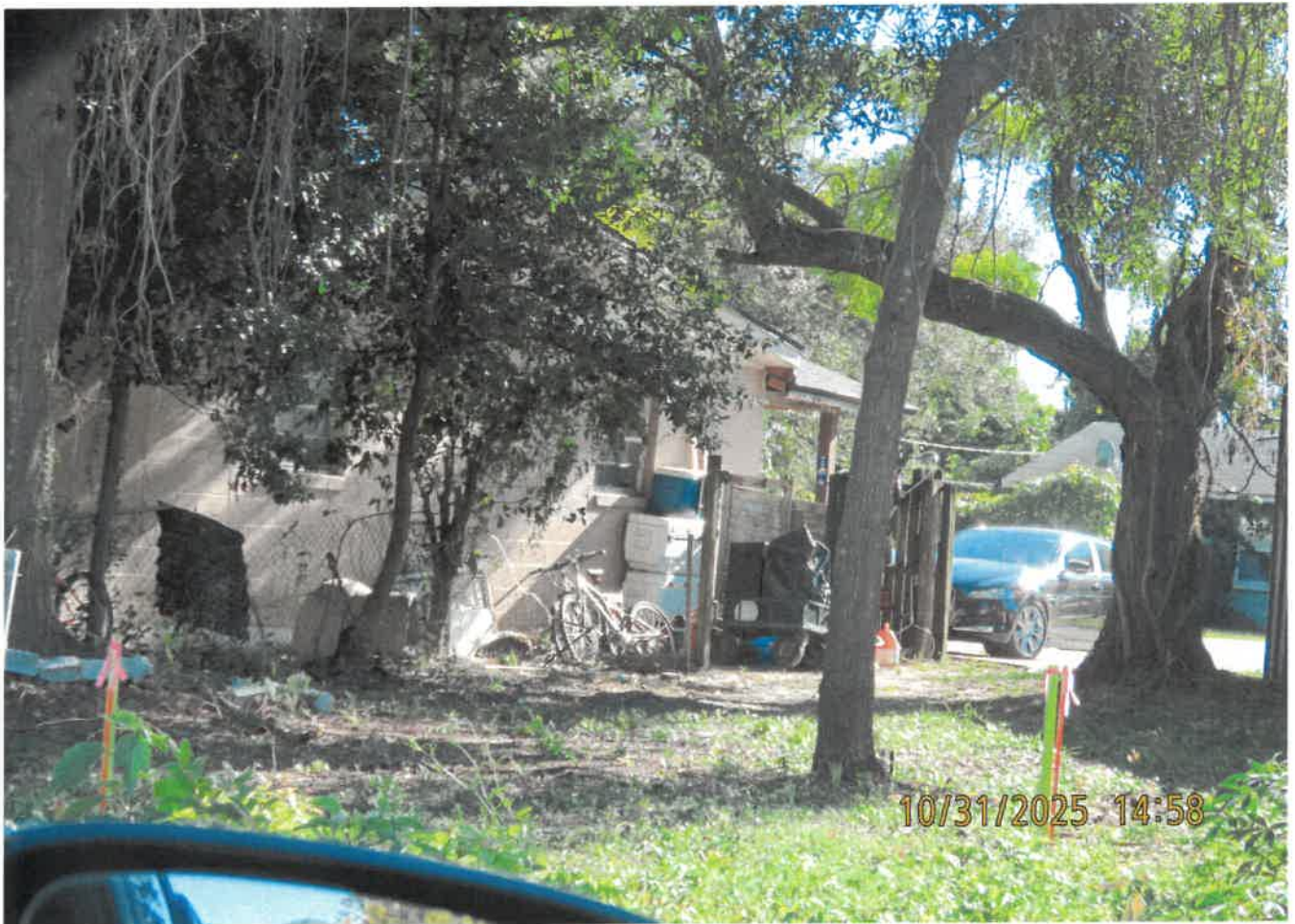


















Code Compliance Board

agenda item 5.d

item type

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

meeting date

December 4, 2025

prepared by

Susan Pruchnicki, Coordinator

approved by

Susanne Porras, Code Compliance Manager

subject

CCB# TRP-2025-0168 125 W. Reading Way, Winter Park, FL 32789

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

1. TRP-25-0168 PACKET

125 W Reading Way 18-22-30-2844-09-040

Name(s):
STAY GERALD T
OTT ELLEN F

Physical Street Address:
125 W Reading Way

Property Use:
0103 - Single Fam Class III

Mailing Address On File:
125 W Reading Way
Winter Park, FL 32789-6049
[Incorrect Mailing Address?](#)

Postal City and Zip:
Winter Park, FL 32789

Municipality:
Winter Park



125 W READING WAY, WINTER PARK, FL 32789 3/16/2024 9:25 AM

[Upload Photos](#)

[View 2025 Property Record Card](#)



2026 Values will be available in August of 2026. To see the certified values, go to the Values, Exemptions and Taxes Tab.

[View Plat](#)

Property Description

FORREST HILLS K/90 LOTS 4 & 5 BLK I

Total Land Area

19,576 sqft (+/-) | 0.45 acres
(+/-)

[GIS Calculated](#)

Notice

Land

Land Use Code	Zoning	Land Units	Unit Price	Land Value	Class Unit Price	Class Value
0103 - Single Fam Class Iii	WP-R-1AA	1 Code Undefined	Working Value...	Working Value...	Working Value...	Working Value...

«« « [] » »»

Page 1 of 1 (Total Records: 1)

Building



[View Winter Park Permits](#)

Model Code:

1 - Single Fam Residence

Actual Year Built:

2024

Gross Area:

5019 sqft

Type Code:

0103 - Single Fam Class Iii

Beds:

4

Living Area:

3549 sqft

Building Value:

Working Value...

Baths:

4.5

Exterior Wall:

Cb.Stucco

Estimated New Cost:

Working Value...

Floors:

1

Interior Wall:

Drywall

«« « » »»

Extra Features

There are no extra features associated to this parcel.

Prepared by and return to:

Aaron C. Swiren, Esq.
Attorney at Law
Swiren Law Firm, P.A.
1516 E. Hillcrest Street Suite 200
Orlando, FL 32803

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 18th day of **June, 2021** between **Norman Michael Cegelis and Linda Bonnie Cegelis, husband and wife** whose post office address is **1200 Lakeview Dr., Winter Park, FL 32789**, grantor, and **Gerald T. Stay and Ellen F. Ott, husband and wife** whose post office address is **125 W. Reading Way, Winter Park, FL 32789**, grantee:

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

Witnesseth, that said grantor, for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Orange County, Florida** to-wit:

Lots 4 and 5, Block I, Forrest Hills, according to the plat thereof as recorded in Plat Book K, Page 90, Public Records of Orange County, Florida.

Parcel Identification Number: 18-22-30-2844-09-040

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2020**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

• Dorothy Long

Witness

Dorothy Long

Print Name

Aaron C Swiren

Witness

Aaron C Swiren

Print Name

• Dorothy Long

Witness

Dorothy Long

Print Name

Aaron C Swiren

Witness

Aaron C Swiren

Print Name

Norman Michael Cegelis

Norman Michael Cegelis
1200 Lakeview Dr., Winter Park, FL 32789

Linda Bonnie Cegelis

Linda Bonnie Cegelis
1200 Lakeview Dr., Winter Park, FL 32789

State of Florida
County of Orange

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 18th day of June, 2021 by Norman Michael Cegelis and Linda Bonnie Cegelis, who [] are personally known or [X] have produced a driver's license as identification.

[Notary Seal]



AARON C SWIREN
Commission # GG 275791
Expires December 12, 2022
Bonded Thru Budget Notary Services

Aaron C Swiren

Notary Public

Printed Name:

Aaron C Swiren

My Commission Expires: _____



ORANGE COUNTY TAX COLLECTOR
SCOTT RANDOLPH
 INDEPENDENTLY ELECTED TO SERVE YOU

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

STAY GERALD T
 OTT ELLEN F
 125 W READING WAY
 WINTER PARK, FL 32789-6049

Account Number: 297743
 Assessed Value: 1,235,880
 Millage Code: 6 WP
 Parcel Number: 18-22-30-2844-09040
 Address: 125 W READING WAY, Winter Park, 32789
 Exemptions:

AD VALOREM TAXES						
Taxing Authority	Assessed Value	Exempt Value	Taxable Value	Millage	Tax Levied	
BY STATE LAW (RLE)	1,235,880	0	1,235,880	3.2010	3,956.05	
CAPITAL OUTLAY	1,235,880	0	1,235,880	1.5000	1,853.82	
CRITICAL OPERATING	1,235,880	0	1,235,880	1.0000	1,235.88	
DISCRETIONARY OPERATING	1,235,880	0	1,235,880	0.7480	924.44	
CNTY-CAPITAL PROJECT	1,235,880	0	1,235,880	0.2250	278.07	
CNTY-GENERAL REVENUE	1,235,880	0	1,235,880	4.0441	4,998.03	
CNTY-PARKS & RECREAT	1,235,880	0	1,235,880	0.1656	204.66	
CITY OF WINTER PARK	1,235,880	0	1,235,880	4.0923	5,057.59	
WINTER PARK DEBT 2017	1,235,880	0	1,235,880	0.2062	254.84	
ST JOHNS RIVER WTR MGMT DIST	1,235,880	0	1,235,880	0.1793	221.59	
				Total Millage:	15.3615	Subtotal: \$18,984.97

NON-AD VALOREM ASSESSMENTS					
Levying Authority	Phone	Amount	Levying Authority	Phone	Amount
5110 WINTER PARK STM	407-599-3381	513.84			
					Subtotal: \$513.84
Combined Total of Ad Valorem Taxes & Non-Ad Valorem Assessments:					\$19,498.81

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

Payments not received by March 31st are delinquent

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

297743
 125 W READING WAY

 FORREST HILLS K/90 LOTS 4 & 5 BLK
 18-22-30-2844-09040

Make checks payable to:
 Scott Randolph, Tax Collector

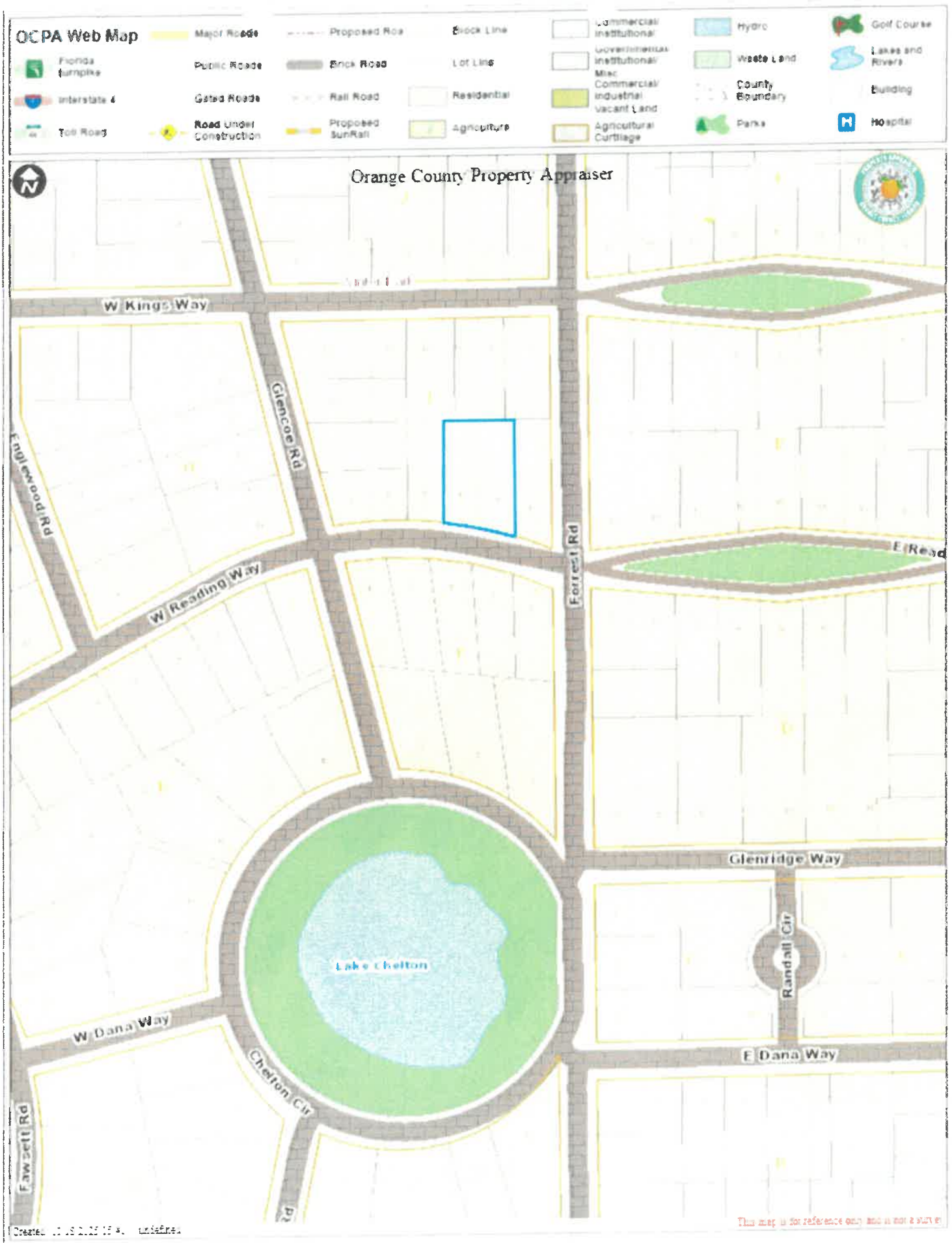
ONLY PAY ONE AMOUNT	
If Paid By	Amount Due
Nov 30, 2025	\$0.00

STAY GERALD T
 OTT ELLEN F
 125 W READING WAY
 WINTER PARK, FL 32789-6049

Paid By On File
 Receipt # H02-26-00189416 11/12/2025 \$18,718.86

PO Box 545100
 Orlando FL 32854-5100





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

CASE NO.: TRP Appeal 25-0003

Gerald T. Stay
Ellen F. Ott
125 W. Reading Way
Winter Park, FL 32789-6049

vs.

CITY OF WINTER PARK,
Appellee.

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 04, 2025, at City Hall for the property located at **125 W. READING WAY**. on this **24th day of November 2025**.
3. That the attached picture document is proof of the posting.

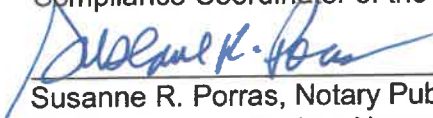
FURTHER AFFIANT SAYETH NOT

DATED this **24th day of November 2025**


Susan L. Pruchnicki, Safety & Code Compliance Coordinator

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **24th day of November 2025**, by Susan Pruchnicki, who is personally known to me as a Safety & Code Compliance Coordinator of the City of Winter Park.



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





SAFETY 401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789
907-599-3600

Case No: TRP Appeal 25-0003

Gerald T. Stay
Ellen F. Ott
125 W. Reading Way
Winter Park, FL 32789-6049

Appellant,

v.

CITY OF WINTER PARK,

Appellee.



NOTICE OF TREE REMOVAL APPEAL HEARING

Pursuant to Sections 2-103(r), 2-106(2), 58-283(d), and 58-285(d)(2) of the Code of the City of Winter Park, the undersigned Safety & Code Compliance Officer hereby gives notice to Appellant, Gerald T. Stay, Ellen F. Ott, 125 W. Reading Way, 1247 Aquila Loop, Winter Park, FL 32789, by Nancy E. Hookey Living Trust, Enforcement Board, a governmental board of the City of Winter Park, on Appellant's Tree Removal Permit Application Appeal pertaining to 1251 E. Woodmere Drive, Winter Park 32789 (the "Subject Property"). The hearing will take place on:

Thursday, December 4th, 2025
at 3 p.m. at
Commission Chambers
second floor of Winter Park City Hall
401 S. Park Ave., Winter Park, FL 32789

The board shall conduct a de novo, quasi-judicial hearing on the Appellant's appeal pursuant to Section 58-285(d)(2) of the City Code.

1. Address of Subject Property: 125 W. Reading Way, Winter Park 32789
2. Address of Subject Property: 125 W. Reading Way, Winter Park 32789
3. Parcel I.D. No.: 18-22-30-7844-09-046
4. Property Zoned: WF-E-1AA
5. Tree Removal Permit Applicant: NE, Unltdy Architecture

11/18/2025 16:38

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

Case No: TRP Appeal 25-0003

Gerald T. Stay
Ellen F. Ott
125 W. Reading Way
Winter Park, FL 32789-6049

Appellant,

v.

CITY OF WINTER PARK,

Appellee.
_____ /

AMENDED NOTICE OF TREE REMOVAL APPEAL HEARING

Pursuant to Sections 2-103(e), 2-106(7), 58-283(d), and 58-285(d)(2) of the Code of the City of Winter Park, the undersigned Safety & Code Compliance Officer hereby gives notice to Appellant, Gerald T. Stay & Ellen F. Ott, 125 W Reading Way, Winter Park, FL 32789-6049, of a **PUBLIC HEARING** before the Code Enforcement Board, a governmental board of the City of Winter Park, on Appellant's Tree Removal Permit Application Appeal pertaining to 125 W Reading Way, Winter Park 32789 (the "Subject Property"). The hearing will take place on:

Thursday, December 4th, 2025
at 3 p.m. at
Commission Chambers
second floor of Winter Park City Hall
401 S. Park Ave., Winter Park, FL 32789

The Board shall conduct a de novo, quasi-judicial hearing on the Appellant's appeal pursuant to Section 58-285(d)(2) of the City Code.

2. **Address of Subject Property:** 125 W. Reading Way, Winter Park 32789
3. **Parcel I.D. No.:** 18-22-30-2844-09-040
4. **Property Zone:** WP-R-1AA

5. Tree Removal Permit Applicant: McCullough Arboriculture

NOTICE OF RIGHT TO APPEAL. AN AGGRIEVED PARTY MAY APPEAL A FINAL ADMINISTRATIVE ORDER OF THE CODE COMPLIANCE BOARD TO THE CIRCUIT COURT OF ORANGE COUNTY, FLORIDA. 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 Board decides to appeal a decision of such Board, it is the appealing party's responsibility to obtain a verbatim record of the proceedings and 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 make any finding of facts, conclusions of law, and enter any order based solely on the presentation made by the City.

ACCOMMODATIONS FOR DISABILITIES: In accordance with Florida Statutes § 286.26(1): Persons with disabilities needing assistance to participate in any of these proceedings should contact the office of the City Clerk (407-599-3277), 48 hours prior to the meeting.

Dated this: 18th day of November 2025

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 and email, as indicated, to: Gerald T. Stay, Ellen F. Ott, 125 W Reading Way, Winter Park, FL 32789-6049, and by email to Rhonda Lynn (mccullougharboriculture@gmail.com) and by posting at the Subject Property and at City Hall.

Certified Mail: 9489 0090 0027 6751 5550 93



Susanne Porras
Code Compliance Officer/Div. Manager

Please contact our office at 407-599-3600 if you have any questions.
TREE REMOVAL PERMIT APPEALS

City Code Provisions

Sec. 2-103. Jurisdiction

e) The Code Compliance Board shall further have jurisdiction pursuant to the provisions of article V, division 6 of chapter 58 to hear and decide appeals from the denial of tree removal permit applications and appeals of conditions of approval placed on tree removal permits.

Sec. 2-106. Powers of the code compliance board.

(7) Hear and decide appeals from the denial of tree removal permit applications as well as appeals of conditions of approval placed on tree removal permits.

Sec. 58-283. Establishing duties and authority.

d) The Code Compliance Board shall be delegated the following authority:

1) To hear appeals of the denial, in whole or in part, of a tree removal permit application or any of the conditions attached to the approval of a tree removal permit as outlined in this division prior to any protected tree removal. The Code Compliance Board may affirm, reverse, or modify the decision of the Director of Parks and Recreation or their designee to deny an application or to strike conditions of the permit.

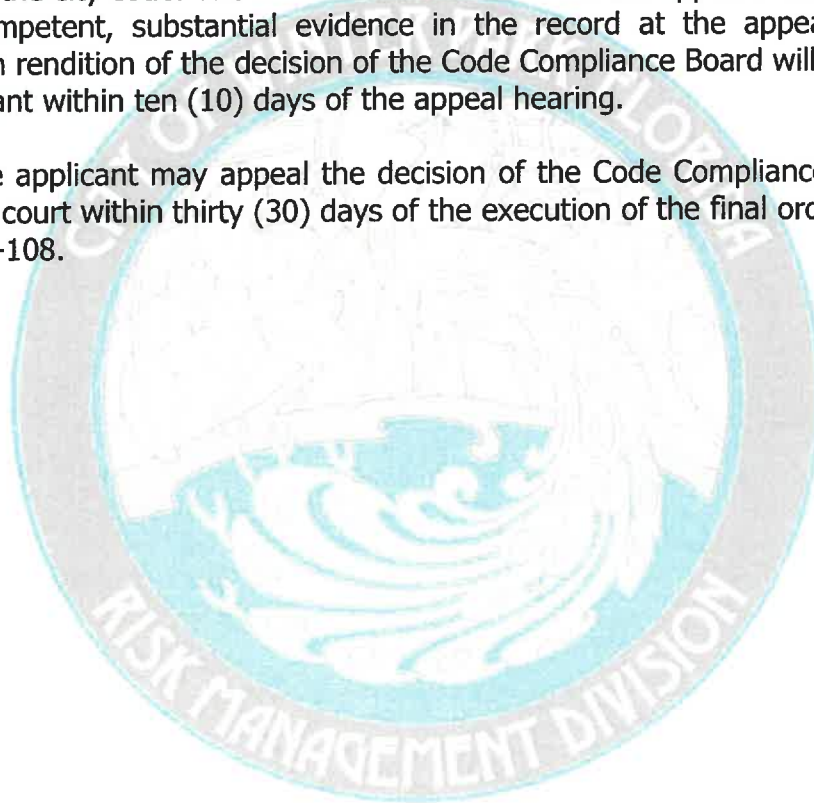
Sec. 58-285. Tree removal permit procedure.

d) Appeals.

1) Upon denial of an application, or conditions placed on the approval of a tree removal permit, the grounds for such action shall be given to the applicant in writing. An applicant may appeal the tree removal denial decision or specific conditions placed on the tree removal approval to the Code Compliance Board provided that such appeal is filed with the Urban Forestry Division within ten (10) days of the applicant's receipt of the decision or approval conditions being appealed. The appeal must be in writing, state the grounds of the appeal, and articulate in detail why the written decision (or a portion thereof) is incorrect. An applicant appealing a decision must pay to the city a fee prescribed by the City Commission to cover the administrative costs of an appeal taken under this subsection (d).

2) Following the Urban Forestry Division's receipt of a written appeal of a denial of a tree removal permit or the conditions placed on the approval of a tree removal permit, the Code Compliance Board shall consider the appeal as a de novo quasi-judicial hearing within 45 calendar days or as soon as possible thereafter and make a final decision. The Code Board will hear such an appeal pursuant to its authority under Section 2-103. The applicant appealing the decision has the burden to prove that the tree removal denial decision or specific conditions placed on the tree removal is incorrect or exceeds the authority given under the city code. The Code Board's decision on the appeal must be supported by competent, substantial evidence in the record at the appeal hearing. A written rendition of the decision of the Code Compliance Board will be sent to the applicant within ten (10) days of the appeal hearing.

3) The applicant may appeal the decision of the Code Compliance Board to the circuit court within thirty (30) days of the execution of the final order pursuant to Sec. 2-108.



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

CASE NO. LDC-25-632

City of Winter Park
Petitioner,

vs.

STAY GERALD T
OTT ELLEN F
125 W READING WAY
WINTER PARK, FL 32789-6049
Respondent, _____ /

AFFIDAVIT OF POSTING

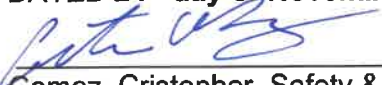
STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned authority, personally posted Gomez, Cristopher, 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 125 W READING WAY on this **18th day of November 2025**.
3. That the attached picture document is proof of the posting.

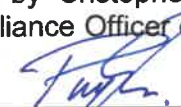
FURTHER AFFIANT SAYETH NOT

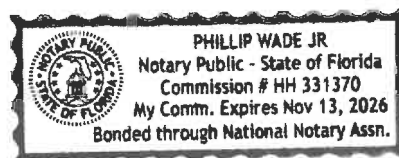
DATED **24th day of November 2025**

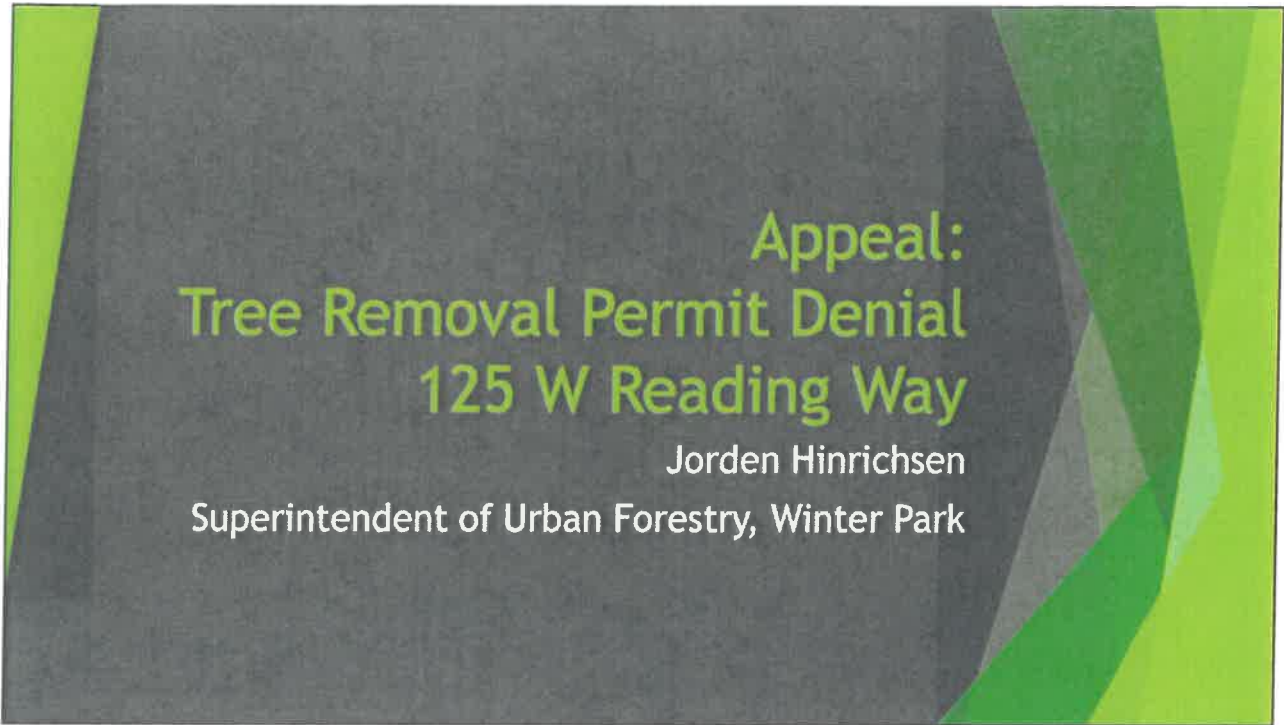

Gomez, Cristopher, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **24th day of November 2025**, by Cristopher Gomez, 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 November 13, 2026
Commission #HH331370





1



2

Permit Application

Summary

- Applied date: 09/17/2025
- Stated reason(s) for application: homeowner request - too close to pool area and home.
- Denied date: 10/02/2025
- Reasons for denial: tree is in fair health and does not meet criteria for removal.

Previous tree removal application denial 12/06/2023 in association with SFR construction.

- Live oak 12" requested additionally with TRP-2022-0042 originally issued 03/10/2022.

3



Appealed Tree

- ▶ Live oak 14"
 - ▶ Assessed by JJ Rodriguez Torres
 - ▶ The roots are solid with visible root flare.
 - ▶ The trunk was sounded as solid.
 - ▶ The crown is slightly compact, likely due to previous crown competition, with some mechanical damage of smaller limbs.
 - ▶ Tree appears to have average foliage and vigor.
- ▶ Tree is roughly 6 feet from pool deck, 12 feet from pool, and 30 feet from house.

4



5

FACT SHEET

November 21, 2025.

Case No: 25-003

Respondents:

Gerald Stay
125 W Reading Way
Winter Park, FL 32789-6049

and

Forrest McCullough
805 Gator Ln
Deltona, FL 32738-5915

1. Address where tree is appealed: **125 W Reading Way Winter Park FL 32789-6049**
2. Parcel I.D. No: **18-22-30-2844-09-040**
3. Property Zone: **WP-R-1AA**
4. Inspection: October 2, 2025

I HEREBY CERTIFY all photographs are a true and accurate representation of tree-in-question.

Evidence

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

TREE REMOVAL PERMIT APPEALS

City Code Provisions

Sec. 2-103. Jurisdiction

e) The Code Compliance Board shall further have jurisdiction pursuant to the provisions of article V, division 6 of chapter 58 to hear and decide appeals from the denial of tree removal permit applications and appeals of conditions of approval placed on tree removal permits.

Sec. 2-106. Powers of the code compliance board.

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Sec. 58-283. Establishing duties and authority.

d) The Code Compliance Board shall be delegated the following authority:

1) To hear appeals of the denial, in whole or in part, of a tree removal permit application or any of the conditions attached to the approval of a tree removal permit as outlined in this division prior to any protected tree removal. The Code Compliance Board may affirm, reverse, or modify the decision of the Director of Parks and Recreation or their designee to deny an application or to strike conditions of the permit.

Sec. 58-285. Tree removal permit procedure.

d) Appeals.

1) Upon denial of an application, or conditions placed on the approval of a tree removal permit, the grounds for such action shall be given to the applicant in writing. An applicant may appeal the tree removal denial decision or specific conditions placed on the tree removal approval to the Code Compliance Board provided that such appeal is filed with the Urban Forestry Division within ten (10) days of the applicant's receipt of the decision or approval conditions being appealed. The appeal must be in writing, state the grounds of the appeal, and articulate in detail why the written decision (or a portion thereof) is incorrect. An applicant appealing a decision must pay to the city a fee prescribed by the City Commission to cover the administrative costs of an appeal taken under this subsection (d).

2) Following the Urban Forestry Division's receipt of a written appeal of a denial of a tree removal permit or the conditions placed on the approval of a tree removal permit, the Code Compliance Board shall consider the appeal as a de novo quasi-judicial hearing within 45 calendar days or as soon as possible thereafter and make a final decision. The Code Board will hear such an appeal pursuant to its authority under Section 2-103. The applicant appealing the decision has the burden to prove that the tree removal denial decision or specific conditions placed on the tree removal is incorrect or exceeds the authority given under the city code. The Code Board's decision on the appeal must be supported by competent, substantial evidence in the record at the appeal hearing. A written rendition of the decision of the Code Compliance Board will be sent to the applicant within ten (10) days of the appeal hearing.

3) The applicant may appeal the decision of the Code Compliance Board to the circuit court within thirty (30) days of the execution of the final order pursuant to Sec. 2-108.



Code Compliance Board

agenda item 5.e

item type

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

meeting date

December 4, 2025

prepared by

Susan Pruchnicki, Coordinator

approved by

Susanne Porras, Code Compliance
Manager

subject

CCB# TRP-2025-0171 652 Penn Place, Winter Park, FL 32789

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

1. TRP-2025-0171 PACKET

652 Penn Pl 06-22-30-6821-00-110

Name(s):
LINDA P SCHOFIELD
REVOCABLE TRUST

Physical Street Address:
652 Penn Pl

Property Use:
0105 - Single Fam Class V

Mailing Address On File:
652 Penn Pl
Winter Park, FL 32789-2400
[Incorrect Mailing Address?](#)

Postal City and Zip:
Winter Park, FL 32789

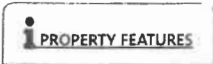
Municipality:
Winter Park



652 PENN PL, WINTER PARK, FL 32789 3/20/2024 11:16 AM

[Upload Photos](#)

[View 2025 Property Record Card](#)



[VALUES EXEMPTIONS AND TAXES](#)

[SALES](#)

[MARKET STATS](#)

[LOCATION](#)

2026 Values will be available in August of 2026. To see the certified values, go to the Values, Exemptions and Taxes Tab.

[View Plat](#)

Property Description

PENNSYLVANIA PLACE A REPLAT 42/4 LOT 11 & PT OF LOT 10 DESC AS BEG NW COR OF SAID LOT 10 TH N 74 DEG E 152.06 FT TO WLY R/W LINE OF PENN PL RUN SELY ALONG R/W 20.01 FT S 62 DEG W 170.64 FT N 57.17 FT TO POB

Total Land Area

16,871 sqft (+/-) | 0.39 acres (+/-)

[GIS Calculated](#)

Notice

Land

Land Use Code	Zoning	Land Units	Unit Price	Land Value	Class Unit Price	Class Value
0100 - Single Family	WP-PURD	1 Code Undefined	Working Value...	Working Value...	Working Value...	Working Value...

« « » »

Page 1 of 1 (Total Records: 1)

Building



[View Winter Park Permits](#)

Model Code:
1 - Single Fam Residence
Actual Year Built:
2000
Gross Area:
6270 sqft
Type Code:
0105 - Single Fam Class V
Beds:
3
Living Area:
4676 sqft
Building Value:
Working Value...
Baths:
4.5
Exterior Wall:
Com.Brick
Estimated New Cost:
Working Value...
Floors:
2
Interior Wall:

«« « » »»

Extra Features

Description	Date Built	Units	Xfob Value
Fnt2 - Null	01/01/2000	1 Unit(s)	Working Value...
Pl1 - Null	01/01/2012	1 Unit(s)	Working Value...

«« « » »»

**THIS INSTRUMENT PREPARED BY
AND SHOULD BE RETURNED TO:**

Robert P. Saltsman, Esquire
ROBERT P. SALTSMAN, P.A.
Post Office Box 2146
Winter Park, Florida 32790

Property ID No.: 06-22-30-6821-00110

DOC# 20200116143
02/21/2020 02:24:09 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
SA - Ret To: ROBERT P SALTSMAN P A



QUIT CLAIM DEED

THIS QUIT CLAIM DEED, executed this 17th day of February 2020, **LINDA P. SCHOFIELD**, whose postal address is 652 Penn Place, Winter Park, Florida 32789 (hereinafter referred to as the "Grantor") to **LINDA P. SCHOFIELD REVOCABLE TRUST U/A/D 12/20/2005, LINDA P. SCHOFIELD, TRUSTEE**, whose postal address is 652 Penn Place, Winter Park, Florida 32789 (hereinafter referred to as "Grantee").

(Wherever used herein, the terms "Grantor" and "Grantee" shall include all the parties to this instrument and their heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, public bodies and quasi-public bodies.)

WITNESSETH:

That the Grantor for and in consideration of the sum of Ten Dollars (\$10.00), in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the Grantee forever, the undivided interests described above in the right, title, interest, claim and demand which the Grantor have in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Orange, State of Florida, to wit:

Lot 11 of the Plat of PENNSYLVANIA PLACE, a Replat, as recorded in Plat Book 42, Pages 4 and 5, of the Public Records of Orange County, Florida. AND The Northerly 1/2 of Lot 10 of the plat of PENNSYLVANIA PLACE, a Replat, as recorded in Plat Book 42, Pages 4 and 5, of the Public Records of Orange County, Florida, being more particularly described as follows: Begin at the Northwest corner of said Lot 10, thence along the North line of said Lot 10 North 74°32'50" East 152.06 feet to the Northeast corner of said Lot 10 and the Westerly Right of Way line of Penn Place; said point also being on a curve concave northeasterly, having a radius of 115.00 feet, a central angle of 09°58'02" and a chord of 19.98 feet that bears South 20°26'11" East; thence Southeasterly along the arc of said curve 20.01 feet; thence departing said Right of Way line South 62°27'09" West 170.64 feet to a point on the West line of said Lot 10; thence along said West line North 02°15'01" West 57.17 feet to the Point of Beginning.

Subject to conditions, restrictions, reservations, limitations, and easements.

Subject to taxes and assessments for the year 2020 and thereafter.

THIS IS THE HOMESTEAD PROPERTY OF THE GRANTOR.

No title examination has been performed by the preparer of this deed, and the legal description has been furnished by the Grantor.

This deed is being filed for the sole purpose of transferring the property into owner's trust.

TOGETHER WITH: All the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the Grantee forever.

IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

Signed and sealed in the presence of:

Robert Sautman
Witness signature ↑
Printed name: Robert Sautman

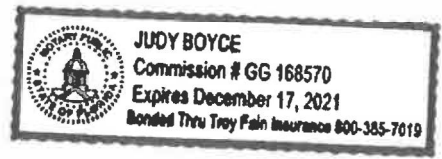
Linda P. Schofield
LINDA P. SCHOFIELD

Melissa Neumann
Witness signature ↑
Printed name: Melissa Neumann

Address:
652 Penn Place
Winter Park, Florida 32789

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 17th day of February 2020, by **LINDA P. SCHOFIELD**, by means of physical presence or online notarization, who is personally known to me or produced _____ as identification.



JUDY BOYCE
Notary Public, State of Florida



ORANGE COUNTY TAX COLLECTOR
SCOTT RANDOLPH
 INDEPENDENTLY ELECTED TO SERVE YOU

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

LINDA P SCHOFIELD REVOCABLE TRUST
 652 PENN PL
 WINTER PARK, FL 32789-2400

Account Number: 285074
 Assessed Value: 2,182,224
 Millage Code: 6 WP
 Parcel Number: 06-22-30-6821-00110
 Address: 652 PENN PL, Winter Park, 32789
 Exemptions:

AD VALOREM TAXES

Taxing Authority	Assessed Value	Exempt Value	Taxable Value	Millage	Tax Levied
BY STATE LAW (RLE)	2,419,418	0	2,419,418	3.2010	7,744.56
CAPITAL OUTLAY	2,419,418	0	2,419,418	1.5000	3,629.13
CRITICAL OPERATING	2,419,418	0	2,419,418	1.0000	2,419.42
DISCRETIONARY OPERATING	2,419,418	0	2,419,418	0.7480	1,809.72
CNTY-CAPITAL PROJECT	2,182,224	0	2,182,224	0.2250	491.00
CNTY-GENERAL REVENUE	2,182,224	0	2,182,224	4.0441	8,825.13
CNTY-PARKS & RECREAT	2,182,224	0	2,182,224	0.1656	361.38
CITY OF WINTER PARK	2,182,224	0	2,182,224	4.0923	8,930.32
WINTER PARK DEBT 2017	2,182,224	0	2,182,224	0.2062	449.97
ST JOHNS RIVER WTR MGMT DIST	2,182,224	0	2,182,224	0.1793	391.27
				Total Millage:	15.3615 Subtotal: \$35,051.90

NON-AD VALOREM ASSESSMENTS

Levying Authority	Phone	Amount	Levying Authority	Phone	Amount
5110 WINTER PARK STM	407-599-3381	745.04			
5151 PENNSYLVANIA PL ENR-5151	407-599-3381	46.70			
5161 PENNSYLVANIA PL MNT-5161	407-599-3381	21.24			
					Subtotal: \$812.98

Combined Total of Ad Valorem Taxes & Non-Ad Valorem Assessments: **\$35,864.88**

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

Payments not received by March 31st are delinquent

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

285074
 652 PENN PL

PENNSYLVANIA PLACE A REPLAT
 06-22-30-6821-00110

Make checks payable to:
 Scott Randolph, Tax Collector

ONLY PAY ONE AMOUNT	
If Paid By	Amount Due
Nov 30, 2025	\$34,430.28
Dec 31, 2025	\$34,788.93
Jan 31, 2026	\$35,147.58
Feb 28, 2026	\$35,506.23
Mar 31, 2026	\$35,864.88

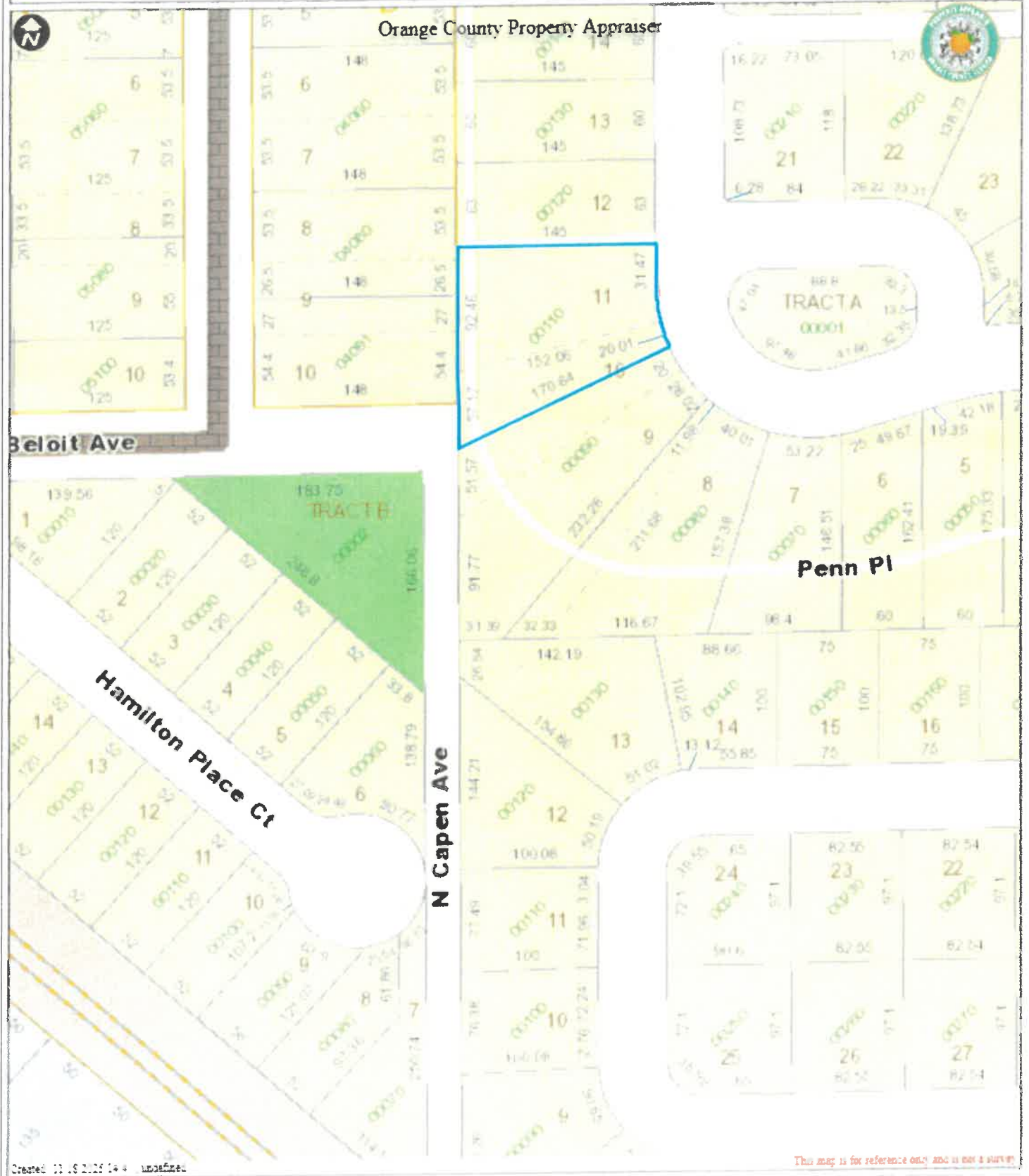
LINDA P SCHOFIELD REVOCABLE TRUST
 652 PENN PL
 WINTER PARK, FL 32789-2400

PO Box 545100
 Orlando FL 32854-5100



OCPA Web Map

Major Roads	Proposed Road	Residential	Commercial/Industrial/Vacant Land/Agricultural/Curtilage	Pena	6 Lot Number
Florida Turnpike	Public Road	Brick Road	Agriculture	Lakes and Rivers	00000 Parcel Number
Interstate 4	Gated Roads	Block Line	Commercial/Institutional	Building	3106 Parcel Address
Toll Road	Road Under Construction	Lot Line	Governmental/Institutional/Misc	Waste Land	1119 Parcel Dimension



Parcel Photos - 652 Penn Pl



652 PENN PL, WINTER PARK, FL 32789 3/20/2024 11:16 AM

FACT SHEET

November 21, 2025.

Case No: 25-002

Respondents:

Linda Schofield
652 Penn Pl
Winter Park, FL 32789-2400

and

Forrest McCullough
805 Gator Ln
Deltona, FL 32738-5915

1. Address where tree is appealed: **652 Penn Pl Winter Park FL 32789-2400**
2. Parcel I.D. No: **06-22-30-6821-00-110**
3. Property Zone: **WP-PURD**
4. Inspection: **October 9, 2025**

I HEREBY CERTIFY all photographs are a true and accurate representation of tree-in-question.

Evidence

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

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

CASE NO.: **TRP Appeal 25-0002**

Linda P Schofield Revocable Trust
652 Penn PL
Winter Park, FL 32789-2400

Appellant,

v.

CITY OF WINTER PARK,

Appellee.

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 04, 2025, at City Hall for the property located at **652 PENN PLACE**. on this **24th day of November 2025**.
3. That the attached picture document is proof of the posting.

FURTHER AFFIANT SAYETH NOT

DATED this **24th day of November 2025**



Susan L. Pruchnicki, Safety & Code Compliance Coordinator

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **24th day of November 2025**, by Susan Pruchnicki, who is personally known to me as a Safety & Code Compliance Coordinator of the City of Winter Park.



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



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

CASE NO. **TRP Appeal 25-0002**

City of Winter Park
Petitioner,

vs.

LINDA P SCHOFIELD REVOCABLE TRUST
652 PENN PLACE
WINTER PARK, FL 32789-2400
Respondent, _____ /

AFFIDAVIT OF POSTING

STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned authority, personally posted Gomez, Cristopher, 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 652 PENN PLACE on this **18th day of November 2025**.
3. That the attached picture document is proof of the posting.

FURTHER AFFIANT SAYETH NOT

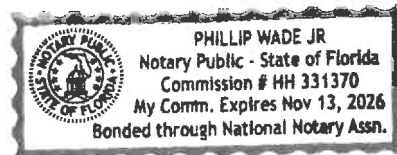
DATED **24th day of November 2025**


Gomez, Cristopher, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this **24th day of November 2025**, by Christopher Gomez, 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 November 13, 2026
Commission #HH331370



401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789
817-302-3600
Case No: TRF-Appeal 25-0002

Linda P. Schofield Revocable Trust
652 Penn Pl.
Winter Park, FL 32789-2400

Applicant:

CITY OF WINTER PARK

Appellee:

NOTICE OF TREE REMOVAL APPEAL HEARING

Pursuant to Sections 2-109(4), 2-106(7), 58-283(5), and 58-285(1)(2) of the Code of the City of Winter Park, the undersigned Safety & Code Compliance Officer hereby gives notice to Applicant, Stephen Steeby LLC, Harry E. Mosley Living Trust, 1247 Avalon Lane, Kissimmee, FL 34747, of a **PUBLIC HEARING** before the Code Enforcement Board, a governing body of the City of Winter Park, on Applicant's Tree Removal Permit Application. A hearing will take place on Thursday, December 4th, 2025, at 3 p.m. at the City of Winter Park City Hall, 401 S. Park Ave., Winter Park, FL 32789.

The hearing shall include a 15-minute oral public hearing on the Applicant's appeal pursuant to Section 58-285(5)(2) of the City Code.

- 1. Address of Subject Property: 652 Penn Pl., Winter Park, FL 32789-2400
- 2. Parcel ID: No: 22-30-4421-00-113
- 3. Property Zoning: PD-RD
- 4. Tree Removal Permit Applicant: LINDA P. SCHOFIELD REVOCABLE TRUST

11/18/2025 17:24



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

Case No: TRP Appeal 25-0002

Linda P Schofield Revocable Trust
652 Penn PL
Winter Park, FL 32789-2400

Appellant,

v.

CITY OF WINTER PARK,

Appellee.

AMENDED NOTICE OF TREE REMOVAL APPEAL HEARING

Pursuant to Sections 2-103(e), 2-106(7), 58-283(d), and 58-285(d)(2) of the Code of the City of Winter Park, the undersigned Safety & Code Compliance Officer hereby gives notice to Appellant, Linda P. Schofield Revocable Trust, 652 Penn PL Winter Park, FL 32789-2400, of a **PUBLIC HEARING** before the Code Enforcement Board, a governmental board of the City of Winter Park, on Appellant's Tree Removal Permit Application Appeal pertaining to 652 Penn PL, Winter Park 32789 (the "Subject Property"). The hearing will take place on:

Thursday, December 4th, 2025
at 3 p.m. at
Commission Chambers
second floor of Winter Park City Hall
401 S. Park Ave., Winter Park, FL 32789

The Board shall conduct a de novo, quasi-judicial hearing on the Appellant's appeal pursuant to Section 58-285(d)(2) of the City Code.

2. **Address of Subject Property:** 652 Penn PL, Winter Park 32789-2400
3. **Parcel I.D. No.:** 06-22-30-6821-00-110
4. **Property Zone:** WP-PURD
5. **Tree Removal Permit Applicant:** McCullough Arboriculture

NOTICE OF RIGHT TO APPEAL. AN AGGRIEVED PARTY MAY APPEAL A FINAL ADMINISTRATIVE ORDER OF THE CODE COMPLIANCE BOARD TO THE CIRCUIT COURT OF ORANGE COUNTY, FLORIDA. 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 Board decides to appeal a decision of such Board, it is the appealing party's responsibility to obtain a verbatim record of the proceedings and 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 make any finding of facts, conclusions of law, and enter any order based solely on the presentation made by the City.

ACCOMMODATIONS FOR DISABILITIES: In accordance with Florida Statutes § 286.26(1): Persons with disabilities needing assistance to participate in any of these proceedings should contact the office of the City Clerk (407-599-3277), 48 hours prior to the meeting.

Dated this: 24th day of November 2025

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 and email, as indicated, to: Linda P. Schofield Revocable Trust, 652 Penn PL, Winter Park, FL 32789-2400, and by email to (mccullougharboriculture@gmail.com) and by posting at the Subject Property and at City Hall.

Certified Mail: 9489 0090 0027 6751 5550 86



Susanne Porras
Code Compliance Officer/Div. Manager

Please contact our office at 407-599-3600 if you have any questions.
TREE REMOVAL PERMIT APPEALS

City Code Provisions

Sec. 2-103. Jurisdiction

e) The Code Compliance Board shall further have jurisdiction pursuant to the provisions of article V, division 6 of chapter 58 to hear and decide appeals from the denial of tree removal permit applications and appeals of conditions of approval placed on tree removal permits.

Sec. 2-106. Powers of the code compliance board.

(7) Hear and decide appeals from the denial of tree removal permit applications as well as appeals of conditions of approval placed on tree removal permits.

Sec. 58-283. Establishing duties and authority.

d) The Code Compliance Board shall be delegated the following authority:

1) To hear appeals of the denial, in whole or in part, of a tree removal permit application or any of the conditions attached to the approval of a tree removal permit as outlined in this division prior to any protected tree removal. The Code Compliance Board may affirm, reverse, or modify the decision of the Director of Parks and Recreation or their designee to deny an application or to strike conditions of the permit.

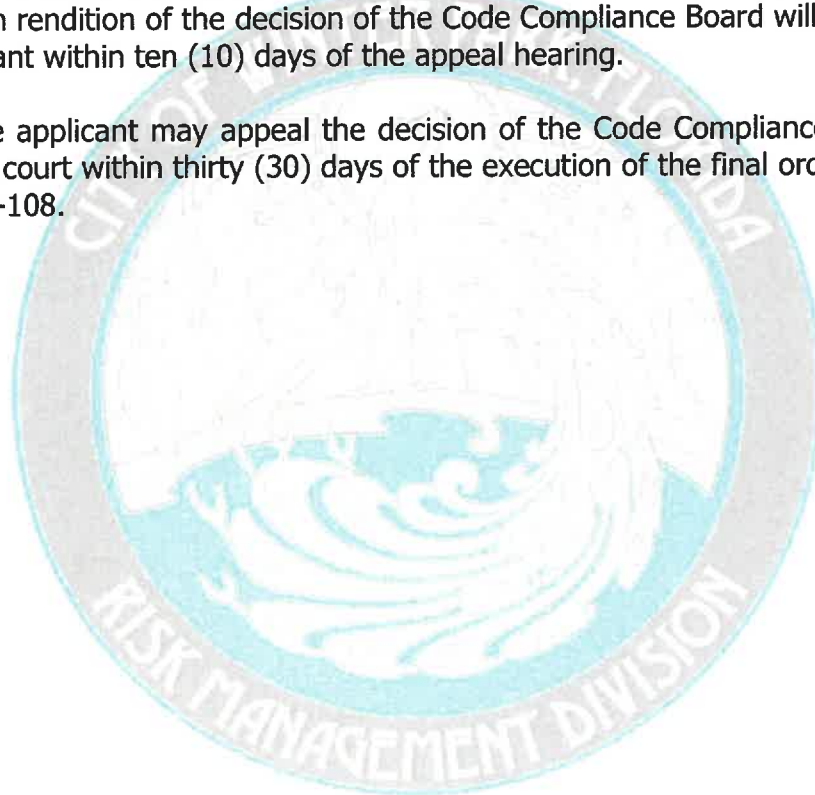
Sec. 58-285. Tree removal permit procedure.

d) Appeals.

1) Upon denial of an application, or conditions placed on the approval of a tree removal permit, the grounds for such action shall be given to the applicant in writing. An applicant may appeal the tree removal denial decision or specific conditions placed on the tree removal approval to the Code Compliance Board provided that such appeal is filed with the Urban Forestry Division within ten (10) days of the applicant's receipt of the decision or approval conditions being appealed. The appeal must be in writing, state the grounds of the appeal, and articulate in detail why the written decision (or a portion thereof) is incorrect. An applicant appealing a decision must pay to the city a fee prescribed by the City Commission to cover the administrative costs of an appeal taken under this subsection (d).

2) Following the Urban Forestry Division's receipt of a written appeal of a denial of a tree removal permit or the conditions placed on the approval of a tree removal permit, the Code Compliance Board shall consider the appeal as a de novo quasi-judicial hearing within 45 calendar days or as soon as possible thereafter and make a final decision. The Code Board will hear such an appeal pursuant to its authority under Section 2-103. The applicant appealing the decision has the burden to prove that the tree removal denial decision or specific conditions placed on the tree removal is incorrect or exceeds the authority given under the city code. The Code Board's decision on the appeal must be supported by competent, substantial evidence in the record at the appeal hearing. A written rendition of the decision of the Code Compliance Board will be sent to the applicant within ten (10) days of the appeal hearing.

3) The applicant may appeal the decision of the Code Compliance Board to the circuit court within thirty (30) days of the execution of the final order pursuant to Sec. 2-108.



TREE REMOVAL PERMIT APPEALS

City Code Provisions

Sec. 2-103. Jurisdiction

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Sec. 58-285. Tree removal permit procedure.

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3) The applicant may appeal the decision of the Code Compliance Board to the circuit court within thirty (30) days of the execution of the final order pursuant to Sec. 2-108.





Belton Ave
N Pennsylvania Ave

Google Maps

Activate Wind
to Settings to ac

Appeal: Tree Removal Permit Denial 652 Penn Pl

Jorden Hinrichsen
Superintendent of Urban Forestry, Winter Park

1

Tree Removal Permit Denial Appeal: Case #25-0002

- ▶ Tree Removal Permit Appealed:
TRP-2025-0171
- ▶ 652 Penn Pl Winter Park,
FL 32789-2400
- ▶ Parcel ID
#06-22-30-6821-00-110
- ▶ Zone: WP-PURD



2

Permit Application

Summary

- Applied date: 09/24/2025
- Stated reason(s) for application: declining health - want to plant replacement.
- Reasons for denial: tree is in good health and condition.
- Denied date: 10/09/2025

Previous tree removal application denial 06/23/2025.

3



Appealed Tree

- ▶ Southern magnolia 20"
 - ▶ Assessed by JJ Rodriguez
 - ▶ The roots show no voids or and the base evidences no significant decay
 - ▶ The trunk sounds solid with some wounds present on trunk but have good wound response
 - ▶ The crown is of average vigor.

4



5



Code Compliance Board

agenda item 6.a

item type

Other Business

meeting date

December 4, 2025

prepared by

Susan Pruchnicki, Coordinator

approved by

Susanne Porras, Code Compliance Manager

subject

CCB# LDC-24-0336 Atlantic Oasis Trust - Appeal

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

1. Motion for Stay pending appeal

CODE COMPLIANCE BOARD OF THE CITY OF WINTER PARK, FLORIDA
Case No: LDC-24-0336

CITY OF WINTER PARK,
Petitioner,

vs.

Atlantic Oasis Trust
1810 Barker Drive
Winter Park, FL 32789-6202,
Respondent.

MOTION FOR STAY PENDING APPEAL

COMES NOW, Atlantic Oasis Trust, by and through the undersigned counsel, pursuant to Florida Rule of Appellate Procedure 9.310(a), and hereby respectfully moves the Winter Park Code Compliance Board for a stay of the Findings of Fact, Conclusions of Law, and Order dated October 7, 2025, and the subsequent Order Imposing Fines and Lien dated November 6, 2025, pending the resolution of the appeal filed with the Circuit Court for the Ninth Judicial Circuit in and for Orange County, Florida, Case No. 2025-CV-000029-A-O, and in support thereof states as follows:

BACKGROUND

1. On October 2, 2025, the Winter Park Code Compliance Board (the "Board") conducted a hearing regarding alleged violations of Chapter 58, Section 58-71(z) of the City of Winter Park Land Development Code at the property located at 1810 Barker Drive, Winter Park, Florida 32789 (the "Property").
2. On October 7, 2025, the Board rendered its Findings of Fact, Conclusions of Law, and Order (the "Order") finding Atlantic Oasis Trust in violation of Section 58-71(z) of the Winter Park Code of Ordinances.

3. The Order required Atlantic Oasis Trust to cease the rental of the Property for periods of less than one month within three days of the hearing date and to provide documentation of compliance by October 6, 2025.
4. On November 5, 2025, Atlantic Oasis Trust timely filed an appeal of the Order with the Circuit Court for the Ninth Judicial Circuit in and for Orange County, Florida, Case No. 2025-CV-000029-A-O, pursuant to Florida Statutes § 162.11. [Fla. Stat. § 162.11](#).
5. On November 6, 2025, the Board conducted a Massey hearing and entered an Order Imposing Fines and Lien, assessing fines of \$500 per day beginning October 12, 2025, which as of November 6, 2025, totaled \$12,500 and continue to accrue daily.

BASIS FOR STAY

6. Florida Rule of Appellate Procedure 9.310(a) provides that a party seeking to stay a final order pending review must first file a motion in the lower tribunal, which has continuing jurisdiction to grant, modify, or deny such relief.
7. The Board has authority to grant a stay of its Order pending the resolution of the appeal.
8. Atlantic Oasis Trust has substantial grounds for appeal that present serious legal questions, including but not limited to:
 - (a) Whether the 2022 repeal and replacement of Chapter 58 (Ordinance 3258-22) repealed the short-term rental prohibition, thereby voiding its grandfathered status under state preemption laws;
 - (b) Whether the ordinance is unconstitutionally vague in failing to define key terms such as "rental," "use," or "occupancy";

- (c) Whether the evidence presented was sufficient to establish a violation; and
- (d) Whether the Board properly considered and applied relevant legal standards.

9. Atlantic Oasis Trust will suffer irreparable harm if a stay is not granted, as:

- (a) Substantial fines of \$500 per day continue to accrue during the pendency of the appeal pursuant to Florida Statutes § 162.09(3);
- (b) The Order Imposing Fines and Lien has been recorded in the public records and constitutes a lien against the Property, affecting Atlantic Oasis Trust's property rights and potentially its credit standing;
- (c) Atlantic Oasis Trust is being deprived of the use of its property in a manner that may ultimately be determined to be lawful; and
- (d) If Atlantic Oasis Trust prevails on appeal, the harm caused by enforcement during the appeal cannot be adequately remedied.

10. Granting a stay will not substantially harm the City of Winter Park or the public interest, as:

- (a) The appeal process is likely to be resolved within a reasonable time frame;
- (b) The Property is a well-maintained single-family residence; and
- (c) Any legitimate concerns regarding neighborhood impacts can be addressed through other existing ordinances and regulations.
- (d) The balance of equities favors granting a stay, as the potential harm to Atlantic Oasis Trust from continued enforcement outweighs any potential harm to the City from a temporary stay during the pendency of the appeal.

CONCLUSION

For the foregoing reasons, Atlantic Oasis Trust respectfully requests that this Board grant a stay of the Findings of Fact, Conclusions of Law, and Order dated October 7, 2025, and the Order Imposing Fines and Lien dated November 6, 2025, pending the resolution of the appeal in Case No. 2025-CV-000029-A-O.

WHEREFORE, Atlantic Oasis Trust respectfully requests that this Board:

- 1. Grant a stay of the Findings of Fact, Conclusions of Law, and Order dated October 7, 2025;
- 2. Grant a stay of the Order Imposing Fines and Lien dated November 6, 2025;
- 3. Order that no additional fines accrue during the pendency of the appeal;
and
- 4. Grant such other and further relief as this Board deems just and proper.

DATED: November 12, 2025

Respectfully submitted,



Joseph T Peckham
Attorney for Plaintiff [Plaintiff's Name]
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Code Compliance Board

agenda item 8.a

item type

Staff Updates

meeting date

December 4, 2025

prepared by

Susan Pruchnicki, Coordinator

approved by

Susanne Porras, Code Compliance
Manager

subject

PM-25-0137 2718 Norris Ave., Winter Park, FL 32789 (Property Maintenance)

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

None



Code Compliance Board

agenda item 8.b

item type

Staff Updates

meeting date

December 4, 2025

prepared by

Susan Pruchnicki, Coordinator

approved by

Susanne Porras, Code Compliance
Manager

subject

PM-24-0119 2148 Blossom Ln., Winter Park, FL 32789

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

1. SKM_C251i25111713380_0001

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

November 11, 2025

AFFIDAVIT OF COMPLIANCE

CITY OF WINTER PARK,
Petitioner,

CASE NO. PM-24-0119

vs.

GITSIT REAL ESTATE LLC
333 S ANITA DRIVE STE 400
ORANGE, CA 92868
Respondents/

I, Phillip Wade, have reviewed the case for the property located at 2148 BLOSSOM LANE. Parcel ID: 01-22-29-0000-00-036 and find that said property is in compliance with Chapter 22, Sections 22-176 (adopting the IPMC, 2021 edition), 22-177 (amending the IPMC), Sec. 301.2 Responsibility; Sec. 304.1.1 (3) Unsafe Conditions; and Sec. 304.15 Doors of the International Property Maintenance Code.




Phillip Wade, Affiant

STATE OF FLORIDA
COUNTY OF ORANGE

PERSONALLY APPEARED before me, the undersigned authority, Phillip Wade and acknowledged that she did execute the foregoing Affidavit.

SWORN TO AND SUBSCRIBED
Before me this **11th day of November 2025**
By Phillip Wade, who is personally known to me.



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