



Code Compliance Board Regular Meeting

Agenda

September 7, 2023 @ 3:00 pm

City Hall, Commission Chambers

401 S. Park Avenue | Winter Park, Florida

welcome

Agendas and all backup material supporting each agenda item are accessible via the city's website at cityofwinterpark.org/bpm and include virtual meeting instructions.

assistance & appeals

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office ([407-599-3277](tel:407-599-3277)) at least 48 hours in advance of the meeting.

"If a person decides to appeal any decision made by the Board with respect to any matter considered at this hearing, a record of the proceedings is needed to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F.S. 286.0105).

please note

Times are projected and subject to change.

1. Call to Order

- a. Roll Call
- b. Statement of Purpose

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

- a. Approve the minutes of the regular meeting, July 6, 2023

- a. [Approve the minutes of the regular meeting July 6, 2023](#) 3 minutes

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

- a. New Case: CCB LDC-23- 0316 6 Isle of Sicily, Winter Park, FL 32789
30 minutes

- b. New Case: CCB LDC-23-0321 6 Isle of Sicily, Winter Park, FL 32789
30 minutes

- c. New Case: CCB BLDG-23-0008 2661 Via Tuscany, Winter Park, FL 32789
30 minutes

- a. [Case LDC-23-0316 - 6 Isle of Sicily, Winter Park, FL 32789 Urban Forestry - Josh Nye](#) 30 minutes

- b. [Case LDC-23-0321 6 Isle of Sicily, Winter Park, FL 32789 - Lakes Division - Gloria Eby and Joseph Cordell](#) 30 minutes

- c. [Case 23-0008 2661 Via Tuscany, Winter Park, FL 32789 - Building Department - Gary Hiatt](#) 30 minutes

6. Non-Action Items**7. Staff Updates****8. Board Attorney Report**

- a. Case CCB#19-1411 1400 S Denning Drive, Winter Park, FL 32789 - Florida

Federation Garden Clubs Appeal

9. Board Comments

10. Upcoming Agenda Items

11. Adjournment



item type	Consent Agenda	meeting date	September 7, 2023
prepared by	Susan Pruchnicki	approved by	
board approval			
strategic objective			

subject

Approve the minutes of the regular meeting July 6, 2023

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[CCB070623 Draft Minutes.pdf](#)



Code Compliance Board Meeting Minutes

July 6, 2023 at 3:00 p.m.

City Hall, Commission Chambers
401 S. Park Avenue | Winter Park, Florida

1) Call to Order

Chairman Paul Mandelkern called the meeting to order at 3:02 p.m.

a. Roll Call

Present: Douglas Bond, Todd Boyer, Steve Heller, Wayne Johnson, Paul Mandelkern, John Schmalz

Absent: Larry (Chris) Tabor.

Andrew W. Mai, Fishback Dominick Law Firm

Staff Present: Safety & Code Compliance Division Manager Susanne Porras; Director of Building & Permitting Services Gary Hiatt; Park Services Manager Josh Nye, Board Secretary Susan Pruchnicki.

- b. Chairman Mandelkern adjusted the meeting agenda to hold the election of a new chair and Vice Chair prior to starting the meeting.
 - 1. Mr. Wayne Johnson was nominated as the new chair by Mr. Schmalz, and seconded by Mr. Bond. **Motion carried unanimously with a 6 -0 vote.**
 - 2. Mr. Bond was nominated by Mr. Johnson and seconded by Mr. Boyer for Vice Chair; Mr. Bond respectfully declined. Mr. Todd Boyer was nominated by Mr. Mandelkern to remain as Vice Chair; seconded by Mr. Schmalz. **Motion carried unanimously with a 6-0 vote.**
 - 3. At this time Mr. Mandelkern passed the gavel to Mr. Johnson to chair the meeting.
- c. Statement of Purpose was read by Mr. Johnson

2) Swearing in of Witnesses

All witnesses were sworn in by Susan Pruchnicki, Board Secretary

3) Consent Agenda

- a. Approve the minutes of regular meeting, June 1, 2023

Motion made by Paul Mandelkern to approve the minutes as drafted and presented; seconded by Todd Boyer. Motion carried unanimously with a 6-0 vote.

4) Public Comments (for items not on the agenda):

There were no public comments

5) Public Hearings

- a. New Case **CCB#LDC-23-0315 – 201 Osceola Court, Winter Park, FL 32789**

Violation Description: Workers under contract to Z-Properties Group, Inc. and on behalf of the property owner at 201 Osceola Ct. removed a protected 46" laurel oak at 201 Osceola Ct. without a permit.

Codes Cited: **Chapter 58, Section 58.299** -Penalties for Tree Removal Without Required Permit for Tree Damage of the City of Winter Park Land Development Code.
Section 58-287 – Tree replacement and financial compensation requirements.

Officer Susanne Porras, Safety & Compliance Division Manager, presented the history of the alleged violations, along with the property's details and description as obtained from the records of Orange County Property Appraiser's office. Officer Porras noted that compliance requirements include obtaining an after-the-fact removal permit and planting four 3" minimum caliper Florida grade #1 approved shade trees or plant eight 2" minimum caliper Florida grade #1 approved understory trees OR pay \$10,120.00 into the Tree Trust Fund. Officer Porras also presented an aerial photograph of the tree, violation photographs dated December 8, 2022, and December 19, 2022, and presented evidence of previous code violations committed by Mr. Zane Williams (Z-Properties Group, Inc.) dated February 2, 2017, March 1, 2017, May 11, 2017, and June 12, 2017, as well as a Notice of Violation from Urban Forestry dated December 21, 2022. Officer Porras answered questions posed by board members during the presentation.

Following Officer Porras' presentation, Parks Services Manager Josh Nye clarified that the tree removal occurred under the previous property owner. The code violation was re-issued to include the new property owner as per Florida Statute 162. The new property owner purchased an empty lot and was not aware of the tree removal until the new violation was issued. For this reason, any penalties are to be solely the responsibility of the contractor, Z-Properties Group, Inc.

The following spoke on behalf of the Respondents:

Chanel Vicari of 2150 Huron Trail, Maitland, Florida represented Z-Properties Group, Inc. She alleged that the respondent received verbal permission from Stefano Alvernia (city arborist) on December 6, 2022 to remove the tree. Upon the verbal approval, a permit was applied for on December 8, 2022, and the tree was removed on December 10, 2022. The removal was completed prior to the permit being approved and issued. She stated that the company feels the penalty is punitive as based on their actions. Mr. Schmalz questioned why the tree was removed on a Saturday by the demolition company before the permit was approved. Ms. Vicari stated that many demolition companies work on Saturday, and they had the tree removed at that time.

Teresa Williams of 1450 Chestnut Ave., Winter Park, Florida, the property owner, stated that she was unaware of the tree removal when she purchased the property. No information appeared in a property search. She purchased the property in late February.

There were no public comments.

Board Discussion

Mr. Mandelkern inquired about the maximum fines that could be imposed on a habitual offender. Mr. Nye noted that the requested fine could be doubled, and an additional \$5,000 fine for irreparable damage could be added. Mr. Heller inquired about the property sale, that this should have come up on a property search. Clarification was made by Officer Porras that a code violation not associated with an open tree removal permit, or if there are no fines or liens against the property it will not show. Mr. Mai noted that a diligent title company would call the city but that isn't always done.

Mr. Johnson asked Mr. Nye who Stefano Alvernia was based on a letter filed by the contractor on February 10, 2023. Mr. Nye stated that Mr. Alvernia was the Superintendent of Urban Forestry at the time, and the one who gave verbal approval for the removal. The permit must still be applied for; an arborist needs to inspect the tree before approving the permit within 14 days of the application being filed. Mr. Nye reminded the board of

the previous infractions by the contractor. The tree was not properly assessed as it was removed before the assessment could be performed. Mr. Boyer inquired about a building permit being issued if a tree removal permit existed.

Mr. Johnson asked Officer Porras about the notices provided to the homeowner and the contractor; Officer Porras confirmed that notices were mailed to the owner, the contractor, and the registered agent.

Mr. Mandelkern asked the city attorney if the Board had the power to impose the fine on the contractor and not the homeowner. Mr. Mai stated yes, as the contractor was the one who made the action of cutting down the tree.

Mr. Heller stated that the violation was clear in his opinion.

Mr. Mandelkern inquired about the dollar amount for the fine as it was not set in the proposed motion. Officer Porras explained that the amount was left blank for the board to determine how much of the possible fines they wished to impose.

Mr. Boyer inquired with Mr. Nye about the fines available to the Board to impose. This information is in Sections 58-299(c) and 58-287, attached to the Notice of Hearing. Section 58.300 (d) allows for an irrevocable fee of \$5,000 fee for irreparable damage. This was not in the packet as the intent was to obtain compliance; it is a judgement call to impose additional fines. Mr. Mai confirmed this information.

Mr. Mandelkern asked Mr. Mai asked about the amount that could be imposed vs. the \$10,120.00 fine requested. Mr. Mai confirmed that the Board could impose higher amounts based on the codes and state law, up to \$25,240.00.

Motion made by Mr. Johnson: from the evidence presented today, this board is issuing an order finding the Respondents, Z-Properties Group, Inc., for Code Compliance Board Case #LDC-23-0315 in violation of Chapter 58; Section 58-299 – Penalties for tree removal without a permit or for tree damage, (a), (b), (c), and Section 58-287. – Tree replacement and financial compensation requirements, (1), a, b, c, d e, f, g, h, I, (2), a, b, c, d, and e of the City of Winter Park Land Development Code. A fine of \$10,120.00 is to be paid within thirty (30) days of issuance of an order and posting. Seconded by Douglas Bond. Mr. Boyer confirmed that the fine was payable to the Tree Trust Fund.

Mr. Mandelkern made an amendment to the motion to increase the amount of the fine to the maximum \$25, 240.00 as permitted by code and state law. No second was received; the motion was withdrawn.

The original motion carried unanimously, with a 6-0 vote.

Mr. Nye left the meeting after the decision.

b. CCB#20-60 – 358 W Comstock Ave – Massey Hearing

VIOLATIONS: Permit #13-730 for residential alterations was issued 3/29/13 and work has not been completed within 12 months from permit issuance date.

CODES CITED: **Chapter 22, Section 22-28** amendments to the Florida Building Code, **Section 105.4 Conditions of Permit**; Permit term and intent, **105.4.1.2 and 105.4.1.3** of the Florida Building Code, as adopted and amended by the City of Winter Park.

Officer Porras, Safety and Code Compliance Division Manager, presented the case against the respondent. Mr. Forest G. Michael of 358 W Comstock Ave., Winter Park, FL 32789 has been verified as the property owner. Officer Porras provided a brief history to the Board for this case with codes cited. On 9/3/20, the board determined that the respondent (FGM) was in violation of the cited codes. The respondent was ordered to complete the front façade and all work that can be viewed from the public right-of-way as stated in permit or restore to its preconstruction condition and within 120 days. The respondent was ordered to place fill in areas adjacent to the sidewalk to level within 30 days. The respondent was also ordered to remove all visible construction materials from the site that can be viewed from the public right-of-way within 30 days. The order stated that failure to comply with the order would result in fines of up \$250 per day per violation for each day the violation continued.

Officer Porras provided a map of the property location and photos of the property taken in 2006 that were shared at the first code board hearing. Additional photos taken June 1, 2023 were provided as an accurate representation of the property's current state. Additional photos taken July 5, 2023 were then presented; Officer Porras stated that she met with the property owner and Building Official Gary Hiatt on July 5, 2023. A recommended motion was provided based on the evidence.

Building Official Gary Hiatt distributed printed information from the Building Department on this case to Board Members. This was entered as evidence in the case.

Official Hiatt noted that it was important to remember that the Notice of Violation and Findings of Fact says to complete the façade and all work visible from the public right of way as stated in Permit #13-730. Page 1 shows the last approved inspection was on March 1, 2018. The inspection listed on June 25, 2019 was disapproved on rebar; the inspector told me it was because of the slab. This document confirms the length of time the project has been underway. The next three pages are e-mail correspondence between Mr. Michael and the Building Department and copies of improvement plans for the property that ended in 2019. You can see there were large gaps between inspections that equate to the long timeframe of the project. Copies of the plan documents are included. Page S-O2 shows a lower garden arbor, S-03 shows existing elevations and the arbors for the new elevations, S-04 is landscaping, S-05 is staging approach are, and S-06 is what the staging approaches are supposed to look like.

The site visit yesterday shows concerns. The pictures show the wood framing members of the existing structure; what is seen is wood that has been exposed to the elements for quite some time. The discoloration warrants concern about the structural integrity of what's there and the time it has been exposed to the elements. Some of the roof rafters display the same concerns. Due to these conditions, before any permit could be reinstated a structural engineer would have to address the missed inspection and the structural integrity of the building on the front porch area. It has been three code cycles ago that the permit was issued. Additional concerns are wind born debris due to the fact that it is storm season. It was noted that it has been ten years since the permit was issued, with little progress.

The Respondent, Mr. Forest G. Michael of 358 W Comstock Ave., Winter Park, FL 32789, commented in great detail that he felt all items from the September 3, 2020 hearing were completed and he was in compliance.

No Public Comments were offered.

Mr. Johnson opened the floor for Board Discussion.

Board Discussion:

Mr. Johnson inquired about a construction permit. Officer Porras said it was expired at some point. Building Official Gary Hiatt will explain. At some point in 2020 construction stopped and the city began receiving complaints. Code Compliance began receiving complaints again in 2023 from neighbors about the condition of the property, which is the basis for this hearing.

Mr. Boyer asked about the status codes on page one. Mr. Hiatt noted that these codes were AP is approved, DA is disapproved, and CE/CA is canceled. Mr. Boyer asked if this was because the permit ran out; Mr. Hiatt noted that it could have been various reasons (time, schedule).

Mr. Mandelkern noted that an order was issued in 2020; he has completed Item 1 of the order to clear debris. He questioned Mr. Hiatt about the completion of Item 2 (complete the construction or restore to original condition); Mr. Hiatt noted that he has not based on the evidence provided. Item 3 – add fill to level the areas at the sidewalk; Officer Porras interjected that some areas needed attention, these were not complied with as of the 7/5 inspection.

Mr. Johnson confirmed the date of the original orders as being September 3, 2020 with Officer Porras. Officer Porras noted that a copy of the order was added to the Agenda Packet.

Mr. Johnson asked if the plans presented were his (Michael Planning of Florida); Mr. Michael confirmed that it was his company. Mr. Johnson then asked of Mr. Michael felt he was in compliance with what was submitted to the city; Mr. Michael stated yes.

Mr. Johnson brought up the condition of the exposed rafters on the façade that the Building Department considers unsafe. Mr. Michael stated that the wood would be replaced with pressure-treated wood that will discolor but in a more attractive way. He noted that the structure was sounder than when he purchased the property. Mr. Johnson stated the concern was not the discoloration but the pictures indicate two pieces of wood meeting without a tie-in. Mr. Michael stated that there was another piece of wood behind it that wasn't visible in the picture, and that it has withstood serious hurricanes.

Mr. Johnson noted the other serious concern is the length of time between the first order and current where the façade and the wood is concerned. Mr. Michael stated that he completed the façade and also built significant side walls that are not visible in the photos presented. These are an exact replica of Mayan architecture and style. He also did a lot of gardening to improve the appearance of the property.

Mr. Boyer questioned why a sign still indicates a construction site, and if the work is completed why are there still blocks sitting around. Mr. Michael noted that the visible blocks are not sitting around, that they were serving as a platform for construction of the arbor, and that he has complied with storing materials away from the public view. He noted the installation of a black fence (a tarp draped over a piece of wood) to obscure the view from the right of way.

Mr. Boyer also questioned the For-Sale sign visible in the photos presented and asked Mr. Michael if the property was indeed up for sale. Mr. Michael stated that Kelly Price had it listed for a full year but it is now off the market. He wants to complete the work and live there. He stated he has a great relationship with his neighbors.

Mr. Bond asked Mr. Michael how many more years he thought it would be before the project would be finished. He plans to continue to improve the property for as long as he is able to given his age. Mr. Bond confirmed with Mr. Michael that it had been ten year since the permit was first issued. Mr. Michael stated that he received a variance from the Board of Adjustments for a "few things" (not specified). He noted that the area was crime-ridden and that he started calling the police and cleaning up the property, which allowed Dan Bellows to build condominiums and such. Mr. Michael takes credit for the improvement of the area overall.

Mr. Johnson called Officer Porras back to the podium to display a photo from June 1, 2023. Mr. Johnson asked Director Hiatt about the wood abutting displayed. Mr. Hiatt could not confirm the integrity; it needs an engineer's assessment. Mr. Johnson also asked about concrete that was poured; Director Hiatt noted that the inspection was disapproved and never re-inspected.

Mr. Mandelkern requested to view the photos taken July 5, 2023 again. He questioned Director Hiatt if based on the photo if the façade and other work that could be viewed from the public right-of-way as stated in the permit. Director Hiatt noted that the view of the photograph is from the public right-of-way, and according to the plans to complete the project he would have a final approved inspection. The photo does not match the plans submitted for permitting. Mr. Mandelkern asked if Mr. Hiatt if for the purposes of the Massey hearing that the property owner has not completed the façade and other work that could be viewed from the public right-of-way; Director Hiatt stated that the project is not completed. Mr. Mandelkern asked Director Hiatt if he could tell from the photo displayed if the owner has added the fill to the areas adjacent to the sidewalk to make it level. Mr. Hiatt stated that this is not within the purview of the Building Department. As it is in the right-of-way that falls under the Engineering Department to determine if what was done is acceptable. Mr. Mandelkern noted that he was trying to make it clear that these two items were what the board was trying to determine compliance at this meeting.

Officer Porras commented that per the inspection conducted 7/5/23 filling the areas adjacent to the sidewalk was not in compliance. Mr. Mandelkern asked Officer Porras to point out the area(s) not in compliance on the photograph being displayed. She pointed out a visible area of erosion. Mr. Michael interjected that he disagreed; Mr. Mandelkern asked that Mr. Michael allow Officer Porras to finish. Officer Porras pointed out another area by the For-Sale sign. Again, Mr. Michael interrupted; Officer Porras respectfully asked Mr. Michael to allow her to finish. Officer Porras noted that the area adjacent to the sidewalk was the same at the time of the site visit on 7/5/23 as it was before. Mr. Michael sent Officer Porras an email stating that corrections had been made, but another visit to the property has not been made to verify this.

Mr. Johnson requested clarification on the requirements to fill in the area, that concrete, soil, mulch, etc. could be used to correct the trip hazard; Officer Porras confirmed.

Mr. Boyer questioned the black plastic curtain, which he noted is not allowed but is not part of the discussion today. Officer Porras noted that the owner stated it is the fencing installed to hide the construction debris that was cited.

Mr. Mandelkern reiterated that the plastic is not what is being considered today, that it is not part of the front façade. Officer Porras agreed, but it was part of the previous order to remove construction debris from the public view. Mr. Mandelkern also confirmed with Officer Porras that Mr. Michael had not removed all the construction debris. Mr. Boyer interjected that said debris was hidden behind the black plastic; Officer Porras confirmed. Mr. Bond asked if this would be considered as the debris being visible, Officer Porras said no because of the installation of the tarp with the construction sign visible.

Mr. Bond made an inquiry about submitted plans. Officer Porras responded that she had records.

Director Hiatt asked the Board to keep in mind that an approved final inspection would include all departments associated with this project. That is the key element in the case and includes the right-of-way and removal of the debris.

Officer Porras submitted for the record submitted plans for the project as evidence.

Mr. Boyer clarified that Mr. Michael is not an engineer,

Mr. Heller inquired if there was a rendering of the final project. Mr. Michael stated no, that was totally mental, and that it was not required by the Building Department. Mr. Heller noted that he understood that.

Mr. Heller noted that it seemed in the opinion of the city officials that Mr. Michael is not in compliance and asked if the rest of the felt the same.

Mr. Johnson inquired with Mr. Mandelkern about the case since he was on the Board. Mr. Mandelkern noted that the case was three years ago. Mr. Boyer noted that he remembered the laydown area in the back and block, but this item was not included on this.

Mr. Johnson noted his point of concern and of the city is the front facade. It does appear dangerous and not just because of the wood, but because it wasn't tied in. There is also

the three-year gap. Debris could have been removed, but is now back, or could have existed the entire time in his opinion.

Mr. Mandelkern pointed out that city stated all debris and materials have been removed from the site so that it is no longer visible from the right-of-way, Mr. Michael would be in compliance. He asked Officer Porras if this was correct. Officer Porras noted that it was not removed until recently. Mr. Boyer asked Officer Porras about the tarp; she stated she is not allowed lift it.

Mr. Boyer then stated the Items 1 and 2 of the order are not completed, but Items 3 and 4 are debatable. Mr. Mandelkern agreed, that the benefit of the doubt is in favor of the property owner.

Motion made by Paul Mandelkern: From the evidence presented today, this board is issuing an order finding the Respondent Forest G Michael owner of 358 W. Comstock Ave., Winter Park, Florida 32789, the subject property in violation of the order issued by the city Code Compliance Board on September 3, 2020.

On September 3, 2020 this board ordered the respondent to either

- a) Complete the front façade and all the work that is visible from the public right-of-way as set forth in permit #13-730 or**
- b) Restore the structure to its pre-construction condition within 120 days; add fill to the area adjacent to the sidewalk to render the area level with the sidewalk as stated in permit #13-730, and to complete either set of tasks within 30 days.**

The board further ordered the respondent to clean all debris and construction materials from the site so that material was no longer visible from the public right-of-way within 30 days. As of the date of today's hearing, July 6, 2023, the board finds by a preponderance of the evidence

- 1) The front façade and other work visible from the public right-of-way is not complete**
- 2) The respondent has not restored the structure to its pre-construction condition.**

The board find that the respondent received all required notices of the September 3, 2020 order, and of this hearing in accordance with Section 2-109 of the city code and was given a full and fair opportunity to be heard.

In accordance with the requirements of Massey v. Charlotte County 842 So. 2d 142, Fla 2nd DCA 2003, the board hereby assesses a fine against this respondent in the sum of \$250 per day per violation running from 120 days after September 3, 2020

and determine the amount of the fine in accordance with Sec 2-107 of the city code and Florida Statutes Section 162.09.

The board considered the gravity of the violations, any actions taken by the violator to correct the violations, and any previous violations committed by the violator. The lien recorded in connection with this order shall constitute a lien against any real or personal property owned by the violator.

Motion seconded by Steve Heller. Motion carried unanimously by a 6-0 vote.

6) Non-Action Items

There were no non-action items

7) Staff Updates

CCB#18-870 1260 Whitesell Drive, Winter Park, FL 32789

Ms. Porras updated that the structure was demolished and the land cleared by the City of Winter Park. A lien was placed against the property for costs incurred and daily fines. Should the owner sell the property the lien must be satisfied by the purchaser.

CCB#21-1430 2212 Azalea Place, Winter Park, FL 32789

Mr. Mai updated that an appeal has been filed. Fishback Dominick defended the appeal and was successful. The board's decision was affirmed on June 21, 2023 by Judge John Jordan.

CCB#19-1411 1400 South Denning Drive, Winter Park, FL 32789

Still awaiting a response from the Circuit Court. No updates.

9) Adjournment

Wayne Johnson made a motion to adjourn the meeting at 3:23 p.m.; seconded by Douglas Bond. Motion carried unanimously with a 6-0 vote.

Next meeting is scheduled for August 3, 2023.

Minutes approved by the Board on _____.

/s/ Susan Pruchnicki, Board Secretary



item type Public Hearings (Public participation and comment on these matters must be in-person.)	meeting date September 7, 2023
prepared by Susan Pruchnicki	approved by
board approval	
strategic objective	

subject

Case LDC-23-0316 - 6 Isle of Sicily, Winter Park, FL 32789 Urban Forestry - Josh Nye

motion / recommendation

background

Violation: Workers under contract to Oliver Dawoud and Rosemary Dawoud removed eight 24" DBH bald cypress trees, five 6" DBH bald cypress trees (replacement trees from 2016 code violation) and one 18" laurel oak tree at 6 Isle of Sicily

CODES CITED:

Sec. 58-299. - Penalties for tree removal without required permit or for tree damage.

(a) Any protected tree(s) removed without a permit or destroyed or receiving major damage in violation of this division must be replaced and/or compensated at the rate of twice the requirements of section 58-287.

(b) If no evidence exists on site to calculate the caliper inches of the tree(s) removed, then tree shall be presumed to be a minimum of a 24-inch protected specimen tree. It is the property owner's responsibility to prove otherwise

(c) For repeat offenders the city has the right to double restoration requirements or fines (or both) for each subsequent infraction, and in the alternative or in addition to revoke or suspend a contractor's license to do business in the city.

Sec. 58-284. - Tree removal permits.

(b) *Trees requiring tree removal permits.* It shall be unlawful to cut down, destroy, improperly prune, remove, top, or move any protected or replacement tree, or to authorize the cutting down, destruction of, removal of, topping of, moving of, or damage to, any protected or replacement tree within the city, without prior issuance by the city of a tree removal permit approving the act or acts, or a removal authorization by the city, as further described in this division; provided, however, that these requirements do not apply to trees specifically designated as exempt from this division in [section 58-284](#).

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[LDC-23-0316 CASE DOCS.pdf](#)

FACT SHEET

September 7, 2023.

Case No: LDC-23-0316

Respondents:

**Oliver Dawoud
Rosemary Dawoud
6 Isle of Sicily
Winter Park, FL 32789-1505**

1. Address where violation exists: **6 ISLE OF SICILY, Winter Park, FL
32789**
2. Parcel I.D. No.: **31-21-30-0000-00-015**
3. Property Zone: **R-1AAA**
4. Inspection(s): **1-26-2023, 6-15-2023 & 8-23-2023 (property was posted).**
5. Notice of Violation and Notice of Hearing was mailed regular, certified mail,
posted on the property and city hall in accordance with Florida Statute 162
Due Process requirements.

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

Evidence

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

VIOLATION DESCRIPTION:	CORRECTIVE ACTION REQUIRED:	CODES CITED:
Workers under contract to Oliver Dawoud and Rosemary Dawoud removed eight 24" DBH bals cypress trees, five 6" DBH bald cypress (replacement trees from 2016 code violation) and one 18" laurel oak tree at 6 Isle of Sicily.	Property owners must satisfy the following conditions: Obtain an after-the-fact permit removal permit. 240" DBH removed x \$110 p/inch = \$26,400 (normal compensation). \$26,400 x 2 = \$52,800 (unpermitted removed fine). \$52,800 x 2 = \$105,600 (repeat offender fine). \$5,000 x 9 = \$45,000 (irreparable damage fine for nine large trees). \$105,600 + \$45,000 = \$150,600 (pay this amount into the City's Tree Trust Fund).	Sec. 58-299. - Penalties for tree removal without required permit or for tree damage. (a) Any protected tree(s) removed without a permit or destroyed or receiving major damage in violation of this division must be replaced and/or compensated at the rate of twice the requirements of <u>section 58-287</u>. (b) If no evidence exists on site to calculate the caliper inches of the tree(s) removed, then the tree shall be presumed to be a minimum of a 24-inch protected specimen tree. It is the property owner's responsibility to prove otherwise (c) For repeat offenders the city has the right to double restoration requirements or fines (or both) for each subsequent infraction, and in the alternative or in addition to revoke or suspend a contractor's license to do business in the city. Sec. 58-284. - Tree removal permits. (b) <i>Trees requiring tree removal permits.</i> It shall be unlawful to cut down, destroy, improperly prune, remove, top, or move any protected or replacement tree, or to authorize the cutting down, destruction of, removal of, topping of, moving of, or damage to, any protected or replacement tree within the city, without prior

		issuance by the city of a tree removal permit approving the act or acts, or a removal authorization by the city, as further described in this division; provided, however, that these requirements do not apply to trees specifically designated as exempt from this division in section 58-284.
--	--	---

If the board is in agreement with the evidence submitted and determines that an order should be issued:

-Staff Recommended Motion –

From the evidence presented today, this board is issuing an order finding the Respondents, Oliver Dawoud and Rosemary Dawoud for Code Compliance Board Case #LDC-23-0316 in violation of Chapter 58; Section 58-299. - Penalties for tree removal without required permit or for tree damage, (a), (b), (c) and Section 58-284. - Tree removal permits. (b) *Trees requiring tree removal permits* of the City of Winter Park Land Development Code. In addition, the Board finds that, pursuant to chapter 162.09 Florida Statutes and 2-107 of the Winter Park Code, the damage constituted irreparable and irreversible harm to a protected specimen tree.

6 Isle of Sicily Code Violation Fine Breakdown

- Eight 24" DBH bald cypress
- Five 6" DBH bald cypress (replacement trees from 2016 code violation)
- One 18" laurel oak
 - 240" DBH removed x \$110 p/inch = \$26,400 (normal compensation)
 - $\$26,400 \times 2 = \$52,800$ (unpermitted removal fine)
 - $\$52,800 \times 2 = \$105,600$ (repeat offender fine)
 - $\$5,000 \times 9 = \$45,000$ (irreparable damage fine for nine large trees)
 - $\$105,600 + \$45,000 = \$150,600$

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

CASE NO.: LCD-0316

City of Winter Park
Petitioner,

vs.

Oliver Dawoud
Rosemary Dawoud
6 Isle of Sicily
Winter Park, FL 32789-1505

Respondents, _____/

AFFIDAVIT OF POSTING

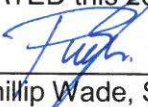
STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned authority, personally posted Phillip Wade, Safety & Code Compliance Officer for the City of Winter Park, 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 for the property located at 6 Isle of Sicily on this 23rd day of August 2023.
3. That the attached picture document is proof of the posting.

FURTHER AFFIANT SAYETH NOT

DATED this 23rd day of August 2023



Phillip Wade, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 23rd day of August 2023, by PHILLIP WADE, who is personally known to me as a Safety & Code Compliance Officer for the City of Winter Park.

Susanne Porras

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



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

Case No: LDC-23-0316

CITY OF WINTER PARK
Petitioner,

vs.

OLIVER DAWOUD
ROSEMARY DAWOUD
6 ISLE OF SICILY
WINTER PARK, FL 32789-1505

Respondents,



**SECOND 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, September 7th, 2023
at 3 p.m. at

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

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

1. Violation of City Code Chapter/Section: Chapter 58, Section 58-299. - Penalties for Tree Removal Without Required Permit for Tree Damage and Section 58-284. - Tree Removal Permits of the City of Winter Park Land Development Code.
2. Address where violation(s) exists: 6 Isle of Sicily, Winter Park, FL 32789-1505.

08/23/2023 14:23

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

Case No: LDC-23-0321

CITY OF WINTER PARK
Petitioner,

VS.

OLIVER DAWOUD
ROSEMARY DAWOUD
6 ISLE OF SICILY
WINTER PARK, FL 32789-1505

Respondents,

SECOND 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, September 7th, 2023
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 114-6 (Shoreline Protection)** The specific, applicable code section(s) and infraction(s) observed are: **Sec. 114-5, - Damaging lakes.** Except as otherwise authorized by this Code, it shall be unlawful for any person to dig, damage, destroy, alter, change or deface the banks or shoreline or any part thereof of any of the lakes in or partly within the corporate limits of the city; **Sec. 114-6 (a) - Lakeshore Protection.** Removal of aquatic shoreline or waterfront vegetation shall be required to obtain a permit

08/23/2023 14:23

SAFETY & CODE CO
401 SOUTH
WINTER PARK
407-5

e No: LDC-23-0316

/ OF WINTER PARK
itioner,

VER DAWOUD
EMARY DAWOUD
ILE OF SICILY
WINTER PARK, FL 32789-1505

pondents,

SECOND AMEND
CODE COMPLIANCE

Pursuant to Section 2-105 of 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 HEARIN** before the Code Enforcement Board, a governmental board of the City of Winter Park

Thursday, Septen
at 3 p.m

Commission t
second floor of W
401 S. Park Ave., W

A hearing on the following code violations

1. Violation of City Code Chapter/Section: **Penalties for Tree Removal W**
Damage and Section 58-284, - T
Winter Park Land Development C
2. Address where violation(s) exists: **6 IS**
1505.



401 S. Park Ave. • Winter Park, FL 32789

**SAFETY & CODE
compliance**

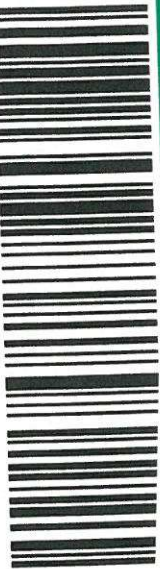
Steven W. Jeppel
Michael Kivovitz
Mandelbaum Barnett Law Firm
3 Belton Tam Road, Suite 105
Roeland, NJ 07068



401 S. Park Ave. • Winter Park, FL 32789

**SAFETY & CODE
compliance**

9171 9690 0935 0309 8673 01



Kevin Lauro
Reemay Lauro
c/o J & S
Winter Park, FL 32789-1505

Tracking Number:

Remove X

9171969009350309867301

Copy

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

Latest Update

Your item was delivered to an individual at the address at 12:55 pm on August 17, 2023 in WINTER PARK, FL 32789.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

WINTER PARK, FL 32789

August 17, 2023, 12:55 pm

[See All Tracking History](#)

Feedback

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

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package

Enter tracking or barcode numbers

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

401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789
[407-599-3600](tel:407-599-3600)

Case No: LDC-23-0316

CITY OF WINTER PARK
Petitioner,

vs.

OLIVER DAWOUD
ROSEMARY DAWOUD
6 ISLE OF SICILY
WINTER PARK, FL 32789-1505

Respondents,

**SECOND 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, September 7th, 2023
at 3 p.m. at
Commission Chambers
second floor of Winter Park City Hall
401 S. Park Ave., Winter Park, FL 32789**

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

1. Violation of City Code Chapter/Section: **Chapter 58, Section 58-299. – Penalties for Tree Removal Without Required Permit for Tree Damage and Section 58-284. – Tree Removal Permits of the City of Winter Park Land Development Code.**
2. Address where violation(s) exists: **6 Isle of Sicily, Winter Park, FL 32789-1505.**

3. Parcel I.D. No.: **31-21-30-0000-00-015**
4. Property Zone: **R-1AAA**
5. Legal Description: **BEG 76.1 FT. S & 2331.4 FT W OF NE COR OF NW ¼ OF SW ¼ SEC 32 RUN S 19 DEG E 160.2 FT W 360 FT N 13 DEG W 110.2 FT N 77 DEG E 300 FT TO POB IN SEC 31-21-30 (LESS ROAD PER OR 864/590) per Orange County records.**
6. Names and address of owner/person in charge of location where violation exists: **Oliver Dawoud & Rosemary Dawoud – 6 Isle of Sicily, Winter Park, FL 32789-1505**
7. Description of Violation: **Workers under contract to Oliver Dawoud and Rosemary Dawoud removed eight 24" DBH bald cypress trees, five 6" DBH bald cypress (replacement trees from 2016 code violation) and one 18" laurel oak at 6 Isle of Sicily.**
8. Compliance Requirements: **Oliver Dawoud and Rosemary Dawoud must satisfy the following conditions:**
- Obtain an after-the-fact tree permit removal permit.**
- 6 Isle of Sicily Code Violations Fine Breakdown –**
- Eight 24" DBH bald cypress**
- Five 6" DBH bald cypress (replacement from 2016 code violation).**
- One 18" laurel oak**
- **240" DBH removed x \$110 p/inch = \$26,400 (normal compensation)**
 - **\$26,400 x 2 = \$52,800 (unpermitted removal fine)**
 - **\$52,800 x 2 = \$105,600 (repeat offender fine)**
 - **\$5,000 x 9 = \$45,000 (irreparable damage fine for nine large trees)**
 - **\$105,600 + \$45,000 = \$150,600 (pay this amount into the City's Tree Trust Fund).**

Compliance Date to avoid hearing: **June 20th, 2023.**

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 **September 7th, 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: 14th day of August 2023

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing has been furnished by certified and regular mail to: **OLIVER DAWOUD & ROSEMARY DAWOUD – 6 ISLE OF SICILY, WINTER PARK FL 32789-1505**

Certified Mail: 9171 9690 0935 0309 8673 01


Susanne R. Porras
Safety & Code Compliance Manager

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

CODES CITED

Sec. 58-299. - Penalties for tree removal without required permit or for tree damage.

(a) Any protected tree(s) removed without a permit or destroyed or receiving major damage in violation of this division must be replaced and/or compensated at the rate of twice the requirements of section 58-287.

(b) If no evidence exists on site to calculate the caliper inches of the tree(s) removed, then the tree shall be presumed to be a minimum of a 24-inch protected specimen tree. It is the property owner's responsibility to prove otherwise

(c) For repeat offenders the city has the right to double restoration requirements or fines (or both) for each subsequent infraction, and in the alternative or in addition to revoke or suspend a contractor's license to do business in the city.

Sec. 58-284. - Tree removal permits.

(b) *Trees requiring tree removal permits.* It shall be unlawful to cut down, destroy, improperly prune, remove, top, or move any protected or replacement tree, or to authorize the cutting down, destruction of, removal

of, topping of, moving of, or damage to, any protected or replacement tree within the city, without prior issuance by the city of a tree removal permit approving the act or acts, or a removal authorization by the city, as further described in this division; provided, however, that these requirements do not apply to trees specifically designated as exempt from this division in [section 58-284](#).

cc: Teppler, Steven W. – Mandelbaum Barrett Law Firm
3 Becker Farm Road, Suite 105
Roseland, NJ 07068
and
Kivowitz, Michael – Mandelbaum Barrett Law Firm



Tracking Number:

Remove X

9171969009350309867677

Copy

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

Latest Update

Your item was delivered to an individual at the address at 10:06 am on June 22, 2023 in WINTER PARK, FL 32789.

Get More Out of USPS Tracking:

USPS Tracking Plus[®]

Delivered

Delivered, Left with Individual

WINTER PARK, FL 32789

June 22, 2023, 10:06 am

[See All Tracking History](#)

Feedback

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

Text & Email Updates



Return Receipt Electronic



USPS Tracking Plus[®]



Product Information



See Less ^

NOTICE OF VIOLATION

CITY OF WINTER PARK
URBAN FORESTRY DIVISION
721 W NEW ENGLAND AVE.
WINTER PARK, FLORIDA 32789

DATE: June 16, 2023

CERTIFIED TRACKING NUMBER: 9171 9690 0935 0309 8676 77

You are hereby notified that the below stated property has been inspected and found to be in violation of Sec. **58-299. - Penalties for tree removal without required permit or for tree damage.**

On **01/26/2023** a violation was observed on your property. The violation must be corrected by **07/06/2023**. 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 and/or \$500 per day and remedial action to restore the property.**

Property Zoned: R-1AAA
Parcel ID#: 31-21-30-0000-00-015
Violation 6 Isle of Sicily
Location/Address: WINTER PARK, FL 32789-1505
Property Owner/ Tenant: Oliver Dawoud and Rosemary Dawoud
Mailing Address: 6 Isle of Sicily
City/ State/ Zip: WINTER PARK, FL 32789-1505
Description of Violation: Workers under contract to Oliver and Rosemary Dawoud removed eight 24" DBH bald cypress trees, five 6" DBH bald cypress trees and one 18" laurel oak at 6 Isle of Sicily.
Corrective action to be taken: Oliver and Rosemary Dawoud must satisfy the following conditions:

- Obtain an after-the-fact tree removal permit.
- Pay \$150,600.00 into the City of Winter Park's Tree Trust Fund.

Inspector Name: **Josh Nye – Parks Services Manager**
Stefano Alvernia (former City Arborist)

CODE CITED

Sec. 58-299. - Penalties for tree removal without required permit or for tree damage.

(a) Any protected tree(s) removed without a permit or destroyed or receiving major damage in violation of this division must be replaced and/or compensated at the rate of twice the requirements of section 58-287.

(b) If no evidence exists on site to calculate the caliper inches of the tree(s) removed, then the tree shall be presumed to be a minimum of a 24-inch protected specimen tree. It is the property owner's responsibility to prove otherwise

(c) For repeat offenders the city has the right to double restoration requirements or fines (or both) for each subsequent infraction, and in the alternative or in addition to revoke or suspend a contractor's license to do business in the city.

Sec. 58-284. - Tree removal permits.

(b) *Trees requiring tree removal permits.* It shall be unlawful to cut down, destroy, improperly prune, remove, top, or move any protected or replacement tree, or to authorize the cutting down, destruction of, removal of, topping of, moving of, or damage to, any protected or replacement tree within the city, without prior issuance by the city of a tree removal permit approving the act or acts, or a removal authorization by the city, as further described in this division; provided, however, that these requirements do not apply to trees specifically designated as exempt from this division in section 58-284.

Appeal Process

You have a right to appeal this notice and order by filing a written application for appeal with the City of Winter Park. The application for appeal must be filed within twenty (20) days after the day this notice is served upon you. The appeal shall be based on a claim that the true intent of the code or the rules legally adopted there under have been incorrectly interpreted, the provisions of the code do not fully apply, or the requirements of the code are adequately satisfied by other means.

If you would like to schedule an appointment to discuss this notice, please get in touch with the Urban Forestry Division at 407-599-3325. If you have complied with this notice, you must contact the Urban Forestry Division.

cc: Bitman, Obrien & Morat – 615 Crescent Execute Ct. Suite 212, Lakemary, FL 32746

6 Isle of Sicily Code Violation Fine Breakdown

- Eight 24" DBH bald cypress
- Five 6" DBH bald cypress (replacement trees from 2016 code violation)
- One 18" laurel oak
 - 240" DBH removed x \$110 p/inch = \$26,400 (normal compensation)
 - $\$26,400 \times 2 = \$52,800$ (unpermitted removal fine)
 - $\$52,800 \times 2 = \$105,600$ (repeat offender fine)
 - $\$5,000 \times 9 = \$45,000$ (irreparable damage fine for nine large trees)
 - $\$105,600 + \$45,000 = \$150,600$

If you own and occupy property as your primary residence as of January 1, 2023, you may qualify for an exemption. The deadline to file a 2023 exemption application is March 1, 2023.

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

Print Date: 06/06/2023 System Refresh Date: 06/05/2023

6 Isle Of Sicily 31-21-30-0000-00-015

Name(s):

Dawoud Oliver
Dawoud Rosemary

Physical Street Address:

6 Isle Of Sicily

Property Use:

0106 - Single Fam Class Vi

Mailing Address On File:

6 Isle Of Sicily
Winter Park, FL 32789-1505
[Incorrect Mailing Address?](#)

Postal City and Zip:

Winter Park, FL 32789

Municipality:

Winter Park



6 ISLE OF SICILY, WINTER PARK, FL 32789 1/18/2023 11:54 AM

[Upload Photos](#)

[View 2022 Property Record Card](#)

i PROPERTY FEATURES

\$ VALUES, EXEMPTIONS AND TAXES

SALES

MARKET STATS

LOCATION

2023 Values will be available in August of 2023. To see the certified values, go to the Values, Exemptions and Taxes Tab.

[View Plat](#)

Property Description

BEG 76.1 FT S & 2331.4 FT W OF NE COR OF NW1/4 OF SW1/4 SEC 32 RUN S 19DEG E 160.2 FT W 360 FT N 13 DEG W 110.2 FT N 77 DEG E 300 FT TO POB IN SEC 31-21-30 (LESS ROAD PER OR 864/590)

Total Land Area

43,866 sqft (+/-) | 1.01 acres
(+/-)

GIS Calculated

Notice

Land

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

« « 1 » »

Page 1 of 1 (Total Records: 1)

Building

[View Winter Park Permits](#)



[More](#)

[Details](#)

Model Code:	01 - Single Fam Residence	Actual Year Built:	2022	Gross Area:	17056 sqft
Type Code:	0106 - Single Fam Class Vi	Beds:	5	Living Area:	9241 sqft
Building Value:	Working Value...	Baths:	7	Exterior Wall:	Concrete Block Stucco
Estimated New Cost:	Working Value...	Floors:	2	Interior Wall:	Drywall

« « 1 » »

Page 1 of 1 (Total Records: 1)

Extra Features

Description	Date Built	Units	Xfob Value
Bc3 - Boat Cover 3	12/31/2022	1 Unit(s)	Working Value...
Bd3 - Boat Dock 3	12/31/2022	1 Unit(s)	Working Value...
Fpl3 - Fplace 3	11/24/2022	2 Unit(s)	Working Value...
Pl3 - Pool 3	12/31/2022	1 Unit(s)	Working Value...
Relv - Residential Elevator	11/24/2022	1 Unit(s)	Working Value...

The Orange County Tax Collector makes every effort to produce and publish the most current and accurate information expressed or implied, are provided for the data herein, its use, or its interpretation. The assessed values are NOT certified subject to change before being finalized for ad valorem tax purposes. Utilization of the search facility indicates understanding statement by the user. This Site Should not be relied upon for a title search.

Parcel/Tangible 31-21-30- **Owner & Address:**
Number: 0000-00015 **DAWOUD OLIVERDAWOUD ROSEMARY6 ISLE OF SICILYWINTER PARK**
Date: 6/6/2023
Tax Year: 2022
Total Assessed Value: \$2,508,000 **Legal** **BEG 76.1 FT S & 2331.4 FT W OF NE COR OF NW1/4 OF**
Taxable Value: \$2,508,000 **Description:** **19DEG E 160.2 FT W 360 FT N 13 DEG W 110.2 FT N 77 I**
Gross Tax Amount: \$38,751.36 **Location** **6 ISLE OF SICILY WINTER PARK 32789**
Millage Code: 6 WP **Address:**
Comments:

Note: The "Certified Owner" is the Owner of record on the Tax Roll. Check the "Certified Owner" check box and see the certified owner.

Current Taxes and Unpaid Delinquent Warrants:

Year	Owner Information	Amount Due	View Bill/Receipt	Certified Owner	Make Payment
2021	DAWOUD OLIVER DAWOUD ROSEMARY	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2020	DAWOUD OLIVER DAWOUD ROSEMARY	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2018	DAWOUD OLIVER DAWOUD ROSEMARY	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2016	DAWOUD OLIVER DAWOUD ROSEMARY	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2014	STORY WILLIAM E STORY SUE ELLEN	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2013	STORY WILLIAM E STORY SUE ELLEN	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2012	STORY WILLIAM E STORY SUE ELLEN	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2011	STORY WILLIAM E STORY SUE ELLEN	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2010	STORY WILLIAM E STORY SUE ELLEN	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2009	STORY WILLIAM E STORY SUE ELLEN	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2008	STORY WILLIAM E STORY SUE ELLEN	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2007	STORY WILLIAM E	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2006	STORY WILLIAM E	* PAID (View Taxbill For Receipt) *	Taxbill	☐	

Unpaid Real Estate Certificates:

Year	Current Payoff	If Paid By	Current Payoff	If Paid By	Make Payment
* NONE *	* NONE *	* NONE *	* NONE *	* NONE *	* NONE *

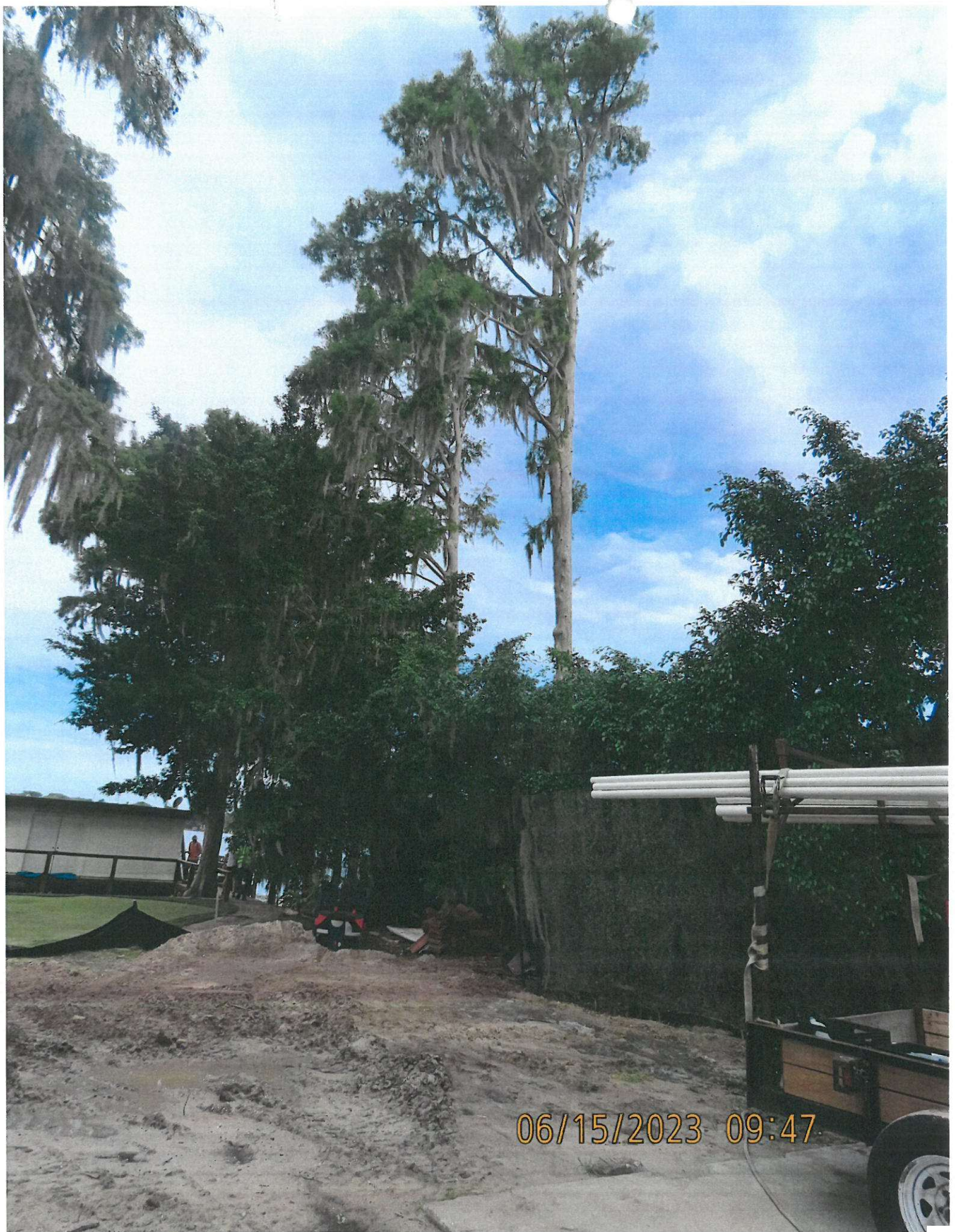
Other Real Estate Certificates:

Year	Face Value	Certificate Number	Status	Amount Paid
2019	\$42,431.15	2020-0014742	Paid	\$44,558.96
2017	\$43,635.74	2018-0014367	Paid	\$45,823.78

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







06/15/2023 09:47













06/15/2023 09:48



06/20/2023 14:16



Add a Caption

Thursday • Aug 31, 2023 • 10:25 AM

[Adjust](#)

IMG_1965

Apple iPhone 11

HEIF



Ultra Wide Camera — 13 mm $f2.4$

12 MP • 4032 × 3024 • 2 MB



Add a Caption

Thursday • Aug 31, 2023 • 10:25 AM

[Adjust](#)

IMG_1966

Apple iPhone 11

HEIF



Ultra Wide Camera — 13 mm $f2.4$

12 MP • 4032 × 3024 • 1.7 MB



Add a Caption

Thursday • Aug 31, 2023 • 10:26 AM

[Adjust](#)

IMG_1967

Apple iPhone 11

HEIF

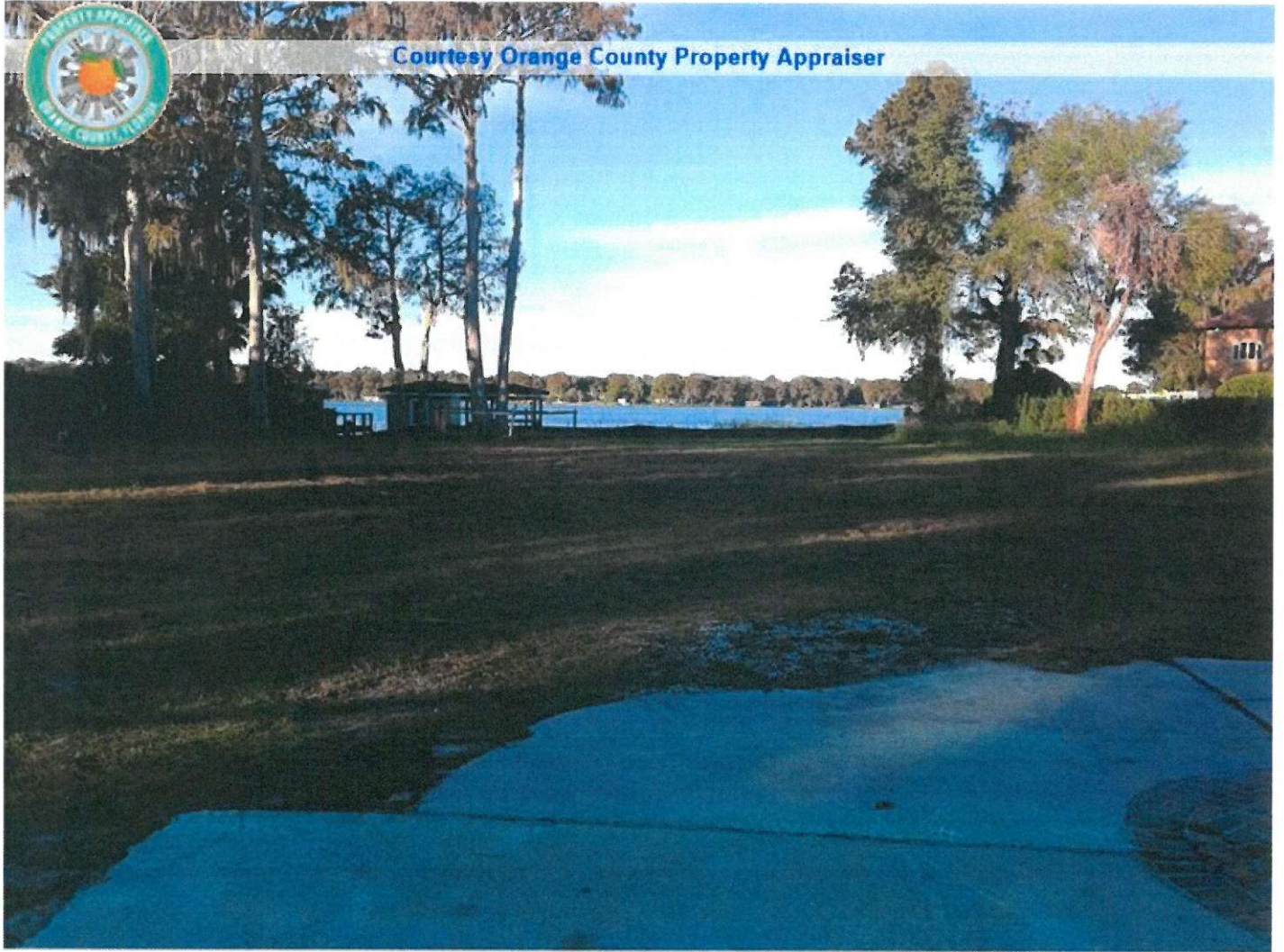


Wide Camera — 26 mm $f1.8$

12 MP • 3024 × 4032 • 1.5 MB



Courtesy Orange County Property Appraiser



6 ISLE OF SICILY, WINTER PARK, FL 32789 12/30/2016 8:07 AM



item type Public Hearings (Public participation and comment on these matters must be in-person.)	meeting date September 7, 2023
prepared by Susan Pruchnicki	approved by
board approval	
strategic objective	

subject

Case LDC-23-0321 6 Isle of Sicily, Winter Park, FL 32789 - Lakes Division - Gloria Eby and Joseph Cordell

motion / recommendation

background

Violation: Shoreline was altered, without a permit, by the installation of imported sand and sediments to form a beach. Shoreline vegetation was altered during the installation of imported sand and sediments.

Codes Cited: Chapter 114-6 (Shoreline Protection) of the City of Winter Park Code of Ordinances. The specific, applicable code section(s) and infraction(s) observed are:

Sec. 114-5. – Damaging lakes. Except as otherwise authorized by this Code, it shall be unlawful for any person to dig, damage, destroy, alter, change or deface the banks or shoreline or any part thereof of any of the lakes in or partly within the corporate limits of the city;

Sec. 114-6 (a) – Lakeshore Protection. Removal of aquatic shoreline or waterfront vegetation shall be required to obtain a permit and Sec. 114-6 (a) (7) – Lakeshore Protection. The changing of any shoreline by digging or adding fill, which alters or changes the shoreline or existing topography of the shoreline or waterfront of any water body within the city, shall be prohibited, unless done in accordance with an approved shoreline alteration permit. A permit shall also be required to pump or withdraw sand or any other material from lake bottoms.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[LDC-23-0321 CASE DOCS.pdf](#)

FACT SHEET

September 7, 2023.

Case No: LDC-23-0321

Respondents:

**Oliver Dawoud
Rosemary Dawoud
6 Isle of Sicily
Winter Park, FL 32789-1505**

1. Address where violation exists: **6 ISLE OF SICILY, Winter Park, FL 32789**
2. Parcel I.D. No.: **31-21-30-0000-00-015**
3. Property Zone: **R-1AAA**
4. Inspection(s): **02-08-2023, 03-28-2023 & 08-23-2023 (property was posted).**
5. Notice of Violation and Notice of Hearing was mailed regular, certified mail, posted on the property and city hall in accordance with Florida Statute 162 Due Process requirements.

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

Evidence

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

VIOLATION DESCRIPTION:	CORRECTIVE ACTION REQUIRED:	CODES CITED:
Shoreline was altered, without a permit, by the installation of imported sand and sediments to form a beach. Shoreline vegetation was altered during the installation of imported sand and sediments.	Pay a fine of \$500.00 (paid to The City of Winter Park). Submit a favorable Shoreline Alteration Permit application that includes sediment removal plans and restoration planting plan. Remove any and all imported sand, sediments, or fill, with proper turbidity containment (type 1 DOT turbidity curtain) in place. Revegetate the shoreline with native aquatic plants to meet the functional equivalent of four rows of plants at 2 feet centers for a length of 95 feet.	Chapter 114-6 (Shoreline Protection) of the City of Winter Park Code of Ordinances. The specific, applicable code section(s) and infraction(s) observed are: Sec. 114-5. – Damaging lakes. Except as otherwise authorized by this Code, it shall be unlawful for any person to dig, damage, destroy, alter, change or deface the banks or shoreline or any part thereof of any of the lakes in or partly within the corporate limits of the city; Sec. 114-6 (a) – Lakeshore Protection. Removal of aquatic shoreline or waterfront vegetation shall be required to obtain a permit and Sec. 114-6 (a) (7) – Lakeshore Protection. The changing of any shoreline by digging or adding fill, which alters or changes the shoreline or existing topography of the shoreline or waterfront of any water body within the city, shall be prohibited, unless done in accordance with an approved shoreline alteration permit. A permit shall also be required to pump or withdraw sand or any other material from lake bottoms.

If the board is in agreement with the evidence submitted and determines that an order should be issued:

-Staff Recommended Motion –

From the evidence presented today, this board is issuing an order finding the Respondents, Oliver Dawoud and Rosemary Dawoud for Code Compliance Board Case #LDC-23-0321 in violation of Chapter 114; Section 114-6. – Shoreline Protection; Section 114-5. – Damaging Lakes; Section 114-6. (a) – Lakeshore Protection. Removal of aquatic shoreline or waterfront vegetation and Section 114-6 (a) (7) – Lakeshore Protection of the City of Winter Park Code of Ordinances.

In addition, the Board finds that, pursuant to chapter 162.09 Florida Statutes and 2-107 of the Winter Park Code, the damage constituted irreparable and irreversible harm to the Lakeshore, Lakeshore Protection which includes changing the existing shoreline by adding fill which alters or changes the topography of the shoreline waterfront of any water body within the city and the removal of Aquatic Shoreline or waterfront vegetation.

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

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

Print Date: 08/29/2023 System Refresh Date: 08/28/2023

6 Isle Of Sicily 31-21-30-0000-00-015

Name(s):

Dawoud Oliver
Dawoud Rosemary

Physical Street Address:

6 Isle Of Sicily

Property Use:

0106 - Single Fam Class Vi

Mailing Address On File:

6 Isle Of Sicily
Winter Park, FL 32789-1505

Postal City and Zip:

Winter Park, FL 32789

Municipality:

Winter Park

[Incorrect Mailing Address?](#)



6 ISLE OF SICILY, WINTER PARK, FL 32789 11/16/2023 11:54 AM

[Upload Photos](#)

[View 2023 Property Record Card](#)

PROPERTY FEATURES

VALUES, EXEMPTIONS AND TAXES

SALES

MARKET STATS

LOCATION

[View Plat](#)

Property Description

BEG 76.1 FT S & 2331.4 FT W OF NE COR OF NW1/4 OF SW1/4 SEC 32 RUN S 19DEG E 160.2 FT W 360 FT N 13 DEG W 110.2 FT N 77 DEG E 300 FT TO POB IN SEC 31-21-30 (LESS ROAD PER OR 864/590)

Total Land Area

43,866 sqft (+/-) | 1.01 acres
(+/-)

[GIS Calculated](#)

[Notice](#)

Land

Land Use Code	Zoning	Land Units	Unit Price	Land Value	Class Unit Price	Class Value
0130 - Sfr - Lake Front	R-1AAA	1 LOT(S)	\$3,500,000	\$3,500,000	\$0	\$3,500,000

«« « 1 » »»

Page 1 of 1 (Total Records: 1)

Building

[View Winter Park Permits](#)



[More Details](#)

Model Code:	01 - Single Fam Residence	Actual Year Built:	2022	Gross Area:	17056 sqft
Type Code:	0106 - Single Fam Class Vi	Beds:	5	Living Area:	9241 sqft
Building Value:	\$3,946,835	Baths:	7	Exterior Wall:	Concrete Block Stucco
Estimated New Cost:	\$3,946,835	Floors:	2	Interior Wall:	Drywall

«« « 1 » »»

Page 1 of 1 (Total Records: 1)

Extra Features

Description	Date Built	Units	Xfob Value
Bc3 - Boat Cover 3	12/31/2022	1 Unit(s)	\$6,000
Bd3 - Boat Dock 3	12/31/2022	1 Unit(s)	\$10,000
Fpl3 - Fplace 3	11/24/2022	2 Unit(s)	\$12,000
PI3 - Pool 3	12/31/2022	1 Unit(s)	\$76,000
Relv - Residential Elevator	11/24/2022	1 Unit(s)	\$10,000

«« « 1 2 » »»

Page 1 of 2 (Total Records: 8)

The Orange County Tax Collector makes every effort to produce and publish the most current and accurate information expressed or implied, are provided for the data herein, its use, or its interpretation. The assessed values are NOT certified subject to change before being finalized for ad valorem tax purposes. Utilization of the search facility indicates understanding of the statement by the user. This Site Should not be relied upon for a title search.

Parcel/Tangible 31-21-30- **Owner & Address:**
Number: 0000-00015 DAWOUD OLIVER DAWOUD ROSEMARY 6 ISLE OF SICILY WINTER PARK
Date: 8/29/2023
Tax Year: 2022
Total Assessed Value: \$2,508,000 **Legal** BEG 76.1 FT S & 2331.4 FT W OF NE COR OF NW1/4 OF
Taxable Value: \$2,508,000 **Description:** 19 DEG E 160.2 FT W 360 FT N 13 DEG W 110.2 FT N 77 I
Gross Tax Amount: \$38,751.36 **Location** 6 ISLE OF SICILY WINTER PARK 32789
Millage Code: 6 WP **Address:**

Comments:

Note: The "Certified Owner" is the Owner of record on the Tax Roll. Check the "Certified Owner" check box and see the certified owner.

Current Taxes and Unpaid Delinquent Warrants:

Year	Owner Information	Amount Due	View Bill/Receipt	Certified Owner	Make Paym
2021	DAWOUD OLIVER DAWOUD ROSEMARY	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2020	DAWOUD OLIVER DAWOUD ROSEMARY	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2018	DAWOUD OLIVER DAWOUD ROSEMARY	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2016	DAWOUD OLIVER DAWOUD ROSEMARY	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2014	STORY WILLIAM E STORY SUE ELLEN	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2013	STORY WILLIAM E STORY SUE ELLEN	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2012	STORY WILLIAM E STORY SUE ELLEN	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2011	STORY WILLIAM E STORY SUE ELLEN	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2010	STORY WILLIAM E STORY SUE ELLEN	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2009	STORY WILLIAM E STORY SUE ELLEN	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2008	STORY WILLIAM E STORY SUE ELLEN	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2007	STORY WILLIAM E	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2006	STORY WILLIAM E	* PAID (View Taxbill For Receipt) *	Taxbill	☐	

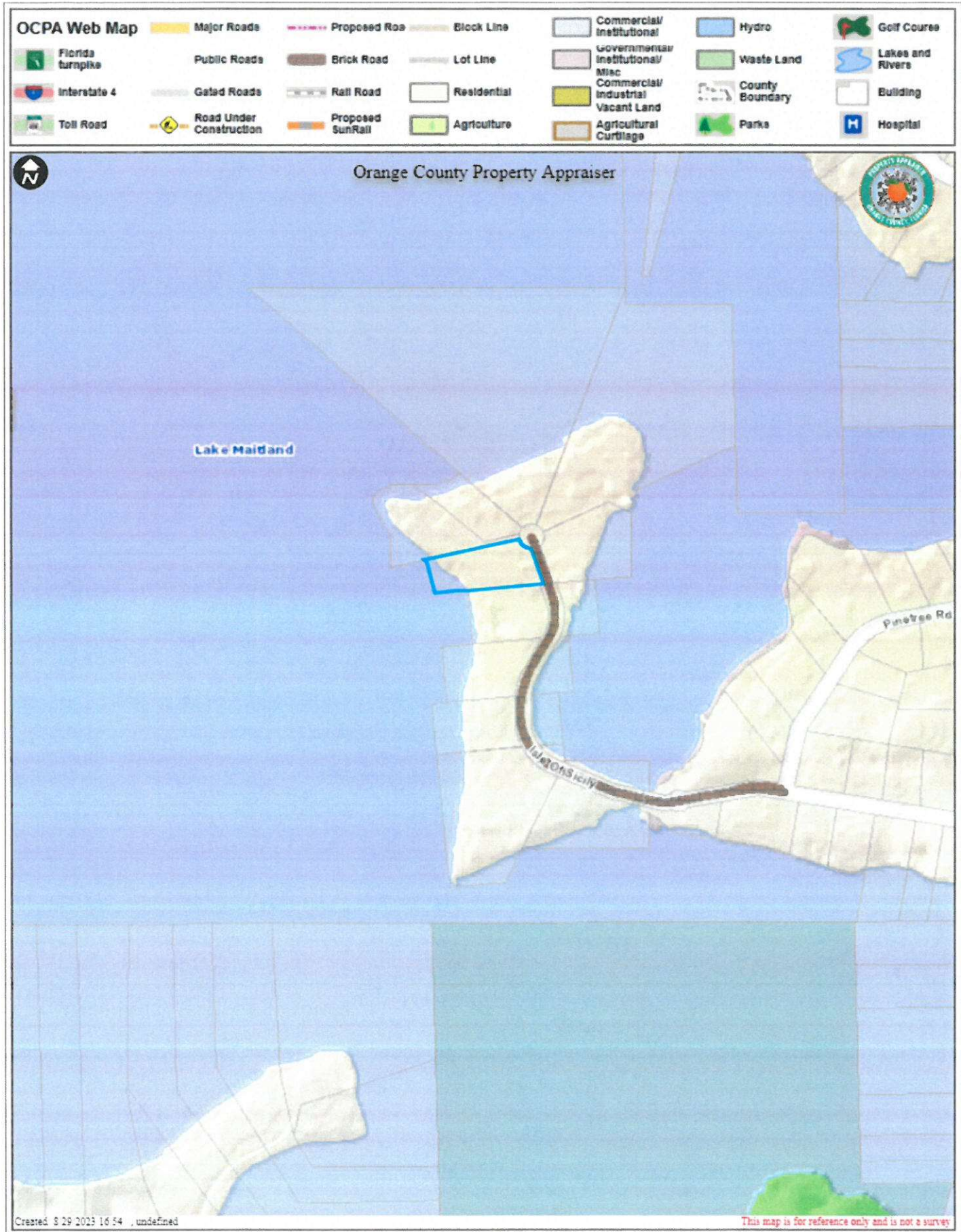
Unpaid Real Estate Certificates:

Year	Current Payoff	If Paid By	Current Payoff	If Paid By	Make Payment
2022	\$44,042.83	8/31/2023	\$44,042.83	9/30/2023	Pay Now

Other Real Estate Certificates:

Year	Face Value	Certificate Number	Status	Amount Paid
2019	\$42,431.15	2020-0014742	Paid	\$44,558.96
2017	\$43,635.74	2018-0014367	Paid	\$45,823.78

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



Parcel Photos - 6 Isle Of Sicily



6 ISLE OF SICILY, WINTER PARK, FL 32789 1/18/2023 11:54 AM

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

CASE NO.: **LCD-0321**

City of Winter Park
Petitioner,

vs.

Oliver Dawoud
Rosemary Dawoud
6 Isle of Sicily
Winter Park, FL 32789-1505

Respondents, _____/

AFFIDAVIT OF POSTING

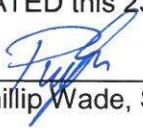
STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned authority, personally posted Phillip Wade, Safety & Code Compliance Officer for the City of Winter Park, 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 for the property located at 6 Isle of Sicily on this 23rd day of August 2023.
3. That the attached picture document is proof of the posting.

FURTHER AFFIANT SAYETH NOT

DATED this 23rd day of August 2023

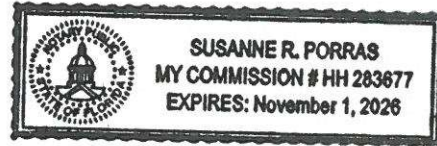

Phillip Wade, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 23rd day of August 2023, by PHILLIP WADE, who is personally known to me as a Safety & Code Compliance Officer for the City of Winter Park.

Susanne Porras

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



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

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

Case No: LDC-23-0321

CITY OF WINTER PARK
Petitioner,

VS.

OLIVER DAWOUD
ROSEMARY DAWOUD
6 ISLE OF SICILY
WINTER PARK, FL 32789-1505

Respondents,

**SECOND 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, September 7th, 2023
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 114-6 (Shoreline Protection)** The specific, applicable code section(s) and Infraction(s) observed are: **Sec. 114-5. – Damaging lakes.** Except as otherwise authorized by this Code, it shall be unlawful for any person to dig, damage, destroy, alter, change or deface the banks or shoreline or any part thereof of any of the lakes in or partly within the corporate limits of the city; **Sec. 114-6 (a) – Lakeshore Protection.** Removal of aquatic shoreline or waterfront vegetation shall be required to obtain a permit

08/23/2023 14:23

e No: LDC-23-0316
CITY OF WINTER PARK
Petitioner,

OLIVER DAWOUD
ROSEMARY DAWOUD
6 ISLE OF SICILY
WINTER PARK, FL 32789-1505

Respondents,

**SECOND AMENDED
NOTICE OF
CODE COMPLIANCE**

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

Thursday, September 7th, 2023
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

1. Violation of City Code Chapter/Section: **Chapter 58-284. – Tree Removal** Penalties for Tree Removal W
Winter Park Land Development C
1505.

Tracking Number:

Remove X

9171969009350309867318

Copy

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

Latest Update

Your item was delivered to an individual at the address at 12:55 pm on August 17, 2023 in WINTER PARK, FL 32789.

Get More Out of USPS Tracking:

USPS Tracking Plus[®]

Delivered

Delivered, Left with Individual

WINTER PARK, FL 32789

August 17, 2023, 12:55 pm

[See All Tracking History](#)

Feedback

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

Text & Email Updates

USPS Tracking Plus[®]

Product Information



See Less ^

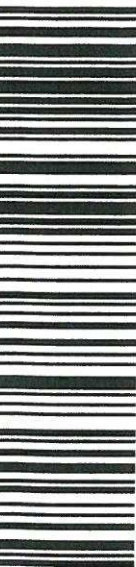
Track Another Package

Enter tracking or barcode numbers



**SAFETY & CODE
compliance**

401 S. Park Ave. • Winter Park, FL 32789



9171 9690 0935 0309 8673 18

please remember to recycle



**SAFETY & CODE
compliance**

401 S. Park Ave. • Winter Park, FL 32789

Steven Leonard
Rosemary Leonard
6 Ave of Sicily
Winter Park, IL 32789-1505

Steven W. Jeppel
Michael Kirvovitz
Mandelbaum Barnett Law Firm
3 Becker Farm Road, Suite 105
Roeland, NJ 07068

please remember to recycle

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

Case No: LDC-23-0321

CITY OF WINTER PARK
Petitioner,

9171 9690 0935 0309 8673 18

vs.

OLIVER DAWOUD
ROSEMARY DAWOUD
6 ISLE OF SICILY
WINTER PARK, FL 32789-1505

Respondents,

**SECOND 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, September 7th, 2023
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 114-6 (Shoreline Protection)** The specific, applicable code section(s) and infraction(s) observed are: **Sec. 114-5. – Damaging lakes.** Except as otherwise authorized by this Code, it shall be unlawful for any person to dig, damage, destroy, alter, change or deface the banks or shoreline or any part thereof of any of the lakes in or partly within the corporate limits of the city; **Sec. 114-6 (a) – Lakeshore Protection.** Removal of aquatic shoreline or waterfront vegetation shall be required to obtain a permit

and Sec. 114-6 (a) (7) – Lakeshore Protection. The changing of any shoreline by digging or adding fill, which alters or changes the shoreline or existing topography of the shoreline or waterfront of any water body within the city, shall be prohibited, unless done in accordance with an approved shoreline alteration permit. A permit shall also be required to pump or withdraw sand or any other material from lake bottoms of the City of Winter Park Code of Ordinances.

2. Address where violation(s) exists: **6 Isle of Sicily, Winter Park, FL 32789-1505.**
3. Parcel I.D. No.: **31-21-30-0000-00-015**
4. Property Zone: **R-1AAA**
5. Legal Description: **BEG 76.1 FT. S & 2331.4 FT W OF NE COR OF NW ¼ OF SW ¼ SEC 32 RUN S 19 DEG E 160.2 FT W 360 FT N 13 DEG W 110.2 FT N 77 DEG E 300 FT TO POB IN SEC 31-21-30 (LESS ROAD PER OR 864/590) per Orange County records.**
6. Names and address of owner/person in charge of location where violation exists: **Oliver Dawoud & Rosemary Dawoud – 6 Isle of Sicily, Winter Park, FL 32789-1505**
7. Description of Violation: **Shoreline was altered, without a permit, by the installation of imported sand and sediments to form a beach. Shoreline vegetation was altered during the installation of imported sand and sediments.**
8. Compliance Requirements:
 1. **Pay a fine of \$500.00 (paid to The City of Winter Park).**
 2. **Submit a favorable Shoreline Alteration Permit application that includes sediment removal plans and restoration planting plan.**
 3. **Remove any and all imported sand, sediments, or fill, with proper turbidity containment (type 1 DOT turbidity curtain) in place. Revegetate the shoreline with native aquatic plants to meet the functional equivalent of four rows of plants at 2 feet centers for a length of 95 feet.**

Compliance Date to avoid hearing: **July 1st, 2023.**

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 **September 7th, 2023, 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: 14th day of August 2023.

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing has been furnished by certified and regular mail to: **OLIVER DAWOUD & ROSEMARY DAWOUD – 6 ISLE OF SICILY, WINTER PARK FL 32789–1505**

Certified Mail: 9171 9690 0935 0309 8673-18



Susanne R. Porras

Safety & Code Compliance Manager

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

CODES CITED

Chapter 114-6 (Shoreline Protection) of the City of Winter Park Code of Ordinances. The specific, applicable code section(s) and infraction(s) observed are: Sec. 114-5. – Damaging lakes. Except as otherwise authorized by this Code, it shall be unlawful for any person to dig, damage, destroy, alter, change or deface the banks or shoreline or any part thereof of any of the lakes in or partly within the corporate limits of the city; Sec. 114-6 (a) – Lakeshore Protection. Removal of aquatic shoreline or waterfront vegetation shall be required to obtain a permit and Sec. 114-6 (a) (7) – Lakeshore Protection. The changing of any shoreline by digging or adding fill, which alters or changes the shoreline or existing topography of the shoreline or waterfront of any water body within the city, shall be prohibited, unless done in accordance with an approved shoreline alteration permit. A permit shall also be required to pump or withdraw sand or any other material from lake bottoms.

cc: Teppler, Steven W. – Mandelbaum Barrett Law Firm
3 Becker Farm Road, Suite 105
Roseland, NJ 07068
and
Kivowitz, Michael – Mandelbaum Barrett Law Firm

Tracking Number:

Remove X

9171969009350309867646

Copy

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

Latest Update

Your item was delivered to an individual at the address at 10:06 am on June 22, 2023 in WINTER PARK, FL 32789.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

WINTER PARK, FL 32789

June 22, 2023, 10:06 am

See All Tracking History

Feedback

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

Text & Email Updates



Return Receipt Electronic



USPS Tracking Plus®



Product Information



See Less ^

AMENDED OFFICIAL NOTICE OF VIOLATION

CITY OF WINTER PARK
NATURAL RESOURCES & SUSTAINABILITY
401 SOUTH PARK AVENUE
WINTER PARK, FLORIDA 32789

DATE: **June 15, 2023**
Case No. # **LDC-23-0321**

9171 9690 0935 0309 8676 46

CERTIFIED TRACKING NUMBER: **9171 9690 0935 0309 8676 46**

You are hereby notified that the below stated property has been inspected and found to be in violation of **Chapter 114-6 (Shoreline Protection) of the City of Winter Park Code of Ordinances**. The specific, applicable code section(s) and infraction(s) observed are: **Sec. 114-5. – Damaging lakes. Except as otherwise authorized by this Code, it shall be unlawful for any person to dig, damage, destroy, alter, change or deface the banks or shoreline or any part thereof of any of the lakes in or partly within the corporate limits of the city; Sec. 114-6 (a) – Lakeshore Protection. Removal of aquatic shoreline or waterfront vegetation shall be required to obtain a permit and Sec. 114-6 (a) (7) – Lakeshore Protection. The changing of any shoreline by digging or adding fill, which alters or changes the shoreline or existing topography of the shoreline or waterfront of any water body within the city, shall be prohibited, unless done in accordance with an approved shoreline alteration permit. A permit shall also be required to pump or withdraw sand or any other material from lake bottoms.**

SHORELINE PROTECTION

On **March 28th, 2023** a Violation(s) was observed on your property. The violation(s) must be corrected by **30 days after receipt of notice**. 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: **R1-AAA**
Parcel ID#: **31-21-30-0000-00-015**
Violation **6 ISLE OF SICILY**
Location/Address: **WINTER PARK, FLORIDA 32789**
Property Owner/ Tenant: **DAWOUD, OLIVER & ROSEMARY**
Mailing Address: **6 ISLE OF SICILY**
City/ State/ Zip: **WINTER PARK, FLORIDA 32789-1505**
Description of Violation: **Shoreline was altered, without permit, by the**

installation of imported sand and sediments to form a beach. Shoreline vegetation was altered during the installation of imported sand and sediments.

Corrective action to be taken:

1. Pay a fine of \$500.00 (paid to The City of Winter Park).
2. Submit a favorable Shoreline Alteration Permit application that includes sediment removal plans and restoration planting plan.
3. Remove any and all imported sand, sediments, or fill, with proper turbidity containment (type 1 DOT turbidity curtain) in place. Revegetate the shoreline with native aquatic plants to meet the functional equivalent of four rows of plants at 2 feet centers for a length of 95 feet.

PLEASE CONTACT THE LAKES DIVISION WITH YOUR INTENTIONS.

Inspector's Name: **Joey Cordell** – jcordell@cityofwinterpark.org
Lakes Manager – Lakes Division
407-691-7829

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 the Lakes Division at (407) 599-3479.







401 South Park Avenue • Winter Park, Florida 32789

407-599-3463 • cityofwinterpark.org

Natural Resources & Sustainability

February 8th, 2023

Oliver and Rosemarie Dawoud
6 Isle of Sicily
Winter Park, FL 32789-5126

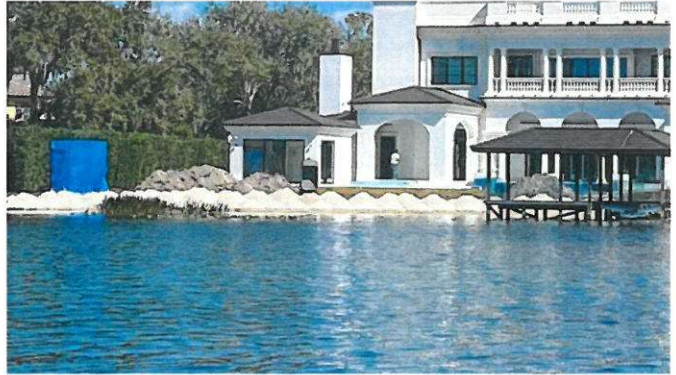
RE: Violation of Chapter 114-6 (Shoreline Protection) of the Winter Park Code of Ordinances

certified mailing receipt number: XXXXX

Dear Mr. & Mrs. Dawoud:

During a recent survey of our lakes, staff from the City's Lakes Division observed an apparent violation of Chapter 114-6 (Shoreline Protection) of the City of Winter Park Code of Ordinances. The specific, applicable code section(s) and infraction(s) observed are:

- **Sec. 114-5. – Damaging lakes. Except as otherwise authorized by this Code, it shall be unlawful for any person to dig, damage, destroy, alter, change or deface the banks or shoreline or any part thereof of any of the lakes in or partly within the corporate limits of the city.**
- **Sec. 114-6 (a) – Lakeshore Protection. Removal of aquatic shoreline or waterfront vegetation shall be required to obtain a permit.**
- **Sec. 114-6 (a) (7) – Lakeshore Protection. The changing of any shoreline by digging or adding fill, which alters or changes the shoreline or existing topography of the shoreline or waterfront of any water body within the city, shall be prohibited, unless done in accordance with an approved shoreline alteration permit. A permit shall also be required to pump or withdraw sand or any other material from lake bottoms.**
 - Please note that any shoreline alteration activity requires that the subject property be brought into compliance with the current shoreline vegetation standards (homeowners may maintain a cleared access corridor 50 feet wide, or 50 percent of the linear width of the shoreline, whichever is less, the remainder of the shoreline must remain vegetated).
 - Please note that protected shoreline has been cleared or filled with sediments. The restoration of the required protected shoreline must be re-established with native beneficial aquatic plants and trees and the sediments filling the wetlands must be removed. Importation of sediments requires a Florida Department of Environmental Protection (FDEP) Dredge and Fill Permit. Lake Maitland shoreline is also protected by Florida Fish and Wildlife Conservation Commission (FWC) regulations. A permit from FWC is needed in addition to City of Winter Park's shoreline alteration permit.



All shoreline vegetation projects require a shoreline alteration permit and authorization by the City of Winter Park's Lakes Division. Violation of the provision of this code carries a fine of \$500.00 and requires that the site be brought into compliance. In order to avoid further code enforcement action, please take the following corrective actions within **30 days** of receipt of this letter:

- 1. Submit fine payment of \$500.00 (paid to The City of Winter Park).**
- 2. Submit an application and required drawings (plan view and cross-section) for a shoreline alteration permit that includes restoration planting and maintenance plan for the shoreline to include a sediment removal plan. On-line permit portal can be found here: <https://cityofwinterpark.org/self-service/>**
- 3. Imported sediment removal and restoration to be included in the above referenced application.**

Thank you for your cooperation in this matter. Please call me at (407) 599-3471 if you have any questions regarding the items discussed in this letter.

Sincerely,

Gloria Eby
Director, Natural Resources & Sustainability Department
City of Winter Park
500 N. Virginia Ave
Winter Park, FL 32789
geby@cityofwinterpark.org
407-599-3471

cc: Joey Cordell, Lakes Manager, City of Winter Park Lakes Division
Randy Knight, City Manager, City of Winter Park
Andrew Lawrence, Regional Biologist, Florida Fish and Wildlife Conservation Commission
Alexandra Davis, Environmental Specialist, Florida Department of Environmental Protection



06/20/2023 14:16











06/15/2023 09:51









06/15/2023 09:49





06/15/2023 09:49





item type Public Hearings (Public participation and comment on these matters must be in-person.)	meeting date September 7, 2023
prepared by Susan Pruchnicki	approved by
board approval	
strategic objective	

subject

Case 23-0008 2661 Via Tuscany, Winter Park, FL 32789 - Building Department - Gary Hiatt

motion / recommendation

background

Violation: Building Permit - BLDR-2021-2116 for a fence was rejected at the review stage and no further plans were re-submitted. The permit is now expired and the fence was installed without a permit. Building Permit BLDR-2021-1943 for a pool was issued. They passed all rough inspections but failed the engineering inspection on 3/3/22. No further inspections were requested ever since. The permit has not expired.

Codes Cited: Article II. - Building Code Sec. 22-26. Short Title.: Sec. 22-27. - Codes Adopted by reference.: Sec. 22-28.- Amendments to the Florida Building Code.; Sec. 105.4.1 Conditions of a permit, permit term and intent and Sec. 105.4.1.1 of the City of Winter Park Building Code.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[LDC-23-0008 Case docs.pdf](#)

FACT SHEET

September 7, 2023.

Case No: 23-0008

Respondents:

DEVELOPER AND BUILDER GROUP, LLC
218 WILSHIRE BLVD.
CASSELBERRY, FL 32707-5371

1. Address where violation exists: **2661 VIA TUSCANY, Winter Park, FL 32789**
2. Parcel I.D. No.: **32-21-30-5478-07-010**
3. Property Zone: **R-1AA**
4. Inspection(s): **02/06/2023, 03/03/2023 and 08/23/2023 (property posted)**
5. Notice of Violation and Notice of Hearing was mailed regular, certified mail, posted on the property and city hall in accordance with Florida Statute 162 Due Process requirements.

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

Evidence

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

VIOLATION (s) DESCRIPTION:	CORRECTIVE ACTION REQUIRED:	CODES CITED:
Building Permit – BLDR-2021-2116 for a fence was rejected at the review stage and no further plans were re-submitted. The permit is now expired and the fence was	Comments were not addressed from September 2021. New permit applications will need to be submitted to demonstrate compliance with current regulations and to address	Article II. – Building Code; Sec. 22-26. Short Title.; Sec. 22-27. – Codes Adopted by reference.; Sec.22-28.- Amendments to the Florida Building Code.; Sec.105.4.1 Conditions of a permit, permit term and intent and Sec. 105.4.1.1 of the City of Winter Park Building Code.

installed without a permit. Building Permit - BLDR-2021-1943 for a pool was issued. They passed all rough inspections but failed the engineering inspection on 03/03/2022. No further inspections were requested ever since. The permit has now expired.	the comments made in 2021	
---	----------------------------------	--

If the board is in agreement with the evidence submitted and determines that and order should be issued:

-Staff Recommended Motion –

From the evidence presented today, I move to find the Respondents, Developer and Builder Group, LLC, Code Compliance Board Case #23-0008, owners of 2661 Via Tuscan, Winter Park, FL 32789 in violation of Article II. – Building Code; Sec. 22-26. Short Title; Sec.22-27. – Codes adopted by reference; Sec. 22-28. – Amendments to the Florida Building Code; Sec. 105.4.1 Conditions of a permit, permit term and intent and Sec. 105.4.1.1 of the City of Winter Park Building Code. The respondents are ordered to submit new permit applications for the fence and pool structure to demonstrate compliance with current regulations and to address the comments made in 2021 within _____ days of this hearing date. Failure to comply with this order will result in fines of up to \$250 per day or (whatever the amount the board determines) \$_____ for each day the violation continues. The Respondents are further ordered to contact the Building Department and the Safety and Code Compliance Officer and provide documentation of action taken by _____.

Tracking Number:

Remove X

9171969009350309867264

Copy

Schedule a Redelivery (<https://tools.usps.com/redelivery.htm>)

Latest Update

This is a reminder to arrange for redelivery of your item before September 4, 2023 or your item will be returned on September 5, 2023. You may arrange redelivery by using the Schedule a Redelivery feature on this page or may pick up the item at the Post Office indicated on the notice.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivery Attempt: Action Needed

Reminder to Schedule Redelivery of your item before September 4, 2023

August 26, 2023

Notice Left (No Secure Location Available)

CASSELBERRY, FL 32707

August 21, 2023, 11:49 am

See All Tracking History

Feedback

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

Text & Email Updates



Schedule Redelivery



USPS Tracking Plus®



AMENDED OFFICIAL NOTICE OF VIOLATION

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

DATE: **August 16, 2023.**

CASE # **BLDG-23-0008**

CERTIFIED TRACKING NUMBER: **9171 9690 0935 0309 8672 64**

9171 9690 0935 0309 8672 64

You are hereby notified that the below stated property has been inspected and found to be in violation of **Article II. – Building Code; Sec. 22-26. Short Title.; Sec. 22-27. – Codes Adopted by reference.; Sec.22-28.- Amendments to the Florida Building Code.; Sec.105.4.1 Conditions of a permit, permit term and intent and Sec. 105.4.1.1 of the City of Winter Park Building Code.**

BUILDING CODE

On **March 3, 2023** a Violation(s) was observed on your property. The violation(s) must be corrected by **August 27, 2023**. 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-1AA**

Parcel ID#: **32-21-30-5478-07-010**

Violation Location/Address: **2661 VIA TUSCANY
Winter Park, Florida 32789**

Property Owner/ Tenant: **DEVELOPER AND BUILDER GROUP, LLC**

Mailing Address: **218 WILSHIRE BLVD.**

City/ State/ Zip: **CASSELBERRY, FL 32707-5371**

Description of Violation: **Fence was erected without a required permit.
BLDR-2021-2116 - Permit was rejected and no further plans were re-submitted. BLDR-23-1943 - Pool permit was issued. They have passed all the rough inspections but failed the engineering inspection on 03/03/2022. No further inspections were requested ever since. This permit has expired.**

Corrective action to be taken: **Obtain and finalize all permit requirements for the fence and pool structure.**

Contact the Code Compliance Manager with your intentions on resolving this issue.

Officer Name: **S. PORRAS – 407-599-3283** Sporras@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.

105.4 Conditions of permit.

105.4.1 Conditions of permit; permit term and intent.

105.4.1.1 The building official shall act upon an application for a permit with plans as filed, or as amended, without unreasonable or unnecessary delay. A permit issued shall be construed to be a license to proceed with the work and shall not be construed as authority to violate, cancel, alter, or set aside any of the provisions of this code (including the Winter Park Code of Ordinances), nor shall such issuance of a permit prevent the building official from thereafter requiring a correction of errors in plans or in construction or of violations of this code (including the Winter Park Code of Ordinances). No substantial building site preparation, including but not limited to excavation or placement of fill or foundation construction, shall take place prior to the issuance of a building, foundation or site development permit. Issuance of such permits is limited to meeting all other city site development requirements, and is subject to the approval of the building official.

105.4.1.2 Every permit issued shall become invalid unless the work authorized by such permit is commenced within six months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of six months after the time the work is commenced, and the building official is authorized to require that any work which has been commenced or completed be removed from the building site unless the permit is extended or renewed as approved by the building official due to extenuating circumstances.

105.4.1.3 In constructing, renovating or building a new one or two-family dwelling, additions onto one or two-family dwellings or accessory buildings work under the permit must be substantially completed within 12 calendar months after the time the work is commenced or else the permit shall become invalid. If such permit becomes invalid, no new permit shall be issued covering the same work or any portion thereof if the effect of such permit would be to allow completion of the work begun under the original permit unless an extension or reinstatement of the original permit is granted by the building official after receiving in writing reasons for the delay in completion of the building for good cause (see Section 105.4.1.7. When extending or reinstating a residential permit the building official may impose additional conditions to limit noise, storage of materials or debris, cleanliness of the building site, work hours, construction worker parking or take other actions that will minimize the negative impact of an active construction project for surrounding properties. Furthermore, any structural work partially completed on the property where the permit became invalid shall be removed and the property cleaned to the satisfaction of the building official. If the property owner or holder of the invalidated permit fails to remove the structure and clean the property within 30 days of the

invalidation date, then the building official may take the necessary action to have the structure removed and have the property cleaned with all costs assessed against the property owner and if unpaid for 30 days shall be assessed as a lien against the property. Failure to comply with this section may require referring this matter to the Code Compliance Board to assess fines or other corrective actions.



Tracking Number:

Remove X

9171969009350309867271

Copy

[Schedule a Redelivery \(https://tools.usps.com/redelivery.htm\)](https://tools.usps.com/redelivery.htm)

Latest Update

This is a reminder to arrange for redelivery of your item before September 4, 2023 or your item will be returned on September 5, 2023. You may arrange redelivery by using the Schedule a Redelivery feature on this page or may pick up the item at the Post Office indicated on the notice.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivery Attempt: Action Needed

Reminder to Schedule Redelivery of your item before September 4, 2023

August 26, 2023

Notice Left (No Secure Location Available)

CASSELBERRY, FL 32707

August 21, 2023, 11:49 am

[See All Tracking History](#)

Feedback

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

Text & Email Updates



Schedule Redelivery



USPS Tracking Plus®



**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: BLDG-23-0008

9171 9690 0935 0309 8672 71

CITY OF WINTER PARK
Petitioner,

vs.

DEVELOPER AND BUILDER GROUP, LLC
218 WILSHIRE BLVD.
CASSELBERRY, FL 32707-5371

Respondents,

**NOTICE OF
CODE COMPLIANCE BOARD HEARING**

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

**Thursday, September 7th, 2023
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: **Article II. – Building Code; Sec. 22-26. Short Title.; Sec. 22-27. – Codes Adopted by reference.; Sec.22-28.- Amendments to the Florida Building Code.; Sec.105.4.1 Conditions of a permit, permit term and intent and Sec. 105.4.1.1 of the City of Winter Park Building Code.**
2. Address where violation(s) exists: **2661 Via Tuscany, Winter Park, FL 32789.**

3. Parcel I.D. No.: **32-21-30-5478-070-010**
4. Property Zone: **R-1AAA**
5. Legal Description: **MAITLAND SHORES FIRST ADDITION S/68 LOT 1 BLK G (LESS RD R/W ON NE) per Orange County records.**
6. Names and address of owner/person in charge of location where violation exists: **Developer And Builder Group, LLC – 218 Wilshire Blvd., Casselberry, FL 32707-5371.**
7. Description of Violation: **Fence was erected without a required permit. BLDR-2021-2116 - Permit was rejected and no further plans were re- submitted. BLDR-23-1943 - Pool permit was issued. They have passed all the rough inspections but failed the engineering inspection on 03/03/2022. No further inspections were requested ever since. This permit has expired.**
8. Compliance Requirements: **Obtain and finalize all permit requirements for the fence and pool structure. Contact the Code Compliance Manager with your intentions on resolving this issue.**

Compliance Date to avoid hearing: **August 27th, 2023.**

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 **September 7th, 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: 16th day of August 2023

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing has been furnished by certified and regular mail to: **DEVELOPER AND BUILDER GROUP, LLC -218 WILSHIRE BLVD., CASSELBERRY, FL 32707-5371**

Certified Mail: 9171 9690 0935 0309 8672 71

Susanne R. Porras
Safety & Code Compliance Manager

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

CODES CITED

105.4 Conditions of permit.

105.4.1 Conditions of permit; permit term and intent.

105.4.1.1 The building official shall act upon an application for a permit with plans as filed, or as amended, without unreasonable or unnecessary delay. A permit issued shall be construed to be a license to proceed with the work and shall not be construed as authority to violate, cancel, alter, or set aside any of the provisions of this code (including the Winter Park Code of Ordinances), nor shall such issuance of a permit prevent the building official from thereafter requiring a correction of errors in plans or in construction or of violations of this code (including the Winter Park Code of Ordinances). No substantial building site preparation, including but not limited to excavation or placement of fill or foundation construction, shall take place prior to the issuance of a building, foundation or site development permit. Issuance of such permits is limited to meeting all other city site development requirements, and is subject to the approval of the building official.

105.4.1.2 Every permit issued shall become invalid unless the work authorized by such permit is commenced within six months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of six months after the time the work is commenced, and the building official is authorized to require that any work which has been commenced or completed be removed from the building site unless the permit is extended or renewed as approved by the building official due to extenuating circumstances.

105.4.1.3 In constructing, renovating or building a new one or two-family dwelling, additions onto one or two-family dwellings or accessory buildings work under the permit must be substantially completed within 12 calendar months after the time the work is commenced or else the permit shall become invalid. If such permit becomes invalid, no new permit shall be issued covering the same work or any portion thereof if the effect of such permit would be to allow completion of the work begun under the original permit unless an extension or reinstatement of the original permit is granted by the building official after receiving in writing reasons for the delay in completion of the building for good cause (see Section 105.4.1.7. When extending or reinstating a residential permit the building official may impose additional conditions to limit noise, storage of materials or debris, cleanliness of the building site, work hours, construction worker parking or take other actions that will minimize the negative impact of an active construction project for surrounding properties. Furthermore, any structural work partially completed on the property where the permit became invalid shall be removed and the property cleaned to the satisfaction of the building official. If the property owner or holder of the invalidated permit fails to remove the structure and clean the property within 30 days of the invalidation date, then the building official may take the necessary action to have the structure removed and have the property cleaned with all costs assessed against the property

owner and if unpaid for 30 days shall be assessed as a lien against the property. Failure to comply with this section may require referring this matter to the Code Compliance Board to assess fines or other corrective actions.



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

CASE NO.: **BLDG-23-0008**

City of Winter Park
Petitioner,

vs.

Developer and Builder Group, LLC
218 Wilshire Blvd.
Casselberry, FL 32707-5371

Respondents, _____/

AFFIDAVIT OF POSTING

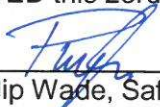
STATE OF FLORIDA
COUNTY OF ORANGE

Before me, the undersigned authority, personally posted Phillip Wade, Safety & Code Compliance Officer for the City of Winter Park, 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 for the property located at 2661 Via Tuscany on this 23rd day of August 2023.
3. That the attached picture document is proof of the posting.

FURTHER AFFIANT SAYETH NOT

DATED this 23rd day of August 2023

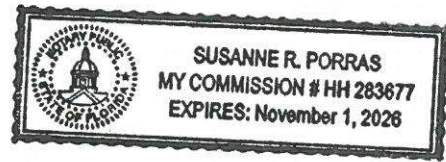

Phillip Wade, Safety & Code Compliance Officer

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 23rd day of August 2023, by PHILLIP WADE, who is personally known to me as a Safety & Code Compliance Officer for the City of Winter Park.

Susanne Porras

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





08/23/2023 14:15

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: BLDG-23-0008

CITY OF WINTER PARK
Petitioner,

VS.

DEVELOPER AND BUILDER GROUP, LLC
218 WILSHIRE BLVD
CASSELBERRY, FL 32707-5371

Respondents,

**NOTICE OF
CODE COMPLIANCE BOARD HEARING**

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

Thursday, September 7th, 2023
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: Article II. - Building Code; Sec. 22-26, Short Title; Sec. 22-27. - Codes Adopted by reference; Sec. 22-28. Amendments to the Florida Building Code; Sec. 105.4.1 of the City of Winter Park Building Code.
2. Address where violation(s) exists: 2661 Via Tuscan, Winter Park, FL 32789.

08/23/2023 14:15



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

Detail by Entity Name

Florida Limited Liability Company
DEVELOPER AND BUILDER GROUP, LLC.

Filing Information

Document Number	L17000038057
FEI/EIN Number	81-5385566
Date Filed	02/16/2017
Effective Date	02/15/2017
State	FL
Status	ACTIVE
Last Event	LC STMNT OF RA/RO CHG
Event Date Filed	08/24/2017
Event Effective Date	NONE

Principal Address

218 WILSHIRE BLVD.
CASSELBERRY, FL 32707

Changed: 04/23/2018

Mailing Address

218 WILSHIRE BLVD.
CASSELBERRY, FL 32707

Changed: 04/23/2018

Registered Agent Name & Address

BERMUDEZ, FERNANDO
218 WILSHIRE BLVD.
CASSELBERRY, FL 32707

Name Changed: 08/24/2017

Address Changed: 04/23/2018

Authorized Person(s) Detail

Name & Address

Title MGR

BERMUDEZ, FERNANDO
437 SANDRINGHAM CT
WINTER SPRINGS, FL 32708

Title MBR

JARAMILLO ALVAREZ, CARLOS A
CALLE 5 SUR # 25-130 APTO 315 PARQUE RES.
LA CAMPINA, MEDELLIN, MD 00000 CO

Title MBR

YEPES GIRALDO, NELSON D
CARRETERA 44 SUR #17 C 40 APTO 1908
BARRIO POBLADO, MEDELLIN, MD 00000 CO

Annual Reports

Report Year	Filed Date
2021	03/25/2021
2022	04/28/2022
2023	04/26/2023

Document Images

04/26/2023 -- ANNUAL REPORT	View image in PDF format
04/28/2022 -- ANNUAL REPORT	View image in PDF format
03/25/2021 -- ANNUAL REPORT	View image in PDF format
03/19/2020 -- ANNUAL REPORT	View image in PDF format
04/16/2019 -- ANNUAL REPORT	View image in PDF format
04/23/2018 -- ANNUAL REPORT	View image in PDF format
02/16/2017 -- Florida Limited Liability	View image in PDF format

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

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

Print Date: 08/16/2023 System Refresh Date: 08/15/2023

2661 Via Tuscany 32-21-30-5478-07-010

Name(s):
Developer And Builder Group
LLC

Physical Street Address:
2661 Via Tuscany

Property Use:
0001 - Vacant Residential

Mailing Address On File:
218 Wilshire Blvd
Casselberry, FL 32707-5371
[Incorrect Mailing Address?](#)

Postal City and Zip:
Winter Park, FL 32789

Municipality:
Winter Park



2661 VIA TUSCANY, WINTER PARK, FL 32789 5/1/2023 10:18 AM

[Upload Photos](#)

[View 2023 Property Record Card](#)

[PROPERTY FEATURES](#)

[VALUES, EXEMPTIONS AND TAXES](#)

[SALES](#)

[MARKET STATS](#)

[LOCATION](#)

[View Plat](#)

Property Description

MAITLAND SHORES FIRST ADDITION S/68 LOT 1 BLK G (LESS RD R/W ON NE COR)

Total Land Area

10,631 sqft (+/-) | 0.24 acres
(+/-)

[GIS Calculated](#)

Notice

Land

Land Use Code	Zoning	Land Units	Unit Price	Land Value	Class Unit Price	Class Value
0001 - Vacant Residential	R-1AA	1 LOT(S)	\$175,000	\$175,000	\$0	\$175,000

«« « 1 » »»

Page 1 of 1 (Total Records: 1)

Building

There are no buildings associated to this parcel.

Extra Features

There are no extra features associated to this parcel.

[View Winter Park Permits](#)



Prepared by
Meli Trujillo, an employee of
First American Title Insurance Company
931 S. Orlando Avenue
Maitland, Florida 32751
(877)727-5915

Return to: Grantee

File No.: 2020-2482558
Consideration: \$280,000.00

WARRANTY DEED

Made this October 31, of 2017 by and between

Brian L. Stehli, a married man and Kristofer Lenn Stehli, a single man and Gary L. Stehli, a single man Individually and as Trustee of the Gary Stehli Living Trust

whose address is: **2816 Montmart Dr., Orlando, FL 32812**
hereinafter called the "grantor", to

Developer and Builder Group, LLC, a Florida limited liability company

whose post office address is: **328 Wilshire Blvd, Casselberry, FL 32707**
hereinafter called the "grantee":

(Which terms "Grantor" and "Grantee" shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

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

Lot 1, Block G, MAITLAND SHORES FIRST ADDITION, As Recorded In Plat Book S At Page 68, Public Records Of Orange County, Florida.

Parcel Identification Number: **32-21-30-5478-07010**

The land is not the homestead of the Grantor under the laws and constitution of the State of Florida and neither the Grantor nor any person(s) for whose support the Grantor is responsible reside on or adjacent to the land.

Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any way 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 31st of 2016.

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

B. L. Stehli
Brian L. Stehli

Signed, sealed and delivered in the presence of these witnesses:

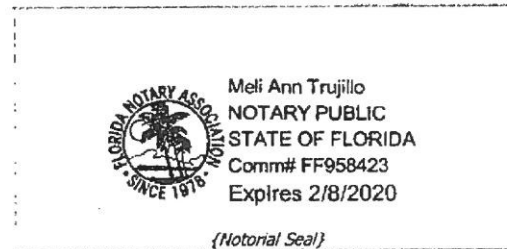
Meli Trujillo
Witness Signature
Print Name: Meli Trujillo
State of Florida
County of Orange

A. Kelley
Witness Signature
Print Name: April Kelley

The Foregoing Instrument was Acknowledged before me on October 30, 2017 by **Brian L. Stehli** who is/are personally known to me or who has/have produced a valid driver's license as identification.

Meli Ann Trujillo
Notary Public
Meli Ann Trujillo
(Printed Name)

My Commission expires: 2/8/2020



Kristofer Lenn Stehli 10/30/17
Kristofer Lenn Stehli

Signed, sealed and delivered in the presence of these witnesses:

Irene M. Zupko
Witness Signature

Print Name: Irene M. Zupko
State of CALIFORNIA

County of SAN LUIS OBISPO

Christine Ahern
Witness Signature

Print Name: Christine Ahern

The Foregoing Instrument was Acknowledged before me on Oct 30, 2017 by
Kristofer Lenn Stehli who is/~~are~~ personally known to me or who has/have produced a valid driver's
license as identification.

Irene M. Zupko
Notary Public

Irene M. Zupko
(Printed Name)

My Commission expires: July 14, 2019



The Gary Stehli Living Trust

Gary L. Stehli
Gary L. Stehli, Individually & as Trustee

Signed, sealed and delivered in the presence of these witnesses:

William J. Martinez
Witness Signature

Grover D. Daniels
Witness Signature

Print Name: William J. Martinez

Print Name: Grover D. Daniels

State of Florida

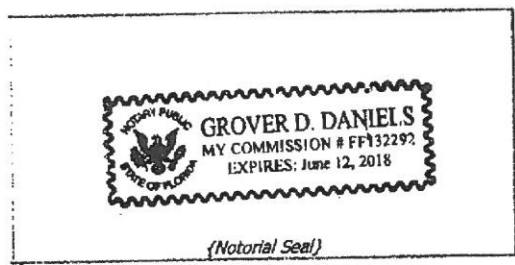
County of St. John

The foregoing Instrument was Acknowledged before me on 30th Oct. 2017 by **Gary L. Stehli, Individually and as Trustee of the Gary Stehli Living Trust** who is/are personally known to me or who has/have produced a valid driver's license as identification.

Grover D. Daniels
Notary Public

Grover D. Daniels
(Printed Name)

My Commission expires: 6/12/18



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

Parcel/Tangible Number:	32-21-30-5478-07010	Owner & Address:	DEVELOPER AND BUILDER GROUP LLC218 WILSHIRE BLVDCASSELBERRY, FL 32707-5371
Date:	8/16/2023		
Tax Year:	<u>2022</u>		
Total Assessed Value:	\$172,040	Legal	MAITLAND SHORES FIRST ADDITION S/68 LOT 1 BLK G (LESS RD R/W
Taxable Value:	\$172,040	Description:	ON NE COR)
Gross Tax Amount:	\$2,677.34	Location	2661 VIA TUSCANY WINTER PARK 32789
Millage Code:	6 WP	Address:	

Comments:
Note: The "Certified Owner" is the Owner of record on the Tax Roll. Check the "Certified Owner" check box and select the Taxbill button to see the certified owner.

Current Taxes and Unpaid Delinquent Warrants:

Year	Owner Information	Amount Due	View Bill/Receipt	Certified Owner	Make Payment
2020	DEVELOPER AND BUILDER GROUP LLC	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2019	DEVELOPER AND BUILDER GROUP LLC	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2017	DEVELOPER AND BUILDER GROUP LLC	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2016	GARY STEHLI LIVING TRUST STEHLI BRIAN L STEHLI KRISTOFER LENN	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2014	STEHLI BRIAN L STEHLI KRISTOFER LENN STEHLI GARY LEE	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2013	STEHLI BRIAN L STEHLI KRISTOFER LENN STEHLI GARY LEE	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2012	STEHLI BRIAN L STEHLI KRISTOFER LENN STEHLI GARY LEE	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2011	STEHLI BRIAN L STEHLI KRISTOFER LENN STEHLI GARY LEE	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2010	STEHLI BRIAN L STEHLI KRISTOFER LENN STEHLI GARY LEE	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2009	STEHLI BRIAN L STEHLI KRISTOFER LENN STEHLI GARY LEE	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2008	STEHLI DOROTHY P ESTATE	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2007	STEHLI FRANK L	* PAID (View Taxbill For Receipt) *	Taxbill	☐	
2006	STEHLI FRANK L	* PAID (View Taxbill For Receipt) *	Taxbill	☐	

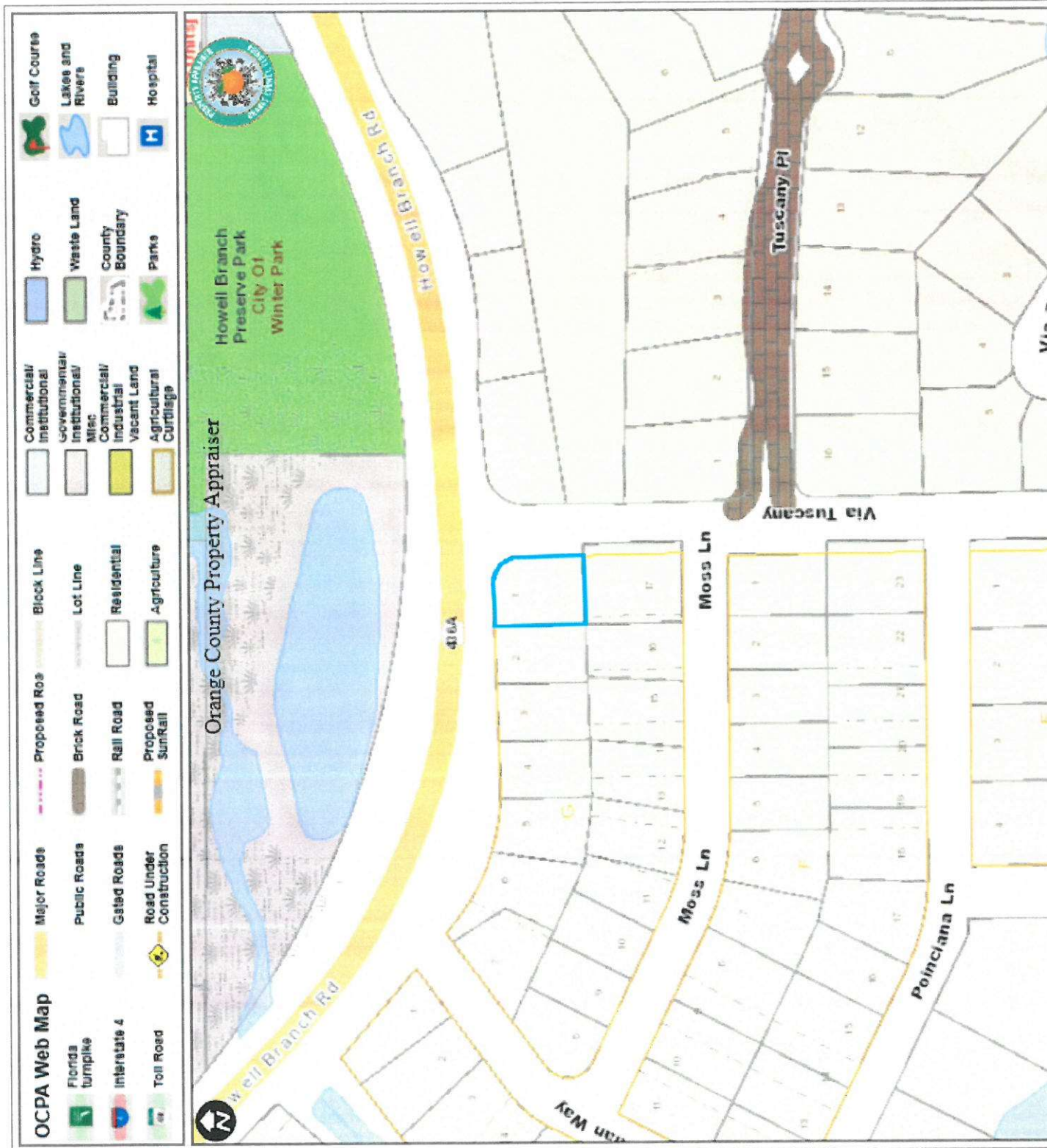
Unpaid Real Estate Certificates:

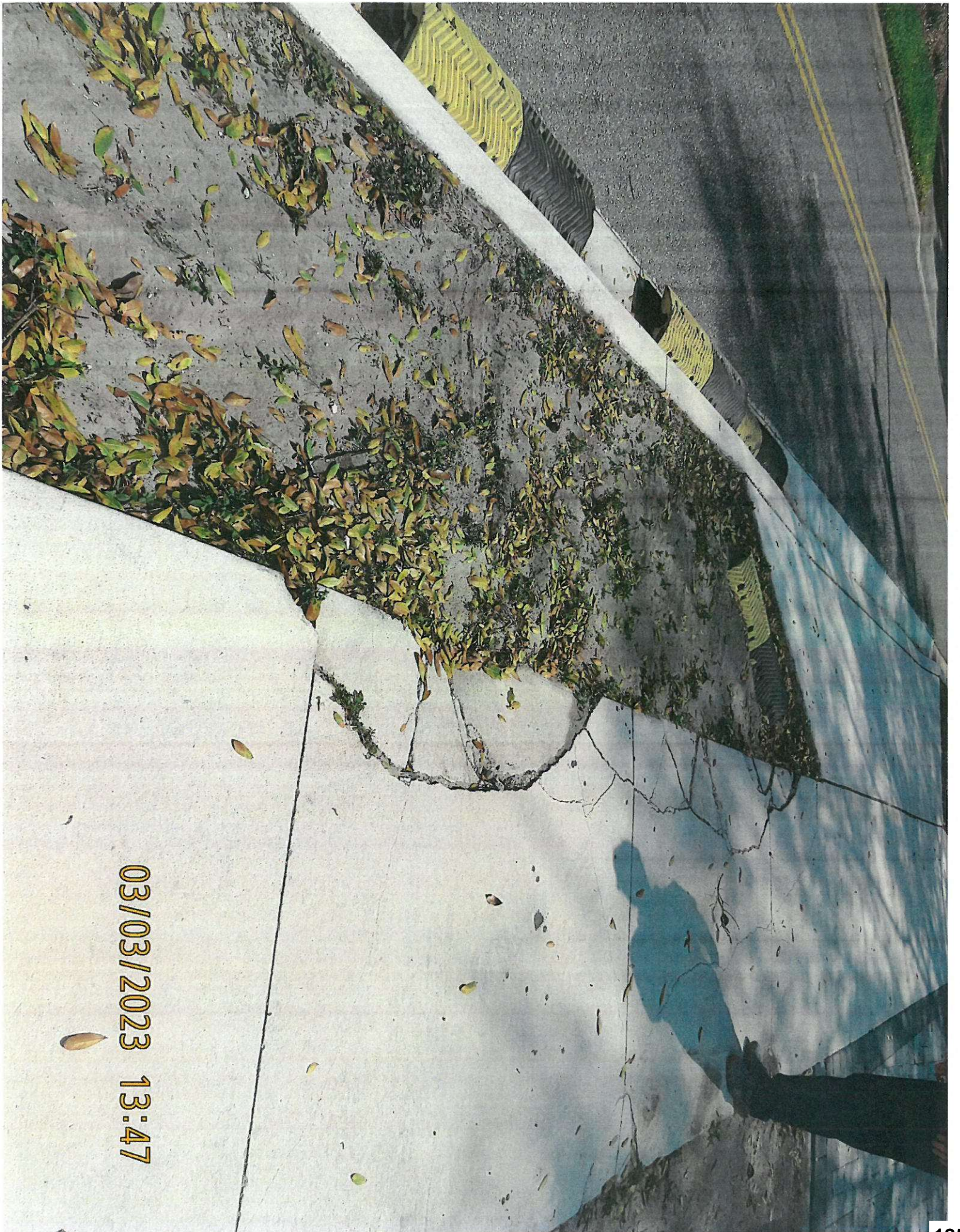
Year	Current Payoff	If Paid By	Current Payoff	If Paid By	Make Payment
2022	\$3,078.07	8/31/2023	\$3,078.07	9/30/2023	Pay Now
2021	\$2,838.96	8/31/2023	\$2,838.96	9/30/2023	Pay Now

Other Real Estate Certificates:

Year	Face Value	Certificate Number	Status	Amount Paid
2018	\$4,336.36	2019-0014791	Paid	\$4,559.43

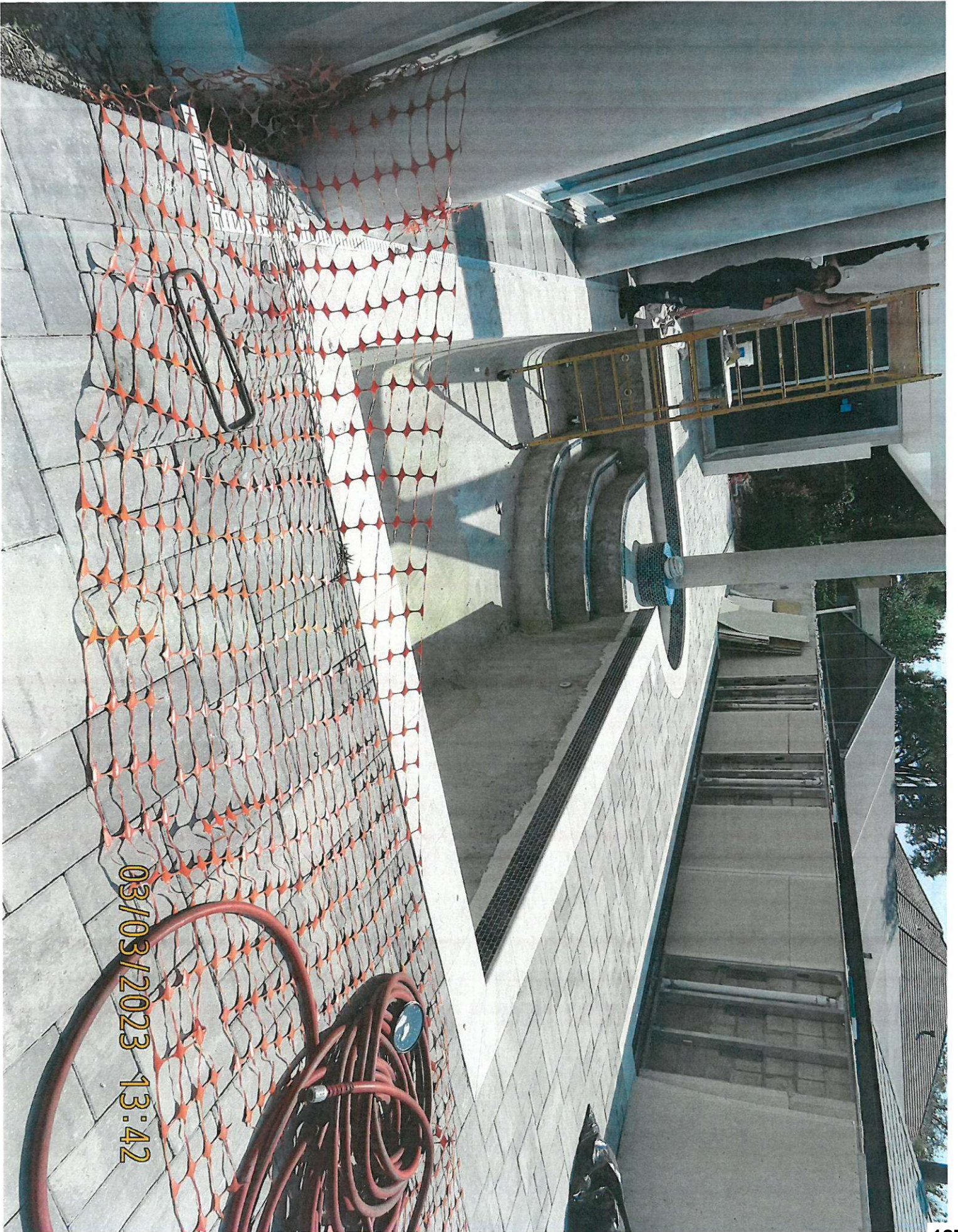
* UNPAID DELINQUENT TAXES MUST BE PAID BY A CASHIERS CHECK, MONEY ORDER, OR CERTIFIED FUNDS AND ARE DUE BY THE LAST BUSINESS DAY OF THE MONTH.





03/03/2023 13:47







03/03/2023 13:44







03/03/2023 13:46





03/03/2023 13:46

