

Hearing File  
11/8/2017



**CITY OF FRUITLAND PARK  
CODE ENFORCEMENT-SPECIAL MAGISTRATE  
HEARING AGENDA**

**November 8, 2017**

City Hall Commission Chambers  
506 W. Berckman Street  
Fruitland Park, FL 34731

**8:30 a.m.**

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **ADMINISTRATION OF OATH TO DEFENDANTS/WITNESSES**
4. **ATTORNEY PRESENTATIONS**

**Affidavit of Non-Compliance**

**Case # CE2017-0032**

Property Address: 401 Acorn Circle, Fruitland Park, FL 34731

Property Owner: Jennifer E. Marcial

Violation(s): City Code, Chapter 97 Property Maintenance –

Section 97.03-Excessive or untended growth of vegetation prohibited.

Section 97.02-Accumulation of Refuse prohibited.

Chapter 150-Adoption of Land Development Regulations

Section 156.030: Fences and Walls.

Ordinance 2011-001- Adoption of International Property Maintenance Code

Section 108.1.-Unsafe Structures.

Section 108.1.3-Structures unfit for human occupancy.

5. **REQUEST FOR HEARINGS**

a) **Case # CE2016-004**

Property Address: 412 Sunny Court, Fruitland Park, FL 34731

Property Owner: Robert T. Moore

Violation(s): City Code, Chapter 97: Property Maintenance

Section 97.04-Accumulation of Junk Prohibited.

Grace period for compliance expired July 11, 2017.

b) **Case # CE2017-003**

Property Address: 3131 US Hwy. 27/441, Fruitland Park, FL 34731

Property Owner: Florida Medical Industries Inc., C/O Stephen Angelillo

Violation(s): City Code, Chapter 97: Property Maintenance

Section 97.03-Excessive or Untended Growth of Vegetation Prohibited.

Section 97.04-Accumulation of Junk Prohibited.

International Property Maintenance Code:

Section 108.1-Unsafe Structures.

Section 108.1.3-Structures unfit for human occupancy.

Grace period for compliance expired October 10, 2017.

**6. NEW BUSINESS**

**7. PUBLIC COMMENTS**

Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to be heard on propositions before the Code Enforcement-Special Magistrate. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the Code Enforcement-Special Magistrate addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

**8. OTHER BUSINESS**

**9. ADJOURNMENT**

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the City Clerk's Office at City Hall (352) 360-6727 at least forty-eight (48) hours prior to the meeting. (§286.26 F.S.)

If a person decides to appeal any decision made by the City of Fruitland Park Code Enforcement- Special Magistrate with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and 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. The city does not provide verbatim records. (§286.0105, F.S.)

Pursuant to FSS 162.11, all Code Enforcement-Special Magistrate cases that are appealed are appealed to Circuit Court. The appeals must be filed no later than 30 days from the date of the execution or signing date of the written Order that is to be appealed. Any Order issued by the City of Fruitland Park's Code Enforcement-Special Magistrate may be appealed, including the original order, any subsequent orders, an extension order, or a reduction order.

**PLEASE TURN OFF ELECTRONIC DEVICES OR PLACE IN VIBRATE MODE.**

CODE ENFORCEMENT  
SPECIAL MAGISTRATE HEARING AGENDA  
NOV. 8, 2017

1				
2				
3				
4	Case # :	CE2017-0032	Affidavit of Non-Compliance	
	Address:	401 Acorn Circle		
		Fruitland Park, FL		
		34731		
	Property Owner:	Jennifer E. Marcial		
	Date: 08/11/2017	Exhibit A	Order of Enforcement	401 Acorn Circle\Not
			Findings of Fact	
			Dated August 11, 2017	Due: 09/11/17
	Date: 08/17/2017	A-1	Copy of US Mail	
			Returned 8/23/17	401 Acorn Circle\Not
		A-2	Copy of Mail Certified	
			Returned 9/8/17	401 Acorn Circle\Not
		A-3	Copy of Recorded Order	401 Acorn Circle\Not
		A-4	Posted City Hall	Photo
		A-5	Posted Propery	Photo
	Date: 09/26/2017	Exhibit B	Re-Inspection/Non-Compliant	401 Acorn Circle\Reir
	(Due date: 09/11/17)	B-1	Evidence of Violation #1	Photo
			City Code, Ch. 97-Property Maint., Sec. 97.03- Excessive or Untended growth of Vegetation Prohibited	
		B-2	Evidence of Violation #2	Photo
			Sec. 97.02-Accumulation of refuse prohibited	
		B-3	Evidence of Violation #3	Photo
			LDR's.-Sec. 156.030-Fences and walls.	
		B-4	Evidence of Violation #4	Photo
			Ordinance 2011-001 - Adoption of International Property Maintenance Code. Sec. 108.1- Unsafe Structures	
		B-5	Evidence of Violation #5	401 Acorn Circle\Pho
			Sec. 108.1.3-Structure unfit for human occupancy.	

CODE ENFORCEMENT  
SPECIAL MAGISTRATE HEARING AGENDA  
NOV. 8, 2017

	Date: 10/04/17	Exhibit C	Affidavit of Non-Compliance	401 Acorn Circle\Not
		C-1	Copy of US Mail	
			Returned 10/08/17	401 Acorn Circle\Not
		C-2	Copy of Mail Certified	
			Returned 10/08/17	401 Acorn Circle\Not
		C-3	Posted City Hall	Photo
		C-4	Posted Property	Photo
	Date: 10/11/2017	Exhibit D	Notice of Hearing	401 Acorn Circle\Not
			Non- Compliance	
		D-1	Copy of US Mail	
			Returned 10/15/17	401 Acorn Circle\Not
		D-2	Copy of Mail Certified	
			Returned 10/15/17	401 Acorn Circle\Not
		D-3	Posted City Hall	Photo
		D-4	Posted Property	Photo
5			Request for Hearings	
a)	Case #:	CE2016-004		
	Property Address:	412 Sunny Court Fruitland Park, FL 34731		
	Property Owner:	Robert T. Moore		
	Date: 10/12/17	Exhibit A	Request for Hearing	412 Sunny Court\Not
		A-1	Copy of Mail Certified	412 Sunny Court\Not
		A-2	Posted City Hall	Photo
		A-3	Posted Property	Photo
b)	Case #:	CE2017-0003		
	Property Address:	3131 US Hwy. 441/27 Fruitland Park, FL 34731		
	Property Owner:	Florida Medical Industries., Inc. C/O Stephen Angelillo, Registered Agent		
	Date: 10/18/17	Exhibit A	Request for Hearing	3131 US Hwy 441\No

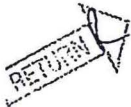
CODE ENFORCEMENT  
SPECIAL MAGISTRATE HEARING AGENDA  
NOV. 8, 2017

		A-1	Copy of Mail Certified	<u>3131 US Hwy 441\No</u>
		A-2	Posted City Hall	<u>Photo</u>
		A-3	Posted Property	<u>Photo</u>

A

Return to:  
City of Fruitland Park  
Att. Code Enforcement  
506 W. Berckman St.  
Fruitland Park, FL 34731

INSTRUMENT #2017089374  
OR BK 4988 PG 1801 - 1804 (4 PGS)  
DATE: 8/17/2017 2:13:45 PM  
NEIL KELLY, CLERK OF THE CIRCUIT COURT  
LAKE COUNTY  
RECORDING FEES \$35.50



BEFORE THE SPECIAL MAGISTRATE  
CITY OF FRUITLAND PARK

City of Fruitland Park,

Petitioner,

vs.

Case No.: CE2017-0032

Jennifer E. Marcial,

Respondent.

\_\_\_\_\_ /

ORDER OF ENFORCEMENT

This cause came on for hearing on the 3<sup>rd</sup> day of August, 2017, before the Special Magistrate of the City of Fruitland Park, Florida upon the petition of the City of Fruitland Park Code Enforcement Department, and the Special Magistrate having heard the testimony of the respective parties present and the evidence presented, the following Findings of Fact and Conclusions of Law are made:

Findings of Fact

1. That Respondent, Jennifer E. Marcial, 401 Acorn Circle, Fruitland Park, FL 34731 was properly served with notice of these proceedings at least ten (10) days prior to the hearing herein.
2. The violation which is the subject of this proceeding occurred on real property located in the City of Fruitland Park, Lake County, Florida, described as 401 Acorn Circle, Fruitland Park, Florida, Oaktree Terrace Sub Lot 1, PB 26, PG 65, ORB 3577, PG 982, Public Records of Lake County, Florida. Parcel Number 10-19-24-025000000100 (the "Property").
3. Since on or before April 13, 2017, the Property has been in violation of:
  - a) **City of Fruitland Park Ordinance  
Chapter 97. Property Maintenance  
Sec. 97.03. Excessive or Untended Growth of Vegetation Prohibited**

Except as otherwise provided in this chapter, the existence of an excessive growth of weeds, undergrowth, or other vegetation on a parcel of property which is located within 100 feet of any improved property endangers the public's health, safety, and welfare, and adversely affects and impairs the value of adjacent property, is a nuisance, and is prohibited. For purposes of this section, weeds, undergrowth, or other vegetation shall be considered excessive and untended if their height exceeds 18", or if the property on which the weeds, undergrowth, or other vegetation is located may reasonably be expected to become, or is, infested or inhabited by rodents, vermin, or wild animals, or may, or does, furnish a breeding place for mosquitos.

**b) City of Fruitland Park Ordinance  
Chapter 97. Property Maintenance  
Sec. 97.02. Accumulation of Refuse Prohibited**

Except as otherwise provided in this chapter, no person shall accumulate refuse, cause refuse to be accumulated, or allow refuse to be accumulated upon any property located within the city regardless of the property's zoning classification or use. The accumulation of refuse upon property located within the city, regardless of the property's zoning classification or use, endangers the public's health, safety, and welfare, adversely affects and impairs the value of adjacent property, is a nuisance, and is prohibited.

**c) City of Fruitland Park Land Development Regulations  
Section 156.010 Accessory Uses and Structures**

General Provisions.

- 1) Restrictions.
  - A) No barbed wire, razor wire or similar material shall be allowed for residential uses. Temporary security fencing may be allowed for construction sites in residential zones.
- 2) Height.
  - A) For residential uses, no permanent fence or wall shall exceed four (4) feet in height within the front yard area.
- 3) Location.
  - A) No permanent fence or wall shall be located within areas required to provide clearance for visibility in accordance with Section 156.060 of this Chapter.

**d) City of Fruitland Park Code of Ordinances  
Exhibit to Ordinance Property Maintenance Code  
Sec. 108 - Property Maintenance Code, Unsafe Structures and Equipment**

108.1.1 Unsafe Structures. An unsafe structure is one that is found to be dangerous to the life, health property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

Sec. 108.1.3 Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

4. Respondent was not present for the August 3, 2017 hearing.

#### Conclusions of Law

1. The Respondent has violated the provisions of City of Fruitland Park Code of Ordinances, Sections: 97.03, 97.02, 156.010 and Section 108.1.1, 108.1.3, Property Maintenance Code, as well as any other codes that may apply.
2. Based upon the facts and evidence presented, an Order of Enforcement is warranted.

#### Order

Respondent shall pay costs associated with the file in the amount of \$44.36. All fines and costs shall be paid to the City of Fruitland Park, 506 W. Berckman Street, Fruitland Park, FL 34731.

Respondent shall repair any and all safety hazards on the Property and bring the Property into compliance with the City's codes and ordinances within 30 days from the date of this order.

Failure to bring the Property into compliance with the City of Fruitland Park codes shall result in an Order of Fine being issued at the rate of \$50.00 per day to commence 30 days from the date this order is signed for each day the Property is not in compliance and continue to accrue at the daily rate of \$50.00 until such time as the Property comes into compliance.

Respondent shall contact the Code Enforcement Officer at 352-360-6727 to advise that the Property has been brought into compliance and request an inspection to verify same.

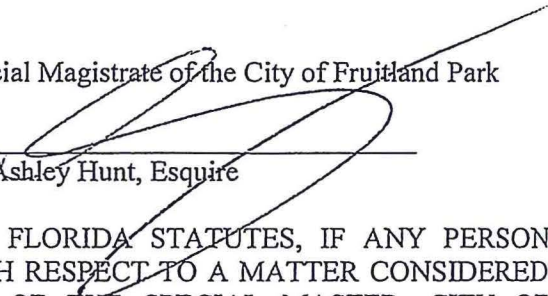


If this Order of Enforcement is not complied within the specified time, the City has the option of repairing or demolishing the structure at the City's expense per approval from the City Commission for funding, if the structure becomes a safety hazard. All expenses from the City associated with repairs to the Property will be added to the Order of Fine.

Failure to comply with this Order within the specified time shall also result in an Order of Fine being issued at the rate of \$50.00 per day and the recordation of this Order, which constitutes a lien upon any real or personal property owned by the Respondent and may be foreclosed, and your property sold to enforce this lien. If such lien is filed, you will be assessed all costs incurred in recording and satisfying this lien.

Done and ordered at City of Fruitland Park, Lake County, Florida, this 11<sup>th</sup> day of August, 2017.

Special Magistrate of the City of Fruitland Park

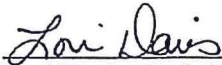
By:   
Ashley Hunt, Esquire

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DESIRES TO APPEAL ANY DECISION WITH RESPECT TO A MATTER CONSIDERED AT A PUBLIC MEETING OR HEARING OF THE SPECIAL MASTER, CITY OF FRUITLAND PARK, FLORIDA, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD FOR SUCH PURPOSE IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED.

PURSUANT TO SECTION 162.11, FLORIDA STATUTES, EITHER THE CITY OF FRUITLAND PARK OR THE RESPONDENT MAY APPEAL A FINAL ADMINISTRATIVE ORDER OF THE SPECIAL MASTER TO THE CIRCUIT COURT IN LAKE COUNTY, FLORIDA. SUCH AN APPEAL SHALL BE FILED WITHIN THIRTY (30) DAYS OF THE EXECUTION OF THE ORDER TO BE APPEALED.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Order of Enforcement was forwarded by regular United States Mail to Jennifer E. Marcial, 401 Acorn Circle, Fruitland Park, FL 34731 this 17 day of August, 2017 and posted on the Property and at City Hall.

  
Lori Davis, Code Enforcement Officer

Case # CE2017-0032

A-1

US Mail  
Order of Enforcement  
Returned 8/23/17

0000000000  
0000000000  
0000000000  
0000000000



Herckman Street  
Orlando, Florida 34731  
enforcement

UTF

Ms. Jennifer Marcial  
401 Acorn Circle  
Fruitland Park, FL 34731

NIXIE 339 SE 1 0808/23/17

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

UTF SC: 34731320099 \*0674-02872-18-37  
04731320099  
04731320099

0808/23/17

Case # CE2017-0032

A-2

Cert. Mail  
Order of Enforcement  
Returned 9/8/17

**CERTIFIED MAIL**



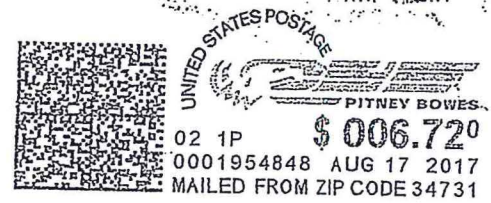
7016 2710 0000 9408 7882

Ms. Jennifer Marcial  
401 Acorn Circle  
Fruitland Park, FL 34731

8/19/17  
JDS

8/25

9/5



NIXIE

339 DE 1

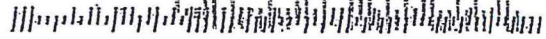
0809/08/17

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

906

\*0274-02423-18-35

34731-412501



Merckman Street  
rk, Florida 34731  
forcement

Return to:  
City of Fruitland Park  
Att: Code Enforcement  
506 W. Berckman St.  
Fruitland Park, FL 34731

Original-Recorded

INSTRUMENT #2017089374  
OR BK 4988 PG 1801 - 1804 (4 PGS)  
DATE: 8/17/2017 2:13:45 PM  
NEIL KELLY, CLERK OF THE CIRCUIT COURT  
LAKE COUNTY  
RECORDING FEES \$35.50

A-3

BEFORE THE SPECIAL MAGISTRATE  
CITY OF FRUITLAND PARK

City of Fruitland Park,

Petitioner,

vs.

Case No.: CE2017-0032.

Jennifer E. Marcial,

Respondent.

**ORDER OF ENFORCEMENT**

This cause came on for hearing on the 3<sup>rd</sup> day of August, 2017, before the Special Magistrate of the City of Fruitland Park, Florida upon the petition of the City of Fruitland Park Code Enforcement Department, and the Special Magistrate having heard the testimony of the respective parties present and the evidence presented, the following Findings of Fact and Conclusions of Law are made:

**Findings of Fact**

1. That Respondent, Jennifer E. Marcial, 401 Acorn Circle, Fruitland Park, FL 34731 was properly served with notice of these proceedings at least ten (10) days prior to the hearing herein.
2. The violation which is the subject of this proceeding occurred on real property located in the City of Fruitland Park, Lake County, Florida, described as 401 Acorn Circle, Fruitland Park, Florida, Oaktree Terrace Sub Lot 1, PB 26, PG 65, ORB 3577, PG 982, Public Records of Lake County, Florida. Parcel Number 10-19-24-025000000100 (the "Property").
3. Since on or before April 13, 2017, the Property has been in violation of:
  - a) **City of Fruitland Park Ordinance  
Chapter 97. Property Maintenance  
Sec. 97.03. Excessive or Untended Growth of Vegetation Prohibited**



Except as otherwise provided in this chapter, the existence of an excessive growth of weeds, undergrowth, or other vegetation on a parcel of property which is located within 100 feet of any improved property endangers the public's health, safety, and welfare, and adversely affects and impairs the value of adjacent property, is a nuisance, and is prohibited. For purposes of this section, weeds, undergrowth, or other vegetation shall be considered excessive and untended if their height exceeds 18", or if the property on which the weeds, undergrowth, or other vegetation is located may reasonably be expected to become, or is, infested or inhabited by rodents, vermin, or wild animals, or may, or does, furnish a breeding place for mosquitos.

**b) City of Fruitland Park Ordinance  
Chapter 97. Property Maintenance  
Sec. 97.02. Accumulation of Refuse Prohibited**

Except as otherwise provided in this chapter, no person shall accumulate refuse, cause refuse to be accumulated, or allow refuse to be accumulated upon any property located within the city regardless of the property's zoning classification or use. The accumulation of refuse upon property located within the city, regardless of the property's zoning classification or use, endangers the public's health, safety, and welfare, adversely affects and impairs the value of adjacent property, is a nuisance, and is prohibited.

**c) City of Fruitland Park Land Development Regulations  
Section 156.010 Accessory Uses and Structures**

General Provisions.

- 1) Restrictions.
  - A) No barbed wire, razor wire or similar material shall be allowed for residential uses. Temporary security fencing may be allowed for construction sites in residential zones.
- 2) Height.
  - A) For residential uses, no permanent fence or wall shall exceed four (4) feet in height within the front yard area.
- 3) Location.
  - A) No permanent fence or wall shall be located within areas required to provide clearance for visibility in accordance with Section 156.060 of this Chapter.

**d) City of Fruitland Park Code of Ordinances  
Exhibit to Ordinance Property Maintenance Code  
Sec. 108 - Property Maintenance Code, Unsafe Structures and Equipment**

108.1.1 Unsafe Structures. An unsafe structure is one that is found to be dangerous to the life, health property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

Sec. 108.1.3 Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

4. Respondent was not present for the August 3, 2017 hearing.

#### Conclusions of Law

1. The Respondent has violated the provisions of City of Fruitland Park Code of Ordinances, Sections: 97.03, 97.02, 156.010 and Section 108.1.1, 108.1.3, Property Maintenance Code, as well as any other codes that may apply.
2. Based upon the facts and evidence presented, an Order of Enforcement is warranted.

#### Order

Respondent shall pay costs associated with the file in the amount of \$44.36. All fines and costs shall be paid to the City of Fruitland Park, 506 W. Berckman Street, Fruitland Park, FL 34731.

Respondent shall repair any and all safety hazards on the Property and bring the Property into compliance with the City's codes and ordinances within 30 days from the date of this order.

Failure to bring the Property into compliance with the City of Fruitland Park codes shall result in an Order of Fine being issued at the rate of \$50.00 per day to commence 30 days from the date this order is signed for each day the Property is not in compliance and continue to accrue at the daily rate of \$50.00 until such time as the Property comes into compliance.

Respondent shall contact the Code Enforcement Officer at 352-360-6727 to advise that the Property has been brought into compliance and request an inspection to verify same.

If this Order of Enforcement is not complied within the specified time, the City has the option of repairing or demolishing the structure at the City's expense per approval from the City Commission for funding, if the structure becomes a safety hazard. All expenses from the City associated with repairs to the Property will be added to the Order of Fine.

Failure to comply with this Order within the specified time shall also result in an Order of Fine being issued at the rate of \$50.00 per day and the recordation of this Order, which constitutes a lien upon any real or personal property owned by the Respondent and may be foreclosed, and your property sold to enforce this lien. If such lien is filed, you will be assessed all costs incurred in recording and satisfying this lien.

Done and ordered at City of Fruitland Park, Lake County, Florida, this 17<sup>th</sup> day of August, 2017.

Special Magistrate of the City of Fruitland Park

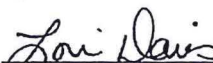
By:   
Ashley Hunt, Esquire

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DESIRES TO APPEAL ANY DECISION WITH RESPECT TO A MATTER CONSIDERED AT A PUBLIC MEETING OR HEARING OF THE SPECIAL MASTER, CITY OF FRUITLAND PARK, FLORIDA, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD FOR SUCH PURPOSE IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED.

PURSUANT TO SECTION 162.11, FLORIDA STATUTES, EITHER THE CITY OF FRUITLAND PARK OR THE RESPONDENT MAY APPEAL A FINAL ADMINISTRATIVE ORDER OF THE SPECIAL MASTER TO THE CIRCUIT COURT IN LAKE COUNTY, FLORIDA. SUCH AN APPEAL SHALL BE FILED WITHIN THIRTY (30) DAYS OF THE EXECUTION OF THE ORDER TO BE APPEALED.

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Order of Enforcement was forwarded by regular United States Mail to Jennifer E. Marcial, 401 Acorn Circle, Fruitland Park, FL 34731 this 17 day of August, 2017 and posted on the Property and at City Hall.

  
Lori Davis, Code Enforcement Officer

Parcel # 10-19-24-025000000100

Posted City Hall 8/17/17 4:00 PM

BEFORE THE SPECIAL MAGISTRATE  
CITY OF FRUITLAND PARK

City of Fruitland Park,

Petitioner,

vs.

Case No.: CE2017-0032

Jennifer E. Marcial,

Respondent.

ORDER OF ENFORCEMENT

This cause came on for hearing on the 3<sup>rd</sup> day of August, 2017, before the Special Magistrate of the City of Fruitland Park, Florida upon the petition of the City of Fruitland Park Code Enforcement Department, and the Special Magistrate having heard the testimony of the respective parties present and the evidence presented, the following Findings of Fact and Conclusions of Law are made:

Findings of Fact

1. That Respondent, Jennifer E. Marcial, 401 Acorn Circle, Fruitland Park, FL 34731 was properly served with notice of these proceedings at least ten (10) days prior to the hearing herein.
2. The violation which is the subject of this proceeding occurred on real property located in the City of Fruitland Park, Lake County, Florida, described as 401 Acorn Circle, Fruitland Park, Florida, Oaktree Terrace Sub Lot 1, PB 26, PG 65, ORB 3577, PG 982, Public Records of Lake County, Florida. Parcel Number 10-19-24-025000000100 (the "Property").
3. Since on or before April 13, 2017, the Property has been in violation of:
  - a) City of Fruitland Park Ordinance  
Chapter 97, Property Maintenance  
Sec. 97.03, Excessive or Untended Growth of Vegetation Prohibited



Posted on Property  
8/17/17 4:45 PM

BEFORE THE JUDGE MAGISTRATE  
CITY OF FRUITLAND PARK

City of Fruitland Park,

Petitioner,

vs

Case No. C2017-0032

Jennifer E. Marsal,

Respondent.

ORDER FOR ENFORCEMENT

This cause came on for hearing on the 17th day of August, 2017, before the Special Magistrate of the City of Fruitland Park, Florida upon the petition of the City of Fruitland Park Code Enforcement Department, and the Special Magistrate having heard the testimony of the respective parties present and the evidence presented, the following findings of fact and Conclusions of Law are made:

Findings of Fact

1. That Respondent, Jennifer E. Marsal, 422 Avery Circle, Fruitland Park, FL 34715 was properly served with notice of these proceedings at least ten (10) days prior to the hearing herein.
2. The violation which is the subject of this proceeding occurred on real property located in the City of Fruitland Park, Lake County, Florida, described as 422 Avery Circle, Fruitland Park, Florida, Ordinance Tract Sub 1st 1, PG 20-79 15, 16/20 1517, PG 80, Public Records of Lake County, Florida Parcel number 16042140700000770 (the "Property").
3. Since on or before April 13, 2017, the Property has been in violation of
  - a) City of Fruitland Park Ordinance Chapter 7, Property Maintenance Sec. 97.03, Executive of Untraded Growth of Vegetation Prohibited

B



Community Development Department  
506 W. Berckman St.  
Fruitland Park FL 34731

Tel. (352) 360-6727  
Fax. (352) 360-6652

### CODE ENFORCEMENT COMPLAINT

DATE: 09/26/17

TIME:

COMPLAINT#: CE2017-0032

ADDRESS: 401 Acorn Circle

ISSUE: \_\_\_\_\_ Order of Enforcement Due for violations- Due date 9/11/17-the property was inspected due to the Order of Enforcement. The property at 401 Acorn circle is non compliant and still in violation . Home and property has not been cleaned up or made safe. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SPECIAL NOTES:

\_\_\_\_\_  
\_\_\_\_\_

CITY USE ONLY:

L. Davis  
NAME:

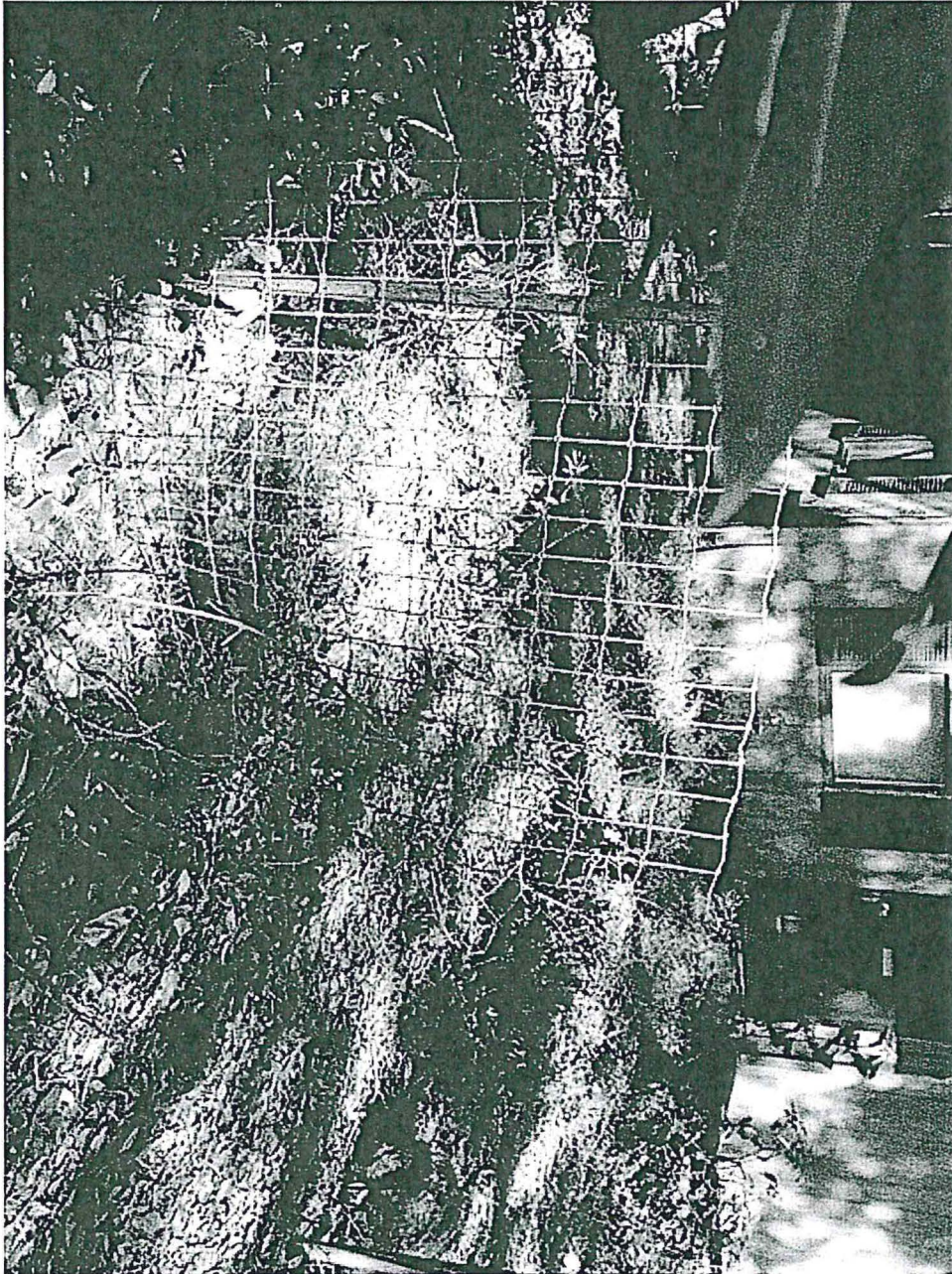
Code Enforcement  
DEPARTMENT:

B-1





B-3



B-4



B-5



C

**CODE ENFORCEMENT  
CITY OF FRUITLAND PARK**

**CITY OF FRUITLAND PARK,**

v.

**CASE NO.: CE2017-0032**

**Jennifer E. Marcial, Respondent  
401 Acorn Circle  
Fruitland Park, FL 34731**

**AFFIDAVIT OF NON-COMPLIANCE**

**Re: 401 Acorn Circle, Fruitland Park, FL 34731  
Parcel Number: 10-19-24-025000000100**

BEFORE ME, the undersigned authority, personally appeared **Lori Davis**, Code Enforcement Officer of the City of Fruitland Park, Florida, who, after being first duly sworn, states upon oath and affirms as follows:

1. I am over the age of eighteen (18) and competent to testify.
2. I have personal knowledge of the facts contained in this affidavit, and those set forth in the case file referenced above.
3. On **August 3, 2017**, the Code Enforcement Special Magistrate of the City of Fruitland Park held a public hearing and issued its Findings of Fact, Conclusions of Law.
4. Pursuant to the Findings of Fact, Conclusions of Law, Respondent was to have taken certain corrective actions on or before **September 11, 2017**.
5. On **September 26, 2017**, I re-inspected the Property which is the subject of the violation and the re-inspection revealed that the corrective action ordered by the Special Magistrate had not taken place.
6. The property remains in violation of the City of Fruitland Park Code of Ordinances



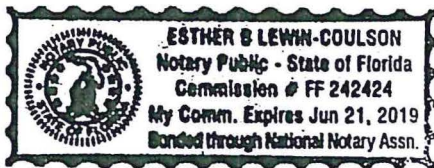
to include: Property Maintenance Code Section 97.02 (Accumulation of Refuse Prohibited), Property Maintenance Code Section 97.03 (Excessive Growth or Untended Vegetation Prohibited), Property Maintenance Code Section 108.1.1 (Unsafe Structures) and Property Maintenance Code 108.1.3 (Structure Unfit for human occupancy), and also the property remains in violation of Land Development Regulations, Section(s) 156.010 (Accessory uses and Structures)

FURTHER AFFIANT SAITH NOT.

Dated this 4 day of October, 2017

Lori Davis  
Code Enforcement Officer  
City of Fruitland Park

SWORN TO AND SUBSCRIBED before me this 4<sup>th</sup> day of October, 2017, by Lori Davis, Code Enforcement Officer of the City of Fruitland Park, who is personally known to me and who did take an oath.



[Signature]  
NOTARY PUBLIC  
Print Name: 242 424  
My Commission Expires: June 21, 2019

**CERTIFICATE OF NOTICE**

I HEREBY CERTIFY that the foregoing Affidavit of Non-Compliance has been furnished this 4 day of October, 2017 via Certified U. S. Mail Return Receipt Requested, and Regular U.S. Mail to **Jennifer E. Marcial** (owner/s) at **401 Acorn Circle, Fruitland Park, FL 34731**. Additionally, on October 4, 2017 I posted the foregoing Affidavit of Non-Compliance on the Property and at City Hall.

Lori Davis  
Code Enforcement Officer  
City of Fruitland Park



Case #: CE2017-0032

Affidavit of Non-Compliance  
Returned Certified Mail  
10/8/17



Franklin Street  
Fruitland Park, Florida 34731  
Enforcement

**CERTIFIED MAIL**



7017 0660 0000 7669 6706



UNITED STATES POSTAGE  
PITNEY BOWES  
02 1P \$ 006.720  
0001954848 OCT 04 2017  
MAILED FROM ZIP CODE 34731

Ms. Jennifer E. Marcial  
401 Acorn Circle  
Fruitland Park, FL 34731

UTF

NIXIE 339 DE 1

0016/08/17

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

UTF  
34731323906

BC: 34731323906 #1301-12156-65-45



Re: 401 Acorn Circle, Fruitland Park, FL 34731  
Parcel Number: 10-19-24-025000000100  
Alternate Key: 2740680  
Case Number: CE2017-0032

Posted 10/4/17 12:15 PM CLH

CODE ENFORCEMENT  
CITY OF FRUITLAND PARK

CITY OF FRUITLAND PARK,

v.

CASE NO.: CE2017-0032

Jennifer E. Marcial, Respondent  
401 Acorn Circle  
Fruitland Park, FL 34731

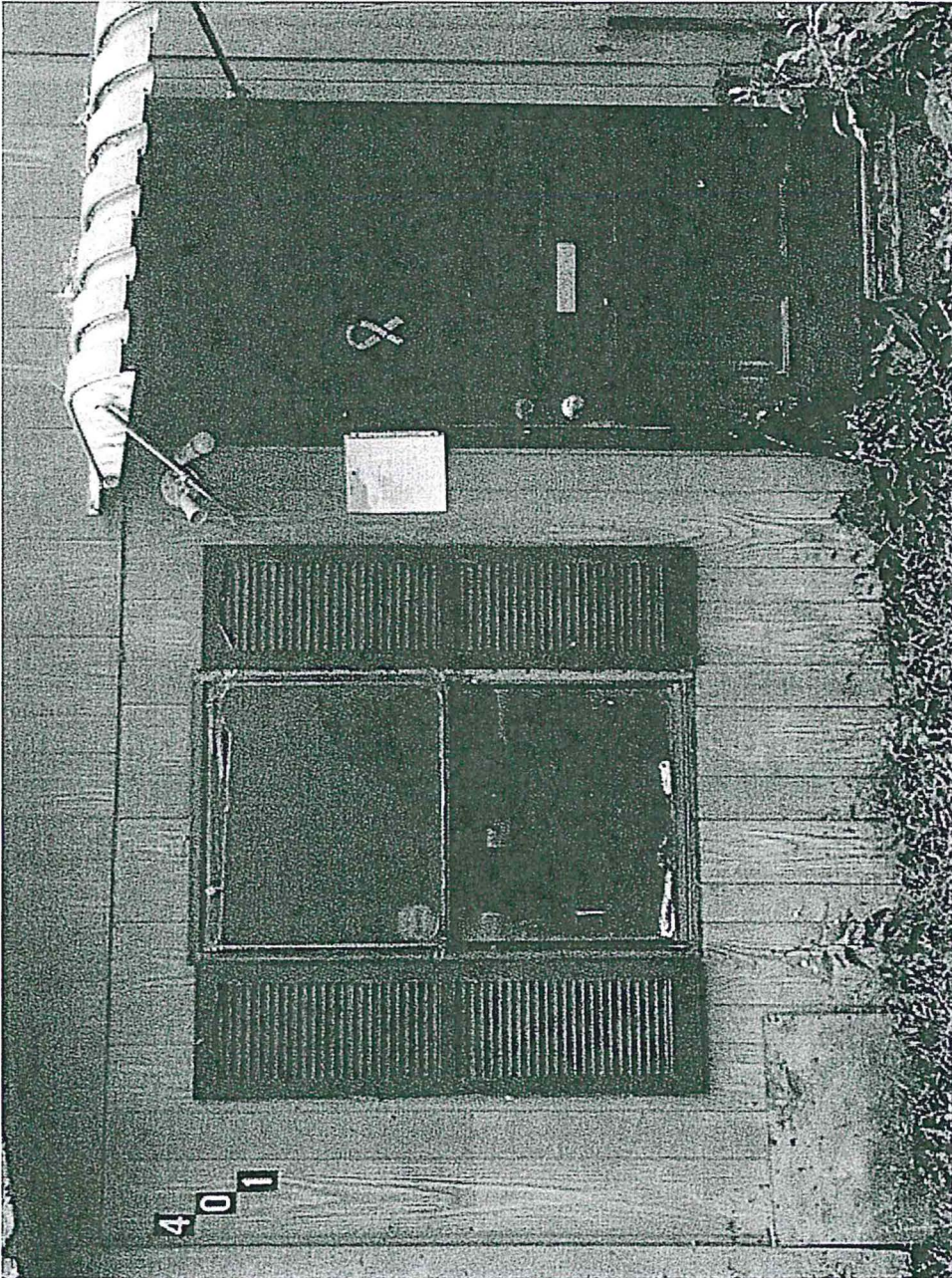
AFFIDAVIT OF NON-COMPLIANCE

Re: 401 Acorn Circle, Fruitland Park, FL 34731  
Parcel Number: 10-19-24-025000000100

BEFORE ME, the undersigned authority, personally appeared Lori Davi  
Enforcement Officer of the City of Fruitland Park, Florida, who, after being first duly sw  
upon oath and affirms as follows:

1. I am over the age of eighteen (18) and competent to testify.
2. I have personal knowledge of the facts contained in this affidavit, and  
forth in the case file referenced above.
3. On August 3, 2017, the Code Enforcement Special Magistrate of t  
Fruitland Park held a public hearing and issued its Findings of Fact, Conclusions of La

C-4



D

**CODE ENFORCEMENT  
CITY OF FRUITLAND PARK**

CITY OF FRUITLAND PARK

v.

CASE NO.: CE2017-0032

Jennifer E. Marcial, Respondent  
401 Acorn Circle  
Fruitland Park, FL 34731

**NOTICE OF HEARING**

**NON-COMPLIANCE**

To: Jennifer E. Marcial:

Re: 401 Acorn Circle, Fruitland Park, FL 34731  
Parcel # 10-19-24-025000000100

Please take notice that on the **8th** day of **November, 2017** at **8:30 A.M.** or as soon thereafter as may be heard, the undersigned will bring on to be heard before the Code Enforcement Magistrate the violation of City of Fruitland Park Code(s). Hearing location is the Fruitland Park Commission Chambers at 506 Berkman Street, Fruitland Park FL 34731.

Violation of City Code, Chapter 97.- PROPERTY MAINTENANCE

Section 97.03- Excessive or untended growth of vegetation prohibited.

Section 97.02-Accumulation of refuse prohibited.

Chapter 150.- ADOPTION OF LAND DEVELOPMENT  
REGULATIONS.

Section 156.030: Fences and Walls.

Ordinance 2011-001.-ADOPTION OF  
INTERNATIONAL PROPERTY MAINTENANCE CODE

Section 108.1.- Unsafe Structures.

Section 108.1.3- Structure unfit for human occupancy.

Location/address where violation exists: 401 Acorn Circle, Fruitland Park, FL 34731

Name and Address of owner of property: Jennifer E. Marcial, (Last known address): 401 Acorn Circle, Fruitland Park, FL 34731.

Description of violation: **Order to comply due by September 11, 2017. Property continues to be in violation as of September 26, 2017.** Property is vacant, the current mobile home structure is unsafe and not fit for human occupancy. Building official inspected and determined that due to extensive roof damage the mobile home is unsafe. Also, the exterior of the property has an accumulation of refuse to include household debris. Along with the debris, the property has not been maintained and the vegetation is quite overgrown. These violations are creating an environment that is enticing vagrants and unwanted persons to enter the property and structure, which then causes the adjoining property owners undue stress and fear.

Please govern yourself accordingly.

Dated this **11th** day of **October, 2017**.

---

Code Enforcement Officer  
City of Fruitland Park

### **CERTIFICATE OF NOTICE**

I HEREBY CERTIFY that the foregoing Notice of Hearing has been furnished this **11th** day of **October, 2017** via Certified U. S. Mail Return Receipt Requested, and Regular U.S. Mail to **Jennifer E. Marcial** (owner/s) at **401 Acorn Circle, Fruitland Park, FL 34731**. Additionally, on **October 11, 2017**, I posted the foregoing **Notice of Hearing** on the Property and at City Hall.

---

Code Enforcement Officer  
City of Fruitland Park

Pursuant to F.S. 286.0105, Florida Statutes, if any person desires to appeal any decision with respect to a matter considered at a public hearing or hearing of the Code Enforcement Special Magistrate, such person will need a record of the proceedings, and such person may need to ensure that a verbatim record for such purpose is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to F.S. 162.11 Florida, Statutes, either the City of Fruitland Park or a respondent may appeal a final administrative order of the Code Enforcement Magistrate to the Circuit Court in Lake County, Florida. Such an appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the hearing date and time at **352-360-6727**.

D-1

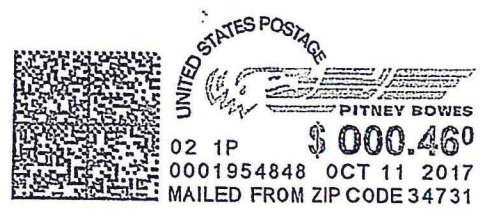
Case #: CE2017-0032

Notice of Hearing  
Non-Compliance  
Returned mail 10-15-17



Rockman Street  
Orlando, Florida 32731  
Enforcement

ORLANDO  
FL 32731  
12 OCT '17  
PM 5 L



UTF

Jennifer E. Marcial  
401 Acorn Circle  
Fruitland Park, FL 34731

NIXIE 339 DE 1 0010/15/17

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

UTF  
34731323906

BC: 34731323906 \*0574-00876-12-35



Case #: CE 2017-0032

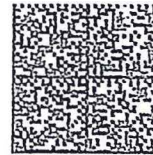
Notice of Hearing  
Non-Compliance

Returned Certified Mail 10-15-17

**CERTIFIED MAIL**



7016 2710 0000 9408 7929



UNITED STATES POSTAGE  
PITNEY BOWES  
02 1P \$ 006.72<sup>0</sup>  
0001954848 OCT 11 2017  
MAILED FROM ZIP CODE 34731



erckman Street  
rk, Florida 34731  
nforcement

Jennifer E. Marcial  
401 Acorn Circle  
Fruitland Park, FL 34731

UTF

NIXIE 339 DE 1 0016/15/17

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

UTF

BC: 34731323906 \*2574-08233-15-02

34731323906



Jennifer E. Marcial, Respondent  
401 Acorn Circle  
Fruitland Park, FL 34731

CASE NO.: CE2017-0032

AFFIDAVIT OF NON-COMPLIANCE

Posted 10/11/17 10:00 AM

Post City H

CODE ENFORCEMENT  
CITY OF FRUITLAND PARK

CITY OF FRUITLAND PARK

Jennifer E. Marcial, Respondent  
401 Acorn Circle  
Fruitland Park, FL 34731

CASE NO.: CE2017-0032

NOTICE OF HEARING

NON-COMPLIANCE

To: Jennifer E. Marcial;  
Re: 401 Acorn Circle, Fruitland Park, FL 34731  
Parcel # 10-19-24-02500000100

Please take notice that on the 8th day of November, 2017 at 8:30 A.M. or as soon thereafter as may be heard, the undersigned will bring on to be heard before the Code Enforcement Magistrate the violation of City of Fruitland Park Code(s). Hearing location is the Fruitland Park Commission Chambers at 506 Berkman Street, Fruitland Park FL 34731.

Violation of City Code, Chapter 97.- PROPERTY MAINTENANCE  
Section 97.03- Excessive or untended growth of vegetation prohibited.  
Section 97.02-Accumulation of refuse prohibited.

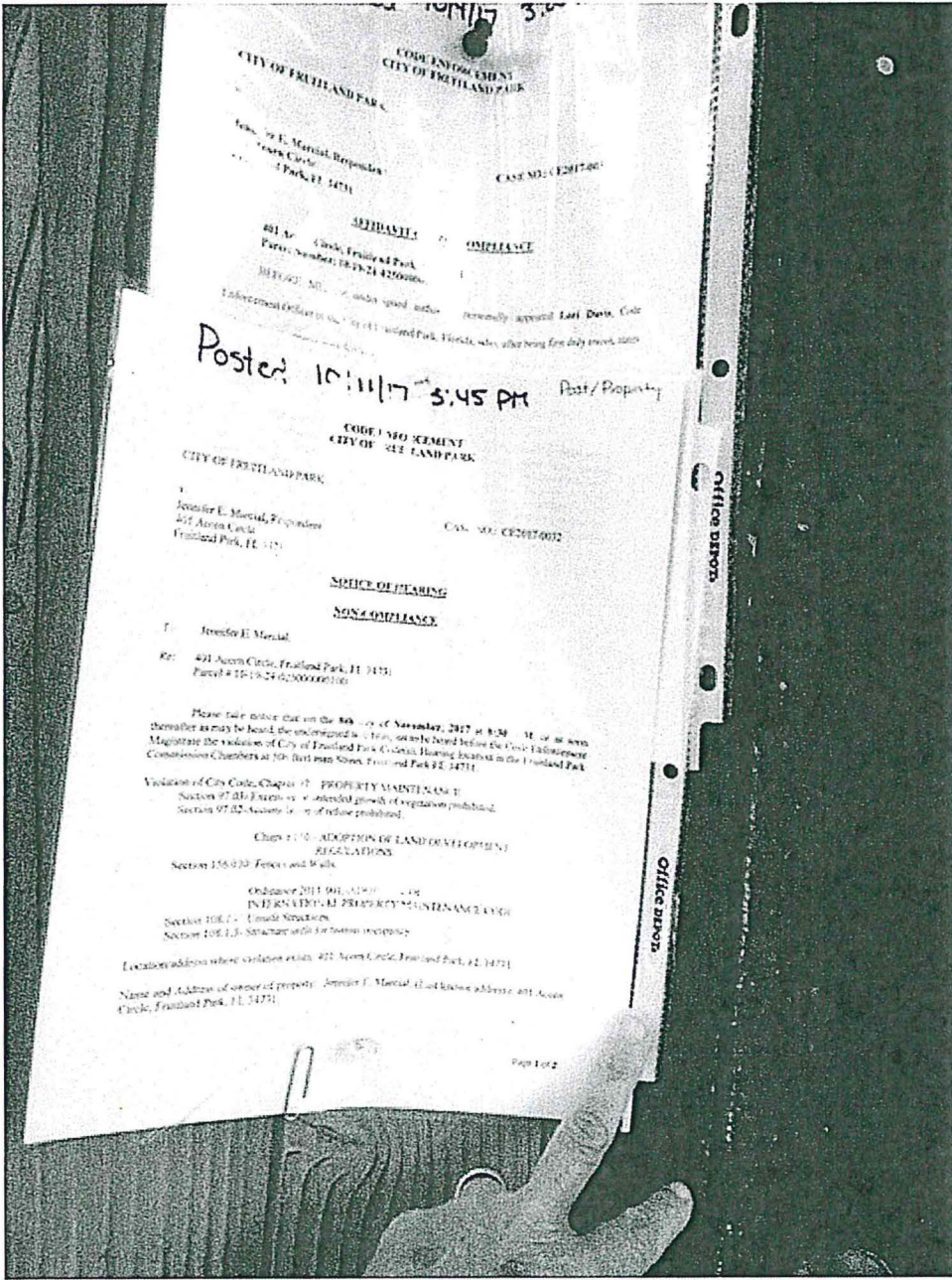
Chapter 150.- ADOPTION OF LAND DEVELOPMENT REGULATIONS.  
Section 156.030: Fences and Walls.

Ordinance 2011-001.-ADOPTION OF INTERNATIONAL PROPERTY MAINTENANCE CODE  
Section 108.1.- Unsafe Structures.  
Section 108.1.3- Structure unfit for human occupancy.

Location/address where violation exists: 401 Acorn Circle, Fruitland Park, FL 34731

Name and Address of owner of property: Jennifer E. Marcial, (Last known address): 401 Acorn Circle, Fruitland Park, FL 34731.

D-4



CITY OF FRUITLAND PARK  
CODE ENFORCEMENT  
CITY OF FRUITLAND PARK  
James E. Marcial, Respondent  
401 Acorn Circle  
Fruitland Park, FL 34731  
CASE NO: CE2017001

NOTICE OF HEARING  
401 Acorn Circle, Fruitland Park  
Parcel Number: 18-18-24-020000000

RECEIVED: All violations issued within personally appeared Lori Davis, Code Enforcement Officer to the City of Fruitland Park, Florida, who after being duly sworn, stated:

Poster: 10/11/17 3:45 PM Post/Property

CITY OF FRUITLAND PARK  
CODE ENFORCEMENT  
CITY OF FRUITLAND PARK

James E. Marcial, Respondent  
401 Acorn Circle  
Fruitland Park, FL 34731  
CASE NO: CE2017002

NOTICE OF HEARING  
NON-COMPLIANCE

To: James E. Marcial  
Re: 401 Acorn Circle, Fruitland Park, FL 34731  
Parcel # 18-18-24-020000000

Please take notice that on the 10th day of November, 2017 at 9:30 AM or as soon thereafter as may be heard the undersigned will, on behalf of the City of Fruitland Park, Florida, conduct a public hearing before the Code Enforcement Commission Chambers at 100 Bartman Street, Fruitland Park, FL 34731.

Violation of City Code, Chapter 17 - PROPERTY MAINTENANCE  
Section 17.01 - Extension of intended growth of vegetation prohibited.  
Section 17.02 - Accumulation of refuse prohibited.

Chapter 17.03 - ADOPTION OF LAND DEVELOPMENT REGULATIONS  
Section 17.03.03 - Fences and Walls.

Ordinance 2011-04 - 2011-04-04  
INTERNATIONAL PROPERTY MAINTENANCE CODE  
Section 102.1 - Small Structures  
Section 102.1.3 - Structure with no human occupancy

Location address where violation exists: 401 Acorn Circle, Fruitland Park, FL 34731  
Name and Address of owner of property: James E. Marcial, 401 Acorn Circle, Fruitland Park, FL 34731

A

**CODE ENFORCEMENT  
CITY OF FRUITLAND PARK**

CITY OF FRUITLAND PARK

v.

CASE NO.: CE2016-004

Robert T. Moore, Respondent  
412 Sunny Court  
Fruitland Park, FL 34731

**REQUEST FOR HEARING**

Re: 412 Sunny Court, Fruitland Park, FL 34731  
Parcel Identification Number: 04-19-24-140000000500

Pursuant to §162.06, Florida Statutes, the undersigned hereby gives notice of an uncorrected violation of the Code of Ordinances of the City of Fruitland Park, as more particularly described herein, and hereby requests a public hearing before the Code Enforcement Special Magistrate of the City of Fruitland Park.

Violation of City Code, Chapter 97: Property Maintenance – Section 97.04.- Accumulation of Junk Prohibited.

Location/address where violation exists: 412 Sunny Court, Fruitland Park, FL 34731

Name and Address of owner of property: Mr. Robert T. Moore, 412 Sunny Court, Fruitland Park, FL 34731

Description of violation: The residential exterior property has an accumulation of what appears to be construction debris, machinery, metal and appliances. The junk is visible from the front roadway as the open carport is stacked full of this collection and it is spilling into the front and southern side yards as well. Also, visible from the street is more of the debris/junk in the rear yard. The City has given several extensions for the cleanup and has also provided assistance with a local organization for help with cleanup.

Date violation first observed: 12/20/2016

Date by which violation was to be corrected: 04/17/2017 (Extension Granted)

Date of re-inspection: 05/11/2017

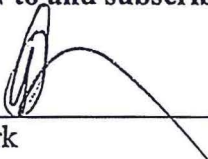
Results of re-inspection: Property still in Violation.

Based on the foregoing, the undersigned hereby certifies that the foregoing statements are true and correct, and that the above described violation continues to exist, that attempts to secure compliance have failed and that the violation should be set for a public hearing before the Code Enforcement Special Magistrate.

Dated this 12 day of October, 2017.

Loni Davis  
Code Enforcement Officer  
City of Fruitland Park

SWORN to and subscribed before me this 12 day of October, 2017.

  
\_\_\_\_\_  
City Clerk

**Certificate of Notice**

I HEREBY CERTIFY that the foregoing Request for Hearing has been furnished this 12 day of October, 2017 via Certified U. S. Mail Return Receipt Requested, and Regular U.S. Mail to Mr. Robert Moore (owner/s) at 412 Sunny Court, Fruitland Park, FL 34731. Additionally, on October 12, 2017 I posted the foregoing Request for Hearing on the Property and at City Hall.

Loni Davis  
Code Enforcement Officer  
City of Fruitland Park

Case # CE 2016-004

CODE ENFORCEMENT  
CITY OF FRUITLAND PARK

CITY OF FRUITLAND PARK

v.

CASE NO : CE2016-004

Robert T. Moore, Respondent  
412 Sunny Court  
Fruitland Park, FL 34731

REQUEST FOR HEAR

Re: 412 Sunny Court, Fruitland Park, FL 34731  
Parcel Identification Number: 04-19-24-140

Pursuant to §162.06, Florida Statutes, the undersigned requests a public hearing to be held before the City Magistrate of the City of Fruitland Park.

Violation of City Code, Chapter 97: Property Maintenance - Prohibited.

Location/address where violation exists: 412 Sunny Court,

Name and Address of owner of property: Mr. Robert T. Moore  
FL 34731

Description of violation: The residential exterior property has been used for the storage of construction debris, machinery, metal and appliances on the roadway as the open carport is stacked full of this collection of items. Also, visible from the street is a large pile of debris in the southern side yards as well. The City has given several extensions for the cleanup and has requested the assistance of an organization for help with cleanup.

Date violation first observed: 12/20/2016

Date by which violation was to be corrected: 04/17/2017 (E)

Date of re-inspection: 05/11/2017

Results of re-inspection: Property still in Violation.

U.S. Postal Service  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL MAIL	
Certified Mail Fee	\$ 3.45
Extra Services & Fees (check box, add fee as appropriate)	\$ 2.80
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$ 4.65
Total Postage and Fees	\$ 6.75
Sent To	Robert T. Moore
Street and Apt. No., or PO Box No.	412 Sunny Court
City, State, ZIP+4®	Fruitland Park FL 34731

6642 6992 0000 0990 2702

PS Form 3811, July 2015 PSN 7530-02-000-9053

FRUITLAND PARK FL  
Postmark Here  
USPS - 34731  
Code Enforcement

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:  
Robert T. Moore  
412 Sunny Court  
Fruitland Park, FL 34731

2. Article Number (Transfer from service label)  
7017 0660 0000 7569 7499

9590 9402 2871 7069 7319 08

3. Service Type  
 Adult Signature  
 Adult Signature Restricted Delivery  
 Certified Mail®  
 Certified Mail Restricted Delivery  
 Collect on Delivery  
 Collect on Delivery Restricted Delivery  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

4. Complete items 1, 2, and 3...  
 Print your name and address on the reverse so that we can return the card to you.  
 Attach this card to the back of the mailpiece, or on the front if space permits.

COMPLETE THIS SECTION ON DELIVERY

A. Signature  
 Signature  
 Agent

B. Received by (Printed Name)  
 Kim Moore

C. Date of Delivery  
 10/17/11

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

Domestic Return Receipt

Re: 412 Sunny Court, Fruitland Park, FL 34731  
Parcel Identification Number 04-19-24-14000000500

Posted City Hall 10/12/17  
3:15 PM

CODE ENFORCEMENT  
CITY OF FRUITLAND PARK

CITY OF FRUITLAND PARK

v.

CASE NO.: CE2016-004

Robert T. Moore, Respondent  
412 Sunny Court  
Fruitland Park, FL 34731

REQUEST FOR HEARING

Re: 412 Sunny Court, Fruitland Park, FL 34731  
Parcel Identification Number: 04-19-24-14000000500

Pursuant to §162.06, Florida Statutes, the undersigned hereby gives notice of an uncorrected violation of the Code of Ordinances of the City of Fruitland Park, as more particularly described herein, and hereby requests a public hearing before the Code Enforcement Special Magistrate of the City of Fruitland Park.

Violation of City Code, Chapter 97: Property Maintenance – Section 97.04.- Accumulation of Junk Prohibited.

Location/address where violation exists: 412 Sunny Court, Fruitland Park, FL 34731

Name and Address of owner of property: Mr. Robert T. Moore, 412 Sunny Court, Fruitland Park, FL 34731

Description of violation: The residential exterior property has an accumulation of what appears to be construction debris, machinery, metal and appliances. The junk is visible from the front roadway as the open carport is stacked full of this collection and it is spilling into the front and southern side yards as well. Also, visible from the street is more of the debris/junk in the rear yard. The City has given several extensions for the cleanup and has also provided assistance with a local organization for help with cleanup.

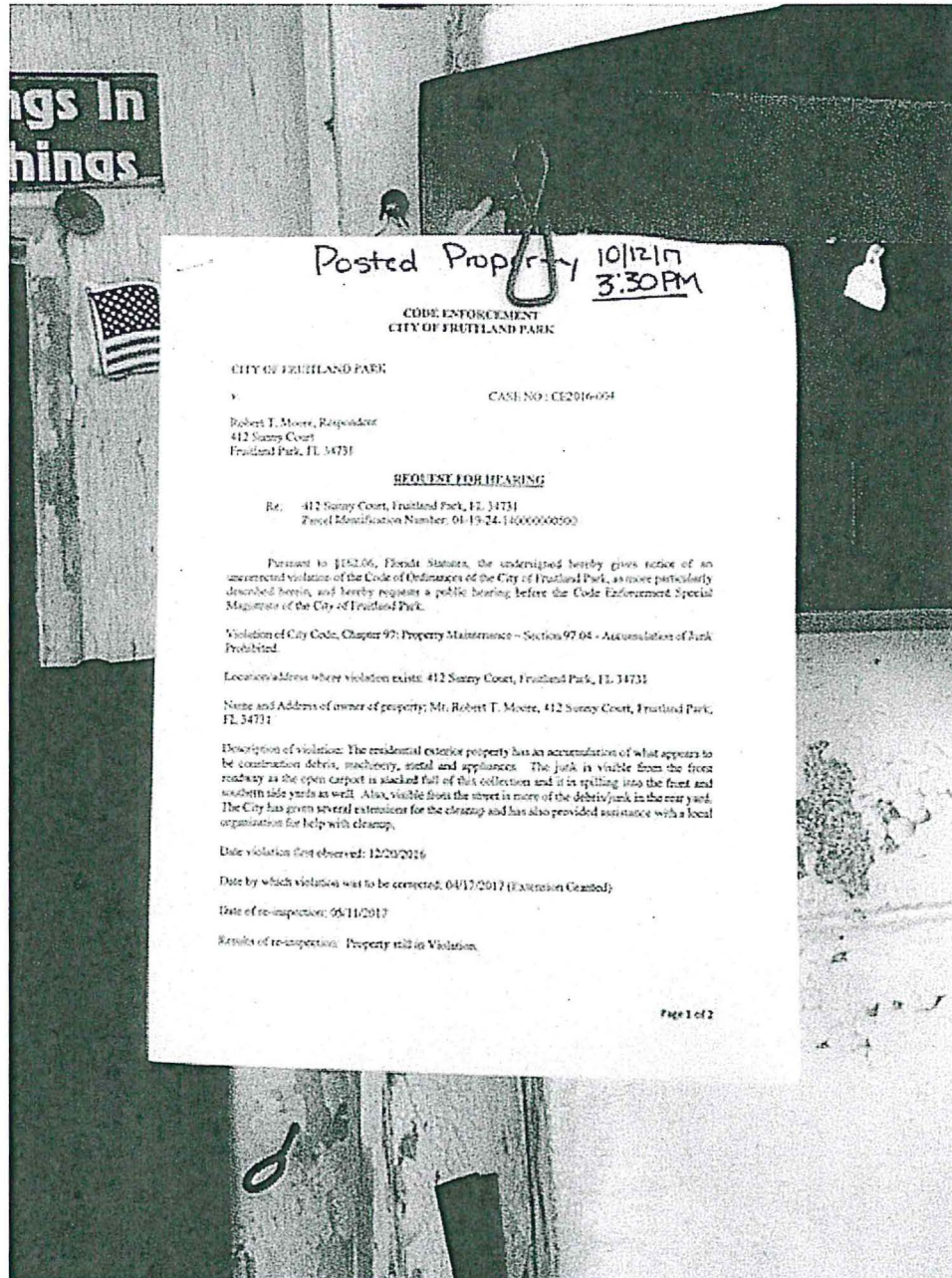
Date violation first observed: 12/20/2016

Date by which violation was to be corrected: 04/17/2017 (Extension Granted)

Date of re-inspection: 05/11/2017

Property still in Violation

A-3



Posted Property 10/12/17 3:30 PM

CODE ENFORCEMENT  
CITY OF FRUITLAND PARK

CITY OF FRUITLAND PARK

CASE NO.: CE2016-094

Robert T. Moore, Respondent  
412 Sunny Court  
Fruitland Park, FL 34731

REQUEST FOR HEARING

Re: 412 Sunny Court, Fruitland Park, FL 34731  
Tract Identification Number: 04-19-24-14000000900

Pursuant to §162.06, Florida Statutes, the undersigned hereby gives notice of an uncorrected violation of the Code of Ordinances of the City of Fruitland Park, as more particularly described herein, and hereby requests a public hearing before the Code Enforcement Special Magistrate of the City of Fruitland Park.

Violation of City Code, Chapter 97: Property Maintenance - Section 97.04 - Accumulation of Junk Prohibited.

Location/address where violation exists: 412 Sunny Court, Fruitland Park, FL 34731

Name and Address of owner of property: Mr. Robert T. Moore, 412 Sunny Court, Fruitland Park, FL 34731

Description of violation: The residential exterior property has an accumulation of what appears to be construction debris, machinery, metal and appliances. The junk is visible from the front roadway as the open carport is stacked full of this collection and it is spilling into the front and southern side yards as well. Also, visible from the street is more of the debris/junk in the rear yard. The City has given several extensions for the cleanup and has also provided assistance with a local organization for help with cleanup.

Date violation first observed: 12/20/2016

Date by which violation was to be corrected: 04/17/2017 (Extension Granted)

Date of re-inspection: 06/14/2017

Results of re-inspection: Property still in Violation.



A

10-17-17

**CODE ENFORCEMENT  
CITY OF FRUITLAND PARK**

CITY OF FRUITLAND PARK

v.

CASE NO.: CE2017-0003

Florida Medical Industries Inc., Respondent  
C/O Stephen Angelillo  
423 Hwy. 466, Apt. 23306  
Lady Lake, FL 32159

**REQUEST FOR HEARING**

Re: 3131 US Hwy. 441/27, Fruitland Park, FL 34731  
Parcel Identification Number(s): 10-19-24-000200002800,  
10-19-24-00200003007, 10-19-24-000200003011, 10-19-24-000200007500

Pursuant to §162.06, Florida Statutes, the undersigned hereby gives notice of an uncorrected violation of the Code of Ordinances of the City of Fruitland Park, as more particularly described herein, and hereby requests a public hearing before the Code Enforcement Special Magistrate of the City of Fruitland Park.

Violation of City Code, Chapter 97. – PROPERTY MAINTENANCE:

Section 97.03 - Excessive or untended growth of vegetation prohibited.  
Section 97.04 - Accumulation of junk prohibited.

Ordinance 2011-001. ADOPTION OF INTERNATIONAL PROPERTY  
MAINTENANCE CODE

Section 108.1 - Unsafe Structures.  
Section 108.1.3- Structure unfit for human occupancy

Location/address where violation exists: 3131 US Hwy. 441/27, Fruitland Park, FL 34731

Name and Address of owner of property: Florida Medical Industries Inc., C/O Stephen Angelillo,  
423 Hwy. 466, Apt. 23306, Lady Lake, FL 32159

Description of violation: This commercial property consists of several parcels. The abandoned buildings have been neglected for several years. The building site has become a dump site for various types of material. The roof structures throughout the buildings are either leaking, or have already collapsed. In several of the interior areas there is evidence of black mold growing up the walls as high as four feet. Other hazards were observed such as sharp metal and broken glass. The building is unsecure, as many doors and windows are missing or broken. This leads to an invitation for transients to enter the buildings and make camp. The unsecured surrounding property includes dilapidated parking lots, where unauthorized persons have been dumping trash and junk. Along

with these violations the property is extremely overgrown with weeds and other vegetation. This commercial property is located on the main highway of the City of Fruitland Park and is not only an eyesore to the community, but has an unsafe structure which creates a hazard.

Date violation first observed: January 19, 2017

Date by which violation was to be corrected: July 2, 2017

Date of re-inspection: July 11, 2017 and again on October 17, 2017.

Results of re-inspection: Still in Violation

Based on the foregoing, the undersigned hereby certifies that the foregoing statements are true and correct, and that the above described violation continues to exist, that attempts to secure compliance have failed and that the violation should be set for a public hearing before the Code Enforcement Special Magistrate.

Dated this 18 day of October, 2017.

Lori Davis  
Code Enforcement Officer  
City of Fruitland Park

SWORN to and subscribed before me this 18<sup>th</sup> day of October, 2017.

[Signature]  
City Clerk

**Certificate of Notice**

I HEREBY CERTIFY that the foregoing Request for Hearing has been furnished this 18 day of October, 2017 via Certified U. S. Mail Return Receipt Requested, and Regular U.S. Mail to Florida Medical Industries, Inc. C/O Stephen Angelillio (owner/s) at 423 C.R. 466, Apt. 23306, Lady Lake, FL 32159. Additionally, on October 18, 2017 I posted the foregoing Request for Hearing on the Property and at City Hall.

Lori Davis  
Code Enforcement Officer  
City of Fruitland Park

Case # CE2017-0003

**CODE ENFORCEMENT  
CITY OF FRUITLAND**

CITY OF FRUITLAND PARK

v.

Florida Medical Industries Inc., Respondent  
C/O Stephen Angelillo  
423 Hwy. 466, Apt. 23306  
Lady Lake, FL 32159

**REQUEST FOR HEARING**

Re: 3131 US Hwy. 441/27, Fruitland Park, FL  
Parcel Identification Number(s): 10-19-24-000200002800,  
10-19-24-00200003007, 10-19-24-000200003011, 10-19-24-000200007500

A-1  
10-17-17

7016 2710 0000 9408 7943

OFFICIAL USE

U.S. Postal Service  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

Certified Mail Fee	\$	3.45
Extra Services & Fees (check box, add fees as appropriate)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$	2.70
<input type="checkbox"/> Return Receipt (electronic)	\$	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	
Postage	\$	46.30
Total Postage and Fees	\$	6.75

Sent to: FL Medical Industries  
Street and Apt. No., or PO Box No. 423 Hwy 466, Apt. 23306  
City, State, ZIP+4® Lady Lake, FL 32159

Postmark: FRUITLAND PARK FL OCT 19 2017

PS Form 3800, April 2015 PSN 7530-02-000-3017 See Reverse for Instructions

Pursuant to §162.06, Florida Statutes, the undersigned hereby gives notice of an uncorrected violation of the Code of Ordinances of the City of Fruitland Park, as more particularly described herein, and hereby requests a public hearing before the Code Enforcement Special Magistrate of the City of Fruitland Park.

**Violation of City Code, Chapter 97. – PROPERTY MAINTENANCE:**

- Section 97.03 - Excessive or untended growth of vegetation prohibited.
- Section 97.04 - Accumulation of junk prohibited.

**Ordinance 2011-001: ADOPTION OF INTERNATIONAL PROPERTY MAINTENANCE CODE**

- Section 108.1 - Unsafe Structures.
- Section 108.1.3- Structure unfit for human occupancy

Location/address where violation exists: 3131 US Hwy. 441/27, Fruitland Park, FL 34731

Name and Address of owner of property: Florida Medical Industries Inc., C/O Stephen Angelillo, 423 Hwy. 466, Apt. 23306, Lady Lake, FL 32159

Description of violation: This commercial property consists of several parcels. The abandoned buildings have been neglected for several years. The building site has become a dump site for various types of material. The roof structures throughout the buildings are either leaking, or have already collapsed. In several of the interior areas there is evidence of black mold growing up the walls as high as four feet. Other hazards were observed such as sharp metal and broken glass. The building is unsecure, as many doors and windows are missing or broken. This leads to an invitation for transients to enter the buildings and make camp. The unsecured surrounding property includes dilapidated parking lots, where unauthorized persons have been dumping trash and junk. Along

Stephen Angelillo  
423 Hwy. 466, Apt. 23306  
Lady Lake, FL 32159

Post City Hall  
C/S

Posted 10/18/17 10:30 AM

CODE ENFORCEMENT  
CITY OF FRUITLAND PARK

CITY OF FRUITLAND PARK

CASE NO.: CE2017-0003

Florida Medical Industries Inc., Respondent  
C/O Stephen Angelillo  
423 Hwy. 466, Apt. 23306  
Lady Lake, FL 32159

REQUEST FOR HEARING

Re: 3131 US Hwy. 441/27, Fruitland Park, FL 34731  
Enforcement Number(s): 10-19-24-000200002800,  
10-19-24-000200003007, 10-19-24-000200003011, 10-19-24-000200007500

Pursuant to §162.06, Florida Statutes, the undersigned hereby gives notice of an uncorrected violation of the Code of Ordinances of the City of Fruitland Park, as more particularly described herein, and hereby requests a public hearing before the Code Enforcement Special Magistrate of the City of Fruitland Park.

- Violation of City Code, Chapter 97. - PROPERTY MAINTENANCE:
  - Section 97.03 - Excessive or untended growth of vegetation prohibited.
  - Section 97.04 - Accumulation of junk prohibited.
- Ordinance 2011-001 - ADOPTION OF INTERNATIONAL PROPERTY MAINTENANCE CODE
  - Section 108.1 - Unsafe Structures.
  - Section 108.1 J- Structure unfit for human occupancy

Location/address where violation exists: 3131 US Hwy. 441/27, Fruitland Park, FL 34731

Name and Address of owner of property: Florida Medical Industries Inc., C/O Stephen Angelillo,  
423 Hwy. 466, Apt. 23306, Lady Lake, FL 32159

Description of violation: This commercial property consists of several parcels. The abandoned buildings have been neglected for several years. The building site has become a dump site for various types of material. The roof structures throughout the buildings are either leaking, or have already collapsed. In several of the interior areas there is evidence of black mold growing up the walls as high as four feet. Other hazards were observed such as sharp metal and broken glass. The building is unsecure, as many doors and windows are missing or broken. This leads to an invitation for transients to enter the buildings and make camp. The unsecured surrounding property includes dilapidated parking lots, where unauthorized persons have been dumping trash and junk. Along

00000

INT  
PARK

ENO: CE

KING

