

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

July 18, 2019

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

9:00 A.M.

1. CALL TO ORDER

2. APPROVAL OF MINUTES

March 7, 2019

3. ADMINISTRATION OF OATH TO DEFENDANTS/WITNESSES

4. ATTORNEY PRESENTATIONS -HEARINGS

a) HEARING – NOTICE OF VIOLATION

CE2019-0062

Property Address: 32 Grizzard Street, Fruitland Park, FL 34731

Property Owner: Tommy C. Smiley Estate & Charlotte A. Bryant Estate

Violation: City of Fruitland Park Ordinance-

Chapter 97.- Property Maintenance

Section 97.04 – Accumulation of Junk Prohibited

International Property Maintenance Code –

Section:108.1 - Unsafe Structures

Section:108.1.3 - Structure Unsafe for Human Occupancy

Section:108.1.5 – Dangerous Structure or Premises

Grace Period for compliance expired: May 26, 2019

5. REQUEST FOR HEARINGS

a) CE2019-0029

Property Address: 608 Le Conte Street, Fruitland Park, FL 34731

Property Owner: George and Sunny Ennis

Violation: City Code, Chapter 97: Property Maintenance

Section 97.04 – Accumulation of Junk

Section 97.03 – Excessive or untended growth of vegetation prohibited.

Grace Period for compliance expired: July 1, 2019

6. OLD BUSINESS -

- a) Foreclosure Recommendation – CE2017-0032
401 Acorn Circle, Fruitland Park, FL 34731
- b) Foreclosure Recommendation – CE2018-0043
19 Grizzard Street, Fruitland Park, FL 34731

7. NEW BUSINESS - NONE

8. PUBLIC COMMENTS

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 Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution, 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.

9. OTHER BUSINESS

10. 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.

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

March 7, 2019

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

9:00 A.M.

1. CALL TO ORDER

The meeting came to order at 9:07 a.m.

2. APPROVAL OF MINUTES

Special Magistrate Hunt announced July 5, 2018 Code Enforcement – Special Magistrate Meeting Minutes have been reviewed and approved.

3. ADMINISTRATION OF OATH TO DEFENDANTS/WITNESSES

Special Magistrate Hunt administered the oath to those present who intended to testify at this morning's hearing.

4. ATTORNEY PRESENTATIONS -HEARINGS

a) AFFIDAVIT OF NON-COMPLIANCE

CE2018-0043

Property Address: 19 Grizzard Street, Fruitland Park, FL 34731

Property Owner: Joseph Casteel Jr.

Violation: City Code, Chapter 97: Property Maintenance

**Section 97.03-Excessive or Untended Growth of Vegetation
Prohibited**

**Section 97.04-Accumulation of Junk Prohibited and
International Property Maintenance Code, Subsection 302:
Accessory Structure(s) and Subsection-302.7- Accessory
Structures (Fences)**

Special Magistrate Hunt introduced CE2018-0043. Lori Davis, Code Enforcement Officer stated she did not see the property owner in attendance for the hearing. Ms. Davis proceeded to verbally give a review of the casefile.

The homeowner was given an Order of Enforcement at the meeting dated July 5th, 2018 and given the due date of August 4th, 2018 to comply with the violations given by Ms. Davis. As of the date March 7th, 2019 the property owner has not complied with the judge's order.

Ms. Davis presented the Order of Non-Compliance as well as the Order was mailed certified, posted on the property and City Hall. The certified mail has been returned.

On August 20th, 2019 a re-inspection was conducted by Ms. Davis and pictures were provided for review of Special Magistrate Hunt of the findings. Ms. Davis stated the garbage and broken fence still remains.

Ms. Davis made note of a volunteer group that came into the community and offered assistance to the homeowners in that area to help clean up. Ms. Davis did reach out to the homeowner to get permission to have the volunteers clean up the property. Permission was granted from the property owner to help him or relieve him of the junk and or to help fix the fence and advised he would accept the help. On the day of the clean up visit the homeowner would not come out of the home and would not help or allow access to the property. Ms. Davis presented pictures of the property's that requested assistance on the clean-up day.

Due to the non-compliance an Affidavit of Non-Compliance was mailed certified to the subject, posted on the property as well as City Hall. The certified mail was returned.

The homeowner was served with a Notice of Hearing by Ms. Davis. As well as posted at the property, mailed certified and posted at City Hall.

Special Magistrate Hunt inquired if Ms. Davis was seeking a fine. Ms. Davis stated yes, \$50 per day. Special Magistrate Hunt stated he would fine the homeowner, Joseph Casteel Jr. was properly served and noticed. The homeowner is not present and is still in violation of the sections of the code presented and dates set forth in the record.

Special Magistrate Hunt issued a fine of \$50 per day until the property is brought into compliance. Fine commencing August 4th, 2018 plus the City's cost of \$102.86 as of March 7th, 2019 and should be paid within 30 days of the date of the order being signed.

b) HEARING – NOTICE OF VIOLATION

CE2018-0163

Property Address: 201 Palm Street, Fruitland Park, FL 34731

Property Owner: L & S Developers Inc., C/O Aaron Lemire

**Violation: City of Fruitland Park's Land Development Regulations-
Chapter 161, Section 161.040 – Permits Required Florida Building
Code, Chapter 1, Section 105.1-Permits Required**

Grace Period for compliance expired: January 21, 2019

Special Magistrate Hunt introduced CE2018-0163. Lori Davis, Code Enforcement Officer stated on May 1st, 2018 she was contacted and advised of possible building without permits at the address of 201 Palm Street. Ms. Davis proceeded to state she responded on the date of May 1st, 2018 and saw roof material being installed as there was construction

equipment on the property. At this time the Building Department was notified by Ms. Davis of the work that was being completed as well as to verify if any permits had been pulled. The Building Department made Ms. Davis aware that there were no building permits being applied for or issued at that time. After receiving the confirmation of no permits being applied for by the Building Department, Mr. Davis issued a Stop Work Order. The order was posted at the front gate of the property, Ms. Davis also provided pictures showing the posted order to Special Magistrate Hunt.

It was stated by Ms. Davis that contact was made to the homeowner on May 4th, 2019 by phone and Mr. Lemire stated he would work on getting the permit. On May 11th, 2019, Ms. Davis drove by the property and observed more work being done. Ms. Davis made contact with a worker at the property and observed some new windows and a door being installed in the now enclosed porch as well as being advised of interior work being completed. No permits issued at this time.

Ms. Davis provided pictures from 2017 of the property showing that the porch was still open. Then Ms. Davis provided updated pictures showing the porch now enclosed as well as new windows being added. Pictures also show siding being added as well as roof work being completed. Ms. Davis stated communication by phone was being achieved and Mr. Lemire was advised what type of permits he needed to obtain.

Ms. Davis introduced the Building Official, Jeff Gerling. Mr. Gerling gave a brief summary of his encounters with this case. Mr. Gerling stated he was invited in the home by one of the workers and observed the work being completed outside of what the code requires as well as outside of any building permits being issued.

Mr. Lemire did attempt to apply for the necessary building permits but was rejected due to an administrative issue, the property was registered to a corporation. The permit was never issued due to the building department not receiving engineered plans which is required since the work is structural work as well as material specifications in order to issue the permit.

Mr. Gerling stated the application is expired as of March 7th, 2019. Mr. Lemire would have to re-apply for the building permit. Additional permits will also need to be pulled including an electrical permit and re-roof permit.

Ms. Davis stated the homeowner was sent a courtesy letter outlining the current violations on the property. On December 19th, 2018, Ms. Davis had a re-inspection of the property and confirmed that property was still in violation. A violation was given to the owner on the date of December 19th, 2018 with a due date of January 4th, 2019 to comply with the current violations. All notices were issued certified mail as well as posted at the property and City Hall. On January 10th, 2019 a second notice was

sent due to an inaccurate address listed on the property record card. All notices were sent to both addresses

As of January 31st, 2019, a re-inspection was completed and the property was still in violation referencing no permits. On February 4th, 2019 Ms. Davis applied for a request of hearing and sent all notices certified mail to both addresses as well as posted at the property and City Hall.

On February 18th, 2019, the homeowner was given the Notice of Hearing. Notices were again mailed to both addresses, posted on the property and as well as City Hall.

Ms. Davis stated as of March 7th, 2019; the property still remains in violation of no permits issued for the construction work being performed. Special Magistrate Hunt inquired about a previous violation and Ms. Davis advised that the violation has been cleared due to meeting the requested requirements.

Special Magistrate Hunt advised if the homeowner would like to speak regarding this case.

Aaron Lemire introduced himself and began to explain the work that has been performed. Mr. Lemire stated he is a licensed contractor and that he was not trying to do anything wrong. It was acknowledged by Mr. Lemire that he did install the door and windows but that he did this work for the purpose of trying to secure the property.

Special Magistrate Hunt inquired about how long Mr. Lemire will need in order to submit the permit application. Mr. Lemire stated he would need about a week to get everything turned into the Building Department. Mr. Lemire was reminded by Special Magistrate Hunt that if work continues without permits fines will be added.

Mr. Gerling requested from Special Magistrate Hunt and Aaron Lemire to complete a home inspection to see the structural work that has been done so far.

Special Magistrate Hunt and Jeff Gerling confirmed that in order to clear the violation, a permit must be applied for, issued and all inspections need to be passed. The only other option is to remove all the work commenced without the proper permits.

Mr. Lemire was advised by Special Magistrate Hunt he has ten day to allow for a home inspection by the Building Official, Jeff Gerling and four weeks to obtain engineered plans and the proper building permits. If the property is not brought into compliance within the time frame of four weeks then a fine of \$50 per day will be added along with the cost occurred by the City in the amount of \$77.08.

5. REQUEST FOR HEARINGS – None

6. OLD BUSINESS -

**a) AFFIDAVIT OF COMPLIANCE – RELEASE OF PROPERTY AND
ACKNOWLEDGMENT OF COMPLIANCE**

CE2018-0005

Property Address: 114 S. Iona Avenue, Fruitland Park, FL 347

Property Owner: Alonso Alejandro

Ms. Davis stated the homeowner has complied and is requesting an Order of Compliance and stated no lien has been filed.

7. NEW BUSINESS - None

8. PUBLIC COMMENTS - None

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 Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution, 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.

9. OTHER BUSINESS - None

10. ADJOURNMENT

The meeting adjourned at 9:45 a.m.

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.)

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PLEASE TURN OFF ELECTRONIC DEVICES OR PLACE IN VIBRATE MODE.



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

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

NOTICE OF VIOLATION

May 16, 2019

Tommy C. Smiley Estate & Charlotte A. Bryant Estate
32 Grizzard Street
Fruitland Park, FL 34731

Dewey Davis (Tenant)
32 Grizzard Street
Fruitland Park, FL 34731

Re: 32 Grizzard Street, Fruitland Park, FL 34731
Parcel Number: 10-19-24-0600-000-03100
Alternate Key: 1434475
Case Number: CE2019-0062

Dear Property Owner:

On May 13, 2019 your property more particularly described above was observed to be in violation of:

Violation #1: City of Fruitland Park Code of Ordinance(s) - SECTION 108. - INTERNATIONAL PROPERTY MAINTENANCE CODE:

Sec. 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.

**Violation #2: City of Fruitland Park Code of Ordinance(s) - SECTION 108. -
INTERNATIONAL PROPERTY MAINTENANCE CODE:**

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.

**Violation #3: City of Fruitland Park Code of Ordinance(s) - SECTION 108. -
INTERNATIONAL PROPERTY MAINTENANCE CODE:**

108.1.5 Dangerous structure or premises. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described as follows shall be considered to be dangerous:

- (3). Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.

To Resolve Violations #1, #2 & #3:

*The Structure/Mobile Home -1962 "Vaga" Singlewide ID # GSA2147, FL title # 1455376 located at 32 Grizzard Street, Fruitland Park, FL 34731 has been deemed as unsafe and unreasonable to be repaired. And in accordance with **Section 110.1 of the International Property Maintenance Code** it has been **ordered** by the Fruitland Park Code Official that the structure be: **Demolished**.*

**Please see the attached copy of code regarding Section 110.1.*

**Violation #4- City of Fruitland Park Ordinance - CHAPTER 97. - PROPERTY
MAINTENANCE:**

Sec. 97.04. - Accumulation of junk prohibited.

Except as otherwise provided in this chapter, no person shall accumulate junk, cause junk to be accumulated, or allow junk to be accumulated upon any property located within the city regardless of the property's zoning classification or use. The accumulation of junk 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.

(Ord. 90-019, passed 7-26-90)

Junk. Scrap metal, or any dismantled, partially dismantled, nonoperative, or discarded, machinery, appliance, equipment, vehicle, or boat, or part thereof. Any vehicle which is required

to be registered and licensed in order to be operated or driven on the roads of the state, and which does not have a current certificate of registration and current license tag shall be irrebuttably presumed to be junk. Any item of tangible personal property,

designed to be used in an environment which is protected from the elements, such as the interior of a building, shall be irrebuttably presumed to be junk if the item is stored outside. Further, any vehicle in inoperable condition shall be irrebuttably presumed to be junk. For the purposes of this chapter, inoperable condition shall mean a condition of disrepair which renders the vehicle inoperable in a normal manner, or in the manner for which the vehicle was designed, for a period of time exceeding 72 hours.

To Resolve #4: The accumulation of household debris/furniture, appliances, bicycles and untagged/inoperable motor vehicles in the yard should be cleared from the property.

Violation #5: City of Fruitland Park Ordinance – SECTION 156. - LAND DEVELOPMENT REGULATIONS:

SECTION 156.030: FENCES AND WALLS

b) Permit Required.

No fence or wall shall be permitted without the appropriate building permit.

c) General Provisions

2) Height.

A) For residential uses, no permanent fence or wall shall exceed four (4) feet in height within the front yard area.

To Resolve #5: The current 6' foot, wood privacy fence along the front of the property must be made compliant by obtaining a Fence Permit and reducing the height to conforming standards at 4 feet in height.

This Notice of Violation is being provided to you in accordance with §162.06, Florida Statutes. Please correct the violation no later than 5/26/2019. You are required to: **Structure has been deemed unsafe; it has been ordered by the Code Official that the structure should be Demolished and removed from the property. Owner must abide by all City Codes to accomplish in order to correct the violation such as obtaining a Demolition Permit. Also, the accumulation of junk should be removed from the property along with complying with the fence requirements**

If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction, the case may be presented to the City of Fruitland Park Code Enforcement Special Magistrate even if the violation has been corrected prior to the Special Magistrate hearing. The Code Enforcement Special Magistrate has the power to order a fine and impose a lien in an amount not to exceed \$250.00 per day for each day the violation exists past

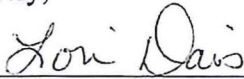
City of Fruitland Park
Memo: Page 4

the date of required compliance and may include all costs of repairs pursuant to F.S. 162.06(4) and costs of enforcement.

Once you have corrected the violation it is your responsibility to notify the City of Fruitland Park that you have corrected the violation so the City can re-inspect your property. Please contact Code Enforcement at **352-360-6727**.

Should you have any questions, please contact Code Enforcement at **352-360-6727**. Thank you for your anticipated cooperation.

Sincerely,

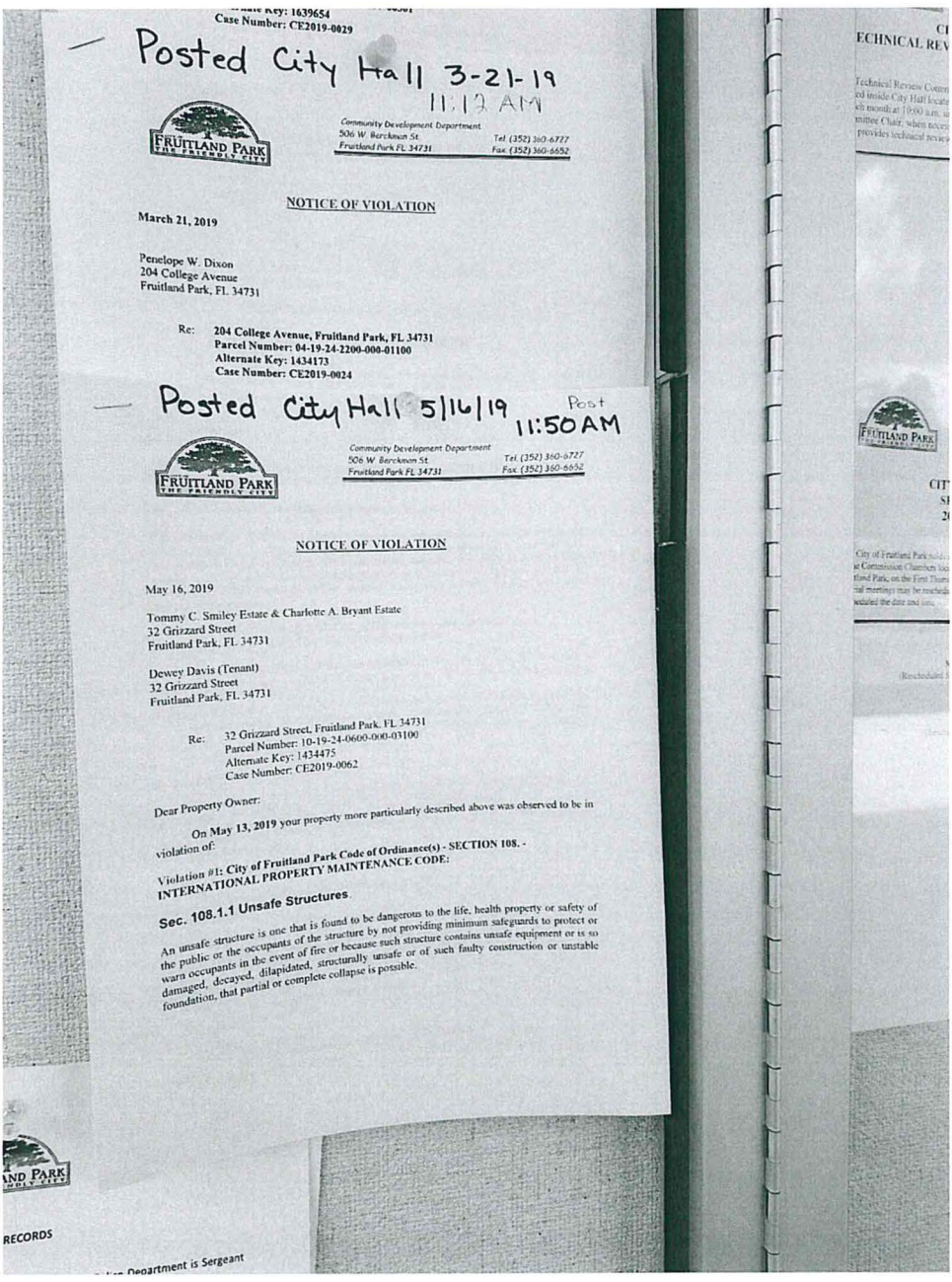


Lori Davis, Code Enforcement Officer
City of Fruitland Park

I HEREBY CERTIFY that the foregoing Notice of Violation has been furnished this **16th** day of **May, 2019** via Certified U. S. Mail Return Receipt Requested, and Regular U.S. Mail to **Tommie C. Smiley, Estate & Charlotte A. Bryant, Estate (owner/s) at 32 Grizzard Street, FL 34731 and to Dewey Davis (Tenant) at 32 Grizzard Street, Fruitland Park, FL 34731.** Additionally, on **May 16, 2019** I posted the foregoing Notice of Violation on the Property and at City Hall.



Lori Davis, Code Enforcement Officer
City of Fruitland Park



Parcel Key: 1639654
 Case Number: CE2019-0029

Posted City Hall 3-21-19
 11:12 AM



Community Development Department
 506 W. Barkman St.
 Fruitland Park FL 34731
 Tel: (352) 360-6727
 Fax: (352) 360-6652

NOTICE OF VIOLATION

March 21, 2019

Penelope W. Dixon
 204 College Avenue
 Fruitland Park, FL 34731

Re: 204 College Avenue, Fruitland Park, FL 34731
 Parcel Number: 04-19-24-2200-000-01100
 Alternate Key: 1434173
 Case Number: CE2019-0024

Posted City Hall 5/16/19
 11:50 AM



Community Development Department
 506 W. Barkman St.
 Fruitland Park FL 34731
 Tel: (352) 360-6727
 Fax: (352) 360-6652

NOTICE OF VIOLATION

May 16, 2019

Tommy C. Smiley Estate & Charlotte A. Bryant Estate
 32 Grizzard Street
 Fruitland Park, FL 34731

Dewey Davis (Tenant)
 32 Grizzard Street
 Fruitland Park, FL 34731

Re: 32 Grizzard Street, Fruitland Park, FL 34731
 Parcel Number: 10-19-24-0600-000-03100
 Alternate Key: 1434475
 Case Number: CE2019-0062

Dear Property Owner:

On May 13, 2019 your property more particularly described above was observed to be in violation of:

Violation #1: City of Fruitland Park Code of Ordinance(s) - SECTION 108. - INTERNATIONAL PROPERTY MAINTENANCE CODE:

Sec. 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.



RECORDS

Department is Sergeant

TECHNICAL REV

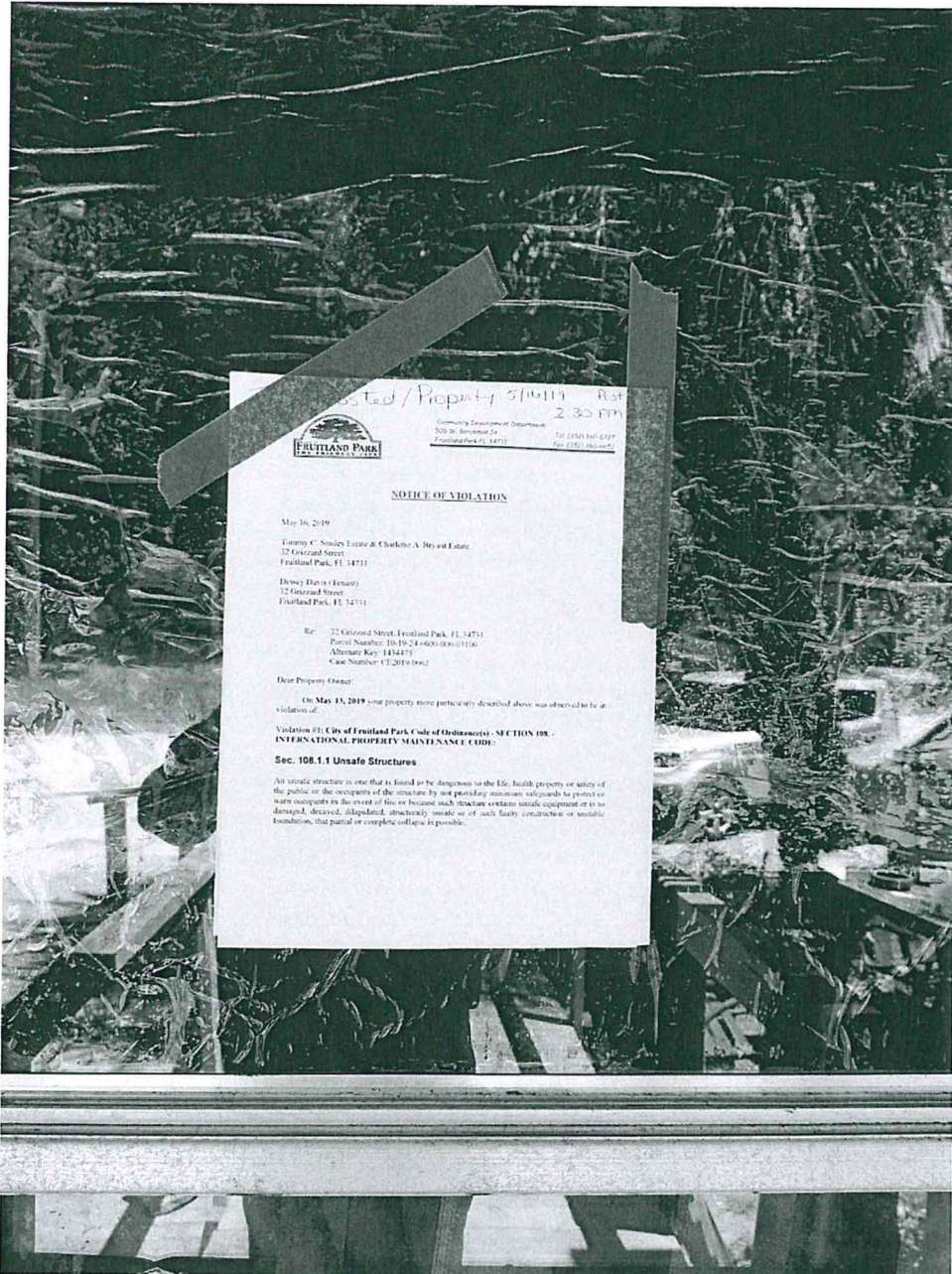
Technical Review Cont...
 ed inside City Hall locate...
 ch monthly at 10:00 a.m. an...
 nance Chair, when neces...
 provides technical review



CIT
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 20

City of Fruitland Park holds...
 at Commission Chambers loca...
 Fruitland Park, on the First Thurs...
 day meetings may be reschedu...
 related the date and time.

(Rescheduled)



32 Colvard Street / Property 5/16/19 RST 2:30 PM
Community Development Department
500 W. International Dr
Fruitland Park, FL 34731 Tel: (352) 860-6227 Fax: (352) 860-6227

NOTICE OF VIOLATION

May 16, 2019

Timmy C. Soudes Estate & Charlotte A. Br. of Estate
32 Colvard Street
Fruitland Park, FL 34731

Erney Davis (Owner)
32 Colvard Street
Fruitland Park, FL 34731

Re: 32 Colvard Street, Fruitland Park, FL 34731
Permit Number: 18-19-24-0600-000-01100
Alternate Key: 1818473
Case Number: CT-2019-0062

Dear Property Owner:

On May 13, 2019, your property more particularly described above was observed to be in violation of:

Violation #1: City of Fruitland Park Code of Ordinances - SECTION 108 - INTERNATIONAL PROPERTY MAINTENANCE CODE:

Sec. 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.

#1 Violation of Chap. 97.04
Property Maintenance

Accumulation of Junk
to include unlicensed vehicles



#2 Violation of IPMC,
Section 108.1.1-Unsafe Structures

Front View of Property & Mobile Home



#3 Violation of IPMC,
Section 108.1.3 - Structure Unfit for
Human Occupancy

View of Fire damage to Mobile Home



#4 Violation of IPMC,
Section 108.15 - Dangerous Structure
or Premises

View of Fire Damage from rear of property



Lori Davis

Email from Building Inspector

B-5

From: Larry Schmidt <larrys@alpha-inspections.net>
Sent: Tuesday, May 7, 2019 12:43 PM
To: Tracy Kelley
Subject: Re: 32 Grizzard St fire damage pictures and assessment

You're welcome Ma'am

Larry Schmidt
Alpha Inspections
Chief Inspector
352-348-1344

From: Tracy Kelley <tkelley@fruitlandpark.org>
Sent: Tuesday, May 7, 2019 12:29:07 PM
To: Larry Schmidt; permits; Jeff Gerling
Subject: RE: 32 Grizzard St fire damage pictures and assessment

Thank you sir! I will pass to City Manager.

Tracy

From: Larry Schmidt [mailto:larrys@alpha-inspections.net]
Sent: Tuesday, May 07, 2019 9:09 AM
To: permits <permits@fruitlandpark.org>; Jeff Gerling <jeff@alpha-florida.com>
Subject: 32 Grizzard St fire damage pictures and assessment

In my opinion it's a total loss. Not much left to rebuild. From the front it doesn't look that bad but the bottom two pictures reveals the extent of the damage.

5/7/19
1:26 PM

Email: Fire Inspector Dan Hickey
Ref. 32 Grizzard St.

Case#
CE2019-0062

B-6

Good afternoon,

I have conducted a site survey of this home.
I have also met with a neighbor.

The home is uninhabitable and unsafe.

It is believed that the occupants are still visiting if not possible staying in the home.

It is my opinion that the city should take actions to secure the home for the safety of the public.

Thank you

Dan Hickey
Fire Inspector.

**CODE ENFORCEMENT
CITY OF FRUITLAND PARK**

CITY OF FRUITLAND PARK

v.

CASE NO.: CE2019-0062

Tommy C. Smiley Estate &
Charlotte A. Bryant Estate, Respondent(s)
32 Grizzard Street
Fruitland Park, FL 34731

REQUEST FOR HEARING

Re: 32 Grizzard Street, Fruitland Park, FL 34731
Parcel Identification # 10-19-24-0600-000-03100

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(s): Chapter 97.04.- Property Maintenance, Accumulation of Junk Prohibited.

International Property Maintenance -

Section: 108.1.1 Unsafe Structures

Section: 108.1.3 Structure Unfit for Human Occupancy

Section: 108.1.5 Dangerous structure or Premises.

Location/address where violation exists: 32 Grizzard Street, Fruitland Park, FL 34731

Name and Address of owner of property: Tommy C Smiley Estate, & Charlotte A. Bryant Estate,
32 Grizzard Street, Fruitland Park, FL 34731

Description of violation: Fire damaged Mobile Home that is unsafe and uninhabitable, Fire damaged remains of RV, Vehicles and trailers with no current tags along with accumulation of Fire damaged debris and junk on property.

Date violation first observed: May 13, 2019

Date by which violation was to be corrected: May 26, 2019

Date of re-inspection: May 31, 2019

Results of re-inspection: The property continues to be in violation with the dangerous and unsafe fire damaged mobile home, vehicles and debris.

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 3 day of June, 2019.

Lori Davis
Code Enforcement Officer
City of Fruitland Park

SWORN to and subscribed before me this 3rd day of June, 2019.

Joanna M Coleman
City Clerk - DEPUTY

Certificate of Notice

I HEREBY CERTIFY that the foregoing Request for Hearing has been furnished this 3 day of June 2019 via Certified U. S. Mail Return Receipt Requested, and Regular U.S. Mail to **Tommy C. Smiley Estate & Charlotte A. Bryant Estate (owner/s) at 32 Grizzard Street, Fruitland Park, FL 34731**. Additionally, on June 3, 2019 I posted the foregoing Request for Hearing on the Property and at City Hall.

Lori Davis
Code Enforcement Officer
City of Fruitland Park



NOTICE OF VIOLATION

May 16, 2019

Tommy C. Smiley Estate & Charlotte A. Bryant Estate
32 Grizzard Street
Fruitland Park, FL 34731

Dewey Davis (Tenant)
32 Grizzard Street
Fruitland Park, FL 34731

Posted City Hall
6/3/19 4:15 PM

**CODE ENFORCEMENT
CITY OF FRUITLAND PARK**

CITY OF FRUITLAND PARK

CASE NO.: CE2019-0062

v.

Tommy C. Smiley Estate &
Charlotte A. Bryant Estate, Respondent(s)
32 Grizzard Street
Fruitland Park, FL 34731

REQUEST FOR HEARING

Re: 32 Grizzard Street, Fruitland Park, FL 34731
Parcel Identification #: 10-19-24-0600-000-03100

Pursuant to §162.06, Florida Statute, 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(s): Chapter 97.04 - Property Maintenance, Accumulation of Junk Prohibited.

International Property Maintenance -
Section: 108.1.1 Unsafe Structures
Section: 108.1.3 Structure Unfit for Human Occupancy
Section: 108.1.5 Dangerous structure or Premises.

Location/address where violation exists: 32 Grizzard Street, Fruitland Park, FL 34731

Name and Address of owner of property: Tommy C. Smiley Estate, & Charlotte A. Bryant Estate,
32 Grizzard Street, Fruitland Park, FL 34731

Description of violation: Fire damaged Mobile Home that is unsafe and uninhabitable, Fire damaged remains of RV, Vehicles and trailers with no current tags along with accumulation of Fire damaged debris and junk on property.

Date violation first observed: May 13, 2019

Date by which violation was to be corrected: May 26, 2019

Date of re-inspection: May 31, 2019



PUBLIC RECORDS

Public records for the City of Fruitland Park's
If contacted at:
West Berkman Street, Fruitland Park, FL 34731
Fruitland@cityoffruitland.org
352-4655
352-4653

**CODE ENFORCEMENT
CITY OF FRUITLAND PARK**

CITY OF FRUITLAND PARK

v.

CASE NO.: CE2019-0062

**Tommy C. Smiley Estate &
Charlotte A. Bryant Estate, Respondent(s)
32 Grizzard Street
Fruitland Park, FL 34731**

NOTICE OF HEARING

To: Tommy C. Smiley, Estate & Charlotte A. Bryant, Estate

**Re: 32 Grizzard Street, Fruitland Park, FL 34731
Parcel Identification Number: 10-19-24-0600-000-03100**

Please take notice that on the 18th day of July, 2019 at 9:00 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:

**Violation of City Codes: Chapter 97.04.- Property Maintenance,
Accumulation of Junk Prohibited**

International Property Maintenance Code:

Section:108.1.1 - Unsafe Structures

Section:108.1.3 - Structure Unsafe for Human Occupancy

Section:108.1.5 - Dangerous Structure or Premises.

Please govern yourself accordingly.

Dated this 2 day of July, 2019.

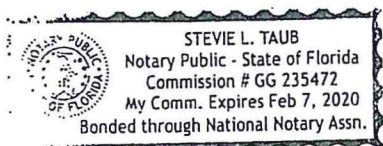
Lou Davis
Code Enforcement Officer
City of Fruitland Park

AFFIDAVIT OF NOTICE

I HEREBY SWEAR OR AFFIRM that the foregoing Notice of Hearing has been furnished this **2nd** day of **July, 2019** via Certified U. S. Mail Return Receipt Requested, and Regular U.S. Mail to Tommy C. Smiley, Estate & Charlotte A. Bryant, Estate (owner/s) at **32 Grizzard Street, Fruitland Park, FL 34731**. Additionally, on **July 2, 2019** I posted the foregoing Notice of Hearing on the Property and at City Hall.

Lori Davis
Code Enforcement Officer
City of Fruitland Park

SWORN TO AND SUBSCRIBED before me this 2 day of July, 2019, by Lori Davis, Code Enforcement Officer of the City of Fruitland Park, who is personally known to me and who did take an oath.



Stevie L. Taub
Notary Public
Print Name: Stevie L. Taub
My Commission Expires: 2/7/2020

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 352-360-6790.

D-2

Posted City Hall 7/2/19 10:40AM

CODE ENFORCEMENT
CITY OF FRUITLAND PARK

CITY OF FRUITLAND PARK

CASE NO. CE2019-0062

Tommy C. Smiley Estate &
Charlotte A. Bryant Estate, Respondents
32 Grizzard Street
Fruitland Park, FL 34731

NOTICE OF HEARING

To: Tommy C. Smiley, Estate & Charlotte A. Bryant, Estate
Re: 32 Grizzard Street, Fruitland Park, FL 34731
Parcel Identification Number: 10-19-24-0600-000-03100

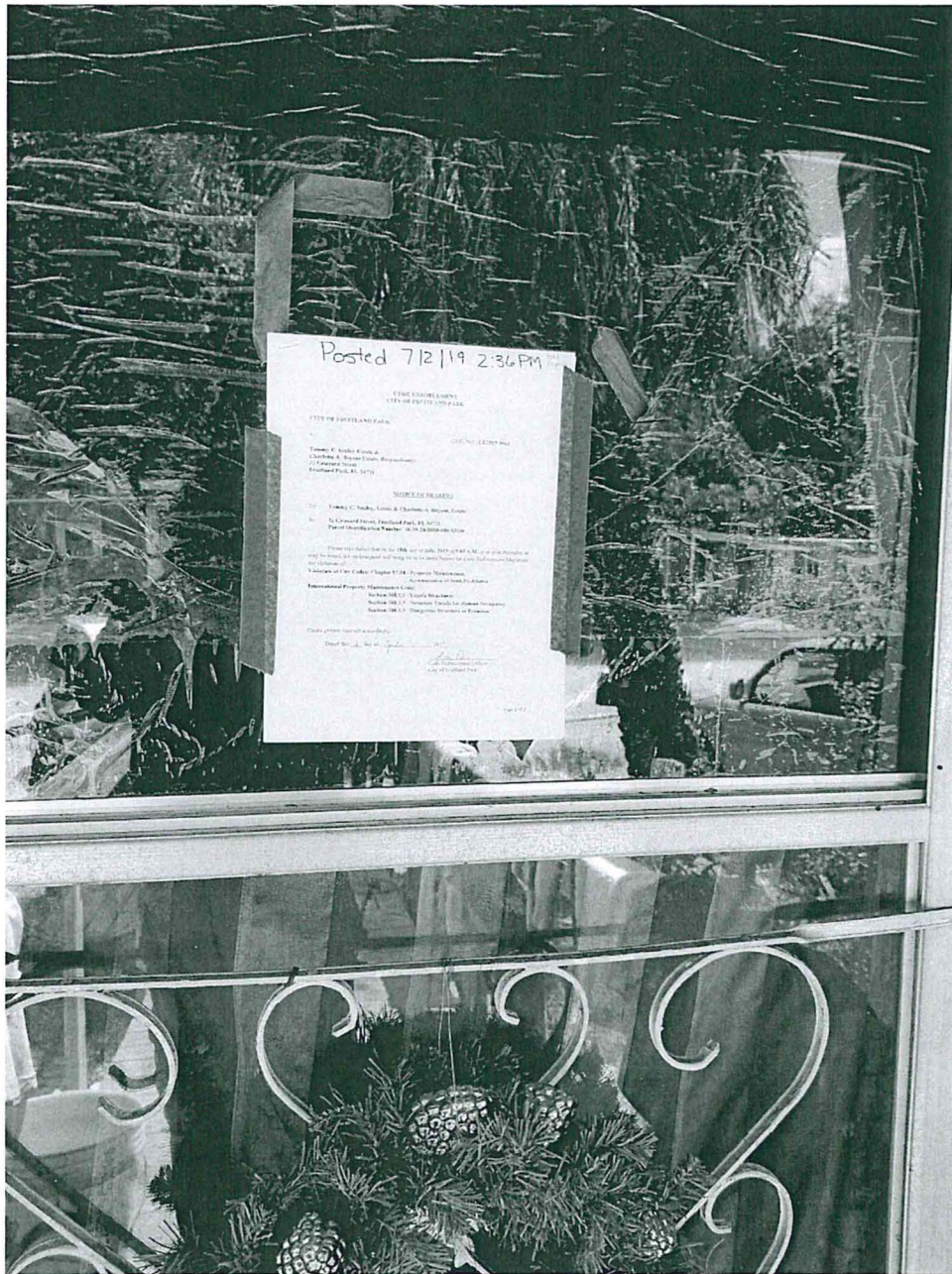
Please take notice that on the 18th day of July, 2019 at 9:00 A.M. or as soon thereafter as may be heard, the undersigned will bring on to be heard before the Code Enforcement Magistrate the violation of:

Violation of City Code: Chapter 97.04 - Property Maintenance, Accumulation of Junk Prohibited
International Property Maintenance Code:
Section: 108.1.1 - Unsafe Structures
Section: 108.1.3 - Structure Unsafe for Human Occupancy
Section: 108.1.5 - Dangerous Structure or Premises.

Please govern yourself accordingly.

Dated this 2 day of July, 2019.

Shane Davis
Code Enforcement Officer
City of Fruitland Park



CE19-0029

A

Select L

PROPERTY RECORD CARD

General Information

Owner Name:	ENNIS GEORGE & SUNNY	Alternate Key:	
Mailing Address:	608 LECONTE ST FRUITLAND PARK, FL 34731 <i>Update Mailing Address</i>	Parcel Number:	
Property Location:	608 LECONTE ST FRUITLAND PARK FL 34731 <i>Update Property Location</i>	Property Name:	
Property Description:	FRUITLAND PARK BEG 14 FT N OF SW TO NW COR OF LOT 3, NE'LY ALONG LOT LINE S'LY LINE OF SAID LOT 100 FT NE'LY F SWLY ALONG LOT LINE TO PT 14 FT NE FRO NWLY TO POB, BLK 37 PB 3 PGS 8-9 ORB 4492 PG 2331		
<small>NOTE: This property description is a condensed/abbreviated version of the original description as recorded in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System information for the county in which the property is located. It is intended to represent the land boundary only and does not constitute a deed. This description should not be used for purposes of conveying property title. The Property Appraiser is not responsible for the consequences of inappropriate uses or interpretations of the property description.</small>			

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	T
1	SINGLE FAMILY (0100)	0	0		1	L

[Click here for Zoning Info](#) [FEMA Map](#)

Residential Building(s)

Building 001

Residential	Single Family	Building
Summary		
Year Built: 1930	Total Living Area: 850	Central A/C

VIOLATION NOTICE

City of Fruitland Park
Code Enforcement

VIOLATION

Date: 3/6/19 Time: 12:50 PM

Address: 608 LeConte St.

The following violation(s) of City Ordinances have been observed on this property and must be corrected by: 3/16/19

- Junk/Abandoned Vehicles**
- Recreational Vehicles, Boats and Trailers in front yard**
- Improper/Illegal signs**
- Trash in yard**
- Property Maintenance**
- Other: Trailer w/ Junk**

Comments: All vehicles & trailers need to be operable & tagged.

Need to clean up old carpet debris & yard needs mowed.

Code Enforcement Officer

352-360-6727

PROPERTY RECORD CARD

General Information

Owner Name:	ENNIS GEORGE & SUNNY	Alternate Key:	1639654
Mailing Address:	608 LECONTE ST FRUITLAND PARK, FL 34731 Update Mailing Address	Parcel Number:	09-19-24-0400-037-00301
		Millage Group and City:	00F2 (FRUITLAND PARK)
		Total Certified Millage Rate:	17.7079
		Trash/Recycling/Water/Info:	My Public Services Map
Property Location:	608 LECONTE ST FRUITLAND PARK FL 34731 Update Property Location	Property Name:	-- Submit Property Name
		School Information:	School Locator & Bus Stop Map School Boundary Maps
Property Description:	FRUITLAND PARK BEG 14 FT N OF SW COR OF LOT 3, RUN N TO NW COR OF LOT 3, NE'LY ALONG LOT LINE 100 FT, S'LY TO PT ON S'LY LINE OF SAID LOT 100 FT NE'LY FROM SW COR OF LOT, SW'LY ALONG LOT LINE TO PT 14 FT NE FROM SW COR OF LOT 3, NW'LY TO POB, BLK 37 PB 3 PGS 8-9 ORB 4492 PG 2331		

NOTE: This property description is a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description.

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class	Value	Land Value
1	SINGLE FAMILY (0100)	0	0		1	LT		\$0.00	\$23,400.00

[Click here for Zoning Info](#)

[FEMA Flood Map](#)

Residential Building(s)

Building 001

Residential	Single Family	Building Value: \$29,239.00
-------------	---------------	-----------------------------

Summary



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

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

NOTICE OF VIOLATION

March 20, 2019

George and Sunny Ennis
608 Leconte Street
Fruitland Park, FL 34731

Re: **608 Leconte Street, Fruitland Park, FL 34731**
Parcel Number: 09-19-24-0400-037-00301
Alternate Key: 1639654
Case Number: CE2019-0029

To Whom It May Concern:

On **March 6, 2019**, your property more particularly described above was observed to be in violation of:

Violation #1: City of Fruitland Park Ordinance - CHAPTER 97. - PROPERTY MAINTENANCE

Sec. 97.04. - Accumulation of junk prohibited.

Except as otherwise provided in this chapter, no person shall accumulate junk, cause junk to be accumulated, or allow junk to be accumulated upon any property located within the city regardless of the property's zoning classification or use. The accumulation of junk 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.

(Ord. 90-019, passed 7-26-90)

Junk. Scrap metal, or any dismantled, partially dismantled, nonoperative, or discarded, machinery, appliance, equipment, vehicle, or boat, or part thereof. Any vehicle which is required to be registered and licensed in order to be operated or driven on the roads of the state, and which does not have a current certificate of registration and current license tag shall be irrebuttably presumed to be junk. Any item of tangible personal property,

designed to be used in an environment which is protected from the elements, such as the interior of a building, shall be irrebuttably presumed to be junk if the item is stored outside. Further, any vehicle in inoperable condition shall be irrebuttably presumed to be junk. For the purposes of this chapter, inoperable condition shall mean a condition of disrepair which renders the vehicle inoperable in a normal manner, or in the manner for which the vehicle was designed, for a period of time exceeding 72 hours.

To Resolve: The unlicensed and inoperable motor vehicles, boats and trailers parked on the property cannot be stored in this condition. The vehicles, boats and or trailers should be removed and or made compliant. Also, the carpet debris is considered junk and needs to be removed from the property.

Violation #2: 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.

To Resolve: The yard and rear lot need to be mowed and trimmed. Any bushes need to be cutback and maintained also.

This **Notice of Violation** is being provided to you in accordance with §162.06, Florida Statutes. Please correct the violation no later than **04/03/19**. You are required to: The inoperable vehicles, boats and trailers need to be removed or made operable and licensed. All junk to include the carpet debris needs to be removed. And the exterior property needs to be mowed, trimmed and maintained.

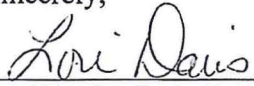
If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction, the case may be presented to the City of Fruitland Park Code Enforcement Special Magistrate even if the violation has been corrected prior to the Special Magistrate hearing. The Code Enforcement Special Magistrate has the power to order a fine and impose a lien in an amount not to exceed \$250.00 per day for each day the violation exists past the date of required compliance and may include all costs of repairs pursuant to F.S. 162.06(4) and costs of enforcement.

Once you have corrected the violation it is your responsibility to notify the City of Fruitland Park that you have corrected the violation so the City can re-inspect your property. Please contact Code Enforcement at **352-360-6727**.

City of Fruitland Park
Memo: Page 3

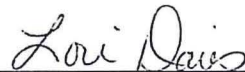
Should you have any questions, please contact Code Enforcement at **352-360-6727**.
Thank you for your anticipated cooperation.

Sincerely,



Lori Davis, Code Enforcement Officer
City of Fruitland Park

I HEREBY CERTIFY that the foregoing Notice of Violation has been furnished this **20th** day of **March, 2019** via Certified U. S. Mail Return Receipt Requested, and Regular U.S. Mail to **George and Sunny Ennis** (owner/s) at **608 Leconte Street, Fruitland Park, FL 34731**. Additionally, on **March 20, 2019** I posted the foregoing Notice of Violation on the Property and at City Hall.



Lori Davis, Code Enforcement Officer
City of Fruitland Park

Posted City Hall 12/27/18



Community Development Department
508 W. Berckman St.
Fruitland Park, FL 34731
Tel: (352) 360-6727
Fax: (352) 360-6652

NOTICE OF VIOLATION

December 27, 2018

Ms. Sandra Jo Simmons
01304 Linda Glen Avenue
Fruitland Park, FL 34731

Re: 901 South Dixie Avenue, Fruitland Park, FL 34731
Parcel Number: 09-19-24-120000302200
Alternate Key: 1640112
Case Number: CE2018-0047

Dear Ms. Simmons:

Posted 3-20-19 9:15 AM
City Hall



Community Development Department
508 W. Berckman St.
Fruitland Park, FL 34731
Tel: (352) 360-6727
Fax: (352) 360-6652

NOTICE OF VIOLATION

March 20, 2019

George and Sunny Ennis
608 Leconte Street
Fruitland Park, FL 34731

Re: 608 Leconte Street, Fruitland Park, FL 34731
Parcel Number: 09-19-24-0406-037-00301
Alternate Key: 1639654
Case Number: CE2019-0029

To Whom It May Concern:

On March 6, 2019, your property more particularly described above was observed to be in violation of:

Violation #1: City of Fruitland Park Ordinance - CHAPTER 97. - PROPERTY MAINTENANCE

Sec. 97.04. - Accumulation of junk prohibited.

Except as otherwise provided in this chapter, no person shall accumulate junk, cause junk to be accumulated, or allow junk to be accumulated upon any property located within the city regardless of the property's zoning classification or use. The accumulation of junk 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.

(Ord. 90-019, passed 7-26-90)

Junk. Scrap metal, or any dismantled, partially dismantled, nonoperative, or discarded, machinery, appliance, equipment, vehicle, or boat, or part thereof. Any vehicle which is required to be registered and licensed in order to be operated or driven on the roads of the state, and which does not have a current certificate of registration and current license tag shall be irrebuttably presumed to be junk. Any item of tangible personal property,

CE2019-0029

B-3



**CODE ENFORCEMENT
CITY OF FRUITLAND PARK**

CITY OF FRUITLAND PARK

v.

CASE NO.: **CE2019-0029**

George and Sunny Ennis, Respondent
608 LeConte Street
Fruitland Park, FL 34731

REQUEST FOR HEARING

Re: 608 LeConte Street, Fruitland Park, FL 34731
Parcel Identification # 09-19-24-0400-037-00301

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(s), **Section: 97.04 - Accumulation of Junk**
Section: 97.03 – Excessive or untended growth of vegetation prohibited.

Location/address where violation exists: **608 LeConte Street, Fruitland Park, FL 34731**

Name and Address of owner of property: George and Sunny Ennis, 608 LeConte Street, Fruitland Park, FL 34731

Description of violation: Vehicles and trailers with no current tags. A trailer loaded with old carpet. A boat loaded with junk on a trailer. And misc. junk stored on rear side yard. Also, excessive and untended growth of vegetation.

Date violation first observed: **March 6, 2019**

Date by which violation was to be corrected: **April 3, 2019**

Extension requested: Date due **April 30, 2019**

Date of re-inspection: **May 15, 2019**

Results of re-inspection: Vehicles, Trailers and boat still present and in violation. Junk still present along with the high grass and weeds.

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 15 day of July, 2019.

Lori Davis
Code Enforcement Officer
City of Fruitland Park

SWORN to and subscribed before me this 15th day of July, 2019

[Signature]
City Clerk

Certificate of Notice

I HEREBY CERTIFY that the foregoing Request for Hearing has been furnished this 15 day of July, 2019 via Certified U. S. Mail Return Receipt Requested, and Regular U.S. Mail to **George and Sunny Ennis (owner/s) at 608 LeConte Street, Fruitland Park, FL 34731**. Additionally, on July 15, 2019, 2019 I posted the foregoing Request for Hearing on the Property and at City Hall.

Lori Davis
Code Enforcement Officer
City of Fruitland Park

CE2019-0029

C-2

Posted 7/3/19 8:30 AM
Post City Hall



Community Development Department
504 W. Birchman St.
Fruitland Park, FL 34731
Tel: (352) 360-6727
Fax: (352) 360-6652

NOTICE OF VIOLATION

July 1, 2019
Churchman Metal Products, Inc./Trustee
29510 State Road 19
Tavares, FL 32778

Re: 903 South Dixie Avenue, Fruitland Park, FL 34731
Parcel Number: 09-19-24-120000D02500
Alternate Key: 1431891
Case Number: CE2019-0094

To Whom It May Concern:

Posted/City Hall
7/15/19 11:35 AM
Post City Hall

**CODE ENFORCEMENT
CITY OF FRUITLAND PARK**

CITY OF FRUITLAND PARK

CASE NO.: CE2019-0029

v.
George and Sunny Ennis, Respondent
608 LeConte Street
Fruitland Park, FL 34731

REQUEST FOR HEARING

Re: 608 LeConte Street, Fruitland Park, FL 34731
Parcel Identification # 09-19-24-0400-037-00301

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(s), Section: 97.04 - Accumulation of Junk
Section: 97.03 - Excessive or untended growth of vegetation prohibited.

Location/address where violation exists: 608 LeConte Street, Fruitland Park, FL 34731

Name and Address of owner of property: George and Sunny Ennis, 608 LeConte Street, Fruitland Park, FL 34731

Description of violation: Vehicles and trailers with no current tags. A trailer loaded with old carpet. A boat loaded with junk on a trailer. And misc. junk stored on rear side yard. Also, excessive and untended growth of vegetation.

Date violation first observed: March 6, 2019

Date by which violation was to be corrected: April 3, 2019
Extension requested: Date due April 30, 2019

Date of re-inspection: May 15, 2019

Results of re-inspection: Vehicles, Trailers and boat still present and in violation. Junk still present along with the high grass and weeds.



CE2019-0029

C-3

Posted 7/3/19 8:30 AM Post City Hall



Community Development Department
300 W. Kirchman St.
Fruitland Park, FL 34731
Tel: (352) 360-6727
Fax: (352) 360-6652

NOTICE OF VIOLATION

July 1, 2019

Churchman Metal Products, Inc. /Trustee
29510 State Road 19
Tavares, FL 32778

Re: 903 South Dixie Avenue, Fruitland Park, FL 34731
Parcel Number: 09-19-24-120000D02500
Alternate Key: 1431891
Case Number: CE2019-0094

To Whom It May Concern:

Posted/City Hall 7/15/19 11:35 AM Post City Hall

**CODE ENFORCEMENT
CITY OF FRUITLAND PARK**

CITY OF FRUITLAND PARK

CASE NO.: CE2019-0029

v.
George and Sunny Ennis, Respondent
608 LeConte Street
Fruitland Park, FL 34731

REQUEST FOR HEARING

Re: 608 LeConte Street, Fruitland Park, FL 34731
Parcel Identification # 09-19-24-0400-037-00301

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(s), Section: 97.04 - Accumulation of Junk
Section: 97.03 - Excessive or untended growth of vegetation prohibited.

Location/address where violation exists: 608 LeConte Street, Fruitland Park, FL 34731

Name and Address of owner of property: George and Sunny Ennis, 608 LeConte Street, Fruitland Park, FL 34731

Description of violation: Vehicles and trailers with no current tags. A trailer loaded with old carpet. A boat loaded with junk on a trailer. And misc. junk stored on rear side yard. Also, excessive and untended growth of vegetation.

Date violation first observed: March 6, 2019

Date by which violation was to be corrected: April 3, 2019
Extension requested: Date due April 30, 2019

Date of re-inspection: May 15, 2019

Results of re-inspection: Vehicles, Trailers and boat still present and in violation. Junk still present along with the high grass and weeds.



6 a)

**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 6 a)**

ITEM TITLE: City of Fruitland Park Abandoned Property Foreclosure

For the Meeting of: July 18, 2019

Submitted by: Code Enforcement Officer Lori Davis

Date Submitted: July 15, 2019

Funds Required: N/A

Attachments: Yes

Item Description:

Foreclosure Recommendation for Code Enforcement Case #CE2017-0032.

Address: 401 Acorn Circle, Fruitland Park, FL 34731

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

Action to be Taken: Approve Foreclosure Recommendation

Staff's Recommendation: Approval

Additional Comments: None

Special Magistrate Review:

Mayor Authorization:

CE2017-0032

Return to:

City of Fruitland Park
Attn: Code Enforcement
506 W. Beckman St
Fruitland Park, FL 34731



RECEIVED DEC 11 2017

**BEFORE THE SPECIAL MAGISTRATE
CITY OF FRUITLAND PARK**

INSTRUMENT #2017135264
OR BK 5042 PG 1861 - 1863 (3 PGS)
DATE: 12/19/2017 12:36:04 PM
NEIL KELLY, CLERK OF THE CIRCUIT COURT
LAKE COUNTY
RECORDING FEES \$27.00

City of Fruitland Park,

Petitioner,

v

CASE NUMBER: CE2017-0032

Jennifer E. Marcial,

Respondent,

_____ /

ORDER OF FINE

This cause came on for hearing on the 8th day of November, 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 City of Fruitland Park Code of Ordinances, Sections: 97.03 (Excessive or Untended Growth of Vegetation Prohibited), 97.02 (Accumulation of Refuse Prohibited), 156.010 (Accessory Uses and Structures) and Section 108.1.1 (Unsafe Structures), 108.1.3 (Structure unfit for human occupancy), Property Maintenance Code, as well as any other codes that may apply.
4. That the Respondent, Jennifer E. Marcial, did not appear at the proceedings on August 3, 2017 or November 8, 2017.

CONCLUSIONS OF LAW

1. The Respondent has violated the provisions of City of Fruitland Park Code of Ordinances, Sections: 97.03 (Excessive or Untended Growth of Vegetation Prohibited), 97.02 (Accumulation of Refuse Prohibited), 156.010 (Accessory Uses and Structures) and Section 108.1.1 (Unsafe Structures), 108.1.3 (Structure unfit for human occupancy), Property Maintenance Code, as well as any other codes that may apply.
2. Based on the information provided through the evidence and testimony in this case, an Order of Fine is warranted.

ORDER

Respondent shall pay fines in the amount of \$50.00 per day commencing on September 12, 2017 for each day the property is not in compliance and shall continue to accrue at the daily rate of \$50.00 until such time as the property is brought into compliance with City of Fruitland Park codes.

Respondent shall pay costs associated with the file in the total amount of \$101.40. All fines and costs shall be paid to the City of Fruitland Park, 506 W. Berckman Street, Fruitland Park, FL 34731 within thirty (30) days of the date this Order is signed.

Failure to comply with this Order within the specified time shall result in 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 7th day of December, 2017.

SPECIAL MAGISTRATE OF THE
CITY OF FRUITLAND PARK

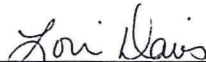
By: _____
Ashley Hunt, Esquire

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 SUMTER 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 Fine was forwarded by regular United States mail to Jennifer E. Marcial, 401 Acorn Circle, Fruitland Park, FL 34731 this 19 day of December, 2017.



Lori Davis, Code Enforcement Officer

**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 6 b)**

ITEM TITLE: City of Fruitland Park Property Foreclosure

For the Meeting of: July 18, 2019

Submitted by: Code Enforcement Officer Lori Davis

Date Submitted: July 15, 2019

Funds Required: N/A

Attachments: Yes

Item Description:

Code Enforcement Case #2018-0043 – Foreclosure Recommendation
Address: 19 Grizzard Street, Fruitland Park, FL 34731
Owner: Joseph Casteel Jr., 19 Grizzard Street, Fruitland Park, FL 34731

Action to be Taken: Foreclosure Recommendation

Staff's Recommendation: Approval

Additional Comments: None

Special Magistrate Review:

Mayor Authorization:

INSTRUMENT#: 2019042639 OR BK 5265 PG 2030 PAGES: 3 4/17/2019 2:09:42 PM
GARY J. COONEY, CLERK OF THE CIRCUIT COURT & COMPTROLLER, LAKE COUNTY, FLORIDA
REC FEES: \$27.00



Record and Return to:
City of Fruitland Park
506 West Berckman Street
Fruitland Park, FL 34731

**BEFORE THE SPECIAL MAGISTRATE
CODE ENFORCEMENT
CITY OF FRUITLAND PARK**

City of Fruitland Park,

Petitioner,

v

CASE NUMBER: CE2018-0043

Joseph Casteel Jr.,

Respondent,

_____ /

ORDER OF FINE

This cause came on for hearing on the 7th day of March, 2019, 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, Joseph Casteel Jr., 19 Grizzard Street, 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 19 Grizzard Street, Fruitland Park, FL 34731, Lot 19, Vagabond Villas, according to the plat thereof recorded in Plat Book 17, Page 29, of the Public Records of Lake County, Florida, together with New Moon Mobile Home ID# 313821, and other improvements pertinent thereto. Parcel Number 10-19-24-060000001900 (the "Property").
3. Since on or before April 16, 2018, the Property has been in violation of City of Fruitland Park Code of Ordinances, Sections: 97.03 (Excessive or untended growth

of vegetation); 97.04 (Accumulation of Junk Prohibited); 302.7 (Maintenance of Accessory Structures), as well as any other codes that may apply.

- 4. That the Respondent, Joseph Casteel Jr., did not appear at the proceedings on July 5, 2018 or March 7, 2019.

CONCLUSIONS OF LAW

- 1. The Respondent has violated the provisions of City of Fruitland Park Code of Ordinances, Sections: 97.03 (Excessive or untended growth of vegetation); 97.04 (Accumulation of Junk Prohibited); 302.7 (Maintenance of Accessory Structures), as well as any other codes that may apply.
- 2. Based on the information provided through the evidence and testimony in this case, an Order of Fine is warranted.

ORDER

Respondent shall pay fines in the amount of \$50.00 per day commencing on August 4, 2018, for each day the property is not in compliance and shall continue to accrue at the daily rate of \$50.00 until such time as the property is brought into compliance with City of Fruitland Park codes.

Respondent shall pay costs associated with the file in the total amount of \$102.86. All fines and costs shall be paid to the City of Fruitland Park, 506 W. Berckman Street, Fruitland Park, FL 34731 within thirty (30) days of the date this Order is signed.

Failure to comply with this Order within the specified time shall result in 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 14th day of March, 2019.

SPECIAL MAGISTRATE OF THE
CITY OF FRUITLAND PARK

By: 
Ashley Hunt, Esquire

STATE OF FLORIDA
COUNTY OF LAKE

Being an officer duly authorized to administer oaths and take acknowledgments, I hereby certify that on this day personally appeared before me Ashley Hunt, Esq. and known to me to be the person who executed the foregoing instrument and acknowledged to and before me that he executed said instrument for the purpose herein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal at Fruitland Park, Lake County, Florida, this 14th day of March, 2019.



Crystal P. Milford
Notary Public

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 Fine was forwarded by regular United States mail to Joseph Casteel Jr., 19 Grizzard Street, Fruitland Park, FL 34731, this 18 day of March 2019.

Lori Davis
Lori Davis, Code Enforcement Officer