

SEMINOLE COUNTY GOVERNMENT

COUNTY SERVICES BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA 32771-1468



Meeting Minutes (Draft) - Final

Thursday, September 8, 2016

1:30 PM

BCC Chambers

Code Enforcement Special Magistrate

I CALL TO ORDER

The Special Magistrate, Lonnie Groot, called the meeting to order at 1:30 P.M.

Others Present:

Patt Hughes, Clerk to the Special Magistrate

II OPENING STATEMENT

III SWEARING IN OF WITNESSES

Floyd Self, Burger Singerman Law Firm, representing Mobilitie LLC on behalf of the Respondent, Lighthouse Baptist Church

Roger Simpson, Director of Regulatory Affairs, Mobilitie LLC, on behalf of the Respondent, Lighthouse Baptist Church

Jazz Mitchell, representing the Respondent, Fetlar LLC

Gloria Davis, daughter of the Respondent, Jessie B. Penn

Tom Helle, Building Inspector, Seminole County

Joann Tamulonis, Code Enforcement Officer, Seminole County

IV HEARINGS -

The published agenda was revised to allow Respondents and witnesses present at today's hearing to be heard first. The remaining cases would then be heard in the order originally published.

[16-19-CESM](#)
[New](#)

LIGHTHOUSE BAPTIST CHURCH

DALE J. HARDY(Registered Agent)

6815 MARKHAM RD., SANFORD, FL 32771

(Commission District 5)

Tax Parcel ID # 35-19-29-300-002A-0000

Code Enforcement Officer: Joann Tamulonis

Violation:

1. Seminole County Land Development Code, Chapter 30, Part 7, Section 30.122 Permitted Uses: *A Temporary cell tower is not a permitted use within the A-1 Zoning Classification.*

Joann Tamulonis, Code Enforcement Officer was present at the hearing and testified on behalf of the County. Officer Tamulonis entered in the record, Exhibit 1, detailing the case and photographs of the violation. Officer Tamulonis stated that as of her last inspection on 9/7/16, the property was not in compliance.

Floyd Self, Burger Singerman Law Firm, representing Mobilitie LLC, and Roger Simpson, Director of Regulatory Affairs, with Mobilitie LLC, are present, representing the Respondent.

Mr. Self stated that they have no objection to the County's request to remove the cell tower, and as of this morning they have started to do so. The tower was originally constructed to support a service gap in that area. The owner is in the process of erecting a permanent tower at another site, pursuant to the applicable permits.

MR. GROOT FOUND THE VIOLATION HAS BEEN PROVEN AS ALLEGED BASED ON THE EVIDENCE AND ARGUMENT AS PRESENTED. MR. GROOT FURTHER ORDERED THAT THE RESPONDENT SHALL CORRECT THE VIOLATION ON OR BEFORE OCTOBER 13, 2016, AND IF THE RESPONDENT DOES NOT COMPLY WITH THIS ORDER, A FINE OF \$150.00 PER DAY WILL BE IMPOSED THEREAFTER.

[16-20-CESM](#)
[New](#)

**LIGHTHOUSE BAPTIST CHURCH
DALE J. HARDY (Registered Agent)
6815 MARKHAM RD., SANFORD, FL 32771
(Commission District 5)
Tax Parcel ID # 35-19-29-300-002A-0000
Inspector: Tom Helle**

Violation:

1. Seminole County Code Chapter 40, Appendix "A", Section 105.1
Construction without the required permits.

Tom Helle, Building Inspector, was present at the hearing and testified on behalf of the County. Mr. Helle entered into the record, Exhibit 1, detailing the case and photographs of the violation and stated that as of his last inspection on 9/8/16, the property was not in compliance.

Floyd Self, Burger Singerman Law Firm, representing Mobilitie LLC, and Roger Simpson, Director of Regulatory Affairs, with Mobilitie LLC, are present, representing the Respondent.

Mr. Self testified that they have no objections to Staff Recommendation and they will obtain the required permit to remove the electrical.

MR. GROOT FOUND THE VIOLATION HAS BEEN PROVEN AS ALLEGED BASED ON THE EVIDENCE AND ARGUMENT AS PRESENTED. MR. GROOT FURTHER ORDERED THAT THE RESPONDENT SHALL CORRECT THE VIOLATION ON OR BEFORE OCTOBER 13, 2016, AND IF THE RESPONDENT DOES NOT COMPLY WITH THIS ORDER, A FINE OF \$50.00 PER DAY WILL BE IMPOSED THEREAFTER.

[16-24-CESM](#)
[New](#)

**FETLAR LLC
CORPORATION SERVICE CO. (Registered Agent)
3512 GLEAVES CT., APOPKA, FL 32703
(Commission District 3)
Tax Parcel ID # 18-21-29-502-0C00-0020
Inspector: Tom Helle**

Violation:

1. Seminole County Code Chapter 40, Appendix "A", Section 105.1
Construction without the required permits.

Tom Helle, Building Inspector, was present at the hearing and testified on behalf of the County. Mr. Helle entered into the record, Exhibit 1, detailing the case and photographs of the violation and stated that as of his last inspection on 9/8/16, the property was not in compliance. Mr. Helle stated that there is an application awaiting approval, and once this permit has been issued, the Respondent would be in compliance.

Jazz Mitchell, representing the Respondent, is present and stated that he has nothing to present.

MR. GROOT FOUND THE VIOLATION HAS BEEN PROVEN AS ALLEGED BASED ON THE EVIDENCE AND ARGUMENT AS PRESENTED. MR. GROOT FURTHER ORDERED THAT THE RESPONDENT SHALL CORRECT THE VIOLATION ON OR BEFORE OCTOBER 13, 2016, AND IF THE RESPONDENT DOES NOT COMPLY WITH THIS ORDER, A FINE OF \$50.00 PER DAY WILL BE IMPOSED THEREAFTER.

[16-25-CESM](#)
[New](#)

**JESSIE B. PENN
4540 GILBERT ST., SANFORD, FL 32771
(Commission District 5)
Tax Parcel ID # 20-19-30-501-0000-1370
Inspector: Tom Helle**

Violation:

1. Seminole County Code Chapter 40, Appendix "A", Section 105.1
Construction without the required permits.

Tom Helle, Building Inspector, was present at the hearing and testified on behalf of the County. Mr. Helle entered into the record, Exhibit 1, detailing the case and photographs of the violation and stated that as of his last inspection on 9/8/16, the property was not in compliance.

Gloria Davis, daughter of the Respondent, is present and did testify on her behalf. She stated that her mother is deceased.

She explained to Mr. Helle that the structure in the back that was a trailer, and was "grandfathered" in when the code changed, and all she did was replace the tin on the roof with wood. Lonnie Groot, Special Magistrate, explained to Ms. Davis that she should be asking questions of Mr. Helle, and if she had no questions Mr. Helle can rest his case. She had no further questions.

Ms. Davis stated that if she needs to pull a permit, she will do so.

Mr. Groot asked Mr. Helle if the October 13, 2016, compliance date would be a problem, and he stated that if she plans to keep the structure, there will have to be plans drawn and different things needed in order to keep it, and that could take additional time. He stated that if she plans to demolish it, than yes she should be able to pull a permit in that time frame. However, since she is not the owner of record, according to the Property Appraiser, this can cause issues with her being able to pull any kind of permit.

Mr. Groot asked if there was any health, safety issues and Mr. Helle responded that there had been a previous complaint in regards to sewage. He stated that this was turned over to the Health Department.

Ms. Davis indicated that this complaint had been taken care of, and the Health Department came and inspected and found the complaint to be false.

LONNIE GROOT, SPECIAL MAGISTRATE, CONTINUED THIS CASE UNTIL THE OCTOBER 13, 2016 HEARING.

[16-16-CESM](#)

[New](#)

**ALLISON DESANTO
3230 CAULFIELD ST., APOPKA, FL 32703
(Commission District 3)
Tax Parcel ID # 18-21-29-522-0C00-0090
Inspector: Tom Helle, Inspector**

Violation:

1. Seminole County Code Chapter 40, Appendix "A", Section 105.1
Construction without the required permits.

Lonnie Groot, Special Magistrate, asked the Clerk to check the hallway to determine if the Respondent, Allison DeSanto was present. The Clerk returned and advised that Ms. DeSanto was not present.

This case was originally scheduled for August 11, 2016 and an Order was issued continuing this hearing until September 8, 2016.

Tom Helle, Building Inspector, was present at the hearing and testified on behalf of the County. Mr. Helle entered into the record, Exhibit 1, detailing the case and photographs of the violation and stated that as of his last inspection on 9/7/16, the property was not in compliance.

MR. GROOT FOUND THE VIOLATION HAS BEEN PROVEN AS ALLEGED BASED ON THE EVIDENCE AND ARGUMENT AS PRESENTED. MR. GROOT FURTHER ORDERED THAT THE RESPONDENT SHALL CORRECT THE VIOLATION ON OR BEFORE OCTOBER 13, 2016, AND IF THE RESPONDENT DOES NOT COMPLY WITH THIS ORDER, A FINE OF \$50.00 PER DAY WILL BE IMPOSED THEREAFTER.

CASES NOT HEARD

**16-22-CESM
Comp Prior**

**(Complied Prior)
REYNALDO SUAREZ
651 LAKE MOBILE DR., ALTAMONTE SPRINGS, FL 32701
(Commission District 4)
Tax Parcel ID # 07-21-30-510-0B00-0200
Inspector: Tom Helle**

Violation:

1. Seminole County Code Chapter 40, Appendix "A", Section 105.1
Construction without the required permits

16-23-CESM
Comp Prior

(Comp Prior)
MICHAEL C. MAULDIN
625 E HILLCREST ST., ALTAMONTE SPRINGS, FL 32701
(Commission District 4)
Tax Parcel ID # 12-21-29-5BD-4700-0150
Inspector: Tom Helle

Violation:

1. Seminole County Code Chapter 40, Appendix "A", Section 105.1
Construction without the required permits.

V APPROVAL OF THE MINUTES OF August 11, 2016

VI CONFIRMATION DATE OF NEXT MEETING: October 13, 2016

VII ADJOURN

There being no further discussion, this meeting was adjourned at 2:05 P.M.

RESPECTFULLY SUBMITTED:

Patricia A. Hughes, Clerk
Code Enforcement Office

Lonnie Groot
Special Magistrate