

SEMINOLE COUNTY GOVERNMENT

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



Meeting Minutes (Final) - Final

Thursday, April 13, 2017

1:30 PM

BCC Chambers

Code Enforcement Special Magistrate

CALL TO ORDER

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

Also Present:

Patricia A. Hughes, Clerk to the Special Magistrate

OPENING STATEMENT

SWEARING IN OF WITNESSES

Jerry L. Shelley, Respondent - Case 17-13-CESM
Thomas Sulecki, on behalf of Respondent - Case 17-29-CESM
Raul Castillo, Respondent - Case 17-30-CESM
Charles R. Allen, Respondent - Case 17-05-CESM
Danny J. West, Respondent - Case 17-17-CESM
Tom Helle, Seminole County Building Inspector
Vincent Bavaro, Code Enforcement Officer, SCSO

HEARINGS -

17-13-CESM
New

JERRY L. & JOYCE K. SHELLEY
BANK OF AMERICA (Lis Pendens)
421 LAKESHORE DR., LAKE MARY, FL 32746
(Commission District 4)
Tax Parcel ID # 18-20-30-504-0000-0560
Inspector: Tom Helle, Inspector
Notice of Hearing: Certified

Violation:

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

Tom Helle, Inspector, was present and testified on behalf of the County. Mr. Helle entered into evidence photographs of the violation and stated that the recommendation would be to comply by May 11, 2017, with a fine of \$50.00 per day be imposed for every day the violation continues or is repeated after compliance.

Jerry L Shelley, Respondent was present and did testify. He stated that he did receive the original notice and he called three (3) times and left messages but did not receive a call back. He does not have any issues with the May 11, 2017 compliance date.

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 MAY 11, 2017, AND IF THE RESPONDENT DOES NOT COMPLY WITH THIS ORDER, A FINE OF \$50.00 PER DAY WILL BE IMPOSED.

17-29-CESM
New

PAUL MCCONNON TRUSTEE FBO
2880 SOUTH LN, SANFORD, FL 32773
(Commission District 2)
Tax Parcel ID # 22-20-30-501-0200-0730
Inspector: Tom Helle, Inspector
Notice of Hearing: Posted

Violation:

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

Tom Helle, Inspector, was present and testified on behalf of the County. Mr. Helle entered into evidence photographs of the violation and stated that the recommendation would be to comply by May 11, 2017, with a fine of \$50.00 per day be imposed for every day the violation continues or is repeated after compliance.

Thomas Sulecki, Respondent's tenant, was present and submitted a Real Estate Rental Agreement from May of 2014, and a Notice Exercising Secure Ownership Statement from April 6, 2017. Mr. Sulecki indicates that he is responsible for the upkeep of the property.

Special Magistrate Lonnie Groot indicates that the Rental Agreement was not signed by Mr. Sulecki.

Mr. Sulecki indicates that this is a Rent to Own agreement.

Mr. Groot asked Mr. Sulecki if this is a Contract for Deed, and he responded yes.

Mr. Groot explained that the Rental Agreement was from May 11, 2014 until May 11, 2015.

Mr. Groot asked Mr. Helle if he had any objections to a "tenant" providing testimony and Mr. Helle indicated he does not.

Mr. Groot asked Mr. Sulecki if he has authority to represent the Respondent, Paul McConnon, in this matter, and he responded that he did.

Mr. Sulecki stated that he is working on obtaining the necessary permits and feels this could take a few weeks.

Mr. Groot explained that he is accepting Mr. Sulecki's testimony as evidence and nothing more.

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 MAY 11, 2017, AND IF THE RESPONDENT DOES NOT COMPLY WITH THIS ORDER, A FINE OF \$50.00 PER DAY WILL BE IMPOSED.

17-30-CESM
New

RAUL CASTILLO
1870 LONG POND DR., LONGWOOD, FL 32779
(Commission District 5)
Tax Parcel ID # 24-20-29-506-0000-2820
Inspector: Tom Helle, Inspector
Notice of Hearing: Certified

Violation:

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

Tom Helle, Inspector, was present and testified on behalf of the County. Mr. Helle entered into evidence photographs of the violation and stated that the recommendation would be to comply by July 6, 2017, with a fine of \$50.00 per day be imposed for every day the violation continues or is repeated after compliance.

Raul Castillo, Respondent, was present and did testify. He stated that he has no objections to the July 6, 2017 compliance date.

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 JULY 6, 2017, AND IF THE RESPONDENT DOES NOT COMPLY WITH THIS ORDER, A FINE OF \$50.00 PER DAY WILL BE IMPOSED.

17-21-CESM
New

MICHAEL SPEARS & JAMES P. GRODECKI CO TRS
4740 W SR 46, SANFORD, FL 32771
(Commission District 5)
Tax Parcel ID # 29-19-30-300-006A-0000
Code Enforcement Officer: Vincent Bavaro
Notice of Hearing: Certified

Violation:

1. Seminole County Code, Chapter 95, Sec. 95.4, as defined in Sec. 95.3 (g)
It shall be unlawful for any person to accumulate, dump or cause or allow to be accumulated or dumped or cause or allow to be placed, or otherwise to cause or allow to exist on any lands or premises any nuisance as defined in Section 95.3 (h) - Any weed growth, grass growth, undergrowth or dead or living vegetative matter that is growing in an uncontrolled manner or is not regularly maintained, and is in excess of eight (8) inches in height as measured from the soil level.

Code Enforcement Officer Vincent Bavaro was present and testified on behalf of the County. Officer Bavaro entered into evidence photographs of the violation and stated that the recommendation would be to comply by April 30, 2017, with a fine of \$100.00 per day be imposed for every day the violation continues or is repeated after compliance.

Michael Spears & James P. Grodecki, Respondents, were not present at this hearing.

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 APRIL 30, 2017, AND IF THE RESPONDENT DOES NOT COMPLY WITH THIS ORDER, A FINE OF \$100.00 PER DAY WILL BE IMPOSED.

**17-22-CESM
New**

**MICHAEL SPEARS & JAMES P. GRODECKI CO TRS
4740 W SR 46, SANFORD, FL 32771
(Commission District 5)
Tax Parcel ID # 29-19-30-300-006A-0000
Code Enforcement Officer: Vincent Bavaro
Notice of Hearing: Certified**

Violation:

1. Seminole County Code, Chapter 95, Sec. 95.4, as defined in Sec. 95.3 (a)
It shall be unlawful for any person to accumulate, dump or cause or allow to be accumulated or dumped or cause or allow to be placed, or otherwise to cause or allow to exist on any lands or premises any nuisance as defined in Section 95.3 (a) - Objectionable, unsightly or unsanitary accumulation of garbage, refuse, rubbish, junk or debris.

Code Enforcement Officer Vincent Bavaro was present and testified on behalf of the County. Officer Bavaro entered into evidence photographs of the violation and stated that the recommendation would be to comply by April 30, 2017, with a fine of \$250.00 per day be imposed for every day the violation continues or is repeated after compliance.

Michael Spears & James P. Grodecki, Respondents, were not present at this hearing.

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 APRIL 30, 2017, AND IF THE RESPONDENT DOES NOT COMPLY WITH THIS ORDER, A FINE OF \$250.00 PER DAY WILL BE IMPOSED.

**17-23-CESM
New**

**FL NAV INV LLC
BHARAT DESAI (Registered Agent)
4750 W SR 46, SANFORD, FL 32771
(Commission District 5)
Tax Parcel ID # 29-19-30-300-0060-0000
Code Enforcement Officer: Vincent Bavaro
Notice of Hearing: Posted**

Violation:

1. Seminole County Code, Chapter 95, Sec. 95.4, as defined in Sec. 95.3 (h)
It shall be unlawful for any person to accumulate, dump or cause or allow to be accumulated or dumped or cause or allow to be placed, or otherwise to cause or allow to exist on any lands or premises any nuisance as defined in

Section 95.3 (h) - Any weed growth, grass growth, undergrowth or dead or living vegetative matter that is growing in an uncontrolled manner or is not regularly maintained, and is in excess of eight (8) inches in height as measured from the soil level.

Code Enforcement Officer Vincent Bavaro was present and testified on behalf of the County. Officer Bavaro entered into evidence photographs of the violation and stated that the recommendation would be to comply by April 30, 2017, with a fine of \$100.00 per day be imposed for every day the violation continues or is repeated after compliance.

FI Nav Inv., Respondents, were not present at this hearing.

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 APRIL 30, 2017, AND IF THE RESPONDENT DOES NOT COMPLY WITH THIS ORDER, A FINE OF \$100.00 PER DAY WILL BE IMPOSED.

**17-24-CESM
New**

**EGS PROP INC & PICKETT MEDICAL
ERNEST G. STALLINGS (Registered Agent)
JONES AVE., SANFORD, FL 32771
(Commission District 5)
Tax Parcel ID # 34-19-30-503-0I00-0040
Code Enforcement Officer: Vincent Bavaro
Notice of Hearing: Certified**

Violation:

1. Seminole County Code, Chapter 95, Sec. 95.4, as defined in Sec. 95.3 (h)
It shall be unlawful for any person to accumulate, dump or cause or allow to be accumulated or dumped or cause or allow to be placed, or otherwise to cause or allow to exist on any lands or premises any nuisance as defined in Section 95.3 (h) - Any weed growth, grass growth, undergrowth or dead or living vegetative matter that is growing in an uncontrolled manner or is not regularly maintained, and is in excess of eight (8) inches in height as measured from the soil level.

Bavaro entered into evidence photographs of the violation and stated that the property is currently in compliance. Officer Bavaro would like an Order issued to prevent a repeat violation and if the violation is repeated a fine of \$50.00 per day be imposed.

EGS Prop Inc. & Pickett Medical, Respondents, were not present at this hearing.

MR. GROOT FOUND THE VIOLATION HAS BEEN PROVEN AS ALLEGED BASED ON THE EVIDENCE AND ARGUMENT AS PRESENTED. MR. GROOT FURTHER ORDERED THAT IF THE RESPONDENT REPEATS THE VIOLATION AFTER APRIL 30, 2017, A FINE OF \$50.00 PER DAY WILL BE IMPOSED.

17-26-CESM
New

ROBERT C. & RENEE L. MACKENZIE
4819 SHORELINE CIR, SANFORD, FL 32771
(Commission District 5)
Tax Parcel ID # 19-19-30-501-0000-0300
Inspector: Tom Helle, Inspector
Notice of Hearing: Certified

Violation:

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

Tom Helle, Inspector, was present and testified on behalf of the County. Mr. Helle entered into evidence photographs of the violation and stated that the recommendation would be to comply by May 11, 2017, with a fine of \$50.00 per day be imposed for every day the violation continues or is repeated after compliance.

Robert C. & Renee L. Mackenzie, Respondents, were not present at this hearing.

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 MAY 11, 2017, AND IF THE RESPONDENT DOES NOT COMPLY WITH THIS ORDER, A FINE OF \$50.00 PER DAY WILL BE IMPOSED.

17-28-CESM
New

RAFAEL O. & RHINA F. PORTES
400 LYNCHFIELD AVE., ALTAMONTE SPRINGS, FL 32714
(Commission District 3)
Tax Parcel ID # 15-21-29-510-1200-0180
Inspector: Tom Helle, Inspector
Notice of Hearing: Certified

Violation:

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

Tom Helle, Inspector, was present and testified on behalf of the County. Mr. Helle entered into evidence photographs of the violation and stated that the recommendation would be to comply by May 11, 2017, with a fine of \$50.00 per day be imposed for every day the violation continues or is repeated after compliance.

Rafael O. & Rhina F. Portes, Respondents, were not present at this hearing.

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 MAY 11, 2017, AND IF THE RESPONDENT DOES NOT COMPLY WITH THIS ORDER, A FINE OF \$50.00 PER DAY WILL BE IMPOSED.

17-31-CESM
New

JOE CHAVIS JR
456 E HIGHLAND ST., ALTAMONTE SPRINGS, FL 32701
(Commission District 3)
Tax Parcel ID # 12-21-29-5BD-6500-0030
Inspector: Tom Helle, Inspector
Notice of Hearing: Certified

Violation:

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

Tom Helle, Inspector, was present and testified on behalf of the County. Mr. Helle entered into evidence photographs of the violation and stated that the recommendation would be to comply by May 11, 2017, with a fine of \$50.00 per day be imposed for every day the violation continues or is repeated after compliance.

Joe Chavis Jr., Respondent, was not present at this hearing.

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 MAY 11, 2017, AND IF THE RESPONDENT DOES NOT COMPLY WITH THIS ORDER, A FINE OF \$50.00 PER DAY WILL BE IMPOSED.

17-05-CESM
Spec Req

CHARLES R. ALLEN
911 CHARLOTTE ST., LONGWOOD, FL 32750
(Commission District 4)
Tax Parcel ID # 01-21-29-5CK-760C-0010
Inspector: Tom Helle, Inspector

Violation:

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

This case was originally heard on by the Special Magistrate on January 12, 2017, and an Order was entered giving the Respondent a compliance date of April 12, 2017.

The Respondent is requesting additional time to comply and that any accrued fine be waived.

Tom Helle, Inspector, was present and testified on behalf of the County. Mr. Helle stated that this is a request by the Respondent to extend the compliance date and to waive the accrued fine. Mr. Helle stated that the Respondent has been having difficulty getting engineering plans completed in order to obtain the permit.

Charles R. Allen, Respondent, is present and stated that he is requesting additional time due to the difficulty in getting the plans. He is currently working on completing the necessary paperwork.

Special Magistrate, Lonnie Groot asked Mr. Helle if there were any health or safety issues with this violation, and he stated there were not.

Mr. Groot asked if Mr. Helle had any issues with extending the compliance date and waiving the accrued fine and he responded that he did not.

**MR. GROOT GRANTED THE RESPONDENT'S SPECIAL REQUEST FOR AN
EXTENSION OF THE COMPLIANCE DATE TO JUNE 8, 2017.**

**17-17-CESM
Spec Req**

**DANNY J. WEST
WELLS FARGO BANK N.A. (Lis Pendens)
387 MENASHE CT, LONGWOOD FL 32779
(Commission District 3)
Tax Parcel ID # 08-21-29-520-0000-0070
Inspector: Tom Helle, Inspector**

Violation:

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

**This case was originally heard by the Special Magistrate on March 9,
2017, and an Order was entered giving the Respondent a compliance
date of April 13, 2017.**

The Respondent is requesting additional time to comply.

Tom Helle, Inspector, was present and testified on behalf of the County. Mr. Helle stated that this is a request by the Respondent to extend the compliance date. Mr. Helle indicated there were some issue with the Respondent submitting hard copies of the plans.

Danny J. West, Respondent, was present.

Special Magistrate, Lonnie Groot asked the Respondent, and Mr. Helle if there were any issues with extending the compliance date to June 8, 2017, and both responded there were no issues.

**MR. GROOT GRANTED THE RESPONDENT'S SPECIAL REQUEST FOR AN
EXTENSION OF THE COMPLIANCE DATE TO JUNE 8, 2017.**

**17-01-CESM
Lien**

**ALAN W. & AILEEN S. DAVIS
349 ALPINE ST., ALTAMONTE SPRINGS, FL 32701
(Commission District 3)
Tax Parcel ID # 11-21-29-503-0G00-0220
Inspector: Tom Helle, Inspector
Notice of Hearing: Posted**

Violation:

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

This case was originally heard by the Special Magistrate on January 12, 2017, and an Order was entered giving the Respondent a compliance date of February 9, 2017.

On February 24, 2017, the Inspector filed an Affidavit of Non-Compliance after re-inspection on February 22, 2017.

On March 30, 2017, the Inspector filed an Affidavit of Compliance after re-inspection on March 30, 2017.

RECOMMENDATION: The Special Magistrate reduce the fine to the Administrative Costs totaling \$499.61, and require these costs to be paid within 30 days or the fine will revert to the original amount of \$2,450.00, for 49 days of non-compliance and constitute a lien on the property.

Tom Helle, Inspector, was present and testified on behalf of the County. Mr. Helle indicated that this property is now in compliance and stated that the recommendation would be to reduce the fine to the Administrative Costs totaling \$499.61, and require this amount to be paid within 30 days or the fine will revert to the original amount of \$2,450.00, and constitute a lien on the property.

Special Magistrate Lonnie Groot asked Mr. Helle how many cases were there on the Davis property and he replied that he had two (2) in the Building Department.

Alan W. & Aileen S. Davis, Respondents, were not present at this hearing.

MR. GROOT GRANTED THE COUNTY'S REQUEST AND ISSUED AN ORDER THAT THE FINE IN THE AMOUNT OF \$2,450.00 FOR 49 DAYS OF NON-COMPLIANCE BE REDUCED TO THE ADMINISTRATIVE COSTS OF \$499.61. IF THE RESPONDENT DOES NOT PAY THIS AMOUNT ON OR BEFORE MAY 13, 2017, THE FINE WILL REVERT BACK TO THE ORIGINAL AMOUNT OF \$2,450.00 AND BE RECORDED AS A LIEN.

CASES NOT HEARD

17-25-CESM **KEVIN F. & SIMONE C. D. C. GAULT**
Withdrawn **3672 FARM BELL PL, LAKE MARY, FL 32746**
 (Commission District 5)
 Tax Parcel ID # 11-20-29-5TQ-0000-0340
 Inspector: Tom Helle, Inspector

17-27-CESM **Complied Prior**
Comp Prior **ALLEN H. CHENNAULT**
 3135 HUNTER PL, AOPKA, FL 32703
 (Commission District 3)
 Tax Parcel ID # 07-21-29-503-0000-0780
 Inspector: Tom Helle, Inspector

V APPROVAL OF THE MINUTES OF: March 9, 2017

VI CONFIRMATION DATE OF NEXT MEETING: May 11, 2017

VII ADJOURN

There being no further discussion, this meeting was adjourned at 2:40 P.M.

RESPECTFULLY SUBMITTED:

Patricia A. Hughes, Clerk
Code Enforcement Office

Lonnie Groot
Special Magistrate