

SEMINOLE COUNTY GOVERNMENT

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



Meeting Minutes (Final) - Final

Thursday, May 11, 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

Michael Bruno, Respondent - Case 17-32-CESM
Kurt E. Chana, Respondent - Case 17-33-CESM
Melissa King, Respondent - Case 17-37-CESM
Thomas M. Balmer, Respondent - Case 17-38-CESM
Dean (inaudible), Tenant - Case 17-38-CESM
Peggy A. Cullen, Respondent - Case 17-39-CESM
Ryan Saboff, behalf of Respondent - Case 17-02-CESM
Charlotte Joseph, Respondent - Case 17-08-CESM
Thomas Sulecki, Tenant - Case 17-29-CESM
Joe Chavis Jr., Respondent - Case 17-31-CESM
Tom Helle, Inspector - Seminole County Building Department
Paula Archer - Seminole County Planning & Development

HEARINGS -

17-32-CESM
New

TIMOTHY BRAUN & MICHAEL BRUNO
301 FAIRMONT DR., SANFORD, FL 32773
(Commission District 2)
Tax Parcel ID # 14-20-30-501-0E00-0110
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 June 8, 2017, with a fine of \$50.00 per day be imposed for every day the violation continues or is repeated after compliance.

Michael Bruno, Respondent, was present at this hearing. He stated that he has a permit that is hanging at the house. He indicated the new process with eplan is not user friendly and he felt it made the process more difficult. He stated he has had inspections done and just had his plumbing inspection done. He indicated that he does have permits.

Special Magistrate Lonnie Groot stated that according to Mr. Helle's testimony, the only permit issued was for the carport/garage and Mr. Helle stated he needs permits for the new windows, doors, electrical, a/c, duct work, and interior renovations.

Mr. Bruno explained he does not have permits for the existing structure, just for the carport/garage. He did not realize that he needed it for the work done in the existing structure or he would have gotten them when he was here getting the permit for the carport. He stated that Mr. Braun (Respondent) was handling the construction phase of the project and he is out of the country at this time.

Mr. Groot asked Mr. Helle if the new windows would need to be pulled out for inspection and Mr. Helle stated that they may have to remove them to prove to the Inspector that those windows are the ones listed on the permit. Usually you would leave the labels on them until after the inspection but these appear to have been removed already. Once the permit is issued the Respondents will have 180 days to do their inspections.

Mr. Groot asked Mr. Bruno if he will have any issues obtaining the permit by June 8, 2017 and he indicated that Mr. Braun is the contractor and he is not sure.

Mr. Helle explained it could take seven (7) to eleven (11) business days to obtain the permit.

Mr. Bruno explained he may need additional time since the contractor is out of the country and he would like to ask for an extra week. He stated the house is under contract and has a closing date of June 30, 2017.

Mr. Helle stated he has no objections to allowing additional time.

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 JUNE 22, 2017, AND IF THE RESPONDENT DOES NOT COMPLY WITH THIS ORDER, A FINE OF \$50.00 PER DAY WILL BE IMPOSED.

**17-33-CESM
New**

**KURT E. & KAREN S. CHANA
188 S SHADOWBAY BLVD, LONGWOOD, FL 32779
(Commission District 3)
Tax Parcel ID # 04-21-29-520-0000-0450
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.

Special Magistrate Lonnie Groot asked Mr. Helle if the recommended compliance date is due to any variances that may be needed and he responded no.

Kurt Chana, Respondent was present at this hearing. He indicated that he spoke with someone from the Planning Department and they indicated he may need a variance, and his understanding is his permit application would be denied.

Mr. Helle outlined the process for requesting a variance and the appeal process in case the variance request is denied.

Mr. Chana stated he is going to apply for the variance as soon as he is done in the hearing and if the variance is denied he may just remove the shed.

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.

17-37-CESM
New

MELISSA KING
136 E 10TH ST., CHULUOTA, FL 32766
(Commission District 1)
Tax Parcel ID # 21-21-32-5CF-8300-0060
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 August 10, 2017, with a fine of \$50.00 per day be imposed for every day the violation continues or is repeated after compliance. Mr. Helle stated that Ms. King has applied for a variance.

Melissa King, Respondent, was present at this hearing. She stated she has no questions as Mr. Helle had answered all of her questions. She has no objections to the suggested 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 AUGUST 10, 2017, AND IF THE RESPONDENT DOES NOT COMPLY WITH THIS ORDER, A FINE OF \$50.00 PER DAY WILL BE IMPOSED.

17-38-CESM
New

THOMAS M. BALMER
1240 S RONALD REAGAN BLVD, LONGWOOD, FL 32750
(Commission District 4)
Tax Parcel ID # 07-21-30-501-0B00-0090
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 June 8, 2017, with a fine of \$50.00 per day be imposed for every day the violation continues or is repeated after compliance.

Thomas M. Balmer, Respondent, was present at this hearing. Mr. Balmer stated that he did come and get the application and gave it to his tenant, Dean, who stated he did apply for a permit but never heard anything.

Special Magistrate Lonnie Groot asked Mr. Helle if there was an application on file and he responded that he did not see anything in the computer system.

Dean provided the paperwork showing what he submitted and Mr. Helle reviewed and handed to the clerk. Mr. Helle stated that this was an application for a pre-application hearing, which is the first step in going through the zoning process. He also submitted a letter from the Longwood Police Department indicating he stored cars for them.

Mr. Balmer asked Mr. Helle if the storage container was considered a permanent structure and he explained that if it is there for more than six (6) months, it is considered permanent and requires a permit. Removing the container would take care of part of the violation.

Mr. Groot asked if there was electric in the large structure and Mr. Helle stated that he did not know as he had not been inside of it. If it does removing it would require a permit as well.

Mr. Groot asked if the June 8, 2017 compliance date will be enough time to go through the process and Mr. Helle stated he did not think so.

Mr. Groot asked Mr. Helle if there were any health, safety or welfare concerns with this and he responded no.

Mr. Groot asked if August would be a better for a compliance date and Mr. Helle and the Respondents agreed that it would.

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 AUGUST 10, 2017, AND IF THE RESPONDENT DOES NOT COMPLY WITH THIS ORDER, A FINE OF \$50.00 PER DAY WILL BE IMPOSED.

**17-39-CESM
New**

**PEGGY A. CULLEN
1750 MARKHAM WOODS RD., LONGWOOD, FL 32779
(Commission District 5)
Tax Parcel ID # 26-20-29-300-008R-0000
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 June 8, 2017, with a fine of \$50.00 per day be imposed for every day the violation continues or is repeated after compliance.

Peggy A. Cullen, Respondent was present at this hearing. She stated she was not aware she needed a permit. She stated that as soon as she received the violation notice she came to the County Services building and paid \$25.00 for an application. She received an email explaining that she should do nothing until she receives notification, which she has never received. She then received the Notice of Hearing. She states the email came from Paula Archer. She stated that she was here three times and no one could tell her the setback.

Special Magistrate Lonnie Groot stated since she needs a variance would July or August be better for a compliance date. Ms. Cullen stated she cannot come in July.

Paula Archer, Planning & Development was present and stated that if Ms. Cullen would be willing to wait until after the hearing, she would assist her in determining what the setback requirement is and stated that if she is willing to move the shed, she may not need a variance.

Ms. Cullen agreed to wait.

Mr. Groot asked Ms. Archer if she thought August would be a better date for compliance and she explained that it would.

Mr. Helle explained the process for obtaining the permit.

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 AUGUST 10, 2017, AND IF THE RESPONDENT DOES NOT COMPLY WITH THIS ORDER, A FINE OF \$50.00 PER DAY WILL BE IMPOSED.

**17-02-CESM
Spec Req**

**KATHLEEN R. & JIM SABOFF
4205 BEAR GULLY RD, WINTER PARK FL 32792-0000
(Commission District 1)
Tax Parcel ID # 36-21-30-300-015C-0000
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 January 12, 2017, and an Order was issued giving the Respondents a compliance date of April 12, 2017.

An Affidavit of Non-Compliance was filed by the Inspector on April 14, 2017.

The Respondents are requesting additional time to comply and that the accrued fines totaling \$1,450.00 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. He stated that he has no objections to allowing additional time.

Ryan Saboff, on behalf of the Respondent, is present and stated that a compliance date of August 10, 2017 should be enough time.

MR. GROOT GRANTED THE RESPONDENT'S SPECIAL REQUEST FOR AN EXTENSION OF THE COMPLIANCE DATE TO AUGUST 10, 2017, AND WAIVED THE ACCRUED FINES.

**17-08-CESM
Spec Req**

**CHARLES E. & CHARLOTTE JOSEPH
130 BIRCHWOOD DR., MAITLAND, FL 32751
(Commission District 4)
Tax Parcel ID # 19-21-30-511-0000-0520
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 January 12, 2017, and an Order was entered giving the Respondents a compliance date of February 9, 2017.

On February 9, 2017, an Order was entered extending the compliance date until May 11, 2017.

The Respondents are 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. He stated that he has no objections to allowing additional time.

Charlotte Joseph, Respondent was present and gave a brief history of the case. She stated that Paula Archer, Planning and Development was assisting them.

Ms. Archer stated that the Respondents are on the May agenda for the Board of Adjustments.

Special Magistrate Lonnie Groot asked if June 8, 2017, would be a good date and Ms. Archer responded that should be fine.

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

**17-29-CESM
Spec Req**

**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**

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 April 13, 2017, and an Order was issued giving the Respondent a compliance date of May 11, 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. He stated that he has no objections to allowing additional time.

Thomas Sulecki, tenant, was present and stated that he is planning to remove the shed, but will be keeping the fence. He will be obtaining a permit for the fence.

MR. GROOT GRANTED THE RESPONDENT'S SPECIAL REQUEST FOR AN EXTENSION OF THE COMPLIANCE DATE TO JULY 6, 2017.

**17-31-CESM
Spec Req**

**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: Email Request**

Violation:

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

This request was originally heard by the Special Magistrate on April 13, 2017, and an Order was issued giving the Respondent a compliance date of May 11, 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. He stated that he has no objections to allowing additional time.

Joe Chavis Jr., Respondent is present and explained that he has a hearing for a variance in May.

Special Magistrate Lonnie Groot asked if July 6, 2017, would be a better date and Mr. Chavis responded that it would.

MR. GROOT GRANTED THE RESPONDENT'S SPECIAL REQUEST FOR AN EXTENSION OF THE COMPLIANCE DATE TO JULY 6, 2017.

CASES NOT HEARD

**17-34-CESM
Withdrawn**

**Withdrawn
JACOB I. SHEPPARD & KATERINA A. BACKUS
102 WAYLAND CIR, LONGWOOD, FL 32779
(Commission District 3)
Tax Parcel ID # 32-20-29-5DK-0E00-0150
Inspector: Tom Helle, Inspector**

Violation:

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

**17-35-CESM
Comp Prior**

**Complied Prior
MICHAEL B. BOYKIN
151 E 7TH ST, CHULUOTA, FL 32766
(Commission District 1)
Tax Parcel ID # 21-21-32-5CF-5000-0080
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.

**17-40-CESM
Comp Prior**

**Complied Prior
UTILITIES INC OF FLA
CORPORATION SERVICE CO. (Registered Agent)
227 SUNSET DR., SANFORD, FL 32773
(Commission District 4)
Tax Parcel ID # 03-20-30-504-0000-001A
Inspector: Tom Helle, Inspector**

Violation:

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

**17-36-CESM
Comp Prior**

**Complied Prior
JOHN & KATHY DAIGLE
141 E 7TH ST., CHULUOTA, FL 32766
(Commission District 1)
Tax Parcel ID # 21-21-32-5CF-5000-0070
Inspector: Tom Helle, Inspector**

Violation:

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

APPROVAL OF THE MINUTES OF April 13, 2017

CONFIRMATION DATE OF NEXT MEETING: June 8, 2017

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