

CODE ENFORCEMENT HEARING

City Commission Chambers

175 West Warren Avenue
Longwood, FL 32750

August 22, 2019

9:00 A.M.

Present: Amy Goodblatt, Special Magistrate
Chris Conley, City Attorney

Also Present: Brittany Kidd Gelm, Code Compliance Officer

1. CALL MEETING TO ORDER:

Special Magistrate Amy Goodblatt called the meeting to order at 9:00 a.m.

2. APPROVAL OF THE MINUTES FROM THE April 25, 2019 HEARING:

Special Magistrate Goodblatt approved Minutes from the April 25, 2019 meeting.

3. SPECIAL MAGISTRATE GOODBLATT'S EXPLANATION OF PROCEEDINGS:

Special Magistrate Goodblatt explained the hearing process for the attendees.

4. ROLL CALL OF SCHEDULED CASES:

Special Magistrate Goodblatt did a roll call of the scheduled cases to determine which Respondents were present.

5. SWEARING IN OF ALL WITNESSES:

Special Magistrate Goodblatt swore in all witnesses.

6. PUBLIC HEARINGS:

A. CEH 16-11-1138R CC, Chapter 18 Section 18-63 Minimum Property Standards
CC, Chapter 38 Section 38-141 High Grass & Weeds
Owings, Douglas
277 Tullis Avenue
Longwood, FL 32750

CEO Gelm introduced herself and presented evidence and the Cost Recovery Worksheet to the Special Magistrate. The Respondent/Property Owner was not present.

CEO Gelm stated that this property is in violation of CC, Chapter 18 Section 18-63 Minimum Property Standards and CC, Chapter 38 Section 38-141 High Grass & Weeds. This property is in violation because the entire property is not being mowed and maintained on a regular basis and the fence is falling down. This is a Repeat Violation case. The property was brought before the Special Magistrate on March 22, 2018 and found guilty for these same violations.

A Notice of Violation was issued on 7/10/19 with a compliance date of N/A per F.S.S. 162.06(3) Repeat Violator. A NOH was prepared and both were certified mailed to the property owner. The property is homestead.

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On 7/30/19 the NOV & NOH were FCM to the property owner. On 8/5/19 I received the certified NOV & NOH back as unclaimed. On 8/6/19 the NOV & NOH were posted at the property.

The Special Magistrate made inquiry of the Code Compliance Officer.

The Special Magistrate made her findings in that service was properly made on the Respondent Property Owner. The property fails to meet minimum standards as the fence is falling down. There is tall grass and weeds in excess of 10" in height at the cited property such that a public nuisance is created, in that the condition of the property is such that it is or may become infested with rodents or wild animals. Its appearance negatively affects adjacent property holder's land values. Respondent was previously in violation of CC, Chapter 38 Section 38-141 on November 16, 2016 and April 10, 2018. The City has received at least nine complaints about the violations. In order to come into compliance, the fence must be removed and the entire property must be mowed and maintained regularly. Should the property not come into compliance within five days from date of service of the Order, the City may enter the property to remove the fence and mow. The Respondent will pay the cost for the mowing and removal of the fence. Respondent shall pay an administrative cost of \$234.85 within 30 days of receipt of Final Orders.

B. CEH 19-08-1475 CC, Chapter 38 Section 38-141 High Grass & Weeds
Longwood TOD, LLC
217 E Warren Avenue
Longwood, FL 32750

CEO Gelm introduced herself and presented evidence and the Cost Recovery Worksheet to the Special Magistrate. The Respondent/Property Owner was not present.

CEO Gelm stated that this property is in violation of CC, Chapter 38 Section 38-141 High Grass & Weeds. This property is in violation because the entire property is overgrown and is not being mowed and maintained on a regular basis.

A Notice of Violation was issued on 6/25/19 with a compliance date of 7/5/19. On that same date, a copy of the NOV was certified mailed to the property owner.

On 7/9/19 a Notice of Hearing was issued and certified mailed to the property owner. The property owner, Ryan Von Weller attended a meeting at the Community Development office in reference to a project he is working on and while he was there, he was given a copy of the NOV & NOH.

On 7/25/19 I received an email from Ryan asking if they could wait to mow because they had submitted plans to build townhomes on this lot and were awaiting the grading permits. I spoke with the City Engineer who advised that the grading permits were not ready, and would not be ready for about another three weeks. I emailed Ryan back and advised him that the lots must be mowed and maintained on a regular basis and he could wait for the grading permits.

The Special Magistrate made inquiry of the Code Compliance Officer.

The Special Magistrate made her findings in that service was properly made on the Respondent Property Owner in person. The Respondent Property Owner is guilty of violating CC, Chapter 38 Section 38-141 High Grass & Weeds. A public nuisance exists on the cited property located within

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100 feet of improved property within the city limits of Longwood. Tall grass and weeds in excess of 10" inches were present past the date set for compliance. The condition of the property is unsightly and as a result, negatively impacts adjacent property owner land values. Further, wild animals, rodents, and other vermin may be present. In order to come into compliance, the property must be mowed and maintained on a regular basis. Should the property not come into compliance within five days from date of service of the Order, the City may enter the property to mow. The Respondent will pay the cost for the mowing. Respondent shall pay an administrative cost of \$235.12 within 30 days of receipt of Final Orders.

C. CEH 19-08-1476 CC, Chapter 38 Section 38-141 High Grass & Weeds
Longwood TOD, LLC
E Warren Avenue, Parcel: 31-20-30-5AU-0000-106A
Longwood, FL 32750

CEO Gelm introduced herself and presented evidence and the Cost Recovery Worksheet to the Special Magistrate. The Respondent/Property Owner was not present.

CEO Gelm stated that this property is in violation of CC, Chapter 38 Section 38-141 High Grass & Weeds. This property is in violation because the entire property is overgrown and is not being mowed and maintained on a regular basis.

A Notice of Violation was issued on 6/25/19 with a compliance date of 7/5/19. On that same date, a copy of the NOV was certified mailed to the property owner.

On 7/9/19 a Notice of Hearing was issued and certified mailed to the property owner. The property owner, Ryan Von Weller attended a meeting at the Community Development office in reference to a project he is working on and while he was there, he was given a copy of the NOV & NOH.

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The Special Magistrate made inquiry of the Code Compliance Officer.

The Special Magistrate made her findings in that service was properly made on the Respondent Property Owner in person. The Respondent Property Owner is guilty of violating CC, Chapter 38 Section 38-141 High Grass & Weeds. A public nuisance exists on the cited property located within 100 feet of improved property within the city limits of Longwood. Tall grass and weeds in excess of 10" inches were present past the date set for compliance. The condition of the property is unsightly and as a result, negatively impacts adjacent property owner land values. Further, wild animals, rodents, and other vermin may be present. In order to come into compliance, the property must be mowed and maintained on a regular basis. Should the property not come into compliance within five days from date of service of the Order, the City may enter the property to mow. The Respondent will pay the cost for the mowing. Respondent shall pay an administrative cost of \$235.12 within 30 days of receipt of Final Orders.

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D. CEH 19-08-1477 CC, Chapter 38 Section 38-141 High Grass & Weeds
Longwood TOD, LLC
E Church Avenue, Parcel: 31-20-30-5AU-0000-1050
Longwood, FL 32750

CEO Gelm introduced herself and presented evidence and the Cost Recovery Worksheet to the Special Magistrate. The Respondent/Property Owner was not present.

CEO Gelm stated that this property is in violation of CC, Chapter 38 Section 38-141 High Grass & Weeds. This property is in violation because the entire property is overgrown and is not being mowed and maintained on a regular basis.

A Notice of Violation was issued on 6/25/19 with a compliance date of 7/5/19. On that same date, a copy of the NOV was certified mailed to the property owner.

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The Special Magistrate made inquiry of the Code Compliance Officer.

The Special Magistrate made her findings in that service was properly made on the Respondent Property Owner in person. The Respondent Property Owner is guilty of violating CC, Chapter 38 Section 38-141 High Grass & Weeds. A public nuisance exists on the cited property located within 100 feet of improved property within the city limits of Longwood. Tall grass and weeds in excess of 10" inches were present past the date set for compliance. The condition of the property is unsightly and as a result, negatively impacts adjacent property owner land values. Further, wild animals, rodents, and other vermin may be present. In order to come into compliance, the property must be mowed and maintained on a regular basis. Should the property not come into compliance within five days from date of service of the Order, the City may enter the property to mow. The Respondent will pay the cost for the mowing. Respondent shall pay an administrative cost of \$235.12 within 30 days of receipt of Final Orders.

E. CEH 19-08-1478 CC, Chapter 38 Section 38-141 High Grass & Weeds
Longwood TOD, LLC
E Church Avenue, Parcel: 31-20-30-5AU-0000-107A
Longwood, FL 32750

CEO Gelm introduced herself and presented evidence and the Cost Recovery Worksheet to the Special Magistrate. The Respondent/Property Owner was not present.

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CEO Gelm stated that this property is in violation of CC, Chapter 38 Section 38-141 High Grass & Weeds. This property is in violation because the entire property is overgrown and is not being mowed and maintained on a regular basis.

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F. CEH 19-08-1482 CC, Chapter 74 Section 74-35 Stormwater
Rhino Properties LLC
577 W Church Avenue
Longwood, FL 32750

CEO Gelm introduced herself and presented evidence and the Cost Recovery Worksheet to the Special Magistrate. The Respondent/Property Owner was not present.

CEO Gelm stated that this property is in violation of CC, Chapter 74 Section 74/35 Stormwater. This property is in violation because there is sand washing out from the property into the sidewalk and street that is then being washed into the City storm drains.

On 7/8/19 CEO Gelm stated she called the property owner and left a voicemail advising of the violation and that it needed to be taken care of immediately.

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The Special Magistrate made her findings that the Respondent stored a loveseat in the front yard of the residential property past the date set for compliance. Service was properly made on the Respondent. In order to come into compliance, the loveseat must either be moved to the back yard, stored inside, or removed from the property. Should the property not come into compliance within five days from date of service of the Order, Respondent shall pay a fine of \$25.00 per day for each day the violation continues to exist beyond the date set for compliance. Respondent shall pay an administrative cost of \$251.95 within 30 days of receipt of Final Orders.

7. REPORTS-CASE UPDATES

None.

8. UNFINISHED BUSINESS

None.

9. OLD BUSINESS

- A. Special Magistrate signed the Order to Impose for CEH 18-08-1349R in reference to 103 Shomate Drive
- B. Special Magistrate signed the Order to Impose for CEH 19-03-1429 in reference to 610 Rosedale Avenue
- C. Special Magistrate signed the Order to Impose for CEH 19-03-1433 in reference to 295 E Marvin Avenue
- D. Special Magistrate signed the Order to Impose for CEH 19-03-1428 in reference to 705 Raven Avenue
- E. Special Magistrate signed the Order to Impose for CEH 19-03-1434 in reference to Whispering Oaks Mobile Home Park
- F. Special Magistrate signed the Order to Impose for CEH 19-03-1431 in reference to 281 Reider Avenue

10. NEW BUSINESS

None.

11. ADJOURNMENT

Special Magistrate Goodblatt adjourned the meeting at 9:38 a.m.

Minutes approved by Special Magistrate: 09-26-2020

_____/s/
Amy Goodblatt, Special Magistrate Goodblatt

_____/s/
Brittany Kidd Gelm, Code Compliance Officer

The Official signed minutes are on file in the City Clerk's Office.