



**CITY OF TAVARES
CODE ENFORCEMENT/SPECIAL MAGISTRATE HEARING
MARCH 23, 2021
TAVARES CITY HALL – CITY COUNCIL CHAMBER
201 E. MAIN STREET, TAVARES FLORIDA 32778**

SPECIAL MAGISTRATE

Rick Joyce

STAFF PRESENT

**Bob Williams, City Attorney
Chris McCormick, Code Enforcement Officer
Jillian Roberts, Deputy City Clerk**

CALL TO ORDER

Rick Joyce, Special Magistrate, called the meeting to order at 5:00 p.m.

APPROVAL OF MINUTES

The September 22, 2020, October 27, 2020 and January 26, 2021 Code Enforcement hearing minutes were approved as submitted.

SWEARING-IN

Those persons present who provided case testimony were sworn in by Ms. Roberts.

OLD BUSINESS

- **CET2001-0014 – Request for Reduction in Code Enforcement Fines: \$8,127.40**

Officer McCormick said case CET2001-0014 and location of the violation is as follows:
CET2001-0014 – 1324 Longville Circle, Tavares, FL 32778. He noted the total amount in fines for the violation is \$8,127.40.

Officer McCormick said the property owner representative, Jimmy Dorvilus, was present. He said the property is in compliance as the violation has been cured. In accordance with the City of Tavares Code of Ordinance Section 2-26(d), the maximum amount a fine can be reduced is \$125.00 above cost. Therefore, the maximum amount the fines can be reduced to is as follows:

CET2001-0014 - \$202.40 (including \$125.00 administrative costs)

MOTION

The Special Magistrate ordered the total fine amount for Case CET2001-00014 be reduced to \$202.40; and, Ordered the fine shall be paid on or before May 24, 2021 or the original fine amount will be reinstated.

NEW BUSINESS

1) CET2012-0012 – City of Tavares vs. Jose L Rocha Almeida (Violations Address) 1404 Highland Avenue, Tavares, Florida 32778

International Property Maintenance Code

- Section 304 – Exterior Structure
 - 304.1 – General
 - 304.7 – Roofs and Damage
- Section 305 - Interior Structure
 - 305.3 - Interior Surfaces

The case was initiated by Officer McCormick at the request of the tenant, he conducted an inspection of the home and found several violations, all of which stem from water leaks in the ceiling and windows.

The Special Magistrate asked if there were any amendments, changes or additions to be made to the case report summary. Officer McCormick said there were none.

The Special Magistrate noted the property owner was not present.

Officer McCormick entered documents into evidence [Composite Exhibits: Case Report Summary 1, 2, 3, 4, 5, 6, 7, 8, 9] including all notices to the alleged violator as defined and which meets the requirements of Florida Statute 162.12, Notices.

MOTION

The Special Magistrate found the property to be in violation of International Property Maintenance Code Section 304.1, 304.7 and 305.3; and, the violations remain; and, Ordered the violations be cured on or before April 6, 2021 or a fine will accrue in the amount of \$50.00 per day per violation for Sections 304.1, 304.7 and 305.3; and, Ordered a fine in the amount of \$78.00 for administrative costs to be paid on or before April 6, 2021.

2) CET2012-0014 - City of Tavares vs. Regina Marie Dudley and Radmond Dudley Jr. (Violations Address) 713 Wood Avenue, Tavares, Florida 32778

International Property Maintenance Code

- Section 304 – Exterior Structure
 - 304.13 – Window, skylight and door frames
 - 304.15 – Doors

City of Tavares, Land Development Regulations

- *Section 12-13 – Nuisances Prohibited*
- *Section 12-18 – Accumulation, Excessive Growth Prohibited – Ordinance 2008-01*

The case was initiated after Officer McCormick responded to a complaint about the condition of the home and property, he conducted an inspection and found several violations to the International Property Maintenance Code and Land Development Regulations. At the time of the inspection, the door to the structure was left unsecured and appears to be incapable of being secured, resulting in a violation of Sections 304.13 & 304.15 of the International Property Maintenance Code. Additionally, there were numerous locations where trash/rubbish and construction debris were located throughout the property. The weed and grass growth in several sections was in excess of the maximum height allowance resulting in a violation.

The Special Magistrate asked if there were any amendments, changes or additions to be made to the case report summary. Officer McCormick said there were none.

The Special Magistrate noted the property owner was not present.

Officer McCormick entered documents into evidence [Composite Exhibits: Case Report Summary 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11] including all notices to the alleged violator as defined and which meets the requirements of Florida Statute 162.12, Notices.

MOTION

The Special Magistrate found the property to be in violation of Section 304.13 and 304.15 of the International Property Maintenance Code and Section 12-13 and 12-18 of the City of Tavares, Land Development Regulations, and; noted the violations to 304.13, 304.15, 12-13 and 12-18 remains; and, Ordered the violation of Section 304.13 and 304.15 of the International Property Maintenance Code and Sections 12-13 and 12-18 of the City of Tavares, Land Development Regulations to be cured on or before April 6, 2021 or a fine will be imposed for \$50.00 per day per violation for Section 304.13 and 304.15 of the International Property Maintenance Code and \$25.00 per day per violations of Section 12-18 and 12-13 of the Land Development Regulations until cured; and, Ordered an abatement to secure the building and all fees pertaining to said abatement; and, Ordered a fine in the amount of \$78.00 for administrative costs to be paid on or before April 6, 2021.

3) CET2012-0019 – City of Tavares vs. Gary L. Ward Jr., Theresa B. Ward (Violation Address) 525 Oak Drive, Tavares, Florida 32778

City of Tavares, Land Development Regulations

- *Section 12-23 – Storage Prohibited*
- *Section 12-13 – Nuisances Prohibited*

The case was initiated after Officer McCormick had responded to several anonymous complaints, he conducted an inspection of the property and found several violations to the Land Development Regulations. At the time of the

inspections there were numerous locations where nuisance and junk materials were located. Any item designated and intended to be

The Special Magistrate asked if there were any amendments, changes or additions to be made to the case report summary. Officer McCormick said there were none.

The Special Magistrate noted the property owner was not present.

Officer McCormick entered documents into evidence [Composite Exhibits: Case Report Summary 1, 2, 3, 4, 5, 6, 7, 8, 9, 10] including all notices to the alleged violator as defined and which meets the requirements of Florida Statute 162.12, Notices.

MOTION

The Special Magistrate found the property to be in violation of City of Tavares, Land Development Regulations Sections 12-13 and 12-23; and, the violations remain; and, Ordered the violations be cured on or before April 6, 2021 or a fine will accrue in the amount of \$25.00 per day per violation for Section 12-13 and 12-23; and, Ordered a fine in the amount of \$78.00 for administrative costs to be paid on or before April 6, 2021.

4) CET2103-0001 – City of Tavares vs. Cecelia Bogdanski (Violation Address 1013 Oakland Drive, Tavares, Florida 32778 - REPEAT VIOLATION

City of Tavares, Land Development Regulations

- *Section 12-18 – Accumulation, Excessive Growth Prohibited*
- *Section 11-7 – Installation and Maintenance*

The case was initiated after Officer McCormick was driving through the area, he noticed a repeat violation of Sections 12-13 and 11-7 of the City of Tavares Land Development Regulations. This is the sixth (6th) repeat violation of Sections 12-18 and 11-7 since November 2013.

The Special Magistrate asked if there were any amendments, changes or additions to be made to the case report summary. Officer McCormick said there were none.

The Special Magistrate noted the property owner was not present.

Officer McCormick entered documents into evidence [Composite Exhibits: Case Report Summary 1, 2, 3, 4, 5, 6, 7, 8] including all notices to the alleged violator as defined and which meets the requirements of Florida Statute 162.12, Notices.

MOTION

The Special Magistrate found the property to be in repeat violation of City of Tavares, Land Development Regulations Sections 12-18 and 11-7; and, the violations remain; and, Ordered a fine in the amount of \$500.00 per day per violation shall be imposed from March 2, 2021 until cured; and, Ordered the violations be cured on or before April 6, 2021; and, Ordered a fine in the amount of \$78.00 for administrative costs to be paid on or before April 6, 2021.

ADMINISTRATIVE BUSINESS

CET1903-0047 – Code Enforcement Lien – W.H Barnes, Inc
CET1903-0019 – Code Enforcement Lien – Ginger Ridge, LLC.
CET1903-0050 – Code Enforcement Lien – TPO-FL, LLC.
CET1810-0014 – Code Enforcement Lien – Stephan Clodwick Jr.
CET1905-0023 – Code Enforcement Lien – Estate of Ronald L. Anderson
CET1004-0440 – Release of Code Enforcement Lien – Joel K. Serres
CET1602-0001 – Release of Code Enforcement Lien – Joel K. Serres
CET2009-0007 – Order Acknowledging Compliance – Robin Temares

OTHER TOPICS FOR DISCUSSION

The next hearing was scheduled for April 27, 2021.

ADJOURNMENT

The Special Magistrate adjourned the meeting at 5:21 p.m.

Respectfully submitted,

Jillian Roberts
Deputy City Clerk