



# CODE ENFORCEMENT BOARD

REGULAR MEETING AGENDA  
TUESDAY, OCTOBER 22, 2019 AT 5:30 PM

CITY HALL - COMMISSION CHAMBERS  
1126 EAST STATE ROAD 434, WINTER SPRINGS, FLORIDA

## CALL TO ORDER

Roll Call  
Invocation  
Pledge Of Allegiance  
Approval Of The Agenda  
Swearing In Of Code Enforcement Officers And Other Individuals Giving Testimony

## AWARDS AND PRESENTATIONS

100. Not Used

## CONSENT AGENDA

200. Minutes From The September 24, 2019 Code Enforcement Board Regular Meeting

Attachments: [Minutes](#)

## PUBLIC HEARINGS – CONTINUED CASES

300. Not Used

## PUBLIC HEARINGS – REPEAT CASES

400. Not Used

## PUBLIC HEARINGS – NEW CASES

500. **CASE # 2019CE002312**  
Michael Kahl  
120 East Panama Road  
Winter Springs, Florida 32708  
City Code 5-4.: Permit Required For Tree Removal And Land Clearing  
Inspector: Captain Matt Tracht

Attachments: [Related Case Information](#)

## **PUBLIC HEARINGS – NON-COMPLIANCE CASES**

600. Not Used

## **REGULAR AGENDA**

700. Not Used

## **ADJOURNMENT**

## **PUBLIC NOTICE**

This is a Public Meeting, and the public is invited to attend and this Agenda is subject to change. Please be advised that one (1) or more Members of any of the City's Advisory Boards and Committees may be in attendance at this Meeting, and may participate in discussions.

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City of Winter Springs at (407) 327-1800 "at least 48 hours prior to meeting, a written request by a physically handicapped person to attend the meeting, directed to the chairperson or director of such board, commission, agency, or authority" - per Section 286.26 *Florida Statutes*.

"If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based" - per Section 286.0105 *Florida Statutes*.

CITY OF WINTER SPRINGS, FLORIDA  
MINUTES  
**CODE ENFORCEMENT BOARD**  
REGULAR MEETING  
SEPTEMBER 24, 2019

## **CALL TO ORDER**

The Regular Meeting of Tuesday, September 24, 2019 of the Code Enforcement Board was called to Order by Chairperson Matthew Criswell at 5:30 p.m., in the Commission Chambers of the Municipal Building (City Hall), 1126 East State Road 434, Winter Springs, Florida 32708.

### **Roll Call:**

Chairperson Matthew Criswell, present  
Vice-Chairperson Maurice Kaprow, present  
Board Member Michael Burns, present  
Board Member Carole Giltz, present  
Board Member Dennis Robinson, present  
Senior City Attorney Jennifer Nix, present  
Assistant to the City Clerk Christian Gowan, present  
Assistant to the City Clerk Tristin Motter, present

A moment of silence was held followed by the Pledge of Allegiance.

Chairperson Criswell asked, "Are there any changes to the Agenda?" Captain Matt Tracht, Support Services Bureau, Police Department stated, "We do have a last minute change. I'm requesting to remove Item '500' - I was notified that my star witness, the City Arborist, had a family emergency and is not going to be able to make it. So, I would like to remove that and I will post it for a future meeting." With no objections, Chairperson Criswell stated, "'500' is pulled."

*Assistant to the City Clerk Christian Gowan swore in those who would be providing Testimony during tonight's Meeting, Captain Matt Tracht and Respondent Mr. Torryn Alston.*

## **AWARDS AND PRESENTATIONS**

**100. Not Used**

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## **CONSENT AGENDA**

### **200. Minutes From The August 27, 2019 Code Enforcement Board Regular Meeting**

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**REGARDING THE AUGUST 27, 2019 CODE ENFORCEMENT BOARD REGULAR MEETING MINUTES, "I WILL MAKE A MOTION TO APPROVE." MOTION BY BOARD MEMBER ROBINSON. SECONDED BY BOARD MEMBER GILTZ. DISCUSSION.**

**VOTE:**

**VICE-CHAIPERSON KAPROW: AYE  
BOARD MEMBER BURNS: AYE  
BOARD MEMBER ROBINSON: AYE  
BOARD MEMBER GILTZ: AYE  
CHAIRPERSON CRISWELL: AYE  
MOTION CARRIED.**

### **PUBLIC HEARINGS AGENDA – CONTINUED CASES**

**300. Not Used**

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### **PUBLIC HEARINGS AGENDA – REPEAT CASES**

**400. Not Used**

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### **PUBLIC HEARINGS AGENDA – NEW CASES**

**500. Code Enforcement Division – Police Department  
CASE # 2019CE002312  
Michael Kahl  
120 East Panama Road  
Winter Springs, Florida 32708  
City Code 5-4: Permit Required for Tree Removal and Land Clearing  
Inspector: Captain Matt Tracht**

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As noted earlier in the Meeting, this Agenda Item was pulled from the Agenda.



**501. Code Enforcement Division – Police Department**  
**CASE # 2019CE001383**  
**Kimberly Alston**  
**650 Murphy Road**  
**Winter Springs, Florida 32708**  
**IPMC 304.7: Roofs and Drainage**  
**Inspector: Captain Matt Tracht**

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*Note: Mr. Torryn Alston was present on behalf of the Respondent.*

Captain Tracht introduced the Case and testified, “Back on May 31<sup>st</sup> on patrol, this was another one of those blue tarp violations. There was a blue tarp affixed to this roof. IPMC [International Property Management Code] states that the roof shall be sound, tight, not have any defects that admit rain. Notices of Code Violation, two (2) of them, were mailed out, one (1) to the Winter Springs address and one (1) to a Sanford address according to the Property Appraiser’s site with a correction date by August 24, 2019 which was eighty-five (85) days. Both of those letters were returned to sender, back to me, unclaimed back on July 10<sup>th</sup> and 11<sup>th</sup> 2019.”

Photographs were shown from “Related Case Information.”

Continuing, Captain Tracht testified, “Notice of Code Board was sent certified, return receipt, posted at the property and here at City Hall, both the Sanford address and the Winter Springs address. And then additionally, a recent address for the owner was changed on the Property Appraiser’s site and that was an Altamonte Springs address and was mailed there as well.”

Next, related photographs were shown.

Captain Tracht stated, “My recommendation as of this date, obviously the tarp is still in disarray, no work has been done. I recommend the homeowner be found in Violation of IPMC 304.7 and given until November 23<sup>rd</sup> to come into Compliance; if not then, a Fee of two hundred and fifty dollars (\$250.00) per day be applied.”

*Mr. Torryn Alston, 807 Campello Road, Altamonte Springs, Florida:* testified that in May, his wife passed away and remarked, “I’m left with my kid, and my other daughter - to pay a mortgage, water bill, light bill. Also got power at this house to keep the inside from mildewing or whatever. I mow the yard - but they want fifteen thousand for the roof.

I mean, I'm doing what I can do to keep a roof over their head. I want to bring this house up to par so I can rent it out. So, me and my kids are trying to come up with a way. I can't get any help. It took me, to get through probate, almost five thousand dollars (\$5,000.00) and that put me behind on my mortgage. Like I said, it's tough. I'm the only income, he is in high school, sixteen (16) years old, it's tough."

Chairperson Criswell asked, "How long do you think it would take you to get this in to shape so that you could rent it out?"

Mr. Alston replied, "I'm trying to get a loan out of my 401(k) to take care of it but I'm not eligible yet to go into that. I also work for the City of Orlando - I don't know. I don't want to put myself in a bind. I don't want tell you one thing and then I fall short." Continuing, Mr. Alston added, "I don't know how long I would need. Hopefully to have it by some time next year. Hopefully I can take my Income Tax and - at least get a start on fixing the roof and trying to get it out to rent."

Discussion followed on the appearance of the tarp, roof, and the possibility of replacing the tarp.

Mr. Alston said, "The roof doesn't leak. It blew some tiles off." Continuing Mr. Alston said the damage was sustained during Hurricane Irma and further explained, "When my mother-in-law bought the house, the roof was already in bad damage and when she passed away, my wife inherited the house."

Comments followed on roofing contractors, insurance; and why the Respondent didn't have a roofer come out and patch the roof.

Mr. Alton responded, "The thing is, the finance problem. Like I said, I'm the only one working." Continuing, Mr. Alston added, "Maybe even thinking about taking a loan out on the house to bring it up to par and then rent it out and let it pay for itself. There's a lot I'm thinking about - her last wish was don't sell the house. I mean, tons of people call me and email me - about buying the house." Mr. Alston then noted, "It was one of her wishes, 'Don't sell the house, leave it to my kids' - so, I'm trying to honor that."

Captain Tracht conveyed his concerns to Mr. Alston and asked, "If the roof does not leak and if you can remove the blue tarp, or the evidence of the blue tarp, and make any repairs that may be necessary as a result of removing that, do you think 180 days would give you enough time, with taxes and all?"

Mr. Alston responded, “I could have my son-in-law get up there and try to remove the tarp and perhaps - I may need a little longer.”

Captain Tracht then said, “I would support an additional 180 days if that’s the case, if he can remove the tarp and bring the house back to its original condition, roof-wise; I would support that; but, that is up to you.”

Brief discussion followed on the suggested timeframe, to which Captain Tracht said, “180 days from today,” the current meeting date of September 24, 2019.

Vice-Chairperson Maurice Kaprow suggested, “Make it April 1<sup>st</sup> to make it six (6) months from now.” Brief comments followed on insurance.

**“I MOVE TO FIND THE RESPONDENT IS IN VIOLATION OF THE CITY CODE AND ORDER THAT THE RESPONDENT BE GIVEN UNTIL APRIL 1, 2020 TO CORRECT THE VIOLATION. IN THE EVENT RESPONDENTS FAIL TO COMPLY BY THIS DATE, A FINE IN THE AMOUNT OF TWO HUNDRED AND FIFTY DOLLARS (\$250.00) SHALL BE IMPOSED FOR EACH DAY THE VIOLATION CONTINUES THEREAFTER.” MOTION BY VICE-CHAIRPERSON KAPROW. SECONDED BY BOARD MEMBER BURNS. DISCUSSION.**

**VOTE:**

**BOARD MEMBER GILTZ: AYE**

**BOARD MEMBER ROBINSON: AYE**

**CHAIRPERSON CRISWELL: AYE**

**BOARD MEMBER BURNS: AYE**

**VICE-CHAIRPERSON KAPROW: AYE**

**MOTION CARRIED.**

Further remarks followed to ensure that Mr. Alston understood that the Violation must be addressed by April 1, 2020.

Chairperson Criswell summarized, “From now until April 1<sup>st</sup>, you need to try to get the affairs together to get over there, take the blue tarp off, patch it where you can, and get the new roof put on. I think that is ample time. If you would do me a favor and get back with Captain Tracht in thirty (30) days and let him know where you are at, I would appreciate that and we will see if we can also try to get you some help.”

Senior City Attorney Jennifer Nix confirmed that the Respondent would get a copy of the Board Order and asked him to confirm the address that should be used.

Mr. Alston replied, “807 Campello Street, Altamonte Springs, Florida 32701.”

## **PUBLIC HEARINGS AGENDA – NON-COMPLIANCE CASES**

### **600. Not Used**

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## **REGULAR AGENDA**

### **700. Not Used**

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Captain Tracht re-introduced Ms. Terri Guerra, Police Department to the Code Enforcement Board and stated that he was happy to have more Staff to help with Code Enforcement matters.

Vice-Chairperson Kaprow referenced past years when the Code Enforcement Board did not meet in November and/or December due to holidays and asked whether the Board wanted to address this now. Chairperson Criswell said he was in agreement that if there were no Cases for November and December, that the Code Enforcement Board did not need to meet. No objections were voiced from other Board Members.

## **ADJOURNMENT**

Chairperson Criswell adjourned the Regular Meeting at 5:49 p.m.

*RESPECTFULLY SUBMITTED:*

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CHRISTIAN GOWAN  
ASSISTANT TO THE CITY CLERK

NOTE: These Minutes were approved at the \_\_\_\_\_, 2019 Code Enforcement Board Regular Meeting.

# CODE ENFORCEMENT BOARD AGENDA

## ITEM 500

<b>Informational</b>	
<b>Consent</b>	
<b>Public Hearings</b>	<b>X</b>
<b>Regular</b>	

October  
Regular Meeting

**REQUEST:**

The Code Enforcement Board is requested to review this Agenda Item.

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**WINTER SPRINGS POLICE DEPARTMENT  
CODE ENFORCEMENT DIVISION**

300 North Moss Road - Winter Springs, FL 32708  
Business (407) 327-1000 - Fax (407) 327-6652



**AFFIDAVIT OF POSTING**

**The following property has been posted with the  
NOTICE OF COBE BOARD HEARING**

120 East Panama Road  
WINTER SPRINGS, FL 32708

and

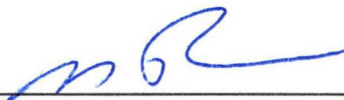
1126 E SR 434  
WINTER SPRINGS, FL 32708

**City of Winter Springs Case Number**  
2019CE002312

**Posted on the following date:**

September 10, 2019

**The undersigned swears and affirms that the property has been posted:**

  
\_\_\_\_\_

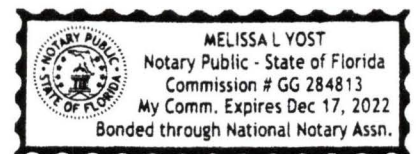
SIGNATURE

CAPT. MATTHEW TRACHT

  
\_\_\_\_\_  
NOTARY SIGNATURE

9-10-19  
\_\_\_\_\_  
DATE

STAMP:





CITY OF WINTER SPRINGS, FLORIDA  
CODE ENFORCEMENT BOARD

CODE ENFORCEMENT BOARD,  
PETITIONER,

COMPLAINT NO: 2019CE002312

vs.  
RESPONDENT

PARCEL OWNER:  
MICHAEL P. KAHL  
120 EAST PANAMA RD.  
WINTER SPRINGS, FL. 32708

**NOTICE OF CODE BOARD HEARING & VIOLATION**

Please take notice that at 5:30 P.M. on September 24, 2019 the Code Enforcement Board will hold a hearing to determine why you should not be found in violation of the City Code as follows. The hearing will be held at Winter Springs City Hall located at 1126 East State Road 434, Winter Springs, Florida.

Address of Violation: 120 EAST PANAMA RD. WINTER SPRINGS, FL. 32708

Property Owner Name: MICHAEL P. KAHL

Property Owner Address: 120 EAST PANAMA ROAD, WINTER SPRINGS, FLORIDA

The cited violation follows: **IRREPARABLE OR IRREVERSIBLE** VIOLATION OF WINTER SPRINGS CITY ORDINANCE 5-4,  
FAILURE TO OBTAIN PERMIT FOR TREE REMOVAL: TO WIT CUTTING DOWN SEVERAL TREES WITHOUT A PERMIT

If the Code Enforcement Board finds your property in violation of the above referenced City Code (s) you can be fined up to \$500.00 for each violation. However, if a code enforcement board finds the violation to be irreparable or irreversible in nature, it may impose a fine not to exceed \$5,000 per violation, and you can be charged for the costs that are incurred by the city in prosecuting the case. In the event violation fines and the costs are not paid within a reasonable time there can be a lien filed against the property in accordance with Florida State Statute Section 162.09.

The hearing is conducted within guidelines of City of Winter Springs Code 2-60 and Florida State Statutes Chapter 162. You may appear in person or by an authorized representative. If you choose to not attend the hearing you can lose your right to present facts in this case. You have the right to present evidence, exhibits, written and oral testimony. The Code Board will subpoena witnesses on your behalf upon written request to the Code Board through the City of Winter Springs Clerk's Office.

In the event that you appeal the Order of the Code Enforcement Board, you will be required to have an official record of the proceedings. You may, at your own expense, arrange for the official transcript of the testimony and evidence presented at the hearing.

I certify a copy of this document was sent by Certified Mail on September 10, 2019, posted on the property, and at a government office as per Florida State Statute 162.

Professionally,

\_\_\_\_\_  
Capt. M. Tracht

Certified mailing: 7018 0680 0002 2899 6718



Sec. 5-18. - Enforcement; penalties.

5-4

(a) *Enforcement.* The city may enforce the provisions of this chapter by any lawful means including, but not limited to, issuing a civil citation, bringing charges before the city's code enforcement board or special magistrate, and seeking injunctive and equitable relief. For purposes of determining the penalties provided under this chapter, the removal or death of a tree in violation of this chapter shall be deemed irreparable or irreversible.

(b) *Penalties.* In addition to all other remedies set forth in this chapter, one or more of the following civil fines shall apply to violations of this chapter:

- (1) *Failure to obtain a permit under section 5-4(a):* Fine of two hundred fifty dollars (\$250.00) per tree or five hundred dollars (\$500.00) per specimen or historic tree removed, not to exceed five thousand dollars (\$5,000.00).
- (2) *Removal of a tree without a permit:* Fine of fifty dollars (\$50.00) per caliper inch, not to exceed five thousand dollars (\$5,000.00) per tree.
- (3) *Removal of a specimen or historic tree without a permit:* Fine of one hundred dollars (\$100.00) per caliper inch, not to exceed five thousand dollars (\$5,000.00) per tree.
- (4) *Failure to abide by a cease and desist order issued under this Chapter:* Fine of five hundred dollars (\$500.00) per day.
- (5) *Failure to obtain a contractor's license under section 5-4(e):* Fine of two hundred fifty dollars (\$250.00) (1st offense); five hundred dollars (\$500.00) (2nd and each subsequent offense).
- (6) *Failure to abide by the requirements of section 5-10 of this Chapter:* Fine of two hundred fifty dollars (\$250.00) per occurrence.
- (7) *Any other violation of this chapter:* Fine as provided by law and this chapter.

(c) *Civil fine determination.* In determining the amount of the civil fine under subsection (6) above, the following factors shall be considered:

- 212
- (1) The gravity of the violation.
  - (2) Any actions taken by the violator to correct the violation.
  - (3) Any previous violations of this chapter committed by the violator.
  - (4) The number and size of the trees removed, if any.
  - (5) The historical significance of any tree removed if the tree was deemed historic.
- ca

- 2019CE002312

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- 3 PINE } • AUG 31

- 2 DEAD }

- 5-6 OAK }



(6) Whether the violation is irreparable or irreversible in nature.

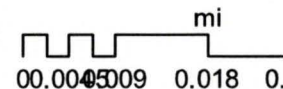
(7) The remedial actions offered by the violator to restore the property consistent with this chapter.

(Ord. No. 2002-08, § 2, 4-8-02; 2003-22, § 2, 10-13-03; Ord. No. 2015-22, § 6, 10-26-15)





This map is for informational purposes only and is not prepared for or be suitable for legal, engineering or surveying purposes.



Date: 9/9/2019





120 E Panama Rd



Image capture: Jun 2013 © 2019 Google

Winter Springs, Florida



Street View - Jun 2013

Cancer

ZK

Cello Cir

Starlight Dentist

Stamgill Baptist





120 E Panama Rd

June 2013



Image capture: Jun 2013 © 2019 Google

Winter Springs, Florida



Street View - Jun 2013

Cancel

Cello Cir

Starlight Dentist

Stairight Dapust





**Property Record Card**

Parcel: 02-21-30-5BI-0B00-0070

Property Address: 120 E PANAMA RD WINTER SPRINGS, FL 32708

**Parcel Information**

Parcel	02-21-30-5BI-0B00-0070
Owner(s)	KAHL, MICHAEL P
Property Address	120 E PANAMA RD WINTER SPRINGS, FL 32708
Mailing	120 E PANAMA RD WINTER SPGS, FL 32708-3530
Subdivision Name	<u>NORTH ORLANDO RANCHES SEC 01</u>
Tax District	W1-WINTER SPRINGS
DOR Use Code	01-SINGLE FAMILY
Exemptions	00-HOMESTEAD(2018)

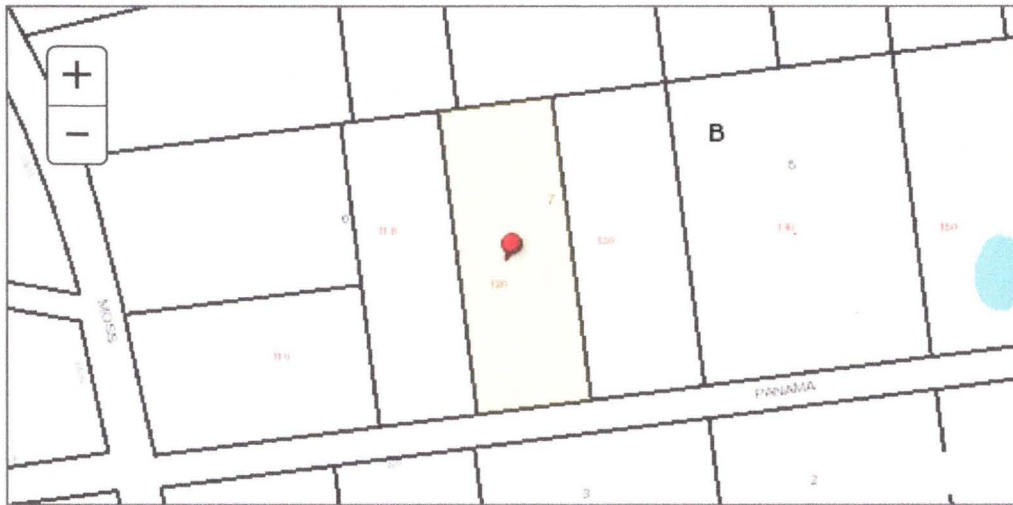
**Value Summary**

	2019 Working Values	2018 Certified Values
Valuation Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Bldg Value	\$275,237	\$261,605
Depreciated EXFT Value	\$19,258	\$11,800
Land Value (Market)	\$100,375	\$100,375
Land Value Ag		
<u>Just/Market Value **</u>	\$394,870	\$373,780
Portability Adj		
Save Our Homes Adj	\$7,698	\$0
Amendment 1 Adj	\$0	\$0
P&G Adj	\$0	\$0
Assessed Value	\$387,172	\$373,780

Tax Amount without SOH: \$5,561.46

2018 Tax Bill Amount \$5,561.46

Save Our Homes Savings: \$0.00



**Legal Description**

W 175 FT OF LOT 7 BLK B  
NORTH ORLANDO RANCHES SEC 1  
PB 12 PG 3

**Taxes**

Taxing Authority	Assessment Value	Exempt Values	Taxable Value
COUNTY BONDS	\$387,172	\$50,000	\$337,172
WINTER SPRINGS BONDS	\$387,172	\$50,000	\$337,172
SJWM(Saint Johns Water Management)	\$387,172	\$50,000	\$337,172
CITY WINTER SPRINGS	\$387,172	\$50,000	\$337,172
FIRE FUND	\$387,172	\$50,000	\$337,172
COUNTY GENERAL FUND	\$387,172	\$50,000	\$337,172
Schools	\$387,172	\$25,000	\$362,172

**Sales**

Description	Date	Book	Page	Amount	Qualified	Vac/Imp
WARRANTY DEED	5/1/2017	<u>08923</u>	<u>1108</u>	\$435,000	Yes	Improved
WARRANTY DEED	6/1/2005	<u>05776</u>	<u>1594</u>	\$571,000	Yes	Improved
WARRANTY DEED	5/1/2002	<u>04432</u>	<u>1785</u>	\$342,700	Yes	Improved
WARRANTY DEED	4/1/1990	<u>02183</u>	<u>1131</u>	\$60,000	No	Vacant
WARRANTY DEED	1/1/1977	<u>01148</u>	<u>0460</u>	\$21,500	No	Vacant
WARRANTY DEED	1/1/1970	<u>00788</u>	<u>0156</u>	\$1,600,000	No	Vacant

**Land**

Method	Frontage	Depth	Units	Units Price	Land Value
ACREAGE	0.00	0.00	1.825	\$55,000.00	\$100,375

**Building Information**

#	Description	Year Built Actual/Effective	Fixtures	Bed	Bath	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages	
1	SINGLE FAMILY	1990	11	<u>3</u>	<u>2.5</u>	2,483	4,561	2,483	SIDING GRADE 4	\$275,237	\$311,002	Description	Area
												OPEN	614.00



PORCH FINISHED	
OPEN PORCH FINISHED	162.00
GARAGE FINISHED	534.00
DETACHED GARAGE FINISHED	768.00

**Permits**

Permit #	Description	Agency	Amount	CO Date	Permit Date
01248	ELECTRICAL	Winter Springs	\$10,500		3/30/2018
03240	INSTALL ENCLOSED STEEL BUILDING ON EXISTING CONCRETE	Winter Springs	\$17,115		2/13/2018
03790	ADD FOOTER 10' FROM BACK OF SLAB	Winter Springs	\$1,500		11/13/2017
02751	SLAB WITH FOOTERS	Winter Springs	\$8,700		8/23/2017
04768	REROOF W/SHINGLES	Winter Springs	\$19,485		10/6/2005
03544	INSTALL 490' OF 6' WOOD FENCE	Winter Springs	\$1,100		12/1/2002
23709	FENCE CHAINLINK 120 PANAMA RD E	Winter Springs	\$2,100	3/7/1994	2/1/1994

Permit data does not originate from the Seminole County Property Appraiser's office. For details or questions concerning a permit, please contact the building department of the tax district in which the property is located.

**Extra Features**

Description	Year Built	Units	Value	New Cost
ALUM UTILITY BLDG W/CONC FL	1/1/2018	900	\$6,290	\$6,552
POOL 1	12/1/1990	1	\$9,000	\$15,000
FIREPLACE 2	12/1/1990	1	\$1,120	\$2,800
SCREEN ENCL 2	12/1/1990	1	\$2,400	\$6,000
WATER FEATURE	4/1/1990	1	\$448	\$1,120

Zoning			
Zoning	Zoning Descriptionun	Future Land Use	FutureLandUseDescription
R-C1	R-C1	Rural Residential	Rural Residential

## City of Winter Springs, FL Permit Listing

Permit / Application Number	Status	Issued To / Owner	Parcel / Address	Permit Amount	Location/Lot Number/Description
<b>Type:</b> ARBOR					
2017-00001999	Permit Expired 06/12/2018	DANNY BAUGHER TREE SERVICE, LLC. KAHL, MICHAEL P	WINTER SPRINGS 0221305B10B000070 120 E PANAMA RD WINTER SPRINGS, FL 32708	\$25.00 Paid: \$25.00 Due: \$0.00	007 Remove (1) oak located in front of property
Estimated Value: \$0.00		Current Property Value: \$0.00		Improvement Square Footage: 0.00	

Detail Fees	Fee Category	Issued Quantity	Charge Amount	Collected Amount
	ARBOR SINGLE FAMILY	1	\$25.00	\$25.00
	<b>Totals</b>	<b>1</b>	<b>\$25.00</b>	<b>\$25.00</b>

Events	Event Date	Event	User	Comments
	06/12/2018	Expired	defaultnws	Automated permit Expiration
	06/12/2017	Permit Issued	Lorna Bradley	Remove (1) oak located in front of property
	06/09/2017	Permit Created	Sara Miller	New Permit Created

Payments	Transaction Date	Transaction Type	Adjustment Reason	Receipt Number	Received From	Amount
	06/12/2017	Payment, Monies Received		2017-00091453	Danny Baugher Tree Service	\$25.00
	<b>Totals</b>					<b>\$25.00</b>

Inspections	Date	Inspection	Status
	06/09/2017	ARBOR FINAL	Created

Application Checklists	Checklist Type	Submitted Date	Approved Date	Reviewed By
	No records.			

Related Professionals	Type	Name	Description of Work
	No records.		

**Parcel Information**

**Jurisdiction and Parcel Number**

Jurisdiction WINTER SPRINGS  
 Parcel 0221305BI0B000070

**Parcel Mapping Information**

Level 1 WINTER SPRINGS -  
 WINTER SPRINGS

**Property Classes**

Current Property Classification SINGLE FAMILY RESIDENTIAL  
 Current Zoning Classification MINIMUM 1 ACRE LOT  
 Current Exemption Classification

**Current Ownership Information**

Last Ownership Change Date 02/05/2019  
 Primary Owner KAHL, MICHAEL P  
 Secondary Owner(s) COOLEY GARY W & JUDY C

**Primary Parcel Address**

Primary Parcel Address 120 PANAMA RD  
 WINTER SPRINGS, FL 32708

**Legal Description**

**Parcel Dimensions**

Dimension	Length	Width	Unit of Measure	Description
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**Improvement Information**

**Basic Improvement Information**

Habitable Structure	Yes
Owner Occupied	Yes
Tenant Name / Description	KAHL, MICHAEL P
Improvement Type	DEFAULT
Improvement Class	
Improvement Usage	
Occupancy Type	
Year Built	
Number of Stories	

**Improvement Service Address**

Improvement Service Address 120 PANAMA RD  
 WINTER SPRINGS, FL 32708

**Improvement Dimension Information**

Dimension	Length	Width	Height	Unit of Measure	Description
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No records.

**Improvement Construction Specifications**

Specification Material Description  
 .  
 No records.

**Improvement Quantitative Specifications**

Specification Quantity Unit of Measure  
 .  
 No records.

**Improvement Utilization Specifications**

Specification Utilized  
 .  
 No records.

**Miscellaneous Information**

**Parcel District Information**

District Type District  
 .  
 No records.

**Parcel Zoning History**

Change Request Date Status Resolution Date New Property Class New Zoning Class New Exemption Class  
 .  
 No records.

**Contractor Information**

**Basic Business Name**

Business Name DANNY BAUGHER TREE SERVICE, LLC.  
 Current Business Address  
 Permit Issued To DANNY BAUGHER TREE SERVICE

**Contractor Licenses**

**Current Licenses Locally Issued**

License Type	License Number	License Status	Effective Date	Expiration Date
	1007	2	10/01/2016	09/30/2017
	1007	2	10/01/2016	09/30/2017

**Current Licenses Non Locally Issued**

License Type	Effective Date	Expiration Date	License Number	Registration Number
(AP) ARBOR PROFESSIONAL	10/29/2014	09/30/2015	1007	
BTR (NON-LOCAL)	10/23/2015	09/30/2019	10410	
GENERAL LIABILITY	03/07/2016	03/06/2020	NC385542	NAUTILUS INS CO
WORKMAN'S EXEMPT COMP	10/29/2014	01/20/2020	03-1212141	DANNY BAUGHER

**Contractor Miscellaneous Information**

**Business Hours**

Day of Week	Opens At	Closes At
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No records.

**Business Contacts**

Contact Name	Issue Permit To	Primary Phone Number	Type	Secondary Phone Number	Type
DANNY BAUGHER TREE SERVICE	No	(407) 620-2053			

**Permit Type:** ARBOR: 1 Permit(s)      Permit Amount: \$25.00      Paid Amount: \$25.00      Due: \$0.00

## City of Winter Springs, FL Permit Listing

Permit / Application Number	Status	Issued To / Owner	Parcel / Address	Permit Amount	Location/Lot Number/Description
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**Type:** ARBOR

2018-00003425	Permit Expired 09/05/2019	CS LAND SOLUTIONS LLC KAHL, MICHAEL P	WINTER SPRINGS 0221305BI0B000070 120 E PANAMA RD WINTER SPRINGS, FL 32708	Paid: \$75.00 Due: \$0.00	007 REMOVE SELECTED TREES IN BACK
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Estimated Value: \$0.00

Current Property Value: \$0.00

Improvement Square Footage: 0.00

Detail Fees	Fee Category	Issued Quantity	Charge Amount	Collected Amount
	ARBOR SINGLE FAMILY	6	\$75.00	\$75.00
	<b>Totals</b>	<b>6</b>	<b>\$75.00</b>	<b>\$75.00</b>

Events	Event Date	Event	User	Comments
	09/05/2019	Expired	defaultnws	Automated permit Expiration
	09/05/2018	Permit Issued	Chris Genovesi	REMOVE SELECTED TREES IN BACK
	09/05/2018	Permit Created	Chris Genovesi	New Permit Created

Payments	Transaction Date	Transaction Type	Adjustment Reason	Receipt Number	Received From	Amount
	09/05/2018	Payment, Monies Received		2018-00125466	CS LAND SOLUTIONS LLC	\$75.00
	<b>Totals</b>					<b>\$75.00</b>

Inspections	Date	Inspection	Status
	No records.		

Application Checklists	Checklist Type	Submitted Date	Approved Date	Reviewed By
	No records.			

Related Professionals	Type	Name	Description of Work
	No records.		



**Parcel Information**

**Jurisdiction and Parcel Number**

Jurisdiction WINTER SPRINGS  
 Parcel 0221305BI0B000070

**Parcel Mapping Information**

Level 1 WINTER SPRINGS -  
 WINTER SPRINGS

**Property Classes**

Current Property Classification SINGLE FAMILY RESIDENTIAL  
 Current Zoning Classification MINIMUM 1 ACRE LOT  
 Current Exemption Classification

**Current Ownership Information**

Last Ownership Change Date 02/05/2019  
 Primary Owner KAHL, MICHAEL P  
 Secondary Owner(s) COOLEY GARY W & JUDY C

**Primary Parcel Address**

Primary Parcel Address 120 PANAMA RD  
 WINTER SPRINGS, FL 32708

**Legal Description**

**Parcel Dimensions**

Dimension	Length	Width	Unit of Measure	Description
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**Improvement Information**

**Basic Improvement Information**

Habitable Structure	Yes
Owner Occupied	Yes
Tenant Name / Description	KAHL, MICHAEL P
Improvement Type	DEFAULT
Improvement Class	
Improvement Usage	
Occupancy Type	
Year Built	
Number of Stories	

**Improvement Service Address**

Improvement Service Address 120 PANAMA RD  
 WINTER SPRINGS, FL 32708

**Improvement Dimension Information**

Dimension	Length	Width	Height	Unit of Measure	Description
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No records.

**Improvement Construction Specifications**



Specification	Material	Description
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No records.

**Improvement Quantitative Specifications**

Specification	Quantity	Unit of Measure
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No records.

**Improvement Utilization Specifications**

Specification	Utilized
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No records.

**Miscellaneous Information**

**Parcel District Information**

District Type	District
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No records.

**Parcel Zoning History**

Change Request Date	Status	Resolution Date	New Property Class	New Zoning Class	New Exemption Class
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No records.

**Contractor Information**

**Basic Business Name**

Business Name	CS LAND SOLUTIONS LLC
Current Business Address	819 GENEVA DR OVIEDO, FL 32765
Permit Issued To	CS LAND SOLUTIONS LLC

**Contractor Licenses**

**Current Licenses Locally Issued**

License Type	License Number	License Status	Effective Date	Expiration Date
	1165	2	10/01/2017	09/30/2018

**Current Licenses Non Locally Issued**

License Type	Effective Date	Expiration Date	License Number	Registration Number
BTR (NON-LOCAL)	08/17/2018	09/30/2019	19-00018795	OVIEDO
GENERAL LIABILITY	08/17/2018	04/10/2019	72713161	AUTO-OWNERS
WORKMAN'S EXEMPT COMP	08/17/2018	08/16/2020	825084421	EXEMPT

**Contractor Miscellaneous Information**

**Business Hours**

Day of Week	Opens At	Closes At
No records.		

**Business Contacts**

Contact Name	Issue Permit To	Primary Phone Number	Type	Secondary Phone Number	Type
CS LAND SOLUTIONS LLC	No	(407) 865-0803			

**Permit Type:** ARBOR: 1 Permit(s)      Permit Amount: \$75.00      Paid Amount: \$75.00      Due: \$0.00

## City of Winter Springs, FL Permit Listing

Permit / Application Number	Status	Issued To / Owner	Parcel / Address	Permit Amount	Location/Lot Number/Description
<b>Type:</b>	ARBOR				
2017-00002019	Permit Expired 06/13/2018	DANNY BAUGHER TREE SERVICE, LLC. KAHL, MICHAEL P	WINTER SPRINGS 0221305BI0B000070 120 E PANAMA RD WINTER SPRINGS, FL 32708	\$45.00 Paid: \$45.00 Due: \$0.00	007 Remove (1) maple, (1) magnolia, (1) pine, & (3) oaks
Estimated Value: \$0.00		Current Property Value: \$0.00			Improvement Square Footage: 0.00

Detail Fees	Fee Category	Issued Quantity	Charge Amount	Collected Amount
	ARBOR SINGLE FAMILY	3	\$45.00	\$45.00
	<b>Totals</b>	<b>3</b>	<b>\$45.00</b>	<b>\$45.00</b>

Events	Event Date	Event	User	Comments
	06/13/2018	Expired	defaultnws	Automated permit Expiration
	06/13/2017	Permit Issued	Lorna Bradley	Remove (1) maple, (1) magnolia, (1) pine, & (3) oaks
	06/12/2017	Permit Created	Sara Miller	New Permit Created

Payments	Transaction Date	Transaction Type	Adjustment Reason	Receipt Number	Received From	Amount
	06/13/2017	Payment, Monies Received		2017-00091967	Danny Baugher Tree Service	\$45.00
	<b>Totals</b>					<b>\$45.00</b>

Inspections	Date	Inspection	Status
	06/12/2017	ARBOR FINAL	Created

Application Checklists	Checklist Type	Submitted Date	Approved Date	Reviewed By
	No records.			

Related Professionals	Type	Name	Description of Work
	No records.		

**Parcel Information**

**Jurisdiction and Parcel Number**

Jurisdiction WINTER SPRINGS  
 Parcel 0221305BI0B000070

**Parcel Mapping Information**

Level 1 WINTER SPRINGS -  
 WINTER SPRINGS

**Property Classes**

Current Property Classification SINGLE FAMILY RESIDENTIAL  
 Current Zoning Classification MINIMUM 1 ACRE LOT  
 Current Exemption Classification

**Current Ownership Information**

Last Ownership Change Date 02/05/2019  
 Primary Owner KAHL, MICHAEL P  
 Secondary Owner(s) COOLEY GARY W & JUDY C

**Primary Parcel Address**

Primary Parcel Address 120 PANAMA RD  
 WINTER SPRINGS, FL 32708

**Legal Description**

**Parcel Dimensions**

Dimension	Length	Width	Unit of Measure	Description
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**Improvement Information**

**Basic Improvement Information**

Habitable Structure	Yes
Owner Occupied	Yes
Tenant Name / Description	KAHL, MICHAEL P
Improvement Type	DEFAULT
Improvement Class	
Improvement Usage	
Occupancy Type	
Year Built	
Number of Stories	

**Improvement Service Address**

Improvement Service Address 120 PANAMA RD  
 WINTER SPRINGS, FL 32708

**Improvement Dimension Information**

Dimension	Length	Width	Height	Unit of Measure	Description
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No records.

**Improvement Construction Specifications**

Specification	Material	Description
No records.		

**Improvement Quantitative Specifications**

Specification	Quantity	Unit of Measure
No records.		

**Improvement Utilization Specifications**

Specification	Utilized
No records.	

**Miscellaneous Information**

**Parcel District Information**

District Type	District
No records.	

**Parcel Zoning History**

Change Request Date	Status	Resolution Date	New Property Class	New Zoning Class	New Exemption Class
No records.					

**Contractor Information**

**Basic Business Name**

Business Name	DANNY BAUGHER TREE SERVICE, LLC.
Current Business Address	
Permit Issued To	DANNY BAUGHER TREE SERVICE

**Contractor Licenses**

**Current Licenses Locally Issued**

License Type	License Number	License Status	Effective Date	Expiration Date
	1007	2	10/01/2016	09/30/2017
	1007	2	10/01/2016	09/30/2017

**Current Licenses Non Locally Issued**

License Type	Effective Date	Expiration Date	License Number	Registration Number
(AP) ARBOR PROFESSIONAL	10/29/2014	09/30/2015	1007	
BTR (NON-LOCAL)	10/23/2015	09/30/2019	10410	
GENERAL LIABILITY	03/07/2016	03/06/2020	NC385542	NAUTILUS INS CO
WORKMAN'S EXEMPT COMP	10/29/2014	01/20/2020	03-1212141	DANNY BAUGHER

**Contractor Miscellaneous Information**

**Business Hours**

Day of Week	Opens At	Closes At
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No records.

**Business Contacts**

Contact Name	Issue Permit To	Primary Phone Number	Type	Secondary Phone Number	Type
DANNY BAUGHER TREE SERVICE	No	(407) 620-2053			

**Permit Type:** ARBOR: 1 Permit(s)

Permit Amount: \$45.00

Paid Amount: \$45.00

Due: \$0.00

## City of Winter Springs, FL Permit Listing

Permit / Application Number	Status	Issued To / Owner	Parcel / Address	Permit Amount	Location/Lot Number/Description
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**Type:** ARBOR

2017-00002697	Permit Expired 08/09/2018	ADVANCE TREE PROS KAHL, MICHAEL P	WINTER SPRINGS 0221305BI0B000070 120 E PANAMA RD WINTER SPRINGS, FL 32708	Paid: \$115.00 Due: \$0.00	007 Remove (15) trees
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Estimated Value: \$0.00

Current Property Value: \$0.00

Improvement Square Footage: 0.00

Detail Fees	Fee Category	Issued Quantity	Charge Amount	Collected Amount
	ARBOR SINGLE FAMILY	10	\$115.00	\$115.00
	<b>Totals</b>	<b>10</b>	<b>\$115.00</b>	<b>\$115.00</b>

Events	Event Date	Event	User	Comments
	08/09/2018	Expired	defaultnws	Automated permit Expiration
	08/09/2017	Permit Issued	Christina Garred	Remove (15) trees
	08/07/2017	Permit Created	Sara Miller	New Permit Created

Payments	Transaction Date	Transaction Type	Adjustment Reason	Receipt Number	Received From	Amount
	08/09/2017	Payment, Monies Received		2017-00112787	ADVANCED TREE PROS	\$115.00
	<b>Totals</b>					<b>\$115.00</b>

Inspections	Date	Inspection	Status
	08/09/2017	ARBOR FINAL	Created

Application Checklists	Checklist Type	Submitted Date	Approved Date	Reviewed By
	No records.			

Related Professionals	Type	Name	Description of Work
	No records.		

**Parcel Information**

**Jurisdiction and Parcel Number**

Jurisdiction WINTER SPRINGS  
 Parcel 0221305BI0B000070

**Parcel Mapping Information**

Level 1 WINTER SPRINGS -  
 WINTER SPRINGS

**Property Classes**

Current Property Classification SINGLE FAMILY RESIDENTIAL  
 Current Zoning Classification MINIMUM 1 ACRE LOT  
 Current Exemption Classification

**Current Ownership Information**

Last Ownership Change Date 02/05/2019  
 Primary Owner KAHL, MICHAEL P  
 Secondary Owner(s) COOLEY GARY W & JUDY C

**Primary Parcel Address**

Primary Parcel Address 120 PANAMA RD  
 WINTER SPRINGS, FL 32708

**Legal Description**

**Parcel Dimensions**

Dimension	Length	Width	Unit of Measure	Description
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**Improvement Information**

**Basic Improvement Information**

Habitable Structure	Yes
Owner Occupied	Yes
Tenant Name / Description	KAHL, MICHAEL P
Improvement Type	DEFAULT
Improvement Class	
Improvement Usage	
Occupancy Type	
Year Built	
Number of Stories	

**Improvement Service Address**

Improvement Service Address 120 PANAMA RD  
 WINTER SPRINGS, FL 32708

**Improvement Dimension Information**

Dimension	Length	Width	Height	Unit of Measure	Description
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No records.

**Improvement Construction Specifications**

Specification	Material	Description
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No records.

**Improvement Quantitative Specifications**

Specification	Quantity	Unit of Measure
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No records.

**Improvement Utilization Specifications**

Specification	Utilized
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No records.

**Miscellaneous Information**

**Parcel District Information**

District Type	District
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No records.

**Parcel Zoning History**

Change Request Date	Status	Resolution Date	New Property Class	New Zoning Class	New Exemption Class
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No records.

**Contractor Information**

**Basic Business Name**

Business Name	ADVANCE TREE PROS
Current Business Address	7242 GARDNER STREET WINTER PARK, FL 32792
Permit Issued To	ADVANCED TREE PROS

**Contractor Licenses**

**Current Licenses Locally Issued**

License Type	License Number	License Status	Effective Date	Expiration Date
	1146	2	10/01/2016	09/30/2017

**Current Licenses Non Locally Issued**

License Type	Effective Date	Expiration Date	License Number	Registration Number
BTR (NON-LOCAL)	08/09/2017	09/30/2019	3100-0609975	1146
GENERAL LIABILITY	08/08/2017	03/21/2019	000822670	lassiter ware leesburg
WORKMAN'S COMP	08/08/2017	01/01/2019	WC71949	1146

**Contractor Miscellaneous Information**

**Business Hours**

Day of Week	Opens At	Closes At
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No records.

**Business Contacts**

Contact Name	Issue Permit To	Primary Phone Number	Type	Secondary Phone Number	Type
ADVANCED TREE PROS	No	(407) 960-4893			

**Permit Type:** ARBOR: 1 Permit(s)      Permit Amount: \$115.00      Paid Amount: \$115.00      Due: \$0.00

Kevin MAHOX  
120 E PANAMA  
544  
40-637-6446

- ANONYMOUS - 250 - NO PERMIT / TREE  
50 / CALIPON EACH

- CONTRACTORS STILL ON SCENE  
BIG MILE TREE SERVICE  
" MILE WONG "

STUMPS 6 TREES

6,000  
250 -

5,000  
-----  
4,500  
6,000

ENROLLED

CS/HB 1159

2019 Legislature

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An act relating to private property rights; creating s. 163.045, F.S.; prohibiting local governments from requiring notices, applications, approvals, permits, fees, or mitigation for the pruning, trimming, or removal of trees on residential property if a property owner obtains specified documentation; prohibiting local governments from requiring property owners to replant such trees; providing an exception for mangrove protection actions; amending s. 163.3209, F.S.; deleting a provision that authorizes electric utilities to perform certain right-of-way tree maintenance only if a property owner has received local government approval; creating s. 70.002, F.S.; creating a Property Owner Bill of Rights; requiring county property appraisers to provide specified information on their websites; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 163.045, Florida Statutes, is created to read:

163.045 Tree pruning, trimming, or removal on residential property.-



ENROLLED

CS/HB 1159

2019 Legislature

26       (1) A local government may not require a notice,  
 27 application, approval, permit, fee, or mitigation for the  
 28 pruning, trimming, or removal of a tree on residential property  
 29 if the property owner obtains documentation from an arborist  
 30 certified by the International Society of Arboriculture or a  
 31 Florida licensed landscape architect that the tree presents a  
 32 danger to persons or property.

33       (2) A local government may not require a property owner to  
 34 replant a tree that was pruned, trimmed, or removed in  
 35 accordance with this section.

36       (3) This section does not apply to the exercise of  
 37 specifically delegated authority for mangrove protection  
 38 pursuant to ss. 403.9321-403.9333.

39       Section 2. Section 163.3209, Florida Statutes, is amended  
 40 to read:

41       163.3209 Electric transmission and distribution line  
 42 right-of-way maintenance.—After a right-of-way for any electric  
 43 transmission or distribution line has been established and  
 44 constructed, no local government shall require or apply any  
 45 permits or other approvals or code provisions for or related to  
 46 vegetation maintenance and tree pruning or trimming within the  
 47 established right-of-way. The term "vegetation maintenance and  
 48 tree pruning or trimming" means the mowing of vegetation within  
 49 the right-of-way, removal of trees or brush within the right-of-  
 50 way, and selective removal of tree branches that extend within

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CS/HB 1159

2019 Legislature

51 | the right-of-way. The provisions of this section do not include  
52 | the removal of trees outside the right-of-way, which may be  
53 | allowed in compliance with applicable local ordinances. Prior to  
54 | conducting scheduled routine vegetation maintenance and tree  
55 | pruning or trimming activities within an established right-of-  
56 | way, the utility shall provide the official designated by the  
57 | local government with a minimum of 5 business days' advance  
58 | notice. Such advance notice is not required for vegetation  
59 | maintenance and tree pruning or trimming required to restore  
60 | electric service or to avoid an imminent vegetation-caused  
61 | outage or when performed at the request of the property owner  
62 | adjacent to the right-of-way, ~~provided that the owner has~~  
63 | ~~approval of the local government, if needed.~~ Upon the request of  
64 | the local government, the electric utility shall meet with the  
65 | local government to discuss and submit the utility's vegetation  
66 | maintenance plan, including the utility's trimming  
67 | specifications and maintenance practices. Vegetation maintenance  
68 | and tree pruning or trimming conducted by utilities shall  
69 | conform to ANSI A300 (Part I)-2001 pruning standards and ANSI  
70 | Z133.1-2000 Pruning, Repairing, Maintaining, and Removing Trees,  
71 | and Cutting Brush-Safety Requirements. Vegetation maintenance  
72 | and tree pruning or trimming conducted by utilities must be  
73 | supervised by qualified electric utility personnel or licensed  
74 | contractors trained to conduct vegetation maintenance and tree  
75 | trimming or pruning consistent with this section or by Certified

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CS/HB 1159

2019 Legislature

76 Arborists certified by the Certification Program of the  
 77 International Society of Arboriculture. A local government shall  
 78 not adopt an ordinance or land development regulation that  
 79 requires the planting of a tree or other vegetation that will  
 80 achieve a height greater than 14 feet in an established electric  
 81 utility right-of-way or intrude from the side closer than the  
 82 clearance distance specified in Table 2 of ANSI Z133.1-2000 for  
 83 lines affected by the North American Electric Reliability  
 84 Council Standard, FAC 003.1 requirement R1.2. This section does  
 85 not supersede or nullify the terms of specific franchise  
 86 agreements between an electric utility and a local government  
 87 and shall not be construed to limit a local government's  
 88 franchising authority. This section does not supersede local  
 89 government ordinances or regulations governing planting,  
 90 pruning, trimming, or removal of specimen trees or historical  
 91 trees, as defined in a local government's ordinances or  
 92 regulations, or trees within designated canopied protection  
 93 areas. This section shall not apply if a local government  
 94 develops, with input from the utility, and the local government  
 95 adopts, a written plan specifically for vegetation maintenance,  
 96 tree pruning, tree removal, and tree trimming by the utility  
 97 within the local government's established rights-of-way and the  
 98 plan is not inconsistent with the minimum requirements of the  
 99 National Electrical Safety Code as adopted by the Public Service  
 100 Commission; provided, however, such a plan shall not require the



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CS/HB 1159

2019 Legislature

101 planting of a tree or other vegetation that will achieve a  
 102 height greater than 14 feet in an established electric right-of-  
 103 way. Vegetation maintenance costs shall be considered  
 104 recoverable costs.

105 Section 3. Section 70.002, Florida Statutes, is created to  
 106 read:

107 70.002 Property Owner Bill of Rights.-Each county property  
 108 appraiser office shall provide on its website a Property Owner  
 109 Bill of Rights. The purpose of the bill of rights is to identify  
 110 certain existing rights afforded to property owners but is not a  
 111 comprehensive guide. The Property Owner Bill of Rights does not  
 112 create a civil cause of action. The Property Owner Bill of  
 113 Rights must state:

114  
 115 PROPERTY OWNER

116 BILL OF RIGHTS

117 This Bill of Rights does not represent all of your rights under  
 118 Florida law regarding your property and should not be viewed as  
 119 a comprehensive guide to property rights. This document does not  
 120 create a civil cause of action and neither expands nor limits  
 121 any rights or remedies provided under any other law. This  
 122 document does not replace the need to seek legal advice in  
 123 matters relating to property law. Laws relating to your rights  
 124 are found in the State Constitution, Florida Statutes, local  
 125 ordinances, and court decisions. Your rights and protections



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CS/HB 1159

2019 Legislature

126 include:

127 1. The right to acquire, possess, and protect your  
128 property.

129 2. The right to use and enjoy your property.

130 3. The right to exclude others from your property.

131 4. The right to dispose of your property.

132 5. The right to due process.

133 6. The right to just compensation for property taken for a  
134 public purpose.

135 7. The right to relief, or payment of compensation, when a  
136 new law, rule, regulation, or ordinance of the state or a  
137 political entity unfairly affects your property.

138 Section 4. This act shall take effect July 1, 2019.

Sworn Statement/Narrative Form

Name: Robert Kevin Maddox		Date of Birth: 11/11/1977
Address: 1126 E SR 434, Winter Springs, FL 32708		
Home Phone Number: ( )	Email Address: Rmaddox@winterspringsfl.org	
Cell Phone Number: ( )	Work Phone Number: (407) 327-1800	

I recieved an anonymous call on the afternoon of 9-6-19 claiming that someone was removing a number of large trees at 120 E Panama and suspected no permit was aquired. I visited the property approximately 20 minutes later and noticed "Big Mike's Tree Service" was at the property concluding what looked to be cleanup of these tree removals. I exited my vehicle and noticed two gentlemen near the home, one of which retreated to the home not to return the remainder of my visit. The other gentleman, Mike Juan of "Big Mikes" approached me and I asked for a permit or a letter from an arborist regarding the trees removed, he stated due to the new law one was not needed. On 9-9-19, Mike Juan contacted myself and explained to me that he didnt think he needed a permit because Winter Park doesnt require them any longer. I asked Mike if he could provide me with an invoice which he stated he did not invoice the job and he also stated the customer paid by card.

I certify the statement concerning this incident/ offense was voluntarily given. I am aware of the following statute and penalties as provided by F.S.S. 837.05, 775.082, 775.083 to-wit: Whoever knowingly gives false information to any law enforcement officer concerning the alleged commission of any crime is guilty of a misdemeanor of the first degree, punishable by imprisonment not exceeding one year and/or a fine not exceeding \$1000.00. Initials: RM

I, Robert Maddox, hereby state I wish to prosecute and will testify if necessary.

Signature: [Signature] Date: 9/9/2019

---

I, \_\_\_\_\_, hereby state I wish to make a report for informational purposes only and do not wish to prosecute.

Signature: \_\_\_\_\_ Date: \_\_\_/\_\_\_/\_\_\_

I am a witness or have another status of involvement: Signature: \_\_\_\_\_ Date: \_\_\_/\_\_\_/\_\_\_

Officer Signature: <u>[Signature]</u>	Officer I.D. Number: <u>3</u>	Date: <u>9/9/19</u>
Sworn To and Subscribed Before Me Law Enforcement Officer Conducting Official Investigation		

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. HOLD AT BOTTOM LINE

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 MICHAEL KAUL - 2312  
 120 E PANAMA RD  
 WINTER SPRINGS, FL  
 32708



2. Article Number (Transfer from service label)  
 7018 0680 0002 2899 6718

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
**X**  Agent  Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
- Insurance coverage is provided with Certified Mail service. For an additional fee, an endorsement on the mailpiece may be purchased for the following services:  
 - Return receipt service (including electronic version). For complete PS Form 3811 Receipt, attach PS Form 3800, April 2015

Domestic Return Receipt

**Certified Mail**

- A receipt (this portion of the label)
- A unique identifier for you
- Electronic verification of delivery
- A record of delivery (with signature) that is retained for a specified period.

**Important Reminders:**

- You may purchase Certified Mail, First-Class Mail® First-Class Mail® service, or Priority Mail® service.
- Certified Mail service is international mail.
- Insurance coverage is provided with Certified Mail service.
- Insurance coverage and certain Priority Mail International items.
- For an additional fee, an endorsement on the mailpiece may be purchased for the following services:  
 - Return receipt service (including electronic version). For complete PS Form 3811 Receipt, attach PS Form 3800, April 2015

PS Form 3800, April 2015



**Certified Mail service provides the following benefits:**

- A receipt (this portion of the Certified Mail label).
- A unique identifier for your mailpiece.
- Electronic verification of delivery or attempted delivery.
- A record of delivery (including the recipient's signature) that is retained by the Postal Service™ for a specified period.

**Important Reminders:**

- You may purchase Certified Mail service with First-Class Mail® service.
- Priority Mail® service is not available for Certified Mail service.
- Insurance coverage is not available for purchase with Certified Mail service. However, the purchase of Certified Mail service does not change the insurance coverage automatically included with certain Priority Mail items.
- For an additional fee, and with a proper endorsement, you may request a record of the mailpiece, you may request a record of the mailpiece, which provides a record of the recipient's signature, a hardcopy return receipt or an e-copy return receipt.

**for an electronic return receipt, see the following benefits:**

- Restricted delivery service, which requires delivery to the addressee specifically to the addressee's authorized agent.
- Adult signature service, which requires a signature to be at least 21 years of age (not available at retail).
- Adult signature restricted delivery service, which requires the signature to be at least 21 years of age and provides delivery to the addressee by name, or to the addressee's authorized agent (not available at retail).
- To ensure that your Certified Mail item is accepted as legal proof of mailing, you must affix this Certified Mail receipt (see the instructions on the back of this label) to your Certified Mail item at a retail location. If you don't have a retail location, you may request a Certified Mail receipt, which provides a record of the mailpiece, you may request a record of the mailpiece, which provides a record of the recipient's signature, a hardcopy return receipt or an e-copy return receipt.

Form 3811 to your mailpiece.

PSN 7530-02-000-9047



**WINTER SPRINGS**

300 North Moss Road  
Business (407) 327-1

KAHL, MICHAEL P  
120 E PANAMA RD  
WINTER SPRINGS, FL 32708

U.S. Postal Service™  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

7018 0680 0002 2899 6718

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

WINTER SPRINGS, FL 32708

Certified Mail Fee	\$3.50
\$	\$2.80
Extra Services & Fees (check box, add fee, if appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.55
\$	
<b>Total Postage and Fees</b>	<b>\$6.85</b>
\$	



09/10/2019

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

NCV 2312  
120 E PANAMA

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

7018 0680 0002 2899 6787

U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery
- Adult Signature Required
- Adult Signature Restricted Delivery \$

Postmark  
Here

Postage

\$

BY: \_\_\_\_\_

Total Postage and Fees

\$

Sent To

KAHL - NCU 2312

Street and Apt. No., or PO Box No.

120 E PAM

City, State, ZIP+4®

WIS



**WINTER SPRINGS POLICE DEPARTMENT  
CODE ENFORCEMENT DIVISION**

300 North Moss Road - Winter Springs, FL 32708  
Business (407) 327-1000 - Fax (407) 327-6652



**AFFIDAVIT OF POSTING**

**The following property has been posted with the  
NOTICE OF COBE BOARD HEARING**

120 EAST PANAMA ROAD  
WINTER SPRINGS, FL 32708

and

1126 E SR 434  
WINTER SPRINGS, FL 32708

**City of Winter Springs Case Number**  
2019CE002312

**Posted on the following date:**

October 2, 2019

**The undersigned swears and affirms that the property has been posted:**

  
\_\_\_\_\_

SIGNATURE

CAPT. MATTHEW TRACHT

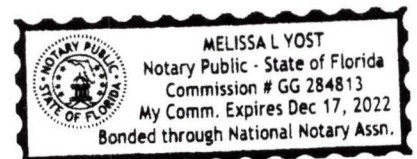
  
\_\_\_\_\_

NOTARY SIGNATURE

10-2-2019  
\_\_\_\_\_

DATE

STAMP:



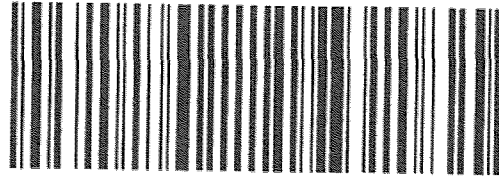




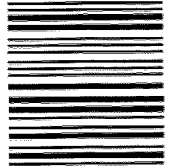
WINTER SPRINGS POL

300 North Moss Road • Wir  
Business (407) 327-1000

**CERTIFIED MAIL®**



7018 0680 0002 2899 6718



32708

U.S. POSTAGE PAID  
FCM LETTER  
WINTER SPRINGS, FL  
32708  
SEP 10, 19  
AMOUNT  
**\$6.85**  
R2304E104918-01

*AD  
9/12/19*

KAHL, MICHAEL P  
120 E PANAMA RD  
WINTER SPR

NIXIE 339 CE 1 0209/28/19

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

9400922574271230

UNC

MANUAL PROC REQ \*1201-06509-10-44

32708519910000







1023

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: *- 2312*  
 MICHAEL KAUL  
 120 E PANAMA RD  
 WINTER SPRINGS, FL  
 32708



9590 9402 4327 8190 6493 20

2. Article Number (Transfer from service label)

7018 0680 0002 2899 6718

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Registered Mail Restricted Delivery (over \$500)
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery



## Code Enforcement Division

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**Case: 2019CE002312**

**Address: 120 E Panama Road**

**Owners: Michael Kahl**

**Violations: City Ordinance 5-4, Removing Trees  
without an Arbor Permit**

**Inspector: Captain M. Tracht**

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## Code Enforcement Division

- Late afternoon on September 6, 2019, I received a voice mail from Kevin Maddox, COWS Arborist stating he was working a complaint about several trees being cut down at this residence.
- I spoke with Kevin on the telephone Monday morning September 9, 2019. He stated when he was on scene he observed “Big Mikes Tree Service” cleaning up from a job. He was unsure of how many trees were cut down and how big they were. Kevin did provide photos from Friday's contact.
- Kevin and I met on Monday afternoon in my office. During which time, Kevin received a phone call from “Big Mikes Tree Service”

# A synopsis of that phone call

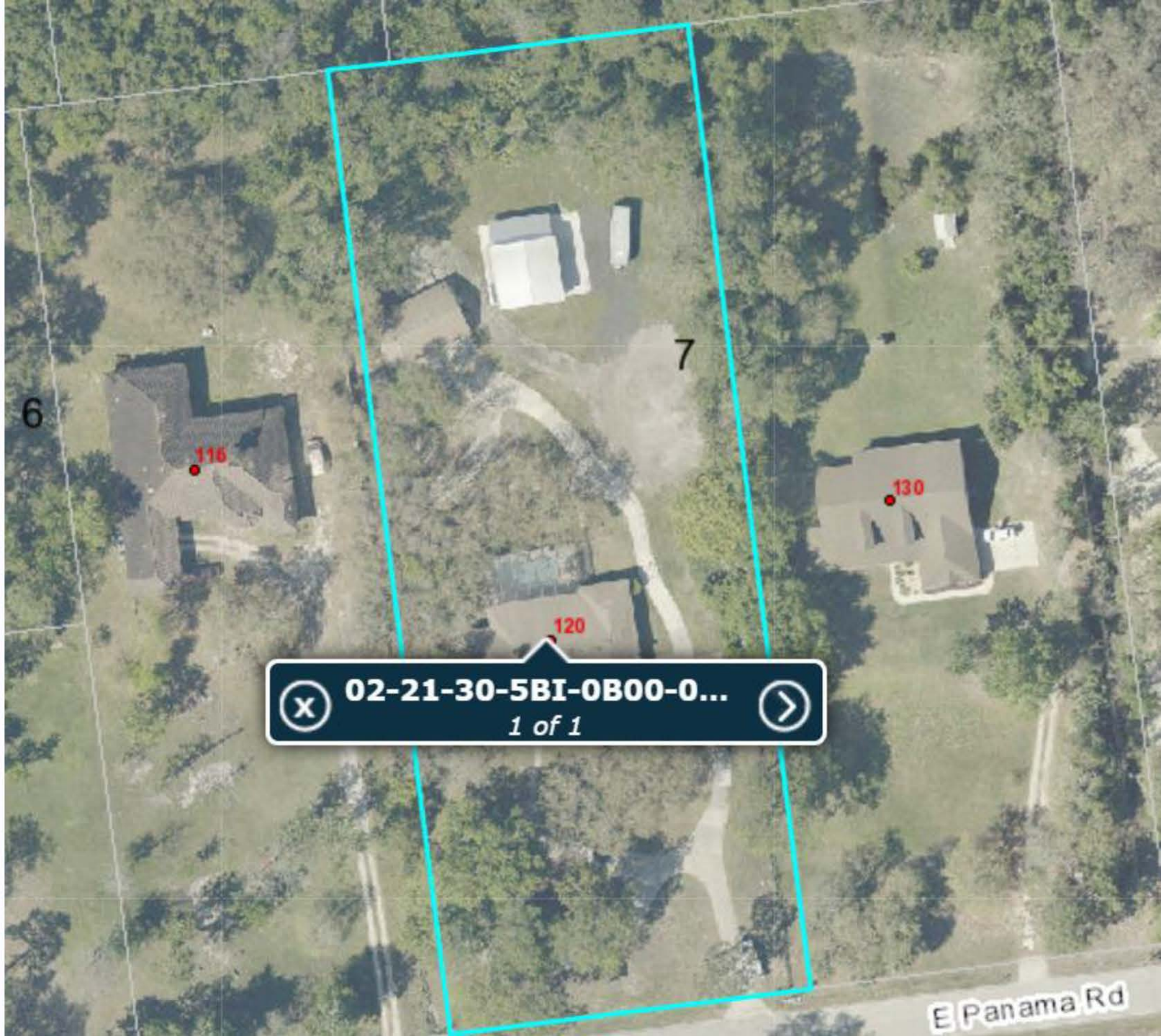
- Big Mikes Tree Service (Mike) stated they cut down
  - 3 pines
  - 2 dead
  - 5-6 oaks
  - They did not invoice the homeowner
  - The homeowner paid by credit card
  - He (Mike) is not a certified arborist





- Through this investigation I found Mr. Kahl has pulled previous permits on the following dates regarding tree removals:
  - 06-09-2017, permit 2017-1999 1 tree removed
  - 06-12-2017, permit 2017-2019 6 trees removed
  - 08-07-2017, permit 2017-2697 15 trees removed
  - 09-05-2018, permit 2018-3425 “Remove selected trees in back”





 **02-21-30-5BI-0B00-0...**   
1 of 1

E Panama Rd









09.09.2019 10:48





09.09.2019 10:48





09.09.2019 10:48



- As of this presentation, no documentation from an arborist certified by the International Society of Arboriculture or a Florida licensed landscape architect stating that these trees presented a danger to persons or property exists.

# City Code 5-18

- *Enforcement.* The city may enforce the provisions of this chapter by any lawful means including, but not limited to, issuing a civil citation, bringing charges before the city's code enforcement board or special magistrate, and seeking injunctive and equitable relief. For purposes of determining the penalties provided under this chapter, ***the removal or death of a tree in violation of this chapter shall be deemed irreparable or irreversible.***



# Penalties

- *Failure to obtain a permit under [section 5-4\(a\)](#)*: Fine of two hundred fifty dollars (\$250.00) per tree or five hundred dollars (\$500.00) per specimen or historic tree removed, not to exceed five thousand dollars (\$5,000.00).
  - Unknown exact number of trees
- *Removal of a tree without a permit*: Fine of fifty dollars (\$50.00) per caliper inch, not to exceed five thousand dollars (\$5,000.00) per tree.
  - Unknown how many caliper inches per tree

# Recommendation

- I recommend that you find the homeowner in violation of city ordinance 5-4. This is an irreparable or irreversible violation for the 8-11 trees that were removed.
- Furthermore, I recommend you follow the penalty guidelines set forth in City code 5-18.