



CODE ENFORCEMENT BOARD

REGULAR MEETING AGENDA

TUESDAY, NOVEMBER 26, 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 October 22, 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 # 2019CE002029

David A. Gabbai Irrevocable Family Trust

214 Wade Street

Winter Springs, Florida 32708

IPMC 304.7 Roofs And Drainage

Inspector: Captain Matt Tracht

Attachments: [Related Case Information](#)

501. **CASE # 2019CE002418**
Edward And Kimberly Layton
223 Mockingbird Lane
Winter Springs, Florida 32708
WS City Ord. 20-439 Parking Areas On Residential Lots
WS City Ord. 20-433 Disabled Vehicles
Inspector: Code Officer Terri Guerra
Attachments: [Related Case Information](#)

502. **CASE # 2019CE002565**
James E. Lawrence – Trustee
111 Lori Anne Lane
Winter Springs, Florida 32708
IPMC 304.6 Exterior Walls
Inspector: Code Officer Terri Guerra
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
OCTOBER 22, 2019

CALL TO ORDER

The Regular Meeting of Tuesday, October 22, 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.

No changes were made to the Agenda.

Assistant to the City Clerk Christian Gowan swore in those who would be providing Testimony during tonight's Meeting, Captain Matt Tracht and Respondents Colleen and Michael Kahl.

AWARDS AND PRESENTATIONS AGENDA

100. Not Used

CONSENT AGENDA

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

REGARDING THE SEPTEMBER 24, 2019 CODE ENFORCEMENT BOARD REGULAR MEETING MINUTES, "I WOULD LIKE TO MAKE A MOTION TO ACCEPT THE MINUTES." MOTION BY BOARD MEMBER BURNS. SECONDED BY BOARD MEMBER GILTZ. DISCUSSION.

VOTE:

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

PUBLIC HEARINGS AGENDA – CONTINUED CASES

300. Not Used

PUBLIC HEARINGS AGENDA – REPEAT CASES

400. Not Used

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**

Note: The Respondent was present.

Captain Matthew Tracht, Support Services Bureau, Police Department introduced the Case and testified, "Late afternoon on Friday September 6th, I received a voicemail call from Kevin Maddox who is the City of Winter Springs' Arborist stating that he was working a complaint that came into him about several trees that were being cut down at this residence on Panama.

I spoke with Kevin (Maddox, Landscape Manager, Urban Beautification Division, IT & Administrative Services Department) on the phone Monday morning, he stated that he was on scene, he observed a company called "Big Mike's Tree Service" cleaning up from a job. The trees had already been removed. At that – time he was unsure of how many trees had been cut down, how big they were. Our Ordinance specifies caliper inch and stuff like that. We weren't able to determine any of that. Kevin did provide some photos that he took, when he was out there Friday.

Later that Monday afternoon Kevin came to my office in which time I received a call from Big Mike's Tree Service which was Mike. That was a speakerphone call, in my office just me, Kevin, and Mike on the phone and Mike stated that three (3) pines were cut, two (2) dead trees, and five to six (5 - 6) oak trees were cut down. We asked questions, if he invoiced the owner so we'd have some type of record. He said he did not, that the owner did pay by credit card. We asked if Mike was a Certified Arborist and he has stated he is not."

Photographs were shown from "Related Case Information" with brief comments.

Continuing, Captain Tracht testified, "Through the investigation we started a Case, we found out that previous Permits had been pulled by this address, by this owner – three (3) of them in 2017 and one (1) in 2018 with this specific information on each Permit. One (1) tree, six (6) trees, fifteen (15) and then remove selected trees in the back."

Additional photographs from "Related Case Information" were then shown with further remarks.

Captain Tracht testified, "So, as of this presentation, so far no documentation has been received from an Arborist from the International Society of Arboriculture or Florida Licensed Landscaping Architect stating that the trees presented a danger to property or persons. Nothing exists to my knowledge. Nothing was presented to myself or to the Arborist at all.

Basically, City Code 5-18. deals with the enforcement part - the removal or death of a tree in violation of this chapter shall be deemed irreparable or irreversible. The trees are gone, obviously we can't put them back. Like I said before, we don't know the size of the trees, we don't know what the type of the trees are. We just have Big Mike's testimony off a cell phone."

Captain Tracht then addressed enforcement penalties and stated, "Typically our City Ordinance states a Fine of two hundred and fifty dollars (\$250.00) per tree or five hundred dollars (\$500.00) per specimen, not to exceed five thousand dollars (\$5,000.00). That is for failure to obtain a Permit. A Permit check was done; no Permit was pulled for this job. A removal of a tree without a Permit is fifty dollars (\$50) per caliper inch; like I said before, we don't know the size of these trees.

There are two (2) separate Violations, not pulling the Permit and then if we were to be able to see what was left of the tree and take those measurements, those Fines would be added as well. So, I recommend that we find the homeowner in Violation of City Ordinance 5-4.; for the irreparable or irreversible violation of eight to eleven (8 - 11) trees based on Big Mike's testimony. And, my recommendation to you on this one is you follow the guidelines set forth in City Code 5-18."

Captain Tracht entered "WS-1 Supplemental Information" into the Record.

Remarks continued.

Ms. Colleen Kahl, 120 East Panama Road, Winter Springs, Florida: testified, "As you know we recently removed a grouping of trees that were in front of our house and we would like to address why. Labor Day weekend this year was an extremely anxious time for most residents throughout Florida; Dorian a category five (5), at the time, hurricane, winds destroying the Bahamas and heading in our direction. We were preparing for the storm as all others were; trying to find water on the shelves and gas for generators and vehicles was increasingly harder.

We had many provisions and prepared the very best we could for a very unstable and needless to say, scary storm approaching. Even the experienced weathermen and women couldn't accurately predict what to expect but told us to prepare accordingly. Businesses shut down, schools were closed, and even town offices; so we knew this was a truly serious and potentially life threatening storm."

Ms. Kahl continued, “We had witnessed firsthand the destruction of trees on our property and power outages that hit us hard through Hurricane Irma and feared worse this time around. We spent weeks repairing Irma’s damage of fallen trees and still have some that are leaning and uprooting from that storm. The trees that concerned us the most however were hovering directly over our house were undoubtedly in question.

Specifically, we pointed out seven (7) trees in total that were a concern to us. Two (2) leaning over the power lines in front of our house, which we had pointed out - and five (5) directly on top of the front of our home. We had a tree company tell us that ‘There are no Permits needed right now’ and that if there were any trees that concerned us, we would be able to remove them with no issues; also indicated in Mr. Maddox’s report as being said directly to him by the same tree company. We were even told that the Governor of Florida had suspended Tree Permits. We were fed bad information and much to our detriment, we believed them and we’re here.

We are law abiding residents who have obtained Permits in the past for tree removal, paid the Fees, and even replanted trees on our property, as Mr. Maddox had pointed out in his report and supplied detailed information when we pulled the Permits, when we were inspected, and when they were closed; further verifying that we abide by the rules set forth by Winter Springs every time in the past. Never once did we want to go against the grain, or break any rules disrespectfully, or be on bad terms with our town.”

With further comments, Ms. Kahl concluded her testimony saying, “We weren’t trying to blackout our property or take advantage in any way. We focused solely on the trees that would have caused a catastrophe to our home and our safety. There are a few discrepancies with the report that I would like to address; he said he was on the scene Friday, September 6th and twenty (20) minutes prior, he received a call anonymously that the trees were being removed on that day which wasn’t true. Though the dates may not be much of a concern to some, they definitely are to us. We are making sure the committee knows that this was done prior to, not after, the Hurricane.

Seeing previously that we had removed a tree Sunday, previous to the day, on the first, due to the storm. He indicated on his report that he did not know the exact number of trees and also reports unknown how many caliper inches are the trees, yet we have a handwritten note that he says they were fifty (50) caliper. I don’t know how that can be so after the trees and stumps had been carefully removed.

I could understand if the stumps were still there, basic measurement could have been taken but that wasn't the case. This seems to be a ventured guess at best, in my opinion. We look forward to working with the town in the future and want to continue with what we feel has been a good reputation and proceed in that manner always. We look forward to being actively involved with the town and also obtaining good and correct information pertaining to all aspects moving forward."

Further comments continued.

In reference to the Respondent's testimony that the Contractor said no Permit was necessary, Board Member Dennis Robinson asked, "Did you ever follow-up and check-up on this with the City to see if that was true or did you just accept his word for that?"

Mr. Michael Kahl, 120 East Panama Road, Winter Springs, Florida: presented documents identified as "WS-2 News Stories" and "WS-3 City Website" for the Record, and said that he looked up information on the City website and on some news sites. Mr. Kahl further spoke of his personal concerns and efforts.

Mr. Maddox relayed his encounter with the Contractor, Big Mike's Tree Service and also offered clarification on the previously mentioned "hand written note" to which he stated that it referred to "fifty dollars (\$50.00) per caliper inch".

Discussion ensued on tree measurements, possible ways to determine a tree size, and potential problems these trees may have caused.

Chairperson Criswell stated, "I should probably make some full disclosure. I have known Mike for thirty-nine (39) years." Chairperson Criswell added, "I have not spoken to him about this."

Discussion then followed on the timing and status of the removal, information and research options, City-approved companies, the importance of trees in the City, and the possibility of a credit system for homeowners.

Senior City Attorney Jennifer Nix addressed Chairperson Criswell for the Record and stated, "Since this is a Quasi-Judicial Hearing, and Mr. Chair, since you knew Mr. Mike Juan and he has done work at your home, or somewhere for you - will you be biased in making your decision by that fact?" Chairperson Criswell responded, "No, because it doesn't have anything to do with Mr. Juan."

Attorney Nix then referred to the document identified as “WS-2 News Stories” and mentioned it did not accurately describe the referenced *Florida Statutes*. Comments continued on area cities, legal requirements, and tree credits.

Attorney Nix stated, “As far as the penalties that are being requested, that are applicable to this matter – in 5-18.(b)(1) and (2) are what Captain Tracht is asking for about the penalties, and that’s what are imposed - when 5-4. is addressed. The point being those penalties address failure to obtain a Permit under 5-4.(a), is a Fine of two hundred and 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). For the Board’s information, I don’t believe we’ve heard any testimony that any of the trees were necessarily specimen or historic.

And then with (b), the removal of a tree without a Permit, and it being a Fine of essentially fifty dollars (\$50.00) per caliper inch not to exceed five thousand dollars (\$5,000.00).”

Attorney Nix referred to the testimony that had been offered and reminded the Board Members, “The Board has to base its decision on competent and substantial evidence.”

Much discussion ensued on an appropriate Fine.

“I MOVE TO FIND RESPONDENT IN VIOLATION OF CITY CODE AND, BECAUSE IT IS AN IRREPLACABLE OR UNCORRECTABLE VIOLATION, THAT THE RESPONDENTS BE FINED THE AMOUNT OF ONE THOUSAND SEVEN HUNDRED AND FIFTY DOLLARS (\$1,750.00) IN ACCORDANCE WITH THE CITY ORDINANCE.” MOTION BY VICE-CHAIRPERSON KAPROW. SECONDED BY BOARD MEMBER ROBINSON. DISCUSSION.

VOTE:

CHAIRPERSON CRISWELL: AYE

VICE-CHAIRPERSON KAPROW: AYE

BOARD MEMBER GILTZ: AYE

BOARD MEMBER ROBINSON: AYE

BOARD MEMBER BURNS: AYE

MOTION CARRIED.

PUBLIC HEARINGS AGENDA – NON-COMPLIANCE CASES

600. Not Used

REGULAR AGENDA

700. Not Used

In other Board related business, Comments followed on a possible November meeting. Chairperson Criswell said, "I am in town." A quorum was then addressed to which Board Member Carole Giltz remarked, "I should be here." Vice-Chairperson Maurice Kaprow added, "I will be here." Concluding the brief discussion, Chairperson Criswell confirmed, "I think the 26th, if everybody is fine with it." No objections were voiced.

ADJOURNMENT

Chairperson Criswell adjourned the Regular Meeting at 6:44 p.m.

RESPECTFULLY SUBMITTED:

TRISTIN MOTTER
ASSISTANT TO THE CITY CLERK

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

CODE ENFORCEMENT BOARD AGENDA

ITEM 500

Informational	
Consent	
Public Hearings	X
Regular	

November
Regular Meeting

REQUEST:

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



**WINTER SPRINGS POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION**

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



August 5, 2019

GABBAI A DAVID
214 WADE ST
WINTER SPRINGS FL 32708

GABBAI A DAVID
401 COUNTRY CLUB DR
WINTER PARK, FL 32789-2903

Case #: 2019CE002029

Service Address: 214 WADE STREET, WINTER SPRINGS, FL 32708

NOTICE OF CODE VIOLATIONS

The above mentioned property has been inspected on the dates below. Please note the following violations:

Inspector

Capt. M. Tracht

Date

August 5, 2019

The cited violations are as follows:

Violation Description

Comments/Corrections Needed

IPMC 304.7 (Roof)	Roof in need of repair. Covered by insufficient blue tarps for an extended period of time.
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Failure to correct the violation(s) and to notify the Winter Springs Code Enforcement Division of the corrections will result in charges being brought against you before the City of Winter Springs Code Enforcement Board which has the power to levy fines up to \$250.00 per day for first offenses or up to \$500.00 for repeat offenses per day that the violation remains. Please note the date to have the cited violations corrected:

Corrective Action

Comments

Due Date

Notice of Code Violation Letter	See specific correction comments provided.	October 4, 2019
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Municipal Codes

Code Text

International Property Management Code 304.7	304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance
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Professionally,

Capt. M. Tracht

Certified Mailing Numbers: 7018 0680 0002 2899 6633 / 7018 0680 0002 2899 6640





**WINTER SPRINGS POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION**



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

August 5, 2019

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Case #: 2019CE002029

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Professionally,

Capt. M. Tracht

Certified Mailing Numbers: 7018 0680 0002 2899 6633 / 7018 0680 0002 2899 6640



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:

2029
 DAVID Babbari
 401 Country Club Dr.
 Winter Park, R
 32789



9590 9402 4327 8190 6493 99

2. Article Number (Transfer from service label)

7018 0680 0002 2899 6640

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
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

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:

2029
DAVID GABBAI
214 WIDE ST
WINTER SPRINGS, FL
32708



9590 9402 4327 8190 6494 05

2. Article Number (Transfer from service label)

7018 0680 0002 2899 6633

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
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

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

CERTIFIED MAIL



7018 0680 0002 2899 6633
7018 0680 0002 2899 6633

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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For delivery information, visit our website at www.usps.com™.

OFFICIAL USE

Certified Mail Fee

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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
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Postage

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Total Postage and Fees

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Sent To

DAVID GABBAI
214 WADE ST.
WINTER SPRINGS, FL 32708

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

CERTIFIED MAIL®



7018 0680 0002 2899 6640
7018 0680 0002 2899 6640

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

For delivery information, visit our website at 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

\$

Total Postage and Fees

\$

Sent To

DAVID GABBAI

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

401 BOUNDARY CLUB DR

City, State, ZIP+4®

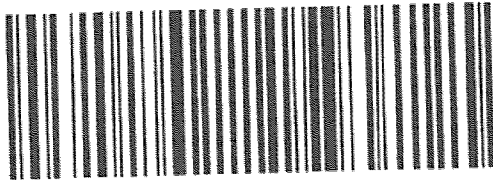
WINSTON PARK, FL 32789

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

See Reverse for Instructions



CERTIFIED MAIL

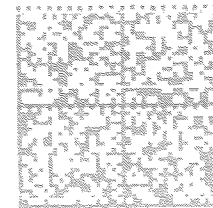


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08/06/2019
Mailed From 3, 5CB
US POSTAGE

David Gabbai
214 Wade St.
Winter Springs, FL 32708

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RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

MANUAL PROC REQ *0674-01691-07-44

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

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

2029
DAVID GABBAI
214 WIDE ST
WINTER SPRINGS, FL
32708



9590 9402 4327 8190 6494 05

2. Article Number (Transfer from service label)

7018 0680 0002 2899 6633

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent

Addressee

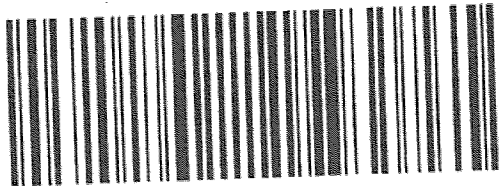
B. Received by (Printed Name)

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
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
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- Signature Confirmation Restricted Delivery

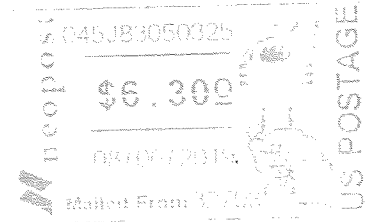
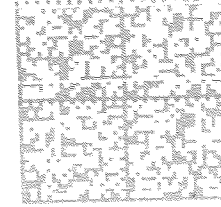


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ORLANDO
FL 328
07 AUG '19
PM 2 L



*NL
8/9/19
[Signature]*

David Gabbai
401 Country Club Dr
Winter Park, FL

NIXIE 339 CE 1 0209/08/19

RETURN TO SENDER
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MANUAL PROC REQ *0274-01499-07-44



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

SENDER: COMPLETE THIS SECTION

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1. Article Addressed to:
DAVID GABBANI 2025
401 Country Club Dr.
Winter Park, FL
32789



9590 9402 4327 8190 6493 99

2. Article Number (Transfer from service label)
7018 0680 0002 2899 6640

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X Addressee

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

D. Is delivery address different from item 1? Yes
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Domestic Return Receipt



**CITY OF WINTER SPRINGS, FLORIDA
CODE ENFORCEMENT BOARD**

CODE ENFORCEMENT BOARD,
PETITIONER,

COMPLAINT NO: 2019CE002029

vs.
RESPONDENT

PARCEL OWNER:
DAVID A GABBAI
214 WADE STREET
WINTER SPRINGS, FL. 32708

401 COUNTRY CLUB DR
WINTER PARK, FL. 32789-2903

NOTICE OF CODE BOARD HEARING & VIOLATION

Please take notice that at 5:30 P.M. on NOVEMBER 26, 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: 214 WADE STREET WINTER SPRINGS, FL. 32708

Property Owner Name: DAVID A GABBAI
Property Owner Address: 214 WADE STREET, WINTER SPRINGS, FLORIDA
The cited violation follows: IPMC: 304.7 ROOF IN NEED OF REPAIR

If the Code Enforcement Board finds your property in violation of the above referenced City Code (s) you can be fined up to \$250.00 per day for each day the violation continues 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 October 29, 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 6862
7018 0680 0002 2899 6879

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

CERTIFIED MAIL®



7018 0680 0002 2899 6862
7018 0680 0002 2899 6862

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CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee	
\$	
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____
Postage	
\$	
Total Postage and Fees	
\$	

Postmark Here

Sent To

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

City, State, ZIP+4®

214 WADE, NCV 2029
WS, R

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:

DAUD BABBAI
214 WADE ST.
WINTER SPRINGS FL
32708



9590 9402 4327 8190 6491 77

2. Article Number (Transfer from service label)

7018 0680 0002 2899 6862

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 (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

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

CERTIFIED MAIL®



7018 0680 0002 2899 6879

7018 0680 0002 2899 6879

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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For delivery information, visit our website at 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

\$

Total Postage and Fees

\$

Sent To

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

City, State, ZIP+4®

401 Country Club NCV 2029
Winnipeg Park, FL

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

See Reverse for Instructions

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:

DAVID CABBARI
401 Country Club Dr.
Winter Park, FL
32789



9590 9402 4327 8190 6491 60

2. Article Number (Transfer from service label)

7018 0680 0002 2899 6879

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®

U.S. Postal Service™
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RECEIVED 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

\$

Total Postage and Fees

\$

Sent To

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

City, State, ZIP+4®

401 Country Club NCV 2029
Winter Park, FL

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

See Reverse for Instructions

7018 0680 0002 2899 6879

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OFFICIAL USE

Certified Mail Fee

\$

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

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

Postmark
Here

Postage

\$

Total Postage and Fees

\$

Sent To

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

City, State, ZIP+4®

NCU 2029
214 WADE, WS, RI

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

See Reverse for Instructions

7018 0680 0002 2899 6862

RECEIVED
OCT 29 2019



**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**

214 WADE STREET
WINTER SPRINGS, FL 32708

and

1126 E SR 434
WINTER SPRINGS, FL 32708

City of Winter Springs Case Number
2019CE002029

Posted on the following date:

October 28, 2019

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



SIGNATURE

CAPT. MATTHEW TRACHT

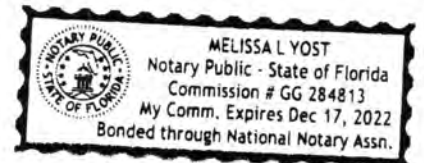


NOTARY SIGNATURE

10-28-19

DATE

STAMP:





Code Enforcement Division

Case: 2019CE002029

Address: 214 Wade Street

Mailing Address: 401 Country Club Dr. WP

Owners: David Gabbai

**Violations: International Property Management Code
(IPMC) 304.7- Roofs and Drainage**

Inspector: Captain M. Tracht

Code Enforcement Division

- On August 5, 2019 while on patrol I observed weathered blue tarps affixed to the roof of this residence.
- IPMC states that the roof shall be sound, tight, and not have defects that admit rain.
- NCV mailed with a correct by date of October 4, 2019 (60 days)



08.05.2019 10:25

- NCV Letter was mailed to both Wade Street WS & Country Club WP.
- WS & WP-NCV were returned back to sender unclaimed
- Set for CB, letter was mailed/posted at residence/CH
- WS –returned to sender unclaimed, WP as of 10/31/19 a notice was left by USPO as no authorized recipient was available.
- As of 11/14/19, violation still exists.



11.14.2019 12:14

Recommendation

- I recommend the owner be held in violation of IPMC 304.7 and be given until January 12, 2020 to come into compliance, if not a fine of \$250.00 per day be applied.

CODE ENFORCEMENT BOARD AGENDA

ITEM 501

Informational	
Consent	
Public Hearings	X
Regular	

November
Regular Meeting

REQUEST:

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



**WINTER SPRINGS POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION**



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

September 19, 2019

Edward F and Kimberly Layton
223 Mockingbird Ln
Winter Springs, Florida 32708

Case #: 2019CE002418

Service Address: 223 Mockingbird Lane, WINTER SPRINGS, FL 32708

NOTICE OF CODE VIOLATION

The above mentioned property has been inspected on the dates below. Please note the most recent date for the following violation:

Inspector

Code Officer Terri Guerra

Date

September 19, 2019

Violation Description

Comments/Corrections Needed

WS City Ord. 20-439 WS City Ord. 20.433	Rear of residence observed three vehicles parked. Vehicles appear to be disabled. Vehicles must be parked in a designated parking area.
--	---

Failure to correct the violation(s) and to notify the Winter Springs Code Enforcement Division of the corrections will result in charges being brought against you before the City of Winter Springs Code Enforcement Board which has the power to levy fines up to \$250.00 per day for first offenses or up to \$500.00 for repeat offenses per day that the violation remains.

Please note the date to have the cited violations corrected:

Corrective Action

Comments

Due Date

Notice of Code Violation	See specific correction comments provided.	October 10, 1019
--------------------------	--	------------------

Municipal Code

Code Text

WS City Ord. 20-439	<p>(a) Permitted parking locations. On residential lots, vehicles shall be parked within a garage, carport, or on a driveway and/or designated parking area.</p> <p>(b) Definitions. For purposes of this section, the following terms shall be defined as follows:</p> <p>(1) "Driveway" shall mean a path designed for vehicles, and permitted by the city, that connects a residential unit or garage with a public or private street.</p> <p>(2) "Designated parking area" shall mean a separate outdoor area on a residential lot which is designed in accordance with the requirements of this section for the parking of vehicles.</p> <p>(3) "Redeveloped" shall mean (i) a tear down of an existing residential unit for purposes of constructing a new residential unit on the same lot as the tear down; (ii) the construction of a new driveway or designated parking area on a residential lot; (iii) the construction of an additional garage or carport; and (iv) the expansion of an existing residential unit by more than fifty (50) percent of the existing gross square footage.</p> <p>(c)</p>
---------------------	---

Minimum driveway design requirements. The minimum design standards for driveways constructed on residential lots are as follows:

(1)
The width of the driveway shall not exceed the width of the garage or carport, whichever is greater. If the lot does not have a garage or carport, the minimum width shall be ten (10) feet.

(2)
The driveway shall not be located in the middle of the front yard unless the driveway is designed and permitted to be circular or unless the lot configuration, natural topography, natural feature, or entrance alignment with a public or private street prevent the driveway from being located elsewhere.

(3)
The driveway shall be constructed with one or more of the approved construction materials identified in subsection (e).

(4)
The driveway meets other applicable design standards set forth in the City Code including, but not limited to, the technical specifications set forth in chapter 9.

(d)
Minimum designated parking area design standards. The minimum design standards for designated parking areas constructed on residential lots are as follows:

(1)
A maximum of one designated parking area shall be allowed per residential lot to the extent that sufficient area exists, within the front or side yard on the lot, to safely accommodate at least one vehicle within the designated parking area.

(2)
If the designated parking area is located within the front yard, the designated parking area shall be located parallel and adjacent to one side of an existing driveway on the lot, and the designated parking area shall not extend beyond any sidewalk located on or adjacent to the lot. (See Illustration 20-439 below.)

(3)
If the designated parking area is located within the side yard, the designated parking area shall be required to extend from an existing driveway. (See attached Illustration 20-439 below.)

(4)
The designated parking area shall be constructed with one or more of the approved construction materials identified in subsection (e).

(5)
The designated parking area shall not exceed twelve (12) feet in width.

(e)
Approved construction materials. Driveways and designated parking areas on residential lots shall be constructed of the following materials:

(1)
For residential lots developed or redeveloped after August 11, 2009, driveways and designated parking areas shall be constructed of concrete, asphalt, decorative pavers, brick, Eco-brick, crushed rock, gravel, geo-web with gravel, or turf block. However, mulch may be used for designated parking areas provided an impervious border is constructed pursuant to subparagraph (e)(3).

(2)
Subject to the conditions set forth in subsection (e)(1) and (3), driveways and designated parking areas on residential lots that are existing on August 11, 2009 shall be allowed to continue to use existing construction materials, provided said materials are concrete, asphalt, decorative pavers, brick, Eco-brick, crushed rock, gravel, geo-web with gravel, turf block, mulch, bark, or compacted or stabilized earth.

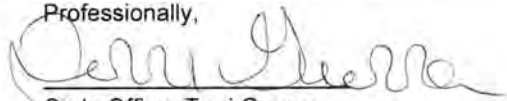
(3)
Whenever a driveway or designated parking area is constructed of gravel, geo-web, crushed rock, mulch or bark in accordance with the requirements of this section, the area shall be defined by an impervious border which is intended to reduce the migration of the materials used to construct said area.

(f)
When site construction permit required. A site construction permit shall be required from the building division, community development department, whenever impervious materials are used to construct a driveway or designated parking area, or whenever a new designated parking area is constructed on any residential lot.

(Ord. No. 2009-02, § 2, 8-10-09)

	<ul style="list-style-type: none"> ▪ (a)
<p>WS City Ord. 20-433</p>	<ul style="list-style-type: none"> • The term "disabled motor vehicle" shall refer to any motor-driven vehicle, regardless of size, which is incapable of being self-propelled upon the public streets, including a current motor vehicle license. <p style="text-align: right;">(1)</p> <p>Disabled vehicles shall not be permitted in front yards or side yards; provided, however, that a reasonable time (not to exceed forty-eight (48) hours from the time of disability) shall be permitted for the removal or servicing of a disabled motor vehicle in an emergency caused by accident or sudden breakdown of the vehicle.</p> <p style="text-align: right;">(2)</p> <p>One (1) disabled motor vehicle may be permitted in the rear yard of a residential, commercial or industrial lot as an accessory use to the main use of the lot; provided, that such vehicle is not located in any open space required by the zoning laws. Service and repair work may be performed on such vehicle, and parts, tools and equipment incidental to such service and repair thereto may be stored and used. Nothing contained herein shall be construed as authorizing the disassembling, tearing down, or scrapping of a motor vehicle or to permit one (1) motor vehicle to be scavenged, stripped for parts for some use on another vehicle; provided, however, that a disabled vehicle shall not be permitted to remain outside of a building for a period in excess of thirty (30) days on any lot used for residential purposes.</p>

Professionally,



Code Officer Terri Guerra

Certified Mailing Number: 7018 1830 0001 0779 0758

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

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7018 1830 0001 0779 0758

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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

\$

Total Postage and Fees

\$

2019 CE00
NCU 2418

Sent To

Edward + Kimberly Layton

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

223 Mockingbird Lane

City, State, ZIP+4®

Winter Springs FL 32708

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

See Reverse for Instructions

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:

Edward + Kimberly Layton
 223 Mockingbird Lane
 Winter Springs FL 32708

NEW 201ACEDDQ418



9590 9402 4327 8190 6519 89

2. Article Number (Transfer from service label)

7018 1830 0001 0779 0758

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? If YES, enter delivery address below:

- Yes
- 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
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

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RECEIVED
 SEP 19 2019

Postmark Here

Certified Mail Fee \$

Extra Services & Fees (if not in box, add fee as appropriate)

Return Receipt (hardcopy)

Return Receipt (electronic)

Certified Mail Restricted Delivery

Adult Signature Required

Adult Signature Restricted Delivery

Postage \$

Total Postage and Fees \$

Sent To

Street and Apt. No. or PO Box No. Edward + Kimberly Layton

City, State, ZIP+4® 2014200
223 Mockingbird Lane
Winter Springs FL 32703

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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:

Edward + Kimberly Layton
223 Mockingbird Lane
Winter Springs FL 32708

NCU 201ACEDD2418



9590 9402 4327 8190 6519 89

2. Article Number (Transfer from service label)

7018 1830 0001 0779 0758

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee
Edward Layton

B. Received by (Printed Name) C. Date of Delivery
Ed Ward Layton 9/23/19

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
- Mail
- Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt



**CITY OF WINTER SPRINGS, FLORIDA
CODE ENFORCEMENT BOARD**

COMPLAINT NO: 2019CE002418

CODE ENFORCEMENT BOARD,
PETITIONER,
vs.
RESPONDENT

PARCEL OWNER:
EDWARD F & KIMBERLY LAYTON
223 MOCKINGBIRD LN
WINTER SPRINGS FL
32708

NOTICE OF CODE BOARD HEARING

Please take notice that at 5:30 P.M. on November 26, 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: 223 MOCKINGBIRD LANE WINTER SPRINGS, FL 32708

Property Owner Name: EDWARD F & KIMBERLY LAYTON
Property Owner Address: 223 MOCKINGBIRD LANE WINTER SPRINGS FL 32708
The cited violation follows: WS City Ord. 20-439; WS City Ord. 20-433

If the Code Enforcement Board finds your property in violation of the above referenced City Code (s) you can be fined up to \$250.00 per day for each day the violation continues 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 11/05/19, posted on the property, and at a government office as per Florida State Statute 162.

Professionally,


Code Officer Terri Guerra

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 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:

Edward + Kimberly Layton
223 Mockingbird Lane
Winter Springs FL 32708

CG 2019CED02418

2. Article Number
(Transfer from service label)

7018 0680 0002 2900 0582

PS Form 3811, July 2013

Domestic Return Receipt

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

Certified Mail® Priority Mail Express™

Registered Return Receipt for Merchandise

Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee)

Yes

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



7018 0680 0002 2900 0582
7018 0680 0002 2900 0582

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OFFICIAL USE

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

Postage	
\$	
Total Postage and Fees	
\$	

Postmark
Here

CB 2418

Sent To	Edward + Kimberly Layton
Street and Apt. No., or PO Box No.	223 Mackinford Lane
City, State, ZIP+4®	Winter Springs FL 32708

PS Form 3800, April 2013 PSN 7530-02-000-9047 See Reverse for Instructions



WINTER SPRINGS POLICE DEPARTMENT

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

Edward + Kimberly Layton
223 Mockingbird Lane
Winter Springs FL 32708

701A 0680 0002 2900 0582
PT02

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Certified Mail Fee \$
Extra Services & Fees \$
 Return Receipt (hard copy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$

RECEIVED
NOV 05 2019

Postmark
Here

Postage \$
BY: _____
Total Postage and Fees \$

Sent To _____ CB 2418
Street and Apt. No., or PO Box No. _____
City, State, ZIP+4® _____
Edwards Kimberly Layton
22 Mockingbird Lane
Winter Springs FL 32108



**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 properties have been posted with the
NOTICE OF CODE BOARD HEARING**

223 Mockingbird Ln
WINTER SPRINGS, FL 32708

AND

1126 E STATE ROAD 434
WINTER SPRINGS, FL 32708

City of Winter Springs Case Number

2019CE002418

Posted on the following date:

November 05, 2019

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

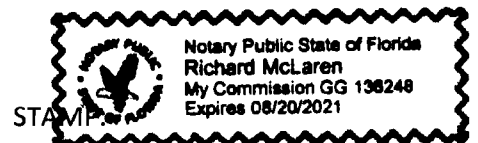
SIGNATURE

OFC TERRI GUERRA

NOTARY SIGNATURE

11/7/19

DATE





Code Enforcement Division

2019CE002418

223 Mockingbird Lane

Edward & Kimberly Layton

**Violation: WS City Ord. 20-439 Parking
areas on residential lots**

WS City Ord. 20-433 Disabled Vehicles

Date of Service: November 5, 2019

Inspector – Terri Guerra



Code Enforcement Division

- On September 19, 2019 I observed numerous vehicles that appeared to be disabled parked in the rear of the yard.
- Notice of code violation was sent to owner of property. The notice was signed for on September 23, 2019 by Edward Layton.
- Violations were not corrected by allotted time property was set for Code Board hearing.



Code Enforcement Division

- Code Board notice was sent certified and first class mail. Property and City Hall were also posted on November 5, 2019.
- USPS attempted to deliver notice as well on November 7, 2019. There was no authorized recipient available.
- There has been no contact from the owner to this point.



Right side of the residence.



Closer look at right side. Dead leaves are all over the windshield of blue vehicle.



Left side of the property.



Code Enforcement Division

My recommendation is the owner be given until January 2, 2020 to correct the violation. If violation has not been corrected a 50.00 a day fine should be imposed until rectified.

CODE ENFORCEMENT BOARD AGENDA

ITEM 502

Informational	
Consent	
Public Hearings	X
Regular	

November
Regular Meeting

REQUEST:

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



**WINTER SPRINGS POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION**

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



October 2, 2019

James E Lawrence
1170 Tree Swallow Dr # 250
Winter Springs, Florida 32708

Case #: 2019CE002565

Service Address: 111 Lori Anne Ln, WINTER SPRINGS, FL 32708

NOTICE OF CODE VIOLATION

The above mentioned property has been inspected on the dates below. Please note the most recent date for the following violation:

Inspector

Code Officer Terri Guerra

Date

October 2, 2019

Violation Description

Comments/Corrections Needed

I.P.M.C 304.6 Exterior Walls	Both sides of the building in the gable area have wood that is Rotting. Check with permitting to make sure one is not needed To when correcting violation.
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Failure to correct the violation(s) and to notify the Winter Springs Code Enforcement Division of the corrections will result in charges being brought against you before the City of Winter Springs Code Enforcement Board which has the power to levy fines up to \$250.00 per day for first offenses or up to \$500.00 for repeat offenses per day that the violation remains.

Please note the date to have the cited violations corrected:

Corrective Action

Comments

Due Date

Notice of Code Violation	See specific correction comments provided.	November 2, 2019
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Municipal Code

Code Text

I.P.M.C	All exterior walls shall be free from holes, breaks, and loose or Rotting materials; and maintained weatherproof and properly Surface coated where required to prevent deterioration
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Professionally,

Code Officer Terri Guerra

Certified Mailing Number: 7018 1830 0001 0779 1335

7018 1830 0001 0779 1335



CERTIFIED MAIL
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:

James E Lawrence
1170 Tree Swallow Dr #
Winter Springs FL 32708 250
NCV 2505



9590 9402 4327 8190 6521 91

2. Article Number (Transfer from service label)

7018 1830 0001 0779 1335

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
- Insured Mail
- Mail Restricted Delivery (0)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery



WINTER SPRINGS POLICE DEPARTMENT

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JAMES E Lawrence
1170 Tree Swallow Dr. #250
Winter Springs FL 32708

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:

James E Lawrence
1170 Tree Swallow Dr #
Winter Springs FL 32708 250
NCV 2565



9590 9402 4327 8190 6521 91

2. Article Number (Transfer from service label)

7018 1830 0001 0779 1335

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)

James E Lawrence

C. Date of Delivery

10-5-19

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
- Mail Restricted Delivery (0)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt



**CITY OF WINTER SPRINGS, FLORIDA
CODE ENFORCEMENT BOARD**

CODE ENFORCEMENT BOARD,
PETITIONER,
vs.
RESPONDENT

COMPLAINT NO: 2019CE002565

PARCEL OWNER:
JAMES E LAWRENCE-TRUSTEE
111 LORI ANNE LN
WINTER SPRINGS FL
32708

NOTICE OF CODE BOARD HEARING

Please take notice that at 5:30 P.M. on November 26, 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: 111 LORI ANNE LANE WINTER SPRINGS, FL 32708

Property Owner Name: JAMES E LAWRENCE - TRUSTEE

Property Owner Address: 1170 TREE SWALLOW DR # 250 WINTER SPRINGS FL 32708

The cited violation follows: IPMC 304.6

If the Code Enforcement Board finds your property in violation of the above referenced City Code (s) you can be fined up to \$250.00 per day for each day the violation continues 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 11/05/19, posted on the property, and at a government office as per Florida State Statute 162.

Professionally,


Code Officer Terri Guerra

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 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:

JAMES E Lawrence
 1170 Tree Swallow Dr
 #250
 Winter Springs FL 32708
 CB 2019CF002505

2. Article Number
(Transfer from service label)

7018 0680 0002 2900 0728

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

-
- Certified Mail®
-
- Priority Mail Express™
-
-
- Registered
-
- Return Receipt for Merchandise
-
-
- Insured Mail
-
- Collect on Delivery

4. Restricted Delivery? (*Extra Fee*) Yes

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.
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7018 0680 0002 2900 0728

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OFFICIAL USE

Certified Mail Fee
\$ _____

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

<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postmark
Here

03 25 05

Postage
\$ _____

Total Postage and Fees
\$ _____

Sent To
Amos E Lawrence

Street and Apt. No., or PO Box No.
1170 Tree Swallow Dr #250

City, State, ZIP+4®
Winter Springs FL 32708



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JAMES E Lawrence
1170 Tree Swallow Dr #250
Winter Springs FL 32708

7018 0680 0002 2900 0728
0090 0890 8708

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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

\$ _____ CB 2565

Sent to
 James E Lawrence
 Street and Apt. No., or PO Box No.
 110 New Swales Dr #250
 City, State, ZIP+4®
 Winter Springs FL 32708



**WINTER SPRINGS POLICE DEPARTMENT
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AFFIDAVIT OF POSTING

**The following properties have been posted with the
NOTICE OF CODE BOARD HEARING**

111 Lori Anne Lane
WINTER SPRINGS, FL 32708

AND

1126 E STATE ROAD 434
WINTER SPRINGS, FL 32708

City of Winter Springs Case Number

2019CE002565

Posted on the following date:

November 05, 2019

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

SIGNATURE

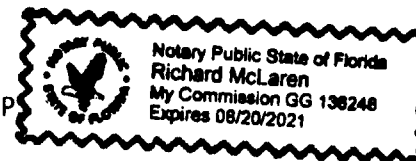
OFC TERRI GUERRA

NOTARY SIGNATURE

11/7/19

DATE

STAMP





Code Enforcement Division

2019CE002565

111 Lori Anne Ln.

James E Lawrence-Trustee

Violation: IPMC 304.6 Exterior Walls

Date of Service: November 5, 2019

Inspector – Terri Guerra



Code Enforcement Division

- October 2, 2019 I observed the wood on the gable area of the building rotting.
- On October 2, 2019 I mailed out Notice of Code Violation to owner of the property. October 5, 2019 the notice was signed for.
- November 5, 2019 I sent a certified and first class letter to the owner regarding Code Board hearing. I also posted Code Board notice at City Hall and the property on the same date.



Code Enforcement Division

- November 6, 2019 E Rivera signed for the Code Board Notice.
- There has been no contact from the owner at this time.



Left side of the property.



Right side of the property.



Code Enforcement Division

My recommendation is that the owner of the property be given until January 2, 2020 to correct the violation. If not corrected in that amount of time a 50.00 a day fine will be imposed on the owner until violation is corrected.