



**CODE ENFORCEMENT HEARING  
MINUTES**

**Monday September 10, 2018  
TOWN HALL**

The meeting was called to order at 1:00 pm by Special Magistrate for the Town of Astatula, Grant Watson. Also present was John Calhoun, code enforcement officer for the Town and Graham Wells, Town Clerk. Mr. Watson outlined that the Town would bring its case forward and the respondent would have the opportunity to reply with any testimony or evidence that would help their case. Officer Calhoun was then sworn in by the Special Magistrate and asked to bring the first case.

**Case 1 - #CE 18-05-003 - 13404 New York Avenue, Astatula, FL 34705**

Office Calhoun presented the details of the complaint.

Type of Complaint: "Tree branches, chairs, tires, metal, and back of shed is falling, tool boxes and trash, rats & snakes

5-7-18 – Complaint received.

6-20-18 – Inspection of property was done. There was debris in front of the wooden fence that is in disrepair. The yard was overgrown. There was debris throughout the backyard. The shed structure in the back was falling apart and there was high grass/growth behind it.

6-25-18 – I posted a violation letter on the property.

6-27-18 – A violation letter was sent via certified mail and was unclaimed and marked "Return to Sender"

8-7-18 – A re-inspection was done and there appeared to be no change. Digital pictures were taken. A notice of hearing was sent via certified mail. The certified card was returned signed by Rebecca Pardon.

The pictures taken on June 20, 2018 by Officer Calhoun and put up on the screen for the Special Magistrate to review. Officer Calhoun when asked if anything had been done on the property said that the front yard had been mowed and that some of the junk had been cleaned up. Some remained, and the rear of the property is unchanged.

Mr. Watson asked if the respondent was present. Ms. Celena Smith, 13404 New York Avenue, Astatula, owner of the property was duly sworn in. Rebecca Pardon, part owner of the same address was also sworn in.

They each provided an explanation of their situation. Discussion went back and forth with Officer Calhoun and the Magistrate. Mr. Watson asked whether forty-five days would be sufficient time to clear the remaining items from the yard; the owner responded that it would be.

Based on the evidence provided and the gravity of the violation he found that the property was in violation of Section 23-4 and 23-2 of the Town of Astatula code and would provide forty-five days for the property owner to clear any remaining tree limbs and junk accumulation on the property and to maintain the property in the future. If the problem is not resolved within forty-five days, then a fine of \$25.00 per day would be levied for each violation; the junk accumulation and the overgrowth on the property and will accumulate until the property is cleared. He reiterated to the homeowner that cooperation with code enforcement to get the situation resolved would be in her best interest. They should contact Officer Calhoun as soon as the problem has been resolved.

**Case 2 - # CE17-07-001 - 13429 Midway Ave, Astatula, FL 34705**

Officer Calhoun stated that the property was in Violation: Sec 23-2; Excessive or untended growth of vegetation and Sec 23-4; Accumulation of Junk and presented details of the case.

5-7-18 – Received another complaint about property. Tried to work with Mr. Burnette from last year to get the violations resolved.

6-20-18 – Another violation letter was posted on Mr. Burnette’s property.

8-8-18 – A Notice of Hearing was mailed to Mr. Burnette and the certified card was received back signed on 8-22-18.

8-20-18 – A re-inspection was done, and the property condition remained the same. Digital pictures were taken.

9-4-18 – Another inspection was completed, and the yard overgrowth had been cut down and laid out to the roadway, along with some tires and debris. There was still the accumulation of junk and debris and also a derelict white Ford van in front of the mobile home.

The property owner Mr. Alfred Burnett was sworn in and asked if he understood what was needed to resolve the problem. He articulated that he had some help to get the yard cleaned up and the van removed from the property. Mr. Watson asked if forty-five days would be enough time to remedy the situation. Mr. Burnette said that he hoped so.

Being no further discussion, Mr. Watson concluded that based on the evidence presented and the efforts made to resolve the situation he found that the property is in violation of Section 23-4 of the Town of Astatula code of ordinances and would allow forty-five days from the debris to be removed from the property and the inoperable van. If they are not removed within forty-five days, then a fine of \$25.00 per day would be imposed and would accrue until the rubbish and the van were removed from the property. He encouraged the owner to contact code enforcement immediately the debris has been removed so that it can be checked, and the violation taken off the books. He reiterated the consequences if the violation was not cured in the forty-five-day period.

**Case 3 - # CE17-03-002 - 25513 County Road 561, Astatula, FL 34705**

Officer Calhoun stated that the abandoned mobile home, was in violation of Section 11-1 Unsafe Structure and also overgrowth of vegetation. The log of event is as follows:

3-14-17 – Received anonymous complaint about the condition of the lot at CR 561 & Alabama Ave. An inspection was completed, and the lot had two structures on it. A mobile home in disrepair and an old garage that was falling apart. A violation letter was posted and sent via certified mail. Digital pictures were taken.

3-20-17 – I was contacted by Zabrina Ledford that she had power of attorney for the property and would take care of the violations. We agreed to meet at the property on 4-24-17 at 1900 hours.

4-24-17 – Met with Zabrina and James and discussed violations and agreed to extended cure date for 45 days.

5-17-17 – Met back with Zabrina and garage had been removed and overgrowth had been cut. She told me that she would continue to work on the mobile home and we also discussed the structure at the rear of the property (Alabama & Madison) that also needed attention. Told me it would be cleaned up as well.

9-4-17 – A re-inspection was done, and the mobile home was still in disrepair and open. The inside was unlivable, and the yard was starting to get overgrown again.

8-10-18 – Received another anonymous complaint that yard had gotten over grown again. Posted a notice of hearing and sent it via certified mail.

9-4-18 – Noticed that the overgrowth had been cut down, however, the mobile home still remained in disrepair. The front door was now boarded up. Digital pictures were taken. The structure to the rear of the property also had overgrowth and debris about the yard, as well as what appeared to be two derelict vehicles, a white Ford SUV and white Ford van. Digital pictures were taken.

9-10-18 – While out re-inspecting made contact with Zabrina and Sam Ledford who told me they would be at the meeting and then started to curse and tell me that they I had told them that the case was closed when I met with them and looked into the mobile home. She also said that when someone was caught ripping wiring out of the home, that the police did nothing about it. She said that her Mother was going to move into the property. They also said that they tried to call me 12-14 times. The only call I received was recently once the Hearing Notice was sent. They said that I should have contacted them, however, I tried to explain that I have to send the notice the listed property owner.

There must have been some type of miscommunication the last time we spoke in person because I praised them for removing the old garage and cutting that area, but we discussed still taking care of the mobile home and the structure at the rear because they were having people who were going to rent it move in. I took more digital pictures.

At this point Officer Calhoun went over the pictures that had been taken. The Town was requiring that the mobile home be made livable and the back cleaned up and remove the derelict vehicle.

The respondent James Ledford, River Crescent, Arcadia was sworn in and gave his testimony. Sabrina Ledford was also sworn in. The respondent felt that forty-five days would be necessary to fix the property to make it habitable with electric.

Mr. Watson said that efforts had been made to clean the property up but, on the evidence, presented he found the property is in violation of Section 11-1 of the Town of Astatula code in terms of the uninhabitable structure as it does not have power. It was suggested that the Towns building inspector take a look at the property to establish what needs to be done to bring the property up to code. Forty-five days were given to make the property habitable and clean the overgrowth and debris in the yard. If it is not done in the time given, then a fine of \$25.00 per day will accrue until it is made habitable.

At this time the record reflects that Mr. Watson was being shown pictures of an unrelated property on the respondent's cellphone.

**Case 4 - # CE17-03-003 - 25529 County Road 561, Astatula, FL 34705**

Office Calhoun outlined the history of the case and his log of events is shown below. The property has an unsafe Structure, singlewide mobile home & Overgrowth of the Lot. The owner is recorded as Steven Sheoski, 3800 5th St, St. Cloud, FL 34769. Officer Calhoun showed pictures of the property which was in disrepair and abandoned. The property was also extensively overgrown. Officer Calhoun made a correction in one of the notices. The Town was requesting that the property be cleared and mowed, and the structure brought up to code. It was also requesting a lesser time to cure the violation of fifteen to twenty days.

3-1-17 – Believing that the parcel was part of 25513 CR 561 at the beginning of March I initiated a case.

3-14-17 – No local information for the owner could be located. A violation letter was sent via certified mail and letter was posted on the property. Digital pictures taken.

3-20-17 – Received certified mail card back showing it was delivered and signed on 3-17-17, however letter in envelope was also received back unopened and “Return to sender”.

5-1-17 – Re-inspection was done and no changes to property’s condition were seen.

10-24-17 – Another re-inspection was done and still no changes. Digital pictures were taken.

10-25-17 – 2nd Violation letter was sent via regular mail.

3-15-18 – Attempted to find contact information on the owner with negative results. Took more digital pictures of property getting worse with overgrowth.

8-8-18 – Inspected property again and no change.

8-9-18 – A certified letter was sent to owner advising of Hearing and letter was posted on property.

8-20-18 – Letter was returned with “Return to Sender”

Special Magistrate Watson asked if the respondent was present; he was not. Mr. Watson concluded that based on the evidence provided, the gravity of the violation and lack of effort to cure he found that the property was in violation of Section 11-1 for the unsafe structure and 23-2 of the code for the excessive overgrowth on the property. He gave twenty days for the respondent to demo the mobile home or bring it up to code making it a habitable structure and removal of the overgrowth and maintain the property. If it is not cured within the Twenty days, then a fine of \$25.00 per day for each violation would accrue until the property was brought into compliance.

**Case 5 - # CE18-05-004 - 24846 County Road 561, Astatula, FL 34705**

Office Calhoun outlined the violation of an unsafe structure, overgrown yard. His log of events is shown below: He showed pictures of the pole barn and the overgrown yard. The Towns building inspector has looked at the structure and confirmed that it is unsafe.

5-23-18 – Received complaint letter from neighbor in reference to abandoned property and overgrown yard, as well as pole barn.

6-20-18 – Inspection of property was done. The home is an abandoned mobile home and the yard had debris and was overgrown. A records check could not reveal any local information and the owners only had a listed PO box.

6-25-18 – A violation notice was posted on the property.

6-27-18 – A certified letter of violation was sent to the listed PO Box. The letter was returned “Attempted” to be delivered.

8-8-2018 – A re-inspection of the property was completed and appeared to be the same. A letter of Hearing was then sent via certified mail.

8-12-18 – The letter was returned unclaimed and “Return to Sender”

9-7-18 – Digital pictures of the property were taken. Notice of Violation: 6-20-18

Special Magistrate Watson asked if the respondent was present; he was not. Mr. Watson concluded that based on the evidence provided, the gravity of the violation and lack of effort to cure he found that the property was in violation of Section 11-1 based on the inspector’s report for the unsafe structure and 23-2 of the code for the excessive overgrowth on the property. He gave twenty days for the respondent to bring the structure up to code and removal of the overgrowth and maintain the property. If it is not cured within the Twenty days, then a fine of \$25.00 per day for each violation would accrue until the property was brought into compliance.

## ADJOURNMENT

With no further business the meeting was adjourned at 2:09 pm

Respectfully submitted,



Mr. Grant Watson, Special Magistrate

ATTEST:



Graham Wells, Town Clerk

