



LAKE MARY CODE ENFORCEMENT BOARD

**Lake Mary City Hall
100 N. Country Club Road**

Regular Meeting AGENDA

TUESDAY, JANUARY 16, 2024 7:00 PM

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call - Determination of Quorum**
- 4. Approval of Minutes of July 18, 2023**
 - A. July 18, 2023 Meeting Minutes**
- 5. Oath**
- 6. Case Updates**
 - A. Case 23-0912 City of Lake Mary vs Lake Mary Business Center One**
 - B. Case 23-1143 City of Lake Mary vs Dorothy Harris**
- 7. Old Business (Compliance Hearing)**
- 8. New Business**
- 9. Open Discussion**
- 10. Next Scheduled Meeting: March 19, 2024**
- 11. Adjournment**

NOTE: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS 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, FLORIDA STATUTES 286.0105.

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY ADA COORDINATOR AT LEAST 48 HOURS IN ADVANCE OF THE MEETING AT 407-585-1424.

MATERIALS AND EXHIBITS RELATED TO THE AGENDA ITEMS WERE PREVIOUSLY PROVIDED TO THE MEMBERS OF THE CODE ENFORCEMENT BOARD. A COPY OF THE MATERIALS AND EXHIBITS ARE AVAILABLE UPON REQUEST.

MEETING MINUTES – JULY 18, 2023
THE CITY OF LAKE MARY, FLORIDA
CODE ENFORCEMENT BOARD HEARING
100 N. COUNTRY CLUB ROAD, LAKE MARY, FL 32746

1. Call to Order

The meeting was called to order at 7:00 p.m.

2. Pledge of Allegiance

3. Roll Call – Determination of a Quorum

a. The following members were present:

Henry Scarfo, Chairman

Richard Schulz, Vice Chair

George Distler

David Vallillo

Timothy Vogt

Kevin Walsh

Daniel Lopez – excused absence approved by Chairman Scarfo

Bruce Fleming – Code Enforcement Officer

Jennifer Nix – Code Enforcement Board Attorney

Brenda Vazquez – Recording Secretary

4. Approval of Minutes

Motion: To approve the minutes from the May 16th, meeting.

A motion to approve the minutes was made by Kevin Walsh and seconded by Richard Schulz. The motion was passed unanimously.

5. Oath

a. Chairman Scarfo requested Oath be given to Bruce Fleming, Code Enforcement Officer, and respondents. The Oath was accepted by everyone.

6. Case Updates

Case 23-0182 City of Lake Mary vs Reyna Bernstein – the property was in violation of an accumulation of disabled vehicles. This case has been brought to compliance; case has been closed.

Case 23-0677 City of Lake Mary vs Shaun J. Briggs – respondent was in violation of land usage. This case has been brought to compliance; case has been closed.

7. Old Business

Case 22-2266 City of Lake Mary vs 7-Eleven

The business has been in violation of obtaining a digital sign which displays gasoline costs. The business was ordered by the board, to bring the property into compliance by May 23, 2023. Code Enforcement Officer Fleming conducted an inspection, the violation remains. Chairman Scarfo accepted the slide presentation as evidence.

Timothy Vogt made a motion to confirm the business remains in violation and proceeded with a motion to fine the business \$250 a day effective May 27, 2023. Kevin Walsh seconded the motion. The motion was passed unanimously.

Case 22-2297 City of Lake Mary vs Edward B. Wilson & Jessica Wilson

The property was in violation of general maintenance and was expected to be in compliance by July 11, 2023, otherwise, the homeowner will incur a fine of \$250 per day. A slide presentation was submitted as evidence and accepted by Chairman Scarfo. Code Enforcement Officer Fleming visited the property on July 11, 2023, to inspect the property, and informed the homeowner the property remained non-compliant. On July 13, 2023, Code Enforcement Officer Fleming returned to the property, which was cleaned and in compliance.

Richard Schulz made a motion to find the respondent non-compliant on July 11, 2023, as initially ordered. He made another motion to waive the fine for the two days which the property remained non-compliant. Recommends the property will be in repeat violation should this issue occur again, which the respondent may incur a fine of up to \$500 a day. George Distler seconded the motion. The motion was passed unanimously.

8. New Business

Case 23-0912 City of Lake Mary vs Lake Mary Business Center One

Kathleen Hoyt, representative for Lake Mary Business Center One advised the lighting has been brought to code and kelvins have been reduced from 5000 to 4000. The company is in the process of adding a visor to the lights, to prevent the brightness from entering the complainant's home. However, these visors are on backorder at this time and will take approximately four weeks for delivery. A slide presentation was submitted as evidence and accepted by Chairman Scarfo. Michael Sheehan, complainant, stated the lights remain an issue although they have been adjusted, specifically the light on the west side of the wall.

Board is requesting hard copies of documentation as well as the photometric analysis for board review and discussion. The analysis should reflect the final plans and adjustments met. These documents should be brought to the September meeting.

Timothy Vogt made a motion to continue this case onto the September 19, 2023, meeting to allow all parties to remedy the issue. George Distler seconded the motion. The motion was passed unanimously.

Case 23-1143 City of Lake Mary vs Dorothy Harris

The property is in violation due to the general condition of the property. Code Enforcement Officer Fleming submitted a slide presentation as evidence and was accepted by Chairman Scarfo.

Timothy Vogt made a motion to find the property in non-compliance. Kevin Walsh seconded the motion and was carried unanimously.

Timothy Vogt made a motion to impose a fine of \$250 a day effective August 1, 2023. George Distler seconded the motion. The motion was passed unanimously.

9. Open Discussion
No open discussion.

10. Setting of the next meeting: The next meeting will be held on July 18, 2023.

11. Adjournment

Henry Scarfo adjourned the meeting at 8:02 P.M.

Henry Scarfo, Chairman

Brenda Vazquez, Secretary

Date

CITY OF LAKE MARY POLICE DEPARTMENT

June 28, 2023

CITY OF LAKE MARY,

CEB Case: 23-0912

Petitioner,

vs

Big Box Property Owner LLC
5 Bryant Park
1065 Sixth Ave
RM 28
New York NY 10018

9171 9690 0935 0287 1366 73

&

Cushman & Wakefield
2600 Lake Lucien Dr
Suite 300
Maitland FL 32751

9171 9690 0935 0287 1366 80

Respondent(s),

STATEMENT OF VIOLATION
AND
REQUEST FOR HEARING

Pursuant to Title III, Chapter 30, Code of Ordinances, City of Lake Mary Florida, the undersigned Code Enforcement Official hereby gives notice of an uncorrected violation(s) of Code, of the City of Lake Mary, Florida, as more particularly described herein, and hereby requests a public hearing before the Code Enforcement Board of the City of Lake Mary, Florida. Should this property come into compliance prior to the date of the hearing immediately notify code enforcement and this case may be withdrawn.

Please take notice that on July 18, 2023 at 7:00P.M. in the Commission Chambers, 100 N Country Club Road, Lake Mary, Florida 32746 the City of Lake Mary Code Enforcement Board will hold a public hearing to determine why you should not be found in violation of the City Code(s) as follows:

STATEMENT OF PURPOSE

THE LAKE MARY POLICE DEPARTMENT EXISTS TO PRESERVE LIFE AND PROPERTY; TO ENFORCE THE LAW; AND TO PROTECT THE RIGHT OF ALL CITIZENS TO LIVE IN PEACE.

CEB 23-0912 City vs. Big Box Property Owner LLC



MICHAEL L BILES
CHIEF OF POLICE, N.A. 263
407.585.1350

165 E. CRYSTAL LAKE
AVENUE
LAKE MARY, FLORIDA
32746

NON-EMERGENCY
407.585.1330

FACSIMILE
407.585.1375

mbiles@lakemaryfl.com

WEBSITE
www.lakemaryfl.com

KEVIN SMITH
CITY MANAGER



Accredited Since
2005

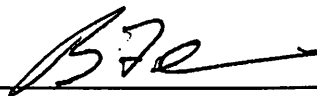
1. **Title XV Land Usage, Chapter 154 Zoning Code, §154.22 Outdoor Lighting Standards**
2. **Location/address where violation exists:** Lake Mary Business Center One, 1150 Emma Oaks Trl., Lake Mary FL 32746
Parcel ID: SEC 24 TWP 20S RGE 29E etc.
3. **Name and address of owner/person in charge of location where violation exists:** Big Box Property Owner, 5 Bryant Park, 1065 Sixth Ave., RM 28, New York, NY 10018 & Cushman & Wakefield, 2600 Lake Lucien Dr., Suite 300, Maitland, FL 32751
4. **Description of Violation:** I received an electronic complaint on May 18, 2023 concerning a light nuisance emitting from the business located at 1150 Emma Oaks Trail Suite 100. The reporter resides at 1808 Pine Bay Drive directly across the street from the business. I contacted the business owner and I was advised that Cushman & Wakefield, the property management company, had recently installed new LED lights at the entire building and he provided me with the contact information for the property management company. I spoke with the Cushman & Wakefield representative KRISSTEN AYALA and she advised me that she would have their electrician make adjustments to the lighting. On May 25, 2023 I received another complaint from the reporter indicating that there had been no change in the lighting. Consistent with code, outdoor lighting must be arranged to not create a hazard or nuisance to traffic or to adjacent property. Outdoor light fixtures are required to conceal the actual source of the light or disperse the light so that the fixture reduces the glare and directs light to specific areas while shielding others.
5. **Date violation first observed:** May 18,2023
6. **Date property owner/person in charge given notice of the violation**
Certified notice was sent to the property owner and the property management company on May 26, 2023. On May 30, 2023 certified notice of code violation was received by the property management company in Maitland consistent with the provisions of the Lake Mary Code of Ordinances and FS 162. Said

Notice of Violation was not received by the property owner. The Request for Hearing certified mail was sent on June 29, 2023.

7. **Date violation ordered to be corrected:** Immediately after receipt of notice. My follow up inspection on June 28, 2023 revealed no change to the complaint.
8. **Date of Final Inspection:** June 28, 2023
9. **Results of final inspection:** The condition described remained unchanged.

Based upon the foregoing, the undersigned Code Enforcement Official hereby certifies that the above-described violation has existed or has been repeated, that attempts to secure compliance with the Code(s) of the City of Lake Mary Florida have failed as aforesaid, and that the violation(s) should be referred to the Code Enforcement Board of the City of Lake Mary, Florida for public hearing. The City requests the Code Enforcement Board find this property in violation of the aforementioned ordinance(s), thereby order the respondent to pay a fine of \$250/day for each day the violation(s) continues. Treat any recurrences as a REPEAT VIOLATION and order the Respondent pay a fine of \$500/day beginning on the day the repeat violation is first observed.

DATED this 28th day of June 2023



Bruce Fleming
Code Enforcement Official
CC: file

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Latest Update

Your item was delivered to the front desk, reception area, or mail room at 1:28 pm on July 3, 2023 in NEW YORK, NY 10018.

Delivered

Delivered, Front Desk/Reception/Mail Room

NEW YORK, NY 10018

July 3, 2023, 1:28 pm

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<https://reg.usps.com/xsdl?app=UspsTools&ref=homepageBanner&appURL=https%3A%2F%2Finformeddelivery.usps.com/box/pages/intro/start.action>)

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Latest Update

We were unable to deliver your package at 10:37 am on July 1, 2023 in MAITLAND, FL 32751 because the business was closed. We will redeliver on the next business day. No action needed.

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Delivery Attempt

Redelivery Scheduled for Next Business Day
MAITLAND, FL 32751
July 1, 2023, 10:37 am

Departed USPS Regional Facility

LAKE MARY FL DISTRIBUTION CENTER
June 30, 2023, 10:54 pm

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FAQs

CITY OF LAKE MARY POLICE DEPARTMENT

May 26, 2023

CEB 23-0912

Big Box Property Owner
5 Bryant Park
1065 Sixth Ave
RM 28
New York NY 10018

9171 9690 0935 0287 1364 99

&
Cushman & Wakefield
2600 Lake Lucien Dr
Suite 300
Maitland FL 32751

9171 9690 0935 0287 1365 05

RE: 1150 Emma Oaks Trl.
Lake Mary FL 32746
Parcel Id: 24-20-29-300-014A-0000
Plat: SEC 24 TWP 20S RGE 29E etc.

NOTICE OF CODE OF VIOLATION

Dear Property Owner(s):

You are hereby notified, as the owner/agent of the subject property that the subject property is in violation of the City of Lake Mary Code of Ordinances, Title XV Land Usage, Chapter 154 Zoning Code, §154.22 Outdoor Lighting Standards.

I received an electronic complaint about the newly installed nighttime lights creating a disturbance in the neighboring residential property across the street. I spoke with the representative of the property management company and I was told that new led lights were recently installed at the subject property and they would have the electrician make adjustments to the lighting to alleviate the concern. Outdoor lights must be arranged to not create a hazard or nuisance to traffic or to adjacent property. Outdoor light fixtures are required to conceal the actual source of the light or disperse the light so that the fixture reduces glare and directs the light to specific areas while shielding others.

In order to bring the subject property into compliance you are being required to:

1. Adjust the light fixtures so as not to create a nuisance to the neighboring properties.
2. Notify code enforcement for re-inspection.

STATEMENT OF PURPOSE

THE LAKE MARY POLICE DEPARTMENT EXISTS TO PRESERVE LIFE AND PROPERTY; TO ENFORCE THE LAW; AND TO PROTECT THE RIGHT OF ALL CITIZENS TO LIVE IN PEACE.



MICHAEL L BILES
CHIEF OF POLICE, N.A. 263
407.585.1350

165 E. CRYSTAL LAKE
AVENUE
LAKE MARY, FLORIDA
32746

NON-EMERGENCY
407.665-6445

FACSIMILE
407.585.1375

mbiles@lakemaryfl.com

WEBSITE
www.lakemaryfl.com

KEVIN SMITH
CITY MANAGER



Accredited Since
2005

Contact the Office of Code Enforcement will when you have brought this property into compliance. A final inspection will be scheduled ten (10) days after receipt of this notice and code enforcement will continue to monitor this location to determine compliance. Failure to correct the aforementioned violation(s) may result in referral of this matter to the Code Enforcement Board. Pursuant to Florida Statute, § 162.09 (2a), the Code Enforcement Board may levy fines up to \$250.00 a day, each day the violation continues and up to \$500.00 a day for repeat violations.

You may elect to request a hearing before the Code Enforcement Board within 10 (ten) days of receipt of this notice to determine the validity of the alleged violation(s). It is the desire of the City to work with you in resolving this matter. Should you have any questions or concerns, please feel free to call me at (407) 585-1365.

Sincerely,



Bruce Fleming

Code Enforcement Official

bfleming@lakemaryfl.com

cc: file

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- **In Transit to Next Facility, Arriving Late**
June 5, 2023

- **Departed USPS Regional Facility**
LAKE MARY FL DISTRIBUTION CENTER
June 1, 2023, 11:24 pm

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Property Record Card



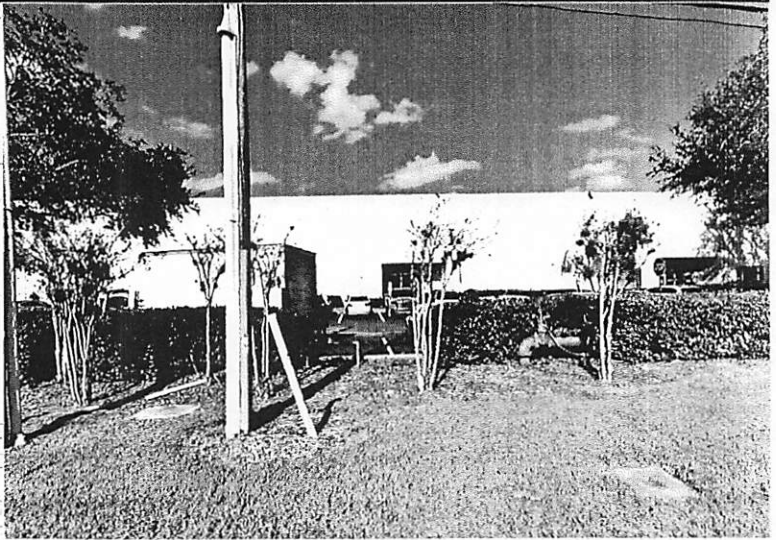
Parcel 24-20-29-300-014A-0000

Property Address 1150 EMMA OAKS TRL LAKE MARY, FL 32746

Parcel Location



Site View



242029300014A0000 12/05/2021

Parcel Information

Parcel	24-20-29-300-014A-0000
Owner(s)	BIG BOX PROPERTY OWNER C LLC
Property Address	1150 EMMA OAKS TRL LAKE MARY, FL 32746
Mailing	5 BRYANT PARK 1065 SIXTH AVE, RM 28 NEW YORK, NY 10018-2075
Subdivision Name	
Tax District	M1-LAKE MARY
DOR Use Code	4102-COMMERCE CENTER
Exemptions	None
AG Classification	No

Value Summary

Valuation Method	2023 Working Values	2022 Certified Values
	Income	Income
Number of Buildings	1	1
Depreciated Bldg Value		
Depreciated EXFT Value		
Land Value (Market)		
Land Value Ag		
Just/Market Value	\$9,727,223	\$8,547,986
Portability Adj		
Save Our Homes Adj	\$0	\$0
Amendment 1 Adj	\$885,984	\$510,496
P&G Adj	\$0	\$0
Assessed Value	\$8,841,239	\$8,037,490

2022 Certified Tax Summary

2022 Tax Amount without Exemptions	\$120,714.66	2022 Tax Savings with Exemptions	\$4,421.92
2022 Tax Bill Amount	\$116,292.74		

* Does NOT INCLUDE Non Ad Valorem Assessments

Legal Description

SEC 24 TWP 20S RGE 29E
W 988.35 FT OF E 1744.72 FT OF S
726.7 FT OF N 1076.7 FT GOVT LOT 2
& BEG 203.2 FT S & 756.37 FT W OF
NE COR GOVT LOT 2 RUN W 153.35 T S
146.8 FT E 153.35 FT N 146.8 FT TO
BEG

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Latest Update

Your item was delivered to an individual at the address at 12:54 pm on May 30, 2023 in MAITLAND, FL 32751.

Delivered

Delivered, Left with Individual

MAITLAND, FL 32751
May 30, 2023, 12:54 pm

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Bruce Fleming

912

From: noreply@civicplus.com
Sent: Thursday, May 18, 2023 10:07 AM
To: Bruce Fleming
Subject: Online Form Submittal: Report Possible Code Violation

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- City of Lake Mary IT Department

Report Possible Code Violation

Disclaimer

Per Florida Statute 162.21, effective July 1, 2021, anyone submitting a code violation report must provide their name and address. We cannot investigate anonymous complaints.

Date of Alleged Violation	5/18/2023
Address/Location of Occurrence	1150 Emma Oaks Trail #100, Lake Mary, FL 32746
Describe in detail what you believe to be the Violation	LED security lights on this building are too bright and angled too far out shining light through my patio and sliding glass doors at 1808 Pine Bay Dr. I believe this deteriorates the enjoyment of my pool and patio at night.
Your Name	Michael Sheehan
Your Address	1808 Pine Bay Dr.
City	Lake Mary
State	FL
Zip Code	32746
Phone Number	407-739-9499
Email Address	michael.sheehan13@gmail.com
Would you like us to contact you regarding this matter?	Yes

Bruce Fleming

From: Michael Sheehan <michael.sheehan13@gmail.com>
Sent: Thursday, May 25, 2023 8:13 AM
To: Bruce Fleming
Subject: Re: 1150 Emma Oaks Trail #100

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- City of Lake Mary IT Department

Good morning Bruce,
No change in the lighting, still as bright as ever. Thank you for pursuing!

Mike Sheehan

On Wed, May 24, 2023 at 2:39 PM Bruce Fleming <BFleming@lakemaryfl.com> wrote:

Good afternoon,

We spoke last week about a complaint that I received on the light shining into the house at 1808 Pine Bay Drive. During our conversation you stated that you had recently installed new lighting and you would have your electrician adjust the light to alleviate this concern. Can you provide me with an update?

Regards,

Bruce Fleming

Code Enforcement Official

Lake Mary Police Department

165 E Crystal Lake Ave.

Lake Mary FL 32746

O 407-585-1365

C 321-200-2764

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from City officials regarding City business are public records available to the public and Media upon request. Your e-mail communications may be subject to public disclosure.

Bruce Fleming

From: Bruce Fleming
Sent: Friday, May 26, 2023 7:57 AM
To: Michael Sheehan
Subject: RE: 1150 Emma Oaks Trail #100

Ok Michael I am working on it.

Bruce Fleming
Code Enforcement Official
Lake Mary Police Department
165 E Crystal Lake Ave.
Lake Mary FL 32746
O 407-585-1365
C 321-200-2764

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From: Michael Sheehan <michael.sheehan13@gmail.com>
Sent: Friday, May 26, 2023 7:51 AM
To: Bruce Fleming <BFleming@lakemaryfl.com>
Subject: Re: 1150 Emma Oaks Trail #100

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- City of Lake Mary IT Department

Good morning Bruce,

The lights in question remain the same. If the electrician came out yesterday then he missed the lights on the west end of the building. All lights on the south facing side of the building are pointed down. I think they were already pointed down when they were installed because it's more obvious to avoid shining them at the neighborhood. But lights on the west end are turned up so they shine out brightly. Thank you for pursuing this!

Mike Sheehan

On Thu, May 25, 2023 at 9:50 AM Bruce Fleming <BFleming@lakemaryfl.com> wrote:

I just spoke with the property management company and they said they will be out today.

From: Michael Sheehan <michael.sheehan13@gmail.com>
Sent: Thursday, May 25, 2023 8:13 AM

Bruce Fleming

From: Michael Sheehan <michael.sheehan13@gmail.com>
Sent: Sunday, June 4, 2023 8:48 PM
To: Bruce Fleming
Cc: krissten.ayala@cushwake.com
Subject: Re: 1150 Emma Oaks Trail
Attachments: brighthlight.jpg

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- City of Lake Mary IT Department

Mr. Fleming,

I appreciate any attempts that may have been made to resolve this issue of bright lights from the building into my backyard but unfortunately it has not made a difference. I took this picture of the most significant lights on the west facing side of the building and as I looked upon it, I thought, maybe they are mounted too high or maybe they could have used a softer light. But either way, the LED's are just overkill and light is blasted far beyond the intended target. There are also street lamps in that parking lot so it's lit up like time square and it's just little ol' Lake Emma Rd. I have heard that Duke energy has provided light shields/deflectors on street lamps that were a nuisance so maybe something like that could be installed around the fixture to block light from going out? Or maybe a new bulb all together? Many viable options are available to rectify this for everyone, I'm sure. Thank you for your ongoing help!

Regards,
Mike Sheehan

On Fri, May 26, 2023 at 10:10 AM Bruce Fleming <BFleming@lakemaryfl.com> wrote:

Attached please find the notice of code violation sent to the property owners and the property management company via certified mail requiring the light fixtures be adjusted to alleviate this concern.

Regards,

Bruce Fleming
Code Enforcement Official
Lake Mary Police Department
165 E Crystal Lake Ave.
Lake Mary FL 32746
O 407-585-1365
C 321-200-2764

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To: Bruce Fleming <BFleming@lakemaryfl.com>

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Regards,

Bruce Fleming

Code Enforcement Official

Lake Mary Police Department

165 E Crystal Lake Ave.

Lake Mary FL 32746

O 407-585-1365

C 321-200-2764

Bruce Fleming

From: Bruce Fleming
Sent: Thursday, June 29, 2023 9:08 AM
To: krissten.ayala@cushwake.com
Subject: 1150 Emma Oaks Trl.
Attachments: 20230629092246297.pdf

Good Morning,

We spoke recently about a complaint on the outdoor lighting at this location. Since that time I continue to receive complaints therefore this matter is set for a public hearing before the Lake Mary Code Enforcement Board, July 18, 2023 in the Commission Chambers. I have attached a copy of the request for hearing for your convenience. Should have any questions please contact me via email or at one of the numbers below.

Regards,

Bruce Fleming
Code Enforcement Official
Lake Mary Police Department
165 E Crystal Lake Ave.
Lake Mary FL 32746
O 407-585-1365
C 321-200-2764

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from City officials regarding City business are public records available to the public and Media upon request. Your e-mail communications may be subject to public disclosure.

Bruce Fleming

From: Bruce Fleming
Sent: Thursday, July 6, 2023 9:54 AM
To: bcastillo@dalfen.com
Subject: 1150 Emma Oaks Trail
Attachments: 20230706101136228.pdf

Please find attached my notice of code violation and my request for public hearing on July 18, 2023. Should you have any questions please contact me.

Regards,
Bruce Fleming
Code Enforcement Official
Lake Mary Police Department
165 E Crystal Lake Ave.
Lake Mary FL 32746
O 407-585-1365
C 321-200-2764

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Bruce Fleming

From: Bruce Fleming
Sent: Thursday, July 13, 2023 8:01 AM
To: Michael Sheehan
Subject: RE: 1150 Emma Oaks Trl

Ok Michael this matter is set for consideration by the code board next Tuesday. Will you be able to attend?

Bruce Fleming
Code Enforcement Official
Lake Mary Police Department
165 E Crystal Lake Ave.
Lake Mary FL 32746
O 407-585-1365
C 321-200-2764

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From: Michael Sheehan <michael.sheehan13@gmail.com>
Sent: Wednesday, July 12, 2023 9:07 PM
To: Bruce Fleming <BFleming@lakemaryfl.com>
Subject: Re: 1150 Emma Oaks Trl

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
- City of Lake Mary IT Department

No improvement Bruce. This is still a problem.

Mike

On Wed, Jul 12, 2023 at 7:39 AM Bruce Fleming <BFleming@lakemaryfl.com> wrote:

Cushman/Wakefield advised me this morning that they adjusted the lights yesterday. Can you advise if this is still a problem.

Bruce Fleming
Code Enforcement Official
Lake Mary Police Department

Bruce Fleming

From: Bruce Fleming
Sent: Thursday, July 13, 2023 8:05 AM
To: kathleen.hoyt@cushwake.com
Subject: 1150 Emma Oaks Trl

Kathleen will it be possible for a representative from Cushman/Wakefield to attend the meeting next Tuesday night?

Bruce Fleming
Code Enforcement Official
Lake Mary Police Department
165 E Crystal Lake Ave.
Lake Mary FL 32746
O 407-585-1365
C 321-200-2764

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from City officials regarding City business are public records available to the public and Media upon request. Your e-mail communications may be subject to public disclosure.

Bruce Fleming

From: Bruce Fleming
Sent: Thursday, July 13, 2023 9:45 AM
To: Michael Sheehan
Subject: RE: 1150 Emma Oaks Trl

Thank you it's at Commission Chambers 100 N. Country Club Road at 7:00PM

From: Michael Sheehan <michael.sheehan13@gmail.com>
Sent: Thursday, July 13, 2023 9:34 AM
To: Bruce Fleming <BFleming@lakemaryfl.com>
Subject: Re: 1150 Emma Oaks Trl

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

- City of Lake Mary IT Department

Yes, I will attend

On Thu, Jul 13, 2023 at 8:00 AM Bruce Fleming <BFleming@lakemaryfl.com> wrote:

Ok Michael this matter is set for consideration by the code board next Tuesday. Will you be able to attend?

Bruce Fleming

Code Enforcement Official

Lake Mary Police Department

165 E Crystal Lake Ave.

Lake Mary FL 32746

O 407-585-1365

C 321-200-2764

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Prepared by: Jennifer B. Nix, Esquire
Post Office Box 2873
Orlando, Florida 32802-2873

9171 9690 0935 0287 1368 33

Return to: City of Lake Mary
Office of Code Enforcement
165 E. Crystal Lake Avenue
Lake Mary, Florida 32746

**CITY OF LAKE MARY
CODE ENFORCEMENT BOARD**

Re: **City of Lake Mary v. Dorothy Harris**

Case No.: **23-1143**

Code Violation: **Title IX General Regulations, Chapter 91 Health and Public Safety, §91.75(D) Property Maintenance Requirements.**

Name of owner/person in charge of location:

Property Owner:

**Dorothy Harris
8425 River Branch Place
Sanford, FL 32771**

Property: **298 S. Country Club Road
Lake Mary, Florida 32746**

Legal Description: **Parcel: 16-20-30-502-0300-0150
Plat: ALL LOTS 15-19 & NLY 57.99 FT OF LOT 20 BLK 3
EVANSDALE PB 7PG 37**

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

This case was heard on the 18th day of July, 2023, before the Code Enforcement Board at a public hearing, after legal and due notice to Respondent; the Code Enforcement Board, having heard testimony, and being otherwise duly advised in the premises, makes the following FINDINGS OF FACT AND CONCLUSIONS OF LAW:

I. FINDINGS OF FACT

Case No. 23-1143 City v. Dorothy Harris

1. The property which is the subject of this code enforcement action is located at 298 S. Country Club Road. The property is owned by Dorothy Harris ("Respondent").

2. The City sent a Notice of Violation on June 29, 2022 which directed that the violation be corrected within five (5) days of receipt of the Notice of Violation. The Code Enforcement Official testified that he re-inspected the property after this deadline and found that overgrowth of vegetation and accumulation of miscellaneous trash remained, in asserted violation of Title IX General Regulations, Chapter 91 health and Public Safety, §91.75(D) Property Maintenance Requirements, General maintenance requirements.

3. The Respondent was given a Statement of Violation and Request for Hearing by Certified Mail on July 11, 2023 that the condition continues to exist. Respondent was provided proper notice of this hearing. No one appeared to testify on behalf of Respondent.

4. The City's power Point presentation, photographs, notices, and other evidence presented are admitted into evidence.

II. CONCLUSIONS OF LAW:

Based on the testimony of the Code Enforcement Officer, including but not limited to photographs depicting vegetation overgrowth and miscellaneous trash upon the Property, the Respondent, by reason of the foregoing, was in violation of Title IX General Regulations, Chapter 91 health and Public Safety, §91.75(D) Property Maintenance Requirements, General maintenance requirements. The property remains in such violation, as described in the Statement of Violation and Request for Hearing, at the time of this Code Enforcement Board hearing.

III. ORDER:

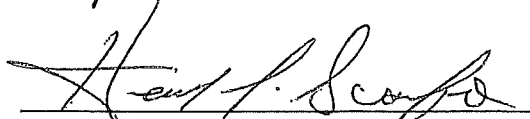
BASED ON THE FOREGOING, IT IS ORDERED that:

1. The Respondent be given until **August 1, 2023** to correct the violations of the City Code on the Property. The Respondent shall be responsible to provide notice of such violations being corrected to the Code Enforcement Officer.

2. If the Respondent fails to correct the violations within the time period set forth herein, a fine may be entered in the amount of **TWO HUNDRED AND FIFTY DOLLARS (\$250.00)** per day beginning on August 1, 2023 and continuing to accrue daily until the violations are brought into compliance.

3. Any and all future recurrence(s) of any violation(s) addressed herein, after same have been corrected, shall necessitate further proceedings before the Board. While the Code Enforcement Officer shall give the Respondent notice of the repeat violation, the Code Enforcement Officer is not required to provide Respondent a reasonable time to correct such repeat violation(s). The Board, upon finding such repeat violation(s) exist(s), may impose a fine not to exceed Five Hundred Dollars (\$500.00) for each day the repeat violation continues, beginning with the date the repeat violation is found to have occurred by the Code Enforcement Officer.

DONE and ORDERED this 21 day of July, 2023.


HENRY SCARFO, CHAIRMAN
CODE ENFORCEMENT BOARD

I HEREBY CERTIFY that a true and correct copy of the foregoing Order has been furnished to the Respondent by Certified Mail, this 21 day of July, 2023.

Respondent:

Dorothy Harris
8425 River Branch Place
Sanford, FL 32771


BRUCE FLEMING
CODE ENFORCEMENT OFFICIAL

**CITY OF LAKE MARY POLICE DEPARTMENT
OFFICE OF CODE ENFORCEMENT
AFFIDAVIT OF COMPLIANCE/
FINE ATTACHED**

CITY OF LAKE MARY

CEB CASE 23-1143

Petitioner,

vs

**Dorothy Harris
8425 River Branch Place
Sanford FL 32771**

Respondent(s),

RE:


**298 S Country Club Rd.
Lake Mary Florida 32746
Parcel: 16-20-30-502-0300-0150**

**STATE OF FLORIDA
COUNTY OF SEMINOLE**

BEFORE ME, the undersigned authority, personally appeared Bruce Fleming, Code Enforcement Official for the City of Lake Mary Florida, who after being duly sworn, deposes and says:

- 1. That on July 18, 2023 the Lake Mary Code Enforcement Board held a public hearing and issued its order in the above styled matter.**
- 2. That pursuant to said order, the Respondent(s) were found to be in violation of City Code, Chapter 91 Health and Public Safety, §91.75 Property Maintenance Code (D) General Requirements for having an overgrowth of vegetation on the property.**
- 3. That pursuant to said order the Respondent(s) was required to correct the violation(s) cited in the notice of violation on or before August 01, 2023 and notify Code Enforcement for re-inspection or pay a fine of \$250/day for each day the violation(s) continues.**
- 4. That Code Enforcement was notified on August 09, 2023 the property was in compliance with the Board's Order of July 18, 2023 and a subsequent inspection on August 10, 2023 revealed compliance had been obtained.**
- 5. That the Affidavit of Compliance was filed with the Office of the City Clerk on August 10, 2023 after eight (8) days of non-compliance at \$250/day.**
- 6. That the fine of \$2000 was attached to the property along with attorney and filing fees.**

FURTHER AFFIANT SAYETH NOT
DATED this 10th day of August 2023

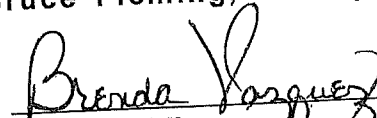
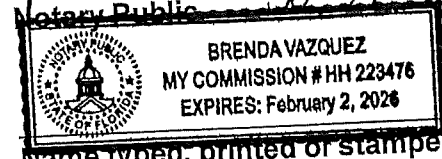

Bruce Fleming
Code Enforcement Official
Lake Mary Police Department

I hereby certify that a true and correct copy of the foregoing has been provided on this 10th day of August 2023 by certified mail to the Respondent(s).

STATE OF FLORIDA

COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this August 10th, 2023 by Bruce Fleming, who is personally known to me or who has produced as identification.


Notary Public

BREND VAZQUEZ
MY COMMISSION # HH 223476
EXPIRES: February 2, 2026

Name typed, printed or stamped

My Commission Expires: Feb. 2, 2026

Remit any outstanding payments to the City of Lake Mary, attention City Clerk, P.O. Box 958445 Lake Mary FL 32795 or in person to 100 N. Country Club Road, Lake Mary Florida, Office of the City Clerk.

250 97

Winter Park
National Bank
201 N. New York Ave.,
Suite 100
Winter Park, FL 32789

\$2,000.00

DOLLARS

VOID AFTER 90 DAYS

MEMO: 2139919

Two Thousand and 00/100

PAY TO THE
ORDER OF
CITY OF LAKE MARY
OFFICE OF CODE ENFORCEMENT
165 E. Crystal Lake Avenue
Lake Mary, FL 32746

MEMO: 8008915-060923/ Security

⑆ 250697⑆ ⑆063116834⑆ ⑆1014024⑆

*Heather S.
Reynolds*

CAB 9/17/23 Release deposit in *denance*
for code enforcement case 23-1143

THE CLOSING AGENT, LLC
ACCOUNT

2139919

Line Items Description Amount

Prepared by: Amber Branton
City of Lake Mary
PO Box 958445
Lake Mary, FL 32795-8445

Return To: Amber Branton
City of Lake Mary
PO Box 958445
Lake Mary, FL 32795-8445

CITY OF LAKE MARY, FLORIDA
ADMINISTRATIVE RELEASE OF CODE ENFORCEMENT BOARD LIEN-CASE 23-1143

STATE OF FLORIDA
COUNTY OF SEMINOLE

The City of Lake Mary hereby administratively releases **Dorothy Harris** from the following **Code Enforcement Board Actions/Lien** filed against property located at **298 S Country Club Road, Lake Mary, FL**:

<u>Name</u>	<u>Document</u>	<u>Book</u>	<u>Pages</u>	<u>Date</u>
CEB 23-1143 CITY OF LAKE MARY VS. DOROTHY HARRIS	Affidavit of Non-Compliance	10485	1953-1954	8/07/23
	Notice of Lien			
	Affidavit of Compliance	10491	1978-1980	08/17/23
	Notice of Lien			

All filed by the City of Lake Mary in the office of the Clerk of the Court of Seminole County, FL, against the following property:

Address: 298 S Country Club Road, Lake Mary, FL
Legal Description: 16-20-30-502-0300-0150
LOT 20 BLK 3 EVANSDALE PB 7 PG 37

IN WITNESS WHEREOF, this instrument has been executed in the name of the City of Lake Mary by its City Manager and the City seal hereto affixed and attested by the Acting City Clerk this 14th day of September 2023.

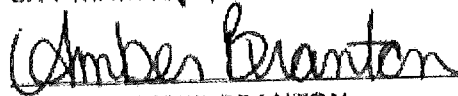
WITNESSES:


ALLISON MARCOUS


BRITTANY HILL

CITY OF LAKE MARY, FLORIDA

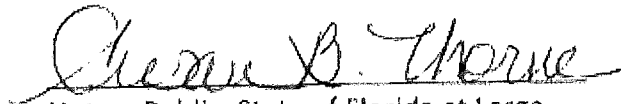

CITY MANAGER, KEVIN SMITH


ATTEST, AMBER BRANTON

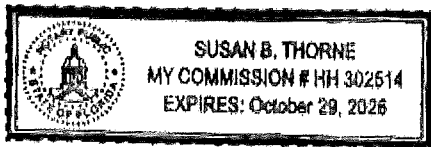
STATE OF FLORIDA
COUNTY OF SEMINOLE

I HEREBY CERTIFY, that before me, the undersigned authority duly authorized in the County last aforesaid to administer oaths and take acknowledgments, personally appeared Kevin Smith, City Manager, and Amber Branton, Acting City Clerk, respectively of the City of Lake Mary, Florida to me well known and known to me to be the persons described in and who executed the foregoing Release of Lien through authority duly vested in them for and on behalf of the City of Lake Mary, Florida, for the uses and purposes therein expressed.

WITNESS MY HAND AND OFFICAL SEAL AT Lake Mary, Seminole County, Florida, this 14th day of September 2023.

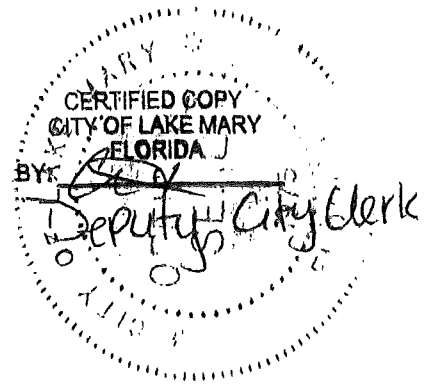

Notary Public, State of Florida at Large

My Commission Expires:



Prepared by: Amber Branton
City of Lake Mary
PO Box 958445
Lake Mary, FL 32795-8445

Return To: Amber Branton
City of Lake Mary
PO Box 958445
Lake Mary, FL 32795-8445



CITY OF LAKE MARY, FLORIDA
ADMINISTRATIVE RELEASE OF CODE ENFORCEMENT BOARD LIEN-CASE 23-1143

STATE OF FLORIDA
COUNTY OF SEMINOLE

The City of Lake Mary hereby administratively releases **Dorothy Harris** from the following **Code Enforcement Board Actions/Lien** filed against property located at **298 S Country Club Road, Lake Mary, FL**:

<u>Name</u>	<u>Document</u>	<u>Book</u>	<u>Pages</u>	<u>Date</u>
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	Notice of Lien			
	Affidavit of Compliance	10491	1978-1980	08/17/23
	Notice of Lien			

All filed by the City of Lake Mary in the office of the Clerk of the Court of Seminole County, FL, against the following property:

Address: 298 S Country Club Road, Lake Mary, FL
Legal Description: 16-20-30-502-0300-0150
LOT 20 BLK 3 EVANSDALE PB 7 PG 37

IN WITNESS WHEREOF, this instrument has been executed in the name of the City of Lake Mary by its City Manager and the City seal hereto affixed and attested by the Acting City Clerk this 14th day of September 2023.

WITNESSES:

Allison Marcous
ALLISON MARCOUS

B. Hill
BRITTANY HILL

CITY OF LAKE MARY, FLORIDA

Kevin Smith
CITY MANAGER, KEVIN SMITH


Amber Branton
ATTEST, AMBER BRANTON

GRANT MALOY, SEMINOLE COUNTY
CLERK OF CIRCUIT COURT & COMPTRROLLER
CFN# 2023108175 Bk:10543 Pg:1230-1231(2Pgs)
REC: 11/28/2023 1:36:46 PM by jeckenroth
RECORDING FEES \$18.50

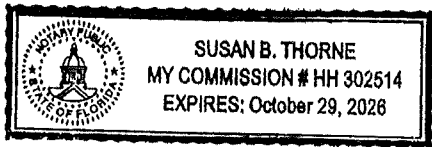
STATE OF FLORIDA
COUNTY OF SEMINOLE

I HEREBY CERTIFY, that before me, the undersigned authority duly authorized in the County last aforesaid to administer oaths and take acknowledgments, personally appeared Kevin Smith, City Manager, and Amber Branton, Acting City Clerk, respectively of the City of Lake Mary, Florida to me well known and known to me to be the persons described in and who executed the foregoing Release of Lien through authority duly vested in them for and on behalf of the City of Lake Mary, Florida, for the uses and purposes therein expressed.

WITNESS MY HAND AND OFFICAL SEAL AT Lake Mary, Seminole County, Florida, this 14th day of September 2023.


Notary Public, State of Florida at Large

My Commission Expires:





Grant Maloy Clerk of the Circuit Court & Comptroller Seminole County
P.O. Box 8099
Sanford FL 32772
Phone:407-665-4339

Customer:

LAKE MARY, CITY
P O BOX 958445

LAKE MARY FL 32795-8445

Tran: 5542820 - 1096

Receipt # 2291240

Receipt Date 11/28/2023

Account No: 108

Account Balance: 60.50

1	RELEASE		
	Inst# 2023108175 BK/PG 10543/1230	RELEASE	\$18.50
	COUNTY RECORDING FEES		18.50
	Receipt Total:		\$18.50
	Paid By:		
	CHARGE compliance		18.50
	Total Tendered		\$18.50

HAVE A NICE DAY
HOW ARE WE DOING?
PLEASE VISIT SEMINOLECLERK.ORG

**CITY OF LAKE MARY POLICE DEPARTMENT
AFFIDAVIT OF NON-COMPLIANCE
NOTICE OF FINE**

CITY OF LAKE MARY
Petitioner,

CEB CASE 23-1143

vs

Dorothy Harris
8425 River Branch Place
Sanford FL 32771

Respondent(s),

RE: 298 S Country Club Rd.
Lake Mary FL 32746
Parcel: 16-20-30-502-0300-0150

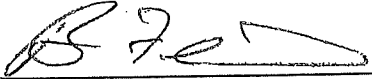
STATE OF FLORIDA
COUNTY OF SEMINOLE

BEFORE ME, the undersigned authority, personally appeared Bruce Fleming, Code Enforcement Official for the City of Lake Mary, Florida, who after being duly sworn, deposes and says:

- 1. That, on July 18, 2023 the Lake Mary Code Enforcement Board held a public hearing and issued its Order in the above styled matter.**
- 2. That, pursuant to said Order, the Respondent(s) was found to have violated Title IX General Regulations, Chapter 91 Health and Public Safety, §91.75 (D) Property Maintenance Requirements.**
- 3. That pursuant to said Order, the Respondent was to correct the violation(s) as cited in the Finding of Fact, Conclusions of Law and Order of the July 18, 2023 Board hearing or pay a fine of \$250/day for each day the violation(s) continued beginning August 1, 2023. The Respondent was to notify Code Enforcement of compliance for re-inspection.**
- 4. That a certified copy of the Findings of Fact, Conclusions of Law and Order was mailed to Respondent(s) at 8425 River Branch Place, Sanford FL 32771 on July 21, 2023.**
- 5. That the Respondent Gecewicz failed to notify Code Enforcement of compliance.**
- 6. That a subsequent follow up on August 02, 2023 revealed that compliance had not been obtained therefore the fine of \$250 per day, with interest of 4% per annum and any associated attorney and filing fees was attached beginning August 2, 2023 consistent with the Board's Order of July 18, 2023.**

7. That, the total outstanding fine for the above Respondent is \$250 for one (1) day of non-compliance excluding filing and attorney fees and continues each day until compliance is obtained.

FURTHER AFFIANT SAYETH NOT
DATED this 2nd day of August 2023

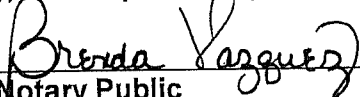

Code Enforcement Official
Lake Mary Police Department

I hereby certify that a true and correct copy of the foregoing has been provided this 2nd day of August 2023, by certified mail to the Respondent(s).

STATE OF FLORIDA

COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this August 2, 2023 by Bruce Fleming, who is personally known to me or who has produced as identification.


Notary Public


Name typed, printed or stamped

My Commission Expires: Feb. 2, 2026

Remit any outstanding payments to the City of Lake Mary, attention City Clerk, PO Box 958445 Lake Mary FL 32795 or in person to 100 N. Country Club Road, Lake Mary Florida, Office of the City Clerk.

FINE CALCULATION

AQ

Lien Date Beginning	Lien Date End	Days	Daily Fine	\$
------------------------	------------------	------	------------	----

Sample

11/18/1992	09/30/2012	7256	\$ 50	\$ 362,800
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Input Information Below

08/01/2023	08/09/2023	8	\$ 250.00	\$ 2,000.00
------------	------------	---	-----------	-------------

23-1143 298 S Country Club Road