

SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

SUBJECT: Code Enforcement Lien, Case # 97-48-CEB, Appeal of Deputy County Manager's denial of Request for Reduction of Penalty – Terry Aston, owner, 4985 and 4995 County Road 427, Sanford

DEPARTMENT: County Manager Office

DIVISION:

AUTHORIZED BY: Cindy Coto

CONTACT: Carolyn Jane Spencer

EXT: 7403

MOTION/RECOMMENDATION:

Deny Terry Aston's appeal of the Deputy County Manager's denial of his Request for Reduction of Penalty.

District 5 Brenda Carey

Donald S. Fisher

BACKGROUND:

The Deputy County Manager denied the Respondent's request for a reduction of the Code Enforcement lien in the amount of \$34,810.00 for the property located at 4985 and 4995 County Road 427, Sanford. This denial was based on guidelines established by the Board of County Commissioners found in the Seminole County Administrative Code, Section 3.20 B (2) (a) which states, "If a property owner has purchased property on which a lien was recorded, a waiver or reduction on lien shall not be granted. In such cases, the lien should have been considered in reaching a purchase price."

In response to a complaint, on February 4, 1997, the Code Enforcement Officer observed the following violation located at 4985 and 4995 County Road 427, Sanford: Any other objectionable, unsightly, or unsanitary matter, substance, or material tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the county in violation of Seminole County Code Section 95.4, as defined in Section 95.3 (p).

The timeline on this violation is below:

DATE	ACTION	RESULT
March 10, 1997	Notices of Violation issued to Respondent.	Violation remains.
June 25, 1997	Statement of Violation and Request for Hearing.	Filed by Code Enforcement Officer.
August 4, 1997	Notice of Hearing mailed to Respondent.	Certified mail receipt returned to Clerk signed by Edna Swigonski.
August 28, 1997	Code Board Hearing – Findings of Fact, Conclusions of Law and Order.	Order entered by Code Enforcement Board giving a compliance date of October 23, 1997 with a fine of \$10.00 per day if violations are not corrected by October 23, 1997.
October 24, 1997	Reinspection and Affidavit of Non-	Violation remains.

	Compliance filed by the Code Enforcement Officer.	
May 23, 2000	Letter enclosing Affidavit of Non-Compliance and notifying Respondent of June 29, 2000 hearing date mailed to Respondent.	Certified mail receipt returned to Clerk signed by Edna Swigonski.
September 27, 2000	Affidavit of Service of Notice of Hearing for September 28, 2000 hearing	Served on Edna M. Swigonski
September 28, 2000	Code Board Hearing – Order Finding Non-Compliance and Imposing Fine/Lien filed by Code Enforcement Board	Ordered entered by the Code Enforcement Board imposing a lien in the amount of \$10,700.00 against the property with the fine continuing to accrue at \$10.00 per day.
May 8, 2007	Reinspection and Affidavit of Compliance filed by the Code Enforcement Officer.	Violation removed by Terry Aston. Compliance was obtained on May 8, 2007. Total lien due of \$34,810.00 represents 3,481 days of non-compliance, October 24, 1997 through and including May 7, 2007, at \$10.00 per day.
May 8, 2007	Lien letter enclosing the Affidavit of Compliance	Certified mail receipt returned to Clerk signed but not dated
May 9, 2007	Request for Reduction of Penalty	Request for Reduction of Penalty received from Terry Aston ¹ , present owner, and Edna Swigonski, former owner. Mr. Aston purchased the property on June 1, 2007.
July 18, 2007	Seminole County's Letter of Denial to Terry Aston	Certified mail receipt returned to Clerk signed by Sharon Burch on July 24, 2007.
August 3, 2007	Written appeal of Deputy County Manager's denial of Request for Reduction	Received from Victor L. Chapman, Attorney at Law, for Terry Aston, new owner.

¹The present owner, Mr. Terry Aston, requested that the lien imposed on September 28, 2000 be reduced.

The Deputy County Manager has found that the Respondents' request did not meet Item 1 of the Seminole County Administrative Code, which was adopted by the Board of County Commissioners on February 9, 1999:

1. If an individual has acquired a property in which the lien was recorded and the individual bought the property with this knowledge, a waiver or reduction in lien should not be granted. In such cases, the lien should have been considered in reaching a purchase price.
2. If a lien is not considered when a title insurance policy is issued, a reduction of the lien to provide relief to a title insurer should not be granted. To do so would place the County in the position of indemnifying an insurance company against its losses, which are reflected in premium charges.
3. If a lien has previously been reduced, and another request is received for a lien reduction, whether from the original property owner or new owner, a reduction or waiver should not be granted. If the BCC grants relief to a violator, its action should be final and conclusive.

4. When considering a request and in developing a recommendation to the BCC, staff should evaluate the amount of the lien compared to the value of the property and the actions the violator did or did not take in attempting to resolve the code violation. Per the Property Appraiser information, the assessed value of the property is **\$185,882.00**. The lien totals **\$34,810.00**.

5. When liens are satisfied as a result of either full payment or reduced/eliminated payment as directed by the BCC, the lien satisfaction instrument will be provided to the property owner who shall be responsible for recording the instrument in the land records.

ATTACHMENTS:

1. Code Enforcement Lien, Case # 97-48-CEB

Additionally Reviewed By: <input checked="" type="checkbox"/> County Attorney Review (Kathleen Furey-Tran)
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CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

CEB NO. 97- 48 -CEB

STATEMENT OF VIOLATION AND REQUEST FOR HEARING

Pursuant to Florida State Chapter 162, and Chapter 53 Seminole County Code, the undersigned Code Inspector hereby gives notice of an uncorrected violation of the Codes or Ordinances of Seminole County, as more particularly described herein, and hereby requests a public hearing before the Board.

VIOLATION OF CODE OR ORDINANCE, SECTION OR NUMBER: SEMINOLE COUNTY CODE
ORDINANCE 93-25 CHAPTER 95 SECTION 95.3 (m) AS DEFINED IN SECTION 95.4.

LOCATION/ADDRESS WHERE VIOLATION EXISTS: PARCEL ID 23-20-30-300-0280-0000
4985 COUNTY RD 427
SANFORD FL SEMINOLE COUNTY
4995 COUNTY RD 427
SANFORD FL SEMINOLE COUNTY

District # 5

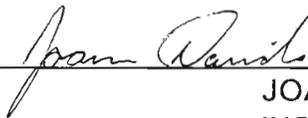
NAME AND ADDRESS OF OWNER: EDNA M SWIGONSKI
4985 COUNTY RD 427
SANFORD FL 32773

DESCRIPTION OF VIOLATION: ANY OTHER OBJECTIONABLE, UNSIGHTLY, OR
UNSANITARY MATTER, SUBSTANCE, OR MATERIAL TENDING BY ITS EXISTANCE AND/OR
ACCUMULATION TO ENDANGER OR ADVERSELY AFFECT THE HEALTH, SAFETY, LIVES,
AND/OR WELFARE OF THE CITIZENS OF THE COUNTY.

DATE VIOLATION FIRST OBSERVED: FEBRUARY 4, 1997
DATE OF NOTICE OF VIOLATION: MARCH 10, 1997
DATE VIOLATION TO BE CORRECTED: JUNE 9, 1997
DATE OF REINSPECTION: JUNE 10, 1997
RESULTS OF REINSPECTION: CARPORT AND YARD OVERFLOWING WITH
MISCELLANEOUS STORAGE ITEMS.

Based upon the foregoing, the undersigned Code Inspector hereby certifies that the above described violation continues to exist, that attempts to secure compliance with the Code(s) or Ordinance(s) of Seminole County have failed as aforesaid, and that the violation should be referred to the Board for a public hearing.

DATED THIS 25TH DAY OF JUNE, 1997


JOANN DAVIDS
INSPECTOR

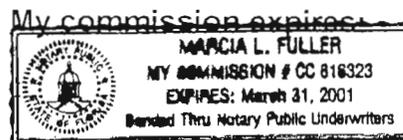
STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 25TH day of JUNE 1997, by JOANN DAVIDS who is personally known to me and who did take an oath.



Notary Public in and for the County and State

Aforementioned
COMPLAINT NO. CE 097-01-020 Z
STMNT96.CEB



CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political subdivision
of the State of Florida,

CASE NO. 97-48-CEB

Petitioner,

vs.

EDNA M SWIGONSKI,

Respondent.

NOTICE OF HEARING

To: Edna M Swigonski
4985 County Road 427
Sanford FL 32773

NOTICE is hereby given that the Code Enforcement Board of Seminole County, Florida, intends to hold a public hearing at 1:30 PM, or as soon thereafter as possible, at its regular meeting on Thursday, the 28th day of August, 1997, at the Seminole County Services Building, BCC Chambers, 1101 East First Street, Sanford, Florida, to consider whether a violation of the Codes or Ordinances of Seminole County exists on the above-named party's property, specifically:

A large accumulation of miscellaneous items, scrap metal and trash accumulated in and overflowing the Respondent's yard and carport at 4985 County Rd 427, Sanford. (District 5)

FOR ADDITIONAL INFORMATION REGARDING THIS NOTICE, PLEASE CONTACT (407) 321-1130, EXTENSION 7461. PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE EMPLOYEE RELATIONS DEPARTMENT ADA COORDINATOR 48 HOURS IN ADVANCE OF THE MEETING AT 321-1130, EXTENSION 7941.

PERSONS ARE ADVISED THAT IF THEY DECIDE TO APPEAL ANY DECISIONS MADE AT THESE MEETINGS/HEARINGS, THEY WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, THEY MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED, PER SECTION 285.0105.

DATED this 4th day of August, 1997.

Marcia L. Fuller
Clerk to the Code Enforcement Board
Seminole County, Florida

Marcia L Fuller

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**CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

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CASE NO. 97-48-CEB

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REAL ANY DECISIONS MADE AT OF THE PROCEEDINGS AND VERBATIM RECORD OF THE AND EVIDENCE UPON WHICH

Fuller
the Code Enforcement Board
County, Florida

W L Fuller

SENDER: 97-48 NOTH • Complete items 1 and/or 2 for additional services. • Complete items 3, and 4a & b. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt will show to whom the article was delivered and the date delivered.	8/4/97 I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.
	3. Article Addressed to: Edna M Swigonski 4985 County Rd 427 Sanford, FL 32773 Edna M Swigonski
5. Signature (Addressee) <i>Edna M Swigonski</i>	7. Date of Delivery 8/16/97
6. Signature (Agent)	8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

97-48

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PS Form 3800, April 1995

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political sub-
Division of the State of Florida,

CASE NO 97-48-CEB

Petitioner,

Vs.

EDNA M SWIGONSKI,

Respondent.

MARYANNE HORSE
CLERK OF CIRCUIT COURT
6566341

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

I move the Respondent is in violation of Section 95.4(m), as defined in Section 95.3, Seminole County Code, based on the following findings:

- (a) The Respondent is the owner of record of the property (Tax Parcel ²³32-20-30-300-0280-0000, located Seminole County).
- (b) The Respondent is in possession/control of the property.
- (c) On February 4, 1997, the property was inspected and found to contain objectionable, unsightly and unsanitary materials, tending by existence and accumulation to endanger and/or adversely affect the health, safety and welfare of the citizens of the County, to wit: A large accumulation of miscellaneous items, scrap metal and trash accumulated in and overflowing the Respondent's yard and carport. A Notice of Violation was issued on March 10, 1997.
- (d) On June 10, 1997, the property was reinspected and found to be still in violation in that the accumulation of trash, metal and miscellaneous items still remained in the Respondent's carport and yard.

SEMINOLE COUNTY, FL
RECORDED & VERIFIED
01 FEB 23 2008 8:08

I move that the Respondent correct the violations by October 23, 1997. In order to correct the violations, the Respondent shall take the following remedial action:

Remove all objectionable, unsightly and unsanitary items from the property.

If the Respondent does not comply with this order by October 23, 1997, a fine of \$10.00 will be imposed for each day the violations continue past that date, or are repeated after compliance. The Respondent must contact the Code Inspector to arrange for an inspection of the property to verify compliance.

This Order may be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 28th day of August, 1997, in Seminole County, Florida.

Jean Metts
CHAIRMAN

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 5th day of September, 1997, by Jean Metts, who is personally known to me.

Marcia L Fuller
Notary Public in and for the County
And State Aforementioned
My commission expires:



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SEMINOLE CO., FL
OFFICIAL RECORDS RETURN ROOM
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If you wish to return this receipt and fee to the address above, please enter fees for return receipt. If return receipt is not desired, please return this receipt and fee to the address above.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political sub-
Division of the State of Florida,

CASE NO 97-48-CEB

Petitioner,

Vs.

EDNA M SWIGONSKI,

Respondent.

MARYANNE HORSE
CLERK OF CIRCUIT COURT

656341

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DONE AND ORDERED this 2

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged personally known to me.



Is your RETURN ADDRESS completed on the reverse side?

SENDER: 97-48 Order 9/5/97 • Complete items 1 and/or 2 for additional services. • Complete items 3, and 4a & b. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.
3. Article Addressed to: Edna M Swigonski 4985 County Rd 427 Sanford Fl 32773	4a. Article Number P 080 533 938	
5. Signature (Addressee) Edna M. Swigonski	4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
6. Signature (Agent)	7. Date of Delivery 9-9-97	
		8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
subdivision of the State of
Florida,

Petitioner,

vs.

CASE NO. 97-48

Respondent.

EDNA SWIGONSKI /

AFFIDAVIT OF NON-COMPLIANCE

BEFORE ME, the undersigned authority, personally appeared
JOANN DAVIDS, Code Inspector for
SEMINOLE COUNTY, who, after being duly sworn,
deposes and says:

1. That on AUGUST 28, 1997, the Board held a public hearing and issued its Order in the above-styled matter.

2. That, pursuant to said Order, Respondent was to have taken certain corrective action by or before OCT. 23, 1997.

3. That a re-inspection was performed on OCT. 24, 1997.

4. That the re-inspection revealed that the corrective action ordered by the Board has not been taken in that OBJECTIONABLE, UNSIGHTLY OR UNSANITARY MATTER. STILL EXISTS ON THE SUBJECT PROPERTY

FURTHER AFFIANT SAYETH NOT.

DATED this 27 day of OCTOBER, 1997.

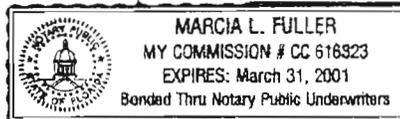
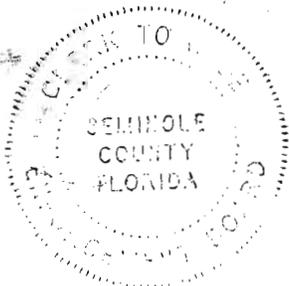
Joann Davids
Signature of Code Inspector

STATE OF)
COUNTY OF)

The foregoing instrument was acknowledged before me this 27 day of October, 1997, by Joann Davids, who is personally known to me ~~or who has produced as identification and who did take an oath.~~

Marcia L Fuller
Print Name
Notary Public in and for the County
and State Aforementioned
My commission expires:

AFFNON.COM



SEMINOLE CO. FL

4013 0757

OFFICIAL RECORDS
PAGE

MARYANNE MORSE
CLERK OF CIRCUIT COURT

01 FEB 23 AM 8:508

SEMINOLE COUNTY, FL
RECORDED & VERIFIED

PLANNING AND DEVELOPMENT DEPARTMENT



CODE ENFORCEMENT

May 23, 2000

VIA CERTIFIED MAIL

Edna M. Swigonski
4985 County Road 427
Sanford, FL 32773

Re: CEB Case No. 97-48-CEB

Dear Property Owners:

Please be advised that on August 28, 1997, the Code Enforcement Board of Seminole County issued its Findings of Fact, Conclusions of Law and Order in the above referenced case. The Order specifically found your property in violation of objectionable, unsightly, or unsanitary materials on the property located at 4985 County Road 427, Seminole County. The Board required that you comply with its Order by October 23, 1997.

Please find enclosed the Code Inspector's Affidavit of Non-Compliance finding that you have not complied with the Board's Order. **Please be advised that you have ten (10) days from receipt of this letter to request a hearing before the Board to contest the finding of non-compliance.** You may not contest the original Order at this hearing. You may request a hearing by contacting:

Marcia L Fuller
Clerk to the Board
1101 E. First Street
Sanford, FL 32771
407-665-7403

If you fail to request a hearing within ten (10) days from receipt of this letter, the chair of the Code Enforcement Board will issue an order confirming the non-compliance and ordering a fine imposed against your property at the next regular scheduled meeting on Thursday, June 29, at 1:30 p.m., in the County Services Building, Room 1028, located at 1101 E. First Street, Sanford, FL. The order shall be recorded in the County land records and shall constitute a lien against your property.

Sincerely,

A handwritten signature in cursive script that reads "Marcia L Fuller".

Marcia L Fuller
Clerk to the Board

Enclosure: Affidavit of Non-compliance
Cnsnt2000

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RTANT: Sau

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PLANNING AND DEVELOPMENT DEPARTMENT



CODE ENFORCEMENT

May 23, 2000

VIA CERTIFIED MAIL

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Sanford, FL 32773

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Sincerely,

Marcia L Fuller

Marcia L Fuller
Clerk to the Board

Enclosure: Affidavit of Non-compliance
Cnsnt2000

1301 EAST SECOND ST. SANFOR

U.S. Postal Service

Consent

Is your RETURN ADDRESS completed on the reverse side?	SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.
	3. Article Addressed to: <i>Edna M. Swigonski</i> <i>4985 County Road 427</i> <i>SANFORD, FL 32773</i>	4a. Article Number <i>7099-3400-0007-4547-8140</i>	4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD
5. Received By: (Print Name) 6. Signature: (Addressee or Agent) <i>X Edna M. Swigonski</i>	7. Date of Delivery: <i>5/31/00</i>	8. Addressee's Address (Only if requested and fee is paid)	

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
subdivision of the State of Florida,

CASE NO. 97-48-CEB

Petitioner,

vs.

EDNA M SWIGONSKI,

Respondent.

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel ID #23-20-30-300-0280-0000) located at 4995 County Road 427, Sanford, Florida, located in Seminole County and legally described as follows:

LEG SEC 23 TWP 20S RGE 30E BEG AT INT OF S LI OF BR RD
WITH W LI RUN S 400 FT E 279.79 FT N 18 DEG 44 1/2 MIN W
500.05 FT S 58 DEG 19 MIN W TO BEG

This case came on for public hearing before the Code Enforcement Board of Seminole County on the 28th day of August, 1997, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law, and Order.

Said Order found Respondent in violation of Section 95.4 as defined in Section 95.3(p), Seminole County Code.

Said Order required Respondent to take certain corrective action by October 23, 1997.

Said Order stated that a fine of \$10.00 per day would be imposed if Respondent did not take certain corrective action by the date set for compliance.

An Affidavit of Non-Compliance bearing the date of October 27, 1997, has been filed with the Board by the Code Inspector, which Affidavit certifies under oath that the required action has not been taken as ordered.

Accordingly, it having been brought to the Board's attention that Respondent has not complied with the Order dated August 28, 1997, the Board orders that a fine of \$10,700.00 (total accrued fine up until hearing) is imposed against the property for each day the violation has continued past the date set for compliance and a fine of \$10.00 per day is ordered against the property for each day the violation continues past October 23, 1997.

RETURN TO SANDY MCCANN

MARYANNE MORSE
CLERK OF CIRCUIT COURT

599122

SEMINOLE COUNTY, FL
RECORDED & VERIFIED

2000 OCT -6 AM 8:03

OFFICIAL RECORDS
PAGE

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SEMINOLE CO., FL

The Respondent must contact the Code Inspector to arrange for an inspection of the property to verify compliance. The fine imposed shall continue until such time as the Code Inspector inspects the property and establishes the date of compliance.

This Order shall be recorded in the public records of Seminole County, Florida, and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 28th day of September, 2000, in Seminole County, Florida.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

Jean Metts
CHAIR

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

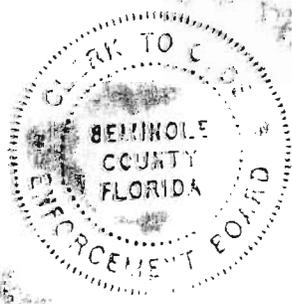
The foregoing instrument was acknowledged before me this 28th day of September, 2000, by Jean Metts, who is personally known to me.

Marcia L. Fuller
Marcia L. Fuller
Notary Public to and for the
County and State aforementioned.
My Commission Expires:

swigonskilien

MARCIA L. FULLER
MY COMMISSION # CC 61692
EXPIRES: March 31, 2001
Bonded Thru Notary Public Underwriters

OFFICIAL RECORDS
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PLANNING AND DEVELOPMENT DEPARTMENT



CODE ENFORCEMENT

May 8, 2007



EDNA M. SWIGONSKI
4985 COUNTY ROAD 427
SANFORD, FLORIDA 32773

CASE NO – 97-48-CEB
PARCEL I.D. NO – 23-20-30-300-0280-0000

Dear Ms. Swigonski:

Please find enclosed a certified copy of the Affidavit of Compliance filed by Code Officer Joann Tamulonis.

Therefore, your Lien totals **\$34,810.00** for 3,481 days of non-compliance from October 24, 1997 through and including April 7, 2007 at \$10.00 per day.

You may pay this amount by mail or in person at 1101 E. First Street, 2nd Floor, Planning Division, Sanford. If you are paying by check, please make your check payable to the "BCC".

If you have any questions, please feel free to give me a call at 407-665-7403.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

Jane Spencer
Clerk to the Code Enforcement Board

Enclosure

Cc: CEO Joann Tamulonis

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
subdivision of the State of Florida

Case No. 97-48-CEB

Petitioner,
vs.

Edna M Swigonski

Respondent.
_____ /

AFFIDAVIT OF COMPLIANCE

BEFORE ME, the undersigned authority, personally appeared Joann Tamulonis, Code Enforcement Officer for the Seminole County Sheriff's Office, who, after being duly sworn, deposes and says:

1. That on **August 28, 1997** the Board held a public hearing and issued its Order in the above-styled matter.
2. That, pursuant to said Order, Respondent was to have taken certain corrective action by or before **October 23, 1997**.
3. That a re-inspection was performed and the Respondent was in compliance on **May 8, 2007**.
4. That the re-inspection revealed that the corrective action ordered by the Board has been taken.

FURTHER AFFIANT SAYETH NOT.

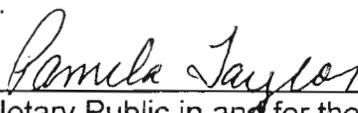
DATED this 8th day of May 2007.



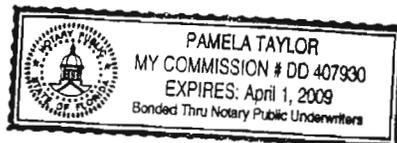
Joann Tamulonis, Code Enforcement Officer

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 8th day of May 2007, by Joann Tamulonis, who is personally known to me.



Notary Public in and for the County
and State Aforementioned



CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
subdivision of the State of Florida,

CASE NO. 97-48-CEB

Petitioner,
vs.

EDNA M. SWIGONSKI
PARCEL I.D. # 23-20-30-300-0280-0000

Respondent
_____ /

AFFIDAVIT OF MAILING

BEFORE ME, the undersigned authority, personally appeared Jane Spencer, for Planning Division/Code Enforcement, who, after being duly sworn, deposes and says:

I certify that on the 8th day of May 2007, I mailed a true and correct copy of the Courtesy letter with Affidavit of Compliance and Lien Amount to: Edna M. Swigonski, 4985 County Road 427, Sanford, Florida, 32773 and Terry Aston, 5001 Ronald Reagan Boulevard, Sanford, Florida, 32773.



Jane Spencer

STATE OF FLORIDA
COUNTY OF SEMINOLE

The foregoing instru
by Jane Spencer, who is p

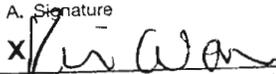
SENDER: COMPLETE THIS SECTION

- 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:

97-48-CEB AFF OF COMPLY/LIEN
EDNA M SWIGONSKI
4985 COUNTY ROAD 427
SANFORD FL 32773

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

05-14-07A10:38 RCVD

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
(Transfer from service label)

7006 2760 0001 5017 6466

<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL.</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506</p>														
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 23-20-30-300-0280-0000</p> <p>Owner: SWIGONSKI EDNA M</p> <p>Mailing Address: 4985 COUNTY ROAD 427</p> <p>City,State,ZipCode: SANFORD FL 32773</p> <p>Property Address: 4985 427 CR N SANFORD 32773</p> <p>Subdivision Name:</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD (1994)</p> <p>Dor: 01-SINGLE FAMILY</p>		<p>2007 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 2</p> <p>Depreciated Bldg Value: \$50,940</p> <p>Depreciated EXFT Value: \$7,082</p> <p>Land Value (Market): \$128,100</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$186,122</p> <p>Assessed Value (SOH): \$38,938</p> <p>Exempt Value: \$25,500</p> <p>Taxable Value: \$13,438</p> <p>Tax Estimator</p>												
<p style="text-align: center;">SALES</p> <p>Deed Date Book Page Amount Vac/Imp Qualified</p> <p>Find Comparable Sales within this Subdivision</p>		<p>2006 VALUE SUMMARY</p> <p>Tax Amount(without SOH): \$1,659</p> <p>2006 Tax Bill Amount: \$201</p> <p>Save Our Homes (SOH) Savings: \$1,458</p> <p>2006 Taxable Value: \$12,488</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>												
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ACREAGE	0	0	1.830	70,000.00	\$128,100									
BUILDING INFORMATION														
Bld Num	Bld Type	Year Bld	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New					
1	MH ROOM ADD	1947	3	336	336	336	CONC BLOCK	\$5,595	\$13,988					
NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished														
2	SINGLE FAMILY	1947	3	844	894	844	CONC BLOCK	\$45,345	\$78,861					
Appendage / Sqft			UTILITY UNFINISHED / 50											
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Permits														
EXTRA FEATURE														
Description		Year Bld	Units	EXFT Value	Est. Cost New									
MOBILE HOME		1972	320	\$5,760	\$15,360									
ALUM CARPORT NO FLOOR		1979	200	\$320	\$800									
ALUM SCREEN PORCH W/CONC FL		1979	224	\$762	\$1,904									

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SEMINOLE COUNTY SHERIFF'S OFFICE
Affidavit For Reimbursement of Code Enforcement Officers Administrative Costs
Case#97 - 48 - CEB

The Seminole County Sheriff's Office requests that the Department of Planning and Development petition the Board of County Commission to enter an order requiring the Respondent in the above-styled case to pay the costs of investigation incurred by this office during the investigation and presentation of said case. The below items detail the activities and associated costs for investigating this case.

Code Enforcement Officer: Joann Tamulonis

DATE	PERSONNEL ACTIVITY	HOURS
2-4-1997	INSPECTION FOR CODE VIOLATIONS	.25
3-10-1997	NOTICE OF VIOLATION	.25
3-21-1997	OWNER REQUEST FOR MORE TIME TO COMPLY	.25
3-24-1997	MEETING WITH OWNER	.75
4-29-1997	INSPECTION RE: PROGRESS	.25
5-8-1997	MEETING WITH OTHER CODE OFFICERS REGARDING THIS CASE	.25
5-29-1997	2ND NOTICE OF VIOLATION	.25
6-10-1997	INSPECTION OF PROPERTY	.25
6-25-1997	RESEARCH, PREPARE STATEMENT OF VIOLATION + REQUEST FOR HEARING	.25
8-28-1997	RESEARCH, PAPERWORK, INSPECTION AND PHOTOGRAPHS, CEB PREP	1.50
8-28-1997	CEB HEARING	.25
10-24-1997	REINSPECTION OF PROPERTY	.25
6-27-2000	REINSPECTION + PHOTOGRAPHS	.25
6-28-2000	REINSPECTION + PHOTOGRAPHS	.25
9-27-2000	HAND DELIVERED CEB DOCUMENT. DISCUSSION WITH OWNER	.75
9-28-2000	CEB HEARING AND IMPOSITION OF LIEN	.50
2-23-2007	Telephone call with KATE (DAUGHTER)	.75
3-23-2007	Telephone call with MR. ASTON	.25
4-2-2007	Telephone call with MARY MARTIN	.25
5-8-2007	REINSPECTION OF PROPERTY, PROPERTY NOW IN COMPLIANCE	1.00
TOTAL HOURS		8.75
		x \$33.29
TOTAL PERSONNEL COSTS		\$291.29

The Seminole County Sheriff's Office has incurred actual costs in the amount of \$ 291.29 during the investigation and prosecution of the respondent in this case. Said costs are supported and documented as listed above. Personnel costs are calculated at a rate of \$33.29 per hour, as determined by the Financial Services Section of the Seminole County Sheriff's Office. Tangible goods and contractual services are indicated as required and at a direct cost to the Office.

Signature of Deputy / Investigator: Joann D. Tamulonis Date 5-18-07

Attested to this 18TH day of MAY, 2007, by JOANN D. TAMULONIS
A Code Enforcement Officer



Christine Smith
5/18/07

**Estimate of Costs
CEB Case # 97-48-CEB
EDNA SWIGONSKI**

<u>Postage</u>			
Regular	4	\$.39	\$ 1.56
Certified	4	\$ 4.64	\$18.56
			\$20.12
<u>Processing Time for Code Enforcement and BCC Action</u>			
Code Board Secretary	2 hours	\$ 13.13	\$26.26
Code Board Attorney	1 hour	\$100.00	
Planning Manager's Review	1 hour	\$ 40.00	
Planning and Development Director's Review	1 hour	\$ 50.00	
Deputy County Manager's Review	1 hour	\$ 60.00	
County Attorney's Review	1 hour	\$100.00	
			\$376.26
Other associated costs not captured: Fleet expense, Phone expense, Utilities, Computer Support			
Costs for Recording Documents -			
# of first page docs - 4 # of additional page docs - 1			\$48.50
(\$10.00 first page, \$8.50 each additional page)			
<u>ESTIMATED COST FOR PROCESSING CASE # 97-48-CEB By the Planning Division</u>			\$444.88
<u>ESTIMATED COST FOR PROCESSING CASE # 97-48-CEB By the Seminole County Sheriff's Office</u>			\$291.29
<u>TOTAL COST FOR PROCESSING CASE # 97-48- CEB</u>			\$736.17

SEMINOLE COUNTY
CODE ENFORCEMENT BOARD
CASE NO. 97-48-CEB

REQUEST FOR REDUCTION OF PENALTY

BY COMPLETING THIS FORM, YOU ARE MAKING STATEMENTS UNDER OATH

INSTRUCTIONS: Please fill in both sides of this form completely. Be specific when writing your statement. Please return this form to the Clerk to the Code Enforcement Board. The Request FOR Reduction OF Penalty will then be presented to the Board of County Commissioners at their next regularly scheduled hearing, or as soon thereafter as possible, and you will be notified in writing of the Board's decision within 10 days after the hearing. If you are claiming medical or financial hardship, attach supporting documentation (*i.e.*, a doctor's statement or proof of income). If you have any questions, please call the Clerk at (407) 665-7403.

Property Owner's Name: Edna M Swigonski / TERRY ASTON

Property Address: 4985 & 4995 Ronald Reagan Blvd. Sanford, Florida 32773

Phone number(s) where you can
be reached during the day: 407-339-2275

Is the property now in compliance? YES
(If No, explain in detail) _____

Are you claiming a financial hardship? ~ NO

Are you claiming a medical hardship? NO

If the property owner is unable to complete this form, list the name of the person who is legally authorized to act for the property owner and his/her relationship to the property owner:

Name: **Mary Martin**

Relationship: **Daughter / Power Of Attorney** DAUGHTER OF EDNA SWIGONSKI

RETURN COMPLETED, SIGNED AND NOTARIZED FORM TO:
CLERK, SEMINOLE COUNTY CODE ENFORCEMENT 1101
EAST FIRST STREET, SANFORD, FLORIDA 32771-1468

I, Terry Aston t/a Florida K9 Services, Inc. 5001 Ronald Reagan Blvd. Sanford, Florida 32773 do hereby submit this REQUEST FOR REDUCTION OF PENALTY to request a reduction in the total amount of penalty imposed and in support offer the following statement: As a contracted future owner of the above property (and probably current owner when this decision is adjudged in county chambers) I recognized early the community need for the property to be cleaned of debris and unhealthy conditions. And, I recognized the impending penalty Seminole County levied against this property since 1997. In an agreement with Mrs. Swigonski and her daughter, Mrs. Martin, I elected to start the clean up of the property prior to actually closing our sale to purchase. In contacting the Code Enforcement Board of Seminole County I was advised of the criteria regarding the penalty case. Around April 1, 2007 I began removal of four (4) abandoned autos, three (3) RV units, and 54 thousand pounds (27 tons) of clutter, discarded household items, debris, unsightly trash, dead trees and bushes, rubbish, loose awnings and building attachments and garbage. All of these items were carefully collected and hauled to the Seminole County Waste Management facility in Geneva by my crews and myself personally. On May 8, 2007 Seminole County Code Enforcement officers signed and delivered to the owner an Affidavit Of Compliance for the existing case. My efforts took over 540 man hours sorting, picking up, and loading garbage and trash, payment to the county waste management facility for disposal of 27 tons of trash, 30 round trips towing a 10 yard trailer to Geneva using approximately 250 gallons of fuel, payment to the waste facility of nearly \$1,200 in disposal charges, and a minimum of 150 hours of supervisory and management of the project. Our total cost not including equipment repairs and immeasurable lost business income while working on this project came to \$24,900.00 direct out of pocket expenses. Although not listed in the compliance record we still must remove approximately five (5) more tons of interior items from the property and we must contract the raising and debris removal of two concrete unsightly structures which are unlivable and built over 60 years ago. We estimate this cost to add another \$22,000.00 to our expenses so the property will have a proper esthetic appearance coinciding with the surrounding neighborhood and properties. As an abutting property owner and neighbor we understand the county was aware of our 12 year history in compliance of our own facility and therefore was helpful in aiding our knowledge of the complexities involved in bringing this property up to code and compliance. I respectfully request reduction of the lien and monies levied by the county based on our good faith efforts, the fact that these liens were of no fault of ours, and recognizing the expenses incurred by myself and my company to correct this vast and rather unusual ongoing circumstance. Receipts for all estimates and expenses are available

Date: 5-9-07

Signed: [Signature]
Print Name: TERRY ASTON

STATE OF FLORIDA
COUNTY OF SEMINOLE

PERSONALLY appeared before me, the undersigned authority duly authorized to administer oaths and take acknowledgments, Terry Aston, who after first being duly sworn, acknowledged before me that the information contained herein is true and correct. He/she is not personally known to me and has produced FLDL A235-810-46-310 as identification and did take an oath.

Date: 5-9-07

Notary Public [Signature]
My commission expires: _____

RETURN COMPLETED, SIGNED AND NOTARIZED FORM TO:
CLERK, SEMINOLE COUNTY CODE ENFORCEMENT 1101
EAST FIRST STREET, SANFORD, FLORIDA 32771-1468



Jane Spencer
Commission #DD299304
Expires: March 19, 2008
Bonded Thru
Atlantic Bonding Co., Inc.