

**Minutes**  
**Code Enforcement Board Meeting**  
**City of Oviedo**  
**December 4, 2008**

The Code Enforcement Board of the City of Oviedo, Florida met in regular session Thursday, December 4, 2008.

Chairman Rob Thrift called the Meeting to order at 6:40 P.M.

**ROLL CALL**

Present: Robert Elfand, Curtis Gashlin, Desta Horner, Tia Hughes, Annie Soares, Robert Thrift

Absent: Darrell Lopez, absent with cause.

Staff Present: Shawn E. O'Rourke, Code Enforcement Manager; Monica Anderson, Code Enforcement Officer; Jim Orioles, Code Enforcement Officer; Debbie Pope, Secretary.

**APPROVAL OF MINUTES**

**Motion by Ms. Hughes to accept the minutes of the October 23, 2008 Code Board Hearing as written. Seconded by Mr. Gashlin.**

**AYE:** Elfand, Gashlin, Horner, Hughes, Soares, Thrift

**NAY:** None

**MOTION CARRIED:** 6-0

Shawn E. O'Rourke, Monica M. Anderson, Jim Orioles, and John Lenten were sworn in by Board Attorney Jennifer Barrington.

**OLD BUSINESS**

A) Status of Case CE08-00001060

DANIELL BOYD  
1013 BRIELLE AVE  
OVIDO, FL 32765

RE: 1013 BRIELLE AVE, OVIDO FL 32765-5406  
Parcel I.D.: 23-21-31-508-0000-0380

Ms. Anderson updated the Board with the current status of the case. She explained that the case was brought before the Board at the October 23, 2008 Code Board Hearing, at which time the Board set a date for correction of November 1, 2008. Code Enforcement inspected the property on November 3, 2008 and found the property NOT in compliance with the Board's Order. A fine in the amount of \$50.00 per day was imposed starting November 2, 2008 and will continue to accrue until the property is brought into compliance.

B) Status of Case CE08-00001121

DEUTSCHE BANK NATIONAL TR CO TR FBO  
P.O. BOX 11000  
SANTA ANA, CA 92711

RE: 389 BENTLEY ST, OVIEDO FL 32765-8263  
Parcel ID: 09-21-31-514-0000-0080

Mr. Orioles updated the Board with the current status of the case. He explained that the case was brought before the Board at the October 23, 2008 Code Board Hearing, and that the property was in brought into compliance by the date specified by the Board.

C) Status of Case CE08-00001249

MATTHEW J WHITEHEAD III  
245 LACKLAND CT  
ATLANTA, GA 30350

RE: 1043 PROVIDENCE LN, OVIEDO FL 32765-7043  
Parcel I.D.: 22-21-31-505-0000-0330

Ms. Anderson updated the Board with the current status of the case. She explained that the case was brought before the Board at the October 23, 2008 Code Board Hearing, at which time the Board set a date for correction of October 30, 2008. Code Enforcement inspected the property on October 31, 2008 and found the property NOT in compliance with the Board's Order. A fine in the amount of \$50.00 per day was imposed starting October 31, 2008 and will continue to accrue until the property is brought into compliance.

**NEW BUSINESS**

A) Case CE08-00001481

GEMINI TOWN CENTER H LLC &  
GEMINI TOWN CENTER 1 LLC ET AL  
16740 BIRKDALE COMM PKWY #301  
HUNTERSVILLE, NC 28078

RE: 199 E MITCHELL HAMMOCK RD., OVIEDO FL 32765  
Parcel I.D.: 15-21-31-524-0000-0020

**REPEAT VIOLATION** of the City of Oviedo Land Development Code **Section 4.11. Prohibited Uses and Specific Exclusions. (A) Prohibited Uses** The following uses are specifically prohibited in all districts: **(3)** Use of a vehicle, motor vehicle, or temporary structure in which, out of which, or from which any goods are sold or stored, any services are performed, or other business conducted unless it is an authorized accessory use or special event.; **Section 14.2. Sign Permits. (A) Permit Required** It shall be unlawful for any person to erect, construct, alter or relocate within the City, any sign without having first obtained a permit therefore, except as provided for in this sign code.; **Section 14.3. General Provisions.; (B) Prohibited Signs** It shall be unlawful to erect or maintain any sign described as follows: **(10)** Any other signs that are not expressly permitted by this article.; **Section 14.4. On-Site Signs. (F) Mitchell Hammock Road/Division Street Extension Corridors** Mitchell Hammock Road and the extension of Division Street from CR 426 to Mitchell Hammock Road will form new development corridors for the City. In order to fulfill the comprehensive planning objectives of the City, the following additional sign regulations shall apply to these corridors to enhance the appearance of the corridors and to enhance traffic safety: **(3) Prohibited Signs.** In addition to those signs generally prohibited by Section 14.3, Subsection (B) of this article, portable signs, parasite signs, pennants and banners shall be prohibited along these corridors.

**Motion by Mrs. Horner to continue the case until the next Code Enforcement Board Hearing. Seconded by Mr. Gashlin**

**AYE:** Elfand, Gashlin, Horner, Hughes, Soares, Thrift  
**NAY:** None  
**MOTION CARRIED:** 6-0

B) Case CE08-00001262

CARLOS CRUZ & MELISA AYALA  
4214 HEIRLOOM ROSE PL  
OVIEDO, FL 32766

RE: 4214 HEIRLOOM ROSE PL, OVIEDO FL 32766  
Parcel I.D.: 19-21-32-506-0000-3810

**VIOLATION** of the City of Oviedo Land Development Code **Section 4.11. Prohibited Uses and Specific Exclusions. (B) Prohibited Accessory Uses** The following activities are prohibited in residential districts: **(2)** Parking outside a substantially enclosed structure of any boat trailer, boom truck, dump truck, camping trailer, recreational vehicle, semi-trailer, temporary living quarters, trailer, travel trailer, truck camper, truck-tractor, truck trailer, wrecker, single-unit truck or motor home between the front building line of the principal building and the street on any lot used for purposes that fall within the following principal use classification: 1.1 through, and including, 1.6. **Section 3.4. Development Permits. (A) General A development**

permit authorizes the actual commencement of tree removal; land clearing, grading, or excavation; paving; utility service installation; construction within City right-of-way; construction of buildings or other structures; or the use of land for an approved special event. Development permits include the following: (1) Building permit.

**Motion by Mrs. Horner to find Respondents, CARLOS CRUZ & MELISA AYALA, RE: 4214 HEIRLOOM ROSE PL, OVIEDO FL 32766-6679 in Case CE08-00001262 were in violation of the City of Oviedo Land Development Code Section 3.4. Development Permits. (A) General (1); and Section 4.11. Prohibited Uses and Specific Exclusions. (B) Prohibited Accessory Uses (2); that the violation is now corrected, and that a violation of the same code by the Respondent within five (5) years from the date of this Order shall be treated as a repeat violation for which a fine of up to \$500.00 per day may be imposed. Seconded by Mrs. Hughes.**

**AYE:** Elfand, Gashlin, Horner, Hughes, Soares, Thrift  
**NAY:** None  
**MOTION CARRIED:** 6-0

C) Case CE08-00001287

DARIO & DORA RODRIGUEZ  
4515 BOND LANE  
OVIEDO, FL 32765

RE: 204 LONG ACRES LN., OVIEDO FL 32765  
Parcel I.D.: 14-21-31-300-004Y-0000

**VIOLATION** of the City of Oviedo Land Development Code **Section 3.4. Development Permits. (A) General** A development permit authorizes the actual commencement of tree removal; land clearing, grading, or excavation; paving; utility service installation; construction within City right-of-way; construction of buildings or other structures; or the use of land for an approved special event. Development permits include the following: (1) **Building permit.**

**Motion by Mrs. Hughes to find Respondents, DARIO & DORA RODRIGUEZ, RE: 204 LONG ACRES LN, OVIEDO FL 32765 in Case CE08-00001287 are in violation of the City of Oviedo Land Development Code Section 3.4 Development Permits (A)(1); and that the Respondents correct the violation by: January 5, 2009 by: *Applying for and obtaining the required permits from the City of Oviedo for the work done.***

**In the event the Respondents do not comply with this Order, a fine in the amount of \$250.00 will be imposed for each and every day the violation continues past the foretated date. The Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Seconded by Mr. Elfand.**

**AYE:** Elfand, Gashlin, Horner, Hughes, Soares, Thrift  
**NAY:** None  
**MOTION CARRIED:** 6-0

D) Case CE08-00001412

JOHN S & FRANCINE LENTES  
1007 KELSEY AVE  
OVIEDO, FL 32765

RE: 1007 KELSEY AVE, OVIEDO FL 32765-7046  
Parcel ID: 23-21-31-505-0000-0250

**VIOLATION** Code of Ordinances of the City of Oviedo **Sec. 22-173. Overgrown lots.** Allowing uncultivated vegetation in excess of 18 inches in height from the soil level or grass in excess of 12 inches in height from the soil level to develop or debris to accumulate on any developed lot, tract or parcel of land in the City to the extent where such constitutes or may reasonably constitute a haven or breeding place for mosquitoes, rats, mice, other rodents, snakes and other types of pests and vermin, or a danger to the public health, safety or welfare, or that creates a fire hazard shall be unlawful and is hereby prohibited.

**Motion by Mrs. Horner to find Respondents, JOHN S & FRANCINE LENTES, RE: 1007 KELSEY AVE, OVIEDO FL 32765-7046 in Case CE08-00001412 are in violation of the Code of Ordinances of the City of Oviedo Sec. 22-173. Overgrown lots.; and that the Respondents correct the violation by: December 18, 2009 by: *Mowing or cutting the uncultivated vegetation in excess of 18 inches in height from the soil level or grass in excess of 12 inches in height from the soil level on the property.***

**In the event the Respondents do not comply with this Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the forestated date. The Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Seconded by Mr. Gashlin.**

**AYE:** Elfand, Gashlin, Horner, Hughes, Soares, Thrift  
**NAY:** None  
**MOTION CARRIED:** 6-0

E) Case CE08-00001435

RAMONA PAKZADIAN  
1258 SNUGHARBOR DR  
CASSELBERRY, FL 32707

RE: 1037 BLUEJACK OAK DR., OVIEDO FL 32766

Parcel I.D.: 23-21-31-516-0000-1000

**VIOLATION** Code of Ordinances of the City of Oviedo **Sec. 22-173. Overgrown lots.** Allowing uncultivated vegetation in excess of 18 inches in height from the soil level or grass in excess of 12 inches in height from the soil level to develop or debris to accumulate on any developed lot, tract or parcel of land in the City to the extent where such constitutes or may reasonably constitute a haven or breeding place for mosquitoes, rats, mice, other rodents, snakes and other types of pests and vermin, or a danger to the public health, safety or welfare, or that creates a fire hazard shall be unlawful and is hereby prohibited.

**Motion by Mr. Elfand to find Respondent, RAMONA PAKZADIAN, RE: 1037 BLUEJACK OAK DR, OVIEDO FL 32765-6034 in Case CE08-00001435 was in violation of the Code of Ordinances of the City of Oviedo Sec. 22-173. Overgrown lots; that the violation is now corrected, and that a violation of the same code by the Respondent within five (5) years from the date of this Order shall be treated as a repeat violation for which a fine of up to \$500.00 per day may be imposed. Seconded by Mr. Gashlin.**

**AYE:** Elfand, Gashlin, Horner, Hughes, Soares, Thrift  
**NAY:** None  
**MOTION CARRIED:** 6-0

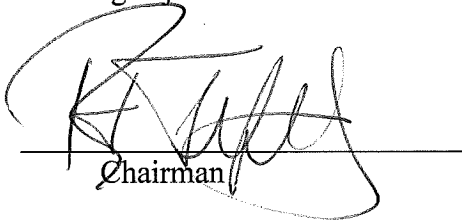
**DISCUSSION**

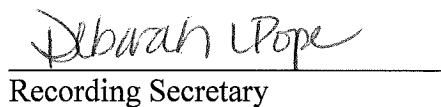
Mr. Thrift announces that Mrs. Horner is vacating her seat on the Code Enforcement Board and on behalf of the Board wishes Mrs. Horner well. Mr. O'Rourke also thanks Mrs. Horner for her dedication and the professionalism that she brought to the Board.

Mr. O'Rourke announces that the annual Code Enforcement Board workshop will take place at 5:30 p.m. on January 22, 2009 followed by the regularly scheduled Code Enforcement Board Hearing at 6:30 p.m.

**ADJOURNMENT**

Meeting adjourned at 7:27 P.M.

  
Chairman

  
Recording Secretary