

**Special Magistrate for the
City of Haines City**

CITY OF HAINES CITY,

Petitioner,

vs.

DAVID RIOS

Violation No:36543

Respondent(s),
_____ /


NOTICE OF HEARING

**NOTICE: A FINE AND COSTS MAY BE IMPOSED AT THIS HEARING
PLEASE GOVERN YOURSELF ACCORDINGLY**

Pursuant to Section 2.40 of the Code of Ordinances and Section 162.06 Florida Statutes, you are hereby called upon to take notice that a Public Hearing will be conducted in the above-styled cause, by the Special Magistrate, on **WEDNESDAY DECEMBER 18, 2024 at 8:45 a.m.** or as soon after as may be heard, in the Commission Chambers, City Hall, 620 E. Main St. Haines City, Florida. The Special Magistrate will receive testimony and evidence at said Public Hearing and shall make such findings of fact and conclusions of law as are supported by the testimony and evidence pertaining to the matters alleged in the attached Affidavit of Violation(s) and may issue a Final Order affording the proper relief. A certified copy of the Final Order may be recoded in public records of the county and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property, and the findings therein shall be binding upon the violator and, if the violation concerns real property, upon any subsequent purchasers, successors in interest, or assigns. If you fail to appear at the Hearing, the Special Magistrate may base any findings solely on the testimony and evidence presented by The Code Compliance Officer. Please govern yourself accordingly.

DATED: this 11/13/2024

SPECIAL MAGISTRATE OF THE
CITY OF HAINES CITY, FLORIDA

By: 

Michelle Escribano Code Compliance Specialist

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Hearing has been furnished by Certified Mail/Personal Service to Respondent, DAVID RIOS, 2235 PIGEON PLUM DR, HAINES CITY FL 33844-4139.

Return Receipt Number: **9489009000276582292815**

By: 

Michelle Escribano Code Compliance Specialist

IF A PERSON DESIRES TO APPEAL ANY DECISION WITH RESPECT TO ANY MATTER CONSIDERED AT THESE PROCEEDINGS, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND THAT, FOR THIS PURPOSE, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

**Special Magistrate for the
City of Haines City**

CITY OF HAINES CITY,

Violation No:36543

Petitioner,

vs.

DAVID RIOS

Respondent(s),

**STATE OF FLORIDA
COUNTY OF POLK**

AFFIDAVIT OF VIOLATION

BEFORE ME, the undersigned authority, personally appeared DONTRELL NORMAN, Code Officer for the City of Haines City, Florida, who after being duly sworn, deposes and states:

1. That DAVID RIOS of 2235 PIGEON PLUM, HAINES CITY , FL 33844-4139, hereinafter referred to as "RESPONDENT", is the owner and/or responsible party of the real property located at 2235 PIGEON PLUM DR, Haines City, FL the legal description of which is fully set forth on Exhibit A attached hereto.
2. That the described property is in violation of the Ordinance as shown in the Violation Details set forth in Exhibit A attached hereto.
3. That a true copy of the Violation Notice(s) previously provided to RESPONDENT is attached hereto.
4. That said violation(s) has/have not been corrected.
5. That a true copy of the Notice of Hearing to be served upon the RESPONDENT in conjunction with this Affidavit of Violation is attached hereto.

AFFIRMATION UNDER OATH

The foregoing instrument was sworn to (or affirmed), subscribed, and acknowledged before me **by means of** **physical presence** or **online notarization**, this 13TH day of NOVEMBER, 2024, by DONTRELL NORMAN, who is personally known to me or has produced as identification.



DONTRELL NORMAN
as the Code Officer for Haines City

 13, 2024

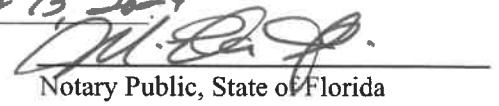
Date

STATE OF FLORIDA
COUNTY OF POLK

BEFORE ME the undersigned authority personally appeared DONTRELL NORMAN, who is personally known to me and after being first duly sworn, deposes and says that affiant is the Code Inspector for the City of Haines City, and that the above Affidavit is true and correct to the best of affiant's knowledge and belief.

SWORN TO AND SUBSCRIBED before me, on November 13, 2024
(AFFIX NOTARY STAMP)




Notary Public, State of Florida

Michelle Escribano
Printed/Typed Name

Special Magistrate for the City of Haines City

Exhibit A

Legal description of property owned by RESPONDENT, DAVID RIOS located at 2235 PIGEON PLUM DR, HAINES CITY FL 33844-4139, and is described as: CYPRESS PARK ESTATES PHASE 1 PB 187 PG 2-7 LOT 238, Sub.: and further described as: 2235 PIGEON PLUM DR, HAINES CITY , FL, 33844.

Violation:

FENCE PERMIT/LDR SEC.
5.2.1 (a):

EXCEPT AS REQUIRED FOR MAINTENANCE OF VISIBILITY AT STREET INTERSECTIONS OR AT INTERSECTIONS OF DRIVEWAYS WITH STREETS, FENCES, WALLS AND HEDGES SHALL BE PERMITTED IN ANY REQUIRED YARD; PROVIDED, HOWEVER THAT NO SOLID FENCE OR SOLID WALL SHALL BE PERMITTED TO EXCEED 8 FEET IN HEIGHT IN ANY SIDE OR REAR YARD, NOR MORE THAN 4 FEET IN HEIGHT IN ANY REQUIRED FRONT YARD. CHAIN FENCES SHALL NOT BE PERMITTED IN ANY REQUIRED FRONT YARD. ALL FENCES SHALL REQUIRE A BUILDING PERMIT.

Mailed to:

DAVID RIOS
2235 PIGEON PLUM DR
HAINES CITY FL 33844-4139



CITY OF HAINES CITY VIOLATION NOTICE

| | | |
|--|---|---|
| Case Number: 36543 | Date of Violation: 08/23/2024 | Property Address: 2235 PIGEON PLUM DR |
| Property Owner(s): DAVID RIOS | Property Owner(s) Address: 2235 PIGEON PLUM HAINES CITY, FL 33844-4139 | Bank/Occupant Name & Address: |
| Parcel Number: 27-27-23-757502-002380 | | |
| Property Description: CYPRESS PARK ESTATES PHASE 1 PB 187 PG 2-7 LOT 238 | | |

NOTICE:

You have been issued a Notice of Violation for violating the City of Haines City Codes and/or Regulations. You have been given reasonable time to correct the violation(s), and a re-inspection of the above property will be performed on the date indicated below. Your failure to correct the violation within the time period specified may result in a complaint being filed against the above property owner(s) with the Special Magistrate. Any action taken by the City of Haines City, the authority having jurisdiction, could result in a fine that will be charged against the real estate upon which the violation(s) are located and shall be a lien upon such real estate and all other real property owned. If you are unsure about any requirements necessary to correct this violation(s), please contact the City of Haines City Code Compliance Division at 35400 U.S. Highway 27 Haines City, Fl. 33844 or call 863-421-9937 between the hours of 8:30 AM and 4:30 PM Monday through Friday.

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|--|---|
| Violation(s): FENCE PERMIT/LDR SEC. 5.2.1 (a) | |
| Violation(s) Description: EXCEPT AS REQUIRED FOR MAINTENANCE OF VISIBILITY AT STREET INTERSECTIONS OR AT INTERSECTIONS OF DRIVEWAYS WITH STREETS, FENCES, WALLS AND HEDGES SHALL BE PERMITTED IN ANY REQUIRED YARD; PROVIDED, HOWEVER THAT NO SOLID FENCE OR SOLID WALL SHALL BE PERMITTED TO EXCEED 8 FEET IN HEIGHT IN ANY SIDE OR REAR YARD, NOR MORE THAN 4 FEET IN HEIGHT IN ANY REQUIRED FRONT YARD. CHAIN FENCES SHALL NOT BE PERMITTED IN ANY REQUIRED FRONT YARD. ALL FENCES SHALL REQUIRE A BUILDING PERMIT. | |
| Narrative: A FENCE HAS BEEN ERECTED WITHOUT A PERMIT. | |
| Recommended Corrective Action: A FENCE HAS BEEN ERECTED ON THE PROPERTY WITHOUT A PERMIT. OBTAIN A PERMIT FROM THE HAINES CITY BUILDING DEPARTMENT. | |
| To Be Corrected By: 12/16/2024 | |
| Code Compliance Officer: DONTRELL NORMAN | Certified Mail #: 9489009000276582293850 |