

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

CITY OF HAINES CITY,
Petitioner,

Violation No:35000

vs.

ADA MOLINA, YOBANY W AMAYA

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 MARCH 27, 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 03/05/2024

SPECIAL MAGISTRATE OF THE
CITY OF HAINES CITY, FLORIDA

By: _____

M. Escibano
Michelle Escibano 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, ADA MOLINA, YOBANY W AMAYA, 803 N 24TH ST, HAINES CITY, FL 33844-4514.

Return Receipt Number: **9489009000276582303757**

By: _____

M. Escibano
Michelle Escibano 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.

If You Have Any Questions Please call 863-421-9937

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

CITY OF HAINES CITY,

Violation No:35000

Petitioner,

vs.

ADA MOLINA, YOBANY W AMAYA

Respondent(s),

STATE OF FLORIDA
COUNTY OF POLK

AFFIDAVIT OF VIOLATION

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

1. That ADA MOLINA, YOBANY W AMAYA of 803 N 24TH ST, HAINES CITY, FL 33844-4514, hereinafter referred to as "RESPONDENT", is the owner and/or responsible party of the real property located at 803 24TH ST, 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 5TH day of MARCH, 2024, by JOEL YANEZ, who is personally known to me or has produced as identification.

Joel Yanez

JOEL YANEZ
as the Code Officer for Haines City

March 5, 2024

Date

STATE OF FLORIDA
COUNTY OF POLK

BEFORE ME the undersigned authority personally appeared JOEL YANEZ, 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 *March 5, 2024*
(AFFIX NOTARY STAMP)



M. Esc. J.

Notary Public, State of Florida

Michelle Escribano

Printed/Typed Name

If You Have Any Questions Please call 863-421-9937

Special Magistrate for the City of Haines City

Exhibit A

Legal description of property owned by RESPONDENT, ADA MOLINA, YOBANY W AMAYA located at 803 N 24TH ST, HAINES CITY, FL 33844-4514, and is described as: REPLAT OF THE REPLAT OF BLOCKS K L M & N OF RIDGE WOOD SUB UNIT 1 PB 70 P G 42 TRACT C THAT PART DESC AS BEG SW COR TRACT C RUN N 110 F T E 155 FT S 110 FT W 155 FT TO POB, Sub.: and further described as: 803 24TH ST, HAINES CITY, FL, 33844.

Violation:

INSTALLATIONS OF RIGHT-
OF-WAY/SEC. 22-28:

IT IS UNLAWFUL FOR ANY PERSON, PUBLIC OR PRIVATE UTILITY OR ANY OTHER GOVERNMENTAL AGENCY OR CONTRACTOR WORKING FOR THE SAME TO EXCAVATE, DIG, BLAST OR TUNNEL OR TO PLACE, CONSTRUCT, REPAIR OR INSTALL ANY DRIVEWAY, CURB SIDEWALK OR CULVERT WITHIN ANY PUBLIC STREET, ALLEY OR OTHER RIGHT-OF-WAY IN THE CITY, UNLESS APPLICATION SHALL FIRST BE MADE AND A WRITTEN PERMIT OBTAINED IN ADVANCE OF BEGINNING WORK.

PARKING OF CERTAIN
OTHER VEHICLES WITHIN
THE CITY /LDR SEC. 11.4.2
(D):

THE PARKING OF TRACTOR UNITS (USED FOR PULLING TRAILERS), TRACTOR TRAILERS, FULL TRAILERS, STRAIGHT, PANEL, DUMP TRUCKS, BUSES AND ANY VEHICLE RATED GREATER THAN ONE TON BY THE MANUFACTURER, EXCEPT AS PROVIDED OTHERWISE HEREIN, IS NOT PERMITTED IN ANY RESIDENTIAL DISTRICT. SUCH VEHICLES MAY BE PARKED ON PRIVATE PROPERTY ONLY IN THE COURSE OF MAKING DELIVERIES OR PICKUPS OR IN RENDERING SERVICES.

RESIDENTIAL DRIVEWAY
CONSTRUCTION/LDR SEC.
11.1.2.(F):

ALL NEW RESIDENTIAL SHALL HAVE A PAVED DRIVEWAY CONSISTING OF ASPHALT OR CONCRETE. WHEN IT CAN BE DEMONSTRATED TO THE SATISFACTION OF THE ADMINISTRATIVE OFFICIAL THAT AN ALTERNATE METHOD OF SURFACING MEETS THE REQUIREMENTS OF MORE CONVENTIONAL SURFACING METHODS, THEN THE ADMINISTRATIVE OFFICIAL MAY PERMIT SUCH IMPROVEMENTS. HOWEVER, THE BURDEN OF PROOF IS ON THE DEVELOPER AND NOT THE CITY TO DEMONSTRATE THAT THE ALTERNATIVE METHOD OF SURFACING DRIVEWAYS EQUIVALENT TO ASPHALT AND CONCRETE IN THE AREAS OF STABILITY, LEVEL OF MAINTENANCE, WEAR, AND DURABILITY.

RIGHT-OF -WAY
RESERVATIONS/LDR SEC.
12.6.2 (E):

THE RESERVED RIGHT-OF-WAY SHALL BE RESERVED FOR FUTURE PURCHASE FOR ROADWAY USE, AND SHALL BE KEPT FREE AND CLEAR OF ALL ASSOCIATED PRIVATE DEVELOPMENT IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO OFF-STREET PARKING, LANDSCAPING OTHER THAN GROUND COVER OR GRASS, DRAINAGE, SIGNAGE AND STRUCTURES.

Mailed to:

ADA MOLINA, YOBANY W AMAYA
803 N 24TH ST
HAINES CITY, FL 33844-4514



CITY OF HAINES CITY VIOLATION NOTICE

Case Number: 35000	Date of Violation: 11/01/2023	Property Address: 803 24TH ST
Property Owner(s): ADA MOLINA, YOBANY W AMAYA	Property Owner(s) Address: 803 N 24TH ST HAINES CITY, FL 33844-4514	Bank/Occupant Name & Address:
Parcel Number: 27-27-21-755300-000170		
Property Description: REPLAT OF THE REPLAT OF BLOCKS K L M & N OF RIDGE WOOD SUB UNIT 1 PB 70 P G 42 TRACT C THAT PART DESC AS BEG SW COR TRACT C RUN N 110 F T E 155 FT S 110 FT W 155 FT TO POB		

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.

Violation(s): INSTALLATIONS OF RIGHT-OF-WAY/SEC. 22-28
Violation(s) Description: IT IS UNLAWFUL FOR ANY PERSON, PUBLIC OR PRIVATE UTILITY OR ANY OTHER GOVERNMENTAL AGENCY OR CONTRACTOR WORKING FOR THE SAME TO EXCAVATE, DIG, BLAST OR TUNNEL OR TO PLACE, CONSTRUCT, REPAIR OR INSTALL ANY DRIVEWAY, CURB SIDEWALK OR CULVERT WITHIN ANY PUBLIC STREET, ALLEY OR OTHER RIGHT-OF-WAY IN THE CITY, UNLESS APPLICATION SHALL FIRST BE MADE AND A WRITTEN PERMIT OBTAINED IN ADVANCE OF BEGINNING WORK.
Violation(s): PARKING OF CERTAIN OTHER VEHICLES WITHIN THE CITY /LDR SEC. 11.4.2 (D)
Violation(s) Description: THE PARKING OF TRACTOR UNITS (USED FOR PULLING TRAILERS), TRACTOR TRAILERS, FULL TRAILERS, STRAIGHT, PANEL, DUMP TRUCKS, BUSES AND ANY VEHICLE RATED GREATER THAN ONE TON BY THE MANUFACTURER, EXCEPT AS PROVIDED OTHERWISE HEREIN, IS NOT PERMITTED IN ANY RESIDENTIAL DISTRICT. SUCH VEHICLES MAY BE PARKED ON PRIVATE PROPERTY ONLY IN THE COURSE OF MAKING DELIVERIES OR PICKUPS OR IN RENDERING SERVICES.
Violation(s): RESIDENTIAL DRIVEWAY CONSTRUCTION/LDR SEC. 11.1.2.(F)
Violation(s) Description: ALL NEW RESIDENTIAL SHALL HAVE A PAVED DRIVEWAY CONSISTING OF ASPHALT OR CONCRETE. WHEN IT CAN BE DEMONSTRATED TO THE SATISFACTION OF THE ADMINISTRATIVE OFFICIAL THAT AN ALTERNATE METHOD OF SURFACING MEETS THE REQUIREMENTS OF MORE CONVENTIONAL SURFACING METHODS, THEN THE ADMINISTRATIVE OFFICIAL MAY PERMIT SUCH IMPROVEMENTS. HOWEVER, THE BURDEN OF PROOF IS ON THE DEVELOPER AND NOT THE CITY TO DEMONSTRATE THAT THE ALTERNATIVE METHOD OF SURFACING DRIVEWAYS EQUIVALENT TO ASPHALT AND

CONCRETE IN THE AREAS OF STABILITY, LEVEL OF MAINTENANCE, WEAR, AND DURABILITY.

Violation(s):

RIGHT-OF -WAY RESERVATIONS/LDR SEC. 12.6.2 (E)

Violation(s) Description:

THE RESERVED RIGHT-OF-WAY SHALL BE RESERVED FOR FUTURE PURCHASE FOR ROADWAY USE, AND SHALL BE KEPT FREE AND CLEAR OF ALL ASSOCIATED PRIVATE DEVELOPMENT IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO OFF-STREET PARKING, LANDSCAPING OTHER THAN GROUND COVER OR GRASS, DRAINAGE, SIGNAGE AND STRUCTURES.

Narrative:

THERE ARE A FEW VIOLATIONS AT THIS LOCATION: 1. ASPHALT MILLINGS WERE PLACED ON THE REAR SIDE OF THE PROPERTY. (**COMPLIED 2/20.2024**) 2. THE CITY'S RIGHT OF WAY AT MAGNOLIA ST. HAS BEEN PAVED WITHOUT PRIOR WRITTEN APPROVAL OR BUILDING PERMITTING.

Recommended Corrective Action:

1. REMOVE ASPHALT MILLINGS. (**COMPLIED 2/20/2024**) 2. SEEK AND OBTAIN PERMIT FROM THE CITY'S BUILDING DEPARTMENT FOR THE RIGHT OF WAY PAVED ON MAGNOLIA ST.

To Be Corrected By: 03/25/2024

Code Compliance Officer: JOEL YANEZ

Certified Mail #: 9489009000276582304594