

Special Magistrate for the City of Haines City

CITY OF HAINES CITY,

Petitioner,

vs.

JW LOGISTICS CORP

Respondent(s),

Violation No:34118

NOTICE OF HEARING

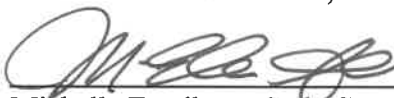
**NOTICE: A FINE AND COSTS MAY BE IMPOSED AT THIS HEARING
PLEASE GOVERN YOURSELF ACCORDINGLY**

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 02/01/2024

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, JW LOGISTICS CORP, PO BOX 3901, HAINES CITY, FL. 33845-3901.

Return Receipt Number: 9489009000276582304358 & 9489009000276582304365

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,

Petitioner,

vs.

JW LOGISTICS CORP

Violation No:34118

Respondent(s),

**STATE OF FLORIDA
COUNTY OF POLK**

AFFIDAVIT OF VIOLATION

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

1. That JW LOGISTICS CORP of PO BOX 3901, HAINES CITY, FL 33845-3901, hereinafter referred to as "RESPONDENT", is the owner and/or responsible party of the real property located at MARLEY 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 1ST day of FEBRUARY, 2024, by DAVID JIMENEZ, who is personally known to me or has produced as identification.

David Jimenez
DAVID JIMENEZ

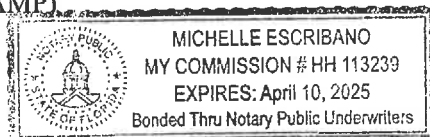
as the Code Officer for Haines City

2/1/24
Date

**STATE OF FLORIDA
COUNTY OF POLK**

BEFORE ME the undersigned authority personally appeared DAVID JIMENEZ, 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, *February 1st, 2024*
(AFFIX NOTARY STAMP)



M. Escribano
Notary Public, State of Florida

Middle 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, JW LOGISTICS CORP located at PO BOX 3901, HAINES CITY, FL. 33845-3901, and is described as: S1/2 OF SE1/4 OF SE1/4 LESS N 327 FT & LESS R/W & LESS R/W FOR CR 544 & 30TH ST AS DESC IN OR 4974 PG 1081, Sub.: and further described as: MARLEY DR, HAINES CITY, FL, 33844.

Violation:

EMPLOYEE PARKING/LDR SEC. 11.1.6:	WHERE OFF-STREET PARKING FACILITIES ARE SPECIFIED ON THE BASIS OF NUMBER OF EMPLOYEES, SUCH PARKING SHALL BE CLEARLY MARKED AND RESERVED FOR USE OF SUCH EMPLOYEES. WHERE A USE IS REQUIRED TO PROVIDE AND RESERVE A CERTAIN NUMBER OF SPACES FOR EMPLOYEES AND THE NUMBER OF EMPLOYEES INCREASE AFTER THE BUILDING IS OCCUPIED, THEN THE AMOUNT OF OFF-STREET PARKING PROVIDED SHALL BE INCREASED IN RATION TO THE INCREASE IN THE NUMBER OF EMPLOYEES. PLANS SUBMITTED SHALL MAKE PROVISION FOR PROJECTED FULL OR PEAK EMPLOYMENT.
ILW OUTDOOR STORAGE/LDR SEC. 5.6.17 (B) (5):	OUTDOOR STORAGE YARDS AND LOTS, PROVIDED SUCH OUTDOOR STORAGE YARD SHALL NOT BE LOCATED CLOSER THAN 25 FEET TO ANY PUBLIC STREET AND THAT SUCH YARD SHALL BE COMPLETELY ENCLOSED, EXCEPT FOR NECESSARY INGRESS AND EGRESS, AND HAVE A SOLID FENCE OR WALL NOT LESS THAN SIX FEET HIGH AND PROVIDED FURTHER THAT THIS PROVISION SHALL NOT PERMIT WRECKING YARDS (INCLUDING AUTOMOBILE WRECKING OR SALVAGE YARDS), JUNK YARDS, OR YARDS USED IN WHOLE OR IN PART FOR SCRAP OR SALVAGE OPERATIONS OR FOR PROCESSING STORAGE, DISPLAY OR SALES OF ANY SCRAP, SALVAGE, OR SECONDHAND BUILDING MATERIALS, JUNK AUTOMOTIVE VEHICLES, OR SECONDHAND AUTOMOTIVE VEHICLE PARTS.
OFF STREET PARKING APPLICATION/KDR SEC.11.1.2:	OFF-STREET PARKING FACILITIES SHALL BE PROVIDED AS REQUIRED BY THIS CHAPTER. FOR PURPOSES OF THIS CHAPTER, AN OFF-STREET PARKING SPACE SHALL CONSIST OF A SPACE ADEQUATE FOR PARKING A STANDARD SIZE AUTOMOBILE WITH ROOM FOR OPENING DOORS ON BOTH SIDES, TOGETHER WITH PROPERLY RELATED ACCESS TO A PUBLIC STREET OR ALLEY AND MANEUVERING ROOM. REQUIRED OFF-STREET PARKING AREAS FOR THREE OR MORE AUTOMOBILES SHALL HAVE INDIVIDUAL SPACES MARKED, EXCEPT AS PROVIDED BELOW, AND SHALL BE SO DESIGNED, MAINTAINED AND REGULATED THAT NO PARKING OR MANEUVERING INCIDENTAL TO PARKING SHALL BE ON ANY PUBLIC STREET, WALK OR ALLEY, AND IN SUCH A MANNER THAT ANY AUTOMOBILE MAY BE PARKED AND UN-PARKED WITHOUT MOVING ANOTHER.
OUTDOOR PAVEMENT REQUIREMENTS/LDR SEC. 11.1.2 (C):	EXCEPT AS PROVIDED BELOW, ALL OFF-STREET PARKING SPACES, LOADING AREAS, STORAGE AND RELATED ACCESS AREAS SHALL BE CONSTRUCTED IN ACCORDANCE WITH CHAPTER 13 OF THE LDR

SITE COMPATIBILITY
REQUIREMENTS/LDR SEC.
5.2.18:

CONSTRUCTION REQUIREMENTS FOR MINOR STREETS AND
MAINTAINED IN A MANNER PERMITTING SAFE AND CONVENIENT
USE, AND SO AS TO AVOID ADVERSE EFFECTS ON NEIGHBORING
PROPERTY AS A RESULT OF DUST OR DRAINAGE

IN ORDER TO PROMOTE SAFETY, IMPROVE TRAFFIC CIRCULATION
ON AND AROUND A SITE AND TO PREVENT POTENTIAL ADVERSE
EFFECTS, PETITIONERS FOR ALL RESIDENTIAL, INSTITUTIONAL,
COMMERCIAL AND INDUSTRIAL DEVELOPMENT ACTIVITIES,
EXCEPT AS PROVIDED OTHERWISE WITHIN THE LDR, SHALL SUBMIT
A SITE PLAN MEETING THE REQUIREMENTS AS STATED IN CHAPTER
5 OF THE ADMINISTRATION AND PROCEDURES MANUAL. THE SITE
PLAN SHALL BE SUBMITTED FOR REVIEW TO THE ADMINISTRATIVE
OFFICIAL INDICATING PROPOSED USES AND STRUCTURES,
DRIVEWAYS AND PARKING AREAS, MINIMUM REQUIRED YARDS,
BUFFERING, SIGNS, LANDSCAPING, DRAINAGE AND SUCH OTHER
DETAILS AS ARE REQUIRED BY THESE SECTIONS BY GENERAL RULE
OR IN THE PARTICULAR CIRCUMSTANCES OF THE CASE, AND SHALL
INDICATE A SCHEDULE FOR INITIATION AND COMPLETION OF
DEVELOPMENT.

IF APPROVED, THE SITE PLAN SHALL BE BINDING UPON THE
PETITIONERS AND ANY SUCCESSORS IN TITLE, AND NO
SUBSTANTIAL CHANGE SHALL BE PERMITTED WITHOUT APPROVAL
FROM THE ADMINISTRATIVE OFFICIAL.

Mailed to:

JW LOGISTICS CORP
PO BOX 3901
HAINES CITY, FL. 33845-3901