

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

**CITY OF HAINES CITY,**  
*Petitioner,*

Violation No:33170

**vs.**

**DENIS & OSCAR LLC**

*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 MAY 24, 2023 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 05/01/2023

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, DENIS & OSCAR LLC, 330 N RAMONA AVE, LAKE ALFRED FL 33850-2304.

Return Receipt Number: **9489009000276434499430**

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.

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

# Special Magistrate for the City of Haines City

CITY OF HAINES CITY,

Petitioner,

vs.

DENIS & OSCAR LLC

Violation No:33170

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 DENIS & OSCAR LLC of 330 N. RAMONA AVE., LAKE ALFRED, FL 33850-2304, hereinafter referred to as "RESPONDENT", is the owner and/or responsible party of the real property located at 1704 MARTIN L KING JR WAY, 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 MAY, 2023, by JOEL YANEZ, who is personally known to me or has produced as identification.

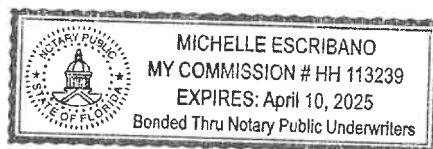
Joel Yanez  
JOEL YANEZ  
as the Code Officer for Haines City

May 1, 2023  
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 May 1, 2023  
(AFFIX NOTARY STAMP)



M. Escobedo  
Notary Public, State of Florida

Michelle Escobedo  
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, DENIS & OSCAR LLC located at 330 N RAMONA AVE, LAKE ALFRED FL 33850-2304, and is described as: KATZ PHILLIP SUB PB 6 PG 41 LOTS 67 & 68, Sub.: and further described as: 1704 MARTIN L KING JR WAY, HAINES CITY, FL, 33844.

### Violation:

EMERGENCY ESCAPE OPENINGS/HCPMC SEC. 702.4:	REQUIRED EMERGENCY ESCAPE OPENINGS SHALL BE MAINTAINED IN ACCORDANCE WITH THE CODE IN EFFECT AT THE TIME OF CONSTRUCTION, AND THE FOLLOWING. REQUIRED EMERGENCY ESCAPE AND RESCUE OPENINGS SHALL BE OPERATIONAL FROM INSIDE OF THE ROOM WITHOUT THE USE OF KEYS OR TOOLS. BARS, GRILLES, GRATES OR SIMILAR DEVICES ARE PERMITTED TO BE PLACED OVER EMERGENCY ESCAPE AND RESCUE OPENINGS PROVIDED THE MINIMUM NET CLEAR OPENING SIZE COMPLIES WITH THE CODE THAT WAS IN EFFECT AT THE TIME OF CONSTRUCTION AND SUCH DEVICES SHALL BE RELEASABLE OR REMOVABLE FROM THE INSIDE WITHOUT THE USE OF A KEY, TOOL, OR FORCE GREATER THAN THAT WHICH IS REQUIRED FOR NORMAL OPERATION OF THE ESCAPE AND RESCUE OPENING.
EXTERIOR PROPERTY SANITATION/HCPMC SEC. 302.1:	ALL EXTERIOR PROPERTY AND PREMISES SHALL BE MAINTAINED IN A CLEAN, SAFE AND SANITARY CONDITION. THE OCCUPANT SHALL KEEP THAT PART OF THE EXTERIOR PROPERTY WHICH SUCH OCCUPANT OCCUPIES OR CONTROLS IN A CLEAN AND SANITARY CONDITION.
PERMIT REQUIRED FBC SEC. 105.1:	ANY OWNER, AUTHORIZED AGENT, OR CONTRACTOR WHO DESIRES TO CONSTRUCT, ENLARGE, ALTER, REPAIR, MOVE, DEMOLISH OR CHANGE THE OCCUPANCY OF A BUILDING OR STRUCTURE, OR TO ERECT, INSTALL, ENLARGE, ALTER REPAIR, REMOVE, CONVERT OR REPLACE ANY ELECTRICAL, GAS, MECHANICAL OR PLUMBING SYSTEM, IN THE INSTALLATION OF WHICH IS REGULATED BY THE TECHNICAL CODES, OR TO CAUSE ANY SUCH WORK TO BE DONE, SHALL FIRST MAKE APPLICATION TO THE BUILDING OFFICIAL AND OBTAIN THE REQUIRED PERMIT FOR THE WORK.
PREMISES IDENTIFICATION/HCPMC SEC. 304.3:	BUILDINGS SHALL HAVE APPROVED ADDRESS NUMBERS PLACED IN A POSITION TO BE PLAINLY LEGIBLE AND VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. THESE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. ADDRESS NUMBERS SHALL BE A MINIMUM OF 4 INCHES (102mm) HIGH WITH A MINIMUM STROKE WIDTH OF 0.5 INCH (12.7 mm).
ROOFS AND DRAINAGE/HCPMC SEC. 304.7:	THE ROOF AND FLASHING SHALL BE SOUND, TIGHT AND NOT HAVE DEFECTS THAT ADMIT RAIN. ROOF DRAINAGE SHALL BE ADEQUATE TO PREVENT DAMPNES OR DETERIORATION IN THE WALLS OR INTERIOR PORTION OF THE STRUCTURE. ROOF DRAINS, GUTTERS AND DOWNSPOUTS SHALL BE MAINTAINED IN GOOD REPAIR AND FREE FROM OBSTRUCTIONS. ROOF WATER SHALL NOT BE DISCHARGED IN A MANNER THAT CREATES A PUBLIC NUISANCE.
WEEDS/HCPMC SEC. 302.4:	ALL PREMISES AND EXTERIOR PROPERTY SHALL BE MAINTAINED FREE FROM WEEDS OR PLANT GROWTH IN EXCESS OF 12 INCHES. ALL NOXIOUS WEEDS SHALL BE PROHIBITED. WEEDS DEFINED AS

ALL GRASSES, ANNUAL PLANTS AND VEGETATION, OTHER THAN  
TREES OR SHRUBS PROVIDED; HOWEVER THIS TERM SHALL NOT  
INCLUDE CULTIVATED FLOWERS OR GARDENS.

Mailed to:

DENIS & OSCAR LLC  
330 N RAMONA AVE  
LAKE ALFRED FL 33850-2304



## CITY OF HAINES CITY VIOLATION NOTICE

<b>Case Number:</b> 33170	<b>Date of Violation:</b> 09/14/2022	<b>Property Address:</b> 1704 MARTIN L KING JR WAY
<b>Property Owner(s):</b> DENIS & OSCAR LLC	<b>Property Owner(s) Address:</b> 330 N. RAMONA AVE. LAKE ALFRED, FL 33850-2304	<b>Bank/Occupant Name &amp; Address:</b>
<b>Parcel Number:</b> 27-27-21-753000-000670		
<b>Property Description:</b> KATZ PHILLIP SUB PB 6 PG 41 LOTS 67 & 68		

### 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. *You have the right to appeal this notice to the Special Magistrate by submitting a written request within 20 days from the date of this notice was served to appear before the Special Magistrate.*

<b>Violation(s):</b> EMERGENCY ESCAPE OPENINGS/HCPMC SEC. 702.4
<b>Violation(s) Description:</b> REQUIRED EMERGENCY ESCAPE OPENINGS SHALL BE MAINTAINED IN ACCORDANCE WITH THE CODE IN EFFECT AT THE TIME OF CONSTRUCTION, AND THE FOLLOWING. REQUIRED EMERGENCY ESCAPE AND RESCUE OPENINGS SHALL BE OPERATIONAL FROM INSIDE OF THE ROOM WITHOUT THE USE OF KEYS OR TOOLS. BARS, GRILLES, GRATES OR SIMILAR DEVICES ARE PERMITTED TO BE PLACED OVER EMERGENCY ESCAPE AND RESCUE OPENINGS PROVIDED THE MINIMUM NET CLEAR OPENING SIZE COMPLIES WITH THE CODE THAT WAS IN EFFECT AT THE TIME OF CONSTRUCTION AND SUCH DEVICES SHALL BE RELEASABLE OR REMOVABLE FROM THE INSIDE WITHOUT THE USE OF A KEY, TOOL, OR FORCE GREATER THAN THAT WHICH IS REQUIRED FOR NORMAL OPERATION OF THE ESCAPE AND RESCUE OPENING.
<b>Violation(s):</b> EXTERIOR PROPERTY SANITATION/HCPMC SEC. 302.1
<b>Violation(s) Description:</b> ALL EXTERIOR PROPERTY AND PREMISES SHALL BE MAINTAINED IN A CLEAN, SAFE AND SANITARY CONDITION. THE OCCUPANT SHALL KEEP THAT PART OF THE EXTERIOR PROPERTY WHICH SUCH OCCUPANT OCCUPIES OR CONTROLS IN A CLEAN AND SANITARY CONDITION.
<b>Violation(s):</b> PERMIT REQUIRED FBC SEC. 105.1
<b>Violation(s) Description:</b> ANY OWNER, AUTHORIZED AGENT, OR CONTRACTOR WHO DESIRES TO CONSTRUCT, ENLARGE, ALTER, REPAIR, MOVE, DEMOLISH OR CHANGE THE OCCUPANCY OF A BUILDING OR STRUCTURE, OR TO ERECT, INSTALL, ENLARGE, ALTER REPAIR, REMOVE, CONVERT OR REPLACE ANY ELECTRICAL, GAS, MECHANICAL OR PLUMBING SYSTEM, IN THE INSTALLATION OF WHICH IS REGULATED BY THE TECHNICAL CODES, OR TO CAUSE ANY SUCH WORK TO BE DONE, SHALL

FIRST MAKE APPLICATION TO THE BUILDING OFFICIAL AND OBTAIN THE REQUIRED PERMIT FOR THE WORK.

**Violation(s):**

PREMISES IDENTIFICATION/HCPMC SEC. 304.3

**Violation(s) Description:**

BUILDINGS SHALL HAVE APPROVED ADDRESS NUMBERS PLACED IN A POSITION TO BE PLAINLY LEGIBLE AND VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. THESE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. ADDRESS NUMBERS SHALL BE A MINIMUM OF 4 INCHES (102mm) HIGH WITH A MINIMUM STROKE WIDTH OF 0.5 INCH (12.7 mm).

**Violation(s):**

ROOFS AND DRAINAGE/HCPMC SEC. 304.7

**Violation(s) Description:**

THE ROOF AND FLASHING SHALL BE SOUND, TIGHT AND NOT HAVE DEFECTS THAT ADMIT RAIN. ROOF DRAINAGE SHALL BE ADEQUATE TO PREVENT DAMPNES OR DETERIORATION IN THE WALLS OR INTERIOR PORTION OF THE STRUCTURE. ROOF DRAINS, GUTTERS AND DOWNSPOUTS SHALL BE MAINTAINED IN GOOD REPAIR AND FREE FROM OBSTRUCTIONS. ROOF WATER SHALL NOT BE DISCHARGED IN A MANNER THAT CREATES A PUBLIC NUISANCE.

**Violation(s):**

WEEDS/HCPMC SEC. 302.4

**Violation(s) Description:**

ALL PREMISES AND EXTERIOR PROPERTY SHALL BE MAINTAINED FREE FROM WEEDS OR PLANT GROWTH IN EXCESS OF 12 INCHES. ALL NOXIOUS WEEDS SHALL BE PROHIBITED. WEEDS DEFINED AS ALL GRASSES, ANNUAL PLANTS AND VEGETATION, OTHER THAN TREES OR SHRUBS PROVIDED; HOWEVER THIS TERM SHALL NOT INCLUDE CULTIVATED FLOWERS OR GARDENS.

**Narrative:**

THIS PROPERTY HAS A SEVERAL VIOLATIONS: 1. THE PROPERTY IS OVERGROWN WITH VEGETATION. ALL GRASS SHALL BE NO TALLER THAN 12 INCHES. 2. THE PROPERTY IS LITTERED WITH TRASH, JUNK AND DEBRIS. 3. THE GUTTERS ARE IN DISREPAIR. 4. THE PROPERTY IS BEING CONVERTED INTO A APARTMENTS WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY'S BUILDING DEPARTMENT, INCLUDNING PLUMBING WORK. 5. THE WINDOWS ARE COVERED WITH SECURITY BARS PREVENTING AN ESCAPE ROUTE IN CASE OF EMERGENCY. 6. THERE ARE NO HOUSE NUMBERS VISIBLE FROM THE STREET.

**Recommended Corrective Action:**

1. ALL VEGETATION SHALL BE CUT LESS THAN 12 INCHES UNLESS EXCLUDED BY THIS CODE. THE PROPERTY SHALL BE TRIMMED, INCLUDING AROUND ALL STRUCTURES, TREES, SHRUBS, FENCES AND ANY OTHER OBJECTS. A SECOND VIOLATION WITHIN 12 MONTHS WILL RESULT IN A NOTICE OF HEARING AND COULD RESULT IN A FINE UP TO \$250.00. 2.REMOVE ALL JUNK, TRASH AND DEBRIS. RESTORE PROPERTY TO A CLEAN, SAFE AND SANITARY CONDITION. 3. REPAIR GUTTERS. 4. OBTAIN PERMIT FROM THE CITY'S BUIDING DEPARTMENT. 5. REMOVE SECURITY BARS. 6. PLACE 4 INCH NUMBERS ON STRUCTURE ALONG WITH NUMBERING THE INDIVIDUAL UNITS BY EITHER A THROUGH D OR 1 THROUGH 4.

**To Be Corrected By:** 05/22/2023

**Code Compliance Officer:** JOEL YANEZ

**Certified Mail #:** 9489009000276434500945