

**CODE COMPLIANCE DIVISION
CITY OF EDGEWOOD, FLORIDA**

CITY OF EDGEWOOD, FLORIDA
a Municipal Corporation,
Petitioner,

CASE NO.: 21500050

OWNER(S): Suncoast Building Materials

VIOLATOR(S): Suncoast Building Materials

VIOLATION ADDRESS: 101 Mary Jess Road
Edgewood, FL 32839

Respondent(s)

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

The Code Compliance Division was created pursuant to Chapter 162 of the Florida Statutes and Section 2-235, et al, of the Code of Ordinances of the City of Edgewood. Pursuant to Chapter 162, the City of Edgewood has appointed a Hearing Officer to hear Code Compliance matters. The Hearing Officer shall conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring violation(s) of any City Code(s) into compliance, including imposing fines and other noncriminal penalties to enforce any City Code(s)/Ordinance(s).

YOU ARE HEREBY FORMALLY NOTIFIED that on **May 25, 2022 at 10:00 a.m.**, there will be a HEARING before the Hearing Officer in the City Council Chambers, 405 Bagshaw Way, Edgewood, Florida, concerning your violation of the City Code(s). Your failure to appear may result in the Board proceeding in your absence and an Order being entered against you.

YOU ARE HEREBY ORDERED to appear before the Code Compliance Hearing Officer on the above date to answer these charges and to present your side of the case. **If you do comply before the date of the hearing, the burden shall rest upon you to IMMEDIATELY notify the Code Compliance Officer at (407) 851-2820; 5565 S. Orange; Edgewood, Florida 32809, Monday through Friday, 8:00 a.m. to 4:00 p.m., who shall re-inspect the property and notify the Code Compliance Hearing Officer and you of the compliance or noncompliance. However, you will still be required to appear in front of the Code Compliance Hearing Officer.**

Should you be found in violation of the City Code(s)/Ordinance(s) at the hearing, the Code Compliance Hearing Officer has the power, by law, to levy fines of up to \$250.00 per day against your real and personal property for every day the violation(s) continue(s) beyond the date set by the Hearing Officer for compliance. If the violation(s) is/are corrected and then recur(s), this case shall be presented to the Code Compliance Hearing Officer at the above-stated hearing even if the violation(s) has/have been corrected prior to the Hearing.

NOTICE OF BEARING — PAGE 2

Any violation of the same code by Respondent(s) on the same property within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeat violation, the Board may impose a fine up to \$500.00 per day.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Hearing Officer. You also have the right to present witnesses, as well as question the witnesses testifying against you at this Hearing. Please be prepared to present evidence at the Hearing concerning the amount of time necessary to correct the alleged violation(s), should you be found in violation of the City Code(s)/Ordinance(s).


If you wish to have any witnesses subpoenaed, or have any other questions, please contact the office of Code Compliance Officer within five (5) days, at 5565 S. Orange Avenue, Edgewood, Florida 32809, (407) 851-2820.

PLEASE GOVERN YOURSELF ACCORDINGLY.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been sent by certified mail or hand delivery to the Respondent(s) on the **May 13th, 2022.**

CITY OF EDGEWOOD, FLORIDA



Stacey Salemi
Code Compliance Division

ADVICE TO PUBLIC: "If a person decides to appeal a decision made with respect to any matter considered at the above Board Meeting/Hearing, he/she/they will need a verbatim record of the proceedings, including testimony and evidence, which record is not provided by the City of Edgewood, FS 286.0105."

"Persons with disabilities needing assistance to participate in any of these proceeding should contact the City Clerk, 48 hours in advance of the meeting at (407) 851-2920."

CITY OF EDGEWOOD, FLORIDA - CODE ENFORCEMENT AFFIDAVIT OF NOTICE OF CODE VIOLATION & REQUEST FOR HEARING

Pursuant to Florida State Chapter 162.06 (2) and the Edgewood Code, the undersigned Code Officer/Inspector hereby gives notice of an uncorrected violation of the code of the City of Edgewood, Florida; more particularly described herein, and hereby requests a Hearing before the Board.

NAME OF OWNER(S):
Suncoast Building Materials
44700 N Groesbeck HWY
Clinton Township, MI 48036

NAME OF VIOLATOR(S):
Suncoast Building Materials
101 Mary Jess Road
Edgewood, FL 32839

LOCATION OF VIOLATION: 101 Mary Jess Road Edgewood, FL 32839
LEGAL DESCRIPTION/PARCEL NO.: 13-23-29-0000-00-005
VIOLATION OF CITY CODE, SECTION: Code Sec. 134.405 Special Exceptions.


DESCRIPTION OF VIOLATION: The property Suncoast Building Supplies located at 101 Mary Jess Road Edgewood, FL 32839 was first on September 28th, 2022 by an Edgewood Police Department Officer of violating the City Noise Ordinance. On November 2, 2021 a meeting with Suncoast Employees was set up at the location at 5:00 am to observe the violations. The noise violation turned up the violation of operating out of the allowed operating hours of 6:00 am to 6:00 pm by allowing fuel deliveries. I confirmed by email on November 10th, 2021 that fuel deliveries outside of the hours of operation is a violation and to not continue them. Deliveries of fuel have continued to happen outside of the operating hours since.

REQUIREMENT FOR CORRECTION: Stop the delivery of fuel which is considered work, outside of the hours of operation from 6:00 am to 6:00 pm.

DATE VIOLATION WAS FIRST OBSERVED:	September 28, 2021
DATE VIOLATION WAS LAST OBSERVED:	May 10, 2022
DATE LAST NOTICE OF CODE VIOLATION SERVED:	January 28, 2022
VIOLATION TO BE CORRECTED BEFORE:	February 11, 2022

Based on the foregoing, the undersigned Code Officer/Inspector hereby certifies that the above-described violation continues to exist, that attempts to secure compliance with the Code of the City of Edgewood have failed, and this case shall be referred to the Code Compliance Hearing Magistrate as stated in the attached Notice of Hearing.

DATED THIS May 13, 2022


Code Officer/Inspector