

Case Data Sheet for case #

21-112

Parcel#

12308000

Address:

441 NW Madison

Owner(s):

David Somers

Date of first inspection:

6/22/21

1st Notice of Violation sent:

6/22/21

Date of second inspection:

8/4/21

2nd Notice of Violation sent:

8/4/21

Date of Public Notice placed on property:

8/10/21

Notice of Mag. Hearing Sent:

8/4/21

Notice in Lake City Reporter on:

8

Notice posted in City Hall

8/4/21

Mailing Cost/ Date:

6916

Mailing Cost/ Date:

Mailing Cost/ Date:

TOTAL Mailing Cost:

Bey

Beverly Jones COE/ City of Lake City

CODE ENFORCEMENT- SPECIAL MAGISTRATE NOTICE OF Violation

City of Lake City
205 N Marion Ave.
Lake City, Florida 32055
386-719-5746

Case # 2021-00000112

In the name of Lake City, Florida, the undersigned Code Inspector certifies that he/she has reasonable grounds to believe and does believe that on/prior to the date below, the following violation(s) of the Codes of Lake City where violated at the property located at **441 NW MADISON ST Parcel ID# 12308000**:

INITIAL INSPECTION Beverly A Jones 06/22/2021 2:05PM	<u>Results sheets of wood are covering windows, blocking tenants from using and accessing windows. Safety concern.</u>
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Violation Code	Violation Description	Corrective Action
2018-301.2 Responsibility	Remove wood from windows as they can not be blocked. ALL REPAIRS SHALL BE IN ACCORDANCE WITH APPLICABLE BUILDING CODES.	
2018-304.18.2 Windows		
2018-309.2 Owner		
2018-401.2 Responsibility.		

Violation Code	Municipal Code
2018-301.2 Responsibility	The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises that are not in a sanitary and safe condition and that do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises they occupy and control.
2018-304.18.2 Windows	Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking device All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Repair or replace in accordance with Applicable building codes. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.
2018-309.2 Owner	The owner of any structure shall be responsible for pest elimination within the structure prior to renting or leasing the structure.
2018-401.2 Responsibility.	The owner of the structure shall provide and maintain light, ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any premises that do not comply with the requirements of this chapter.

Sec. 22-171. - Purpose.	<p>The purpose of this Code is to protect the public health, safety, morals and welfare by establishing minimum standards governing the maintenance, appearance and living conditions of housing by establishing acceptable standards for sanitation, adequate light and ventilation, and safety to life and property from fire, nuisances, and other hazards; to conserve and maintain a viable housing stock to at least basic, adequate standards essential to make housing fit for human occupancy and use. The basic viability of neighborhoods shall be protected by minimizing blight and nuisance conditions. This Code imposes certain responsibilities and duties upon owners and operators of property, authorizes inspections and hearings regarding the conditions on property and violations of this Code, and provides for remedial measures including repair, vacation, and demolition of structures or nuisance conditions. This Code is hereby declared to be remedial and essential for the public interest and it is intended that this Code be liberally construed to effectuate the purposes stated herein.</p>
Sec. 22-172. - Applicability.	<p>Every building used in whole or in part as a dwelling unit or as two or more dwelling units, or as rooming or boarding houses, shall conform to the requirements of this Code irrespective of the primary use of such building, and irrespective of when such building may have been constructed, altered or repaired.</p> <p>This Code establishes minimum standards for occupancy, and does not replace or modify standards otherwise established for construction, replacement or repair of buildings except such as are contrary to and less stringent than the provisions of this Code.</p> <p>No owner or operator shall let for occupancy by any person any premises, any dwelling, dwelling unit, rooming house, or building which contain major violations as defined in this minimum standards code</p>

☒ **WARNING:** This notice constitutes a warning to discontinue the above violation, and to bring the violation into compliance on or before the date listed below:

Type of Corrective Action

Due Date

Remove all wood and permit any repairs needed to windows by 7/2/21

If the owner of property which is subject to an enforcement proceeding before the enforcement board, or court transfers ownership of such property between the time the initial pleading was served and the time of the hearing, such owner shall:

- (1) Disclose in writing the existence and the nature of the proceedings to the prospective transferee;
- (2) Deliver to the prospective transferee a copy of the pleadings, notices, and other materials relating to the code enforcement proceedings received by the transferor;
- (3) Disclose, in writing, to the prospective transferee that the new owner will be responsible for compliance with the applicable code and with orders issued in the code enforcement proceedings;
- (4) File a notice with the code enforcement official of the transfer of the property, with the identity and address of the new owner and copies of the disclosures made to the new owner within five days after the date of the transfer.

A failure to make the disclosures described in paragraphs (1), (2) and (3) above before the transfer creates a rebuttal presumption of fraud. If the property is transferred before the hearing, the proceeding shall not be dismissed, but the new owner shall be provided a reasonable period of time to correct the violation before the hearing is heard.

I hereby certify that I delivered the foregoing notice to (Name of person and relationship):

Name David Somers Relationship owner

On date 6/22/21 time being Personal Service

Posted on property and at City Hall
class mailing

Certified Mail, Return Receipt requested

First

Refused to sign, drop service

Jones, Beverly A

Print Name of Code Inspector

Signature of Code Inspector

CODE ENFORCEMENT- SPECIAL MAGISTRATE**NOTICE OF****Violation**

City of Lake City
 205 N Marion Ave.
 Lake City, Florida 32055
 386-719-5746

Case # 2021-00000112

In the name of Lake City, Florida, the undersigned Code Inspector certifies that he/she has reasonable grounds to believe and does believe that on/prior to the date below, the following violation(s) of the Codes of Lake City were violated at the property located at **441 NW MADISON ST Parcel ID# 12308000**:

REINSPECTION	Beverly A Jones	08/04/2021	11:08AM	Results-no improvements/no permits obtained. Demolish or permit the improvements.
INITIAL INSPECTION	Beverly A Jones	07/06/2021	9:32AM	Results

Violation Code Violation Description Corrective Action

2018-301.2 Responsibility	All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. ALL REPAIRS SHALL BE IN ACCORDANCE WITH APPLICABLE BUILDING CODES. Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking device All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Repair or replace in accordance with Applicable building codes. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair. Demolish and remove structure or repair in accordance with currently adopted codes. UNFIT FOR HUMAN OCCUPANCY, MUST BE VACATED IMMEDIATELY.	
2018-304.18.2 Windows		
2018-309.2 Owner		
2018-401.2 Responsibility.		
2018-301.2 Responsibility		
2018-301.3 Vacant structures and land.		
2018-304.1 General		
2018-304.1.1 Unsafe conditions		
2018-304.6 Exterior walls		
2018-304.7 Roofs and drainage		
2018-304.13 Window, skylight and door frames		
2018-304.13.2 Openable windows.		
2018-304.15 Doors		
2018-305.1.1 Unsafe conditions.		
2018-305.4 Stairs and walking surfaces.		
2018-401.2 Responsibility.		

<p>2018-304.1.1 Unsafe conditions</p>	<p>The following conditions shall be Determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: 1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength. 2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects. 3. Structures or components thereof that have reached their limit state. 4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight.5. Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effects. 6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. 7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. 8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects. 9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects. 10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects. 11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects. 12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects. 13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects. Exceptions: 1. Where substantiated otherwise by an approved method. 2. Demolition of unsafe conditions shall be permitted where approved by the code official.</p>
<p>2018-304.6 Exterior walls</p>	<p>. Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.</p>
<p>2018-304.7 Roofs and drainage</p>	<p>The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness 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</p>

fire exposure.	
Sec 108.1.1 unsafe structures IPMC	When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.
sec 110.1 general- demolition	The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment is so old, dilapidated, or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish

☒ **WARNING:** This notice constitutes a warning to discontinue the above violation, and to bring the violation into compliance on or before the date listed below:

Type of Corrective Action Due Date
Comply with violation corrective action by 9/5/21

If the owner of property which is subject to an enforcement proceeding before the enforcement board, or court transfers ownership of such property between the time the initial pleading was served and the time of the hearing, such owner shall:

- (1) Disclose in writing the existence and the nature of the proceedings to the prospective transferee;
- (2) Deliver to the prospective transferee a copy of the pleadings, notices, and other materials relating to the code enforcement proceedings received by the transferor;
- (3) Disclose, in writing, to the prospective transferee that the new owner will be responsible for compliance with the applicable code and with orders issued in the code enforcement proceedings;
- (4) File a notice with the code enforcement official of the transfer of the property, with the identity and address of the new owner and copies of the disclosures made to the new owner within five days after the date of the transfer.

A failure to make the disclosures described in paragraphs (1), (2) and (3) above before the transfer creates a rebuttal presumption of fraud. If the property is transferred before the hearing, the proceeding shall not be dismissed, but the new owner shall be provided a reasonable period of time to correct the violation before the hearing is heard.

I hereby certify that I delivered the foregoing notice to (Name of person and relationship):

Name David Somers Relationship _____ owner _____

On date 8/4/21 time being _____ Personal Service

Posted on property and at City Hall x Certified Mail, Return Receipt requested
class mailing 70180680000115811940

First

Refused to sign, drop service

Jones, Beverly A
Print Name of Code Inspector



Signature of Code Inspector

**CODE ENFORCEMENT BOARD
OR SPECIAL MAGISTRATE**

City of Lake City
205 N Marion Ave.
Lake City, Florida 32055

NOTICE OF HEARING

Case # 2021-00000112

Respondent David Somers

NOTICE OF HEARING: You are hereby notified and commanded to appear before the Special magistrate- of Lake City, Florida on (day) Thursday, September 9, 2021 __, at (time) 1:00 PM. The hearing will take place at City Hall, 205 N Marion Ave., 2nd floor, Council Chambers, Lake City, Florida, at which time evidence and testimony will be presented to said Board concerning the violation. You have the right to examine all evidence and to cross-examine all witnesses, and to present evidence and testimony on your behalf concerning said violation.

Your failure to appear at the hearing may result in a civil fine being imposed on you for said violation(s) up to \$250.00 per day/per violation each day the violation continues.

****It is the RESPONSIBILITY of the RESPONDENT to schedule a Compliancy Inspection****

This case will not go before the Board if the violation(s) are brought into compliance in accordance with the Notice of Violation.

I hereby certify that I delivered the foregoing notice to (Name of person and relationship):

Name David Somers Relationship owner

On date 8/4/21 time being Personal Service

Posted on property and at City Hall x Certified Mail, Return Receipt requested
class mailing 70180680000115811940

Refused to sign, drop service

First



Jones, Beverly A
Print Name of Code Inspector

Signature of Code Inspector

NOTE: Minutes of the Code Enforcement Board Hearings are not transcribed verbatim. If you require a verbatim transcript, you must make arrangements for a court reporter or some other method of recording/transcribing.

Parcel: << 00-00-00-12308-000 (40869) >>

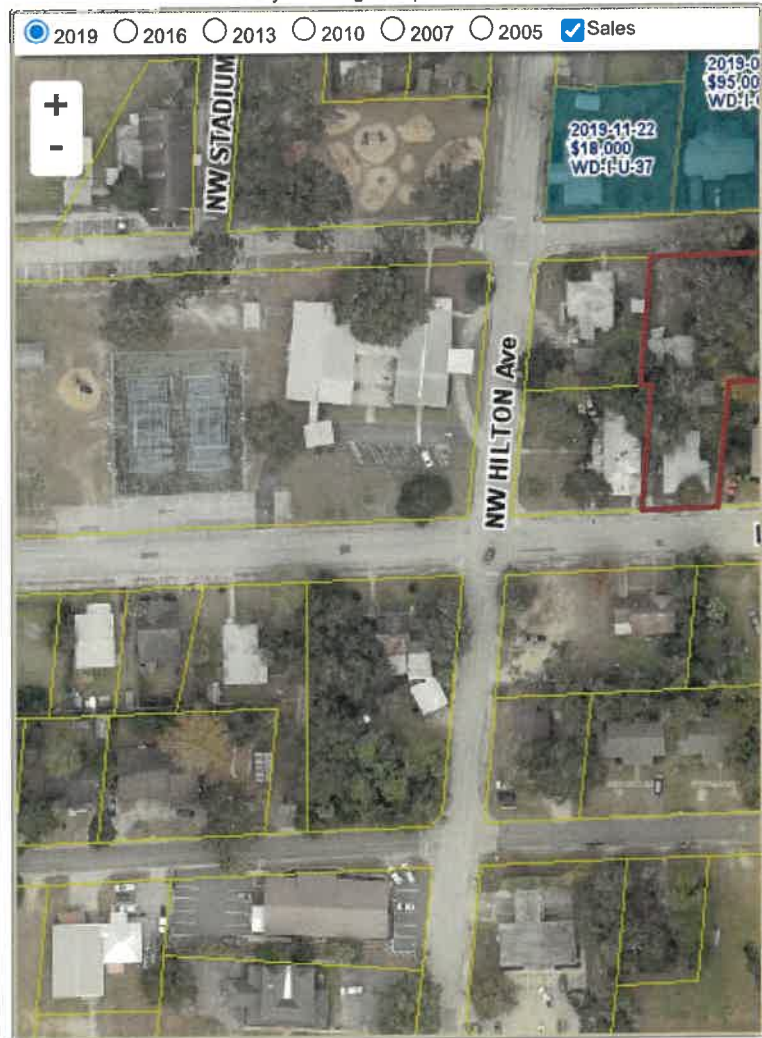
Aerial Viewer Pictometry Google Maps

Owner & Property Info

Owner	SOMERS DAVID 143 SW DREAMSCAPES CT LAKE CITY, FL 32024		
Site	422 NW DESOTO ST, LAKE CITY		
Description*	W DIV: COMM AT NE COR OF BLK F RUN W ALONG S LINE OF DESOTO ST. 210.0 FT. TO POB. THENCE S 105.0 FT, W 129.5 FT, N 105.0 FT, E 129.5 FT. TO POB. ALSO COMM AT THE SE COR OF SAID BLK F, RUN W ALONG N LINE OF CITY ST. 262.5 FT. TO POB. THENCE RUN N 105.0 FT, ...more>>>		
Area	0.476 AC	S/T/R	31-3S-17
Use Code**	SFRES/SFRES (0101)	Tax District	1
*The Description above is not to be used as the Legal Description for this parcel in any legal transaction.			
**The Use Code is a FL Dept. of Revenue (DOR) code and is not maintained by the Property Appraiser's office. Please contact your city or county Planning & Zoning office for specific zoning information.			

Property & Assessment Values

2020 Certified Values		2021 Working Values	
Mkt Land	\$12,480	Mkt Land	\$12,480
Ag Land	\$0	Ag Land	\$0
Building	\$73,750	Building	\$80,666
XFOB	\$870	XFOB	\$870
Just	\$87,100	Just	\$94,016
Class	\$0	Class	\$0
Appraised	\$87,100	Appraised	\$94,016
SOH Cap [?]	\$0	SOH Cap [?]	\$0
Assessed	\$87,100	Assessed	\$94,016
Exempt	\$0	Exempt	\$0
Total Taxable	county:\$87,100 city:\$87,100 other:\$87,100 school:\$87,100	Total Taxable	county:\$94,016 city:\$94,016 other:\$0 school:\$94,016



Sales History

Sale Date	Sale Price	Book/Page	Deed	V/I	Qualification (Codes)	RCode
3/8/2018	\$300,000	1355/0356	WD	I	Q	05 (Multi-Parcel Sale) - show
1/3/2018	\$244,500	1354/1386	WD	I	U	12
1/12/2011	\$100	1208/0599	WD	I	U	11
12/14/2004	\$43,000	1033/1135	WD	I	U	08
1/29/2001	\$100	0920/2587	WD	V	U	01

Building Characteristics

Bldg Sketch	Description*	Year Blt	Base SF	Actual SF	Bldg Value
Sketch	SINGLE FAM (0100)	1925	1344	1552	\$53,188
Sketch	SINGLE FAM (0100)	1925	692	752	\$27,478

*Bldg Desc determinations are used by the Property Appraisers office solely for the purpose of determining a property's Just Value for ad valorem tax purposes and should not be used for any other purpose.

Extra Features & Out Buildings (Codes)

Code	Desc	Year Blt	Value	Units	Dims
0120	CLFENCE 4	1985	\$100.00	1.00	19 x 18
0210	GARAGE U	1985	\$770.00	342.00	19 x 18

Land Breakdown

Code	Desc	Units	Adjustments	Eff Rate	Land Value
0100	SFR (MKT)	13,500.000 SF (0.309 AC)	1.0000/1.0000 1.0000/1.8000000 /	\$1 /SF	\$8,100
0100	SFR (MKT)	7,300.000 SF (0.167 AC)	1.0000/1.0000 1.0000/1.8000000 /	\$1 /SF	\$4,380

AFFIDAVIT OF NOTICE BY POSTING

Case 21-112

STATE OF FLORIDA

COUNTY OF COLUMBIA

BEFORE ME, this day of AUGUST 2021, personally appeared, Beverly Jones, Code enforcement officer, who, after being first duly sworn on oath, deposes and says:

1. I am a Code Enforcement Inspector for the City of Lake City, Florida.

2. BEFORE ME, this day, 6th day of AUGUST 2021, posted a copy of the NOTICE OF HEARING AT THE FOLLOWING ADDRESS: 441 nw Madison -12308-000/205 N Marion Ave, Lake City, FL. 32055

Beverly Jones -Code Enforcement Inspector

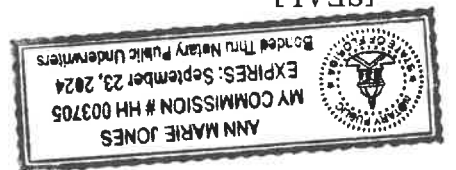
SWORN TO AND SUBSCRIBED before me this _____ 6th _____ day of August 2021, by Beverly Jones who is personally known to me.

Signature of Notary

Ann Marie Jones
Print or Type Name

My Commission expires:

September 23, 2024



[SEAL]











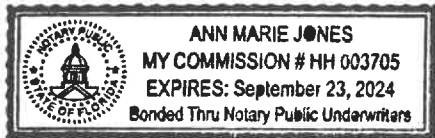
AFFIDAVIT OF NOTICE BY POSTING

STATE OF FLORIDA

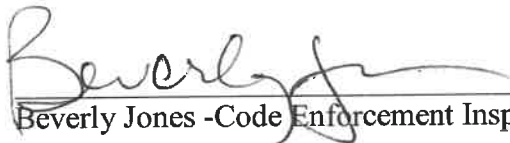
COUNTY OF COLUMBIA

BEFORE ME, this day, 6th day of AUGUST 2021, personally appeared, Beverly Jones, Code enforcement officer, who, after being first duly sworn on oath, deposes and says:

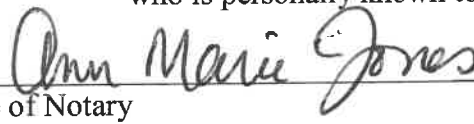
1. I am a Code Enforcement Inspector for the City of Lake City, Florida.
2. On the 6th day of AUGUST 2021,, I personally observed the attached violations and posted a copy of the NOTICE OF VIOLATION AND NOTICE TO APPEAR FOR HEARING AT THE FOLLOWING ADDRESS: 441 nw Madison -PARCEL 12308000
205 N Marion Ave, Lake City, FL. 32055



[SEAL]


Beverly Jones -Code Enforcement Inspector

SWORN TO AND SUBSCRIBED before me this
__3rd__ day of August 2021, by Beverly Jones
who is personally known to me.


Signature of Notary

__Ann Marie Jones__
Print or Type Name

My Commission expires: September 23, 2024