

**CITY OF MAITLAND
CODE ENFORCEMENT HEARING
February 7, 2024**

MINUTES

I. CALL TO ORDER

II. PUBLIC HEARING

OLD CASES

CODE-11-23-2678 Lily Chan

Location of Violation: 310 MacArthur Pl, Maitland Fl 32751

Violation: Sec. 7-5 Debris fines hearing

Removed from agenda.

NEW CASES

CODE-04-23-2583 Scott and Merdith Zornek

Location of Violation: 2600 Chippewa Trl, Maitland Fl 32751

Violation: LDC 5.6.2. Applicability, LDC 5.6.3 Required tree quantiles

Special Magistrate Dan Mantzaris asks for case.

Respondents present Scott Zornek, Merdith Zornek.

City Code Enforcement Attorney Drew Smith presents case background.

Code Enforcement Officer Andy Arcaya presents case packet. With follow up questions from Attorney Drew Smith.

Attorney Drew Smith talks about timeline City is giving to cure the violation due to projects in the area.

Respondent Scott Zornek asks questions to Code Enforcement Officer Arcaya about violation listed on agenda specifically LDC 9.3.2. Specific violation not being listed on the NOV.

Code Enforcement Officer Arcaya replies it was added to the agenda in error, Attorney Smith states City only asking relief under LDC 5.6.3. minimum tree quantiles.

Responded asks Code Enforcement Office Arcaya questions about arborist related knowledge. Special Magistrate Dan Mantzaris conveys the question would be for the Arborist.

City Attorney Drew Smith calls City Planner Barrett Chaix and asks question about LDC 5.6.3. City Planner Barrett Chaix answers questions about lot size and minimum tree standards and oak tree removed and does property meet the code.

Special Magistrate Dan Mantzaris asks how City Planner Chaix is interpreting code LDC 5.6.3. City Planner Barrett Chaix answers.

Respondent Scott Zornek asks to City Planner Chaix questions about applicability of LDC 5.6 and about intent of the code vs. the City's using 5.6.3 and State Statute of having a tree removal letter. Special Magistrate Dan Mantzaris halts following questions about the intent of the code and specific questions about code not listed as violations.

Respondent asks City Planer Barrett Chaix has anybody visited his property to assess if trees on property, Mr. Barrett Chaix answers no he has not.

City Attorney Drew Smith Calls City Arborist Alan Holbrook.

City Arborist Alan Holbrook introduced self and list arborist credentials, with follow up questions from City Attorney Drew Smith about trees on site and list from June 5th, 2023, email and what is needed to cure the violation. Alan answers questions.

Responded Scott Zornek talks about process of violation and lack of responses from the City and Stipulation letter. Further questions about what was need to cure and unclear information from the city until the NOH was received. Special Magistrate Dan Mantzaris clarifies the questions need to pertain to the question of violation presented.

Special Magistrate Dan Mantzaris asks Alan Holbrook about code and number of trees. Alan answers.

Responded asks question about tree letter to Alan Holbrook. Alan answers.

Special Magistrate Dan Mantzaris reads Florida Statue about the regulation, discussion between Magistrate, Respondent and City Attorney.

Special Magistrate Dan Mantzaris to Alan Holbrook list of trees on property. Alan answers.

Responded Scott Zornek asks questions about the trees on list, measurement, variety of trees on property. Further questions about trees on property and number on lot would meet the code. Questions and further conversation about Sea Grape tree and definition.

Responded Scott Zornek discussed tree planting on property and concerns about damaging structure on property and limitation of features on property to meet minimum tree standards.

Further debate between Magistrate, Respondent and City Attorney about lot limitation, sea grape being trees and will the sea grape be allowed to grow into a tree.

City Attorney Drew Smith presents to Magistrate Mantzaris to hold case in advance for two years, Responded Zornek concerned in limbo for two years and City project timeline of two years.

Special Magistrate Dan Mantzaris asks responded about replacement trees, Respondent answers he has consultant with a landscape architect. Present plot plan of existing trees on site document to Magistrate Mantzaris, showing new fruit trees on side yard.

City Attorney Smith questions about document given and are trees present with answer from Respondent, further discussion about site trees and city project. With clarification that the trees on plot plan are present at this time, with answer being yes.

Supplementary discussion about plantings of trees and relevance to curing of the violation.

Special Magistrate Dan Mantzaris Orders case held in abatement for six months.

CODE-09-21-2361 Mwad Phase I LLC

Location of Violation: 9301 Summit Center Way, Maitland FL 32751

Violation: NFPA 12.7.6.3.1., NFPA 13.7.4.4.

Special Magistrate Dan Mantzaris.

Responded Albert Gonzalez regional manager present.

City of Maitland Fire Marshal Brandon Larence present.

City Code Enforcement Attorney Drew Smith starts with Fire Marshal Brandon Larence testimony about case. History of violation of fire alarm out of service presented. Follow up questions from Attorney Smith, answered by Fire Marshal Larence.

Attorney Smith asks reasonable time to cure. Fire Marshal Lawrence answers as-builts immediately and fire doors one week.

Special Magistrate Dan Mantzaris asks Fire Marshal Lawrence question about building and need for Firewatch.

Special Magistrate Dan Mantzaris asks Attorney Smith is property a threat to public health and safety, answer is yes but not to level for city order required to go in and repair.

City Code Enforcement Attorney Drew Smith asks Code Enforcement Officer Andy Arcaya to present case packet. Code Enforcement Officer Andy Arcaya presents case.

Special Magistrate Dan Mantzaris asks Attorney Smith what City is asking for one week for mag locks and immediately for as-builts.

Special Magistrate Dan Mantzaris asks Responded Albert Gonzalez to present case.

Responded Albert Gonzalez late 2022 lightning strike made fire alarm to go down, not repairing was due to parts not available, maglocks have been repaired. With follow up question from Special Magistrate Dan Mantzaris.

Special Magistrate Dan Mantzaris Orders violation to be cured on or before 2/15/2024.

III. NEW BUSINESS – None

IV. NEXTSCHEDULED MEETING – March 6, 2024

V. ADJOURNMENT Magistrate Mantzaris adjourned the meeting at 10:43 a.m.