

**CODE ENFORCEMENT BOARD MEETING
TUESDAY, JULY 15, 2014
CITY HALL at 685 WEST MONTROSE STREET
At 6:00 PM**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES OF THE CODE ENFORCEMENT BOARD

April 15, 2014 Code Enforcement Minutes

OPENING STATEMENT

SWEARING IN WITNESSES

AGENDA

NEW BUSINESS

**Case No. 14-987
Wallace**

Valerie Silva & Raymond Reyes Jr.
1686 Grandiflora Avenue
Clermont, FL 34711

VIOLATION:

Chapter 38, Section 38-4
Parking, storage of recreational vehicles
Chapter 54, Section 54-1
Placing articles or obstructions on streets
or sidewalks

**Case No. 14-988
Wallace**

Lyndon Alleyne
611 Scott Street
Clermont, FL 34711

VIOLATION:

Chapter 94, Section 94-199
Required Soil Conservation Measures
Chapter 14, Section 302.2
Grading and Drainage

**CODE ENFORCEMENT BOARD MEETING
TUESDAY, JULY 15, 2014
CITY HALL at 685 WEST MONTROSE STREET
At 6:00 PM**

**Case No. 14-989
Wallace**

Rena Mildred Clark
1337 Ryan Street
Clermont, FL 34711

VIOLATION:

Chapter 34, Scetion 34-61 (1, 2, 11)
Enumeration of Prohibited Items
Chapter 122, Section 122-343
Fences and Walls

OTHER BUSINESS

Discussion of Non-Agenda Items

ADJOURN

Any person wishing to appeal any decision made by the Code Enforcement Board at this meeting will need a record of the proceedings. For that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Planning and Zoning Department at 352-241-7302.

Please be advised that if you intend to show any document, picture, video or items to the Council or Board in support or opposition to any item on the agenda; a copy of the document, picture, video or item must be provided to the Recording Clerk for the City's records.

**CITY OF CLERMONT
MINUTES
CODE ENFORCEMENT BOARD
APRIL 15, 2014**

The regular meeting of the Code Enforcement Board was called to order on Tuesday, April 15, 2014 at 6:00 p.m. Members attending were Vice-Chair Chandra Myers, along with Board members Ken Forte, Larry Seidler, Bill Rini, and Alfred Mannella. Also attending were Barbara Hollerand, Planning & Zoning Director, Evie Wallace, Code Enforcement Manager, Valerie Fuchs, Code Enforcement Attorney, Lindsay Oyewale, City Attorney, and Rae Chidlow, Code Enforcement Clerk.

The Pledge of Allegiance was recited.

The minutes from the Code Enforcement Board meeting of March 18, 2014 were approved as written.

Vice-Chair Chandra Myers read the Opening Remarks.

Code Enforcement Officer Evie Wallace, along with any of the public who may testify, was sworn in.

Vice-Chair Chandra Myers gave the floor to Code Enforcement Staff and City Attorney.

CASE NO. 14-985

Ryan Miller
1728 Bowman Street
Clermont, FL 34711

LOCATION OF VIOLATION: 1728 Bowman Street, Clermont, FL 34711

VIOLATION: Chapter 14, Section 14-9 (303.1, 303.2, 302.1 and 301.3) IPMC 2012;

City Attorney Lindsay Oyewale introduced the case.

The Respondent was present.

Code Enforcement Officer Evie Wallace, who was sworn in, exhibited pictures that are a true and accurate depiction of the condition of the property on the date taken and read the violation summary as follows: You are hereby notified that you are in violation of the referenced section of the City of Clermont Code of Ordinances due to the following: The pool is stagnant, green and unsanitary (Section 303.1 Swimming Pools). The screen enclosure and doors are not secure (Section 303.2 Enclosures). There is dead vegetation and miscellaneous garbage inside and outside pool patio and house. Additionally, the walls on the south side of the house has mold and in poor condition (Section 302.1 Sanitation and Section 301.3 Vacant Structures). Compliance of this violation will be when the following conditions are met: The pool is cleaned and sanitary with removal of all insects, bugs, etc. The pool needs to be drained and securely covered; therefore, no water or animals can reenter the pool. Secure all areas of the pool enclosure; screen and doors, to prevent unauthorized entry of children and/or adults which can be

**CITY OF CLERMONT
MINUTES
CODE ENFORCEMENT BOARD
APRIL 15, 2014**

a safety hazard if entry is gained. All garbage and debris, including vegetation, limbs, etc. are removed from the property and disposed of properly. Secure all doors, windows and fence to prevent entry. Maintain the lawn. Redo the wall that is molding and falling apart to prevent any future injury to anyone that might enter this premise (lawfully or unlawfully) in order to prevent future liability to the owner.

Board member Bill Rini asked if the house is vacant.

Ms. Wallace stated that the property is abandon and according to the neighbors, no one has been at the property for a while.

Board member Ken Forte asked why it has taken so long to bring this case before the Board if there are pictures from October.

Ms. Wallace stated that she attempted to work with the property preservation management. She stated that their number was posted on the property. She stated that they mowed it and took care of some of the graffiti. She stated that when she got a hold of the management company a few weeks later and they informed her that Ryan Miller has total ownership. She stated that she has been trying to address the violations with Ryan Miller, but the letters were unclaimed.

Ken Forte made a motion to find the Respondent in violation with a fine of \$250 per day for every day in violation past May 20, 2014 and find that the violations constitute a serious threat to the public health, safety, and welfare; seconded by Al Mannella. The vote was unanimous in favor of finding violation and the fine.

There being no further business, the meeting was adjourned at 6:15 p.m.

Dave Holt, Chairman

Attest:

Rae Chidlow, Code Enforcement Clerk

City of Clermont

P.O. Box 120210, Clermont, FL 34712-0219

VIOLATION NOTICE

June 3rd, 2014

Violation # 2414

Valerie Silva & Raymond Reyes Jr.
1686 Grandiflora Avenue (Lost Lake)
Clermont, FL 34711

Property/Violation Address: 1686 Grandiflora Ave., Clermont FL 34711

Parcel Number: 32-22-26-119900012100

Type of Violation: Parking Boat & Boat Trailer on public street
In Violation Of: Section 38-4
Titled: "Parking, storage of recreational vehicles"

Type of Violation: Basketball Hoop located on right-of-way
In Violation Of: Section 54-1
Titled: "Placing articles or obstructions on streets or sidewalks"

You are hereby notified that you are in violation of the referenced section of the City of Clermont Code of Ordinances due to the following:

- Listed residence has a boat and trailer that was observed on city street and on residence's driveway (Section 38-4 Parking and storage of recreational vehicle)
- Residence has a basketball hoop located on the ground of the right-of-way (Section 54-1 Placing articles or obstructions on streets and sidewalks)

Compliance of This Violation will be when the following conditions are met:

- When the boat and boat trailer are moved and stored in a closed building as a garage or boat storage or parked in the rear setback of the residence.
- Remove the basketball hoop which is obstructing the right-of-way located in front of your residence. All right of way have utilities underneath that can be damaged if any obstruction is located there.

You are directed to take action by June 17th, 2014. Failure to remedy the violation within the allotted time will result in a Notice to Appear for a hearing before the Code Enforcement Board.

Please call (352) 241-7304 or email me at ewallace@clermontfl.org when compliance is met.

By:



E. Wallace
Code Enforcement Officer

**Code Enforcement Board of the
City of Clermont**

NOTICE OF HEARING

CITY OF CLERMONT,

Petitioner

vs.

Case No. 14-987

Violation No. 2414

Raymond & Karina Silva

Respondent

Pursuant to Section 2-206 of the Code of the City of Clermont, Florida, you are hereby called to take notice that a Public Hearing will be conducted in the above-styled cause, pending and undetermined by the Code Enforcement Board on:

July 15th 2014, at 6:00 PM

at

685 West Montrose Street, Clermont, Florida.

Council Chambers of City Hall

The Board will receive testimony and evidence at said Public Hearing and shall make such findings of fact as are supported by the testimony and evidence pertaining to the matters alleged in the Violation Notice. If the violation is corrected and then recurs, or if the violation is not corrected by the time specified by the Code Enforcement Officer in his/her Statement of Violation, this case may be presented to the Board even if the violation has been corrected prior to the hearing.

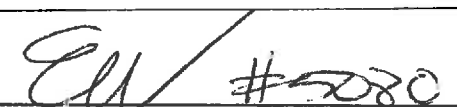
Any letters, lists, pictures or items displayed, presented or handed out at a public meeting for any City Commission, Board, Council or City public meeting, must be left with the recording clerk at the meeting at that time. No cell phone or electronic displays are permitted unless a printed copy is supplied at that time to the recording clerk.

PLEASE GOVERN YOURSELF ACCORDINGLY.

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, **Raymond & Karina Silva, 1686 Grandiflora Ave., Clermont FL 34711.** (Certified Mail/Return Receipt Requested)

9171 9690 0935 0046 6983 12

BY: _____


Evie Wallace, Code Enforcement Officer
this 24th day of June, 2014.

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.

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Activity & Tracking Information

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Certified Mail™

**June 4, 2014 , 4:32
pm**

Delivered

CLERMONT, FL 34711

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Features:
Certified Mail™

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June 25, 2014 , 6:00 pm	Delivered	CLERMONT, FL 34711
June 25, 2014 , 9:42 am	Out for Delivery	CLERMONT, FL 34711
June 25, 2014 , 9:32 am	Sorting Complete	CLERMONT, FL 34711
June 25, 2014 , 6:55 am	Arrival at Unit	CLERMONT, FL 34711
June 25, 2014 , 2:01 am	Processed through USPS Sort Facility	ORLANDO, FL 32862
June 24, 2014 , 10:40 pm	Processed through USPS Sort Facility	ORLANDO, FL 32862
June 24, 2014 , 9:31 pm	Depart USPS Sort Facility	ORLANDO, FL 32862

- HN

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Sec. 38-4. Parking, storage of recreational vehicles used for sleeping purposes.

It shall be unlawful for any persons to park and/or store for a period exceeding 24 hours any recreational vehicle upon any lot, piece or parcel of land in the city or upon any street or highway within the city, except upon permitted recreational vehicle parks or recreational vehicle sales lots, or except where such recreational vehicle is kept entirely within a closed building and not used for living or sleeping purposes, or except where such recreational vehicle is parked or stored to the rear of the building setback line according to the land development regulations of the city for the particular zone wherein the recreational vehicle is parked and/or stored.

Sec. 54-1. Placing articles or obstructions on streets or sidewalks; notice to remove.

- (a) No person shall cause to be placed, or place or allow to remain in front of his or their premises any merchandise, goods or showcases, barrels, wagons, carts, signs, advertisements, or articles of any description, on any sidewalk or street within the limits of the city, except as allowed under chapter 122, zoning.
- (b) All streets, pavements and sidewalks shall be kept clean, free from rubbish and weeds, by the several landowners and the occupants of premises abutting thereon.
- (c) If any such streets, pavements or sidewalks become, in any manner dangerous or detrimental to the health or reasonable convenience of citizens, or become obstructed by trash or weeds, it shall be the duty of the city to give notice to the owner or occupant, or the recognized agent of either, requiring such owner or occupant, as the case may be, to remove any and all obstructions thereon, within ten days of receipt of the notice; and should any such owner or occupant refuse to make such repairs, or remove such obstructions within such time, he shall, upon conviction, be punished as provided by section 1-15, and such repairs shall be made, or such obstructions removed, at the expense of the abutting owner.

LOST LAKE RESIDENTIAL PROPERTY OWNERS ASSN INC
1645 E Hwy 50 Ste 201
Clermont FL 34711-5124
(352)243-4595 ext. 219

REQUEST FOR ACTION

CM 90 CM8400 0E0121
VALERIE KARINA SILVA & RAYMOND REYES JR
1686 GRANDEFLORA AVE
CLERMONT FL 34711

DATE: 04/07/2014

OWNER ID 0E0121

REFERENCE: 1686 GRANDEFLORA AVE
CLERMONT FL 34711

On behalf of your association's Board of Directors, we are writing to request your attention to the community needs and the referenced property as follows:

Do not park trailers within the community. They may be stored in the garage or removed from the community.

Please remove the permanent basketball hoop from your home. Only portable basketball hoops are allowed.

In order to protect both the aesthetic and financial value of your home and community, please consider this notice as a reminder of your obligation to honor the association deed restrictions. It is possible that you have already planned to address the matter and, if so, your prompt action is appreciated. Otherwise, please review this notice and proceed accordingly as soon as possible. The governing documents both authorize and obligate the Board to enforce the deed restrictions to the community's benefit, whenever possible, and cooperation from the membership is necessary.

On Behalf of the Board of Directors,

MARLENE BELCHER
Community Association Manager
mbelcher@sentrymgt.com

LOST LAKE RESIDENTIAL PROPERTY OWNERS ASSN INC
1645 E Hwy 50 Ste 201
Clermont FL 34711-5124
(352)243-4595 ext. 219

REQUEST FOR ACTION

CM 90 CM8400 0E0121
VALERIE KARINA SILVA & RAYMOND REYES JR
1686 GRANDEFLORA AVE
CLERMONT FL 34711

DATE: 06/13/2014

OWNER ID 0E0121

REFERENCE: 1686 GRANDEFLORA AVE
CLERMONT FL 34711

On behalf of your association's Board of Directors, we are writing to request your attention to the community needs and the referenced property as follows:

Do not park trailers within the community. They may be stored in the garage or removed from the community.

In order to protect both the aesthetic and financial value of your home and community, please consider this notice as a reminder of your obligation to honor the association deed restrictions. It is possible that you have already planned to address the matter and, if so, your prompt action is appreciated. Otherwise, please review this notice and proceed accordingly as soon as possible. The governing documents both authorize and obligate the Board to enforce the deed restrictions to the community's benefit, whenever possible, and cooperation from the membership is necessary.

On Behalf of the Board of Directors,

MARLENE BELCHER
Community Association Manager
mbelcher@sentrymgt.com

Case No. 14-987
Violation No. 2414
Valerie Silva & Raymond Reyes Jr.

32 22 26 1199 0001 2100
1686 Grandiflora Ave.
Clermont, Florida

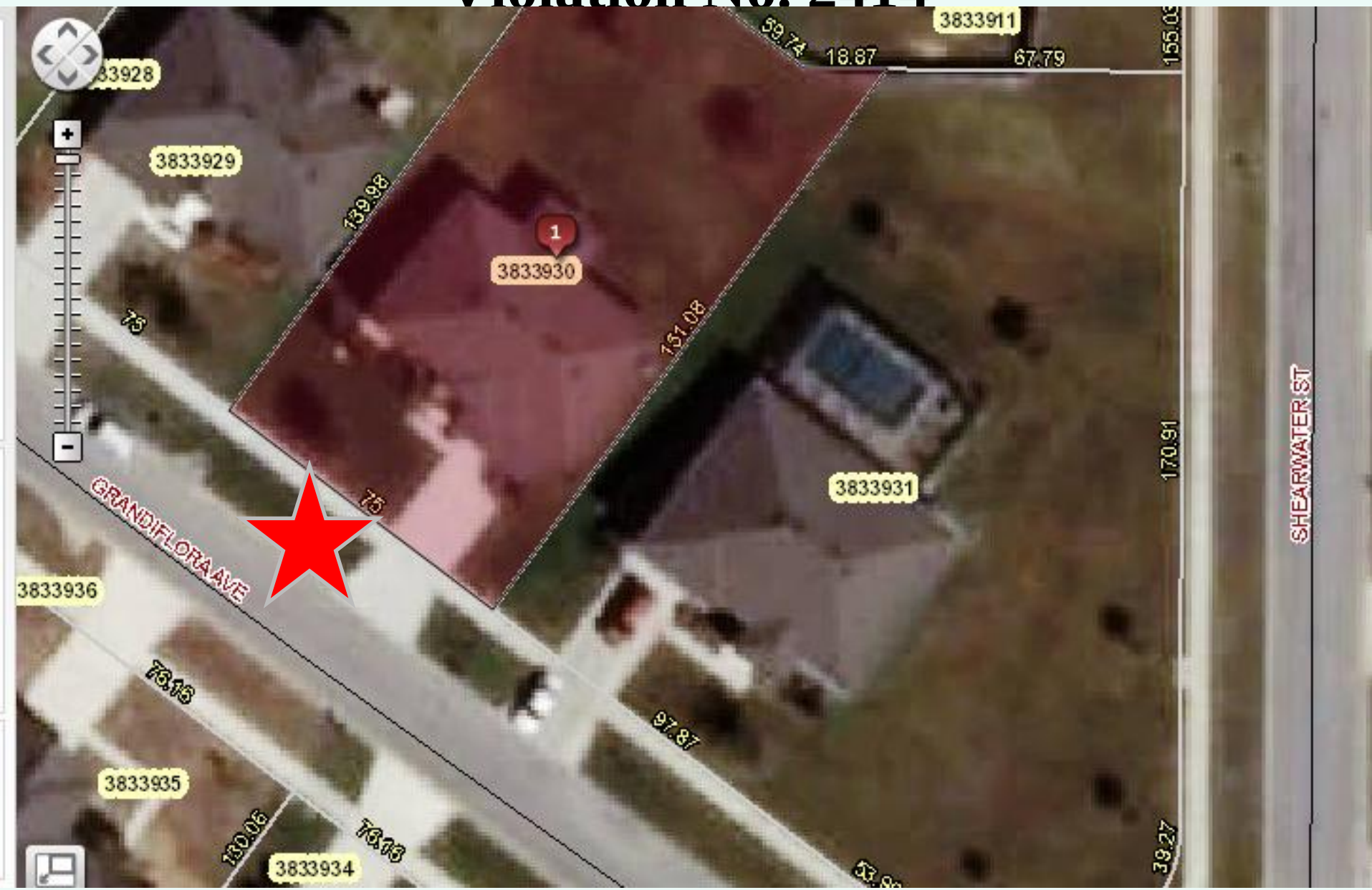
Violation Charged
City Code

Chapter 38, Section 38-4
Parking, storage of Recreational Vehicles
Chapter 54, Section 54-1

Placing articles or obstructions on streets or sidewalks

Case No. 14-987

Violation No. 2414



Sec. 38-4. - Parking, storage of recreational vehicles used for sleeping purposes.

It shall be unlawful for any persons to park and/or store for a period exceeding 24 hours any recreational vehicle upon any lot, piece or parcel of land in the city or upon any street or highway within the city, except upon permitted recreational vehicle parks or recreational vehicle sales lots, or except where such recreational vehicle is kept entirely within a closed building and not used for living or sleeping purposes, or except where such recreational vehicle is parked or stored to the rear of the building setback line according to the land development regulations of the city for the particular zone wherein the recreational vehicle is parked and/or stored.

Sec. 38-1. Definitions.

Recreational vehicle means any self-propelled mobile home, bus, motor home, camper, motor coach or other self-propelled vehicle which can be used or which was designed to be used as a dwelling or place of abode, and any non-self-propelled vehicle, the primary use of which is for recreational purposes, including but not limited to campers, boat and horse trailers.

Sec. 54-1. – Placing articles or obstructions on streets or sidewalks

- (a) No person shall cause to be placed, or place or allow to remain in front of his or their premises any merchandise, goods or showcases, barrels, wagons, carts, signs, advertisements, or articles of any description, on any sidewalk or street within the limits of the city, except as allowed under Chapter 122, zoning.
- (b) All streets, pavements and sidewalks shall be kept clean, free from rubbish and weeds, by the several landowners and the occupants of premises abutting thereon.
- (c) If any such streets, pavements or sidewalks become, in any manner dangerous or detrimental to the health or reasonable convenience of citizens, or become obstructed by trash or weeds, it shall be the duty to the city to give notice to the owner or occupant, or the recognized agent of either, requiring such owner or occupant, as the case may be, to remove any and all obstructions thereon, within ten days of receipt of the notice; and should any such owner or occupant refuse to make such repairs, or remove such obstructions within such time, he shall, upon conviction, be punished as provided by section 1-15, and such repairs shall be made, or such obstructions removed, at the expense of the abutting owner.

VIOLATION SUMMARY

Type of Violation:

Parking Boat & Boat Trailer on Public Street; Basketball Hoop on Right-of-Way

In Violation of:

Chapter 38, Sections 38-4 & Chapter 54, Section 54-1

Titled:

Parking, storage of recreational vehicles & Placing articles or obstruction on streets or sidewalks

You are hereby notified that you are in violation of the referenced section of the City of Clermont Code of Ordinances due to the following: Listed residence has a boat and trailer that was observed on city street and on residence's driveway (Section 38-4 Parking and storage of recreational vehicle). Residence has a basketball hoop located on the ground of the right-of-way (Section 54-1 Placing articles or obstructions on streets and sidewalks)

Compliance of This Violation will be when the following conditions are met: When the boat and boat trailer are moved and stored in a closed building as a garage or boat storage or parked in the rear setback of the residence. Remove the basketball hoop which is obstructing the right-of-way located in front of your residence. All right of way have utilities underneath that can be damaged if any obstruction is located there.

Case No. 14-987

Violation No. 2414

Case Summary

Violation Notice: 6/3/2014
Date Notice Received: 6/4/2014
Compliance Dates: 6/17/2014

CEB Notice to respondent: 6/24/2014
Date Notice Received: 6/25/2014
Follow up inspections: 6/18/2014, 6/23/2014, 6/24/2014,
7/8/2014 and 7/9/2014

Results of re-inspections: **Not In Compliance**

Case No. 14-987
Violation No. 2414



Case No. 14-987
Violation No. 2414



Case No. 14-987
Violation No. 2414



07/09/2014 08:12

Case No. 14-987
Violation No. 2414
Valerie Silva & Raymond Reyes Jr.

STAFF RECOMMENDATION TO THE CODE ENFORCEMENT BOARD:

To find the Respondent in violation of Chapter 38, Section 38-4 and Chapter 54, Section 54-1, with a fine of \$150.00 per day for every day the violation exists past August 14, 2014.

City of Clermont

P.O. Box 120210, Clermont, FL 34712-0219

VIOLATION NOTICE

June 27, 2014

Violation # 2417

Alleyne, Lyndon
P.O. Box 121438
Clermont, FL 34712-1438

Property/Violation Address: 611 Scott Street, Clermont FL 34711

Parcel Number: 24-22-25-015000N00217

Type of Violation: Safety Measures
In Violation Of: Section 94-199
Titled: "Required Soil Conservation Measures"

Type of Violation: Exterior Property Areas
In Violation Of: Section 302
Titled: "Grading and Drainage"

You are hereby notified that you are in violation of the referenced section of the City of Clermont Code of Ordinances due to the following:

- No safety measures placed for the active residential construction at listed location or methods to prevent erosion and the depositing of soils off of the site. (Section 94-199 Required Soil Conservation Measures)
- The property is not maintained to prevent erosion of soil so accumulation won't interfere with traffic as the residence is by a main road. (Section 302 Grading and drainage)

Compliance of This Violation will be when the following conditions are met:

- When proper prevention measures for erosion control are taken by installing a silt fence around property required by our building code.
- When property shall be graded and maintained to prevent the erosion of soil and to prevent accumulation of stagnant water, dirt, etc from depositing on both streets where property is located on.

You are directed to take action by July 3rd, 2014. Failure to remedy the violation within the allotted time will result in a Notice to Appear for a hearing before the Code Enforcement Board.

Please call (352) 241-7304 or email me at ewallace@clermontfl.org when compliance is met.

By:

 #5080

E. Wallace
Code Enforcement Officer

**Code Enforcement Board of the
City of Clermont
NOTICE OF HEARING**

CITY OF CLERMONT,
Petitioner
vs.

**Case No. 14-988
Violation No. 2417**

Alleyne, Lyndon
Respondent

Pursuant to Section 2-206 of the Code of the City of Clermont, Florida, you are hereby called to take notice that a Public Hearing will be conducted in the above-styled cause, pending and undetermined by the Code Enforcement Board on:

**July 15th 2014, at 6:00 PM
at
685 West Montrose Street, Clermont, Florida.
Council Chambers of City Hall**

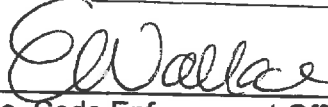
The Board will receive testimony and evidence at said Public Hearing and shall make such findings of fact as are supported by the testimony and evidence pertaining to the matters alleged in the Violation Notice. If the violation is corrected and then recurs, or if the violation is not corrected by the time specified by the Code Enforcement Officer in his/her Statement of Violation, this case may be presented to the Board even if the violation has been corrected prior to the hearing.

Any letters, lists, pictures or items displayed, presented or handed out at a public meeting for any City Commission, Board, Council or City public meeting, must be left with the recording clerk at the meeting at that time. No cell phone or electronic displays are permitted unless a printed copy is supplied at that time to the recording clerk.

PLEASE GOVERN YOURSELF ACCORDINGLY.

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, Alleyne, Lyndon, P.O. Box 121438 Clermont, FL 34712-1438.
(Certified Mail/Return Receipt Requested# _____)

9171 9690 0935 0046 6984 42

BY: 
Evie Wallace, Code Enforcement Officer
this 2nd day of July, 2014.

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.

CITY OF CLERMONT
CODE ENFORCEMENT DEPARTMENT

AFFIDAVIT OF POSTING

CITY OF CLERMONT

Petitioner

VIOLATION # 2417
CEB CASE# 14-988

VS.

Alleyne, Lyndon

Respondent

Personally appeared before me, Evie Wallace Code Enforcement Officer of the
City of Clermont:

That a copy of the Violation Notice and the Hearing Notice was
posted at the south public entrance of Clermont City Hall, 685
W. Montrose Street, Clermont, FL 34711, in addition to the real
property known as 611 Scott Street, Clermont, Florida, on the
3rd day of July, 2014.

Sworn to and subscribed before me this 3rd day of July 14 2014.

Evie Wallace
Evie Wallace
Code Enforcement Officer
City of Clermont, 685 W. Montrose Street
Clermont, FL

The forgoing instrument was acknowledged before me this 3rd day of July 2014, by
Evie Wallace as the Code Enforcement Officer for the City of Clermont, who is personally
known to me and who did take an oath.



Signature: Dawn Stalnakier

Printed Name: Dawn Stalnakier

Sec. 94-199. Required soil conservation measures.

The following soil conservation measures shall be taken on all clearing and grading sites:

- (1) *During construction.* Methods approved by the city shall be used to prevent erosion and the depositing of soils off of the site. This shall include the protection of bare soils from both water and wind (eolian) forces.
- (2) *After construction.* All disturbed areas shall be sodded or seeded and mulched, as required by the city's standard construction details. The removal or lack of maintenance of vegetation resulting in on-site or off-site erosion or windblown loss of soils shall be deemed a violation of this land development code.

CHAPTER 3

GENERAL REQUIREMENTS

SECTION 301 GENERAL

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and *exterior property*.

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* which are not in a sanitary and safe condition and which 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* which they occupy and control.

301.3 Vacant structures and land. All vacant structures and *premises* thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION 302 EXTERIOR PROPERTY AREAS

302.1 Sanitation. 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.

302.2 Grading and drainage. All *premises* shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: *Approved* retention areas and reservoirs.

302.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

302.4 Weeds. All *premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of [JURISDICTION TO INSERT HEIGHT IN INCHES]. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of viola-

tion, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

302.5 Rodent harborage. All structures and *exterior property* shall be kept free from rodent harborage and *infestation*. Where rodents are found, they shall be promptly exterminated by *approved* processes which will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

302.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another *tenant*.

302.7 Accessory structures. All accessory structures, including *detached* garages, fences and walls, shall be maintained structurally sound and in good repair.

302.8 Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any *premises*, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an *approved* spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and *approved* for such purposes.

302.9 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the *owner* to restore said surface to an *approved* state of maintenance and repair.

SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS

303.1 Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is a minimum of 54 inches (1372 mm) above the bottom of the gate,

Case No. 14-988
Violation No. 2417
Lyndon Alleyne

24 22 25 0150 00N0 0217
611 Scott Street
Clermont, Florida

Violation Charged
City Code

Chapter 94, Section 94-199
Required Soil Conservation Measures
Chapter 14, Section 14-9 (302.2)
Grading & Drainage

LAKE COUNTY GIS

COUNTY VIEW

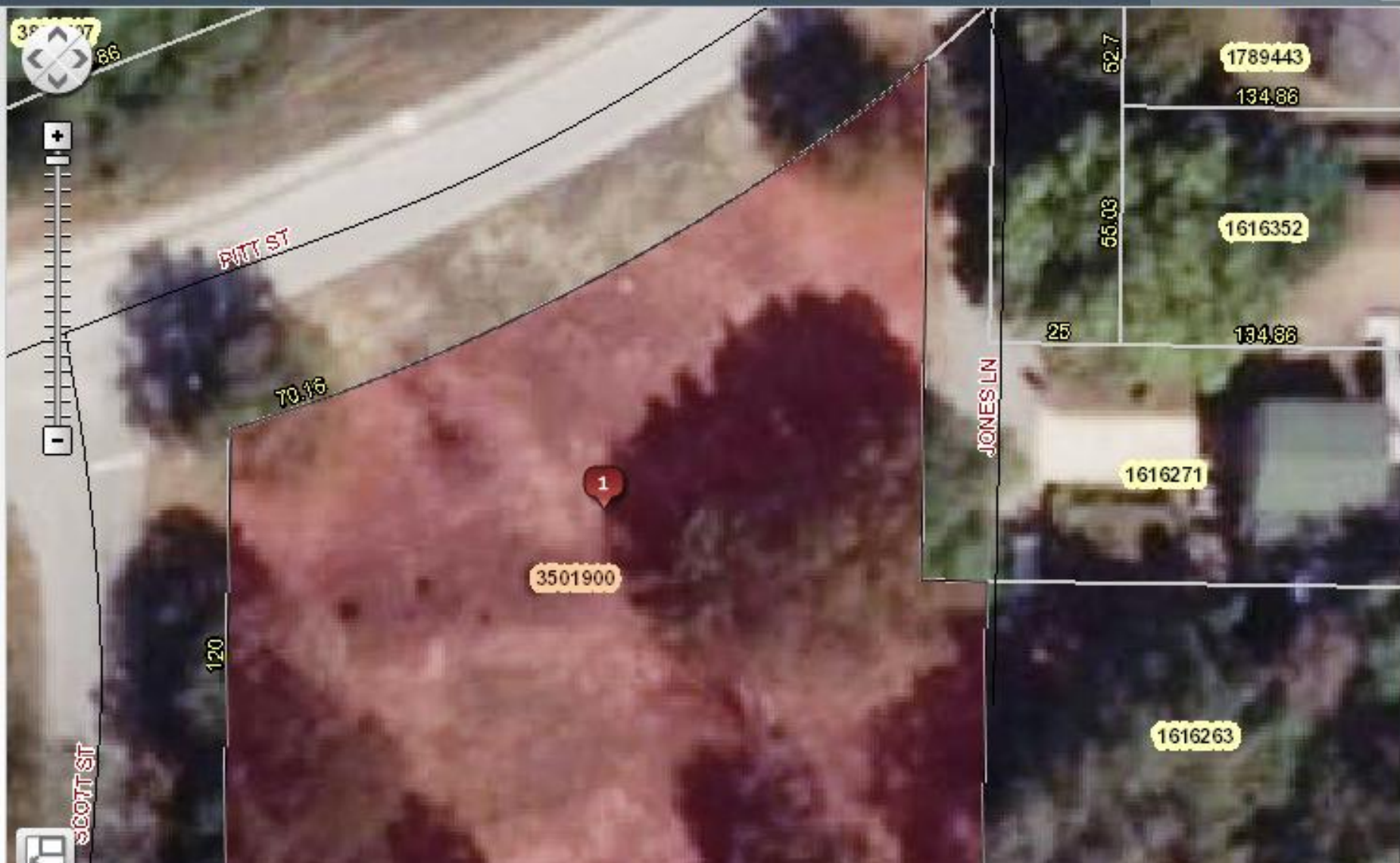
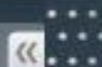
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Sec. 94-199 Required soil conservation measures.

The following soil conservation measures shall be taken on all clearing and grading sites:

- (1) During construction. Methods approved by the city shall be used to prevent erosion and the depositing of soils off the site. This shall include the protection of bare soils from both water and wind (eolian) forces.
- (2) After construction. All disturbed areas shall be sodded or seeded and mulched, as required by the city's standard construction details. The removal or lack of maintenance of vegetation resulting in on-site or off-site erosion or windblown loss of soils shall be deemed a violation of this land development code.

Sec. 302.2 Grading and drainage.

All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

VIOLATION SUMMARY

- **Type of Violation:** Safety measures, Exterior property areas
- **In Violation Of:** Chapter 94, Section 94-199; Chapter 14, Section 14-9 (302.2)
- **Titled:** Required Soil Conservation Measures; Grading and Drainage

You are hereby notified that you are in violation of the referenced section of the City of Clermont Code of Ordinances due to the following: No safety measures placed for the active residential construction at listed location or methods to prevent erosion and the depositing of soils off of the site. (Section 94-199 Required Soil Conservation Measures) The property is not maintained to prevent erosion of soil so accumulation won't interfere with traffic as the residence is by a main road. (Section 302 Grading and drainage)

- **Compliance of This Violation** will be when the following conditions are met: When proper prevention measures for erosion control are taken by installing a silt fence around property required by our building code.
- When property shall be graded and maintained to prevent the erosion of soil and to prevent accumulation of stagnant water, dirt, etc from depositing on both streets where property is located on.

Case No. 14-988

Violation No. 2417

Case Summary

Violation Notice: 6/27/2014

Date Notice Received:

Compliance Dates: 7/3/2014

CEB Notice to Respondent: 7/2/2014

Date Notice Received:

City Hall & Property Posted: 7/3/2014

Follow up Inspections: 6/30/2014

7/2/2014

7/3/2014

7/8/2014

7/9/2014

Results of re-inspections:

In Compliance

Case No. 14-988
Violation No. 2417



Case No. 14-988

Violation No. 2417



Case No. 14-988

Violation No. 2417



Case No. 14-988
Violation No. 2417



Case No. 14-988

Violation No. 2417



Case No. 14-988
Violation No. 2417
Lyndon Alleyne

STAFF RECOMMENDATION TO THE CODE ENFORCEMENT BOARD:

To find the Respondent in violation of Chapter 94, Section 94-199 and Chapter 14, Section 14-9 (302.2), with no fine to be assessed at this time.

City of Clermont

P.O. Box 120210, Clermont, FL 34712-0219

VIOLATION NOTICE

June 3rd, 2014

Violation # 2413

Clark, Rena Mildred
1337 Ryan Street
Clermont, FL. 34711

Property/Violation Address: 1337 Ryan Street, Clermont FL. 34711

Parcel Number: 25-22-25-050000005100

Type of Violation: Overgrowth of weeds, refuse, and storage of junk
In Violation Of: Section 34-61
Titled: "Enumeration of Prohibited Items"

Type of Violation: Missing and broken fence boards
In Violation Of: Section 122-343
Titled: "Fences and Walls"

You are hereby notified that you are in violation of the referenced section of the City of Clermont Code of Ordinances due to the following:

- Listed residence has overgrown weeds/grass in backyard. (Section 34-61 (1) Weeds)
- Listed residence has an accumulation of trash, debris, garbage, bottles, cans and other miscellaneous items in backyard that is causing an attractive nuisance. (Section 34-61 (2) Refuse & Section 34-61 (11) Storage of junk in residential areas)
- Listed residence has a dilapidated fence that needs repairs and is not maintained to be in accordance with our code of ordinance. (Section 122-343 Fences and walls)

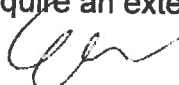
Compliance of This Violation will be when the following conditions are met:

- The backyard needs to be mowed and cleared from all obstruction and maintained here after.
- All debris, garbage, cans and junk miscellaneous items need to be removed where it will not harbor rats or other vermin.
- Replace and/or fix fence (if it needs to be replaced, please contact City Hall Planning & Zoning dpt for permit application. 352-241-7300 or 7301)

You are directed to take action by July 3rd, 2014. Failure to remedy the violation within the allotted time will result in a Notice to Appear for a hearing before the Code Enforcement Board.

Please call **(352) 241-7304** or email me at ewallace@clermontfl.org when compliance is met. **if you require an extension to complete all violations, please do not hesitate to contact me.

By:



E. Wallace
Code Enforcement Officer

**Code Enforcement Board of the
City of Clermont**

NOTICE OF HEARING

CITY OF CLERMONT,

Petitioner

vs.

Case No. 14-989

Violation No. 2413

Clark, Rena Mildred

Respondent

Pursuant to Section 2-206 of the Code of the City of Clermont, Florida, you are hereby called to take notice that a Public Hearing will be conducted in the above-styled cause, pending and undetermined by the Code Enforcement Board on:

July 15th 2014, at 6:00 PM

at

685 West Montrose Street, Clermont, Florida.

Council Chambers of City Hall

The Board will receive testimony and evidence at said Public Hearing and shall make such findings of fact as are supported by the testimony and evidence pertaining to the matters alleged in the Violation Notice. If the violation is corrected and then recurs, or if the violation is not corrected by the time specified by the Code Enforcement Officer in his/her Statement of Violation, this case may be presented to the Board even if the violation has been corrected prior to the hearing.

Any letters, lists, pictures or items displayed, presented or handed out at a public meeting for any City Commission, Board, Council or City public meeting, must be left with the recording clerk at the meeting at that time. No cell phone or electronic displays are permitted unless a printed copy is supplied at that time to the recording clerk.

PLEASE GOVERN YOURSELF ACCORDINGLY.

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, Rena M. Clark, 1337 Ryan Street, Clermont FL 34711.

(Certified Mail/Return Receipt Requested)

9171 9690 0935 0046 6984 11

BY: _____



Evie Wallace, Code Enforcement Officer
this 3rd day of July, 2014.

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.

CITY OF CLERMONT
CODE ENFORCEMENT DEPARTMENT

AFFIDAVIT OF POSTING

CITY OF CLERMONT

Petitioner

VIOLATION # 2413

CEB CASE# 14-989

VS.

Clark, Rena Mildred

Respondent

Personally appeared before me, Evie Wallace Code Enforcement Officer of the
City of Clermont:

That a copy of the Violation Notice and the Hearing Notice was
posted at the south public entrance of Clermont City Hall, 685
W. Montrose Street, Clermont, FL 34711, in addition to the real
property known as 1377 Ryan Street, Clermont, Florida, on the
3rd day of July , 2014.

Sworn to and subscribed before me this 3rd day of July 2014.

Evie Wallace
Evie Wallace
Code Enforcement Officer
City of Clermont, 685 W. Montrose Street
Clermont, FL

The forgoing instrument was acknowledged before me this 3rd day of July 2014, by
Evie Wallace as the Code Enforcement Officer for the City of Clermont, who is personally
known to me and who did take an oath.



Signature:

Dawn Stalnakker

Printed Name:

Dawn Stalnakker

Sec. 34-61. Enumeration of prohibited items, conditions or actions constituting nuisances.

The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions are hereby declared to be and constitute a nuisance:

- (1) *Weeds.* Any weeds such as broom grass, jimson, burdock, ragweed, sandspur or other similar weeds; or any other vegetation, including grass, other than trees, ornamental bushes, flowers or other ornamental plants with a height exceeding 18 inches.
- (2) *Refuse.* Accumulation of trash, litter, debris, garbage, bottles, paper, cans, rags, dead or decayed fish, fowl, meat or other animal matter; fruit, vegetables, offal, bricks, concrete, scrap lumber or other building debris or other refuse of any nature.
- (3) *Harborage for rats, snakes and other vermin.* Any condition which provides harborage for rats, mice, snakes and other vermin.
- (4) *Dilapidated buildings.* Any building or other structure which is in such a dilapidated condition that it is unfit for human habitation, or kept in such an insanitary condition that it is a menace to the health of people residing in the vicinity thereof, or presents a more than ordinarily dangerous fire hazard in the vicinity where it is located.
- (5) *Noises.* All unnecessary or unauthorized noises and annoying vibrations, including animal noises.
- (6) *Odors and stench.* All disagreeable or obnoxious odors and stench, as well as the conditions, substances or other causes which give rise to the emission or generation of such odors and stench.
- (7) *Carcasses of animals.* The carcasses of animals or fowl not disposed of within a reasonable time after death.
- (8) *Pollution of bodies of water.* The pollution of any public well or cistern, stream, lake, canal or body of water by sewage, dead animals, creamery wastes, industrial wastes or other substances.
- (9) *Places where illegal activities take place.* Any building, structure or other place or location where any activity which is in violation of local, state or federal law is conducted, performed or maintained.
- (10) *Stagnant water.* Any accumulation of stagnant water permitted or maintained on any lot or piece of ground.
- (11) *Storage of junk in residential areas.* The storage or accumulation of junk in any area zoned for residential use.
- (12) *Discharge of sewage or grease.* Any act resulting in the discharge, dumping or disposal of any contents of any septic tank, dry well, raw sewage, grease or similar material, regardless of its source, into or upon any land or body of water within the city, except as may be allowed through the city's sewer system, or as otherwise authorized by chapter 66 and state law.
- (13) *Improperly built or maintained private disposal systems.* Improperly built or maintained septic tanks, water closets, or privies.
- (14) *Health or life threatening activities.* Any act by which the health or life of any individual may be threatened or impaired, or by which or through which, directly or indirectly,

disease may be caused.

- (15) *Unapproved sewage or grease disposal methods.* Any method for disposing of the contents of any septic tank, dry well, raw sewage, grease or similar material which has not been approved by the county health department or state department of health and rehabilitative services.
- (16) *Improper maintenance or operation of vehicles used for transport and disposal of sewage or grease.* Improper maintenance or operation of any vehicle designed or used for the transportation or disposal of the contents of any septic tank, dry well, raw sewage, grease or similar material, which may threaten or impair the health or lives of any individual, or by which or through which, directly or indirectly, disease may be caused.

Sec. 122-343. Fences and walls.

- (a) *Generally.* All fences and walls shall be constructed in compliance with the Florida Building Code and in accordance with the dimensional and use regulations in this section.
- (b) *Prohibited fences and walls.*
 - (1) Slating of plastic or other material cannot be inserted into chain link fencing. No barbed wire, razor wire or similar material shall be allowed in residential or commercial districts.
 - (2) No building permit shall be issued for any fence or wall when it is determined by the planning and zoning department that such fence or wall would obstruct visibility, would impede fire or police protection, or would seriously inhibit the free flow of light and air.
- (c) *Height.*
 - (1) For residential uses, no fence, wall, or retaining wall shall exceed four feet in height from the front building line to the front lot line, or exceed six feet in height from the front building line to the rear property line. For corner lots, also known as double frontage lots, no fence, wall or retaining wall shall exceed four feet in height in front of the front setback line of the established district. Corner lots shall be allowed up to six-foot high fences to the property line on the secondary street side, provided there is no obstruction of visibility for adjacent driveways or intersections. Decorative columns and pillars may extend up to one foot above the maximum fence or wall height.
 - (2) Fences and walls in business, commercial and industrial districts shall be no higher than six feet. Industrial districts may also be allowed up to 24 inches of barbed wire for security.
 - (3) Subdivision entry features and any appurtenances shall not exceed ten feet in height without approval of the city council.
- (d) Obstruction of vision at intersections. No walls or fences shall be permitted on local road corner lots within 30 feet of intersecting street rights-of-way and lots on collector and arterial roads within 50 feet of intersecting street rights-of-way if such a fence will obstruct traffic visibility.
- (e) *Design and maintenance.*
 - (1) All fences shall be maintained in their original upright condition.
 - (2) Fences and walls designed for painting or similar surface finishes shall be maintained in their original condition as designed.
 - (3) Missing boards, pickets or posts shall be replaced in a timely manner with material of the same type and quality.
 - (4) Fences or walls having a side with exposed or irregular structural components and a more finished, uniform and aesthetically attractive side shall be constructed so that the more finished, uniform and aesthetically attractive side faces outward from the fenced property toward the adjoining property.
 - (5) The following materials shall be acceptable for the construction of fences and walls:
 - a. Rot- and termite-resistive wood.
 - b. Wood which has been chemically pressure-treated to resist rot and termites.
 - c. Noncorrosive metal or galvanized wire fabric of 11 gauge mounted on steel posts.
 - d. Ornamental iron, concrete or masonry.
 - (6) Walls shall have a finished top or cap block.
 - (7) All walls visible from the public right-of-way and adjoining properties shall be designed to incorporate an architectural finish such as stucco, split face block, brick, stone, or other material designed to disguise concrete block, or poured concrete construction.
 - (8) Single walls and tiered wall systems must provide a minimum of five feet for landscaping in front of the wall. The five-foot landscape area shall not exceed ten percent grade.

Case No. 14-989
Violation No. 2413
Rena Mildred Clark

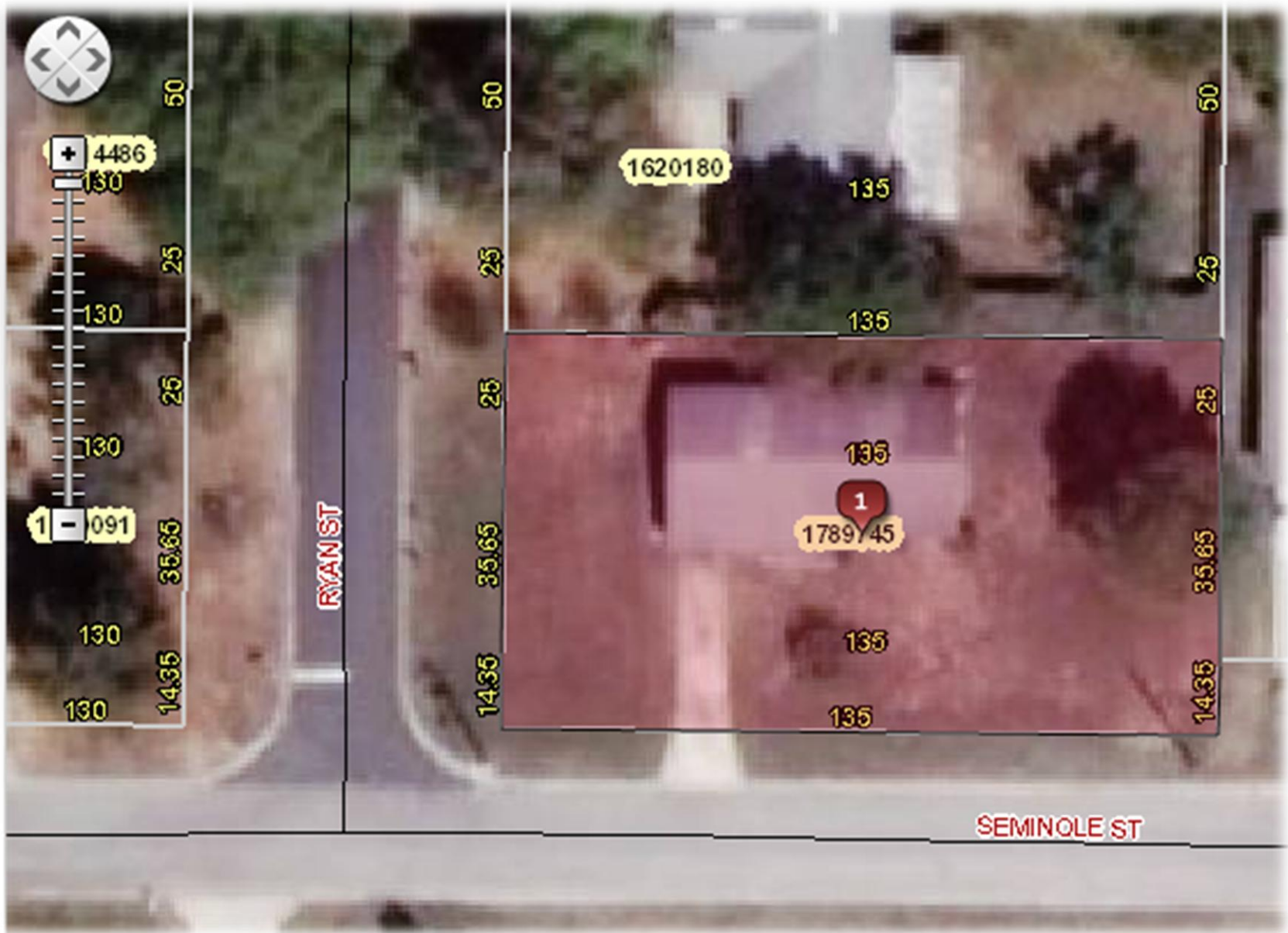
25-22-25-0500 0000 5100
1337 Ryan Street
Clermont, Florida

Violation Charged

Chapter 34, Section 34-61 (1, 2, 11);
Enumeration of Prohibited Items
Chapter 122, Section 122-343;
Fences and Walls

Case No. 14-989

Violation No. 2413



Sec. 122-343. - Fences and walls.

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Sec. 34-61. Enumeration of prohibited items, conditions or actions constituting nuisances.

(1) *Weeds.* Any weeds such as broom grass, jimson, burdock, ragweed, sandspur or other similar weeds; or any other vegetation, including grass, other than trees, ornamental bushes, flowers or other ornamental plants with a height exceeding 18 inches.

(2) *Refuse.* Accumulation of trash, litter, debris, garbage, bottles, paper, cans, rags, dead or decayed fish, fowl, meat or other animal matter; fruit, vegetables, offal, bricks, concrete, scrap lumber or other building debris or other refuse of any nature.

(11) *Storage of junk in residential areas.* The storage or accumulation of junk in any area zoned for residential use.

VIOLATION SUMMARY

Type of Violation:

Over Growth of Weeds, refuse, and storage of junk; Missing and broken fence boards

In Violation of:

**Chapter 34, Section 34-61 (1, 2, 11)
Chapter 122, Section 122-343**

Titled:

Enumeration of Prohibited Items and Fences and Walls

You are hereby notified that you are in violation of the referenced section of the City of Clermont Code of Ordinances due to the following: Listed residence has overgrown weeds/grass in backyard. (Section 34-61 (1) Weeds) Listed residence has an accumulation of trash, debris, garbage, bottles, cans and other miscellaneous items in backyard that is causing an attractive nuisance. (Section 34-61 (2) Refuse & Section 34-61 (11) Storage of junk in residential areas). Listed residence has a dilapidated fence that needs repairs and is not maintained to be in accordance with our code of ordinance. (Section 122-343 Fences and walls)

Compliance of This Violation will be when the following conditions are met: The backyard needs to be mowed and cleared from all obstruction and maintained here after. All debris, garbage, cans and junk miscellaneous items need to be removed where it will not harbor rats or other vermin. Replace and/or fix fence.

Case No. 14-989

Violation No. 2413

Case Summary

Violation Notice:	6/3/2014
Date Notice Received:	6/27/2014
Compliance Dates:	7/3/2014
CEB Notice to respondent:	7/3/2014
Date Notice Received:	
City Hall & Property Posted:	7/3/2014
Follow up inspections:	6/6/2014, 6/12/2014, 6/26/2014, 7/2/2014, 7/3/2014 and 7/8/2014
Results of re-inspections:	Not in Compliance

Case No. 14-989
Violation No. 2413



Case No. 14-989
Violation No. 2413



07/02/2014 09:47

Case No. 14-989
Violation No. 2413



Case No. 14-989
Violation No. 2413



07/02/2014 09:46

Case No. 14-989
Violation No. 2413



07/02/2014 09:47

Case No. 14-989

Violation No. 2413



Case No. 14-989
Violation No. 2413
Clark, Rena Mildred

STAFF RECOMMENDATION TO THE CODE ENFORCEMENT BOARD:

To find the Respondent in Violation of Chapter 122, Section 122-343, Fences and Walls and Chapter 34, Section 34-61, Enumeration of Prohibited Items, Constituting a Nuisance, with a fine of \$100.00 per day for every day past August 14th, 2014.