



**CODE ENFORCEMENT BOARD MEETING
TUESDAY, OCTOBER 21, 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 FOR SEPTEMBER
16, 2014**

OPENING STATEMENT

SWEARING IN WITNESSES

AGENDA

NEW BUSINESS

**Case No. 14-1000
Wallace**

High Octane Smoothie
1705 E. Highway 50, Suite A
Clermont, FL 34711

VIOLATION:

Chapter 58, Section 58-121
Business Tax Receipt Required

**Case No. 14-1002
Wallace**

Prince Acquisition & Developments, Inc.
1320 S. Highway 27
Clermont, FL 34711

VIOLATION:

Chapter 14, Section 14-9; (302.4) Weeds
Chapter 34, Section 34-61; Accumulation
of trash/junk
Chapter 122, Section 122-343; Fences and
Walls

**Case No. 14-1003
Wallace**

Kings Ridge Golf Club, LLC
Golf cart path on Kingswood Ct.
Devonshire subdivision
Clermont, FL 34711

VIOLATION:

Chapter 14, Section 14-9; (302.3) Exterior
Property Maintenance
Chapter 118, Section 118-35;
Landscaping

**CODE ENFORCEMENT BOARD MEETING
TUESDAY, OCTOBER 21, 2014
CITY HALL at 685 WEST MONTROSE STREET
At 6:00 PM**

**Case No. 14-1004
Crain**

Julio Valdez
110 W. Highway 50
Clermont, FL 34711

VIOLATION:

Chapter 58, Section 58-116; Business Tax
Required
Chapter 58, Section 58-119; Opening
Business without Business Tax Receipt

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
SEPTEMBER 16, 2014**

The regular meeting of the Code Enforcement Board was called to order on Tuesday, September 16, 2014 at 6:00 p.m. Members attending were Chairman Dave Holt, along with Board members Ken Forte, Larry Seidler, Bill Rini, Alfred Mannella, Chandra Myers, and Harvey Rosenberg. Also attending were Barbara Hollerand, Development Services Director, Evie Wallace, Code Enforcement Supervisor, Lori Crain, Code Enforcement Officer, Valerie Fuchs, Code Enforcement Attorney, Dan Mantzaris, City Attorney, and Rae Chidlow, Code Enforcement Clerk.

The Pledge of Allegiance was recited.

The minutes from the Code Enforcement Board meeting of August 19, 2014 were approved as written.

Chairman Dave Holt read the Opening Remarks.

Code Enforcement Supervisor Evie Wallace, and Code Enforcement Officer Lori Crain, along with any of the public who may testify, were sworn in.

Chairman Dave Holt gave the floor to Code Enforcement Staff and City Attorney.

CASE NO. 12-845

Daisy Clark Estate
769 E. Montrose St.
Clermont, FL 34711

LOCATION OF VIOLATION: 769 E. Montrose St., Clermont, FL 34711

REQUEST: Forgiveness of fine

City Attorney Dan Mantzaris introduced the case.

The Respondent was present.

Ira Deramus, 549 E. Broome St., stated that her mother, Lucille Deramus, had knee surgery and was not able to bring the property into compliance due to finances. She stated that once they obtained the finances, they did bring the property into compliance. She stated that her mother would like to ask for full forgiveness or a small fine.

Board member Bill Rini asked how much the fine is.

City Attorney Dan Mantzaris stated that the fine is \$31,500. He stated that it came into compliance on May of 2013. He stated this has been an ongoing matter, and staff is not in favor of full forgiveness but would be in agreement to reduce the fine to \$250 to be paid within 30 days.

**CITY OF CLERMONT
MINUTES
CODE ENFORCEMENT BOARD
SEPTEMBER 16, 2014**

Chairman Dave Holt asked the Respondent if they could pay this fine within 30 days.

Ira Deramus stated that they could pay the fine within 30 days.

Board member Harvey Rosenberg asked when did the property owner die and when did Lucille Deramus obtain possession of the home.

Ira Deramus stated that her grandmother passed 8 years ago, and her mother does not have possession of the home at this time. She stated that her mother does what she can to maintain the property.

Board member Harvey Rosenberg asked what the cost was to have the home brought up to code.

Lucille Deramus stated that does not know, but she's had the home almost completely redone including electrical, plumbing, and she had to hire contractors to complete the work.

Ken Forte made a motion to reduce the fine from \$31,500 to \$250 to be paid within 30 days; seconded by Bill Rini. The vote was 5-2 in favor of reducing the fine, with Board members Chandra Myers and Harvey Rosenberg opposing.

CASE NO. 14-996

Steven & Lorena Blankenship
730 Oak Drive
Clermont, FL 34711

LOCATION OF VIOLATION: 730 Oak Drive, Clermont, FL 34711

VIOLATION: Chapter 10, Section 10-26 Livestock Prohibited.

City Attorney Dan Mantzaris introduced the case.

The Respondent was not present.

Code Enforcement Supervisor 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: Listed residence has chickens inside a chicken coop located in the backyard of listed property (Section 10-26). All livestock is prohibited in the city limits of Clermont. Compliance of this violation will be when the following conditions are met: The chickens and the chicken coop are removed.

Bill Rini made a motion to find the Respondent in violation with a fine of \$100.00 per day for every day the violation exists past October 21, 2014; seconded by Chandra Myers. The vote was unanimous in favor of finding violation and the amount of the fine.

**CITY OF CLERMONT
MINUTES
CODE ENFORCEMENT BOARD
SEPTEMBER 16, 2014**

City Attorney Dan Mantzaris stated that city staff has been working with Bank of Camden on the Second Street property. He stated that a \$250 a day fine is accruing and is at \$71,000 to date. He stated that staff had a meeting with a Bank of Camden representative and they are hoping to bring it back to code quickly.

Development Services Director Barbara Hollerand stated that staff would like to propose to the Board to combine the November and December meeting to Wednesday December 3, 2014.

Chairman Dave Holt stated that he would be gone that week.

Ms. Hollerand stated that there is a Special Council meeting scheduled for November 18, 2014, so we would need to shift the Code Enforcement meeting to another date. She stated that we could hold the meeting Wednesday, November 19, 2014.

Chairman Dave Holt asked the Board if they were in agreement with that date.

The Board was in agreement to move the November 18, 2014 meeting to November 19, 2014 and skip the December 2014 meeting.

Board member Harvey Rosenberg asked who is fined when a property is in probate and no one ultimately owns the house.

City Attorney Dan Mantzaris stated that the fine is against the owner or estate. He stated that often times the family will not initiate the probate process for several years. He stated that typically once the city puts a code enforcement fine on the property, then the beneficiary will begin the probate to put the property into their name.

There being no further business, the meeting was adjourned at 6:30 p.m.

Dave Holt, Chairman

Attest:

Rae Chidlow, Code Enforcement Clerk

City of Clermont

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

VIOLATION NOTICE

September 16th, 2014

Violation # 2463

High Octane Smoothie
1705 E. Hwy 50, Suite A
Clermont, FL 34711

Property/Violation Address: 1705 E. Hwy 50, Suite A, Clermont FL 34711

Parcel Number: 00-00-00-000000071535

Type of Violation: No Business Tax Receipt
In Violation Of: Chapter 58, Section 58-121
Titled: "Taxation"

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:

- Contact was made several times at this business to advise them they have an expired Business Tax Receipt (BTR) (Section 58-121 Due date of BTR and penalties)

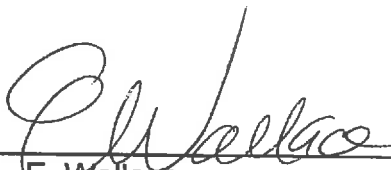
Compliance of This Violation will be when the following conditions are met:

- Apply for the BTR at City Hall 352-241-7300/7301 immediately before compliance date listed below.

You are directed to take action by September 26th, 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.

High Octane Smoothie (Banners Group LLC)

Respondent

Case No. 14-1000

Violation No. 2463

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:

October 21st 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, High Octane Smoothie (The Banners Group LLC) at 1705 E. Hwy 50, Suite A, Clermont, Fl. 34711 (Certified Mail/Return Receipt Requested#

9171 9690 0935 0046 6976 67

BY: 
Evie Wallace, Code Enforcement Officer
this 30th day of September, 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

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

VIOLATION NOTICE

September 17th, 2014

Violation # 2469

Prince Acquisition & Developments Inc
11905 Egret Bluff
Clermont, FL 34711

Property or Violation Address: 1320 US. Hwy 27., Clermont FL 34714

Parcel Number: 30-22-26-000100001400

Type of Violation: Weeds/grass
In Violation Of: Chapter 14, Section 14-9
Titled: "International Property Maintenance Code"

Type of Violation: Accumulation of trash/junk
In Violation Of: Chapter 34, Section 34-61
Titled: Prohibited Items constituting a nuisance

Type of Violation: Property Maintenance/ Zoning
In Violation Of: Chapter 122, 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:

- Property has an overgrowth of grass/weeds exceeding 18 inches (Section 302.4 Weeds)
- Property has junk miscellaneous items such as cans, bottles, etc on fence line of property constituting a nuisance (Section 34-61 Nuisance)
- Property's fence is unsecure and in disrepair (Section 122-343)

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

- When the property is mowed and maintained to not be in violation of Clermont City Code.
- All trash/junk properly removed and disposed of.
- Fence is in good repair, kept closed and secure

You are directed to take action by September 27th, 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.

Prince Acquisition & Developments Inc

Respondent

Case No. 14-1002

Violation No. 2469

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:

October 21st 2014, at 6:00 PM
at
685 West Montrose Street, Clermont, Florida.
Council Chambers of City Hall

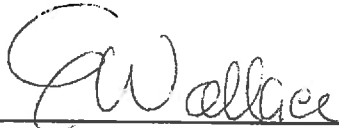
The Board will receive testimony and evidence at said Public Hearing and shall make such findings of fact as are supported by the testimony and evidence pertaining to the matters alleged in the Violation Notice. If the violation is corrected and then recurs, or if the violation is not corrected by the 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, Prince Acquisition & Developments Inc at 11905 Egret Bluff in Clermont, Fl. 34711 (Certified Mail/Return Receipt Requested#

9171 9690 0935 0046 6969 50

BY: 
Evie Wallace, Code Enforcement Officer
this 30th day of September, 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

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

VIOLATION NOTICE

September 18th, 2014

Violation # 2466

**TO: KINGS RIDGE GOLF CLUB LLC
701 GOLF PARK DR
CELEBRATION, FL 34747**

Property/Violation Address: Golf Cart Path on Kingswood Ct. (DevonShire Subd at King's Ridge), Clermont Fl. 34711

Parcel Number: 04-23-26-040000D0000

Type of Violation: Exterior Property Maintenance
In Violation Of: Chapter 14, Section 14-9
Titled: "International Property Maintenance Code"

Type of Violation: Landscaping
In Violation Of: Chapter 118, Section 118-35
Titled: "Maintenance and Pruning"

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:

- High hedges on the golf cart path on Kingswood Ct in Devonshire with hedges sticking out pricking golf cart drivers. (Section 118-35 Maintenance and Pruning)
- The golf cart pathway is in desperate state of repair as it is cracked and coming apart which can be hazardous to golf carts entering and exiting this path. (Section 302.3 Sidewalks and driveways)

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

- When hedges are pruned and not causing a nuisance to golf cart drivers and passengers.
- When the pathway is smooth and has no cracks to not cause possible damage to golf carts crossing it or even possible injuries to the driver/passengers on board.

You are directed to take action by September 28th, 2014 (maintain the hedges) and October 18, 2014 (repair the cracked pathway). 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.

Kings Ridge Golf Club LLC
Respondent

Case No. 14-1003
Violation No. 2466

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:

October 21st 2014, at 6:00 PM
at
685 West Montrose Street, Clermont, Florida.
Council Chambers of City Hall

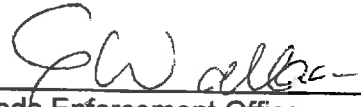
The Board will receive testimony and evidence at said Public Hearing and shall make such findings of fact as are supported by the testimony and evidence pertaining to the matters alleged in the Violation Notice. If the violation is corrected and then recurs, or if the violation is not corrected by the 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.

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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, Kings Ridge Golf Club LLC, 701 Golf Park Drive, Celebration, FL 34747 (Certified Mail/Return Receipt Requested#

9171 9690 0935 0046 6969 43

BY: 
Evie Wallace, Code Enforcement Officer
this 30th day of September, 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.

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

CITY OF CLERMONT,
Petitioner
vs.

**Case No. 14-1004
Violation No. 2454**

JULIO VALDEZ, (Delicias Del Caribe)
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:

**October 21st, 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.

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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 JULIO VALDEZ, 560 INDIANA CIRCLE, MASCOTTE, FL 34753.
(Certified Mail/Return Receipt Requested _____)

9171 9690 0935 0074 1928 37

BY: 
Lori Crain, Code Enforcement Officer
this 1st day of October, 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

P.O. Box 120219, Clermont, FL 34712-0219

Violation Notice

September 12, 2014

VN# 2454

JULIO VALDEZ
560 INDIANA CIR
MASCOTTE, FL 34753

Property or Violation Address: Delicias Del Caribe
110 W Hwy 50, Clermont FL 34711

Parcel Number: 00-00-00-000000062764

Type of Violation: Business Tax Receipt Required
In Violation Of: Chapter 58, Section 58-116
Titled: "Clermont, Florida Code of Ordinances"

Type of Violation: Opening Business without Business Tax Receipt
In Violation Of: Chapter 58, Section 58-119
Titled: "Clermont, Florida Code of Ordinances"

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 Required Business Tax Receipt (Section 58-116).
- Opening business without Business Tax Receipt (Section 58-119)

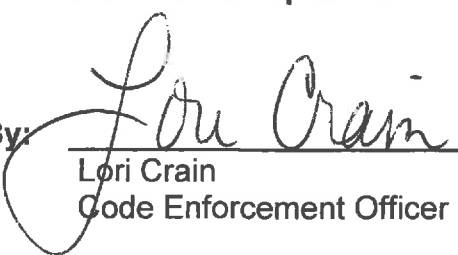
Compliance of This Violation will be when the following conditions are met:

- When Business Tax Receipt is procured from City of Clermont;
- Proper and required inspections are completed through Development Services Department, first floor, City Hall.

You are directed to take action by **September 16, 2014**. Failure to remedy the violation within the allotted time will result in a Notice and a possible hearing before the Code Enforcement Board.

Please contact me via email at lcrain@clermontfl.org or at my direct line 352-241-7343 when compliance is met. Thank you for your cooperation in this matter.

By:


Lori Crain
Code Enforcement Officer

City of Clermont

P.O. Box 120219, Clermont, FL 34712-0219

Violation Notice

September 12, 2014

VN# 2454

Delicias Del Caribe
110 W Hwy 50
Clermont, FL 34711

Property or Violation Address: 110 W Hwy 50, Clermont FL 34711

Parcel Number: 00-00-00-000000062764

Type of Violation: Business Tax Receipt Required
In Violation Of: Chapter 58, Section 58-116
Titled: "Clermont, Florida Code of Ordinances"

Type of Violation: Opening Business without Business Tax Receipt
In Violation Of: Chapter 58, Section 58-119
Titled: "Clermont, Florida Code of Ordinances"

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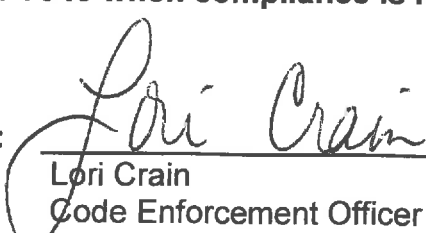
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Please contact me via email at lcraim@clermontfl.org or at my direct line 352-241-7343 when compliance is met. Thank you for your cooperation in this matter.

By:


Lori Crain
Code Enforcement Officer