

**CITY OF CLERMONT
MINUTES
CODE ENFORCEMENT BOARD
OCTOBER 21, 2014**

The regular meeting of the Code Enforcement Board was called to order on Tuesday, October 21, 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 Denise Noak, Deputy City Clerk.

The Pledge of Allegiance was recited.

The minutes from the Code Enforcement Board meeting of September 16, 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.

City Attorney Dan Mantzaris stated that Case No. 14-1004 will not be heard due to lack of receiving notice.

CASE NO. 14-1002

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

LOCATION OF VIOLATION: 13320 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.

City Attorney Dan Mantzaris introduced the case.

The Respondent was 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: 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

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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.

Rick Thompson, 14535 Sawgrass Drive, stated that he is the brother of one of the owners of Prince Acquisition. He stated that his brother is in Indiana and he was representing the company. He stated that they had demolished the hotel that was on the property. He stated that the partial fence that was left was from when the hotel was standing and the building filled in the gap where the fence is now. He stated that the company that was hired to complete the job has started to work on the property today and most of the fence is down. He stated that the posts are still up because concrete was used to secure the posts. He stated that most of the weeds were around the fence and they plan to mow as soon as the fence is down. He stated that he is in agreement with the date to become compliant.

Chairman Dave Holt asked if removing the fence would allow compliance.

Mr. Thompson stated that they can remove the fence to become compliant.

Ken Forte made a motion to find the Respondent in violation with a fine of \$250.00 per day for every day the violation exists past November 19, 2014; seconded by Alfred Mannella. The vote was unanimous in favor of finding violation and the amount of the fine.

CASE NO. 14-1003

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

LOCATION OF VIOLATION: Golf cart path on Kingswood Ct., Clermont, FL 34711

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

City Attorney Dan Mantzaris introduced the case.

Code Enforcement Attorney Valerie Fuchs stated that Board member Bill Rini has a conflict with this case and has filled out the form however he needs to address the Board and have the conflict of interest on record.

Board member Bill Rini stated that he is on the Master Board of Directors for Kings Ridge and he would not be able to vote unbiased on this matter.

The Respondent was present.

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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: High hedges on the golf cart pathway on Kingswood Ct in Devonshire where vehicles can't see the carts on the path and the carts can't see approaching vehicles. (Section 118-35 Maintenance and Pruning). Compliance of this violation will be when the following conditions are met: When hedges are pruned and maintained to not cause a nuisance to golf cart drivers and approaching vehicles.

Board member Bill Rini asked why this was the only part of the golf course that was cited.

Ms. Wallace stated that the numerous complaints pertained to the golf cart path.

Mr. Rini asked how this issue can be remedied.

Ms. Wallace stated that she has been in contact with the staff of the golf course. She stated that the violations were corrected on September 24, 2014.

City Attorney Dan Mantzaris stated that the remedy the city is doing, is by finding the golf course in violation without a fine. However when the golf course becomes out of compliance again, the fines will start accruing the day the violation occurs rather than having to come back before the Board. He stated that the City can bring them back before the Board and request a \$500 a day fine.

Nicholas Hall, 956 Cumberlain Circle, Minneola, stated that he represents King's Ridge Golf Course. He asked if there were any other areas of the golf course that need to be addressed.

Chairman Dave Holt stated that he can contact staff to determine if any other areas need to be addressed and how to stay in compliance.

Board member Harvey Rosenberg asked if Mr. Hall receives complaints from the residents about the maintenance of the golf course.

Mr. Hall stated that the complaints are sent to the HOA and a work order is provided to the golf course staff.

Board member Harvey Rosenberg stated that it sounds like this is an issue between the HOA and the golf course. He stated that it sounds like the residents are complaining and nothing is getting done and the HOA is involving the city which is wasting the city's time and the Board's time when these issues should be taken care of by the golf course. He stated that he can understand the concern of the neglect.

Board member Bill Rini asked if there is a required time to cut the bushes or is the staff told when to cut the bushes.

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Chairman Dave Holt suggested that Mr. Hall tell the Board he will just stay in compliance.

Patty Koshorek, 3485 Rollingbrook St., stated that she does not live in the Devonshire subdivision, but she had photos of violations of the golf course.

Chairman Dave Holt stated that if these do not pertain to the case on hand then she will need to contact the city staff to report the violation.

Harvey made a motion to find the Respondent in violation with a fine no fine to be assessed at this time; seconded by Chandra Myers. The vote was 6-1 in favor of finding violation, with Board member Mannella opposing.

CASE NO. 14-1000

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

LOCATION OF VIOLATION: 1705 E. Highway 50, Suite A, Clermont, FL 34711

VIOLATION: Chapter 58, Section 58-121, Business tax receipt required.

City Attorney Dan Mantzaris introduced the case. He stated that they have obtained their business tax receipt and is in compliance at this time, however they will still hear the case to find the violation. He stated that should they become non-compliant again the city can begin the fines from the day the non-compliance is observed.

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: 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.

Harvey Rosenberg made a motion to find the Respondent in violation with no fine assessed at this time; seconded by Chandra Myers. The vote was unanimous in favor of finding violation.

City Attorney Dan Mantzaris passed out the list for properties that are either being fined or have had fines. He stated that there is no action that needs to be taken at this time. He stated that city staff is trying to work with the respondents pertaining their fine statuses. He stated that in the future the Board will be seeing these cases back in front of the Board to either put liens against

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the properties, or have worked on a resolution with the respondents and recommendation to resolve the fines.

Development Services Director Barbara Hollerand reminded the Board that November's meeting will be on Wednesday, November 19, 2014 and there will be no meeting in December.

There being no further business, the meeting was adjourned at 7:05 p.m.

Dave Holt, Chairman

Attest:

Rae Chidlow, Code Enforcement Clerk