



CODE ENFORCEMENT SPECIAL
MAGISTRATE HEARING
TUESDAY, JULY 17, 2018
CITY HALL at 685 WEST MONTROSE STREET
At 1:30 PM

CALL TO ORDER

SWEARING IN WITNESSES

AGENDA

OTHER BUSINESS

UNFINISHED BUSINESS

NEW BUSINESS

Item 1 - C2018-000166 Richard Judkins
Reusch

Richard Judkins
983 West Desoto Street
Clermont, FL 34711

VIOLATION:

Municipal Code 86-86 Violation of
Conditional Use Permit

Item 2 - C2018-000145 Troy White
Reusch

Troy White
1948 Knollcrest Drive
Clermont, FL 34711

VIOLATION:

Section 62-33 Truck and Trailer Parking
in Residential Areas

Item 3 - C2018-000210 Gary Roach
Reusch

Gary Roach
610 Brooke Court
Clermont, FL 34711

VIOLATION:

IPMC Section 309.1 Infestation
Chapter 122-344 General Development
Conditions - Property Maintenance
IPMC Section 302.4 Weeds

**CODE ENFORCEMENT SPECIAL
MAGISTRATE HEARING
TUESDAY, JULY 17, 2018
CITY HALL at 685 WEST MONTROSE STREET
At 1:30 PM**

Item 4 - C2017-000305 Tiproel, LLC
Wallace

Tiproel, LLC
Vacant Lot on Bloxam adj. to orange
grove
Clermont, FL

VIOLATION:

Section 122-344 Property Maintenance
Section 34-61 Enumeration of prohibited
items
Section 34-62 Creation or maintenance of
nuisance by property owner
IPMC Chapter 14, 301.3-1 Vacant
structures and land
IPMC Chapter 14, 302.4 Weeds

Item 5 - CF2017-000571 Sean & Yvette Keeney
Wallace

Sean & Yvette Keeney
480 E. Lakeshore Drive
Clermont, FL 34711

VIOLATION:

Section 122-344 Building Permit
Required

ADJOURN

Any person wishing to appeal any decision made by the Code Enforcement Special Magistrate 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 Development Services 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

P.O. BOX 120219, CLERMONT, FLORIDA 34712-0219

VIOLATION NOTICE

April 10, 2018

Violation # C2018-000166

To: JUDKINS RICHARD W & JANIS E SH
17521 STATE ROAD 19
GROVELAND, FL 34736

Violation/Property address: 983 WEST DESOTO ST, CLERMONT FL 34711 (SOUTH LAKE MONTESSORI)

You are hereby notified that you are in violation of the referenced section of the City of Clermont Code of Ordinances for the parcel located at 983 WEST DESOTO ST CLERMONT FL, 34711. IN REFERENCE TO; VIOLATIONS OF THE CONDITIONAL USE PERMITS. A CURB IN THE PARKING LOT IS ALSO REQUIRED FOR REDIRECTING STORM WATER RUNOFF.

Compliance with the Violation(s) listed will be when the following condition(s) are met: A LANDSCAPE BUFFER CONTAINING SHUBBERY FROM THE PREFERRED SHRUB LIST MUST BE ADDED TO THE SOUTHERN PROPERTY LINE. THE CURB ON 10TH ST MUST BE CLOSED OFF. A CURB MUST BE ADDED TO THE PARKING LOT TO REDIRECT ANY STORM WATER RUNOFF. PLEASE CONTACT CURT HENSCHEL, DEVELOPMENT SERVICES DIRECTOR AT CHenschel@clermontfl.org (352) 241-7304 OR SENIOR PLANNER JOHN KRUSE AT JEKRUSE@CLERMONTFL.ORG 352-241-7309 FOR FURTHER INFORMATION.

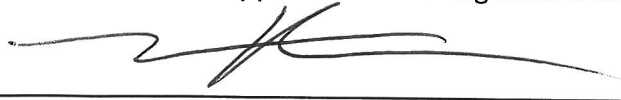
Type of Violation: Municipal Code, Chapter 86, Section 86 Conditional Use Permit

Close curb on 10th ST, add landscape buffer to south property line, curb in the parking area to divert storm water runoff.

Please contact me at (352)241-7304 or MREUSCH@CLERMONTFL.ORG when you comply, so an inspection to determine compliance can be scheduled.

You are directed to take action by **MAY 11TH, 2018**. Failure to remedy the violation within the allotted time will result in a Notice to Appear for a hearing before the Code Enforcement Special Magistrate.

By:



MATTHEW REUSCH
Code Enforcement Officer

Code Enforcement Special Magistrate
City of Clermont

NOTICE OF HEARING

CITY OF CLERMONT,

Petitioner

Case No. C2018-000166

vs.

JUDKINS RICHARD W & JANIS E SH

Respondent

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

TUESDAY, JULY 17TH 2018 @ 1:30 PM

at

**685 West Montrose Street, Clermont, Florida.
Council Chambers of City Hall**

The Special Magistrate 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 Special Magistrate even if the violation has been corrected prior to the hearing.

Any letters, lists, pictures of 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.

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, JUDKINS RICHARD W & JANIS 17521 SR 19 GROVELAND, FL 34736 & 983 W. DESOTO ST CLERMONT, FL. 34711
Certified Mail/Return Receipt Requested #

BY:



MATTHEW REUSCH, Code Enforcement Officer
this 23rd day of May, 2018

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.



LANGLEY, NAGEL,
CRAWFORD & MODICA
CHARTERED ATTORNEYS AT LAW

MERIDETH C. NAGEL
PARTNER
JIMMY D. CRAWFORD
PARTNER
STEPHANIE MODICA
PARTNER
RICHARD H. LANGLEY
PARTNER
1937-2017
TINA M. SMITH
ASSOCIATE
SHACONNA WRIGHT
ASSOCIATE
SARAH E. UHRIK
ASSOCIATE

July 2, 2018

Shannon J. Schmidt
Economic Development & CRA Director
City of Clermont, Florida
685 West Montrose Street
Clermont, Florida 34711

RE: Code Enforcement Case No. C2018-000166

Delivered by U.S. Mail and electronically to
Sschmidt@clermontfl.org

Dear Shannon:

Our office has been retained by Ms. Jan Sheldon and Mr. Richard Judkins ("Owners") regarding the pending code enforcement case as detailed in your April 9, 2018 letter to Ms. Sheldon and the Notice of Hearing noticing the July 17, 2018 scheduled hearing (Case No. C2018-000166). We will be present at the hearing to present evidence and testimony as needed, however, I would like to point out certain matters regarding the case.

First, the April 9 letter alleges the following violations which must be addressed "... for the Conditional Use Permit to come into compliance:

- 1) Landscaping along the southern property line.
- 2) Curbing that needs to be replaced along 10th street,
- 3) Curbing that is needed along the interior landscape buffer to prevent water shed onto neighbor's property."

I note separately that the Notice of Hearing does not specify a section of the Clermont City Code or the "CUP" (City Resolution 2016-3, and to the extent not superseded, Resolution No. 1199) that the Owners are alleged to be violating. We assert that the Notice of Hearing is defective in that it does not give the Owners notice as to what provisions or sections of the City Code, or the CUP, the City alleges they are in violation of.

Shannon J. Schmidt
Economic Development & CRA Director
July 2, 2018

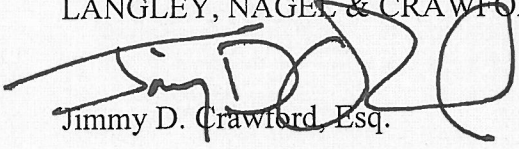
I have reviewed Resolution 2016-3 and Resolution 1199, and can find no reference to, or requirement of, curbing either along 10th Street or along the interior landscape buffer, and the Concept Plan approved with both Resolutions does not appear to indicate any particular curbing requirement. Therefore, the curbing issues can not be a violation of the CUP – or either Resolution.

If the City is attempting to allege that the curbing issues are a violation of any other City Code, my clients have received no notification of any such alleged violation. If later alleged, my clients would respond that (1) our site plans and construction plans were approved for the construction authorized by both Resolutions, and City inspections were performed and passed, with the curbing situation 'as is', presenting a waiver or estoppel defense to any City enforcement action at this point. Further, any construction in the area alleged to have insufficient or noncompliant curbing likely predated any such requirement in the Code, and as such would be a legally existing non-conforming use. That said, if our 'neighbor' has any evidence that water from our site is being shed onto his or her property, the Owners would be happy to address that issue to prevent water from entering the neighbor's property. However, a site inspection reveals that the planting/shrub/landscaping bed in that area is several inches higher than the Owners' pavement, effectively preventing water from escaping onto the neighbor's property.

The one issue raised in the April 9 letter that does need to be addressed is the landscaping along the southern property line. Resolution 1199 states that a five-foot landscape buffer is required in that area, and the Concept Plan indicates a hedge planting there. Previously, the Clermont City Manager, Wayne Saunders, visited the property after construction of the improvements authorized in Resolution 1199 and agreed the hedge/landscaping was unneeded, as there is a six-foot wooden stockade fence in that area, and landscaping would interfere with the children's outdoor play area. Therefore, Mr. Saunders approved the site as constructed; however, the Owners recognize the need to formally correct and amend the CUP requirements for a buffer along the southern line, and have already applied for the CUP corrective amendment, which is scheduled to be heard by the City Planning & Zoning and City Council in July. The hearings would have occurred prior to the July 17 code enforcement hearing were it not for the City's altered summer hearing schedules.

Please forward this letter to the Code Enforcement Hearing officer in this case, so he/she can be aware of the issues that are to come before the hearing. Of course, if you have any questions or we can provide anything further at this time, please do not hesitate to contact our office.

LANGLEY, NAGEL & CRAWFORD



Jimmy D. Crawford, Esq.

c: Jan Sheldon and Richard Judkins
Dan Mantzaris, Esq., City Attorney

Code Enforcement Special Magistrate
City of Clermont

CITY OF CLERMONT,
Petitioner

CASE NO. C2018-000166

v.

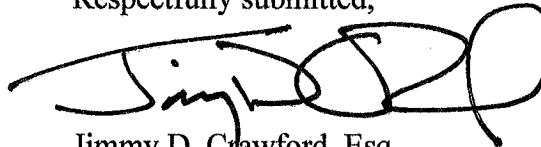
JUDKINS RICHART W & JANIS E SHELDON
Respondent

NOTICE OF APPEARANCE

The undersigned attorney hereby files this Notice of Appearance on behalf of RICHARD W. JUDKINS and JANIS E. SHELDON ("Respondents") pursuant to and limited to the Notice of Hearing (attached), and will appear on behalf of Respondents at the scheduled July 17, 2018 hearing.

Dated: July 9, 2018

Respectfully submitted,



Jimmy D. Crawford, Esq.
Florida Bar Number: 38441
LANGLEY, NAGEL, CRAWFORD & MODICA
CHARTERED ATTORNEYS AT LAW
1201 West Highway 50
Clermont, Florida 34711
(352) 394-7408 (telephone)
(352) 394-7298 (facsimile)
jcrawford@LNCMLaw.com

9171 9690 0935 0175 5231 65

Code Enforcement Special Magistrate
City of Clermont

NOTICE OF HEARING

CITY OF CLERMONT,

Petitioner

Case No. C2018-000166

vs.

JUDKINS RICHARD W & JANIS E SH

Respondent

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

TUESDAY, JULY 17TH 2018 @ 1:30 PM

at

685 West Montrose Street, Clermont, Florida.

Council Chambers of City Hall

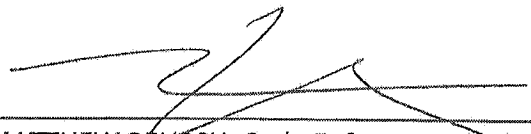
The Special Magistrate will receive testimony and evidence at said Public Hearing and shall make such findings of fact as are supported by the testimony and evidence pertaining to the matters alleged in the Violation Notice. If the violation is corrected and then recurs, or if the violation is not corrected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

Any letters, lists, pictures of 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.

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, JUDKINS RICHARD W & JANIS 17521 SR 19 GROVELAND, FL 34736 & 983 W. DESOTO ST CLERMONT, FL. 34711

Certified Mail/Return Receipt Requested #

BY:



MATTHEW REUSCH, Code Enforcement Officer
this 23rd day of May, 2018

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.



COURTESY NOTICE

VIOLATION OF CODE OR ORDINANCE

CITY OF CLERMONT

Case # C2018-000145

DATE: Month April Day 4 Year 2018 Time 10:48 AM

Name WHITE TROY E &

Address 1948 KNOLLCREST DR

Phone _____

City CLERMONT

State FL

Zip 34711

CODE OR ORDINANCE VIOLATED: Section 62-33 Truck and trailer parking prohibited in residential areas.

In all residential districts, no person shall park, or allowed to be parked on their real property, or on property under lease, on city streets, alleys or parkways, any mobile home or commercial vehicle to include tractor or trailer of any type but not limited to boat trailers. However if truck and commercial vehicles or trailers are 15,000 lbs or less they can so be parked.

LOCATION OF VIOLATION: 1948 KNOLLCREST DR

CITY OF CLERMONT CODE ENFORCEMENT RECEIVED A COMPLAINT THAT A COMMERICAL VEHICLE WAS PARKED ON THE STREET. CODE ENFORCEMENT OFFICERS CONDUCTED AN INSPECTION OF THE PROPERTY AND FOUND IT TO BE IN VIOLATION OF THE ABOVE ORDINANCE.

FACTS CONSTITUTING REASONABLE CAUSE:

ACTION REQUIRED FOR REMEDY OF VIOLATION:

REMOVE VEHICLE FROM RESIDENTIAL STREET AND REFRAIN FROM PARKING COMMERICAL TRUCK AT THAT LOCATION AT ANY TIME.

REMEDY ABOVE VIOLATION TO BE COMPLETED BY: APRIL 13TH, 2018

CODE ENFORCEMENT OFFICER MATTHEW REUSCH (352)2417304
MREUSCH@CLERMONTFL.ORG

IF YOU HAVE ANY QUESTIONS CONCERNING THIS MATTER, PLEASE CONTACT THE CODE ENFORCEMENT OFFICER AT THE ABOVE LISTED NUMBER. OUR OFFICE IS LOCATED AT:

CITY OF CLERMONT, DEVELOPMENT SERVICES
685 W. MONTROSE STREET, CLERMONT, FL 34711

FAILURE TO CORRECT VIOLATION BY THE ABOVE DATE MAY RESULT IN A NOTICE TO APPEAR BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE.

9171 9690 0935 0175 5230 59
Code Enforcement Special Magistrate
City of Clermont

NOTICE OF HEARING

CITY OF CLERMONT,

Petitioner

vs.

WHITE TROY E &

Respondent

Case No. C2018-000145

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

JULY 17, 2018 AT 1:30PM

at

**685 West Montrose Street, Clermont, Florida.
Council Chambers of City Hall**

The Special Magistrate 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 Special Magistrate even if the violation has been corrected prior to the hearing.

Any letters, lists, pictures of 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.

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, WHITE TROY E &.

Certified Mail/Return Receipt Requested #

BY:



MATTHEW REUSCH, Code Enforcement Officer
this 1th day of June, 2018

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, FLORIDA 34712-0219

AFFIDAVIT OF POSTING

CITY OF CLERMONT
Petitioner

CEB CASE # C2018-000145

VS.

WHITE TROY E & ()
Respondent

Personally appeared before me, MATTHEW REUSCH 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 1948 KNOLLCREST DR CLERMONT FL. 34711 , on the 6/1/2018.

Sworn to and subscribed before me this 9 day of July, 2018.

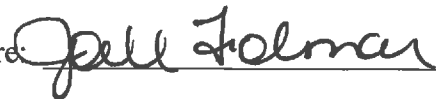


Code Enforcement Officer, MATTHEW REUSCH
City of Clermont, 685 W. Montrose Street
Clermont, FL 34711

The forgoing instrument was acknowledged before me this 9 day of July, 2018, by MATTHEW REUSCH, Code Enforcement Officer for the City of Clermont, who is personally known to me and who did take an oath.



Signature: _____



Printed Name: _____



City of Clermont

P.O. BOX 120219, CLERMONT, FLORIDA 34712-0219

VIOLATION NOTICE

April 27, 2018

Violation # C2018-000145

To: WHITE TROY E &
1948 KNOLLCREST DR
CLERMONT, FL 34711

Violation/Property address: 1948 KNOLLCREST DR, CLERMONT FL 34711

You are hereby notified that you are in violation of the referenced section of the City of Clermont Code of Ordinances for the parcel located at 1948 KNOLLCREST DR. IN REFERENCE TO; CODE ENFORCEMENT RECEIVED COMPLAINT IN REFERENCE TO VEHICLE OVER 15,000 GVW BEING PARKED ON A RESIDENTIAL STREET. OFFICERS CONDUCTED AN INVESTIGATION AND FOUND THAT THE PROPERTY WAS IN VIOLATION. A COURTESY NOTICE WAS SENT ON APRIL 4TH, 2018 AND GAVE A COMPLIANCE DATE OF APRIL 13TH, 2018 FOR THE VEHICLE TO BE RELOCATED. OFFICERS CONDUCTED INSPECTIONS AFTER COMPLIANCE DATE AND FOUND THE TRUCK TO STILL BE ON THE STREET AT MULTIPLE TIMES. DUE TO THE FAILURE TO COMPLY WITHIN THE SPECIFIED TIME, A VIOLATION NOTICE IS NOW BEING SENT.

Compliance with the Violation(s) listed will be when the following condition(s) are met: VEHICLE MUST BE MOVED FROM STREET AND MOVED TO A PERMITTED SITE.

Type of Violation: Section 62-33 Truck and trailer parking prohibited in residential areas.

In all residential districts, no person shall park, or allowed to be parked on their real property, or on property under lease, on city streets, alleys or parkways, any mobile home or commercial vehicle to include tractor or trailer of any type but not limited to boat trailers. However if truck and commercial vehicles or trailers are 15,000 lbs or less they can so be parked.

Please contact me at (352)241-7304 or MREUSCH@CLERMONTFL.ORG when you comply, so an inspection to determine compliance can be scheduled.

You are directed to take action by MAY 7TH, 2018. Failure to remedy the violation within the allotted time will result in a Notice to Appear for a hearing before the Code Enforcement Special Magistrate.

By:



MATTHEW REUSCH
Code Enforcement Officer

City of Clermont

P.O. BOX 120219, CLERMONT, FLORIDA 34712-0219

VIOLATION NOTICE

May 09, 2018

Violation # C2018-000210

To: ROACH GARY D
610 BROOKE CT
CLERMONT, FL 34711

Violation/Property address: 610 BROOKE CT, CLERMONT FL, 34711

You are hereby notified that you are in violation of the referenced section of the City of Clermont Code of Ordinances for the parcel located at 610 BROOKE CT CLERMONT FL, 34711. IN REFERENCE TO; CODE ENFORCEMENT RECEIVED A COMPLAINT IN REFERENCE TO GRASS AND WEEDS BEING OVERGROWN ON THE PROPERTY. OFFICERS CONDUCTED AN INVESTIGATION FOUND THE PROPERTY TO BE IN VIOLATION.

Compliance with the Violation(s) listed will be when the following condition(s) are met: PROPERTY MUST BE MAINTAINED IN ACCORDANCE WITH THE ORDINANCES AND CODES LISTED BELOW. LAWN MUST BE MOWED AND MAINTAINED AS TO NOT CREATE A HARBORAGE FOR SNAKES OR OTHER PESTS.

Type of Violation: 309.1 Infestation.

All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to prevent reinfestation.

Type of Violation: Property Maintenance Section 122-344

(i) Property maintenance. It is the duty and obligation of the owner and occupant of all real property in the city to help preserve and protect the public health and general welfare of all residents and their property by keeping their respective lots, parcels or tracts of land, adjacent sidewalks and parkways free from all filth, trash, weeds, dirt, leaves, grass and rubbish and to keep down by mowing, cutting or removal such vegetation and detrimental materials.

Type of Violation: Weeds Section 302.4-IPMC

All premises and exterior property shall be maintained free from weeds or plant growth in excess of 18 inches.

Please contact me at (352)241-7304 or MREUSCH@CLERMONTFL.ORG when you comply, so an inspection to determine compliance can be scheduled.

You are directed to take action by MAY 25TH, 2018. Failure to remedy the violation within the allotted time will result in a Notice to Appear for a hearing before the Code Enforcement Special Magistrate.

By:



MATTHEW REUSCH
Code Enforcement Officer

Code Enforcement Special Magistrate
City of Clermont

NOTICE OF HEARING

CITY OF CLERMONT,

Petitioner

Case No. C2018-000210

vs.

ROACH GARY D

Respondent

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

JULY 17, 2018 AT 1:30 PM

at

**685 West Montrose Street, Clermont, Florida.
Council Chambers of City Hall**

The Special Magistrate 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 Special Magistrate even if the violation has been corrected prior to the hearing.

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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, ROACH GARY D.

Certified Mail/Return Receipt Requested # CERTIFIED MAIL 9171 9690 0935 0175 5230 35

BY:



MATTHEW REUSCH, Code Enforcement Officer
this 29th day of May, 2018

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, FLORIDA 34712-0219

AFFIDAVIT OF POSTING

CITY OF CLERMONT
Petitioner

CEB CASE # C2018-000210

VS.

ROACH, GARY
Respondent

Personally appeared before me, MATTHEW REUSCH 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 610 BROOK CT, CLERMONT FL. 34711 , on the 6/1/2018.

Sworn to and subscribed before me this 9 day of July, 2018.



Code Enforcement Officer, MATTHEW REUSCH
City of Clermont, 685 W. Montrose Street
Clermont, FL 34711

The forgoing instrument was acknowledged before me this 9 day of July, 2018, by MATTHEW REUSCH, Code Enforcement Officer for the City of Clermont, who is personally known to me and who did take an oath.



Signature: Joell Folmar

Printed Name: Joell Folmar

Case No. 2017-000305

Tiproel LLC Et Al

Vacant Lot Bloxam Ave, Alt Key #1109957

Clermont, Florida 34711

Parcel # 242225015000K00200

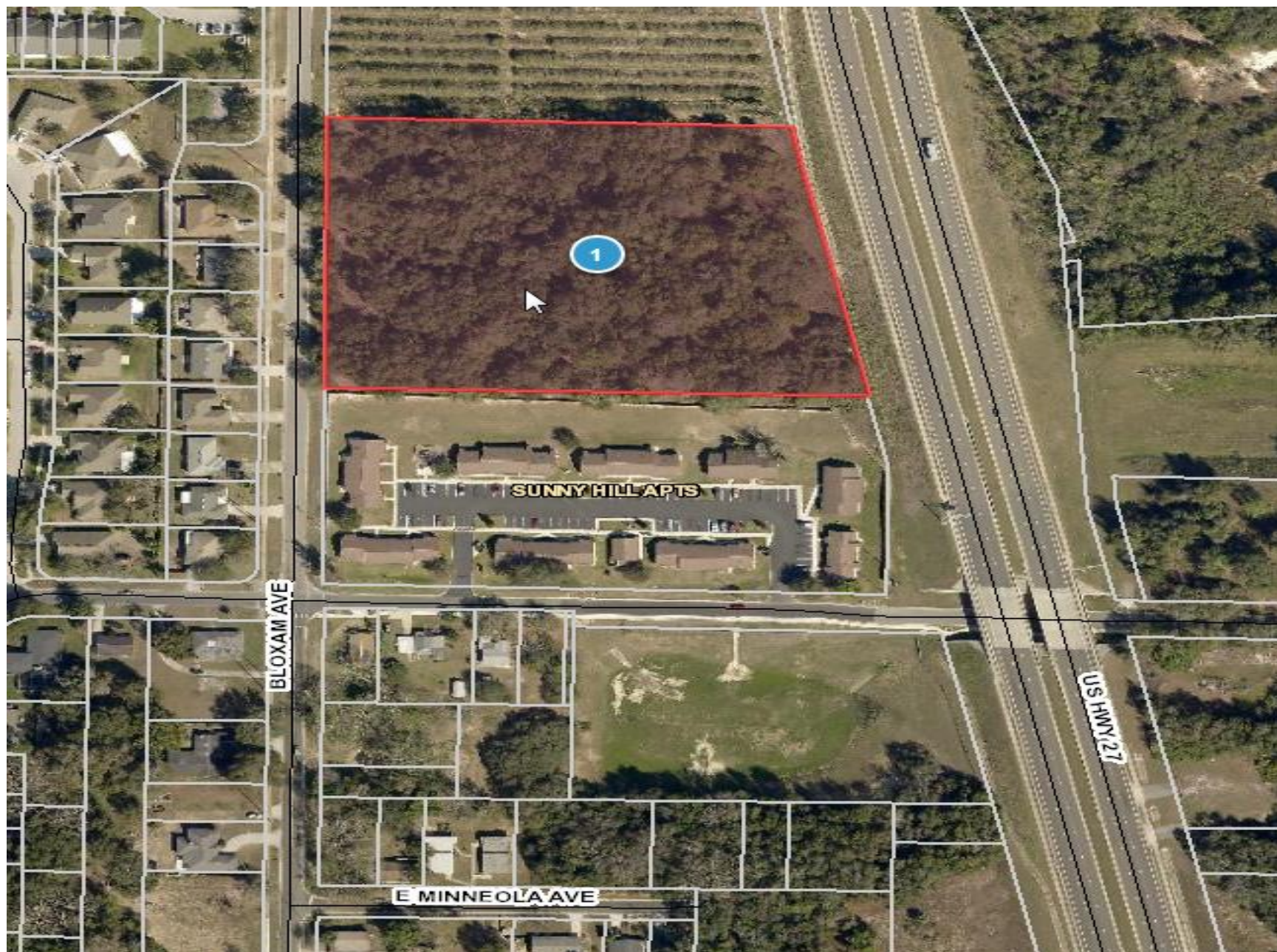
Violation

City Code

Chapter 14-9, Section 301.3 Vacant Lands & 302.4 Weeds; Chapter 34

Sections 34-61(1)(2)&(3) & 34-62; Nuisances; Chapter 122

Section 122-344(i) Property Maintenance





2017/08/01 09:32

A photograph taken from the driver's perspective inside a car. The white hood of the car is visible at the bottom. The road is a paved asphalt surface that curves to the left. To the right of the road is a dense thicket of green bushes and trees. The sky is visible through the canopy of the trees, appearing bright and overcast. A yellow timestamp is overlaid at the bottom right.

2017/08/01 09:33



2017/08/02 07:48

Case No. 2017-000305

07/07/17 Courtesy email sent to property owner

07/18/17 Follow up inspection: **Not in compliance**

07/19/17 Violation Notice; Compliance date 7/31/17

07/28/17 VN return mail “refused”

08/01/17 Follow up inspection: **Not in compliance**

Hearing Notice sent

08/02/17 Posted property

08/09/17 Follow up inspection: **Not in compliance**

08/15/17 Follow up inspection: **Not in compliance**

**Missed being a Repeat Violation by 3 months from case
#12-817/VN #1967**

Case No. 2017-000305
Tiproel LLC Et Al
Clermont, Florida 34711

STAFF RECOMMENDATION TO THE SPECIAL MAGISTRATE:

**TO FIND RESPONDENT IN VIOLATION OF SECTIONS STATED AND
ASSESS FINE OF \$250 FOR EVERY DAY VIOLATION EXISTS PAST
AUGUST 31, 2017.**

**FURTHER ORDER THAT IF RESPONDENT REPEATS VIOLATIONS
RESPONDENT MAY BE BROUGHT BACK BEFORE THE SPECIAL
MAGISTRATE AS A REPEAT VIOLATION ACCORDING TO F.S.S.
162.12.**

**CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF CLERMONT, FLORIDA**

CITY OF CLERMONT

Petitioner,

vs.

TIPROEL LLC ET AL,

Respondent.

**Case No: C2017-000305
Vacant Lot on Bloxam Adj. to Orange Grove
Clermont, Florida**

FINDINGS OF FACT, CONCLUSION OF LAW and ORDER

THIS MATTER came before the Code Enforcement Special Magistrate of the City of Clermont for hearing on **August 15, 2017**, and the Special Magistrate having heard sworn testimony and received evidence from **Lori Crain, Code Enforcement Officer**, for the City and having noted that Respondent was not represented, thereupon issues the following Findings of Fact, Conclusion of Law, and Order:

I. FINDINGS OF FACT

- 1) Notice as required by Section 162.12, F.S. was provided to Respondent.
- 2) The Respondent is the owner of and in custody and control of the property described in the Violation Notice dated July 19, 2017.
- 3) There exists on the property fallen trees and limbs, trash and debris, and weeds creating a nuisance.

II. CONCLUSION OF LAW

The Code Enforcement Special Magistrate finds the Respondent, **TIPBOEL LLC ET AL**, is in violation of City of Clermont Code Section 122-344 "Property Maintenance"; Section 34-61 "Enumeration of prohibited items, conditions or actions constituting nuisances"; Section 34-62 "Creation or maintenance of nuisance by property owner declared unlawful", Chapter 14, Section 301.3-1-IPMC "Vacant structures and land" and Chapter 14, Section 302.4-IPMC, "Weeds".

III. ORDER

Based on the above-stated findings and conclusion of law, it is hereby Ordered that:

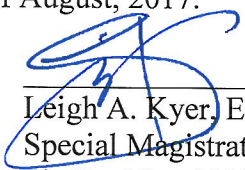
- 1) Respondent shall correct the above-stated violation on or before **August 31, 2017**, by taking the remedial action as set forth in the Violation Notice dated July 19, 2017. If the Respondent fails to timely correct the violation a fine of **TWO HUNDRED AND FIFTY**

DOLLARS (\$250) will accrue for each day the violation continues past the compliance date as stated above.

2) Respondent bears the burden of, and shall contact the City of Clermont Code Enforcement Department to arrange for a re-inspection of the Property and to verify that the violations have been corrected, and the property has been brought into compliance with the City Code Sections as cited above. Respondents shall call (352) 241-7343 to request an inspection.

3) Any fine imposed shall accrue from the date it is imposed until the date that the violation is corrected as verified by the City of Clermont Code Enforcement Department.

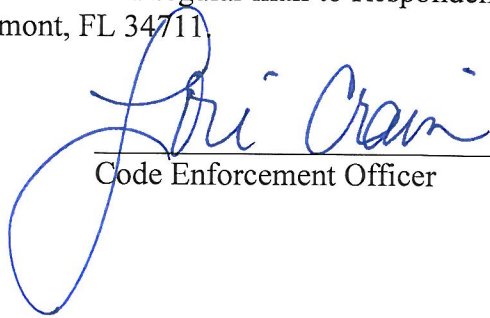
Done and Ordered this 25 day of August, 2017.



Leigh A. Kyer, Esq.
Special Magistrate
Fla Bar No.: 192325

An aggrieved party, including the City Council of the City of Clermont, may appeal a final administrative order of the Code Enforcement Special Magistrate to the Circuit Court. Any such appeal shall be filed within thirty (30) days of the rendition of this Order as set forth in Section 162.11, Florida Statutes.

I HEREBY CERTIFY that on this 25th day of August 2017, a true and correct copy of this Order has been furnished by certified and regular mail to Respondent, TIPROEL LLC ET AL, 11728 Osprey Pointe Blvd., Clermont, FL 34711.



Code Enforcement Officer

City of Clermont

P.O. BOX 120219, CLERMONT, FLORIDA 34712-0219

VIOLATION NOTICE

October 17, 2017

Violation # C2017-000571

To: KEENEY SEAN P & YVETTE
480 E LAKESHORE DR
CLERMONT, FL 34711

Violation/Property address: 480 EAST LAKESHORE DR CLERMONT, FL. 34711 ALT KEY# 1617715

You are hereby notified that you are in violation of the referenced section of the City of Clermont Code of Ordinances for the parcel located at 480 EAST LAKESHORE DR. in reference to: **Unpermitted deck attached to boat dock.**

Compliance with the Violation(s) listed will be when the following condition(s) are met:

- PLEASE CALL BUILDING DPT AT 352-241-7315 TO OBTAIN INFORMATION NEEDED IN ORDER TO OBTAIN PERMIT FOR THE ALREADY BUILT DOCK. THE PERMIT DPT. IS LOCATED AT CITY HALL 685 W. MONTROSE ST. 1ST FLOOR IN DEVELOPMENT SERVICES.
- A BUILDING PERMIT AND ALL INSPECTIONS ARE REQUIRED TO BE APPROVED IN ORDER TO CLOSE OUT CASE.

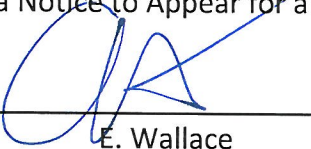
Type of Violation: Building Permit Required Section 122-344

It shall be unlawful for any person to initiate new uses of any land within the corporate boundaries of the city or to erect or construct any new structures or to move, add to, repair or modify in any way any existing structures, except by authority of permit issued by the building inspector or planning and zoning department of the city acting as administrative officer of the regulations contained in this land development code. The words "planning and zoning department," as used in this land development code, shall also mean the planning official or the designated representative thereof. All development, as defined in this land development code, shall be required to obtain development approval (i.e., a development permit/development order) prior to initiating development activity.

Please contact me at 352-241-7304 or ewallace@clermontfl.org when you comply, so an inspection to determine compliance can be scheduled.

You are directed to take action by **NOVEMBER 17TH, 2017** . Failure to remedy the violation within the allotted time will result in a Notice to Appear for a hearing before the Code Enforcement Special Magistrate.

By:


E. Wallace

Code Enforcement Officer

Code Enforcement Special Magistrate
City of Clermont

NOTICE OF HEARING

CITY OF CLERMONT,

Petitioner

Case No. C2017-000571

vs.

KEENEY SEAN P & YVETTE

Respondent

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

TUESDAY, DECEMBER 12TH, 2017 @ 1:30 P.M.

at

**685 West Montrose Street, Clermont, Florida.
Council Chambers of City Hall**

The Special Magistrate 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 Special Magistrate even if the violation has been corrected prior to the hearing.

Any letters, lists, pictures of 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.

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, KEENEY SEAN P & YVETTE.

Certified Mail/Return Receipt Requested #

9171 9690 0935 0149 4812 00

BY:



Evie Wallace, Code Enforcement Officer
this 17th day of November, 2017

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.