

**CITY OF CLERMONT
MINUTES
CODE ENFORCEMENT BOARD
MARCH 18, 2014**

The regular meeting of the Code Enforcement Board was called to order on Tuesday, March 18, 2014 at 6:01 p.m. Members attending were Chairman Dave Holt, along with Board members Larry Seidler, Bill Rini, Chandra Myers and Harvey Rosenberg. Also attending were Barbara Hollerand, Planning & Zoning Director, Suzanne O'Shea, Code Enforcement Manager, Evie Wallace, Code Enforcement Officer, Valerie Fuchs, Code Enforcement Attorney, Dan Mantzaris, City Attorney, and Rae Chidlow, Code Enforcement Clerk.

The Pledge of Allegiance was recited.

Code Enforcement Attorney Valerie Fuchs introduced and swore in new Board member Harvey Rosenberg.

The minutes from the Code Enforcement Board meeting of January 21, 2014 were approved as written.

Chairman Dave Holt read the Opening Remarks.

Code Enforcement Officer Suzanne O'Shea, along with any of the public who may testify, was sworn in.

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

City Attorney Dan Mantzaris stated that case 13-964 has complied and will not be heard.

CASE NO. 11-712

Tower Medical Center
210 N. Highway 27
Clermont, FL 34711

REQUEST: Reduction of Fine; Case closed 2/2/2014; amount of fine \$225,000.00.

City Attorney Dan Mantzaris introduced the case.

The Respondent was present.

David Allyn, 1976 Brantley Circle, stated that he is in compliance and is in agreement of paying the agreed amount of \$10,000.

Bill Rini made a motion to reduce the fine from \$225,000 to \$10,000 to be paid by April 18, 2014; seconded by Chandra Myers. The vote was unanimous in favor of reducing the amount of the fine.

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CASE NO. 11-718

Dwayne H. & Rhonda M. Gregoire
1248 Shorecrest Circle
Clermont, FL 34711

REQUEST: Reduction of Fine; Case closed 7/12/2013; amount of fine \$196,250.00.

City Attorney Dan Mantzaris introduced the case.

The Respondent was present.

Dwayne Gregoire, 1248 Shorecrest Circle, stated that he has a financial hardship because the house is valued half of what is owed. He stated that there was no money to finish the pool. He stated that he is asking to pay no fine, however if he has to pay a fine of \$500 he could do \$100.

Chairman Dave Holt asked what amount and payment plan would suit his finances.

Mr. Gregoire stated that when they renewed the permit he thought he would not be fined. He stated that he could probably do \$100 a month for a few months. He stated that they are struggling to keep the house at this point.

Dan Mantzaris stated that staff looks at the time and effort that is put into the case. He stated that they are good with reducing the amount to \$500 to be paid within six months.

Harvey Rosenberg made a motion to reduce the fine from \$196,250 to \$500 to be paid by within five months from today; seconded by Chandra Myers. The vote was unanimous in favor of reducing the amount of the fine.

CASE NO. 12-836

Brian A. Badlu & Diana Haripersaud
1931 Crestridge Dr.
Clermont, FL 34711

REQUEST: Reduction of Fine; Case closed 3/6/2014; amount of fine \$62,200.00.

City Attorney Dan Mantzaris introduced the case.

The Respondent was present.

Eva Gordon, 1353 Village Park, Orlando, stated that this is a short-sale. She stated that during closing they found out there was a lien on this property. She stated that the title company

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requested that they pay this lien. She stated that they are requesting a waiver or reduction of the fines.

Board member Harvey Rosenberg asked when did the short-sale begin and has the financing been obtained.

Ms. Gordon stated that the short-sale started 6-8 months ago and stated that the financing has been secured for the buyer.

Mr. Rosenberg asked if the bank is willing to pay towards the fines.

Ms. Gordon stated that the bank paid the lien for the water bill however this lien was brought to their attention after the short-sale approval.

Mr. Rosenberg asked if there are any outstanding homeowner's association dues and is the bank paying for those.

Ms. Gordon stated that there is \$7,200 due for homeowner's association dues and will the dues be paid partly by the bank and the rest by the buyers.

Mr. Rosenberg asked if the sellers are receiving any funds at closing for their sell.

Ms. Gordon stated that they are receiving \$3,000, which about \$1500 of it will go towards the lawn maintenance and the cleaning of the property.

City Attorney Dan Mantzaris stated that there was not a lot of time put into this case. He stated that staff recommends that the fine be reduced to \$250.

Board member Chandra Myers asked if it would be an issue for the buyer to pay the \$250.

Ms. Gordon stated that they were expecting this to happen and the buyer's are prepared to pay the fine.

Chandra Myers made a motion to reduce the fine from \$62,200 to \$250 to be paid by April 18, 2014; seconded by Harvey Rosenberg. The vote was unanimous in favor of reducing the amount of the fine.

CASE NO. 13-927

David Fitch
2008 Country Brook Ave.
Clermont, FL 34711

REQUEST: Reduction of Fine; Case closed 11/20/2013; amount of fine \$21,600.00.

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City Attorney Dan Mantzaris introduced the case.

The Respondent was present.

David Fitch, 2008 Country Brook Ave., stated that he has come into compliance and is asking for the fine to be waived.

Board member Harvey Rosenberg asked who built the deck.

Mr. Fitch stated that he and his dad built the deck.

City Attorney Dan Mantzaris stated that staff would recommend a reduction to \$250.00.

Harvey Rosenberg made a motion to waive the fine; seconded by Dave Holt. The vote was 3-2 in favor to waive the fine with Board members Bill Rini and Chandra Myers opposing.

CASE NO. 13-971

Vanessa Mitchell & Marie Y. Lyons
304 Giovanni Blvd.
Clermont, FL 34711

REQUEST: Request for an Extension

City Attorney Dan Mantzaris introduced the case.

The Respondent was present.

Vanessa Mitchell, 304 Giovanni Blvd., stated that she would appreciate the extension.

Chandra Myers made a motion to allow an extension to December 31, 2014; seconded by Bill Rini. The vote was unanimous in favor of allowing the extension.

CASE NO. 13-969 & 13-970

Citrus Tower Professional Center, LLC
Common Area and retention area, Hunt St.
Vacant lots and parking area, Hunt St.
Clermont, FL 34711

REQUEST: Reduction of Fine; Case closed 3/4/2014; amount of fine \$32,250.00 & 2/20/2014; amount of fine \$29,500.00.

City Attorney Dan Mantzaris introduced the case.

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The Respondent was present.

Joseph McCall, 265 Citrus Tower Blvd., requested to reduce the fine to \$250 for each case.

City Attorney Dan Mantzaris stated that staff's recommendation would be to reduce the fine to \$500 per case.

Chandra Myers made a motion to reduce the fine for case 13-969 from \$32,250 to \$500 to be paid by April 18, 2014; seconded by Harvey Rosenberg. The vote was unanimous in favor of reducing the amount of the fine.

Chandra Myers made a motion to reduce the fine for case 13-970 from \$29,500 to \$500 to be paid by April 18, 2014; seconded by Harvey Rosenberg. The vote was unanimous in favor of reducing the amount of the fine.

Bill Rini made a motion to nominate Dave Holt for Chair and Chandra Myers for Vice-Chair; seconded by Larry Seidler. The vote was unanimous.

There being no further business, the meeting was adjourned at 8:33 p.m.

Dave Holt, Chairman

Attest:

Rae Chidlow, Code Enforcement Clerk