

**CITY OF CLERMONT
MINUTES
CODE ENFORCEMENT BOARD
AUGUST 19, 2014**

The regular meeting of the Code Enforcement Board was called to order on Tuesday, August 19, 2014 at 6:00 p.m. Members attending were acting Chairman Alfred Mannella, along with Board members Ken Forte, Larry Seidler, Bill Rini, 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 July 15, 2014 were approved as written.

Acting Chairman Alfred Mannella 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.

Acting Chairman Alfred Mannella gave the floor to Code Enforcement Staff and City Attorney.

City Attorney Dan Mantzaris stated that cases 13-973 and 14-995 will not be heard this evening. He stated that the City has made an agreement with case no. 13-983, Bank of Camden, to allow them to provide a time-line of expected progress no later than September 5, 2014.

CASE NO. 14-992

Savitree Sahadeo & Sudesh Chand
1798 Vale Drive
Clermont, FL 34711

LOCATION OF VIOLATION: 1798 Vale Drive, Clermont, FL 34711

VIOLATION: Chapter 14, Section 14-9 (303.1 & 303.2), Swimming Pool

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: The residence has a swimming pool that is green and unsanitary. (Section 303.1 Swimming Pools). The residence has several screen enclosures missing which can be unsafe for anyone that enters the pool deck. (Section 303.2 Enclosures). Compliance of this violation will be when the following conditions are met:

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when pool is drained, cleaned and maintained. Replace the missing pool screen enclosures with tight fitted screens.

Board member Bill Rini asked if there was an ordinance requiring a four foot barrier around the perimeter of the pool.

City Attorney Dan Mantzaris stated that a screen around the pool is sufficient for the barrier requirements.

Sudesh Chand, 1798 Vale Drive, stated that the missing screens were due to a rain storm. He stated that he has fixed all the screens except for the top screen. He stated that the top screen is not complete because he has not found a screen contractor that can complete the screening. He stated that the pump to the pool is not working, and he does have the funds to replace the pump. He stated that Pinch a Penny is coming out the next day to give an estimate on repairing the pump.

Board member Harvey Rosenberg asked the Respondent if he was willing to cover the pool.

City Attorney Dan Mantzaris stated that covering the pool would not bring the pool into compliance. He stated that a pool must be maintained and in working condition.

Mr. Chand stated that he drained, refilled, and shocked the pool; however, it turned green again.

Grace Vanderkuhl, 2333 Golden Astor St., stated that it is hard to get contractors to show up, and she just wanted to let the Board know this.

Harvey Rosenberg made a motion to find the Respondent in violation with a fine of \$100 per day for every day the violation exists past 30 days. Motion fails due to lack of a second.

Bill Rini made a motion to find the Respondent in violation with a fine of \$100 per day for every day the violation exists past September 16, 2014; seconded by Larry Seidler. The vote was unanimous in favor of finding of violation and amount of the fine.

CASE NO. 14-993

Michelle Skurski
487 Sheldon Place
Clermont, FL 34711

LOCATION OF VIOLATION: 487 Sheldon Place, Clermont, FL 34711

VIOLATION: Chapter 14, Section 14-9 (303.1, 302.4, and 302.1) Swimming Pool, Weeds, and Sanitation.

City Attorney Dan Mantzaris introduced the case.

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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: A green, unsanitary pool in back yard that is harboring insects and other vermin. (Section 303.1 Swimming Pools). High grass/weeds in front, side and backyard of the residence. Due to the high grass/weeds, snakes were observed by neighbors in the month of June exiting this property onto theirs. (Section 302.4 Weeds). Exterior property maintenance needed for sanitary purposes and the removal of miscellaneous junk items observed on the side and backyard of residence. (Section 302.1 Sanitation). Compliance of this violation will be when the following conditions are met: when the pool is drained, cleaned, and maintained, keeping it in a clean and sanitary condition. When the property is mowed and kept maintained as to not constitute an attractive nuisance to the neighborhood and surrounding residents. When the exterior premises is kept orderly and sanitary by removing all miscellaneous items that are piled up on side and backyard.

Board member Bill Rini asked if the panel on the side of the house had a panel cover.

Ms. Wallace stated that the panel did not have a panel cover.

Board member Ken Forte asked what the height of the fence was.

Ms. Wallace stated that it is about a four foot fence.

Michelle Skurski, 9431 Sycamore Rd., Clermont, stated that she has not lived in the home since April and filed bankruptcy in May. She stated that there is no power to the house. She stated that the house is in foreclosure.

Board member Harvey Rosenberg asked what stage of foreclosure the property was in.

Ms. Skurski stated that she was not sure but they have filed the lis pendens.

City Attorney Dan Mantzaris stated that due to the bankruptcy, the process for the foreclosure will slow down.

Board member Harvey Rosenberg asked if the Respondents would be willing to keep up the property until the bank does take over the property.

Ms. Skurski stated that they could make an attempt to keep the property mowed.

Harvey Rosenberg made a motion to find the Respondent in violation with a fine of \$250.00 per day for every day the violation exists past September 16, 2014; seconded by Ken Forte. The vote was unanimous in favor of finding violation and the amount of the fine.

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CASE NO. 14-994

Ronald Vanderkuhl & Wayne Vaughan
624 Prince Edward
Clermont, FL 34711

LOCATION OF VIOLATION: 624 Prince Edward, Clermont, FL 34711

VIOLATION: Chapter 14, Section 14-9 (303.1, 303.2, and 302.4) Swimming Pool and Weeds. Section 108.1.1 and 108.1.5 Unsafe Structures and Dangerous Structures or Premises.

City Attorney Dan Mantzaris introduced the case.

The Respondent was present.

Code Enforcement Officer Lori Crain, 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 residence has a green, bug infested pool that is causing an attractive nuisance for other neighbors along with it being a health hazard. The chain link gate on south side of garage is standing open and is not secured. This is a safety hazard for the public. (303.2). Overgrowth of weeds and grass (302.4 Weeds). Compliance of this violation will be when the following conditions are met: when the pool is drained, cleaned, and maintained, keeping it in a clean and sanitary condition. Pool gate is secured and unable to be opened from the outside. When the property is completely mowed: front, side, and backyard. Maintain the property here after.

Ms. Crain stated that the property is in compliance at this time.

City Attorney Dan Mantzaris stated that the City would revise its recommendation to find the Respondent was in violation of the listed codes with no fine to be assessed at this time. He stated that this will allow this property to be brought back as a repeat violation if the property is out of compliance again.

Grace Vanderkuhl, 2333 Golden Astor St., stated that it was always her intent to be compliance. She stated that there were repairs made to the pool, however the pump is not working.

Board member Harvey Rosenberg asked if the property was for sale.

Ms. Vanderkuhl stated that it is listed for sale; however the property is not ready to sell at this time due to some repairs that are needed.

City Attorney Dan Mantzaris stated that the City will keep the revised recommendation as stated before, however if the property becomes out of compliance, staff will have to allow a certain amount of time to come into compliance and then bring the Respondent back before the Board.

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Harvey Rosenberg made a motion to find the Respondent was in violation of Chapter 14, Section 14-9, IPMC (Section 303.1, 303.2, 302.4, 108.1.1, & 108.5 (7)); with no fine to be assessed at this time; seconded by Ken Forte. The vote was unanimous in favor of finding violation with no fine.

There being no further business, the meeting was adjourned at 7:13 p.m.

Dave Holt, Chairman

Attest:

Rae Chidlow, Code Enforcement Clerk