

**CITY OF CLERMONT
MINUTES
CODE ENFORCEMENT BOARD
APRIL 21, 2015**

The regular meeting of the Code Enforcement Board was called to order on Tuesday, April 21, 2015 at 6:00 p.m. Members attending were Vice-Chair Chandra Myers, along with Board members Ken Forte, Larry Seidler, Bill Rini, Alfred Mannella, 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, Planning Specialist.

The Pledge of Allegiance was recited.

The minutes from the Code Enforcement Board meeting of March 17, 2015 were approved as written.

Vice-chair Myers read the Opening Remarks.

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

Vice-Chair Myers gave the floor to Code Enforcement Staff and City Attorney.

CASE NO. 2015-000052

Victor Range & Ricky Range
624 Bloxam Ave.
Clermont, FL 34711

LOCATION OF VIOLATION: 624 Bloxam Ave., Clermont, FL 34711

VIOLATION: Chapter 14, Sections 302.1, 302.4, 302.8, 308.1, 308.2.2; Chapter 122, Section 122-349 (c); Chapter 58, Section 58-116, Chapter 34, Section 34-61, 34-95, and 34-62

City Attorney Mantzaris introduced the case.

The Respondent was present.

Code Enforcement Officer 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: Property is in disarray, full of several items and objects creating an unsanitary condition. Weeds and grass over 18", unlicensed vehicles on property, Respondent is doing business on his property, various and several items of rubbish on property, including buckets, tires, cement blocks, and propane gas tank. Refrigerator, stoves, washers and dryers on premises. Permitting a nuisance to exist on this property. Compliance of this violation will be when the following conditions are met: When all

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items and conditions that constitute a nuisance are cleared from the property, including the unlicensed vehicles; and the business operating from this property has ceased.

Ricky Range, 634 Bloxam Ave., stated that 624 Bloxam Ave. was his parent's house, and now belongs to his brother. He stated that his brother doesn't work and isn't able to. He stated that collecting and scrapping items is his brother's only means of income to pay his bills. He stated that his vehicle broke down and they were not able to tow it away. He stated that he feels the property is in compliance. He stated that the property has been cleaned up.

Vice-chair Myers asked if he had photos to prove the property was in compliance.

Ricky Range stated that he does not have a camera.

Board member Rosenberg asked if the pictures presented by the Code Enforcement Officer were dated.

City Attorney Mantzaris showed the photos again.

Victor Range, 624 Bloxam Ave., stated that after he cleaned the property he called for an inspection. He stated that Code Enforcement Officer Crain came by that day and took more photos.

Code Enforcement Supervisor Wallace stated Mr. Range has complied on several of the violations; however, the property is not in full compliance.

Board member Rini asked what is left to be cleaned up on the property.

Ms. Wallace stated that there are appliances still there. She stated that this is a reoccurring issue.

Board member Rosenberg asked why is the latest photo was 20 days old.

Ms. Wallace stated that the compliance date was the March 31, 2015 and the photo was taken after the compliance date that shows the property is still not in compliance.

Board member Rosenberg asked the Respondent if May 20, 2015 compliance date will be a problem.

Ricky Range stated that the compliance date won't be a problem but this is his brother's only means of money. He stated that people bring appliances to him to break down and scrap.

Board member Rosenberg stated that it is against the City code to do that on the property. He suggested cleaning out the shed and working in the shed.

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Code Enforcement Board Attorney Fuchs warned that he could only do that if it is within the City codes.

Board member Forte made a motion to find the Respondent in violation with a fine of \$100 per day for every day past May 20, 2015; seconded by Board member Mannella. The vote was unanimous in favor of finding violation and amount of the fine.

CASE NO. 2015-000075

Orforiland Premium, LLC
91 Sunnyside Drive
Clermont, FL 34711

LOCATION OF VIOLATION: 91 Sunnyside Drive, Clermont, FL 34711

VIOLATION: Chapter 122, Section 122-344; Chapter 14, Section 305, 505.4, 403.2, 309.4, 108.1.1

City Attorney Mantzaris introduced the case.

The Respondent was present.

Code Enforcement Supervisor 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: Working without a permit for pre-existing work performed in unit #93. Plumbing, mold, structural issues, water leak in kitchen possibly from roof, drywall and texture damage. No ventilation in bathroom. (Per the city's building inspector) Water heater pressure relief valve was not piped to a safe place of disposal. The wiring to the water heater was exposed and appeared to be under sized to supply electricity to the water heater. There was no obvious bonding of the water heater to the equipment grounding conductor. Rat feces observed on stairwell of property. Ceiling has possible structural damage. Walls with signs of mold. Compliance of this violation will be when the following conditions are met: When a licensed building contractor has obtained required permits and all violations on notice have met code.

Erin Smith, 93 Sunnyside Dr., stated that she lived there since August 2013 and the first leak in the property was September 13, 2014. She stated that at that time there was no emergency number available for the property management company. She stated that she placed a work order the next day. She stated that the second leak appeared on October 10, 2014. She stated that was the first sighting of mold. She stated that December 2, 2014 she wrote a written request about the mold and health concerns. She stated that December 22, 2014 is when the cabinets were taken down, and the amount of mold on the wall was very alarming. She stated that her son became very ill that evening. She stated that they have tried to have the property manager take care of the

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violations. She stated that she was asked to not file the 7-day amendment and they would speak to the insurance company and have someone address the issues. She stated that the next day she received an eviction notice.

Board member Rini asked if she was currently living at this location.

Ms. Smith stated that she is not living there now.

Board member Rosenberg asked what the status of the property currently is.

Ms. Wallace stated that there is currently no one living on the property and the property is not in compliance.

Board member Rini asked why just a \$100 per day fine given the number of violations.

Mr. Mantzaris stated that the Respondent has a fairly short compliance date for the nature of the violations. He stated that they balanced the compliance date with the amount of the fine when they made their recommendation.

Board member Rosenberg made a motion to find the Respondent in violation with a fine of \$250 per day for every day past May 19, 2015; seconded by Board member Rini. The vote was unanimous in favor of finding violation and amount of the fine.

CASE NO. 2015-0000078

Talal Properties, LTD, Tarek Properties, LTD, & In the Hole Golf/J&B Golf Enterprises, LLC
1650 Highway 50, Suite B
Clermont, FL 34711

LOCATION OF VIOLATION: 1650 Highway 50, Suite B, Clermont, FL 34711

VIOLATION: Chapter 102, Section 102-8 (11)(24)

City Attorney Mantzaris introduced the case.

The Respondent was present.

Code Enforcement Officer 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: Flags and banners displayed and attached to other signs at property at various times after being advised of the violations. Compliance of this violation will be when the following conditions are met: When all flags and banners are removed from exterior of property, including the rear of the store. All signs, flags

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and banners are removed from the ground sign structure; no flags/banners are used from this time forward. She stated that the property is in compliance at this time.

Michael Heaney, 16650 Magnolia Terrace Blvd., Montverde, stated that the signs are not theirs; they are the tenant's, In the Hole Golf. He stated that the tenant has been told repeatedly not to put the signs up. He stated that he has sent a cease and desist letter that has been ignored. He stated that their lease is up in October and the lease agreement will not be renewed.

Board member Rosenberg asked if he has considered early termination of the lease.

Mr. Heaney stated that he has considered it, but it's not that easy.

Board member Rini asked how many times he has corresponded with In the Hole Golf.

Mr. Heaney stated that he has corresponded at least twelve times.

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

CASE NO. 2015-0000117

Patricia Hobensack Estate
197 Pitt St.
Clermont, FL 34711

LOCATION OF VIOLATION: 197 Pitt St., Clermont, FL 34711

VIOLATION: Chapter 34, Section 34-61 and 34-62; Chapter 122, Section 122-343

City Attorney Mantzaris introduced the case.

The Respondent was present.

Code Enforcement Officer 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: Continued storage of items on property exists: furniture, broken wooden items, building debris as observed on property. Fence is missing boards, pickets or posts and is in need of repair. Compliance of this violation will be when the following conditions are met: When entire property is free of prohibited items and nuisances and fence is replaced following proper procedure to apply for and obtain permits and be inspected by City building inspector.

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Kenneth Hobensack, 197 Pitt St., stated that he inherited the property. He stated that he grew up at this property. He stated that the dumpster was there so that he could clean out his parent's items that he did not want to keep. He stated that there was an issue with people rummaging through the dumpster, which is no longer there. He stated that the debris has been cleaned up. He stated that his fence is chain link, but there may be some old panels from a privacy fence that was there years ago. He stated that if that is the case he can have them removed.

Board member Rini asked what is necessary to correct the violations.

Ms. Crain stated that broken furniture is leaning against the property. She stated that there are permits that include a privacy fence on that location and the panels need to be removed.

Board member Rosenberg made a motion to find the Respondent in violation with a fine of \$100 per day for every day past May 20, 2015; seconded by Board member Mannella. The vote was unanimous in favor of finding violation and amount of the fine.

CASE NO. 2015-000036

Hurtak Family Partnership, LTD
690 Highway 50
Clermont, FL 34711

LOCATION OF VIOLATION: 690 Highway 50, Clermont, FL 34711

VIOLATION: Chapter 94, Section 94-225, 94-227, and 94-228

City Attorney Mantzaris introduced the case.

The Respondent was not present.

Code Enforcement Supervisor 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: Water run-off occurring at parking lot of bank when it rains. The sloped parking is causing water to run onto sidewalks and streets of Bloxam Avenue. The drain located off of Bloxam Avenue is a few inches in diameter and is impacted with plant growth, dirt, and debris. Compliance of this violation will be when the following conditions are met: Repairs needed immediately to break the water flow from parking lot to city sidewalk and street where the overflow has been observed and can cause a health, safety and welfare hazard.

Board member Mannella made a motion to find the Respondent in violation with a fine of \$100 per day for every day past May 19, 2015; seconded by Board member Seidler. The vote was unanimous in favor of finding violation and amount of the fine.

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CASE NO. 2015-000037

Canyons at Highland Ranch HOA & Taylor-Morrison Homes
Alternate Keys 3809256, 3893796, and 3893804
Clermont, FL 34711

LOCATION OF VIOLATION: Alternate Keys 3809256, 3893796, and 3893804, Clermont, FL 34711

VIOLATION: Chapter 102, Section 102-8 (5)(15)

City Attorney Mantzaris introduced the case.

The Respondent was not present.

Code Enforcement Officer 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: Three ground signs erected on the City right-of-way. Compliance of this violation will be when the following conditions are met: When all ground signs have been removed from City right-of-way.

Board member Mannella made a motion to find the Respondent in violation with no fine assessed at this time; seconded by Board member Seidler. The vote was unanimous in favor of finding violation.

CASE NO. 2015-000039

KCV Associates, LLC & Cody Vandegrift, Agent
268 East Ave.
Clermont, FL 34711

LOCATION OF VIOLATION: 268 East Ave., Clermont, FL 34711

VIOLATION: Chapter 14, Section 302.4, 304.1.1, 304.7, 304.14, 305.3, 401.2, 403.2, 404.4.5, 504.1, 304.13.2, 602.3, 605.2, 704.2, 309.4, 308.1, 108.1.3, 108.1.1

City Attorney Mantzaris introduced the case.

The Respondent was not present.

Code Enforcement Officer 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

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of the City of Clermont Code of Ordinances, due to the following: Vegetation over 18", missing gutters, holes in roof, fascia, flashing and framing, dampness and mildew, missing screens, interior walls and ceilings peeling, decayed, full of mildew, no ventilation in bathroom, plumbing leaks, laundry area incomplete and wiring unsafe, windows not operable, back rooms and bathroom have no heat, missing faceplates covers on light switches and outlets, no smoke alarms, evidence of rodent infestation, bags of empty cans, broken cement blocks, and other rubbish on property. Compliance of this violation will be when the following conditions are met: a set of plans including entire remodeling project to bring property into compliance have been submitted to and approved by the Building Official by 4:00 PM, March 10, 2015; all required permits have been obtained; and remodeling has been completed and inspected by November 1, 2015.

Board member Rosenberg made a motion to find the Respondent in violation with a fine of \$100 per day for every day past May 20, 2015; seconded by Board member Forte. The vote was unanimous in favor of finding violation and amount of the fine.

CASE NO. 2015-000047

Kevin Mix & Kamilah Mussington
1086 Harmony Lane
Clermont, FL 34711

LOCATION OF VIOLATION: 1086 Harmony Lane, Clermont, FL 34711
VIOLATION: Chapter 122, Section 122-349; Chapter 34, Section 34-95

City Attorney Mantzaris introduced the case.

The Respondent was not present.

Code Enforcement Supervisor 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 sale of vehicles through Craig's List (internet service) and unlicensed vehicles on premises. Compliance of this violation will be when the following conditions are met: When the business has ceased and customers no longer come to residence. All vehicles are either registered or removed from premises.

Board member Rosenberg made a motion to find the Respondent in violation with a fine of \$100 per day for every day past May 19, 2015; seconded by Board member Forte. The vote was unanimous in favor of finding violation.

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There being no further business, the meeting was adjourned at 7:58 p.m.

Dave Holt, Chairman

Attest:

Rae Chidlow, Code Enforcement Clerk