



CODE ENFORCEMENT SPECIAL
MAGISTRATE HEARING
TUESDAY, MAY 21, 2019
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 - Case No. C2018-000319
Reusch

Progress Residential 2014-1 BO
210 North Bloxam Avenue

VIOLATION:

JOINT MOTION FOR ORDER
APPROVING STIPULATION

Section 122-344 Property Maintenance,
Section 302 - IPMC Sanitation, and
Section 302.4 - IMPC Weeds.

Item 2 -

LGCC Holdings LLC
1700 Legendary Blvd

Case No. C2019-000273
Neill

VIOLATION:

REPEAT VIOLATION

Section 122-344 Property Maintenance
and Section 302.4 - IPMC Weeds

Item 3 - Case No. C2019-000289
Neill

LGCC Holdings LLC
Liberty Hill Drive

VIOLATION:

REPEAT VIOLATION

Section 122-344 Property Maintenance
and Section 302.4 - IPMC Weeds

**CODE ENFORCEMENT SPECIAL
MAGISTRATE HEARING
TUESDAY, MAY 21, 2019
CITY HALL at 685 WEST MONTROSE STREET
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Item 4 - Case No. C2018-000377
Reusch

Capitao Duda Real Estate LLC
4300 S US Hwy 27 #104

VIOLATION:

REDUCTION OF FINE

Section 304.13 Window, Skylight, and
Door Frames, Section 305.3 Interior
Surfaces, Section 305.6 Interior Doors,
Section 122-344 Building Permit
Required

Item 5 - Case No. C2019-000208
Neill

Emerald Lakes Co-Op Inc
1401 W Hwy 50, Lot 51

VIOLATION:

Section 122-344 Building Permit
Required

Item 6 - Case No. C2017-000379

Singh, Ramchand Trustee & Devika Sing
Trustee
1306 & 1312 Disston Avenue

VIOLATION:

MOTION TO LIEN

Section 122-344 Building Permit
Required

Item 7 - Case No. C2016-000542

Jeffrey S Davis & Taci Lyden
847 W Minneola Avenue

VIOLATION:

MOTION TO LIEN

Chapter 14, IPMC Sections 108.1.1
Unsafe Structure, 108.1.3 Structure Unfit
for Occupancy, 108.5 Prohibited
Occupancy, 304.1 Exterior Structure,
304.7 Roofs and Drainage, 305 Interior
Structure, and 306.1.1 Unsafe Conditions
Chapter 34 Sections 34-61 Enumeration
of prohibited items and 34-62 Creation or
Maintenance of Nuisances.
Chapter 122 Section 122-344 Property
Maintenance.

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Item 8 - Case No. C2018-000526

ALP Investments, LLC
975 Pitt Street

VIOLATION:

MOTION TO LIEN

Section 122-344 Property Maintenance,
Section 302 - IPMC Sanitation, Section
302.4 - IPMC Weeds, Section 34-61
Nuisances, Section 308.1 - IPMC Rubbish
and Garbage, Section 34-62 Creation or
Maintenance of Nuisance by Property
Owner Declared Unlawful, and Section
301.2 - IPMC Vacant Structures and
Lands

Item 9 - Case No. C2017-000125

John P Adams & Ann D Adams Family
LP
2575 E Hwy 50

VIOLATION:

MOTION TO LIEN

Section 122-344 Building Permit
Required

Item 10 - Case No. C2017-000305

Tiproel LLC ET AL
Bloxam Ave (Alternate Key 1109957)

VIOLATION:

MOTION TO LIEN

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

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

**CODE ENFORCEMENT SPECIAL
MAGISTRATE HEARING
TUESDAY, MAY 21, 2019
CITY HALL at 685 WEST MONTROSE STREET
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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.

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

CITY OF CLERMONT

Petitioner,

vs.

PROGRESS RESIDENTIAL 2014-1 BO,

Respondent.

**Case No: C2018-000319
210 North Bloxam Avenue
Clermont, Florida**

JOINT MOTION FOR ORDER

APPROVING STIPULATION

Petitioner and Respondent¹ jointly request that the Code Enforcement Special Magistrate approve the following Stipulation between the Parties and enter an Order consistent with the terms contained herein.

1. The parties agree and acknowledge as follows:
 - a. The Special Magistrate entered that certain Findings of Fact, Conclusion of Law and Order dated January 29, 2019, hereinafter the "Order".
 - b. The Respondent timely filed an appeal of that Order and that appeal is pending.
 - c. The Respondent has caused to be corrected the violations set forth in the Order.
 - d. By operation of the Order, a fine has accrued in the amount of \$6,300.
 - e. The Special Magistrate has jurisdiction and authority to enter an order approving this Stipulation.
2. In order to resolve all pending matters, the Petitioner and Respondent agree as follows:
 - a. Upon the Special Magistrate's enter of the Order Approving Stipulation granting this Joint Motion for Order Approving Stipulation and Respondent's payment to the Petitioner as set forth in Paragraph 2(b) below, Respondent shall immediately dismiss with prejudice that certain pending Lake County Circuit Court appeal

¹ The Code Enforcement Case No. C2018-000319 erroneously identified the Respondent and owner of the subject property as "Progress Residential 2014-1 BO.". The current owner of the subject property is Progress Residential Borrower 5, LLC, who is the correct party of interest and it is joining in this Joint Motion jointly and severally with Progress Residential 2014-1 Borrower, LLC and the Petitioner.

case entitled Progress Residential 2014-1 BO² v. City of Clermont, Case No.: 2019 CA 000471.

- b. The Respondent shall on or before June 14, 2019, pay to the City a reduced fine in the amount of ONE THOUSAND DOLLARS (\$1,000), which Petitioner shall accept in full satisfaction of the accrued fine in this matter.
- c. In the event that Respondent timely pays the amount set forth above and otherwise complies with this Stipulation, the Petitioner agrees that the violations set forth in the Order shall not be used as, or the basis of, a determination in any future proceeding before the Special Magistrate to establish Respondent as a repeat violator as set forth in Chapter 162, *F.S.*
- d. If Respondent fails to timely pay the reduced amount as set forth above, the fine shall revert to its original amount of \$6,300.
- e. The Special Magistrate has jurisdiction to grant this Joint Motion for Order Approving Stipulating and to enter the attached Order Approving Stipulation.

3. The Parties hereby respectfully request that the Special Magistrate grant this Joint Motion for Order Approving Stipulation by entering the attached Order Approving Stipulation.

Attorney for Respondent:



Meredith S. Delcamp Esquire
Florida Bar No. 0016242

Date: April 24, 2019

Attorney for Petitioner:



Daniel F. Mantzaris, Esquire
Florida Bar No. 562327

Date: April 24, 2019

² As noted above, the appeal was filed in the name of the Respondent identified erroneously in the Order. A correction of this erroneous party name would have been corrected in the appeal had the parties not agreed to this settlement.

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR LAKE COUNTY, FLORIDA
CIVIL, APPELLATE, DIVISION

PROGRESS RESIDENTIAL 2014-1 BO,
Clermont, Florida

Appellant,

CASE NO.:

vs.

CITY OF CLERMONT, FLORIDA,
a political subdivision of the State of Florida,

Appellee.

Appeal from:
City of Clermont Code Enforcement Board's
Findings of Fact, Conclusions of Law and Order
CASE NO.: C2018-000319
210 North Bloxam Avenue
Clermont, Florida

NOTICE OF APPEAL

NOTICE IS GIVEN that PROGRESS RESIDENTIAL 2014-1 BO, Appellant, pursuant to Section 162.11, Florida Statutes, and Fla. R. App. P. 9.110(c) and 9.190(b), hereby appeals to the Circuit Court of the Fifth Judicial Circuit, in and for Lake County, Florida, the Findings of Fact, Conclusion of Law and Order ("**Order**") signed on January 29, 2019, by Robert D. Guthrie, Jr., Esq., Special Magistrate of the Code Enforcement Special Magistrate, City of Clermont, Florida, and served on the Appellant on January 31, 2019. The nature of the Order is a final order from the Clermont Code Enforcement Board concluding that Appellant allegedly violated City of Clermont Sections 122-344 "Property Maintenance", 302-IPMC "Sanitation", and 302.4-IPMC "Weeds." Accordingly, the Order imposes a \$150.00 daily fine for each day the alleged violations continue after January 31, 2019. A copy of the Order served on Appellant is attached hereto.

DATED: February 28, 2019

Respectfully submitted,

BY: 

Eric Page, Esq., FBN: 905291

Epage@shutts.com

Meredith S. Delcamp, Esq., FBN: 0016242

mdelcamp@shutts.com

SHUTTS & BOWEN LLP

4301 W. Boy Scout Blvd., Ste 300

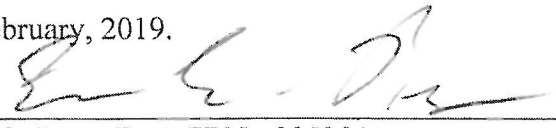
Tampa, FL 33607

(813) 229-8900

Attorneys for Appellant, Progress Residential
2014-1 BO

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of the above Notice of Appeal has been furnished email and U.S. Mail to Daniel F. Mantzaris, Esq., as Counsel for the City of Clermont, Code Enforcement Board, at dmantzaris@DSKLawGroup.com, 332 N. Magnolia Ave., Orlando, FL 32801; this 28 day of February, 2019.


Eric Page, Esq., FBN: 905291

Epage@shutts.com

Meredith S. Delcamp, Esq., FBN: 0016242

mdelcamp@shutts.com

SHUTTS & BOWEN LLP

4301 W. Boy Scout Blvd., Ste 300

Tampa, FL 33607

(813) 229-8900

Fax No: (813) 227-8249

Attorneys for Progress Residential 2014-I BO

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

CITY OF CLERMONT

Petitioner,

vs.

PROGRESS RESIDENTIAL 2014-1 BO,

Respondent.

**Case No: C2018-000319
210 North Bloxam Avenue
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 **January 15, 2019** and the Special Magistrate having heard sworn testimony and received evidence from **Matt Reusch Code Enforcement Officer**, for the City and having noted that Respondent, Progress Residential 2014-I BO was not present or 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 September 10, 2018.
- 3) The property is overgrown with weeds, filth, trash, dirt, leaves grass, rubbish and unsanitary conditions.

II. CONCLUSION OF LAW

The Code Enforcement Special Magistrate finds the Respondent, **PROGRESS RESIDENTIAL 2014-1 BO**, is in violation of City of Clermont Section 122-344 "Property Maintenance", Section 302 -IPMC "Sanitation" and Section 302.4-IPMC "Weeds".

III. ORDER

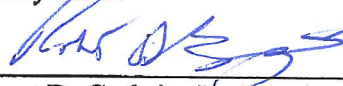
Based on the above-stated findings and conclusion of law, it is hereby Ordered that:

- 1) Respondent shall correct the above-stated violation on or before **January 31, 2019** by taking the remedial action as set forth in the Violation Notice dated September 10, 2018. If the Respondent fails to timely correct the violation a fine of **ONE HUNDRED AND FIFTY DOLLARS (\$150)** will accrue for each day the violation continues past the compliance date as stated above.

CASE NO: C2018-000319

- 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. Respondent shall call (352) 241-7304 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 29th day of January 2019.



Robert D. Guthrie, Jr., Esquire
Special Magistrate
Fla Bar No.: 229555

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 31st day of January 2019, a true and correct copy of this Order has been furnished by certified and regular mail to Respondent, Progress Residential 2014-1 BO, 201 N. Franklin Street, Suite 1750, Tampa, FL 33602.



Code Enforcement Officer

City of Clermont

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

VIOLATION NOTICE

September 10, 2018

Violation # C2018-000319

To: PROGRESS RESIDENTIAL 2014-1 BO
201 N FRANKLIN ST STE 1750
TAMPA, FL 33602

Violation/Property address: 210 NORTH BLOXAM AVE, 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 210 NORTH BLOXAM AVE, CLERMONT FL 34711. IN REFERENCE TO; CODE ENFORCEMENT RECEIVED A COMPLAINT THAT THE PROPERTY WAS OVERGROWN WITH WEEDS AND GRASS. OFFICERS CONDUCTED AN INSPECTION AND 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 CLEARED OF ANY AND ALL OVERGROWTH AND BE KEPT IN ACCORDANCE WITH THE ORDINANCES AND SECTIONS LISTED BELOW.

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: Sanitation Section 302-IPMC

All exterior property and premises shall be maintained in a clean, safe, and sanitary condition.

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 SEPTEMBER 28TH, 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:

A handwritten signature in black ink, appearing to read 'Matthew Reusch', written over a horizontal line.

MATTHEW REUSCH
Code Enforcement Officer

Code Enforcement Special Magistrate
City of Clermont

NOTICE OF HEARING

CITY OF CLERMONT,

Petitioner

Case No. C2019-000273

vs.

LGCC HOLDINGS LLC

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:

May 21st, 2019 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, LGCC HOLDINGS LLC.

Certified Mail/Return Receipt Requested #

9171 9690 0935 0199 6437 40

BY:



Katherine Neill, Code Enforcement Officer
this 25th day of April, 2019

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

REPEAT VIOLATION NOTICE

April 25, 2019

Violation # C2019-000273

To: LGCC HOLDINGS LLC
3862 BEACON RIDGE WAY
CLERMONT, FL 34711

Violation/Property address: 1700 LEGENDARY BLVD, CLERMONT, FL 34711 (ALTERNATE KEY 3806671)

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 1700 LEGENDARY BLVD, CLERMONT, FL 34711 (ALTERNATE KEY 3806671). There has been a prior Code Case (C2018-000419) that has appeared before the Special Magistrate and was found to be in violation. This case is eligible to be moved directly to hearing as there are repeat violations from the previous case listed above.

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 352-241-7343 or KNEILL@CLERMONTFL.ORG when you comply, so an inspection to determine compliance can be scheduled. This case will be presented at the Code Enforcement Special Magistrate (see included Notice of Hearing) as a repeat violation, even if the violation has been corrected prior to the hearing date

You are directed to take action **immediately**.

By:



Katherine Neill
Code Enforcement Officer

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF CLERMONT, FLORIDA

CITY OF CLERMONT,

Case No.: C2019-000289

Petitioner,

v.

LGCC HOLDINGS, LLC,
Respondent.

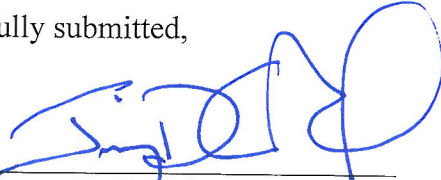
NOTICE OF APPEARANCE OF COUNSEL

Jimmy D. Crawford, Esq. hereby files this appearance as attorney of record for LGCC HOLDINGS, LLC, and states that he will appear on behalf of Respondent LGCC HOLDINGS, LLC, at the April 21 hearing in this matter at 1:30 p.m., and all further proceedings. Please direct all future correspondence, pleadings, etc., to the undersigned.

Respectfully submitted on this 6th day of May 2019.

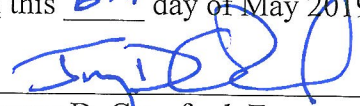
Respectfully submitted,

By:


Jimmy D. Crawford, Esq.
CRAWFORD, MODICA & HOLT
CHARTERED ATTORNEYS AT LAW
Florida Bar No.: 0038441
702 West Montrose Street
Clermont, Florida 34711
(352) 432-8644 (telephone)
Jcrawford@CMHLawyers.com

Certificate of Service

I hereby Certify that a true and correct copy of this Notice of Appearance of Counsel was served to Katherine Neill, Code Enforcement Officer, by hand delivery to 685 West Montrose Street, Clermont, Florida, and by electronic transmission to KNeill@Clermontfl.org and Daniel Mantzaris, Esquire, at DMantzaris@dsklawgroup.com this 6th day of May 2019.


Jimmy D. Crawford, Esq.

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

CITY OF CLERMONT

Petitioner,

vs.

LGCC HOLDINGS LLC,

Respondent.

Case No: C2018-000419

Legendary Boulevard

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 **November 27, 2018** and the Special Magistrate having heard sworn testimony and received evidence from **Matt Reusch Code Enforcement Officer**, for the City, **Lorelle Moeckel** for the Respondent and neighbors, **Bob Yarnell** and **Karen Kest**, 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 September 26, 2018.
- 3) The property has overgrown weeds or plant growth and debris.

II. CONCLUSION OF LAW

The Code Enforcement Special Magistrate finds the Respondent, **LGCC HOLDINGS, LLC**, is in violation of City of Clermont Section 122-344 "Property Maintenance" and 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 of Section 122-344 and Section 302.4-IPMC on or before **December 12, 2018** by taking the remedial action as set forth in the Violation Notice dated September 26, 2018. 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. Respondent 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.

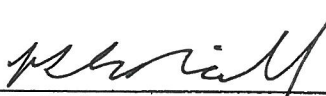
Done and Ordered this 28th day of December 2018.



Robert D. Guthrie, Jr., Esquire
Special Magistrate
Fla Bar No.: 229555

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 4th day of January 2019, a true and correct copy of this Order has been furnished by certified and regular mail to Respondent, LGCC Holdings, LLC, 3862 Beacon Ridge Way, Clermont, FL 34711.



Code Enforcement Officer

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF CLERMONT, FLORIDA

CITY OF CLERMONT,

Case No.: C2019-000289

Petitioner,

v.

LGCC HOLDINGS, LLC,
Respondent.

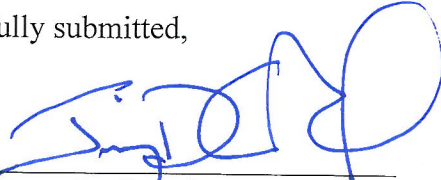
NOTICE OF APPEARANCE OF COUNSEL

Jimmy D. Crawford, Esq. hereby files this appearance as attorney of record for LGCC HOLDINGS, LLC, and states that he will appear on behalf of Respondent LGCC HOLDINGS, LLC, at the April 21 hearing in this matter at 1:30 p.m., and all further proceedings. Please direct all future correspondence, pleadings, etc., to the undersigned.

Respectfully submitted on this 6th day of May 2019.

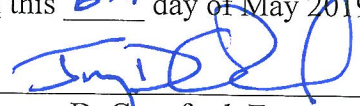
Respectfully submitted,

By:


Jimmy D. Crawford, Esq.
CRAWFORD, MODICA & HOLT
CHARTERED ATTORNEYS AT LAW
Florida Bar No.: 0038441
702 West Montrose Street
Clermont, Florida 34711
(352) 432-8644 (telephone)
Jcrawford@CMHLawyers.com

Certificate of Service

I hereby Certify that a true and correct copy of this Notice of Appearance of Counsel was served to Katherine Neill, Code Enforcement Officer, by hand delivery to 685 West Montrose Street, Clermont, Florida, and by electronic transmission to KNeill@Clermontfl.org and Daniel Mantzaris, Esquire, at DMantzaris@dsklawgroup.com this 6th day of May 2019.


Jimmy D. Crawford, Esq.

City of Clermont
P.O. BOX 120219, CLERMONT, FLORIDA 34712-0219

REPEAT VIOLATION NOTICE

April 30, 2019

Violation # C2019-000289

To: LGCC HOLDINGS LLC
3862 BEACON RIDGE WAY
CLERMONT, FL 34711

Violation/Property address: LIBERTY HILL DR, CLERMONT, FL 34711 (ALTERNATE KEY 3806670)

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 LIBERTY HILL DR CLERMONT, FL 34711 (ALTERNATE KEY 3806670). There has been a prior Code Case (2018-000418) that has appeared before the Special Magistrate and was found to be in violation. This case is eligible to be moved directly to hearing as there are repeat violation from the previous case listed above.

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 352-241-7343 or KNEILL@CLERMONTFL.ORG when you comply, so an inspection to determine compliance can be scheduled. This case will be presented at the Code Enforcement Special Magistrate (see included Notice of Hearing) as a repeat violation, even if the violation has been corrected prior to the hearing dat.

You are directed to take **immediately**.

By:



Katherine Neill
Code Enforcement Officer

Code Enforcement Special Magistrate
City of Clermont

NOTICE OF HEARING

CITY OF CLERMONT,

Petitioner

Case No. C2019-000289

vs.

LGCC HOLDINGS LLC

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:

May 21st, 2019 at 1:30

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, LGCC HOLDINGS LLC.

Certified Mail/Return Receipt Requested #

9171 9690 0935 0199 6437 33

BY:



Katherine Neill, Code Enforcement Officer
this 30th day of April, 2019

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.

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

CITY OF CLERMONT

Petitioner,

vs.

LGCC HOLDINGS LLC,

Respondent.

Case No: C2018-000418

Liberty Hill Drive

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 November 27, 2018 and the Special Magistrate having heard sworn testimony and received evidence from **Matt Reusch Code Enforcement Officer**, for the City, **Lorelle Moeckel** for the Respondent and neighbors, **Bob Yarnell and Karen Kest**, 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 September 26, 2018.
- 3) The property has overgrow weeds or plant growth and debris.

II. CONCLUSION OF LAW

The Code Enforcement Special Magistrate finds the Respondent, **LGCC HOLDINGS, LLC**, is in violation of City of Clermont Section 122-344 "Property Maintenance" and 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 of Section 122-344 and Section 302.4-IPMC on or before **December 12, 2018** by taking the remedial action as set forth in the Violation Notice dated September 26, 2018. 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.

Case No: C2018-000418

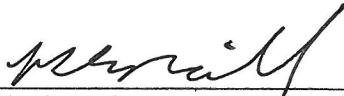
- 2) Respondent bears the burden of, and shall contact the City of Clermont Code Enforcement Department to arrange for a re-inspection of the Property and to verify that the violations have been corrected, and the property has been brought into compliance with the City Code Sections as cited above. Respondent 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 7th day of January 2019.


Robert D. Guthrie, Jr., Esquire
Special Magistrate
Fla Bar No.: 229555

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 14th day of January 2019, a true and correct copy of this Order has been furnished by certified and regular mail to Respondent, LGCC Holdings, LLC, 3862 Beacon Ridge Way, Clermont, FL 34711.


Code Enforcement Officer

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

CITY OF CLERMONT

Petitioner,

vs.

CAPITAO DUDA REAL ESTATE LLC,

Respondent.

**Case No: C2018-000377
4300 S US Hwy 27 104
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 **November 27, 2018** and the Special Magistrate having heard sworn testimony and received evidence from **Matt Reusch Code Enforcement Officer and Mark Griener**, for the City and **Paul Allis** on behalf of Respondent, Capitaio Duda Real Estate LLC, 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 September 17, 2018.
- 3) Interior and other work has been performed on the property without the required building permits.

II. CONCLUSION OF LAW

The Code Enforcement Special Magistrate finds the Respondent, **CAPITAO DUDA REAL ESTATE LLC**, is in violation of City of Clermont Section 304.13 "Window, skylight and door frames; 305.3 "Interior Surfaces"; 305.6 "Interior Doors" and Building Permit Required Section 122-344.

III. ORDER

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

- 1) Respondent shall correct the above-stated violations as follows:
 - a. submit required plans and obtain a building permit on or before **December 27, 2018**.
 - b. complete all work as required by the approved permit on or before **January 15, 2019**.

- 2) If Respondent fails to timely comply with either of the above-stated compliance measures, a fine of **TWO HUNDRED AND FIFTY DOLLARS (\$250)** will accrue for each day the violation continues past the applicable compliance date as stated above.
- 3) 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. Respondent shall call (352) 241-7343 to request an inspection.
- 4) 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 28th day of December 2018.


Robert D. Guthrie, Jr., Esquire
Special Magistrate
Fla Bar No.: 229555

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 4th day of January 2019, a true and correct copy of this Order has been furnished by certified and regular mail to Respondent, Capita Duda Real Estate LLC, 6965 Piazza Grande Avenue, #211, Orlando, FL 32835.


Code Enforcement Officer

City of Clermont

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

VIOLATION NOTICE

September 17, 2018

Violation # C2018-000377

To: CAPITAO DUDA REAL ESTATE LLC
6965 PIAZZA GRANDE AVE # 211
ORLANDO, FL 32835

Violation/Property address: 4300 S US HWY 27 104, 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 4300 S US HWY 27 STE 104, CLERMONT FL 34711. IN REFERENCE TO; CODE ENFORCEMENT OFFICERS WERE NOTIFIED BY CLERMONT FIRE DEPARTMENT THAT UNPERMITTED WORK HAD BEEN CONDUCTED AT THIS LOCATION. CODE ENFORCEMENT HAD SENT A COURTESY NOTICE ON AUGUST 28TH 2018 WITH A COMPLIANCE DATE OF SEPTEMBER 14TH, 2018. AS OF SEPTEMBER 17TH, 2018 COMPLIANCE HAS NOT BEEN OBTAINED.

Compliance with the Violation(s) listed will be when the following condition(s) are met: NO FURTHER WORK CAN BE UNDERTAKEN UNTIL PERMITS ARE OBTAINED. AFTER THE FACT PERMITS MUST ALSO BE OBTAINED FOR WORK THAT HAS ALREADY BEEN DONE. A LICENSED CONTRACTOR MUST CONTACT DEVELOPMENT SERVICES, BEGIN THE PERMITTING APPLICATION PROCESS AND KEEP THE BUILDING OFFICIAL APPRISED OF ALL ACTIVITY.

Type of Violation: 304.13 Window, skylight and door frames.

Every window, skylight and door and frame shall be kept in sound condition, good repair and weather tight.

Type of Violation: 305.3 Interior Surfaces.

All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

Type of Violation: 305.6 Interior Doors.

Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

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 MREUSCH@CLERMONTFL.ORG OR CONTACT MARK GRENIER, BUILDING OFFICIAL AT (352)241-7311 OR MGRENIER@CLERMONTFL.ORG when you comply, so an inspection to determine compliance can be scheduled.

You are directed to take action by OCTOBER 1ST, 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



Orlando, April 16, 2019

Case #C2018-000377

Good Afternoon Mr. Henschel;

It was agreed between us and the tenant (TTLG Company, LLC) that they would not have to make any rental payment for six months starting on August 2018, so they could be able to afford making all the necessary repairs in order to be in compliance with the City of Clermont, however, nothing was done by the tenant.

By the end of November/2018, the landlord (Capitao Duda) decided that we could not wait any longer on the tenant to perform the job and we asked them to vacate the premises immediately, however, they took two months to do it, leaving by the end of January 2019. Such decision was made so we could assume the permit issues as fast as possible and perform all the necessary work in order to minimize the fine amount imposed by the City of Clermont. The job was performed by our maintenance people immediately after the tenant left the property, which generated additional expenses to our company.

We also lost our biggest tenant recently, Vista Clinical, who used to occupy 65% of our spaces, reducing our monthly revenue by \$ 35,000. We are currently preparing this vacant space of approximately 22,000 Square Feet in order to rent it again as soon as possible.

We did everything in our power in order to be in compliance with the City of Clermont in a shortest period, however, the former tenant made it very difficult for us, and other events mentioned in this letter put us in a weak financial situation at this moment.

We would like to request the following reduction on the amount of the fine:

1 - \$ 7,500.00 by reducing the number of days we were not in compliance from 77 to 47, for not having access to the premises.

2 - \$ 9,428.55 the amount spent to bring the unit into compliance

Leaving to total of **\$ 2,321.45** to be paid.

We realize it is a significant discount, but we hope you understand that we are being penalized for the mistakes made by our former tenant who did not comply, and we did everything we could to make everything right.

I am also requesting that we can clarify all these facts at the next hearing that will be held on May 22nd.

Please let me know if you need anything else.

Sincerely;

A handwritten signature in dark ink, appearing to read 'Paulo Alves', is written over a horizontal line.

Paulo Alves – Brooker/Property Manager

Code Enforcement Special Magistrate
City of Clermont

NOTICE OF HEARING

CITY OF CLERMONT,

Petitioner

Case No. C2019-000208

vs.

EMERALD LAKES CO-OP INC

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:

May 21st, 2019 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, EMERALD LAKES CO-OP INC.

Certified Mail/Return Receipt Requested # 9171 9690 0935 0199 6063 49

BY:



Katherine Neill, Code Enforcement Officer
this 10th day of May, 2019

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

VIOLATION NOTICE

March 18, 2019

Violation # C2019-000208

To: EMERALD LAKES CO-OP INC
1401 W HIGHWAY 50
CLERMONT, FL 34711

Violation/Property address: 1401 HIGHWAY 50 LOT 51, 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 1401 HIGHWAY 50 LOT 51, CLERMONT, FL 34711.

Compliance with the Violation(s) listed will be when the following condition(s) are met: A permit must be obtained and all work must be properly inspected. Permits can be obtained through Development Services located on the first floor of City Hall.

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 352-241-7343 or KNEILL@CLERMONTFL.ORG when you comply, so an inspection to determine compliance can be scheduled.

You are directed to take action by **April 1st, 2019**. 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:



Katherine Neill
Code Enforcement Officer

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

CITY OF CLERMONT

Petitioner,

vs.

RAMCHAND SINGH,

Respondent.

**Case No: C2017-000379
1306 & 1312 Disston Avenue
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 **January 16, 2018** and the Special Magistrate having heard sworn testimony and received evidence from **Evie Wallace, 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 August 9, 2017.
- 3) Roof repair and replacement work has occurred on the subject proeprty without a required permit.

II. CONCLUSION OF LAW

The Code Enforcement Special Magistrate finds the Respondent, **RAMCHAND SINGH**, is in violation of City of Clermont Section 122-344 "Building Permit Required".

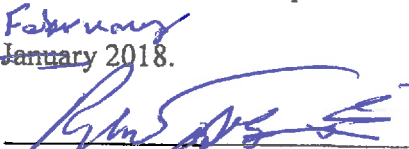
III. ORDER

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 **April 30, 2018** by taking the remedial action as set forth in the Violation Notice dated August 9, 2017. If the Respondent fails to timely correct the violation a fine of **SEVENTY-FIVE DOLLARS (\$75.00)** 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. Respondent shall call (352) 241-7304 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 5th day of February 2018.


Robert D. Guthrie, Jr., Esquire
Special Magistrate
Fla Bar No.: 229555

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 24th day of January 2018, a true and correct copy of this Order has been furnished by certified and regular mail to Respondent, Ramchand Singh, P.O. Box 882, Groveland, FL 34736.


Code Enforcement Officer

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

CITY OF CLERMONT

Petitioner,

vs.

SINGH RAMCHAND TRUSTEE & DEVIKA SINGH TRUSTEE,

Respondent.

**Case No: C2017-000379
1312 Disston Ave
Clermont, Florida 34711**

**NOTICE OF HEARING
AND MOTION FOR ORDER
IMPOSING FINE AND CREATING LIEN ON PROPERTY**

YOU ARE HERBY ADVISED that the Code Enforcement Special Magistrate shall conduct a hearing on **May 21, 2019 at 1:30 p.m. in the Council Chambers, City Hall, 685 West Montrose Street, Clermont, Florida**, to consider the petitioner's request as set forth below for authorization to impose a fine and create a code enforcement lien in this matter.

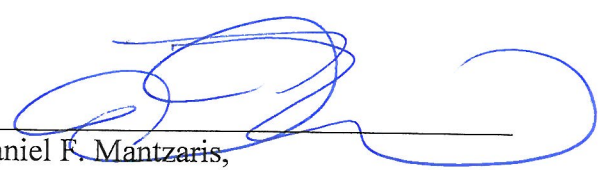
This motion is pursuant to Chapter 162, Florida Statutes. At its January 16, 2018, hearing the Code Enforcement Special Magistrate issued a Findings of Fact, Conclusion of Law and Order finding that City Code violations exist on the above property related to the following:

City Code Chapter 122 Section:

122-344 "Building permit required"

The Special Magistrate's written order dater February 5, 2018, provided that Respondent would correct the violations on or before August 9, 2017 or a fine of SEVENTY-FIVE DOLLARS (\$75.00) PER DAY WOULD ACCRUE. The Respondent failed to correct the violations in a timely manner and a fine has accrued based on the above-referenced Order of the Special Magistrate. The violations continue to exist on the property and the fine remains unpaid as of the date hereof.

I HEREBY CERTIFY that on this 7th day of May, 2019, a true and correct copy of this Notice of Hearing and Motion has been furnished by certified and regular mail to the Respondent, Singh Ramchand Trustee & Devika Singh Trustee, P.O. Box 882, Groveland, FL 34736



Daniel F. Mantzaris,
Clermont City Attorney
DeBeaubien, Knight, Simmons,
Mantzaris & Neal, LLP
P.O. Box 87
Orlando, FL 32802
(407) 422-2454 / (407) 849-1845 (Fax)
FBN: 562327

City of Clermont
P.O. BOX 120219, CLERMONT, FLORIDA 34712-0219

VIOLATION NOTICE

August 09, 2017

Violation # C2017-000379

To: RAMCHAND SINGH
PO BOX 882
GROVELAND, FL 34736

9171 9690 0935 0149 4772 03

Violation/Property address: 1306 & 1312 DISSTON AVE, 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 1306 & 1312 DISSTON AVE #302226030000001400

Compliance with the Violation(s) listed will be when the following condition(s) are met: WHEN AFTER THE FACT BUILDING PERMIT HAS BEEN OBTAINED FROM CITY OF CLERMONT BUILDING SERVICES; WHEN ROOF PASSES INSPECTION FROM CITY BUILDING INSPECTOR.

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.

On July 28, 2017, Code Enforcement Officer observed men working on the roof but could not locate any permit information. Officer stopped and asked if a new roof was going to be installed. They stated yes. Officer asked if they had a permit and they replied "Not yet" and they were just doing the prep work. Officer gave them a verbal courtesy warning to obtain permit and post it prior to work was being done.

On August 5, 2017, Officer observed new roof was completed but was unable to locate a permit for the new roof.

Please contact me at (352)-241-7343 or lcrain@clermontfl.org when you comply, so an inspection to determine compliance can be scheduled.

You are directed to take action by 5:00 PM, FRIDAY, AUGUST 18, 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:



Lori Crain
Code Enforcement Officer

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

CITY OF CLERMONT

Petitioner,

vs.

JEFFREY S. DAVIS and TACI LYDEN,

Respondent.

**Case No: C2016-000542
847 W. Minneola Avenue
Clermont, Florida 34711**

**NOTICE OF HEARING
AND MOTION FOR ORDER
IMPOSING FINE AND CREATING LIEN ON PROPERTY**

YOU ARE HERBY ADVISED that the Code Enforcement Special Magistrate shall conduct a hearing on **May 21, 2019 at 1:30 p.m. in the Council Chambers, City Hall, 685 West Montrose Street, Clermont, Florida**, to consider the petitioner's request as set forth below for authorization to impose a fine and create a code enforcement lien in this matter.

This motion is pursuant to Chapter 162, Florida Statutes. At its January 17, 2017, hearing the Code Enforcement Special Magistrate issued a Findings of Fact, Conclusion of Law and Order finding that City Code violations exist on the above property related to the following:

City Code Chapter 14, IPMC Sections:

108.1.1	"Unsafe structure"
108.1.3	"Structure unfit for occupancy"
108.5	"Prohibited occupancy"
304.1	"Exterior structure"
304.7	"Roofs and drainage"
305	"Interior structure"
306.1.1	"Unsafe conditions"

City Code Chapter 34 Sections:

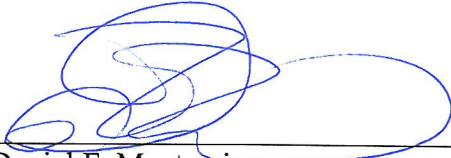
34-61	"Enumeration of prohibited items"
34-62	"Creation or maintenance of nuisance"

City Code Chapter 122 Section:

122-344	"Property maintenance"
---------	------------------------

The Special Magistrate's written order dated January 17, 2017, provided that Respondent would correct the violations on or before March 17, 2017 or a fine of ONE HUNDRED DOLLARS (\$100.00) PER DAY WOULD ACCRUE. The Respondent failed to correct the violations in a timely manner and a fine has accrued based on the above-referenced Order of the Special Magistrate. The violations continue to exist on the property and the fine remains unpaid as of the date hereof.

I HEREBY CERTIFY that on this 7th day of May, 2019, a true and correct copy of this Notice of Hearing and Motion has been furnished by certified and regular mail to the Respondents, Jeffrey S. Davis and Taci Lyden, 847 W. Minneola Avenue, Clermont, FL 34711.



Daniel F. Mantzaris,
Clermont City Attorney
DeBeaubien, Knight, Simmons,
Mantzaris & Neal, LLP
P.O. Box 87
Orlando, FL 32802
(407) 422-2454 / (407) 849-1845 (Fax)
FBN: 562327

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

CITY OF CLERMONT

Petitioner,

vs.

JEFFREY S. DAVIS and TACI LYDEN,

Respondents.

_____ /

**Case No: C2016- 000542
847 W. Minneola Avenue
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 **January 17, 2017** and the Special Magistrate having heard sworn testimony and received evidence from **Lori Crain, Code Enforcement Officer**, for the City and Respondent, **Taci Lyden**, 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 Respondents.
- 2) The Respondents are the owner of and in custody and control of the property described in the Violation Notice dated September 7, 2016, located in Clermont, Florida.
- 3) There exists on the property an unsafe structure in disrepair, in need of maintenance and structurally unsound.

II. CONCLUSION OF LAW

The Code Enforcement Special Magistrate finds the Respondents, **JEFFREY D. DAVIS and TACI LYDEN**, are in violation of Clermont City Code Chapter 14, IMPC Sections 108.1.1, 108.1.3, 108.5, 304.1, 304.7, 305, and 306.1.1, Chapter 34 Sections 34-61, 34-62, and 34-63, and Chapter 122, Section 122-344.

III. ORDER

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

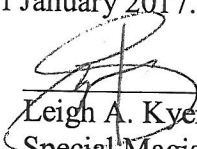
- 1) Respondents shall correct the above-stated violation on or before **March 17, 2017**, by taking the remedial action as set forth in the Violation Notice dated September 7, 2016. If the Respondents fail to timely correct the violation a fine of **ONE HUNDRED DOLLARS (\$100)** will accrue for each day the violation continues past **March 17, 2017**.

2) Respondents bear 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.

352-241-7304

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.

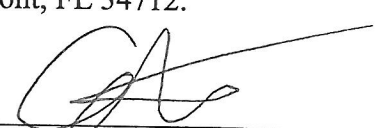
Done and Ordered this 25 day of January 2017.



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 25 day of January 2017, a true and correct copy of this Order has been furnished by certified and regular mail to Respondents, Jeffrey S. Davis and Taci Lyden, 847 West Minneola Avenue, Clermont, FL 34712.



Code Enforcement Officer

City of Clermont

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

VIOLATION NOTICE

September 07, 2016

Violation # C2016-000542

To: DAVIS JEFFREY S & TACI LYDEN
847 W MINNEOLA AVE (SHOWS ON PROPERTY
APPRAISER) BEING MAILED TO WHAT SHOWS
ON DRIVER LICENSE- 2733 SHEARWATER
STREET
CLERMONT, FL 34711

Violation/Property address: 847 WEST MINNEOLA AVE CLERMONT, FL. 34711 (FRONT STRUCTURE ON
PARCEL/PROPERTY) ALT KEY# 1714052

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 847 WEST MINNEOLA AVE. CLERMONT, FL. 34711

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

THE FRONT structure in disrepair both aesthetically and structurally. There are signs of substantial deterioration from wood rot and/or termite damage. If immediate action is not taken to restore the structural integrity of this building then demolishing it may be the viable solution. A structure deemed to be unsafe is considered a threat to the health, safety and welfare of the public.

* LET IT BE NOTED THAT CONTACT HAS BEEN MADE WITH OWNER, TACI LYDEN, VIA EMAIL ON VIOLATIONS. DUE TO HER UNFORSEEN EVENTS WITH HER SON, SHE WAS GIVEN THE OPPORTUNITY TO GET THESE VIOLATIONS CURED WITH SOME EXTENSIONS, FIRST VIOLATION NOTICE SENT IN 2014, BUT AS OF 9-6-16 CITY INSPECTOR HAS DECLARED IT UNSAFE AND STRUCTURE IS LOCATED IN THE DOWNTOWN AREA WHERE PEDESTRIAN AND VEHICLE TRAFFIC IS PREVELANT.

Type of Violation: 304.7 Roofs and Drainage.

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutter and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

- **DAMAGE IN ROOF/GUTTER AND ROOF AREAS**

Type of Violation: 306.1.1 Unsafe Conditions.

- 306.1.1(4) Masonry that has been subjected to any of the following conditions:
4.1 Deterioration
- **STRUCTURE HAS MAJOR DETERIORATION**
- **STAIRS, FLOORS, WALLS, AND EXTERIOR PART OF THE STRUCTURE ARE IN A STATE OF TOTAL DISREPAIR**

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.

- **PERMITS FOR LISTED REPAIRS AND/OR DEMO PERMIT WILL BE REQUIRED.**

Type of Violation: Exterior Structure Section 304.1-IPMC

- The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.
WINDOW SCREENS ARE BROKEN AND/OR NOT TIGHT FITTED
- **WINDOWS NOT SECURED**
- **EXTERIOR STRUCTURE HAS CRACKS, OPENINGS AND FALLING APART**

Type of Violation: Interior Structure Section 305-IPMC

The interior of a structure and equipment shall be maintained in good repair, structurally sound and in sanitary condition.

- **PATIO FLOOR AND WALLS IN DISREPAIR AND NOT STRUCTURALLY SOUND**
- **INTERIOR AREAS APPEAR NOT MAINTAINED.**

Type of Violation: Prohibited Occupancy

108.5 Prohibited Occupancy

Any occupied structure condemned and placarded by the code official shall be vacated as ordered by the code official. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.

- **RESIDENCE/STRUCTURE IS VACANT AND NEEDS TO BE UNOCCUPIED UNTIL ALL VIOLATIONS HAVE BEEN CURED.**

Type of Violation: Sec. 34-61. Enumeration of prohibited items, conditions or actions constituting nuisances.

The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions are hereby declared to be and constitute a nuisance:

(1)

Weeds. Any weeds such as broom grass, jimson, burdock, ragweed, sandspur or other similar weeds; or any other vegetation, including grass, other than trees, ornamental bushes, flowers or other ornamental plants with a height exceeding 18 inches.

(2)

Refuse. Accumulation of trash, litter, debris, garbage, bottles, paper, cans, rags, dead or decayed fish, fowl, meat or other animal matter; fruit, vegetables, offal, bricks, concrete, scrap lumber or other building debris or other refuse of any nature.

(3)

Harborage for rats, snakes and other vermin. Any condition which provides harborage for rats, mice, snakes and other vermin.

(4)

Dilapidated buildings. Any building or other structure which is in such a dilapidated condition that it is unfit for human habitation, or kept in such an insanitary condition that it is a menace to the health of people residing in the vicinity thereof, or presents a more than ordinarily dangerous fire hazard in the vicinity where it is located.

Type of Violation: Sec. 34-62. Creation or maintenance of nuisance by property owner declared unlawful.

- **PROPERTY HAS BEEN IN DISREPAIR AND NOT STRUCTURALLY SOUND FOR YEARS.**

Type of Violation: Sec. 34-63. Notice to abate.

- **VIOLATIONS CAN BE ABATED BY CITY WITH COST TO THE OWNER IF NO PERMITS ARE OBTAINED BY COMPLIANCE DATE.**

Type of Violation: Section 34-62 - Creation or Maintenance of Nuisance by Property Owner Declared Unlawful.

It shall be unlawful for any person to create a nuisance, or suffer or permit a nuisance to exist, upon property which is under his care, custody or control.

Type of Violation: Structure Unfit for Occupancy Section 108.1.3-IPMC

The structure is unsafe, unlawful or structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination or lacks ventilation, or constitutes a hazard to the occupants or public.

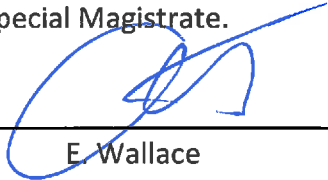
Type of Violation: Unsafe Structure Section 108.1.1 -IPMC

A Structure found to be dangerous to the life, health, property or safety of the public, or is so damaged, decayed, dilapidated, structurally unsafe or unstable foundation, that partial or complete collapse is possible.

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 **OCTOBER 17TH, 2016 TO OBTAIN PERMITS AND 6 MONTHS AFTER TO COMPLETE ALL VIOLATIONS AND SIGNED OFF (FINALED) BY CITY INSPECTORS/BUILDING OFFICIAL.** Failure to remedy the violation within the allotted times 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, FLORIDA**

CITY OF CLERMONT

Petitioner,

vs.

ALP INVESTMENTS, LLC,

Respondent.

**Case No: C2018-000526
975 Pitt Street
Clermont, Florida 34711**

**NOTICE OF HEARING
AND MOTION FOR ORDER
IMPOSING FINE AND CREATING LIEN ON PROPERTY**

YOU ARE HERBY ADVISED that the Code Enforcement Special Magistrate shall conduct a hearing on **May 21, 2019 at 1:30 p.m. in the Council Chambers, City Hall, 685 West Montrose Street, Clermont, Florida**, to consider the petitioner's request as set forth below for authorization to impose a fine and create a code enforcement lien in this matter.

This motion is pursuant to Chapter 162, Florida Statutes. At its January 15, 2019, hearing the Code Enforcement Special Magistrate issued a Findings of Fact, Conclusion of Law and Order finding that City Code violations exist on the above property related to the following:

City of Clermont Code Sections:

122-344	"Property maintenance"
302 – IPMC	"Sanitation"
302.4 - IPMC	"Weeds"
34-61	"Nuisances"
34-62	"Creation or maintenance of nuisance"
308.1 – IPMC	"Rubbish and garbage"
301.2 – IPMC	"Vacant structures and lands"

The Special Magistrate's written order dater January 29, 2019, provided that Respondent would correct the violations on or before January 31, 2019 or a fine of TWO HUNDRAD AND FIFTY DOLLARS (\$250.00) PER DAY WOULD ACCRUE. The Respondent failed to correct the violations in a timely manner and a fine has accrued based on the above-referenced Order of the Special Magistrate. The violations continue to exist on the property and the fine remains unpaid as of the date hereof.

I HEREBY CERTIFY that on this 7th day of May, 2019, a true and correct copy of this Notice of Hearing and Motion has been furnished by certified and regular mail to the Respondent, ALP Investments, LLC, 6996 Plazza Grande Avenue, suite 207, Orlando, FL 32835.



Daniel F. Mantzaris,
Clermont City Attorney
DeBeaubien, Knight, Simmons,
Mantzaris & Neal, LLP
P.O. Box 87
Orlando, FL 32802
(407) 422-2454 / (407) 849-1845 (Fax)
FBN: 562327

City of Clermont

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

VIOLATION NOTICE

November 29, 2018

Violation # C2018-000526

To: ALP INVESTMENTS LLC
6996 PIAZZA GRANDE AVE STE 207
ORLANDO, FL 32835

Violation/Property address: 975 PITT ST, 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 975 PITT SCLERMONT FL 34711. CODE ENFORCEMENT DIVISION RECEIVED A COMPLAINT THAT THE PROPERTY WAS OVERGROWN WITH WEEDS, GRASS AND OTHER BRUSH AS WELL AS THAT THERE WAS GRAFFITI ON A RETAINING WALL ON THE PROPERTY. OFFICERS CONDUCTED AN INSPECTION OF THE PROPERTY AND FOUND IT 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. A BUFFER OF THIRTY (30) FEET SHALL BE REQUIRED TO BE MAINTAINED FROM ANY IMPROVED RIGHT OF WAY. ALL GRASS AND WEEDS WITHIN THAT BUFFER WILL BE MAINTAINED BELOW EIGHTEEN (18) INCHES. GRAFFITI MUST BE REMOVED FROM RETAINING WALL.

Type of Violation: Nuisances Section 34-61

The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions are hereby declared to be and constitute a nuisance:

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: Rubbish and Garbage Section 308.1-IPMC

All exterior property and premises and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

Type of Violation: Sanitation Section 302-IPMC

All exterior property and premises shall be maintained in a clean, safe, and sanitary condition.

Type of Violation: Section 34-62 - Creation or Maintenance of Nuisance by Property Owner Declared Unlawful.

It shall be unlawful for any person to create a nuisance, or suffer or permit a nuisance to exist, upon property which is under his care, custody or control.

Type of Violation: Vacant Structures and Lands Section 301.3-IPMC

All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition.

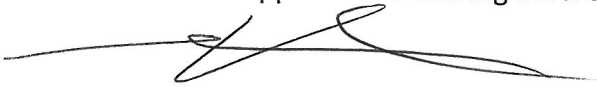
Type of Violation: Weeds Section 302.4-IPMC

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 DECEMBER 17TH, 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, FLORIDA**

CITY OF CLERMONT

Petitioner,

vs.

ALP INVESTMENTS, LLC,

Respondent.

Case No: C2018-000526

**975 Pitt Street
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 **January 15, 2019** and the Special Magistrate having heard sworn testimony and received evidence from **Matt Reusch Code Enforcement Officer**, for the City and having noted that Respondent, ALP Investments, LLC was not present or 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 November 29, 2018.
- 3) The property has numerous nuisances, weeds, filth, trash, dirt, leaves grass, rubbish and unsanitary conditions and graffiti on a retaining wall.

II. CONCLUSION OF LAW

The Code Enforcement Special Magistrate finds the Respondent, **ALP INVESTMENTS, LLC**, is in violation of City of Clermont Section 122-344 "Property Maintenance", Section 302 -IPMC "Sanitation" and Section 302.4-IPMC "Weeds", Section 34-61 "Nuisances", Section 308.1-IPMC "Rubbish and Garbage", Section 34-62 "Creation or Maintenance of Nuisance by Property Owner Declared Unlawful" and Section 301.2-IPMC "Vacant Structures and Lands.

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 **January 31, 2019** by taking the remedial action as set forth in the Violation Notice dated November 29, 2018. If the Respondent fails to timely correct the violation a fine of **TWO HUNDRED AND FIFTY**

CASE NO: C2018-000526

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. Respondent shall call (352) 241-7304 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 29th day of January 2019.



Robert D. Guthrie, Jr., Esquire
Special Magistrate
Fla Bar No.: 229555

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 31st day of January 2019, a true and correct copy of this Order has been furnished by certified and regular mail to Respondent, ALP Investments, LLC, 6996 Piazza Grande Avenue, Suite 207, Orlando, FL 32835. .



Code Enforcement Officer

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

CITY OF CLERMONT

Petitioner,

vs.

JOHN P ADAMS & ANN D ADAMS FAMILY LP,

Respondent.

**Case No: C2017-000125
2575 East Highway 50
Clermont, Florida 34711**

**NOTICE OF HEARING
AND MOTION FOR ORDER
IMPOSING FINE AND CREATING LIEN ON PROPERTY**

YOU ARE HERBY ADVISED that the Code Enforcement Special Magistrate shall conduct a hearing on **May 21, 2019 at 1:30 p.m. in the Council Chambers, City Hall, 685 West Montrose Street, Clermont, Florida**, to consider the petitioner's request as set forth below for authorization to impose a fine and create a code enforcement lien in this matter.

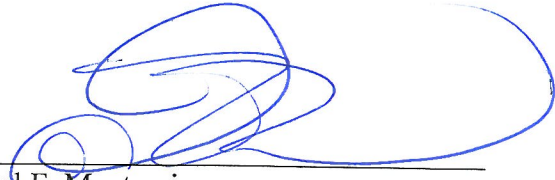
This motion is pursuant to Chapter 162, Florida Statutes. At its August 15, 2017, hearing the Code Enforcement Special Magistrate issued a Findings of Fact, Conclusion of Law and Order finding that City Code violations exist on the above property related to the following:

City Code Chapter 122 Section:

122-344 "Building permit required"

The Special Magistrate's written order dater August 25, 2017, provided that Respondent would correct the violations on or before September 15, 2017 or a fine of TWO HUNDRED FIFTY DOLLARS (\$250.00) PER DAY WOULD ACCRUE. The Respondent failed to correct the violations in a timely manner and a fine has accrued based on the above-referenced Order of the Special Magistrate. The violations continue to exist on the property and the fine remains unpaid as of the date hereof.

I HEREBY CERTIFY that on this 7th day of May, 2019, a true and correct copy of this Notice of Hearing and Motion has been furnished by certified and regular mail to the Respondent, John P. Adams & Ann D. Adams Family LP, P.O. Box 1667, Winter Haven, FL 33882.



Daniel F. Mantzaris,
Clermont City Attorney
DeBeaubien, Knight, Simmons,
Mantzaris & Neal, LLP
P.O. Box 87
Orlando, FL 32802
(407) 422-2454 / (407) 849-1845 (Fax)
FBN: 562327

City of Clermont

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

VIOLATION NOTICE

April 04, 2017

Violation # C2017-000125

To: JOHN P ADAMS & ANN D ADAMS FAM
PO BOX 1667
WINTER HAVEN, FL 33882

Violation/Property address: 2575 EAST HIGHWAY 50 CLERMONT, FL. 34711 (METRO PCS)

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 2575 EAST HIGHWAY 50. **IN REFERENCE TO UNPERMITTED WORK FOR CHANGE OF USE IN REAR OF THE UNIT WHERE METRO PCS IS LOCATED.**

Compliance with the Violation(s) listed will be when the following condition(s) are met:
BUILDING PERMIT WAS APPLIED FOR BUT FIRE AND BUILDING DPT REJECTED SET OF PLANS BACK IN FEBRUARY.

CONTACT BUILDING OFFICIAL, MARK GRENIER AND ROBIN GUTTERING, FIRE PLANS EXAMINER TO RECTIFY MATTER AND PROVIDE PROPER SET OF PLANS FOR THE ABOVE VIOLATION.

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 **NO LATER THAN APRIL 28TH, 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, FLORIDA**

CITY OF CLERMONT

Petitioner,

vs.

**JOHN P. ADAMS and
ANN D. ADAMS FAM,**

Respondents.

**Case No: C2017-000125
2575 East Highway 50
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 **Evie Wallace, Code Enforcement Officer**, for the City and having noted that Respondent was represented by **Louis Falto, Property Manager**, 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 Respondents.
- 2) The Respondents are the owners of and in custody and control of the property described in the Violation Notice dated April 4, 2017.
- 3) Work and renovations have been performed on the property as part of a change of use and without required permits.

II. CONCLUSION OF LAW

The Code Enforcement Special Magistrate finds the Respondents, **JOHN P. ADAMS & ANN D. ADAMS FAM**, are in violation of City of Clermont Code Section 122.344 Building "Permit Required".

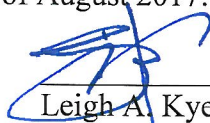
III. ORDER

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

- 1) Respondents shall correct the above-stated violation on or before **September 15, 2017** by taking the remedial action as set forth in the Violation Notice dated April 4, 2017. If the Respondents fail to timely correct the violation a fine of **TWO HUNDRED DOLLARS (\$250)** will accrue for each day the violation continues past the compliance date as stated above.

- 2) Respondents bear 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) 241-7304 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.

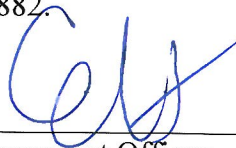
Done and Ordered this 25 day of August 2017.



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 25 day of August 2017, a true and correct copy of this Order has been furnished by certified and regular mail to Respondents, John P. and Ann D. Adams FAM, P.O. Box 1667, Winter Haven, FL 33882.



Code Enforcement Officer

**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:

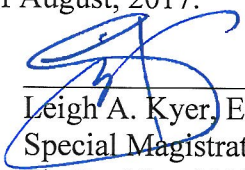
- 1) Respondent shall correct the above-stated violation on or before **August 31, 2017**, by taking the remedial action as set forth in the Violation Notice dated July 19, 2017. If the Respondent fails to timely correct the violation a fine of **TWO HUNDRED AND FIFTY**

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.

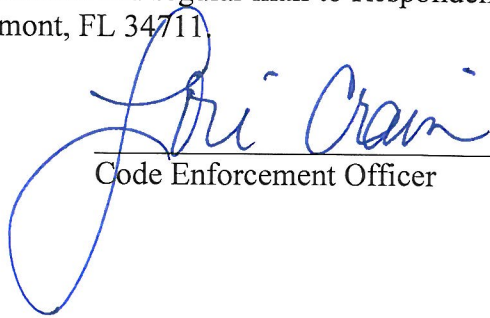
Done and Ordered this 25 day of August, 2017.



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

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

CITY OF CLERMONT

Petitioner,

vs.

TIPROEL LLC ET AL,

Respondent.

**Case No: C2017-000305
Bloxam Ave (Alternate Key 1109957)
Clermont, Florida 34711**

**NOTICE OF HEARING
AND MOTION FOR ORDER
IMPOSING FINE AND CREATING LIEN ON PROPERTY**

YOU ARE HERBY ADVISED that the Code Enforcement Special Magistrate shall conduct a hearing on **May 21, 2019 at 1:30 p.m. in the Council Chambers, City Hall, 685 West Montrose Street, Clermont, Florida**, to consider the petitioner's request as set forth below for authorization to impose a fine and create a code enforcement lien in this matter.

This motion is pursuant to Chapter 162, Florida Statutes. At its August 15, 2017, hearing the Code Enforcement Special Magistrate issued a Findings of Fact, Conclusion of Law and Order finding that City Code violations exist on the above property related to the following:

City Code Chapter 14, IPMC Sections:

301.3	"Vacant structures and lands"
302.4	"Weeds"

City Code Chapter 34 Sections:

34-61	"Enumeration of prohibited items"
34-62	"Creation or maintenance of nuisance"

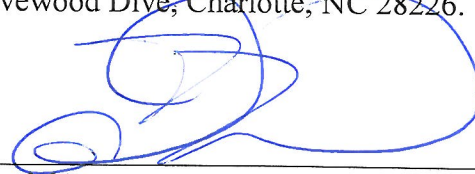
City Code Chapter 122 Section:

122-344	"Property maintenance"
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The Special Magistrate's written order dater August 31, 2017, provided that Respondent would correct the violations on or before March 17, 2017 or a fine of TWO HUNDRAD AND FIFTY DOLLARS (\$250.00) PER DAY WOULD ACCRUE. The Respondent failed to correct the violations in a timely manner and a fine has accrued based on the above-referenced Order of

the Special Magistrate. The violations continue to exist on the property and the fine remains unpaid as of the date hereof.

I HEREBY CERTIFY that on this 7th day of May, 2019, a true and correct copy of this Notice of Hearing and Motion has been furnished by certified and regular mail to the Respondent, Tiproel LLC ET AL, 3515 Dovewood Dive, Charlotte, NC 28226.



Daniel F. Mantzaris,
Clermont City Attorney
DeBeaubien, Knight, Simmons,
Mantzaris & Neal, LLP
P.O. Box 87
Orlando, FL 32802
(407) 422-2454 / (407) 849-1845 (Fax)
FBN: 562327

City of Clermont

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

VIOLATION NOTICE

July 19, 2017

Violation # C2017-000305

To: TIPROEL LLC ET AL
11728 OSPREY POINTE BLVD
CLERMONT, FL 34711

Violation/Property address: Vacant Lot ON BLOXAM ADJ TO ORANGE GROVE, CLERMONT, FL.

You are hereby notified that you are in violation of the referenced section of the City of Clermont Code of Ordinances for the parcel #242225015000K00200.

Compliance with the Violation(s) listed will be when the following condition(s) are met: WHEN FALLEN TREES AND LIMBS HAVE BEEN CLEANED UP, WHEN ALL TRASH HAS BEEN PICKED UP AND REMOVED AND THE PROPERTY HAS BEEN MOWED 30 FEET BACK FROM BLOXAM AVENUE; WHEN PROPERTY IS MAINTAINED IN COMPLIANCE.

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: Sec. 34-61. Enumeration of prohibited items, conditions or actions constituting nuisances.

The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions are hereby declared to be and constitute a nuisance:

(1) Weeds. Any weeds such as broom grass, jimson, burdock, ragweed, sandspur or other similar weeds; or any other vegetation, including grass, other than trees, ornamental bushes, flowers or other ornamental plants with a height exceeding 18 inches.

(2) Refuse. Accumulation of trash, litter, debris, garbage, bottles, paper, cans, rags, dead or decayed fish, fowl, meat or other animal matter; fruit, vegetables, offal, bricks, concrete, scrap lumber or other building debris or other refuse of any nature.

(3) Harborage for rats, snakes and other vermin. Any condition which provides harborage for rats, mice, snakes and other vermin.

Type of Violation: Sec. 34-62. Creation or maintenance of nuisance by property owner declared unlawful.

It shall be unlawful for any person to create a nuisance, or suffer or permit a nuisance to exist, upon property which is under his care, custody or control.

Type of Violation: Vacant Structures and Lands Section 301.3-IPMC

All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition.

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)-241-7343 or lcraim@clermontfl.org when you comply, so an inspection to determine compliance can be scheduled.

You are directed to take action by 5:00 PM, MONDAY, JULY 31, 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:

A handwritten signature in cursive script that reads "Lori Crain". The signature is written in dark ink and is positioned above a horizontal line.

Lori Crain
Code Enforcement Officer