



CODE ENFORCEMENT SPECIAL
MAGISTRATE HEARING
TUESDAY, JULY 16, 2019
CITY HALL at 685 WEST MONTROSE STREET
At 1:30 PM

CALL TO ORDER

SWEARING IN WITNESSES

AGENDA

OTHER BUSINESS

UNFINISHED BUSINESS

Item 1 - C2017-000305
Neill

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

NEW BUSINESS

Item 2 - C2019-000271
Reusch

John R Prickett

VIOLATION:

Section 34-61 Nuisances
Section 34-62 Creation or Maintenance of
Nuisance
Section 34-95 Prohibition of Storage of
Certain Items
IPMC Section 302 Sanitation
IPMC Section 302.8 Motor Vehicles
IPMC Section 308.1 Rubbish and
Garbage

Item 3 - C2019-000355
Neill

POP Florida Properties LLC
16530 State Road 50

VIOLATION:

Section 102-8 (7) Prohibited Signs, Wind
Signs

ADJOURN

**CODE ENFORCEMENT SPECIAL
MAGISTRATE HEARING
TUESDAY, JULY 16, 2019
CITY HALL at 685 WEST MONTROSE STREET
At 1:30 PM**

Any person wishing to appeal any decision made by the Code Enforcement Special Magistrate at this meeting will need a record of the proceedings. For that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Development Services Department at 352-241-7302.

Please be advised that if you intend to show any document, picture, video or items to the Council or Board in support or opposition to any item on the agenda; a copy of the document, picture, video or item must be provided to the Recording Clerk for the City's records.

City of Clermont

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

VIOLATION NOTICE

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".

Lori Crain
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:

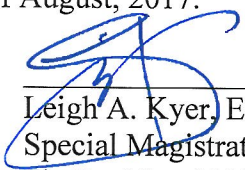
- 1) Respondent shall correct the above-stated violation on or before **August 31, 2017**, by taking the remedial action as set forth in the Violation Notice dated July 19, 2017. If the Respondent fails to timely correct the violation a fine of **TWO HUNDRED AND FIFTY**

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.

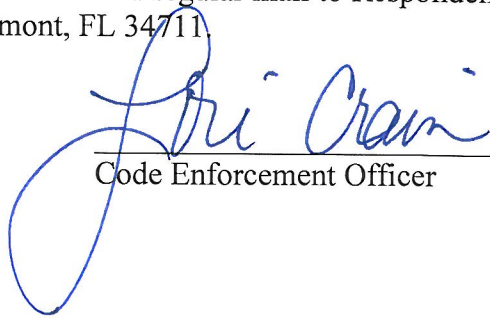
Done and Ordered this 25 day of August, 2017.



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 BOARD OF THE
CITY OF CLERMONT, FLORIDA

CITY OF CLERMONT

Petitioner,

vs.

TIPROEL LLC ET AL.,

Respondent.

Case No: 2017-000305
Vacant Lot on Bloxam Adj to Orange Grove
Clermont, Florida 34715

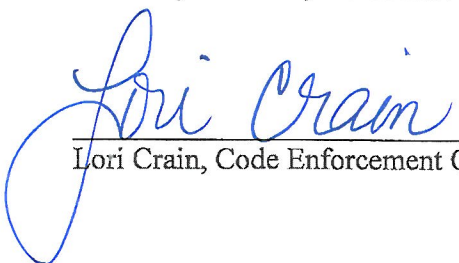
ORDER CONTINUING MATTER

THIS MATTER came before the Code Enforcement Special Magistrate of the City of Clermont for hearing on May 21, 2019 upon Petitioner's motion to Impose Fine and Create Lien and upon request of the Respondent, who was represented by Attorney Lindsay Holt and Janet Christoff, the Special Magistrate does hereby order that the hearing on the above-styled matter is continued to Tuesday, July 16, 2019 at 1:30 p.m. at 685 West Montrose Street, Clermont, FL in the Council Chambers at City Hall.

Done and Ordered this 5th ^{June} day of ~~May~~, 2019.


Andrew Lanius, Esquire
Special Magistrate
Fla Bar No.: 93427

I HEREBY CERTIFY that on this 10th day of June, 2019, a true and correct copy of this Order has been furnished by regular mail to the Respondent, TIPROEL LLC, ET AL., 11646 Grace Lane, Clermont, FL 34711 and 3515 Dovewood Drive, Charlotte, NC 28226.


Lori Crain, Code Enforcement Officer

Code Enforcement Special Magistrate

City of Clermont

NOTICE OF HEARING

CITY OF CLERMONT,

Petitioner

Case No. C2019-000271

vs.

PRICKETT JOHN R

Respondent

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

JULY 16TH, 2019 AT 1:30 P.M.

at

685 West Montrose Street, Clermont, Florida.

Council Chambers of City Hall

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

Any letters, lists, pictures of items displayed, presented or handed out at a public meeting for any City Commission, Board, Council or City public meeting, must be left with the recording clerk at the meeting at that time. No cell phone or electronic displays are permitted unless a printed copy is supplied at that time to the recording clerk.

I hereby certify that a true and correct copy of the above and foregoing Notice of Hearing has been furnished by Certified Mail/Personal Service to Respondent, PRICKETT JOHN R.

Certified Mail/Return Receipt Requested #

9171 9690 0935 0199 6436 58

BY:



Matthew Reusch, Code Enforcement Officer
this 20th 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

April 24, 2019

Violation # C2019-000271

To: PRICKETT JOHN R
PO BOX 1599
EUSTIS, FL 32727

Violation/Property address: 1800 US HWY 27, 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 1800 US HWY 27, CLERMONT FL 34711. IN REFERENCE TO; CODE ENFORCEMENT DIVISION OF THE CITY OF CLERMONT WAS NOTIFIED OF POSSIBLE VIOLATIONS EXISTING AT THIS PROPERTY. OFFICERS CONDUCTED AN INSPECTION AND FOUND THE LOCATION TO BE IN VIOLATION, WITH MULTIPLE DISABLED VEHICLES BEING PRESENT AND THE REAR OF THE PROPERTY CONTAINING RUBBISH, DEBRIS AND REFUSE.

Compliance with the Violation(s) listed will be when the following condition(s) are met: ANY AND ALL DISABLED VEHICLES MUST BE PROPERLY PARKED WITH VALID REGISTRATION AND LICENSE PLATES. IF THEY ARE NOT ABLE TO BE REGISTERED, THEY MUST BE STORED IN A COVERED STRUCTURE SUCH AS A GARAGE OR WAREHOUSE. BOAT TRAILERS AND RV MUST ALSO BE REMOVED AND STORED IN THE PROPER WAY OR BE PLACED IN A GARAGE OR WAREHOUSE. THE PROPERTY MUST BE CLEARED OF ANY AND ALL REFUSE, DEBRIS AND RUBBISH AND BE MAINTAINED IN A SANITARY MANNER.

**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:**

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:**

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.

(6)

Odors and stench. All disagreeable or obnoxious odors and stench, as well as the conditions, substances or other causes, which give rise to the emission or generation of such odors and stench.

**Type of
Violation:**

Section 302.8 IPMC Motor Vehicles

Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

**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:**

Truck & Trailer parking

In all residential districts or zones designated R-1-A, R-1, R-2, R-3, R-3-A or UE in chapter 122, zoning, no person shall park, cause to be parked or allow to be parked on their real property, or on property which they have under lease, or in the streets, alleys or parkways abutting such property, any mobile home or commercial vehicle of whatever size or type, including either a tractor or trailer of any type, including, but not limited to, boat trailers, except as provided in this section. However, pickup trucks and commercial vehicles, of van design, or any type of trailer including boat trailers, of 15,000 pounds nominal gross vehicle weight rating (GVWR) or less, may be so parked. Commercial vehicles of any type, however, including those of GVWR at or under 15,000 pounds may be permitted only if such vehicles can be parked in a manner that will not interfere with the traffic flow or character of the neighborhood. No truck in excess of 15,000 pounds GVWR will be permitted on any streets in the city except on established truck routes, or as permitted in this section. These prohibitions shall not apply to owners who have construction in progress on their property, nor does it prohibit routine deliveries by tradesmen, or the use of trucks in making service calls, nor does it apply to a situation where a truck becomes disabled or, as a result of an emergency, is required to be parked on or abutting property or streets within the city, provided such vehicle is removed within 24 hours after the vehicle became disabled or the emergency occurred. Ambulances and school buses, while parked at schools or parks, boat trailers parked at boat ramps, and recreation vehicles parked in conformance with this Code are excluded from the provisions of this section. It is further provided that, in areas designated R-1-A, R-1, R-2, R-3, R-3-A or UE being utilized for agricultural uses as permitted by chapter 122, zoning, such machinery and vehicles necessary for cultivation and harvest

**Type of
Violation:**

VEHICLES

Sec. 34-95. - Prohibition of storage of certain items.

No person or business shall keep, store or allow to remain on any property within any section of the city any dismantled, partially dismantled, nonoperative, or discarded machinery, appliances, vehicles, boats, or parts thereof, scrap metal or junk. For purposes herein, a vehicle that does not have a current and valid motor vehicle license tag shall be presumed to be nonoperative. Storage of untagged vehicles, boats or similar items shall be allowed if contained within an enclosed structure such as a garage or warehouse.

Please contact me at or MREUSCH@CLERMONTFL.ORG when you comply, so an inspection to determine compliance can be scheduled.

You are directed to take action by MAY 13TH, 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:



Matthew Reusch
Code Enforcement Officer

Code Enforcement Special Magistrate
City of Clermont

NOTICE OF HEARING

CITY OF CLERMONT,

Petitioner

Case No. C2019-000355

vs.

POP FLORIDA PROPERTIES 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:

July 16th, 2019 at 1:30 pm

at

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

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

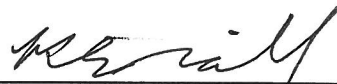
Any letters, lists, pictures of items displayed, presented or handed out at a public meeting for any City Commission, Board, Council or City public meeting, must be left with the recording clerk at the meeting at that time. No cell phone or electronic displays are permitted unless a printed copy is supplied 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, POP FLORIDA PROPERTIES LLC.

Certified Mail/Return Receipt Requested #

9171 9690 0935 0199 6067 38

BY:



, Code Enforcement Officer

this 17th day of June, 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

May 29, 2019

Violation # C2019-000355

To: POP FLORIDA PROPERTIES LLC
4055 VALLEY VIEW LN STE 500
DALLAS, TX 75244

Violation/Property address: 16530 STATE ROAD 50 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 16530 STATE ROAD 50, CLERMONT, FL 34711.

Compliance with the Violation(s) listed will be when the following condition(s) are met: Wind banners are not permitted with the City of Clermont and must be removed. Property has previously been cited for the same violation on 12/10/2018.

Type of Violation: PROHIBITED SIGNS; EXCEPTIONS. SEC. 102-8.(7). WIND SIGNS

IT SHALL BE UNLAWFUL TO ERECT, CAUSE TO BE ERECTED, MAINTAIN OR CAUSE TO BE MAINTAINED ANY SIGN DESCRIBED AS FOLLOWS: SIGNS COMMONLY REFERRED TO AS WIND SIGNS, CONSISTING OF ONE OR MORE PENNANTS, RIBBONS, SPINNERS, STREAMERS OR CAPTIVE BALLOONS, OR OTHER OBJECTS OR MATERIAL FASTENED IN SUCH A MANNER AS TO MOVE UPON BEING SUBJECTED TO PRESSURE BY WIND.

Please contact codeenforcement@clermontfl.org or **352-241-7343** when you comply, so an inspection to determine compliance can be scheduled.

You are directed to take action by **June 12th, 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:



Code Enforcement Officer