



**CODE ENFORCEMENT SPECIAL
MAGISTRATE HEARING
TUESDAY, SEPTEMBER 21, 2021
CITY HALL at 685 WEST MONTROSE STREET
At 1:30 PM**

CALL TO ORDER

SWEARING IN WITNESSES

AGENDA

NEW BUSINESS

Item 1 - C2021-000007

Wallace

Sara Yex

1708 Bella Lago Dr.

REQUEST:

Item 2 - C2017-000484

Wallace

Richard J. Klaas Trust

332 & 334 Palm Lane

REQUEST:

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 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

NOTICE OF HEARING

CITY OF CLERMONT,

Petitioner

vs.

YEX SARA M

Respondent

Case No. C2105-000007

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:

SEPTEMBER 21ST, 2021 @ 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, YEX SARA M. 1708 BELLA LAGO DR. CLERMONT, FL. 34711
Certified Mail/Return Receipt Requested #

BY:



Evie Wallace, Code Enforcement Officer
this 8th day of July, 2021

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 28, 2021

Violation # C2105-000007

To: YEX SARA M
1708 BELLA LAGO DR
CLERMONT, FL 34711

Violation/Property address: 1708 BELLA LAGO DR 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 1708 BELLA LAGO DR. CLERMONT, FL. 34711 **IN REFERENCE TO AN UNPERMITTED SCREENED IN PORCH AND DECK.**

Compliance with the Violation(s) listed will be when the following condition(s) are met: CALL THE PERMIT DPT. AT CITYHALL/ 1ST FLOOR BUILDING SERVICES (352-241-7315) TO SUBMIT PLANS WITH ENGINEERING TO OBTAIN A PERMIT BEFORE BELOW COMPLIANCE DATE.

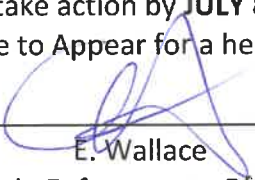
Type of Violation: BUILDING PERMIT REQUIRED SECTION 122-344

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 **JULY 8TH, 2021**. 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.

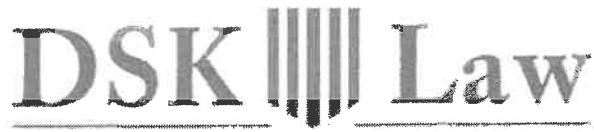
By:



E. Wallace
Code Enforcement Officer

Sec. 122-344. - General development conditions.

- (a) *Building permit required.* 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.



de Beaubien · Simmons · Knight · Mantzaris · Neal
EST. 1976

**Reply to
Orlando**

September 3, 2021

Evie Wallace, Code Enforcement Office
Code Enforcement Officer
685 W. Montrose St.
Clermont, FL 34711

RE: **Richard J. Klaas Trust, Case No.: C2017-000484**

Dear Evie:

Enclosed please an original of a Notice of Hearing and Motion for Authorization to Foreclose on Code Enforcement Lien with regard to the above matter. Copies have been sent to the Respondent.

Very truly yours,

A handwritten signature in cursive script that reads "Veronica Null".

Veronica Null
Legal Assistant to Daniel F. Mantzaris

/vbn

Enclosure

DSKLawGroup.com

332 North Magnolia Avenue, **Orlando**, Florida 32801 | **P: 407-422-2454** | F: 407-849-1845
Orlando | Tampa | Tallahassee | Melbourne

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

**CITY OF CLERMONT,
Petitioner,**

**Case No.: C2017-000484
332 & 334 Palm Lane
Clermont, FL**

VS.

**RICHARD J. KLAAS TRUST,
Respondent.**
_____ /

**NOTICE OF HEARING AND MOTION FOR AUTHORIZATION
TO FORECLOSE ON CODE ENFORCEMENT LIEN**

YOU ARE HEREBY ADVISED that the Code Enforcement Special Magistrate shall conduct a hearing on **September 21, 2021 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 foreclose and execute on the code enforcement lien in this matter.

This Motion is pursuant to Chapter 162, Florida Statutes and the Code Enforcement Special Magistrate Order Imposing Administrative Fine and Creating Lien dated February 20, 2019 and in support thereof, the Petitioner states as follows:

1. By Findings of Fact Conclusions of Law and Order dated April 2, 2018, after due notice to the Respondent, the Clermont Code Enforcement Special Magistrate found that the Respondent was in violation of specified City Codes. Further the Special Magistrate Ordered that the violations be corrected by June 20, 2018 or a fine would accrue in the amount of \$250 per day.

2. The Respondent failed to timely correct the violations and as of the date of this Motion the violations still exist on the property.

3. The Clermont Code Enforcement Special Magistrate issued its Order Imposing Fine and Creating Lien dated February 20, 2019, a copy of that order is attached hereto and incorporated herein.

4. As of the date of this Motion the property remains in non-compliance with City Codes and as of September 2, 2021 the lien has accrued to TWO HUNDRED FIFTY-FOUR THOUSAND DOLLARS (\$254,000) (one thousand sixteen days (1,016) at \$250 per day) and continues to accrue at the rate of TWO HUNDRED FIFTY DOLLARS (\$250) per day.

5. The above-referenced lien remains unpaid for in excess of three months from the date it was created.

WHEREFORE, the City of Clermont requests the Code Enforcement Special Magistrate authorize foreclosure and execution on the subject lien as provided in Chapter 162, Florida Statutes.

I HEREBY CERTIFY that on this ^{30th}2nd day of September 2021, a true and correct copy of this Order has been furnished by certified and regular first-class mail to the Respondent, Richard J. Klaas Trust, 505 7th Street, 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) 992-3541 (Fax)
FBN: 562327

**CODE ENFORCEMENT BOARD OF THE
CITY OF CLERMONT, FLORIDA**

**CITY OF CLERMONT,
Petitioner,**

**Case No: C2017-000484
332 & 334 Palm Lane
CLERMONT, FL**

VS.

**RICHARD J. KLAAS TRUST,
Respondent.**

ORDER IMPOSING ADMINISTRATIVE FINE AND CREATING LIEN

THIS CAUSE came on for public hearing before the Code Enforcement Special Magistrate on November 27, 2018, after due notice to Respondents upon Petitioner's Motion for Order Imposing Fine and Creating Lien, at which time the Special Magistrate noted that Respondent was present and was advised that the Respondent did not timely comply with the Special Magistrate's Order of April 2, 2018.

It is hereby ORDERED THAT:

1. A lien is imposed in the amount of ONE HUNDRED AND THIRTY- ONE THOUSAND AND TWO HUNDRED AND FIFTY DOLLARS (\$131,250) as of November 27, 2018, and shall continue to accrue thereafter at the rate of TWO HUNDRED AND FIFTY DOLLARS (\$250.00) per day until the date that compliance has been documented by the Code Enforcement Officer.

2. This Order shall be recorded in the Public Records of Lake County and thereafter shall constitute a lien against the following described land on which the violation exists and upon any other real or personal property owned by Respondent.

Parcel Id No. 30-22-26-0400000-03700

Alt Key: 1617600

Legal Description:

CLERMONT, CLERMONT HEIGHTS W ½ OF LOTS 37, 38, PB 4 PG 1, ORB 605 PG 1984, ORB 1467 PG 589 AS LISTED IN LAKE COUNTY PUBLIC RECORDS

Case No: C2017-000484

3. This Order shall be in addition to any other Order of this Board Imposing a Fine and Creating a Lien in this matter.

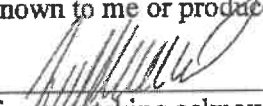
DONE and ORDERED this 20th day of February, 2019



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

STATE OF FLORIDA
COUNTY OF ~~LAKE~~ Brevard
Feb

The foregoing instrument was acknowledged before me this 20 day of February, 2019, by Robert D. Guthrie, as City of Clermont Code Enforcement Special Magistrate who is personally known to me or produced FLDL as identification.


Signature of person taking acknowledgment

Jodylynn Bayard
Name of Officer taking acknowledgment typed,
printed or stamped



Jodylynn Bayard
State of Florida
MY COMMISSION # FF 224845
Expires: April 27, 2019

I HEREBY CERTIFY that on this 25th day of February 2019 a true and correct copy of this Order has been furnished by certified and regular first class mail to the Respondent, Richard J. Klaas Trust, 505 7th Street, Clermont, FL 34711.



Matthew Reusch, Code Enforcement Officer

Veronica Null
DSK Law
332 N. Magnolia Ave.
Orlando, FL 32801



9314 8699 0430 0086 2425 89

RETURN RECEIPT (ELECTRONIC)



Total Postage: \$6.13

vbn/36042
Richard J. Klaas Trust
505 7th Street
Clermont, FL 34711

Reference Number: 36042/2017-000484

City of Clermont

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

VIOLATION NOTICE

March 17, 2021

Violation # C2017-000484

To: RICHARD J KLAAS TRUST
505 7TH ST
CLERMONT, FL 34711

Violation/Property address: 332 PALM LN 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 332 PALM LN. CLERMONT, FL. 34711 IN REFERENCE TO: **PROPERTY HAS UNSAFE CONDITIONS AND WAS DEEMED TO BE UNSAFE BY THE CITY'S BUILDING OFFICIAL. STRUCTURE IS UNINHABITABLE FOR HUMAN OCCUPANCY AND HAS BEEN VACANT FOR YEARS. NO SAFEGUARD MEASURES ARE CURRENTLY IN PLACE AND BEEN OVER A YEAR BEFORE THE LAST SAFEGUARD MEASURES WERE IN PLACE; THEREFORE, THIS PROPERTY HAS BEEN DECLARED A NUISANCE AND STRUCTURE(S) NEED TO BE DEMOED SINCE IT IS DANGEROUS TO THE LIFE, HEALTH, AND SAFETY OF THE PUBLIC.**

Compliance with the Violation(s) listed will be when the following condition(s) are met: SUBMIT PLANS TO THE BUILDING DEPARTMENT (CITY HALL/ 1ST FLOOR PLANNING AND DEVELOPMENT SERVICES 352-394-4083) TO APPLY FOR A DEMOLITION PERMIT/ COMPLIANCE DATE AT BOTTOM OF PAGE. TO SECURE AND SAFEGUARD THIS PROPERTY UNTIL DEMOLITION HAS BEEN COMPLETED/ COMPLIANCE DATE AT BOTTOM OF PAGE. ABATEMENT PAPERWORK IS ATTACHED TO THIS NOTICE. FAILURE TO CORRECT THE VIOLATIONS AND ADHERE TO THE COMPLIANCE CONDITIONS, THIS CASE WILL MOVE FORWARD TO A FUTURE HEARING.

Type of Violation: 302.7 Accessory Structures.

All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

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.

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

4.3 Fractures in masonry or mortar joints

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.

Type of Violation: Fence Maintenance

Section 304.2 Fence Maintenance, "All Exterior surfaces, including but not limited to, doors, window frames and door frames, porches, balconies, decks and fences, shall be maintained in good condition.

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: 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: Sec. 118-35. Maintenance and pruning.

(a)

Maintenance. The owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping, which shall be maintained in good

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.

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 ewallace@clermontfl.org when you comply, so an inspection to determine compliance can be scheduled.

You are directed to take action by SECURE PROPERTY/ APRIL 12TH AND FOR DEMOLITION APPLICATION AND APPROVAL NO LATER THAN BY APRIL 30TH, 2021. 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.

condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris. All required landscaping shall be maintained in perpetuity.

(b)

Replacement. All unhealthy and dead plant material shall be replaced within 30 days in conformance with the approved site/landscaping plan for the property or in conformance with the provisions of this article if an approved plan is not on file with the city. The size of replacement trees shall be as specified in section 118-113(d)(2).

(c)

Pruning. Vegetation and trees required by this Code shall only be pruned to maintain health and vigor. Pruning shall be in accordance with "Standard Practice for Trees, Shrubs and Other Woody Plant Maintenance ANSI 300" of the National Arborist Association. Trees shall not be severely pruned in order to permanently maintain growth at a reduced height or spread. A tree's natural growth habit shall be considered in advance of conflicts which might arise (i.e. view, signage, lighting and similar conflicts). Excessive pruning, hatracking, topping, etc., shall be considered tree abuse and a violation of this Code.

(d)

Violations. A person who violates any provision of this article, and fails to correct the violation as provided herein, may be subject to penalties pursuant to the city Code of Ordinances. Tree abuse offenses shall be considered a separate offense for each tree damaged or destroyed contrary to the provisions of this article.

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:

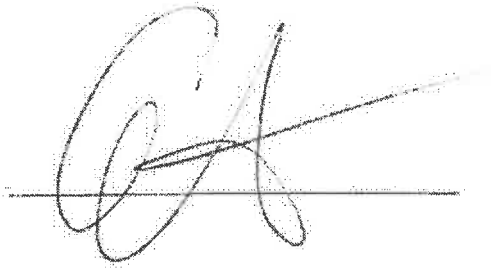
- (1) Weeds. Any weeds such as broom grass, jimson, burdock, ragweed, sandspur or other similar weeds; or any other vegetation, including grass, other than trees, ornamental bushes, flowers or other ornamental plants with a height exceeding 18 inches.
- (2) Refuse. Accumulation of trash, litter, debris, 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. 34-63. NOTICE TO ABATE.

Type of Violation: SEC. 34-64. FAILURE OF OWNER TO COMPLY; LIEN.

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.

A handwritten signature in black ink, appearing to be 'E. Wallace', is written over a horizontal line.

E. WALLACE
CITY OF CLERMONT
CODE ENFORCEMENT OFFICER



City of Clermont

NOTICE OF NUISANCE AND DEMAND TO ABATE NUISANCE ON
PROPERTY LOCATED AT:

332/ 334 Palm Lane CLERMONT, FL 34711

TO: RICHARD J KLAAS TRUST
505 7TH ST
CLERMONT, FL. 34711

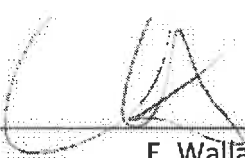
REGARDING: 332/334 PALM LANE CLERMONT, FL. 34711 ALT-KEY# 1617600
PARCEL # 302226040000003700

In accordance with Chapter 34 of the City Code of the City of Clermont, you are hereby advised that a nuisance exists on the above-referenced property as more particularly described in **SECTIONS: UNSAFE STRUCTURE 108.1.1, 108.1.5 DANGEROUS STRUCTURE, 109.1 IMMINENT DANGER, 109.2 TEMPORARY SAFEGUARDS, 109.5 COSTS OF EMERGENCY REPAIRS, 110.1 DEMOLITION 108.6 ABATEMENT METHODS AND SECTIONS 34-61, 34-62 AND 34-63 CREATION OF A NUISANCE BY PROPERTY OWNER DECLARED UNLAWFUL.**

YOU ARE FURTHER ADVISED THAT PURSUANT TO SECTION 34-63 AND SECTION 108.6 OF THE CLERMONT CITY CODE, YOU HAVE TEN (10) DAYS FROM THE DATE BELOW TO ABATE THE ABOVE-REFERENCED NUISANCE AND NO LATER THAN APRIL 30TH TO DEMO STRUCTURE(S) ON PROPERTY. IF YOU FAIL TO TIMELY ABATE THE NUISANCE, THE CITY OF CLERMONT SHALL ENTER UPON THE PROPERTY TO ABATE THE NUISANCE AND A BILL SHALL BE SENT TO YOU FOR THE COST INCURRED BY THE CITY. IF YOU FAIL TO PAY THE BILL WITHIN THIRTY (30) DAYS A LIEN SHALL BE IMPOSED AND ENFORCED AGAINST THE PROPERTY.

Dated this 17TH day of MARCH, 2021.

By:

A handwritten signature in dark ink, appearing to be 'E. Wallace', is written over a horizontal line.

E. Wallace
Code Enforcement Supervisor



City of Clermont AMENDED CODES

NOTICE OF NUISANCE AND DEMAND TO ABATE NUISANCE ON
PROPERTY LOCATED AT:

332/334 Palm Lane CLERMONT, FL 34711

TO: RICHARD J KLAAS TRUST
505 7THST
CLERMONT, FL. 34711

REGARDING: 332/334 Palm Ln CLERMONT, FL. 34711 ALT-KEY# 1617600
PARCEL # 30-22-26-0400-000-03700

In accordance with Chapter 34 of the City Code of the City of Clermont, you are hereby advised that a nuisance exists on the above-referenced property as more particularly described in **SECTIONS: UNSAFE STRUCTURE 111.1.1, DANGEROUS STRUCTURE OR PREMISES 111.1.5, IMMINENT DANGER 112.1, TEMPORARY SAFEGUARDS, 112.2, EMERGENCY REPAIRS 112.4, 112.5 COST OF EMERGENCY REPAIRS, 109.5 AND/OR 111.9 ABATEMENT AND/OR RESTORATION OR ABATEMENT METHODS, DEMOLITION 113.1 AND SECTIONS 34-61, 34-62 AND 34-63 CREATION OF A NUISANCE BY PROPERTY OWNER DECLARED UNLAWFUL.**

AMENDED AND SENT BY CERTIFIED MAIL AND POSTED SINCE A HEARING HAS BEEN SET FOR 9-21-21.

SEE OTHER NOTICES ATTACHED.

Dated this 25TH day of **AUGUST, 2021.**

A handwritten signature in black ink, appearing to be 'E. Wallace', is written over a horizontal line.

E.WALLACE
CITY OF CLERMONT
CODE ENFORCEMENT
352-241-7304
ewallace@clermontfl.org

Code Enforcement Special Magistrate
City of Clermont
NOTICE OF HEARING

CITY OF CLERMONT,

Petitioner

Case No. C2017-000484

vs.

RICHARD J KLAAS TRUST

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:

September 21ST, 2021 at 1:30 p.m.

at

685 West Montrose Street, Clermont, Florida.

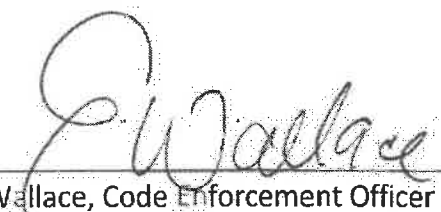
Council Chambers of City Hall

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, RICHARD J KLAAS TRUST. 505 7th St Clermont FL 317
Certified Mail/Return Receipt Requested # 9171 9690 0935 0199 6523 08

BY: _____


Evie Wallace, Code Enforcement Officer
this 26th day of August, 2021

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.

RICHARD J. KCLASS TRUST,

Respondent.

Case No: C2017-000484
332 & 334 Palm Lane
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 **March 20, 2018** and the Special Magistrate having heard sworn testimony and received evidence from **Lori Crain and Evie Wallace, Code Enforcement Officers**, for the City and **Richard Klass** on behalf of Respondent, 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 27, 2017.
- 3) There exists on the property a dwelling unit and structures in severe disrepair..

II. CONCLUSION OF LAW

The Code Enforcement Special Magistrate finds the Respondent, **RICHARD J. KCLASS TRUST**, is in violation of City of Clermont Section 302.7 "Accessory Structures"; Section 304.7 "Roofs and Drainage"; Section 304.1-IPMC "Exterior Structure"; Section 304.2 "Fence Maintenance"; and Section 34-61 "Enumeration of prohibited items, conditions or actions constituting nuisances" Section 301.3 Vacant Structures and Lands, Section 302.4 Weeds, Section 34-62 Creation of Nuisances, Section 122-344 and Section 302 Sanitation, Section 118-35 Maintenance and Pruning.

III. ORDER

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

CASE NO: C2017-000484

- 1) Respondent shall correct the above-stated violation on or before **June 20, 2018** by taking the remedial action as set forth in the Violation Notice dated September 27, 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. Respondent shall call (352) 241-0178 x6624 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 2nd day of ^{April} ~~March~~ 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 ^{April} ~~March~~ 2018, a true and correct copy of this Order has been furnished by certified and regular mail to Respondent, Richard J. Klaas Trust, 505 7th Street, Clermont, FL 34711.


Code Enforcement Officer