

**CITY OF CLERMONT  
MINUTES  
CODE ENFORCEMENT BOARD  
OCTOBER 20, 2015**

The regular meeting of the Code Enforcement Board was called to order on Tuesday, October 20, 2015, at 6:00 p.m. Members attending were Chairman Dave Holt, along with Board members Bill Rini, Alfred Mannella, Chandra Myers, and Harvey Rosenberg. Also attending were Barbara Hollerand, Development Services Director, Evie Wallace, Code Enforcement Supervisor, Lori Crain, Code Enforcement Officer, Dan Mantzaris, City Attorney, and Rae Chidlow, Planning Specialist.

The Pledge of Allegiance was recited.

The minutes from the Code Enforcement Board meeting of September 15, 2015 were approved as written.

Chairman Holt read the Opening Remarks.

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

Chairman Holt gave the floor to Code Enforcement Staff and City Attorney.

City Attorney Mantzaris stated that Case No. 2015-000337 has complied and will not be heard. He stated that Case No. 2015-000097 will be continued to the November 17, 2015 Code Enforcement meeting.

*Board member Mannella made a motion to continue case no. 2015-000097 to the November 17, 2015 Code Enforcement meeting; seconded by Board member Rini. The vote was unanimous to continue the case.*

**CASE NO. 2015-000322**

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

**LOCATION OF VIOLATION:** 690 E. Highway 50, Clermont, FL 34711

**VIOLATION:** Chapter 14 IPMC, Sections 302.7 Accessory Structures; 304.7 Roofs and Drainage; 304.1 Exterior Structure; Chapter 122, Section 122-344

City Attorney Mantzaris introduced the case.

The Respondent was present and was sworn in.

Code Enforcement Officer Crain, who was sworn in, exhibited pictures that are a true and accurate depiction of the condition of the property on the date taken and read the violation, dates, and staff recommendation for the record.

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Attorney Anita Geraci-Carver stated that she is representing the Hurtak Family. She stated that she is requesting the Board not find her client in violation for two reasons: First, the Florida statute requires that if a violation is viewed by the city, they must give the violator a reasonable time to comply. She stated in order to come into compliance her client was to obtain engineered drawings and submit to the city to obtain a permit. She stated that there were a total of 15 days of which only 10 were business days. She stated that they believe this is an unreasonable amount of time. She said the second reason is that Section 94-229 of the city's code allows for emergency work without a permit.

Guy Heard, Advanced Services of Longwood, 129 Robin Road, Altamonte Springs, stated that when the damage was reported, he noticed the fascia was pulling away. He stated that upon assessing the damage, they determined that a lightning rod was improperly installed years ago and there was more damage than originally thought. He stated that it took 10 days to get an engineer to look at the building. He stated that water found its way in and eventually rotted the wood that the fascia was attached to. He stated that it took another three weeks to get engineered drawings. He stated that he called the city to inform them the work was not being done without a permit, but they were only securing the damaged area to prevent further damage.

Ms. Geraci-Carver stated that the work performed was for emergency purposes so that no one would get hurt. She stated that she feels they responded in a reasonable amount of time. She stated that she is asking that the Board find that there is no violation. She stated that a permit has been applied for.

Chairman Holt asked when the fascia was removed.

Mr. Heard stated that is was about a month ago when the engineer stated that he needed to remove the fascia immediately because it could fall.

Chairman Holt asked when the plans were submitted to the city.

Mr. Heard stated that he submitted them October 19, 2015.

Board member Rini asked what work was completed prior to the violation notice.

Mr. Heard stated that he secured the fascia and taped off the area with caution tape.

Ms. Geraci-Carver stated that even if they received notice exactly on August 26 and they had to comply by the compliance date which was September 9, five of those days were a holiday and weekend days, and that allowed 10 business days to get an engineer to come out, draw up plans and submit for a permit. She stated that is an unreasonable amount of time.

Mr. Mantzaris stated that the notice was reasonable, and Mr. Heard stated that it will only take a couple of weeks to make the repairs.

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Board member Rosenberg made a motion to find the Respondent in violation with a fine of \$250 per day for every day past November 30, 2015; seconded by Board member Mannella. The vote was unanimous in favor of finding violation and amount of fine.

**CASE NO. 13-916 & 13-917**

Chinnor Corporation  
P&G Motor Repair LTD.  
201-307 Bloxam Ave.  
309-323 Bloxam Ave.  
Clermont, FL 34711

**LOCATION OF VIOLATION:** 201-323 Bloxam Ave., Clermont, FL 34711

**REQUEST:** Reduction of fines

City Attorney Mantzaris introduced the case.

The Respondent was present and was sworn in.

Woodrow Graham and Sharon Graham were present and sworn in.

Sharon Graham, 11215 Oswalt Rd., stated that they complied by the compliance date and Code Enforcement Officer Suzanne O'Shea had inspected the work and stated that it was good. She stated that they have not heard from the city again until recently. She stated that she did not know that fines were accruing on their property. She stated that they are requesting a waiver of the fines.

Mr. Mantzaris stated that staff recommends reducing the fine to \$250.

Chairman Holt asked the Respondent if they are in agreement with the reduction.

Ms. Graham stated that she feels the fines should be waived because they were in compliance by the compliance date and Code Enforcement Officer O'Shea had done the inspection.

*Board member Myers made a motion to waive the fine for each property; seconded by Board member Rosenberg. The vote was 3-2 in favor of waiving the fine with Board members Mannella and Rini opposing.*

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**CASE NO. 2015-000310**

William Fenn  
415 Rob Roy Dr.  
Clermont, FL 34711

**LOCATION OF VIOLATION:** 415 Rob Roy Dr., Clermont, FL 34711

**VIOLATION:** Chapter 118, Section 118-71 Minimum Tree Requirement; 118-35 Replacement; 118-113 Tree Removal

City Attorney Mantzaris introduced the case.

The Respondent was not present.

Code Enforcement Officer Crain, who was sworn in, exhibited pictures that are a true and accurate depiction of the condition of the property on the date taken and read the violation, dates, and staff recommendation for the record.

Board member Rosenberg made a motion to find the Respondent in violation with a fine of \$100 per day for every day past October 31, 2015; seconded by Board member Myers. The vote was unanimous in favor of finding violation and amount of fine.

**CASE NO. 2015-000312**

Thomas Hodge  
293 Linden St.  
Clermont, FL 34711

**LOCATION OF VIOLATION:** 775 E. Juniata St., Clermont, FL 34711

**REQUEST:** Reduction/Waiver of fines

City Attorney Mantzaris introduced the case.

The Respondent was not present.

Code Enforcement Supervisor Wallace, who was sworn in, exhibited pictures that are a true and accurate depiction of the condition of the property on the date taken and read the violation, dates, and staff recommendation for the record.

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

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Chairman Holt announced that his travels have been interfering with his attendance at meetings and that he will be resigning, effective immediately, after he signs the orders for this meeting.

There being no further business, the meeting was adjourned at 7:29 p.m.

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**Chandra Myers, Vice-Chair**

**Attest:**

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**Rae Chidlow, Code Enforcement Clerk**