



**CODE ENFORCEMENT BOARD MEETING  
MONDAY, MAY 15, 2023  
CITY HALL at 685 WEST MONTROSE STREET  
At 6:00 PM**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**MINUTES**

Approval of the March 20, 2023 Code Enforcement Board meeting minutes

**OPENING STATEMENT**

**SWEARING IN WITNESSES**

**AGENDA**

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**OTHER BUSINESS**

**Item 1 - C2207-0009  
Snodgrass**

Frederick L. Christensen  
591 E. Highway 50

**REQUEST:**

Motion to lien

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**Item 2 - C2204-000001  
Wallace**

Troy White  
1948 Knollcrest Drive

**REQUEST:**

Reduction of Fines

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**NEW BUSINESS**

**Item 3 - C2302-0047  
Cortez**

708 Mace Avenue Owners Corp.  
Rusty Truck  
1800 S. Highway 27

**VIOLATION:**

Section 122-222 Site Plan Review;  
Section 122-223 Permitted Uses; Section  
122-224 Conditional Uses; Section 102-  
7 Exempt Signs; Section 34-95 Prohibit  
Storage of Certain Items; Section 102-8  
(11) Prohibited Signs: Banner Signs;  
Section 118-35 Maintenance and  
Pruning

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**Item 4 - C2304-0046  
Cortez**

David Stevens  
204 N. Bloxam Avenue

**VIOLATION:**

Section 34-95 Prohibit Storage of  
Certain Items

**CODE ENFORCEMENT BOARD MEETING  
MONDAY, MAY 15, 2023  
CITY HALL at 685 WEST MONTROSE STREET  
At 6:00 PM**

\*\*\*\*\*

**Item 5 - C2301-0006**  
**Cortez**

David Stevens  
204 N. Bloxam Avenue

**VIOLATION:**

Section 54-1 Placing Articles or  
Obstructions on Streets or Sidewalks;  
Section 122-183 Permitted Uses: R-3;  
Section 38-4 Parking, Storage of RV  
Used for Sleeping; Section 122-344 (H)  
Unsanitary Occupancies

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**Item 6 - C2212-0021**  
**Cortez**

Evelyn Floyd ET AL  
797 E. Juniata Street

**VIOLATION:**

Section 34-142 Accumulation of Certain  
Materials; Section 34-95 Prohibit  
Storage of Certain Items

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**Item 7 - C2303-0008**  
**Snodgrass**

Matthew Shakaria  
Parcel on 5th Street  
Alternate Key 3621433

**VIOLATION:**

Section 34-61 (1) Weeds; Section 122-  
344 (i) Property Maintenance; Section  
302.4 IPMC Weeds

\*\*\*\*\*

**Nominate Chairman**

**Nominate Vice-Chair**

**ADJOURN**

Any person wishing to appeal any decision made by the Code Enforcement Board 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 352-241-7335.

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  
MINUTES  
CODE ENFORCEMENT BOARD  
March 20, 2023**

Chairman James Johnson called the regular meeting of the Code Enforcement Board to order on Monday, March 20, 2023, at 6:00 p.m. Members attending were Chairman James Johnson along with Board members Sonny Fornoles, Beth Walters, Justin Allender, Chandra Myers, and Paul Duhon. Bryan Bain was not present. Also attending were Evie Wallace, Code Enforcement Manager, Andrew Snodgrass, Jordon Rebando, and Joshua Cortez, Code Enforcement Officers, Curt Henschel, Development Services Director, Patrick Brackins, Code Enforcement Attorney, Patrick Brandt, City Attorney, and Rae Chidlow, Planning Coordinator.

Board member Duhon made a motion to approve the minutes for the January 23, 2023 Code Enforcement meeting; seconded by Board member Allender. The vote was unanimous to approve the minutes.

Chairman Johnson read the Opening Remarks.

Code Enforcement Manager Wallace and Code Enforcement Officers Snodgrass and Cortez, along with any of the public who may testify, were sworn in.

**ITEM 1 - CASE NO. C2111-000009**

Daniel Boyan  
1283 Legendary Blvd.  
Clermont, FL 34711

**LOCATION OF VIOLATION:** 1283 Legendary Blvd.

**REQUEST:** Motion to lien

City Attorney Brandt introduced the case.

The Respondent was present.

Daniel Boyan, 1283 Legendary Blvd, stated that he thought when Lake Construction pulled a permit it was to cover everything.

Chairman Johnson asked if the Respondent was present at the original hearing.

Mr. Boyan stated that he was incarcerated during that time and was in the hospital the last two meetings.

Code Board Attorney Patrick Brackins asked is it the City's contingent that the property is still out of compliance.

Mr. Brandt stated that the property is still out of compliance.

Code Board member Allender asked if the pergola is the only thing out of compliance.

Mr. Brandt stated that the fine is for being out of compliance since May 18, 2022.

**CITY OF CLERMONT  
MINUTES  
CODE ENFORCEMENT BOARD  
March 20, 2023**

Code Board member Duhon ask how much is the fine.

Chairman Johnson stated that the fine amount is \$41550.

Board member Duhon made a motion to lien the property; seconded by Board member Fornoles.  
The vote was unanimous in favor of the lien.

**ITEM 2 - CASE NO. C2021-000031 & C2021-000029**

Richard Klaas

588 & 590 W. Juniata St.

Clermont, FL 34711

**LOCATION OF VIOLATION:** 588 & 590 W. Juniata St.

**REQUEST:** Motion to lien

City Attorney Brandt introduced the case.

The Respondent was present.

Richard Klaas stated that he is caught in the middle due to new owners of the other units. He stated that he gets calls from contractors and no one shows up. He stated that he can't come into compliance until the other units come into compliance.

Board member Duhon made a motion to lien the property; seconded by Board member Allender.  
The vote was unanimous in favor of the lien.

**ITEM 3 - CASE NO. C2302-0075 & C2302-0077**

584 W. Juniata St. LLC

584 & 586 W. Juniata St.

Clermont, FL 34711

**LOCATION OF VIOLATION:** 584 & 586 W. Juniata St.

**VIOLATION:** Section 122-344 Building permit required; Section 34-61 to 34-64 Nuisance and Notice to Abate; IPMC Section 111.1.1 Unsafe structure, 111.8 Prohibited occupancy, Section 111.1.3 Structure unfit for human occupancy

City Attorney Brandt introduced the case.

The Respondent was not present.

Code Enforcement Officer 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 Allender made a motion to find the Respondent in violation, with a fine of \$250 per day for every not in compliance after April 19, 2023 and further find the property constitutes a

**CITY OF CLERMONT  
MINUTES  
CODE ENFORCEMENT BOARD  
March 20, 2023**

serious threat to public safety, health and welfare; seconded by Board member Duhon. The vote was unanimous in favor of finding violation and amount of fine.

**ITEM 4 - CASE NO. C2212-0043**

HPA II Borrower 2020-1 GA LLC  
4235 Fawn Meadow Circle  
Clermont, FL 34711

**LOCATION OF VIOLATION:** 4235 Fawn Meadow Circle

**VIOLATION:** Section 118-111 Tree removal permit

City Attorney Brandt introduced the case.

The Respondent was present.

Code Enforcement Officer Snodgrass, 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. He stated that the permit has been applied for and the property is in compliance.

Attorney Brian Chase, representing HPA II Borrower 2020-1 GA LLC, stated that there is no doubt that the tree was removed with no permit. He stated his client hired a local company who should know the local laws and assumed they were to pull the permit. He stated that apparently this company did not know. He stated that the tree company went to pull the permit and did not know that a site plan was required for the permit. He stated that they also put the wrong address. He stated that the permit has been pulled at this time, however the company pulled the permit too late so now they are here for a code enforcement case. He stated that he is asking to not be labeled so that in the future they are not considered as a repeat offender.

Jennifer Rivers, for the HOA, stated that the tree is removed and the process to get to this point started in August of 2022. She stated that at this point they have 8 violations against this group. She stated that 4 of them are in the intent to lien stage. She stated that this group constantly blame the contractors. She stated that she has been in contact with PPM Landscaping and she was told that they were only allowed so much to complete the tree removal. She stated that the owners use every cost cutting method they can to do the work. She stated that they are still not in compliance with the HOA as well.

Mr. Brackins stated that when the Board makes their decision it is to be based on the violation presented by the City, not the violations against the HOA.

Board member Duhon made a motion to find the Respondent in violation and if the Respondent repeats the violation they will be found in repeat violation, with no fine at this time; seconded by Board member Allender. The vote was unanimous in favor of finding violation and amount of fine.

**CITY OF CLERMONT  
MINUTES  
CODE ENFORCEMENT BOARD  
March 20, 2023**

**ITEM 5 - CASE NO. C2211-0005**

South Lake Presbyterian  
131 Chestnut Street  
Clermont, FL 34711

**LOCATION OF VIOLATION:** 131 Chestnut Street

**VIOLATION:** Section 34-95 Prohibit storage of certain items

City Attorney Brandt introduced the case.

The Respondent was present.

Code Enforcement Officer Snodgrass, 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.

Reverend Drew Marshall stated that both vehicles were donated to the church and for some reason neither were able to have anything done to them immediately. He stated that the black Honda did have a current tag until the 4<sup>th</sup> of November. He stated that he apologizes that it took so long to take care of these vehicles.

Code Board member Myers asked if you have evidence of the current tag.

Reverend Marshall stated that in the photo the tag was current. He stated that both cars have been removed.

Board member Allender made a motion to find that the Respondent was in violation, and further order that if Respondent repeats the violation the Respondent may be brought back before the Board as a repeat violation; seconded by Board member Duhon. The vote was unanimous in favor of finding the violation.

City Attorney Brandt stated that Item number 7, case number C2208-0002, and Item number 9, case number C2210-0069 is in compliance and will not be heard.

**ITEM 10 - CASE NO. C2212-0033**

Evelyn Charles  
3301 White Blossom Lane  
Clermont, FL 34711

**LOCATION OF VIOLATION:** 3301 White Blossom Lane

**VIOLATION:** Section 122-344 Building permit required

City Attorney Brandt introduced the case.

The Respondent was present.

**CITY OF CLERMONT  
MINUTES  
CODE ENFORCEMENT BOARD  
March 20, 2023**

Code Enforcement Officer Cortez, 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.

Evelyn Charles, 3301 White Blossom Lane, stated that the when a storm comes she has to replace the screen. She stated that she was told she did not need a permit because she already had the screen room. She stated that every time she submitted to the city she was told she needs to get with an architect. She stated that she is working on obtaining the permit.

Code Board member Board Myers asked that she didn't know she had to have a permit.

Ms. Charles stated that the HOA told her she didn't need permit because the screen porch already existed.

Chairman Johnson asked if it would take more than a month to get the permit.

Ms. Charles stated that depends on the review and communication.

Code Board Member Fornoles asked who constructed the porch.

Ms. Charles stated that her husband, brother, and brother-in-law built it.

Board member Allender is asking if 30 days is long enough and stated he would be willing to extend it to 60 days.

Board member Allender made a motion to find that the Respondent was in violation and assessed a fine of \$150 per day for every day in violation after May 19, 2023; seconded by Board member Bain. The vote was unanimous in favor of finding the violation and assessing the fine.

**ITEM 6 - CASE NO. C2301-0017**

Barbara Driver  
1982 Brantley Circle  
Clermont, FL 34711

**LOCATION OF VIOLATION:** 1982 Brantley Circle

**VIOLATION:** Section 34-142 Accumulation of certain materials; Section 122-344 Building permit required; Section 94-199 Required soil conservation measures; Section 50-36 Special refuse; Section 112 IPMC – Stop work order

City Attorney Brandt introduced the case.

The Respondent was not present.

**CITY OF CLERMONT  
MINUTES  
CODE ENFORCEMENT BOARD  
March 20, 2023**

Code Enforcement Officer Cortez, 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 Duhon made a motion to find the Respondent in violation, with a fine of \$150 per day for every day the property is out of compliance past April 19, 2023; seconded by Board member Myers. The vote was unanimous in favor of finding violation and amount of fine.

**ITEM 8 - CASE NO. C2212-0001**

Karlton R. Tillman ET AL

732 4<sup>th</sup> Street

Clermont, FL 34711

**LOCATION OF VIOLATION:** 732 4<sup>th</sup> Street

**VIOLATION:** Section 122-344 Building permit required

City Attorney Brandt introduced the case.

The Respondent was not present.

Code Enforcement Officer Cortez, 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 Duhon made a motion to find the Respondent in violation, with a fine of \$150 per day for every day the property is out of compliance past April 19, 2023; seconded by Board member Allender. The vote was unanimous in favor of finding violation and amount of fine.

Code Enforcement Attorney Patrick Brackins presented the annual training packet for the Board Members.

There being no further business, the meeting was adjourned at 7:53 p.m.

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James Johnson, Chairman

Attest:

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Rae Chidlow, Code Enforcement Clerk

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

**CITY OF CLERMONT**

**Petitioner,**

**Case No: C2207-0009  
591 East State Road 50  
Clermont, Florida**

**vs.**

**CHRISTENSEN FREDRICK L.  
Trustee**

**Respondent.**

\_\_\_\_\_ /

**FINDINGS OF FACT, CONCLUSION OF LAW and ORDER**

THIS MATTER came before the Code Enforcement Board of the City of Clermont for hearing on **September 19, 2022**, and the Board having heard sworn testimony and received evidence from **Andrew Snodgrass, Code Enforcement Officer** for the City and having noted that Respondent 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 Notice of Violation dated July 18, 2022.
- 3) There exists on the property an unlawful nuisance consisting of prohibited storage of tires.

**II. CONCLUSION OF LAW**

The Code Enforcement Board finds the Respondent, **Frederick L Christensen Trustee**, is in violation of Clermont **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, Section 34-95 Prohibition of Storage of Certain Items**

**III. ORDER**

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

1. Respondent shall correct the above-stated violation on or before **October 3, 2022**, by taking the remedial action as set forth in the Violation Notices dated July 18, 2022. If the Respondents fail to timely correct the violations a fine of **TWO HUNDRED FIFTY DOLLARS (\$250.00)** will accrue for each day the violation continues past **October 3, 2022**.

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 violation has been brought into compliance with the City Code Sections as cited above. Respondent shall call (352) 241-7303 to request an inspection.

Done and Ordered this 12 day of October 2022.

  
James Johnson, Chairman

**An aggrieved party, including the City Council of the City of Clermont, may appeal a final administrative order of the Code Enforcement Board 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 12 day of October, 2022, a true and correct copy of this Order has been furnished by certified and regular mail to Respondent, Fredrick L Christensen Trustee, 8719 Kenmure Cv, Orlando, FL 32836.

9171 9690 0935 0291 7257 57

  
Code Enforcement Officer

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

**CITY OF CLERMONT**

**Petitioner,**

**Case No: C2207-0009  
591 East Hwy 50  
Clermont, Florida 34711**

**vs.**

**FREDERICK L. CHRISTENSEN  
TRUSTEE,**

**Respondent.**

\_\_\_\_\_ /

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

YOU ARE HEREBY ADVISED that the Code Enforcement Board shall conduct a hearing on **MAY 15, 2023, at 6:00 p.m. in the Council Chambers, City Hall, 685 West Montrose Street, Clermont, Florida**, to consider Petitioner's request as set forth below for authorization to impose a fine and create a code enforcement lien in this matter.

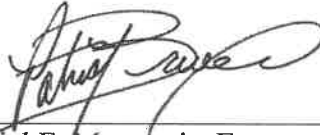
This motion is pursuant to Chapter 162, Florida Statutes. At the SEPTEMBER 19, 2022 public hearing of The City of Clermont Code Enforcement Board, Findings of Fact, Conclusion of Law and Order were issued finding that a violation of Clermont City Code, Section 34-61 Enumeration of Prohibited Items, Conditions, or Actions Constituting Nuisances, Section 34-62 Creation or Maintenance of Nuisance by Property Owner Declared Unlawful, Section 34-95 Prohibition of Storage of Certain Items existed on the property located at **591 East Hwy 50, Clermont, Florida 34711**.

The order dated OCTOBER 12, 2022 provided a fine would accrue in the amount of TWO HUNDRED FIFTY DOLLARS (\$250.00) per day, for each day the violations continue past OCTOBER 3, 2022. That an inspection was performed on October 6, 2022 and found that the ordered corrective action was completed. That in accordance with the Board's order, the fine accrued from October 4, 2022 until October 5, 2022 for the time the property was not in compliance. That a fine in the amount of FIVE HUNDRED DOLLARS (\$500.00) is therefore due and owing on the property.

WHEREFORE, the City of Clermont requests the Code Enforcement Board

enter an Order Imposing Administrative Fine and Creating Lien in the amount of FIVE HUNDRED DOLLARS (\$500.00) as provided in Chapter 162, Florida Statutes.

I HEREBY CERTIFY that on this \_\_\_\_\_ day of APRIL 2023, a true and correct copy of this Order has been furnished by certified and regular U.S. mail to Respondent, FREDERICK L. CHRISTENSEN TRUSTEE, 8719 KENMURE CV, ORLANDO, FL 32836.



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Daniel F. Mantzaris, Esq.

FBN: 562327

Clermont City Attorney

Patrick Brandt, Esq.

FBN: 115325

DeBeaubien, Simmons, Knight,

Mantzaris & Neal, LLP

P.O. Box 87

Orlando, FL 32802

(407) 422-2454 / (407) 992-3541 (Fax)

# City of Clermont

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

## AFFIDAVIT OF COMPLIANCE

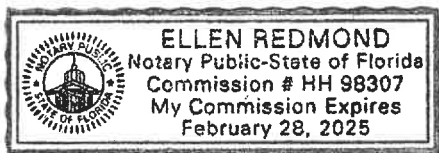
In the matter of:

Case # C2207-0009 Christensen Frederick L Truste  
591 East Hwy 50  
Clermont, Fl. 34711

Personally appeared before me, Andrew Snodgrass Code Enforcement Officer of  
the City of Clermont:

1. That on September 19, 2022, the Code Enforcement Board held a public hearing and issued an Order in the abovementioned case.
2. That, pursuant to said Order, the Respondent was to have taken certain corrective action by or before October 3, 2022 for this violation or a \$250.00 per day fine was to be imposed.
3. Total amount of fine is \$500.00
4. That, an inspection was performed on October 6, 2022 and found that the corrective action ordered by the Board was completed.
5. In accordance with the Board's order, a fine of \$250.00 per day accrued from October 4, 2022 to October 5, 2022 for the time the property was not in compliance.
6. The total amount of the fine must be paid in order to close the case and avoid a lien in the amount of the fines.

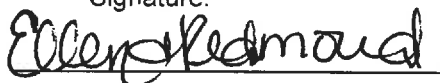
Sworn to and subscribed before me this 7<sup>th</sup> day of October 2022.



  
Andrew Snodgrass  
Code Enforcement Officer  
City of Clermont, 685 W. Montrose Street  
Clermont, FL

The forgoing instrument was acknowledged before me this 7<sup>th</sup> day of October 2022,  
by Andrew Snodgrass as a Code Enforcement Officer for the City of Clermont, who is personally  
known to me and who did take an oath

Signature:



Printed Name:

Ellen Redmond

## Evie Wallace

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**From:** seema lall <justinseema@yahoo.com>  
**Sent:** Monday, April 24, 2023 4:00 PM  
**To:** Evie Wallace  
**Subject:** Re: C2204-000001 1948 KNOLLCREST DR

[Sent from Yahoo for iPhone](#)

On Tuesday, April 18, 2023, 4:37 PM, Evie Wallace <ewallace@clermontfl.org> wrote:

Good afternoon, Seema,

Per our conversation, you are requesting a reduction of fine amount due to being in compliance since May 16<sup>th</sup>, 2022. I understand this past year there were family medical emergencies and today you reached out to me to get a closure in this case.

The next hearing for your Fine Reduction case to be heard will be on May 15<sup>th</sup>, 2023. I will be having a meeting with our City Attorney next Tuesday and would like to introduce this information to him.

Please have the following information to me no later than by this Friday.

Your reasoning for the reduction.

How much will you like to see it reduced to.

We will afford you the opportunity for staff to review your response and it is ultimately up to the code enforcement board to agree. Should the board not agree to the reduction the outstanding fine amount will need to be paid or a lien can be possibly placed against your property.

Thanks in advance and email me your response again no later than Friday.

Evie



**Evie Wallace**  
**Code Enforcement Manager**  
685 W. Montrose St., Clermont, FL 34711  
Tel 352-241-7304 | Fax 352-394-3542  
[ewallace@clermontfl.org](mailto:ewallace@clermontfl.org)  
[www.ClermontFL.gov](http://www.ClermontFL.gov)

*Our mission: To preserve and enhance the quality of life for the  
Clermont community by providing exceptional services.*

Under Florida law, email addresses and written correspondence with the city become public record and must be made available to the public and media upon request (unless otherwise exempt). If you do not want your email address to be public record, please contact our office by phone.

**“ Please be advised that as of July 1<sup>st</sup>, 2021, Florida State Statute prohibits code enforcement from initiating investigations of potential violations of codes and ordinances by way of anonymous complaints. If you wish to leave a code complaint to be investigated, you must provide your name and address per Florida state law.”**

Hi ms Wallace

Per our conversation I'm requesting a reduction of fines amount due to being in compliance 1 year now please help me with this case I had some medical emergency for the past few months and I would like to request a payment plan also thank you for your understanding and patience

Seema Lall

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Website: <https://www.clermontfl.gov/>

PLEASE NOTE: Under Florida law, e-mail addresses are public records. If you do not want your



## City of Clermont

City of Clermont, Code Enforcement Division

October 5<sup>th</sup>, 2022

In the matter of:  
Case #C2204-000001  
Troy White  
1948 Knollcrest Drive  
Clermont, FL. 34711

Good afternoon,

Please contact me regarding the outstanding fine from above code case against this property and requesting a fine reduction. Mrs. White advised me in September that she would like to attend the next hearing to speak to the board about this case and request a reduction of the fine amount due since the property is still in compliance.

In order to request the fine reduction your case would have to be in the next agenda, which is in January.

**Please contact me to confirm your attendance and I will then provide you the date and time for the January hearing to present your case and ask for this reduction to the board.**

Professionally,

*Evie Wallace*, **Code Enforcement Supervisor**

**685 W. Montrose Street  
Clermont, FL. 34711  
[ewallace@clermontfl.org](mailto:ewallace@clermontfl.org)  
352-241-0178**





## City of Clermont

To: Troy White  
1948 Knollcrest Drive  
Clermont, FL. 34711  
Case # C2204-000001

6-22-21

Dear Mr. White,

This is to advise you that an outstanding Code Enforcement fine remains on your property. The abovementioned Code Enforcement case has not been closed due to the outstanding fine that remains on the property.

In order to close this case you are requested to:

1. Submit full payment by mail for fine amount of **(\$2,500.00)** to the City of Clermont for the Planning & Development Department/ Code Enforcement Division at 685 West Montrose Street, Clermont, FL. 34711 before **August 22nd, 2022**.

### OR

2. Appear before the Code Enforcement Board Hearing on **September 19th, 2022** at 6:00pm to request adjustment of fines. You are required to submit a letter requesting to appear before the hearing no later than **August 19th, 2022**. Please include the case information above and reason of reduction when submitting your letter. Please send the fine reduction request to said code enforcement manager below via email or by mail.

**Failure to comply with this request will result in this case being scheduled before the Code Enforcement Board hearing on a later date, in which the City will request a lien be recorded against the property.**

Thank you for your attention to this matter.

Sincerely,

*Evie Wallace*, **Code Enforcement Manager**

**685. W. Montrose St.**

**Clermont, FL. 34711**

**[ewallace@clermontfl.org](mailto:ewallace@clermontfl.org)**

**352-241-7304**



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

**CITY OF CLERMONT**

**Case No: C2204-000001**

**Petitioner,**

**1948 Knollcrest Drive**

**Clermont, Florida**

**vs.**

**TROY WHITE and SEEMA N. LALL,**

**Respondents.**

**FINDINGS OF FACT, CONCLUSION OF LAW and ORDER  
OF REPEAT VIOLATION**

THIS MATTER came before the Code Enforcement Board of the City of Clermont for hearing on **May 16, 2022** and the Board having heard sworn testimony and received evidence from **Evie Wallace, Code Enforcement Officer**, Respondent **Troy White** and **Jarod Taylor**, Homeowners Association President, 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, **TROY WHITE and SEEMA N. LALL**, are the owners and are in custody and control of the property described in the Repeat Violation Notice dated May 3, 2022.
- 3) On April 2, 2022, April 24, 25,30, 2022 and May 1, 2022 there existed on or adjacent to the property a truck in excess of 15,000 lbs and owned, operated or in the custody of Respondent Troy White. and trailer parked in a residential area.
- 4) The above-stated conditions constitute a repeat violation of the August 16, 2018, Findings of Fact, Conclusion of Law and Order of the Code Enforcement Special Magistrate.

**II. CONCLUSION OF LAW**

The Code Enforcement Board finds the Respondents, **TROY E. WHITE and SEMMA N. LALL**, was in repeat violation of Section 62-33 "Truck and trailer parking prohibited in residential areas".

III. ORDER

Based on the above-stated findings and conclusion of law, it is hereby Ordered that by virtue of the above-stated repeat violation Respondents a fine is hereby assessed in the amount of FIVE HUNDRED DOLLARS (\$500) for each of the five (5) days that the violation was repeated for a total assessed fine of **TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00)**.

Done and Ordered this 31<sup>st</sup> day of May 2022.

J. Johnson  
James Johnson, Chairman

**An aggrieved party, including the City Council of the City of Clermont, may appeal a final administrative order of the Code Enforcement Board 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 31<sup>st</sup> day of May 2022, a true and correct copy of this Order has been furnished by certified and regular mail to the Respondents, Troy E. White and Seema N. Lall, 1948 Knollcrest Drive, Clermont, FL 34711.

E. Wallace  
Code Enforcement Officer

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

**VIOLATION NOTICE**

**February 24, 2023**

**Violation # C2302-0047**

**To:** 708 MACE AVENUE OWNERS CORP  
708 MACE AVE  
BRONX, NY 10467

**Violation/Property address:** 1800 S US HIGHWAY 27 CLERMONT FL, 34711(ALT KEY:3773952)

**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 S US HIGHWAY 27 CLERMONT FL, 34711(ALT KEY:3773952).

**Compliance with the Violation(s) listed will be when the following condition(s) are met: BANNER SIGN MUST BE REMOVED. DISABLED VEHICLE (RUSTY ANTIQUE TRUCK) MUST BE REMOVED OR APPLY FOR AND OBTAIN VARIANCE APPROVAL. BEACH CHAIR IN FRONT OF PROPERTY MUST BE REMOVED OR APPLY FOR AND OBTAIN VARIANCE APPROVAL. THE FLAGS IN FRONT OF THE BUSINESS NEAR THE STREET MUST BE REMOVED AS THEY DO NOT MEET THE REQUIREMENTS OF SECTION 102-7 CITED BELOW. THE REQUIRED SHRUBBERY/ PLANTS ETC THAT ARE REQUIRED PER THE SITE PLAN ARE NOT SUFFICIENT OR MISSING ENTIRELY AND WILL NEED TO BE PLANTED TO MEET THE SITE PLAN REQUIREMENTS AND SECTION 118-35 CITED BELOW. FOR QUESTIONS OF WHAT IS REQUIRED PER SITE PLAN OR FOR VARIANCES CONTACT PLANNING AND ZONING 352-241-7309.**

**Type of Violation: Other Violations**

Sec. 122-222. - Site plan review.

A site plan is required for uses in the C-2 district and must be approved by the administrative official.

(Code 1998, § 122-222; Ord. No. 281-C, § 1(ch. 7), 11-8-1994)

**Type of Violation: Other Violations**

Sec. 122-223. - Permitted uses.

modified(a)Generally. Permitted uses in the C-2 district are as follows:(1)Retail businesses: Any retail business or service, including the sale of goods and services for resale, as long as it is incidental to and in conjunction with a retail business.(2)Personal service establishments, such as but not limited to beauty shops or barber shops, tailor or dressmaking shops, shoe repair, music, dancing and photographic studios and dry cleaning establishments. Permanent makeup service may be allowed as an accessory use; with a business tax receipt and with medical supervision, within an existing salon, beauty shop, barber shop, medical office, or similar use. Such service shall be limited to the face area and would consist of cosmetic permanent makeup for eyeliner, eyebrow and mouth/lip liner definition.(3)Professional offices, doctors' offices, banks, loan companies, insurance and real estate offices, and similar businesses.(4)Recreation facilities, theaters, including drive-ins, bowling alleys, skating rinks, billiard halls, miniature golf courses, driving ranges and tourist attractions.(5)Restaurants and lounges.(6)Buildings, structures or uses maintained or operated by the city.(7)No retail establishment may occupy more than 100,000 square feet.(8)Lodges and clubs.(9)Laundries.(10)Hotels and motels.(11)Convenience stores and gas stations.(12)Shopping centers; Any group of businesses with shared parking or in which the total land area of the development is less than ten acres.(13)Nursery schools, kindergartens or child care centers; provided the

outdoor play area is enclosed by a fence at least four feet high and all state requirements are met.(14)Medical marijuana dispensaries.(b)Floor space. Any business establishment or structure proposing to occupy more than 20,000 square feet of floor space shall require a conditional use permit. The floor area ratio for any structure shall not exceed that identified by policies of the adopted comprehensive plan.(c)Uses to be enclosed; outdoor storage. All uses must be conducted within a completely enclosed building; except for outdoor storage, which must be screened from a public street and adjacent property.(d)Sidewalk use. Restaurant or food service business establishments may utilize the outside private sidewalk area adjacent to the business for patron use, to include non-fastened small tables and chairs or benches during business hours only. Businesses which utilize this type of sidewalk use shall maintain at least a four-foot wide open area for passage from one property to the next, from the inside of any curb toward the business front, and in accordance with the Americans with Disabilities Act. Where such four-foot open space is not available, table or chairs shall not be allowed. All such uses shall be approved by the applicable city administrator. Number and size limitations are as follows:

(1)Limited to 50 percent of restaurant frontage as approved by the development services department.(2)Maximum number of tables and chairs; four tables with a maximum of four chairs each.(3)Maximum table width; four feet.(4)Umbrellas may be utilized provided they adhere to the four-foot clearance for Americans with Disabilities Act access and do not have any advertising.(e)Restaurants or similar food service business establishments with larger outdoor seating area available that can be isolated may be permitted with the following provisions:(1)Site plan approval is required by the site review committee. Location and any separation from other uses; sidewalks, parking, and landscape for example, must be demonstrated and maintained.(2)Outdoor seating cannot exceed more than half the total square feet or number of seats, whichever is less, of the indoor seating area.(3)All sidewalks and pedestrian access areas shall maintain Americans with Disabilities Act accessibility.(4)No advertising shall be permitted on table umbrellas or fencing material unless approved by the city administrative official.(5)Required landscaping must be maintained in accordance with the city Land Development Code. (Code 1998, § 122-223; Ord. No. 281-C, § 1(ch. 7), 11-8-1994; Ord. No. 292-C, § II, 4-13-1999; Ord. No. 299-C, § 2, 6-27-2000; Ord. No. 2010-05-C, § 2, 3-23-2010; Ord. No. 2013-04 , § 2, 2-26-2013; Ord. No. 2016-27 , § 2, 6-28-2016; Ord. No. 2020-25 , § 4, 7-14-2020)

**Type of Violation: Other Violations**

Sec. 122-224. - Conditional uses.

(a)Conditional uses in the C-2 district are as follows:(1)Manufacturing, provided such manufacturing employs not more than five persons and is incidental, complementary to, and in conjunction with a retail business or service.(2)Residential storage warehouses where storage facility uses are exclusively for storing excess personal property generally stored in residential accessory buildings. This shall not include the storage of manufacturing or commercial products.(3)Shopping centers; any group of businesses with shared parking or in which the total land area of the development is ten acres or more.(4)Agricultural service operations.(5)Public or semipublic facilities or structures not operated by the city and not listed as a permitted use.(6)Utility facilities; such as electric transformers, gas regulator stations, and so forth.(7)Recreational vehicle parks.(8)Hospitals, clinics, and nursing homes.(9)Automobile and truck repair garages; and painting, welding and body shops.(10)Dwelling units, provided that the requirements

of the R-3 zone are met, mobile home parks per article V of this chapter, and planned unit developments per article IV of this chapter.(11)Kennels or veterinary clinics, provided that all animal services and confinement areas; including runs, are in air conditioned and sound-attenuated buildings.(12)Churches, funeral homes and cemeteries.(13)Retail establishments more than 100,000 square feet.(14)Private schools.(15)Bus terminals, major equipment sales, manufactured housing sales, travel trailer and recreational vehicle sales.(16)Bed and breakfast inns.(17)Automobile and truck services, carwashes, and automobile, truck, boat and farm equipment sales.(b)In case of uncertainty of the classification of any use, uses may be permitted which; after consideration by the planning and zoning commission and approval of the city council, are not more obnoxious to the district than the uses provided in this section. All conditional uses must be provided per chapter 86, article III, division 3.

(Code 1998, § 122-224; Ord. No. 281-C, § 1(ch. 7), 11-8-1994; Ord. No. 292-C, § III, 4-13-1999; Ord. No. 294-C, § 2, 9-28-1999; Ord. No. 299-C, § 2, 6-27-2000; Ord. No. 333-C, § 4, 3-23-2004; Ord. No. 2013-04 , § 2, 2-26-2013; Ord. No. 2016-27 , § 2, 6-28-2016)

**Type of Violation: Other Violations**

Sec. 102-7. - Exempt signs.

The following signs are exempt from the permit requirements of this chapter, provided they are not placed or constructed so as to create a hazard of any kind. The following signs must still meet applicable construction and electrical standards required by city, state or other appropriate agency codes:

(14)The flying of national, state, city or corporate flags; provided that such flags shall not be used in such a manner as to attract attention for commercial purposes.a.Number. There shall be no more than three flags displayed on any one parcel of land or commercial development. Flags may include the United States flag, corporate or promotional flag and other flags from state or local governments. No flag may exceed the height or size of the United States flag. Government flags are recommended to conform to the United States Flag Code, Public Law 344, 36 USC 171—178.b.Size and placement. The size of the flag, whether on flagpole or flagstaff; shall in accordance with the chart below. Flags shall be set back at least five feet from all property lines and only be displayed from a flagpole or flagstaff; the placement on or attached to fences, other signs, and so forth, shall not be permitted. Government flags are recommended to conform to the United States Flag Code, Public Law, 344, 36 USC 171—178.

**Type of Violation: Prohibit storage of certain items Section 34-95**

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, scraps metal or junk. A vehicle that does not have a current and valid motor vehicle license tag shall be presumed to be non operative. Storage of untagged vehicles, boats, or similar items shall be allowed if contained within an enclosed structure such as a garage or warehouse.

**Type of Violation: PROHIBITED SIGNS; EXCEPTIONS. SEC. 102-8.(11). BANNER SIGNS**

"Sec. 102-8. - Prohibited signs; exceptions.

It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained any sign described as follows: (11)Banner signs, except for the following:

a.Those of a temporary nature which is are incidental to a convention, nonprofit or noncommercial venture and are approved by the city administrative official. These types of banner signs shall not exceed 32 square feet in size. They must also be placed on the

parcel of land where the event is to be held or on a location approved by the city administrative official. Banners cannot be connected in any fashion to landscaping, retaining walls, fences or light poles. Banner signs shall only be allowed for 30 days. An application and site plan must be submitted to the planning & zoning department two weeks prior to the event for approval by the city administrative official.

b. Residential subdivisions and apartment complexes may display two flag banners at the entrance to the subdivision or complex and one flag banner at each model home or apartment building limited to 16 square feet and to be displayed only during the time the model homes or apartments are open for inspection.

c. Permanent, non-illuminated signs on fabric canopies in place of marquee signs. Banner signs may not be placed across any street or thoroughfare.

d. One grand opening signage proposal is allowed according to the following restrictions:

1. One sign or banner per new business within the first 30 days of opening with application and city approval.
2. Multi-tenant developments must submit a grand opening package and application for city approval.
3. One sign or banner per project outparcel.
4. One ten-day period.
5. One 24-square foot maximum sign or banner area.
6. Sign or banner are temporarily permitted and are to be installed by the owner or agent of the property or business.
7. Sign or banner must adhere to all other applicable regulations with this chapter.
8. Banners may be attached temporarily to the building provided they do not interfere with pedestrian access.
9. Signs or banners cannot be connected in any fashion to landscaping, retaining walls, fences, light poles or flag poles.
10. Grand opening signage under this section shall only be allowed for a verified new business as established through a new business tax receipt, change of business, or change in ownership as established through the state department of state, division of corporations.
11. Grand opening proposal must be reviewed, approved and permitted by the planning & zoning department under a promotional activity permit prior to any sign or banner being installed.
12. Banners or signs placed across any street or other public way or premises without first having obtained written approval of the administrative official.

**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 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.

If you have any questions concerning this matter, please contact me at (352)-241-7356 or [jcortez@clermontfl.org](mailto:jcortez@clermontfl.org). Also, when you comply, please contact me so an inspection to determine compliance can be scheduled.

**You are directed to take action by 4/10/2023** . Failure to remedy the violation within the allotted time will result in a Notice to Appear for a hearing before the Code Enforcement Board.

By:

  
\_\_\_\_\_  
JOSHUA CORTEZ  
Code Enforcement Officer

**CITY OF CLERMONT  
CODE ENFORCEMENT DEPARTMENT**

**AFFIDAVIT OF POSTING**

CITY OF CLERMONT  
Petitioner

CASE# C2302-0047

VS.

708 MACE AVENUE OWNERS CORP  
Respondent

Personally appeared before me, Joshua Cortez, Code Enforcement Officer of the City of Clermont:

That a copy of the Violation Notice was posted at the south public entrance of Clermont City Hall, 685 W. Montrose Street, Clermont, FL 34711, in addition to the real property known Address 1800 S US HIGHWAY 27 CLERMONT FL, 34711, on the 11th day of April 2023.

Sworn to and subscribed before me this 11th day of April 2023.



  
\_\_\_\_\_  
Joshua Cortez  
Code Enforcement Officer  
City of Clermont, 685 W. Montrose Street  
Clermont, FL

The forgoing instrument was acknowledged before me this 11th day of April, 2023, by Joshua Cortez as the Code Enforcement Officer for the City of Clermont, who is personally known to me and who did take an oath.

Signature:



Printed Name:

Ellen Redmond

*City of Clermont*  
**MINUTES**  
**REGULAR COUNCIL MEETING**  
**March 10, 2020**

The City Council met in a regular meeting on Tuesday, March 10, 2020 in the Clermont City Council Chambers. Mayor Ash called the meeting to order at 6:30 pm with the following Council Members present: Council Members Brishke, Travis, Bates, and Purvis. Other City officials present were Interim Assistant City Manager Dauderis, City Attorney Mantzaris, and City Clerk Howe.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Pastor Dawn Carter of First United Methodist Church gave the invocation which was followed by the Pledge of Allegiance.

**PRESENTATIONS**

**Winter Citizens Academy Graduation**

Jennifer Clutts, Communications Coordinator, recognized the 2020 Winter Citizens Academy graduates.

Mayor Ash commented she attended the graduation at the Arts & Recreation Center. There were thirty (30) graduates.

**Excellence in Financial Reporting Award FY 2018**

Mayor Ash presented the GFOA Excellence in Reporting Award for FY 2018. This is the 31<sup>st</sup> consecutive year the city has received this award. Finance Director Brosonski introduced staff present.

**Quarterly Budget Presentation**

Finance Director Brosonski presented the highlights of the quarterly budget report for October 1, 2019 – December 31, 2019. The report presents an overview of the city's revenues, expenditures and key department statistics for the FY 2020. She reviewed the top 10 revenues, major fund revenues and expenditures, departmental expenditures, and major fund surplus/deficit. She was available for questions.

**PUBLIC COMMENTS**

Mayor Ash opened the floor for comments from the public; seeing none the floor was again closed.

**REPORTS**

**CITY MANAGER**

Interim Assistant City Manager Dauderis provided the report as City Manager Gray was in Tallahassee. She gave an update on the Coronavirus and on how the city is addressing it.

She reminded the City Council that there is a workshop scheduled on March 17 at 6:30pm.

**CITY ATTORNEY**

No report was provided.

**CITY COUNCIL**

Council Member Bates

- Provided an update that the Florida House and Senate agreed to a \$370,000,000 budget towards affordable housing initiatives. He is hoping the Governor will sign off on it.

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**Council Member Purvis**

- No report provided.

**Council Member Brishke**

- On March 4 she was at Outback for "Tip a Cop" for Special Olympics.
- On March 5, the Greater Clermont Cancer Foundation did a fundraiser to raise money for GCCF "Bras for a Cause". The Clermont Police and Fire danced in the event and it was a great event.

**Council Member Travis**

- Watched her niece in the Spring Games. She learned that only Division 1 plays in Clermont, Division 2 plays in Winter Haven, and Division 3 plays in St. Petersburg. Her niece hit a home run.

**Mayor Ash**

- No report.

**CONSENT AGENDA**

Mayor Ash advised the next item on the Agenda for consideration was the Consent Agenda and requested anyone wishing to have any item pulled for discussion to come forward at this time.

Seeing no public come forward, Mayor Ash closed the floor and asked if City Staff or Council Members had objections to any items.

**Item No. 1 – Meeting Minutes**

Consider approval of February 11, 2020 City Council meeting minutes.

**Item No. 2 – Single Source Term Contract Award**

Consider approval of a single source determination and term contract award from Sunstate Meter Supply, Inc. to purchase water meters on an as-needed basis.

**Item No. 3 – Olympus CDD Budget Notification**

Acknowledge receipt of the submitted budget. This is for information only.

**Item No. 4 – Fire Pension Board Appointment**

Consider appointing Ryan Moore as the Fifth Member to the Firefighters Pension Board.

**MOTION TO APPROVE the consent agenda for March 10, 2020 made by Council Member Bates. Seconded by Council Member Brishke. Passed unanimously with all members present voicing aye.**

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March 10, 2020

**UNFINISHED BUSINESS**

**Item No. 5 – *Final* - Ordinance No. 2020-18 – Municipal Service Taxing Unit**

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ADOPTED PURSUANT TO SECTION 125.01(l)(q), FLORIDA STATUTES (1999), CONSENTING TO THE INCLUSION OF THE CITY OF CLERMONT, FLORIDA, WITHIN THE COUNTY-WIDE MUNICIPAL SERVICE TAXING UNIT FOR THE PROVISION OF AMBULANCE AND EMERGENCY MEDICAL SERVICES, AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; PROVIDING FOR THE CITY TO BE INCLUDED WITHIN SAID MUNICIPAL SERVICE TAXING UNIT FOR A SPECIFIED TERM OF YEARS; PROVIDING FOR SEVERABILITY, EFFECTIVE DATE AND PUBLICATION.

City Clerk Howe read the ordinance into the record by title only. City Attorney Mantzaris provided an analysis of the ordinance to the Council.

Attorney Mantzaris informed the Council that the City has participated in the ambulance service with Lake County for approximately twenty (20) years. This ordinance is required annually in order for the city to continue to participate in the program.

Mayor Ash opened the floor for comments from the public; seeing none the floor was again closed.

**MOTION TO APPROVE and adopt Ordinance No. 2020-18 establishing a Municipal Service Taxing Unit for ambulance and emergency medical services made by Council Member Bates. Seconded by Council Member Brishke. Passed unanimously on roll call vote 5-0.**

**NEW BUSINESS**

**Item No. 6 – Variance Request – Rusty Truck Diner**

Development Services Director Henschel presented the variance request for signage at a commercial property located at 1800 S. Hwy 27. The property is zoned C2. The variance is for an oversized Adirondack chair and an old rusty truck. Director Henschel explained that based on the current code does not allow for vehicle signs. The proposed truck does not meet the criteria. Signage is also not allowed for commercial business in the right-of-way of a property or landscape buffer zones. He further explained that the purpose of the city's sign code is to enhance the appearance of a physical environment by mandating that a sign be designed with architectural consideration of the site and be sited that is concurrent with the existing natural environment. Director Henschel stated that while staff understands the intent of the request, staff finds it to be out of character and undesirable with the current code. He concluded by informing the Council that staff is recommending denial of the variance request.

Mayor Ash asked the applicant to approach the podium.

Jose Gonzales, 1800 S. Hwy 27, Clermont. – Applicant – Informed the Council that he is happy the truck has found its way to its current location as it lends to the theme of his restaurant. He believes that having

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this truck as signage helps his business by making its location a destination spot. He asked the Council to approve the variance request.

Mayor Ash opened the floor for comments from the public.

Steve Hannah. 1251 Fran Mar Court, Clermont – Expressed support and urged the Council to help the local business.

Niemoy Defania. Formerly of County Tipperary, Ireland. – Expressed support saying that the rusty truck builds character and attracts attention.

Seeing no other speakers come forth, Mayor Ash closed the floor from further comments. She proceeded to invite comments from Council Members.

Council Member Bates stated that he is not opposed to the request, he feels it is a small request and is in agreement with the residents that spoke in favor of the business. He did express concern as to why the truck was in place already since approval had not been given.

Mr. Gonzales stated that he put the truck there not realizing he needed a variance. He has been focused on getting the restaurant open for business as its primarily himself working on renovations. He apologized for not following the correct procedure.

Council Member Travis asked the applicant if he has operated any other restaurants. Mr. Gonzales replied that he has. Council Member Travis asked if any of those locations were still in operation. Mr. Gonzales stated that they were not and blamed the lack of good location for their closure. He stated that he has 35 years' experience in the restaurant industry and is proud to be in Clermont. He strongly feels based on feedback they are receiving that this concept will go a long ways. He also stated that the truck is from the 1940's from a plantation in North Florida.

Council Member Travis stated that she has been in Clermont since the late 1980s and has seen other restaurants come and go; not because of location, but because they did not have good food. She has concerns that if the applicants restaurant does not make it, who will be responsible for the removal of the truck.

Mr. Gonzales stated that he receives offers to purchase the truck daily and does not feel like its removal will be an issue. He informed the Council that so far the reviews have been very good since the soft opening two (2) weeks ago.

Mayor Ash stated she feels this is an interesting and clever idea.

Council Member Purvis asked if the oversized chair is also a part of the variance request. Director Henschel responded that it was. He also asked the Council that if they do approve the variance that it be conditioned for use by just this business so that if the business went away so would the items.

Council Member Purvis asked the applicant if he had any supporting documentation from his neighbors who he asserted were ok with the rusty truck and oversized chair. Mr. Gonzales responded that he did not, but could provide it to the Council at another time.

Council Member Purvis stated that he has concerns about safety and is not in favor of this request. He clarified that he is ok with the chair but not the truck.

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Council Member Brishke stated that she was in the opposite opinion of Council Member Purvis and that she was ok with truck but not the oversized chair. Mr. Gonzales stated the chair was for selfies.

Attorney Mantzaris stated to the Council that this is an unusual variance request. He explained that most variances allow for someone to build and maintain a structure in good condition. The request is for signage that is already deteriorated and will continue to deteriorate. It could also create significant difficulties for code enforcement. If the Council is leaning towards an approval he recommends tailoring the variance so that the Council would have opportunity to revisit the issue in the future.

Mayor Ash asked if it would be possible for staff to inspect the vehicle.

Attorney Mantzaris recommended that the Council bring the variance back for reapproval in a period of time. He recommended against making this an indefinite variance. The applicant would need to then to reapply for the variance after inspections of the site and signs.

Council Member Brishke asked if the truck was locked. Mr. Gonzales stated the truck is locked and has been coated with polyurethane. Council Member Purvis stated there is no window on the driver's door, so what good does locking the truck do. Mr. Gonzales stated that he was already planning to put a plexi-glass window in to seal the truck cabin.

Mayor Ash recommended that the approving motion be conditioned to sunset in two (2) years and asked Mr. Gonzales if he was ok with that amount of time. Mr. Gonzales stated he was ok with it.

Council Member Purvis asked if the motion is passed with a review in two (2) years and the site falls into disrepair before that time, what can code enforcement do?

Attorney Mantzaris stated that it would be a difficult case to prosecute.

Mayor Ash changed her recommendation so that the variance would need to be reapplied for after one (1) year.

Council Member Bates asked about the overgrowth around the truck. Mr. Gonzales informed the Council that those were decorative weeds.

**MOTION TO APPROVE the variance request for signage of a rusty truck and an oversized Adirondack chair to be located at The Rusty Truck Diner at 1800 US 27, Clermont with the additional condition(s) that: 1. Should the business close, it will be the responsibility of the owner to remove the truck and chair, and 2. The granted variance shall expire on March 10, 2021, and 3. The applicant can reapply for a variance from the City Council, and 4. Code Enforcement shall monitor the condition of the truck and chair and the surrounding landscape and report back to the City Council...made by Council Member Bates. Seconded by Mayor Ash. Passed 3-2 with Council Member Purvis and Travis opposing.**

**Item No. 7 – Introduction – Ordinance No. 2020-15**

AN ORDINANCE UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLERMONT REFERRED TO IN CHAPTER 122 OF

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ORDINANCE NO. 289-C, CODE OF ORDINANCES; REZONING THE REAL PROPERTIES DESCRIBED HEREIN AS SHOWN BELOW; PROVIDING FOR SEVERABILITY, EFFECTIVE DATE, RECORDING, AND PUBLICATION.

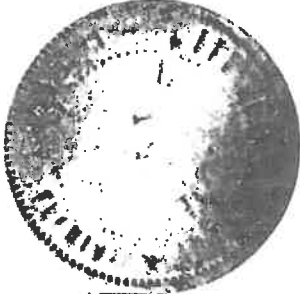
City Clerk Howe read the ordinance into the record by title only.

Council Member Travis declared that she has a conflict of interest on the item due to real estate interests and will be abstaining from the vote.

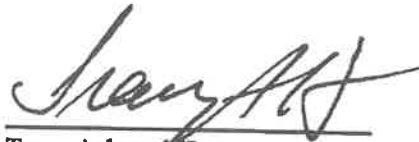
**MOTION TO INTRODUCE** for further consideration Ordinance No. 2020-15 amending the official zoning map of the City of Clermont made by Council Member Brishke. Seconded by Council Member Purvis. Passed unanimously by voice vote with one abstention by Council Member Travis.

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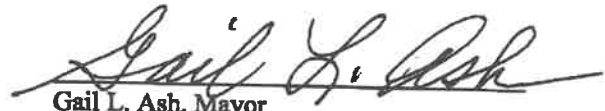
**ADJOURN:** With no further comments, this meeting adjourned at 7:16 pm.



**ATTEST:**

  
Tracy Ackroyd Howe, City Clerk

**APPROVED:**

  
Gail L. Ash, Mayor





DEVELOPMENT SERVICES  
352-394-4083

March 16, 2020

Jose Gonzalez  
Rusty Truck Diner  
1800 US Highway 27 South  
Clermont, FL 34711

Re: Rusty Truck Sign Variance Approval

Dear Mr. Gonzalez:

The Clermont City Council approved the following variance requests for the property located at 1800 US Highway 27 South, Rusty Truck Diner, (Alternate Key 3773952) at their regular scheduled meeting held on Tuesday, March 10, 2020.

- (1) To allow an inoperable vehicle (rusty truck) be located parked in a landscape island and be used as signage and display for the Rusty Truck Diner Restaurant, the inoperable vehicle (rusty truck) may only be used for this business establishment. This variance is valid for one (1) year from the date of approval.
- (2) To allow for the display of a green giant Adirondack style chair to be located near the main entry point of the business establishment. The chair display can only be used for the Rusty Truck Business establishment and is valid for one (1) year from the date of approval.

The approved variances are valid for one year from the approval date of March 10, 2020, and only approved for the Rusty Truck Diner business establishment. The applicant will be required to reapply for the variances after the one-year approval expiration date.

If you have any questions, please feel free to contact me at 352-241-7305.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Regina McGruder', with a stylized flourish at the end.

Regina McGruder  
Senior Planner

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

**April 18, 2023**

**Violation # C2304-0046**

**To:** STEVENS DAVID C  
204 N BLOXAM AVE  
CLERMONT, FL 34711

**Violation/Property address:** 204 N BLOXAM AVE CLERMONT, FL 34711(ALT KEY:3597869)

**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 204 N BLOXAM AVE CLERMONT, FL 34711(ALT KEY:3597869).

**Compliance with the Violation(s) listed will be when the following condition(s) are met: OBTAIN A VALID MOTOR VEHICLE TAG AND ATTACH IT ONTO THE WHITE FORD SUV WHICH DOES NOT HAVE A MOTOR VEHICLE TAG OR STORE THE UNTAGGED VEHICLE IN AN ENCLOSED STRUCTURE SUCH AS A GARAGE OR WAREHOUSE.**

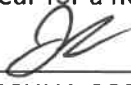
**Type of Violation: PROHIBIT STORAGE OF CERTAIN ITEMS SECTION 34-95**

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, scraps metal or junk. A vehicle that does not have a current and valid motor vehicle license tag shall be presumed to be non operative. Storage of untagged vehicles, boats, or similar items shall be allowed if contained within an enclosed structure such as a garage or warehouse.

**If you have any questions concerning this matter, please contact me at (352)-241-7356 or [jcortez@clermontfl.org](mailto:jcortez@clermontfl.org). Also, when you comply, please contact me so an inspection to determine compliance can be scheduled.**

You are directed to take action by 5/2/2023 . Failure to remedy the violation within the allotted time will result in a Notice to Appear for a hearing before the Code Enforcement Board.

**By:**

  
\_\_\_\_\_  
JOSHUA CORTEZ  
Code Enforcement Officer

**CITY OF CLERMONT  
CODE ENFORCEMENT DEPARTMENT**

**AFFIDAVIT OF POSTING**

CITY OF CLERMONT  
Petitioner

CASE# C2304-0046

VS.

STEVENS DAVID C  
Respondent

Personally appeared before me, Joshua Cortez, Code Enforcement Officer of the City of Clermont:

That a copy of the Violation Notice was posted at the south public entrance of Clermont City Hall, 685 W. Montrose Street, Clermont, FL 34711, in addition to the real property known Address 204 N BLOXAM AVE CLERMONT, FL 3471, on the 3rd day of May 2023.

Sworn to and subscribed before me this 3rd day of May 2023.



  
\_\_\_\_\_  
Joshua Cortez  
Code Enforcement Officer  
City of Clermont, 685 W. Montrose Street  
Clermont, FL

The forgoing instrument was acknowledged before me this 3rd day of May, 2023, by Joshua Cortez as the Code Enforcement Officer for the City of Clermont, who is personally known to me and who did take an oath.

Signature: Ellen Redmond

Printed Name: Ellen Redmond

## City of Clermont

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

### VIOLATION NOTICE

**February 02, 2023**

**Violation # C2301-0006**

**To:** STEVENS DAVID C & MARYBETH BRI  
204 N BLOXAM AVE  
CLERMONT, FL 34711

**Violation/Property address:** 204 N BLOXAM AVE CLERMONT, FL 34711(ALT KEY:3597869)

**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 204 N BLOXAM AVE CLERMONT, FL 34711(ALT KEY:3597869).

**Compliance with the Violation(s) listed will be when the following condition(s) are met: : THE PROPERTY IS UNSIGHTLY. MISCELLANEOUS ITEMS ARE SCATTERED ABOUT ON THE PROPERTY. THERE IS A BOAT STORED IN FRONT OF THE PROPERTY. THERE IS A WHITE SUV PARKED OVER THE SIDEWALK. THE PROPERTY MUST BE CLEANED UP, THE BOAT STORED APPROPRIATELY ON THE PROPERTY, AND THE VEHICLE MUST BE REMOVED FROM THE SIDEWALK.**

**Type of Violation: Other Violations**

Sec. 54-1. - Placing articles or obstructions on streets or sidewalks; notice to remove.  
(a)No person shall cause to be placed, or place or allow to remain in front of his or their premises any merchandise, goods or showcases, barrels, wagons, carts, signs, advertisements, or articles of any description, on any sidewalk or street within the limits of the city, except as allowed under chapter 122, zoning.(b)All streets, pavements and sidewalks shall be kept clean, free from rubbish and weeds, by the several landowners and the occupants of premises abutting thereon.(c)If any such streets, pavements or sidewalks become, in any manner dangerous or detrimental to the health or reasonable convenience of citizens, or become obstructed by trash or weeds, it shall be the duty of the city to give notice to the owner or occupant, or the recognized agent of either, requiring such owner or occupant, as the case may be, to remove any and all obstructions thereon, within ten days of receipt of the notice; and should any such owner or occupant refuse to make such repairs, or remove such obstructions within such time, he shall, upon conviction, be punished as provided by section 1-15, and such repairs shall be made, or such obstructions removed, at the expense of the abutting owner.

**Type of Violation: Other Violations**

Sec. 122-183. - Permitted uses.  
Permitted uses in the R-3 district are as follows:

(1)Single-family dwelling units having a minimum living area of 1,000 square feet, exclusive of garages, carports and screened areas.(2)Two-family dwelling units having a minimum of 700 square feet per dwelling unit, exclusive of garages, carports and screened areas.(3)Multifamily dwelling units, including townhomes and condominiums, having a minimum floor area of 600 square feet per unit, exclusive of garages, carports and screened areas, with fewer than 12 units.(4)Buildings, structures or uses maintained or operated by the city.(5)Home occupations as provided in article V of this chapter.(6)Private docks and boathouses, provided that such structures maintain a 25-foot side yard setback. A ten-foot side yard setback may be allowed upon receipt of

properly authorized documentation from directly abutting property owners. It shall be further provided that such structures comply with state and/or federal regulations, as applicable.(7)Field crops, orchards and other horticultural uses where no selling at retail is involved.(8)Accessory uses: Customary accessory buildings and structures, including private garages, noncommercial greenhouses and workshops.

**Type of Violation: PARKING, STORAGE OF RV USED FOR SLEEP SECTION 38-4**

It shall be unlawful for any persons to park and/or store for a period exceeding 24 hours any recreational vehicle upon any lot, piece or parcel of land in the city or upon any street or highway within the city, except upon permitted recreational vehicle parks or sales lots where it is kept entirely within a closed building and not used for living or sleeping purposes, or where such recreational vehicle is parked or stored to the rear of the building setback line according to the land development regulations of the city.

**Type of Violation: ROW OBSTRUCTIONS**

"Right-of-Way obstruction. Section 54-1 . No person shall cause to be placed, or place or allow to remain in front of his or their premises, any merchandise, goods or showcases, barrels, wagons, carts signs advertisements, or articles of any description, on any sidewalk or street within the limit the city.

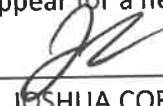
**Type of Violation: SECTION 122-344(H)**

(h)Unightly occupancies. Unightly occupancies, such as but not limited to junkyards, repair yards and outdoor storage, shall be entirely surrounded by a substantial continuous masonry fence or similarly permanent construction approved by the planning and zoning department. Such fence or wall shall be constructed and maintained at a height of six feet to screen the unsightly occupancy. It shall be of similar composition, construction and color throughout and shall be constructed without openings except for entrances and exits, such entrances and exits to be equipped with un-pierced gates, except that additional openings may be authorized to provide access for fire protection. Such gates shall be closed and securely locked at all times, except during business hours. Plans for such fence or wall shall be submitted to the planning and zoning department, which shall determine whether the proposed fence will meet the requirements of this section. No building permit shall be issued for the construction of such fence or wall until the approval of the planning and zoning department has been secured. Such fence or wall shall be maintained in good order and shall not be allowed to deteriorate.

**Please contact me at 352-241-7356 or [jcortez@clermontfl.org](mailto:jcortez@clermontfl.org) when you comply, so an inspection to determine compliance can be scheduled.**

You are directed to take action by 3/3/2023 . Failure to remedy the violation within the allotted time will result in a Notice to Appear for a hearing before the Code Enforcement Board.

**By:**

  
\_\_\_\_\_  
JOSHUA CORTEZ  
Code Enforcement Officer

## City of Clermont

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

### VIOLATION NOTICE

**February 02, 2023**

**Violation # C2212-0021**

**To:** FLOYD EVELYN K ET AL  
797 E JUNIATA ST  
CLERMONT, FL 34711

**Violation/Property address:** 797 E JUNIATA ST CLERMONT, FL 34711(ALT KEY:1624452)

**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 797 E JUNIATA ST CLERMONT, FL 34711(ALT KEY:1624452).

**Compliance with the Violation(s) listed will be when the following condition(s) are met: ORGANIZE AND MAKE TIDY OR REMOVE THE BUCKETS AND OTHER SIMILAR TYPE ITEMS SURROUNDING THE RV. THE RV DOES NOT HAVE A TAG AND THE TIRES ARE DAMAGED CONSTITUTING A DISABLED VEHICLE AND NEEDS TO BE EITHER REPAIRED OR REMOVED FROM THE PROPERTY.**

**Type of Violation: ACCUMULATION OF CERTAIN MATERIALS**

Sec. 34-142. - Accumulation of certain materials.

It shall be unlawful for any person to permit to accumulate on any premises, anywhere in the city limits, improved or vacant, and on all open lots and alleys in the city any lumber, boxes, barrels, bricks, stones, or similar materials that may be permitted to remain thereon unless such materials shall be placed on open racks that are elevated not less than 18 inches above the ground and evenly piled or stacked so that these materials will not afford harborage for rats.

(Code 1962, 11-19; Code 1998, 34-142; Ord. No. 232-C, 4, 4-12-1983)

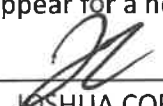
**Type of Violation: PROHIBIT STORAGE OF CERTAIN ITEMS SECTION 34-95**

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, scraps metal or junk. A vehicle that does not have a current and valid motor vehicle license tag shall be presumed to be non operative. 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 352-241-7356 or [jcortez@clermontfl.org](mailto:jcortez@clermontfl.org) when you comply, so an inspection to determine compliance can be scheduled.**

You are directed to take action by 3/23/2023 . Failure to remedy the violation within the allotted time will result in a Notice to Appear for a hearing before the Code Enforcement Board.

**By:**

  
\_\_\_\_\_  
JOSHUA CORTEZ  
Code Enforcement Officer

**CITY OF CLERMONT  
CODE ENFORCEMENT DEPARTMENT**

**AFFIDAVIT OF POSTING**

CITY OF CLERMONT  
Petitioner

CASE# C2212-0021

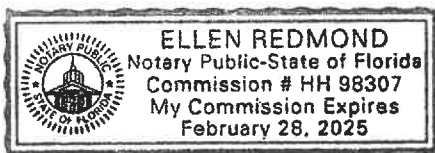
VS.

FLOYD EVELYN K ET AL  
Respondent

Personally appeared before me, Joshua Cortez, Code Enforcement Officer of the City of Clermont:

That a copy of the Violation Notice was posted at the south public entrance of Clermont City Hall, 685 W. Montrose Street, Clermont, FL 34711, in addition to the real property known Address 797 E JUNIATA ST CLERMONT, FL 34711, on the 17th day of April 2023.

Sworn to and subscribed before me this 17th day of April 2023.



  
\_\_\_\_\_  
Joshua Cortez  
Code Enforcement Officer  
City of Clermont, 685 W. Montrose Street  
Clermont, FL

The forgoing instrument was acknowledged before me this 17th day of April, 2023, by Joshua Cortez as the Code Enforcement Officer for the City of Clermont, who is personally known to me and who did take an oath.

Signature:



Printed Name: Ellen Redmond

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

**March 06, 2023**

**Violation # C2303-0008**

**To:** MATTHEW SHAKARIA  
3539 ROLLING HILLS LN  
APOPKA, FL 32712

**Violation/Property address:**

**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 5TH ST CLERMONT FL, 34711 (ALT KEY:3621433).

**Compliance with the Violation(s) listed will be when the following condition(s) are met: ALL GRASS/WEEDS MOWED AND MAINTAINED UNDER 18 INCHES ON THE PROPERTY.**

**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:

(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.

**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.

**If you have any questions concerning this matter, please contact me at (352)-241-7318 or jrebando@clermontfl.org. Also, when you comply, please contact me so an inspection to determine compliance can be scheduled.**

You are directed to take action by 4/6/2023. Failure to remedy the violation within the allotted time will result in a Notice to Appear for a hearing before the Code Enforcement Board.

**By:**

  
JORDAN REBANDO/JOSHUA CORTEZ  
Code Enforcement Offices

**CITY OF CLERMONT  
CODE ENFORCEMENT DEPARTMENT**

**AFFIDAVIT OF POSTING**

CITY OF CLERMONT  
Petitioner

CASE# C2303-0008

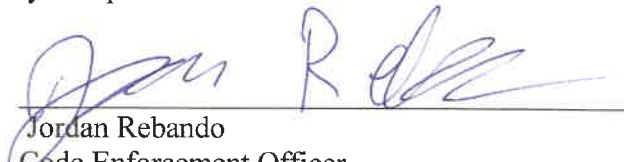
VS.

MATTHEW SHAKARIA  
3539 ROLLING HILLS LN  
APOPKA, FL 32712

Personally appeared before me, Jordan Rebando, Code Enforcement Officer of the City of Clermont:

That a copy of the Violation Notice and the Hearing Notice was posted at the south public entrance of Clermont City Hall, 685 W. Montrose Street, Clermont, FL 34711, (Alt Key: 3621433) in addition to the real property known as 5<sup>TH</sup> ST, Clermont, Florida, on the 27th day of April 2023.

Sworn to and subscribed before me this 27 day of April 2023.

  
Jordan Rebando  
Code Enforcement Officer  
City of Clermont, 685 W. Montrose Street  
Clermont, FL

The forgoing instrument was acknowledged before me this 27th day of April, 2023, by Jordan Rebando as the Code Enforcement Officer for the City of Clermont, who is personally known to me and who did take an oath.



Signature: \_\_\_\_\_

Printed Name: JENNIFER URTES