

CITY OF CLERMONT
CODE ENFORCEMENT BOARD
SPECIAL MEETING
MINUTES
APRIL 15, 2024

CALL TO ORDER

Chair May called the special meeting of the Code Enforcement Board to order on Monday, April 15, 2024, at 6:00 pm.

MEMBERS PRESENT: Chair May, Member Falcone, Member Fornoles, Member Forth, Member Kilburn, and Member Whitehead

MEMBERS ABSENT: Vice-Chair Camps

ALSO PRESENT: Code Enforcement Officers Snodgrass, and Rebando; Code Enforcement Manager Wallace, Code Board Attorney Brackins, City Attorney Mantzaris, City Attorney Patrick Brandt, Development Services Director Henschel, and Development Services Coordinator Heard

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

MINUTES

Motion to approve the Minutes for the March 18, 2024 Code Enforcement Board Workshop: Moved by Member Falcone; Seconded by Member Whitehead. Motion passed 6-0 with Vice-Chair Camps absent.

Motion to approve the Minutes for the March 18, 2024 Code Enforcement Board Meeting: Moved by Member Whitehead; Seconded by Member Kilburn. Motion passed 6-0 with Vice-Chair Camps absent.

OPENING STATEMENT

Chair May made the opening remarks.

SWEARING IN WITNESSES

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

OTHER BUSINESS

City Attorney Mantzaris explained the agenda before them indicating they will begin with presenting cases where respondents are present (Items 1, 2, 7, 9, 10 & 11).

(The following agenda items were heard out of agenda order.)

*Code Enforcement Board Special Meeting
April 15, 2024*

(Items 1 & 2 were presented together)

ITEM 1 – CASE NOS. C2302-0075 & C2302-0077

584 W. Juniata St., LLC
210 River Street
Hackensack, NJ 06701

LOCATION OF VIOLATION: 584 & 586 West Juniata Street

REQUEST: Motion to Foreclose

ITEM 2 – CASE NOS. C2021-000029 & C2021-000031

Richard Klass
505 7th Street
Clermont, FL 34711

LOCATION OF VIOLATION: 588 & 590 West Juniata Street

REQUEST: Motion to Foreclose

City Attorney Mantzaris introduced the cases explaining Items 1 & 2 are related, because they are part of a quadplex (4 units) on West Juniata Street. In 2019 there was a fire in one unit which is inhabitable. Fines and liens continue to accrue, which are up to approximately \$115,000.

Roger Moore, general contractor representing the respondent for 584 & 586 West Juniata Street, stated he was brought in approximately a month ago to work with the architect and get this job done in order to stop the foreclosure.

City Attorney Mantzaris explained the foreclosure process and requested the board to authorize this foreclosure on both Items 1 & 2. He further stated if the respondent is making progress, the City Council may not proceed with the foreclosure.

Discussion ensued regarding the ownership of the neighboring units and working with them.

ITEM 1

Member Kilburn made a motion to foreclose in Case Nos. C2302-0075 & C2302-0077; Seconded by Member Whitehead. Motion passed 6-0 with Vice-Chair Camps absent.

ITEM 2

Member Falcone made a motion to foreclose in Case Nos. C2021-000029 & C2021-000031; Seconded by Member Whitehead. Motion passed 6-0 with Vice-Chair Camps absent.

ITEM 3 – CASE NO. C2307-0052

Matthew Shakaria
3539 Rolling Hills Lane
Apopka, FL 32712

LOCATION OF VIOLATION: 5th Street (Vacant Lot)

REQUEST: Motion to Foreclose

City Attorney Mantzaris introduced the case.
The Respondent was present and sworn in.

Glen Matthew, 233 Curtis Avenue, Groveland, with Shakaria Matthew, 5th Street, Clermont, explained why the parcel has not been maintained; and further, they currently have plans to build on this parcel.

Chair May asked if there is a request to reduce the fine. City Attorney Mantzaris informed the board that the property just came into compliance. There have been a lot of complaints and inquires about this unkept parcel; however, the City would be willing to reduce the fine by 10 percent to \$2,100 with 30 days to pay.

Glen Matthew stated they signed a contract for lawn service to be cut twice a month; however, by August they should be ready to build. He also stated the fine of \$2,100 is acceptable.

Member Kilburn made a motion to reduce the fine in Case No. C2307-0052 to \$2,100 to be paid by May 16, 2024; and further, failure to pay will result in the fine reverting back to the original amount of \$21,900; Seconded by Member Falcone. Motion passed 6-0 with Vice-Chair Camps absent.

ITEM 4 – CASE NO. C2303-0045

Stanley Hayes
505 E. Montrose Street
Clermont, FL 34711

LOCATION OF VIOLATION: 505 E. Montrose Street

REQUEST: Motion to Lien

City Attorney Mantzaris introduced the case.
The Respondent was present and sworn in.

Stanley Hayes, 505 E. Montrose Street, explained he does a lot of recycling. He has moved a lot of the stuff, but is still working on it.

Member Whitehead made a motion to lien Case No. C2303-0045; Seconded by Member Fornoles. Motion passed 6-0 with Vice-Chair Camps absent.

ITEM 5 – CASE NO. C2106-000046

Neville Desilva
2047 Knollcrest Drive
Clermont, FL 34711

LOCATION OF VIOLATION: 2047 Knollcrest Drive

REQUEST: Reduction of Fine

City Attorney Mantzaris introduced the case.
The Respondent, Neville Desilva, 2047 Knollcrest Drive, stated his name and address.

City Attorney Mantzaris explained Mr. Desilva is now in compliance and requesting a reduction of fine to \$500.

Mr. Desilva stated he was in agreement with the amount of the reduction and due date.

Member Forth made a motion to reduce the fine in Case No. C2106-000046 to \$500 to be paid by May 16, 2024; and further, failure to pay will result in the fine reverting back to the original amount; Seconded by Member Kilburn. Motion passed 6-0 with Vice-Chair Camps absent.

ITEM 7 – CASE NO. C2301-0004

ANNBI, LLC

10845 Log House Road

Clermont, FL 34711

LOCATION OF VIOLATION: 811 West Highway 50 (El Cerro)

REQUEST: Reduction of Fine

City Attorney Mantzaris introduced the case.

The Respondent, Bienvenido Collado, was present and sworn in.

Guy Grayford, 2370 Lakeview Avenue, stated he is the builder and explained the circumstances and timeline surrounding this case. He further stated he believes the fine is too high because of delays.

City Attorney Mantzaris explained the building permit process in that if the permit was applied for first, there would not be delays. He further stated they are currently in compliance, and the City is willing to reduce the fine to \$4,250.

Member Kilburn made a motion to reduce the fine in Case No. C2301-0004 to \$4,250 to be paid by May 16, 2024; and further, failure to pay will result in the fine reverting back to the original amount of \$21,250; Seconded by Member Falcone. Motion passed 6-0 with Vice-Chair Camps absent.

ITEM 6 – CASE NO. C2203-000066

Richard Posada

2714 Eagle Lake Drive

Clermont, FL 34711

LOCATION OF VIOLATION: 2714 Eagle Lake Drive

REQUEST: Reduction of Fine

City Attorney Mantzaris introduced the case stating it is currently in compliance; and because of certain circumstances, the City is not opposed to waive the fines and stated the fine reduction up to the discretion of the board.

The Respondent, Barbara Posada, was present and sworn in.

Barbara Posada, 2714 Eagle Lake Drive, explained the circumstances surrounding the unpermitted shed, which they believed was permitted with the rest of the work on the home.

Discussion ensued regarding extenuating circumstances surround various issues with the Respondent and their HOA.

Member Fornoles inquired what the administrative costs would be with regard to this case. City Attorney Mantzaris answered approximately \$500.

Member Fornoles made a motion to reduce the fine in Case No. C2203-000066 to \$500 to be paid by May 16, 2024; and further, failure to pay will result in the fine reverting back to the original amount of \$73,350; Seconded by Member Whitehead. Motion passed 5-1 with Member Forth opposing and Vice-Chair Camps absent.

ITEM 9 – CASE NO. C2312-0002

Willie Chandler
532 East Boome Street
Clermont, FL 34711

LOCATION OF VIOLATION: 532 East Boome Street

REPEAT VIOLATION: Repeat with Fine; Section 30-25 Precollection Practices, Section 30-5 Garbage Containers, Section 304.3 IPMC Premises Identification, Section 308.1 IPMC Rubbish and Garbage

City Attorney Mantzaris introduced the case.
The Respondent, Willie Chandler, was present and sworn in.

Officer Rebando stated this case is a repeat with fine and explained the following violations: Section 30-25 Precollection Practices, Section 30-5 Garbage Containers, Section 304.3 IPMC Premises Identification, Section 308.1 IPMC Rubbish and Garbage. He further stated this is a self-initiated case that is currently in compliance. He detailed the case summary and gave its history, exhibited pictures that are a true and accurate depiction of the property on the date taken, and read the violation, dates, and staff recommendation.

Nadelynn Young, Willie Chandler's daughter, stated she handles his affairs.
Willie Chandler stated he has been unable to move them, because he is not able to walk. He described his health problems.

Chair May recommended reducing the fine to half, which would total \$2,000 to be paid within 30 days. Willie Chandler stated he is unable to pay that amount, because he has not worked in a year due to his injuries. Nadelynn Young expressed he is currently under doctor's orders and has not been approved by Social Security.

City Attorney Mantzaris stated under the circumstances city staff has made a recommendation to accept \$200 in lieu of the \$2,000 fine if the payment is made within 30 days.

Chair May asked the respondent if he is able to pay a \$200 fine within 30 days. Nadelynn Young answered in the affirmative.

Code Board Attorney Brackins asked for clarification on the recommendation.

(Chair May passed the gavel to Member Whitehead.)

Chair May made a motion to find the Respondent was in repeat violation in Case No. C2312-0002; however, the Respondent did correct the violation. The Respondent is ordered to refrain from repeating this violation. If Respondent does not comply with this order, a fine of \$250 per day for every day in violation after May 16, 2024, will accrue until corrected as observed and documented by the Code Enforcement Inspector. Further, moved to impose a one-time fine of \$2,000; however, if \$200 is paid prior to May 16, 2024, then the case is closed; and further, failure to pay \$200 by May 16, 2024, will result in the fine reverting back to the original fine of \$2,000. Seconded by Member Falcone. Motion passed 6-0 with Vice-Chair Camps absent.

ITEM 10 – CASE NO. C2306-0066

Woodwinds Clermont LLC
5300 West Cypress Street, Suite 200
Tampa, FL 33607

LOCATION OF VIOLATION: 151 South Grand Highway

REQUEST: Reduction of Fine

City Attorney Mantzaris introduced the case.
The Respondents were present and sworn in.

City Attorney Mantzaris introduced the case, and explained two orders were entered in this case. The property is now in compliance, and the City is in agreement to lower the fine by 20 percent for a total due of \$2,150 to be paid by May 16, 2024.

Luis Misla, representing the respondent, indicated they are in agreement with the 20 percent reduction.

Member Fornoles made a motion to reduce the fine in Case No. C2306-0066 to \$2,150 to be paid by May 16, 2024; and further, failure to pay will result in the fine reverting back to the original amount \$10,750; Seconded by Member Falcone. Motion passed 6-0 with Vice-Chair Camps absent.

ITEM 11 – CASE NO. C2312-0017

Glori-1296 LLC (Nolands Roofing)
1295 West Highway 50
Clermont, FL 34711

LOCATION OF VIOLATION: 151 South Grand Highway 50

VIOLATION: Section 101-178 Development Order and Development Permit Required

City Attorney Mantzaris introduced the case.
The Respondents were present and sworn in.

Officer Snodgrass introduced the case explaining Section 101-178. He indicated a complaint was received that construction was happening on this vacant lot, which is comprised of wetlands and a flood zone. A stop work order was immediately issued. He detailed the case summary and gave its history, exhibited pictures that are a true and accurate depiction of the property on the date taken. He stated staff recommends finding the respondent in violation and to assess a fine of \$250 per day for every day the property remains in violation after June 16, 2024; and further, he has been in contact with the engineer who was present.

Tyler Suddeth, PE, 1135 E. State Road 434, Suite 3001, Winter Springs, stated he was retained as the engineer on this project in late January of 2024. He requested a four to six-month extension due to waiting on a geotechnical report in order to draw up the plans.

City Attorney Mantzaris stated staff is requesting the June 16th deadline stay in place, because the respondent can come back before the board to address the fine and deadline, if needed.

Member Forth made a motion to find the Respondent in violation in Case No. C2312-0017. The Respondent is ordered to correct the violation before June 16, 2024, with a fine of \$250 per day for every day in violation after June 16, 2024; Seconded by Member Kilburn. Motion passed 6-0 with Vice-Chair Camps absent.

ITEM 8 – CASE NO. C2403-00003

Jose Gonzalez
1250 Shorecrest Circle
Clermont, FL 34711

LOCATION OF VIOLATION: 1250 Shorecrest Circle

REPEAT VIOLATION: Repeat with Fine; Section 18-92 Prohibition of Storage of Certain Items, Section 302.8 IPMC Motor Vehicles

City Attorney Mantzaris introduced the case.
The Respondent was present.

Officer Rebando stated this case is a repeat with fine and explained the following violations: Section 18-92 Prohibition of Storage of Certain Items, Section 302.8 IPMC Motor Vehicles. He detailed the case summary stating the complaint was from a citizen, gave its history, exhibited pictures that are a true and accurate depiction of the property on the date taken, and read the violation. He indicated as of today this property is in compliance and stated staff's recommendation.

Respondent Jose Gonzalez, 1250 Shorecrest Circle, explained his current circumstances and complained that he was not given a warning.

City Attorney Mantzaris stated staff is asking for the maximum fine, because of multiple repeat violations in the past, some of which have not made it to this board.

Member Whitehead made a motion to find the Respondent was in repeat violation in Case No. C2403-00003; however, the Respondent did correct the violation. If the Respondent does not comply with this order, a fine of \$500 per day for every day in violation after May 16, 2024, will accrue until corrected as observed and documented by the Code Enforcement Inspector. Further, moved to impose a one-time fine of \$1,000 to be paid prior to May 16, 2024, and authorize the City to record the Findings of Fact immediately; Seconded by Member Kilburn. Motion passed 6-0 with Vice-Chair Camps absent.

ITEM 12 – CASE NO. C2309-0054

John Miles, Jr., Estate
1000 West Lakeshore Drive
Clermont, FL 34711

LOCATION OF VIOLATION: 1000 West Lakeshore Drive

VIOLATION: Section 18-92 Prohibition of Certain Items Section 302.4 IPMC Weeds

City Attorney Mantzaris introduced the case.
Respondent was not present.

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Officer Rebando stated this case is a repeat with fine and explained the following violations: Section 18-92 Prohibition of Certain Items Section 302.4 IPMC Weeds. He detailed the case summary stating the complaint was from a citizen, gave its history, exhibited pictures that are a true and accurate depiction of the property on the date taken, and read the violation. He indicated that the property was not in compliance with regard to Section 18-92; however, Section 302.4 IPMC Weeds was currently in compliance. He stated staff's recommendation.

Member Kilburn made a motion to find the Respondent in violation in Case No. C2309-0054, and is ordered to correct the violation on or before May 16, 2024. If the Respondent does not comply with this order to correct the violation on or before May 16, 2024, a fine of \$150 per day for every day in violation after May 16, 2024, will accrue until corrected. And further, the Respondent is ordered to contact the Code Enforcement Inspector to arrange an inspection of the property to verify compliance; Seconded by Member Whitehead.

Discussion ensued clarifying that Section 302.4 IPMC Weeds was in compliance. Motion withdrawn.

Motion Restated:

Member Kilburn made a motion to find the Respondent in violation in Case No. C2309-0054 with the exception of Section 302.4 IPMC Weeds, and is ordered to correct the violation on or before May 16, 2024. If the Respondent does not comply with this order to correct the violation on or before May 16, 2024, a fine of \$150 per day for every day in violation after May 16, 2024, will accrue until corrected. And further, the Respondent is ordered to contact the Code Enforcement Inspector to arrange an inspection of the property to verify compliance; Seconded by Member Whitehead. Motion passed 6-0 with Vice-Chair Camps absent.

City Attorney Mantzaris announced City Council will soon vote on an ordinance to create a Public Nuisance Abatement Board. He explained what type of cases a Public Nuisance Abatement Board hears; and further, stated if a Public Nuisance Abatement Board is created, this board will be hearing those cases. Discussion ensued regarding a Public Nuisance Abatement Board.

AJDOURN

There being no further business, the meeting was adjourned at 8:08 pm

Attest:


Kathy Heard, Dev. Svcs. Coord.


Jenny May, Chair