

**MINUTES
CITY OF EUSTIS CODE ENFORCEMENT BOARD**

February 20, 2006

COMMISSION ROOM - CITY HALL - TEN NORTH GROVE STREET

Regular Meeting

ROLL CALL: Martin Ferry
Joyce Evans-Norcross
Billy Fowler
Robert Warren

MEMBERS ABSENT: Bob LaValle
Gary Smith
Charlie Bagg

STAFF PRESENT: Eric Martin, Code Enforcement Officer
Christina Selage, Recording Secretary

OTHERS PRESENT: Katrina Thomas, City Attorney
Teddy & Tina Wright, 220 Cardinal Street, Eustis
Thomas Cerone, 3577 Lake Emma Road, Lake Mary
Shannon Hane, 804 East Lemon Avenue, Eustis
Mary Rose Gray, 807 Fahnstock Street, Eustis
Ron Grissom, 24 Diedrich Street, Eustis
Roger Belcourt, 612 East Citrus Avenue, Eustis
Warren Craycraft, 619 East 7th Avenue, Mt. Dora
Robert J. Williams, Post Office Box 743, Bronx NY
Jonathan D. Williams, no address given
Robert J. Williams II, Post Office Box 161465, Altamonte Springs
John Roberts, 1 Forest Lane, Eustis
Sam Ofori, 1420 Morin Street, Eustis
Kimberly Cameron, 1308 Louis Court, Eustis

CALL TO ORDER: Vice-Chairman Ferry called the Regular Meeting to order at 3:00 p.m. Roll call was taken.

APPROVAL OF MINUTES:

Upon a motion to approve the minutes of the January 23, 2006 Regular and Organizational meetings, by Mr. Warren and seconded by Mr. Fowler, the Board voted to approve the motion as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

ADMINISTRATION OF OATH

Katrina Thomas, City Attorney, administered the oath to all those present that would testify.

CERTIFICATION OF FINE

Case #05-371 Robert J. Williams: Mr. Martin reminded the Board that this case involved unlicensed vehicles, an accumulation of personal property, burned debris and other items left outdoors, and overgrown property at 210 West Mills Avenue. Mr. Williams testified that the vehicles have been removed and the structure has been boarded up. Mr. Martin concurred, and stated that the only remaining violation was the overgrown conditions.

Mr. Fowler made a motion to extend the compliance date in Case #05-371 for 10 additional days, and if not in compliance within that timeframe a fine of \$50.00 per day will be imposed, retroactive to the original compliance date. Ms. Evans-Norcross seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

Case #05-372 Robert J. Williams: Mr. Martin reminded the Board that this case involves an unsafe structure at 210 West Mills Avenue. Discussion ensued regarding what the family intends to do with the property (demolish or rehabilitate). It was mentioned that a permit application was received for demolition, but was not picked up. If Mr. Williams wished to rehabilitate the structure, he would need to check with the Building Department to see what would be required for a permit (structural engineer's report, etc.).

Mr. Fowler made a motion to postpone Case #05-372 until the March meeting. Ms. Evans-Norcross seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

NEW CASES

Case #05-264 Equity One Inc.: Mr. Martin stated that this case involves a retention pond at the southwest corner of the Eustis Square Shopping Center that is not being maintained, and thus has become overgrown with trees and vegetation. Mr. Martin distributed photographs and noted that an approximately 4 ft buffer had been mowed along the perimeter of the area, but that the sides and bottom were still severely overgrown. Mr. Cerone, the Property Manager, reported that he was getting prices and bids for the work that needs to be done.

Mr. Fowler made a motion that Equity One Inc. is in violation of City Code, and to allow 30 days for compliance in Case #05-331 (for work to begin) or a fine of \$250.00 per day of occurrence will be imposed. Additionally, it is requested that Mr. Cerone be present at the March meeting to provide a status update. Mr. Warren seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

Case #06-002 Tony L. Wright: Mr. Martin reported that this case is for unlicensed vehicle being kept in a pole barn-type structure, overgrown property and right-of-way, dead tree limbs, accumulation of debris on the property and in the public right-of-way, and waste receptacles being left out at 220 Cardinal Street. He distributed photographs, and noted that the dead limbs have been cleared, and pointed out additional areas that need work. Mr. Wright stated that he has been working on remedying the problem, and would like to meet on-site with Mr. Martin to discuss what is remaining. It was mentioned to Mr. Wright that if he wishes to keep the unlicensed Corvette, it needed to be shielded from view completely.

Mr. Warren made a motion that Tony L. Wright is in violation of City Code, and to allow 10 days for compliance of the overgrown conditions and 30 days for compliance for the unlicensed vehicle, in Case #05-331 or a fine of \$50.00 per day of occurrence will be imposed. Ms. Evans-Norcross seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

Case #06-012 John & Molly Roberts Mr. Martin stated that this case is for the removal of a protected tree (27" DBH) without a permit at 1 Forest Lane. He distributed photographs. Mr. Roberts testified that he was unaware that a permit was required, and that the tree was damaged during the 2004 hurricanes, and felt that it might pose a danger. The Board asked Mr. Roberts if he had any photos to corroborate his testimony, but he said no. Tree Replacement requirements were discussed, and Mr. Roberts stated that he would be purchasing actual trees to fulfill the requirement, and possibly sharing them with his neighbors.

Mr. Warren made a motion that John & Molly Roberts are in violation of City Code, and to allow 30 days for compliance in Case #06-012 or a fine of \$250.00 per day of occurrence will be imposed. Ms. Evans-Norcross seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

Case #06-026 Mary Rose Gray: Mr. Martin reported that this case consists of 2 protected trees (24” total DBH) that were removed without a permit at 807 Fahnstock Street. He distributed photographs. Ms. Gray noted that there are 43 trees remaining on the property, and that these trees were removed in preparation for some remodeling to be done to the house (that she would be getting a building permit for). Mr. Belcourt, a neighbor, testified that he had trimmed the trees somewhat, after the hurricanes and that other branches have broken off, and that he believed they were a safety hazard.

Mr. Warren made a motion that Mary Rose Gray is in violation of City Code, and to allow 30 days for compliance in Case #06-026 or a fine of \$250.00 per day of occurrence will be imposed. Mr. Fowler seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

OLD CASES

Case #05-329 Shannon Hane: Mr. Martin reminded the Board that this case was for a tree removed without a permit at 804 East Lemon Avenue, and that it was postponed from the previous meeting. Ms. Hane presented a photograph of the tree that showed that it was growing extremely close to the home and leaning towards the house.

Ms. Evans-Norcross made a motion to dismiss Case #05-329 because of the evidence presented (that proved the tree was endangering her property), and to rescind any and all fines that might have accrued. Mr. Warren seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

NEW CASES, CONT'D

Case #06-038 Samuel Ofori: Mr. Martin stated that this case involved overgrown conditions at 1420 Morin Street, and that this was a Repeat Violation. He distributed photographs. Mr. Ofori was sworn in and testified that he has no working lawnmower and has been dealing with health problems, but wants to rectify the situation as soon as he can. The Board offered several suggestions to Mr. Ofori, including renting a lawn mower or buying one secondhand, so that he might clear this violation.

Mr. Warren made a motion that Samuel Ofori is in violation of City Code, and to allow 15 days for compliance in Case #06-038 or a fine of \$10.00 per day of occurrence will be imposed. Mr. Fowler seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

Case #06-033 Betty Ross, Et Al: Mr. Martin reported that this case was for abandoned vehicles, overgrown conditions, and accumulations of solid waste along the south property line of the vacant property at 715 Palmetto Street. He distributed photographs. Ms. Cameron, daughter of the property owner, testified that the vehicles and items belonged to her uncle, but he is in jail and unable to retrieve them. She further stated that she will get the property mowed, and that she would contact the adjacent property owners to remove their tires that were placed on this property.

Ms. Evans-Norcross made a motion that Betty Ross, Et Al is in violation of City Code, and to allow 30 days for compliance in Case #06-033 or a fine of \$50.00 per day of occurrence will be imposed. Mr. Fowler seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

CERTIFICATION OF FINE, CONT'D.

Case #02-293 James E. Williams: Mr. Martin reminded the Board that this case was for an unsafe structure due to fire damage, at 1105 E. McDonald Avenue. He provided an update on this case, stating that no certificate of occupancy has been issued (as per the Board's previous order) and that the second building permit has expired. He noted that the fines for this case have now accrued to over \$300,000.

Mr. Warren made a motion to certify the fine in Case #02-293 as previously imposed (\$250.00 per day after October 1, 2002). Ms. Evans-Norcross seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

Case #05-252 Anthony & Byrl Steffen: Mr. Martin testified that this violation was for an unsafe structure at 445 East Mills Avenue, but that a Building Permit application was submitted prior to the deadline date of January 20, 2006, but was not picked up until January 30, 2006, and that all work has been completed and the violation has been cleared.

Mr. Warren made a motion to dismiss Case #05-252 as they are now in compliance (as the Building Permit application was submitted prior to the deadline), and to rescind any penalty that has accrued. Ms. Evans-Norcross seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

Case #05-389 Jesus & Wilfred Edmond: Mr. Martin reminded the Board that this case was for uncontained trash on the property and public right-of-way at 51 Glover Street (vacant lot). He reported that the violation was cleared as of today, but did accrue a fine of \$425.00 as the deadline was February 2, 2006 (\$25.00 per day x 17 days of non-compliance).

Mr. Fowler made a motion to certify the fine in Case #05-389, in the amount of \$425.00. Ms. Evans-Norcross seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

NEW CASES, CONT'D.

Case #05-368-PN Jennifer L. Palma: Mr. Martin stated that this Repeat Violation consists of overgrown conditions at 2729 North Dellwood Drive. He stated that the situation constituted a Public Nuisance and that the city's Public Works crew was called in to clear the property, at a cost of \$90.00. It was noted that several attempts were made to have the property owner remedy the condition herself.

Ms. Evans-Norcross made a motion to impose a fine of \$505.00 as this is a Repeat Violation (\$5.00 per day x 101 days of non-compliance from original inspection date). Additionally, a fine of \$140.00 (\$90.00 for public works' cost + \$50.00 administrative penalty) be imposed, payable within 30 days. Mr. Fowler seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

Case #06-004 Allen & Lisa Sawyer: Mr. Martin reported that this case involves objects or items placed or left outdoors, an accumulation of trash and debris, and a trailer full of solid waste on the property at 220 South Center Street. He distributed photographs and noted that the property owners are not at this meeting because they are home working on clearing the violation. It was reported that that all that remained to be done to clear the violation was to clean up the trash.

Mr. Warren made a motion that Allen & Lisa Sawyer are in violation of City Code, and to allow 15 days for compliance in Case #06-004 or a fine of \$10.00 per day of occurrence will be imposed. Ms. Evans-Norcross seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

Case #06-006 Jose M. Arias & Augustina Raygoza: Mr. Martin stated that this violation involves overgrown property and an accumulation of abandoned personal property and other items left outdoors on the property and in the public right-of-way at 218 Danvers Street. He distributed photographs and noted that all that remained to be done was the rake up the trash and to cut the back 5 ft of the property.

Mr. Warren made a motion that Jose M. Arias & Augustina Raygoza are in violation of City Code, and to allow 10 days for compliance in Case #06-006 or a fine of \$15.00 per day of occurrence will be imposed. Mr. Fowler seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

Case #06-008 Arooba Management LLC.: Mr. Martin reported that this case is for unlicensed vehicles on the property at 22 Herrick Drive. He distributed photographs and noted that there were two unlicensed vehicles remaining on the property.

Ms. Evans-Norcross made a motion that Arooba Management LLC is in violation of City Code, and to allow 10 days for compliance in Case #06-008 or a fine of \$40.00 per day of occurrence (\$20.00 per vehicle) will be imposed. Mr. Warren seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

Cases #06-017 – 06-019 Florida Community Capital Corp.: Mr. Martin stated that these cases involved overgrown vacant lots on East McDonald Avenue (Block 25). He distributed photographs, and noted that the violations still exist.

Ms. Evans-Norcross made a motion that Florida Community Capital Corp. is in violation of City Code, and to allow 10 days for compliance in Case #06-017 or a fine of \$5.00 per day of occurrence will be imposed, 10 days for compliance in Case #06-018 or a fine of \$25.00 per day of occurrence will be imposed, and 10 days for compliance in Case #06-019 or a fine of \$50.00 per day of occurrence will be imposed. Mr. Fowler seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

Case #06-024 Michael C. Andrews: Mr. Martin asked that due to compliance, this case be removed from the agenda.

Mr. Fowler made a motion to remove Case #06-024 from the agenda. Mr. Warren seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

Case #06-039 and 06-040 Willie F. Faust, Jr.: Mr. Martin stated that these cases were Repeat Violations for overgrown conditions on vacant lots at the southwest corner of Titcomb Street and Mills Avenue. He distributed photographs, and discussion ensued regarding the imposition of an administrative penalty for each case.

Ms. Evans-Norcross made a motion to allow 5 days for compliance in Cases #06-039 and 06-040 or a fine of \$50.00 per day be imposed, retroactive to the original inspection date as this is a Repeat Violation. Additionally, a fine of \$100.00 (\$50.00 administrative penalty x 2 cases) be imposed, payable within 30 days. Mr. Warren seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

CONSIDERATION FOR FORECLOSURE

Cases #04-001 and 04-002 Willie F. Faust, Jr.: Mr. Martin reminded the Board that these cases from 2004 were for the same violation as the previous cases. The fines had accrued to a total of \$2,800.00. (\$1400.00 per case)

Mr. Fowler made a motion to recommend to the City Commission that they start foreclosure proceedings on Cases #04-001 and 04-002. Ms. Evans-Norcross seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

Cases #05-125 and 05-126 Rosa Lee McCoy & Curtis Bailey: Mr. Martin reminded the Board that Case #05-125 was for an unsafe accessory structure on the vacant lot east of 1216 Russell Avenue. He noted that the violation was cleared as of today, but that the lien had accrued to \$47,250.00. Also, Case #05-126 was for an accumulation of solid waste and a junk boat on the same property, and that a fine was still accruing, and has reached \$24,500.00.

Ms. Evans-Norcross made a motion to recommend to the City Commission that they start foreclosure proceedings on Cases #05-125 and 05-126. Mr. Fowler seconded, and the motion was approved as follows:

Mr. LaValle	Absent	Mr. Ferry	Aye
Mr. Smith	Absent	Mr. Bagg	Absent
Ms. Evans-Norcross	Aye	Mr. Fowler	Aye
Mr. Warren	Aye		

ADJOURNMENT

There was no further business and the meeting was adjourned at 5:15 p.m.

Respectfully submitted,

Christina Selage
Recording Secretary

Martin Ferry
Vice-Chairman