

**MINUTES  
CITY OF EUSTIS CODE ENFORCEMENT BOARD (CEB)**

**APRIL 13, 2009**

**COMMISSION ROOM - CITY HALL  
TEN NORTH GROVE STREET**

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**Regular Meeting**

**ROLL CALL:** Robert LaValle, Chairperson  
Joyce Evans-Norcross, Vice Chairperson  
Charlie Bagg  
James Cohen  
Manhar Jadav  
Philip Latta

**MEMBERS ABSENT:** Darrin Williams

**STAFF PRESENT:** Eric Martin, Code Enforcement Supervisor  
Margaret E. Morton, Code Enforcement Officer  
Marcia Arnold, Recording Secretary

**OTHERS PRESENT:** Ilmars Arsts, Alternate CEB Member  
Jerry Cobb  
Chris Gripson  
Robert Jones, City Attorney  
Ollie M. Marshall  
Jason Merritt, Code Board Attorney  
Gwendolyn Taylor  
Bonnie Tedder  
Tom Tookey, Alternate CEB Member

**CALL TO ORDER:** Chairperson LaValle called the Regular Meeting to order at 3:06 p.m. Roll call was taken.

**APPROVAL OF MINUTES:**

**MOTION by Ms. Evans-Norcross / SECOND by Mr. Bagg to approve the February 23, 2009 regular meeting minutes as written.**

Roll Call:

Mr. LaValle	Aye	Mr. Jadav	Aye
Ms. Evans-Norcross	Aye	Mr. Latta	Aye
Mr. Bagg	Aye	Mr. Cohen	Aye

Motion approved 6-0

**ADMINISTRATION OF OATH:** Jason Merritt, Code Board Attorney, administered the oath to all those present that would testify.

**CERTIFICATION OF FINE**

**Case 08-032 – Geneva Griffin:** Mr. Martin reminded the Board that this case is for overgrown conditions and accumulation of dead tree limbs on the vacant lot located at the east side of Prescott Street, between Clifford and Gottsche Avenue. Mr. Martin stated that he noticed the property was in compliance on January 7, 2009. Mr. Martin identified method of service and recommends that the Board certifies the fine of \$6,250 for the period the property was out of compliance, May 1, 2008 to January 7, 2009.

**MOTION by Ms. Evans-Norcross / SECOND by Mr. Latta, in Case 08-032, GENEVA GRIFFIN, I move to certify the previously imposed fine of \$25 per day totaling \$6,250.**

Roll Call:

Mr. LaValle	Aye	Mr. Jadav	Aye
Ms. Evans-Norcross	Aye	Mr. Latta	Aye
Mr. Bagg	Aye	Mr. Cohen	Aye

Motion approved 6-0

**Case 08-239 – Superior Service Corporation of Lake County, Inc.:** Mr. Martin reminded the Board that this case is for overgrown conditions and unkempt landscaping at 301 West Doane Avenue, Eustis, FL. He identified method of service and recommends that the Board certifies the fine of \$1,900 as the property is still in violation.

**MOTION by Mr. Bagg / SECONDED by Mr. Cohen, I move to certify the previously imposed fine of \$50 per day after March 5, 2009 for Case 08-239, as the property is still in violation.**

Roll Call:

Mr. LaValle	Aye	Mr. Jadav	Aye
Ms. Evans-Norcross	Aye	Mr. Latta	Aye
Mr. Bagg	Aye	Mr. Cohen	Aye

Motion approved 6-0

**Case 08-241 – Willie Pierce Life Estate c/o Dinah Durham:** Mr. Martin reminded the Board that this case is for an unsecured abandoned house located at 803 E. Hazzard Avenue, Eustis, FL. He described corrections that a friend of the family made and identified that the only outstanding violation is an unsecured window. He identified method of service and recommends that the Board certify a reduced fine of \$5 a day beginning after February 25, 2009 as the property is still in violation.

**MOTION by Mr. Bagg / SECONDED by Mr. Latta, I move to certify a reduced daily fine of \$5 per day after February 25, 2009 for Case 08-241, as the property is still in violation.**

Roll Call:

Mr. LaValle	Aye	Mr. Jadav	Aye
Ms. Evans-Norcross	Aye	Mr. Latta	Aye
Mr. Bagg	Aye	Mr. Cohen	Aye

Motion approved 6-0

**Case 08-242 – Willie Pierce Life Estate c/o Dinah Durham:** Mr. Martin reminded the Board that this case is for overgrown and unmaintained conditions, and accumulations of trash located at 803 E. Hazzard Avenue, Eustis, FL. He described corrections that a friend of the family made and identified that the outstanding violations are the overgrown back yard and some trash still remains. He identified method of service and recommends that the Board certify a reduced fine of \$5 a day beginning after February 25, 2009 as the property is still in violation.

**MOTION by Ms. Evans-Norcross / SECONDED by Mr. Bagg, I move to certify a reduced daily fine of \$5 per day after February 25, 2009 for Case 08-242, as the property is still in violation.**

Roll Call:

Mr. LaValle	Aye	Mr. Jadav	Aye
Ms. Evans-Norcross	Aye	Mr. Latta	Aye
Mr. Bagg	Aye	Mr. Cohen	Aye

Motion approved 6-0

**Case 08-243 – Willie Pierce Life Estate c/o Dinah Durham:** Mr. Martin reminded the Board that this case is for the structure located at 803 E. Hazzard Avenue, Eustis, FL being declared unsafe by the City of Eustis Building Department due to inadequate maintenance, dilapidation, obsolescence or abandonment, and a structurally unsound shed in rear of property. The remedy was to obtain a repair or demolition permit, neither of which has occurred. He identified method of service and recommends that the Board certifies the fine as the property is still in violation.

**MOTION by Mr. Cohen / SECONDED by Mr. Latta, I move to certify the previously imposed fine of \$250 per day after February 25, 2009 for Case 08-243, as the property is still in violation.**

Roll Call:

Mr. LaValle	Aye	Mr. Jadav	Aye
Ms. Evans-Norcross	Aye	Mr. Latta	Aye
Mr. Bagg	Aye	Mr. Cohen	Aye

Motion approved 6-0

**Case 08-244 – Willie Pierce Life Estate c/o Dinah Durham:** Mr. Martin reminded the Board that this case is for façade, fencing and dead tree violations located at 803 E. Hazzard Avenue, Eustis, FL, he explained that the dead tree has been removed and the fence has been repaired, but no work has been done on the facade. He identified method of service and recommends that the Board certifies the fine as the property is still in violation.

**MOTION by Mr. Latta / SECONDED by Mr. Bagg, I move to certify the previously imposed fine of \$250 per day after February 25, 2009 for Case 08-244, as the property is still in violation.**

Roll Call:

Mr. LaValle	Aye	Mr. Jadav	Aye
Ms. Evans-Norcross	Aye	Mr. Latta	Aye
Mr. Bagg	Aye	Mr. Cohen	Aye

Motion approved 6-0

**Case 09-001 – Select Homes Design & Construction, Inc.:** Mr. Martin reminded the Board that this case is for an overgrown property located at the vacant lot north of 828 Butch Cassidy Lane, Eustis, FL. Mr. Martin identified method of service and recommends that the Board certifies the fine as the property is still in violation.

Mr. Latta stated that he lives in the neighborhood and the HOA has dealt with the property owner. Mr. Martin stated that Mr. Latta has no financial interest in the case and may vote on the case.

**MOTION by Ms. Evans-Norcross / SECONDED by Mr. Jadav, I move to certify the previously imposed fine of \$25 per day after March 5, 2009 for Case 09-001, as the property is still in violation.**

Roll Call:

Mr. LaValle	Aye	Mr. Jadav	Aye
Ms. Evans-Norcross	Aye	Mr. Latta	Aye
Mr. Bagg	Aye	Mr. Cohen	Aye

Motion approved 6-0

**NEW CASES**

**Case 09-005PN Stephen T. Duvall:** Mr. Martin stated that this case is for an overgrown property and accumulations located in the rear at 926 Vanderbilt Drive, Eustis, FL. He described method of service, displayed photographs, and stated that the property has been abandoned and that the City abated the nuisance March 17, 2009 at a cost of \$200 (\$150 for mowing and \$50 for administrative fees). Staff recommends that the Board impose a fine of \$200.

**MOTION by Ms. Evans-Norcross / SECONDED by Mr. Bagg that after hearing the evidence and testimony, I move the Board find that notice was given as required by law and that in Case 09-005PN, STEPHEN T. DUVALL, did violate the sections of City of Eustis Code indicated in the notice, in the manner described therein, and that if this violation was of a severe enough nature to be considered a Public Nuisance. The violator is fined in the amount of \$200 in accordance with Section 34.100 and Section 34.101 of City Code.**

Roll Call:

Mr. LaValle	Aye	Mr. Jadav	Aye
Ms. Evans-Norcross	Aye	Mr. Latta	Aye
Mr. Bagg	Aye	Mr. Cohen	Aye

Motion approved 6-0

**Case 09-010 – Robert S. Wilson:** Mr. Martin stated that this case is for overgrown conditions, accumulations of trash and vegetative debris located at 1215 S. Bay Street, Eustis, FL. He described method of service, displayed photographs and recommends that the Board allow 30 days for compliance with the daily fine to be discussed. Ms. Kim Sharp testified for Mr. Wilson who stated that they will be working on correcting the violations.

**Case 09-011 – Robert S. Wilson:** Mr. Martin stated that this case involves a dilapidated fence, electrical wiring that is not being maintained in a safe condition, and a concrete slab that is breaking apart at 1215 S. Bay Street, Eustis, FL. He described method of service, displayed photographs and recommends that the Board allow 30 days for compliance with the daily fine to be discussed. Ms. Kim Sharp testified for Mr. Wilson who stated that they will be working on correcting the violations.

**MOTION by Ms. Evans-Norcross / SECONDED by Mr. Bagg in Case 09-010 and in Case 09-011, ROBERT S. WILSON, that after hearing the evidence and testimony, I move the Board find that notice was given as required by law and that ROBERT S. WILSON did violate the sections of City of Eustis Code indicated in the notice, in the manner described therein, and that if this violation continues after 30 days from today a fine of \$25 per day of occurrence, per case, be imposed.**

Roll Call:

Mr. LaValle	Aye	Mr. Jadav	Aye
Ms. Evans-Norcross	Aye	Mr. Latta	Aye
Mr. Bagg	Aye	Mr. Cohen	Aye

Motion approved 6-0

**Case 09-017 – Ollie Mae Marshall:** Mr. Martin stated that this case is for storage of a disabled or inoperative vehicle at 605 Reddick Street, Eustis, FL. He described method of service, displayed photographs and recommends that the Board allow 10 days for compliance with the daily fine to be discussed. Ms. Gwendolyn Taylor testified for Ms. Ollie Mae Marshall who stated that they will be working on getting the vehicle repaired and licensed.

**MOTION by Mr. Jadav / SECONDED by Ms. Evans-Norcross that after hearing the evidence and testimony, I move the Board find that notice was given as required by law and that in Case 09-017, OLLIE MAE MARSHALL did violate the sections of City of Eustis Code indicated in the notice, in the manner described therein, and that if this violation continues after 30 days from today a fine of \$25 per day of occurrence be imposed.**

Roll Call:

Mr. LaValle	Aye	Mr. Jadav	Aye
Ms. Evans-Norcross	Aye	Mr. Latta	Aye
Mr. Bagg	Aye	Mr. Cohen	Aye

Motion approved 6-0

**Case 09-024 Repeat – Allen Sawyer and Lisa Sawyer:** Mr. Martin stated that this case is against the tenants for accumulations placed or left outdoors at 640 Starbird Street, Eustis, FL. He described method of service and displayed photographs of the property. He informed the Board that prior to this hearing the violators have been adjudicated by the Board three times since 2006 for this type of violation. Staff recommendation is 10 days to bring the property into compliance, or impose a \$500 a day fine retro-active to February 6, 2009.

**MOTION by Ms. Evans-Norcross / SECONDED by Mr. Latta that after hearing the evidence and testimony, I move the Board find that notice was given as required by law and that in Case 09-024, ALLEN AND LISA SAWYER did violate the sections of City of Eustis Code indicated in the notice, in the manner described therein, and that if this violation continues after 10 days from today, a fine of \$500 per day of occurrence be imposed retro-active to February 6, 2009, as this is a repeat violation.**

Roll Call:

Mr. LaValle	Aye	Mr. Jadav	Aye
Ms. Evans-Norcross	Aye	Mr. Latta	Aye
Mr. Bagg	Aye	Mr. Cohen	Aye

Motion approved 6-0

**Case 09-027 – Michael D. Cofelice and Hope M. Cofelice:** Mr. Martin stated that this case is for an unsafe accessory structure located at 608 E. Citrus Avenue, Eustis, FL. He described method of service, displayed photographs and stated that the property has been abandoned and is under foreclosure. Staff is requesting Board authorization to have the City demolish the structure in accordance with Section 2-96 of City Ordinance.

**MOTION by Mr. Latta / SECONDED by Mr. Bagg, after hearing the evidence and testimony, I move the Board find that notice was given as required by law and that in Case 09-027, MICHAEL D. AND HOPE M. COFELICE did violate the sections of City of Eustis Code indicated in the notice, in the manner described therein, and that the violations are considered to be a serious threat to the public health, safety and welfare, therefore the city shall demolish the structure and charge the violator with the cost.**

Roll Call:

Mr. LaValle	Aye	Mr. Jadav	Aye
Ms. Evans-Norcross	Aye	Mr. Latta	Aye
Mr. Bagg	Aye	Mr. Cohen	Aye

Motion approved 6-0

**CONSIDERATION FOR REDUCTION OF FINE**

**Case 08-209 – East Central District Florida Annual Conference United Methodist Church:** Mr. Martin reminded the Board that this case is for an overgrown vacant lot located at the southeast corner of Bates Avenue and Glover Street, Eustis, FL. On February 23, 2009 the case went before the Board and the Board reduced the accrued fine to \$245 if paid within 30 days. On March 30, 2009 Reverend David Rawls submitted a request to waive all fines. Ms. Bonnie Tedder, Helping Hands food pantry manager, and Mr. Jerry Cobb testified for the church stating that if the fines are waived the money could be used to feed at least four families.

**MOTION by Mr. Cohen / SECONDED by Mr. Bagg, I move to rescind the accrued fines in Case 08-209 as the violation is now in compliance.**

Roll Call:

Mr. LaValle	Aye	Mr. Jadav	Aye
Ms. Evans-Norcross	Aye	Mr. Latta	Aye
Mr. Bagg	Aye	Mr. Cohen	Aye

Motion approved 6-0

**CONSIDERATION FOR FORECLOSURE OF LIEN**

**Case 08-080 – Patricia Louis Brown:** Mr. Martin reminded the Board that this case is for an unsafe structure located at 1422 Railroad Avenue, Eustis, FL, and that the City of Eustis recorded a lien against the property on December 24, 2008 for non-compliance. Over 90 days has passed with no action to remedy the violation, therefore staff is recommending that the Board authorize the City Attorney to begin foreclosure of the lien pending City Commission approval.

**MOTION by Ms. Evans-Norcross / SECONDED by Mr. Bagg, for Case 08-080, PATRICIA LOUIS BROWN, the Code Enforcement Board authorizes the City Attorney to begin foreclosure of the lien pending Eustis City Commission approval.**

Roll Call:

Mr. LaValle	Aye	Mr. Jadav	Aye
Ms. Evans-Norcross	Aye	Mr. Latta	Aye
Mr. Bagg	Aye	Mr. Cohen	Aye

Motion approved 6-0

**Case 08-081 – Patricia Louis Brown:** Mr. Martin reminded the Board that this case is for an overgrown property and accumulations of vegetation, dead tree limbs, tires, debris, trash, garbage or other waste located at 1422 Railroad Avenue, Eustis, FL, and that the City recorded a lien against the property on December 24, 2008 for non-compliance. Over 90 days has passed with no action to remedy the violation, therefore staff is recommending that the Board authorize the City Attorney to begin foreclosure of the lien pending City Commission approval.

**MOTION by Ms. Evans-Norcross / SECONDED by Mr. Bagg, for Case 08-081, PATRICIA LOUIS BROWN, the Code Enforcement Board authorizes the City Attorney to begin foreclosure of the lien pending Eustis City Commission approval.**

Roll Call:

Mr. LaValle	Aye	Mr. Jadav	Aye
Ms. Evans-Norcross	Aye	Mr. Latta	Aye
Mr. Bagg	Aye	Mr. Cohen	Aye

Motion approved 6-0

**OTHER BUSINESS**

Annual Adoption of Demolition Policy

Mr. Martin distributed copies of the demolition policies and procedures that were first adopted in 2007 and requests that the Board add them to the list of Code Enforcement Policies due to the fact that they were inadvertently omitted from the list during the 2009 CEB organizational meeting.

**MOTION by Ms. Evans-Norcross / SECONDED by Mr. Latta, the Code Enforcement Board recommends adoption and approval of the Demolition Policy and Procedures as approved May 3, 2007 by the Eustis City Commission.**

Roll Call:

Mr. LaValle	Aye	Mr. Jadav	Aye
Ms. Evans-Norcross	Aye	Mr. Latta	Aye
Mr. Bagg	Aye	Mr. Cohen	Aye

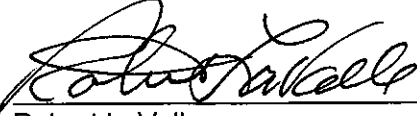
Motion approved 6-0

**ADJOURNMENT**

There was no further business and Chairperson LaValle adjourned the meeting at 4:20 p.m.

Respectfully submitted,

  
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Margaret E. Morton  
Code Enforcement Officer

  
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Robert LaValle  
Chairperson