

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

MAY 11, 2009

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

REGULAR MEETING

ROLL CALL: Robert LaValle, Chairperson
Joyce Evans-Norcross, Vice Chairperson
Ilmars Arsts
Charlie Bagg
Philip Latta
Thomas Tookey
Darrin Williams

MEMBERS ABSENT: James Cohen
Manhar Jadav

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

OTHERS PRESENT:

CALL TO ORDER: Chairperson LaValle called the Regular Meeting to order at 3:02 p.m. Roll call was taken.

APPROVAL OF MINUTES:

MOTION by Ms. Evans-Norcross / SECOND by Mr. Bagg to approve the April 13, 2009 regular meeting minutes as written.

Roll Call:

Mr. LaValle	Aye	Mr. Latta	Aye
Ms. Evans-Norcross	Aye	Mr. Tookey	Aye
Mr. Ilmars Arsts	Aye	Mr. Williams	Aye
Mr. Bagg	Aye		

Motion approved 7-0

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

CERTIFICATION OF FINE

Case 08-211 – Lester Yam and Katherine Yam: Mr. Martin reminded the Board that this case is for exterior façade violations on a two story home located at 428 Washington Avenue, Eustis, FL in the Washington Avenue Historic District. Mr. Martin stated that the Board ordered on January 26, 2009 the completion the first floor renovations by April 26, 2009, and for the Yam's to report before the Board on May 11, 2009 to discuss renovations to the second floor, and if the first floor renovations are not completed, a fine of \$250 per day of occurrence be imposed. An Affidavit of Non-Compliance and Notice of Hearing for Certification of Non-Compliance and Assessment of Fine was issued on April 28, 2009 as the first floor renovations are not complete.

Mr. Yam testified that main floor is sound and in good shape except for the trim. The replacement trim he purchased is of the same poor quality as the trim placed three years ago. He would like to put a gutter in its place. Mr. Yam thought he only needed to deal with the front of the first floor, not the chipping siding on the sides of the first floor. He intends to pressure wash the siding to remove the chipping paint and then oil the cypress wood.

MOTION by Mr. Tookey / SECOND by Mr. Latta, in Case 08-211, LESTER YAM and KATHERINE YAM, I move to extend the compliance date 180 days from today's date to complete exterior repairs on the entire house or a daily fine of \$250 be imposed starting after the extension's deadline date.

Roll Call:

Mr. LaValle	Aye	Mr. Latta	Aye
Ms. Evans-Norcross	Aye	Mr. Tookey	Aye
Mr. Ilmars Arsts	Aye	Mr. Williams	Aye
Mr. Bagg	Aye		

Motion approved 7-0

NEW CASES

Case 09-020 Donald Maheux & Renelle Maheux: Mr. Martin stated that this property, 437 and 439 Jennifer Lane, Eustis, FL is in compliance and no further action will be taken.

Case 09-029 John D. Glover Jr. and Emily Hooks Glover: Mr. Martin stated that this property, 200 North Mary Street, Eustis, FL is in foreclosure and that he is working with the property's preservation company to bring it into compliance so it is being removed from the agenda.

Case 09-048 Brothers Plaza Inc. (Sanjay C. Patel, registered agent): Mr. Martin stated that this case is for a window sign that is displayed over the main entrance door of the laundromat that exceeds 20 percent of the total glass area of the window in which it is displayed, located at 2137 East Orange Avenue, Eustis, FL (Eustis Food Mart). He described method of service, displayed photographs and recommends that the Board allow 10 days to comply with the required remedies or a fine of \$5 per day of occurrence be imposed.

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 09-048, BROTHER PLAZA INC., 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 \$5 per day of occurrence be imposed.

Roll Call:

Mr. LaValle	Aye	Mr. Latta	Aye
Ms. Evans-Norcross	Aye	Mr. Tookey	Aye
Mr. Ilmars Arsts	Aye	Mr. Williams	Aye
Mr. Bagg	Aye		

Motion approved 7-0

CONSIDERATION FOR REDUCTION OF FINE

Cases 06-239 and 06-240 Harmon Enterprises, Inc.: Mr. Martin reminded the Board that on October 16, 2006 the Board ordered that the vacant lots located at 1) the east side of Morin Street, between Herrick Avenue and Stevens Avenue, Eustis, FL and 2) the vacant lot previously addressed 930 South Bay Street, Eustis, FL be cleared of their overgrown condition by October 21, 2006 or fine of \$250 per day of occurrence be imposed, and that if the lots are not cut within 10 days of the deadline, the Eustis Public Works Department will mow the lots. Public Works mowed the lots on December 4, 2006 at a cost of \$300 and the fines accrued to \$21,300. Staff recommends that the daily fines be reduced to \$25/day per case (\$1,050 fine + \$150 mowing fee for each case) for a total due of \$2,400 if paid within 30 days from the date of the Eustis City Commission’s approval of the reduced penalty.

MOTION by Mr. Latta / SECONDED by Mr. Arsts, I move that the penalty previously imposed in Cases 06-239 and 06-240 in the amount of \$21,300 is hereby reduced to \$25 per day per case, for a total of \$2,400 if paid within 30 days from the date of Eustis City Commission approval. If such reduced penalty amount is not paid within the time specified, then, and in that event, the original full penalty imposed shall become due; if said reduced penalty amount is paid within the time specified, the case will be considered closed and a release of lien will be issued.

Roll Call:

Mr. LaValle	Aye	Mr. Latta	Aye
Ms. Evans-Norcross	Aye	Mr. Tookey	Aye
Mr. Ilmars Arsts	Aye	Mr. Williams	Aye
Mr. Bagg	Aye		

Motion approved 7-0

OTHER BUSINESS

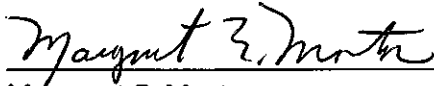
Revised agenda format approved by the Board, with the recommendation to double side copies, and perhaps put the timeline on the agenda.

Both absent Board members, Mr. James Cohen, and Mr. Manhar Jadav notified the Code Enforcement office of their absence.

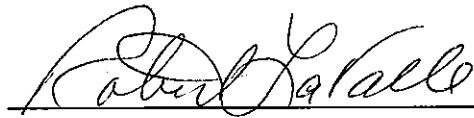
ADJOURNMENT

There was no further business and Chairperson LaValle adjourned the meeting at 3:39 p.m.

Respectfully submitted,



Margaret E. Morton
Code Enforcement Officer



Robert LaValle
Chairperson