

**MINUTES  
CITY OF EUSTIS CODE ENFORCEMENT BOARD**

**August 21, 2006**

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

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**Regular Meeting**

**ROLL CALL:** Robert LaValle  
Martin Ferry  
Joyce Evans-Norcross  
Charlie Bagg  
Billy Fowler  
Michael Holland

**MEMBERS ABSENT:** Robert Warren  
Thomas Fernandez (Alternate)

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

**OTHERS PRESENT:** Katrina Thomas, City Attorney  
John Weatherford, 910 South Bay Street, Eustis  
Robert Gilroy, 118 West Golflinks Avenue, Eustis  
Tien Le, 8108 Banister Lane, Port Richey  
Brandon Rizzo, 1005 Pine Tree Drive, Eustis  
Deborah Clemons, 211 South Prescott Street, Eustis  
Tom Shirley, Post Office Box 1759, Mount Dora  
Peter Philpot, 700 Jefferis Court, Eustis

**CALL TO ORDER:** Chairman LaValle 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 July 17, 2006 Regular meeting, by Mr. Fowler and seconded by Ms. Evans-Norcross, the Board voted to approve the motion as follows:**

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

**ADMINISTRATION OF OATH**

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

**CONSIDERATION FOR FORECLOSURE**

**Cases #05-324, 333-339 Chateau Management Group, LLC:** Mr. Martin reminded the Board that these cases involved the Royal Chateau Apartments on East McDonald Avenue. Case #05-324 was for exterior façade violations, and the rest were for unsafe and uninhabitable living units. He reported that Case #05-324 has yet to be complied with and is accruing a fine of \$250.00 per day since February 17, 2006 with the total fine to date being \$46,250.00. As for the apartments, a permit was pulled on April 17, 2006 (59 days after the deadline), but was withdrawn and cancelled shortly thereafter. Cases #05-333 through 339 accrued a fine of \$14,750 each. He stated new violation notices (repeat) would be issued to the property owner very soon.

**Mr. Ferry made a motion to recommend foreclosing on the Chateau Management Cases (05-324, 05-333-339). Ms. Evans-Norcross seconded, and the motion was approved as follows:**

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

**CERTIFICATION OF FINE**

**Case #05-258 Barbara Rizzo:** Mr. Martin reminded the Board that this case was for trees removed without a permit at 1005 Pine Tree Drive. He reiterated the payment agreement that the City Commission had agreed on for this case, but noted that the second (and final) payment was received 5 days late, thus making the fine retroactive to the original compliance date of December 18, 2005. Mr. Rizzo testified that he thought that his contractor was taking care of the payments and that due to a clerical oversight, the payment was late. The recommendation was to reduce the fine to \$5.00 per day of non-compliance, which would total \$1,100.00. Discussion ensued.

**Ms. Evans-Norcross made a motion to impose a fine of \$100.00 x 5 days (days past deadline) for a total due of \$500.00, to be paid within 30 days from today. Mr. Holland seconded, and the motion was approved as follows:**

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

**Cases #06-082 and 06-084 Robert Martin Gilroy:** Mr. Martin reminded the Board that these cases were for failure to keep the building and surrounding premises in a clean and sanitary condition, causing foul odor and failure to dispose of garbage (06-082) and a dilapidated roof (06-084) at 118 West Golflinks Avenue. He testified that a permit was obtained on August 8, 2006 (73 days late) and that the roof repair has been completed. He reported that a fine of \$18,250.00 did accrue. Attorney Weatherford presented the Board with photographs depicting the progress being made on cleaning out the house. He stated that several broken appliances have been removed from the home, as well as a large amount of trash and debris. He further testified that Mr. Gilroy has been keeping up with the maintenance of the exterior of the home, and the yard. He requested to be granted another month's

extension, to continue the work on the house.

**Mr. Ferry made a motion to postpone action on Case #06-082 until the September meeting. Mr. Bagg seconded, and the motion was approved as follows:**

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

**Mr. Holland made a motion to reduce the fine for Case #06-084 to \$365.00 (\$5.00 per day x 73 days of non-compliance) to be paid within 30 days from today. Mr. Ferry seconded, and the motion was approved as follows:**

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

## **NEW CASES**

**Case #06-225 Deborah S. Clemons:** Mr. Martin stated that this case is for a repeat violation of overgrown property and tires placed or left outdoors at 211 South Prescott Street. He distributed photographs and noted that a fence has been installed to screen the tires from view (which was mentioned to the property owners in December of 2005), and that the visible part of the yard has been mowed. Ms. Clemons testified that the rear yard behind the fence has been cut as well.

**Ms. Evans-Norcross made a motion that Deborah S. Clemons was in violation of City Code, and to that this is a Repeat Violation, therefore a fine of \$5.00 per day of non-compliance be imposed, from June 6, 2006 to August 20, 2006 totaling \$375.00. Mr. Holland seconded, and the motion was approved as follows:**

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

**Case #06-190 Tom Shirley:** Mr. Martin reported that this case is for broken concrete cinderblocks and concrete pieces along the rear fence line at 1610 Williams Avenue. He distributed photographs and noted that several other violations have already been cleared. Mr. Shirley testified that he was by the property a short while ago, and had picked up all the remaining concrete pieces.

**Ms. Evans-Norcross made a motion that Tom Shirley was in violation of City Code, but that the violation is now cleared. Mr. Ferry seconded, and the motion was approved as follows:**

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

**Case #06-208 Tom Shirley/Ron & Amanda Grissom:** Mr. Martin stated that this case is for unlicensed van, overgrown conditions, an accumulation of objects and personal property left outdoors at 24 Diedrich Court. He distributed photographs, and noted that the tenants (the Grissoms) had cleared some of the items, and had placed some under a canvas tent. He reported that the right of way remains overgrown, and that the tent/canopy would need to have the sides enclosed to shield the view of the items stored there. Mr. Shirley testified that he would be working with the tenants to make sure all violations are cleared, or he might consider eviction.

**Mr. Ferry made a motion that Tom Shirley and Ron & Amanda Grissom are in violation of City Code, and to allow 10 days for compliance in Case #06-208 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	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Absent
Mr. Holland	Aye		

**Case 06-236 Tien Hung & Thanh H. Le:** Mr. Martin reported that this case is for a recurring violation of an overgrown vacant lot south of 3006 Colfax Street. He distributed photographs and reported that the property had been mowed on August 18, 2006. Mr. Le apologized for the violation, stating that he lives and works out of town, but would be more vigilant in the future.

**Ms. Evans-Norcross made a motion that Tien Hung and Thanh H. Le were in violation of City Code, but that the violation is now cleared. Mr. Holland seconded, and the motion was approved as follows:**

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

### **CERTIFICATION OF FINE, CONT'D**

**Case #06-009 Peter & Joy Philpot:** Mr. Martin reminded the Board that this case involved the altering of a (then) non-conforming structure without Building Permits. He referred the Board to an application submitted by the property owners for a Reduction of Lien, and noted that the permit was issued on August 17, 2006 (110 days past deadline). Mr. Philpot reported that the property has now all be tied together with a Unity of Title, and that that timeframe combined with the obtaining of the permit was the reason for the delay in compliance, as well as the birth of his premature daughter. Discussion ensued regarding reducing the fine amount.

**Mr. Fowler made a motion to reduce the fine for Case #06-009 to \$550.00 (\$5.00 per day x 110 days of non-compliance) to be paid within 30 days from today. Mr. Bagg seconded, and the motion was approved as follows:**

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

**Case #06-105 Church of the Kingdom of God:** Mr. Martin reminded the Board that this case is for overgrown conditions, dead tree and accumulations of trash & debris on the vacant lot north of 311 West Lakeview Avenue. He reported that the property is still in violation. He testified that he had met with several contractors at the property to discuss what needed to be done, but that they both reported that the property owner rejected their bids.

**Ms. Evans-Norcross made a motion to certify the fine in Case #06-105 in the amount of \$50.00 per day, starting on July 27, 2006, as the property is still in violation. Mr. Holland seconded, and the motion was approved as follows:**

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

**Case #06-172 Felipe DeJesus & Felipe Gonzales:** Mr. Martin reminded the Board that this case was for an unlicensed vehicle on the property at 2736 East Dellwood Drive. He reported that Mr. Gonzales called after he received the second Hearing Notice and reported that the car has been removed one day after the deadline. He was told that since he did not call for a re-inspection the violation was not cleared until the inspector noted the car gone on August 1<sup>st</sup> and that he would need to speak to the board about changing the compliance date. It was noted that Mr. Gonzales was not present at the meeting.

**Mr. Ferry made a motion to certify the fine in Case #06-172 in the amount of \$25.00 per day, for 5 days, totaling \$125.00, which must be paid within 30 days from today or the fine will be recorded in public record. Mr. Fowler seconded, and the motion was approved as follows:**

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

**Case #06-173 and 06-174 Rupert & Monica Preddie:** Mr. Martin reminded the Board that these cases were for overgrown vacant lots on Lakeshore Court. He reported that Mr. Preddie called on August 4th to report that the lots had been cut on July 31st. Upon inspection it was noted that they were not cut very well. Most of the vegetation was knocked down, not cut. An additional inspection was conducted on August 15th, which revealed that the lots were overgrown again.

**Mr. Holland made a motion that for both Cases 06-173 and 06-174, to certify the fine in the amount of \$50.00 per day for each case, starting on July 27, 2006, as the properties are still in violation. Mr. Bagg seconded, and the motion was approved as follows:**

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

**Case #06-182 Kevin Sr. & Nicie Parks:** Mr. Martin reminded the Board that this case was for an unlicensed vehicle on the property at 1110 South Street. He reported that Ms. Parks called on August 16<sup>th</sup> to report that the vehicle had been moved (18 days past deadline).

**Mr. Fowler made a motion to reduce the fine for Case #06-182 to \$5.00 a day, totaling \$90.00 if paid within 30 days, or the original fine will be certified and recorded in public record if the reduced amount is not paid by the deadline. Mr. Holland seconded, and the motion was approved as follows:**

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

### **NEW CASES, CONT'D**

**Case #06-171 Joseph Jacobs & Teresa Meurer:** Mr. Martin stated that this case is for unlicensed vehicles on the property at 1204 South Dewey Street. He distributed photographs and noted that both vehicles remain on the property.

**Mr. Ferry made a motion that Tom Shirley and Ron & Amanda Grissom are in violation of City Code, and to allow 10 days for compliance in Case #06-208 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	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Absent
Mr. Holland	Aye		

**Case #06-183 (Sweeting) Tip Top Tree Experts:** Mr. Martin reported that there was an issue with proper service for Tip Top Tree Experts when this case was heard last month, so the matter would be re-discussed today. The Board was reminded that this case was for a tree removed without a permit at 1325 Scenic Drive.

**Mr. Fowler made a motion that Tip Top Tree Experts was in violation of City Code for Tree Removal without a permit, and that a one-time fine of \$500.00 be imposed, payable within 30 days. Mr. Bagg seconded, and the motion was approved as follows:**

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

**Case #06-203 Florida Community Capital Corp.:** Mr. Martin reported that this was a Repeat Violation for overgrown property at 913 E. McDonald Avenue (vacant lot). He distributed photographs and noted that the lot has been mowed as of August 4<sup>th</sup>.

**Ms. Evans-Norcross made a motion that Florida Community Capital Corp. was in violation of City Code, but is now cleared. However, as this is a Repeat Violation, a fine of \$255.00 be imposed (\$15.00 x 17 days), payable within 30 days. Mr. Fowler seconded, and the motion was approved as follows:**

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

**Case #06-210 Metro Waste Disposal, Inc.:** Mr. Martin stated that this case involves a recurring violation of illegal roll-off containers in the City of Eustis that do not belong to the City's franchisee. He distributed photographs and noted that the container was removed on August 18<sup>th</sup>.

**Mr. Holland made a motion that Metro Waste Disposal Inc was in violation of City Code, but that the violation is now cleared. Mr. Fowler seconded, and the motion was approved as follows:**

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

**Case #06-217 Jesus & Wilfred Edmond:** Mr. Martin testified that this a Repeat Violation of overgrown conditions on the vacant lot at 51 Glover Street. He distributed photographs and testified that the property was mowed as of the August 17<sup>th</sup> inspection.

**Ms. Evans-Norcross made a motion that Jesus & Wilfred Edmond were in violation of City Code, but is now cleared. However, as this is a Repeat Violation, a fine of \$510.00 be imposed (\$10.00 x 51 days), payable within 30 days. Mr. Holland seconded, and the motion was approved as follows:**

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

**Case #06-227 Samuel Ofori:** Mr. Martin testified that this a Repeat Violation of overgrown conditions at 1420 Morin Street. He stated that the property was mowed on August 4<sup>th</sup>, but is once again overgrown. He distributed photographs.

**Ms. Evans-Norcross made a motion that Samuel Ofori is in violation of City Code, and that if this violation continues after 2 days from today, a fine of \$50.00 per day of occurrence be imposed, retroactive to August 21, 2006 as this is a Repeat Violation, additionally a fine of \$10.00 per day is hereby imposed, from July 20, 2006 to August 3, 2006 totaling \$140.00. This fine must be paid within 30 days from today, or a lien will be recorded. Mr. Fowler seconded, and the motion was approved as follows:**

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

**Case #06-228 Samuel Ofori:** Mr. Martin stated that this is a Repeat Violation for unlicensed vehicles at 1420 Morin Street. He distributed photographs and stated that there were two unlicensed vehicles but one has been tagged properly. He reported that Mr. Ofori called the office and stated that vehicles have remained tagged since the last time he was cited for them, and that he just failed to put the stickers on them. He was told to submit a copy of the registration, and the case would be closed. No proof of registration has been received.

**Mr. Fowler made a motion that Samuel Ofori is in violation of City Code, and that if this violation continues after 10 days from today, a fine of \$5.00 per day of occurrence be imposed, retroactive to May 3, 2006 as this is a Repeat Violation. Mr. Holland seconded, and the motion was approved as follows:**

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

**06-233 Stephen S. Hunsaker, Et Al:** Mr. Martin reported that this repeat violation is for overgrown conditions on a vacant lot on the west side of State Road 19, between Publix and Huddle House restaurant. He distributed photographs and noted that the property was mowed as of August 14<sup>th</sup>.

**Ms. Evans-Norcross made a motion that Stephen S. Hunsaker, Et Al were in violation of City Code, but is now cleared. However, as this is a Repeat Violation, a fine of \$240.00 be imposed (\$20.00 x 12 days), payable within 30 days. Mr. Bagg seconded, and the motion was approved as follows:**

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

**Case #06-239 and 06-240 Harmon Enterprises:** Mr. Martin stated that these cases were for overgrown vacant lots on the east side of Morin Street (239) and at 930 South Bay Street (240). He distributed photographs and testified that the properties remain overgrown.

**Mr. Holland made a motion that Harmon Enterprises is in violation of City Code, and to allow 10 days for compliance in Case #06-239 and 240 or a fine per case of \$50.00 per day of occurrence will be imposed. Ms. Evans-Norcross seconded, and the motion was approved as follows:**

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

**Case #06-244 Beatrice Stephenson:** Mr. Martin reported that this case is for overgrown conditions at 1303 Jules Court. He testified that the property has been mowed, and thus the violation is cleared.

**Mr. Ferry made a motion that Beatrice Stephenson were in violation of City Code, but that the violation is now cleared. Mr. Fowler seconded, and the motion was approved as follows:**

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

### **OTHER BUSINESS**

Mr. Martin discussed with the Board the Foreclosure procedure and noted that it would be the topic of a future City Commission workshop, where one of the Board members might be needed.

### **ADJOURNMENT**

There was no further business and the meeting was adjourned at 4:25 p.m.

Respectfully submitted,

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Christina Selage  
Recording Secretary

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Robert LaValle  
Chairman