

**CITY OF
MOUNT DORA, FLORIDA
CODE COMPLIANCE SPECIAL
MAGISTRATE HEARING
MINUTES**



**April 28, 2022
10:00 AM
City Hall Board Room**

The City of Mount Dora held a Code Compliance Special Magistrate Hearing on Thursday, April 28, 2022 at 10:00 AM in the Council Chamber at 510 N. Baker Street, Mount Dora, Florida.

SPECIAL MAGISTRATE

David. R. Bear, Esq.

CITY STAFF PRESENT

Gary Hutcheson, Code Enforcement Officer

Sherry G. Sutphen, Esq., City Attorney

Merry Lovern, Executive Assistant to the City Manager

Jeanann Hand, Deputy City Clerk

Case # 2022-0044

**City of Mount Dora vs. Clara A. Johnson et al.
1455 Pine Avenue**

Violation/Code: Section 10-21(b)(2), Florida Building Code Section 105.1 Permit Required

Respondent was not present. Deputy Building Official John Abner was sworn in and stated the City is withdrawing its complaint because the property owner is now in compliance.

Case # 2022-0017

**City of Mount Dora vs. Copacabana Cuban Cafe, Inc.
320 Dora Drawdy Way**

Violation/Code: Section 44-457 Spills and Dumping

No representative from Copacabana Cuban Cafe, Inc. was present.

The property is currently in compliance. The City presented a Consent Order in which the property owner agreed to reimburse the City in full for the cleanup and abatement cost of \$1,496.84.

The Respondent was found to be in violation of Chapter 44 Utilities, Article VIII Stormwater Pollution Control, on the property located at 320 Dora Drawdy Way for allowing an illicit discharge to the City's stormwater system from the property on or about January 13, 2022. The City of Mount Dora performed cleanup and abatement of the illicit discharge pursuant to Chapter 44 Utilities, Article VIII Stormwater Pollution Control, the cost of which was \$1,496.84.

Case # 2022-0037

**City of Mount Dora vs. Kevin J. Thomas and Sarah M. Thomas.
3090 Bethpage Loop**

Violation/Code: Section 46-23 Permit Required for Removal of Trees

Respondent Kevin J. Thomas was present.

The Magistrate, having heard testimony, accepted evidence and found the Respondents to have violated the City of Mount Dora Code, Section 46-23, permit and approval required for removal of trees. Under this article, no tree may be cut down or removed from the real property described in section 46-19 without a permit from the director of Public Works.

A penalty in the amount of \$250.00 for the removal of one (1) tree without a permit was imposed against Respondents, to be paid within thirty (30) days.

Case # 2022-0026

**City of Mount Dora vs. Karl E. Carlock, et al.
1741 Cobble Lane**

Violation/Code: Section 44-23 Permit required for removal of tree

Respondent Karl E. Carlock was present.

The Magistrate, having heard testimony, accepted evidence and found the Respondents to have violated the City of Mount Dora Code, Section 46-23, permit and approval required for removal of trees. Under this article, no tree may be cut down or removed from the real property described in section 46-19 without a permit from the director of Public Works.

A penalty in the amount of \$500.00 for the removal of one (1) tree without a permit was imposed against the respondents, representing the irreparable, irreversible nature of the violation. Respondents shall have 30 days from the date of this Order.

Case # 2021-0339

**City of Mount Dora vs. Cay Partners, LLC
801 South Highland Avenue**

Violation/Code: Section 10-21(a), IMPC 302.4 Weeds

Respondent was not present.

The City Attorney announced the City wished to permanently dismiss this matter from the docket. It may be brought up again upon subsequent violation.

Case # 2021-0180

**City of Mount Dora vs. George Asbate and Pamela Rivas
1507 North Donnelly Street**

Violation/Code: Section 10-21(b)(2), Florida Building Code Section 105.1 Permit Required

Respondent was not present.

The Magistrate found as a matter of fact that Respondent remains in violation of its Finding of Fact/Conclusion of Law/Order Imposing Fine dated July 1, 2021, and all directives set forth therein are hereby ratified.