

**CITY OF
MOUNT DORA, FLORIDA**



October 30, 2023

**CODE COMPLIANCE BOARD
MINUTES**

The City of Mount Dora held a Code Compliance Special Magistrate Hearing on Monday, October 30, 2023 at 10:05 AM in the Council Chamber at 510 N. Baker Street, Mount Dora, Florida.

SPECIAL MAGISTRATE

David. R. Bear, Esq.

CITY STAFF PRESENT

Tannia Jett, Code Compliance Inspector
Andrew Smith, Esq., City Attorney
Merry Lovern, Executive Assistant to the City Manager
Catherine Hutcheson, Administrative Coordinator
Whitney Scott, Administrative Coordinator

HEARINGS: NEW CASES

Case # 2023-0027

City of Mount Dora vs. Rosiland D. Jones

Violation/ Code: Section 10-1, Florida Building Code Sec. 105.1 Building Permit Required

Deputy Building Official, John Abner gave a presentation of a code violation being a carport installed without a permit issued. The presentation was entered into the electronic record for evidence. The Magistrate accepted the testimony and accepted the electronic evidence. Mr. Bear and Mr. Abner discussed the timing of permit submittal and correspondence between the respondent and the Building Department. Mr. Adam Sumner gave testimony on his support for staff recommendations.

Mr. Bear changed the compliance date to 90 days from this meeting date. If compliance is not met a \$50.00 a day fine will be imposed on the property as a lien.

Case # 2023 - 0141

City of Mount Dora vs. 100 E 4th Avenue LLC

Violation/ Code: Section 10-1, Florida Building Code Sec. 105.1 Building Permit Required

Deputy Building Official, John Abner gave a presentation of a code violation being an electrical, mechanical and structural alteration without a permit issued. The presentation was entered into the electronic record for evidence. The Magistrate accepted the testimony and accepted the electronic evidence.

Mr. Bear and Mr. Abner discussed more on the permit issuance of this case. Mr. Bear agreed to the staff recommendations with no change.

Case # 2023-0143/ 0170

City of Mount Dora vs. Jotiken Enterprises LLC

Violation/ Code: Section 10-1, Florida Building Code Sec. 105.1 Building Permit Required

Deputy Building Official, John Abner gave a presentation of a code violation being a repair/ demolition of a balcony without a permit issued. The presentation was entered into the electronic record for evidence. The Magistrate accepted the testimony and accepted the electronic evidence.

Mr. Bear and Mr. Abner discussed if the respondent/s have been working to alleviate the Stop Work Order.

Mr. Bear agreed to the staff recommendations with no change.

Case # 2023-0145

City of Mount Dora vs. Johanna L. & Jose Del Angel

Violation/ Code: Section 10-1, Florida Building Code Sec. 105.1 Building Permit Required

Deputy Building Official, John Abner gave a presentation of a code violation being a reroof permit issued twice that expired. A new permit must be applied for. The presentation was entered into the electronic record for evidence. The Magistrate accepted the testimony and accepted the electronic evidence.

Mr. Bear and Mr. Abner discussed the two violations on the roof.

Mr. Bear agreed to the staff recommendations with no change.

Case # 2023-0147

City of Mount Dora vs. Linda & Richard Valley

Violation/ Code: Section 10-1, Florida Building Code Sec. 105.1 Building Permit Required

Deputy Building Official John Abner gave a code presentation, as testimony, entered into record.

Respondents were present for testimony. Respondents had applied for a permit that was approved but not yet paid for.

Mr. Bear agreed to the staff recommendations with no change.

Case # 2023 - 0150

City of Mount Dora vs. Lifescolor LLC

Violation/ Code: Section 10-1, Florida Building Code Sec. 105.1 Building Permit Required

Deputy Building Official, John Abner gave a presentation of a code violation being demolition of an exterior ramp and stairs installed without a permit issued. The presentation was entered into the electronic record for evidence. The Magistrate accepted the testimony and accepted the electronic evidence.

Mr. Bear and Mr. Abner discussed the current lien on this property for change of occupancy. No discussion with owners to date.

Mr. Sumner gave testimony on the LLC. Further discussion with Mr. Bear on the repeated pattern of behavior.

Mr. Bear agreed to the staff recommendations with no change.

Case # 2023 - 0153

City of Mount Dora vs. Dhanvi 446 Property Inc

Violation/ Code: Section 10-1, Florida Building Code Sec. 105.1 Building Permit Required

Deputy Building Official, John Abner gave a presentation of a code violation being commercial refrigeration condenser replacement without a permit issued. A mechanical contractor would need to apply for a permit as this is a commercial property. The presentation was entered into the electronic record for evidence. The Magistrate accepted the testimony and accepted the electronic evidence.

Mr. Bear and Mr. Abner discussed whether or not the owner or contractor had been in contact. There was none. Further discussion on installation and permit issuance. Mr. Bear agreed to the staff recommendations with no change.

Case # 2023 - 0154

City of Mount Dora vs. Wilts C. Alexander III

Violation/ Code: Section 10-1, Florida Building Code Sec. 105.1 Building Permit Required

Deputy Building Official John Abner gave a code presentation, as a testimony, entered into record, the accepted by magistrate as evidence.

The Respondent was present to give testimony. On the 27th of October, 2023 the respondent submitted plans for a permit that has not yet been approved by the Planning and Zoning Department.

Mr. Alexander Wilts was sworn in by the Special Magister. The respondent stated he could not work on the home due to personal matters.

Mr. Abner suggested that the city give Mr. Wilts 60 days to obtain a permit to remedy the violation. Mr. Bear agreed to the time allotted. Mr. Bear also decreased the fine from \$250.00 a day to \$100.00 a day if compliance is not achieved.

Case # 2023 - 0155

City of Mount Dora vs. Jon Napoles

Violation/ Code: Section 10-1, Florida Building Code Sec. 105.1 Building Permit Required

Deputy Building Official John Abner gave a code presentation, as testimony, entered into record, accepted by magistrate as evidence.

The respondent was present to give testimony. The permit was applied for but not yet approved by the Planning and Zoning Department.

Mr. Bear asked why the plans were denied. Mr. Abner stated that it was due to a lack of a survey (code section cited).

Mr. Jon Napoles was sworn in by the special magistrate, he gave his testimony. He requested the Stop Work Order be removed as he felt it was issued in error. Mr. Bear agreed to the violation cited, he gave the respondent a 60 day window and a \$100.00 a day fine if compliance is not achieved.

Case # 2023 – 0157

City of Mount Dora vs. Casa Del Alfarero la Luz Del Mundo

Violation/ Code: Section 10-1, Florida Building Code Sec. 105.1 Building Permit Required

Deputy Building Official, John Abner gave a presentation of a code violation being exterior wall sheathing, doors and windows installed without a permit issued. The presentation was entered into the electronic record for evidence. The Magistrate accepted the testimony and accepted the electronic evidence.

Mr. Bear and Mr. Abner discussed the change of the compliance from 30 to 60 days and if any correspondence had been had with the owners.

Mr. Bear agreed to the staff recommendations with the change to obtain a building permit within 60 days.

Case # 2023 - 0158

City of Mount Dora vs. Dothan Jackson Jr. & Betty Jackson

Violation/ Code: Section 10-1, Florida Building Code Sec. 105.1 Building Permit Required

Deputy Building Official John Abner gave a code presentation, as testimony, entered into record, accepted by the magistrate as evidence.

The respondent, Mr. Dothan Jackson was present, was sworn in and gave testimony.

He requested extra time for compliance.

Mr. Abner asked for urgency on this violation.

Mr. Bear agreed with the recommendations suggested, no changes made.

Case # 2023 - 0160

City of Mount Dora vs. Thomas Investment Properties LLC

Violation/ Code: Section 10-1, Florida Building Code Sec. 105.1 Building Permit Required

Deputy Building Official, John Abner gave a presentation of a code violation of plumbing installed without a permit issued. The presentation was entered into the electronic record for evidence. The Magistrate accepted the testimony and accepted the electronic evidence.

Mr. Bear agreed to the staff recommendations with one change from a fine amount of \$250.00 a day to \$50.00 a day.

Case # 2023 - 0164

City of Mount Dora vs. Preston Mary Scott Estate

Violation/ Code: Section 10-1, Florida Building Code Sec. 105.1 Building Permit Required

Deputy Building Official, John Abner gave a presentation of a code violation being damage to structural, electrical, plumbing, mechanical, and egress, making it an unsafe structure. The presentation was entered into the electronic record for evidence. The Magistrate accepted the testimony and accepted the electronic evidence.

Mr. Sumner gave testimony on the case.

Mr. Bear and Mr. Abner discussed changing the suggestions given by staff.

Mr. Bear agreed to the staff recommendations with a change of the respondents either remedy the code violations with the unsafe structure or by pulling a demolition permit.

Case # 2023 - 0166

City of Mount Dora vs. Moore Properties Corporation et al

Violation/ Code: Section 10-1, Florida Building Code Sec. 105.1 Building Permit Required

Deputy Building Official, John Abner gave a presentation of a code violation being a change of occupancy without a permit issued. The presentation was entered into the electronic record for evidence. The Magistrate accepted the testimony and accepted the electronic evidence.

Mr. Bear and Mr. Abner discussed why the change of use is a violation of FBC 105.1. Part of Section 10-01.02 FBC Existing. Further discussion on this. Discussion between the special magistrate and the city attorney on the right to assembly.

Mr. Bear agreed with the 30 day compliance date or they would need to provide documentation that the use is not being changed, and a fine of \$50.00 a day.

HEARINGS: COMPLIANCE

None.

HEARINGS: REPEAT VIOLATION

None.

FUTURE HEARING DATES

December 14, 2023, 10:00 AM Code Compliance Special Magistrate Hearing

ADJOURNMENT

MOTION by Special Magistrate, David Bear, to adjourn the Code Compliance Special Magistrate Hearing at 12:45p.m.