



**CITY OF MOUNT DORA
SPECIAL MAGISTRATE HEARING
AUGUST 08, 2024 MEETING MINUTES**

The City of Mount Dora Special Magistrate Hearing took place on Thursday August 08, 2024, in the City Chambers on the first floor of City Hall, Located at 510 N. Baker Street, Mount Dora Florida to hold code violation hearings for the Building and Code Compliance Departments.

I. Call to Order

Having been duly noticed and required by law on June 13, 2024 the Special Magistrate Hearing was called to order at 10:20 a.m. by David Bear, Special Magistrate.

II. Swearing in of Staff

City Staff Present: Ryan Morgan, Plans Examiner; Tara Hernandez, Code Compliance Inspector; James Paul, Code Compliance Inspector; Adam Sumner, Deputy Planning Director/ Code Compliance Manager; Catherine Hutcheson, Administrative Coordinator; Whitney Scott, Administrative Coordinator; Drew Smith, City Attorney.

III. Hearings: New Cases: Building Department

- 1.) E2024- 0186 City of Mount Dora v. Four Gators Inc. (18915 US Hwy 441)
 - i. Swearing in of Respondent
 - ii. Staff Testimony & Electronic Evidence
 - iii. Respondent Testimony
 - iv. Magistrate Discussion
 - v. Magistrate Order

Violation: Stop Work Order/ Unsafe for work being done without a permit on a column; vehicle vs building incident at CVS.

Respondent Name: Representative Elisabeth Crane, Esq.

Magistrate Order: Respondents are hereby ordered to bring the property into compliance with the aforementioned City Code(s) (City of Mount Dora Code of Ordinances, Section 10-1, Florida Building Code Section 105.1 Building Permit Required.) by applying for and obtaining the appropriate building permit(s) no later than 8:00am on the 7th day of October 2024. In addition, respondents shall place cones or other physical safety barrier around the immediate damaged column within 48 hours. Failure to comply by the date specified here-in

will result in the assessment of a civil penalty in the amount of \$250.00, for each and every day thereafter that the violation remains.

2.) E2024-0097 City of Mount Dora v. Paula Inman (1112 S. Clayton Street)

- i. Swearing in of Respondent
- ii. Staff Testimony & Electronic Evidence
- iii. Respondent Testimony
- iv. Magistrate Discussion
- v. Magistrate Order

Violation: Code of Ordinances City of Mount Dora, Sec. 10-1. - Building codes adopted.: The fire-damaged structure shall be secured within 48 hours of the fire incident and a permit for repair/reconstruction shall be applied for within 90 days of the fire incident.

Respondent Name: Eric Inman (Via ZOOM)

Magistrate Order: Respondents are hereby ordered to secure the openings in the structure beneath the roof on or before September 9, 2024. If Respondents comply with the prior sentence in the time allowed, Respondents shall be allowed until February 8, 2025 to come into compliance by obtaining a permit to rehabilitate or a permit to demolish the structure on the Subject Property. If Respondents fail to secure the openings in the structure beneath the roof within the time allowed, the City shall be authorized to take the necessary steps to demolish the structure. In addition, if the Respondents fail to comply with any part of this Order, a fine of \$250.00 may be imposed for each day the Subject Property remains in non-compliance. This Order may be recorded in the Official Records of Lake County and shall run with the land.

3.) E2024-0096 City of Mount Dora v. Dave Lowe Realty Inc. (303 Highland St.)

- i. Swearing in of Respondent
- ii. Staff Testimony & Electronic Evidence
- iii. Respondent Testimony
- iv. Magistrate Discussion
- v. Magistrate Order

Violation: International Property Maintenance Code, 109.1.5 Hazardous structure or premises; International Property Maintenance Code, 304.10 Stairways, decks, porches and balconies.

Respondent Name: Ashley Lowe

Magistrate Order: Respondents are hereby ordered to bring the Property into compliance with the aforementioned City Code(s) by applying for and obtaining the appropriate building and zoning permit(s) no later than 8:00a.m., on the 7th day of October, 2024. In addition, Respondents shall keep the access door to the subject balcony boarded up until and unless the balcony structure is repaired. Failure to comply by the date specified herein will result in the assessment of a civil penalty in the amount of \$ 250.00, for each and every day thereafter that the violation remains.

4.) E2024-0190 City of Mount Dora v. Viera Shardey (625 E. Jackson Ave.)

- i. Swearing in of Respondent
- ii. Staff Testimony & Electronic Evidence
- iii. Respondent Testimony
- iv. Magistrate Discussion
- v. Magistrate Order

Violation: Stop Work Order for interior renovations without first acquiring a building permit.

Respondent Name: Shardey Viera

Magistrate Order: Respondents are hereby ordered to bring the Property into compliance with the aforementioned City Code(s) by applying for and obtaining the appropriate building permit(s) no later than 8:00a.m., on the 9th day of September, 2024. Failure to comply by the date specified herein will result in the assessment of a civil penalty in the amount of \$250.00, for each and every day thereafter that the violation remains.

5.) E2024-0189 City of Mount Dora v. Christopher Robin Real Estate (1316 Hackett St.)

- i. Swearing in of Respondent
- ii. Staff Testimony & Electronic Evidence
- iii. Respondent Testimony
- iv. Magistrate Discussion
- v. Magistrate Order

Violation: City of Mount Dora Code of Ordinances, Section 10-1, Florida Building Code Section 105.1 Required.

Respondent Name: No respondent present

Magistrate Order: Respondents are hereby ordered to bring the Property into compliance with the aforementioned City Code(s) by applying for and obtaining the appropriate building permit(s) no later than 8:00a.m., on the 7th day of October, 2024. Failure to comply by the date specified herein will result in the assessment of a civil penalty in the amount of \$250.00, for each and every day thereafter that the violation remains.

IV. Hearings New Cases: Code Compliance

1.) E2024-0093 City of Mount Dora v. Elevation Mt. Dora LLC. (20935 US Hwy 441)

- i. Swearing in of Respondent
- ii. Staff Testimony & Electronic Evidence
- iii. Respondent Testimony
- iv. Magistrate Discussion

v. Magistrate Order

Violation: City of Mount Dora Code of Ordinances, Section 26-86. – Accumulations of trash, junk, debris and nonliving plant material on property.

Respondent Name: Maria Sanchez

Magistrate Order: The undersigned finds that Respondents have failed to address the violation after ample notice and opportunity. Accordingly, a fine shall be imposed for each day the Subject Property remains in non-compliance beginning with today's date. Said fine shall accrue at the rate of \$100.00 per day through September 9th, 2024 until compliance is met. If the violation is not cured by 8:00a.m., on the 9th day of September, 2024, the daily fine amount shall increase to \$250.00 per day and shall continue to run until compliance is met.

V. Hearings: Compliance

- 1.) E2023-0008 City of Mount Dora v. Francis Terry Lee (338 S. Rhodes St.)
 - i. Swearing in of Respondent
 - ii. Staff Recommendation
 - iii. Respondent Testimony
 - iv. Magistrate Discussion
 - v. Magistrate Order

Respondent Name: No respondent present

Magistrate Order: THIS CAUSE having come before the undersigned Magistrate on the 8th day of August, 2024, and said Magistrate having heard testimony, accepted evidence and being otherwise fully advised in the premises hereof, finds as a matter of fact that the Respondent remains in violation of its Order Ratifying Non-Compliance and Providing Additional Relief dated June 13th, 2024.

The property located at 338 S. Rhodes Street Mount Dora, FL 32757 was secured by the City of Mount Dora on June 14th, 2024. The Lien amount of \$250.00 a day has accrued \$22,500.00 plus the costs to secure the structure. Fines shall continue to accrue at the rate of \$250.00 per day until full compliance is met. The abatement cost will be placed against the property in the form of a lien. In the event the City demolishes the structure, this Order shall be amended to include the costs of such measures.

2.) E2023-0002 City of Mount Dora v. Palms of Mount Dora Condo. Asso. Inc. (1400 Eudora Rd)

- i. Swearing in of Respondent
- ii. Staff Recommendation
- iii. Respondent Testimony
- iv. Magistrate Discussion
- v. Magistrate Order

Respondent Name: Kandi Jo Hardesty

Magistrate Order: THIS CAUSE having come before the undersigned Magistrate on the 8th day of August, 2024, and said Magistrate having heard testimony, accepted evidence and being otherwise fully advised in the premises hereof, finds as a matter of fact that the Respondent is no longer violation of its Finding of Fact/ Conclusion of Law/Order as of May 8, 2024. Total daily fines accrued from the three violations are One Hundred Thousand Two Hundred and Fifty Dollars (\$100,250.00.) The Respondent has testified to challenges that caused the delay in compliance. Upon Agreement of the parties, the accrued fines are hereby ratified.

VI. Hearings: Repeat Violations

E2024-0219 City of Mount Dora v. Paul P. Peters (210 W 11th Ave.)

Respondent Name: Respondent Not Present

Magistrate Order: Respondents are hereby ordered to bring the Property into compliance with the aforementioned City Code(s) by trimming the shrubs back from the City right-of-way as per the above city code no later than 8:00a.m., on the 21st day of August, 2024. Failure to comply by the date specified here-in will result in the repeat offender assessment of a civil penalty in the amount of \$500.00 a day until compliance is met.

VII. Administrative Business

E2023-0018 Insanally Sheik & Salima Khan Request to revoke Finding of Fact

Magistrate Order :THIS CAUSE having come before the undersigned Magistrate on the 8th day of August, 2024, and said Magistrate having heard testimony, accepted evidence and being otherwise fully advised in the premises hereof, finds as a matter of fact that the Respondent is no longer violation of its Finding of Fact/ Conclusion of Law/Order. Total potential daily fines accrued of \$28,500.00. The Respondent has testified to challenges that caused the delay in compliance. Upon Agreement of the parties, the accrued fines are hereby reduced to the amount of \$3,000.00.

Next Special Magistrate Hearing scheduled for August 8th, 2024 at 10:00 a.m.

VIII. Adjournment

The City of Mount Dora's Special Magistrate Hearing was adjourned at 12:45pm on Thursday August 8th, 2024.

Catherine Hutcheson

Catherine Hutcheson, Clerk

A handwritten signature in black ink, appearing to read 'AS', with a horizontal line drawn underneath it.

Adam Sumner, Deputy Planning Director