



**CODE ENFORCEMENT HEARINGS OF THE  
SPECIAL MAGISTRATE  
MONTVERDE, FLORIDA  
WEDNESDAY, DECEMBER 14, 2022  
10:00 A.M.**

**MONTVERDE TOWN HALL  
COUNCIL CHAMBERS**

**17404 SIXTH ST  
MONTVERDE, FLORIDA**

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**I. CALL TO ORDER:**

**II. CITY CLERK ADMINISTRATION OF OATH TO RESPONDENTS/WITNESSES:**

*I solemnly affirm that the evidence that I shall give shall be the truth, the whole truth, and nothing but the truth.*

**III. ANNOUNCE FORMAT OF PROCEEDINGS:**

**IV. CODE ENFORCEMENT OFFICER/TOWN MANAGER AGENDA UPDATES**

**V. NEW CODE COMPLIANCE CASES:**

**Case No. CE2022-14 – REQUEST ORDER OF ENFORCEMENT**

**Respondent: Daniel Smith**

17506 Strahan Street, Montverde, FL 34756

Parcel ID # 01-22-26-0700-000-01600, Alt Key 1462754

1. Silt fence is not properly installed and soil is washing into road.

*Sec. 12-156 Control of sediment during construction*

*Any soil or sediment that is transported off the subject property by dust, erosion, or any reason shall be removed from the area where it has accumulated by the responsible entity within three days. Any eroded soil or sediment, other than planned soil stockpile areas, that collects to a depth of more than six inches and is closer than five feet from any property line shall be relocated on the site or removed from the site within three days.*

*Sec. 12-157 Inspection of erosion control measures during construction*

*Erosion control measures shall be inspected weekly and after every rainfall event greater than one-half inch. The inspection reports shall be retained at the site of the project and shall include the following information.*

- (1) Date and time of inspection
- (2) Reason for inspection (weekly or rainfall)
- (3) List of measures that were inspected
- (4) List of any repairs made or maintenance completed
- (5) Name and signature of person conducting the inspection

**Corrective Action:** Install sediment fence barriers properly to eliminate sediment discharge. Inspect all fences and repair areas that have breached sediment or at risk for breach. Keep record of inspection reports at the site.

Date Violation first Observed: April 25, 2022

Date by which violation was to be corrected: April 30, 2022

Violation Notice: April 26, 2022

**Case No. CE 22-000115 – REQUEST ORDER OF ENFORCEMENT**

**Respondent: Christopher Diego**

17632 Ninth Street, Montverde, FL 34756

Parcel ID # 01-22-26-1200-005-00300, Alt Key 3037511

Violation of Town Code, Section(s):

1. Building without a permit; interior/exterior alterations being done without permit

*Sec 5-42 (c) Permit and Permit fee required. It shall be unlawful for any person, firm or corporation to construct, erect, alter, repair, enlarge, move or demolish any building or structure; or to erect, install, enlarge, alter, repair, remove, correct or replace any electrical, gas, mechanical or plumbing system or cause any such work to be done within the Town of Montverde without first making application and obtaining a permit therefore from the building department, and upon payment of fees as adopted herein.*

**Corrective Action:** You must obtain proper permits, have the property inspected and pay permit fees to the Town of Montverde.

2. Building without a permit; Fence

*Sec 5-42 (c) Permit and Permit fee required. It shall be unlawful for any person, firm or corporation to construct, erect, alter, repair, enlarge, move or demolish any building or structure; or to erect, install, enlarge, alter, repair, remove, correct or replace any electrical, gas, mechanical or plumbing system or cause any such work to be done within the Town of Montverde without first making application and obtaining a permit therefore from the building department, and upon payment of fees as adopted herein.*

**Corrective Action:** You must obtain proper permits, have the property inspected and pay permit fees to the Town of Montverde.

3. Violation of Single Family R1M zoning area.

**Sec. 10-52. - R1M—Medium district.**

(a) *Description of district.* The R1M zoning district is intended for single-family residence to preserve and enhance medium density neighborhood values.

4. Certificate of Occupancy not issued, property is not approved for habitation.

**Sec. 5-42 (f) Certificates.**

(1) *Certificates of occupancy required.* No building presently under construction, or hereinafter erected, altered or enlarged, shall be used or occupied in whole or in part until a certificate of occupancy shall have been issued by the building official, certifying that the building and occupancy are in accordance with the provisions of the adopted building code and all other ordinances and laws applicable thereto.

**Corrective Action:** You must obtain permits and pass inspections required for occupancy.

Date Violation first Observed: November 15, 2022

Violation Notice: November 15, 2022

Date by which violation was to be corrected: November 25, 2022

**Case No. CE 22-000115 – REQUEST ORDER OF ENFORCEMENT**

**Respondent: George/Pamela Wright**

16178 Hillside Circle, Montverde, FL 34756

Parcel ID # 02-22-26-0550-000-05400, Alt Key 346149

Violation of Town Code, Section(s):

1. Fence constructed without a permit.

**Sec 5-42 (c) Permits**

Permit and permit fee required. It shall be unlawful for any person, firm or corporation to construct, erect, alter, repair, enlarge, move, or demolish any building or structure; or to erect, install, enlarge, alter, repair, remove, correct, or replace any electrical, gas, mechanical or plumbing system, or cause any such work to be done within the Town of Montverde without first making application and obtaining a permit therefore from the building department, and upon payment of fees as adopted herein.

**Corrective Action:** You need to obtain a proper building permit, have an inspection and pay permit fees

Date Violation first Observed: November 15, 2022

Violation Notice: November 16, 2022

Date by which violation was to be corrected: November 26, 2022

**VI. OLD CODE COMPLIANCE CASES:**

**Case No. CE 2021-01 & CE2021-12 – REQUEST ORDER OF FORECLOSURE**

**Respondent: Eric Delisle**

16829 Ridgewood, Montverde, FL 34756

Parcel ID # 01-22-26-1400-001-01201, Alt Key 2996901

**Violations: Violation of Town Code, Section(s):**

5. Building without a permit; interior/exterior alterations being done and solar panels being added with alteration to the electrical system.

*Sec 5-42 (c) Permit and Permit fee required. It shall be unlawful for any person, firm or corporation to construct, erect, alter, repair, enlarge, move or demolish any building or structure; or to erect, install, enlarge, alter, repair, remove, correct or replace any electrical, gas, mechanical or plumbing system or cause any such work to be done within the Town of Montverde without first making application and obtaining a permit therefore from the building department, and upon payment of fees as adopted herein.*

Date of initial inspection: September 6, 2021

Date by which the violation was to be corrected: September 23, 2021

Date of Reinspection: October 6, 2021

Order of Continuance: January 19, 2022

Order of Fine: June 15, 2022

If a person decides to appeal any decision made by the Board, Agency or Commission with respect of any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purposes, he or she may need to ensure that a verbatim records of the proceedings be made, which record includes the testimony and evidence upon which the appeal is based.

In accordance with the Americans with Disabilities Act (ADA), if a person with a disability defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Town of Montverde, at 17404 Sixth St., Montverde, FL (407) 469-2681.

Notice is hereby given, that one or more members of the Montverde Town Council may be present at this meeting.