



**CODE ENFORCEMENT HEARINGS OF THE  
SPECIAL MAGISTRATE  
MONTVERDE, FLORIDA  
WEDNESDAY, JANUARY 19, 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 DEFENDENTS/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 BUSINESS:**

**Case No. CE 2021-06 Affidavit Of Compliance**

**Respondent: Frazier, Jean**

16643 Seventh Street, Montverde FL 34756

Parcel ID # 11-22-26-0200-00B-00100, Alt Key 1531756

**Fine: \$612.50**

**Motion to Dismiss: Dated November 17, 2021**

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

1. Excess debris, machinery, junk, trailers, mowers stored in a residential area creating a nuisance.

*Sec. 18-73. - It shall be unlawful and subject to penalties provided in this article to deposit garbage or weeds of any kind upon any vacant, occupied, or unoccupied premises within the town, or upon any street, alley, parkway, or park, or in any canal, waterway, rock pit, pool or lake within the town. Garbage means every accumulation of paper, excelsior, rags, wooden and paper boxes or containers, sweepings and all other accumulation of waste materials which are usual to housekeeping and to the operation of stores, offices and other business places, including bottles, cans and containers; unsightly junk, wood, brick, cement block or other debris, refrigerators, furnaces, washing machines, stoves, machinery, inoperable or derelict motor vehicles or equipment or parts thereof; anything worthless, useless or discarded; rubbish; worthless, unwanted material that is rejected or thrown out; debris, litter; discarded animal and vegetable matter, as from a kitchen; and refuse.*

Date of initial inspection: May 30, 2021

Date by which the violation was to be corrected: June 18, 2021  
Special Magistrate Hearing: July 28, 2021  
Date to be in compliance as ordered by Special Magistrate: September 30, 2021  
Reinspection and Affidavit of Non-Compliance: October 11, 2021  
Fine Ordered by Special Magistrate: \$617 at \$25.00 per day

**Case No. CE 2021-02**

**Respondent: Parque Verde LLC**

**Parcel ID #'s 09-22-26-0201-017-00000 & 11-22-26-0002-000-04100**

**Alt Key #'s: 1029490 & 3779570**

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

1. Construction of a fence without a Zoning Clearance and Permit:  
*Section 4-260 of Montverde Land Development Code states no fence shall be constructed without a Zoning Clearance and Building Permit from the Town.*
2. Construction of two (2) driveways without a Zoning Clearance and Permit:  
*Section 4-84 of Montverde Land Development Code states no driveway or driveway apron may be constructed without a Zoning Clearance and Building Permit from the Town.*
3. Removal of trees without a Tree Permit:  
*Chapter 10, Sec. 12-3 of the Montverde Land Development Code states no trees shall be cleared or removed without obtaining a Permit from the Town.*
4. Storage and sale of retail and/or wholesale nursery items:  
*Chapter 10, Sec. 10-51, R1L-Single-family low density district states any use not listed as a permitted or conditional use as outlined in this section is considered a prohibited use. The storage and sale of retail and/or wholesale nursery items is prohibited until the property is rezoned.*

Date of violation: February 2, 2021

Date by which the violation was to be corrected: March 4, 2021.

**Case No. CE2021-21**

**Respondent: Jane Taylor**

17349 Seventh Street, Montverde, FL 34756

Parcel ID # 01-22-26-1000-007-00300, Alt Key 1531322

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

1. High weeds and grass:  
*Sec. 18-73. - It shall be unlawful and subject to penalties provided in this article to deposit garbage or weeds of any kind upon any vacant, occupied, or unoccupied premises within the town, or upon any street, alley, parkway, or park, or in any canal, waterway, rock pit, pool or lake within the town. Garbage means every accumulation of paper, excelsior, rags, wooden and paper boxes or containers, sweepings and all other accumulation of waste materials which are usual to housekeeping and to the operation of stores, offices and other business places, including bottles, cans and containers; unsightly junk, wood, brick, cement block or other debris, refrigerators, furnaces, washing machines, stoves, machinery, inoperable or derelict motor vehicles or equipment or parts thereof; anything worthless, useless or discarded; rubbish; worthless, unwanted material that is rejected or thrown out; debris, litter; discarded animal and vegetable matter, as from a kitchen; and refuse.*
2. Untagged Vehicles:

*Sec. 24-35 (a) Abandoned, disabled or inoperable vehicles or vehicles that are not allowed to be operated on a public roadway (such as dirt bikes, all-terrain vehicles, oversized four-wheel drive vehicles with non- DOT approved tires, unlicensed hobby vehicles) must be parked in an enclosed structure or hidden from public view completely by an opaque fence or wall. Such vehicles may be parked on a Florida DMV licensed trailer. This applies to both residential and ORC Zoned areas.*

Date of initial Inspection: October 26, 2021

Date by which the violation was to be corrected: November 8, 2021

## **VI. OLD BUSINESS:**

### **Case No. CE2021-12**

**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):**

3. 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.*

4. Inoperable vehicle parked in yard.

*Sec. 24-35 (a) Abandoned, disabled or inoperable vehicles or vehicles that are not allowed to be operated on a public roadway (such as dirt bikes, all-terrain vehicles, oversized four-wheel drive vehicles with non- DOT approved tires, unlicensed hobby vehicles) must be parked in an enclosed structure or hidden from public view completely by an opaque fence or wall. Such vehicles may be parked on a Florida DMV licensed trailer. This applies to both residential and ORC Zoned areas.*

5. Dumping mulch and trash in right of way.

*Sec. 18-73. - It shall be unlawful and subject to penalties provided in this article to deposit garbage or weeds of any kind upon any vacant, occupied, or unoccupied premises within the town, or upon any street, alley, parkway, or park, or in any canal, waterway, rock pit, pool, or lake within the town. Garbage means every accumulation of paper, excelsior, rags, wooden and paper boxes or containers, sweepings and all other accumulation of waste materials which are usual to housekeeping and to the operation of stores, offices and other business places, including bottles, cans and containers; unsightly junk, wood, brick, cement block or other debris, refrigerators, furnaces, washing machines, stoves, machinery, inoperable or derelict motor vehicles or equipment or parts thereof; anything worthless, useless or discarded; rubbish; worthless, unwanted material that is rejected or thrown out; debris, litter; discarded animal and vegetable matter, as from a kitchen; and refuse.*

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

**Case No. 2021-23**

**Respondent: Edwin Santos**

17115 Franklin Avenue, Montverde, FL 34756

Parcel # 02-22-26-0900-002-00500, Alt Key 2868384

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

1. Construction of fence without a permit.  
*Section 4-260 states "the construction of any fence shall require a building permit from the town. Before the building permit is issued, the applicant shall submit plans which shall show the dimension of the property, the type of fence proposed to be constructed and its location of the property"*
2. Fence installed in right of way.  
*Section 22-1 states "The physical alteration, either temporary or permanent, of any public right of way that is under the jurisdiction of the town, shall require a right of way utilization permit be issued by the town for such alteration or impediment."*
3. Alterations to building without permit.  
*Section 5-42 states (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 20, 2021

Date by which the violation was to be corrected: October 4, 2021

Date Issued notice of violation: October 27, 2021

Date of Reinspection: November 9, 2021

Continued from: November 17, 2021

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.