



City of Eustis

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TO: Eustis City Commission

FROM: Rick Gierok, Interim City Manager

DATE: March 19, 2026

RE: Resolution Number 2026-34: Legal Action Authorization for 1402 Morin Street, Code Enforcement Cases 21-00851, 22-00087, 22-00162, 24-00835 and 24-01020

Introduction:

Resolution Number 2026-34 approves a Code Enforcement Board action authorizing the Eustis City Attorney to initiate legal proceedings regarding persistent and unresolved code enforcement violations at 1402 Morin Street. All reasonable efforts to secure compliance through traditional enforcement methods have been unsuccessful, and foreclosure of the City's liens is prohibited due to the property's homestead status under the Florida Constitution.

Recommended Action:

Administration recommends approval of Resolution Number 2026-34.

Background:

The property subject to this request currently has five unresolved code enforcement cases with cumulative fines totaling \$518,225. The violations listed below have persisted despite multiple notices, hearings, and enforcement efforts.

Case 24-00835 - Total Fine: \$113, 500

Violation: Operating a vehicle repair and service facility, which is a commercial use, within a Suburban Residential Land Use District.

Case 24-01020 - Total Fine: \$113,500

Violation: Failure to dispose of solid waste, including but not limited to hazardous or industrial waste, for which collection and disposal services are not provided by the city or its franchisee.

Case 22-00087 - Total Fine \$70,350

Violation #1: Failure to maintain the property and the adjoining public right-of-way between the property and the street free of excessive growths and accumulations as enumerated in Section 34-96.

Conditions:

- 1) Dead tree remains on property.

- 2) Accumulation of vegetation, weeds, plant matter, materials, trash, garbage, rubbish, or other waste materials on property and within adjoining public right-of-way.
- 3) Objects or items and accumulations placed or left outdoors that could become a breeding place for insects or vermin or cause unpleasant odors or which is unsightly and an eyesore from adjoining properties or from the public right-of-way.

Violation #2: Trees, vines and shrubs or other vegetation protruding or overhanging the Atwater public right-of-way lower than 8 feet from the ground.

Case 22-00162 – Total Fine \$107,025

Violation: Inoperative vehicles without a current valid license tag stored or abandoned on property (in the rear yard and in driveway) within view of public property or another person's private property.

Case 21-00851 – Total Fine: \$113,850

Violation: Inoperative vehicle (Ford Explorer) without a current valid license tag stored, left or abandoned in the West Atwater Public Right of Way.

Case Number 24-00835 involves a land use violation. Pursuant to Section 109-4 of the City Code, "no building, structure, land, or water shall hereafter be used or occupied, except in conformity with the regulations herein specified for the district in which it is located." The single-family property located at 1402 Morin Street is within a Future Land Use designation of Suburban Residential, where commercial uses are not permitted.

Section 102-5 of the City's Land Development Regulations outlines the remedies available when a violation of the land development regulations has occurred. At its sole discretion, the City Commission may pursue one or more of the following actions:

1. Seek damages or injunctive relief against the violator in the Circuit Court of Lake County, Florida, with all reasonable attorney's fees incurred being awarded to the prevailing party and to be paid by the losing party.
2. Refer the violations to code enforcement for enforcement (Action Unsuccessful).
3. Revoke, either permanently or temporarily, any permits, site plan approval, plat approval, development orders, or any other development rights granted by the city. (Not Applicable)

In addition, the Department pursued an alternative approach to obtain compliance for the land use violation by reporting the business to the Florida Department of Agriculture and Consumer Services (FDACS). Under the Florida Motor Vehicle Repair Act, any individual who receives payment to repair motor vehicles owned by others is required to register with FDACS. However, FDACS's complaint system is primarily focused on consumer protection, and if a business chooses not to respond, the complaint is closed.

Community Input

No adjacent property owners attended the Code Enforcement Hearings, but the Department has received numerous citizen complaints.

Budget / Staff Impact:

If the Resolution is approved, legal expenses could exceed \$5,000.

Reviewed By:

Craig A. Capri, Chief of Police
Jon Fahning, Captain
Miranda Burrowes, Deputy City Manager

Prepared By:

Eric Martin, Code Enforcement Supervisor

Attachments

- Resolution Number 2026-34
- Final Notice Letter

Documents available upon request:

- Case Files and Pictures