



# City of Eustis

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TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: SEPTEMBER 4, 2025

RE: RESOLUTION NUMBER 25-71: REDUCTION OF FINE/RELEASE OF  
LIEN, 600 ELLSY STREET  
CODE ENFORCEMENT CASE 24-00051 AND 24-00388

## **Introduction:**

Resolution Number 25-71 approves a Code Enforcement Order reducing two outstanding code enforcement liens totaling \$50,200 to \$19,125 and releases the liens against 67 Glover Street, upon payment.

The Resolution also provides the City Commission an opportunity to consider a compromise regarding the fine reduction. The additional options proposed are as follows:

- No payment shall be due, and the City shall promptly release the lien; or
- Full payment (\$50,200) remains due and payable to the City; or
- The lien shall be reduced to \$ \_\_\_\_\_, if said payment is received by the City within \_\_\_\_\_ days from the effective date of this Resolution. Failure to comply results in this compromise being null and void, and the original lien amount being immediately reinstated in full.

## **Recommended Action:**

The administration recommends approval of Resolution Number 25-71.

## **Background:**

### **1. Code Board Action:**

On June 9, 2025, the Code Enforcement Board reviewed two fine reduction requests submitted by Harold J. Kelly, the owner of 600 Ellsy Street. The requests were as follows:

Case 24-00051: Request to reduce a \$33,250 fine to \$16,625.

Case 24-00388: Request to reduce a \$16,950 fine to \$8,475.

The Board approved a motion to reduce the \$33,250 fine for Case 24-00051 to \$16,625, but after discussions between the members and Mr. Kelly, the Board also approved a motion to reduce the \$16,950 fine for Case 24-00063 to \$2,500 (\$5,975 less than requested), with the following conditions:

- Approval from the City Commission; and

- Payment be made within 30 days of City Commission approval

After the Hearing, Mr. Kelly began making phone calls to city personnel regarding his fines, including a call to the Code Department requesting the phone number of the Board Chairperson. He was advised that it would be inappropriate to speak with the Chairperson outside of an official Board setting; therefore, he was informed that the matter would be placed on the July agenda under Other Business for the Board to consider whether they wanted to reconsider their previous fine reductions. If the Board chose to do so, the Cases would then be scheduled for reconsideration at the August hearing.

Unfortunately, the July Hearing was cancelled due to a power outage in City Hall. To avoid further delays, the Department placed the matter on the August agenda for reconsideration. At the August hearing, a Board member expressed concern regarding Mr. Kelly's actions following the June hearing, and after hearing testimony from Mr. Kelly, the Board voted to deny his request for reconsideration.

## **2. Property History:**

Temple of Power Ministries, Inc. obtained title to the property in 2007. The corporation has since changed its name to the Powerhouse Christian Center Inc., for which Harold Kelly is the Registered Agent, President and Vice President.

Since 2024, the property has been subject to five code violations. During that time, the Code Enforcement Department conducted 26 inspections, entered 82 case logs, issued 17 notices, received 3 citizen complaints and held 9 Code Enforcement Board Hearings, collectively consuming approximately 73 staff hours and resulting in over \$2,400 in administrative costs.

## **3. Violation History:**

Case 24-00051: Total Fine \$33,250

Violation: Undeveloped property located in a Mixed Commercial/Residential (MCR) Land Use District is being used for outdoor storage.

Corrective Actions Required:

- 1) Remove all items stored on the undeveloped property; or
- 2) Obtain a permit to develop the property.

01-30-24:	Correction Notice issued with 2-29-24 deadline.
03-01-24:	Notice of Violation/Hearing issued with 4-1-24 deadline.
04-01-24:	Property failed inspection.
04-08-24:	Order of Enforcement issued by Code Enforcement Board (CEB) with 5-8-24 deadline, or a fine of \$250 per day of noncompliance would be imposed. Harold Kelly present at Hearing.
04-15-24:	City received citizen complaint about condition of lot.
04-18-24:	City received another citizen complaint about condition of lot.
05-09-24:	Property failed inspection.
05-09-24:	Notice of Non-Compliance/Hearing issued for 6-10-24.

06-03-24:	Building permit application submitted. Application incomplete
06-10-24:	CEB certified previous imposed fine due to noncompliance. However, they agreed to waive the fines accrued in the amount of \$8,000 if compliance was achieved by 8-9-24. Harold Kelly present at Hearing.
06-11-24:	Complete permit application submitted.
06-13-24:	Building permit application failed plan review.
08-14-24:	Property failed inspection.
08-19-24:	Order Imposing Fine executed and mailed to property owner advising that the lien will be recorded in public record if compliance is not achieved by September 18, 2024, and the fine paid, or a request for fine reduction is not submitted.
08-21-24:	Building permit application approved and waiting to be picked up and paid for. Permits are not issued until payment is received in full.
09-19-24:	Property passed inspection despite there still being some rebar that had not been removed. Daily fines accrued to \$33,250
10-30-24:	Order Imposing Fine recorded in public record as a lien against the property.

Case 24-00385: No fine imposed

Violation: Airtight appliances discarded or abandoned on premises with doors still attached.

Corrective Action Required: Remove all appliances from the property.

05-09-24:	Case opened
05-09-24:	Notice of Life Safety Violation issued.
05-13-24:	Order of Enforcement issued by Code Enforcement Board (CEB) with 5-16-24 deadline, or a fine of \$250 per day of noncompliance would be imposed. Harold Kelly did not attend Hearing.
05-17-24:	Property passed inspection. Case closed.

Case 24-00388: Total Fine \$16,950

Violation: Unauthorized accumulation of solid waste placed/stored on property.

Corrective Action Required: Remove all solid waste from the property.

05-09-24:	Case opened.
05-09-24:	Notice of Violation/Hearing issued with 6-3-24 deadline.
06-03-24:	Property failed inspection.
06-10-24:	Order of Enforcement issued by Code Enforcement Board (CEB) with 8-9-24 deadline, or fine of \$75 per day of noncompliance would be imposed. Harold Kelly present at Hearing.
08-14-24:	Property failed inspection. Material from this lot moved next door to 1613 E. Bates Avenue and to 67 Glover Street.
08-19-24:	Notice of Non-Compliance/Hearing issued for 9-9-24.

09-09-24:	CEB certified previous imposed fine due to noncompliance. However, they agreed to waive the fines, accrued in the amount of \$2,500, if compliance was achieved by 9-12-24. Harold Kelly present at Hearing.
09-13-25:	Property failed inspection.
09-13-25:	Citizen complaint received.
09-19-24:	Property failed inspection due to rebar and small amount of debris on lot. There were also signs of illegal burning on the vacant lot adjacent to the subject property.
09-19-24:	Property failed inspection. Rebar and small amounts trash/debris remain on property. There is also evidence of illegal burning of solid waste/dumping on adjacent vacant lot. Mr. Kelly later admitted to performing these acts.
10-02-24:	Order Imposing Fine executed and mailed to property owner.
10-30-24:	Order Imposing Fine recorded in public record as a lien again 600 Ellsy St., which cross-attached to 1613 E. Bates Ave. in according to Florida Statutes Sec. 162.09(3).
12-31-24:	Spoke to Mr. Kelly about remaining items to be removed.
01-06-25:	Property failed inspection.
01-09-25:	Called and left a voicemail message for Mr. Kelly reminding him of items that need to be removed from the lot.
02-04-25:	Property failed inspection.
02-11-25:	Called Mr. Kelly again.
02-17-25:	Property failed inspection.
03-24-25:	Property passed inspection. Daily fines accrued to \$16,950

Case 24-00823: No fine imposed

Violation: Airtight appliance (clothes dryer) discarded or abandoned on premises with doors still attached.

Corrective Action Required: Remove the appliance from the property.

09-03-24:	Case opened. Mr. Kelly arrived onsite during inspection. He advised that the appliance was amongst all the material that he had stored in that area and assured it would be removed today.
09-04-24:	Failed inspection.
09-04-24:	Passed inspection. Property inspected again in the afternoon and the appliance was gone.

Case 25-00101: No fine imposed

Violation: Burning of solid waste.

Corrective Action Required: Cease all burning activities and remove all the burned rubbish from the property.

02-03-25:	Case opened
02-04-25:	Correction Noticed issued with 2-11-25 deadline.
02-11-25:	Property failed inspection. Mr. Kelly notified of one remaining pile of burned rubbish that has not been removed.
02-17-25:	Property passed inspection. Case closed.

### **Community Input**

No adjacent property owners attended the Code Enforcement Hearings, but the Code Department did receive citizen complaints.

### **Budget / Staff Impact:**

If the Resolution is approved, the City could receive \$18,750, which far exceeds to administrative costs incurred in bringing the property into compliance with City Code.

### **Reviewed By:**

Craig A. Capri, Chief of Police

### **Prepared By:**

Eric Martin, Code Enforcement Supervisor

### **Attachments**

- Resolution Number 25-71
- Fine Reduction Applications
- 2nd Fine Reduction Request letter
- 8-21-25 Letter to City Commission