



# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: SEPTEMBER 4, 2025

RE: RESOLUTION NUMBER 25-70: REDUCTION OF FINE/RELEASE OF  
LIEN, 67 GLOVER STREET  
CODE ENFORCEMENT CASE 20-00176 AND 24-00063

## **Introduction:**

Resolution Number 25-70 approves a Code Enforcement Order reducing two outstanding code enforcement liens totaling \$61,750 to \$26,000 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 (\$61,750) 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 25-70.

## **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 67 Glover Street. The requests were as follows:

Case 20-00176: Request to reduce a \$29,000 fine to \$10,000.

Case 24-00063: Request to reduce a \$32,750 fine to \$16,000.

The Board approved two motions to reduce the accumulative fines to \$26,000 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:**

On February 20, 2020, an inspection of the single-family residential structure was conducted, which resulted in it being posted as unsafe and unfit for human occupancy. At the time, the property was owned by Peter and Lucinda McGinn who lived next door at 69 Glover Street. Contact was made with Mrs. McGinn, who advised that they were in the process of giving the property to Harold Kelly and that the transfer should be completed within 30 days.

On February 25, 2020, Harold Kelly met with Eric Martin, Code Enforcement Supervisor, to discuss the requirements for obtaining permits to repair and rehabilitate the unsafe structure. He was advised to have the building evaluated by a structural engineer before proceeding and, once the evaluation was completed, to schedule a meeting with the Building Official for further guidance.

Since Harold J. Kelly obtained title to the property in 2020, it has been subject to ten code violations. During that time, the Code Enforcement Department conducted 65 inspections, entered 176 case logs, issued 30 notices, received 4 citizen complaints, and held 14 Code Enforcement Board Hearings, collectively consuming approximately 110 staff hours and resulting in over \$4,400 in administrative costs.

## **Violation History**

**Case 20-00176:** Total Fine \$29,000

Violation: The single-family residential dwelling has not been maintained in accordance with the International Property Maintenance Code and is unsafe and unfit for human occupancy.

Corrective Action Required: Obtain a permit to repair and rehabilitate, or demolish it from the City of Eustis Building Department, 111 E. Orange Avenue, Eustis, (352)483-5462

02-20-20:	Case opened.
09-29-20:	Notice of Violation/Hearing issued with 11-2-20 deadline
11-02-20:	No permit obtained.
11-09-20:	Order of Enforcement issued by Code Enforcement Board (CEB) with 1-7-21 deadline, or fine of \$250 per day of noncompliance would be imposed. Harold Kelly did not attend Hearing.
01-25-21:	No permit obtained

01-08-21:	Harold Kelly called to report that he obtained a Contractor to repair and rehabilitate the unsafe structure
01-20-21:	Harold Kelly called to report he has construction plans and will be submitting them to the Building Department
01-25-21:	Harold Kelly submitted demolition permit to the Building Department
02-04-21:	Demo permit approved and ready to be issued.
03-31-21:	Harold Kelly requested Building Department to void his pending demo permit because he is now planning to repair and rehabilitate the unsafe structure.
04-30-21:	Notice of Non-Compliance/Hearing issued for 5-10-21
05-04-21:	Harold Kelly called to report that he had the Building Department reinstate his demolition permit. Daily fines stop accruing upon issuance of demolition permit.
05-10-21:	CEB certified previous imposed fine due to noncompliance.
05-14-21:	Order Imposing Fine executed and mailed to Harold Kelly. Letter provided an additional 45 days to begin demolition before lien recorded.
06-18-21:	Demolition has not begun.
07-21-21:	Demolition has begun.
08-03-21:	Lien recorded.
10-14-21:	Final Notice mailed requiring demolition to be completed by 11-1-21 or lien foreclosure process would begin and City would seek a Demolition Order from the CEB.
11-02-21:	Unsafe structure knocked completely down.
11-08-21:	Debris removal still in progress.
11-22-21:	Progress made on debris removal.
12-15-21:	Debris removal stalled.
12-20-21:	No change in status of debris removal.
05-17-21	Case 22-00417 opened.

Case 21-00932: No Fine imposed

Violation: Inoperative vehicle without a current valid license tag stored on property within view of public property or another person's private property.

Corrective Action Required:

- 1) Repair and license the vehicle, or
- 2) Remove it from the property, or
- 3) Store it within a garage or behind an opaque fence, wall or similar enclosure so it is completely screened from view from public property or another person's private property.

11-08-21:	Case opened
11-12-21:	Called Harold Kelly and requested he remove the vehicle from the property.
12-01-21:	Correction Notice issued with a 12-22-21 deadline.
12-22-21:	Property failed inspection.
12-23-21:	Mr. Kelly called to report vehicle removed from property.
12-27-21:	Passed inspection. Case closed.

### Case 22-00417: No Fine Imposed

#### Violations:

- 1) Demolition of structure and removal of accessory structures and debris has not been completed.
- 2) Demolition permit 21-00150 is expired.

#### Corrective Actions Required:

- 1) Renew the expired permit, or obtain a new permit; and
- 2) Complete the demolition, including filling of any open excavations, leveling to grade (flat and even surface), debris removal and removal of any accessory structures, foundations, driveways or walkways, aprons, and any other improvements.

05-17-22:	Correction Notice issued with 6-20-22 deadline.
06-08-22:	Demo permit renewed.
07-12-22:	Demolition is not complete. Documented two additional accessory structures at the rear of the property that I have not noticed in the past that also need to be removed. The case reopened on 7-28-22.
08-15-22:	Notice of Violation/Hearing issued with 9-5-22 deadline.
09-06-22:	Property failed inspection.
09-12-22:	Order of Enforcement issued by Code Enforcement Board (CEB) with 10-12-22 deadline, or fine of \$75 per day of noncompliance would be imposed. Harold Kelly did not attend Hearing.
10-17-22:	Demolition and debris removal of primary structure complete.
11-14-22:	Wood accessory structure demolished. Debris still needs to be removed. Per Development Services, block accessory structure can remain for 6 months pending redevelopment.

### Case 23-00310: No Fine Imposed

Violation: Accessory structure remains on property six months after the demolition of the property's primary structure was complete.

Corrective Action Required: Remove the accessory structure from the property, as well as the sink, or other material that is leaning against the fence.

06-05-23:	Correction Notice issued with 7-5-23 deadline
06-14-25:	Spoke to Harold Kelly again about code requiring removal of all accessory structures and improvement after demolition of primary structure.
07-05-23:	Equipment and crew onsite.
07-07-23:	Demo still in progress.
07-10-23:	Property failed inspection. Harold Kelly reported equipment failure.
07-24-23:	Property failed inspection.
08-23-23:	Property pass inspection. Case closed.

### Case 24-00063: Total Fine \$32,750

Violation: Undeveloped property located in a Residential (R) 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.
03-12-24:	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.
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. They agreed to waive the fines accrued in the amount of \$8,000 if compliance 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 by Building Official and Planning Dept..
07-18-24:	Harold Kelly called with questions about his permit application. Referred him to his Contractor and Development Services.
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.
09-13-24:	City received citizen complaint about condition of lot.
09-17-24:	Building permit issued to Walker Family Builders LLC for the construction of a single-family residence. Accruing daily fines stopped at 131 days, totaling \$32,750.
09-18-24:	Building Department placed permit "on hold" status after being notified by the City's Utility Dept. that sewer is not available. Site plan needs to be revised to include septic system and septic permit required from DOH.
09-27-24:	Contractor submitted request to Building Department to remove his name and company from the permit.
09-30-24:	"Stop payment" placed on check submitted to pay permit fees.
10-02-24:	Building Department revoked permit.
10-30-24:	Order Imposing Fine recorded in public record as a lien again the property.

Case 24-00386: 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 24-00387: No Fine imposed

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

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

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 passed inspection. All solid waste removed. All that remains is building material.

Case 24-00886: No Fine imposed.

Repeat Violations:

- 1) Undeveloped property located in a Residential Land Use District is being used for outdoor storage.
- 2) Unauthorized accumulation of solid waste placed/stored on property.

Corrective Actions Required:

- 1) Remove all items stored on the undeveloped property and do not bring it back until a permit is obtained to develop it.
- 2) Remove all solid waste from the property.

09-19-24	Case opened. It was suspected at time of inspection that some of the material at 600 Ellsy Street was moved to this lot in an effort to obtain a passed inspection for Case 24-00388.
10-02-24	Notice of Repeat Violation/ Hearing issued.
10-14-24	Order of Enforcement issued by Code Enforcement Board (CEB) with 12-13-24 deadline, or a fine of \$100 per day of noncompliance would be imposed retro-active to September 19, 2024. Harold Kelly present at Hearing.
11-15-24	City received citizen complaint about condition of lot.
12-09-24	Police Department received noise complaint regarding heavy equipment being operated at almost midnight.
01-03-25	Property passed inspection.
01-13-25	Some of the material removed from the subject lot was placed on the Church property located at 1511 E. Orange Avenue and on a vacant lot on McDonald Ave that abuts the rear of the Glover St lot.
02-03-25	Inspector spoke with Mr. Kelly, who confirmed the material came from his property on Glover St. He was instructed to remove it.

03-12-25	Inspector contacted the Church to get their assistance with having the material removed from the church property.
04-07-25	All material removed from church property.
04-29-25	Inspector spoke with Mr. Kelly again about removing material that was placed on the vacant lot on McDonald Avenue
05-09-25	All material removed from McDonald Avenue property.

**Case 24-00928:** No Fine imposed

Violation: Piece of heavy equipment (bulldozer) parked/stored on the residential property without an active building permit.

Corrective Actions Required: Remove the bulldozer from the property and do not bring it back until a building permit is obtained, unless it is actively being used to remove the stored materials and solid waste.

09-19-24:	Case opened
10-02-24:	Notice of Violation/Hearing issued with 10-12-24 deadline.
10-14-24:	Property passed inspection. Case closed.

**Case 25-00207:** No Fine imposed

Recurring Violation: Heavy equipment (bulldozer) parked/stored on the residential property without an active building permit.

Corrective Actions Required: Remove the bulldozer from the property and do not bring it back until a building permit is obtained, unless it is actively being used to remove the stored materials and solid waste.

03-07-25:	Case opened
03-19-25:	Notice of Recurring Violation issued with CEB scheduled for 4-14-25
04-14-15:	Property passed inspection. CEB issued Finding of Fact, Conclusion of Law and Order. Harold Kelly did not attend Hearing.

**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 \$26,000, 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 25-70
- Fine Reduction Applications

- 2nd Fine Reduction Request letter
- 8-21-25 Letter to City Commission