



City of Eustis

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TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: AUGUST 7, 2025

RE: **RESOLUTION NUMBER 25-67: REDUCTION OF FINE/RELEASE OF LIEN 17 SOUTH SALEM ST, CODE ENFORCEMENT CASE 24-00026**

Introduction:

Resolution Number 25-67 approves a Code Enforcement Order reducing outstanding code enforcement fines from their current amount of \$7,050 to \$0 and releases the lien recorded against 17 South Salem Street. 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 (\$7,050) 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 the approval of Resolution Number 25-67.

Code Board Action:

On October 14, 2024, the Code Enforcement Board reviewed an application for a reduction of fine submitted by Brenda Carrean Nevarez, owner of 17 S. Salem Street. After hearing testimony from Ms. Nevarez and the City, the board voted to reduce the total accrued fines to \$0, upon approval from the City Commission.

Case History:

In 2022, the owners of 17 South Salem Street were cited for the front and rear porch and steps to their multi-family building not being maintained structurally sound and in good repair creating unsafe conditions. In response, the owners obtained a permit to repair both porches.

In January 2024, the Building Department notified Code Enforcement that the permit had expired because no inspections had been scheduled. A Notice was mailed to the owners informing them of the expired permit and directed them to obtain a new one within 30 days.

On February 20, 2024, a Notice of Violation/Hearing was issued because a new permit had not been obtained, as required. The Notice required the new permit to be obtained by March 4, 2024, or the Case would go before the Code Enforcement Board on March 11, 2024.

On February 29, 2024, a permit application was submitted to the Building Department. It failed plan review because the plans were not signed, sealed and dated by the Engineer.

On March 11, 2024, the Eustis Code Enforcement Board issued an Order of Enforcement requiring the permit be obtained by June 9, 2024, or a fine of \$75 per day of non-compliance would be imposed. The property owner attended the Hearing and gave testimony.

On July 23, 2024, a Notice of Hearing for certification of noncompliance and assessment of fine, scheduled for August 12, 2024, was mailed to the property owners, which they did not attend.

On August 15, 2024, the Order Imposing Fine was mailed to the property owner with a cover letter stating if compliance was not obtained by September 16, 2024, the Order would be recorded in public records constituting a lien against the property.

On September 9, 2024, the Building Department received the signed and sealed plans and marked the permit as being issued on September 12, 2024, resulting in an affidavit of compliance being issued.

In January 2025, while preparing this Staff Report it was discovered that the property owner's Contractor never actually paid the \$136 permit fee, so technically it was never officially issued. The property owners were informed of the oversight via email and advised that the fine reduction could not proceed until the issue was resolved.

On April 1, 2025, a copy of the email was mailed to the property owner informing them that the affidavit of compliance was issued in error and was not valid. They were also advised that had the permit been issued, it would now be expired because 180 days have passed without an approved inspection.

On April 28, 2025, the Building Department received payment, and the front and rear porch repairs passed inspection on May 1, 2025.

On May 12, 2025, the Code Enforcement Board was informed of the situation, and they approved a motion to keep their October 14, 2024, motion reducing the accrued fines to \$0 intact, and for the matter to be transmitted to the City Commission for consideration.

Community Input

No adjacent property owners attended the Code Enforcement Hearings and there have been no citizen complaints.

Budget / Staff Impact:

If the Resolution is approved, the city would not receive any portion of the accrued fines.

Reviewed By:

Jon Fahning, Captain

Prepared By:

Eric Martin, Code Enforcement Supervisor

Attachments

- Resolution Number 25-67
- Fine Reduction Application