



HISTORIC TOWN OF EATONVILLE, FLORIDA REGULAR COUNCIL MEETING AGENDA

Tuesday, September 16, 2025, at 7:30 PM
Town Hall - 307 E Kennedy Blvd

Please note that the HTML versions of the agenda and agenda packet may not reflect changes or amendments made to the agenda.

I. CALL TO ORDER AND VERIFICATION OF QUORUM

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. APPROVAL OF THE AGENDA

IV. CITIZEN PARTICIPATION (Three minutes strictly enforced)

V. CONSENT AGENDA

1. Approval of Town Council Meeting Minutes – September 2, 2025 (**Clerk Office**)
2. Approval of Resolution 2025-26 A Reappoint (1) One Citizen to the Planning and Zoning Board As A Regular Board Member (**Clerk Office**)
3. Approval of Resolution 2025-27 A Reappoint (3) Three Individuals to the Historic Preservation Board As Regular Board Members (**Clerk Office**)
4. Approval of Resolution 2025-28 A Reappoint (1) One Citizen to the Code Enforcement Board As A Regular Board Member (**Clerk Office**)
5. Approval of Resolution 2025-29 A Reappoint (1) One Citizen to the Board of Adjustment Board As A Regular Board Member (**Clerk Office**)
6. Approval of Memorandum of Understanding (MOU) Between Crush Gruuv Productions Inc. and the Town of Eatonville for the Annual Drovilla Music Festival (**Administration/CAO**)

VI. COUNCIL DECISIONS

7. Approval of Resolution 2025-20 Transferring Ownership Property Owned TOE to the CRA

VII. REPORTS

CHIEF ADMINISTRATIVE OFFICER'S REPORT

TOWN ATTORNEY'S REPORT

TOWN COUNCIL REPORT/DISCUSSION ITEMS

MAYOR'S REPORT

VIII. ADJOURNMENT

The Town of Eatonville is subject to the Public Records Law. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

****PUBLIC NOTICE****

This is a Public Meeting, and the public is invited to attend. This Agenda is subject to change. Please be advised that one (1) or more Members of any of the Town's Advisory Boards/Committees may attend this Meeting and may participate in discussions. Any person who desires to appeal any decision made at this meeting will need a verbatim record of the proceedings and for this purpose may need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based – per Section 286.0105 Florida Statutes. Persons with disabilities needing assistance to participate in any of these proceedings should contact the Town of Eatonville at (407) 623-8910 "at least 48 hours prior to the meeting, a written request by a physically handicapped person to attend the meeting, directed to the chairperson or director of such board, commission, agency, or authority" - per Section 286.26



HISTORIC TOWN OF EATONVILLE, FLORIDA
TOWN COUNCIL MEETING
SEPTEMBER 16, 2025, AT 7:30 PM
Cover Sheet

****NOTE**** Please do not change the formatting of this document (font style, size, paragraph spacing etc.)

ITEM TITLE: Approval of Town Council Meeting Minutes – September 2, 2025,
(Clerk Office)

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: LEGISLATIVE (CLERK OFFICE) Exhibits: - Council Meeting Minutes, September 2, 2025, 7:30 p.m.
PUBLIC HEARING 1ST / 2ND READING		
CONSENT AGENDA	YES	
COUNCIL DECISION		
ADMINISTRATIVE		

REQUEST: Approval of meeting minutes for the Town Council Meeting held on September 2, 2025, at 7:30 p.m.

SUMMARY: The Town Council Meeting was held on the 1st Tuesday, September 2, 2025, at 7:30 p.m. Minutes were transcribed from the audio archive for approval for the public records.

RECOMMENDATION: Approval of September 2, 2025, Town Council meeting minutes.

FISCAL & EFFICIENCY DATA: N/A



Meeting Minutes for Council Meeting 9-2-25

****Forthcoming prior to
the day of the meeting**



HISTORIC TOWN OF EATONVILLE, FLORIDA
TOWN COUNCIL MEETING
SEPTEMBER 16, 2025, AT 7:30 PM
Cover Sheet

****NOTE**** Please do not change the formatting of this document (font style, size, paragraph spacing etc.)

ITEM TITLE: Approval of Resolution 2025-26 A Reappoint One (1) Citizen to the Planning and Zoning Board As A Regular Board Member (**Clerk Office**)

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: LEGISLATIVE (CLERK OFFICE) Exhibits: <ul style="list-style-type: none">Resolution 2025-26
PUBLIC HEARING 1ST / 2ND READING		
CONSENT AGENDA	YES	
COUNCIL DECISION		
ADMINISTRATIVE		

REQUEST: Request Approval of Resolution 2025-26 Reappointing One (1) Citizen to the Planning and Zoning Board As A Regular Board Member.

SUMMARY: The Planning and Zoning Board for the town is hereby created and established, consisting of five voting members and one nonvoting member appointed by the county school board and as many alternate members as the town council shall deem it necessary to appoint which alternate members shall have the same qualifications as members.

The Town Council of the Town of Eatonville desires to reappoint one (1) citizen to the Planning and Zoning Board as a regular board member; Appointment will be for a three (3) year term as set forth in the Land Development Code, Article III; Sec. 44-80

RECOMMENDATION: Recommend Approval of Resolution 2025-26 Reappointing One (1) Citizen to the Planning and Zoning Board As A Regular Board Member.

FISCAL & EFFICIENCY DATA: N/A

RESOLUTION #2025-26

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA TO REAPPOINT ONE (1) INDIVIDUAL TO THE PLANNING AND ZONING BOARD AS A REGULAR BOARD MEMBER, PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS the Town Council of the Town of Eatonville desires to reappoint one (1) citizen to the Planning and Zoning Board as a regular board member; Appointment will be for a three (3) year term as set forth in the Land Development Code, Article III; Sec. 44-80.

WHEREAS the Planning and Zoning Board for the town is hereby created and established, consisting of five voting members and one nonvoting member appointed by the county school board and as many alternate members as the town council shall deem it necessary to appoint, which alternate members shall have the same qualifications as members; and

WHEREAS the Planning and Zoning Board members shall be appointed by the town council (amended April 2, 2002, by Ordinance No. 2002-2) and approved by resolution of the town council, and each voting member and alternate member shall be a resident of the town; and

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, ORANGE COUNTY, FLORIDA AS FOLLOWS:

SECTION ONE: the applicant and citizen that have expressed interest in serving the Town on the Planning and Zoning Board is: ANGELA JOHNSON, to be considered as a regular board member for a three-year term from September 16, 2025, until September 16, 2028.

SECTION TWO: The Town Council of The Town of Eatonville will appoint ANGELA JOHNSON, as Regular Board member of the Planning and Zoning Board.

SECTION THREE: CONFLICTS: All Resolutions or parts of Resolutions in conflict with any other Resolution or any of the provisions of the Resolution is hereby repealed.

SECTION FOUR: SEVERABILITY: If any section or portion of a section of this Resolution is found to be invalid, unlawful, or unconstitutional, it shall be held to invalidate or impair the validity, force or effect of any other section or part of this Resolution two

SECTION FIVE: EFFECTIVE DATE: This Resolution will take effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 16TH day of SEPTEMBER 2025.

Angie Gardner, Mayor

ATTEST:

Veronica L. King, Town Clerk

DIVISION 2. PLANNING BOARD

Sec. 44-76. Creation, appointment.

A planning board for the town is hereby created and established, consisting of five voting members and one nonvoting member appointed by the county school board and as many alternate members as the town council shall deem it necessary to appoint, which alternate members shall have the same qualifications as members. The qualification of the nonvoting member shall be left to the discretion of the county school board. The length of term for the nonvoting member shall be left to the discretion of county school board. A nonvoting member shall not be counted to establish a quorum. The nonvoting member shall receive notice of all meetings of the planning board but such nonvoting member shall receive a special notice, identified as such, when the scheduled meetings of the planning board consider comprehensive plan amendments and rezoning that would, if approved, increase residential density on the property that is the subject of the application. The nonvoting member may elect to receive only special notices or all other notices with no attachments or enclosures. The town council may, from time to time, by ordinance, increase the number of members of such board. Said voting members and alternate members shall be appointed by the town council (amended April 2, 2002, by Ordinance No. 2002-2) and approved by resolution of the town council, and each voting member and alternate member shall be a resident of the town and may not serve on any other official advisory board of the town at the same time. The voting members shall elect a chairperson, vice-chairperson and secretary from its membership of voting members. The planning director, the town attorney, and such other officers and officials of the town as may be required, shall be considered as advisors to the planning board and may be called upon from time to time to meet with said board.

(LDC 1982, ch. 15, § 15-1.1; Ord. No. 2002-2, § 1(1-4), 4-2-2002; Ord. No. 2003-14, § 2, 11-18-2003)

Sec. 44-77. Meetings, quorum.

- (a) All meetings of the planning board shall be public and open to all residents and interested parties. The board shall meet at least once during each calendar month and at such additional times as it shall be deemed necessary and convenient. Whenever possible, the regular monthly meeting shall be held on the second Thursday of each month during the evening hours.
- (b) Four members of the planning board shall constitute a quorum. An affirmative vote of a majority of members attending a meeting shall be required to cause a favorable vote on any matter properly before the board for action.

(LDC 1982, ch. 15, § 15-1.2)

Sec. 44-78. Rules, regulations and procedures.

The town council may, by resolution, fix and determine procedures for appearing before the planning board, and may promulgate rules and procedures for presentation of matters before such board, for notifying interested parties, for charging and collecting application fees, for conducting and holding hearings, and for calling in advisors or assistance from time to time. All rules and regulations of this nature previously adopted by the town council shall continue in full force and effect until properly amended. The planning board may additionally adopt rules of procedure provided that such rules of procedure are not inconsistent with any rules previously adopted by the

town council. The board shall keep minutes of its proceedings, showing the vote of each member upon each question submitted to it. If a member is absent, such fact shall appear upon the minutes. Copies of the board's minutes shall be filed with the town clerk and shall become a public record.

(LDC 1982, ch. 15, § 15-1.3)

Sec. 44-79. Alternate members.

In the case of the temporary absence or disqualification of any member of the planning board, the chairperson shall call upon an alternate member of his choosing to serve as an alternate on the planning board during the continuance of such absence or disqualification of such member. In no event shall an alternate serve in such capacity for more than six consecutive months, nor shall a meeting of the planning board be conducted where a majority of the sitting members are alternates. Alternate members shall have the same power as regular members while sitting on the planning board.

(LDC 1982, ch. 15, § 15-1.4)

Sec. 44-80. Length of term.

- (a) Regular members of the planning board shall be appointed to serve a term of three years, except where such a term would not end on September 20 of any particular year, that term shall be extended for an additional time in excess of three years to ensure that it shall conclude on September 30 of the year. Vacancies shall be filled to complete a term of office shall show the same expiration date. Alternate members shall be appointed in the same manner as regular members and shall have the same term of membership.
- (b) Initial appointments to the board shall be made according to the following schedule:
 - (1) One member for three years;
 - (2) Two members for two years;
 - (3) Two members for one year.

All subsequent appointments shall be for the full three-year term.

(LDC 1982, ch. 15, § 15-1.5)

Sec. 44-81. Duties.

The duties of the planning board shall be as follows:

- (1) To act in an advisory capacity to the town council on questions relating to zoning, and to conduct and hold public hearings on all matters or proposals to change zoning regulations, and report its findings and recommendations on such matters and proposals to the town council.
- (2) To study an existing comprehensive land use element, with the view to improving same so as to provide for the development, general improvement, and probable future growth of the town and, from time to time, make recommendations to the town council for changes in the existing comprehensive land use element so as to incorporate new developments, or for the adoption of a new comprehensive land use element.
- (3) To study all other required and optional elements of the town's comprehensive plan and act in an advisory capacity to the town council with respect to the comprehensive plan, including, from time to

time, making recommendations for changes in the plan or for the adoption of a new comprehensive plan or portion thereof.

- (4) To investigate and recommend approval or disapproval of all new plats to be presented to the town council for approval.
- (5) To investigate and make recommendations upon all site and development plans to be presented to the town council for approval.
- (6) To investigate and make recommendations to the town council with respect to all requests for approval of special exception uses as provided in this chapter.
- (7) To perform such other duties as may from time to time be assigned to the planning board by the town council. Those duties and responsibilities shall be performed in the same manner and with the same procedures except where changed herein or in future acts of the town council.

(LDC 1982, ch. 15, § 15-1.6; Ord. No. 96-11, § 1(1-4.7F.), 10-1-1996)

Sec. 44-82. Town council action.

In making zoning ordinance amendments or granting site plan, subdivision, or other development approvals, which are contrary to the recommendations of the planning board, three affirmative votes of the town council shall be required to overturn the recommendation of the planning board.

(LDC 1982, ch. 15, § 15-1.7; Ord. No. 2002-2, § 1(1-5), 4-2-2002)

Secs. 44-83—44-107. Reserved.



HISTORIC TOWN OF EATONVILLE, FLORIDA
TOWN COUNCIL MEETING
SEPTEMBER 16, 2025, AT 7:30 PM
Cover Sheet

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ITEM TITLE: Approval of Resolution 2025-27 A Reappoint Three (3) Individuals to the Historic Preservation Board As Regular Board Members (**Clerk Office**)

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: LEGISLATIVE (CLERK OFFICE) Exhibits: <ul style="list-style-type: none">Resolution 2025-27
PUBLIC HEARING 1ST / 2ND READING		
CONSENT AGENDA	YES	
COUNCIL DECISION		
ADMINISTRATIVE		

REQUEST: Request Approval of Resolution 2025-27 A Reappoint Three (3) Individuals to the Historic Preservation Board As Regular Board Members.

SUMMARY: The Town Council wishes to re-appoint three (3) individuals to the Historic Preservation Board as board members. The appointments shall be made on the basis of civic pride, integrity, experience, and interest in the field of historic preservation. No person may serve more than two consecutive three-year terms. A member whose term expires may continue to serve until a successor is appointed and qualified.

RECOMMENDATION: Recommend Approval of Resolution 2025-27 A Reappoint Three (3) Individuals to the Historic Preservation Board As Regular Board Members.

FISCAL & EFFICIENCY DATA: N/A

RESOLUTION #2025-27

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, TO RE-APPOINT THREE (3) BOARD MEMBERS TO THE HISTORIC PRESERVATION BOARD, PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS the Town Council wishes to re-appoint three (3) individuals to the Historic Preservation Board as board members; and

WHEREAS the appointments shall be made on the basis of civic pride, integrity, experience, and interest in the field of historic preservation. No person may serve more than two consecutive three-year terms. A member whose term expires may continue to serve until a successor is appointed and qualified.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA THE FOLLOWING:

SECTION ONE: RE-APPOINTMENTS: the person to be re-appointed as board member of the Historic Preservation Board is Laverne Bellamy Williams for a term of two (2) years from September 16, 2025, until September 16, 2027.

SECTION TWO: APPOINTMENT: the person to be appointed to the Historic Preservation Board as board member is Ann Dawkins-Curtis for a term of (3) years from September 16, 2025, until September 16, 2028.

SECTION THREE: APPOINTMENT: the person to be appointed to the Historic Preservation Board as board member is LaDwyana Jordan for a term of (3) years from September 16, 2025, until September 16, 2028.

SECTION FOUR: CONFLICTS: All Resolution or parts of Resolutions in conflict with any other Resolution or any of the provisions of this Resolution are hereby repealed.

SECTION FIVE: SEVERABILITY: If any section or portion of a section of this Resolution is found to be invalid, unlawful, or unconstitutional it shall not be held to invalidate or impair the validity, force or effect of any other section or part of this Resolution.

SECTION SIX: EFFECTIVE DATE: This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 16TH day of September 2025.

ATTEST:

Angie Gardner, Mayor

Veronica King, Town Clerk

ARTICLE V. HISTORIC PRESERVATION BOARD

Sec. 48-147. Establishment.

The historic preservation board is hereby established to implement the historic preservation provisions of this chapter.

(LDC 1982, ch. 11, § 11.5(intro.); Ord. No. 96-04, § V, 12-17-1996)

Sec. 48-148. Board membership.

- (a) The historic preservation board shall have five members appointed by the town council. One member of the historic preservation board shall be a registered architect and another a local historian, if available. The appointments shall be made on the basis of civic pride, integrity, experience, and interest in the field of historic preservation. The town council should appoint a representative from each of the following areas of expertise:
 - (1) History.
 - (2) Real estate or real property appraisal.
 - (3) Urban planning.
 - (4) Engineering or building construction.
- (b) Whenever possible, each member shall reside in the town.
- (c) Each member shall be appointed to a three-year term except that, initially, two members shall be appointed for a term of two years, and one member shall be appointed for a term of three years. No person may serve more than two consecutive three-year terms. Persons disqualified by this provision may be reappointed after one year elapses after the expiration of the second term of service.
- (d) When a position becomes vacant before the end of the term, the town council shall appoint a substitute member within 60 days to fill the vacancy for the duration of the vacated term. A member whose term expires may continue to serve until a successor is appointed and qualified.
- (e) An individual who misses three consecutive, regularly scheduled meetings of the historic preservation board without good cause shall be deemed to have resigned from that board and is not eligible for reappointment to that or any other board for at least one year. In that event, the town clerk shall notify the individual that his position will be declared vacant by the town council at the next regularly scheduled town council meeting unless the individual demonstrates good cause for having been absent. In addition, the town council may terminate the appointment of any board member for cause, including, but not limited to, excessive absences and conflicts of interest, upon giving notice and an opportunity to be heard. The town council shall take any and all action it deems appropriate in its sole discretion.

(LDC 1982, ch. 11, § 11.5.1; Ord. No. 96-04, § V(A), 12-17-1996; Ord. No. 2003-2, § 1, 7-15-2003; Ord. No. 2010-05, § 1, 3-2-2010)

Sec. 48-149. Officers.

The members of the historic preservation board shall annually elect a chair and vice-chair from among the members and may create and fill other offices as the historic preservation board deems necessary.

(LDC 1982, ch. 11, § 11.5.2; Ord. No. 96-04, § V(B), 12-17-1996)

Sec. 48-150. Subcommittees.

- (a) The historic preservation board shall create whatever subcommittees it deems necessary to carry out the purposes of the historic preservation board.
- (b) The chair of the historic preservation board shall annually appoint the membership of each subcommittee from the members of the historic preservation board.

(LDC 1982, ch. 11, § 11.5.3; Ord. No. 96-04, § V(C), 12-17-1996)

Sec. 48-151. Staffing.

The planning director shall appoint a town employee to serve as secretary to the historic preservation board, recorder and custodian of all board records.

(LDC 1982, ch. 11, § 11.5.4; Ord. No. 96-04, § V(D), 12-17-1996)

Sec. 48-152. Compensation.

Members shall not be compensated.

(LDC 1982, ch. 11, § 11.5.5; Ord. No. 96-04, § V(E), 12-17-1996)

Sec. 48-153. Funding.

The town council shall appropriate funds to permit the historic preservation board to perform its prescribed functions.

(LDC 1982, ch. 11, § 11.5.6; Ord. No. 96-04, § V(F), 12-17-1996)

Sec. 48-154. Required meetings.

The historic preservation board shall meet at least four times each year and minutes of each meeting shall be kept. Meetings will be conducted according to rules of procedure adopted by the board.

(LDC 1982, ch. 11, § 11.5.7; Ord. No. 96-04, § V(G), 12-17-1996)

Sec. 48-155. Board to adopt the rules of procedure.

The historic preservation board shall adopt the rules of procedure as the recognized authority.

(LDC 1982, ch. 11, § 11.5.7; Ord. No. 96-04, § V(H), 12-17-1996)

Sec. 48-156. Responsibilities of local board.

The responsibilities of the historic preservation board shall be complementary to those of the state historic preservation board office.

(LDC 1982, ch. 11, § 11.5.7; Ord. No. 96-04, § V(I), 12-17-1996)

Secs. 48-157—48-180. Reserved.



HISTORIC TOWN OF EATONVILLE, FLORIDA
TOWN COUNCIL MEETING
SEPTEMBER 16, 2025, AT 7:30 PM
Cover Sheet

****NOTE**** Please do not change the formatting of this document (font style, size, paragraph spacing etc.)

ITEM TITLE: Approval of Resolution 2025-28 A Reappoint One (1) Citizen to the Code Enforcement Board As A Regular Board Member (**Clerk Office**)

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: LEGISLATIVE (CLERK OFFICE) Exhibits: <ul style="list-style-type: none">Resolution 2025-28
PUBLIC HEARING 1ST / 2ND READING		
CONSENT AGENDA	YES	
COUNCIL DECISION		
ADMINISTRATIVE		

REQUEST: Request Approval of Resolution 2025-28 Reappointing One (1) Citizen to the Code Enforcement Board As A Regular Board Member.

SUMMARY: A code enforcement board was created for the Town of Eatonville, Florida, who shall be appointed by the Town Council. The code enforcement board shall be appointed to serve a term of three years; the terms of the board members will be staggered. Nothing shall prevent the town council from reappointing members for a second term. The appointment of the code enforcement board members shall be the recommendation of the mayor and town council members. The code enforcement board shall consist of five members, all of which shall be residents of the Town of Eatonville; and

The Town Council wishes to reappoint (1) One Regular Board Members to the Code Enforcement Board as board members.

RECOMMENDATION: Recommend Approval of Resolution 2025-28 Reappointing One (1) Citizen to the Code Enforcement Board As A Regular Board Member.

FISCAL & EFFICIENCY DATA: N/A

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, TO REAPPOINT ONE (1) REGULAR BOARD MEMBERS TO THE CODE ENFORCEMENT BOARD, PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS there is hereby created a code enforcement board for the Town of Eatonville, Florida, who shall be appointed by the Town Council. The code enforcement board shall be appointed to serve a term of three years; the terms of the board members will be staggered. Nothing shall prevent the town council from reappointing members for a second term.

WHEREAS the appointment of the code enforcement board members shall be the recommendation of the mayor and town council members. The code enforcement board shall consist of five members, all of which shall be residents of the Town of Eatonville; and

WHEREAS the Town Council wishes to reappoint (1) One Regular Board Members to the Code Enforcement Board as board members; and

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA THE FOLLOWING:

SECTION ONE: APPOINTMENT: the person to be reappointed to the Code Enforcement Board as a Regular Board Member is Dwayne Rackard for a term of (3) years from September 16, 2025, until September 16, 2028.

SECTION TWO: CONFLICTS: All Resolution or parts of Resolutions in conflict with any other Resolution or any of the provisions of this Resolution are hereby repealed.

SECTION THREE: SEVERABILITY: If any section or portion of a section of this Resolution is found to be invalid, unlawful, or unconstitutional it shall not be held to invalidate or impair the validity, force or effect of any other section or part of this Resolution.

SECTION FOUR: EFFECTIVE DATE: This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 16th day of September 2025.

ATTEST:

Angie Gardner, Mayor

Veronica King, Town Clerk

Division 2. Code Enforcement Board¹

Sec. 2-251. Board created.

- (a) There is hereby created a code enforcement board for the Town of Eatonville, Florida, who shall be appointed by the town council. The code enforcement board shall be appointed to serve a term of three years, the terms of the board members will be staggered. Nothing shall prevent the town council from re-appointing members for a second term.
- (b) The appointment of the code enforcement board shall be made solely on the basis of professional experience in the areas of law, zoning and building knowledge. The code enforcement board shall consist of residents of the Town of Eatonville and/or business owner in the Town of Eatonville.
- (c) The appointment of the code enforcement board members shall be the recommendation of the mayor and town council members. The code enforcement board shall consist of five members, all of which shall be residents of the Town of Eatonville.
- (d) The meetings of the code enforcement board members shall occur no less than frequently than once every two months to hear cases brought forth by the code enforcement officer, and/or as necessary as deemed. Special meetings maybe convened by the code enforcement board upon giving notice thereof to the public. The notice of a special meeting shall be given at least 24 hours prior to the meeting time.
- (e) Minutes shall be maintained of all meetings and hearings held by the code enforcement board, and all meetings, hearings and proceedings shall be open to the public.
- (f) The town administration shall provide clerical and administrative support to the code enforcement board as may be reasonably required by the code enforcement board for the proper performance of the code enforcement board.
- (g) Subject to the approval of the town council, the code enforcement board may adopt rules and regulations necessary to carry out provisions of this article that are consistent with this article or F.S. § 162.05.

(Ord. No. 2016-11, § 1, 9-20-2016)

Sec. 2-252. Legal counsel.

- (a) An attorney may be appointed by the town council to attend meetings of the code enforcement board and to assist the code enforcement board during the hearings.
- (b) A member of the attorney's staff may represent the code enforcement attorney by presenting cases before the board.
- (c) In no case shall the attorney or a member of their staff serve in both capacities.

¹Editor's note(s)—Ord. No. 2016-11, §§ 1—17, adopted Sept. 20, 2016, amended Divs. 2 and 3 in entirety to read as herein set out. Former Divs. 2 and 3, §§ 2-251—2-736, pertained to similar subject matter and derived from Ord. No. 2003-08, 8-19-2003.

(Ord. No. 2016-11, § 2, 9-20-2016)

Sec. 2-253. Jurisdiction.

- (a) The code enforcement board shall have the jurisdiction to hear and decide alleged violations of and may be issued violations of the following codes and ordinances of the Town of Eatonville.
 - (1) Florida Building Code;
 - (2) Occupational licenses;
 - (3) Land Development Code;
 - (4) Lot Clearing Code;
 - (5) Abandoned Vehicle Code;
 - (6) Garbage, Trash and Weed Code;
 - (7) Fire Code;
 - (8) All other town adopted codes.
- (b) The jurisdiction of the code enforcement board shall not be exclusive. Nothing in this article shall be construed to prohibit the town from enforcing its codes and ordinances by any other means including, but not limited to, a summons, a notice to appear in county court, issuance of a citation, a civil action for injunctive relief, a stop work order, or demolition.
- (c) *Designation and authority of the code enforcement board.*
 - (1) There shall be a code enforcement inspector whose responsibilities will be seeking violations of this article and to ensure compliance with the codes and ordinances of the town.
 - (2) The code enforcement inspector shall be hired by the chief administrative officer of the town or their designee.
- (d) *Definitions.*

Alterations means any changes or modifications in construction or occupancy.

Building means any structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind. A combination of materials to form a construction adapted to permanent or continuous occupancy for use for public, institutional, residence, business or storage purpose.

Deterioration means the condition or appearance of a building or parts thereof, characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting or other evidence of physical decay of neglect, excessive use or lack of maintenance.

Dwelling means any building which is wholly or partly used or intended to be used for living or sleeping by human occupants whether or not such building is occupied or vacant.

Dwelling unit means any room or group of rooms located within a dwelling and forming a single habitable unit for living, sleeping, cooking and eating whether or not such unit is occupied or vacant.

Exposed to public review means any premises, or parts thereof, or any building, or any part thereof which may be lawfully viewed by the public or any member thereof, from a sidewalk, street, alleyway, or from any adjoining or neighboring premises.

Exterior of premises means those portions of a building which are exposed to public view and the open spaces of any premises outside of any building erected thereon.

Extermination means the control and extermination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food, by poisoning, spraying, fumigating, trapping, or by any other recognized and legal elimination methods.

Fire hazard means anything or any act which increases or may cause an increase of the hazard or menace of fire to a greater degree than that customarily recognized as normal by experts in preventing, suppressing, or extinguishing fire, or which may obstruct, delay or hinder or may become the cause of an obstruction, a delay, a hazard or hindrance to the prevention, suppression or extinguishment of fire.

Garbage is the animal, vegetable, fruit or other waste resulting from the handling, preparation, cooking and consumption of food.

Habitable room means a space in a structure of living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility spaces, and similar areas are not considered habitable space.

Health officer is the Director of the Health Department of Orange County Florida.

Infestation is the existence in large numbers of insects, rodents or other pests so as to render unpleasant, unsafe or unsanitary.

Major violation is a condition existing on a premises which is below minimum standards set forth in this article and which is dangerous to health, safety, or welfare of the occupants, passersby or persons in contiguous areas; or a serious of minor violations which when considered together present a hazardous or undesirable condition.

Minor violation is a condition which is below the minimum standards set forth in this article but which is not serious enough to be considered a major violation.

Mixed occupancy is any building containing one or more dwelling units or rooming units and also having a portion thereof devoted to non-dwelling uses.

Nuisance is any one or combination of the following:

- (1) Any public nuisance known as common law or in equity jurisprudence or as provided in statutes of the State of Florida or ordinances of the town.
- (2) Any attractive nuisance which may prove detrimental to the health, safety, or welfare of children and others whether in a building, on the premises of a building or upon an unoccupied lot. This includes, but is not limited to: abandoned wells, shafts, basements, excavations, unused ice boxes, refrigerators, abandoned motor vehicles and any structurally unsound fences and structures; lumber, trash, fences, debris, or vegetation such as poison ivy, oak and sumac, which may prove a hazard for inquisitive persons. Abandoned buildings are attractive nuisances when they are unsecured or unsecurable and when by reason of abandonment or neglect they contain unsound walls or flooring, unsafe wiring, fire hazards, or other unsafe conditions may include such neglect of security that opportunities for criminal activity persist to the danger and detriment of the neighborhood.
- (3) Physical or unsanitary conditions or conditions so lacking illumination or ventilation as to be dangerous to human life or detrimental to health of persons on or near the premises where the condition exists.
- (4) Major or minor violations of this Code which cumulatively impact upon premises to the point whereby conditions endanger human life or substantially and detrimentally affect the safety or security of occupants, nearby occupants, or passersby.
- (5) Whatever renders air, food or drink unwholesome or detrimental to the health of human being.
- (6) Fire hazards.

Operator is any person who has charge, care or control of premises or a part thereof, whether with or without the knowledge or consent of the owner.

Owner is the holder of the title in fee simple and any person, group of persons, company, association or corporation in whose name tax bills on the property are submitted. It shall also mean any person who, alone or jointly or severally with others.

- (1) Shall have legal title to any dwelling or dwelling unit, with or without accompanying actual possession thereof; or
- (2) Shall have charge, care or control of any dwelling or dwelling unit, as owner, executor, executrix, administrator, trustee, guardian of the estate of the owner, mortgagee or vendee in possession, or assignee of rents, lessee, or other person, firm, or corporation in control of a building; or their duly authorized agents. Any such person thus representing the actual owner shall be bound to comply with the provisions of this article, and of the rules and regulations adopted pursuant thereto, to the same extent as if he were the owner. It is his responsibility to notify the actual owner of the reported infractions of these regulations pertaining to the property which apply to the owner.

Person includes any individual, firm, corporation, association or partnership.

Plumbing is all of the following supplies, facilities and equipment; gas pipes, gas burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bath tubs, shower baths, installed clothes washing machines, catch basins, vents and any other similar supplied fixtures, together with all connections to water, sewer, or gas lines and water pipes and lines; sanitary drainage or storm drainage facilities, the venting system and the public or private water supply systems, within or adjacent to any building, structure or conveyance; also the practice and materials used in the installation, maintenance, extension or alteration of stormwater, liquid waste or sewerage, and water supply systems of any premises to their connection with any point of public disposal or other acceptance terminal.

Premises is a lot, plot of land including the buildings or structures thereon.

Public areas are unoccupied open space adjoining a building and on the same property that is maintained accessible to the public and free of encumbrances that might interfere with its use by the public.

Refuse is all prescribed and non-prescribed solid wastes (except body waste), including, but not limited to, garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and solid market and industrial wastes.

Repeat violation means a violation of town codes, or town ordinance, rules, resolution, or administrative or agency order by a person whom the board has previously found to have committed the same violation within five years prior to the present violation.

Ventilation is the process of supplying and removing air by natural and mechanical means to or from any space.

Violator means a town property owner whether as natural person, business entity, government or political agency or subdivision, any combination thereof, or otherwise who owns real property wherein or where upon a violation is known to exist, or when the alleged violation involves a person's act or any other these things, or when any natural person, business entity, or governmental or political agency or subdivision actually commits a code violation. Likewise, the tenant of any building structure, premises or part thereof, and any architect, building contractor, agent or other person who commits, participates in, assists in or maintains a violation may also be defined as such.

Washrooms are enclosed spaces containing one or more sinks, tubs, showers, or basins and which shall also include toilets, urinals, or fixtures serving similar purposes.

Water closet compartment is an enclosed space containing one or more toilets which may also contain one or more lavatories, urinals, and other plumbing fixtures.

Weathering is deterioration, decay or damage caused by exposure to the elements.

Yard is an open space at grade between a building or structure and the adjoining lot lines unoccupied and un-obstruct by any portion of a building or structure from the ground upward.

(Ord. No. 2016-11, § 3, 9-20-2016)

Sec. 2-254. Enforcement procedures.

- (a) It shall be the duty of the code inspector to initiate enforcement proceedings of the various codes and ordinances. The hearing officer shall not have the power to initiate such enforcement proceedings.
- (b) Except as provided in subsections (e) and (f) below, if a violation of the codes or ordinance is found, the code inspector shall notify the violator and give him/her a reasonable time to correct the violation.
- (c) The notice shall:
 - (1) Be in writing.
 - (2) Include a description of the real estate or address sufficient for identification.
 - (3) Specify the violation(s) by code citation and factual description and the remedial action required.
 - (4) Include a schedule as to the time allowed for completion of the required corrective action(s) necessary to bring the property or violation into compliance with the town.
 - (5) The written notice referred to above shall be considered to be adequately delivered by depositing the notice in the United States Post Office addressed to the owner at his last known address with postage pre-paid thereon, certified mail, return receipt requested.
 - (6) Indicate that if the violation is not corrected within the time specified, a hearing will take place before the hearing officer at the time and place indicated on the notice.
 - (7) Unless provided otherwise in the Code the time given to comply with minor violations as defined by the Code shall not exceed 120 days, and the time given to comply with major violations as defined in this ordinance shall not exceed 45 days.
 - (8) Any violation not corrected in the time and manner specified in the notice pursuant to this section may be referred to the Town of Eatonville Hearing Officer created pursuant to this article. Major or cumulative minor violations which are deteriorating into hazardous or nuisance conditions may also be subject to proceedings under Article IV of the Minimum Standards Code which is supplementary to proceedings by the code enforcement hearing officer.
- (d) Should the violation continue beyond the time specified for correction the code inspector shall notify the hearing officer and request a hearing. The code enforcement board shall schedule a hearing, and written notice of such hearing shall be hand delivered or mailed to said violators as provided in section 2-258. If notice by personal service or mail is not feasible, the hearing officer may opt to serve notice by publication as provided in section 2-259. If the violation is corrected and then recurs, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the hearing officer even if the violation has been corrected prior to the code enforcement board and the notice shall so state.
- (e) If the code inspector has reason to believe a violation, or the conditions causing a violation, presents a serious threat to the public health, safety, and welfare of if the violation is irreparable or irreversible in nature, the code enforcement inspector shall make a reasonable effort to notify the violator and may immediately notify the code enforcement board and request a hearing. If the violation creates an emergency situation where the town action is necessary to eliminate an imminent public nuisance and where notice is impractical or impossible.

- (f) If a repeat violation is found, the code enforcement officer shall notify the violator, but is not required to give the violator a reasonable time to correct the violation. The code enforcement officer, upon notifying the violator of a repeat violation shall notify the code enforcement board to schedule a hearing and shall provide notice pursuant to section 2-258 of the Town Code. The case may be presented to the code enforcement board even if the repeat violation has been corrected prior to the hearing before the code enforcement board, and the notice shall so state.

(Ord. No. 2016-11, § 4, 9-20-2016)

Sec. 2-255. Conduct of hearing.

- (a) Upon request by the code enforcement officer, or at such times as may be necessary the code enforcement board may call a hearing. Minutes shall be kept of all hearings by the code enforcement officer, and all meetings shall be open to the public. The code enforcement board shall provide clerical and administrative personnel as may be reasonably required.
- (b) Upon scheduling of a hearing, the code enforcement board shall cause notice thereof to be furnished to the alleged violator by certified mail, return receipt requested, by personal service, or by publication. Said notice of hearing shall contain the name of the violator, date, time, and place of the hearing and shall state the nature of the violation and reference to the appropriate code or ordinance.
- (c) At the hearing, the burden of proof shall be upon the code enforcement officer to show by a preponderance of the evidence that a violation does exist.
- (d) Assuming proper notice of the hearing has been provided to the alleged violator is provided in subsection (b) above, a hearing may proceed in the absence of the alleged violator.
- (e) All testimony shall be under oath and shall be recorded. The code enforcement board shall take testimony from the code enforcement officer and alleged violator and from such other witnesses as may be called by the respective sides.
- (f) Formal rules of evidence shall not apply, but fundamental due process shall be observed and govern the proceedings.
- (g) Irrelevant, immaterial, or unduly repetitious evidence shall be excluded, but all other evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a trial in the courts of the State of Florida.
- (h) The code enforcement board or any attorney appointed to represent the code enforcement officer may inquire of any witness before the code enforcement board. The alleged violator, or his attorney and the attorney representing the code enforcement officer shall be permitted to inquire of any witness before the code enforcement board and shall be permitted to present brief opening and closing statements.
- (i) At the conclusion of the hearing, the code enforcement board shall issue findings of fact, based on evidence in the record and conclusions of law and shall issue an order affording the proper relief consistent with the powers granted by Florida Statutes and by this article. The order shall be stated orally at the meeting and shall be reduced to writing and mailed to the alleged violator within ten days after the hearing. Findings shall be made by the code enforcement board. The order may include a notice that it must be complied with by a specific date, that a fine may be imposed and that under the conditions specified in sections 2-254 and 2-257, the cost of repairs may be included in addition to the fine if the order is not complied with by said date. The order may also include a notice that a repeat violation provision has been invoked pursuant to F.S. ch. 162, for which a fine may be reactivated with the necessity for a hearing if the same violation is repeated by the violator.

- (j) A certified copy of an order shall be recorded in the public records of Orange County, Florida and shall constitute notice to any subsequent purchasers, successors in interest, and assigns if the violation concerns real property. The finds therein shall be binding upon the violator and, if the violation concerns real property, any subsequent purchasers, and successors in interest and assigns.
- (k) If any order is recorded in the public records pursuant to subsection (j) of this section and the order is complied with by the date specified in the order, the code enforcement officer shall issue an order acknowledging compliance.
- (l) If the town prevails in prosecuting a case before the code enforcement board, it shall be entitled to recover all costs incurred in said prosecution.

(Ord. No. 2016-11, § 5, 9-20-2016)

Sec. 2-256. Powers of the code enforcement board.

The code enforcement board shall have the power to:

- (1) Adopt rules for the conduct of its hearings.
- (2) Subpoena alleged violators and witnesses to its hearings, subpoenas may be served by the Eatonville Police Department.
- (3) Subpoena records, surveys, plats and other documentary evidence, which subpoenas shall be served by the Eatonville Police Department.
- (4) Take testimony under oath.
- (5) Issue orders having the force and effect of laws, commanding whatever steps are necessary to bring a violation into compliance including, but not limited to, securing, repairing, vacating, and or demolition of structures containing conditions hazardous to the public health, safety and welfare pursuant to the Florida Building Code.
- (6) Establish, levy, reduce or alter fines by no more than ten percent of the total amount of fines due to the Town of Eatonville, without first securing a resolution of the Town Council of the Town of Eatonville.
- (7) Hearing appeals to any person affected by a notice issued in connection with enforcement of the Florida Building Code, providing that such person shall have filed a notice of appeal with the code enforcement board within 30 days of the administrative determination or act sought to be challenged, and providing that said notice of appeal shall explain the basis of the challenge to the administrative determination or act.

(Ord. No. 2016-11, § 6, 9-20-2016)

Sec. 2-257. Fines and penalties; cost of repair; liens.

- (a) In the case of a first violation, the code enforcement officer may order the violator to pay a fine not to exceed \$250.00 for each day the violation continues past the date set by the code enforcement officers order of compliance.
- (b) In cases where the same violation(s) has been committed by the same violator on more than one occasion and where the code enforcement officer has found such violation(s) did occur, the code enforcement officer may order a repeat violator penalty not to exceed \$500.00 per day for each day the repeat violation is found

by the code enforcement officer to have occurred and a hearing shall not be necessary for issuance of the order imposing the fine.

- (c) In determining the amount of any fine, the code enforcement officer shall consider the following factors:
 - (1) The gravity of the violation;
 - (2) Any actions taken by the violator to correct the violation;
 - (3) Any previous violations committed by the violator; and
 - (4) Any previous violations committed on this property.
- (d) A certified copy of an order imposing a fine shall be recorded in the public records of Orange County, Florida and thereafter shall constitute a lien against the land on which the violations exists and upon any real or personal property owned by the violator. Upon petition to the circuit court, such order may be enforced in the same manner as a court judgment by the police of the Town of Eatonville including levy against the personal property, but shall not be deemed otherwise to be a court judgment except for enforcement purposes. A fine imposed pursuant to this article shall continue to accrue until the violator comes into compliance or until judgment is rendered in a suit to foreclose on a lien filed pursuant to this section, whichever comes first. The code enforcement board may authorize the town's attorney to foreclose on any such lien which remains unpaid more than three months from the filing thereof. No lien created pursuant to these provisions of this article may be foreclosed on real property which is a homestead under section 4, article X of the State Constitution.
- (e) No lien provided by this article shall continue for a period longer than 20 years after the certified copy of an order imposing a fine has been recorded, unless within that time an action to foreclose on the lien is commenced in a court of competent jurisdiction. In an action to foreclose on a lien, the prevailing party is entitled to recover all costs, including a reasonable attorney's fee, which it incurs in the foreclosure. The continuation of the lien affected by the commencement of the action shall not be good against creditors or subsequent purchasers of valuable consideration without notice, unless a notice of lien pending is recorded.
- (f) If the violation is a violation described in section 2-254(d), the code enforcement board shall notify the town which may make all reasonable repairs in order to bring the property into compliance, and charge the violator with the reasonable cost of the repairs along with the fine imposed pursuant to this section.
- (g) A fine imposed pursuant to this section may include all costs pursuant to subsection (f).
- (h) The town may charge the violator for all costs incurred in recording and satisfying a valid lien.
- (i) Appeal.
 - (1) An aggrieved party, including the town council may appeal a final administrative order of the code enforcement board to the circuit court. Such an appeal shall not be a hearing do novo, but shall be limited to, appellate review of the record created before the code enforcement board. An appeal shall be filed within 30 days of the execution of the order to be appealed.
 - (2) The scope of review shall be limited to the record made before the code enforcement board and not be trial de novo.
 - (3) The code enforcement board shall by rule, establish reasonable charges for the preparation of the record to be paid by the appealing party.

(Ord. No. 2016-11, § 7, 9-20-2016)

Sec. 2-258. Notices.

- (a) All notices required by this article shall be provided to the alleged violator by certified mail, return receipt requested; or hand delivery by the towns' police department or other law enforcement officer, code enforcement officer, or other person designated by town council; or by leaving the notice at the alleged violator's usual place of residence with any person residing therein who is above 15 years of age and informing such person on the contents of the notice.
- (b) In addition to providing notice as set forth in subsection (a), at the option and direction of the town attorney, notice may also be served by publication as follows:
 - (1) Such notice shall be published once during each week for four consecutive weeks (four publications being sufficient) in a newspaper of general circulation in the town.
 - (2) The newspaper shall meet all requirements as are prescribed under F.S. chapter 50, for legal and official advertisements.
 - (3) Proof of publication shall be made as provided in F.S. §§ 50.041 and 50.051.
 - (4) Notice by publication may run concurrently with or may follow an attempt or attempts to provide notice by hand delivery or by mail as required by subsection (a).
 - (5) Evidence that an attempt has been made to hand deliver or mail notice as provided in this subsection, shall be prima facie proof that the notice requirements of this article have been met, without regard to whether or not the alleged violator actually received such notice.
- (c) In lieu of publication as described in subsection (b), such notice may be posted for at least ten days at the property upon which the violation is alleged to exist and at the office of the town clerk.

(Ord. No. 2016-11, § 8, 9-20-2016)

Sec. 2-259. Code enforcement citations.

- (a) This article is adopted pursuant to F.S. chapter 162, part II, as a supplemental method of enforcing certain codes and ordinances of the Town of Eatonville, and is enacted to protect the public health, welfare and safety of the citizens of said town.
- (b) Nothing in this article shall be construed to prohibit the town from enforcing its codes and ordinances by any other means including, but not limited to, a summons, a notice to appear in the county court, an arrest, an action before the code enforcement board, a civil action for injunctive relief, a stop work order or demolition.

(Ord. No. 2016-11, § 9, 9-20-2016)

Sec. 2-260. Designation of code enforcement officer.

- (a) For the purpose of this article, the town council hereby designates all code enforcement officers, sworn law enforcement officers, fire inspectors, and building inspectors as code enforcement officers who shall have the powers and authority to enforce the codes and ordinances of the town as set forth in the town code.
- (b) The training and qualifications of the code enforcement officer shall be established by the town council.
- (c) Except as to sworn law enforcement officers, designation of a code enforcement officer does not confer the power of arrest or other law enforcement powers not subject to the code enforcement officer to the provisions of F.S. chapter 943.

- (d) Nothing in this article shall be construed to amend, alter, or contravene the provisions of any retirement or pension plan or system administered by the town.

(Ord. No. 2016-11, § 10, 9-20-2016)

Sec. 2-261. Citation authority; violation as civil infraction; maximum civil penalty.

- (a) Any code enforcement officer, designated pursuant to section 2-260, is hereby authorized to issue a citation to a person when based on personal investigation; the inspector has reasonable cause to believe that the person has committed a violation of any code or ordinance.
- (b) A code or ordinance violation, for which a citation may be issued pursuant to this article, shall be deemed a civil infraction.
- (c) The maximum civil penalty of such a civil infraction shall not exceed \$500.00 per violation plus all applicable costs of prosecution and legislative assessments plus court costs of \$10.00.
- (d) Each violation of a code or ordinance shall be a separate civil infraction. Each day such violations shall continue shall be deemed to constitute a separate civil infraction.

(Ord. No. 2016-11, § 11, 9-20-2016)

Sec. 2-262. Notice prior to citation issuance; exception.

- (a) Prior to issuing a citation, the code enforcement officer shall provide notice to the person that the person has committed a violation of a code or ordinance and shall establish a reasonable time period within which the person must correct the violation. Such time period shall be no more than 30 days. If, upon personal investigation, the code enforcement officer finds that the person has not corrected the violation within the time period, the code enforcement officer may issue a citation to the person who has committed the violation.
- (b) An inspector shall not be required to provide the person with a reasonable time period to correct the violation prior to issuing a citation and may immediately use a citation if a repeat violation is found or if the officer has reason to believe that the violation presents a serious threat to the public health, safety, or welfare or if the violation is irreparable or irreversible.

(Ord. No. 2016-11, § 12, 9-20-2016)

Sec. 2-263. Service of warning notice or citation.

- (a) Written warning notices, if applicable and citations shall be provided to the alleged violator by hand delivery by the officer. In the absence of the alleged violator, issuance of a written warning notice or citation may be accomplished by leaving a copy at the alleged violator's residence with any person residing therein who is 15 years of age or older, and informing the person of the contents or by registered or certified mail, return receipt requested.
- (b) Issuance of a written warning notice of citation to a business may be accomplished by leaving a copy at the business, during regular business hours with any employee and informing the employee of the contents or by registered or certified mail, return receipt requested. Each employee of the business shall be deemed to be an agent of the business for service of warning notices and citations.

(Ord. No. 2016-11, § 13, 9-20-2016)

Sec. 2-264. Form of contents of citations; filing with court.

A citation issued by an inspector shall be in a form prescribed by the town council or promulgated by administrative order issued by the Chief Judge of the Ninth Judicial Circuit in the case of a uniform code citation, and shall contain:

- (1) The date and time of issuance;
- (2) The name and address of the person to whom the citation is issued;
- (3) The date and time the civil infraction was committed;
- (4) The facts constituting reasonable cause;
- (5) The number of the section of the code or ordinance violated;
- (6) The name and authority of the officer;
- (7) The procedure for the person to follow in order to pay the civil penalty or to contest the citation;
- (8) The applicable civil penalty if the person elects to contest the citation;
- (9) The applicable civil penalty if the person elects not to contest the citation;
- (10) The conspicuous statement that if the person fails to pay the civil penalty within the time allowed, or fails to appear in court to contest the citation, he or she shall be deemed to have waived his or her right to contest the citation and that in such case, judgment may be entered against the person for an amount up to the maximum civil penalty.

After issuing a citation to an alleged violator an inspector shall deposit the original and one copy of the citation with the county court, by filing the same with the clerk of the court.

(Ord. No. 2016-11, § 14, 9-20-2016)

Sec. 2-265. Refusal to sign citation.

- (a) Any person who willfully refuses to sign and accept a citation issued by an inspector shall be guilty of a misdemeanor of the second degree pursuant to F.S. § 162.21(6).
- (b) If the person cited so refuses to sign the citation, the inspector shall write the words "refused" or "refused to sign" in the space provided for the person's signature and shall then leave a copy of the citation with the person cited, if possible.
- (c) Following such refusal to sign, the inspector shall contact the Eatonville Police Department to report such refusal as a violation of F.S. § 162.21(6).

(Ord. No. 2016-11, § 15, 9-20-2016)

Sec. 2-266. Payment of reduced civil penalty; court hearing.

- (a) If the person elects not to contest the citation, the person shall pay in full the applicable reduced civil penalty, as set forth here to the clerk of the court within 14 calendar days after issuance of the citation.
- (b) If the person cited elects to pay the applicable reduced civil penalty set forth herein, the person shall be deemed to have admitted the infraction and waived the right to a hearing. If the person cited fails to pay the civil penalty by the 14th calendar day after issuance of the citation and a judgment shall be entered against the person cited in an amount up to the maximum civil penalty plus court costs of \$50.00. In addition, a rule

to show cause may be issued by the county judge requiring the person cited to appear in county court to explain the person's failure to pay or request a court hearing. Failure to respond to the rule to show cause may result in issuance of an arrest warrant.

- (c) If the person elects to contest the citation, the person shall appear in court before a county judge within 21 calendar days of issuance of the citation to request a hearing.
- (d) If the person cited has been previously cited for the same violation at least two other times within a 12-month period, upon issuance of a third or subsequent citation, the person shall not have the option of paying a reduced civil penalty but instead shall appear before a county judge within 21 calendar days to answer the charge.
- (e) A county judge, after a hearing on the citation shall make a determination whether or not a violation of the Code of Ordinances cited has been committed. If a violation is found to have occurred, the county judge may order the violator to correct the violation and may impose a civil penalty up to the maximum civil penalty plus all applicable costs of prosecution and legislative assessments, plus court costs of \$50.00. In no event, however, shall such civil penalty imposed by a county judge be less than the reduced civil penalty set forth in section 2-267.
- (f) The county judge may provide for the civil penalty to be paid, and the violation to be corrected within such time as the county judge determines to be appropriate. If the person found to be in violation fails to pay the civil penalty or correct the violation with the time provided, a civil judgment shall be entered against that person in an amount up to the maximum civil penalty.
- (g) Should the person cited schedule a hearing as provided for herein and thereafter fail to appear at such hearing, the person shall be deemed to have waived the right to contest the citation; and a civil judgment shall be entered against the person in an amount up to the maximum civil penalty; provided however, that the court shall have the discretion to continue or reschedule any hearing when it determines that doing so will further the interest of justice. In such an event, the clerk of the court shall notify the code enforcement officer and the person cited of the date and time of the hearing. In addition, a rule to show cause may be issued by the county judge requiring the person cited to appear in county court to explain the person's failure to appear at the hearing. Failure to respond to the rule to show cause may result in issuance of an arrest warrant.
- (h) Should the person cited willfully fail to comply with a court order to abate or correct the violation, the court after due notice and hearing on the matter, may hold the violator in civil contempt and may enter an order to that effect.
- (i) In the event that a civil judgment is entered against the person cited as provided herein, the town may record a certified copy of the said judgment in the Official Records of Orange County, Florida and the same shall thereafter constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.
- (j) In the event that an order is entered finding that a violation of the ordinance cited has been committed, the town may record a certified copy of said order in the official records of Orange County, Florida and the same shall thereafter constitute notice to and be binding upon the violator and any subsequent purchasers, successors in the interest or assigns if the violation concerns real property.
- (k) At any hearing pursuant to this article, the commission of a violation of a code or ordinance must be proved by a preponderance of the evidence. The Florida Rules of Civil Procedure and the Florida Evidence Code shall be applicable to any such hearing.

(Ord. No. 2016-11, § 16, 9-20-2016)

Sec. 2-267. Procedure for payment of civil penalty.

Payment of any civil penalty imposed by this article shall be to the clerk of the court, who shall forward the money collected to the town's finance director for deposit into the town's fund. If a judgment has been entered for the civil penalty, the clerk of the court shall notify the town when the judgment has been paid and the necessary satisfaction of judgment shall be prepared and recorded in the official records of Orange County.

Classes of Violation and Reduced Civil Penalty

(1) Violations of town code and ordinances, and the applicable reduced civil penalties shall be as follows:

	Reduced Civil Penalty		
Violation Classifications	1st Offense	2nd Offense	3rd or Subsequent Offense
Class I	\$50.00	\$100.00	Mandatory Court Hearing
Class II	\$100.00	\$200.00	Same as above
Class III	\$150.00	\$300.00	Same as above
Class IV	\$200.00	\$400.00	Same as above

(Ord. No. 2016-11, § 17, 9-20-2016)

Secs. 2-268—2-755. Reserved.



HISTORIC TOWN OF EATONVILLE, FLORIDA
TOWN COUNCIL MEETING
SEPTEMBER 16, 2025, AT 7:30 PM
Cover Sheet

****NOTE**** Please do not change the formatting of this document (font style, size, paragraph spacing etc.)

ITEM TITLE: Approval of Resolution 2025-29 A Reappoint One (1) Citizen to the Board of Adjustment Board As A Regular Board Member (**Clerk Office**)

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: LEGISLATIVE (CLERK OFFICE) Exhibits: <ul style="list-style-type: none">Resolution 2025-29
PUBLIC HEARING 1ST / 2ND READING		
CONSENT AGENDA	YES	
COUNCIL DECISION		
ADMINISTRATIVE		

REQUEST: Request Approval of Resolution 2025-29 Reappointing One (1) Citizen to the Board of Adjustment Board As A Regular Board Member.

SUMMARY: The Board of Adjustment has been established in the town and shall consist of five residents who shall be appointed by the Town Council. In addition to the regular members of the Board of Adjustment, the Town Council shall be authorized to appoint two alternate members. Three members of the board of adjustment shall constitute a quorum. The term of office shall be for three years and shall be staggered so that not more than two terms expire within any one year by applying the procedure for appointing planning board members referenced in division 2 of this article. Alternate members shall be appointed for a term of three years.

The Town Council wishes to recommend to Town Council the re-appointment of one (1) individual to the Board of Adjustment as a regular board member.

RECOMMENDATION: Recommend Approval of Resolution 2025-29 Reappointing One (1) Citizen to the Board of Adjustment Board As A Regular Board Member.

FISCAL & EFFICIENCY DATA: N/A

RESOLUTION #2025-29

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, TO RE-APPOINT ONE (1) BOARD MEMBER TO THE BOARD OF ADJUSTMENT, PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS the Town Council wishes to recommend to Town Council the re-appointment of one (1) individual to the Board of Adjustment as a regular board member; and

WHEREAS the Board of Adjustment shall consist of five residents who shall be appointed by the Town Council. In addition to the regular members of the Board of Adjustment, the Town Council shall be authorized to appoint two alternate members. Three members of the board of adjustment shall constitute a quorum; and

WHEREAS All meetings of the board of adjustment shall be public. A record of all its resolutions, transactions, findings, and determinations shall be made, which shall be a public record on file with the office of the Town Clerk.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA THE FOLLOWING:

SECTION ONE: RE-APPOINTMENTS:the person recommended for re-appointment as a regular board member of the Board of Adjustment is Carol McIntyre for a term of three (3) years from September 16, 2025, until September 16, 2028.

SECTION THREE: CONFLICTS: All Resolution or parts of Resolutions in conflict with any other Resolution or any of the provisions of this Resolution are hereby repealed.

SECTION FOUR: SEVERABILITY: If any section or portion of a section of this Resolution is found to be invalid, unlawful, or unconstitutional it shall not be held to invalidate or impair the validity, force or effect of any other section or part of this Resolution.

SECTION FIVE: EFFECTIVE DATE: This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 16th day of September 2025.

ATTEST:

Angie Gardner, Mayor

Veronica King, Town Clerk

DIVISION 3. BOARD OF ADJUSTMENT

Sec. 44-108. Established.

Pursuant to the provisions of the applicable state statutes, as amended, a board of adjustment, hereinafter referred to as the board of adjustment, is hereby established in the town.

(LDC 1982, ch. 15, § 15-2; Ord. No. 2002-2, § 1(6-5), 4-2-2002)

Sec. 44-109. Appointment.

The board of adjustment shall consist of five residents who shall be appointed by the town council. In addition to the regular members of the board of adjustment, the town council shall be authorized to appoint two alternate members. Said alternate members may be called upon to sit upon said board of adjustment in the temporary absence or disability of any regular member, or may act when a member is otherwise disqualified in a particular case, and during such participation, shall have the rights and responsibilities of a regular member. No member or alternate member of the board of adjustment shall be a paid or elected official or employee of the town.

(LDC 1982, ch. 15, § 15-2.1; Ord. No. 2002-2, § 1(6-5.1), 4-2-2002)

Sec. 44-110. Term of office; removal for cause; vacancies.

- (a) The term of office shall be for three years and shall be staggered so that not more than two terms expire within any one year by applying the procedure for appointing planning board members referenced in division 2 of this article. Alternate members shall be appointed for a term of three years.
- (b) Members of the board of adjustment shall be removable for cause after filing of written charges, a public hearing, and a majority vote of the town council.
- (c) Appointments to fill vacancies shall be for the unexpired term or term of the member whose term becomes vacant. Such appointments to fill vacancies shall be made in the same manner as the original appointment and shall be made within 30 days after the vacancy occurs.

(LDC 1982, ch. 15, § 15-2.2; Ord. No. 2002-2, § 1(6-5.2), 4-2-2002)

Sec. 44-111. Procedures.

- (a) The board of adjustment shall establish rules and regulations for its own operation consistent with the provisions of applicable state statute and this chapter.
- (b) The board of adjustment shall elect a chairperson and vice-chairperson. The chairperson shall be the presiding member of the board of adjustment and the vice-chairperson shall be the presiding member in the chairperson's absence or disqualification. The board of adjustment shall appoint a secretary who may be a member of the board of adjustment or an employee of the town. The terms of all officers elected and appointed shall be for one year with eligibility for reelection or reappointment.

- (c) The board of adjustment shall meet at regular intervals, at the call of the chairperson, at the written request of three or more regular members or within 30 days after receipt of a matter to be acted upon by the board of adjustment. Three members of the board of adjustment shall constitute a quorum.
- (d) The chairperson, or in his absence the acting chairperson, may administer oaths and compel the attendance of witnesses.
- (e) All meetings of the board of adjustment shall be public. A record of all its resolutions, transactions, findings and determinations shall be made, which shall be a public record on file with the office of the town clerk.

(LDC 1982, ch. 15, § 15-2.3; Ord. No. 2002-2, § 1(6.5.3), 4-2-2002)

Sec. 44-112. Decisions.

The concurring vote of a majority of the members of the board of adjustment shall be necessary to reverse any order, requirement, decision, or determination of the planning director or to decide in favor of the appellant in respect to any matter upon which it is required to pass under the terms of this chapter or to effect any variations of this chapter.

(LDC 1982, ch. 15, § 15-2.4; Ord. No. 2002-2, § 1(6.5.4), 4-2-2002)

Sec. 44-113. Powers and duties.

The board of adjustment shall have the following powers and duties:

- (1) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the planning director in the enforcement of this chapter.
- (2) To authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship.

(LDC 1982, ch. 15, § 15-2.5; Ord. No. 95-11, § 4(6-5.5(3)), 10-1-1996; Ord. No. 2002-2, § 1(6.5.5), 4-2-2002)

Sec. 44-114. Appeals.

Appeals to the board of adjustment may be taken by any person aggrieved by any officer, board or commission of the town affected by any decision of the administrative official under any provision of this chapter.

- (1) *Staying of work on premises.* An appeal to the board of adjustment stays all work on the premises and all proceedings in furtherance of the action appealed, unless the official from whom the appeal was taken shall certify to the board of adjustment, by reason of acts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings or work shall not be stayed except by a restraining order which may be granted by the board of adjustment to a court of record on application, on notice of the officer from whom the appeal is taken and on due cause shown.
- (2) *Procedure.*
 - a. Any person appealing any decision of an administrative official shall make such appeal within 30 days after rendition of the order. Requirement, decision or determination appealed from in writing to the board of adjustment and file the same, and ten copies thereof, with supporting facts and data with the planning director. This does not, however, restrict the filing of a request for a variance by any person at any time as provided for elsewhere in this article.

- b. Upon receipt of the appeal, the planning director shall forthwith examine such appeal or request application and endorse his recommendation thereon together with all documents, plans, papers or other materials constituting the record upon which the action appealed was taken and transmit same to the board of adjustment. Concurrently, the planning director shall transmit a copy of said appeal together with all documents, plans, papers, or other materials constituting the record to the town attorney for his review and opinion. The town attorney shall present his opinion to the board of adjustment with respect to two items as follows:
 1. As to whether the appeal is, in fact, an appeal and within the province of the board of adjustment.
 2. The merits of the appeal proper if requested by the board of adjustment.
- (3) *Hearing of appeal.* Before rendering a decision upon an appeal, the board of adjustment shall hold a public hearing. The board of adjustment shall fix a reasonable time of day for the hearing, give public notice thereof, as well as due notice to the parties involved. Upon the hearing, any party may appear in person or by agent or by attorney.

(LDC 1982, ch. 15, § 15-2.6; Ord. No. 2002-2, § 1(6.5.6), 4-2-2002)

Sec. 44-115. Variances.

- (a) The board of adjustment shall authorize upon appeal such variance from the terms of this article as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this article would result in unnecessary and undue hardship. In order to authorize any variance from the terms of this article, the board of adjustment must and shall find:
 - (1) That the variance is in fact, a variance as set forth within this article and within the province of the board of adjustment upon the opinion of the town attorney.
 - (2) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district.
 - (3) That the special conditions and circumstances do not result from the actions of the applicant.
 - (4) That granting the variance requested will not confer on the applicant any special privilege that is denied by this article to other lands, buildings, or structures in the same zoning district.
 - (5) That literal interpretation of the provisions of this article would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this article and would work unnecessary and undue hardship on the applicant.
 - (6) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
 - (7) That the granting of the variance will be in harmony with the general intent and purpose of this article, and that such variance will not be detrimental to the public welfare.
- (b) In granting any variance, the board of adjustment may prescribe appropriate conditions and safeguards in conformity with this article. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this article. The board of adjustment may prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed or both. Under no circumstances shall the board of adjustment grant a variance to permit a use not generally or by special exception permitted in the zoning district involved or any use expressly or by implication prohibited by the terms of this article on the zoning district. No nonconforming use of

neighboring lands, structures or buildings in the same zoning districts shall be considered grounds for the authorization of a variance.

(Ord. No. 2002-2, § 1(6-5.7), 4-2-2002)

Sec. 44-116. Judicial remedy by circuit court.

Any person jointly or severally aggrieved by any decision of the board of adjustment or any officer, department, board of commission of the town may apply to the circuit court in the judicial circuit where the board of adjustment is located for judicial relief within 30 days after rendition of the decision by the board of adjustment. The proceedings in the circuit court shall consist either by trial de novo, which shall be governed by the state rules of civil procedure, and by petition for writ or certiorari which shall be governed by the state appellate rules. The election of remedies shall lie with the appellant.

(Ord. No. 95-11, § 4(6-5.8), (6-5.9), 10-1-1996; Ord. No. 2002-2, § 1(6-5.8), 4-2-2002)

Secs. 44-117—44-145. Reserved.



HISTORIC TOWN OF EATONVILLE, FLORIDA
TOWN COUNCIL MEETING
SEPTEMBER 16, 2025, AT 07:30 PM
Cover Sheet

****NOTE**** Please do not change the formatting of this document (font style, size, paragraph spacing etc.)

ITEM TITLE: Approval of Memorandum of Understanding (MOU) For Crush Gruuv Productions Inc. Governing the Annual Droville Music Festival and the Town of Eatonville (**Administration/CAO**)

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: ADMINISTRATION (CAO) Exhibits: <ul style="list-style-type: none">• Attached MOU Document• Event Map (Subject To Changes)
PUBLIC HEARING 1ST / 2ND READING		
CONSENT AGENDA	YES	
COUNCIL DISCUSSION		
ADMINISTRATIVE		

REQUEST: The Administration is requesting the Town Council to approve a memorandum of understanding for the Crush Gruuv Productions Inc. Governing the Annual DROVILLE MUSIC FESTIVAL and the Town.

SUMMARY: The DROVILLE MUSIC FESTIVAL is a music and cultural event designed to showcase regional and national talent while providing economic and social benefits to the Town through tourism, small business participation, and cultural expression; In an effort to have a strong community collaboration the Town has work with the Committees and will assist with public safety and public services for the events happening within the town’s city limits. The services were established based off previous special events of this magnitude. All items and expectation have been confirmed with staff and the vendor.

RECOMMENDATION: The Administration is requesting the Town Council to approve a memorandum of understanding for the Crush Gruuv Productions Inc. Governing the Annual DROVILLE MUSIC FESTIVAL and the Town of Eatonville.

FISCAL & EFFICIENCY DATA: N/A

MEMORANDUM OF UNDERSTANDING
Between
TOWN OF EATONVILLE
&
Crush Gruuv Productions Inc.

Governing the Annual DROVILLE MUSIC FESTIVAL

Event Dates: February 21–22, 2026

WHEREAS, The Town of Eatonville seeks to expand its cultural programming and attract regional visitors through signature public events that promote community, arts, and tourism; and

WHEREAS, This Memorandum of Understanding (MOU) establishes the terms and mutual understanding between Crush Gruuv Productions Inc. and the Town of Eatonville, Florida regarding the planning and execution of the DROVILLE MUSIC FESTIVAL, to be held annually in the Town of Eatonville; and

WHEREAS, The DROVILLE MUSIC FESTIVAL is a music and cultural event designed to showcase regional and national talent while providing economic and social benefits to the Town through tourism, small business participation, and cultural expression; and

WHEREAS, The Town of Eatonville acknowledges the value and potential of this event to enhance the Town's brand, boost local business, and create meaningful community engagement; and

WHEREAS, Both parties agree to collaborate in good faith to ensure a safe, successful, and well-organized event;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. GRANT OF AUTHORITY AND PERMISSION:

The Town of Eatonville grants Crush Gruuv Productions Inc. permission to organize and operate the DROVILLE MUSIC FESTIVAL in coordination with Town Administration, in designated areas approved for public events, including Hungerford Field (100 E. Kennedy Blvd) and adjoining roadways for vendor staging and pedestrian access.

2. ROLES AND RESPONSIBILITIES:

A. Town of Eatonville Responsibilities:

- Provide access to the venue.
- Provide the following support services (to be paid by Crush Gruuv Productions, Inc.)
- Public Works (sanitation, fencing, signage, recycling bins)
- Eatonville Police Department (traffic, safety coordination)
- Assistance with permitting and regulatory compliance
- Public Promotion via:
- Social media, digital newsletters, and robocalls
- Utility bill inserts and flyer distribution

B. Crush Gruuv Productions Inc. Responsibilities:

- Full event programming and production (entertainment curation, vendor management, branded activations)
- Oversee event setup, breakdown, and private security
- Media, marketing, and PR outreach
- Ensure:
- EMT presence and safety signage
- Compliance with noise, vending, alcohol, and Sunshine Law
- Alcohol sales only through properly licensed vendors (pending Town approval)
- Provide general liability and venue insurance, naming the Town as an additional insured

3. PUBLIC SAFETY AND COMPLIANCE

Coordination with Eatonville Police Department and Orange County Fire Rescue is required for public safety and emergency response.

All public safety plans, including evacuation procedures and signage, must be submitted for Town approval.

The Organizer shall comply with all Town ordinances and codes.

4. INSURANCE AND INDEMNIFICATION

The Organizer shall maintain a minimum \$1,000,000 general liability insurance policy, naming the Town of Eatonville as an additional insured.

The Organizer agrees to indemnify and hold harmless the Town against all claims arising out of the event.

5. TRAFFIC AND MUNICIPAL SUPPORT

A traffic management plan must be submitted in coordination with Eatonville PD and, if needed, Orange County.

Municipal support services (Public Works, EMS, sanitation, fencing) may be provided in-kind, pending Council approval.

6. FINANCIAL ARRANGEMENTS / FEE WAIVERS

Crush Gruuv Productions Inc. may request from the Town:

Facility rental fee waivers, sponsorship, and cultural arts grant consideration. All financial support and waivers are subject to approval by the Town Council.

7. ENVIRONMENTAL RESPONSIBILITY

Organizers will deploy waste and recycling bins in collaboration with Public Works. A clean-up crew will be assigned to restore event grounds within 24 hours of the event's conclusion. Sustainable practices are encouraged for vendors.

8. MARKETING AND PROMOTION

Both parties will collaborate on promotion. Event branding will appear on, Town website and social media, Town newsletter, flyers, and other official materials All promotional materials must meet Town branding guidelines.

9. COMMUNICATION & COORDINATION

Designated contacts from each party will hold regular planning meetings. A post-event debrief meeting shall occur within 60 business days to assess operations and discuss improvements. The Organizer will provide a Post-Event Impact Report, including estimated attendance, economic impact, community feedback, and media engagement analytics

10. TERM & TERMINATION

This MOU is effective upon signature and remains in effect through March 15, 2026, unless otherwise terminated. Either party may terminate this MOU with 30 days' written notice.

11. AMENDMENTS

All amendments to this MOU must be in writing and signed by authorized representatives of both parties.

12. SEVERABILITY

If any provision of this MOU is found to be invalid or unenforceable, the remaining provisions shall remain in full effect.

13. GOVERNING LAW

This MOU shall be governed by the laws of the State of Florida.

IN WITNESS WHEREOF, the undersigned parties have executed this Memorandum of Understanding: FOR CRUSH GRUUV PRODUCTIONS INC.SIGNATURES:

Lorenzo Jorin, CG Production / Authorized Representative

Date: _____

TOWN OF EATONVILLE:

Mayor/Authorized Representative

Date: _____

ATTEST:

Town Clerk

Date: _____

DRAFT

Annual Droville Music Festival

Event Map





HISTORIC TOWN OF EATONVILLE, FLORIDA

TOWN COUNCIL MEETING

SEPTEMBER 16, 2025, AT 7:30 PM

Cover Sheet

****NOTE**** Please do not change the formatting of this document (font style, size, paragraph spacing etc.)

ITEM TITLE: Approval of Resolution 2025-20 Transferring Ownership Property Owned TOE to the CRA

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: ADMINISTRATION/CRA
PUBLIC HEARING 1ST / 2ND READING		Exhibits: <ul style="list-style-type: none"> • Resolution 2025-20 • Property Summary • Property Map
CONSENT AGENDA		
COUNCIL DECISION	YES	
ADMINISTRATIVE		

REQUEST: The Town Council authorize the transfer of ownership of parcel located at 504 Eaton Street to the TOE CRA by quick claim deed for the purpose of developing single family housing.

SUMMARY: The TOE CRA has expressed the desire to develop property located at 504 Eaton Street whose parcel I.D. # is 36-21-29-2376-03-240 and legal descriptions is EATONVILLE LAWRENCE D/25 LOT 24 BLK 3. This property will be used to develop new single-family housing. The benefit to the town is as follows: vacant property will be on the tax roll; water& sewer revenue collection; reduce department maintenance cost; impact fee collection and most importantly allowing a new family to be part of the community

Tabled during council meeting on 8-19-25 and 9-2-2025. Being brought back to council for reconsideration for approval.

RECOMMENDATION: Approval of Resolution 2025-20 Transferring Ownership Property Owned TOE to the CRA

FISCAL & EFFICIENCY DATA: None

Resolution 2025-20

A RESOLUTION OF THE TOWN OF EATONVILLE TOWN COUNCIL AUTHORIZING THE TRANSFER OF OWNERSHIP OF PROPERTY LOCATED AT 504 EATON STREET, EATONVILLE, FLORIDA 32751 TO THE TOWN OF EATONVILLE COMMUNITY REDEVELOPMENT AGENCY BY QUICK CLAIM DEED AND AUTHORIZING THE TOWN OF EATONVILLE COMMUNITY REDEVELOPMENT AGENCY THE AUTHORITY TO DEVELOP A SINGLE FAMILY HOME ON PARCEL ID IS 36-21-29-2376-03-240 WITH THE LEGAL DESCRIPTION OF EATONVILLE LAWRENCE D/25 LOT 24 BLK 3 , PROVIDING FOR CONFLICT AND EFFECTIVE DATE

WHEREAS the Town Council has adopted the Town of Eatonville CRA Plan which addresses the removal of slum and blight as identified in the Blight Study; and

WHEREAS the Town Council acknowledges Florida Statute 163.357 1 (b) which states the members of the governing body shall be the members of the agency, but such members constitute the head of a legal entity, separate, distinct, and independent from the governing body of the county or municipality. If the governing body declares itself to be an agency which already exists, the new agency is subject to all of the responsibilities and liabilities imposed or incurred by the existing agency.

WHEREAS the Town Council acknowledges Florida Statute 163.358 4 the power to approve the acquisition, demolition, removal, or disposal of property as provided in s. 163.370(4) and the power to assume the responsibility to bear loss as provided in s. 163.370(4).

WHEREAS the Town Council authorize the transfer of property ownership to the Eatonville Community Redevelopment Agency for the purpose of developing single family home; and

WHEREAS the Town Council authorizes the Town of Eatonville Community Redevelopment Agency the right to develop property located at 504 Eaton Street, Eatonville, Florida 32751, whose Parcel ID is 36-21-29-2376-03-240 and legal description is EATONVILLE LAWRENCE D/25 LOT 24 BLK 3; and

WHEREAS the Town Council of the Town of Eatonville supports the development of infill housing both market rate and affordable/attainable; and

WHEREAS NOW, THEREFORE BE IT RESOLVED BY THE TOWN OF EATONVILLE TOWN COUNCIL

SECTION ONE: AMENDMENTS. The Town Council of the Town of Eatonville shall reserve the right to provide for amendments to this resolution as needed to accomplish the goals and objective of the Town of Eatonville CRA Plan.

SECTION TWO: AUTHORIZATION: The Town Council of the Town of Eatonville authorizes the transfer of title to Town of Eatonville Community Redevelopment Agency. It includes all property located at 504 Eaton Street, Eatonville, Florida 32751 minus the lift station area which shall be parceled out from this authorization and , whose Parcel ID is 36-21-29-2376-03-240 and legal description is EATONVILLE LAWRENCE D/25 LOT 24 BLK 3. Town Council further authorizes the development of single family housing consistent with the zoning regulations.

SECTION THREE: CONFLICTS: All Resolutions of the Town of Eatonville Town Council or parts thereof in conflict with the provisions of this Resolution are to the extent of such conflict superseded and repealed.

SECTION FOUR: SEVERABILITY: If any section or portion of a section of this Resolution is found to be invalid, unlawful, or unconstitutional it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION FIVE: EFFECTIVE DATE: This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 16th day of September 2025.

Angie Gardner, Mayor

ATTEST:

Veronica King, Town Clerk

Property Record - 36-21-29-2376-03-240

Orange County Property Appraiser •
http://www.ocpafl.org

Property Summary as of 08/08/2025

Property Name

504 Eaton St

Names

Town Of Eatonville

Municipality

EVL - Eatonville

Property Use

8900 - Municipal (Other)

Mailing Address

Po Box 2163
Eatonville, FL 32751-2009

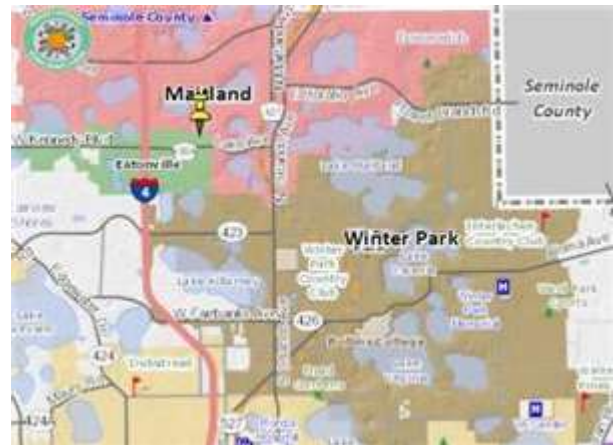
Physical Address

504 Eaton St
Maitland, FL 32751

OR
OR
Code
For
Mobile
Phone











504 EATON ST, EATONVILLE, FL 32751 5/20/2021 12:35 PM






Value and Taxes

Historical Value and Tax Benefits

Section VI. Item #7.

Tax Year Values		Land	Building(s)	Feature(s)	Market Value	Assessed Value
2024	 	\$55,000	+	\$0	+	\$0 = \$55,000 (0%)
2023	 	\$55,000	+	\$0	+	\$0 = \$55,000 (198%)
2022	 	\$18,480	+	\$0	+	\$0 = \$18,480 (10%)
2021	 	\$16,800	+	\$0	+	\$0 = \$16,800
						\$195

Tax Year Benefits		Other Exemptions	Tax Savings
2024	 	\$261	\$1,031
2023	 	\$237	\$1,029
2022	 	\$215	\$347
2021	 	\$195	\$320

2024 Taxable Value and Certified Taxes

Taxing Authority	Assd Value	Exemption	Tax Value	Millage Rate	Taxes	%
Public Schools: By State Law (Rle)	\$55,000	\$261	\$0	3.2160 (1.36%)	\$0.00	0 %
Public Schools: By Local Board	\$55,000	\$261	\$0	3.2480 (0.00%)	\$0.00	0 %
Orange County (General)	\$261	\$261	\$0	4.4347 (0.00%)	\$0.00	0 %
Town Of Eatonville	\$261	\$261	\$0	7.2938 (0.00%)	\$0.00	0 %
Library - Operating Budget	\$261	\$261	\$0	0.3748 (0.00%)	\$0.00	0 %
St Johns Water Management District	\$261	\$261	\$0	0.1793 (0.00%)	\$0.00	0 %
				18.7466	\$0.00	

2024 Non-Ad Valorem Assessments

Levying Authority	Assessment Description	Units	Rate	Assessment
There are no Non-Ad Valorem Assessments				

Tax Savings

2025 Estimated Gross Tax Total:	\$0.00
Your property taxes without exemptions would be	\$1,082.62
Your ad-valorem property tax with exemptions is	– \$0.00
Providing You A Savings Of	= \$1,082.62

Property Features

Property Description

EATONVILLE LAWRENCE D/25 LOT 24 BLK 3

Total Land Area

10,229 sqft (+/-)

0.23 acres (+/-)

GIS Calculated

Section VI. Item #7.

Land

Land Use Code	Zoning	Land Units	Unit Price	Land Value	Class Unit Price	Class Value
8900 - Municipal (Other)	EVL-R-2	1 Units	working...	working...	working...	working...

Buildings

Extra Features

Description	Date Built	Units	Unit Price	XFOB Value
There are no extra features associated with this parcel				

Sales

Sales History

Sale Date	Sale Amount	Instrument #	Book/Page	Deed Code	Seller(s)	Buyer(s)	Vac/Imp
There are no sales for the selected parcel							

Services for Location

TPP Accounts At Location

Account	Market Value	Taxable Value
There are no TPP Accounts associated with this parcel.		

Schools

Edgewater (High School)

Principal	Heather Haas Kreider
Office Phone	407.835.4900
Grades	2023:

Maitland (Middle School)

Principal	Aski Melik Brown
Office Phone	407.623.1462
Grades	2023:

Hungerford (Elementary)

Principal	Letecia Harris
Office Phone	407.623.1430
Grades	2023:

Utilities/Services

Electric	Duke Energy
Water	Eatonville
Recycling (Friday)	Orange County
Trash (Thursday)	Orange County
Yard Waste (Friday)	Orange County

Elected Officials

County Commissioner	Christine Moore
State Senate	Geraldine F. "Geri" Thompson
State Representative	Anna Eskamani
US Representative	Maxwell Alejandro Frost
School Board Representative	Stephanie Vanos
Orange County Property Appraiser	Amy Mercado

OCA Web Map

Florida Turnpike	Major Roads	Proposed Road	Residential	Commercial/Industrial Vacant Land	Parks	Lot Number
Interstate 4	Public Roads	Brick Road	Agriculture	Agricultural Curtilage	Lakes and Rivers	Parcel Number
Toll Road	Gated Roads	Block Line	Commercial/Institutional	Hydro	Building	Parcel Address
Road Under Construction	Lot Line	Governmental/Institutional/Misc	Waste Land	Block Number	Parcel Dimensions	



Orange County Property Appraiser



**FINAL REPORT
GEOPHYSICAL INVESTIGATION
EATON STREET SITE
EATONVILLE, FLORIDA**

Prepared for DRB Homes
Winter Park, FL

Prepared by GeoView, Inc.
St. Petersburg, FL



December 5, 2006

Mr. Mike Johnson
DRB Homes
2715 West Fairbanks Avenue, Suite 203
Winter Park, FL 32789

**Subject: Transmittal of Report for Geophysical Investigation
Eaton Street Site, Eatonville, Florida
GeoView Project Number 3500**

Dear Mr. Johnson,

GeoView, Inc. (GeoView) is pleased to submit the report that summarizes and presents the results of the geophysical investigation conducted at the Eaton Street Site in Eatonville, Florida. The purpose of the investigation was to identify possible gravesites within the boundaries of the project site. GeoView appreciates the opportunity to have assisted you on this project. If you have any questions or comments about the report, please contact us.

GEOVIEW, INC.

A handwritten signature in black ink, appearing to read "Christopher Taylor".

Christopher Taylor, P.G.
Vice President

A handwritten signature in black ink, appearing to read "Michael J. Wightman".

Michael J. Wightman, P.G.
President

Florida Professional Geologist Number 1423

A Geophysical Services Company

4610 Central Avenue
St. Petersburg, FL 33771

Tel.: (727) 209-2334
Fax: (727) 328-2477

1.0 Introduction

A geophysical investigation was conducted at the Eaton Street Site located at 510 Eaton Street in Eatonville, Florida. The investigation was conducted on two adjacent lots. The lots were each approximately 50 by 120 feet in size. The total survey area was approximately 100 by 120 feet. The purpose of the investigation was to help identify the existence, and if found, the location of any marked and unmarked gravesites within the areas of investigation. The investigation was conducted on November 29th, 2006.

At the time of the GeoView site investigation, the majority of the site was clear and accessible to the investigation. A small area within the southern portion of the site was inaccessible to the investigation due to the presence of wood debris and vegetation.

2.0 Description of Geophysical Investigation

The GPR survey was conducted within the accessible portions of the site along a series of parallel transects spaced 2 foot (ft) apart (Figure 1). The GPR data was collected with a Mala radar system using a 500-megahertz antenna with a time range setting of 50 to 70 nano-seconds. This time range setting provided information to an estimated depth of 6 to 8 ft below land surface (bls).

A total of 51 GPR transects (radar grams) were initially collected at the site. The two-dimensional radar grams were then analyzed to create three-dimensional time (depth) slices of the site. Anomalies identified on the GPR depth slices were resurveyed with additional GPR transects to accurately determine the location of any suspect GPR anomalies. Hand augers were performed at each significant anomaly to determine if the origin of the GPR anomaly. A description of the GPR technique and the methods employed for archeological studies is provided in Appendix 2.1.

3.0 Identification of Possible Graves Using GPR

The features observed on GPR data that are most commonly associated with graves are:

- The occurrence of parabolic shaped GPR reflectors that are present within a laterally limited area. Depth of such GPR reflectors typically range from 3 to 6 ft bls. A parabolic-GPR signal response is typically associated with a buried object. In the case of graves, the parabolic-shaped reflectors are usually created when the GPR antenna is pulled perpendicular to the long axis of a grave.

- In the case where gravesite remains have been deteriorated, grave shafts can sometimes be determined by the presence of discontinuities in otherwise continuous soil horizons (represented by near-horizontal GPR reflectors). It is necessary to perform multiple closely-spaced GPR transects across the suspect areas when characterizing such anomalies. If an area with discontinuous soil horizons has a rectilinear shape then it is possible that a grave is present at that location.
- On the GPR depth slices, graves can be identified as an area of increased in the amplitude of the GPR signal response at the particular depth intervals of interest.

The probability that a GPR anomaly is associated with a grave is increased as the number of previously discussed attributes is observed on the radar grams. It is not possible based on the GPR data alone to determine if a GPR anomaly is associated with a grave.

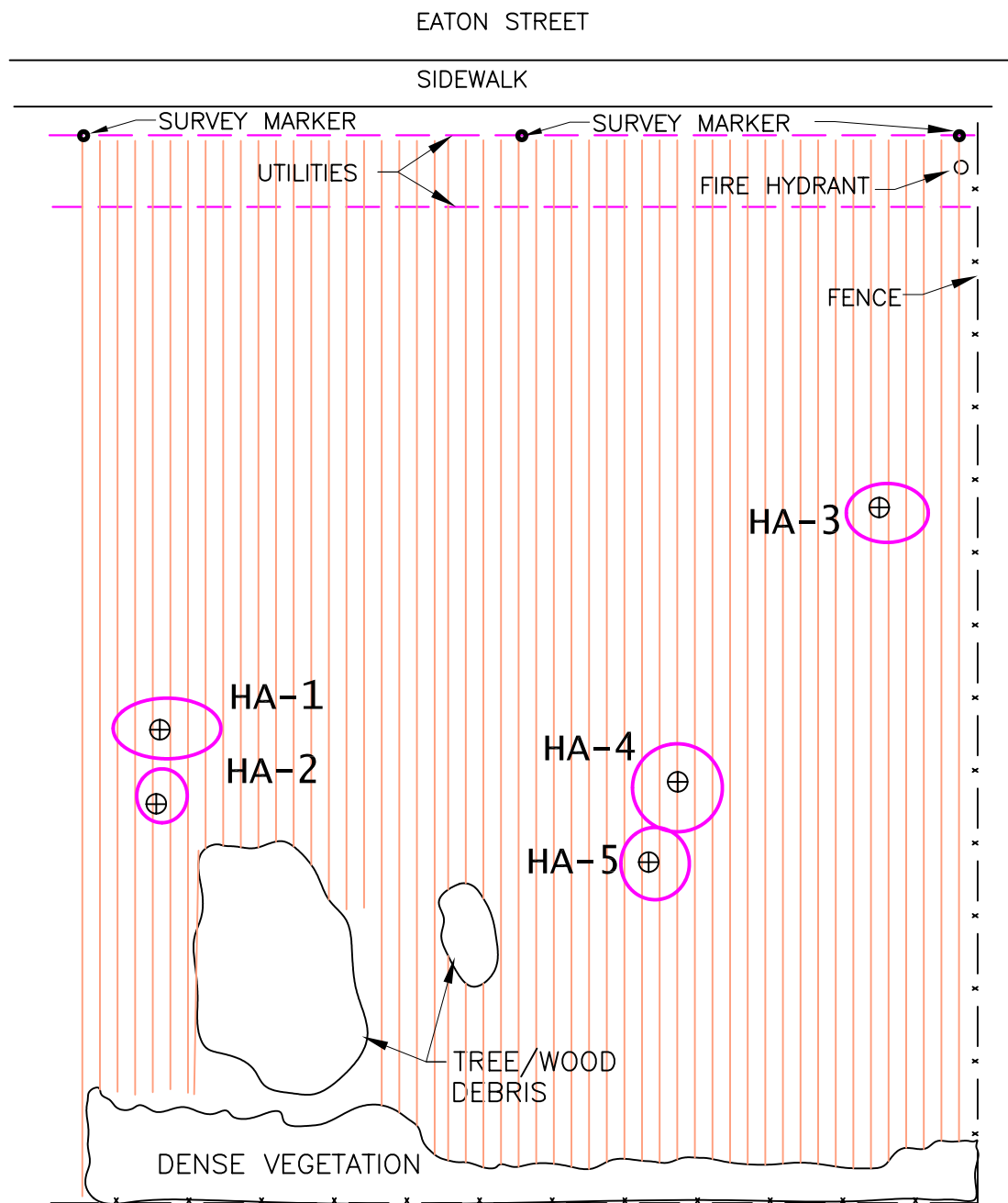
4.0 Survey Results

No suspected gravesites were identified within the boundaries of the project site. Five GPR anomalies were identified during the GPR investigation. These anomalies were identified using both the two-dimensional radar grams and the three-dimensional time slices. The locations of these five GPR anomalies are shown on Figure 1 as GPR anomalies. Hand augers were performed within each of these anomalies. The results from the hand augers revealed that wood debris, roots, and other miscellaneous debris caused the GPR anomalies. The hand augers did not show the presence of any possible indications of gravesites. Four of the GPR depth slices are presented as Figures 2, 3, 4 and 5 and represent depth slices from approximately 1 to 2, 3 to 4, 5 to 6, and 7 to 8 ft bls, respectively. The locations of the GPR anomalies and Hand Augers are overlaid upon the depth slices to illustrate what was categorized as a GPR anomaly.

A discussion of the limitations of the GPR technique in geological characterization studies is provided in Appendix 2.

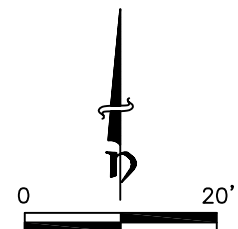
APPENDIX 1

FIGURES



EXPLANATION

- PATH OF GPR TRANSECT LINES
- APPROXIMATE LOCATION OF GPR ANOMALY
- HA-1 LOCATION OF HAND AUGER WITH DESIGNATION



SCALE: 1"=20' APPROX.

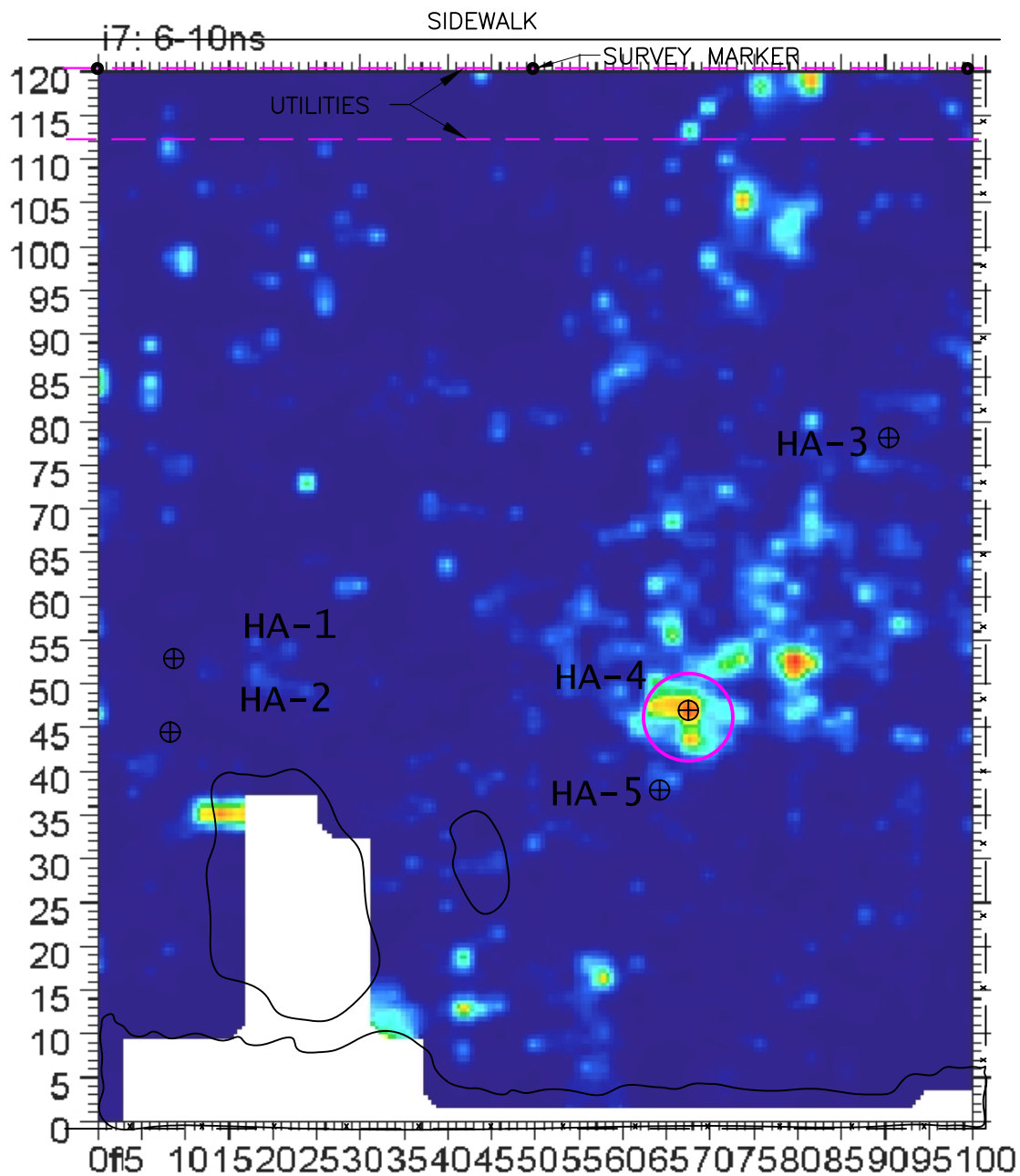


FIGURE 1
SITE MAP
SHOWING RESULTS
OF GEOPHYSICAL
INVESTIGATION



EATON STREET SITE
EATONVILLE, FLORIDA

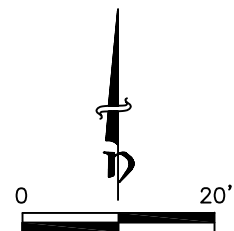
DRB HOMES
WINTER PARK, FLORIDA

PROJECT:
3500
DATE:
12/05/2006



EXPLANATION

-  APPROXIMATE LOCATION OF GPR ANOMALY
- HA-1  LOCATION OF HAND AUGER WITH DESIGNATION



SCALE: 1"=20' APPROX.

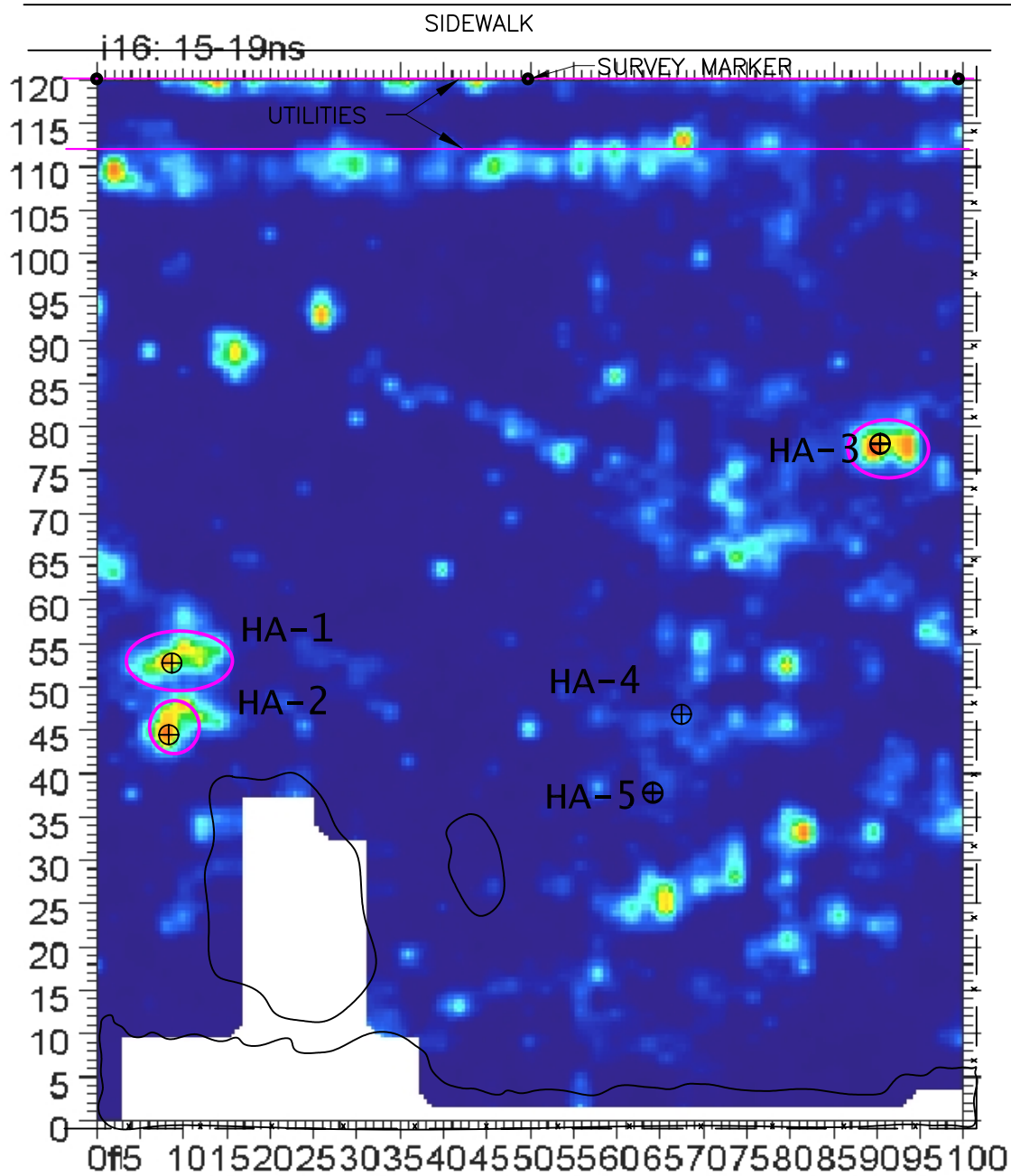


FIGURE 2
GPR TIMES SLICE OF
APPROXIMATELY
1 TO 2 FEET BLS

EATON STREET SITE
EATONVILLE, FLORIDA

DRB HOMES
WINTER PARK, FLORIDA

PROJECT:
3500
DATE:
12/05/2006



EXPLANATION

- APPROXIMATE LOCATION OF GPR ANOMALY
- HA-1 LOCATION OF HAND AUGER WITH DESIGNATION

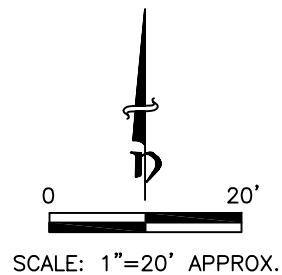
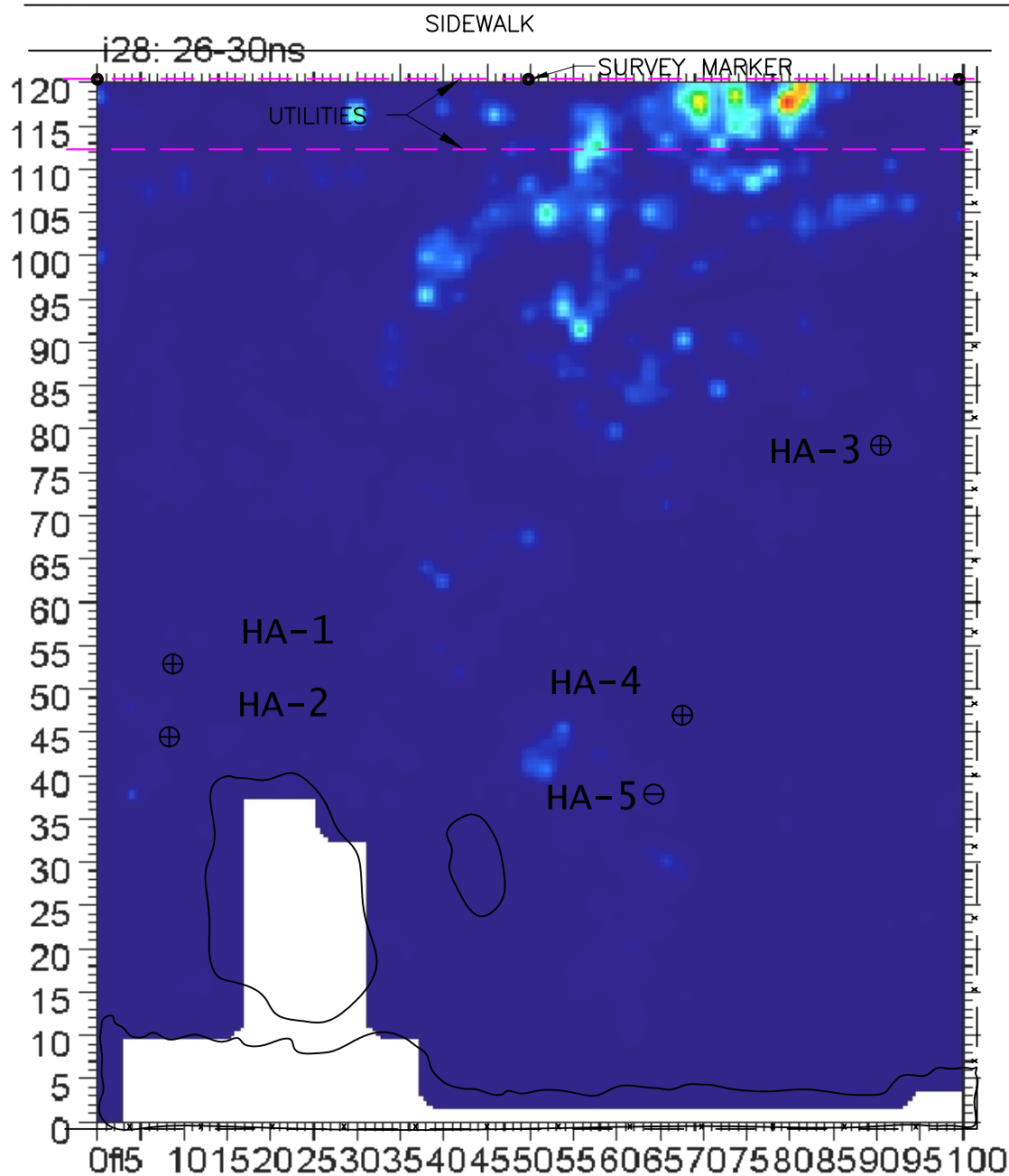


FIGURE 3
GPR TIMES SLICE OF
APPROXIMATELY
3 TO 4 FEET BLS

EATON STREET SITE
EATONVILLE, FLORIDA

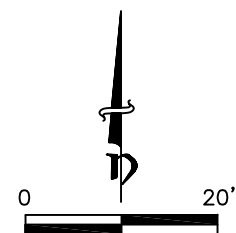
DRB HOMES
WINTER PARK, FLORIDA

PROJECT:
3500
DATE:
12/05/2006



EXPLANATION

- APPROXIMATE LOCATION OF GPR ANOMALY
- HA-1 LOCATION OF HAND AUGER WITH DESIGNATION



SCALE: 1"=20' APPROX.

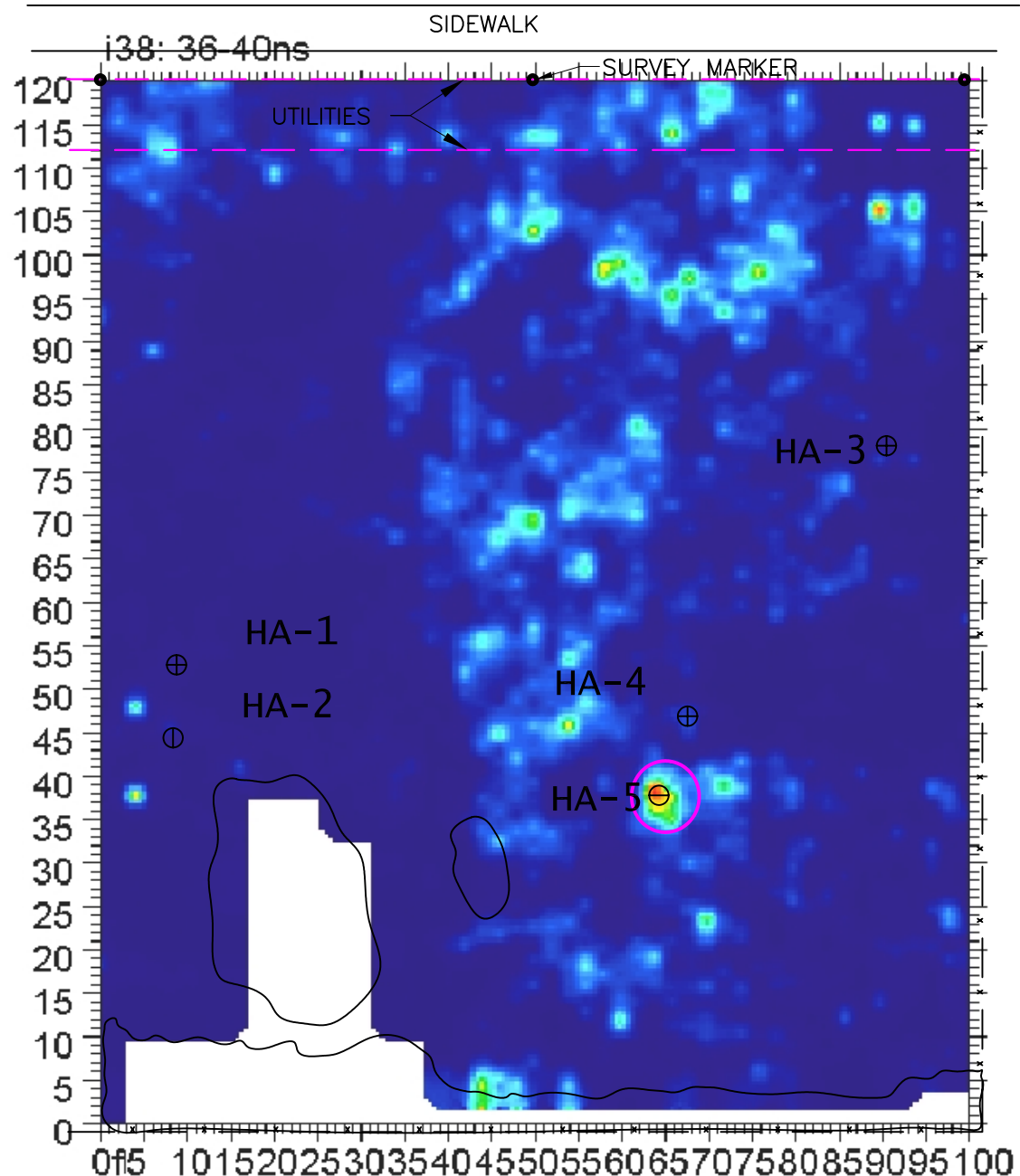


FIGURE 4
GPR TIMES SLICE OF
APPROXIMATELY
5 TO 6 FEET BLS

EATON STREET SITE
EATONVILLE, FLORIDA

DRB HOMES
WINTER PARK, FLORIDA

PROJECT:
3500
DATE:
12/05/2006



EXPLANATION

- APPROXIMATE LOCATION OF GPR ANOMALY
- HA-1 LOCATION OF HAND AUGER WITH DESIGNATION

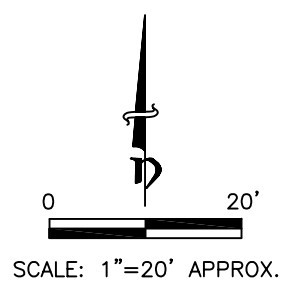


	FIGURE 5 GPR TIMES SLICE OF APPROXIMATELY 7 TO 8 FEET BLS	EATON STREET SITE EATONVILLE, FLORIDA	
		DRB HOMES WINTER PARK, FLORIDA	PROJECT: 3500 DATE: 12/05/2006

APPENDIX 2

DESCRIPTION OF GEOPHYSICAL METHODS, SURVEY METHODOLOGIES AND LIMITATIONS

2.1 Ground Penetrating Radar

Ground Penetrating Radar (GPR) consists of a set of integrated electronic components that transmits high frequency (200 to 1500 megahertz [MHz]) electromagnetic waves into the ground and records the energy reflected back to the ground surface. The GPR system consists of an antenna, which serves as both a transmitter and receiver, and a profiling recorder that both processes the incoming signal and provides a graphic display of the data. The GPR data can be reviewed as both printed hard copy output or recorded on the profiling recorder's hard drive for later review. GeoView uses a Mala GPR system. Archeological studies are typically conducted using a 500 MHz antenna.

A GPR survey provides a graphic cross-sectional view of subsurface conditions. This cross-sectional view is created from the reflections of repetitive short-duration electromagnetic (EM) waves that are generated as the antenna is pulled across the ground surface. The reflections occur at the subsurface contacts between materials with differing electrical properties. The electrical property contrast that causes the reflections is the dielectric permittivity that is directly related to conductivity of a material. The GPR method is commonly used to identify such targets as underground utilities, graves, underground storage tanks or drums, buried debris, voids or geological features.

The greater the electrical contrast between the surrounding earth materials and target of interest, the greater the amplitude of the reflected return signal. Unless the buried object is metal, only part of the signal energy will be reflected back to the antenna with the remaining portion of the signal continuing to propagate downward to be reflected by deeper features. If there is little or no electrical contrast between the target interest and surrounding earth materials it will be very difficult if not impossible to identify the object using GPR.

The depth of penetration of the GPR signal is very site specific and is controlled by two primary factors: subsurface soil conditions and selected antenna frequency. The GPR signal is attenuated (absorbed) as it passes through earth materials. As the energy of the GPR signal is diminished due to attenuation, the energy of the reflected waves is reduced, eventually to the level that the reflections can no longer be detected. The more conductive the earth materials, the greater the GPR signal attenuation, hence a reduction in signal penetration depth. In Florida,

the typical soil conditions that severely limit GPR signal penetration are near-surface clays and/or organic materials.

The depth of penetration of the GPR signal is also reduced as the antenna frequency is increased. However, as antenna frequency is increased the resolution of the GPR data is improved. Therefore, when designing a GPR survey a tradeoff is made between the required depth of penetration and desired resolution of the data. As a rule, the highest frequency antenna that will still provide the desired maximum depth of penetration should be used. For most gravesite studies, a mid-frequency (500 MHz) antenna is used.

A GPR survey is conducted along survey lines (transects) that are measured paths along which the GPR antenna is moved. Electronic marks are placed in the data by the operator at designated points along the GPR transects. These marks allow for a correlation between the GPR data and the position of the GPR antenna on the ground.

Depth estimates to the top of features are determined by dividing the time of travel of the GPR signal from the ground surface to the top of the feature by the velocity of the GPR signal. The velocity of the GPR signal is usually obtained from published tables of velocities for the type and condition (saturated vs. unsaturated) of soils underlying the site. The accuracy of GPR-derived depths typically ranges from 20 to 40 percent of the total depth.

Interpretation and Limitations of GPR data

The analysis and collection of GPR data is both a technical and interpretative skill. The technical aspects of the work are learned from both training and experience. Interpretative skills for archeological characterization studies are developed by having the opportunity to compare GPR data collected in numerous settings to the results from confirmatory excavations performed at the same locations.

The ability of GPR to collect interpretable information at a project site is limited by the attenuation (absorption) of the GPR signal by underlying soils. Once the GPR signal has been attenuated at a particular depth, information regarding deeper geological conditions will not be obtained. GPR data can only resolve subsurface features that have a sufficient electrical contrast between the features in question and surrounding earth materials. If an insufficient contrast is present, the subsurface feature will not be identified. GeoView can make no warranties or representations of geological conditions that may be present beyond the depth of investigation or resolving capability of the GPR equipment or in areas that were not accessible to the geophysical investigation.

Veronica King <vking@townofeatonville.org>

Fw: Eatonville letter as discussed

MICHAEL JOHNSON <email4maj31@yahoo.com>

Thu, Aug 21, 2025 at 9:06 AM

To: "agardner@townofeatonville.org" <agardner@townofeatonville.org>, "vking@townofeatonville.org" <vking@townofeatonville.org>, "dpressley@townofeatonville.org" <dpressley@townofeatonville.org>

Mayor Gardner,

Going through pass emails with former Mayor Anthony Grant referencing sonar testing for 504, 510,516 Eaton St. I will keep looking for the actual report

Michael A. Johnson

----- Forwarded Message -----

From: Anthony Grant <agrant@townofeatonville.org>**To:** MICHAEL JOHNSON <MICHAELJOHNSON@>**Sent:** Monday, March 12, 2007 at 09:03:16 AM EDT**Subject:** RE: Eatonville letter as discussed

[Mike can you send me a formal letter on letter head?](#)

From: MICHAEL JOHNSON [mailto:email4maj31@yahoo.com]**Sent:** Friday, March 09, 2007 4:28 PM**To:** Anthony Grant**Subject:** Fw: Eatonville letter as discussed

Per your request.

Michael A. Johnson

Broker/CEO

MJ Enterprises & Associates Inc.

[2715 W. Fairbanks Ave. Ste 203](#)

Winter Park , Florida 32789

407-898-1078 Phone

407-472-1225 Fax

----- Forwarded Message -----

From: MICHAEL JOHNSON <email4maj31@yahoo.com>**To:** Anthony Grant <mayorggrant@townofeatonville.org>**Cc:** Ja Ja Wade <jwade@acecm.biz>**Sent:** Tuesday, March 6, 2007 10:30:04 AM**Subject:** Fw: Eatonville letter as discussed

Michael A. Johnson
Broker/CEO
MJ Enterprises & Associates Inc.
[2715 W. Fairbanks Ave. Ste 203](#)
Winter Park , Florida 32789
407-898-1078 Phone
407-472-1225 Fax

----- Forwarded Message -----

From: Charles Rowe <email4rowe@yahoo.com>
To: Michael Johnson <email4maj31@yahoo.com>
Sent: Tuesday, March 6, 2007 10:22:53 AM
Subject: Eatonville letter as discussed

March 6, 2007

Anthony Grant, Mayor
Town of Eatonville Florida

Honorable Mayor:

As you know much of the new home development that has taken place along Eaton and Clark Streets was made possible as a result of our construction activities. It has been our purpose to provide for decent, safe and affordable housing throughout Central Florida, but particularly the Town of Eatonville . We not only strive to provide new home buyers with the best possible product we also strive to develop communities through residential beatification and tax base creation. The projects that we have planned on Eaton Street , one of which is currently underway (510 Eaton St.) is a testament to the respect that we have for the Town. The ground penetrating radar service and associated report, which was paid for by DRB Inc., was done to respect the history of our Town. It is our intention that whenever we propose to undertake a construction project that we work with the Town to insure that the History and character of the community is paramount.

We are interested in continuing our development activities and would like to work with the Town to create additional housing opportunities, increase the tax base and provide for aggregate community improvement and beautification. We are requesting that any city owned or controlled property that is suitable for residential construction be offered, to DRB Inc., for development. We are particularly interested in the Town owned property located on the South East corner of Eaton Street and West St . We are also interested in working with the Town, Code Enforcement and the CRA to identify lots and/parcels that could be acquired for the purpose of community improvement through residential construction.

We look forward to hearing from you,

Sincerely,

Charles A. Rowe

DRB Inc.

--

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.1.413 / Virus Database: 268.18.8/714 - Release Date: 3/8/2007

--

No virus found in this outgoing message.

Checked by AVG Free Edition.

Version: 7.1.413 / Virus Database: 268.18.9/719 - Release Date: 3/12/2007



Veronica King <vking@townofeatonville.org>

Final Report Geophysical Investigation Eaton Street Site

Clifford Shepard <cshepard@shepardfirm.com>

Thu, Aug 21, 2025 at 10:04 AM

To: Michael Johnson <mjohnson@townofeatonville.org>, Veronica King <vking@townofeatonville.org>, Demetris Pressley <dpressley@townofeatonville.org>, Greg Jackson <Flageneralcounsel@gmail.com>

Thanks, Mike!

I think it would be good for this report to distributed to all council members.

As I said at the meeting, even though this report seems to indicate there are no current gravesites on the property, that doesn't mean that people aren't emotionally impacted by the disposition of property that may have previously been a burial site. That issue will have to be left to each council member's discretion.

CLIFFORD B. SHEPARD | ATTORNEY AT LAW
BOARD CERTIFIED - CITY, COUNTY & LOCAL GOVERNMENT LAW
CERTIFIED CIRCUIT & APPELLATE MEDIATOR

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CLIFFORD B. SHEPARD 2025
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From: Michael Johnson <mjohnson@townofeatonville.org>

Sent: Thursday, August 21, 2025 9:28 AM

To: Veronica King <vking@townofeatonville.org>; Demetris Pressley <dpressley@townofeatonville.org>; Greg Jackson <Flageneralcounsel@gmail.com>; Clifford Shepard <cshepard@shepardfirm.com>

Subject: Final Report Geophysical Investigation Eaton Street Site

All,

[Quoted text hidden]