

Special Magistrate

April 18, 2024



Statement of Evidence

Town of Howey-in-the-Hills Code Officer McDonald advised that all events occurred within the corporate limits of the Town. The Officer's notes, case narratives, testimony, photographs, supporting documents and PowerPoint presentation were all entered as part of the official record.

New Code Cases

Not in Compliance

**1. CE-23-10-0136: Sixth Ave., Howey-in-the-Hills, FL 34737
(PID #2520250100D2700600)**

Respondents: Kaleb J. Arellano – Property Owner

Violation – LDC Chapter 5.01.07 (A)

A permit must first be obtained from the Town before any person erects, constructs, enlarges, alters, replaces or repairs any fence or wall regulated by this Chapter. The Town's building official may determine that a permit is not required for minor repairs.

PROPERTY RECORD CARD

General Information

Name:	ARELLANO KALEB J	Alternate Key:	1255261
Mailing Address: 11246 HOWEY CROSS RD CLERMONT, FL 34715 Update Mailing Address		Parcel Number: ↕	26-20-25-0100-D27-00800
		Millage Group and City:	000H Howey in the Hills
		2023 Total Certified Millage Rate:	20.4342
		Trash/Recycling/Water/Info:	My Public Services Map ↕
Property Location: SIXTH AVE HOWEY IN THE HILLS FL, 34737		Property Name:	— Submit Property Name ↕
		School Information:	School Locator & Bus Stop Map ↕ School Boundary Maps ↕
Property Description:	HOWEY S 1/2 OF LOT 6, LOT 7 BLK D-27 *UNRECORDED PLAT SEE DEED FOR FULL PROPERTY DESCRIPTION ORB 5022 PG 1726		
<small>NOTE: This property description is a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include assessments or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description.</small>			

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT RESIDENTIAL (0000)	75	136		10200.000	FD	\$26,155.00	\$26,155.00
					Click here for Zoning Info ↕		FEMA Flood Map	

NOTE: Information on this Property Record Card is compiled and used by the Lake County Property Appraiser for the sole purpose of ad valorem property tax assessment administration in accordance with the Florida Constitution, Statutes, and Administrative Code. The Lake County Property Appraiser makes no representations or warranties regarding the completeness and accuracy of the data herein, its use or interpretation, the fee or beneficial/equitable title ownership or encumbrances of the property, and assumes no liability associated with its use or misuse. See the posted [Site Notice](#).

Copyright © 2014 Lake County Property Appraiser. All rights reserved.
Property data updated nightly.
[Site Notice](#)

Exhibit 1

INSTRUMENT#: 2017117859 OR BK 5022 PG 1726 PAGES: 3 11/6/2017 10:39:22 AM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: \$27.00 DEED DOC:\$70.00

INSTRUMENT# 2017117859 OR BOOK 5022/PAGE 1727 PAGE 2 of 3

INSTRUMENT# 2017117859 OR BOOK 5022/PAGE 1728 PAGE 3 of 3

This Document Prepared By and Return to:
Kenneth B. Costello, Esquire
Bovette Cummings & Nahos, PLLC
1635 East Highway 50, Suite 300
Clermont, FL 34711

Parcel ID Number: 26-20-25-0100D2700600
Actual consideration paid is \$10,000.00

Warranty Deed

This Indenture, Made this 30 day of October, 2017 A.D., Between
Anglo Centurion LLC, a Florida limited liability company

of the County of Orange, State of Florida, grantor, and
Kaleb J. Arellano, a single person

whose address is: Post Office Box 560012, Montverde, FL 34756-0012

of the County of Lake, State of Florida, grantee.

Witnesseth that the GRANTOR, for and in consideration of the sum of
TEN DOLLARS (\$10)
and such good and valuable consideration to GRANTOR as hereinafter is hereby acknowledged, has
granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,
lying and being in the County of Lake, State of Florida to wit:

SEE LEGAL DESCRIPTION ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART
HEREOF.

Subject to restrictions, reservations and easements of record, if any, and taxes subsequent to
December 31, 2016.

This property is vacant land.

Together with all tenements, hereditaments and appurtenances thereto belonging or in anywise
appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantors hereby covenant with said grantees that grantors are lawfully seized of said
land in fee simple; that grantors have good right and lawful authority to sell and convey said
land; that grantors hereby fully warrant the title to said land and will defend the same against
the lawful claims of all person claiming by, through or under grantors.

And the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all person whosoever.
L. Kelly, Clerk of the Circuit Court, Lake County, Florida, 2017. REC-2017-117859 DEED DOC-2017-117859

Warranty Deed - Page 1

Parcel ID Number: 26-20-25-0100D2700600

In Witness Whereof, the grantor has herein set its hand and seal the day and year last above written.

Signed, sealed and delivered in our presence:

Anglo Centurion LLC, a Florida
limited liability company

Printed Name: DARLENE CHARRIS By: Kevin L. Eder (Seal)
Witness Kevin L. Eder, Manager
FL Address: 10283 Trout Road, Orlando, FL 32836

Printed Name: Joseph Fanning
Witness

STATE OF Florida
COUNTY OF

The foregoing instrument was acknowledged before me this 31st day of October, 2017 by
Kevin L. Eder, Manager of Anglo Centurion LLC, a Florida limited liability company
who is personally known to me or who has produced his Florida driver's license as identification.

Printed Name: Maureen Kester
Notary Public
My Commission Expires: 12-06-2019



Chicago Title Insurance Company

Order No.: 6624992
17-01-804

EXHIBIT "A"

From the Northwest corner of the Southeast Quarter of the Southeast Quarter of Section 35,
Township 20 South, Range 23 East, Lake County, Florida, run East 496.5 feet, thence North 280
feet, to point of beginning, thence East 135.5 feet, thence North 75 feet, thence West 135.5 feet,
thence South 75 feet to point of beginning, describing what is known as Lot 7 and the South half of
Lot 6, Block D-27, of the unrecorded plat of Howey-in-the-Hills, Florida.

Exhibit 2



1

1255261

SIXTH AVE

Owner: ARELLANO KALEB J
Owner Address: 11245 HOWEY CROSS
RD, CLERMONT, FL, 34715

[More info](#) [Zoom to](#)

[Property Appraiser](#), [Tax Collector](#), [Building Permits](#), [Public Services](#), [Google Maps](#),
[Street View](#), [EagleView](#), [Bing Bird's Eye](#),
[FEMA Flood Map](#)

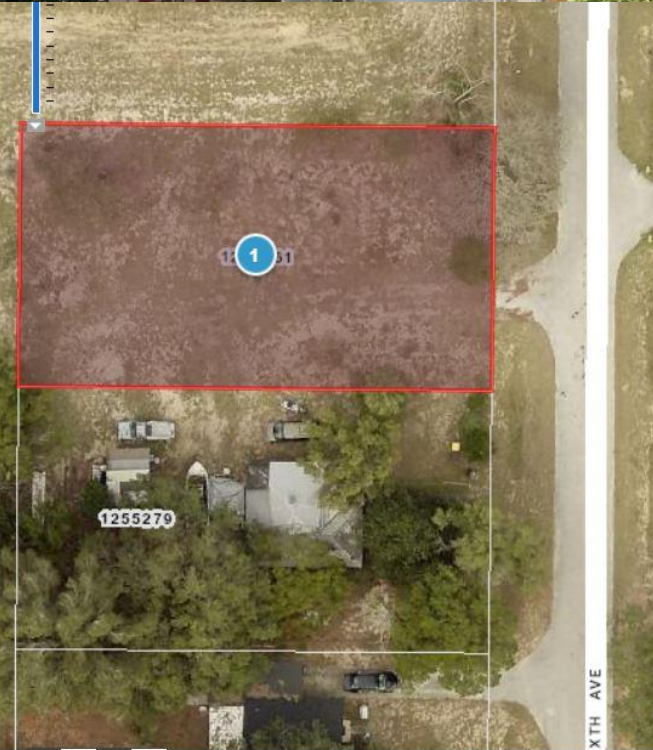


Exhibit 2



April 12, 2024



COURTESY NOTICE
VIOLATION OF CODE OF ORDINANCES
TOWN OF HOWEY-IN-THE-HILLS

10/31/2023

ARELLANO KALEB J
11245 HOWEY CROSS RD
CLERMONT, FL 34715

Re: Case Number CE-23-10-0136

Name of Violator: Kaleb Arellano
Phone:
Location of Violation: SIXTH AVE.,

Code or Ordinance violated: Fence Permit 5.01.07(A)
Facts Constituting Reasonable Cause: New Vinyl Fence Installed without a permit.

Action Required for Remedy of Violation:
Obtain a permit for the fence installed or remove from the property.

YOU MUST CORRECT THE VIOLATION AND IT IS YOUR RESPONSIBILITY TO CONTACT
THE CODE ENFORCEMENT OFFICER NAMED BELOW TO VERIFY THE VIOLATION HAS
BEEN CORRECTED. FAILURE TO CORRECT THE VIOLATION BY: 11/20/2023

MAY RESULT IN A NOTICE TO APPEAR BEFORE THE CODE ENFORCEMENT SPECIAL
MAGISTRATE.

[Signature of Matt McDonald]

Code Officer: Matt McDonald

If you have any questions concerning this matter, please contact the Code Officer at:
Code Enforcement
101 N. Palm Ave., Howey-in-the-Hills
Office phone: (352) 324-2296
Cell phone (352)638-0524
Email: mcdonald@howey.org



Notice of Violation

03/04/2024

ARELLANO KALEB J
11245 HOWEY CROSS RD
CLERMONT, FL 34715

9589 0710 5270 0632 3216 86

Re: Case Number CE-23-10-0136
Subject Property: SIXTH AVE,
Property ID Number: 2620250100D2700800

Dear Property Owner:

Pursuant to Howey in the Hills Code Enforcement, You are notified that a violation(s) of the following Howey in the Hills Code of Ordinance(s) exists at the above-described location.

Fence Permit 5.01.07(A)

A permit must first be obtained from the Town before any person erects, constructs, enlarges, alters, replaces or repairs any fence or wall regulated by this Chapter. The Town's building official may determine that a permit is not required for minor repairs.

The following action must be taken to correct the above stated violation(s):

Obtain a permit for the fence or remove.

The correspondence will serve as official notification that the above stated violations must be corrected before 03/28/2024. Failure to correct violations may result in: Special Magistrate hearing that may result in fines up to \$500 per day per violation, as long as the violation remains, costs of prosecution, and costs of abatement, repair or demolition by the City.

For further information, you may contact me at 352.638.0524.

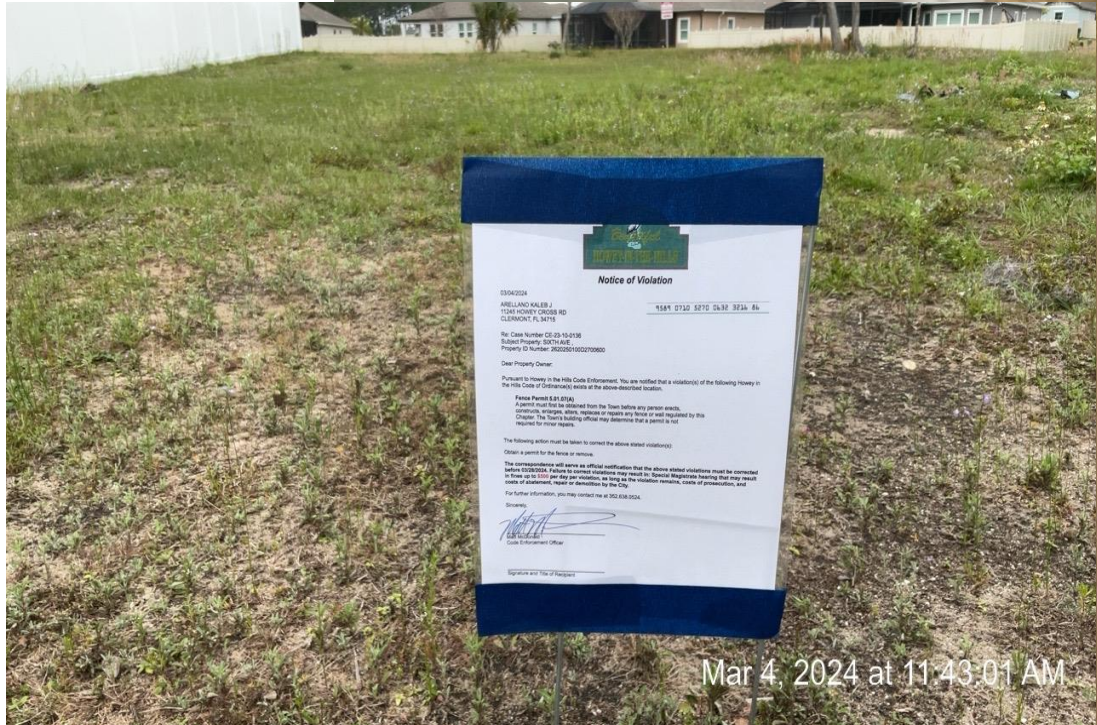
Sincerely,

[Signature of Matt McDonald]
Matt McDonald
Code Enforcement Officer

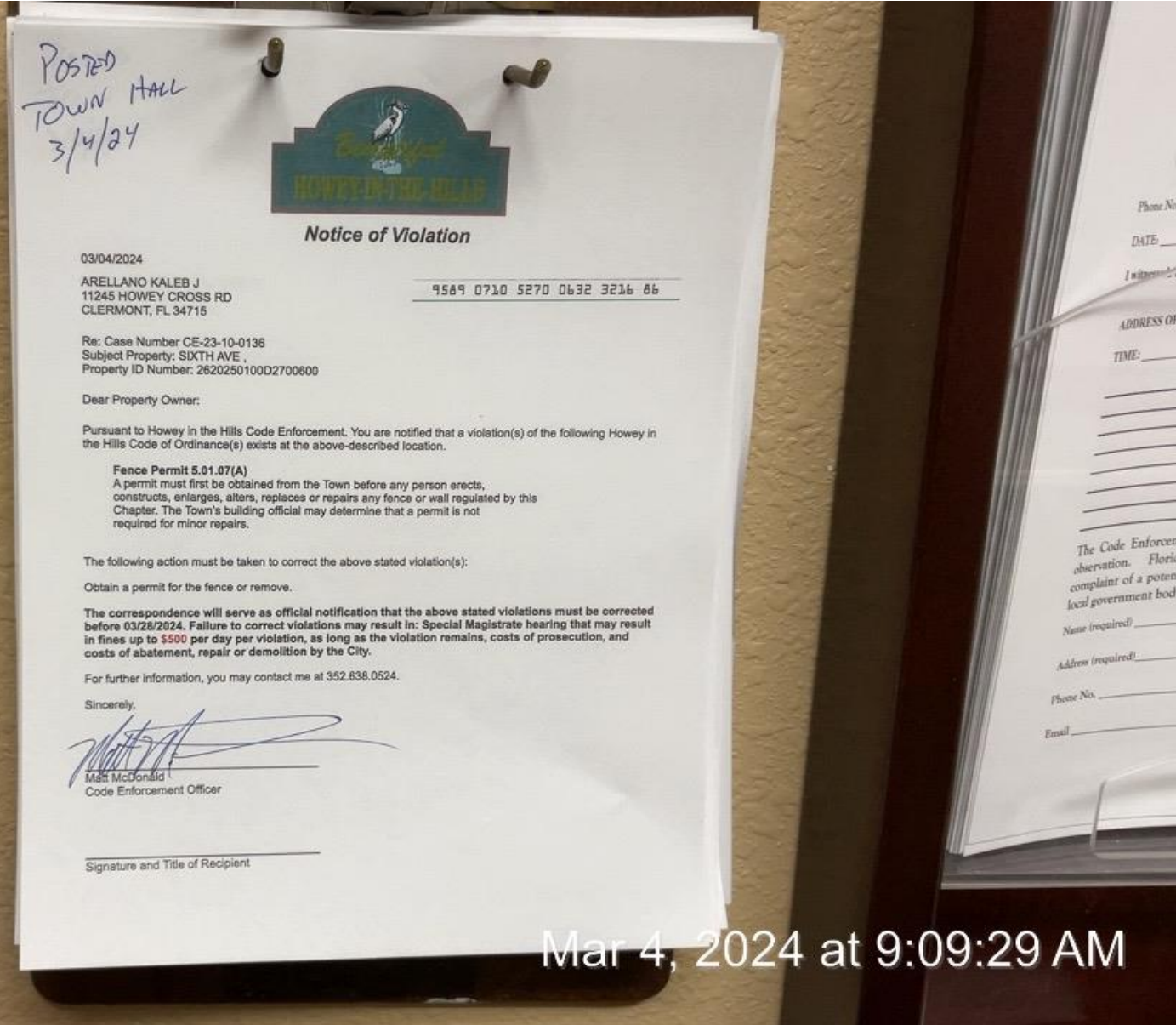
Signature and Title of Recipient

U.S. Postal Service CERTIFIED MAIL RECEIPT. Includes recipient address: ARELLANO KALEB J, 11245 HOWEY CROSS RD, CLERMONT, FL 34715. Includes tracking number: 9589 0710 5270 0632 3216 86. Includes date: 03/04/2024 and case number: # CE-23-10-0136.

Exhibit 3



Mar 4, 2024 at 11:43:01 AM



POSTED
TOWN HALL
3/4/24



Notice of Violation

03/04/2024

ARELLANO KALEB J
11245 HOWEY CROSS RD
CLERMONT, FL 34715

9589 0710 5270 0632 3216 86

Re: Case Number CE-23-10-0136
Subject Property: SIXTH AVE,
Property ID Number: 2620250100D2700600

Dear Property Owner:

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For further information, you may contact me at 352.638.0524.

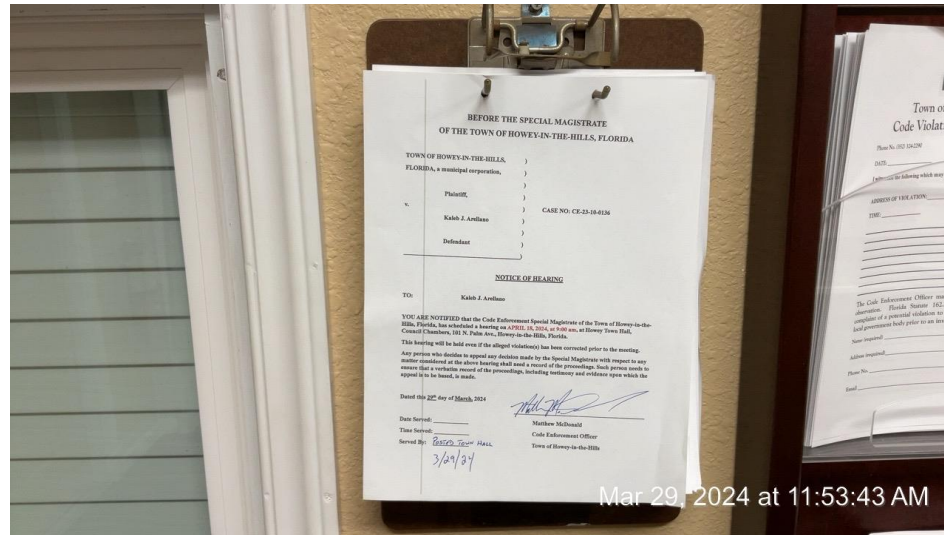
Sincerely,

[Signature]
Matt McDonald
Code Enforcement Officer

Signature and Title of Recipient

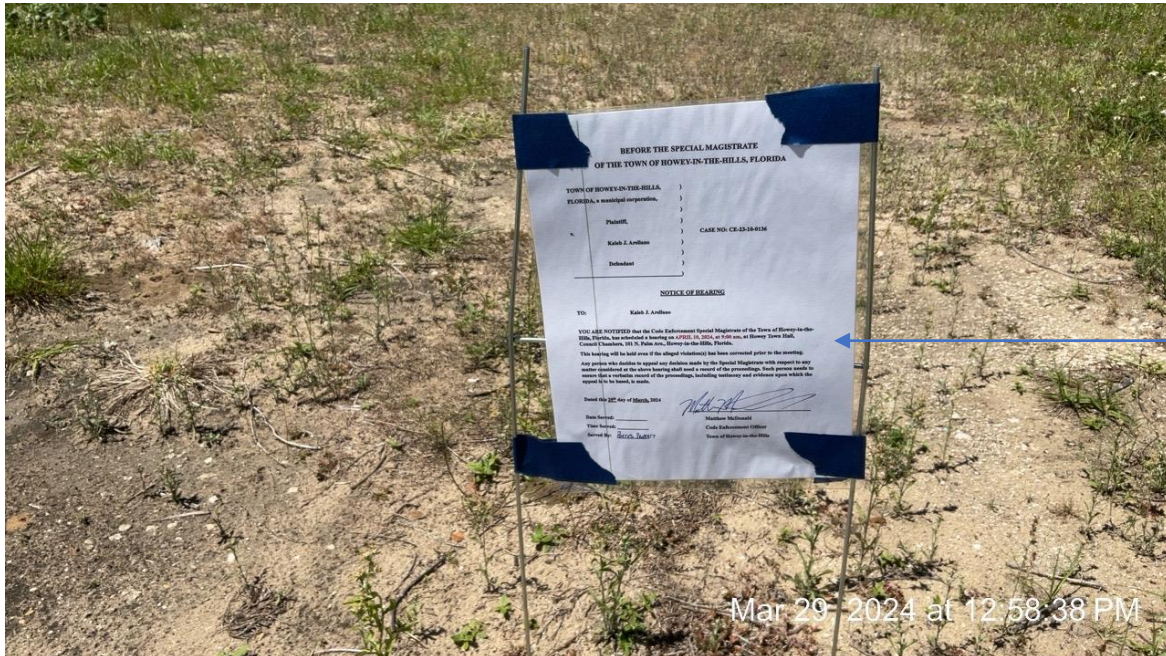
Mar 4, 2024 at 9:09:29 AM

Exhibit 3



Mar 29, 2024 at 11:53:43 AM

Town Hall Post



Mar 29, 2024 at 12:58:38 PM



Mar 29, 2024 at 12:58:31 PM

Property NOH Post

Notices of Hearing

**BEFORE THE SPECIAL MAGISTRATE
OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA**

TOWN OF HOWEY-IN-THE-HILLS,)
 FLORIDA, a municipal corporation,)
)
 Plaintiff,)
 v.)
 Kaleb J. Arellano)
)
 Defendant)

CASE NO. CE-23-10-0136

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com

City/Region: FL 24183

Commercial Fee: \$1.50 0338

Postage: \$11.65

Postage and Fees: \$13.15

Package: 30.68

NOV 29 2024

KALEB J. ARELLANO

1185 HOWEY CROSS RD.

CE-23-10-0136

NOTICE OF HEARING

TO: Kaleb J. Arellano

YOU ARE NOTIFIED that the Code Enforcement Special Magistrate of the Town of Howey-in-the-Hills, Florida, has scheduled a hearing on **APRIL 18, 2024, at 9:00 am**, at Howey Town Hall, Council Chambers, 101 N. Palm Ave., Howey-in-the-Hills, Florida.

This hearing will be held even if the alleged violation(s) has been corrected prior to the meeting. Any person who decides to appeal any decision made by the Special Magistrate with respect to any matter considered at the above hearing shall need a record of the proceedings. Such person needs to ensure that a verbatim record of the proceedings, including testimony and evidence upon which the appeal is to be based, is made.

Dated this 29th day of March, 2024



Date Served: _____
Time Served: _____
Served By: CERTIFIED MAIL Matthew McDonald
Code Enforcement Officer
Town of Howey-in-the-Hills

9589 0710 5270 0632 3214 15

**BEFORE THE SPECIAL MAGISTRATE
OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA**

TOWN OF HOWEY-IN-THE-HILLS,)
 FLORIDA, a municipal corporation,)
)
 Plaintiff,)
 v.)
 Kaleb J. Arellano)
)
 Defendant)

CASE NO: CE-23-10-0136

NOTICE OF HEARING

TO: Kaleb J. Arellano

YOU ARE NOTIFIED that the Code Enforcement Special Magistrate of the Town of Howey-in-the-Hills, Florida, has scheduled a hearing on **APRIL 18, 2024, at 9:00 am**, at Howey Town Hall, Council Chambers, 101 N. Palm Ave., Howey-in-the-Hills, Florida.

This hearing will be held even if the alleged violation(s) has been corrected prior to the meeting. Any person who decides to appeal any decision made by the Special Magistrate with respect to any matter considered at the above hearing shall need a record of the proceedings. Such person needs to ensure that a verbatim record of the proceedings, including testimony and evidence upon which the appeal is to be based, is made.

Dated this 29th day of March, 2024



Date Served: _____
Time Served: _____
Served By: REGULAR MAIL Matthew McDonald
Code Enforcement Officer
Town of Howey-in-the-Hills



Affidavit of Posting

04/03/2024

ARELLANO KALEB J
11245 HOWEY CROSS RD
CLERMONT, FL 34715

Re: Case Number CE-23-10-0136

THE DESCRIPTION OF THE DOCUMENT(S) SERVED:

- 1. Notice of Violation

I Matt McDonald, Code Enforcement Officer, hereby swear and affirm that I have personally posted the above described document(s) for the above respondent(s) at 101 N. Palm Ave., Howey in the Hills, FL 34737, on 03/04/2024, at 9:08 AM.

[Signature]
Matt McDonald

STATE OF FLORIDA
COUNTY OF LAKE

Sworn to (or affirmed) and subscribed before me this by *Matt McDonald*

[Signature]
Notary Public

John Morgan Brock
Notary Public
State of Florida
Comm# HH080696
Expires 1/13/2025

Type of identification produce: Produced identification

FL DRIVERS LICENSE



Affidavit of Posting

04/03/2024

ARELLANO KALEB J
11245 HOWEY CROSS RD
CLERMONT, FL 34715

Re: Case Number CE-23-10-0136

THE DESCRIPTION OF THE DOCUMENT(S) SERVED:

- 1. Notice of Violation

I Matt McDonald, Code Enforcement Officer, hereby swear and affirm that I have personally posted the above described document(s) for the above respondent(s) at Sixth Ave., Howey in the Hills, FL 34757 (PID #2620260100D2700600, on 03/04/2024, at 11:42 AM.

[Signature]
Matt McDonald

STATE OF FLORIDA
COUNTY OF LAKE

Sworn to (or affirmed) and subscribed before me this by *Matt McDonald*

[Signature]
Notary Public

John Morgan Brock
Notary Public
State of Florida
Comm# HH080696
Expires 1/13/2025

Type of identification produce: Produced identification

FL DRIVERS LICENSE



Affidavit of Posting

04/03/2024

ARELLANO KALEB J
11245 HOWEY CROSS RD
CLERMONT, FL 34715

Re: Case Number CE-23-10-0136

THE DESCRIPTION OF THE DOCUMENT(S) SERVED:

- 1. Notice of Hearing

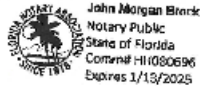
I Matt McDonald, Code Enforcement Officer, hereby swear and affirm that I have personally posted the above described document(s) for the above respondent(s) at 101 N. Palm Ave., Howey in the Hills, FL 34737, on 03/29/2024, at 11:53 AM.

Matt McDonald
Matt McDonald

STATE OF FLORIDA
COUNTY OF LAKE

Sworn to (or affirmed) and subscribed before me this by *Matt McDonald*

John Morgan Brock
Notary Public



Type of identification produce: Produced identification

FL DRIVER LICENSE



Affidavit of Posting

04/03/2024

ARELLANO KALEB J
11245 HOWEY CROSS RD
CLERMONT, FL 34715

Re: Case Number CE-23-10-0136

THE DESCRIPTION OF THE DOCUMENT(S) SERVED:

- 1. Notice of Hearing

I Matt McDonald, Code Enforcement Officer, hereby swear and affirm that I have personally posted the above described document(s) for the above respondent(s) at Sixth Ave., Howey in the Hills, FL 34757 (PID #26202501-0002700800, on 03/29/2024, at 12:58 PM.

Matt McDonald
Matt McDonald

STATE OF FLORIDA
COUNTY OF LAKE

Sworn to (or affirmed) and subscribed before me this by *Matt McDonald*

John Morgan Brock
Notary Public



Type of identification produce: Produced identification

FL DRIVERS LICENSE

Exhibit 5

From: [Kaleb Arellano](#)
Sent: Monday, November 6, 2023 8:38 AM
To: [Matt McDonald](#)
Subject: 5th Ave Fence

Caution: This email originated from outside the organization. DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

Hey just following up to a voicemail I left u on Friday. I'm the property owner on 6th Ave with the white fence. I got a code violation letter in the mail, let me know what I need to do to rectify this violation.

Thanks,
Kaleb Arellano
407-398-2779

Sent from my iPhone

On Nov 6, 2023, at 9:32 AM, Matt McDonald <mmcdonald@howey.org> wrote:

Good Morning;

To clear this matter up, log on to www.Howey.org. Follow these steps:

1. Click on **Resources**
2. Click on **Permits**
3. Click on **Fence**

Then fill out the form and follow the directions on where/how to submit. If you have any questions, call/text or email Shane Gerwig the Building Official at 407-427-3685, Shane@Alpha-inspections.net.

Let me know when you have applied for the permit and I will update the case. When the permit has been issued and receives its final inspection, I will close out the case and the property will be in compliance.

Matt McDonald
Code Enforcement Officer
352-638-0524

Sent from [Mail](#) for Windows

Exhibit 5

From: Kaleb Arellano <kalebarellano1@icloud.com>

Sent: Monday, November 20, 2023 10:21 AM

To: Matt McDonald <mmcdonald@howey.org>

Subject: Re: 6th Ave Fence

Caution: This email originated from outside the organization. DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

Good morning Matt. I just submitted my fence permit. Do I schedule an inspection now or do I need to wait till the permit is issued?

Thanks,
Kaleb Arellano

Sent from my iPhone



Permit Tech <352permits@gmail.com>

Re: Sixth Ave

1 message

Permit Tech <352permits@gmail.com>
To: Kalob Arellano <kalobarellano@gmail.com>

Fri, Jan 12, 2024 at 5:25 PM

Good evening,

This is the response I received from zoning.

I have not heard anything back. The applicant may initiate a quicker response by contacting Town Staff directly. Since the applicant requests to deviate from the Town LDC requirements, he may need approval from the P&Z Board. The Town Clerk, John Brock, can assist with P&Z Board coordination. <https://www.howey.org/directory-listing/john-brock>

Thank you,
Jordan Freeman
Permit Tech
Alpha Inspections

On Fri, Jan 12, 2024 at 2:13 PM Kalob Arellano <kalobarellano@gmail.com> wrote:
Any word from them yet?

Sent from my iPhone

On Jan 8, 2024, at 7:13 PM, Permit Tech <352permits@gmail.com> wrote:

Good evening,

I have not heard back from zoning yet. They sent the email over to them yesterday. I'll let you know as soon as I hear back from them.

Thank you,
Jordan Freeman
Permit Tech
Alpha Inspections

On Mon, Jan 8, 2024 at 6:22 PM Kalob Arellano <kalobarellano@gmail.com> wrote:
Good Evening Jordan,
Any updates?

Thanks,
Kalob

Sent from my iPhone

On Jan 7, 2024 at 3:53 PM, Permit Tech <352permits@gmail.com> wrote:

Good afternoon,

Exhibit 5

Zoning has sent an email to the Town Clerk at Howey on how you can move forward with the permit. I will let you know something as soon as I hear back from them.

Thank you
Jordan Freeman
Permit Tech
Alpha-Inspections

On Thu, Jan 4, 2024 at 7:05 PM Kaleb Arellano <kalebarellano@gmail.com> wrote:
Hey good evening,
Any updates on this?

Thanks,
Kaleb Arellano

Sent from my iPhone

On Dec 11, 2023, at 7:04 PM, Permit Tech <352permits@gmail.com> wrote:

Good evening,

We are now waiting on approval from the town of Howey as zoning can not approve the permit without a survey. It is a LDC (Land Development Code) requirement to have a survey. Zoning has asked the town of Howey to grant permission without survey. I will keep you updated as I hear back from them.

Thank you,
Jordan Freeman
Permit Tech
Alpha-Inspections

On Fri, Dec 8, 2023 at 8:10 AM Kaleb Arellano <kalebarellano@gmail.com> wrote:
Ok, let me know if you need anything else.

Thanks,
Kaleb

Sent from my iPhone

On Dec 7, 2023, at 7:12 PM, Permit Tech <352permits@gmail.com> wrote:

Good evening,

I will email zoning and let them know that you do not have a survey for the property.

Thank you,
Jordan Freeman
Permit Tech

Exhibit 5

Alpha-Inspections

On Wed, Dec 6, 2023 at 8:53 PM Kaleb Arellano <kalebarellano@gmail.com> wrote:

Good evening,
I did not get a survey. I dug up the property markers and placed the fence within my property as shown on the site plan. Cost was \$500.

Thanks,
Kaleb

Sent from my iPhone

On Dec 5, 2023, at 6:43 PM, Permit Tech <352permits@gmail.com> wrote:

Good evening,

Yes, I did see that but do you have a copy of the survey that shows the property lines showing where you are wanting the fence? Also we need the cost of the project for the invoice.

Thank you,
Jordan Frauman
Permit Tech
Alpha-Inspections

On Mon, Dec 4, 2023 at 8:58 PM Kaleb Arellano <kalebarellano@gmail.com> wrote:

There was a site plan included with the permit. Did u see that? Sorry for the late response, I didn't notice your original message.

Thanks,
Kaleb Arellano

Sent from my iPhone

On Dec 4, 2023, at 7:55 PM, Permit Tech <352permits@gmail.com> wrote:

Good evening,

We are still reading a copy of the survey showing where you are wanting the fence to be located at Sixth Ave.

Exhibit 5

Subject: Inquiry Regarding Code Violation Notice for Fence Construction -
Reference to Florida Senate Bill 2021.60

Kaleb Arellano
11245 Howey Cross Rd
Clermont, FL 34715
kalebarellano@gmail.com
407-398-2779
April 4, 2024

Code Enforcement Department
Town of Howey-in-the-Hills
111 N. Palm Avenue
P.O. Box 128
Howey-in-the-Hills, FL 34737

I am writing to address a recent code violation notice I received regarding the construction of a fence on my property, located on SIXTH AVE, Alt Key # 1255261. I respectfully contest this violation and would like to bring to your attention certain provisions outlined in Florida Senate Bill 2021.60.

As per the provisions outlined in Florida Senate Bill 2021.60, it is explicitly stated that code inspectors and enforcement officers are prohibited from initiating investigations or enforcement proceedings for potential violations of codes and ordinances based on anonymous complaints. Furthermore, the bill requires that individuals reporting potential violations provide specified information to the governing body before an investigation occurs.

In the case of the violation notice I received, concerning the construction of the fence, I have not been provided with any information regarding the source of the complaint. As such, I respectfully request clarification on the following points:

1. Can the Code Enforcement Department confirm whether the complaint regarding the construction of the fence was submitted anonymously or if specific information was provided by the complainant as required by Florida Senate Bill 2021.60?
2. In accordance with the provisions of the aforementioned bill, I request that the Code Enforcement Department provides me with detailed information regarding the complaint, including the identity of the complainant.
3. Given the restrictions imposed by Florida Senate Bill 2021.60 on initiating enforcement proceedings based on anonymous complaints, I request that the violation notice issued to me be rescinded until such time as the source of the

complaint and the details of the alleged violation are disclosed in accordance with the law.

I trust that the Code Enforcement Department will promptly address my concerns and provide the necessary clarification and resolution regarding this matter. I am fully committed to complying with all applicable codes and ordinances, but I also seek fair and transparent enforcement practices in accordance with the law.

Please feel free to contact me at 407-398-2779 or kalebarellano@gmail.com to discuss this matter further or to provide any additional information required.

Thank you for your attention to this matter.

Sincerely,
Kaleb Arellano

Exhibit 5

CE-23-10-0136 (Sixth Ave)

Matt McDonald <mmcdonald@howey.org>

Von 4/8/2024 9:33 AM

To: kalebarellano@gmail.com <kalebarellano@gmail.com>

Cc: Seán O'Keefe <sokeefe@howey.org>

Dear Mr. Arellano,

I am in receipt of your April 4, 2024 letter and will attempt to provide clarification of how this complaint originated. However, let me first address your contesting the violation by referencing "Florida Senate Bill 60" that was introduced in the legislative year of 2021. This Senate Bill did become law on July 1, 2021 (F.S. 167.06 (1) (b) A code inspector may not initiate enforcement proceedings for a potential violation of a duly enacted code or ordinance by way of an anonymous complaint.) after it was signed by Gov. DeSantis.

Now to address the origins of this complaint, I, the Town, were the complainant on this action. In my daily patrolling of the town, I observed that a new fence was erected on a lot at the end of Sixth Avenue. This is an example of "Pro-active" enforcement that makes up the vast majority of the code cases in Town. We also have complaints that are classified as "Re-active" and those must have the name and address of the person filing the complaint.

In conclusion, the violation will continue moving forward to the hearing, which is being held on April 18, 2024, here in Town Hall at 9:00 am. If you have any questions, please let me know.



Matt McDonald
Code Enforcement Officer for the Town of Howey-in-the-Hills
P.O. Box 728
101 N. Palm Avenue
Howey-in-the-Hills, FL 34737
Cell: 352-638-0524
mmcdonald@howey.org

- Properties by Name
- Properties by Prop #
- Properties by Address
- Permits
- Permits by Contractor
- Edit Permit
- Create Receipt
- Send JV to Accounting

Permitting

TOWN OF HOWEY-IN-THE-HILLS

List					
26-20-25-0100-D27	Last Name	First Name	Prop Address	#	Street
25-20-25-0100-D20-01800	COFFURE	MARC & SHARON	412 E REVELS ROAD	412	REVELS ROAD
25-20-25-0100-D20-02100	MAHR	RODNEY	102 SIXTH AVE	102	SIXTH AVE
25-20-25-0100-D20-02600	PROCTOR	ROBERT	104 SIXTH AVE	104	SIXTH AVE
25-20-25-0100-D26-01200	MONTANA	CARROLL	540 BELLISSIMO PL	540	BELLISSIMO
25-20-25-0100-D26-01300	HUEBNER	ANGELA & ZACH	544 BELLISSIMO PL	544	BELLISSIMO
25-20-25-0100-D26-01500	HUEBNER	ANGELA & ZACH	552 BELLISSIMO PL	552	BELLISSIMO
25-20-25-0100-D26-01600	Johnny	St John	600 E REVELS RD	600	REVELS RD
25-20-25-0100-D27-00800	KOWALSKI	MICHAEL	111 SIXTH AVE	111	SIXTH AVE
25-20-25-0100-D27-00900	NULL	RANDY	109 SIXTH AVE	109	SIXTH AVE
25-20-25-0100-D27-01100	RUPCHAND	ANAND M	107 SIXTH AVE	107	SIXTH AVE
25-20-25-0100-D27-01300	HAUSS		103 SIXTH AVE	103	SIXTH AVE
25-20-25-0100-D27-01800	MOORE	RAYMOND	505 E REVELS RD	505	REVELS RD
25-20-25-0100-D27-02000	BREIDER	FERNANDO	510 E REVELS ROAD	510	REVELS ROAD
25-20-25-0100-D2A-00700	MABRY	RYAN	313 W CENTRAL AVE	313	CENTRAL AVE
25-20-25-0100-E03-00100	JACKSON	GEORGE	115 W MAGNOLIA AVE	115	MAGNOLIA AVE
25-20-25-0100-E03-00300	GITHUKA	PAUL KIMANI	113 W MAGNOLIA AVE	113	MAGNOLIA AVE

OK Cancel

End of Hearing