

TOWN OF LAKE CLARKE SHORES
CODE ENFORCEMENT BOARD HEARING
MINUTES
MAY 28, 2008
6:30 PM

I. MEETING CALLED TO ORDER

Chairman Joseph George called the meeting to order.

II. ROLL CALL

PRESENT: Joseph George, Chairman; Paul Hughes, Vice Chairman; Board Member, Spencer Wilson; Board Member, Louise Bing; James Watt, Board Attorney; Dana Schack, Code Enforcement Officer; Chief Wes Smith; Tammy House, Recording Clerk

ABSENT: Ted Berghaus, Board Member; Chris Costanzo, Alternate Member; Michelle Daniels, Board Member; Patrick Ward, Board Member;

III. OATH OF OFFICE

The following Code Enforcement Board Member that was reappointed by the Town Council to serve on the Code Enforcement Board took an Oath of Office:

Paul Hughes

IV. APPROVAL OF AGENDA

Motion made by Mr. Wilson, seconded by Mr. Hughes to approve the AGENDA. Motion approved (4-0)

V. CONSENT AGENDA

- a. Approval of Minutes of the April 30, 2008 Code Enforcement Board Hearing
- b. Unfinished cases now in compliance:
- c. New cases now in compliance:

Motion made by Mr. Wilson, seconded by Mr. Hughes to approve the CONSENT AGENDA. Motion approved (4-0).

VI. SWEARING IN OF WITNESSES BY ATTORNEY

VII. UNFINISHED CASES

CASE # 08-1295

Marcos Gonzalez
8215 Pine Tree Lane
Lake Clarke Shores FL 33406

Sec. 86-348 (i) No barrier/fence/enclosure protecting pool from public – Safety hazard

The Respondent, Marcos Gonzalez, was not present. Mr. Gonzalez was represented by attorney Ethan Wayne. At the April 30, 2008 Code Enforcement Board Hearing, the Board found the Respondent in violation and gave him 7 days to comply by obtaining a building permit and installing the fence/ enclosure/barrier. If the Respondent did not comply within the time specified, a fine of \$25.00 per day would be imposed for each day the violation continues to exist, with the fine being retroactive to April 30, 2008. Based on the testimony and evidence presented in Case #08-1295, the Code Enforcement Board found the Respondent still in violation and gave him until June 25, 2008, to obtain a building permit and install the fence/enclosure/barrier or a fine of \$25.00 per day will be imposed for each day the violation continues to exist, with the fine being retroactive to April 30, 2008.

Motion made by Mr. Wilson, seconded by Ms. Bing. Motion approved (4-0).

CASE # 08-1298

Raymond Schwartz
7150 West Lake Drive
Lake Clarke Shores FL 33406

Sec. 10-62 Installed fence on balcony without obtaining building permit

At the April 30, 2008 Code Enforcement Board Hearing, the Board found the Respondent in violation and gave him until May 28, 2008 to come into compliance by obtaining a building permit for the fence/railing or a fine of \$25.00 per day might be imposed for each day the violation continues to exist, with the fine being retroactive to April 30, 2008. The Respondent, Raymond Schwartz, was present. Based on the testimony and evidence presented in Case #08-1298, the Code Enforcement Board continued the Case until June 25, 2008 in order for Building Official Joseph Iagrossi to be in attendance.

Motion made by Mr. Wilson, seconded by Mr. Hughes. Motion approved (4-0).

VIII. NEW CASES

CASE #08-1355

Stephen McDermott
7437 Pine Tree Lane
Lake Clarke Shores FL 33406

Sec. 26-26 (3) Inadequate ground cover

The Respondent, Stephen McDermott, was present. Based on the testimony and evidence presented in Case #08-1355, the Code Enforcement Board found the Respondent in violation and gave him until on or before June 25, 2008 to come into compliance or a fine of \$25.00 per day may be imposed for each day the violation continues to exist. **Motion made by Mr. Hughes, seconded by Ms. Bing. Motion approved (3-1), Mr. Wilson opposed.**

CASE #08-1341

Angela Godbout
7831 Pine Tree Lane
Lake Clarke Shores FL 33406

Sec. 26-26 (3) Inadequate ground cover

The Respondent, Angela Godbout, was not present. Based on the testimony and evidence presented in Case #08-1348, the Code Enforcement Board found the Respondent in violation and gave her until June 25, 2008 to come into compliance or a fine of \$25.00 per day may be imposed for each day the violation continues to exist. **Motion made by Mr. Wilson, seconded by Mr. Hughes. Motion approved (4-0).**

CASE #08-1348

Esmorelda & William Fallacaro
7131 Pine Tree Lane
Lake Clarke Shores FL 33406

Sec. 26-26 (3) Inadequate ground cover

The Respondent, William Fallacaro, was present. Based on the testimony and evidence presented in Case #08-1348, the Code Enforcement Board found the Respondent in violation and gave him until June 25, 2008 to come into compliance or a fine of \$25.00 per day may be imposed for each day the violation continues to exist. **Motion made by Ms. Bing, seconded by Mr. Hughes. Motion approved (3-1), Mr. Wilson opposed.**

IX. BOARD COMMENTS, SUGGESTIONS AND UPDATES

The next Code Enforcement Board Hearing will be held June 25, 2008.

X. ADJOURNMENT

Motion made by Mr. Wilson to adjourn the meeting, seconded by Mr. Hughes. Motion passed (4-0)

Meeting adjourned at 7:00 p.m.

Joseph George, Chairman

Tammy House, Recording Clerk