

**TOWN OF LAKE CLARKE SHORES
CODE ENFORCEMENT BOARD HEARING
MINUTES
JUNE 25, 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; Ted Berghaus, Board Member; Patrick Ward, Board Member; Chris Costanzo, Alternate Member (arrived at 6:40 pm); Charles Schoech, Board Attorney; Dana Schack, Code Enforcement Officer; Joseph Iagrossi, Building Official; Mary Pinkerman, Recording Clerk

ABSENT: Michelle Daniels, Board Member

III. OATH OF OFFICE

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

Patrick Ward
Chris Costanzo (at end of meeting)

IV. APPROVAL OF AGENDA

Motion made by Mr. Wilson, seconded by Mr. Hughes to approve the AGENDA as amending by moving cleared cases. Motion approved (6-0)

V. CONSENT AGENDA

- a. Approval of Minutes of the May 28, 2008 Code Enforcement Board Hearing
- b. Unfinished cases now in compliance:

CASE #06-1298

Raymond Schwartz
7150 West Lake Drive
Lake Clarke Shores FL 33406
Installed fence on balcony without obtaining
building permit
Obtained permit

V. CONSENT AGENDA (CONT.)

c. New cases now in compliance:

CASE #08-1462

Jeff Rudd
1890 Mediterranean Road
Lake Clarke Shores FL 33406
Canopy
Canopy removed

Motion made by Mr. Wilson, seconded by Mr. Hughes to approve the CONSENT AGENDA. Motion approved (6-0).

VI. SWEARING IN OF WITNESSES BY ATTORNEY

VII. UNFINISHED CASES/FINE ASSESSMENT HEARING

CASE #08-1266

James Hayden
6610 Pine Tree Circle
Lake Clarke Shores FL 33406

Sec. 26-26 (3) & 62-133 (b) (5) Boat dock in disrepair

The Respondent, James Hayden, was not present. At the April 30, 2008 Code Enforcement Board Hearing, the Board found the Respondent in violation and gave him 30 days to come into compliance by obtaining a building permit from the Town of Lake Clarke Shores and completing the needed repairs. Based on the testimony and evidence presented in Case #08-1266, the Code Enforcement Board found the Respondent in compliance and dismissed the case. **Motion made by Mr. Hughes, seconded by Mr. Wilson. Motion approved (7-0).**

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. 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. At the May 28, 2008 Code Enforcement Board Hearing, the Board gave him until June 25, 2008 to comply or 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 imposed a fine of \$25.00 per day for each day the violation continues to exist, with the fine being retroactive to April 30, 2008. **Motion made by Mr. Wilson, seconded by Mr. Hughes. Motion approved (6-1) with Mr. Berghaus opposed.**

VII. UNFINISHED CASES/FINE ASSESSMENT HEARING

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 not present. At the May 28, 2008 Code Enforcement Board Hearing, the Board gave the Respondent 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. Based on the testimony and evidence presented in Case #08-1355, the Code Enforcement Board found the Respondent in violation and imposed a fine of \$25.00 per day for each day the violation continues to exist, with the fine being retroactive to May 28, 2008. **Motion made by Mr. Hughes, seconded by Mr. Berghaus. Motion approved (6-1) with 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. At the May 28, 2008 Code Enforcement Board Hearing, the Board gave the Respondent 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. Based on the testimony and evidence presented in Case #08-1348, the Code Enforcement Board found the Respondent in violation and imposed a fine of \$25.00 per day for each day the violation continues to exist, with the fine being retroactive to May 28, 2008. **Motion made by Mr. Wilson, seconded by Mr. Hughes. Motion approved (7-0).**

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. At the May 28, 2008 Code Enforcement Board Hearing, the Board gave the Respondent 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. Based on the testimony and evidence presented in Case #08-1348, the Code Enforcement Board tabled this case until July 23, 2008. **Motion made by Mr. Hughes, seconded by Mr. Wilson. Motion approved (7-0).**

VIII. NEW CASES

CASE #08-1464

Ann Sansone
7220 Clarke Road
Lake Clarke Shores FL 33406

Sec. 26-26 (3) Area of stucco needs paint

The Respondent, Ann Sansone, was not present. Based on the testimony and evidence presented in Case #08-1464, the Code Enforcement Board found the Respondent in violation and gave her until July 23, 2008 to come into compliance or a fine of \$25.00 per day will be imposed for each day the violation continues to exist. **Motion made by Mr. Hughes, seconded by Ms. Bing. Motion approved (7-0).**

IX. BOARD COMMENTS, SUGGESTIONS AND UPDATES

The next Code Enforcement Board Hearing will be held July 23, 2008.

X. ADJOURNMENT

Motion made by Mr. Hughes to adjourn the meeting, seconded by Mr. Wilson. Motion passed (7-0)

Meeting adjourned at 7:20 p.m.

Joseph George, Chairman

Mary Pinkerman, Recording Clerk