

**TOWN OF LAKE CLARKE SHORES  
CODE ENFORCEMENT BOARD HEARING**

**Minutes  
February 28, 2018**

Paul Hughes, Chairman	Timothy B. Daughtry, Vice Chairman	Ken Phillips, Member
Ariel Hernandez, Member	Ben Hartman, Member	Trent Swift, Member
Timothy McCarthy, Member	William Steele, Alternate Member	

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I. MEETING CALLED TO ORDER

Chairman, Paul Hughes called the meeting to order at 6:35 PM

II. ROLL CALL

**PRESENT:** Paul Hughes, Chairman; Timothy Daughtry, Vice Chairman; Ken Phillips, Board Member; Timothy McCarthy, Board Member; Trent Swift, Board Member. *Also in attendance:* Charles Schoech, Town Attorney; Officer Dana Schack, Code Enforcement Officer; and Eliza Fletcher, Recording Clerk.

III. PLEDGE TO FLAG

IV. OATH OF OFFICE

William Steele not present, no Oath of Office

V. APPROVAL OF AGENDA

**Motion by Mr. Daughtry to approve the agenda, seconded by Mr. Swift; Motion approved (5-0).**

VI. CONSENT AGENDA

- a. Approval of Minutes of January 24, 2018 Code Enforcement Hearing
- b. Unfinished cases now in compliance

**CASE #17-0572** REGAN QUINN & JAMES, MARGARET AND MATTHEW  
MCCORD  
7115 CLARKE RD  
LAKE CLARKE SHORES, FL 33406

Sec. 26-26 (4), 26-27 Overgrown / uncontrolled growth of vegetation

**CASE #18-0605** MARTHA, JOSEPH, AND ZULINDA MOLINA  
7137 CLARKE RD  
LAKE CLARKE SHORES, FL 33406

Sec. 26-27, 26-26(3)(c) Parcel, lot, tract of land or premises in any manner such that it is detrimental to the health, safety or welfare of the public, or that it is declared a nuisance. The condition of ill repair or lack of maintenance of any real property

**CASE #17-0565** CY CAINE  
7301 VENETIAN WAY  
LAKE CLARKE SHORES, FL 33406

Sec. 26-26 (3), 26-27 Canopy missing from structure, repeat offender

**CASE #17-0570** CY CAINE  
7301 VENETIAN WAY  
LAKE CLARKE SHORES, FL 33406

Sec. 62-133(b)(5) Boat/jet ski lift on disrepair/ collapsed in waterway

**CASE #17-0571** CY CAINE  
7301 VENETIAN WAY  
LAKE CLARKE SHORES, FL 33406

Sec. 62-133(b)(5) Dock in disrepair leaning

c. New cases now in compliance

**Motion by Mr. Daughtry to approve the consent agenda, seconded by Mr. Swift; Motion approved (5-0).**

- I. DISCLOSURE OF VISIT
- II. SWEARING IN OF WITNESSES BY ATTORNEY
- III. UNFINISHED CASES/LIEN IMPOSITION HEARING

**CASE #17-0045**      MARLO & PAUL RICHARDS  
7740 BETA CIRCLE E.  
LAKE CLARKE SHORES, FL 33406

Sec. 62-133(b) (5)      Dock in Disrepair

The Respondents, Paul Richards, was present. Mr. Richards brought in contract with Poseidon Dock & Marine.

**Motion to accept documents into evidence by Mr. Daughtry; seconded by Mr. McCarthy; Motion approved (5-0).**

Based on the testimony and evidence presented for Sec. 62-133(b) (5), the Board determined the Respondents remain in violation. A fine of twenty-five dollars (\$25.00) per day was previously assessed and will continue to accrue in the amount of twenty-five dollars (\$25.00) per day until compliance is achieved, the decision to file a lien was postponed for review at the April 25, 2018 Code Board Hearing.

**Motion by Mr. McCarthy; seconded by Mr. Swift; Motion approved (5-0).**

**CASE #17-0046**      MARLO & PAUL RICHARDS  
7740 BETA CIRCLE E.  
LAKE CLARKE SHORES, FL 33406

Sec. 62-133(b) (5)      Seawall in Disrepair

The Respondents, Paul Richards, was present. Mr. Richards brought in contract with Poseidon Dock & Marine.

**Motion to accept documents into evidence by Mr. Daughtry; seconded by Mr. McCarthy; Motion approved (5-0).**

Based on the testimony and evidence presented for Sec. 62-133(b) (5), the Board determined the Respondents remain in violation. A fine of twenty-five dollars (\$25.00) per day was previously assessed and will continue to accrue in the amount of twenty-five dollars (\$25.00) per day until compliance is achieved, the decision to file a lien was postponed for review at the April 25, 2018 Code Board Hearing.

**Motion by Mr. McCarthy; seconded by Mr. Swift; Motion approved (5-0).**

**CASE #18-0020**            OMAR FRANCISCO & ANTONIO RAMOS  
6900 WEST LAKE DR  
LAKE CLARKE SHORES, FL 33406

Sec. 26-27, 26-56,  
26-26(3)

Parcel, lot, tract of land or premises in any manner such that it is detrimental to the health, safety or welfare of the public, or that it is declared a nuisance. Private property, or occupied property, within the town shall be cleared and cleaned of all nuisances, brush, weeds, dead and dying trees, stumps, roots, obnoxious growth, filth, garbage, trash and debris. The condition of ill repair or lack of maintenance of any real property. – Tree on residence uprooted

The Respondents, Omar Francisco & Antonio Ramos, were not present. Based on the testimony and evidence presented for Sec. 26-27, 26-56, 26-26(3) the Board determined the Respondents remain in violation and continued the fine of twenty-five dollars (\$25.00) per day until compliance is achieved; the Board moved to file a lien on the property.

**Motion by Mr. Daughtry; seconded by Mr. Swift; Motion approved (5-0).**

**CASE #18-0021**            OMAR FRANCISCO & ANTONIO RAMOS  
6900 WEST LAKE DR  
LAKE CLARKE SHORES, FL 33406

Sec. 26-26 (3), 26-27

Deterioration of Any Property – Trim on residence in disrepair rotted wood.

The Respondents, Omar Francisco & Antonio Ramos, were not present. Based on the testimony and evidence presented for Sec. 26-26 (3), 26-27 the Board determined the Respondents remain in violation and continued the fine of twenty-five dollars (\$25.00) per day until compliance is achieved; the Board moved to file a lien on the property.

**Motion by Mr. Daughtry; seconded by Mr. Swift; Motion approved (5-0).**

**CASE #18-0025** OMAR FRANCISCO & ANTONIO RAMOS  
6900 WEST LAKE DR  
LAKE CLARKE SHORES, FL 33406

Sec. 26-27 Parcel, lot, tract of land or premises in any manner such that it is detrimental to the health, safety or welfare of the public, or that it is declared a nuisance. (Trash piling up on side of residence.)

The Respondents, Omar Francisco & Antonio Ramos, were not present. Based on the testimony and evidence presented for Sec. 26-27 the Board determined the Respondents remain in violation and continued the fine of twenty-five dollars (\$25.00) per day until compliance is achieved; the Board moved to file a lien on the property.

**Motion by Mr. Daughtry; seconded by Mr. Swift; Motion approved (5-0).**

IV. UNFINISHED CASES/FINE IMPOSITION HEARING

I. CONTINUED CASES

II. NEW CASES

**CASE #18-0092** ROBERT & WENONA RATLIFF  
8219 WEST LAKE DRIVE  
LAKE CLARKE SHORES, FL 33406

Sec. 26-27, 26-26 (9)(c) Parcel, lot, tract of land or premises in any manner such that it is detrimental to the health, safety or welfare of the public, or that it is declared a nuisance.; Roof, Gutters, Downspouts not maintained in good repair.

The Respondents, Robert & Wenona Ratliff, were not present. Based on the testimony and evidence presented for Sec. 26-27, 26-26 (9)(c) the Board determined the Respondents are in violation and are ordered to comply by March 28, 2018 or a fine of twenty-five dollars (\$25.00) per day may be assessed.

**Motion by Mr. Daughtry; seconded by Mr. Swift; Motion approved (5-0).**

II. BOARD COMMENTS, SUGGESTIONS AND UPDATES

Chairman Paul Hughes asked to re-educate the board via a print out of the occupations that allow residents to remain confidential.

The Board at the January 24<sup>th</sup> Meeting requested the Owners of 1915 Antigua to come speak in regards to the property as a vote was asked of the Board for approval of Foreclosure of the property. Both Owners were present, as well as the owners' attorney Mr. Ship. Mr. Ship discussed the circumstances of the case including the illegal signing of documents by the Owners' broker, as well as the lack of receiving Title information that was given to the broker. Mr. Ship supplied the Board and Town Attorney with an Exhibit Letter including pictures, as well as colored pictures.

**Motion for allowing the Exhibit and photos into evidence made by Mr. McCarthy; Seconded by Mr. Daughtry; Approved (5-0).**

Mr. Schoech informed the Board that Town Council has approved for the Lien to go to a collections agency, who will try to go after Bank of America the original Owners at the time of violation.

Board decided to take no action on foreclosing the Lien on the property at 1915 Antigua.

**Motion made by Mr. McCarthy; Seconded by Mr. Daughtry; approved (5-0).**

The Board informed the Owners and their Attorney that they had no power to reduce the fine. The Board moved to set a recommendation to go to council.

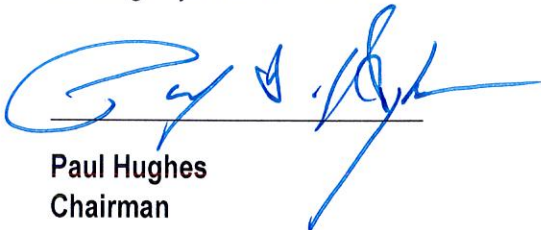
The Board recommended that the Town Council authorize Lien reduction negotiations with the Owners, and enter into premediation for the Lien.

**Motion made by Mr. McCarthy; Seconded by Mr. Daughtry; approved (5-0).**

III. ADJOURNMENT

**Motion by Mr. Swift to adjourn, seconded by Mr. McCarthy; Motion approved (5-0).**

Meeting adjourned at 7:48 PM

  
Paul Hughes  
Chairman

  
Eliza O. Hansen  
Recording Clerk