

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

**Minutes
July 25, 2018**

| | | |
|---------------------------|------------------------------------|----------------------|
| Paul Hughes, Chairman | Timothy B. Daughtry, Vice Chairman | Ken Phillips, Member |
| Ariel Hernandez, Member | Ben Hartman, Member | Trent Swift, Member |
| Natalie Schneider, Member | | |

I. MEETING CALLED TO ORDER

Chairman, Paul Hughes called the meeting to order at 6:28 PM

II. ROLL CALL

PRESENT: Paul Hughes, Chairman; Timothy Daughtry, Vice Chair; Ken Phillips, Board Member; Natalie Schneider, Board Member; Ariel Hernandez, Board Member; Ben Hartman, Board Member; Trent Swift, Board Member. *Also in attendance:* Charles Schoech, Town Attorney; Officer Dana Schack, Code Enforcement Officer; and Eliza Hansen Recording Clerk.

III. PLEDGE TO FLAG

IV. OATH OF OFFICE

- a. Timothy Daughtry
- b. Natalie Schneider

V. APPROVAL OF AGENDA

Motion by Mr. Swift to approve the agenda, seconded by Mr. Daughtry; Motion approved (7-0).

VI. CONSENT AGENDA

- a. Approval of Minutes of May 23, 2018 Code Enforcement Hearing
- b. Unfinished cases now in compliance
- c. New cases now in compliance

CASE #18-0309 BETTY CAROL TERHUNE
7730 WEST LAKE DRIVE
LAKE CLARKE SHORES, FL 33406

Sec.26-27, 26-26 (9)(c) Mildew on roof

CASE #18-0308 BETTY CAROL TERHUNE
7730 WEST LAKE DRIVE
LAKE CLARKE SHORES, FL 33406

Sec.26-27, 26-26 (3) Mildew on residence

CASE #18-0374 FERNANDO L. MARTINEZ
6506 APPLE WAY
LAKE CLARKE SHORES, FL 33406

Sec. 86-198(8) Address numbers not displayed on residence

CASE #18-0373 KARINA QUIROS
7730 BETA CIRCLE
LAKE CLARKE SHORES, FL 33406

Sec. 86-198(8) Address numbers not displayed on residence

CASE #18-0371 CY CAINE
7301 VENETIAN WAY
LAKE CLARKE SHORES, FL 33406

Sec. 26-26(4), 26-27 Overgrown vegetation

Motion by Mr. Hernandez to approve the consent agenda, seconded by Mr. Daughtry; Motion approved (7-0).

I. DISCLOSURE OF VISIT

Ariel Hernandez passes by 6610 Lake Clarke Dr, to go home and daily sees the property.

Ken Phillips has been by 7740 Beta Circle East by boat and has seen the sea wall.

II. SWEARING IN OF WITNESSES BY ATTORNEY

III. UNFINISHED CASES/LIEN IMPOSITION HEARING

IV. UNFINISHED CASES/FINE IMPOSITION HEARING

I. CONTINUED CASES

II. NEW CASES

CASE #18-0327 GARY & KAREN LESTER
6610 LAKE CLARKE DRIVE
LAKE CLARKE SHORES, FL 33406

Sec.26-27, 26-26 (7) Open Storage/ Abandoned items piling up on open screened in porch. *Repeat Offender

The Respondents, Gary & Karen Lester, were present. Based on the testimony and evidence presented for Sec. 26-27, 26-26 (7) the Board determined the Respondents are in violation and gave the Respondents until August 22, 2018 to come into compliance or a fine of twenty-five dollars (\$25.00) per day may be imposed.

Motion to amend fine from twenty-five dollars (\$25.00) per day to fifty dollars (\$50.00) per day made by Mr. Daughtry, seconded by Mr. Phillips. (7-0)

Based on the testimony and evidence presented for Sec. 26-27, 26-26 (7) the Board determined the Respondents are in violation and gave the Respondents until August 22, 2018 to come into compliance or a fine of fifty dollars (\$50.00) per day may be imposed.

Motion by Mr. Hartman, seconded by Mr. Swift; Motion approved (7-0).

CASE #18-0313 JOLLIETT BARRIOS
8421 WILTON DRIVE
LAKE CLARKE SHORES, FL 33406

Sec.26-27, 26-26 (9)(c) Roof in disrepair, has remnants of tarp on it, missing shingles

The Respondent, Jolliet Barrios, was present. Based on the testimony and evidence presented for Sec.26-27, 26-26 (9)(c) the Board determined the Respondent is in violation and requested the Respondent appear before the Board on August 22, 2018 to give an update or to come into compliance or a fine of Fifty dollars (\$50.00) per day may be imposed.

Motion by Mr. Trent, seconded by Mr. Hernandez; Motion approved (7-0).

Motion was made by Mr. Swift to accept Mrs. Barrios' lawyer's letter on her insurance claim matter into evidence, no second or vote on the matter was made, a photo of the letter was taken by Code Officer Dana Fisher.

CASE #18-0375 FERNANDO L. MARTINEZ
6506 APPLE WAY
LAKE CLARKE SHORES, FL 33406

Sec. 26-26 (9)(b) Driveway in disrepair

The Respondent, Fernando Martinez, was present. Based on the testimony and evidence presented for Sec. 26-26 (9)(b) the Board determined the Respondent is in violation and gave the Respondent requested the Respondent appear before the Board on August 22, 2018 to give an update or to come into compliance or a fine of twenty-five dollars (\$25.00) per day may be imposed.

Motion by Mr. Daughtry, seconded by Mr. Hernandez; Motion approved (7-0).

I. LIEN STATUS

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

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

During the May 24, 2017 Code Enforcement Board hearing, the Board found the Respondents in violation of Sec. 62-133(b) (5) and was ordered to comply by September 27, 2017. During the December 6, 2017 Code Enforcement Board hearing, the Board found the Respondents remain in violation and the decision to file a lien was postponed for review at the April 25, 2018 Code Board Hearing, which was cancelled. During the May 23, 2018 Code Board Hearing, the Board voted to place a Lien on property. Upon receiving the Lien

Order, Mr. Richards requested to come before the Code Board to discuss the motion to place the Lien, because the Lien was not yet recorded by the Town at the date of the request the Lien has been placed on hold and is not recorded at this time.

The Respondent, Paul Richards, was present. Based on the testimony and evidence presented for Sec. 62-133(b) (5) the Board determined the Respondent is still in violation and did not remove the Lien on the property. The Board on July 25, 2018 voted to keep the Lien unrecorded at this time, requesting the Town Attorney look into the matter of the Respondent's permit and requested the Respondent appear before the Board on August 22, 2018.

II. BOARD COMMENTS, SUGGESTIONS AND UPDATES

Charlie gave an update on the Code of Ordinances that is being updated, presently the Noise Ordinance went to Council in July and received several changes. The new changes for the ordinance will be brought to Council at the August meeting for 1st reading. The changes include the decibel measurement increased by 15 decibels across all measurements referenced in the ordinance.

III. ADJOURNMENT

Motion by Mr. Daughtry to adjourn, seconded by Mr. Phillips; Motion approved (7-0).

Meeting adjourned at 7:30 PM

Paul Hughes
Chairman

Eliza O. Hansen
Recording Clerk