

TOWN OF LAKE CLARKE SHORES
CODE ENFORCEMENT BOARD HEARING

Minutes
August 22, 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 6:30 PM

II. ROLL CALL

PRESENT: Paul Hughes, Chairman; Timothy Daughtry, Vice Chair; Natalie Schneider, Board Member; Ariel Hernandez, Board Member; Ben Hartman, Board Member. *Also in attendance:* Charles Schoech, Town Attorney; Officer Dana Schack, Code Enforcement Officer; and Eliza Hansen Recording Clerk. *Absent:* Trent Swift, Board Member (Mr. Swift entered the Meeting at 6:32 PM); Ken Phillips, Board Member.

III. PLEDGE TO FLAG

IV. OATH OF OFFICE

V. APPROVAL OF AGENDA

Motion by Ms. Schneider to approve the agenda, seconded by Mr. Hernandez; Motion approved (5-0).

VI. CONSENT AGENDA

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

CASE #18-0375

FERNANDO L. MARTINEZ
6506 APPLE WAY
LAKE CLARKE SHORES, FL 33406

Sec. 26-26 (9)(b)

Driveway in disrepair

c. New cases now in compliance

Motion by Mr. Hartman to approve the consent agenda, seconded by Ms. Schneider; Motion approved (5-0).

I. DISCLOSURE OF VISIT

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

II. SWEARING IN OF WITNESSES BY ATTORNEY

III. UNFINISHED CASES/LIEN IMPOSITION HEARING

IV. UNFINISHED CASES/FINE IMPOSITION HEARING

I. CONTINUED 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 Respondent, Gary Lester, was present. Based on the testimony and evidence presented for Sec. 26-27, 26-26 (7) the Board determined the Respondents are in violation and assessed a fine of twenty-five dollars (\$25.00) per day until compliance is achieved.

Motion made by Mr. Hartman, seconded by Mr. Daughtry. (6-0)

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, Yolima DelValle, 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 September 26, 2018 with specific documents (proof of insurance claim, public adjuster correspondence on case, updated current estimates) or a fine of Fifty dollars (\$50.00) per day may be imposed.

Motion was made by Mr. Daughtry to accept Mrs. Barrios' Public Adjuster letter and supporting case documents into evidence, seconded by Mr. Hartman; Motion approved (6-0).

Motion by Mr. Swift, seconded by Mr. Daughtry; Motion approved (6-0).

II. NEW CASES

CASE #18-0401 BRADY LEE
1413 MEDITERRANEAN ROAD EAST
LAKE CLARKE SHORES, FL 33406

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

The Respondent, was not present. Based on the testimony and evidence presented for Sec.26-27, 26-26 (3) the Board determined the Respondent is in violation and requested the Respondent and assessed a fine of Fifty dollars (\$50.00) per day until compliance is achieved.

Motion by Mr. Hernandez, seconded by Mr. Hartman; NO VOTE

AMENDED MOTION TO ASSESSED FINE INCREASE TO ONE HUNDREDDOLLARS (\$100.00) PER DAY UNTIL COMPLIANCE IS ACHIEVED.

Motion by Mr. Hernandez, seconded by Mr. Hartman; Motion approved (6-0).

CASE #18-0402 BRADY LEE
1413 MEDITERRANEAN ROAD EAST
LAKE CLARKE SHORES, FL 33406

Sec.26-27, 26-26 (3) Canopies over windows in disrepair

The Respondent, was not present. Based on the testimony and evidence presented for Sec.26-27, 26-26 (3) the Board determined the Respondent is in violation and requested the Respondent and assessed a fine of One Hundred dollars (\$100.00) per day until compliance is achieved.

Motion by Mr. Hernandez, seconded by Mr. Swift; Motion approved (6-0).

CASE #18-0403 BRADY LEE
1413 MEDITERRANEAN ROAD EAST
LAKE CLARKE SHORES, FL 33406

Sec.26-27, 26-26 (9)(d) Fence in disrepair

The Respondent, was not present. Based on the testimony and evidence presented for Sec.26-27, 26-26 (3) the Board determined the Respondent is in violation and requested the Respondent and assessed a fine of One Hundred dollars (\$100.00) per day until compliance is achieved.

Motion by Mr. Hernandez, seconded by Mr. Swift; Motion approved (6-0).

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. During the July 25, 2018 Code Board Hearing, the Board decided 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.

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 August 22, 2018 requested the Respondent appear before the Board on September 26, 2018.

Motion to accept Lake Worth Drainage District Letter to Mr. Richards into evidence by Mr. Swift; seconded by Mr. Hernandez; Motion approved (6-0).

II. BOARD COMMENTS, SUGGESTIONS AND UPDATES

The Town Attorney discussed the matter of full disclosure on cases and which actions need to be reported under disclosure of visit. He also gave an update on the new Code of Ordinances Book, projected completion date in October.

III. ADJOURNMENT

Motion by Mr. Swift to adjourn, seconded by Mr. Daughtry; Motion approved (6-0).

Meeting adjourned at 7:31 PM

Paul Hughes
Chairman

Eliza O. Hansen
Recording Clerk