

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

**Minutes
October 24, 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; Ariel Hernandez, Board Member; Ben Hartman, Board Member; Trent Swift, Board Member; Ken Phillips, Board Member. *Also in attendance:* Charles Schoech, Town Attorney; Sgt. Dana Fisher, Code Enforcement Officer; and Eliza Hansen, Recording Clerk. *Absent:* Natalie Schneider, Board Member.

III. PLEDGE TO FLAG

IV. OATH OF OFFICE

V. APPROVAL OF AGENDA

Motion by Ms. Hartman to approve the agenda, seconded by Mr. Daughtry; Motion approved (6-0).

VI. CONSENT AGENDA

- a. Approval of Minutes of September 26, 2018 Code Enforcement Hearing
- b. Unfinished cases now in compliance

c. New cases now in compliance

CASE #18-0468 LAUREN RALPH, CLAYTON & JILL SHEFFIELD
1926 MEDITERRANEAN RD W.
LAKE CLARKE SHORES, FL 33406

Sec. 86-198 No address numbers displayed on residence

CASE #18-0469 TRACIE M. COOK
1904 INDIAN RD W.
LAKE CLARKE SHORES, FL 33406

Sec. 26-26 (8), 26-27 Inoperable vehicle parked in driveway

CASE #18-0470 TRACIE M. COOK
1904 INDIAN RD W.
LAKE CLARKE SHORES, FL 33406

Sec. 86-508(d)(1),
26-27 Boat parked in front of residence

CASE #18-0476 BRENDA & GARY HEMSTREET
7415 PINE TREE LN
LAKE CLARKE SHORES, FL 33406

Sec. 26-26 (9)(c),
26-27 Roof in disrepair; tarp on area of roof.

Motion by Mr. Swift to approve the consent agenda, seconded by Mr. Daughtry; Motion approved (6-0).

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

IV. UNFINISHED CASES/FINE IMPOSITION HEARING

CASE #18-0439 FEDERAL HOME LOAN MORTGAGE
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 Respondent, Federal Home Loan Mortgage, was not present. Based on the testimony and evidence presented for Sec. 26-26 (3), 26-27 the Board determined the Respondent is still in violation and assessed a fine of Two Hundred and Fifty dollars (\$250.00) per day may until compliance is achieved.

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

CASE 18-0440 FEDERAL HOME LOAN MORTGAGE
6900 WEST LAKE DR
LAKE CLARKE SHORES, FL 33406

Sec. 26-26 (4), 26-27 Overgrown vegetation/ uncontrolled growth in excess of 12 inches

The Respondent, Federal Home Loan Mortgage, was not present. Based on the testimony and evidence presented for Sec. 26-26 (3), 26-27 the Board determined the Respondent is still in violation and assessed a fine of Two Hundred and Fifty dollars (\$250.00) per day may until compliance is achieved.

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

CASE #18-0441 FEDERAL HOME LOAN MORTGAGE
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 Respondent, Federal Home Loan Mortgage, was not present. Based on the testimony and evidence presented for Sec. 26-27, 26-56, 26-26(3) the Board determined the Respondent is still in violation and assessed a fine of Two Hundred and Fifty dollars (\$250.00) per day may until compliance is achieved.

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

CASE 18-0442 FEDERAL HOME LOAN MORTGAGE
6900 WEST LAKE DR
LAKE CLARKE SHORES, FL 33406

Sec. 82-64 (c) Tree canopies. The canopy of trees that extends over roads and road right-of-ways shall be trimmed by the owner to a height of 13 feet six inches above the road and right-of-way.

The Respondent, Federal Home Loan Mortgage, was not present. Based on the testimony and evidence presented for Sec. 82-64 (c) the Board determined the Respondent is still in violation and assessed a fine of Two Hundred and Fifty dollars (\$250.00) per day may until compliance is achieved.

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

CASE #18-0443 FEDERAL HOME LOAN MORTGAGE
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 Respondent, Federal Home Loan Mortgage, was not present. Based on the testimony and evidence presented for Sec. 26-27 the Board determined the Respondent is still in violation and assessed a fine of Two Hundred and Fifty dollars (\$250.00) per day may until compliance is achieved.

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

I. CONTINUED CASES

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 not present. Based on the testimony and evidence presented for Sec.26-27, 26-26 (9)(c) the Board determined the Respondent is still in violation and assessed a fine of Fifty dollars (\$50.00) per day until compliance is achieved, and may impose a fine up to \$100.00 per day if not brought into compliance by December 5, 2018.

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

II. NEW CASES

CASE #18-0477 DAVID A. JAYNES
8311 WATERWAY DR
LAKE CLARKE SHORES, FL 33406

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

The Respondent, David Jaynes, was present. Based on the testimony and evidence presented for 26-26 (9)(c) the Board determined the Respondent is in violation and ordered the Respondent come into compliance by December 5, 2018 or a fine of fifty dollars (\$50.00) a day may be imposed until compliance is achieved.

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

CASE #18-0478 DAVID A. JAYNES
8311 WATERWAY DR
LAKE CLARKE SHORES, FL 33406

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

The Respondent, David Jaynes, was present. Based on the testimony and evidence presented for 26-26 (9)(c) the Board determined the Respondent is in violation and ordered the Respondent

come into compliance by December 5, 2018 or a fine of fifty dollars (\$50.00) a day may be imposed until compliance is achieved.

Motion by Mr. Hernandez, seconded by Mr. Hartman; 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. During the August 22, 2018 Code Board Hearing, the Board decided to keep the Lien unrecorded at this time, and requested the Respondent appear before the Board on September 26, 2018. During the September 26, 2018 Code Board Hearing the Board voted to continue the case and requested the Respondent appear before the Board on October 24, 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 voted to continue the case and requested the Respondent appear before the Board on December 5, 2018.

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

II. BOARD COMMENTS, SUGGESTIONS AND UPDATES

The Town Attorney informed the Board that the 1915 Antigua property has not been foreclosed on as of yet and the Council has agreed to allow the Property Owners' Attorney speak at the next Town Council Meeting.

The Board also asked the Town Attorney to speak with the Town to see how the Jim Barby Cases were going and how to expedite the nuisance property, to be cleaned up.

III. ADJOURNMENT

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

Meeting adjourned at 7:06 PM

Paul Hughes
Chairman

Eliza O. Hansen
Recording Clerk