

**TOWN OF LAKE CLARKE SHORES
CODE ENFORCEMENT BOARD HEARING
Minutes
April 26, 2017**

Paul Hughes, Chairman	Timothy Daughtry, Member	Ken Phillips, Member
Ariel Hernandez, Member	Ben Hartman, Member	Trent Swift, Member
Timothy McCarthy, Member		

I. MEETING CALLED TO ORDER

Chairman, Paul Hughes called the meeting to order at 6:33 PM

II. ROLL CALL

PRESENT: Paul Hughes, Chairman; Ariel Hernandez, Board Member; Ben Hartman, Board Member; Trent Swift, Board Member; Timothy McCarthy, Board Member. *Also in attendance:* Charles Schoech, Town Attorney; Officer Dana Schack, Code Enforcement Officer; Zoie Burgess, Deputy Town Clerk and Aja Freling, Recording Clerk

ABSENT: Ken Phillips, Board Member

TARDY: Tim Daughtry, Board Member – 6:36 PM

III. PLEDGE TO FLAG

IV. OATH OF OFFICE

Timothy McCarthy

V. APPROVAL OF AGENDA

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

VI. CONSENT AGENDA

- a. Approval of Minutes of March 22, 2017 Code Enforcement Hearing
- b. Unfinished cases now in compliance

CASE #17-0032	BANK OF AMERICA 1915 ANTIGUA ROAD LAKE CLARKE SHORES, FL 33406
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Sec. 26-26 (4)	Overgrown Vegetation
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CASE #16-0594 JAMES R. BARBY
7011 HADEN ROAD
LAKE CLARKE SHORES, FL 33406

Sec. 26-56 Dead/Dying trees or stumps, obnoxious growth, filth, garbage,
trash and debris - Dead tree in front yard

c. New cases now in compliance

CASE # 17-0187 CY CAINE
7301 VENETIAN WAY
LAKE CLARKE SHORES, FL 33406

Sec. 26-26 (9)(C) Roof, Gutters, Downspouts Not Maintained in Good Repair

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

VII. DISCLOSURE OF VISIT

Ariel Hernandez: 6641 Lake Clarke Drive, Lake Clarke Shores

Paul Hughes and Ben Hartman: 1915 Antigua Road, Lake Clarke Shores

VIII. SWEARING IN OF WITNESSES BY ATTORNEY

IX. UNFINISHED CASES/FINE IMPOSITION HEARING

X. CONTINUED CASES

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 Marlo and Paul Richards, were not present. Based on the testimony and evidence presented for Case #17-0045, the Board determined the Respondents are in violation and gave them until May 24, 2017 to show progress in presenting a permit for the removal or repair of the dock or a fine of \$50.00 per day will be imposed.

Motion by Mr. Hartman to continue item to next meeting, seconded by Mr. McCarthy; Motion approved (6-0)

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 Marlo and Paul Richards, were not present. Based on the testimony and evidence presented for Case #17-0046, the Board determined the Respondents remain in violation and gave them until May 24, 2017 to show progress in presenting a permit for the removal or repair of the seawall or a fine of \$50.00 per day will be imposed.

Motion by Mr. Hartman to continue item to next meeting, seconded by Mr. Swift; Motion approved (6-0)

CASE #16-0595 JAMES R. BARBY
7011 HADEN ROAD
LAKE CLARKE SHORES, FL 33406

Sec. 26-26 (7) Open storage, accumulation, storage or keeping of any abandoned discarded or unused chattel – Open storage throughout property

The Respondent, James R. Barby, was present. The Board determined the Respondent remains in violation and is ordered to comply by May 24, 2017 or a fine may be imposed.

Motion by Mr. Daughtry to continue item to next meeting, seconded by Mr. Swift; Motion approved (6-0)

XI. NEW CASES

CASE #17-0171 LAWRENCE R LESTER
6641 LAKE CLARKE DRIVE
LAKE CLARKE SHORES, FL 33406

Sec. 26-26(3) Deterioration of Any Property

The Respondent, Lawrence R. Lester, was present. Based on the testimony and evidence presented, the Board determined the Respondent is not in violation.

Respondent provided photos to be entered into evidence. **Motion by Mr. Daughtry to enter photos into evidence, seconded by Mr. McCarthy; Motion approved (6-0)**

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

XII. LIEN STATUS

Cases to be filed with Palm Beach County Clerk of Courts

CASE #17-0029 BANK OF AMERICA
1915 ANTIGUA ROAD
LAKE CLARKE SHORES, FL 33406

Sec. 26-56 Dead/Dying Trees or Stumps, Obnoxious Growth, Filth, Garbage,
Trash and Debris – Dead Tree

CASE #17-0030 BANK OF AMERICA
1915 ANTIGUA ROAD
LAKE CLARKE SHORES, FL 33406

Sec. 26-26 (9)(a) Swimming Pool Not Being Maintained: Water Clarity – Pool

CASE #17-0031 BANK OF AMERICA
1915 ANTIGUA ROAD
LAKE CLARKE SHORES, FL 33406

Sec. 26-26 (7) Open storage, accumulation, storage or keeping of any
abandoned discarded or unused chattel – Open storage
throughout property

CASE #17-0037 BANK OF AMERICA
1915 ANTIGUA ROAD
LAKE CLARKE SHORES, FL 33406

Sec. 26-26 (3) Deterioration of Any Property – Rust on Residence

CASE #17-0038 BANK OF AMERICA
1915 ANTIGUA ROAD
LAKE CLARKE SHORES, FL 33406

Sec. 26-26(9)(b) Driveway/Walkway Not maintained: Not in Proper State of
Repair– Mildew on Driveway (Oil Stains)

XIII. BOARD COMMENTS, SUGGESTIONS AND UPDATES

The town Attorney, Charles Schoech, provided an update regarding Ex Parte communications and recent legislation. Any personal knowledge must be disclosed prior to hearing the case whether it's driving by or previously discussed.

XIV. ADJOURNMENT

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

Meeting adjourned at 7:37 PM

Paul Hughes
Board Chairman

Aja Freling
Recording Clerk