

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

**Minutes
January 23, 2019**

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 6:31 PM

II. ROLL CALL

PRESENT: Paul Hughes, Chairman; Timothy Daughtry, Vice Chair; Ben Hartman, Board Member; Natalie Schneider, Board Member.

Also in attendance: Charles Schoech, Town Attorney; Sgt. Dana Fisher, Code Enforcement Officer; and Eliza Hansen, Recording Clerk.

Absent: Ariel Hernandez, Board Member; Trent Swift, Board Member; Ken Phillips, Board Member.

III. PLEDGE TO FLAG

IV. OATH OF OFFICE

V. APPROVAL OF AGENDA

Motion by Mr. Daughtry to approve the agenda, seconded by Mr. Hartman; Motion approved (4-0).

VI. CONSENT AGENDA

- a. Approval of Minutes of December 5, 2018 Code Enforcement Hearing
- b. Unfinished cases now in compliance

c. New cases now in compliance

- I. DISCLOSURE OF VISIT
- 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
 - 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 was 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. During the October 24, 2018 Code Board Hearing the Board voted to continue the case and requested the Respondent appear before the Board on December 5, 2018. During the December 5, 2018 Code

Board Hearing the Board voted to continue the case and requested the Respondent appear before the Board on January 23, 2019.

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 Respondent produced a letter from Posideion Dredge & Marine addressed to the Town to request an extension on the seawall permit which is set to expire on February 26, 2019.

Motion to accept the letter into evidence made by Mr. Daughtry, seconded by Mr. Hartman;

Motion approved (4-0).

The Board voted to continue the case and requested the Respondent appear before the Board on February 26, 2019. The Board also requested the Recording Clerk produce the administrative cost associated with the Case on the property on the February 26, 2019 Code Board Hearing.

Motion by Mr. Hartman, seconded by Mr. Daughtry; Motion approved (4-0).

II. BOARD COMMENTS, SUGGESTIONS AND UPDATES

III. ADJOURNMENT

Motion by Mr. Daughtry, seconded by Mr. Hartman; Motion approved (4-0).

Meeting adjourned at 6:45 PM

**Paul Hughes
Chairman**

**Eliza O. Hansen
Recording Clerk**