

**MINUTES
TOWN OF LAKE CLARKE SHORES
CODE ENFORCEMENT BOARD HEARING
April 24, 2019**

I. MEETING CALLED TO ORDER

Vice Chairman Daughtry called the meeting to order at 6:31 p.m.

II. ROLL CALL

Present: Timothy Daughtry, Vice Chairman; Ken Phillips, Board Member; Ben Hartman, Board Member; Trent Swift, Board Member; and Natalie Schneider, Board Member.

Also in Attendance: Charles F. Schoech, Town Attorney; Sgt. Dana Fisher, Code Enforcement Officer; Emilie Pearson, Recording Clerk; and Eliza Hansen, Town Staff.

Absent: Paul Hughes, Chairman; and Ariel Hernandez, Board Member.

III. PLEDGE TO FLAG

IV. OATH OF OFFICE

V. APPROVAL OF AGENDA

Motion approved with Consent Agenda by Board Member Swift to approve the Agenda, seconded by Board Member Hartman; Motion approved (5-0).

VI. CONSENT AGENDA

- A. Approval of Minutes of February 27, 2019 Code Enforcement Hearing
- B. Unfinished Cases Now in Compliance

CASE #19-0046 MONICA ESPINOSA
1431 INDIAN RD
LAKE CLARKE SHORES, FL 33406

Sec. 125-700 Temporary canopy in back yard; canvas not permitted

CASE #19-0047 MONICA ESPINOSA
1431 INDIAN RD
LAKE CLARKE SHORES, FL 33406

Sec. 34-19(7) Open storage of misc. items in front and side of residence

C. New Cases Now in Compliance

Motion by Board Member Swift to approve the Consent Agenda, seconded by Board Member Hartman; Motion approved (5-0).

VII. DISCLOSURE OF VISIT

Board Member Phillips walked passed 7740 Beta Circle regularly.

Vice Chairman Daughtry visited 6900 West Lake Drive prior to the meeting.

VIII. SWEARING IN OF WITNESSES BY ATTORNEY

IX. UNFINISHED CASES/LIEN IMPOSITION HEARING

X. UNFINISHED CASES/FINE IMPOSITION HEARING

XI. CONTINUED CASES

XII. NEW CASES

CASE #19-0099 FEDERAL HOME LOAN MORTGAGE CORP.
6900 WEST LAKE DRIVE
LAKE CLARKE SHORES, FL 33406

Sec. 34-19(9)(c) Roof in disrepair; Tarp on roof

The Respondent, Federal Home Loan Mortgage Corp., was not present. Based on the testimony and evidence presented for Sec. 34-19(9)(c), the Board determined the Respondent is in violation, and the Respondent must come into compliance by the next Code Enforcement Hearing on May 22, 2019, or a fine of Two Hundred Fifty Dollars (\$250.00) per day may be imposed until compliance is achieved.

**Motion by Board Member Hartman, seconded by Board Member Schneider;
Motion approved (5-0).**

CASE #19-0100 FEDERAL HOME LOAN MORTGAGE CORP.
6900 WEST LAKE DRIVE
LAKE CLARKE SHORES, FL 33406

Sec. 34-19(3) Deterioration of property; Glass in window has plywood

The Respondent, Federal Home Loan Mortgage Corp., was not present. Based on the testimony and evidence presented for Sec. 34-19(3), the Board determined the Respondent is in violation. The Board also determined the Respondent is in violation of Sec. 34-19(9). The Respondent must come into compliance by the next Code Enforcement Hearing on May 22, 2019, or a fine of Two Hundred Fifty Dollars (\$250.00) per day may be imposed until compliance is achieved.

**Motion by Board Member Hartman, seconded by Board Member Swift;
Motion approved (5-0).**

XIII. 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 Enforcement Board Hearing, which was cancelled. During the May 23, 2018 Code Enforcement Board Hearing, the Board voted to place a Lien on the property.

Upon receiving the Lien Order, Mr. Richards requested to come before the Code Enforcement 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 Enforcement 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 Enforcement 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 Enforcement 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 Enforcement 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 Enforcement Board Hearing, the Board voted to continue the case and requested the Respondent appear before the Board on January 23, 2019. During the January 23, 2019 Code Enforcement Board Hearing, the Board voted to continue the case and requested the Respondent appear before the Board on February 27, 2019. During the hearing the Respondent produced a letter from Poseidon Dredge & Marine addressed to the Town to request an extension on the seawall permit which is set to expire on February 26, 2019.

During the February 26, 2019 Code Enforcement Board Hearing, the Board determined the Respondent was still in violation and did not remove the Lien on the property. The Respondent was ordered to make bi-weekly notifications to the Code Enforcement Officer about the status of his permit and its completion. The Respondent was ordered to appear before the Board on July 24, 2019.

No additional updates were provided by the Respondent to the Code Enforcement Officer. The Board determined to revisit the case at the May 22, 2019 Code Enforcement Hearing.

XIV. BOARD COMMENTS, SUGGESTION AND UPDATES

The Town Attorney informed the Board about a proposed ordinance regarding vacant and rental properties that may come before the Town Council at the May 14, 2019 Town Council Meeting.

At the request of Board Member Hartman, the Town Attorney updated the Board about the status of 1915 Antigua Road property. The Town Attorney has not contacted the Respondent's attorney. However, he said the Town is ready to move forward with the foreclosure.

XV. ADJOURNMENT

**Motion by Board Member Hartman, seconded by Board Member Phillips;
Motion approved (5-0).**

Meeting adjourned at 6:50 p.m.

Paul Hughes, Chairman

Emilie Pearson, Recording Clerk