

**MINUTES  
TOWN OF LAKE CLARKE SHORES  
CODE ENFORCEMENT BOARD HEARING  
MAY 22, 2019  
6:30 P.M.**

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I. MEETING CALLED TO ORDER

Chairman Hughes called the meeting to order at 6:32 p.m.

II. ROLL CALL

**Present:** Paul Hughes, Chairman; Timothy Daughtry, Vice Chairman; Ariel Hernandez, 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: Kenneth Phillips, Board Member; and Benjamin Hartman, Board Member.

III. PLEDGE TO FLAG

IV. OATH OF OFFICE

Ariel Hernandez

V. APPROVAL OF AGENDA

**Motion by Vice Chairman Daughtry to approve the Agenda, seconded by Board Member Hernandez; Motion approved (5-0).**

VI. CONSENT AGENDA

- A. Approval of Minutes of April 24, 2019 Code Enforcement Board Hearing
- B. Unfinished Cases Now in Compliance
- C. New Cases Now in Compliance

**Motion by Vice Chairman Daughtry to approve the Consent Agenda, seconded by Board Member Hernandez; Motion approved (5-0).**

- VII. DISCLOSURE OF VISIT
- VIII. SWEARING IN OF WITNESSES BY ATTORNEY
- IX. UNFINISHED CASES/LIEN IMPOSITION HEARING
- X. UNFINISHED CASES/FINE IMPOSITION HEARING

**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 still in violation, and assessed a fine of Two Hundred Fifty Dollars (\$250.00) per day until compliance is achieved.

**Motion by Board Member Hernandez, seconded by Vice Chairman Daughtry; 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) & (9) 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) and (9), the Board determined the Respondent is still in violation, and assessed a fine of Two Hundred Fifty Dollars (\$250.00) per day until compliance is achieved.

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

- XI. CONTINUED CASES
- XII. NEW CASES

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 were ordered to comply by September 27, 2017. During the December 6, 2017 Code Enforcement Board Hearing, the Board found the Respondents remained 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 was placed on hold and was not recorded. During the July 25, 2018 Code Enforcement Board Hearing, the Board decided to keep the Lien unrecorded, requesting the Town Attorney look into the matter of the Respondents' permit and requested the Respondents 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, and requested the Respondents 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 Respondents 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 Respondents 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 Respondents 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 Respondents appear before the Board on February 27, 2019. During the hearing, the Respondents 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 Respondents were still in violation and did not remove the Lien on the property. The Respondents were ordered to make bi-weekly notifications to the Code Enforcement Officer about the status of his permit and its completion. The Respondents were ordered to appear before the Board on July 24, 2019.

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

During the May 22, 2019 Code Enforcement Board Hearing, the Code Enforcement Officer said the Respondents were waiting on their supplier to proceed with work. The Board determined to revisit the case at the June 26, 2019 Code Enforcement Board Hearing.

XIV. BOARD COMMENTS, SUGGESTION AND UPDATES

XV. ADJOURNMENT

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

Meeting adjourned at 6:46 p.m.

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Paul Hughes, Chairman

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Emilie Pearson, Recording Clerk