

**AGENDA
TOWN OF LAKE CLARKE SHORES
CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 25, 2019 6:30 P.M.**

1. CALL TO ORDER

2. ROLL CALL

Paul Hughes, Chairman
Timothy Daughtry, Vice Chairman
Benjamin Hartman, Board Member
Ariel Hernandez, Board Member
Kenneth Phillips, Board Member
Natalie Schneider, Board Member
Trent Swift, Board Member

3. PLEDGE OF ALLEGIANCE

4. OATH OF OFFICE

5. APPROVAL OF AGENDA

6. CONSENT AGENDA

- A. Approval of the Minutes of the August 28, 2019 Code Enforcement Board Hearing
- B. Unfinished Cases Now in Compliance
- C. New Cases Now in Compliance

7. DISCLOSURE OF VISIT

8. SWEARING IN OF WITNESSES BY ATTORNEY

9. UNFINISHED CASES/LIEN IMPOSITION HEARING

CASE #19-0149

CELESTE CAPINO AND JEREMY
SPECKMAN
1511 PALM CIRCLE
LAKE CLARKE SHORES, FL 33406

Sec. 34-22(a), 34-20

Unregistered vehicles on property

During the July 24, 2019 Code Enforcement Board Hearing, the Board found the Respondents remained in violation of Sec. 34-22(a) and 34-20, and assessed a fine of Two Hundred Dollars (\$200.00) per day until compliance is achieved. During the August 28, 2019 Code Enforcement Board Hearing, the Board found the Respondent in compliance with Sec. 34-22(a) and 34-20.

CASE #19-0136 MARGARET STEWART
7915 EDGEWATER DRIVE
LAKE CLARKE SHORES, FL 33406

Sec. 34-19(7), 34-20 Open storage of miscellaneous items on front porch and side of residence

During the August 28, 2019 Code Enforcement Board Hearing, the Board found the Respondent remained in violation of Sec. 34-19(7) and 34-20 and assessed a fine of Twenty-Five Dollars (\$25.00) per day until compliance is achieved. The Respondent came into compliance on August 30, 2019.

10. UNFINISHED CASES/FINE IMPOSITION HEARING

CASE #19-0201 BRIAN HAYES AND LINDA PEARL
7001 CARISSA CIRCLE
LAKE CLARKE SHORES, FL 33406

Sec. 125-767(b)(7), 34-20 Inoperable motor home

During the August 28, 2019 Code Enforcement Board Hearing, the Board found the Respondents in violation of Sec. 125.767(b)(7) and 34-20 and ordered the Respondents to comply by the next Code Enforcement Board Hearing on September 25, 2019 or a fine of twenty-five Dollars (\$25.00) per day may be imposed until compliance is achieved.

11. CONTINUED CASES

CASE #19-0199 GARY LESTER
6610 LAKE CLARKE DRIVE
LAKE CLARKE SHORES, FL 33406

Sec. 34-20, 34-19(10) Concrete debris on property

During the August 28, 2019 Code Enforcement Board Meeting, the Board ordered the case to be continued until the next Code Enforcement Hearing on September 25, 2019. The Code Enforcement Board directed the Town Attorney to find out whether the debris were located in the Town's right-of-way.

12. NEW CASES

13. LIEN STATUS

Discuss and/or Vote on Matter of Filing of Lien or Reduction/Wave of Fine for Case:

CASE #17-0046 MARLO AND 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 assessed a fine of twenty-five dollars (\$25.00) per day until compliance is achieved. 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 property.

Upon receiving the Lien Order, Mr. Richards requested to come before the Code Enforcement Board to discuss the motion to place the Lien. During the July 25, 2018 Code Enforcement Board Hearing, the Board voted to not record the Lien at this time. Mr. Richards was requested to appear before the Board at the next Hearing. During the August 22, 2018 Code Enforcement Board Hearing, the Board found the Respondents were waiting approval of LWDD and the Town Building official for permitting; the Respondents were requested to appear at the next hearing; and the Board voted to not record the Lien at this time. During the September 26, 2018 Code Enforcement Board Hearing, the Respondents were not present, and the case was moved to the next hearing.

During the October 24, 2018 Code Enforcement Board Hearing, the Board found the Respondents still in violation, voted to not record the Lien at this time and requested the Respondents to appear at the Code Enforcement Board Hearing on December 5, 2018. During the December 5, 2018 Code Enforcement Board Hearing, the Board found the Respondents still in violation, the Board voted to not record the Lien at this time and requested the Respondents appear at the Code Enforcement Board Hearing on January 23, 2019.

During the January 23, 2019 Code Enforcement Board Hearing, the Board found the Respondents still in violation, voted to not record the Lien at this

time and requested the Respondent to appear at the Code Enforcement Board Hearing on February 27, 2019. The Respondents' seawall permit was set to expire on February 23, 2019. The Respondents produced a letter from the permit contractor sent to the Town to request a permit extension. The Board also requested the Recording Clerk produce information on the administrative cost spent by the Town for the case.

At this time the permit was granted an extension by the Town and Building Official until July 30, 2019. Currently no inspections have been scheduled for the seawall permit. At this time, the property is accruing a daily fine of twenty-five (\$25.00) a day. The total accumulated fine as of February 27, 2019 (449 days) will be eleven thousand two-hundred twenty-five dollars (\$11,225.00).

The current Administration cost for the case is \$2,785.33, a breakdown of the costs has been emailed along with the minutes to the Code Enforcement Board. Presently, the case has been before the Board 12 times, 10 orders have been written, no recording fees or mailing fees have been incurred.

During the February 27, 2019 Code Enforcement Board Hearing, the Board found the Respondents remained in violation of Sec. 62-133(b)(5) and were ordered to report monthly to the Code Enforcement Officer and report to the Board on July 24, 2019.

The Code Enforcement Officer did not receive any updates from the Respondents before the April 24, 2019 Code Enforcement Board Hearing. The Board determined to revisit the case at the May 22, 2019 Code Enforcement Board 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 Hearing.

During the June 26, 2019 Code Enforcement Board Hearing, the Code Enforcement Officer stated she received an update from the Respondents. The Respondents received the seawall supplies and construction work should start soon. The Board determined to revisit the case at the July 24, 2019 Hearing when the Respondents will come to report before the Board.

Respondent, Paul Richard, was present at the July 24, 2019 Code Enforcement Board Hearing. He testified that pilings would be on the property and an inspection would be scheduled this week. He expects the work to be completed within two to three weeks. Based on the testimony and evidence presented for Sec. 62-133(b)(5), the Board found the Respondents remained

in violation, and determined to revisit the case at the August 28, 2019 Code Enforcement Board Hearing.

During the August 28, 2019 Code Enforcement Board Hearing, the Code Enforcement Officer testified the Respondent was still waiting on the contractor to do the work, but he was next on the list. The Recording Clerk testified the permit was extended until September 30, 2019. The Code Enforcement Board determined to revisit the case at the September 25, 2019 Hearing.

14. BOARD COMMENTS, SUGGESTIONS AND UPDATES

15. ADJOURNMENT

Notice: If an individual decides to appeal any decision made by the Code Enforcement Board with respect to this meeting, he/she will need a record of the proceedings and for this purpose, he/she needs to ensure that a verbatim record of the proceedings is made (F.S. 286.0105), which record includes the testimony and evidence upon which the appeal is to be based. The Town of Lake Clarke Shores does not prepare or provide such verbatim record. Pursuant to the provisions of the Americans with Disabilities Act (ADA), any person requiring special accommodations to participate in this meeting, should advise the Town at least two (2) calendar days before the meeting by contacting Emilie Pearson at (561) 964-1515 ext. 1008.