

**MINUTES
TOWN OF LAKE CLARKE SHORES
CODE ENFORCEMENT BOARD HEARING
AUGUST 25, 2021 6:30 P.M.**

1. Call to Order

Chair Hughes called the meeting to order at 6:33 p.m.

2. Roll Call

Present: Paul Hughes, Chair; Ben Hartman, Vice Chair; Ariel Hernandez, Board Member; Gerard Sanchez, Board Member; Deb Moody, Board Member; and Debbie Gregorian, Board Member.

Also in attendance: William P. Doney, Town Attorney; Sgt. Dana Fisher, Code Enforcement Officer; and Emilie Pearson, Recording Clerk.

Absent: Robert Gonzalez, Board Member.

3. Pledge of Allegiance

4. Oath of Office

Debbie Gregorian took her oath of office.

5. Approval of Agenda

Motion by Vice Chair Hartman to approve the Agenda, seconded by Board Member Sanchez; Motion approved (6-0).

6. Consent Agenda

- A. Approval of the Minutes of the July 28, 2021 Code Enforcement Board Hearing
- B. Unfinished Cases Now in Compliance

Case 21-0316 Malcolm L. Allison
6785 Escondida Drive
Lake Clarke Shores, FL 33406

Sec. 34-20, 34-19(4) Overgrown vegetation along fence/not maintained (started, but did not finish)

C. New Cases Now in Compliance

Case 21-0343 Sabita & Bhogendra Khanal
7522 Alpha Court E
Lake Clarke Shores, FL 33406

Sec. 34-19(9)(c), 34-20 Dirty roof

Case 21-0344 Sabita & Bhogendra Khanal
7522 Alpha Court E
Lake Clarke Shores, FL 33406

Sec. 34-19(9)(b) Dirty driveway

Case 21-0345 Joseph & Philip Krystel
7524 Alpha Court E
Lake Clarke Shores, FL 33406

Sec. 34-19(9)(c), 34-20 Dirty roof

Case 21-0351 William H. Murphy Jr.
1841 Evergreen Drive
Lake Clarke Shores, FL 33406

Sec. 34-20, 34-19(9)(b) Dirty Driveway

Case 21-0352 William H. Murphy Jr.
1841 Evergreen Drive
Lake Clarke Shores, FL 33406

Sec. 34-20, 34-19(7) Open storage in front of residence

Case 21-0353 William H. Murphy Jr.
1841 Evergreen Drive
Lake Clarke Shores, FL 33406

Sec. 34-20 Front window in disrepair

Case 21-0355 Samuel R. Trent Jr./Samuel R. Trent, Jr., Living Trust
Dated October 30, 2000
1801 Carandis Road
Lake Clarke Shores, FL 33406

Sec. 34-20, 34-19(9)(d) Fence on side of residence in disrepair

Motion by Board Member Hernandez to approve the Consent Agenda, seconded by Vice Chair Hartman; Motion approved (6-0).

7. Disclosure of Visit

(Note: Visits were disclosed when the Board discussed each case. The Minutes reflect the order of the Agenda)

The Town Attorney discussed the importance of disclosing any visits to the properties before the Board and discussions with the respondents regarding their case. The Town Attorney also talked about the sunshine law.

Chair Hughes stated that he visited the following properties on the day of the hearing: 1819 Antigua Road, 1405 Beta Court, and 1841 Evergreen Drive.

8. Swearing in of Witnesses by Attorney

9. Unfinished Cases/Lien Imposition Hearing

Case 21-0121 Madelaine Martorella
1809 Arlington Drive
Lake Clarke Shores, FL 33406

Sec. 34-20, 34-19(9)(c) Roof in disrepair/has tarp on it

Respondent, Madelaine Martorella, was not present. Based on the testimony and evidence presented for Sec. 34-20 and 34-19(9)(c), the Board continued the case until the next Code Enforcement Board Hearing on September 22, 2021. The imposed fine of \$50.00 per day which started on July 29, 2021 will continue to accrue until compliance is achieved. The Board ordered the Respondent to apply for a roof permit and submit a signed roof contract by the next Code Enforcement Board Hearing.

Motion by Board Member Sanchez, seconded by Board Member Hernandez; Motion approved (6-0).

10. Unfinished Cases/Fine Imposition Hearing

Case 21-0070 Patricia T. Rott
7741 West Lake Drive
Lake Clarke Shores, FL 33406

Sec. 34-20, 34-19(9)(c) Roof in disrepair/has tarp on it

Respondent, Patricia T. Rott, was not present. Based on the testimony and evidence presented for Sec. 34-20 and 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 September 22, 2021 by removing the tarp on the flat roof and the strip(s) of wood holding the tarp down on the side of the flat roof, or a fine of \$50.00 per day may be imposed until compliance is achieved.

**Motion by Board Member Hernandez, seconded by Vice Chair Hartman;
Motion approved (6-0).**

Case 21-0127 Marilyn & David Pourazar
1332 South Florida Mango Road
Lake Clarke Shores, FL 33406

Sec. 10-91(a) Work done without a permit

Respondents, Marilyn and David Pourazar, were not present. Based on the testimony and evidence presented for Sec. 10-91(a), the Board determined the Respondent is in violation, and imposed a fine of \$50.00 per day until compliance is achieved.

**Motion by Vice Chair Hartman, seconded by Board Member Hernandez;
Motion approved (6-0).**

Case 21-0314 Estate of Mary A. Webb
1819 Antigua Road
Lake Clarke Shores, FL 33406

Sec. 125-767(b)(7) Inoperable vehicle stored on property

Respondent was not present. Based on the testimony and evidence presented for Sec. 125-767(b)(7), the Board determined the Respondent is in violation, and imposed a fine of \$25.00 per day until compliance is achieved.

**Motion by Vice Chair Hartman, seconded by Board Member Sanchez;
Motion approved (6-0).**

Case 21-0317 Jack Basilone & Kevin McClatchy
1405 Beta Court
Lake Clarke Shores, FL 33406

Sec. 125-891(b) Pool fully accessible to public (safety issue)

The Respondents, Jack Basilone and Kevin McClatchy, were not present. Based on the testimony and evidence presented for Sec. 125-891(b), the Board found the Respondents complied with the Board's July Order on August 16, 2021 after they installed a temporary fence on the property. The total fine amount due for

the temporary fence is \$4,500.00. However, the Board determined the Respondents are in violation because they failed to apply for a permanent fence permit before the August Hearing. The Board imposed a new fine of \$250.00 per day until the permanent fence passes final inspection by the Town.

**Motion by Board Member Sanchez, seconded by Vice Chair Hartman;
Motion approved (5-1). Board Member Hernandez opposed the motion.**

Case 21-0319 Susan E. Downing as Trustee of the Susan E. Downing Revocable Trust Dated October 9, 2002
1416 Arabian Road East
Lake Clarke Shores, FL 33406

Sec. 34-20, 34-19(3) Dead/dying lawn/ungrassed areas/loose dirt

Respondent, Susan E. Downing, was not present. Based on the testimony and evidence presented for Sec. 34-20 and 34-19(3), the Board determined the Respondent is in violation, and the Respondent must come into compliance by the next Code Enforcement Hearing on September 22, 2021, or a fine of \$30.00 per day commencing on August 25, 2021 may be imposed until compliance is achieved.

**Motion by Board Member Sanchez, seconded by Vice Chair Hartman;
Motion approved (6-0).**

Case 21-0320 Susan E. Downing as Trustee of the Susan E. Downing Revocable Trust Dated October 9, 2002
1416 Arabian Road East
Lake Clarke Shores, FL 33406

Sec. 34-20 Mildew on residence

The Respondent, Susan E. Downing, was not present. Based on the testimony and evidence presented for Sec. 34-20, the Board determined the Respondent is in violation, and the Respondent must come into compliance by the next Code Enforcement Hearing on September 22, 2021, or a fine of \$30.00 per day commencing on August 25, 2021 may be imposed until compliance is achieved.

**Motion by Board Member Sanchez, seconded by Vice Chair Hartman;
Motion approved (6-0).**

Case 21-0322 Susan E. Downing as Trustee of the Susan E. Downing Revocable Trust Dated October 9, 2002
1416 Arabian Road East
Lake Clarke Shores, FL 33406

Sec. 34-20, 34-19(9)(d) White fencing full of mildew/not maintained in good repair

The Respondent, Susan E. Downing, was not present. Based on the testimony and evidence presented for Sec. 34-20 and 34-19(9)(d), the Board determined the Respondent is in violation, and the Respondent must come into compliance by the next Code Enforcement Hearing on September 22, 2021, or a fine of \$20.00 per day commencing on August 25, 2021 may be imposed until compliance is achieved.

Motion by Board Member Sanchez, seconded by Board Member Hernandez; Motion approved (6-0).

11. Continued Cases

Case 21-0326 Adalberto Valcarcel
7516 Nemec Drive North
Lake Clarke Shores, FL 33406

Sec. 34-19(3), 34-20 Dead/dying lawn/ungrassed areas/loose dirt

The Respondent, Adalberto Valcarcel, was not present. Based on the testimony and evidence presented for Sec. 34-19(3) and 34-20, the Board dismissed the case without prejudice and ordered that a new Notice of Violation be served on the new and current owner(s) of the property.

Motion by Board Member Hernandez, seconded by Board Member Sanchez; Motion approved (6-0).

Case 21-0327 Adalberto Valcarcel
7516 Nemec Drive North
Lake Clarke Shores, FL 33406

Sec. 34-20 Blue painter's tape around window

The Respondent, Adalberto Valcarcel, was not present. Based on the testimony and evidence presented for Sec. 34-20, the Board dismissed the case without prejudice and ordered that a new Notice of Violation be served on the new and current owner(s) of the property.

Motion by Board Member Hernandez, seconded by Board Member Sanchez; Motion approved (6-0).

12. New Cases

Case 21-0342 Shannon K. Logsdon
7600 Pine Tree Lane
Lake Clarke Shores, FL 33406

Sec. 34-20, 34-19(9)(a) Swimming pool in disrepair

The Respondent, Shannon K. Logsdon, was not present. Based on the testimony and evidence presented for Sec. 34-20 and 34-19(9)(a), the Board determined the Respondent is in violation, and imposed a fine of \$100.00 per day until compliance is achieved. The Board ordered the Respondent to apply for a pool permit and sign a contract with a pool repair company by the next Code Enforcement Board Hearing on September 22, 2021.

**Motion by Board Member Sanchez, seconded by Vice Chair Hartman;
Motion approved (5-1). Board Member Hernandez opposed the motion.**

Case 21-0348 Valerie Tsirigotis
1921 Carandis Road
Lake Clarke Shores, FL 33406

Sec. 34-20, 34-19(9)(d) Fence in disrepair

The Respondent, Valerie Tsirigotis, was not present. Based on the testimony and evidence presented for Sec. 34-20 and 34-19(9)(d), the Board determined the Respondent is in violation, and the Respondent must come into compliance by the next Code Enforcement Hearing on September 22, 2021, or a fine of \$50.00 per day may be imposed until compliance is achieved.

**Motion by Board Member Hernandez, seconded by Vice Chair Hartman;
Motion approved (6-0).**

Case 21-0349 Valerie Tsirigotis
1921 Carandis Road
Lake Clarke Shores, FL 33406

Sec. 34-20, 34-19(3) Ungrassed/dirt areas throughout property

The Respondent, Valerie Tsirigotis, was not present. Based on the testimony and evidence presented for Sec. 34-20 and 34-19(3), the Board determined the Respondent is in violation, and the Respondent must come into compliance by the next Code Enforcement Hearing on September 22, 2021, or a fine of \$50.00 per day may be imposed until compliance is achieved.

**Motion by Board Member Sanchez, seconded by Vice Chair Hartman;
Motion approved (6-0).**

Case 21-0350 William H. Murphy Jr.
1841 Evergreen Drive
Lake Clarke Shores, FL 33406

Sec. 30-4 Holiday/Christmas decorations still displayed

The Respondent, William H. Murphy Jr., was not present. Based on the testimony and evidence presented for Sec. 30-4, the Board determined the Respondent is in violation, and the Respondent must come into compliance by the next Code Enforcement Hearing on September 22, 2021, or a fine of \$50.00 per day may be imposed until compliance is achieved.

**Motion by Board Member Sanchez, seconded by Vice Chair Hartman;
Motion approved (6-0).**

Case 21-0354 William H. Murphy Jr.
1841 Evergreen Drive
Lake Clarke Shores, FL 33406

Sec. 34-19(9)(d), 34-20 Fence in disrepair

The Respondent, William H. Murphy Jr., was not present. Based on the testimony and evidence presented for Sec. 34-19(9)(d) and 34-20, the Board determined the Respondent is in violation, and the Respondent must come into compliance by the next Code Enforcement Hearing on September 22, 2021, or a fine of \$50.00 per day may be imposed until compliance is achieved.

**Motion by Board Member Sanchez, seconded by Vice Chair Hartman;
Motion approved (6-0).**

Case 21-0356 Samuel R. Trent Jr./Samuel R. Trent, Jr., Living Trust Dated
October 30, 2000
1801 Carandis Road
Lake Clarke Shores, FL 33406

Sec. 34-20, 34-19(3) Ungrassed areas on property

The Respondent, Samuel R. Trent Jr., was not present. Based on the testimony and evidence presented for Sec. 34-20 and 34-19(3), the Board determined the Respondent is in violation, and the Respondent must come into compliance by the next Code Enforcement Hearing on September 22, 2021, or a fine of \$25.00 per day may be imposed until compliance is achieved.

Motion by Board Member Sanchez, seconded by Board Member Hernandez; Motion approved (6-0).

13. Board Comments, Suggestion and Updates

A. Change December Hearing Date

The December Hearing date was changed to December 8, 2021 instead of December 1, 2021.

The Recording Clerk informed the Board about draft ordinances that will come before the Town Council for approval.

Chair Hughes mentioned that there were very tall hedges in Town. The Code Enforcement Officer told him to send her the locations of the tall hedges.

Board Member Hernandez brought to the attention of the Board and the Code Enforcement Officer that some of the multi-residential properties along Forest Hill Blvd. were unkept.

14. Adjournment

Motion by Board Member Sanchez, seconded by Board Member Moody; Motion approved (6-0).

Meeting adjourned at 7:53 p.m.

Paul Hughes, Chairman

Emilie Pearson, Recording Clerk