

**MINUTES
TOWN OF LAKE CLARKE SHORES
CODE ENFORCEMENT BOARD HEARING
JULY 27, 2022 6:30 P.M.**

1. Call to Order

Chair Hughes called the meeting to order at 6:30 p.m.

2. Roll Call

Present: Paul Hughes, Chair; Gerard Sanchez, Vice Chair; Ariel Hernandez, Board Member; Deb Moody, Board Member; Wesley Cook, Board Member; and Taylor Materio, Board Member.

Also in attendance: William P. Doney, Town Attorney; Lt. Dana Fisher, Code Enforcement Officer; Police Chief William Smith; Vice Mayor Robert M. W. Shalhoub; and Emilie Pearson, Recording Clerk.

Absent: Debbie Gregorian, Board Member.

3. Pledge of Allegiance

4. Oath of Office

Board Member Ariel Hernandez took his oath of office.

5. Approval of Agenda

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

6. Consent Agenda

A. Approval of the Minutes of the June 22, 2022 Code Enforcement Board Hearing

B. Unfinished Cases Now in Compliance

None

C. New Cases Now in Compliance

Case 22-0318 Yoselin Mendez and Leonel Rivera
1900 Carissa Road
Lake Clarke Shores, FL 33406

Sec. 34-19(7), 34-20 Open storage in view of neighbor

Case 22-0320 Vida Goudarzi
1509 Wagner Circle
Lake Clarke Shores, FL 33406

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

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

7. Disclosure of Visit

(Note: Visits were disclosed when the Board discussed Case 22-0294. The Minutes reflect the order of the Agenda)

Vice Chair Sanchez and Board Member Moody noted that they either drive or walk by 7404 Pine Tree Lane on a regular basis.

8. Swearing in of Witnesses by Attorney

9. Unfinished Cases/Fine Imposition Hearing

Case 22-0292 Joseph D. Friedemann
Confidential Record
Lake Clarke Shores, FL 33406

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

The Respondent 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 Board imposed a fine of \$50.00 per day commencing on July 27, 2022 until compliance is achieved.

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

Case 22-0293 Joseph D. Friedemann
Confidential Record
Lake Clarke Shores, FL 33406

Sec. 34-20 Mildew on residence

The Respondent was not present. Based on the testimony and evidence presented for Sec. 34-20, the Board determined the Respondent is in violation, and the Board imposed a fine of \$50.00 per day commencing on July 27, 2022 until compliance is achieved.

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

Case 22-0294 7404 Pine Tree LLC
7404 Pine Tree Lane
Lake Clarke Shores, FL 33406

Sec. 125-475(i) Pool in backyard-no positive barrier/open to public (safety issue)

The Respondent was not present. Based on the testimony and evidence presented for Sec. 125-475(i), the Board determined the Respondent is in violation, and the Board imposed a fine of \$100.00 per day commencing on July 27, 2022 until compliance is achieved.

Motion by Board Member Hernandez, seconded by Board Member Moody; Motion approved (5-1); Board Member Cook opposed the Motion.

10. Continued Cases

Case 22-0172 Juan Gomez and Luz Gomez
1423 Keller Road
Lake Clarke Shores, FL 33406

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

The Respondent 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 Code Enforcement Board Hearing on September 28, 2022, or a fine of \$50.00 per day may be imposed commencing on July 27, 2022 until compliance is achieved.

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

Case 22-0173 Diane R. Smith
8310 West Lake Drive
Lake Clarke Shores, FL 33406

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

The Respondent was not present. Based on the testimony and evidence presented for Sec. 34-20 and 34-19(9)(c), the Board determined the Respondent remains in violation, and continued the case until the Code Enforcement Board Hearing on September 28, 2022. If Respondent does not comply by September 28, 2022, a fine of \$50.00 per day may be imposed until compliance is achieved.

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

Case 22-0174 Diane R. Smith
8310 West Lake Drive
Lake Clarke Shores, FL 33406

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

The Respondent was not present. Based on the testimony and evidence presented for Sec. 34-20 and 34-19(9)(c), the Board determined the Respondent remains in violation, and continued the case until the Code Enforcement Board Hearing on September 28, 2022. If Respondent does not comply by September 28, 2022, a fine of \$50.00 per day may be imposed until compliance is achieved.

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

11. New Cases

Case 22-0319 Grace Warshaw
1510 Wagner Circle
Lake Clarke Shores, FL 33406

Sec. 34-19(9)(c), 34-20 Roof in disrepair / Tarp on roof

The Respondent was not present. Based on the testimony and evidence presented for Sec. 34-19(9)(c) and 34-20, the Board determined the Respondent is in violation, and the Respondent must come into compliance by the Code Enforcement Board Hearing on September 28, 2022, or a fine of \$50.00 per day may be imposed until compliance is achieved.

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

12. Board Comments, Suggestion and Updates

The Board discussed the recent increase of roof in disrepair violations that involve insurance claims and the lengthy process of litigation. They suggested

the Town educate residents about roof claims and the homeowners' responsibilities to follow Town Code. They suggested the Town informs residents about the importance to contact the Code Enforcement Officer if they receive a notice of violation and to come to the hearings if they receive a notice of hearing so they can explain their position. Chief Smith stated he would discuss the issue with staff and come up with a way to share information to the residents. The Board also discussed the length of time storage pods are allowed in Town. Vice Mayor Shalhoub thanked the Board Members for their service on the Code Enforcement Board.

13. Adjournment

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

Meeting adjourned at 7:18 p.m.

Paul Hughes, Chair

Emilie Pearson, Recording Clerk