

**MINUTES
TOWN OF LAKE CLARKE SHORES
CODE ENFORCEMENT BOARD HEARING
AUGUST 24, 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; and Emilie Pearson, Recording Clerk.

3. Pledge of Allegiance

4. Approval of Agenda

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

5. Consent Agenda

- A. Approval of the Minutes of the July 27, 2022 Code Enforcement Board Hearing
- B. Unfinished Cases Now in Compliance
None
- C. New Cases Now in Compliance

Case 22-0356 7404 Pine Tree Lane LLC
7404 Pine Tree Lane
Lake Clarke Shores, FL 33406

Sec. 125-485 Two pods stored on property longer than two weeks

Case 22-0360 Miguel, Joseph & Zunilda Molina
7137 Clarke Road
Lake Clarke Shores, FL 33406

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

Case 22-0361 Miguel, Joseph & Zunilda Molina
7137 Clarke Road
Lake Clarke Shores, FL 33406

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

Case 22-0363 Daniel & Jevanka Carroll
1404 Indian Road East
Lake Clarke Shores, FL 33406

Sec. 34-20, 34-19(a)(b) Mildew on driveway

Case 22-0364 Daniel & Jevanka Carroll
1404 Indian Road East
Lake Clarke Shores, FL 33406

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

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

6. Disclosure of Visit

None

7. Swearing in of Witnesses by Attorney

8. Unfinished Cases/Lien Imposition Hearing

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

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

Respondent Joseph Friedemann was present. Based on the testimony and evidence presented for Sec. 34-20 and 34-19(9)(c), the Board determined the Respondent came into compliance on August 4, 2022, and imposed a total fine of \$400.00 plus administrative cost, if any. The Board ordered the Respondent to pay the Town the total fine amount within 10 days of the Order or a lien will be imposed and recorded.

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

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

Sec. 34-20 Mildew on residence

Respondent Joseph Friedemann was present. Based on the testimony and evidence presented for Sec. 34-20, the Board determined the Respondent came into compliance on August 4, 2022, and waived the fine of \$400.00 plus administrative costs.

Motion by Board Member Materio, seconded by Board Member Hernandez; 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)

Respondent Nicole Johnson was present. Based on the testimony and evidence presented for Sec. 125-475(i), the Board determined the Respondent remains in violation, and continued the case until the next Code Enforcement Board Hearing on September 28, 2022.

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

9. Continued Cases

Case 22-0050 Joseph Scheerer and Cassandra Scheerer
8060 West Lake Drive
Lake Clarke Shores, FL 33406

Sec. 10-91(a) Trellis built on side of residence without building permit

Motion by Board Member Moody, seconded by Board Member Cook to enter into evidence a survey of the property showing the location of the trellis; Motion approved (6-0).

Respondent Joseph Scheerer was present. Based on the testimony and evidence presented for Sec. 10-91(a), the Board determined the Respondent remains in violation, and the Respondent must come into compliance by the next Code Enforcement Board Hearing on September 28, 2022, or a fine of \$50.00

per day to start on September 28, 2022 may be imposed until compliance is achieved.

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

10. New Cases

Case 22-0357 RGSG Inc.
7420 Pine Tree Lane
Lake Clarke Shores, FL 33406

Sec. 54-20(1) Operating a business out of residence without a current business tax receipt

The Respondent was not present. Based on the testimony and evidence presented for Sec. 54-20(1), the Board determined the Respondent is in violation, and the Respondent must come into compliance by the next 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 Board Member Moody, seconded by Vice Chair Sanchez; Motion approved (5-1). Board Member Hernandez opposed the Motion.

Case 22-0358 Michele Anne & Stephen T. Rasmussen
8020 West Lake Drive
Lake Clarke Shores, FL 33406

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

Respondent Stephen Rasmussen was present. Based on the testimony and evidence presented for Sec. 34-20 and 34-19(9)(b), the Board determined the Respondent is in violation, and the Respondent must come into compliance prior to the Code Enforcement Board Hearing on October 26, 2022, or a fine of \$50.00 per day may be imposed starting on October 26, 2022 until compliance is achieved. The Board also requested that Respondent attend the next Code Enforcement Board Hearing on September 28, 2022 to provide a status update regarding the progress of his driveway repair or replacement.

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

Case 22-0359 Damian Garcia
1605 Carissa Road
Lake Clarke Shores, FL 33406

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

Respondent Damian Garcia and his representative Michael Diaz were present. Based on the testimony and evidence presented for Sec. 125-475(i), the Board determined the Respondent is in violation, and continued the case until the next Code Enforcement Board Hearing on September 28, 2022.

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

Case 22-0362 Miguel, Joseph & Zunilda Molina
7137 Clarke Road
Lake Clarke Shores, FL 33406

Sec 34-20, 34-19(3) Loose dirt, ungrassed areas throughout yard

Respondent Miguel Molina was 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 Board Hearing on September 28, 2022, or a fine of \$50.00 per day may be imposed until compliance is achieved.

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

Case 22-0365 Mirzadeh Properties LLC
7101 Clarke Road
Lake Clarke Shores, FL 33406

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

The Respondent was not present. Based on the testimony and evidence presented for Sec. 34-20 and 34-19(9)(b), the Board determined the Respondent is in violation, and the Respondent must come into compliance by the next 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 Board Member Hernandez, seconded by Board Member Moody; Motion approved (6-0).

11. Board Comments, Suggestion and Updates

The Recording Clerk announced that Debbie Gregorian resigned from the Board and the seat was vacant.

12. Adjournment

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

Meeting adjourned at 8:00 p.m.

Paul Hughes, Chair

Emilie Pearson, Recording Clerk