

**MINUTES  
TOWN OF LAKE CLARKE SHORES  
CODE ENFORCEMENT BOARD HEARING  
OCTOBER 26, 2022 6:30 P.M.**

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**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; 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.

Late: Board Member Ariel Hernandez arrived at 6:35 p.m. during the Consent Agenda portion of the Hearing.

**3. Pledge of Allegiance**

**4. Approval of Agenda**

**Motion by Vice Chair Sanchez to approve the Agenda, seconded by Board Member Cook; Motion approved (5-0).**

**5. Consent Agenda**

A. Approval of the Minutes of the August 24, 2022 Code Enforcement Board Hearing

B. Unfinished Cases Now in Compliance

**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

**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

**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

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

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

**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

**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

**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

**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)

C. New Cases Now in Compliance

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

## **6. Disclosure of Visit**

None

**7. Swearing in of Witnesses by Attorney**

**8. Appeals**

**Citation 22-0415** Joseph Lopez  
7130 Venetian Way  
Lake Clarke Shores, FL 33406

Sec. 46-13(a) Vegetation/bulk placed in roadway, first offence fined \$125

Respondent Joseph Lopez was present. Based on the testimony and evidence presented for Sec. 46-13(a), the Board denied the Respondent's appeal and ordered him to pay the Town \$125 within 15 days of the Order.

**Motion by Vice Chair Sanchez, seconded by Board Member Moody; Motion approved (4-2). Board Member Hernandez and Board Member Materio opposed the motion.**

**Citation 22-0417** Christopher Zambelli  
7031 Venetian Way  
Lake Clarke Shores, FL 33406

Sec. 46-13(a) Vegetation/bulk placed in roadway, first offence fined \$125

Respondent Christopher Zambelli was present. Based on the testimony and evidence presented for Sec. 46-13(a), the Board denied the Respondent's appeal and ordered him to pay the Town \$125 within 15 days of the Order.

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

**9. Unfinished Cases/Fine Imposition Hearing**

**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

Respondent Joseph Scheerer was present. Based on the testimony and evidence presented for Sec. 10-91(a), the Board determined the Respondents remained in violation and continued the case until the next Code Enforcement Board Hearing on December 7, 2022.

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

**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

The Respondents were not present. Based on the testimony and evidence presented for Sec. 34-20 and 34-19(9)(b), the Board determined the Respondents remained in violation, and imposed a fine of \$50 per day starting on August 24, 2022 until compliance is achieved.

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

#### **10. Continued Cases**

**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)

Nicole Johnson was present on behalf of the Respondent. Based on the testimony and evidence presented for Sec. 125-475(i), the Board reduced the fine from \$4,900 to \$3,000 for the violation which existed on the property.

**Motion by Board Member Cook, seconded by Board Member Materio;  
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

The Respondent was not present. Based on the testimony and evidence presented for Sec. 125-475(i), the Board determined the Respondent remains in violation, and imposed a fine of \$250 per day starting on August 24, 2022 until compliance is achieved. The Board ordered the Respondent to properly fence and secure the swimming pool within 10 days from the Order. If Respondent fails

to do so, the Town may abate the Code violation by taking all reasonable actions to fence and secure the swimming pool.

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

## 11. New Cases

**Case 22-0403** Sarah Harrison  
6701 Pine Tree Circle  
Lake Clarke Shores, FL 33406

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

Respondent Sarah Harrison 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 by the next Code Enforcement Board Hearing on December 7, 2022, or a fine of \$50 per day may be imposed until compliance is achieved.

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

## 12. Board Comments, Suggestion and Updates

Upon Chair Hughes' request, the Town Attorney provided an update on the status of the liens at 7011 Haden Road. He also discussed past litigation involving the property.

**Motion by Vice Chair Sanchez requesting the Town Council to pursue enforcement of the liens due to the continuing unsanitary conditions at the property, seconded by Board Member Materio; Motion approved (6-0).**

The Board also discussed the proposed trailer ordinance and moratorium. Chair Hughes and Vice Chair Sanchez were concerned about the moratorium and wish the Town Council approves a new ordinance as soon as possible so the moratorium stops. Board Member Hernandez would like the Code Enforcement Board to be involved in drafting ordinances. The Recording Clerk suggested that the Board Members express their concerns and suggestions at the next Town Council Meeting.

### 13. Adjournment

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

Meeting adjourned at 8:25 p.m.

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Paul Hughes, Chair

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Emilie Pearson, Recording Clerk