

**MINUTES  
TOWN OF LAKE CLARKE SHORES  
CODE ENFORCEMENT BOARD HEARING  
DECEMBER 7, 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; Ariel Hernandez, Board Member; Deb Moody, Board Member; and Wesley Cook, Board Member.

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

Absent: Taylor Materio, Board Member.

**3. Pledge of Allegiance**

**4. Approval of Agenda**

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

**5. Consent Agenda**

- A. Approval of the Minutes of the October 26, 2022 Code Enforcement Board Hearing
- B. Unfinished Cases Now in Compliance

**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)

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

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

C. New Cases Now in Compliance

**Case 22-0456** Alexander Averhoff and Sulay Bencosme  
1825 Mediterranean Rd W.  
Lake Clarke Shores, FL 33406

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

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

**6. Disclosure of Visit**

None

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

**8. Appeals**

**Citation 22-0450** Donald and Sherry Swinarski  
7424 Venetian Way  
Lake Clarke Shores, FL 33406

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

**Motion by Board Member Moody to enter into evidence the picture provided by Respondent Donald Swinarski, seconded by Board Member Cook; Motion approved (5-0).**

Respondent Donald Swinarski was present. Based on the testimony and evidence presented for Sec. 46-13(a), the Board granted the appeal and dismissed the citation without prejudice.

**Motion by Board Member Cook, seconded by Board Member Hernandez; Motion approved (5-0).**

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

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

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

Respondents Michele Anne and Stephen T. Rasmussen were present. Based on the testimony and evidence presented for Sec. 34-20 and 34-19(9)(b), the Board continued the case until the next Code Enforcement Board Hearing on January 25, 2023.

**Motion by Vice Chair Sanchez, seconded by Board Member Moody; Motion approved (5-0).**

**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 interpreter were present. Based on the testimony and evidence presented for Sec. 125-475(i), the Board continued the case until the next Code Enforcement Board Hearing on January 25, 2023.

**Motion by Board Member Moody, seconded by Board Member Cook; Motion approved (5-0).**

#### **10. Unfinished Cases/Fine Imposition Hearing**

None

#### **11. 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

Board Member Hernandez disclosed that Respondent Joseph Scheerer discussed the status of his variance with him during a Town event.

Respondents Joseph and Cassandra Scheerer were not present. Based on the testimony and evidence presented for Sec. 10-91(a), the Board continued the case until the next Code Enforcement Board Hearing on January 25, 2023.

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

#### **12. New Cases**

None

### **13. Board Comments, Suggestion and Updates**

Chair Hughes asked for an update on the proposed trailer ordinance. The Recording Clerk mentioned she did not have any update to provide. The Board discussed the November Trailer Ordinance Workshop and the expiration of the moratorium.

Vice Chair Sanchez asked about the status of the motion passed at the last Hearing requesting the Town Council to pursue enforcement of the liens on 7011 Haden Road. The Recording Clerk stated that she informed the Council Members of the motion, but there was nothing the Town could do at this time because the property was homesteaded. The Town Attorney concurred and stated that the Council Members were aware of the situation.

#### **A. Discuss Board Orientation Workshop Date**

The Recording Clerk mentioned that Town staff would like to host a Code Enforcement Board Orientation Workshop to discuss meeting procedures and motions. She stated that the Board will have a new Board Member in January. The Board agreed to have a Workshop on January 25, 2023 at 6:00 p.m. in the Chambers before the Code Enforcement Board Hearing.

### **14. Adjournment**

**Motion by Vice Chair Sanchez, seconded by Board Member Moody; Motion approved (5-0).**

Meeting adjourned at 7:15 p.m.

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Paul Hughes, Chair

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Emilie Pearson, Recording Clerk