

**MINUTES
TOWN OF LAKE CLARKE SHORES
CODE ENFORCEMENT BOARD HEARING
JANUARY 25, 2023 6:30 P.M.**

1. Call to Order

Chair Hughes called the meeting to order at 6:32 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 Kristin A. Vara, Board Member.

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

Absent: Taylor Materio, Board Member.

~~3. Pledge of Allegiance~~

(moved to Code Enforcement Board Orientation Workshop)

4. Oath of Office

Board Member Kristin A. Vara took her oath of office.

5. Approval of Agenda

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

6. Consent Agenda

A. Approval of the Minutes of the December 7, 2023 Code Enforcement Board Hearing

B. Unfinished Cases Now in Compliance

None

Motion by Board Member Moody 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 22-0358. The Minutes reflect the order of the Agenda)

Board Member Vara drove by the property located at 8020 West Lake Drive.

8. Swearing in of Witnesses by Attorney

The Town Attorney swore in the witnesses.

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

Respondent Stephen Rasmussen was present. Based on the testimony and evidence presented for Sec. 34-20 and 34-19(9)(b), the Board waived the total fine amount of \$2,550 and administrative costs.

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 interpreter were present. Based on the testimony and evidence presented for Sec. 125-475(i), the Board ordered that the total fine amount of \$11,000 be reduced to \$5,000 plus administrative costs for recording the lien. If Respondent fails to pay the fine within 30 days of the order, a lien will be imposed and recorded.

Motion by Board Member Vara, seconded by Board Member Moody to reduce the total fine amount to \$5,000; Motion approved (5-1). Board Member Cook opposed the motion.

Motion by Board Member Moody, seconded by Vice Chair Sanchez to amend the initial motion to add that the fine must be paid within 30 days of the order or a lien will be recorded; Motion approved (5-1). Board Member Hernandez opposed the motion.

10. 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.

The Respondents were not present. Based on the testimony and evidence presented for Sec. 10-91(a), the Board determined the Respondents remained in violation, and imposed a fine of \$50 per day commencing on September 28, 2022 until compliance is achieved.

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

11. Board Comments, Suggestion and Updates

Chair Hughes asked about the status of the trailer ordinance. The Town Manager discussed the moratorium, the next workshop and issues relating to the drafting and implementation of the ordinance.

Police Chief discussed code enforcement and a new full-time code enforcement officer position.

The Board, the Police Chief and the Code Enforcement Officer discussed the reduction of vegetation in the street.

Board Member Cook advised the Board that the owner of 7404 Pine Tree Lane (Case 22-0294) is selling the property for over one million dollars.

Board Member Moody and the Town Manager discussed the issue of the Town providing an interpreter for Spanish-speaking residents.

12. Adjournment

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

Meeting adjourned at 7:57 p.m.

Paul Hughes, Chair

Emilie Pearson, Recording Clerk