

**MINUTES
TOWN OF LAKE CLARKE SHORES
CODE ENFORCEMENT BOARD HEARING
JUNE 28, 2023 6:30 P.M.**

1. Call to Order

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

2. Roll Call

Present: Chair Paul Hughes; Board Member Ariel Hernandez; Board Member Deb Moody; Board Member Wesley Cook; and Board Member Nicholas Spinelli.

Also in attendance: Town Attorney William P. Doney; Code Enforcement Officer Erik Richwagen; and Recording Clerk Emilie Pearson.

Absent: Vice Chair Gerard Sanchez.

3. Pledge of Allegiance

4. Approval of Agenda

Motion by Board Member Cook to approve the Agenda, seconded by Board Member Moody; Motion approved (5-0).

5. Consent Agenda

A. Approval of the Minutes of the May 24, 2023 Code Enforcement Board Hearing

B. Unfinished Cases Now in Compliance

Case 23-0239 Florida House Investments LLC
1831 East Court
Lake Clarke Shores, FL 33406

Sec. 125-767(b)(7) Inoperable/Abandoned vehicle with expired tags.

C. New Cases Now in Compliance

Case 23-0574 Ricardo Alvarez
1920 Barbados Road
Lake Clarke Shores, FL 33406

Sec. 125-733(9) Property has more than one business attached to it.

Case 23-0193 Genevieve Bobrowski and Joseph A. Bobrowski
7501 Pine Tree Lane
Lake Clarke Shores, FL 33406

Sec. 34-19(9)(b) Driveway needs to be repaired.

Case 23-0330 Raymond Bingham and Karen M. Parker
1810 Antigua Road
Lake Clarke Shores, FL 33406

Sec. 34-19(3) Exterior wall is dirty.

Motion by Board Member Hernandez to approve the Consent Agenda, seconded by Board Member Cook; Motion approved (5-0).

6. Disclosure of Visit

(Note: Visits were disclosed when the Board discussed Case 23-0333. The Minutes reflect the order of the Agenda)

Chair Hughes mentioned that he went to the property located at 1819 Antigua Road today.

7. Swearing in of Witnesses by Attorney

The Town Attorney swore in the witnesses.

8. Unfinished Cases/Lien Imposition Hearing

Case 23-0041 Christopher L. Barlow
1422 Keller Road
Lake Clarke Shores, FL 33406

Sec. 10-91(a) Driveway/walkway removed and installed without permit.

The Respondent's representative Jesus Ramirez and Lauren were present. Based on the testimony and evidence presented for Sec. 10-91(a), the Board determined the Respondent complied as of April 26, 2023, and reduced the total fine amount due of \$1,850.00 to \$1,000.00, plus administrative costs if any. If Respondent fails to pay the fine to the Town within 30 days of the Order, a lien will be imposed and recorded.

**Motion by Board Member Hernandez, seconded by Board Member Spinelli;
Motion approved (3-2). Board Member Cook and Board Member Moody
opposed the motion.**

Case 23-0042 Christopher L. Barlow
1422 Keller Road
Lake Clarke Shores, FL 33406

Sec. 10-91(a) Fence removed and installed new without permit.

The Respondent's representative Jesus Ramirez and Lauren were present. Based on the testimony and evidence presented for Sec. 10-91(a), the Board determined the Respondent complied as of April 26, 2023, and reduced the total fine amount due of \$1,850.00 to \$1,000.00, plus administrative costs if any. If Respondent fails to pay the fine to the Town within 30 days of the Order, a lien will be imposed and recorded.

**Motion by Board Member Hernandez, seconded by Board Member Spinelli;
Motion approved (3-2). Board Member Cook and Board Member Moody
opposed the motion.**

Case 23-0043 Christopher L. Barlow
1422 Keller Road
Lake Clarke Shores, FL 33406

Sec. 10-91(a) Interior remodel without permit.

The Respondent's representative Jesus Ramirez and Lauren were present. Based on the testimony and evidence presented for Sec. 10-91(a), the Board determined the Respondent complied as of June 14, 2023, and reduced the total fine amount due of \$4,300.00 to \$1,000.00, plus administrative costs if any. If Respondent fails to pay the fine to the Town within 30 days of the Order, a lien will be imposed and recorded.

**Motion by Board Member Hernandez, seconded by Board Member Spinelli;
Motion approved (3-2). Board Member Cook and Board Member Moody
opposed the motion.**

Case 23-0044 Christopher L. Barlow
1422 Keller Road
Lake Clarke Shores, FL 33406

Sec. 10-91(a) Plumbing work without permit.

The Respondent's representative Jesus Ramirez and Lauren were present. Based on the testimony and evidence presented for Sec. 10-91(a), the Board

determined the Respondent complied as of May 26, 2023, and reduced the total fine amount due of \$3,350.00 to \$1,000.00, plus administrative costs if any. If Respondent fails to pay the fine to the Town within 60 days of the Order, a lien will be imposed and recorded.

Motion by Board Member Hernandez, seconded by Board Member Spinelli; Motion approved (3-2). Board Member Cook and Board Member Moody opposed the motion.

Case 23-0045 Christopher L. Barlow
1422 Keller Road
Lake Clarke Shores, FL 33406

Sec. 10-91(a) Electrical work without permit.

The Respondent's representative Jesus Ramirez and Lauren were present. Based on the testimony and evidence presented for Sec. 10-91(a), the Board determined the Respondent complied as of June 8, 2023, and reduced the total fine amount due of \$4,000.00 to \$1,000.00, plus administrative costs if any. If Respondent fails to pay the fine to the Town within 60 days of the Order, a lien will be imposed and recorded.

Motion by Board Member Hernandez, seconded by Board Member Spinelli; Motion approved (3-2). Board Member Cook and Board Member Moody opposed the motion.

9. Unfinished Cases/Fine Imposition Hearing

Case 23-0240 Florida House Investments LLC
1831 East Court
Lake Clarke Shores, FL 33406

Sec. 34-19(3) Bare spots on the lawn.

The Respondent was not present. Based on the testimony and evidence presented for Sec. 34-19(3), the Board determined the Respondent is in violation, and imposed a fine of \$150.00 per day commencing on June 1, 2023 until compliance is achieved.

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

Case 23-0025 Edison Perez and Lillian Perez
8325 Waterway Drive
Lake Clarke Shores, FL 33406

Sec. 125-702(4) Gazebo installed without a permit.

The Respondents were not present. Based on the testimony and evidence presented for Sec. 125-702(4), the Board determined the Respondents are in violation, and imposed a fine of \$50.00 per day commencing on June 28, 2023 until compliance is achieved.

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

Case 23-0533 Faiza Y. Meshreki, Michael S. Meshreki and Mina S. Meshreki
1740 Carissa Road
Lake Clarke Shores, FL 33406

Sec. 62-163 Unlawful illicit discharge of raw sewage on the property.

The Respondents were not present. Based on the testimony and evidence presented for Sec. 62-163, the Board determined the Respondents are in violation, and imposed a fine of \$250.00 per day commencing on May 26, 2023 until compliance is achieved.

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

Case 23-0534 Faiza Y. Meshreki, Michael S. Meshreki and Mina S. Meshreki
1740 Carissa Road
Lake Clarke Shores, FL 33406

Sec. 26-276 The illicit discharge is a Public Health nuisance and concern.

The Respondents were not present. Based on the testimony and evidence presented for Sec. 26-276, the Board determined the Respondents are in violation, and imposed a fine of \$250.00 per day commencing on May 26, 2023 until compliance is achieved.

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

Case 23-0205 Marcelo Stefano
6630 Mango Circle
Lake Clarke Shores, FL 33406

Sec. 34-19(3) Bare spots on the lawn.

The Respondent was not present. Based on the testimony and evidence presented for Sec. 34-19(3), the Board determined the Respondent is in violation, and imposed a fine of \$100.00 per day commencing on June 28, 2023 until compliance is achieved.

**Motion by Board Member Cook, seconded by Board Member Moody;
Motion approved (4-1). Board Member Hernandez opposed the motion.**

10. New Cases

Case 23-0637 Florida House Investments LLC
1831 East Court
Lake Clarke Shores, FL 33406

Sec. 10-91(a) Patio install without a permit.

The Respondent was not present. Based on the testimony and evidence presented for Sec. 10-91(a), the Board determined the Respondent is in violation, and the Respondent must come into compliance by July 12, 2023, or a fine of \$250.00 per day may be imposed until compliance is achieved.

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

Case 23-0641 Florida House Investments LLC
1831 East Court
Lake Clarke Shores, FL 33406

Sec. 10-91(a) Structural work done without a permit.

The Respondent was not present. Based on the testimony and evidence presented for Sec. 10-91(a), the Board determined the Respondent is in violation, and the Respondent must come into compliance by July 12, 2023, or a fine of \$250.00 per day may be imposed until compliance is achieved.

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

Case 23-0294 Guardian Forest Hill LLC
1755 Forest Hill Blvd
Lake Clarke Shores, FL 33406

Sec. 34-19(9)(b) Parking lot needs to be repaired and re-sealed.

The Respondent was not present. Based on the testimony and evidence presented for Sec. 34-19(9)(b), the Board determined the Respondent is in

violation, and the Respondent must come into compliance by the October 25, 2023 Code Enforcement Board Hearing, or a fine of \$100.00 per day may be imposed until compliance is achieved. The Board also requested the Respondent maintains contact with the Code Enforcement Officer about the status of the work.

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

Case 23-0201 Janet Lee Alessi and Steven Arthur Meckstroth
1410 Beta Court North
Lake Clarke Shores, FL 33406

Sec. 34-19(9)(b) Driveway is dirty.

The Respondents were not present. Based on the testimony and evidence presented for Sec. 23-0201, the Board determined the Respondents are in violation, and the Respondents must come into compliance by the next Code Enforcement Board Hearing on July 26, 2023, or a fine of \$50.00 per day may be imposed until compliance is achieved.

Motion by Board Member Hernandez, seconded by Board Member Spinelli to find Respondents in violation of Section 34-19(9)(b) of the Town Code and that Respondents must come into compliance by July 26 or a fine of \$25.00 per day may be imposed until compliance is achieved.

Board Member Cook, seconded by Board Member Moody moved to amend the Motion so that a fine of \$50.00 per day may be imposed in the event of noncompliance. Motion approved (3-2). Board Member Hernandez and Board Member Spinelli opposed the Motion.

The initial Motion, as amended to impose a fine of \$50.00 per day in the event of noncompliance, was approved (3-2). Board Member Hernandez and Board Member Spinelli opposed the Motion.

Case 23-0293 Anand S. Daibee and Valmiki S. Daibee
7002 Haden Road
Lake Clarke Shores, FL 33406

Sec. 34-19(9)(b) Parking lot needs to be repaired and re-sealed.

The Respondents were not present. Based on the testimony and evidence presented for Sec. 34-19(9)(b), the Board determined the Respondents are in violation, and the Respondents must come into compliance by the October 25, 2023 Code Enforcement Board Hearing, or a fine of \$100.00 per day may be imposed until compliance is achieved. The Board also requested the

Respondents maintain contact with the Code Enforcement Officer about the status of the work.

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

Case 23-0327 Raymond Bingham and Karen M. Parker
1810 Antigua Road
Lake Clarke Shores, FL 33406

Sec. 125-263(8) House numbers required.

Respondent Raymond Bingham was present. Based on the testimony and evidence presented for Sec. 125-263(8), the Board determined the Respondent is in violation, and the Respondent must come into compliance by July 5, 2023, 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 (5-0).**

Case 23-0328 Raymond Bingham and Karen M. Parker
1810 Antigua Road
Lake Clarke Shores, FL 33406

Sec. 125-767(b)(7) Inoperable/unregistered vehicle.

Respondent Raymond Bingham was present. Based on the testimony and evidence presented for Sec. 125-767(b)(7), the Board determined the Respondent is in violation, and the Respondent must come into compliance by the next Code Enforcement Board Hearing on July 26, 2023, 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 (5-0).**

Case 23-0333 Estate of Mary A. Webb
1819 Antigua Road
Lake Clarke Shores, FL 33406

Sec. 34-19(9)(b) Driveway needs to be repaired and re-sealed.

The Respondent was not present. Based on the testimony and evidence presented for Sec. 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 July 26, 2023, or a fine of \$100.00 per day may be imposed until compliance is achieved.

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

11. Board Comments, Suggestion and Updates

Board Member Cook asked what happens to properties with violations that are being sold. The Code Enforcement Officer responded that when lien searches are done, the Town notifies them of violations, fines, and liens on the property.

Chair Hughes asked for an update on the trailer ordinance. The Recording Clerk explained that the ordinance was adopted at the end of May, but there was a grace period of 90 days. She mentioned that staff will create educational materials that will be sent to residents with trailers, boats, commercial vehicles and recreational vehicles. Chair Hughes asked that the implementation of the trailer ordinance be added to the July Agenda.

12. Adjournment

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

Meeting adjourned at 8:19 p.m.

Paul Hughes, Chair

Emilie Pearson, Recording Clerk