

**MINUTES
TOWN OF LAKE CLARKE SHORES
CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 26, 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; Vice Chair Gerard Sanchez; Board Member Ariel Hernandez; Board Member Deb Moody; and Board Member Wesley Cook.

Also in attendance: Town Attorney William P. Doney; Code Enforcement Officer Erik Richwagen; Zoning Official Manny Palacios; Police Chief William Smith; and Recording Clerk Emilie Pearson.

Absent: None.

3. Pledge of Allegiance

4. Approval of Agenda

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

5. Consent Agenda

A. Approval of the Minutes of the August 23, 2023 Code Enforcement Board Hearing

B. Unfinished Cases Now in Compliance

Case 23-0399 7112 Clark LLC
7112 Clarke Road
Lake Clarke Shores, FL 33406

Sec. 125-263(8) House address numbers are required on the home.

Case 23-0413 Celeste K. Capino and Jeremy B. Speckman
1511 Palm Circle
Lake Clarke Shores, FL 33406

Sec. 34-19(9)(b) The driveway needs to be re-sealed

Case 23-0716 Celeste K. Capino and Jeremy B. Speckman
1511 Palm Circle
Lake Clarke Shores, FL 33406

Sec. 34-19(4) Overgrown property.

Case 23-0683 Donna A. Canales and Ricardo Canales
8001 South Lake Drive
Lake Clarke Shores, FL 33406

Sec. 10-91(a) Interior wall lowered/removed without a permit

Case 23-0684 Donna A. Canales and Ricardo Canales
8001 South Lake Drive
Lake Clarke Shores, FL 33406

Sec. 125-701(a) Pergola constructed without a permit

C. New Cases Now in Compliance

Case 23-0455 Joseph A. Simon
1521 Oak Drive
Lake Clarke Shores, FL 33406

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

Case 23-0456 Joseph A. Simon
1521 Oak Drive
Lake Clarke Shores, FL 33406

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

Case 23-0369 Tara I. Granberg
6900 Venetian Way
Lake Clarke Shores, FL 33406

Sec. 34-19(9)(c) Roof needs to be cleaned.

Case 23-0368 Tara I. Granberg
6900 Venetian Way
Lake Clarke Shores, FL 33406

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

Case 23-0582 Idelbis L. Sanchez
1425 Mediterranean Road East
Lake Clarke Shores, FL 33406

Sec. 6-5 Pigeons cannot be housed or kept.

Case 23-0497 Timothy B. Daughtry
1410 Keller Road
Lake Clarke Shores, FL 33406

Sec. 34-19(9)(b) The driveway needs to be re-sealed.

Case 23-0499 Timothy B. Daughtry
1410 Keller Road
Lake Clarke Shores, FL 33406

Sec. 34-19(7) Prohibited outdoor storage.

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

6. Disclosure of Visit

None

7. Swearing in of Witnesses by Attorney

The Town Attorney swore in the witnesses.

8. Appeals

Case 23-0003K William Corey MacCloud
1732 W Terrace Drive
Lake Worth, FL 33463

Sec. 30-3 Damage to Keller Road traffic control structure, fined \$500.

The Respondent was not present. Based on the testimony and evidence presented for Sec. 30-3, the Board determined the Respondent was in violation, and denied the appeal. The Board imposed a fine of \$500, plus administrative costs. If Respondent fails to pay the fine within 30 days of the order, a lien will be imposed and recorded.

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

(Note: The below cases were not heard in the order of the Agenda. The Minutes reflect the order of the Agenda.)

9. Unfinished Cases/Lien 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's representative Ms. Crumbaut was present. Based on the testimony and evidence presented for Sec. 34-19(3), the Board determined the Respondent came into compliance on July 1, 2023, and reduced the total fine amount due of \$4,500 to \$1,500, 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 Cook, seconded by Board Member Moody;
Motion approved (4-1). Board Member Hernandez opposed the motion.**

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 remain in violation, and ordered a lien be imposed on the property and recorded in the public records of Palm Beach County, Florida.

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

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 remain in violation, and ordered a lien be imposed on the property and recorded in the public records of Palm Beach County, Florida.

**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 remain in violation, and ordered a lien be imposed on the property and recorded in the public records of Palm Beach County, Florida.

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

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 came into compliance on June 30, 2023. The Board imposed a fine of \$200, plus administrative costs. If Respondent fails to pay the fine within 30 days of the order, a lien will be imposed and recorded.

Motion by Board Member Cook, seconded by Vice Chair Sanchez; Motion approved (4-1). Board Member Hernandez opposed the motion.

10. Unfinished Cases/Fine Imposition Hearing

Case 23-0649 Mirzadeh Properties LLC
1550 Forest Hill Blvd
Lake Clarke Shores, FL 33406

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

The Respondent's property manager Ricardo Lopez was present. Based on the testimony and evidence presented for Sec. 34-19(9)(b), the Board determined the Respondent remains in violation, and extended the date to come into

compliance to November 27, 2023, or a fine of \$200 per day may be imposed until compliance is achieved.

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

Case 23-0577 Mina S. Meshreki, Faiza Y. Meshreki and
Michael S. Meshreki
1740 Carissa Road
Lake Clarke Shores, FL 33406

Sec. 125-767(b)(1) Semitruck in backyard.

The Respondents were not present. Based on the testimony and evidence presented for Sec. 125-767(b)(1), the Board determined the Respondents remain in violation, and imposed a fine of \$250 per day, plus administrative costs, commencing on September 26, 2023 until compliance is achieved.

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

Case 23-0578 Mina S. Meshreki, Faiza Y. Meshreki and
Michael S. Meshreki
1740 Carissa Road
Lake Clarke Shores, FL 33406

Sec.10-91(a) Covered patio installed without a permit.

The Respondents were not present. Based on the testimony and evidence presented for Sec. 10-91(a), the Board determined the Respondents remain in violation, and imposed a fine of \$100 per day, plus administrative costs, commencing on September 26, 2023 until compliance is achieved.

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

Case 23-0579 Mina S. Meshreki, Faiza Y. Meshreki and
Michael S. Meshreki
1740 Carissa Road
Lake Clarke Shores, FL 33406

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

The Respondents were not present. Based on the testimony and evidence presented for Sec. 10-91(a), the Board determined the Respondents remain in

violation, and imposed a fine of \$100 per day, plus administrative costs, commencing on September 26, 2023 until compliance is achieved.

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

Case 23-0580 Mina S. Meshreki, Faiza Y. Meshreki and
Michael S. Meshreki
1740 Carissa Road
Lake Clarke Shores, FL 33406

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

The Respondents were not present. Based on the testimony and evidence presented for Sec. 10-91(a), the Board determined the Respondents remain in violation, and imposed a fine of \$150 per day, plus administrative costs, commencing on September 26, 2023 until compliance is achieved.

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

Case 23-0581 Mina S. Meshreki, Faiza Y. Meshreki and
Michael S. Meshreki
1740 Carissa Road
Lake Clarke Shores, FL 33406

Sec.34-19(3) Barespots in the backyard.

The Respondents were not present. Based on the testimony and evidence presented for Sec. 34-19(3), the Board determined the Respondents remain in violation, and imposed a fine of \$100 per day, plus administrative costs, commencing on September 26, 2023 until compliance is achieved.

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

The Board allowed Joseph A. Simon whose Case Nos. 23-0455 and 23-0456 were already found in compliance to comment about his violations. He did not understand why he received a violation for inoperable/unregistered vehicle on his property. The Code Enforcement Officer explained the vehicle had not moved in the driveway for a long time and it was covered. He also mentioned Mr. Simon had previous violations for unregistered vehicles. Mr. Simon stated the vehicle was registered, he had not moved it in a year and a half, and he had to charge the car battery to be able to move the car. He suggested the Town Council consider revising the ordinance to clarify how long a vehicle can be parked in the driveway in the same space before a violation is issued.

The Board then allowed Timothy Daughtry whose Case Nos. 23-0497 and 23-0499 were already found in compliance to comment. Mr. Daughtry discussed his violations for outside storage and the re-sealing of his driveway. He mentioned he thought he had taken care of the outside storage and that it was unclear what he had to do about his driveway. He stated he contacted Erik but did not hear back from him. He then mentioned he had a conversation with Erik about not getting a phone call back.

Mr. Daughtry then complained the fines imposed for the other cases were too high. Chair Hughes explained the fines “may” be imposed and that the possibility of imposing a high fine increases compliance. Board Member Cook stated respondents only need to get in touch with Erik to know how to fix the violations. If respondents turn their back, there is nothing else the Board can do.

Mr. Daughtry then stated it was not necessary to issue many code violations to the same Respondent for work done without a permit (i.e. electrical, plumbing, etc.). Vice Chair Sanchez said respondents who did work without a permit should have had a permit in the first place. Instead, they decided to not follow the rules. Mr. Daughtry did not understand why permits are required for certain work and not others.

Chair Hughes asked Mr. Daughtry to summarize his complaints. Mr. Daughtry said he wants the Board to fine less and be less heavy-handed. Board Member Cook said it was time to move on because there was a long agenda.

Case 23-0677 Milaidy Delgado Espinosa and Milagros Espinosa Moreno
7026 Pine Tree Lane
Lake Clarke Shores, FL 33406

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

The Respondents were not present. Based on the testimony and evidence presented for Sec. 10-91(a), the Board determined the Respondents remain in violation, and imposed a fine of \$200 per day, plus administrative costs, commencing on September 26, 2023 until compliance is achieved.

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

Case 23-0678 Milaidy Delgado Espinosa and Milagros Espinosa Moreno
7026 Pine Tree Lane
Lake Clarke Shores, FL 33406

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

The Respondents were not present. Based on the testimony and evidence presented for Sec. 10-91(a), the Board determined the Respondents remain in

violation, and imposed a fine of \$200 per day, plus administrative costs, commencing on September 26, 2023 until compliance is achieved.

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

Case 23-0679 Milaidy Delgado Espinosa and Milagros Espinosa Moreno
7026 Pine Tree Lane
Lake Clarke Shores, FL 33406

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

The Respondents were not present. Based on the testimony and evidence presented for Sec. 10-91(a), the Board determined the Respondents remain in violation, and imposed a fine of \$200 per day, plus administrative costs, commencing on September 26, 2023 until compliance is achieved.

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

Case 23-0680 Milaidy Delgado Espinosa and Milagros Espinosa Moreno
7026 Pine Tree Lane
Lake Clarke Shores, FL 33406

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

The Respondents were not present. Based on the testimony and evidence presented for Sec. 10-91(a), the Board determined the Respondents remain in violation, and imposed a fine of \$200 per day, plus administrative costs, commencing on September 26, 2023 until compliance is achieved.

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

11. Continued Cases

Case 23-0034 David A. Jaynes
8311 Waterway Drive
Lake Clarke Shores, FL 33406

Sec. 34-19(9)(a), 34-20 Nuisance to neighboring property – mosquitos/rats, pool is unsanitary.

The Respondent was present. Based on the testimony and evidence presented for Sec. 34-19(9)(a) and 34-20, the Board will hold a status conference lien imposition hearing at the next Code Enforcement Board Hearing on October 25,

2023. They requested the Respondent apply for a permit for the pool pump and let the Code Enforcement Officer inspect the property for compliance.

12. New Cases

Case 23-0518 Confidential
7127 West Lake Drive
Lake Clarke Shores, FL 33406

Sec. 34-19(9)(b) The vacant lot needs to be re-sealed.

The Respondent was not present. Based on the testimony and evidence presented for Sec. 34-19(9)(b), the Board continued the case until the December 6, 2023 Code Enforcement Board Hearing. The Board requested that the Zoning Official review and research all issues related to the lot, i.e. drainage, existing non-conformity, type of lot(s) (separate vacant lot), and bring back his findings during the December 6, 2023 Hearing.

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

Case 23-0519 Confidential
7127 West Lake Drive
Lake Clarke Shores, FL 33406

Sec. 125-767(b)(7) There are two vehicles on the lot with expired registrations

The Respondent was not 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 October 25, 2023, or a fine of \$50 per day may be imposed until compliance is achieved.

Motion by Vice Chair Sanchez, seconded by Board Member Moody; Motion approved (4-1). Board Member Hernandez opposed the motion.

Case 23-0458 Patrick D. Langford
7630 West Lake Drive
Lake Clarke Shores, FL 33406

Sec. 34-19(4) Trees/Vegetation need to be trimmed.

The Respondent was not present. Based on the testimony and evidence presented for Sec. 34-19(4), the Board determined the Respondent is in violation, and the Respondent must come into compliance by the next Code

Enforcement Board Hearing on October 25, 2023, or a fine of \$50 per day may be imposed until compliance is achieved.

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

Case 23-0459 Patrick D. Langford
7630 West Lake Drive
Lake Clarke Shores, FL 33406

Sec. 34-19(3) Un-grassed areas need re-sodding.

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 the Respondent must come into compliance by the next Code Enforcement Board Hearing on October 25, 2023, or a fine of \$50.00 per day may be imposed until compliance is achieved.

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

Case 23-0427 Idelbis L. Sanchez
1425 Mediterranean Road East
Lake Clarke Shores, FL 33406

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

The Respondent was not present. Based on the testimony and evidence presented for Sec. 34-19(9)(b), the Board dismissed the case without prejudice.

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

Case 23-0583 Idelbis L. Sanchez
1425 Mediterranean Road East
Lake Clarke Shores, FL 33406

Sec. 125-479 Pigeons cannot be housed or harbored.

The Respondent was not present. Based on the testimony and evidence presented for Sec. 125-479, the Board determined the Respondent is in violation, and the Respondent must come into compliance by October 3, 2023, or a fine of \$200 per day may be imposed until compliance is achieved.

Motion by Vice Chair Sanchez, seconded by Board Member Cook; Motion approved (4-1). Board Member Hernandez opposed the motion.

Case 23-0575 Stacey L. Vandenberg
7518 Alpha Court East
Lake Clarke Shores, FL 33406

Sec. 10-91(a) Property gate installed 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 October 10, 2023, or a fine of \$100 per day may be imposed until compliance is achieved.

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

Case 23-0576 Stacey L. Vandenberg
7518 Alpha Court East
Lake Clarke Shores, FL 33406

Sec. 10-91(a) Garage door worked on 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 October 10, 2023, or a fine of \$100 per day may be imposed until compliance is achieved.

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

Case 23-0585 Stacey L. Vandenburg
7518 Alpha Court East
Lake Clarke Shores, FL 33406

Sec. 125-263(8) House address numbers are needed on the home.

The Respondent was not 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 October 10, 2023, or a fine of \$200 per day may be imposed until compliance is achieved.

Motion by Vice Chair Sanchez, seconded by Board Member Cook; Motion approved (4-1). Board Member Hernandez opposed the motion.

Case 23-0661 Best Lighting Electric Inc.
1812 Barbados Road
Lake Clarke Shores, FL 33406

Sec. 10-91(a) Structural work 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 October 10, 2023, or a fine of \$250 per day may be imposed until compliance is achieved.

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

Case 23-0662 Best Lighting Electric Inc.
1812 Barbados Road
Lake Clarke Shores, FL 33406

Sec. 10-91(a) Electrical work 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 October 10, 2023, or a fine of \$250 per day may be imposed until compliance is achieved.

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

Case 23-0663 Best Lighting Electric Inc.
1812 Barbados Road
Lake Clarke Shores, FL 33406

Sec. 10-91(a) Mechanical work 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 October 10, 2023, or a fine of \$250 per day may be imposed until compliance is achieved.

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

Case 23-0664 Best Lighting Electric Inc.
1812 Barbados Road
Lake Clarke Shores, FL 33406

Sec. 10-91(a) Plumbing work 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 October 10, 2023, or a fine of \$250 per day may be imposed until compliance is achieved.

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

Case 23-0703 Centre Place Professional
1495 Forest Hill Blvd
Lake Clarke Shores, FL 33406

Sec. 34-19(4) Back of the property is overgrown.

The Respondent was not present. Based on the testimony and evidence presented for Sec. 34-19(4), the Board determined the Respondent is in violation, and the Respondent must come into compliance by October 3, 2023, or a fine of \$250 per day may be imposed until compliance is achieved.

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

13. Board Comments, Suggestion and Updates

Chair Hughes asked whether any of the board members have felt or been threatened in the past because of their role on the Code Enforcement Board. The members responded no. Chair Hughes mentioned he was told a former board member was followed home after a hearing and was upset.

A. Code Enforcement Board Proposed Fine Guidelines – Paul Hughes

Chair Hughes mentioned there had been concerns of inconsistency of fines imposed for the same violation. He offered proposed fine guidelines for Board consideration. He asked the Town Attorney whether the Board was allowed to have guidelines. The Attorney responded affirmatively.

Board Member Hernandez thanked Chair Hughes for his work and liked the guidelines.

Board Member Cook asked that this item be added to the next Agenda to give members time to review.

Vice Chair Sanchez opined the fines must be strict especially when no work is being done or no contact has been made with the Code Enforcement Officer.

Board Member Hernandez explained that he agreed with the other board members in the past to impose high fines to increase timely compliance because he was under the impression that once compliance is achieved, the Board would reduce the fine. However, he explained the Board has not sufficiently reduced the fines.

Chair Hughes reiterated that the guidelines would improve consistency especially when there is a change in the membership of the Board.

Board Member Cook asked whether the inspection was done before 8001 S. Lake Drive was sold. The Code Enforcement Officer responded affirmatively.

14. Adjournment

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

Meeting adjourned at 9:25 p.m.

Paul Hughes, Chair

Emilie Pearson, Recording Clerk