

**AGENDA  
TOWN OF LAKE CLARKE SHORES  
TOWN COUNCIL MEETING  
SEPTEMBER 28, 2021**

*Immediately following the LPA Hearing*

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**1. Call to Order**

A. Roll Call

Paul R. Shalhoub., Mayor  
Robert M. W. Shalhoub, Vice Mayor  
Gregory Freebold, President Pro Tem  
Valentin Rodriguez, Jr, Council Member  
Albert Pavon, Council Member

B. Moment of Silence, Invocation, Pledge of Allegiance  
*(moved to Second Public Hearing 2021/2022 Town Budget Agenda)*

**2. Approval of Agenda**

**3. Consent Agenda**

Matters in this section of the Agenda are proposed and recommended by the Town Administrator for “Consent Agenda” approval of the action indicated in each item, with all of the accompanying material to become a part of the Public Record.

- A. Approval of the Minutes of the September 13, 2021 First Public Hearing 2021-2022 Budget
- B. Approval of the Minutes of the September 13, 2021 Town Council Meeting.
- C. Approval of Resolution 2021-30 – Approving 2020/2021 Budget Transfers

**4. Presentations**

A. None

**5. Quasi-Judicial Proceedings**

A. 7432 Pine Tree Lane Variance Request

- 1. Presentation by Town of request and recommendation of ZBA – Charles Schoech

2. Presentation by Applicant – Nicholas Octavi and Samantha Gallegos
3. Public Hearing
4. Rebuttal by Applicant if Necessary
5. Council Comments
6. Council Conclusion (Findings of Fact and Conclusion of Law)

## **6. Public Hearing**

- A. None

## **7. Unfinished Business**

- A. Second and Final Reading of Ordinance 2021-05 – Amending Chapter 2 Administration Article IV. Code Enforcement.

### **ORDINANCE NO. 2021-05**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, AMENDING CHAPTER 2 – ADMINISTRATION, ARTICLE IV. – CODE ENFORCEMENT IN PART TO REVISE THE JURISDICTION OF THE CODE ENFORCEMENT BOARD AND THE BOARD MEMBERS VACANCY AND ATTENDANCE; TO REVISE THE CITATION SYSTEM BY PROVIDING FOR HEARING IN FRONT OF CODE ENFORCEMENT BOARD INSTEAD OF COUNTY COURT; TO ADD OPTIONS OF PERSON CITED; TO INCLUDE HEARING PROCEDURE BEFORE THE BOARD, COLLECTION AND RECOVERY OF CIVIL PENALTIES; TO REVISE THE CIVIL PENALTY SCHEDULE; TO PROVIDE FOR APPEAL; PROVIDING AUTHORITY TO CODIFY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

- B. Second and Final Reading of Ordinance 2021-08 – Amending various sections of Chapter 125 Zoning to include day care as a special exception in the Single-Family Residential (SF) District.

### **ORDINANCE NO. 2021-08**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, AMENDING CHAPTER 125**

**ZONING OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE CLARKE SHORES, ARTICLE I. IN GENERAL, SECTION 125-1. DEFINITIONS; ARTICLE VI. DISTRICTS, DIVISION 2. SINGLE-FAMILY RESIDENTIAL (SF) DISTRICT, SECTION 125-292. SPECIAL EXCEPTIONS, SECTION 125-300. MINIMUM OFF-STREET LOADING AND PARKING REQUIREMENTS AND SECTION 125-301. LIMITATION ON SIGNS TO INCLUDE PROVISIONS FOR DAY CARE FACILITIES, CHILD OR ADULT; PROVIDING AUTHORITY TO CODIFY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

- C. Second and Final Reading of Ordinance 2021-09 – Amending Chapter 125 Zoning and Chapter 121 Vegetation to make definitions consistent in both chapters and to clarify that grass would include artificial turf.

**ORDINANCE NO. 2021-09**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, AMENDING CHAPTER 125 ZONING OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE CLARKE SHORES, ARTICLE I. IN GENERAL, SECTION 125-1. DEFINITIONS, AND AMENDING CHAPTER 121 VEGETATION, ARTICLE II. LANDSCAPING, SECTION 121-19 DEFINITIONS, TO MAKE THE DEFINITIONS CONSISTENT IN BOTH CHAPTERS AND TO CLARIFY THAT GRASS INCLUDES ARTIFICIAL GRASS; PROVIDING AUTHORITY TO CODIFY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**8. New Business**

- A. First Reading of Ordinance 2021-10 – Amending the Town of Lake Clarke Shores Comprehensive Plan by Revising Policy 3.10.1 of the Land Use Element and adding Element 13. Property Rights.

**ORDINANCE NO. 2021-10**

**AN ORDINANCE OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, APPROVING THE FOLLOWING AMENDMENTS TO THE TOWN OF LAKE CLARKE SHORES COMPREHENSIVE PLAN: (1) THE REVISION POLICY 3.10.1 TO THE LAND USE ELEMENT TO PROVIDE FOR IMPROVED TRANSITIONAL USES ON FOREST HILL BOULEVARD; AND (2) THE ADDITION OF COMPREHENSIVE PLAN ELEMENT 13 PROPERTY RIGHTS;**

**PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION  
AND AN EFFECTIVE DATE.**

**9. Audience Comments**

Individual speakers will be limited to 3-minute presentations (At the discretion of the Mayor, this 3-minute allowance may need to be adjusted depending on the level of business coming before the Town Council.)

- A. Emailed Questions/Comments
- B. Written Questions/Comments
- C. Verbal Questions/Comments

**10. Status Report**

*No status reports to present at this meeting. Status Reports will be provided for the October 12, 2021 Town Council Meeting.*

**11. Council Comments**

**12. Adjournment**

Notice: If an individual decides to appeal any decision made by the Town Council with respect to this meeting, he/she will need a record of the proceedings and for this purpose, he/she needs to ensure that a verbatim record of the proceedings is made (286.0105, Fla. Stat.). The Town of Lake Clarke Shores does not prepare or provide such verbatim record. Pursuant to the provisions of the Americans with Disabilities Act (ADA), any person requiring special accommodations to participate in this meeting, should advise the Town at least two (2) calendar days before the meeting by contacting the Town Clerk at (561) 964-1515, Ext. 1110.