

**AGENDA
TOWN OF LAKE CLARKE SHORES
CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2008
6:30 PM**

Joseph George, Chairman	Paul Hughes, Vice Chairman	Michelle Daniels, Member
Spencer Wilson, Member	Ted Berghaus, Member	Louise Bing, Member
Patrick Ward, Member	Chris Costanzo, Alternate	Timothy Daughtry, Alternate

I. MEETING CALLED TO ORDER

II. ROLL CALL AND PLEDGE TO FLAG

AGENDA TENTATIVE -
SUBJECT TO REVISION

III. APPROVAL OF AGENDA

IV. CONSENT AGENDA

- a. Approval of Minutes of August 27, 2008 Code Enforcement Board Hearing
- b. Unfinished cases now in compliance:
- c. New cases on agenda now in compliance:

V. DISCLOSURE OF VISIT

VI. SWEARING IN OF WITNESSES BY ATTORNEY

VII. UNFINISHED CASES/FINE REDUCTION HEARING

CASE #08-1341

Angela Godbout
7831 Pine Tree Lane
Lake Clarke Shores FL 33406

Sec. 26-26 (3) Inadequate ground cover

At the August 27, 2008 Code Enforcement Board Hearing, the Respondent, Angela Godbout, was present and had the option to request a Fine Reduction during the Lien Imposition portion of the Hearing. Ms. Godbout did not make this request, so the Board gave Ms. Godbout until September 24, 2008 to pay the fine of \$1375.00. If the fine was not paid within the time specified, a lien will be recorded against the property. At the end of the Code Enforcement Board Hearing, Mr. Shane Weaver, attorney for the Legal Aid Society who was present for another case, stated that he

spoke to Ms. Godbout and she requested that he speak on her behalf. He requested that the Board reopen the case, reconsider its earlier decision and reduce the fine. No one on the Board made a motion to reopen the case. The request was not considered and the original order remained. The Town then received a letter from Mr. Edward Godbout requesting the Code Enforcement Board to reconsider the motion imposing the fine. He is requesting to be reheard and asking for a fine reduction.

VIII. UNFINISHED CASES/FINE ASSESSMENT HEARING

CASE #08-1348

Esmorelda & William Fallacaro
7131 Pine Tree Lane
Lake Clarke Shores FL 33406

Sec. 26-26 (3) Inadequate ground cover

The Respondent was cited for this violation on March 28, 2008. The case was first brought before the Code Enforcement Board on May 28, 2008. During prior Code Enforcement Board Hearings, the Board found the Respondents in violation and gave them extended amounts of time to comply. At the August 27, 2008 Code Enforcement Board Hearing, the Board gave the Respondents until September 24, 2008 to come into compliance or a fine of \$25.00 per day will be imposed for each day the violation continues to exist, with the fine being retroactive to May 28, 2008.

CASE #08-1695

Karen Gorham
1830 Antigua Road
Lake Clarke Shores FL 33406

Sec. 26-26 (3) Pool in unsanitary condition

At the August 27, 2008 Code Enforcement Board Hearing, the Board found the Respondent in violation and gave her until September 11, 2008 to come into compliance or a fine of \$25.00 per day will be imposed for each day the violation continues to exist, with the fine being retroactive to August 27, 2008. The Respondent purchased chemicals and treated the pool within the time frame given. Ms. Dana Schack will check the pool prior to the Code Enforcement Board Hearing, to verify that the pool remains in compliance.

CASE #08-1709

James Barby
7011 Haden Road
Lake Clarke Shores FL 33406

Sec. 26-56 Tree stump in yard

At the August 27, 2008 Code Enforcement Board Hearing, the Board found the Respondent in violation and gave him until September 24, 2008 to come into compliance or a fine of \$50.00 per day will be imposed for each day the violation continues to exist, with the fine being retroactive to July 3, 2008.

VIII. UNFINISHED CASES/FINE ASSESSMENT HEARING (CONT.)

CASE #08-1704

James Barby
7011 Haden Road
Lake Clarke Shores FL 33406

Sec. 26-26 (7) Outside storage

At the August 27, 2008 Code Enforcement Board Hearing, the Board found the Respondent in violation and gave him until September 24, 2008 to come into compliance or a fine of \$50.00 per day will be imposed for each day the violation continues to exist, with the fine being retroactive to August 27, 2008.

CASE #08-1708

Scott Durrance
6600 Pine Tree Circle
Lake Clarke Shores FL 33406

Sec. 26-211, 26-216 & 26-245 Attractive nuisance

At the August 27, 2008 Code Enforcement Board Hearing, the Board found the Respondent in violation and gave him until September 24, 2008 to come into compliance or a fine of \$100.00 per day will be imposed for each day the violation continues to exist, with the fine being retroactive to July 3, 2008.

CASE #08-1706

Scott Durrance
6600 Pine Tree Circle
Lake Clarke Shores FL 33406

Sec. 26-26 (3) Inadequate ground cover, mounds of dirt, loose dirt, un-grassed areas

At the August 27, 2008 Code Enforcement Board Hearing, the Board found the Respondent in violation and gave him until September 24, 2008 to come into compliance or a fine of \$50.00 per day may be imposed for each day the violation continues to exist, with the fine being retroactive to July 3, 2008.

CASE #08-1707

Scott Durrance
6600 Pine Tree Circle
Lake Clarke Shores FL 33406

Sec. 26-26 (4) Uncontrolled growth of vegetation and weeds

At the August 27, 2008 Code Enforcement Board Hearing, the Board found the Respondent in violation and gave him until September 24, 2008 to come into compliance or a fine of \$50.00 per day will be imposed for each day the violation continues to exist, with the fine being retroactive to August 27, 2008.

IX. NEW CASES

CASE #08-1798

Jorge Garcia
8045 South Lake Drive
Lake Clarke Shores FL 33406

Sec. 26-26 (3) Trim on house needs paint

CASE #08-17989

Jorge Garcia
8045 South Lake Drive
Lake Clarke Shores FL 33406

Sec. 26-26 (4) Overgrowth of vegetation

XI. BOARD COMMENTS, SUGGESTIONS AND UPDATES

XII. ADJOURNMENT

If an individual decides to appeal any decision made by the Code Enforcement Board with respect to this meeting, a verbatim transcript may be required. If so, the individual should make provisions for a transcript to be made at the meeting (Ref. F.S.S. 286.0105). Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting, please advise the Town at least two (2) calendar days before the hearing by contacting Jo H. Plyler at (561) 964-1515 ext. 10.