

**MEETING MINUTES
THE CITY OF LAKE MARY, FLORIDA
CODE ENFORCEMENT BOARD HEARING
100 N. COUNTRY CLUB ROAD, LAKE MARY, FL 32746
July 19, 2016**

1 **1. Call to Order**

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3 The meeting was called to order at 7:00 p.m.
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6 **2. Pledge of Allegiance**

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9 **3. Attendance:** Taylor Tremel – absence excused

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11 Mr. Hall asked if members are supposed to notify Chairmen for absence. A procedure
12 had been set forth, as it relates to this Board, that notification be made via Email to both
13 the Chairman and Code Enforcement Officer.
14

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16 **4. Roll Call – Determination of a Quorum**

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18 The following members were present:

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20 Joel Ivey
21 Allan Hall
22 Linda Binkley
23 Jordan Smith
24 Scott Vogt
25 Henry Scarfo

26
27 Bruce Fleming – Code Enforcement Officer
28 Vivian Cocotas – Code Enforcement Board Attorney
29 Anne Nieto – Recording Secretary
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32 **5. Approval of Minutes**

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34 **MOTION:** To approve the minutes from the March 15, 2016 meeting.

35 **Motion:** H. Scarfo; Second: A. Hall; Unanimous
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38 **6. Oath**

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41 **7. Case Updates – No case updates**

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44 **8. Compliance Hearings – No Compliance Hearings.**

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47 **9. OLD BUSINESS – No old business.**

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50 **10. NEW BUSINESS:**
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52 **Case 16-0337 City of Lake Mary vs ACP/DLF Primera LLC & Liberty Mutual**
53 **Insurance, 255 Primera Blvd, Lake Mary FL 32746, Title XI Business**
54 **Regulations, Chapter 111 Business Taxes, §111.01 Levy of Tax (Receipt**
55 **Required) & §111.14 Display Required.**
56

57 Case was withdrawn.
58

59 **Case 16-1111 City of Lake Mary vs Aggressive Tree Services (Matthew**
60 **Hendricks) & Gerald Martin, 216 Washington Ave, Lake Mary FL 32746, Title**
61 **XV Land Usage, Chapter 154 Zoning Code, §154.81 (Home Occupations)**
62 **Conditions Limitations and Restrictions.**
63

64 On or about October 2015, office received anonymous complaint about noise being
65 generated at the address. The issue was a Home Occupation or Home Office/Business
66 for Aggressive Tree Service that were parking their equipment at that location, to include
67 bringing employees of the organization to the location at early hours in the morning.
68 Complaint also stated that due to the noise that was generated in the middle of the night,
69 when parking vehicles on the property, the backup alarm would sound and would
70 awaken you from sleep. Mr. Fleming stated that since it was an anonymous complaint
71 there was not enough information to make a case. It would then be tabled until March
72 2016, at which time contact was made with complainant regarding issues. Apparently
73 this was occurring 'After Hours', normal work hours are 7:30 am until 4:30 pm. The
74 several instances where Code Enforcement checked on the situation, the vehicles were
75 never there, which made the complainant take it upon herself to take photos of the
76 activity and forward photos to Code Enforcement. Mr. Fleming explains photos/slides,
77 some as current as the 15th of July. The City request that the Board find this
78 individual/property/tenant has violated the provisions of the Home Occupation ordinance,
79 specifically the conditions, limitations, and restrictions for running a Home Office at your
80 residency. Property is zoned as Residential 1a, where oversized vehicles would not be
81 allowed. Prohibited in that zoning area however that matter is not before the Board
82 today, only the violation of Home Occupation. Additionally the City will request that the
83 Board, in their motion make a recommendation to the Office of the City Clerk to revoke
84 this home/office permit from this individual.
85

86 Slides were shown and entered into evidence.
87

88 **MOTION:** To find the resident non-compliant of the Occupational License.

89 **MOTION:** L. Binkley; Second: H. Scarfo; Unanimous
90

91 Vogt proposed an amendment to the Motion: To use the exact Code Violation 154.1.
92 Amendment was seconded by _____; Unanimous
93

94 **MOTION:** The Board ask the City Clerk to consider revoking the Home Occupation
95 License at 216 Washington Ave for the address of Tree Services.

96 **MOTION:** H. Scarfo; Second: L. Binkley; Unanimous
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98 Motion amended by H. Scarfo to say 'revoked' instead of 'consider'; Second: L. Binkley;
99 Unanimous
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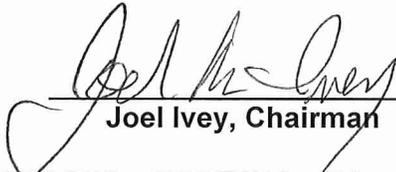
Case 16-1151, City of Lake Mary vs. Raul & Alma Zavala, 230 W Seminole Ave, Lake Mary FL 32746, Title IX General Regulations, Chapter 91 Health and Public Safety, §91.66 Disabled Vehicles.

Case was withdrawn.

Case 16-1455, City of Lake Mary vs. Jorge Tellez, 139 N Hollis Street, Lake Mary FL 32746, Title IX General Regulations, Chapter 91 Health and Public Safety, §91.66 Disabled Vehicles.

Case was withdrawn.

- 11. **OPEN DISCUSSION:** Nothing for discussion.
- 12. **SETTING OF NEXT MEETING:** The next meeting will be held September 20, 2016.
- 13. **ADJOURNMENT:** A. Hall moved to adjourn the meeting at 7:30 P.M.



Joel Ivey, Chairman



Anne Nieto, Secretary

NOTE: PERSONS DESIRING TO APPEAL ANY DECISION MADE AT THESE PROCEEDINGS, ARE REQUIRED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH INCLUDES THE TESTIMONY EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED; SECTION 285.0105, FLORIDA STATUTES.