

**MEETING MINUTES
THE CITY OF LAKE MARY, FLORIDA
CODE ENFORCEMENT BOARD HEARING
100 N. COUNTRY CLUB ROAD, LAKE MARY, FL 32746
September 15, 2015**

1 **1. Call to Order**

2
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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8
9 **3. Attendance:** All members present.

10
11 **4. Roll Call – Determination of a Quorum**

12 The following members were present:

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14
15 Linda Binkley
16 Allan Hall
17 Joel Ivey
18 Henry Scarfo
19 Jordan Smith
20 Taylor Tremel
21 Scott Vogt

22
23 Bruce Fleming – Code Enforcement Officer
24 Bill Reischman - Code Enforcement Board Attorney
25 Julia Brown – Recording Secretary
26

27
28 **5. Approval of Minutes**

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30 **MOTION:** To approve the minutes from the July 21, 2015 meeting.

31 **Motion:** Hall; Second: Scarfo, unanimous
32

33 **6. Oath**

34
35 **7. Case Updates**

36
37 **Case 15-1770 City of Lake Mary vs Alexandre & Lida Tkatcheva, 809 Lake**
38 **Como Drive, Title XV Land Usage, Chapter 157 Landscape and Arbor**
39 **Regulations, \$157.12 Permit Required.**

40
41 Lien of \$1,750 imposed for tree removal without permit; paid in full along with
42 administrative fees.
43
44

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45 **8. Compliance Hearings:**

46
47 **Case 15-1655 City of Lake Mary vs PHH Mortgage Corporation & Matthew**
48 **Maskal, 246 Bowling Green Court, Lake Mary FL 32746, Title IX General**
49 **Regulations, Chapter 91 Health and Public Safety, §91.75 Property**
50 **Maintenance Code (D) General Requirements.**

51
52 The Board set fines at previous meeting of \$200/day for unregistered property in
53 foreclosure, and \$200/day for overgrowth of yard, debris and dirty pool. Property
54 was registered within the timeframe set at last board meeting. The property still
55 has yard overgrowth, debris and dirty pool and remains non-compliant on that
56 issue with fine of \$200/day running.

57
58 Mr. Michael Brown, PH&H Mortgage, 2727 W. Cypress Creek Road, Ft.
59 Lauderdale, requested additional time to investigate situation and see if contact
60 can be made with Mr. Matthew Maskal to obtain permission to enter property and
61 bring into compliance. He also noted that Mrs. Maskal has obtained legal
62 counsel regarding this matter.

63
64 The Board Attorney noted that the fine could run as ordered and be negotiated at
65 a later date.

66
67 **MOTION:** To proceed with fine of \$200 per day (now totaling \$6,600, with 33
68 days of non-compliance); fine to run until resolved.

69 **MOTION:** Scarfo; Second: Tremel; unanimous

70
71
72 **9. OLD BUSINESS – No old business.**

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75 **10. NEW BUSINESS:**

76
77 **Case 15-0389 City of Lake Mary vs Trinity Management Group LLC, 788**
78 **Lake Como Drive, Lake Mary FL 32746, Title XV Land Usage, Chapter 154**
79 **Zoning Code, §154.80 Home Occupations; §154.81 Conditions, Limitations**
80 **and Restrictions & §154.82 Home Occupation License Required**

81
82 CEB Officer Fleming informed the Board of a complaints received regarding
83 operation of a bounce house business at that address. Notice was sent to
84 property owner, Steve Jensen, at that address. A complaint email was included
85 in the meeting Agenda packet. Officer Fleming noted that there were 8 – 10
86 bounce houses in the garage, and slides of the garage were submitted into
87 evidence as Exhibit 1.

88
89 Candace Renton, renter at 788 Lake Como Drive, gave testimony. Ms. Renton
90 stated that they do own bounce houses and explained that they have a large

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91 family and use them to have family parties for events such as birthdays and
92 graduations about every six weeks. She stated they receive no income for that.

93
94 She said that over the weekend they moved all bounce houses off the property.
95 She offered pictures to show they had been removed but the pictures were on
96 her cell phone so the board was unable to view.

97
98 Mr. Louis Renton, same address, was sworn in and gave testimony that he was
99 only notified by the landlord the previous Friday that the hearing was 9/15/15.
100 Mr. Renton stated that he does not collect any money whatsoever for the activity.

101
102 Mrs. Renton was asked if it was her sworn testimony that they are not running a
103 business at that address, and she affirmed.

104
105 **MOTION:** The Board finds no violation of Home Occupation License.

106 **MOTION:** Scarfo; Second: Hall; motion passes with six ayes and one nay
107 (Smith).

108
109
110 **Case 15-1516 City of Lake Mary vs Jerome Jandula, 157 Washington**
111 **Avenue, Lake Mary FL 32746, Title IX General Regulations, Chapter 91**
112 **Health and Public Safety, §91.66 Disabled Vehicles.**

113
114 Case continued, to be brought to next meeting. (See Motion listed under Case
115 15-2425)

116
117
118 **Case 15-1668 City of Lake Mary vs Fairwinds Credit Union (Attn: Phil**
119 **Tischer), 109 Crystal Ridge Court, Lake Mary FL 32746, Title IX General**
120 **Regulations, Chapter 91 Health and Public Safety, §91.75 Property**
121 **Maintenance Code.**

122
123 Case continued, to be brought to next meeting. (See Motion listed under Case
124 15-2425)

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126
127 **Case 15-2014 City of Lake Mary vs Bank of America (c/o Ocwen Loan**
128 **Servicing), 316 Grand Valley, Lake Mary FL 32746, Title IX General**
129 **Regulations, Chapter 91 Health and Public Safety, §91.75 Property**
130 **Maintenance Code (D) General Requirements.**

131
132 CEB Officer Fleming presented slides which were entered into evidence as
133 Exhibit 1. The abandoned property, which is now owned by the bank, had yard
134 overgrowth and debris issues, which have been cleared up. Additionally there
135 was a dirty pool with green water and overgrowth in the pool area, which has not

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136 been addressed. The pool's screen enclosure is damaged so there is no secure
137 barrier to the pool.

138
139 **MOTION**: To find the property non-compliant.

140 **MOTION**: Binkley; Second: Smith; unanimous

141
142 **MOTION**: To give the property owner 24 hours to secure and clean or drain the
143 pool. A fine is to be imposed in the amount of \$250 per day of non-compliance.

144 **MOTION**: Binkley; Second: Scarfo; unanimous

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146
147 **Case 15-2425 City of Lake Mary vs The Bank of New York (c/o Specialized**
148 **Loan Servicing), 444 Alinole Loop, Title IX General Regulations, Chapter 91**
149 **Health and Public Safety, §91.75 Property Maintenance Code (D) General**
150 **Requirements.**

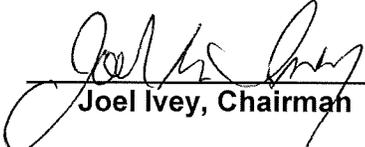
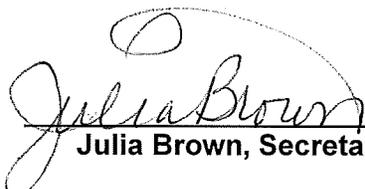
151
152 **MOTION**: To continue **Case 15-2425**, along with **Cases 15-1516 and 15-1668**, to be
153 brought before the Board at the next meeting.

154 **MOTION**: Hall; Second: Binkley; unanimous

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157 **11. OPEN DISCUSSION**: Discussion ensued as to time allowed to property owners to
158 remedy non-compliant issues before fines are imposed.

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161 **12. SETTING OF NEXT MEETING**: The next meeting will be held November 17, 2015.

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164 **13. ADJOURNMENT**: Allen Hall moved to adjourn the meeting at 8:00 P.M.

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Joel Ivey, Chairman Julia Brown, Secretary

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