



LAKE MARY CODE ENFORCEMENT BOARD

**Lake Mary City Hall
100 N. Country Club Road**

Regular Meeting AGENDA

TUESDAY, MAY 21, 2024 7:00 PM

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call - Determination of Quorum**
- 4. Approval of Minutes - March 19, 2024 Meeting**
 - A. Meeting Minutes - March 19, 2024**
- 5. Oath**
- 6. Case Updates**
- 7. Old Business (Compliance Hearing)**
 - A. Case 24-0095 City of Lake Mary vs Joyce K Mitchell & John Wayne Witt, 321 Oak Leaf Circle, Lake Mary FL 32746, Title IX General Regulations, Chapter 91 Health and Public Safety, §91.66 Disabled Vehicle**
 - B. Case 24-0503 City of Lake Mary vs Isai Vargas, 312 N Country Club Rd., Lake Mary FL 32746, Title XV Land Usage, Chapter 150 Building Code, §150.06 Building Permits**
- 8. New Business**
 - A. Case 22-2297 City of Lake Mary vs Edward B Wilson, 379 Lakeview Ave., Lake Mary FL 32746, REPEAT VIOLATION, Title IX General**

Regulations, Chapter 91 Health and Public Safety, §91.75 Property Maintenance Code (D) General Requirements

- B. Case 24-0878 City of Lake Mary vs Diep Nguyen & David Robert Foster Jr. 210 Seminole Ave., Lake Mary FL 32746, Title XV Land Usage, Chapter 154 Zoning Code, §154.82 Home Based Business Tax Receipt Required**

- 9. Open Discussion**
- 10. Next Scheduled Meeting: July 16, 2024**
- 11. Adjournment**

NOTE: IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED, FLORIDA STATUTES 286.0105.

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY ADA COORDINATOR AT LEAST 48 HOURS IN ADVANCE OF THE MEETING AT 407-585-1424.

MATERIALS AND EXHIBITS RELATED TO THE AGENDA ITEMS WERE PREVIOUSLY PROVIDED TO THE MEMBERS OF THE CODE ENFORCEMENT BOARD. A COPY OF THE MATERIALS AND EXHIBITS ARE AVAILABLE UPON REQUEST.

MEETING MINUTES – MAY 21, 2024
THE CITY OF LAKE MARY, FLORIDA
CODE ENFORCEMENT BOARD HEARING
100 N. COUNTRY CLUB ROAD, LAKE MARY, FLORIDA 32746

1. Call to Order

The meeting was called to order at 7:00 p.m.

2. Pledge of Allegiance

3. Roll Call – Determination of a Quorum

a. The following members were present/absent:

Henry Scarfo, Chairman

Richard Schulz, Vice Chair – absent (traveling on business)

George Distler – absent (illness)

David Vallillo

Timothy Vogt – absent (traveling on business)

Kevin Walsh

Daniel Lopez

Bruce Fleming – Code Enforcement Official

Jennifer Nix – Code Enforcement Board Attorney

Brenda Vazquez – Recording Secretary

Chairman Scarfo excused absences above.

4. Approval of Minutes

A motion to approve the minutes was made by Daniel Lopez and seconded by David Vallillo. The motion was passed unanimously.

5. Oath

a. Chairman Henry Scarfo requested Oath be given to Bruce Fleming, Code Enforcement Officer and respondents. The Oath was accepted by everyone.

6. Case Updates

No case updates.

7. Old Business

Case 24-0095 City of Lake Mary vs Joyce K Mitchell & John Wayne Witt

Chairman Scarfo advised we have two compliance hearings, known as Massey hearings. It is not up to the board to decide today whether the respondents are in compliance or non-compliance, as these decisions have already been made. This meeting today is to determine whether to continue with the fine, reduce the fine or proceed with another action.

Code Enforcement Officer, Bruce Fleming, advised the board, the respondent was found to be in non-compliance during the March 19th meeting. A fine of \$200 a day was imposed effective May 17, 2024, if the violation was not brought into compliance.

Bruce Fleming informed the board the respondent still remains in non-compliance. The vehicle in question has not yet been registered and remains a disabled vehicle. Bruce entered a slide presentation as evidence, which was accepted by Chairman Scarfo.

Mr. Witt stated he submitted all of the necessary paperwork, with the assistance of Officer Claudia Umana, to the North Carolina Department of Motor Vehicles. The DMV sent the forms back to Mr. Witt and informed him the paperwork he submitted was completed incorrectly. The DMV provided him with an additional form to assist with expediting the process. Mr. Witt advised as soon as he receives the title, he will register the vehicle.

David Vallillo made a motion to continue to find Mr. Witt in non-compliance with the violation. Kevin Walsh seconded the motion. The motion was passed unanimously.

David Vallillo made a motion to attach a fine of \$25.00 a day based upon testimony and efforts made thus far by the respondent. This fine will begin on May 17th and continue daily until violation is brought into compliance. The fine will include attorney's fees, filing fees and a lien.

Kevin Walsh seconded this motion. The motion was passed unanimously.

Case 24-0503 City of Lake Mary vs Isai Vargas

Oath was given to Isai Vargas by Attorney Jennifer Nix. Mr. Vargas accepted the oath.

Code Enforcement Officer submitted exhibit into evidence, which was accepted by Chairman Henry Scarfo. Mr. Vargas stated he received all permits required for the construction being conducted on his home. Bruce Fleming confirmed Mr. Vargas obtained all necessary permits for the construction and is now in compliance.

Daniel Lopez made a motion to find the respondent in compliance and to waive the fine based on his testimony. Kevin Walsh seconded the motion. The motion was passed unanimously.

8. New Business

Case 22-2297 City of Lake Mary vs Edward B. Wilson – case withdrawn

Case 24-0878 City of Lake Mary vs Diep Nguyen & David Robert Foster Jr. – case withdrawn

9. Open Discussion


10. Setting of the next meeting: The next meeting will be held on July 16, 2024.

11. Adjournment

Henry Scarfo adjourned the meeting at 8:22 p.m.



Henry Scarfo, Chairman



Brenda Vazquez, Secretary



Date