



LAKE MARY CODE ENFORCEMENT BOARD

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

Regular Meeting AGENDA

TUESDAY, MARCH 18, 2025 7:00 PM

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call - Determination of Quorum**
- 4. Approval of Minutes for November 19, 2024 Meeting**
 - A. Meeting Minutes**
- 5. Oath**
- 6. Case Updates**
 - A. CEB 22-2266: City of Lake Mary vs 7-Eleven, Inc. and 7-Eleven Store**
- 7. Old Business (Compliance Hearing)**
 - A. CEB 24-1308: City of Lake Mary vs Nelson F. Jr. & Kim A. Stiles**
 - B. CEB 24-0503: City of Lake Mary vs Isai Vargas**
- 8. New Business**
 - A. CEB 24-2985: City of Lake Mary vs Willie & Lisa R. Henderson**
 - B. CEB 25-0332: City of Lake Mary vs EBR Lake Mary LLC & At Home Stores LLC**
- 9. Open Discussion**

10. Next Scheduled Meeting: May 20, 2025

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 – March 18, 2025

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

George Distler – unexcused absence

Daniel Lopez

David Vallillo

Timothy Vogt

Kevin Walsh

Bruce Fleming – Sr. Code Enforcement Officer

Aerial McCann – Code Enforcement Board Attorney

Darren Elkind – City Attorney

Brenda Vazquez – Recording Secretary

Chairman Scarfo advised Kevin Walsh was recorded as an unexcused absence for the November 19, 2024, Code Enforcement Meeting. Due to an email miscommunication, Chairman Scarfo excused his absence.

4. Approval of Minutes

A motion to approve the minutes was made by Richard Schulz and seconded by Kevin Walsh. 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

Case 22-2266 City of Lake Mary vs 7-Eleven

Signs have not been removed; however, 7-Eleven paid the legal and filing fees to the City of Lake Mary. The outstanding amount is over \$130,000, which is currently being negotiated further with the City.

7. Old Business

Case 24-1308 City of Lake Mary vs Nelson F. Jr. & Kim Stiles

The disabled vehicles, which were on the property have been removed. However, a vehicle remains on the property that has an expired license plate and registration. As a result, this case remains a repeat violation.

Bruce Fleming submitted a PowerPoint presentation as evidence, which was accepted by Chairman Scarfo.

Respondent Nelson Stiles advised the vehicle is registered, insured and operable. The vehicle had a cover, which only lasted three months. Mr. Stiles is in the process of purchasing another one to replace it. He wants to restore the vehicle and has the necessary parts to do so.

Timothy Vogt asked how long the rear tire had been flat. The respondent stated he was not sure. Timothy Vogt proceeded to advise the respondent that he previously testified at the last CEB meeting the flat had been repaired. His testimony today contradicts what was previously stated. He asked the respondent what his plan was to remedy the situation and how quickly would it be to have it resolved. The respondent advised he would get the tire repaired and the car cover ordered. He will have it done within the month.

Bruce Fleming interjected and advised Chairman Scarfo this is a repeat violation, and requests the city seeks a fine appropriate for this violation. A timeframe needs to be assessed along with the fine. Kevin Walsh asked why the board was focused on a flat tire when the vehicle fits the description of a disabled vehicle. He proceeded to read the Florida Statute on a disabled vehicle.

Chairman Scarfo asked the respondent for a timeframe on when this vehicle can put in "operable" condition. The respondent stated the flat tire can be fixed by the weekend and then placed in his garage, so it is no longer a problem.

Richard Schulz made a motion to find the respondent in repeat violation of a disabled vehicle. Timothy Vogt seconded the motion, and it was passed unanimously.

David Vallillo made a motion to fine the respondent \$50 per day to begin on April 1st. No one seconded the motion.

Richard Schulz made a motion to fine the respondent \$250 per day beginning on April 1st. Timothy Vogt seconded the motion. Daniel Lopez made a discussion against the motion. He expressed this is a repeat violation that has been ongoing since last year and time has already been afforded to the violator. He explained the fine should begin today (Tuesday, March 18, 2025).

Chairman Scarfo advised there was a motion already on the table, which is: \$250 per day to begin on April 1st. All were in favor of the motion except Daniel Lopez and Kevin Walsh. Chairman Scarfo supported the motion. Motion was passed (4-2).

Case 24-0503 City of Lake Mary vs Isai Vargas

Bruce Fleming informed the board Mr. Vargas, property owner, was given a compliance date of April 15, 2024. Bruce submitted an affidavit of compliance on April 24, 2024, indicating the proper permits were obtained. On January 24, 2025, another complaint was filed by a neighbor regarding ongoing construction to include the installation of a water heater, gas tank and electrical work without the proper permits. Bruce submitted exhibits as evidence which was accepted by Chairman Scarfo. Although the property owner obtained the proper permits as requested by the board on the initial case, he was in non-compliance for four days (January 13-17, 2024). At this point the property owner has obtained all necessary permits required to continue construction in his home. These permits expire July 2025.

Richard Schulz made a motion to find the property owner in non-compliance for four days. David Vallillo seconded the motion. The motion was passed unanimously.

Richard Schulz made another motion to fine the property owner \$500 per day for each day of violation (four days). Timothy Vogt seconded the motion. The motion was passed unanimously.

Timothy Vogt made a discussion to clarify why he seconded the motion. He advised their job as a board is to protect the neighbors and communities. This property owner has conducted gas and electrical work outside the house without permits knowingly, and this is an issue. This fine sends a clear message as this is a repeat offense.

8. New Business

Case 24-2985 City of Lake Mary vs Willie & Lisa R. Henderson

Bruce Fleming advised he received an electronic complaint regarding a missing pool enclosure. Bruce stated upon inspection, he observed a temporary barrier with caution tape installed around the pool. He also stated the property owner applied for a permit to install a pool enclosure. Bruce requested to enter the slide presentation into evidence, which was accepted by Chairman Scarfo.

Bruce informed the board that a 4-foot barrier is required around the perimeter of the pool for compliance.

Mr. Henderson advised the removal of the pool enclosure was a result of the hurricane. He has been working with the insurance company on this issue and unfortunately it has not yet been resolved. He contacted several contractors in October 2024 to order materials necessary, and they are on back order. He will purchase an aluminum fence with netting to install around the perimeter of the pool in the meantime, until the materials are shipped and delivered. Daniel Lopez stated there are measures to be taken as this poses a threat.

Richard Schulz made a motion to find the property owner in non-compliance. Daniel Lopez seconded the motion, and it passed unanimously.

Richard Schulz stated there will be a short time limit due to safety concerns. As a result, he requests the property owner come into compliance by March 23rd and it must be reviewed by Bruce. Otherwise, he will face a fine of \$100, each day beginning March 24th. Daniel Lopez seconded the motion.

Timothy Vogt requested to amend the motion to raise the fine to \$250 a day beginning on March 24th. Richard Schulz accepted the amendment. Daniel Lopez seconded the amendment, and it passed unanimously.

Case 25-0332 City of Lake Mary vs EBR Lake Mary LLC & At Home Stores LLC

Bruce Fleming advised the At Home Store has an accumulation of trash on the property and throughout the parking lot. This has been an ongoing issue since 2023. Bruce submitted photos into evidence which was accepted by Chairman Scarfo.

Richard Schulz made a motion to find the business in non-compliance. David Vallillo seconded the motion. The motion was passed unanimously. Darren Elkind interjected and stated that this is trash. Code Enforcement Officers use common sense, and they are aware if the property owner is keeping the property clean or not.

Daniel Lopez made a motion to fine the business \$250 a day beginning on March 24th. Kevin Walsh seconded the motion. David Vallillo questioned how quickly will the property manager receive the notice. Bruce advised as soon as he receives the notice from the attorney, the mail will be sent via

certified return receipt. Daniel Lopez made an amendment to the motion to change the effective date to March 28th. The motion was passed unanimously.

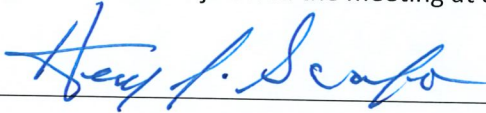
9. Open Discussion

Bruce Fleming advised we have a new City Attorney and new Code Enforcement Board Attorney. City Attorney Darren Elkind introduced himself and stated when he drives through the City of Lake Mary it's immaculate and feels like he's in Disney World. Chairman Scarfo stated one of the reasons our city is immaculate is because of Bruce Fleming. He makes the board's job very easy. He thanked Bruce for his continued stewardship enforcing the codes in Lake Mary.

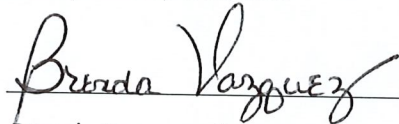
10. Setting of the next meeting: The next meeting will be held on May 20, 2025.

11. Adjournment

Timothy Vogt made a motion to adjourn the meeting. Chairman Scarfo moved the motion. Chairman Scarfo adjourned the meeting at 8:45 p.m.



Henry Scarfo, Chairman



Brenda Vazquez, Secretary

Nov. 21, 2025

Date