



**CODE ENFORCEMENT BOARD
REGULAR MEETING MINUTES
MARCH 6, 2018**

1. CALL TO ORDER

A **REGULAR MEETING** of the Winter Garden Code Enforcement Board (CEB) was called to order by Chairman David Buckles at 6:15 p.m. in the City Hall Commission Chambers, 300 West Plant Street, Winter Garden, FL. Quorum was declared present and the Pledge of Allegiance was recited.

MEMBERS PRESENT:

Chairman David Buckles and Board Members: Johnny Clark, Jack Litteral, Denise Ratton, Ron Sikes, and Marvin E. Vasquez

MEMBERS ABSENT:

Vice-Chairman Bruce Woloshin (excused)

ALSO PRESENT:

Assistant City Attorney Chris Conley, Community Development Director Steve Pash, Code Compliance Officer Tom Knappman, Code Compliance Officer Clayton Krater, and Recording Secretary Kathleen Rathel

2. CONSENT AGENDA

A. SWEARING IN OF PARTIES TO TESTIFY

CEB Recording Secretary Rathel swore in Community Development Director Pash and resident Juan Carlos Godinez who will be presenting testimony or speaking to the Board.

B. APPROVAL OF MINUTES

Approval of minutes from the regular meeting held February 6, 2018.

MOTION: Board Member Clark moved to approve the February 6, 2018 meeting minutes. Seconded by Board Member Litteral and carried unanimously 6 - 0.

Chairman Buckles asked for a status update on the old postponed cases.

3. HEARINGS ON STATEMENT OF VIOLATIONS PURSUANT TO NOTICES OF HEARINGS

A. OLD BUSINESS

- 1. CASE #15-021 – 530 Susan B Britt Court, Winter Garden, FL - POSTPONED
POSTPONED from the October 4, 2016 Meeting**

Community Development Director Steve Pash

- Sec. 18-91** Required
- Sec. 18-91.5** Work Starting Before Permit Issuance
- Sec. 18-94** Expiration; Special Permit
- Sec. 18-121** Required; Recordation
- Sec. 18-163** Number, Duration and Removal
- Sec. 18-169** Permit – Required
- Sec. 106-18** Maximum Impervious Surface Ratios (ISR)
- Sec. 118-68** Site Plan (Development Plan) Required
- Sec. 118-69** Principal Uses
- Sec. 118-70** Procedures
- Sec. 118-71** Construction Permit and Site Plan Review Certificate Required
- Sec. 118-774** Special Exceptions
- Sec. 118-776** Dimensions and Area Requirements
- Sec. 118-1310** Generally

2. **CASE #16-014 – 13440 W. Colonial Drive, Winter Garden, FL - POSTPONED**

POSTPONED from the October 4, 2016 Meeting

Community Development Director Steve Pash

- Sec. 106-9** Maintenance

B. NEW BUSINESS

1. **CASE #16-032 – 531 Susan B Britt Ct, Winter Garden, FL - POSTPONED**

TABLED from the February 7, 2017 Meeting

Community Development Director Steve Pash

- Sec. 38-60** Duty to keep property clean
- Sec. 38-94** Accumulations of trash, junk, debris and nonliving plant material on property utilized or zoned for residential, professional office, commercial or industrial use.
- Sec. 118-69** Principal uses
- Sec. 118-97** Use requirements
- Sec. 118-774** Special exceptions
- Sec. 118-1386** Off-Street Parking
- Sec. 118-1387** Location of Off-Street Parking Spaces

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASES #16-032

Community Development Director Pash recommends this case be postponed as Staff continues to work with the owners.

Questions and Discussion

MOTION: Board Member Clark moved to postpone Case 16-032. Seconded by Board Member Vasquez and carried unanimously 6 – 0.

2. **CASE #16-033 – 551 Susan B Britt Ct, Winter Garden, FL - POSTPONED**

TABLED from the February 7, 2017 Meeting

Community Development Director Steve Pash

- Sec. 18-91** Required
- Sec. 38-60** Duty to keep property clean
- Sec. 38-94** Accumulations of trash, junk, debris and nonliving plant material on property utilized or zoned for residential, professional office, commercial or industrial use.
- Sec. 118-69** Principal uses
- Sec. 118-97** Use requirements
- Sec. 118-774** Special exceptions
- Sec. 118-1386** Off-Street Parking
- Sec. 118-1387** Location of Off-Street Parking Spaces

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASES #16-033

Community Development Director Pash recommends this case be postponed as Staff continues to work with the owners.

Questions and Discussion

MOTION: Board Member Vasquez moved to postpone Case 16-033. Seconded by Board Member Clark and carried unanimously 6 – 0.

3. CASE #17-263 – 208 N West Crown Point Rd, Winter Garden FL - POSTPONE

Community Development Director Steve Pash

- Sec. 38-94** Accumulations of trash, junk, debris and nonliving plant material on property utilized or zoned for residential, professional office, commercial or industrial use.
- Sec. 38-95** Excessive growth of grass, weeds, and brush on property utilized or zoned for residential, professional office, commercial or industrial use.
- Sec. 118-578** Permitted accessory uses and structures
- Sec. 118-580** Prohibited uses and structures

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASES #17-263

Community Development Director Pash recommends this case be postponed as Staff continues to work with the owners.

Questions and Discussion

MOTION: Board Member Vasquez moved to postpone Case 17-263. Seconded by Board Member Clark and carried unanimously 6 – 0.

**4. CASE #16-02 – 245 N Central Ave, Winter Garden, FL
COMPLIANT PRIOR TO MARCH 6, 2018 MEETING – CASE CLOSED**

5. CASE# 17-98 – 621 Lost Grove Cir, Winter Garden FL

Community Development Director Steve Pash

- Sec. 18-91** Required

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASES #17-98

Community Development Director Pash stated Staff has been having conversations with the owner for quite some time. The owner has contacted his HOA and informed us that he received their approval so he can submit for building permits. Staff recommends this case be postponed while the owner submits for building permits for the structures already constructed.

Questions and Discussion

MOTION: Board Member Sikes moved to postpone Case 17-98. Seconded by Board Member Clark and carried unanimously 6 – 0.

6. CASE# 17-259 – 237 E Cypress St, Winter Garden FL

Community Development Director Steve Pash

- Sec. 18-91** Required.
- Sec. 18-163** Number, Duration and Removal
- Sec. 18-165** Signage
- Sec. 18-167** Residential area or district
- Sec. 18-169** Permit – Required
- Sec. 38-94** Accumulations of trash, junk, debris and nonliving plant material on property utilized or zoned for residential, professional office, commercial or industrial use.

Sec. 74-33	Prohibited in specific places
Sec. 118-393	Permitted accessory uses and structures
Sec. 118-395	Prohibited uses and structures
Sec. 118-1127	Disabled motor vehicles
Sec. 118-1387	Location of off street parking spaces

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASES #17-259

Community Development Director Pash stated the owner of the property located at 237 E Cypress Street buys and sells items purchased at auction and stores them on the property. A shed was also constructed without a permit. Some of the items include construction material, RVs, a bobcat, and trailers. Staff has had several conversations with the owner over a period of time. The owner started moving items from this location to his other two properties (Case #18-78 and #18-79). The owner was present and provided photos to show the other two properties had been cleaned up but was requesting 10 additional days to finish cleaning up 237 E. Cypress Street. Due to the length of time already applied to this case, Staff recommends that the Board issue a Findings of Fact and Conclusions of Law to find the property in violation with no fines so that, if the property were to come back before the Board, it would be considered a repeat offender and the fines would be increased to \$500.00 per day per violation.

Questions and Discussion

Board Member Litteral inquired if 10 days would be sufficient. Mr. Pash responded that Staff could extend it to the next Code Board Meeting.

Owner, Juan Carlos Godinez, addressed the Board. He admitted to creating the current situation but is working hard to clean everything up. He understands he is responsible but just needs a little more time as he has more items to get rid of than he realized.

Board Member Litteral made sure Mr. Godinez understood the amount of fines per day if he did not bring his property into compliance and suggested the owner speak with Staff.

MOTION: Based upon the Findings of Fact and evidence presented, Board Member Clark moved to find Case 17-259 in violation but with no fine imposed at this time and 27 days to bring the property into compliance. If the property were to come back before the Board, it would be considered a repeat offender. Seconded by Board Member Litteral and carried unanimously 6 – 0.

- 7. **CASE# 18-78 – 430 E Cypress St, Winter Garden FL**
COMPLIANT PRIOR TO MARCH 6, 2018 MEETING – CASE CLOSED
- 8. **CASE# 18-79 – 229 2nd St, Winter Garden FL**
COMPLIANT PRIOR TO MARCH 6, 2018 MEETING – CASE CLOSED
- 9. **CASE# 17-374 – 1224 Union Club Dr, Winter Garden FL**
Community Development Director Steve Pash
 - Sec. 18-91** Required.
 - Sec. 38-155** Prohibited acts
 - Sec. 118-858** Permitted uses

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASES #17-374

Community Development Director Pash stated the owner has requested an extension to the next meeting while they work with their HOA to get approvals. The owner will cease immediately all prohibited uses and will write a letter. Staff recommends this case be postponed to the April 3, 2018 meeting.

Questions and Discussion

