



## CODE ENFORCEMENT BOARD

### REGULAR MEETING MINUTES

**APRIL 2, 2019**

#### 1. **CALL TO ORDER**

Chairman Buckles called the meeting of the Code Enforcement Board to order at 6:15 p.m. in the City Hall Commission Chambers. A moment of silence was followed by the Pledge of Allegiance.

Quorum was declared present.

**Present:** Chairman David Buckles, Vice-Chairman Bruce Woloshin, and Board Members: Johnny Clark, Jack Litteral, Denise Ratton, Ron Sikes, and Marvin E. Vasquez

**Absent:** none

**Staff Present:** Assistant City Attorney Chris Conley, Community Development Director Steve Pash, Code Compliance Officer Jon Thomas, 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 who will be presenting testimony or speaking to the Board.

##### B. **APPROVAL OF MINUTES**

***MOTION: Board Member Clark moved to approve the March 5, 2019 meeting minutes. Seconded by Board Member Ratton and carried unanimously 7 – 0.***

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

##### A. **OLD BUSINESS**

##### 1) **CASE 17-071 – 12301 W Colonial Drive, Winter Garden, Fl.**

TABLED FROM THE FEBRUARY 5, 2019 CEB MEETING

Community Development Director Stephen Pash

**Sec. 18.151** Standard Code Adopted

**Sec. 18.159** Public Nuisances

**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. 58.5** Prohibited Acts

**Sec. 62.31** Maintenance of Privately Owned Streets, Driveways and Parking Lots

**Sec. 66.92** Required

**Sec. 102.61** Unsafe Signs

**Sec. 102.92** Prohibited Signs

**Sec. 102.161** Signs Permitted in Commercial and Industrial Districts

**Sec. 106.17** Stormwater Quality

**Sec. 114.35** Replacement of Material

- Sec. 118.1024** Prohibited Uses
- Sec. 118.1126** Commercial Structures; Uses Involving Sales, Storage, Repairs, Service
- Sec. 118.1127** Disabled Motor Vehicles
- Sec. 118.1387** Location of Off-Street Parking Spaces
- Sec. 118.1455** Outdoor Displays/Works

**FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE 17-071**

Community Development Director Pash stated this case had been tabled from the February 5, 2019 Board meeting. The new owner announced he would have the building demolished by now. All the asbestos has been removed from the building but the owner had difficulty getting all of the Utility Companies to sign off. The demolition permit was just issued today, April 2, 2019, and they intend to start demolition on Thursday, April 4, 2019. Staff recommends postponing this case to the May 7, 2019 Board meeting to allow time for the building to get demolished.

**Questions and Discussion**

***MOTION: Board Member Sikes moved to postpone Case 17-071 to the May 7, 2019 Code Enforcement meeting. Seconded by Board Member Clark and carried unanimously 7 – 0.***

**2) CASE 17-376 – 521 Seminole Street, Winter Garden, Fl.**

TABLED FROM THE MARCH 5, 2019 CEB MEETING

Community Development Director Stephen Pash

- Sec. 18.91** Required
- Sec. 18.155** Conditions Constituting Hazards – Notice
- Sec. 18.159** Public Nuisances
- 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. 118.395** 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 CASE 17-376**

Community Development Director Pash stated this case, as well as the next Case 18-327, are owned by the same person. Staff has been working with the owner and Case 18-327 has been brought into compliance so Staff is asking the Board to table this case for one more month. The owner has been advised that this case will not be postponed any longer and has until the end of April, 2019, to bring the property into compliance. Mr. Pash stated that all that is left to do is to seal the rafters on the roof. Staff recommends postponing Case 17-376 to the May 7, 2019 Code Board meeting.

**Questions and Discussion**

***MOTION: Board Member Clark moved to postpone Case 17-376 to the May 7, 2019 Code Enforcement meeting. Seconded by Board Member Vasquez and carried unanimously 7 – 0.***

**3) CASE 18-327 – 151 W Maple Street, Winter Garden, Fl.**

TABLED FROM THE MARCH 5, 2019 CEB MEETING

Community Development Director Stephen Pash

- Sec. 18.155** Conditions Constituting Hazards – Notice
- Sec. 18.159** Public Nuisances

**FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE 18-327**

Community Development Director Pash stated this case has been brought into compliance. The owner has repaired all the broken windows, and cleaned up the property. Staff recommends closing Case 18-327.

**Questions and Discussion**

***MOTION: Board Member Vasquez moved to close Case 18-327. Seconded by Board Member Clark and carried unanimously 7 – 0.***

**B. NEW BUSINESS**

**1) CASE 19-74 – 525 Clancy Street, Winter Garden, Fl.**

Community Development Director Stephen Pash

- Sec. 106.5** Prohibitions
- Sec. 106.7** Stormwater Management Requirements
- Sec. 106.9** Maintenance

**FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE 19-74**

Community Development Director Pash stated Staff has been in contact with the owner as well as several neighboring property owners. This owner has hired an attorney and the attorney has requested a postponement to the May 7, 2019 meeting so he can discuss the violations with his client. Staff recommends postponing Case 19-74 to the May 7, 2019 Code Board meeting.

**Questions and Discussion**

***MOTION: Board Member Sikes moved to postpone Case 19-74 to the May 7, 2019 Code Enforcement meeting. Seconded by Board Member Clark and carried unanimously 7 – 0.***

**2) Case 19-99 – 1624 Beulah Road, Winter Garden, Fl.**

Community Development Director Stephen Pash

- Sec. 50.151** Prohibited Activities in Public-Rights-of-Ways Owned, Controlled, and/or Operated by the City.
- Sec. 94.129** Definitions
- Sec. 94.132** Prohibited Uses in Wetlands
- Sec. 106.5** Prohibitions
- Sec. 106.7** Stormwater Management Requirements
- Sec. 106.9** Maintenance
- Sec. 110.5** Permit for Clearing or Filling Land
- Sec. 114.38** Turf Areas
- Sec. 114.69** Land Clearing Prior to Development Approval
- Sec. 118.1320** Listed Species
- Sec. 118.1321** Phase One Site Assessment

**FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE 19-99**

Community Development Director Pash stated the City found someone illegally dumping dirt in a wetland. The owner lives in New York and, after receiving a Notice of Violation and Notice of Hearing, flew in to speak with Mr. Pash. The owner has hired an environmental company, had the wetlands staked out, and is going to continue to do everything to remove the filling. Since the owner is willing to work with the City Staff recommends postponing Case 19-99 to the May 7, 2019 Code Board meeting.

**Questions and Discussion**

Board Member Sikes asked if the cleanup was something that could realistically be accomplished in 30 days or if more time was needed. Mr. Pash replied that 30 days was probably not sufficient time. The owner would probably have a topographic survey completed by then but would still need to submit plans to the City to review and approve what needs to be done.

***MOTION: Board Member Sikes moved to postpone Case 19-99 to the June 4, 2019 Code Enforcement meeting. Seconded by Board Member Litteral and carried unanimously 7 – 0.***

**4. ADJOURNMENT**

There being no further business, the meeting was adjourned at 6:22 pm to the next meeting scheduled for May 7, 2019.

**ATTEST:**

**APPROVED:**

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Customer Service Rep. Kathleen Rathel

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Chairman David Buckles