



CITY OF WINTER GARDEN

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REGULAR MEETING MINUTES CODE ENFORCEMENT BOARD OCTOBER 2, 2007

CALL TO ORDER

Chairman Joseph C. Skubas called the regular meeting of the Winter Garden Code Enforcement Board to order at 6:00 p.m. in the Commission Chambers at City Hall. The invocation was given followed by the Pledge of Allegiance. The roll was called and a quorum was declared present.

PRESENT: Chairman Joseph C. Skubas, Vice-Chairwoman Barbara Pennington, Board Members, Henry L. Wright, Bradley Lomneck, Charlie Mae Wilder and Jeffrey Sherron. Also present were Board Attorney Gayle A. Owens, Building Official Willie Herbert, Code Enforcement Manager Debra Irvin, and Secretary Ana Alves.

ABSENT: Board member Vincent Goodwin.

APPROVAL OF MINUTES: Approval of minutes from regular meeting held September 4, 2007.

Motion by Vice-Chairwoman Barbara Pennington to approve the minutes of September 4, 2007 as printed, Bradley Lomneck seconded, and the motion carried unanimously 6-0.

HEARINGS ON STATEMENT OF VIOLATIONS PURSUANT TO NOTICES OF HEARINGS

**1. Case No. 07-977 – Jean McMurdy Powell
242 E. Lafayette, Winter Garden, FL 34787**

Violation Cited: Sec 38-56(a) Environmental (weeds), Sec 18-160 Vacant buildings, Sec. 18-91 Building Permit Required, 19-91.5 Work Starting before permit issuance; 18-191 Housing Code Adopted, 1994 Standard Housing Code, section 305.1 Foundation, 305.31 Roofs, 305.3.2 Roofs, 305.7 Windows, and 305.11.1 Exterior Doors.

02-22-07 City Wide Survey

06-21-07 Notice of Code Violation
08-17-07 Notice of Hearing
09-04-07 Board Meeting
09-25-07 Affidavit of Non-Compliance
10-02-07 Board Meeting

Observation: Vacant house, tall weeds, and grass exceed 12 inches; house is dilapidated and unfit for occupancy.

Code Enforcement Manager Irvin presented exhibits, gave a detailed history of the case, and stated the property still in non-compliance.

REQUESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW :

Jean McMurdy Powell is the owner of the property located at 242 E. Lafayette, Winter Garden, FL 34787 is in violation of the Code of Ordinances of the City of Winter Garden, Florida, Sec 38-56(a) Environmental (weeds), Sec 18-160 Vacant buildings, Sec. 18-91 Building Permit Required, 19-91.5 Work Starting before permit issuance; 18-191 Housing Code Adopted, 1994 Standard Housing Code, section 305.1 Foundation, 305.31., Roofs, 305.3.2 Roofs, 305.7 Windows, and 305.11.1 Exterior Doors.

***MOTION:** Member Lomneck moved in Case No. 07-977 that the respondent is in violation of the Winter Garden Code of Ordinances as set forth in the Notice of Violation dated June 21, 2007. . A fine of \$250.00 per day is hereby imposed beginning September 11, 2007 for the Environmental violation which fine continue each day thereafter until such date as the City of Winter Garden code enforcement officer determines that the violation has been cured and establishes the date of compliance. A fine of \$250.00 per day is hereby imposed beginning September 24, 2007 for the Housing violation which fine continue each day thereafter until such date as the City of Winter Garden code enforcement officer determines that the violation has been cured and establishes the date of compliance. The Respondent is also responsible for any other charges that may occur to remedy the problem. Seconded by Member Pennington the motion carried unanimously 6-0.*

**2. Case No. 07-1106 – John & Sally Harvey
215 S Highland, Winter Garden, FL 34787**

Violation Cited: Sec 38-56(a) Environmental Conditions, Sec. 118-1127, Disable Motor Vehicle; 1994 Standard Housing Code, Sec 305.2 Exterior Walls and, 305.10 Windows to be operable.

06-05-07 First Inspection – left door hanger
06-18-07 Notice of Code Violation
08-17-07 Notice of Hearing-Posted
09-04-07 Board Meeting
09-25-07 Affidavit of Non-Compliance

10-02-07 Board Meeting

Observation: Derelict vehicle, tall grass and weeds, trash and debris, and boarded up window.

Code Enforcement Manager Irvin presented exhibits, gave a detailed history of the case, and stated the property is in partial compliance. The derelict vehicle has been moved, the trash and debris has been cleaned. The Environmental and Housing Code violation still in non-compliance.

REQUESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW:

John & Sally Harvey, the owner of the property located at 215 S Highland, Winter Garden, FL 34787 is in violation of the Code of Ordinances of the City of Winter Garden, Florida: Sec 38-56(a) Environmental Conditions, 1994 Standard Housing Code, Sec 305.2 Exterior Walls and, 305.10 Windows to be operable.

***MOTION:** Member Lomneck moved in Case No. 07-1106 that the respondent is in violation of the Winter Garden Code of Ordinances as set forth in the Notice of Violation dated June 18, 2007. . A fine of \$250.00 per day per violation is hereby imposed beginning September 24, 2007 which fine continue each day thereafter until such date as the City of Winter Garden code enforcement officer determines that the violation has been cured and establishes the date of compliance. Motion seconded by Member Wright the motion carried unanimously 6-0.*

**3. Case No. 07-1066 – Luz D. Moncada and Sara R. Espejo
341 E. Maple, Winter Garden, FL 34787**

Violation Cited: Section 118-1127

Code Enforcement Manager Irvin stated the property is in compliance.

REQUESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW:

Luz D. Moncada and Sara R. Espejo, the owner of the property located at 341 E.Maple, Winter Garden, FL 34787 is in compliance of the Code of Ordinances of the City of Winter Garden, Florida: Sec 118-1127, Disable Motor Vehicle.

***MOTION:** Member Lomneck moved in Case No. 07-1066 that the respondent is in compliance of the Winter Garden Code of Ordinances. Motion seconded by Member Wright the motion carried unanimously 6-0.*

**4. Case No. 07-1127 – Lawrence and Maxine Sanders
422 N Woodland, Winter Garden, FL 34787**

Violation Cited: Sec 38-56 Environmental Conditions, Sec. 118-1127, Disable Motor Vehicles

06-05-07 First Inspection – left door hanger
07-17-07 Notice of Code Violation
08-17-07 Notice of Hearing-Posted
09-04-07 Board Meeting
10-02-07 Board Meeting

Observation: Derelict vehicle, tall grass and weeds, trash and debris, and boarded up window.

Code Enforcement Manager Irvin stated the property is in compliance.

REQUESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW:

Lawrence and Maxine Sanders, the owner of the property located at 422 N Woodland, Winter Garden, FL 34787 is in violation of the Code of Ordinances of the City of Winter Garden, Florida: Sec 38-56(a) Environmental Conditions, Sec. 118-1127, Disable Motor Vehicle.

***MOTION:** Member Wilder moved in Case No. 07-1127 that the respondent is in compliance of the Winter Garden Code of Ordinances. Motion seconded by Member Pennington the motion carried unanimously 6-0.*

**5. Case No. 07-1136 – Louis Eugene Flores & Hector Escalante
319 E Maple Street, Winter Garden, FL 34787**

Violation Cited: Sec 38-56(a) Environmental Conditions, Sec 18-160 Vacant buildings, Sec. 18-91 Building Permit Required, 19-91.5 Work Starting before permit issuance.

05-11-07 First Inspection
06-14-07 Notice of Code Violation
08-17-07 Notice of Hearing-Posted
09-04-07 Board Meeting
09-25-07 Affidavit of non-compliance
10-02-07 Board Meeting

Observation: Vacant commercial building, dilapidated, rear of building has caved in, tall weeds and grass exceeds 12 inches; structure is unfit for occupancy.

Code Enforcement Manager Irvin presented exhibits, gave a detailed history of the case and stated the property is in non-compliance.

REQUESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW:

Louis Eugene Flores & Hector Escalante, the owners of the property located at 319 E. Maple, Winter Garden, FL 34787 is in violation of the Code of Ordinances of the City of Winter Garden, Florida: Sec 38-56(a) Environmental Conditions, Sec 18-160 Vacant buildings, Sec. 18-91 Building Permit Required, 19-91.5 Work Starting before permit issuance.

***MOTION:** Member Lomneck moved in Case No. 07-1136 that the respondent is in violation of the Winter Garden Code of Ordinances as set forth in the Notice of Violation dated June 14, 2007. . A fine of \$250.00 per day is hereby imposed beginning September 24, 2007 for each of the two violations which fine continue each day thereafter until such date as the City of Winter Garden code enforcement officer determines that the violation has been cured and establishes the date of compliance. In addition, the violations present a serious threat to the public health, safety, and welfare. Motion seconded by Member Wilder the motion carried unanimously 6-0.*

ADJOURNMENT:

There being no more business to discuss, Member Sherron moved to adjourned the meeting at 6:33 p.m. Seconded by Member Lomneck, the motion carried unanimously 6-0.

ATTEST:

APPROVED:

Secretary Ana L. Alves

Chairman Joseph C. Skubas