



CITY OF WINTER GARDEN

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WINTER GARDEN, FL 34787
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REGULAR MEETING MINUTES CODE ENFORCEMENT BOARD JANUARY 8, 2008

CALL TO ORDER

Chairman Joseph C. Skubas called the regular meeting of the Winter Garden Code Enforcement Board to order at 6:15 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, Bradley Lomneck, Charlie Mae Wilder, Henry L. Wright, Jeffrey Sherron, and Vincent Goodwin. Also present were Board Attorney Gayle A. Owens, City Manager Mike Bollhoefer, Code Enforcement Manager Debra Irvin, Code Enforcement Inspectors Edwin Lopez, Michael Jenkins, Raymond Lettsome, and Secretary Ana Alves. .

APPROVAL OF MINUTES: Approval of minutes from regular meeting held December 4, 2007. *Motion by member Charlie Mae Wilder to approve the minutes of December 4, 2007 as printed, member Jeffrey Sherron seconded, and the motion carried unanimously 7-0.*

HEARINGS ON STATEMENT OF VIOLATIONS PURSUANT TO NOTICES OF HEARINGS

1. Case # 07-1605 – Troy Garlock and Jamie Garlock, 13508 Fox Glove, Winter Garden FL 34787

Violation Cited: Sec 38-56(a) Environment – Conditions and 38-62 Mosquito breeding places

10/15/07	Observed Vacant House/Stagnant pool water
10/15/07	1 st Inspection/Left Door hanger
10/15/07	Notice of Violation (N.O.V.)
10/29/07	Follow up inspection
10/30/07	Set for Code Board Hearing
11/06/07	Posted Hearing Notice

12-04-07 Board Hearing
 12-06-07 Findings of Facts
 12-14-07 Re-inspection/Non-Compliance
 12-20-07 Affidavit of Non-Compliance
 01-08-08 Board Hearing

Observation: Vacant house and pool and pump not operable; pool water is green.

Code Enforcement Manager Debra Irvin requested to table this case for a lack of service.

REQUESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW:

***MOTION:** Member Wilder moved into table Case No. 07-1605 until next Code Enforcement Board meeting. Seconded by member Sherron the motion carried unanimously 7-0.*

2. Case # 07-1278 – Dennis Larkin and Amber Larkin, 1409 Fullers Cross Road, Winter Garden FL 34787

Violation Cited: Sec 18-91 Building Permit Required, Sec 106-16 Dust, dirt and control of construction site runoff.

02-07-06 Variance received by P & Z
 07-18-07 Initial Inspection of Site
 07-18-07 Site work in progress
 07-19-07 Photo's taken
 07-25-07 Site Work Permit Issued (07-25)
 09-20-07 Site Inspection
 09-20-07 Site Review Comments
 11-13-07 Corrective Notice Issued I
 11-13-07 Warning Notice Issued
 11-20-07 Citation Issued
 12-07-07 Site Inspection
 12-11-07 Notice of Violation- Certified Mail
 12-12-07 Certified Mail Received
 12-20-07 Re-inspection
 12-21-07 Hearing Notice - Posted
 01-04-08 Re-inspection – Non- Compliance
 01-08-08 Board Hearing

Observation: Tall dirt mound exceeding 10 feet, missing siltation fence, dust, and weeds.

Code Enforcement Manager Debra Irvin requested to the Board to table this case until the next Code Enforcement Board Meeting because the owner/contractors are coming into an

agreement with the City Manager and Code Enforcement Inspector Lettsome to bring this property into compliance.

REQUESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW:

***MOTION:** Member Lomneck moved in to table Case No. 07-1278 until next Code Enforcement Board Meeting. Seconded by Member Wilder the motion carried unanimously 7-0.*

3. Case # 07-2018 – Michael J. Cahill and Melissa D. Cahill, 12537 Westfield Lakes Circle, Winter Garden, FL 34787.

Violation Cited: Sec 38-56(a) Environment, accumulation of weeds, junk, and debris, and Sec 38-58 Unauthorized accumulation;

12-20-07	Complaint received from Bldg. Dept
12-20-07	Located ownership of construction site
12-21-07	Site Inspection/Photos taken
12-21-07	Sent Notice of Violation- Certified Mail
12-21-07	Posted N.O.V/Hearing Notice
01-04-08	Re-inspection – Non-Compliance

Observation: Lot under construction, rotting wood trusses, piles of plumbing pipes, broke pipes, open meter base on temporary electrical pole.

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

REQUESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW:

Michael J. Cahill and Melissa D. Cahill, are the owners of the property located at 12537 Westfield Lakes Circle, Winter Garden, FL 34787 are in violation of the Code of Ordinances of the City of Winter Garden, Florida, Sec 38-56(a) Environment, accumulation of weeds, junk, and debris, and Sec 38-58 Unauthorized accumulation;

***MOTION:** Member Lomneck moved in Case No. 07-2018 that the respondent is in violation of the Winter Garden Code of Ordinances as set forth in the Notice of Violation dated December 20, 2007. The respondent shall correct the violations on or before January 28, 2008. In order to correct the violations, the Respondent shall take the remedial action as set forth in the Notice of Violation dated December 20, 2007, to wit: remove all the trusses, pipes, and debris from property. The Respondents are further ordered to contact the City of Winter Garden code inspector to arrange for an inspection of the property to verify compliance. Seconded by member Sherron the motion carried unanimously 7-0.*

4. Case # 07-1625 – Rafael E. Alvarez and Jannette Cruz, 217 E. Cypress Street, Winter Garden, FL 34787

Violation Cited: Sec 18-191 Housing Code Adopted, Sec 305.3.1 Roofs, 305.7 Windows, and 305.2 Exterior Walls.

09-14-07	Initial Inspection from Complaint
10-08-07	Re-assigned case to Inspector
10-10-07	Inspector did site visit
10-10-07	Left door hanger – Code Violation
10-12-07	Sent Notice of Violation
11-05-07	Certified Mail returned unclaimed
12-21-07	Posted Hearing Notice
01-08-08	Board Hearing

Observation: Housing Code Violation, Roof wood at fascia, board up windows, graffiti on rear walls, washer runoff hose not properly discharging to standpipe causing stagnant water at rear of property.

Code Enforcement Inspector Jenkins 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:

Rafael E. Alvarez and Jannette Cruz, owners of the property located at 217 E. Cypress Street, Winter Garden, FL 34787 are in violation of the Code of Ordinances of the City of Winter Garden, Florida, Sec 18-191 Housing Code Adopted, Sec 305.3.1 Roofs, 305.7 Windows, and 305.2 Exterior Walls;

MOTION: Member Lomneck moved in Case No. 07-1625 that the respondents are in violation of the Winter Garden Code of Ordinances as set forth in the Notice of Violation dated October 12, 2007. The respondent shall correct the violations on or before January 28, 2008. In order to correct the violations, the Respondent shall take the remedial action as set forth in the Notice of Violation dated October 12, 2007, to wit: apply for building permits; make repairs to roof; replace rotted wood and shingles; remove graffiti from and/or paint rear exterior wall of house; remove boards from window and replace window glass. The Respondents are further ordered to contact the City of Winter Garden code inspector to arrange for an inspection of the property to verify compliance. Seconded by Member Wilder the motion carried unanimously 7-0.

5. Case # 07-1797 – Peggy Hardwick, 1040 Maxey Drive, Winter Garden, FL 34787

Violation Cited: Sec. 118-1127 Disabled Motor Vehicles

11-12-07	Observed vehicle- tag expired
11-12-07	Tagged Vehicle with NOV
11-19-07	Re-inspection – Non-Compliance
12-03-07	Notice of Violation –Certified Mail
12-06-07	Certified Mail- Returned
12-21-07	Posted Notice of Hearing
12-27-07	Hearing Notice sent to 1206 E. Bay
01-08-08	Code Board

Observation: Vehicle with expired tag.

Code Enforcement Inspector Jenkins 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:

Peggy Hardwick, owner of property located at 1040 Maxey Drive, Winter Garden, FL 34787 is in violation of the Code of Ordinances of the City of Winter Garden, Florida, Sec 118-1127 Disable Motor Vehicles;

***MOTION:** Member Lomneck moved in Case No. 07-1797 that the respondents is in violation of the Winter Garden Code of Ordinances as set forth in the Notice of Violation dated December 3, 2007. The respondent shall correct the violations on or before January 18, 2008. In order to correct the violations, the Respondent shall take the remedial action as set forth in the Notice of Violation dated December 03, 2007, to wit: properly register and license the vehicle or remove the vehicle from the property. The Respondents are further ordered to contact the City of Winter Garden code inspector to arrange for an inspection of the property to verify compliance. Seconded by Member Goodwin the motion carried unanimously 7-0.*

6. Case # 07-1807 – Marcella Rhodes Hardwick and James E. Hardwick, 1030 E. Bay Street, Winter Garden, FL 34787

Violation Cited: Sec. 118-1127 Disabled Motor Vehicles

11-13-07	Observed four vehicles
11-13-07	Tagged Vehicles with NOV
11-20-07	Re-inspection – Non-Compliance

11-27-07	Vehicles tagged with NOV
12-03-07	Notice of Violation - Certified Mail
12-21-07	Posted Notice of Hearing
01-08-08	Code Board

Observation: Vehicles w/expired tag, inoperable, and unlicensed;

Code Enforcement Inspector Jenkins 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:

Mr. James E. Hardwick, owner of property located at 1030 E. Bay Street, Winter Garden, FL 34787, is in violation of the Code of Ordinances of the City of Winter Garden, Florida, Sec 118-1127 Disable Motor Vehicles; Respondent came to the Code Enforcement board requesting for more time to bring his property into compliance.

***MOTION:** Member Lomneck moved in Case No. 07-1807 that the respondents are in violation of the Winter Garden Code of Ordinances Sec 118-1127 Disable Motor Vehicles. The respondents shall correct the violations as follow: The red Camaro and the blue Chevrolet cited in the notices of violation shall be properly licensed and repaired or otherwise removed from the property no later than January 23, 2008. The yellow Cadillac and the blue Pontiac cited in notices shall be properly licensed and repaired or otherwise removed from the property no later than February 8, 2008. Seconded by Member Wilder the motion carried unanimously 7-0.*

7. Case # 07-1765 – Albert Bori and Debra Bori, 14909 W Colonial, Winter Garden, FL 34787

Violation Cited: Sec. 102-57 Sign Permit Required, Sec 102-58 Building Permit and 102-165 Banner Signs

11-07-07	Observed banners on fence
11-08-07	Notice of Violation – Certified Mail
11-13-07	Certified Mail Received by owners
11-19-07	Re-inspection – Non-Compliance
11-28-07	Set for Hearing
12-21-07	Posted Notice of Hearing
01-08-08	Code Board

Observation: Fence at business aligned with banners signs.

Code Enforcement Inspector Lopez 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:

City Manager Mike Bollhoefer suggested to the Code Enforcement Board to give him the opportunity to speak with the owners and Ed Williams, City of Winter Garden Planning Director in order to give the owners some directions regarding signs. In case the owner does not want to comply with the City of Winter Garden Code, Code Enforcement will bring this case back to the Code Enforcement Board in order to take action.

***MOTION:** Member Lomneck moved in to table Case No. 07-1765 until next Code Enforcement Board meeting. Seconded by Member Wilder the motion carried unanimously 7-0.*

ADJOURNMENT:

There being no more business to discuss, Member Wright moved to adjourned the meeting at 7:05 p.m. *Seconded by Member Sherron, the motion carried unanimously 7-0.*

ATTEST:

APPROVED:

Secretary Ana L. Alves

Chairman Joseph C. Skubas