



CITY OF WINTER GARDEN

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REGULAR MEETING MINUTES CODE ENFORCEMENT BOARD FEBRUARY 5, 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, Henry L. Wright and Jeffrey Sherron. Also present were Board Attorney Gayle A. Owens, Code Enforcement Manager Debra Irvin, Code Enforcement Inspectors Edwin Lopez, Michael Jenkins, Raymond Lettsome, and Secretary Ana Alves. Board Members Bradley Lomneck and Vincent Goodwin arrived late at 6:26 pm.

ABSENT: Board member Charlie Mae Wilder.

APPROVAL OF MINUTES: Approval of minutes from regular meeting held January 8, 2008. *Motion by member Sherron to approve the minutes of January 8, 2008 as printed, Vice-Chairwoman seconded, and the motion carried unanimously 4-0.*

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

Code Enforcement Manager Debra Irvin requested to dismiss this case due to house is in foreclosure process.

REQUESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW:

***MOTION:** Member Sherron moved to dismiss Case No. 07-1605. Seconded by member Pennington the motion carried unanimously 6-0.*

2. 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
01-08-08	Board Hearing
01-10-08	Findings of Fact
01-29-08	Re-inspection
01-29-08	Affidavit of 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.

Speaker Carol Comstock from Southwest Property Management located at PO Box 7, Gotha FL 34737, presented pictures from the property and request to the Code Enforcement Board to take action for 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 Wright 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. A fine of \$250.00 per day is hereby imposed beginning January 29, 2008, which fine shall continue each day until such date as the City of Winter Garden code enforcement inspector determines that the violation has been cured and establishes the date of compliance. The Respondents shall contact the City of Winter Garden code enforcement inspector to arrange for inspection of the property to verify compliance. Seconded by member Sherron the motion carried unanimously 6-0.*

3. 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
01-10-08	Finding of Fact
01-29-08	Re-inspection
01-29-08	Affidavit of Non-compliance

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. A fine of \$250.00 per day is hereby imposed beginning January 29, 2008, which fine shall 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 shall 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 6-0.

4. 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
01-10-08	Findings of Fact
01-24-08	Re-inspection
01-24-08	Affidavit of Non-compliance

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 to table Case No. 07-1807 until next Code Enforcement Board Meeting March 4, 2008. Seconded by Member Goodwin the motion carried unanimously 6-0.*

5. 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.

Code Enforcement Manager Irvin stated the property is in compliance.

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

Violation Cited: Sec. 118-1127 Disabled Motor Vehicles

Code Enforcement Manager Irvin stated the property is in compliance.

7. Case # 07-1278 – Dennis Larkin and Amber Larkin, 1409 Fullers Cross Rd, 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
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
01-08-08 Matter Tabled Until Feb 5, 2008

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

Code Enforcement Inspector Lettsome requested to have this case tabled until next Code Enforcement Board Meeting per City Manager request.

ADJOURNMENT:

There being no more business to discuss, Member Sherron moved to adjourned the meeting at 7:13 p.m. *Seconded by Member Goodwin, the motion carried unanimously 6-0.*

ATTEST:

APPROVED:

Secretary Ana L. Alves

Chairman Joseph C. Skubas