



# CITY OF WINTER GARDEN

300 W PLANT ST  
WINTER GARDEN, FL 34787  
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## REGULAR MEETING MINUTES CODE ENFORCEMENT BOARD AUGUST 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. The roll was called and a quorum was declared present.

**PRESENT:** Chairman Joseph C. Skubas, Vice-Chairman Jeffrey Sherron, Board Members, Charlie Mae Wilder, Vincent Goodwin, Henry Wright, Bradley Lomneck, and Rocco “Rocky” Williams. Also present were Board Attorney Gayle A. Owens, Chief Planner Tim Wilson, Code Enforcement Manager Debra Irvin, Code Enforcement Inspector Edwin Lopez and Secretary Ana Alves.

Chairman Skubas welcome new Code Enforcement member Mr. Rocco Williams. Mr. Williams sworn the oath to Code Enforcement attorney Gayle Ownes.

**APPROVAL OF MINUTES:** Approval of minutes from regular meeting held July 1st, 2008. *Motion by member Sherron to approve the minutes of July 1st, 2008 as printed, member Goodwin seconded, and the motion carried unanimously 7-0.*

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

- 1. CASE # 07-1136 - Respondent Teresa J. Smith 319 E. Maple, Winter Garden FL – Consideration of Fine Reduction**

**Violation Cited:** 2-69(d)

**Code Enforcement Manager Irvin** brought to the Code Enforcement Board members, City Manager Michael Bollhoefer will request fine reduction to the City Commission on the meeting scheduled for August 14, 2008. The total fine is \$61,000.00, will be requested to reduce the amount of \$58,830.00, the Respondent will pay \$2,170.00. The city demolished the structure on Jan 8, 2008 at a cost of \$6980.00. Respondent is committed to paying the full demolition cost.

**2. Case # 07-1720 – Deonarine Dhaneshwar, 702 Vineland Road, Winter Garden, FL 34787**

**Violation Cited:**      Sec 18-91            - Building Permit Required (Plumbing, Sewer Connection, Electrical, Mechanical Work, Building Alteration and Conversion)  
                                  Sec 18-91.5        - Work Starting before Permit Issuance  
                                  Sec 118-1297(f) - Permits Required Fences  
                                  Sec 118-396       - Minimum Lot Requirements  
                                  Sec 118-397       – Maximum Lot Coverage R-2  
                                  Sec 118-398       – Minimum Yard Requirements  
                                  Sec 118-1386     - Off Street Parking  
                                  Sec 114-64        - Penalty for Tree Removal

**Code Enforcement Manager Irvin** brought to Code Enforcement Board members that case it is in compliance.

**3. Case # 08-912, Otown Productions, business located at 373 Spring Leap Cir, Winter Garden, Florida 34787.**

**Violation Cited:** Sec. 66.92 and 66.93, for failure to obtain a local business tax receipt.

**Inspections:** 5 renew notices letters sent out.

**Observation:** Failure to obtain a local business tax receipt since September 30, 2007.

**Code Enforcement Manager Irvin** presented exhibits, business still in non-compliance.

**REQUESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW:**

Otown Productions, business located at 373 Spring Leap Cir, Winter Garden, Florida 34787, is in violation of the Code Ordinance of the City of Winter Garden, Florida, Sec. 66.93, failure to obtain local business tax receipt.

***MOTION:** Member Wright moved in Case No. 08-912 that the respondent is in violation of the Winter Garden Code of Ordinances, Sec 66.92 and 66.93. A fine of \$250.00 is hereby imposed for failure to comply with this Board’s order. Seconded by Member Wilder the motion carried unanimously 7-0.*

**4. Case # 08-922, Xavier Investigations, business located at 1835 Portcastle Circle, Winter Garden, Florida 34787.**

**Violation Cited:** Sec. 66.92 and 66.93, for failure to obtain a local business tax receipt.

**Inspections:** 2 renew notices letters sent out.

**Observation:** Failure to obtain a local business tax receipt since September 30, 2007.

**Code Enforcement Manager Irvin** presented exhibits, business still in non-compliance.

**REQUESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW:**

Xavier Investigations, business located at 1835 Portcastle Circle, Winter Garden, Florida 34787, is in violation of the Code Ordinance of the City of Winter Garden, Florida, Sec. 66.93, failure to obtain local business tax receipt.

***MOTION:** Member Wright moved in Case No. 08-922 that the respondent is in violation of the Winter Garden Code of Ordinances, Sec 66.92 and 66.93. A fine of \$250.00 is hereby imposed for failure to comply with this Board's order. Seconded by Member Wilder the motion carried unanimously 7-0.*

**5. Case # 08-946 and 08-947, property owner Cameron W. Bradford, 30 W. Smith, Winter Garden, FL 34787.**

**Violation Cited: Sec. 118-1127, Disable Vehicle and Sec. 18-151 and 18-158, Dilapidated Fence surrounding property**

**Inspections:** July 3, 2008 – Initial Inspection, posted vehicle and left a door hanger for the fence violation  
July 3, 2008 – Sent a courtesy postcard to the property  
July 12, 2008 – Notice of Violation sent, certified mail and first class mail  
July 23, 2008 – Re-inspection, vehicle still in violation.  
July 27, 2008 – Certified Mail returned as “unclaimed”

**Observation:** Yellow van with an expired Florida plate and unsafe fence on the property in a state of disrepair.

**Code Enforcement Inspector Lopez** presented exhibits, gave a detailed history of the case and the business is in non-compliance.

**REQUESTED FINDINGS OF FACT AND CONCLUSIONS OF LAW:**

Cameron W. Bradford, resident at 30 W Smith St, Winter Garden, Florida 34787, Sec. 118-1127, disable vehicle and broken dilapidated fences surrounding the property.

***MOTION:** Member Lomneck moved in Case No. 08-946 and 08-947 that the respondent is in violation of the Winter Garden Code of Ordinances, Sec 118-112, 18-151 and 18-158. The Respondent shall correct the violation on or before August 20, 2008. In order to correct the violation, the Respondent shall take the*

*remedial action as set forth in the Notices of Violation, to wit: case 08-946 – Respondent shall remove or cause the removal of the disable vehicle from the property; case 08-947 – Respondent shall obtain all necessary permits and repair, remove or replace the fence in compliance with the Code. 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 7-0.*

**ADJOURNMENT:**

There being no more business to discuss, Member Sherron moved to adjourned the meeting at 7:16 p.m. *Seconded by Member Lomneck, the motion carried unanimously 7-0.*

ATTEST:

APPROVED:

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Secretary Ana L. Alves

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Chairman Joseph C. Skubas