



# CITY OF WINTER GARDEN

300 W PLANT ST  
WINTER GARDEN, FL 34787  
TEL: (407) 656-4111 EXT. 2305 · FAX: (407) 656-0839

## REGULAR MEETING MINUTES CODE ENFORCEMENT BOARD JANUARY 6, 2009

### **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 roll was called and a quorum was present.

**PRESENT:** Chairman Joseph C. Skubas, Vice-Chairman Jeffrey Sherron, Board Members, Bradley Lomneck, Henry L. Wright and John Benoit III. Also present were Board Attorney Gayle A. Owens and Secretary Ana Alves.

**ABSENT:** Board members Charlie Mae Wilder and Vincent Goodwin.

**APPROVAL OF MINUTES:** Approval of minutes from regular meeting September 2nd, 2008 and December 2nd, 2008. *Motion by member Lomneck to approve the minutes of September 2nd, 2008 and December 2nd, 2008 as printed, member Sherron seconded, and the motion carried unanimously 5-0.*

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

#### **1. Case # 08-641 – Jivraj Al Karim, 131 Charlotte Street, Winter Garden, FL 34787**

**Violation Cited:** Sec 18-151 Standard Code Adopted  
Sec 18-152 Condemnation – Authority  
Sec 18-1941 Housing Code Adopted  
Sec 18-159 Public Nuisances  
Sec 18-160 Vacant Buildings  
Sec 114-64 Penalty for Tree Removal

**Inspections:** Initial Inspection: May 30, 2008 – Inspector Robin Clark

Notice of Violation/Notice of Hearing sent, certified mail and first class mail May 30, 2008  
Property posted: May 31, 2008 – Robin Clark  
Compliance date: July 14, 2008  
Hearing Date: August 5, 2008  
Request for Extension Rec'd June 20, 2008  
Telephone Meeting with owner's wife regarding the contents of the request for extension.  
Extension granted – until August 15, 2008

**Observation:** Unsafe/Unfit Building Requires Demolition.

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

Mr. Al Karin, spoke in behalf of this case. He is no longer owner of property located at 131 Charlotte Street, Winter Garden, FL 34787. The new owner is Federal National Mortgage Association.

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

Code Enforcement Inspector Raymond Lettsome will notify Federal National Mortgage Association, owner of the property located at 131 Charlotte Street, Winter Garden, FL 34787, as set forth in the Notice of Violation dated May 30, 2008 to wit: Sections 18-151, 18-159, 18-160.

***MOTION:** Member Lomneck moved in Case No. 08-641 to table this case until next Code Enforcement Board Meeting. Seconded by Member Sherron carried unanimously 5-0.*

**2. Case # 08-746 – Shirley Smith and Shirley's Trailside Antiques, 12 W. Plant, Winter Garden, FL 34787**

**Violation Cited:** Sec 18-181 Minimum Standards  
Sec 18-181(a) Exteriors  
(1) Foundation (2) Exterior Walls and surfaces (3) Roofs (4) Structural Support (5) Means of egress (6) Protective Railings (7) Windows and exterior doors (8) Hardware (doors) (9) Accessory Structures (10) Awnings or marquee (11) Misc Elements and Sec 18-18 (e) Signs

**Observation:** Downtown Property Maintenance Minimum Standards Code.

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

Mr. Smith, special counselor representing the City of Winter Garden for this case, presented some stipulation in order to bring this property into compliance to perform the following:

- 1) Submit engineered, sealed structural analysis of the building located at 12 W. Plant Street on or before February 13, 2009;
- 2) Schedule with the City and have performed a walkthrough inspection for assessment of all necessary interior and exterior repairs and submit plans for and obtain all required permits for necessary repairs on or before February 27, 2009; and
- 3) Complete the following repairs on or before May 29, 2009
  - a. Bring all windows and frames into compliance with all City Code and adopted building code requirements;
  - b. Bring all doors into compliance with all City Code and adopted building code requirements;
  - c. Replace all missing and broken bricks and tuck point entire building;
  - d. Remove all rotten wood at the exterior ceilings and replace with new wood at the entrance to 12 W. Plant Street;
  - e. Remove and replace all rotten and damage wood in the interior window ceiling;
  - f. Replace exterior wall covering;
  - g. Tuck point the rooftop brick trim and molding;
  - h. Scrape and repaint all areas of peeling paint.

If the engineering report establishes that the timeframes stated above are unreliable the City of Winter Garden will bring the case back before the board at the next regular meeting for amended deadlines.

Mr. Bill Curtis, attorney representing the Respondents, spoke in behalf of this case. Mr. Curtis accepted the stipulations presented by the City representative Mr. Smith.

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

Mrs. Shirley Smith, owner of the property located at 12 W Plant Street, Winter Garden Fl 34787, is in violation of the Code Ordinance of the City of Winter Garden, Florida, as set forth in the Notice of Violation dated August 20, 2008.

***MOTION:** Member Sherron moved in Case No. 08-746 that the respondents are in violation of the Winter Garden Code of Ordinances as set forth in the Notice of Violation dated August 20, 2008. The Respondents shall take the following actions in order to correct the violations: 1) Submit engineered, sealed structural analysis of the building located 12 W. Plant Street on or before February 13, 2009. 2) Schedule with the City and have performed a walkthrough inspection for assessment of all necessary interior and exterior repairs and submit plans for and obtain all required permits for necessary repairs on or before February 27, 2009. Seconded by Member Lomneck carried unanimously 5-0.*

### 3. Case # 08-745 – Jay W. Lake, 24-28 S. Main, Winter Garden, FL 34787

**Violation Cited:** Sec 18-181 Minimum Standards  
Sec 18-181(a) Exteriors  
Foundation (2) Exterior Walls and surfaces (3) Roofs (4) Structural Support  
(5) Means of egress (6) Protective Railings (7) Windows and exterior doors (8) Hardware (doors) (9) Accessory Structures (10) Awnings or marquee  
(11) Misc Elements and Sec 18-18 (e) Signs

**Observation:** Downtown Property Maintenance Minimum Standards Code.

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

Mr. Jay Lake, owner of the property located at 24-28 S Main Street, Winter Garden Fl 34787, spoke in behalf of this case. Mr. Lake has been work with the Building Official in order to bring his property into compliance. Mr. Lake asked for more time in order to fix the violation.

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

Mr. Jay Lake, owner of the property located at 24-28 S Main Street, Winter Garden Fl 34787, is in violation of the Code Ordinance of the City of Winter Garden, Florida, as set forth in the Notice of Violation dated August 20, 2008 to wit: Sec 18-181 Minimum Standards, Sec 18-181(a) Exteriors Foundation (2) Exterior Walls and surfaces (3) Roofs (4) Structural Support (5) Means of egress (6) Protective Railings (7) Windows and exterior doors (8) Hardware (doors) (9) Accessory Structures (10) Awnings or marquee (11) Misc Elements and Sec 18-18 (e) Signs.

**MOTION:** *Member Lomneck moved in Case No.08-745 that the respondents are in violation of the Winter Garden Code of Ordinances as set forth in the Notice of Violation dated August 20, 2008. The Respondent shall take the remedial action as set forth in the Notice of Violation, pursuant to the following deadlines:1) Respondent shall apply for and obtain all required permits to perform required work on or before January 16, 2009. 2) Respondent shall commence remedial repairs no later than February 16, 2009. 3) Respondent shall complete all required actions to bring the property into compliance with the City of Winter Garden Code of Ordinances no later than May 16, 2009. Respondent is further ordered to contact the City of Winter Garden code inspector to arrange for an inspection of the property to verify compliance. If the Respondent does not comply, a subsequent hearing shall be held before the Code Enforcement Board to determine whether a fine should be imposed for failure to comply as ordered. Any fine imposed hereunder shall continue until such time as the code inspector inspects the property as establishes the date of compliance. Seconded by Member Lomneck the motion carried unanimously 5-0.*

*City Manager Mike Bollhoefer spoke how important is the Code Enforcement Board Members attendance. It is important for the members to be present at meetings. The City is looking to have the City of Winter Garden Ordinance change to automatic remove board members in case of absence.*

**ADJOURNMENT:**

There being no more business to discuss, Member Lomneck moved to adjourned the meeting at 6:50 p.m. *Seconded by Member Sherron, the motion carried unanimously 5-0.*

ATTEST:

APPROVED:

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Secretary Ana L. Alves

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Chairman Joseph C. Skubas