



CITY OF WINTER GARDEN

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REGULAR MEETING MINUTES CODE ENFORCEMENT BOARD APRIL 7, 2009

CALL TO ORDER

Chairman Joseph C. Skubas called the regular meeting of the Winter Garden Code Enforcement Board to order at 6:13 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, Charlie Mae Wilder, Henry L. Wright, John Benoit III and Vincent Goodwin. Also present were Board Attorney Gayle A. Owens, Secretary Corrina Williams, Chief Planner Tim Wilson, Code Enforcement Inspectors Raymond Lettsome, Edwin Lopez and Mike Jenkins. Board Member Bradley Lomneck (arrived at 6:53pm).

APPROVAL OF MINUTES: Approval of minutes from regular meeting March 3, 2009. *Motion by member Sherron to approve the minutes of January 6, 2009 as printed, member Goodwin seconded, and the motion carried unanimously 5-0.*

HEARINGS ON STATEMENT OF VIOLATIONS PURSUANT TO NOTICES OF HEARINGS

1. CASE # 08-1573- Santiago Uresti and Keri Uresti, 419 Tierra Verde Lane, Winter Garden, Fl – Building Permit.

Violation Cited: Sec 18- 91 – Building Permit Required
Sec 18-91.5 – Work starting before permit issuance

Observation: – Building Permit required and work starting before permit issuance.

Code Enforcement Inspector Lopez presented case # 08-1573. Due to lack of documentation, Inspector Lopez requested to have case tabled until next meeting.

***MOTION:** Member Sherron moved in Case No. 08-1573 that have case tabled until next Code Enforcement Board Meeting. Seconded by Member Goodwin carried unanimously 5-0.*

2.CASE # 09-132- Peggy Ann Watts, 1206 E Bay St, Winter Garden, Fl – No Building Permit

Violation Cited: Sec 18- 91 – Building Permit Required

Observation: Building Permit Required.

Code Enforcement Inspector Jenkins presented case.

Peggy Ann Watts property owner of 1206 E Bay, Winter Garden, Florida spoke in behalf of case # 09-132. She wants to get into compliance but is receiving misinformation on the documentation needed in order to apply for the shed permit.

Mr. Lukert, Building Official for the City of Winter Garden, suggested a meeting with owner Mrs. Watts, for Wednesday April 8th, 2009 in order to clarify the documentation needed.

***MOTION:** Member Sherron moved in Case No. 09-132 that have case tabled until next Code Enforcement Board Meeting. Seconded by Member Wilder carried unanimously 6-0.*

3.CASE # 08-746- Shirley Smith and Shirley’s Trailside Antiques - 12 W Plant St, Winter Garden, Fl – Unfit Structure

Violation Cited: Sec 18- 181 - Minimum Standards Downtown Property Maintenance Code
Sec 18-181(a) - Exterior of Structures
Sec 18-181(f) - Signs

Observation: Downtown Property Maintenance Minimum Standards Code.

Special Magistrate Virginia Cassidy presented case. Case was previously presented on January 6, 2009 when Code Enforcement Board imposed a Findings of Fact, Conclusions of Law, Order and Notice of right to appeal ordering the Respondent to take three actions in order to correct the violations, which was agreed by the Respondent. The Respondent has not complied at least in two of the three actions. Mrs. Cassidy suggested the Board to enter an order to impose a fine/lien of \$250/day beginning back to February 13, 2009 and continue until violations are corrected.

Code Enforcement Inspector Lettsome presented case showing a good service for the Notices. Mrs. Cassidy asked Mr. Lettsome if notice of Findings of Fact, Conclusions of Law, Order and Notice of right to appeal was mailed to the Respondent also Respondent’s attorney, answered from Mr. Lettsome was positive. Also if the Respondent and attorney attended January’s

meeting, which answer was positive as well. Building Official Mr. Lukert gave a testimony saying the Engineering Report requested to the Respondent have not been submitted as of today, also no phone calls has been received from Respondent or anyone regarding this case.

Respondent Shirley Smith spoke in behalf of this case giving a history of incidents on why she was not able to come into compliance. The person she hired to do the structural analysis is not longer working for her and she will hire another person indicated by Jay Lake, owner for the property behind her building.

Respondent Attorney Bill Curtis testifies that they don't know what a reasonable time frame to come into compliance is. Mr. Curtis will try to have the engineering report and walk thru done by May 29, 2009.

***MOTION:** Member Benoit III moved in Case No. 08-746 that the respondent is in violation of the Winter Garden Code of Ordinances, Sec 18-181. A fine of \$250.00 per day beginning on February 13, 2009 is hereby imposed for failure to comply with this Board's order. Seconded by Member Lomneck carried unanimously 6-0.*

ADJOURNMENT:

There being no more business to discuss, Member Sherron moved to adjourned the meeting at 7:23 p.m. *Seconded by Member Goodwin, the motion carried unanimously 6-0.*

ATTEST:

APPROVED:

Secretary Corrina Williams

Chairman Joseph C. Skubas