



**CODE ENFORCEMENT BOARD  
REGULAR MEETING MINUTES  
October 5, 2010**

**CALL TO ORDER**

A **REGULAR MEETING** of the Winter Garden Code Enforcement Board (CEB) was called to order by Chairman Joseph Skubas at 6:15 p.m. at City Hall, 300 West Plant Street, Winter Garden, Florida and it was determined that a quorum was present. The invocation and Pledge of Allegiance were given.

**Present:** Chairman Joseph Skubas, Board Members Bradley Lomneck, Henry L. Wright, John Benoit III, and Wanda Patterson.

**Also Present:** Board Attorney Dan Langley, Secretary Ana Lucia Alves, Community Development Director Tim Wilson and Code Enforcement Manager Skip Lukert.

**Absent:** Vice-Chairman Jeffrey Sherron and Board Member Vincent Goodwin.

1. **CONSENT AGENDA**

**APPROVAL OF MINUTES**

Amended minutes from July 6, 2010 CEB meeting was approved as amended. Minutes from the regular meetings of August 3, 2010 and September 7, 2010 were approved. **A motion by member Lomneck to approve the amended minutes from July 6, 2010, the minutes from August 3, 2010 and September 7, 2010 as printed. Member Wright seconded, and the motion carried unanimously 5-0.**

2. **HEARINGS ON STATEMENT OF VIOLATIONS PURSUANT TO NOTICES OF HEARINGS**

**SWEARING IN BY PARTIES TO TESTIFY**

CEB Secretary Ana Alves swore in Code Enforcement Manager Skip Lukert who will be presenting testimony.

**A. OLD BUSINESS ITEMS**

1. **CASE #10-806 – W. Unassigned Colonial Dr, Winter Garden, FL – Maintenance of privately owned streets, driveways and parking lots**

Code Enforcement Manager Skip Lukert

**Sec.62-31.** Maintenance of privately owned streets, driveways and parking lots

**FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE #10-806**

Code Enforcement Manager Skip Lukert presented exhibits. The compliance date was September 3, 2010, a re-inspection was done on September 24, 2010

and the property was in violation. Mr. Lukert re-inspected the property on October 5, 2010 and the property was not in compliance. The City recommends a \$250.00 day fine be imposed with a beginning date of September 3, 2010, which shall continue each day thereafter until such date as the City of Winter Garden Code Enforcement determines that the violation has been cured and a date of compliance is established.

***Motion:*** Member Lomneck moved in Case #10-0806 that the respondent has not corrected the violation as set forth in the Findings of Fact, Conclusions of Law, Order and Notice of Right to Appeal as September 3, 2010. A fine of \$250.00 per day is hereby imposed beginning September 3, 2010, which fine shall continue each day thereafter 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 Respondent shall contact the City of Winter Garden Code Enforcement Inspector to arrange for an inspection of the property to verify compliance. Seconded by Member Wright and carried unanimously 5-0.

**2. CASE # 10-1292 – 13207 Fox Glove St, Winter Garden, FL**

Code Enforcement Manager Skip Lukert

**Sec.118-1297** - Fences: (b) Enclosure of swimming pool.

**Sec.38-62.** Mosquito breeding places.

**Sec.38-29.** Abatement of nuisances required.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE #10-1292**

Code Enforcement Manager Skip Lukert stated this Case was presented to CEB at the September 7, 2010 meeting. The CEB issued at that meeting a *Findings of Fact, Conclusions of Law, Order and Notice of Right to Appeal* with the compliance date set for September 17, 2010. The property was re-inspected on September 24, 2010 and October 5, 2010 and found not to be in compliance. Mr. Lukert recommended a \$250.00 day fine be imposed with a beginning date as of September 17, 2010, which fine shall continue each day thereafter 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.

***Motion:*** Member Lomneck moved in Case #10-1292 that the respondent has not corrected violation as set forth in the Findings of Fact, Conclusions of Law, Order and Notice of Right to Appeal issued by CEB on September 7, 2010. A fine of \$250.00 per day is hereby imposed beginning September 17, 2010, 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 Enforcement Inspector to arrange for an inspection of the property to verify compliance. Seconded by Member Wright and carried unanimously 5-0.

**3. CASE # 10-1058 – 131 W Vining St, Winter Garden, FL**

Code Enforcement Manager Skip Lukert

**Sec.18-91** - Required.

**Sec.18-91.5** – Working starting before permit issuance.

**Sec.2.10** – Standards for construction of driveways, curb cuts and similar alterations.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE #10-1058**

Code Enforcement Manager Skip Lukert recommended to the CEB to keep this case tabled until the next CEB meeting. The owner is working with the City to bring the property into compliance.

***Motion:*** *Member Lomneck motioned to table Case # 10-1058 until the next CEB meeting. Seconded by Member Benoit III and carried unanimously 5-0.*

**B. NEW BUSINESS ITEMS**

Code Enforcement Manager Skip Lukert presented to CEB members that the Code Enforcement Department was re-organized in the middle of September. The Code Enforcement Inspector's duties have been reassigned to the Building Inspectors along with the building inspections.

Board member Lomneck requested to the CEB attorney Dan Langley if the introductory reading can be waived if no one is present other than City employees. The CEB attorney suggested keeping the introductory reading at the beginning of each CEB meeting in order to have it in the official records.

Board member Wright informed the CEB members of his resignation from the CEB after serving this Board for 4 years. He will be running for the City Commission seat for District1.

**3. COMMENTS**

*No additional comments.*

**4. ADJOURNMENT**

*There being no more business to discuss, Member Lomneck moved to adjourn the meeting at 6:25 p.m. Seconded by Member Wright and carried unanimously 5-0.*

ATTEST:

APPROVED:

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Secretary Ana Lucia Alves

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Chairman Joseph Skubas