



**CODE ENFORCEMENT BOARD
A Regular Meeting Minutes
March 1, 2011**

CALL TO ORDER

A **REGULAR MEETING** of the Winter Garden Code Enforcement Board (CEB) was called to order by Chairman Joseph Skubas at 6:17 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, Harold Petch, Henry L. Wright, and Wanda Patterson.

Also Present: Board Attorney Gayle Owens, Secretary Ana Lucia Alves, Community Development Director Tim Wilson, Planning Director Ed Williams, Code Enforcement Manager Skip Lukert, Chief Plans Examiner Dennis Turner, Building/Code Enforcement Inspectors Thomas Knappman and Rebecca Johnson.

Absent: Vice-Chairman Jeffrey Sherron and John Benoit III.

1. **CONSENT AGENDA**

APPROVAL OF MINUTES

Approval of minutes from the regular meeting of January 4, 2011.

Motion: Member Lomneck motioned to approve the minutes of January 4, 2011 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 Attorney swore in Code Enforcement Manager Skip Lukert who will be presenting testimony.

A. OLD BUSINESS ITEMS

1. **CASE # 10-1607 – Respondent(s) Gordon and Lesley Figg
14417 Hampshire Bay Cir, Winter Garden, Fl**

Code Manager Skip Lukert

Sec. 18-91. Required

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

Sec. 118-1297. Fences, walls and enclosure of swimming pools.

Article II. Building Code – Sec.18-56. Adoption

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 10-1607

Code Enforcement Manager Skip Lukert presented exhibits and stated that the property located at 14417 Hampshire Bay Cir is not in compliance.

Motion: Member Wright moved in Case #10-1607 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 January 4, 2011. A fine of \$250.00 per day is hereby imposed beginning January 20, 2011, 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 Lomneck and carried unanimously 5-0.

B. NEW BUSINESS ITEMS

**1. CASE # 10-1673 – Respondent(s) – Philip and Roberta Loneragan
129 3RD ST., Winter Garden, Fl**

Code Manager Skip Lukert

Sec. 18-151. Standard code adopted.

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 10-1673

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

Motion: Member Lomneck motioned to table Case #10-1673. Seconded by Member Wright and carried unanimously 5-0.

**2. CASE # 10-1694 and 10-1695 – Respondent Jerome Scott Wise
910 Carter Rd, Winter Garden, Fl**

Code Manager Skip Lukert

Sec.38-94. Accumulations of trash, junk, debris and nonliving plant material on property utilized or zoned for residential, professional office, commercial or industrial use.

Sec.118-773. Permitted accessory uses and structures.

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE #10-1694 and 10-1695

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

Motion: Member Lomneck motioned to table Case #10-1694 and 10-1695. Seconded by Member Wright and carried unanimously 5-0.

**3. CASE # 11-0031 – Dieuseul and Emma Belamour
742 Duff Dr., Winter Garden, Fl**

Code Manager Skip Lukert

Sec. 118-858. Permitted uses.

Single-family residence where multiple tenants are occupying rooms that are not family members. *Family* is defined by ordinance Sec 118-1, an individual or two or more persons related by blood, marriage or adoption who are living together in a single housekeeping unit.

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE #11-0031

Code Enforcement Manager Harold Skip Lukert presented exhibits and stated that the property located at 742 Duff Dr. is in compliance.

**4. CASE # 11-0051 and 11-0063 – Respondent Tonys Investments Inc
35 S Dillard St., Winter Garden, Fl**

Code Manager Skip Lukert

Sec. 118-1126. Commercial structures; uses involving sales, storage, repairs, service. – Construction equipment is being stored on a C-2 parcel.

Sec. 98-192. General criteria and standards.

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE #11-0051 and 11-0063

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

Motion: Member Lomneck motioned to table Case #11-0051 and 11-0063. Seconded by Member Wright and carried unanimously 5-0.

**5. CASE # 11-0053 and 11-0056 – Respondent(s) Robert and Melissa Stephenson
640 S Boyd St., Winter Garden, Fl**

Code Manager Skip Lukert

Case # 11-0053 - Sec. 18-151. Standard code adopted.

Case # 11-0056 - Sec. 18-160. Vacant buildings.

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE #11-0053 and 11-0056

Code Enforcement Manager Skip Lukert recommended to the CEB to have this case tabled.

Motion: Member Lomneck motioned to table Case #11-0053 and 11-0056. Seconded by Member Wright and carried unanimously 5-0.

**6. CASE # 11-0054 and 11-0055 – Respondent(s) Robert and Melissa Stephenson
640 S Boyd St., Winter Garden, Fl**

Code Manager Skip Lukert

Case # 11-0054 - Sec. 38-94. Accumulation of trash, junk, debris and nonliving plant material on property utilized or zoned for residential, professional office, commercial or industrial use

Case # 11-0055 - Sec. 118-1127. Disabled motor vehicles.

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE #11-0054 and 11-0055

Code Enforcement Manager Harold Skip Lukert stated that the cases # 11-0054 and 11-0055 for property located at 640 S Boyd St. are in compliance.

7. CASE # 11-0075 – Respondent Lisa Rushing Hughes

118 W Newell St., Winter Garden, Fl

Code Manager Skip Lukert

Sec. 18-151. Standard code adopted.

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE #11-0075

Code Enforcement Manager Skip Lukert recommended to the CEB to have this case tabled.

Motion: Member Lomneck motioned to table Case #11-0075. Seconded by Member Wright and carried unanimously 5-0.

8. CASE # 11-0080 – Respondent Gar Shing Realty Corp and Kha Donna – Registered Agent

13387 W Colonial Dr., Winter Garden, Fl

Code Manager Skip Lukert

Sec. 102-165. Banner signs.

Sec. 118-1515. Prohibited signs.

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE #11-0080

Code Enforcement Manager Harold Skip Lukert stated that the property located at 13387 W. Colonial Dr. is in compliance.

9. CASE # 11-0112 – Respondent(s) Ramlagan Chandradai and Daljit Khemraj 635 First Cape Coral, Winter Garden, Fl

Code Manager Skip Lukert

Sec. 118-1. Definitions

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE #11-0112

Code Enforcement Manager Harold Skip Lukert stated that the property located at 635 First Cape Coral is in compliance

3. COMMENTS

No additional comments.

4. ADJOURNMENT

There being no more business to discuss, Member Lomneck moved to adjourn the meeting at 6:34 p.m. Seconded by Member Wright and carried unanimously 5-0.

ATTEST:

APPROVED:

Secretary Ana Lucia Alves

Chairman Joseph Skubas