



**A REGULAR MEETING MINUTES
CODE ENFORCEMENT BOARD
FEBRUARY 4, 2014**

1. CALL TO ORDER/INVOCATION/PLEDGE OF ALLEGIANCE

A **REGULAR MEETING** of the Winter Garden Code Enforcement Board (CEB) was called to order by Chairman Joseph Skubas at 6:37 p.m. in the City Hall Commission Chambers, at City Hall, 300 West Plant Street, Winter Garden, FL. The invocation was given followed by the Pledge of Allegiance.

DETERMINATION OF QUORUM

A quorum was declared present at 6:37 p.m.

MEMBERS PRESENT:

Chairman Joseph Skubas, Board Members: David Buckles, Jack R. Litteral, and Johnny Clark.

MEMBERS ABSENT/ARRIVED LATE:

Board Member Harold Petch – Absent (not excused)
Vice-Chairman John Benoit III – Absent (not excused)

ALSO PRESENT:

Board Attorney Daniel Langley, Senior Planner Stephen Pash, and Customer Service Representatives Megan D'Avila and Karla Cuevas.

2. CONSENT AGENDA

A. SWEARING IN OF PARTIES TO TESTIFY

CEB Attorney swore in Senior Planner Steve Pash, Property Owner Steven Bolcar, and tenants Wendell Phillips and Leverne Mingo who will be presenting testimony.

B. APPROVAL OF MINUTES

Approval of minutes from the regular meeting held January 7, 2014.

MOTION: Board Member David Buckles moved to approve the January 7, 2014 meeting minutes. Seconded by Board Member Johnny Clark, the motion carried unanimously 4-0.

3. HEARINGS ON STATEMENT OF VIOLATIONS PURSUANT TO NOTICES OF HEARINGS

A. OLD BUSINESS

- 1. CASE # 13-385 – 1309 Cardinal Lane, Winter Garden, Fl.**
Senior Planner Stephen Pash
Sec. 58-39 (d) Points of Collection (Time of Collection)

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 13-385

Senior Planner Stephen Pash stated that the Board had imposed a \$250 fine on this property at the previous meeting. The landlord had requested to come before the Board to request a reduction in the fine.

Property Owner Steven Bolcar stated that he spoke to the tenants and the tenants had assured him that they had put the trash away. Mr. Bolcar explained that the tenants received a warning of violation; they had another conversation and said they understood. Subsequently Mr. Bolcar received a Notice of Hearing so he spoke to the tenants again and they were confused because they did what they were told to do by putting the trash away.

The two times that Mr. Bolcar was at the property, he noticed that his tenants' trash container was back in the shed and that there was another trash container out in the street in front of Mr. Bolcar's property. Mr. Bolcar stated that the trash container belongs to their next door neighbor and he took a picture of the trash container, which looks like his tenants' trash container.

Mr. Bolcar stated that his tenants had struggled paying their rent and that if they were fined \$250.00, they wouldn't be able to pay it so Mr. Bolcar will be responsible himself and unfortunately he would go after them. That being said the tenant Ms. Mingo asked if the Board could reduce the fine.

Questions and Discussion

MOTION: Board member David Buckles moved to reduce the fine to \$25.00. Seconded by Board Member Jack Litteral and carried unanimously 4-0.

B. NEW BUSINESS

1. **CASE # 13-420 – 1056 South Dillard Street, Winter Garden, Fl.**
Senior Planner Stephen Pash
Sec. 102-92 Prohibited signs

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 13-420

Senior Planner, Stephen Pash stated that one of the tenants in the building, is a Tax Service Agency and they started putting up yellow snipe signs throughout the city, starting in late December. Staff has been picking them up and Code Enforcement Officer has made multiple visits to speak to the tenants. Mr. Pash said the tenants continued to put the signs out; therefore, staff issued a Notice of Violation and a Notice of Hearing. Mr. Pash stated that they collected approximately 92 signs and the tenant was informed that there could be a \$250 fine per violation. There are six violations per sign. Mr. Pash said that once they gave the tenants the Notice of Hearing and Notice of Violation the tenant stopped putting signs out. Mr. Pash stated that staff does not wish to pursue the fines at this time but he wanted to present it to the board in case it comes back anytime between now and April 15. Mr. Pash stated that he wanted to keep the case open and continue to watch the property. No motion needed.

2. **CASE # 14-003 – 12315 West Colonial Drive, Winter Garden, Fl.**
Senior Planner Stephen Pash
Sec. 102-92 Prohibited signs

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 14-003

Senior Planner, Stephen Pash stated that tenants at 12315 West Colonial Drive were a Tax Agency and they started placing white snipe signs in late December and staff has collected a total of 22 signs. Mr. Pash stated he wanted to present the case to the board so the board is well aware that staff is working with the tenant and that if we continue to find signs, then the case will come back to ask for fines. Mr. Pash said that as soon as the Notice of Violation and Notice of Hearing were issued, the tenants stopped placing signs. No motion needed.

3. **CASE # 14-019 – 13385 West Colonial Drive, Winter Garden, Fl.**
Senior Planner Stephen Pash
Sec. 102-92 Prohibited signs

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 14-019

Senior Planner, Stephen Pash stated property has come into compliance and staff is closing the case. No motion needed.

4. **CASE # 14-006 – 961 Stucki Terrace, Winter Garden, Fl.**
Senior Planner Stephen Pash
Sec. 58-39 (d) Points of Collection (Time of Collection)

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 14-006

Senior Planner, Stephen Pash stated property has come into compliance and staff is closing the case. No motion needed.

5. CASE # 14-007 – 966 Stucki Terrace, Winter Garden, Fl.

Senior Planner Stephen Pash

Sec. 58-39 (d) Points of Collection (Time of Collection)

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 14-007

Senior Planner, Stephen Pash stated property has come into compliance and staff is closing the case. No motion needed.

6. CASE # 14-008 – 968 Stucki Terrace, Winter Garden, Fl.

Senior Planner Stephen Pash

Sec. 58-39 (d) Points of Collection (Time of Collection)

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 14-008

Senior Planner, Stephen Pash stated property has come into compliance and staff is closing the case. No motion needed.

7. CASE # 14-009 – 971 Stucki Terrace, Winter Garden, Fl.

Senior Planner Stephen Pash

Sec. 58-39 (d) Points of Collection (Time of Collection)

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 14-009

Senior Planner, Stephen Pash stated property has come into compliance and staff is closing the case. No motion needed.

8. CASE # 14-010 – 974 Stucki Terrace, Winter Garden, Fl.

Senior Planner Stephen Pash

Sec. 58-39 (d) Points of Collection (Time of Collection)

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 14-010

Senior Planner, Stephen Pash stated property has come into compliance and staff is closing the case. No motion needed.

9. CASE # 14-011 – 977 Stucki Terrace, Winter Garden, Fl.

Senior Planner Stephen Pash

Sec. 58-39 (d) Points of Collection (Time of Collection)

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 14-011

Senior Planner, Stephen Pash stated property has come into compliance and staff is closing the case. No motion needed.

10. CASE # 14-012 – 978 Stucki Terrace, Winter Garden, Fl.

Senior Planner Stephen Pash

Sec. 58-39 (d) Points of Collection (Time of Collection)

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 14-012

Senior Planner, Stephen Pash stated property has come into compliance and staff is closing the case. No motion needed.

11. CASE # 14-013 – 979 Stucki Terrace, Winter Garden, Fl.

Senior Planner Stephen Pash

Sec. 58-39 (d) Points of Collection (Time of Collection)

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 14-013

Senior Planner, Stephen Pash stated property has come into compliance and staff is closing the case. No motion needed.

12. CASE # 14-014 – 989 Stucki Terrace, Winter Garden, Fl.

Senior Planner Stephen Pash

Sec. 58-39 (d) Points of Collection (Time of Collection)

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 14-014

Senior Planner, Stephen Pash stated property has come into compliance and staff is closing the case. No motion needed.

13. CASE # 14-015 – 991 Stucki Terrace, Winter Garden, Fl.

Senior Planner Stephen Pash

Sec. 58-39 (d) Points of Collection (Time of Collection)

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 14-015

Senior Planner, Stephen Pash stated property has come into compliance and staff is closing the case. No motion needed.

14. CASE # 14-016 – 1310 Fettle Way, Winter Garden, Fl.

Senior Planner Stephen Pash

Sec. 58-39 (d) Points of Collection (Time of Collection)

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 14-016

Senior Planner, Stephen Pash stated property has come into compliance and staff is closing the case. No motion needed.

15. CASE # 14-017 – 1322 Fettle Way, Winter Garden, Fl.

Senior Planner Stephen Pash

Sec. 58-39 (d) Points of Collection (Time of Collection)

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 14-017

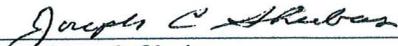
Senior Planner, Stephen Pash stated property has come into compliance and staff is closing the case. No motion needed.

4. ADJOURNMENT

There being no further business to discuss, Board Member Johnny Clark moved to adjourn the meeting at 6:51 p.m. Seconded by Board Member David Buckles and carried unanimously 4-0.

APPROVED:

ATTEST:



Chairman Joseph Skubas



Customer Service Rep Karla Cuevas