



**A REGULAR MEETING MINUTES
CODE ENFORCEMENT BOARD
FEBRUARY 3, 2015**

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

A **REGULAR MEETING** of the Winter Garden Code Enforcement Board (CEB) was called to order by Chairman Joseph Skubas at 6:14 p.m. in the City Hall Commission Chambers, at City Hall, 300 West Plant Street, Winter Garden, FL. The Pledge of Allegiance was recited.

DETERMINATION OF QUORUM

A quorum was declared present at 6:14 p.m.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Vice-Chairman John Benoit III and Board Member Harold Petch

ALSO PRESENT:

Board Attorney Daniel Langley, Community Development Manager Steve Pash and Customer Service Representative Megan D'Avila.

2. CONSENT AGENDA

A. SWEARING IN OF PARTIES TO TESTIFY

CEB Attorney swore in Community Development Manager Steve Pash who will be presenting testimony.

B. APPROVAL OF MINUTES

Approval of minutes from the regular meeting held January 6, 2015.

MOTION: Board Member Johnny Clark moved to approve the January 6, 2015 meeting minutes. Seconded by Board Member David Buckles, the motion carried unanimously 5-0.

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

A. OLD BUSINESS

1. 642 South Dillard Street, Winter Garden, FL → CASE # 14-174.

Community Development Manager, Steve Pash

Sec. 102-92 Prohibited Signs

Sec. 118-1536 General Requirements

Respondent is requesting a reduction in fines.

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 14-174

Community Development Manager, Steve Pash, requested that the case be tabled until the March 3, 2015 meeting.

No motion needed.

2. 671 Business Park Boulevard, Winter Garden, FL → CASE # 14-183.

Community Development Manager, Steve Pash

Sec. 102-92 Prohibited Signs

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 14-183

Community Development Manager, Steve Pash, requested that the case be tabled until the March 3, 2015 meeting.

3. 1010 South Dillard Street, Winter Garden, FL → CASE # 14-184.

Community Development Manager, Steve Pash

Sec. 102-92 Prohibited Signs

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 14-184

Community Development Manager, Steve Pash, requested that the case be tabled until the March 3, 2015 meeting.

Questions and Discussion

MOTION: Board Member David Buckles moved to table the seconded and third items on the agenda until the March 3, 2015 Board Meeting. Seconded by Board Member Johnny Clark and carried unanimously 5-0.

B. NEW BUSINESS

1. 159 Roper Drive, Winter Garden, FL → CASE # 15-002.

Community Development Manager, Steve Pash

Sec. 18-91 Required

- Sec. 18-151** Standard Code Adopted
- Sec. 18-155** Conditions Constituting Hazards – Notice
- Sec. 18-159** Public Nuisances
- Sec. 18-191** Adopted

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 14-188

Community Development Manager, Steve Pash, stated that the property located at 159 Roper Drive contains a single family residence. City Staff has received multiple complaints from the neighbors about the condition of the house. On the back side of the house, the screen porch/lanai area is caving in, the roof is caving in, and there is trash everywhere. For the past three months, City Staff has had multiple conversations with the owner about the condition of the house and the owner has continuously stated the he will pull a permit to repair the home. Nothing has happened so on January 13, 2015 City Staff issued a Notice of Violation and Notice of Hearing via regular mail, certified mail, and hand delivery to let the owner know the case would be taken before the Code Enforcement Board. The owner did not show up.

City Staff recommends that the Board issue a Findings of Fact and Conclusion of Law to find the property owner in violation and impose a \$250 fine per day per violation.

Questions and Discussion

MOTION: Based upon the Findings of Fact and evidence presented, Board Member Johnny Clark moved to impose a \$250.00 daily fine effective one week from February 3, 2015. Seconded by Board Member Jack Litteral and carried unanimously 5-0.

2. **731 South Dillard Street, Winter Garden, FL → CASE # 15-003.**
Community Development Manager, Steve Pash
Sec. 18-163 Number, Duration, and Removal
Sec. 18-169 Permit Required

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 14-189

Community Development Manager, Steve Pash, stated that the business at 731 South Dillard is Helmly Furniture, which used to operate as Furnish 1 2 3. The owner has had multiple storage containers on the property for an extended period of time. The owner asked Mr. Pash if he could put the containers on the property when Furnish 1 2 3 went out of business in order to hold furniture they were selling. Mr. Pash said that yes, they could have the containers there while they held their out of business sale. The storage containers have been there for about 6 months now. City staff spoke with the owner and asked that he remove the containers from the property. The owner stated that he would need 6 months in order to remove the containers. The owner also listed other businesses in the City that had storage containers on their property. Mr. Pash informed the owner that City Staff has been talking with all of the other businesses in the City, asking them to remove the containers, and they have been complying. Due to the owner stating he would need 6 months to remove the containers, City Staff issued a Notice of Violation and Notice of Hearing on January 22, 2015 via regular mail, certified mail, and hand delivery. Since the Notices have been sent out, all but one storage container has been removed. Mr. Pash informed the Board that at 4:00 pm he received an email from the owner stating the last container would be removed Wednesday, February 4, 2015.

City Staff requests that the Board issue a Finding of Fact and Conclusion of Law to find the property in violation and impose a \$250 fine per day per violation if the container is not removed by February 4, 2015.

Questions and Discussion

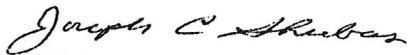
MOTION: Based upon the Findings of Fact and evidence presented, Board Member Johnny Clark moved to impose a \$250 daily fine per violation if the container is not removed by February 5, 2015. Seconded by Board Member Bruce Woloshin and carried unanimously 5-0.

4. ADJOURNMENT

There being no further business to discuss, Board Member Johnny Clark moved to adjourn the meeting at 6:23 p.m. Seconded by Board Member Jack Litteral and carried unanimously 5-0.

APPROVED:

ATTEST:



Chairman Joseph Skubas



Customer Service Rep Megan D'Avila