



**A REGULAR MEETING MINUTES  
CODE ENFORCEMENT BOARD  
FEBRUARY 2, 2016**

**1. CALL TO ORDER / PLEDGE OF ALLEGIANCE**

A **REGULAR MEETING** of the Winter Garden Code Enforcement Board (CEB) was called to order by Chairman John Benoit III at 6:15 p.m. in the City Hall Commission Chambers, 300 West Plant Street, Winter Garden, FL. The Pledge of Allegiance was recited.

**DETERMINATION OF QUORUM**

A quorum was declared present at 6:15 p.m.

**MEMBERS PRESENT:**

Chairman John Benoit III, and Board Members: Johnny Clark, Jack Litteral, Ron Sikes, Marvin E. Vasquez, and Bruce Woloshin

**MEMBERS ABSENT:**

Vice-Chairman David Buckles (excused)

**ALSO PRESENT:**

Board Attorney Chris Conley, Community Development Director Steve Pash, and Recording Secretary Kathleen Rathel

**2. CONSENT AGENDA**

**A. SWEARING IN OF PARTIES TO TESTIFY**

CEB Recording Secretary Rathel swore in Community Development Director Steve Pash and Sandra Bonilla who will be presenting testimony.

**B. APPROVAL OF MINUTES**

Approval of minutes from the regular meeting held November 3, 2015.

***MOTION: Board Member Clark moved to approve the November 3, 2015 meeting minutes. Seconded by Board Member Sikes, the motion carried unanimously 6 - 0.***

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

#### **A. OLD BUSINESS**

##### **1. CASE # 15-21 – 530 Susan B Britt Court, Winter Garden, FL**

Community Development Director Steve Pash

- Sec. 18-91** Required
- Sec. 18-91.5** Work Starting Before Permit Issuance
- Sec. 18-94** Expiration; Special Permit
- Sec. 18-121** Required; Recordation
- Sec. 18-163** Number, Duration and Removal
- Sec. 18-169** Permit – Required
- Sec. 106-18** Maximum Impervious Surface Ratios (ISR)
- Sec. 118-68** Site Plan (Development Plan) Required
- Sec. 118-69** Principal Uses
- Sec. 118-70** Procedures
- Sec. 118-71** Construction Permit and Site Plan Review Certificate Required
- Sec. 118-774** Special Exceptions
- Sec. 118-776** Dimensions and Area Requirements
- Sec. 118-1310** Generally

##### **FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 15-21.**

Community Development Director Pash requested that the case be tabled as staff continues to work with the owners. Owners have started working on plans to submit for Site Plan approval. The buildings constructed are being torn down and will be rebuilt.

##### **Questions and Discussion**

***MOTION: Board Member Clark moved to table Case #15-21 until the June 7, 2016 Board Meeting. Seconded by Board Member Litteral and carried unanimously 6-0.***

##### **2. CASE # 15-46 – 204 Horstfield Drive, Winter Garden, FL**

Community Development Director Steve Pash

- Sec. 118-1127** Disabled Motor Vehicles

##### **FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 15-46.**

Community Development Director Pash stated the owner is requesting a reduction in fines. They have been receiving a \$250.00 per day fine for two violations since June 2, 2015 until February 2, 2016 when they brought the violations into compliance. The fine now totals \$61,250.00 with a lien against the house. There is an investor interested in purchasing the house and Staff is willing to work with the new owner.

Sandra Bonilla, the tenant at 204 Horstfield Dr., is the ex-wife of the owner who lives in Puerto Rico. She only spoke Spanish so Board Member Vasquez translated. She stated a friend is interested in purchasing the house but there is no contract yet.

Frank Rosario, her son, wished to testify so he was sworn in. He is the owner of the two cars in violation. He returned one of the cars and has licensed the other.

Board Members had a discussion regarding the reduction of the fine.

## Questions and Discussion

*MOTION: Board Member Litteral moved to approve a reduction in fines pending the sale of the house at closing or before to 5% of the total fine equaling \$3,062.50 but no later than August 2, 2016. Seconded by Board Member Woloshin and carried unanimously 6-0.*

Board Attorney Conley stressed to the tenant that, if they had to come back to the Board, to bring an interpreter or give the Board 24 hours' notice to make accommodations.

## B. NEW BUSINESS

### 1. CASE # 15-100 – 3343 Daniels Road, Winter Garden, FL

Community Development Director Steve Pash

**Sec. 62-31** Maintenance of Privately Owned Streets, Driveways and Parking Lots

**Sec. 114-33** General Landscaping Requirements

**Sec. 114-35** Replacement of Material

**Sec. 118-992** Change in Final Plan

### FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 05-043.

Community Development Director Pash stated this is the Target building at the Mall. It is being cleaned up today and Staff is requesting the case be tabled to the March 1, 2016 meeting to assure all the landscaping violations are corrected.

## Questions and Discussion

*MOTION: Board Member Clark moved to table Case #15-100 until the March 1, 2016 Board Meeting. Seconded by Board Member Litteral and carried unanimously 6-0.*

### 2. CASE # 16-005 – 900 Bainbridge Loop, Winter Garden, FL

Community Development Director Steve Pash

**Sec. 118-302** Permitted Principal Uses and Structures

**Sec. 118-858** Permitted Uses

### FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE # 14-031

Community Development Director Pash stated that the property has been brought into compliance and Staff is closing the case. No motion needed.

## 4. ADJOURNMENT

*There being no further business to discuss, Board Member Clark motioned to adjourn the meeting at 6:47 p.m. Seconded by Board Member Litteral and carried unanimously 6 - 0.*

ATTEST:

APPROVED:



Customer Service Rep. Kathleen Rathel



Chairman John Benoit III

VICE CHAIR DAVID BUCKLEY