



**A REGULAR MEETING MINUTES  
CODE ENFORCEMENT BOARD  
MARCH 1, 2016**

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

A **REGULAR MEETING** of the Winter Garden Code Enforcement Board (CEB) was called to order by Vice-Chairman David Buckles 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:**

Vice-Chairman David Buckles and Board Members: Johnny Clark, Jack Litteral, Ron Sikes, Marvin E. Vasquez, and Bruce Woloshin

**MEMBERS ABSENT:**

Chairman John Benoit III (excused)

**ALSO PRESENT:**

Board Attorney Dan Langley, Community Development Director Steve Pash, Code Compliance Officer Tom Knappman, and Recording Secretary Kathleen Rathel

**2. CONSENT AGENDA**

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

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

**B. APPROVAL OF MINUTES**

Approval of minutes from the regular meeting held February 2, 2016

*MOTION: Board Member Clark moved to approve the February 2, 2016 meeting minutes. Seconded by Board Member Litteral, the motion carried unanimously 6 - 0.*

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

**A. OLD 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 # 15-21.**

Community Development Director Pash stated the Target store at the mall has multiple violations and staff has been working with the manager for a considerable amount of time. There are currently over a thousand dead or missing plants from the landscape islands. On November 17, 2015 staff issued a Notice of Violation and Notice of Hearing via certified mail, regular mail, and hand delivery.

Staff requests the Board issue a Findings of Fact, Conclusions of Law & Order to fine the property owner \$1500.00 per day in lieu of a \$250.00 per day per violation due to the number of plants and/or approximately 70 flower beds involved.

**Questions and Discussion**

***MOTION: Based upon the Findings of Fact and evidence presented, Board Member Clark moved to impose a \$1500.00 daily fine. Seconded by Board Member Vasquez and carried unanimously 6-0.***

**B. NEW BUSINESS**

**1. CASE # 16-014 – 13440 W. Colonial Drive, Winter Garden, FL**

Community Development Director Steve Pash

**Sec. 106-9** Maintenance

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

Community Development Director Pash requested that the case be tabled until the April 5, 2016 meeting.

**Questions and Discussion**

***MOTION: Board Member Clark moved to table Case #16-014 until the April 5, 2016 Board Meeting. Seconded by Board Member Vasquez and carried unanimously 6-0.***

**4. ADJOURNMENT**

*There being no further business to discuss, Board Member Clark motioned to adjourn the meeting at 6:22 p.m. Seconded by Board Member Litteral and carried unanimously 6 - 0.*

**ATTEST:**

**APPROVED:**



Customer Service Rep. Kathleen Rathel



Chairman John Benoit III