



**CODE ENFORCEMENT BOARD
REGULAR MEETING MINUTES
MAY 1, 2018**

1. CALL TO ORDER

Assistant City Attorney Chris Conley addressed the Board. Due to the situation of having both the Chairman and Vice-Chairman absent a volunteer to be Acting Chairman for the night's meeting was asked for from the remaining Board Members. Board Member Vasquez volunteered.

MOTION: Board Member Clark moved to approve Marvin Vasquez as Acting Chairman. Seconded by Board Member Litteral and carried unanimously 4 - 0.

A **REGULAR MEETING** of the Winter Garden Code Enforcement Board (CEB) was called to order by Acting Chairman Marvin Vasquez at 6:16 p.m. in the City Hall Commission Chambers, 300 West Plant Street, Winter Garden, FL. Quorum was declared present and the Pledge of Allegiance was recited.

MEMBERS PRESENT:

Board Members: Johnny Clark, Jack Litteral, Denise Ratton, Ron Sikes (arrived at 6:18 pm), and Marvin E. Vasquez

MEMBERS ABSENT:

Chairman David Buckles (excused) and Vice-Chairman Bruce Woloshin (excused)

ALSO PRESENT:

Assistant City Attorney Chris Conley, Community Development Director Steve Pash, Code Compliance Officer Tom Knappan, Code Compliance Officer Clayton Krater, and Recording Secretary Kathleen Rathel

2. CONSENT AGENDA

A. SWEARING IN OF PARTIES TO TESTIFY

CEB Recording Secretary Rathel swore in Community Development Director Pash who will be presenting testimony or speaking to the Board.

B. APPROVAL OF MINUTES

Approval of minutes from the regular meeting held April 3, 2018.

MOTION: Board Member Clark moved to approve the April 3, 2018 meeting minutes. Seconded by Board Member Litteral and carried unanimously 4 - 0.

(Board Member Sikes arrived)

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

A. OLD BUSINESS

1. CASE# 17-98 – 621 Lost Grove Cir, Winter Garden FL

POSTPONED from the April 3, 2018 Meeting
Community Development Director Steve Pash
Sec. 18-91 Required

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASES #17-98

Community Development Director Pash stated Staff has been working with the owner since August of 2017. The owner built an outdoor kitchen, paver patio, and pergola without permits or approval from the HOA. The owner recently received approval from the HOA but has not submitted for permits. This item was scheduled for the April 3, 2018 meeting but was postponed to allow the owner additional time to submit for permits and get engineered plans. The engineered plans have not been acquired. Staff recommends the Board issue a Findings of Fact and Conclusions of Law to fine the property \$250.00 per day.

Questions and Discussion

MOTION: Based upon the Findings of Fact and evidence presented, Board Member Clark moved to find Case 17-98 in violation of the Section as presented and fined \$250.00 per day. Seconded by Board Member Litteral and carried unanimously 5 – 0.

2. CASE #17-263 – 208 N West Crown Point Rd, Winter Garden FL

POSTPONED from the April 3, 2018 Meeting
Community Development Director Steve Pash

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. 38-95 Excessive growth of grass, weeds, and brush on property utilized or zoned for residential, professional office, commercial or industrial use.

Sec. 118-578 Permitted accessory uses and structures

Sec. 118-580 Prohibited uses and structures

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASES #17-263

Community Development Director Pash stated Staff has been working with the owner for quite some time. The owners have made a substantial improvement. Staff recommends this case be postponed to the June 5, 2018 to allow the owner time to complete the cleanup.

Questions and Discussion

MOTION: Board Member Litteral moved to postpone case 17-263 to the June 5, 2018 Code Board Meeting. Seconded by Board Member Sikes and carried unanimously 5 – 0.

B. NEW BUSINESS:

1. CASE# 17-155 – 13728 Fox Glove St. Winter Garden FL

Community Development Director Steve Pash
Sec. 18-151 Standard Code Adopted.
Sec. 38-60 Duty to Keep Property Clean.
Sec. 38-62 Mosquito Breeding Places.

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASES #17-155

Community Development Director Pash stated this property has had code cases since 2011 with running fines. The property is vacant with the screen room disintegrated and the pool full of mold. The property is a public safety issue. Staff recommends the Board issue a Findings of Fact and Conclusions of Law to authorize Staff to spend up to \$3,000.00 to install a cover over the pool to protect the public's health, safety and welfare. The City Manager and City Commission will be notified as well as a lien being placed for the expense.

Board Member Vasquez inquired about the interaction with the homeowner during the duration of the code cases. Mr. Pash stated it is a bank property and they have done nothing.

Board Member Sikes mentioned different avenues available to the City to foreclose liens on properties, not to acquire properties, but to get liens paid off.

Questions and Discussion

MOTION: Based upon the Findings of Fact and evidence presented, Board Member Sikes moved for approval of the expenditure up to \$3,000.00 to address the life safety issues presented in Case 17-155 to be added to the existing fines on the property as a lien subject to notification of the City Manager and City Commission. Seconded by Board Member Clark and carried unanimously 5 – 0.

4. COMMENTS / DISCUSSION

No comments or discussion.

5. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:27 pm to the next meeting scheduled for June 5, 2018.

ATTEST:

APPROVED:

 /S/

Customer Service Rep. Kathleen Rathel

 /S/

Chairman David Buckles