



**CODE ENFORCEMENT BOARD
REGULAR MEETING MINUTES
JULY 11, 2023**

1. CALL TO ORDER

Vice Chairman Woloshin called the meeting of the Code Enforcement Board to order at 6:15 p.m. in the City Hall Commission Chambers. A moment of silence was followed by the Pledge of Allegiance.

Quorum was declared present.

Present: Vice-Chairman Bruce Woloshin and Board Members: Linette Coleman, Greg Liskey, Marvin E. Vasquez and Dan Welsh.

Absent: Chairman David Buckles (excused) and Jack Litteral (excused).

Staff Present: Assistant City Attorney Rick Geller, Assistant City Manager for Public Services Steve Pash, Board Attorney Gayle Owens, Code Compliance Manager Jimmy Appoloney, Code Compliance Officer Santino Montanez, Code Compliance Officer Christopher Gonzalez, and Recording Secretary Colene Rivera.

Others: Allister Rodgers of 947 Sunny Dell Drive and Alicia Charles of 2054 Ficus Street.

2. CONSENT AGENDA

A. SWEARING IN OF PARTIES TO TESTIFY

CEB Recording Secretary Rivera swore in Code Compliance Officer Gonzalez, Code Compliance Officer Montanez, Assistant City Manager for Public Services Pash, Code Compliance Manager Appoloney and Property owner of 114 North Street Al Rodgers, who will be presenting testimony.

B. APPROVAL OF MINUTES

MOTION: Board Member Welsh moved to approve the June 6, 2023 meeting minutes. Seconded by Board Member Coleman and carried unanimously 5 - 0.

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

A. OLD BUSINESS

1. CASE # 23-138 – 1160 E Bay Street, Winter Garden, FL

Code Compliance Inspector, Santino Montanez

Sec. 38-94.

Accumulations of trash, junk, debris and nonliving plant material on property utilized or zoned for residential,

- professional office, recreational, commercial, open space, or industrial, or planned development zoned use.
- Sec. 118-475.** Prohibited uses and structures.
- Sec. 118-1127.** Disabled motor vehicles.

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE 23-138

Code Compliance Officer Montanez presented Case 23-138 for the address of 1160 E Bay Street, Winter Garden, Florida. He stated this property is currently in acceptable conditions and recommends this board close Case 23-138.

Questions and Discussion

Neither the board nor the public had any questions or concerns for this case.

MOTION: Based upon the Findings of Fact and evidence presented, Board Member Welsh moved to close Case 23-138 as the property of 1160 E Bay Street. Seconded by Board Member Coleman and carried unanimously 5-0.

2. CASE # 23-196 – 223 W Cypress Street, Winter Garden, FL

Code Compliance Inspector, Chris Gonzalez

- Sec. 38-94.** Accumulations of trash, junk, debris and nonliving plant material on property utilized or zoned for residential, professional office, recreational, commercial, open space, or industrial, or planned development zoned use.
- Sec. 118 – 11.** Camping.
- Sec. 118 – 1127.** Disabled motor vehicles.

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE 23-196

Code Compliance Officer Gonzalez presented Case 23-196 for the address of 223 W. Cypress Street, Winter Garden, Florida. He stated this property has continued to work with city to correct these violations. This property is currently in acceptable conditions and recommends this board close Case 23-196.

Questions and Discussion

Neither the board nor the public had any questions or concerns for this case.

MOTION: Based upon the Findings of Fact and evidence presented, Board Member Liskey moved to close Case 23-196 for the property located at 223 W. Cypress Street. Seconded by Board Member Welsh and carried unanimously 5-0.

B. NEW BUSINESS

1. CASE # 23-173– 520 Wilson Street, winter garden, FL

Code Compliance Inspector, Santino Montanez

- Sec. 18-91.** Required.
- Sec. 38-60.** Duty to Keep Property Clean.
- Sec. 38-94.** Accumulations of trash, junk, debris and nonliving plant material on property utilized or zoned for residential, professional office, recreational, commercial, open space, or industrial, or planned development zoned use.
- Sec. 58-3.** Refuse Containers.
- Sec. 106-10.** Permit Required.
- Sec. 106-12.** Review of Permit by City Engineer.
- Sec. 106-16.** Dust, Dirt and Control of Constriction Site Runoff.
- Sec. 114-64.** Penalty for Violation.

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE 23-173

Code Compliance Officer Montanez presented Case 23-173 for the address of 520 Wilson Street, Winter Garden, Florida. He stated this property was cited for various violations but has continued to work with city to address these concerns. Montanez requested to continue to monitor this property for progress and not bring any additional actions against the case at this time.

Questions and Discussion

Board Attorney Owens advised board members since there has not been any formal actions on this case, no motion is needed at this time.

2. CASE # 23-303– 114 North Street, Winter Garden, FL

Code Compliance Inspector, Chris Gonzalez

- Sec. 18-10.** Powers and Duties of the Building Official.
- Sec. 18-91.** Required.
- Sec. 18-91.5.** Work Starting Before Permit Issuance.
- Sec. 18-155.** Conditions Constituting Hazards—Notice.
- Sec. 18-159.** Public Nuisances.
- Sec. 38-61.** Discharging Foul Water or Depositing Decaying Matter.
- Sec. 38-62.** Mosquito Breeding Places.
- Sec. 38-94.** Accumulations of trash, junk, debris and nonliving plant material on property utilized or zoned for residential, professional office, recreational, commercial, open space, or industrial, or planned development zoned use.
- Sec. 78-30.** Connection with water and sewer systems required.
- Sec. 78-36.** Tampering with city property; furnishing water to other persons.
- Sec. 106-18.** Maximum Impervious Surface Ratios.

- Sec. 118-515.** Prohibited Uses and Structures.
- Sec. 118-1127.** Disabled Motor Vehicles.

FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE 23-303

Code Compliance Officer Gonzalez presented Case 23-303 for the address of 114 North Street, Winter Garden, Florida. He stated this property had many violations including Sec 18-91 no permits for work done; Sec 18-155 hazardous conditions; Sec 38-94 accumulation of trash and debris; Sec 118-515 prohibited uses and structures; Sec 118-1127 disabled motor vehicles. Gonzalez continues to describe the property concerns and various violations, etc.

Questions and Discussion

Property Owner Al Rodgers spoke to the board to explain the circumstances and conditions on his property. He described various conditions and understood the city of Winter Garden’s stand on his property. He requested the board be allowed to receive a packet of documents containing photos and letter regarding status and conditions on the property. Board Attorney Owens advised property owner, he could pass items out to board members for review. The general nature of these documents contained photos of property, tenants and medical records and letter of request. He asked the board to consider an extension of 30-45 days, so he could clean up his property and address these concerns. Board members inquired about the conditions and circumstances of the property and his plans to address these issues? Rodgers explained his plan of action to address these violations.

MOTION: Based upon the Findings of Fact and evidence presented, Board Member Welsh moved to find the property at 114 North Street in violation of sections 18-91, 18-155, 38-94, 118-515 and 118-1127 and to bring the property into compliance on or before September 4, 2023 prior to the September 5, 2023 Code Enforcement Board meeting date. Seconded by Board Member Vasquez and carried unanimously 5-0.

4. COMMENTS OR DISCUSSION

No comments or discussion.

5. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:45 pm to the next meeting scheduled for August 1, 2023.

ATTEST:

/s/

Recording Secretary, Colene Rivera

APPROVED:

/s/

Chairman, David Buckles