



**CODE ENFORCEMENT BOARD  
REGULAR MEETING MINUTES  
NOVEMBER 7, 2023**

**1. CALL TO ORDER**

Vice-Chairman Woloshin called the meeting of the Code Enforcement Board to order at 6:17 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: Greg Liskey, Marvin E. Vasquez and Daniel Welsh.

**Absent:** Chairman David Buckles (excused), Linette Coleman (unexcused) and Jack Litteral (excused)

**Staff Present:** Assistant City Attorney Andrew Mai, Board Attorney Gayle Owens, Code Compliance Supervisor Christopher Gonzalez, Planning Director Kelly Carson and Recording Secretary Ellen King.

**2. CONSENT AGENDA**

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

CEB Recording Secretary King swore in Code Compliance Supervisor Gonzalez, who will be presenting testimony, Planning Director Kelly Carson and City Attorney Mai.

**B. APPROVAL OF MINUTES**

***MOTION: Board Member Welsh moved to approve the October 3, 2023 meeting minutes. Seconded by Board Member Liskey and carried unanimously 4 - 0.***

Board member inquired about clarification of what determines a violation of a certain section of City Code and to what extent deems the property owner in violation. City staff clarified they work with the property owner once it has been brought to the city's attention and continue communications to address the violations. These violations are often due to a hazard or a nuisance on the site. When the property owner is cooperative and shows efforts to clean up the concerns, many times it does not come before this board. However, when it is brought before the Code Enforcement board, it is due to deficiencies and found to be in violation either through photographs and/or testimony for consideration of this Board. Board members are responsible to determine based on evidence presented as to violations and/or fine imposed on the property owner.

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

**A. OLD BUSINESS**

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

Code Compliance Supervisor, 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.

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

Code Compliance Supervisor Gonzalez stated this case is currently in compliance of Section 38-94 for accumulations of trash and debris on the property of 114 North Street, Winter Garden, FL. Staff recommends this violation be closed for this Case 23-303. Staff emphasized property owner is in compliance of this one violation but the other violations are still in violation and continue to be monitored on this site.

**Questions and Discussion**

Board members did not have any questions or concerns regarding Case 23-303.

***MOTION: Based upon the Findings of Fact and evidence presented, Board Member Welsh moved to find Case 23-303 in compliance of Section 38-94 as presented by City Staff for the address of 114 North Street, Winter Garden, FL as of November 6, 2023. Seconded by Board Member Liskey and carried 4-0.***

**2. CASE # 23-155– 1045 Mildred Dixon Way, 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.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE 23-155**

Code Compliance Supervisor Gonzalez stated Case 23-155 continues to be in violation of Section 38-94 for accumulation of trash, junk and debris at the property of 1045 Mildred Dixon Way, Winter Garden, FL. After sending out a Finding of Fact and Conclusions of Law on September 5, 2023 and Notice of Hearing to Establish Fine on October 24, 2023, the city staff recommend this property be found in violation and issue a daily fine of \$250.00 per violation per day.

**Questions and Discussion**

Board members inquired about various certified mailings being returned and refused by the property owner and then asked if this is typical? City staff stated they have been in contact with property owner on a limited basis and have some discussions in the very beginning of the violation notices but not currently. City staff stated refusal is somewhat unusual and not the typical reaction of the property owners.

**MOTION: Based upon the Findings of Fact and evidence presented, Board Member Welsh moved to find Case 23-155 in violation of Section 38-94 as presented by City Staff for the address of 1045 Mildred Dixon Way, Winter Garden, FL with a daily fine of \$250.00 per day per violation. Seconded by Board Member Vasquez and carried 4-0.**

**B. NEW BUSINESS**

**1. CASE # 23-513– 231 Zachary Wade Street, Winter Garden, FL**

Code Compliance Inspector, Santino Montanez

**Sec. 118-1614** Permit and general conditions for the keeping of chickens in certain residential zoning districts.

**Sec. 118-1616** Health, sanitation, and nuisance as applied to the keeping of chickens.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE 23-513**

Code Compliance Supervisor Gonzalez requested Case 23-513 for the address of 231 Zachary Wade Street, Winter Garden, FL be postponed to a future date as applicant has been cooperative and showing efforts to clean up the property of Section 118-1614 by relocating and removing the chickens on the site as well as continuing to address Section 118-1616 of cleaning up and removing the chicken coops at this address. Property owner has relocated the chickens to an alternate site until proper approvals and permits are obtained.

**Questions and Discussion**

Board members inquired about HOA approval. City Staff confirmed an HOA approval is required. No motion was required at this time.

**4. COMMENTS OR DISCUSSION**

No comments or discussion.

**5. ADJOURNMENT**

There being no further business, the meeting was adjourned at 6:37 pm to the next meeting scheduled for December 5, 2023.

**ATTEST:**

/S/

Recording Secretary, Colene Rivera

**APPROVED:**

/S/

Acting Chairman, Marvin E. Vasquez  
on behalf of David Buckles