



**CODE ENFORCEMENT BOARD
REGULAR MEETING MINUTES
FEBRUARY 1, 2022**

1. CALL TO ORDER

Chairman Buckles called the meeting of the Code Enforcement Board to order at 6:15 p.m. in the City Hall Commission Chambers.

Quorum was declared present.

Present: Chairman David Buckles, Vice-Chairman Bruce Woloshin and Board Members: Adrian Galvan, Rita Izaguirre, Jack Litteral, Denise Ratton and Marvin E. Vasquez.

Others: Tony Pipietro and Ni Hambu of Preferred and Adolfo Bautist of 1106 E Fullers Cross Road.

Staff Present: Assistant City Attorney Rick Geller, Community Development Director Steve Pash, Code Compliance Officer Tom Knappman, Santino Montanez and Lance Paraszewski, IT Representative David Livingston and Recording Secretary Colene Rivera. Also in attendance via GoTo Webinar was Board Attorney Gayle Owens.

Welcoming of New Board members, Adrian Galvan and Rita Izaguirre
New members were affirmed and sworn into office

2. CONSENT AGENDA

A. SWEARING IN OF PARTIES TO TESTIFY

CEB Recording Secretary Rivera swore in Community Development Director Pash who will be presenting testimony and Adolfo Bautista as property owner of 1106 E Fullers Cross Road.

B. APPROVAL OF MINUTES

No motion was made for the November 2, 2021 meeting minutes. This item will appear on the next scheduled board meeting agenda.

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

Community Development Director Pash recommended that the first four cases on the agenda be postponed to the next meeting scheduled for March 1, 2022 as the violators have been working with the city on improving the conditions of these sites. Board Attorney Owens recommended that the Order deadlines be moved forward for each of these cases be adjusted to the March 1, 2022 date.

A. OLD BUSINESS

1. CASE # 21-045 – 429 Hennis Road, Winter Garden, FL

HEARING TO ESTABLISH FINE

Community Development Director Stephen Pash

- Sec. 18-91 Required.
- Sec. 38-59 Scattering of Refuse.
- Sec. 38-155 Prohibited Acts.
- Sec. 106-5 Prohibitions.
- Sec. 106-17 Stormwater Quality.

2. CASE # 21-046 – 321 N Hennis Road, Winter Garden, FL

HEARING TO ESTABLISH FINE

Community Development Director Stephen Pash

- Sec. 38-59 Scattering of Refuse.
- Sec. 38-155 Prohibited Acts.
- Sec. 106-17 Stormwater Quality.

3. CASE # 21-047 – 201 Hennis Road, Winter Garden, FL

HEARING TO ESTABLISH FINE

Community Development Director Stephen Pash

- Sec. 38-59 Scattering of Refuse.
- Sec. 38-155 Prohibited Acts.
- Sec. 106-5 Prohibitions.
- Sec. 106-17 Stormwater Quality.

4. CASE # 21-049 – 700 W Bay Street, Winter Garden, FL

HEARING TO ESTABLISH FINE

Community Development Director Stephen Pash

- Sec. 18-91. Required.

Motion by Board Member Vasquez for cases 21-045, 21046, 21-047 and 21-049 to be postponed, amended and rescheduled to appear at the March 1, 2022 Code Board Meeting. Seconded by Board Member Litteral and carried unanimously 7 – 0.

A. NEW BUSINESS

1. CASE # 21-266 – 1106 E Fullers Cross Road, Winter Garden, FL

Community Development Director Stephen Pash

- Sec. 18-169.** Permit—Required.
- 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. 106-5.** Prohibitions.

- Sec. 106-16.** Dust, dirt and control of construction site runoff.
- Sec. 114-69.** Land clearing prior to development approval.
- Sec. 118-67.** Application for development Permit.
- Sec. 118-303.** Permitted accessory uses and structures.
- Sec. 118-305.** Prohibited uses and structures.

Community Development Director Pash presented case 21-266 at the address of 1106 E Fullers Cross Road. He explained in detail the above violations that have lead the property owner to be presented in front of this board tonight. Requested that the board issue a Finding of Facts and Conclusion of Law for the above violations at this time.

Board members asked for clarification of discussions with the property owner, not asking for fines at this time and if the property could be re-zoned? The Board Attorney inquired about what specifics the city is requesting of the property owner at this time? Community Development Pash stated that owner would need to remove the fill, equipment, storage containers on the property, install silt fence and ensure the property is being maintained in compliance with the city codes.

Property Owner Adolfo Bautista also spoke regarding the property, conditions and circumstances pertaining to these violations.

Motion by Board Member Vasquez for case 21-266 of Finding of Facts and Conclusion of Laws for the violations of sections 18-169, 38-94, 106-5, 106-16, 114-69, 118-67, 118-303 and 118-305 at 1106 E Fullers Cross Road over the next 28 days prior to the March 1, 2022 Code Enforcement Board meeting date. Seconded by Board Member Woloshin and carried unanimously 7-0.

4. COMMENTS OR DISCUSSION

No comments or discussion.

5. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:38 pm to the next meeting scheduled for Tuesday, March 1, 2022.

ATTEST:

/S/

Recording Secretary, Colene Rivera

APPROVED:

/S/

Vice Chairman, Bruce Woloshin
on behalf of Chairman, David Buckles