



**CODE ENFORCEMENT BOARD  
REGULAR MEETING MINUTES  
JUNE 2, 2020**

**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: Johnny Clark, Jack Litteral, Denise Ratton, Ron Sikes, and Marvin E. Vasquez

**Absent:** Chairman David Buckles (excused)

**Staff Present:** Community Development Director Steve Pash, and Recording Secretary Colene Rivera and Edlyn Gonzalez.

**Others Present:** Assistant City Attorney Giffin Chumley and Board Attorney Gayle A. Owens

**2. CONSENT AGENDA**

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

CEB Recording Secretary Rivera swore in Community Development Director Pash and Officer Paola Hernandez who will be presenting testimony or speaking to the Board.

**B. APPROVAL OF MINUTES**

***MOTION:** Board Member Clark moved to approve the July 9, 2019 meeting minutes. Seconded by Board Member Vasquez and carried unanimously 6 - 0.*

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

**A. OLD BUSINESS**

No Old Business to Discuss.

**B. NEW BUSINESS**

**1) Appeal of Parking Citation 12034**

**FINDINGS OF FACT AND CONCLUSIONS OF LAW IN APPEAL OF PARKING CITATION 12034**  
Community Development Director Pash stated the citizen requesting the appeal for parking citation 12034 is not in attendance, however, there is an officer present to testify on behalf of the Winter Garden Police Department.

**Questions and Discussion**

Officer Hernandez stated she did not personally assign this citation, but she witnessed the parking violation in two separate instances during her Field Training shifts. Board Member Vasquez asked Officer Hernandez to describe the witnessed event. Officer Hernandez further testified that the No Parking sign was clear and visible on the same side of the road where the vehicle was parked in both instances.

***MOTION: Based upon the Findings of Fact and evidence presented, Board Member Litteral moved to deny the appeal of Parking Citation 12034. Seconded by Board Member Vasquez and carried 6-0.***

**2) CASE # 20-028 – 3391 Daniels Road, Winter Garden, FL**

Community Development Director Stephen Pash

**Sec. 22.29** Open air event permit—Open air vendors

**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. 102.92** Prohibited signs

**Sec. 118.1024** Prohibited uses

**Sec. 118.1386** Off-street parking

**FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE 20-028**

Community Development Director Pash stated Lowes has expanded outdoor display into their parking lot and has significant debris behind the building. However, they have cleared around eighty percent of the debris as of this date. Given the cooperation from Lowes, City Staff recommends postponing Case 20-028 to the July 7, 2020 Code Board meeting.

**Questions and Discussion**

The Board questioned if this has been an ongoing issue with Lowes. Community Development Director Pash explained that this has been a recurring issue with Lowes each time that they fall under new management. Once the requirements are discussed with the new store manager, then the store tends to comply again.

***MOTION: Board Member Vasquez moved to postpone Case 20-028 to the July 7, 2020 Code Enforcement meeting. Seconded by Board Member Ratton and carried unanimously 6 – 0.***

**3) CASE # 20-056 – 400 Windtree Lane, Winter Garden, FL**

Community Development Director Stephen Pash

**Sec. 18.91** Required

**Sec. 18.92** Application; Plans

**Sec. 18.96** Misrepresentation of application

**Sec. 102.92** Prohibited signs

**Sec. 118.68** Site Plan (Development Plan) Required

**Sec. 118.580** Prohibited Uses and Structures

**Sec. 118.1386** Off-street parking

**Sec. 118.1455** Outdoor displays/work

**FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE 20-056**

Community Development Director Pash stated City Staff is currently working with this violator and recommends that this case be postponed to the July 7, 2020 Code Enforcement meeting.

***MOTION: Board Member Vasquez moved to postpone Case 20-056 to the July 7, 2020 Code Enforcement Board meeting. Seconded by Board Member Clark and carried unanimously 6 – 0.***

**4) CASE # 20-065 – 143 10<sup>th</sup> Street, Winter Garden, FL**

Community Development Director Stephen Pash

- Sec. 18.191                      Adopted
- Sec. 38.28                      Responsibility of property owners
- 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. 38.155                      Prohibited acts
- Sec. 118.515                      Prohibited uses and structures
- Sec. 118.1127                      Disabled motor vehicles
- Sec. 118.1386                      Off-street parking
- Sec. 118.1387                      Location of off-street parking spaces

**FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE 20-065**

Community Development Director Pash stated that City Staff is currently working with the son of the property owners regarding this ongoing issue. The property owners have started to clean up the property and there is also a private meeting pending for the property owners with city staff. Given the owners cooperation, City Staff recommends postponing case 20-065 to the July 7, 2020 Code Enforcement Board meeting.

***MOTION: Board Member Clark moved to postpone Case 20-065 to the July 7, 2020 Code Enforcement Board meeting. Seconded by Board Member Vasquez and carried unanimously 6 – 0.***

**5) CASE # 20-066 – 209 Center Street, Winter Garden, FL**

Community Development Director Stephen Pash

- Sec. 38.28                      Responsibility of property owners
- 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. 38.155                      Prohibited acts
- Sec. 118.515                      Prohibited uses and structures
- Sec. 118.1386                      Off-street parking

**Sec. 118.1387** Location of off-street parking spaces

**FINDINGS OF FACT AND CONCLUSIONS OF LAW IN CASE 20-066**

Community Development Director Pash stated that City Staff is currently working closely with the property owners in order to fix these issues. Property owners are affected by the previous case as they own a vacant lot and the previous case places them in violation as well. City Staff is working with the property owners and the CRA and recommend that this case be postponed to the July 7, 2020 Code Enforcement Board meeting.

***MOTION: Board Member Vasquez moved to postpone Case 20-066 to the July 7, 2020 Code Enforcement Board meeting. Seconded by Board Member Clark and carried unanimously 6 – 0.***

**2. COMMENTS OR DISCUSSION**

No comments or discussion.

**3. ADJOURNMENT**

There being no further business, the meeting was adjourned at 6:24 pm to the next meeting scheduled for July 7, 2020.

**ATTEST:**

**APPROVED:**

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**Customer Service Representative, Colene Rivera**

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**Vice-Chairman Bruce Woloshin on behalf of  
Chairman David Buckles**