

CITY OF WINTER SPRINGS, FLORIDA
MINUTES
CODE ENFORCEMENT BOARD
REGULAR MEETING
MAY 28, 2019

CALL TO ORDER

The Regular Meeting of Tuesday, May 28, 2019 of the Code Enforcement Board was called to Order by Chairperson Matthew Criswell at 5:30 p.m., in the Commission Chambers of the Municipal Building (City Hall, 1126 East State Road 434, Winter Springs, Florida 32708).

Roll Call:

Chairperson Matthew Criswell, present
Vice-Chairperson Greg Roero, present
Board Member Michael Burns, present
Board Member Carole Giltz, absent [Excused]
Board Member Maurice Kaprow, present
Board Member Dennis Robinson, present
Senior City Attorney Jennifer Nix, present,
Assistant to the City Clerk Antonia DeJesus, present

Chairperson Criswell excused Board Member Carole Giltz's absence.

A moment of silence was held followed by the Pledge of Allegiance.

No changes were made to the Agenda.

Assistant to the City Clerk Antonia DeJesus swore in those who would be providing Testimony during tonight's Meeting.

AWARDS AND PRESENTATIONS

100. Not Used

CONSENT AGENDA

CONSENT

200. Unapproved Minutes from the February 26, 2019 Regular Meeting

“MOVE TO ACCEPT THE MINUTES AS PUBLISHED.” MOTION BY BOARD MEMBER KAPROW. SECONDED BY BOARD MEMBER ROERO. DISCUSSION.

VOTE:

**BOARD MEMBER ROBINSON: AYE
VICE-CHAIRPERSON ROERO: AYE
BOARD MEMBER BURNS: AYE
BOARD MEMBER KAPROW: AYE
CHAIRPERSON CRISWELL: AYE
MOTION CARRIED.**

PUBLIC HEARINGS AGENDA – CONTINUED CASES

300. Not Used

PUBLIC HEARINGS AGENDA – REPEAT CASES

400. Not Used

PUBLIC HEARINGS AGENDA – NEW CASES

PUBLIC HEARINGS – NEW CASES

500. Code Enforcement Division – Police Department

CASE #2019CE000977

Kimberly A. France

315 Panama Circle

Winter Springs, Florida 32708

City Code: 6-87. - Temporary Storage Structures. (Permit Required)

Inspector: Captain Matt Tracht

Captain Matthew Tracht, Code Enforcement Bureau, Police Department, introduced the Case and then testified, “On April 10, 2019, on patrol, I noticed that there was a POD (Portable On Demand Storage) on the front yard of this house. A POD is a specific brand, but this brand was Container on Wheels.”

Continuing, Captain Tracht stated, “Conducted a record check through our permitting software which revealed no permit on file which was then double checked with permitting [staff].” Captain Tracht referenced the City Code section citing the Violation.

Photographs were shown from “WS-1” with further comments.

Continuing, Captain Tracht stated, “As a result, I mailed Certified/Returned Receipt a Notice of Code Violation; outlined in the Violation gave a corrective date of April 24, 2019. Everything was tracked through the United States Postal Service; it went out for delivery on the 19th – it came back, no authorized recipient was available.

On April 16, it was still on scene; May 3, it was still on scene; May 6, still on scene – still no permit obtained. On May 6, I posted on property and via Certified Mail a Notice of the Code Board Hearing that we were going to have today. That letter went out for delivery on May 10 and still was not accepted at the postal service.

With that being said, I recommend that they are afforded until June 7 – ten (10) days from now to obtain proper permit which is thirty dollars (\$30.00), pay the permit Fine of an additional thirty dollars (\$30.00) – which is double the Fee.”

Captain Tracht mentioned if the Respondent remained in Violation, they would be brought back for a Non-Compliance Hearing. A photograph was shown of the Violation as of that morning.

Discussion followed on the permitting process, noticing procedures, and issuing a Finding of Fact.

Board Member Michael Burns inquired how long a storage container was allowed to be on a property. Captain Tracht confirmed seventy-two (72) hours with a permit was permissible.

Comments followed on permits and the Fine.

Note: The Respondent was not present.

VICE-CHAIRPERSON ROERO BEGAN, "I MOVE TO FIND THE [RESPONDENT] IN VIOLATION OF CITY CODE AND ORDER THAT THE RESPONDENT BE GIVEN UNTIL..." BOARD MEMBER KAPROW ADDED, "...JUNE 7..." VICE-CHAIRPERSON ROERO CONTINUED, "...JUNE 7 TO CORRECT THE VIOLATION. IN THE EVENT THE [RESPONDENT] FAILS TO COMPLY BY THE DATE A FINE IN THE AMOUNT OF A HUNDRED DOLLARS (\$100.00) A DAY SHALL BE IMPOSED FOR EACH DAY THE VIOLATION CONTINUES THEREAFTER." MOTION BY VICE-CHAIRPERSON ROERO. SECONDED BY BOARD MEMBER ROBINSON. DISCUSSION.

VOTE:

**BOARD MEMBER KAPROW: AYE
CHAIRPERSON CRISWELL: AYE
BOARD MEMBER ROBINSON: AYE
VICE-CHAIRPERSON ROERO: AYE
BOARD MEMBER BURNS: AYE
MOTION CARRIED.**

Further discussion followed on storage containers and the allowable time frame and specific location that the containers could be present on a property.

Vice-Chairperson Greg Roero indicated that he was resigning from the Board and noted, "It's been a real honor to serve on this Board and be a concerned citizen." Vice-Chairperson Roero went on to express his sincere gratitude to his fellow Board Members, Senior City Attorney Jennifer Nix, and staff.

Chairperson Criswell thanked Vice-Chairperson Roero for his service followed by comments of appreciation from other Board Members.

PUBLIC HEARINGS AGENDA – NON-COMPLIANCE CASES

600. Not Used

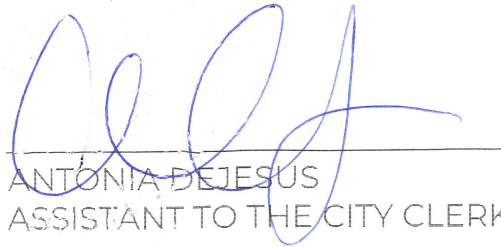
REGULAR AGENDA

700. Not Used

ADJOURNMENT

Chairperson Criswell adjourned the Regular Meeting at 5:46 p.m.

RESPECTFULLY SUBMITTED:



ANTONIA DEJESUS
ASSISTANT TO THE CITY CLERK