

CITY OF WINTER SPRINGS, FLORIDA
MINUTES
CODE ENFORCEMENT BOARD
REGULAR MEETING
FEBRUARY 26, 2019

CALL TO ORDER

The Regular Meeting of Tuesday, February 26, 2019 of the Code Enforcement Board was called to Order by Chairperson Matthew Criswell at 5:35 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 Gregg Roero, present
Board Member Michael Burns, present
Board Member Carole Giltz, present
Board Member Maurice Kaprow, present
Board Member Dennis Robinson, present
Senior City Attorney Jennifer Nix, present,
Assistant to the City Clerk Antonia DeJesus, present

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

Chairperson Criswell welcomed the newest Board Member, Mr. Michael Burns, to the Board.

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.

INFORMATIONAL AGENDA

INFORMATIONAL
100. Not Used

CONSENT AGENDA

CONSENT

200. Office of the City Clerk

The Office Of The City Clerk Requests The Code Enforcement Board Review And Approve The January 22, 2019 Code Enforcement Board Regular Meeting Minutes.

REFERRING TO THE MINUTES FROM THE LAST MEETING, “I MOVE WE ACCEPT THEM.” MOTION BY BOARD MEMBER KAPROW. SECONDED BY BOARD MEMBER ROBINSON. DISCUSSION.

VOTE:

BOARD MEMBER ROBINSON: AYE

VICE-CHAIRPERSON ROERO: AYE

BOARD MEMBER BURNS: AYE

BOARD MEMBER KAPROW: AYE

BOARD MEMBER GILTZ: AYE

CHAIRPERSON CRISWELL: AYE

MOTION CARRIED.

PUBLIC HEARINGS AGENDA – CONTINUED CASES

PUBLIC HEARINGS – CONTINUED CASES

300. Not Used

PUBLIC HEARINGS AGENDA – REPEAT CASES

PUBLIC HEARINGS – REPEAT CASES

400. Not Used

PUBLIC HEARINGS AGENDA – NEW CASES

PUBLIC HEARINGS – NEW CASES

500. Code Enforcement Division – Police Department

CASE #2018CE002545

Randy A. Marvin

209 North Alderwood Street

Winter Springs, Florida 32708

IPMC: 304.7 Roofs And Drainage.

Inspector: Code Officer Rich McLaren

Code Officer Rich McLaren, Code Enforcement Division, Police Department, introduced the Case and testified, “The complaint was received from road patrol – the house with tarps being utilized as covering over the majority of the house. Inspection found a single story house with tarps covering over seventy-five percent (75%) of the residence.

A Notice of Code Violation was prepared and mailed certified/return receipt which was returned unclaimed by the property owner on November 15, 2018. Notice was then posted at the property on that date. No contact until today was made with the resident in reference to the violation.”

Photographs were shown from “WS-1” followed by comments.

Concluding, Code Officer McLaren stated, “I’m actually going to adjust my recommendation – that it be found in Violation of the City ordinances, as cited. I originally have until April 12, but however, after speaking with the resident they do have most of the stuff prepared and set up, it’s just a question of finances. So, I have until April 12, I’m actually going to push it to September 30 to give them time to get this taken care of because I do believe that they will take care this, and there won’t be an issue with it to come into Compliance. And if not, then a hundred and fifty dollar (\$150.00) a day Fine be imposed.”

Brief comments followed on the recommended corrective action date and Fine.

Mr. Thomas A. Masselink, 1308 Alberta Drive, Winter Park, Florida: indicated that he was an authorized representative of the Respondent, Mr. Randy A. Marvin.

Mr. Randy A. Marvin, 209 North Alderwood Street, Winter Springs, Florida: introduced himself.

Mr. Thomas agreed with Code Officer McLaren’s findings and spoke of the Respondent’s financial situation as well as his status as a disabled Veteran. Continuing, Mr. Thomas recounted the damage the Respondent’s home incurred when a branch fell, the attempted corrections made with the tarps, and noted, “He definitely does want to repair the house as soon as he can; he already has gathered much of the materials that he needs. Now he’s just saving up the money to pay for the labor. We see no problem at this time to complete the repairs no longer than 9/30/2019.”

Chairperson Criswell remarked about permit requirements.

Note: The Respondent was present.

“I MOVE TO ACCEPT STAFF’S RECOMMENDATION.” MOTION BY BOARD MEMBER GILTZ. SECONDED BY BOARD MEMBER ROERO. DISCUSSION.

VOTE:

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

PUBLIC HEARINGS AGENDA – NON-COMPLIANCE CASES

PUBLIC HEARINGS AGENDA – NON-COMPLIANCE CASES

600. Code Enforcement Division – Police Department

CASE #2018CE001304

Robert J. Long

238 Highlands Glen Circle

Winter Springs, Florida 32708

IPMC: 304.2 Protective Treatment.

IPMC: 304.9 Overhang Extensions.

Inspector: Code Officer Rich McLaren

Code Officer McLaren presented the Case and testified, “This Case was heard before the Code [Enforcement] Board on September 25, 2018 in reference to a screened in porch to the rear of the residence having rotting wood and being in disrepair. The property was found in Violation and given until October 12, 2018 to come into Compliance which was not done. The property was posted reference to a Non-Compliance Hearing; the notice being mailed out certified/return – receipt requested. And there has been no contact with the resident.”

With brief remarks, photographs were shown from “WS-1”.

In conclusion, Code Officer McLaren stated, “I recommend that the Fine amount of a hundred fifty dollars (\$150.00) a day be applied to the property for non-compliance with the Code Board Order, and it be entered as a lien on the property.”

Comments followed on the returned receipt from the mailed notice, that a renter was living on the property, and future occurrences of the violation.

Note: The Respondent was not present.

“I MOVE TO FIND THE RESPONDENT IN VIOLATION OF THE CITY CODE AND THAT THE PENALTIES SET FORTH IN THE BOARD’S PREVIOUS ORDER DATED SEPTEMBER 25TH, 2018 SHALL BE IMPOSED CONSISTENT WITH THAT ORDER.” MOTION BY BOARD MEMBER KAPROW. SECONDED BY BOARD MEMBER ROBINSON. DISCUSSION.

VOTE:

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

PUBLIC HEARINGS AGENDA – NON-COMPLIANCE CASES

601. Code Enforcement Division – Police Department

CASE #2018CE001735

Kimberly A. France

315 Panama Circle

Winter Springs, Florida 32708

City Code: 13-1. - General Prohibition.

City Code: 13-2.(b) Junk And Debris

Inspector: Code Officer Rich McLaren

Before his testimony, Code Officer McLaren introduced the Case. Code Officer McLaren continued, “The Case was heard before the Code [Enforcement] Board on September 25, 2018 reference to an accumulation of junk and debris on the property, and the property – is a blight to the surrounding areas.

The property was found in Violation of the cited Ordinances and given until October – 12 to come into Compliance which was not done. The property was posted for Non-Compliance Hearing on February 2, 2019 with the notices being mailed out certified mail/return receipt requested.

I spoke with the property owner, Kimberly France, on a one occasion in October where she stated she had recent mold problems and was working to remedy such. Unfortunately, the property just got into worse condition as time went on.”

With brief remarks, photographs were shown from “WS-1”.

Code Officer McLaren stated, “I recommend that the property be found in non-compliance with the Code Board Order and a Fine of two hundred fifty dollars (\$250.00) a day be applied, and the Fine be entered as a lien on the property.” Code Officer McLaren indicated the conditions still exist.

Note: The Respondent was not present.

“I MOVE TO FIND THE RESPONDENT IN VIOLATION OF THE CITY CODE AND THAT THE PENALTIES SET FORTH IN THE BOARD’S PREVIOUS ORDER DATED...” BOARD MEMBER KAPROW CONFIRMED, “...SEPTEMBER 25TH...” VICE-CHAIRPERSON ROERO CONTINUED, “...SEPTEMBER 25, 2018 SHALL BE IMPOSED CONSISTENT WITH THAT ORDER.” MOTION BY VICE-CHAIRPERSON ROERO. SECONDED BY BOARD MEMBER KAPROW. DISCUSSION.

VOTE:

VICE-CHAIRPERSON ROERO: AYE

BOARD MEMBER KAPROW: AYE

BOARD MEMBER GILTZ: AYE

BOARD MEMBER BURNS: AYE

CHAIRPERSON CRISWELL: AYE

BOARD MEMBER ROBINSON: AYE

MOTION CARRIED.

REGULAR AGENDA

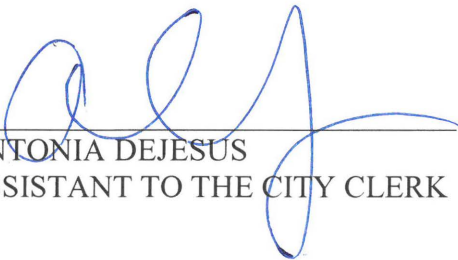
REGULAR

700. Not Used

ADJOURNMENT

Chairperson Criswell adjourned the Regular Meeting at 5:53 p.m.

RESPECTFULLY SUBMITTED:



ANTONIA DEJESUS
ASSISTANT TO THE CITY CLERK