

CITY OF WINTER SPRINGS, FLORIDA
MINUTES
CODE ENFORCEMENT BOARD
REGULAR MEETING
JUNE 25, 2019

CALL TO ORDER

The Regular Meeting of Tuesday, June 25, 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
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
Assistant to the City Clerk Christian Gowan, present

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.

❖❖ AGENDA NOTE: THE CONSENT AGENDA WAS HEARD FIRST, FOLLOWED BY THE REST OF THE AGENDA, AS DOCUMENTED. ❖❖

CONSENT AGENDA

200. Unapproved Minutes From The May 28, 2019 Regular Meeting

“I WOULD LIKE TO MAKE A MOTION TO APPROVE, AS IS.” MOTION BY BOARD MEMBER ROBINSON.

BOARD MEMBER KAPROW MENTIONED AN ERROR WITH AN AGENDA ITEM TITLE. ASSISTANT TO THE CITY CLERK DEJESUS NOTED THAT SHE WOULD TAKE CARE OF IT.

SECONDED. DISCUSSION.

VOTE:

**BOARD MEMBER KAPROW: AYE
BOARD MEMBER ROBINSON: AYE
CHAIRPERSON CRISWELL: AYE
BOARD MEMBER BURNS: AYE
BOARD MEMBER GILTZ: AYE
MOTION CARRIED.**

REGULAR AGENDA – PART I

700. Election For Vice-Chairperson For The Remainder Of Calendar Year 2019

“I WOULD LIKE TO MAKE A MOTION THAT MAURICE KAPROW BECOME THE VICE-CHAIRPERSON.” MOTION BY BOARD MEMBER ROBINSON. SECONDED BY BOARD MEMBER GILTZ. DISCUSSION.

VOTE:

**BOARD MEMBER ROBINSON: AYE
BOARD MEMBER BURNS: AYE
BOARD MEMBER GILTZ: AYE
BOARD MEMBER KAPROW: AYE
CHAIRPERSON CRISWELL: AYE
MOTION CARRIED.**

INFORMATIONAL AGENDA

100. Not Used

PUBLIC HEARINGS AGENDA – CONTINUED CASES

300. Not Used

PUBLIC HEARINGS AGENDA – REPEAT CASES

400. Not Used

PUBLIC HEARINGS AGENDA – NEW CASES

500. Code Enforcement Division – Police Department

CASE #2019CE000518

Roberta And Ronald Carson

70 Sable Court

Winter Springs, Florida 32708

City Code: 13-2.(c) Overgrown Yard

City Code: 6-195. - Maintenance Of Fences Or Walls.

Inspector: Code Officer Rich McLaren

Code Officer Rich McLaren, Code Enforcement Division, Police Department introduced the Case and began his testimony, "On February 20, 2019, I received a complaint from a neighbor in reference to a rear fence being in disrepair and overgrown vegetation on the property.

Upon inspection, I did find a wooden fence in the rear yard of the property in disrepair and various amounts of vegetation overgrown. A Notice of Code Violation was mailed - certified/return receipt requested; returned unclaimed on March 20 and it was subsequently posted at the property right afterwards.

On May 17, 2019, the property and City Hall were both posted in reference to the Code Board meeting. Notices were mailed out certified mail first class and they subsequently returned as well. No contact has been made with any part in reference to this. All notices that I mailed to the property, certified mail and first class, were all returned as unclaimed.”

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

Code Officer McLaren continued, “I recommend the property be found in violation of the Ordinances cited and the property be given until July 15, 2019 to come into Compliance and if they fail to come into Compliance, a daily Fine of two hundred dollars (\$200.00) be applied.”

Discussion followed on the fence in question and clarification of the Case number.

Note: The Respondent was not present.

“I MOVE TO FIND THE RESPONDENTS IN VIOLATION OF THE CITY CODE AND ORDER THAT THE RESPONDENTS BE GIVEN UNTIL JULY 15, 2019 TO CORRECT THE VIOLATION. IN THE EVENT THE RESPONDENTS FAIL TO COMPLY BY THIS DATE, A FINE IN THE AMOUNT OF TWO HUNDRED DOLLARS (\$200.00) SHALL BE IMPOSED FOR EACH DAY THE VIOLATION CONTINUES THEREAFTER.” MOTION BY BOARD MEMBER GILTZ. SECONDED BY BOARD MEMBER ROBINSON. DISCUSSION.

VOTE:

CHAIRPERSON CRISWELL: AYE

BOARD MEMBER GILTZ: AYE

VICE CHAIRPERSON KAPROW: AYE

BOARD MEMBER ROBINSON: AYE

BOARD MEMBER BURNS: AYE

MOTION CARRIED.

501. Code Enforcement Division – Police Department
CASE #2019CE000808
Patrick Byrne And Rachael Harrington
102 South Moss Road
Winter Springs, Florida 32708
City Code: 13-2.(a) Littering In The Right-Of-Way/Property
City Code: 13-2.(b) Junk And Debris
Inspector: Code Officer Rich McLaren

This Case was introduced by Code Officer McLaren who testified, “March 26, 2019, I observed that the front of the residence had an extensive amount of junk and debris items being stored outside – lawn of the residence. A Notice of Code Violation was mailed certified mail/return receipt requested and signed for on April 8, 2019.

On May 16, 2019, a re-inspection was done on the property and little to no change was noted. May 17, the property and City Hall were both posted in reference to the Code Board meeting; Notices were mailed out first class mail certified/return receipt requested. No contact has been made with any party in reference to this Case.”

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

Code Officer McLaren concluded, “I recommend the property be found in violation of the Ordinances as cited and the property be given until July 5, 2019 to come into compliance. If they fail to come into Compliance, a daily Fine of one hundred dollars (\$100.00) a day be applied.” Brief comments.

Note: The Respondent was present.

Ms. Rachel Harrington, 102 South Moss Road, Winter Springs, Florida: noted, “It was a table, and we cleared it up; I have a picture of it today, this afternoon, right before I left.”

Ms. Harrington entered a photograph into Evidence.

Chairperson Criswell asked about the debris to which Ms. Harrington explained that it was due to an ongoing motorcycle repair.

Discussion followed on the corrective action date and the storage for the Respondents’ motorcycles.

“I MOVE TO FIND THE RESPONDENTS IN VIOLATION OF THE CITY CODE AND ORDER THAT THE RESPONDENTS BE GIVEN UNTIL JULY 5, 2019 TO CORRECT THE VIOLATION. IN THE EVENT THE RESPONDENTS FAIL TO COMPLY BY THAT DATE, A FINE IN THE AMOUNT OF ONE HUNDRED DOLLARS (\$100.00) PER DAY SHALL BE IMPOSED FOR EACH DAY THE VIOLATION CONTINUES THEREAFTER.” MOTION BY VICE CHAIRPERSON KAPROW. SECONDED BY BOARD MEMBER ROBINSON. DISCUSSION.

**VOTE:
BOARD MEMBER GILTZ: AYE
BOARD MEMBER ROBINSON: AYE
BOARD MEMBER BURNS: AYE
CHAIRPERSON CRISWELL: AYE
VICE CHAIRPERSON KAPROW: AYE
MOTION CARRIED.**

PUBLIC HEARINGS AGENDA – NON-COMPLIANCE CASES

**600. 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 Matt Tracht, Support Services Bureau, Police Department introduced this Case and testified, “Originally on April 10, while on patrol, I saw this POD (Portable On Demand Storage) – this is the same information that I provided you guys with last month. A record check was done – no Permit was pulled, POD (Portable On Demand Storage) still stayed on premises.

Brought to you on the Board on May 28; at that time, you found the resident to be in violation of City Code, corrective date of June 7, 2019 was given. As of today, the violation still exists.”

Captain Tracht commented briefly on the proposed fine and corrective action date.

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

Captain Tracht noted, “The POD (Portable On Demand Storage) is still there. All the Notices per Statute were provided and posted at the residence as well as City Hall and mailed certified/return receipt as well.” However, Captain Tracht mentioned he spoke with a man that said he was going to move the POD (Portable On Demand Storage).

Note: The Respondent was not present.

“I MOVE TO FIND THE RESPONDENT IN VIOLATION OF THE CITY CODE AND THAT PENALTIES SET FORTH IN THIS BOARD’S PREVIOUS DATED...” VICE CHAIRPERSON KAPROW CONFIRMED, “...MAY 28...” BOARD MEMBER GILTZ CONTINUED, “...MAY 28, 2019, SHALL BE IMPOSED CONSISTENT WITH THAT ORDER.” MOTION BY BOARD MEMBER GILTZ. SECONDED BY BOARD MEMBER BURNS. DISCUSSION.

VOTE:

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

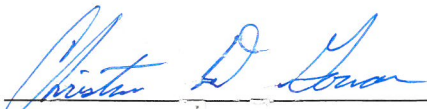
REGULAR AGENDA – PART II

700. Not Used

ADJOURNMENT

Chairperson Criswell adjourned the Regular Meeting at 5:48 p.m.

RESPECTFULLY SUBMITTED:



CHRISTIAN GOWAN
ASSISTANT TO THE CITY CLERK

NOTE: These Minutes were approved at the August 27, 2019 Code Enforcement Board Regular Meeting.